

# City of Fort Lauderdale

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## Meeting Minutes

Tuesday, February 7, 2023

1:30 PM

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

### City Commission Conference Meeting

*FORT LAUDERDALE CITY COMMISSION*

*DEAN J. TRANTALIS Mayor*

*WARREN STURMAN Vice Mayor - Commissioner - District IV*

*JOHN C. HERBST Commissioner - District I*

*STEVEN GLASSMAN Commissioner - District II*

*PAM BEASLEY-PITTMAN Commissioner - District III*

*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 1:40 p.m.

## QUORUM ESTABLISHED

**Commission Members Present:** Commissioner John C. Herbst, Commissioner Steven Glassman, Commissioner Pamela Beasley-Pittman, Vice Mayor Warren 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

[23-0177](#)

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

***Board Of Adjustment (BOA)  
January 11, 2023***

### ***Communication to City Commission:***

*Motion made by Mr. Maxey, seconded by Mr. Nelson, to request the City Commission fully appoint the Board's members and alternates. In a voice vote, motion passed unanimously.*

City Clerk David Soloman explained the need for two (2) alternate consensus appointees to the BOA and said the Office of the City Clerk has received applications.

Mayor Trantalis requested City Clerk Soloman distribute the applications to Commission Members for consideration and appointment at the February 21, 2023, Commission Meeting.

Mayor Trantalis recognized Anthony Fajardo, Assistant City Manager. Mr. Fajardo explained the critical nature of appointing the consensus alternates to the BOA to maintain a quorum.

## OLD/NEW BUSINESS

**BUS-1** [23-0200](#)

City Attorney Search Firm Proposals/Presentations - (Commission Districts 1, 2, 3 and 4)

City Manager Chavarria provided an overview of this Agenda item. Jerome Post, Human Resources Interim Director, provided an overview of the executive recruitment firms, and their representatives will appear virtually or in-person to present proposals for Commission consideration. Staff requests direction following the presentations.

Mayor Trantalis remarked on the estimated costs of each executive search firm listed in *Exhibit 1 - Summary of Proposals*.

Mayor Trantalis recognized Donna Higginbotham, The Mercer Group. Ms. Higginbotham provided a presentation outlining details of Mercer Group's executive search and its background, qualifications, and experience, including the anticipated twelve (12) week timeline resulting in six (6) to eight (8) candidates for consideration.

Mayor Trantalis recognized S. Renee Narloch, S. Renee Narloch & Associates President. Ms. Narloch presented details of Narloch & Associates' background, qualifications, and experience.

In response to Commissioner Beasley-Pittman's questions, Ms. Narloch confirmed an estimated timeline of approximately sixteen (16) weeks from start to finish resulting in approximately seven (7) candidates and expounded on related details.

Mayor Trantalis recognized Stephen Sorrell, Baenziger & Associates Senior Vice President. Mr. Sorrell gave a presentation outlining Baenziger & Associates' background, qualifications, and experience. He noted the participation of Lynelle Klein, Baenziger & Associates Vice President - Operations, to address any technical questions.

Mayor Trantalis commented on the high cost of Baenziger & Associates recruitment fee, Mr. Sorrell remarked on the firm's experience and success rate, which would result in approximately six (6) to twelve (12) candidates for consideration. Ms. Klein explained details associated with their success rate.

In response to Commissioner Beasley-Pittman's question, Mr. Sorrell explained the locations of Baenziger & Associates around the country, including Daytona and Pensacola, Florida, Texas, and Colorado.

Mayor Trantalis recognized Robert Slavin, Slavin Management

Consultants. Mr. Slavin gave a presentation outlining details of Slavin Management Consultants' background, qualifications, and experience.

In response to Mayor Trantalis' question regarding Staff recommendations, Mr. Post said he did not have a specific recruitment firm recommendation, and with the exception of The Mercer Group, he had worked with each of the other firms.

Commissioner Glassman remarked on his thorough review of the proposals and costs and inquired about the ability of the Human Resources Department to recruit for the City Attorney position that would save \$30,000 - \$40,000. Mr. Post confirmed the capability to do so and explained related details, including working with the Strategic Communications Division to develop a recruitment brochure and working with Interim City Attorney D'Wayne Spence to determine information related to recruitment efforts. Mayor Trantalis remarked that this request could put undue pressure on Staff. Further comment and discussion ensued.

Commissioner Glassman remarked on his desire to determine whether requesting Staff to take on this effort would be burdensome. In response to Commissioner Glassman's question, Mr. Post noted the timeline for Staff to pursue this effort would be approximately twelve (12) weeks from start to finish.

Mr. Post remarked on Commission discussions regarding forming a Citizen's Review Committee to review the candidates before presenting candidates to the Commission.

In response to Commissioner Glassman's questions, Mr. Post noted several vacant positions in Human Resources, but the department has the talent and ability to recruit for this position. Mr. Post noted that the estimated cost of internal recruitment would be at the lower end of the estimated costs.

In response to Vice Mayor Sturman's question regarding the process, Interim City Attorney D'Wayne Spence explained the Commission could give direction to the City Manager regarding its preference as to how to move forward. A formal vote is only necessary if there is an unclear direction.

In response to Commissioner Herbst's question, City Manager Chavarria noted the procurement falls under his purchasing authority, and he can proceed with the Commission's direction. Further comment and

discussion ensued regarding the procedure for hiring Charter Officers and the selection of a search firm.

In response to Commissioner Beasley-Pittman's question, Commissioner Herbst clarified that Broward County (County) updated its Ethics Code several years ago and does not allow Broward County Commissioners to serve on selection committees.

