

# City of Fort Lauderdale

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## Meeting Minutes

Tuesday, June 20, 2023

1:30 PM

The Parker

707 Northeast 8th Street, Fort Lauderdale, FL 33304

## City Commission Conference Meeting

*FORT LAUDERDALE CITY COMMISSION*

*DEAN J. TRANTALIS Mayor*

*PAM BEASLEY-PITTMAN Vice Mayor - Commissioner - District III*

*JOHN C. HERBST Commissioner - District I*

*STEVEN GLASSMAN Commissioner - District II*

*WARREN STURMAN Commissioner - District IV*

*GREG CHAVARRIA, City Manager*

*DAVID R. SOLOMAN, City Clerk*

*D'WAYNE M. SPENCE, Interim City Attorney*

*PATRICK REILLY, City Auditor*

## CALL TO ORDER

Mayor Trantalis called the meeting to order at 1:52 p.m.

## QUORUM ESTABLISHED

**Commission Members Present:** Commissioner John C. Herbst, Commissioner Steven Glassman, Vice Mayor Pamela Beasley-Pittman, Commissioner Sturman, and Mayor Dean J. Trantalis

**Also Present:** City Manager Greg Chavarria, City Clerk David R. Soloman, Interim City Attorney D'Wayne M. Spence, and City Auditor Patrick Reilly

## COMMUNICATIONS TO THE CITY COMMISSION

[23-0621](#)

Communications to the City Commission - (Commission Districts 1, 2, 3 and 4)

***Marine Advisory Board (MAB)  
June 1, 2023***

***A copy of the MAB Communication to the City Commission is part of the backup to this Agenda item.***

MAB Chair Steve Witten explained the MAB's goal is to ensure safe navigation on the New River. Following discussions with numerous stakeholders, the MAB collectively recommends going forward with a one-year moratorium on dock waiver requests (Moratorium).

In response to Vice Mayor Beasley-Pittman's question, Chair Witten confirmed the MAB is requesting a Moratorium as soon as possible. Interim City Attorney D'Wayne Spence explained the Moratorium will have to be adopted by ordinance requiring two (2) readings. At the direction of the Commission, the Office of the City Attorney can start drafting an ordinance and bring it forward.

In response to Commissioner Sturman's questions, Chair Witten commented on two (2) recent dock waiver requests that came before the MAB, one was approved and the other was denied. Further comment and discussion ensued regarding the timeline to adopt a Moratorium ordinance. Chair Witten explained the area of the New River recommended for a Moratorium.

Commissioner Glassman remarked on the June 1, 2023, MAB Meeting Minutes and inquired about plans for public input regarding implementation of a Moratorium at MAB meetings or scheduling opportunities for public input that would include pertinent information and conditions.

Mayor Trantalis confirmed a Commission consensus to implement a Moratorium. Interim City Attorney Spence discussed his perspective and the need for additional details. Further comment and discussion ensued. Interim City Attorney Spence confirmed they would use the information previously provided by Chair Witten. Chair Witten remarked on the need for a study to identify the location of the current channel.

Mayor Trantalis noted the need for the MAB to work with Robert Dunckel, Assistant City Attorney III, and Interim City Attorney Spence to identify Moratorium boundaries and details to develop the ordinance that would go to the Planning and Zoning Board and proceed to the Commission.

### CONFERENCE REPORTS

CF-1 [23-0608](#)

Update - Melrose Manors Stormwater Project - (Commission District 3)

Alan Dodd, Public Works Department Director, provided an overview of this Agenda item, and introduced individuals who contributed to this presentation, including Daniel Suarez, P.E., HDR Associate Vice President, Rares Petrica, P.E., Public Works Department Senior Project Manager, Juan Carlos Samuel, EI, ENV SP, Public Works Department Project Manager II.

Mr. Petrica narrated the presentation entitled *Melrose Manors and Riverland Civic Stormwater Project Update*.

