

City of Fort Lauderdale

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Meeting Minutes

Tuesday, March 1, 2022

6:00 PM

City Hall - City Commission Chambers
100 North Andrews Avenue, Fort Lauderdale, FL 33301

City Commission Regular Meeting

FORT LAUDERDALE CITY COMMISSION

DEAN J. TRANTALIS Mayor

HEATHER MORAITIS Vice Mayor - Commissioner - District I

STEVEN GLASSMAN Commissioner - District II

ROBERT L. McKINZIE Commissioner - District III

BEN SORENSEN Commissioner - District IV

CHRIS LAGERBLOOM, City Manager

DAVID R. SOLOMAN, City Clerk

JOHN HERBST, City Auditor

ALAIN E. BOILEAU, City Attorney

CALL TO ORDER

Mayor Trantalis called the meeting to order at 6:40 p.m.

MEETING ANNOUNCEMENT

Mayor Trantalis announced details regarding the meeting format, including how members of the public can view and participate.

Pledge of Allegiance

Mayor Dean J. Trantalis

MOMENT OF SILENCE

Mayor Trantalis requested a Moment of Silence in remembrance of those who have lost their lives in the Ukrainian conflict.

ROLL CALL

Present: 5 - Commissioner Ben Sorensen, Vice Mayor Heather Moraitis, Commissioner Steven Glassman, Commissioner Robert L. McKinzie (arrived at 7:05 p.m.) and Mayor Dean J. Trantalis

QUORUM ESTABLISHED

Also Present: City Manager Chris Lagerbloom, Assistant City Manager and Human Resources Director Tarlesha Smith, City Clerk David R. Soloman, City Attorney Alain E. Boileau and City Auditor John Herbst

AGENDA ANNOUNCEMENTS

Mayor Trantalis announced the following changes to the published Agenda:

Removed from Agenda:

CR-6 - Requested by City Manager Lagerbloom
NP-4 - Requested to be removed by Neighbor

Approval of MINUTES and Agenda

[22-0231](#)

Minutes for December 21, 2021 Commission Regular Meeting and

January 5, 2022 Commission Conference Meeting - (Commission Districts 1, 2, 3 and 4)

Commissioner Glassman made a motion to approve the Minutes and Agenda and was seconded by Commissioner Sorensen.

APPROVED

Yea: 4 - Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

Not Present: 1 - Commissioner McKinzie

PRESENTATIONS

PRES- [22-0176](#)
1

Mayor Trantalis will recognize the International Fire Inspectors from Sister City of Medellin, Colombia visiting the City of Fort Lauderdale

Mayor Trantalis recognized International Fire Inspectors from the Sister City of Medellin, Colombia, visiting the City to learn about community fire risk reduction strategies. Fire-Rescue Department Chief Rhoda Mae Kerr remarked on Medellin Fire Inspectors' work with Fire Inspector Staff towards risk reduction.

Representatives of Medellin's International Fire Inspectors thanked Mayor Trantalis and the Commission for this recognition. Russell Weaver, *Greater Fort Lauderdale Sister Cities International, Inc. (GFLSCI)* President, welcomed the Colombian Fire Exchange Program Fire Inspector representatives and thanked the City for its support. Colombian General Consul Pedro Agustín Valencia discussed the important role of firefighters in their communities and thanked the City for its efforts.

PRESENTED

PRES- [22-0226](#)
2

Vice Mayor Moraitis will present a Proclamation declaring Tuesday, March 1, 2022, as Cardinal Gibbons Football Team Day

Vice Mayor Moraitis presented a Proclamation declaring *Tuesday, March 1, 2022, as Cardinal Gibbons Football Team Day in the City of Fort Lauderdale* in recognition of winning the State Championship, reading the Proclamation in its entirety.

The Proclamation was accepted by Cardinal Gibbons Principal Oscar Cedeno, Athletic Director Michael Morrill, Head Coach Matt DuBuc and Melanie DuBuc, Assistant Head Coach Dave Montiel and Football Team Members.

PRESENTED

PRES- [22-0227](#)
3

Commissioner Glassman will present a Proclamation declaring the Month of March 2022, as Bleeding Disorders Awareness Month

Commissioner Glassman presented a Proclamation declaring the *Month of March 2022, as Bleeding Disorders Awareness Month*, reading the Proclamation in its entirety. Mayor Trantalis noted that the Proclamation would be forwarded to the *Florida Hemophilia Association*.

PRESENTED

CONSENT AGENDA PUBLIC COMMENT

Mayor Trantalis explained procedures and details regarding how members of the public could speak on Consent Agenda items.

CR-3 and CR-7:

Mayor Trantalis recognized Paul Chettle, 200 S. Birch Road. Mr. Chettle commented on decorum during City Commission Meetings.

CONSENT AGENDA

Approval of the Consent Agenda

Commissioner Glassman made a motion to approve the Consent Agenda and was seconded by Commissioner Sorensen.

Approve the Consent Agenda

Yea: 5 - Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie and Mayor Trantalis

CONSENT MOTION

CM-1 [22-0184](#)

Motion Approving Event Agreements for Igloo Cooler Festival and ASahi - (Commission Districts 2 and 4)

APPROVED

Yea: 5 - Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie and Mayor Trantalis

CM-2 [22-0183](#)

Motion Approving Event Agreements and Related Road Closures for Fort Lauderdale St. Patrick's Day Parade & Festival, Vegan Block Party, Crawfish Festival, 2022 Walk Like MADD and MADD Dash Fort Lauderdale 5K and First Street Cars and Coffee - (Commission Districts 2 and 4)

APPROVED

Yea: 5 - Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie and Mayor Trantalis

CM-3 [22-0151](#)

Motion Declaring the Lauderdale Air Show on Fort Lauderdale Beach, Scheduled for April 30, 2022- May 1, 2022, as a Public Purpose Special Event and Creating a Temporary Exemption Relating to the Sale, Possession and Consumption of Alcohol at the Event - (Commission District 2)

