

City of Fort Lauderdale

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Meeting Minutes

Tuesday, March 19, 2024

1:30 PM

NSU Art Museum - Horvitz Auditorium
1 E Las Olas Blvd, Fort Lauderdale, FL 33301

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
THOMAS J. ANSBRO, City Attorney
PATRICK REILLY, City Auditor

CALL TO ORDER

Mayor Trantalis called the meeting to order at 1:37 p.m.

ROLL CALL

Commission Members Present: Commissioner John C. Herbst, Commissioner Steven Glassman, Vice Mayor Pamela Beasley-Pittman, Commissioner Warren Sturman (arrived at 1:49 p.m.), and Mayor Dean J. Trantalis

COMMISSION QUORUM ESTABLISHED

Also Present: City Manager Greg Chavarria, City Clerk David R. Soloman, City Attorney Thomas J. Ansbro, and City Auditor Patrick Reilly (appeared via communications technology)

CONFERENCE REPORTS

CF-1 [24-0181](#) Quarterly Investment Report for Period Ending December 31, 2023 - (Commission Districts 1, 2, 3 and 4)

Mayor Trantalis recognized Linda Short, Finance Department Director. Ms. Short reported the overall earnings of City's Operating Fund Portfolio and remarked that other City investment funds performed well.

Commissioner Herbst commented on the positive performance of the City's passively managed investment funds and remarked on related information.

Ms. Short introduced Scott Sweeten, Senior Managing Consultant, PFM Asset Management LLC. Mr. Sweeten said City investment returns had been strong. Mr. Sweeten commented on the Federal Reserve Bank and anticipated plans regarding a reduction in interest rates that is expected mid-year.

In response to Mayor Trantalis' question, Mr. Sweeten discussed proactive efforts to lock in attractive yields prior to the Federal Reserve Bank lowering interest rates.

OLD/NEW BUSINESS

BUS-1 [24-0319](#) Proposed Public-Private Partnership Draft Ordinance - (Commission Districts 1, 2, 3 and 4)

Mayor Trantalis provided an overview and background information on this subject.

Mayor Trantalis recognized D'Wayne Spence, Deputy City Attorney. Mr. Spence reviewed backup information comparing Florida Statute Section 255.065 (Statute) and recent drafts of a City ordinance addressing both solicited and unsolicited public-private partnership proposals for projects on land owned by the City (P3 ordinance). The State Legislature recently adopted amendments to the Statute, adding the option of having two (2) public hearings to determine whether the P3 project is in the public interest that would bypass a public bidding process. An additional amendment requires that a P3 project be privately owned after ten (10) years. The amended legislation is awaiting Governor DeSantis' signature and, if signed, would take effect on July 1, 2024.

Commissioner Glassman questioned the need to discuss this subject at this time and suggested waiting until Governor DeSantis signs the amended legislation and remarked that it would take effect on July 1, 2024. Further comment and discussion ensued.

In response to Mayor Trantalis' questions, Mr. Spence explained that the City's draft P3 ordinance would direct Staff on optional elements associated with unsolicited P3 proposals specified in the Statute. Commissioner Glassman reiterated his concerns regarding the timeliness of this discussion and expounded on his viewpoint.

Commissioner Herbst explained that the Statute amendments add pathways for options the City could incorporate into its own P3 ordinance. Mr. Spence confirmed. Commissioner Glassman pointed out that the Statute amendments also address ownership issues. Commissioner Herbst reiterated that the Statute amendments provide additional options to the City that are not mandatory and allow the City to enact a more robust P3 ordinance and cited examples.

In response to Mayor Trantalis' question about the timeliness of this Agenda item, Mr. Spence said that this discussion is a follow-up to Commission discussions on October 23, 2023. Mayor Trantalis noted amended State legislation was adopted after October 2023.

Mayor Trantalis recommended that the Commission discuss this Agenda item and the Statute amendments that require either public notice for competing bids or holding two (2) public hearings in addition to requiring private ownership of a P3 project after ten (10) years. Further comment and discussion ensued.

Mayor Trantalis remarked on past competitive sealed unsolicited P3 bids and the Commission determining a notice period ranging between twenty-one (21) and one hundred twenty days (120) for competing P3 responses. Further comment and discussion ensued.