***A copy of the presentation has been made part of the backup to this Agenda item.***

In response to Mayor Trantalis' question, Mr. Petrica confirmed 2029 is the anticipated date for the completion of stormwater projects in the Melrose Manors and Riverland neighborhoods (Projects). Vice Mayor Beasley-Pittman emphasized the need to expedite the Projects. Further comment and discussion ensued. Mr. Suarez explained the multiple approaches being undertaken to expedite the Projects and said that delays revolve around permitting. Further comment and discussion ensued.

In response to Vice Mayor Beasley-Pittman's questions, Mr. Suarez explained permitting details involve Broward County, FDOT, the Army Corps of Engineers and City Staff. City Manager Chavarria confirmed he would reach out to these entities to expedite permitting. Mr. Suarez explained details related to survey work and confirmed he would communicate the need to expedite the Projects. Further comment and discussion ensued regarding the upcoming timeline for aspects of the Projects. Mr. Dodd said the upcoming presentation to Melrose Manors residents will be more in-depth. Further comment and discussion ensued regarding Staff efforts with HDR to expedite the Project.

### OLD/NEW BUSINESS

**BUS-1** [23-0282](#)

Presentation of Water and Sewer Rate Structure - (Commission Districts 1, 2, 3 and 4)

Susan Grant, Assistant City Manager, provided background details associated with this Agenda item. Four (4) financing strategies will be presented for Commission consideration. Ms. Grant introduced Mara Lugo, Senior Analyst - PFM.

Ms. Lugo narrated a presentation entitled *PFM - Prospect Lake Clean Water Center - Preliminary Financing Scenarios*.

***A copy of the presentation is part of the backup to this Agenda item (Exhibit 1).***

In response to Mayor Trantalis' question, Ms. Lugo confirmed two (2) of the scenarios involve fixed rate bonds with interest rates remaining the same throughout the terms. Mayor Trantalis remarked on the possible future opportunity to refinance the bonds at lower interest rates. Ms. Lugo confirmed.

Ms. Grant narrated a presentation entitled *Preliminary FY 2023 - FY 2033 Water Rate Increases*.

***A copy of the presentation is part of the backup to this Agenda item (Exhibit 2).***

Mayor Trantalis commented on his perspective and cited an example of water rate increases over ten (10) years. Ms. Grant explained that a current water bill consisting of 5,000 gallons per month is \$30.46 per month and would increase to \$70.71 per month over ten (10) years. Further comment and discussion ensued.

In response to Mayor Trantalis' question, Ms. Grant confirmed the *Baseline: No Water Plant Scenario (Baseline Scenario)* does not include construction of a new water treatment plant. It only includes regular maintenance on the existing water treatment plants. Related water rates would increase due to inflation and chemical and electricity costs.

In response to Commissioner Herbst's question regarding the *Baseline Scenario* and anticipation of including capital improvements at the Fiveash Water Treatment Plant (Fiveash) or the Peele Dixie Water Treatment Plant (Peele Dixie) over the next ten (10) years, Ms. Grant explained costs associated with the capital funding from the \$200,000,000 water and sewer bond tranches and pay as you go capital costs are included in the *Baseline Scenario*. Costs associated with a new water treatment plant and its enabling works are not included in the *Baseline Scenario's* ten (10) year forecast. She expounded on related details.

Commissioner Herbst commented on concerns and related conversations with Staff regarding *Financing Scenario #3: Wrapped Debt Service, 30 Years - Single Issuance for Water Plant (Financing Scenario #3)*.

In response to Mayor Trantalis' question, Commissioner Herbst recommended *Financing Scenario #1: Level Debt Service, 30 Years\* - Single Issuance for Water Plant (Financing Scenario #1)* that would include higher increases in years one (1) and two (2) in exchange for lower rate increases in subsequent years. Mayor Trantalis remarked on the rate increases associated with Commissioner Herbst's recommendation. Further comment and discussion ensued.

In response to Commissioner Glassman's question, Ms. Grant confirmed Staff is recommending *Financing Scenario #3*. Ms. Grant confirmed the Infrastructure Task Force Advisory Committee (ITFAC) concurred with Staff's recommendation. The ITFAC also recommended extensive community outreach and education.