APPROVED

Yea: 5 - Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie and Mayor Trantalis

CM-4 [22-0123](#)

Motion Approving FY 2022 - 2024 Beach Business Improvement District (BBID) Grant Participation Agreement with TMF Holdco LLC, to produce the Tortuga Music Festival in the Amounts of \$150,000 in the First Year, \$250,000 in the Second Year, and \$250,000 in the Third Year, for a Total Amount of \$650,000 - (Commission District 2)

APPROVED

Yea: 5 - Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie and Mayor Trantalis

CM-5 [22-0240](#)

Motion Approving Settlement Agreement and Release between the City of Fort Lauderdale and BCC Engineering, LLC - (Commission Districts 1, 2, 3 and 4)

APPROVED

Yea: 5 - Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie and Mayor Trantalis

CONSENT RESOLUTION

CR-1 [22-0033](#)

Resolution Imposing Special Assessment Liens for Lot Clearing - (Commission Districts 1, 2, 3 and 4)

ADOPTED

Yea: 5 - Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie and Mayor Trantalis

CR-2 [22-0034](#)

Resolution Imposing Special Assessment Liens for Costs Associated with the Securing of Multiple Properties - (Commission Districts 1 and 3)

ADOPTED

Yea: 5 - Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie and Mayor Trantalis

- CR-3** [22-0088](#) Resolution Authorizing the City Manager to Execute a Reimbursable Grant Agreement with the Florida Department of Economic Opportunity (FDEO) for the Durrs Stormwater Improvements Project in an Amount up to \$10,500,000 - (Commission District 3)

ADOPTED

Yea: 5 - Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie and Mayor Trantalis

- CR-4** [22-0099](#) Resolution Approving a Public Transportation Grant Agreement with the Florida Department of Transportation for the Construction of Runway 9 Run-Up Area Relocation and South End Taxiways Intersection Improvements Project at Fort Lauderdale Executive Airport - \$251,83 - (Commission District 1)

ADOPTED

Yea: 5 - Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie and Mayor Trantalis

- CR-5** [22-0155](#) Resolution Approving a Maintenance Memorandum of Agreement with the Florida Department of Transportation for the Oakland Park Boulevard Access Road Rectangular Rapid Flashing Beacon - (Commission Districts 1 and 2)

ADOPTED

Yea: 5 - Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie and Mayor Trantalis

- CR-6** [22-0223](#) Resolution Approving an Agreement with Florida Power and Light Company in the Melrose Park Neighborhood - \$626,839 - (Commission District 3)

REMOVED FROM AGENDA

- CR-7** [22-0012](#) Resolution Approving the Consolidated Budget Amendment to Fiscal Year 2022 - Appropriation - (Commission Districts 1, 2, 3 and 4)

ADOPTED

Yea: 5 - Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie and Mayor Trantalis

CONSENT PURCHASE

- CP-1** [22-0100](#) Motion Approving Agreement for Fiveash Water Treatment Plant

Filters Rehabilitation Project - Phase 2 - RF Environmental Services, Inc. - \$3,354,380 - (Commission Districts 1, 2, 3 and 4)

APPROVED

Yea: 5 - Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie and Mayor Trantalis

CP-2 [22-0142](#)

Motion Approving a Design Criteria Package Agreement for the Effluent Pump Standby Generator & Administration Building - George T. Lohmeyer Wastewater Treatment Plant to Smith Engineering Consultants, Inc. - \$500,000 - (Commission Districts 1, 2, 3 and 4)

APPROVED

Yea: 5 - Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie and Mayor Trantalis

CP-3 [22-0144](#)

Motion Approving Agreements for the Purchase of Hauling and Disposal Services - Grits, Rags, Solids and Biosolids - A.J. Panzarella L.L.C. - \$772,472 - Merrell Bros., Inc. - \$6,557,760 - (Commission Districts 1, 2, 3 and 4)

APPROVED

Yea: 5 - Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie and Mayor Trantalis

CP-4 [22-0149](#)

Motion Approving Purchase of an Asphalt Patcher - Environmental Products Group, Inc. - \$193,131 - (Commission Districts 1, 2, 3 and 4)

APPROVED

Yea: 5 - Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie and Mayor Trantalis

Point of Personal Privilege

Vice Mayor Moraitis made a motion to reconsider the motion to terminate the City Auditor at the next Commission Meeting. City Attorney Boileau explained procedural details. Further comment and discussion ensued.

MOTIONS

M-1 [22-0185](#)

Motion Approving an Event Agreement and Request for Music Exemption for Waxys St Pats Day Party - (Commission District 4)

Commissioner McKinzie made a motion to approve this item and was seconded by Commissioner Sorensen.

APPROVED

Yea: 5 - Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie and Mayor Trantalis

M-2 [22-0188](#) Motion Approving an Event Agreement and Related Road Closures for the Fort Lauderdale Air Show - (Commission District 2)

Commissioner Glassman reiterated concerns regarding the need for Staff to work on ways to alleviate traffic congestion and assist people exiting the barrier island following beach events. He remarked on the need for increased personnel to guide traffic.

Commissioner Glassman made a motion to approve this item and was seconded by Commissioner Sorensen.

APPROVED

Yea: 5 - Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie and Mayor Trantalis

M-3 [22-0225](#) Motion Approving Contract Extension and Increase in Expenditures for Construction Contract Audit Services - Carr Riggs and Ingram, LLC - \$72,000 - (Commission District 2)

Mayor Trantalis recognized Paul Chettle, 200 S. Birch Road. Mr. Chettle commented on aspects of the construction closeout of the *Las Olas Garage* and *Skanska Construction* and inquired as to the status.

City Attorney Boileau said the matter is with outside counsel.