Commissioner Herbst cited the initial unsolicited P3 proposal for the redevelopment of the Las Olas Marina, which the City rejected and commented on the subsequent solicited proposal, which resulted in the current P3 with Suntex.

In response to Mayor Trantalis' question regarding how a P3 solicited proposal with requirements differs from a Request for Proposal (RFP), Mr. Spence explained that the initial process is the same. The difference is that a P3 solicited proposal results in a partnership with the City and a comprehensive agreement. Commissioner Herbst discussed numerous criteria in the solicited proposal with Suntex for the Las Olas Marina, cited examples, and expounded on related information.

In response to Commissioner Sturman's question, Mr. Spence explained why the City would enter into an initial interim agreement with a P3 partner rather than a comprehensive agreement. Mr. Spence said an interim agreement would allow the P3 partner to enter the site and begin site preparation. Mr. Spence cited related language in the Statute and discussed the development review process and related information.

Commissioner Herbst remarked on concerns regarding financial risk to the City and emphasized that any risk associated with a P3 project should be the responsibility of the private P3 entity, not the City. He cited an example of consequences related to the City agreeing to cover costs associated in its interim agreement with the International Swimming Hall of Fame, which would have been the responsibility of the City had the project not moved forward. Mr. Spence said that the intent of the State's legislation relates to cost-effectiveness and time efficiency. Commissioner Herbst noted that the City has no urgency with an unsolicited P3 proposal versus a solicited P3 proposal and expounded on his viewpoint. Further comment and discussion ensued.

Mayor Trantalis concurred with Commissioner Herbst's comments and remarked on the need to ensure the City's ability to withdraw from P3 projects should they not move forward. Commissioner Herbst noted the importance of protecting the City's financial interests in both interim and comprehensive P3 agreements. Commissioner Herbst commented on the need to include deadlines in P3 project agreements to ensure projects are not delayed and cited an example

that would allow the City to withdraw from a P3 project based on non-performance.

In response to Mayor Trantalis' comments regarding language included in the backup information to adequately safeguard the City, Mr. Spence confirmed that the Statute requires the City to make those determinations and build safeguard mechanisms into P3 interim and comprehensive agreements. Mayor Trantalis commented on his perspective regarding the City's experiences with P3 projects and the City's growth. Further comment and discussion ensued.

Commissioner Sturman concurred with Commissioner Herbst's comments about ensuring the City is not responsible for financial costs associated with P3 interim and comprehensive agreements.

Mayor Trantalis noted that the Commission, not the City Manager, should decide whether to accept or decline an unsolicited proposal. Commissioner Herbst recommended that the City Manager and Staff review the proposal and present its viability to the Commission. Mayor Trantalis pointed out that the proposed P3 ordinance allows the City Manager to accept or reject an unsolicited proposal.

Commissioner Sturman concurred with Commissioner Herbst's recommendation that the City Manager and Staff vet unsolicited proposals to determine viability. He said that if the City Manager rejects the unsolicited proposal, the Commission reserves the right to call it up for review and discussion. Commissioner Sturman noted another option would require the City Manager to present all unsolicited proposals to the Commission.

Mayor Trantalis said that the City Manager should review all unsolicited proposals and provide input to the Commission, and that the Commission should make all final decisions regarding accepting or rejecting unsolicited proposals. Further comment and discussion ensued. Commissioner Herbst discussed the importance of due diligence and ensuring those qualified to perform a thorough review are involved in the vetting and evaluation process. Mayor Trantalis agreed.

In response to Commissioner Glassman's questions, Mr. Spence confirmed that when the new Statute takes effect on July 1, 2024, two (2) options will be available, and the Commission will choose between noticing the opportunity for competitive public bidding on the unsolicited P3 proposal or setting two (2) public hearings to determine if the unsolicited P3 proposal is in the public's interest.

Mayor Trantalis recognized Mary Peloquin, 2510 NE 12th Court, Council of Fort Lauderdale Civic Associations (CFLCA) President. Ms. Peloquin spoke in support of this Agenda item and the City's enactment of a P3 ordinance. She explained that the CFLCA had formed a Committee chaired by Marilyn Mammano to provide input on the proposed P3 ordinance. Ms. Peloquin reviewed the numerous recommendations made by the Committee.