In response to Mayor Trantalis' question, Ms. Grant explained details of the rate structure and rate increases listed in Exhibit 2. At the ten (10) year point, there is an opportunity for the City to refinance. She confirmed the role of PFM financial advisors to provide input regarding future refinancing of any of the City's outstanding debt. Ms. Lugo said that wrap scenarios are common in water and sewer structures due to flexibility and remarked on related details and benefits.

Commissioner Herbst commented on his experience regarding wrap financing and explained they are utilized when municipalities are at debt issuance capacity. The City does not have debt capacity issues. Ms. Lugo confirmed the City is highly rated from a financial standpoint and noted that wrap financing maintains flexibility.

Ms. Grant requested Commission feedback regarding how to move forward, allowing Staff to begin drafting related ordinances and developing plans for community outreach.

BAB Chair Brian Donaldson said that this presentation was provided to the BAB. His initial reaction reflected the position of Commissioner Herbst. Following extensive discussions, the BAB voted unanimously to recommend *Financing Scenario #3*, which would not significantly impact residents with higher rates during the first two (2) years. Further comment and discussion ensued.

Mayor Trantalis confirmed unanimous Commission Member support of *Financing Scenario #1* due to the significant savings.

**BUS-2** [23-0450](#)

Presentation on the Strategic Historic Preservation Plan -  
(Commission Districts 1, 2, 3 and 4)

Trisha Logan, Development Services Department Historic Preservation Planner, narrated a presentation entitled *Strategic Historic Preservation Plan*.

***A copy of the presentation is part of the backup to this Agenda item.***

In response to Mayor Trantalis' questions, Ms. Logan explained Staff is currently pursuing historic preservation plan efforts in Riverside Park and Rio Vista that should be completed within the next month, followed by Dorsey-Riverbend and South Middle River in Fiscal Year 2024. Staff has submitted an additional grant application for Fiscal Year 2025 for Coral Ridge and other neighborhoods. Ms. Logan noted an additional archeological initiative in Sailboat Bend and expounded on related details. Ms. Logan continued narrating the presentation.

In response to Mayor Trantalis' question, Ms. Logan confirmed this presentation was shared with the Historic Preservation Board and the Planning and Zoning Board.

Commissioner Glassman remarked on the significant changes made to

Historic Preservation Ordinances over the past five (5) years, and discussed related details. He noted the increase in historic preservation surveys and the need to pursue additional historic preservation incentives with a focus on noncommercial properties and to ensure residents are aware of those incentives. Commissioner Glassman expounded on his perspective.

In response to Commissioner Herbst's questions regarding outreach to business organizations that may be impacted by historic preservation efforts, Ms. Logan commented on outreach efforts, including the Downtown Development Authority, Riverwalk, and neighborhood civic associations. Commissioner Herbst requested Ms. Logan provide a complete list. Commissioner Herbst remarked on possible constraints placed on buildings included in historic preservation surveys and concerns regarding establishing thematic historic districts. He cited examples and discussed related details.

Vice Mayor Beasley-Pittman remarked on the need for strategic communication efforts when advertising this subject to District 3 residents due to the lack of broadband service, which should include door-to-door distribution of informational flyers. She inquired about the frequency and amount of grant funding for historic preservation. Ms. Logan explained details of grant funding received, including Fiscal Year 2024. City Manager Chavarria confirmed there is no requirement for match funding from the City as it is a Certified Local Government.

In response to Vice Mayor Beasley-Pittman's questions regarding grant funding for historically designated Woodlawn Cemetery and park space area behind the Salvation Army Thrift Store at 18th Avenue and West Broward Boulevard, Ms. Logan confirmed the North Woodlawn Cemetery is a historically designated site. It has a State Historical Marker and is listed on the National Register of Historic Places. The park area behind the Salvation Army Thrift Store will be included in the Dorsey-Riverbend survey next year. Ms. Logan explained the Fort Lauderdale Historical Society's efforts to pursue and identify black history in other areas of the City that will be the basis for educating the community. Commissioner Glassman concurred and expounded on his past efforts.