Mayor Trantalis said the City had not accepted the project. City Attorney Boileau confirmed.

City Auditor Herbst explained this Agenda item relates to a contract extension for the *Aquatic Center* and expounded on related details.

Commissioner Glassman made a motion to approve this item and was seconded by Commissioner Sorensen.

APPROVED

Yea: 5 - Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie and Mayor Trantalis

M-4 [22-0251](#) Motion Approving a Comprehensive Agreement with One Stop FTL, LLC Pursuant to Florida Statutes Section 255.065, related to City-owned Property located at 301 N Andrews Avenue Fort Lauderdale, FL 33301 Commonly Known as the One Stop Shop -

(Commission District 2)

Mayor Trantalis recognized Stephanie Toothaker, Esq., on behalf of the *One Stop Shop, LLC (Applicant)*. Ms. Toothaker announced the ownership group members and narrated a slide presentation regarding the project.

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

Mayor Trantalis explained the details regarding the Commission's engagement of outside consultants to provide the property's financial potential.

Ken Krasnow, *Colliers International (Colliers)*, remarked on the status of its analysis of the *One Stop Shop Site (Site)*. He said the *Colliers'* report is not finalized and presented findings to date. Further comment and discussion ensued.

Mr. Krasnow explained the analysis primarily addresses the underlying value of the *Site*, the structures and activities on the property. He commented on previous appraisals of the *Site* and remarked that the value is in the \$35,000,000 range or about \$10,500,000 per acre with no restrictions on the property. Further comment and discussion ensued regarding annual rent over the proposed lease.

In response to Mayor Trantalis' question, City Auditor Herbst explained a seven percent (7%) return on a typical commercial ground lease with a \$100,000,000 project would provide substantial property tax revenue. City Auditor Herbst commented on considering property taxes in the overall revenue stream. The current Comprehensive Agreement does not include a payment in lieu of taxes (pilot payment). Further comment and discussion ensued.

Mayor Trantalis noted that two-thirds (2/3's) of the *Site* is restricted to open park space and one-third (1/3) of the *Site* is to be developed. Further comment and discussion ensued.

In response to Mayor Trantalis' question, Mr. Krasnow explained the current revenue rate structure would be the same as the annual multifamily rent, not including property taxes.

In response to Commissioner Glassman's question, City Attorney Boileau confirmed that under Chapter 96.012, the property is exempt from taxation. City Attorney Boileau commented that payment in lieu of taxes in the form of a pilot payment or added to the rent is at the discretion of the Commission.

City Attorney Boileau said language had been added to the Comprehensive Agreement stating that should there be any dispute regarding taxes or a determination by the Property Appraiser or a court of law stating taxes are due, the *Applicant* is responsible for the taxes. Further comment and discussion ensued.

In response to Commissioner Glassman's questions, City Attorney Boileau said there is no pilot payment for *Lockhart Park* and did not recall a pilot payment at *War Memorial*.

In response to Commissioner Sorensen's question, City Attorney Boileau explained any part of the *Site* deemed to serve a public purpose is not taxable.

City Auditor Herbst noted historical instances where a pilot payment was charged and concurred with City Attorney Boileau's earlier comment that it is another revenue stream. Further comment and discussion ensued.

In response to Commissioner Sorensen's questions, City Auditor Herbst explained that having a pilot payment allows the income stream to rise over time as the value of the property increases. City Auditor Herbst noted a pilot payment should have been tied to *War Memorial* and *Lockhart Park*. Pilot payments are calculated by utilizing the Broward County Property Appraiser Office's assessed value of the *Site* and applying the City's millage rate.

Mayor Trantalis commented on the philosophy behind not charging a pilot payment due to the investment. Further comment and discussion ensued regarding examples of investments made by entities serving a public purpose.

Commissioner Glassman remarked that the Comprehensive Agreement includes three percent (3%) tied to the Consumer Price Index (CPI) and noted the *Applicant* is responsible for operations and maintenance of the *Site*. Mr. Krasnow confirmed, remarked on Collier's financial analysis and discussed the benefits.

City Attorney Boileau said this Comprehensive Agreement involves a licensing agreement and does not include a leasehold interest or subleases.

Commissioner Glassman commented on the differences in revenue of this project versus Bahia Mar and related details.

City Auditor Herbst commented on the current inflation rate and the need to revisit the three percent (3%) *Consumer Price Index (CPI)* cap included in the Comprehensive Agreement. Further comment and discussion ensued.

Commissioner Sorensen discussed his understanding of *Collier's* financial analysis, and Mr. Krasnow clarified the details. Further comment and discussion ensued on options related to adjusting the *CPI* included in the Comprehensive Agreement.

In response to Commissioner Glassman's question, Mr. Krasnow explained two (2) nearly adjacent *Brightline* parcels recently sold for \$10,500,000 per acre. Further comment and discussion ensued regarding *Site* appraisals.

Vice Mayor Moraitis discussed her perspective that due to the *Site* being prime downtown public land, a request for proposal (RFP) process should be pursued and commented on anticipated public input regarding using the *Site* as a park.

In response to Vice Mayor Moraitis' question, Anthony Fajardo, Development Services Department Director, explained the Comprehensive Plan includes the established level of service for parks, formerly three (3) acres, which is now four point five (4.5) acres per one thousand (1,000) people. Mr. Fajardo said he would research to confirm this is the level of service downtown.

Vice Mayor Moraitis commented on the increasing residential growth in *Flagler Village* and the need to set aside more public land for passive park space. Mr. Fajardo explained the distinctions in the Comprehensive Plan related to parks. Park space labeled as community parks allowing general access remains at three (3) acres per one thousand (1,000) people.

In response to Vice Mayor Moraitis' question regarding the *Site's* designation in the *Downtown Master Plan (DMP)* as a park, Mr. Fajardo said the *DMP* referred to the *Site* as a possible area for a park in the future.