In response to Commissioner Glassman's question, Ms. Peloquin confirmed the Committee's recommendation requiring unanimous Commission approval for a P3 involving a City Park and super majority Commission approval for other P3 projects.

In response to Mayor Trantalis' question, Ms. Peloquin confirmed that the Committee is an ad hoc committee formed by the CFLCA.

Mayor Trantalis recognized Marilyn Mammano, 1819 SE 17th Street. Ms. Mammano spoke in support of this Agenda item to enact a P3 ordinance. She distributed a document outlining the Committee's feedback and recommendations regarding the comparison of the Office of the City Attorney's first and second drafts of the P3 ordinance to each Commission Member. She noted that this discussion relates to unsolicited P3 proposals and starts on page 10 of the document. Ms. Mammano reviewed the Committee's recommendations and related information.

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

In response to Commissioner Sturman's questions, Mr. Spence explained how the City currently handles unsolicited proposals. A \$25,000 application fee is required when submitting an unsolicited P3 proposal to the City, and the Commission decides whether to evaluate the unsolicited proposal, which determines whether the fee should be returned to the applicant. When there is a Commission consensus to move forward with an unsolicited P3 proposal, the Commission chooses the response timeframe that is included in the public notice for the submission of competitive P3 proposals, which is when the response timeframe begins.

Mayor Trantalis discussed aspects of sealed P3 unsolicited proposals and commented on related details. Further comment and discussion ensued. Commissioner Herbst noted that the previous State Statute requirement for sealed P3 proposals is no longer in effect. Mayor Trantalis noted the reference to "sealed" in the proposed P3 ordinance should be removed.

In response to Mayor Trantalis' question regarding competing bids offering additional amenities and allowing the initial applicant to adjust its P3 unsolicited proposal to allow a fair comparison, Commissioner Herbst cited an example and inquired about the process. Ms. Mammano said this would be a Commission policy decision requiring a two (2) step process and noticing. Further comment and discussion ensued regarding aspects of the process, the impact on applicants, and related risks and advantages. Commissioner Herbst clarified that this policy would provide applicants with the opportunity to provide their best and final P3 proposal submission. The Commission would decide which applicant would be selected, and negotiations would begin regarding what would be included in the P3 project.

Commissioner Sturman commented on the critical nature of the option to hold two (2) public hearings to determine whether the project is in the community's best interest.

Ms. Mammano reiterated Ms. Peloquin's comments regarding the P3 ordinance's requirement for unanimous Commission approval for a P3 project involving a City Park and a super majority Commission approval for other P3 projects. In response to Mayor Trantalis' question, Ms. Mammano said that similar language is in the City Charter, commented on previous examples of leasing and licensing of City Parks, and reiterated that this language should be included in a P3 ordinance.

Commissioner Herbst commented on areas used as parks that have not yet been rezoned as parks. Ms. Mammano confirmed related rezoning efforts are ongoing.

Ms. Mammano requested the City Attorney's Office meet with the Committee to incorporate its recommendations into the proposed P3 ordinance. Further comment and discussion ensued. Mayor Trantalis noted this discussion was informative and instructive, and the Commission will be in a better position to decide after July 1, 2024.

Commissioner Herbst recommended that the Commission adopt a P3 ordinance now and amend it in July or August. Mayor Trantalis noted that the City Attorney's Office had heard feedback from the Committee and could present a revised version of the P3 ordinance to the Commission. Commissioner Herbst remarked on concerns regarding the Commission waiting until September or October to move forward with a P3 ordinance. Mayor Trantalis agreed. Further comment and discussion ensued.

Mayor Trantalis recognized Ted Inserra, 912 SW 19th Street, River Oaks Civic Association President. Mr. Inserra spoke in support of this Agenda item and the input provided by Ms. Mammano. Further comment and discussion ensued.

Mayor Trantalis recognized Chris Nelson, 520 SE 5th Avenue. Mr. Nelson spoke in support of including two (2) public hearings in a P3 ordinance for unsolicited P3 proposals.

Commissioner Sturman reiterated his support of having two (2) public hearings for unsolicited P3 proposals.