Mayor Trantalis recognized Ted Inserra, 912 SW 19th Street. Mr. Inserra spoke in support of this Agenda item.

Mayor Trantalis recognized Count Rosenthal, 1141 Bailey Avenue, Macon, Georgia. Mr. Rosenthal spoke in support of this Agenda item.

Commissioner Glassman remarked on efforts of the Broward Trust for Historic Preservation to identify buildings worthy of historical designation and expounded on related details.

Mayor Trantalis remarked on the importance of historic preservation, including the identification of older structures that have heritage and meaning to the community. He cited examples and expounded on his perspective.

**BUS-3** [23-0601](#)

Update for Temporary City Hall Relocation - (Commission Districts 1, 2, 3 and 4)

Mayor Trantalis recognized Ken Krasnow, Colliers International (Colliers). Mr. Krasnow provided an update on temporary solutions for the relocation of City Hall, narrating a presentation entitled *Update for Temporary Relocation - City Hall*.

***A copy of the presentation has been made part of the backup to this Agenda item.***

In response to Commissioner Herbst's question, Mr. Krasnow confirmed the August timeframe to sublet the West Marine space.

In response to Mayor Trantalis' question regarding the West Marine space, Mr. Krasnow explained it is not officially on the market and discussed related details. Should West Marine sublease its space, they would move their personnel to an alternative location.

In response to Commissioner Glassman's question, Mr. Krasnow said cost associated with leasing *1 East Broward - Alms Sublease + Direct Space* is \$11,500,000. Mayor Trantalis remarked on the ability to meet an August, 2023, timeline. Interim City Attorney D'Wayne Spence remarked on his viewpoint and matters related to lease document negotiations. Further comment and discussion ensued.

Mr. Krasnow remarked on details regarding tenancy and lease negotiations for the West Marine space and commented on separate space currently leased by the Office of the City Attorney in the One East Broward Boulevard building. Further comment and discussion ensued.

Vice Mayor Beasley-Pittman remarked on concerns regarding the process, the need to be good stewards of taxpayer funds, and expounded on her viewpoint. She remarked on continuing the current hybrid work model and requested financial details of the amount currently being spent and five (5) year cost projections.

Mayor Trantalis commented on input from City Manager Chavarria regarding the current hybrid model and the need to consolidate operations to improve employee productivity and efficiency. Further comment and discussion ensued.

Vice Mayor Beasley-Pittman requested City Manager Chavarria provide other, less expensive options. City Manager Chavarria confirmed. Commissioner Glassman requested City Manager Chavarria's scope of information include amounts the City can anticipate from insurance, relief from the federal government and other agencies to mitigate costs. Further comment and discussion ensued.

Commissioner Herbst discussed his viewpoint regarding numerous Staff locations prior to the April 12, 2023, flooding event, the ability of Staff to meet and collaborate via communications technology, and the actual number of employees previously located at City Hall. He remarked on the managerial impact on productivity versus employee location, and cited examples. Commissioner Herbst recommended making a decision after receipt of insurance funds and the need for a frugal mindset. City Manager Chavarria discussed his viewpoint, reiterated that Staff would provide requested Commission information, and would recommend the minimum amount of office space required.

Commissioner Glassman inquired about compressing the timeline for permanent space from five (5) years to three (3) years and requested further refined numbers. Commissioner Sturman remarked on the yearly amounts spent to maintain City Hall.

In response to Mayor Trantalis' question regarding using insurance reimbursement for the rehabilitation of City Hall to defray rent expenses at a new location, City Manager Chavarria confirmed he would provide related information and noted that the proposed FY 2024 budget includes allowances for rent to move Staff into the intermediate relocation phase.

Mayor Trantalis commented on the opportunity to initiate discussions on this topic at a Commission Joint Workshop with the Infrastructure Task Force Advisory Committee that would provide community involvement for a new city hall.