Vice Mayor Moraitis discussed her concern regarding state statutes relative to a restaurant qualifying as an aspect of a public-private partnership (P3).

Commissioner Glassman explained aspects of the proposed restaurant

on the *Site*, which is part of the Blade Building's renderings and include event space. He expounded on his viewpoint regarding this Commission's earlier determination that this project serves a public purpose and the broad nature of the applicable state statute.

City Attorney Boileau provided his legal viewpoint, noting his interpretation that the state statute was written in a manner allowing multiple ancillary uses in a project deemed for a public purpose.

Vice Mayor Moraitis commented on her review of *EY's* Report and noted *EY's* concerns regarding the atypical nature of the construction loan.

In response to Vice Mayor Moraitis' question, Annette Lewis, Senior Consulting Manager, Davis & Associates, on behalf of the *Applicant*, explained the referenced debt for construction is from private equity investment. She commented on the impact of numerous factors related to debt, construction costs and financing.

In response to Vice Mayor Moraitis' questions, City Auditor Herbst commented that the data provided by the *Applicant* to *Ernst & Young (EY)* was stale. The concern of *EY* relates to the unusual nature of efforts to pay down the debt rapidly, which is not typically done in development projects. Mr. Herbst commented on possibility of the *Applicant* returning to the City and requesting abatement of the licensing fee to allow continued operation due to cashflow commitments related to project debt. Vice Mayor Moraitis commented on the prorated licensing fees paid to the City included in the Comprehensive Agreement.

Mayor Trantalis recognized Shaun Davis, Managing Partner Davis & Associates, on behalf of the *Applicant*. Mr. Davis discussed financial details, including ongoing investor commitments and related construction and operating costs.

Vice Mayor Moraitis commented on an additional *EY* concern regarding the project being conceptual, its current seven percent (7%) contingency, which should be a minimum of thirty-five percent (35%) contingency.

In response to Vice Mayor Moraitis' question regarding modifications to the contingency percentage, Mr. Davis said no changes had been made and commented on the conceptual nature of the project.

Vice Mayor Moraitis discussed concerns related to voting on the Comprehensive Agreement and the changing nature of the conceptual project and financial details. Further comment and discussion ensued.

Vice Mayor Moraitis commented on discrepancies in the estimated square footage cost and cited examples.

Ms. Toothaker remarked on the inability to estimate costs on project renderings. Cost estimates can only be determined following the *Site* plan process and completion of construction documents. The City would receive a license fee, and all costs are the responsibility of the *Applicant* and investors. Further comment and discussion ensued.

In response to Mayor Trantalis' question, Ms. Toothaker confirmed the *Applicant's* commitment to constructing the two (2) buildings concurrently. Mayor Trantalis commented on his perspective.

Commissioner Glassman pointed out new language included in the latest iteration of the Comprehensive Agreement related to financing, which must be provided to the City within ninety (90) days of the Commission approving the Comprehensive Agreement. Ms. Toothaker confirmed.

Vice Mayor Moraitis reiterated her perspective favoring the utilization of an RFP process for this *Site*.

In response to Commissioner Sorensen's questions, Ms. Toothaker explained details associated with limitations on seating. Ms. Toothaker said a signed *Memorandum of Understanding (MOU)* with the *Performing Arts Center* is included in the Comprehensive Agreement under the *Uses Section* entitled *Prohibited Uses*. She commented on details of the *MOU* and explained her understanding related to performance artists' scheduling.

Commissioner Glassman commented on additional default language in the current Comprehensive Agreement, and City Attorney Boileau confirmed and expounded on aspects of the default language. Further comment and discussion ensued.

In response to Commissioner Sorensen's request to read an email on this Agenda item from a constituent into the record, comment and discussion ensued regarding accepting remote submissions.

Mayor Trantalis recognized Peter Torres, 121 NE Third Street. Mr. Torres spoke in support of this Agenda item and commented on changes to *Flagler Village*.

Mayor Trantalis recognized Renee Quinn, 4400 NE 4th Avenue. Ms.

Quinn spoke in support of this Agenda item.

Mayor Trantalis recognized Marilyn Mammano, 1819 SE 17th Street. Ms. Mammano spoke in opposition to this Agenda item and suggested the pursuit of an interim agreement with the *Applicant* before the Comprehensive Agreement.

Mayor Trantalis recognized Larry Forman, 401 NW 1st Avenue. Mr. Forman spoke in opposition to this Agenda item and explained his viewpoint.

Mayor Trantalis recognized Tim Powers, 445 N. Andrews Avenue. Mr. Powers spoke in opposition to this Agenda item and discussed his perspective and concerns. Further comment ensued regarding parking and other planned development in the area.

Mayor Trantalis recognized Jason Hughes, 200 S. Birch Road. Mr. Hughes discussed his viewpoint on this Agenda item and the benefits of bringing the arts and culture to the community.

Mayor Trantalis recognized Chris Gaidry, 1111 SE 15th Street, Deerfield Beach. Mr. Gaidry spoke in support of this Agenda item and discussed the importance of arts and culture.

Mayor Trantalis recognized Paul Chettle, 200 S. Birch Road. Mr. Chettle spoke in opposition to this Agenda item.

Mayor Trantalis recognized Bill Sisca, 1631 Shenandoah Street, Hollywood. Mr. Sisca spoke in support of this Agenda item and expounded on his viewpoint.

Mayor Trantalis recognized Michael Madfis, 1619 SW 8th Avenue. Mr. Madfis spoke in opposition to this Agenda item and pointed out the project should be on private land, aspects of the Master Plan and transportation.

Mayor Trantalis recognized David McClymont, 3167 E. Community Drive, Jupiter. Mr. McClymont spoke in support of this Agenda item and commented on the importance of cultural institutions.

Mayor Trantalis recognized Scott Dietz, Boca Raton. Mr. Dietz spoke in support of this Agenda item and the *Applicant's* contributions to the City.