EXECUTIVE CLOSED DOOR SESSION - 4:30 P.M. OR AS SOON THEREAFTER AS POSSIBLE

[24-0332](#)

The City Commission shall meet privately to discuss pending litigation, pursuant to Section 286.011(8), Florida Statutes, concerning the following matter(s):

Mark Messina and Bernard McDonald v. City of Fort Lauderdale
Case No.: 21-CV-60168-RKA

Mayor Trantalis announced details associated with the Executive Closed-Door Session.

CITY COMMISSION REPORTS

Members of the Commission announced recent and upcoming events.

Vice Mayor Beasley-Pittman commented on attending a Broward League of Cities luncheon that included conversations regarding the School Board of Broward County (School Board) and School Board Superintendent Dr. Peter Licata's consideration of closing certain Broward County schools and requested Commission discussion at an upcoming Commission Meeting. City Manager Chavarria confirmed and remarked on Staff efforts to schedule a meeting with a School Board representative to discuss this topic. Assistant City Manager Susan Grant confirmed plans to meet with a School Board representative in April 2024. Vice Mayor Beasley-Pittman remarked on the need for Commission consensus regarding its position in response to related correspondence.

Vice Mayor Beasley-Pittman discussed her attendance at the National League of Cities Conference in Washington, DC, and the need to apply for broadband infrastructure connectivity funding to ensure availability throughout the City. She commented on additional

discussions regarding opportunities associated with the U.S. Department of Labor's *Good Jobs, Great Cities initiative*.

Vice Mayor Beasley-Pittman noted that District 3 neighbor participation significantly increased at the Sprouts grocery store's mobile food pantry, which provides District 3 residents the opportunity to purchase affordable fresh fruit and vegetables due to the lack of access to major grocery store chains.

Vice Mayor Beasley-Pittman discussed the success of the Sistrunk Day Parade, which included a follow-up meeting to discuss details, expanded plans to incorporate floats in next year's event, and increased activities to engage young people in the eleven (11) to sixteen (16) year age range.

Vice Mayor Beasley-Pittman commented on meeting with the Lake Aire Civic Association that included discussions regarding addressing eighteen (18) wheeler parking in the area and plans for a pilot program to install cameras monitoring speeding vehicles in school zones.

Vice Mayor Beasley-Pittman commented on details regarding an update she received from Police Department personnel regarding gun violence and an action plan known as *Operation Cease Fire (Action Plan)*. The *Action Plan* is currently used as a proactive approach to addressing increased violent crimes and gun violence targeting specific areas in District 3. In response to Mayor Trantalis' question, Vice Mayor Beasley-Pittman explained that the *Action Plan* began in December 2023 and remarked on related results.

Vice Mayor Beasley-Pittman requested Staff move forward with efforts associated with an *AFLAC Workforce and Economic Development Program*, a twenty-six (26) week career readiness program whose mission is to employ, educate, and empower young entrepreneurs in underserved areas. City Manager Chavarria confirmed and noted that Daphnee Sainvil, Public Affairs Manager, would coordinate.

Vice Mayor Beasley-Pittman and Commissioner Glassman discussed attending the celebration of *Downtowner of the Year - William Walker*.

Commissioner Glassman discussed meetings hosted by the Urban Land Institute (ULI) and efforts to examine and convene an independent volunteer Advisory Services Panel to analyze flood-prone City roads and recommend criteria for a policy to determine which roads to elevate and how to prioritize and fund these improvements.

Commissioner Glassman remarked on the Florida Department of

Transportation's public meetings to improve crosswalks and lighting in District 2.

Commissioner Glassman requested a moment of silence during tonight's Commission Regular Meeting to recognize Eric Peter Berkowitz, a Galt Mile Board Member and Vice President, and George Young, the son of Virginia Schuman Young.

In response to Commissioner Glassman's questions, Ben Rogers, Transportation and Mobility Department Director, explained the genesis and details of a Regional Infrastructure Accelerator Grant (RIA). Mr. Rogers confirmed the City committed to funding a \$375,000 local contribution for the RIA. Further comment and discussion ensued.

Mayor Trantalis explained information associated with a *Sun Sentinel* newspaper articles related to the Broward County Metropolitan Planning Organization (MPO) announcement of receiving a \$1,500,000 Reconnecting Communities Grant (RCG). He commented on related information and discussions with the Broward County Board of County Commissioners regarding the type of commuter rail infrastructure for the New River Crossing and underground pathways at major railway east-west intersections to accommodate vehicular, pedestrian, and bicycle traffic (Undercuts). Further comment and discussion ensued.