Commissioner Herbst commented on the lengthy timelines associated with government projects. Further comment and discussion ensued.

Mayor Trantalis recognized James LaBrie, 1514 NE 20th Street, and Poinsettia Heights Civic Association Board Member. Mr. LaBrie remarked on supporting a distributed approach to a Staff work environment, associated benefits, and recommended a forward thinking approach.

Mayor Trantalis recognized Bryson Ridgway, 1004 SE 6th Street. Mr. Ridgway commented on additional details related to leasing space at One East Broward Boulevard that are cost effective.

Mayor Trantalis recognized Evan Gross, 1515 W. Cypress Creek Road, Cypress West, LLC. Mr. Gross narrated a presentation entitled *1515 W. Cypress Creek Road*.

***A copy has been made part of the backup to this Agenda item.***

Mayor Trantalis recognized Sheldon Gross, 1515 W. Cypress Creek Road, Cypress West, LLC. Mr. Gross continued narrating the presentation.

Commissioner Herbst commented on the opportunity to look at the Federal Courthouse as a possible location for a new City Hall that would encompass historic preservation goals. Mayor Trantalis concurred but commented on feedback received regarding its current condition. Commissioner Herbst recommended continued research on the viability of this opportunity. Commissioner Glassman concurred on his support of efforts to preserve the Federal Courthouse. Further comment and discussion ensued regarding researching rehabilitation costs and related details.

In response to Commissioner Glassman's question, City Manager Chavarria confirmed Colliers will return to the Commission with information regarding a strategy for temporary office space that will include best and final numbers.

### **MIAMI BECKHAM UNITED DISCUSSION**

Mayor Trantalis provided an overview regarding the status of mediation efforts involving the City and Miami Beckham United (MBU) associated with the Lockhart Park Comprehensive Agreement. The Commission requested input from representatives of Miami Beckham regarding mediation efforts. Interim City Attorney D'Wayne Spence noted the attendance of representatives today who participated in the mediation, including the mediator, former Mayor John P. "Jack" Seiler, and representatives of Miami Beckham, Stephanie Toothaker, Esq., and

Pablo Alvarez, Esq., Senior Vice President of Miami Beckham, and former Florida State Senator Chris Smith.

Mayor Trantalis remarked on his understanding of mediation efforts and said that an impasse was reached. He remarked on confidentiality concerns raised by Interim City Attorney Spence.

In response to Mayor Trantalis' questions, Ms. Toothaker commented on mediation efforts, and said the parties to the mediation had reached an impasse. Ms. Toothaker confirmed MBU agrees to waive any confidentiality from the mediation and confirmed Chris Smith is part of the MBU team.

Mayor Trantalis remarked on the July 18, 2023, deadline for construction of the community park (Park) on the southern portion of the Lockhart Park site, which was extended by one (1) year; determining a site plan for the Park; who will pay for the Park; the payment of the Building Permit Fees (Fees) for construction of the Inter Miami Stadium; and actions by the parties to move forward collaboratively.

In response to Mayor Trantalis' question, Mr. Alvarez clarified that the July 18, 2023, deadline was predicated on the City and MBU reaching a consensus regarding the development of the Park, which has not occurred. The City has not reached an internal consensus on the Park design, and a consensus with MBU has not been reached.

In response to Mayor Trantalis' request, Mr. Seiler updated the Commission on mediation efforts and confirmed all participants acted in good faith. Mr. Seiler confirmed the Fee has been placed in escrow. He stated for the record that the escrow agreement's terms and conditions need to be negotiated. Unless an agreement is reached, the escrowed Fees funds need to be returned. Mr. Seiler recommended a second mediation. He does not want to pursue any waivers unless he receives specific direction from the City and MBU. Mr. Seiler requested Commission direction regarding pursuing additional mediation and expounded on his viewpoint. Further comment and discussion ensued.