Mayor Trantalis recognized Paula Yukna, 2701 N. Ocean Boulevard. Ms. Yukna spoke in opposition to this Agenda item. Ms. Yukna

recommended a thorough financial review of the unsolicited proposal and expounded on her viewpoint.

Mayor Trantalis recognized David Brown, 410 NW 1st Avenue, and Las Olas Association President. Mr. Brown spoke in opposition to this Agenda item and commented on the need to consider the greater allocation of green space in the City.

In response to Commissioner Sorensen's questions, Ms. Toothaker said two-thirds (2/3) of the project planned for the *Site* would be greenspace, would operate as a public park and expounded on details. The *Flagler Village Civic Association* and the *Riverwalk Trust* would have seats at the table in designing the project's open space before submitting a *Site* plan to the *Development Review Committee (DRC)*.

Mayor Trantalis recognized Sister Robin Merrill, 1404 E. Las Olas Boulevard. Sister Merrill spoke in opposition to this Agenda item and explained the need and benefits of the area remaining greenspace, and cited examples.

Mayor Trantalis recognized Ralph Clark, 720 NE 4th Avenue. Mr. Clark spoke in opposition to this Agenda item. He expounded on his viewpoint regarding the project occupying public land.

Mayor Trantalis recognized Doug Coolman, 1911 Bayview Drive. Mr. Coolman spoke in opposition to this Agenda item, discussing concerns related to using this public land for this project, not meeting open space requirements downtown and ensuring a thorough review of financial details. Further comment and discussion ensued.

Mayor Trantalis recognized Michael Marrero, 721 NW 1st Avenue. Mr. Marrero spoke in support of this Agenda item and commented on opportunities the project would provide for those coming to this area of the City.

Mayor Trantalis recognized Daniel Gwynn, 1510 SW 32nd Court. Mr. Gwynn spoke in support of this Agenda item.

Mayor Trantalis recognized Mario Durant, 1615 SW 25th Street. Mr. Durant spoke in support of this Agenda item.

Mayor Trantalis recognized Scott Weiselberg, One West Las Olas Boulevard. Mr. Weiselberg spoke in support of this Agenda item.

Mayor Trantalis recognized Brian Kopelowitz, One West Las Olas Boulevard. Mr. Kopelowitz spoke in support of this Agenda item.

Mayor Trantalis recognized Nancy Thomas, 1924 Admirals Way. Ms. Thomas spoke in opposition to this Agenda item. Further comment and discussion ensued.

Mayor Trantalis recognized Chris Ferrone, 215 N. New River Drive East. Mr. Ferrone spoke in support of this Agenda item.

Mayor Trantalis recognized Mary Fertig, 511 Poinciana Drive. Ms. Fertig spoke in opposition to this Agenda item. She expounded on concerns related to the process and commented on the Downtown Master Plan's designation of this parcel as a park.

Mayor Trantalis recognized Anne Hilmer, 621 Idlewyld Drive. Ms. Hilmer spoke in opposition to this Agenda item. She discussed concerns about the *Site* being on public land and urged the Commission to rethink this project.

Mayor Trantalis recognized Jarred John, 540 NE 8th Avenue, on behalf of One Stop. Mr. John spoke in support of this Agenda item and its opportunities and explained his viewpoint.

Mayor Trantalis passed the gavel to Vice Mayor Moraitis.

Vice Mayor Moraitis recognized Leann Barber, President of *Flagler Village* Civic Association. Ms. Barber spoke in opposition to this Agenda item and discussed public record requests and her review of the Comprehensive Agreement. Further comment and discussion ensued.

Vice Mayor Moraitis passed the gavel back to Mayor Trantalis.

In response to Commissioner Sorensen's question, City Attorney Boileau explained aspects of the Comprehensive Agreement related to the *Applicant's* guarantees to the City and rights of the *Applicant*. The public would have access to the greenspace during the day.

Commissioner Glassman remarked on points raised by Ms. Barber in her correspondence and requested clarification. City Attorney Boileau explained the arrangement with the *Applicant* in the Comprehensive Agreement is for a license, not a lease, and a lender cannot secure an encumbrance on either the improvements or the land. When the improvements are completed and merge with the land, the City owns the

improvements, and the *Applicant* and the lender would have no ownership interest. The improvements could not be used as collateral with the lender.

Ms. Barber commented on the term sheet of the *Applicant's* lender and noted the need for clarification. City Attorney Boileau explained those terms do not impact the City because the Comprehensive Agreement with the *Applicant* is for a license agreement, not a leasehold interest. The City allows the *Applicant* to use the property and improvements once built and completed with the leasehold interest.

In response to Commissioner Sorensen's questions, City Attorney Boileau explained the *Applicant* would control the greenspace and discussed details related to the greenspace park area and cited examples. City Attorney Boileau confirmed several issues that would need to be decided by the Commission, including noise levels.

22-0269

Motion to Extend the Commission Meeting until 11:00 pm

Commissioner McKinzie made a motion to approve this item and was seconded by Commissioner Sorensen.

APPROVED

Yea: 5 Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie and Mayor Trantalis

Mayor Trantalis recognized Michael Stewart, 308 NE 12th Avenue. Mr. Stewart spoke in support of this Agenda item and expounded on his involvement in the cultural arts.

Mayor Trantalis recognized Rachel Berg, 1219 Tequesta Street. Ms. Berg spoke in support of this Agenda item. She commented on the opportunities and benefits this project would provide to the community.

Mayor Trantalis recognized Andy Madtes, 625 SE 4th Court, Dania Beach. Mr. Madtes spoke in support of this Agenda item, the *Applicant's* ability to succeed and create jobs.

Mayor Trantalis recognized Art Seitz, 1905 N. Ocean Boulevard. Mr. Seitz spoke in opposition to this Agenda item and discussed his perspective.