Mayor Trantalis remarked on the differing scopes of work for the City's RIA and MPO's RCG. Mr. Rogers confirmed they have differing scopes of work. He will meet with MPO Executive Director Greg Stuart to develop discussion points and author a Commission Memorandum. As the process continues with related agreements, Mr. Rogers recommended a joint Staff and MPO presentation to the Commission.

In response to Commissioner Glassman's questions regarding how the City RIA and MPO RCG interact and overlap, Mr. Rogers commented on the partial execution of the City's RIA. The RIA contains defined uses of its grant funds. As the eighteen (18) month study moves forward for the five (5) defined areas for Undercuts, Staff will determine and take into consideration where the RIA and the RCG overlap to avoid duplication of efforts. Commissioner Glassman remarked on the need to keep the Commission informed and updated. Further comment and discussion ensued. Mr. Rogers discussed input from the City's tunnel consultant, BDO, regarding the ability to stack a railway tunnel and Undercuts.

In response to Commissioner Glassman's question, Mr. Rogers said

the goal of the Transportation and Mobility Department and Development Services Department Staff is to remedy pedestrian safety concerns before the Tortuga Music Festival begins in the area in front of the Bahia Mar Project. Commissioner Glassman remarked on the need for visitors attending special events on the barrier island to respect area residents.

Commissioner Glassman commented on concerns regarding sensationalized media reports about Spring Break activities in the City and expounded on his viewpoint. In response to Commissioner Glassman's questions, Police Chief (Chief) William Schultz provided an update and overview of Spring Break activities. Chief Schultz confirmed that no major negative events, activities, or arrests referenced in media reports occurred and discussed proactive efforts and related initiatives of the Fort Lauderdale Police Department (FLPD) that began in December. Chief Schultz remarked on his participation in local and national media interviews highlighting the City's positive tourism message and FLPD's recruiting message for First Responders, resulting in sixty-seven (67) applications and forty-six (46) interest cards. Commissioner Glassman expounded on his perspective regarding media reports. City Manager Chavarria explained Staff efforts to respond to those media reports. Further comment and discussion ensued.

Mayor Trantalis concurred with Commissioner Glassman's comments. Mayor Trantalis commented on his multiple media interviews regarding Spring Break and expounded on his perspective. Commissioner Glassman suggested highlighting the City's positive Spring Break experience with a press release following Spring Break. Further comment and discussion ensued.

Commissioner Sturman commented on meetings with BDO that included a site tour and lengthy discussions regarding the ability to accommodate Undercuts and a commuter rail tunnel for the New River Crossing. He noted that freight railway traffic will continue to operate at grade level.

Commissioner Sturman discussed a recent fire at a Chabad located in District 4, noting he received immediate updates from First Responders and provided outreach to all the Chabad Rabbis. He acknowledged and thanked First Presbyterian Church Head Pastor Nick Merchant and church members for their outreach and outpouring of support.

Commissioner Sturman commented on an upcoming District 4 Townhall Meeting for a conversation about allowing dogs in City

Parks, a City-wide Townhall on Hurricane Preparedness, and a District 4 Neighborhood Bike Ride.

Mayor Trantalis commented on the fire incident at the Chabad located in District 4, expounded on related concerns and his perspective, and confirmed that the City embraces diversity.

In response to Mayor Trantalis' question, City Manager Chavarria noted an unsolicited proposal from Acre Fleet that was emailed to each Commission Member for review, discussion and feedback at an upcoming Conference Meeting.

CITY MANAGER REPORTS

MGR-1 [24-0327](#)

City Commission Follow up Action Items - (Commission Districts 1, 2, 3 and 4)

City Manager Chavarria remarked that Staff visited Vancouver and San Diego to research best practices and opportunities to mitigate homelessness. He commented on a tour with the Broward County Sheriff's Office to understand the intake and discharge procedures at the Broward County Jail and the impact on homelessness in the City. The information gained will be discussed at a future Commission Conference Meeting.

ADJOURNMENT

Mayor Trantalis adjourned the meeting at 4:10 p.m.