



**CITY OF FORT LAUDERDALE**  
**City Commission Agenda Memo**  
**REGULAR MEETING**

**#21-1156**

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

**FROM:** Chris Lagerbloom, ICMA-CM, City Manager

**DATE:** December 7, 2021

**TITLE:** Motion Approving an Amendment to Extend the Expiration Date of FY2017-2020 Beach Business Improvement District (BID) Grant Participation Agreement with TMF Holdco, LLC to September 30, 2022; and an Assignment and Assumption Agreement between TMF 2013 LLC and TMF Holdco LLC - **(Commission Districts 2 and 4)**

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**Recommendation**

Staff recommends the City Commission approve an amendment to extend the expiration date of FY 2017-2020 BID Grant Participation Agreement with TMF Holdco, LLC to September 30, 2022, allowing the use of funds in amount not to exceed \$150,000; and also approve an Assignment and Assumption Agreement between TMF 2013 LLC and TMF Holdco LLC.

**Background**

On January 3, 2018, the City Commission approved a three-year funding agreement with TMF Holdco LLC, to produce the Tortuga Music Festival on Fort Lauderdale Beach Park in the month of April for years 2018, 2019 and 2020. The festival occurred as planned in 2018 and 2019. In 2020 it was rescheduled twice, due to Covid-19 related restrictions to discourage public gatherings. The original event date was April 17-19, 2020, then postponed to October 2-4, 2020, and finally moved to November 12-14, 2021, and held on those dates.

This item is being brought back for reconsideration due to the unforeseen changes affecting the terms of the FY 2017-2020 Grant Participation Agreement (Exhibit 1). The Assignment and Assumption Agreement transfers the entitlement to receive funds from the original event producer TMF 2013 LLC to TMF Holdco LLC (Exhibit 2). The current Event Agreement is also with TMF Holdco LLC.

Pursuant to Section II. Terms and Time of Performance, and Section IV. Payment, of the Grant Participation Agreement, the participant was to expend the funds after the music festival had taken place in accordance with a disbursement schedule.

An amendment to extend the expiration date to September 30, 2022, will allow TMF Holdco, LLC to use previously approved funds for the rescheduled Tortuga event that was held on November 12-14, 2021.

The amendment will include replacing the disbursement schedule with a check request processed on a voucher payable. Check requests are used to request payment for purchases that are outside of the scope of the Procurement department (Exhibit 3).

The Beach Business Improvement Assessment is a non-ad valorem assessment for the cost of providing beach business improvements services, facilities and programs that have a special benefit to business property located within the beach area. This proposal is consistent with the legislative determinations of special benefit found in C-06-34, Section 1.04(A)(2), Fort Lauderdale Code of Ordinances, by increasing the number of visitors to the BID.

Distribution of the funds will be contingent on approval of an Amendment to extend the expiration date of the FY 2017-2020 Grant Participation Agreement. Invoices for reimbursement shall be submitted documenting the purchase and services before a payment is made (Exhibit 4).

### **Resource Impact**

There will be a fiscal impact to the City in the amount of \$150,000 in Fiscal Year (FY) 2022.

Funds available as of November 23, 2021					
ACCOUNT NUMBER	INDEX NAME (Program)	CHARACTER CODE/ SUB-OBJECT NAME	AMENDED BUDGET (Character)	AVAILABLE BALANCE (Character)	AMOUNT
135-MGR143502-4207	Beach Business Improvement District	Other Operating Expenses/ Promotional Contributions	\$1,211,292	\$1,019,630	\$150,000
TOTAL AMOUNT ►					\$150,000

### **Strategic Connections**

This item is a *2021 Top Commission* Priority, advancing the Parks and Public Places initiative.

This item supports the *Press Play Fort Lauderdale Strategic Plan 2024*, specifically advancing:

- The Public Places Focus Area
- Goal 3: Build a healthy and engaging community.
- Objective: Offer a diverse range of recreational and educational programming
- The Business Development Focus Area
- Goal 5: Build an attractive global and local economic community marketplace.
- Objective: Nurture and support existing local businesses

This item advances the *Fast Forward Fort Lauderdale 2035 Vision Plan: We Are Here and We Are Prosperous*.

This item supports the Advance Fort Lauderdale 2040 Comprehensive Plan specifically advancing:

- The Public Places Focus Area
- The Parks, Recreation & Open Spaces Element
- Goal 1: Be a community where persons of all ages are able to partake in a fun and healthy lifestyle.

### **Attachments**

Exhibit 1 – Executed FY 2017-2020 Grant Participation Agreement

Exhibit 2 – Assignment and Assumption Agreement

Exhibit 3 – Department of Finance – Accounts Payable Other Check Requests

Exhibit 4 – First Amendment to FY 2017-2020 Grant Participation Agreement

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Prepared by: Cija Omengebar, FRA-RP, CRA Planner  
Sarah Spurlock, Nighttime Economy Manager

Charter Officer: Chris Lagerbloom, ICMA-CM, City Manager