Mayor Trantalis recognized Wendi Lederman. Ms. Lederman spoke in opposition to this Agenda item and expounded on her perspective.

In response to Commissioner Sorensen's questions regarding liability and indemnification clauses, City Attorney Boileau said the *Applicant* would indemnify the City. Extensive indemnification language is included in the Comprehensive Agreement.

Mayor Trantalis recognized Michael Albetta, 1117 NE 10th Avenue. Mr. Albetta spoke in support of this Agenda item, explained his background, commented on the project's positive aspects, including providing greenspace and cleaning up the area.

Mayor Trantalis recognized Charles King, 105 N. Victoria Park Road. Mr. King commented on his perspective. He commented on due diligence on behalf of the City.

Mayor Trantalis recognized Bich-ly Ludwig, 600 NE 7th Avenue. Ms. Ludwig spoke in support of this Agenda item and noted the number of jobs it would create and the philanthropic efforts of the *Applicant*.

Mayor Trantalis recognized Tricia Halliday, 50 Nurmi Drive. Ms. Halliday spoke about her viewpoint regarding this Agenda item and Commission Meeting decorum. Further comment and discussion ensued on proper decorum and public testimony.

Mayor Trantalis commented on swearing-in individuals providing public comment during Commission Meetings. Further comment and discussion ensued. City Attorney Boileau commented on his viewpoint and explained that swearing-in is pertinent when giving testimony during a quasi-judicial Agenda item.

Mayor Trantalis recognized Dylan Lagi, 817 NE 4th Avenue. Mr. Lagi provided his perspective regarding this Agenda item and the project moving through the *DRC* process.

Mayor Trantalis recognized Brian Donaldson, 3321 NE 16th Street. Mr. Donaldson commented on his viewpoint and support regarding this Agenda item from a taxpayer perspective and the need for an activated space.

Mayor Trantalis recognized Barbie Pearson, 2420 SE 17th Street. Ms. Pearson discussed her perspective regarding this Agenda item. Ms. Pearson recommended delaying a Commission decision until it has had an opportunity to review and thoroughly consider all financial details.

Mayor Trantalis recognized William Brown, 112 N. Birch Road and

Central Beach Alliance (CBA) President. Mr. Brown noted his neutrality on this Agenda item and recommended a thorough review of all financial information and legal documents to ensure the project is in the City's best interests.

There being no one else wishing to speak on this item, Commissioner Glassman made a motion to close the public hearing which was seconded by Commissioner McKinzie. Roll call showed: AYES: Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie and Mayor Trantalis.

Mayor Trantalis explained the following choices of the Commission: approval of the Comprehensive Agreement; disapproval of the Comprehensive Agreement; or tabling the Agenda item until full financial information is received.

Vice Mayor Moraitis recommended this item be deferred until full financial details are received.

Commissioner McKinzie discussed his perspective on this Agenda item and aspects of P3s. He commented on the importance of due diligence, homelessness and the ability to make a decision tonight. Commissioner McKinzie remarked on Commissioner Glassman's effort and would defer to Commissioner Glassman on this Agenda item.

Commissioner Glassman discussed his perspective and initial involvement with the *Site* related to the federal courthouse project. He confirmed efforts to ensure the *Site* would not be the location of a federal courthouse. Commissioner Glassman remarked on his goal for open space within *Flagler Village* and receipt of the *Site's* unsolicited proposal, which cleans up the *Site* and provides an activated park. He discussed his viewpoint regarding the unsolicited proposal and related details. Commissioner Glassman remarked that all of his questions had been answered.

Mayor Trantalis noted the financial details are unclear. Further comment and discussion ensued on receiving an appraisal and associated financial information.

22-0270

Motion to Extend the Commission Meeting Until 12:00 am

Commissioner McKinzie made a motion to approve this item and was seconded by Commissioner Sorensen.

APPROVED

Yea: 5 Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie and Mayor Trantalis

In response to Mayor Trantalis' question, Commissioner Glassman read details of the City's compensation from the *Applicant* included in the Comprehensive Agreement and discussed related information, including the *Applicant's* development investment.

Vice Mayor Moraitis explained her reasoning for deferment of this Agenda item and cited examples. She noted the need to request modifications discussed earlier by Mr. Herbst. Vice Mayor Moraitis commented on the value of *Collier's* Report in writing and disseminating a final version of the Comprehensive Agreement to the public before a Commission vote.

In response to Commissioner Glassman's questions, City Attorney Boileau explained Staff would need Commission direction regarding any changes to the Comprehensive Agreement before a vote. Should this Agenda item be approved, any requested substantive changes to the Comprehensive Agreement would require an amendment to the Comprehensive Agreement and would come back before the Commission.

In response to Mayor Trantalis' question, City Attorney Boileau confirmed that once approved, an amendment would require approval by all parties. Further comment and discussion ensued regarding recent amendments to the Comprehensive Agreement, scheduling a meeting to allow public input following receipt and review of *Colliers'* Report and the appraisal.

Commissioner Sorensen made a motion to defer this item to March 15, 2022. There was no second to the motion. Further comment and discussion ensued.

Commissioner Glassman made a motion to defer this item to the March 15, 2022, Commission Regular Meeting and was seconded by Commissioner McKinzie.

DEFERRED to March 15, 2022

Yea: 4 - Commissioner Sorensen, Commissioner Glassman, Commissioner McKinzie and Mayor Trantalis

Nay: 1 - Vice Mayor Moraitis

In response to Commissioner Sorensen's questions regarding having a business plan from the *Applicant*, City Manager Lagerbloom commented on what has been received. City Auditor Herbst said that the *Applicant's* financial information submitted is not a business plan. City Manager Lagerbloom remarked on financial information meeting requirements of the state statute and details related to the extensive process moving forward. City Attorney Boileau said a business plan would not be part of the *DRC* process. Further comment and discussion ensued. City Manager Lagerbloom discussed pertinent information to be received from Colliers and confirmed the ability of Commissioner Sorensen to meet with *EY* and *Colliers* to discuss their analysis.