Mayor Trantalis remarked on the need for this process to be as transparent as possible and requested a copy of the correspondence under which the escrow of Fees was proffered. Mr. Seiler confirmed he had an email. Mr. Alvarez explained the terms for distribution of the escrowed Fees are dependent upon the resolution of three (3) issues: 1) determining a consensus of what is going to be built on the Park; 2) addressing the reimbursement of costs to get the site pad ready

(demolition costs); and 3) resolving the payment of the Fees. Mr. Alvarez remarked on the City's conditions related to the certificate of occupancy and game day parking.

Commissioner Herbst remarked on the importance of accuracy regarding statements made on the record and requested Rhonda Hasan, City Attorney III, to corroborate.

In response to Mayor Trantalis' questions, Ms. Toothaker discussed the terms of the escrowed Fees. Ms. Toothaker explained the main issues, including MBU wanting the right to receive the escrowed Fees back if the City and MBU reached an impasse at mediation. She remarked on MBU's upcoming plans and the critical nature of issuing an extension of the parking permit for the yellow parking lot along with an extension of the Temporary Certificate of Occupancy (TCO) for the stadium. MBU requests an extension of parking permit for the yellow parking while mediation negotiations continue.

In response to Mayor Trantalis' question, Ms. Toothaker said the TCO needs to be renewed every thirty (30) days, and MBU has placed \$1,400,000 in escrow subject to the City accepting MBU's terms.

Mayor Trantalis remarked on the need to address the building of the Park. Commissioner Herbst commented on the AECOM design plan for the Park. AECOM is in the process of moving from the thirty percent (30%) design phase to the sixty-five percent (65%) design phase, at which time it could be put out to bid. Further comment and discussion ensued.

In response to Commissioner Glassman's question, Interim City Attorney Spence explained the Comprehensive Agreement (Agreement) requires the design and construction of the Park be approved by both MBU and the City. The Agreement contemplated that MBU would pursue design work for the Park, bring a Park design to the City for approval to be mutually agreed upon, resulting in an approved Park design. Discussions by the prior Commission resulted in agreement that the City Commission would proffer a Park design to MBU.

Mayor Trantalis remarked on his understanding regarding MBU's position, its inability to build the Park because the City has not submitted a final design. Mr. Alvarez confirmed and remarked on language in the Agreement outlining MBU's deliverables. Mr. Alvarez commented on additional Park amenities the City requested to be built in the Park at the City's expense and cited examples. The Agreement has no financial

numbers related to the funding amount to be invested in development of the Park.

Commissioner Herbst said the City is not requesting MBU pay for Park amenities that are not included in the Agreement. The City has the right to have other Park amenities requested by the community, and MBU does not control use of the Park in perpetuity. Commissioner Herbst identified neighborhoods providing input on this topic and expounded on related details, including Parks Bond funding designated for Park amenities. Mayor Trantalis concurred with Commissioner Herbst's comments and said there is no expectation for MBU to fund Park amenities outside of the Agreement. Further comment and discussion ensued.

Interim City Attorney Spence explained the Agreement describes the building of a qualified project, including the stadium, the training facility, and the Park. The Agreement describes an approval process in which both the City and MBU approve the entire site development. The City has a conceptual Park site plan provided by MBU, which the City has not approved, but that does not forfeit the City's right to seek a remedy to ensure the Park is constructed. The City's sole remedy should an agreement not be reached with MBU, is for the City to build the Park at its own cost and seek reimbursement from MBU. Further comment and discussion ensued regarding the interpretation of the Agreement.

Mr. Seiler commented on his perspective and discussed the four (4) mediation issues: the Fees; demolition costs; Park construction, including determining MBU's financial responsibility for Park amenities outlined in the Agreement and additional amenities requested by the City that would be funded by the City; and the completion date. Mr. Seiler urged continued mediation to address these issues. Further comment and discussion ensued.

Mayor Trantalis noted the anticipation of increased public interest in Inter Miami games. He recommended sharing the current AECOM design with MBU. City Manager Chavarria said that September 2024 is the projected date for AECOM final design and permitting. Commissioner Herbst confirmed the current AECOM design has been provided to MBU, which provides a broad outline and preliminary cost estimates, that should continue to move forward. Further comment and discussion ensued.

