


4-21-15
CR-8
REVISED



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#15-0504

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Lee R. Feldman, ICMA-CM, City Manager 

DATE: April 21, 2015

TITLE: REVISED CR-8 - Waiver of Conflict of Interests - Beach Business
Improvement District (BID) Committee Members/Alternates and Food
and Beverage Service on Fort Lauderdale Beach

Recommendation

It is recommended that the City Commission adopt a resolution waving any conflict of interest for Beach Business Improvement District (BID) Committee members and their alternates relating to allowing the business entities with which they are employed or associated to participate in a program to provide food and beverage service on Fort Lauderdale Beach.

Background

At the September 16, 2014 City Commission Conference meeting, the Commission directed staff to proceed with a proposed program to provide food and beverage service on Fort Lauderdale Beach. In order to ensure that the BID Committee members have an opportunity to participate in the program, a resolution to waive the members' conflict of interest is required. The BID Committee has nine members, which includes seven of the top ten assessed commercial properties fronting SR A1A and a representative from the Beach Redevelopment Advisory Board (BRAB) and the Greater Fort Lauderdale Chamber of Commerce Beach Council. All of the members, except for the BRAB representative, have expressed an interest in participating in this program. These members and their alternates include:

- Eduardo Fernandez — no alternate — Sonesta Hotel/Chamber of Commerce
- Jean Capps/Stephen Donahue (alternate) — B Ocean Resort/Performance Hospitality Management, LLC
- Patrick Reece/John Hopwood (alternate) — Bahia Mar Hotel/City of Fort Lauderdale
- Carmen Barbagelata (alternate) — Beach Place Retail/ Thor Gallery at Beach Place, LLC
- Bill Cunningham/Thomas Miller (alternate) — Marriott Courtyard/ PHF Oceanfront, LP

- Madeline Clark/Jackie Foster (alternate) — Beach Place Towers/Marriott Ownership Resorts, Inc.
- Greg Cook/Monique Soriano (alternate) — Ritz Carlton/RCFL Investor, LLC
- Marylouise Fitzgibbon/Michel Notten (alternate) — W Condos/Capri Resorts, LLC

Sections 112.313(3) and (7), Florida Statutes, provide in part that no public officer, acting in a private capacity, shall rent, lease, or sell any realty, goods, or services to any political subdivision or any agency thereof, if he or she is serving as an officer of that political subdivision and no public officer of an agency shall have or hold any employment or contractual relationship with any business entity or any agency which is subject to the regulation of, or is doing business with, an agency of which he or she is an officer.

Section 112.313(12), Florida Statutes, however, allows the City Commission to waive any conflicts created by subsections (3) and (7), pertaining to advisory board members upon full disclosure of the relationship and a two thirds vote in favor of the waiver.

Resource Impact

This waiver does not impact resources.

Strategic Connections

N/A

Related CAM: #15-0502

Attachment:

Exhibit 1 - Conflict of Interest Waiver Resolution

Prepared by: Donald Morris, AICP, Economic Reinvestment Administrator

Department Director: Jenni Morejon, Sustainable Development Director