In response to Commissioner Sorensen's question, City Manager Lagerbloom confirmed he is comfortable moving forward without a business plan.

NEIGHBOR PRESENTATIONS

NP-1 [22-0146](#) Amos Chess - Water Issues

Mayor Trantalis recognized Amos Chess, 2739 NE 16th Street. Mr. Chess discussed concerns regarding a high water bill at his residence, details related to his outreach to Staff and the role and responsibility of the City.

City Attorney Boileau commented on his understanding and said that Staff had provided all the possible rebates under the Ordinance and state law. Further comment and discussion ensued.

In response to Vice Mayor Moraitis' question, Susan Grant, Finance Department Director, explained the Staff process for this type of situation. Credits issued to Mr. Chess were calculated using the City's lowest water rate. Further comment and discussion ensued.

Tarlesha Smith, Assistant City Manager - Human Resources Director, confirmed she could review the situation with Ms. Grant.

Mayor Trantalis requested City Manager Lagerbloom return to the Commission with a recommendation to accommodate Mr. Chess and address this situation.

RECEIVED

NP-2 [22-0162](#) Lucdwin Luck - Brief Introduction to the Florida Department of Financial Services

REMOVED FROM AGENDA

NP-3 [22-0189](#) Elaine Wilson - Water Department

REMOVED FROM AGENDA

NP-4 [22-0195](#) Boyd Corbin - Drinking Water from Fiveash Water Treatment Plant

REMOVED FROM AGENDA

NP-5 [22-0198](#) Mary Fertig - Public Lands

Mayor Trantalis recognized Mary Fertig, 511 Poinciana Drive, on behalf of *Lauderdale Tomorrow*. Ms. Fertig remarked that a primary purpose of *Lauderdale Tomorrow* is to ensure that the City's public lands would be used for a public purpose. She expounded on related efforts and details, including initiating a petition drive to change Section 8.21 of the City Charter regarding public property disposal.

In response to Mayor Trantalis' question regarding lots for affordable housing, Ms. Fertig explained there is openness to suggestions regarding tailoring language changes to fit those goals.

Commissioner McKinzie explained aspects of the Northwest area related to these affordable housing efforts and expounded on related details.

RECEIVED**RESOLUTIONS**

R-1 [22-0214](#) Appointment of Board and Committee Members - (Commission Districts 1, 2, 3 and 4)

City Clerk David Soloman read the names of Board and Committee nominees for appointment and reappointment at the March 15, 2022 Commission Regular Meeting.

City Clerk Soloman read into the record the names of the Board and Committee appointments and or reappointments for Agenda item R-1.

Commissioner Glassman introduced this Resolution which was read by title only.

ADOPTED

Yea: 4 - Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

Not Present: 1 - Commissioner McKinzie

R-2 [22-0182](#) Resolution Declaring Notice of Intent to Lease City-Owned Property Located at 290 NE 3 Avenue, Fort Lauderdale, Florida, 33301, Commonly Known as the “Transportation and Mobility Building” and “TAM Building”, Pursuant to Section 8.09 of the Charter- (Commission District 2)

Commissioner Glassman introduced this Resolution which was read by title only.

ADOPTED

Yea: 4 - Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman and Mayor Trantalis

Not Present: 1 - Commissioner McKinzie

R-3 [22-0232](#) Resolution Ranking Unsolicited Proposals for the New Water Treatment Plant - (Commission Districts 1, 2, 3 and 4)

In response to Mayor Trantalis' question regarding the process, City Attorney Boileau explained the first step for this Agenda item involves the Commission's ranking of the four (4) unsolicited proposals for a new water treatment plant. Following ranking by the Commission, the Commission would vote on the Resolution to move forward with the top-ranked unsolicited proposal. Further comment and discussion ensued.

Mayor Trantalis recognized Paul Chettle, 200 S. Birch Road. Mr. Chettle explained his viewpoint favoring the request for proposal (RFP) process, remarked on reservations related to P3s, expounded on related details, and suggested review and consideration of the Miami Beach P3 process.

Mayor Trantalis recognized Ralph Zeltman, 2177 NE 63rd Court, an *Infrastructure Task Force Advisory Committee (ITF)* member. Mr. Zeltman discussed his perspective and support for the Commission to consider the RFP process to allow more qualified competitive bidders as recommended by the *(ITF)*. He expounded on concerns related to the P3 process for this type of project.

22-0271 Motion to Extend the Commission Meeting Until 1:00 am

Commissioner McKinzie made a motion to extend the meeting to 1:00 am. and was seconded by Commissioner Sorensen.

APPROVED

Yea: 5 - Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie and Mayor Trantalis

Mayor Trantalis recognized Mary Fertig, 511 Poinciana Drive. Ms. Fertig commented on the Commission's creation of the *ITF* and her support of the Commission moving forward with the *ITF*'s recommendation to utilize the RFP process for a new water treatment plant.

In response to Commissioner Sorensen's question regarding the delay associated with an RFP, Ms. Fertig confirmed the value of the City retaining control of the City's water and the RFP process.

Mayor Trantalis explained discussions with Staff regarding using the RFP process. Staff indicated the City could not build a water treatment plant as quickly or as cost-effectively as the unsolicited proposal entities. Further comment and discussion ensued.

Mayor Trantalis recognized Anne Hilmer, 621 Idlewyld Drive. Ms. Hilmer explained her perspective and inquired as to why an RFP was not issued four (4) years ago.

Mayor Trantalis recognized James LaBrie, 1514 NE 20th Street, an *ITF* member. Mr. LaBrie commented on his perspective.