Mayor Trantalis remarked on the need to extend the July 18, 2023, deadline. Commissioner Herbst cautioned on negotiating from the dais

and recommended continuing mediation efforts. He noted that the Fees are not in dispute. Commissioner Herbst discussed concerns regarding MBU's position that should mediation efforts fail, the \$1,400,000 of its escrowed funds would be returned.

Mayor Trantalis discussed extending the parking for Inter Miami games until the Commission returns from its Summer Break. Commissioner Herbst recommended the Commission authorize him to use a parking extension as a negotiating tool in mediation. Further comment and discussion ensued.

Commissioner Glassman recommended Mayor Trantalis takeover as the City's representative in mediation efforts and expounded on his viewpoint. Further comment and discussion ensued.

In response to Commissioner Herbst's question, Ms. Toothaker said MBU has not pulled a permit or started construction on the additional spectator seating planned for Inter Miami Stadium. Further comment and discussion ensued.

Commissioner Sturman remarked on his perspective. In response to Commissioner Sturman's question, Interim City Attorney Spence reiterated that the City has no authority to waive the Fees and remarked on related details. Commissioner Sturman recommended both parties return to good faith, earnest mediation efforts. Further comment and discussion ensued.

Mayor Trantalis commented on the Commission extending parking until the end of Inter Miami's season. Commissioner Herbst noted his willingness to extend parking to the end of the season during mediation and explained that the Fees need to be paid. The items in dispute are due to the manner in which the interim comprehensive agreement and the Agreement were drafted and include the responsible party for demolition costs, Park construction costs, and the related timeline.

Ms. Hasan explained that a Certificate of Occupancy (CO) cannot be granted until the Fees are paid and expounded on related details. Mr. Alvarez explained his viewpoint regarding payment of the Fees, which would be offset from costs the City owes to MBU. Mayor Trantalis explained the City's role as a government agency that does not allow the Commission to waive Fees. Further comment and discussion ensued.

Commissioner Herbst explained the City has no ability to offset Fees as they are restricted by Florida Statutes. Fees are placed in a special

revenue fund that can only be expended for activities associated with the enforcement of the Florida Building Code. Funds sought by MBU for demolition would be funded by the General Fund, which are unrestricted municipal dollars from a variety of sources that could be used to fund any valid municipal purpose. Building Fund and General Fund dollars cannot be co-mingled.

Mr. Alvarez discussed wording included in a July 6, 2021, document from the City Manager's Office regarding the appropriation of funds from the General Fund for the payment of Fees. Mayor Trantalis confirmed the Commission did not vote to approve the language in that draft document. Interim City Attorney Spence noted following review of that document by the Office of the City Attorney, that wording was deleted with red strikethrough notations and did not move forward.

Mr. Seiler expounded on his perspective and the need for the parties to reach a mutual agreement through mediation. Further comment and discussion ensued.

Mayor Trantalis proposed that MBU agree to pay the Fees to allow the extension of parking during Inter Miami games and both parties continue mediation effort to negotiate other items in dispute, including demolition fees and the timeline and costs associated with Park construction. Mr. Alvarez confirmed he would consult with MBU on this proposal and advise.

Commissioner Herbst noted that no new building permits would be issued without payment of outstanding Fees.

In response to Interim City Attorney Spence's request for clarification, Mayor Trantalis confirmed that payment of Fees would be bifurcated from other mediation issues that include the Park design, costs and timeline. Should Mr. Alvarez return with authorization from MBU to pay the Fees, the City Manager is authorized to move forward with an extension of the parking agreement with MBU. Further comment and discussion ensued. Ms. Hasan remarked on the need for related amendments to the Agreement.

In response to Mayor Trantalis' question, Mr. Alvarez confirmed he would inform City Manager Chavarria about MBU's response regarding the payment of Fees. Commissioner Herbst requested that the Commission also be informed. Further comment and discussion ensued regarding continued mediation.