Mayor Trantalis recognized Doug Coolman, 1911 Bayview Drive. Mr. Coolman commented on his viewpoint of this Agenda item, including the need to reduce water bills. He questioned why the Commission did not move forward with the *ITF* recommendation.

There being no one else wishing to speak on this item, Commissioner Sorensen made a motion to close the public hearing which was seconded by Commissioner Glassman. Roll call showed: AYES: Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie and Mayor Trantalis.

In response to Commissioner McKinzie's question, City Attorney Boileau explained the options available to the Commission and details related to this process.

Mayor Trantalis remarked on Staff input for the unsolicited proposals, and *IDE Ridgewood (IDE)* met or exceeded the evaluation categories.

Alan Dodd, Public Works Department Director, confirmed Staff's

position that *IDE* fully met all of the established requirements and exceeded in most categories.

In response to Vice Mayor Moraitis' question, City Attorney Boileau reiterated the procedure for this Agenda item. The Commission would initially rank the unsolicited proposals, followed by a Commission vote on the Resolution as to whether the Commission would move forward with the top-ranked unsolicited proposal.

City Clerk David Soloman announced the ranking. *IDE* received five (5) first-place rankings, and *FLW/Suez Water* received five (5) second-place rankings.

City Attorney Boileau explained that should an agreement not be reached with *IDE*, the state statute allows negotiations to move forward with the entities ranked second.

Commissioner McKinzie expounded on his perspective regarding privatizing water services.

Commissioner Sorensen introduced this Resolution which was read by title only.

ADOPTED - IDE Technologies/Ridgewood Infrastructure

Yea: 3 - Commissioner Sorensen, Commissioner Glassman and Mayor Trantalis

Nay: 2 - Vice Mayor Moraitis and Commissioner McKinzie

ORDINANCE FIRST READING

OFR-1 [22-0105](#)

First Reading - Ordinance Amending Subsection 26-8(b) - Impoundment of Vehicles, of the Code of Ordinances of the City of Fort Lauderdale Providing for the Imposition and Collection of a Reasonable Administrative fee to Cover the Cost of Enforcement, Including Parking Enforcement, When a Vehicle is Towed from Public Property, and Authorizing the City Manager to Execute an Amended Agreement with Westway Towing, Inc. to Facilitate the Imposition and Collection of the Administrative Fee - (Commission Districts 1, 2, 3 and 4)

Commissioner Sorensen introduced this Ordinance for the First Reading which was read by title only.

PASSED FIRST READING

Yea: 5 - Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie and Mayor Trantalis

ORDINANCE SECOND READING**OSR-1** [22-0053](#)

Second Reading - Ordinance Amending the City of Fort Lauderdale Unified Land Development Regulations Sec. 47-21, Relating to Landscaping and Tree Preservation Requirements - (Commission Districts 1, 2, 3 and 4)

Mayor Trantalis recognized Michael Colman, Bastion Construction Corporation. Mr. Colman remarked on his experience as a general contractor in the area and discussed his experience with structural soil. He explained this Ordinance requires structural soil for trees, which is expensive, unnecessary and increases costs for first-time homeowners.

In response to Mayor Trantalis' question, Mr. Colman explained that structural soil was created at Cornell University, where they have a much different subterranean environment than the City. Further comment and discussion ensued.

Commissioner Sorensen invited Mr. Colman to participate in the working group on this subject.

Mayor Trantalis recognized Ryan Emmer, 635 NE 11th Avenue. Mr. Emmer commented on remarks at a previous Commission Meeting regarding his dispute with C.J. Associates. Mr. Emmer read portions of this Ordinance impacting tree landscaping and discussed related concerns, including its impact on housing affordability and the amount of land available for development.

Commissioner McKinzie discussed his previous remarks and expounded on his perspective and the need to make an informed decision on this Ordinance. Further comment and discussion ensued.

Vice Mayor Moraitis commented on the need for the working group to ensure this Ordinance does not impact housing affordability.

Mayor Trantalis noted the need for a motion to defer. Further comment and discussion ensued on a deferral date.

Anthony Fajardo, Development Services Department Director, remarked on the need for additional time to rewrite this Ordinance and suggested deferral to May 3, 2022.

Commissioner Sorensen made a motion to defer this item until the May 3, 2022, Commission Regular Meeting and was seconded by Vice

Mayor Moraitis.

DEFERRED to May 3, 2022

Yea: 5 - Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie and Mayor Trantalis

OSR-2 [22-0210](#)

Second Reading - Ordinance Amending the City of Fort Lauderdale Unified Land Development Regulations (ULDR) Section 47-12, Central Beach Zoning districts to Revise the process and Procedures for Uses in the Central Beach Zoning Districts, Revise and Adopt Dimensional Requirements including Open Space and Streetscape Design Requirements and Adopt Prescriptive Criteria for the Design and Compatibility Point System - (Commission District 2) - Requesting Deferment to April 5, 2022

Commissioner Glassman made a motion to defer this item until the April 5, 2022 Commission Regular Meeting and was seconded by Commissioner McKinzie.

DEFERRED to April 5, 2022

Yea: 5 - Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie and Mayor Trantalis

OSR-3 [22-0212](#)

Second Reading - Ordinance Amending the City of Fort Lauderdale Unified Land Development Regulations (ULDR) Section 47-25.2 Adequacy Requirements and Section 47-38C, Education Mitigation, to Update the School Level of Service Standard - (Commission Districts 1, 2, 3 and 4)

Commissioner Glassman introduced this Ordinance for the Second Reading which was read by title only.

ADOPTED ON SECOND READING

Yea: 5 - Commissioner Sorensen, Vice Mayor Moraitis, Commissioner Glassman, Commissioner McKinzie and Mayor Trantalis

ADJOURNMENT

Mayor Trantalis adjourned the meeting at 12:40 a.m.

Dean J. Trantalis
Mayor

ATTEST:

David Soloman
City Clerk