Interim City Attorney Spence confirmed that decisions regarding the TCO are outside the authority of the Commission and is not an item the Commission can negotiate or determine. The TCO decision is the sole responsibility of the City's Building Official.

Mr. Seiler reiterated that his law firm is holding \$1,400,000 in an escrow account on behalf of Miami Beckham.

## **COMMISSION REPORTS**

### ***Members of the Commission announced recent and upcoming events.***

Commissioner Herbst remarked on the negative impact of chronically homeless individuals throughout District 1. He cited examples and expounded on previous efforts to address this concern in the downtown area. Commissioner Herbst recommended the Commission continue to direct the City Manager to devote more resources to homelessness outreach with a focus on reaching out to all impacted neighborhoods.

In response to Vice Mayor Beasley-Pittman's request for an update on her previous request for proactive efforts to assist residents with storm preparation, City Manager Chavarria explained that Fire-Rescue Chief Stephen Gollan is coordinating with Parks and Recreation Department Staff to begin sandbag distribution as early as Saturday, July 24, 2023. Staff is formalizing plans for community outreach for the distribution of sand bags. Staff will update the Commission later this week.

Commissioner Herbst remarked on the need for the Commission to revisit existing Code Enforcement policy at a future meeting, including community feedback regarding the need for Code Officers to proactively address visible code violations during their travel through neighborhoods. Further comment and discussion ensued.

Commissioner Glassman concurred with Commissioner Herbst's concerns about the need to address homelessness, which is pervasive throughout the City, and Staff increasing its homelessness efforts. He commented on the Commission's goal to address entertainment districts, particularly on Himmarshee Street, and would be meeting with all stakeholders to get related efforts in place.

In response to Commissioner Glassman's question, City Manager Chavarria provided an update on recruiting efforts for the position of City Attorney, which began on May 31, 2023. Input from the City Attorney Search Committee (CASC) contributed to position requirements and

qualifications. Active recruiting efforts are ongoing by the Mercer Group, and the first review of applications by the CASC is planned for June 30, 2023. Recruiting will continue until July 14, 2023.

In response to Commissioner Sturman's questions regarding a comparison of current water rates and projected water rates with other municipalities, Susan Grant, Assistant City Manager, explained current water information was included in the earlier presentation from Laura Reece. After other municipalities finalize their budget processes, rate comparisons will be available, and Staff will provide comparisons to the Commission. Commissioner Sturman remarked on his perspective regarding City water rates being competitive. Further comment and discussion ensued.

Mayor Trantalis commented on inquiries by Dr. Allen Zeman, Broward County School Board (School Board) Member, regarding the slow down of the joint initiative by the School Board and the City to establish park facilities on school grounds. City Manager Chavarria confirmed Staff prepared related information and responded to Dr. Zeman, which would be shared with the Commission.

Mayor Trantalis remarked on push back from neighborhood civic associations regarding certain neighborhood projects and who bears financial responsibility for maintenance. He cited the Bal Harbor Guard House as an example and noted the need for a policy discussion at a future Conference Meeting.

### **CITY MANAGER REPORTS**

City Manager Chavarria commented on Staff efforts to begin sandbag distribution on Saturday, June 24th, in the Edgewood neighborhood, Floyd Hull Stadium, Mills Pond Park, and Shirley Smalls Park. He noted that June 27, 2023, is the deadline to submit Federal Emergency Management Agency (FEMA) claims associated with the April 12, 2023, flooding event and explained related details.

City Manager Chavarria discussed details related to the \$40,000 budget increase for the 4th of July celebration due to the omission associated with cost of the fireworks barge. Expenses budgeted for special events would remain within the annual allocated budget amount. Further comment and discussion ensued regarding budgets for special events. Vice Mayor Beasley-Pittman discussed the importance of fairness and transparency and requested a Commission Workshop or discussion on budgets for special events. Mayor Trantalis agreed.

## ADJOURNMENT

Mayor Trantalis adjourned the meeting at 6:10 p.m.