In response to Commissioner Glassman's question, Mr. Post indicated that Staff could adequately perform the search for the City Attorney position with internal resources. Further comment and discussion.

Commissioner Glassman discussed his perspective regarding Staff pursuing recruitment efforts and said he would be fine with either of the two lowest bidders. Vice Mayor Sturman said he could support both options.

In response to Commissioner Beasley-Pittman's questions, Mr. Post explained details related to current staffing in the Human Resources Department and remarked on related information. Commissioner Beasley-Pittman noted she is leaning towards Human Resources Department Staff handling.

Commissioner Glassman commented on saving funds with use of Human Resource Department Staff for recruitment efforts.

Mayor Trantalis commented on using internal resources and organizing a Citizens' Review Committee.

Commissioner Herbst discussed the County's Code of Ethics prohibiting elected officials from interfering with selection efforts. Further comment and discussion ensued.

In response to Commissioner Glassman's question, Interim City Attorney Spence confirmed the need for additional research regarding the meanings and definitions related to the County's Code of Ethics. Further comment and discussion ensued.

Vice Mayor Sturman remarked on his perspective and suggested City Manager Chavarria move forward with a recommendation for selecting a recruitment firm. Further comment and discussion ensued regarding the process.

Mayor Trantalis confirmed the recruitment would be done internally. City

Manager Chavarria suggested meeting with each Commission Member individually for feedback about requirements for the City Attorney position. Staff would outline the process at the next Commission Conference Meeting.

Mayor Trantalis noted the need for this effort to move quickly, making a selection in the shortest time with the best candidates. City Manager Chavarria confirmed.

Vice Mayor Sturman noted the need to hasten selection for the Citizens' Review Committee to review the City Attorney candidates. Mayor Trantalis concurred and recommended it occur at tonight's Regular Commission Meeting.

**BUS-2** [23-0019](#)

Vacation Rental Regulations and Enforcement Comparison to Fort Lauderdale - (Commission Districts 1, 2, 3 and 4)

Mayor Trantalis provided an overview of this Agenda item.

Mayor Trantalis recognized Katrina Jordan, Development Services Department Code Compliance Manager. Ms. Jordan narrated a presentation entitled *Vacation Rental Municipality Comparison*.

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

In response to Commissioner Glassman's question, Ms. Jordan confirmed a vacation rental could only be operational once the registration process had been completed.

In response to Vice Mayor Sturman's questions, Ms. Jordan confirmed Code Enforcement handles all nighttime Code violations, including those associated with vacation rentals. One (1) Nighttime Code Officer addresses Code violations within each Police District, and there is one (1) Senior Code Officer who oversees operations.

In response to Commissioner Beasley-Pittman's question, Ms. Jordan explained a second violation is considered a repeat violation. Residents are advised to call the City's Customer Service Telephone Number for noise violations. Should a Police response be needed, Code Officers will contact the Police Department.

In response to Mayor Trantalis' question, Ms. Jordan confirmed Code

Officers respond in real-time. Mayor Trantalis commented on the importance of Code Officers responding in real-time.

In response to Commissioner Herbst's questions, Ms. Jordan confirmed that Code Enforcement positions in the Fiscal Year 2023 Budget (Budget) had been filled. The Ordinance related to vacation rentals states that the sound from a vacation rental only has to be audible, and no decibel readings are needed. Code Enforcement Officers are trained to take noise readings at other properties like nightclubs. Commissioner Herbst noted his understanding, and Ms. Jordan confirmed.

Ms. Jordan continued narrating the presentation.

In response to Mayor Trantalis' questions, Ms. Jordan confirmed the City of Hollywood has a \$1,000 per day fine for owners with reoccurring vacation rental property noise violations and is enforceable. Ms. Jordan explained that the City's fine for noise violations is \$200 per day and \$400 per day for repeat violations.

Ms. Jordan continued narrating the presentation.

In response to Mayor Trantalis' question regarding how the City suspends a vacation rental from operating due to noise violations is not interfering with the State Statute, Interim City Attorney Spence confirmed this is why the City's Ordinance is drafted in its current form. The State Statute is very broad concerning the preemption of any local government from prohibiting vacation rentals. Further comment and discussion ensued.

In response to Vice Mayor Sturman's questions regarding the noise level device installed in vacation rentals, Ms. Jordan explained there is an audible alarm inside the vacation rental unit that also sends a message to an app on the cell phone of the property owner or property manager. Interim City Attorney Spence explained Staff concerns related to noise monitoring devices and advised against these devices notifying City enforcement agencies.

Mayor Trantalis remarked on the low number of registered vacation rental properties in Miramar and Coral Springs.

Vice Mayor Sturman remarked on significant daily fines imposed in other municipalities for vacation rental properties not being registered. In response to Vice Mayor Sturman's question, Ms. Jordan confirmed the penalty for not registering a vacation rental property in the City is \$200

per day. Further comment and discussion ensued.

In response to Commissioner Beasley-Pittman's questions regarding efforts to identify violations of the vacation rental registration requirement, Ms. Jordan confirmed the City has a monitoring company that sends a weekly list of every advertised vacation rental within the City. To ensure compliance, there is a Staff person dedicated to comparing that information to registered vacation rental properties. Ms. Jordan noted that not all vacation rental properties are identifiable, and Staff relies on neighbors and Homeowner's Associations to identify an unregistered vacation rental property. Further comment and discussion ensued.

Commissioner Herbst confirmed his support of noise monitoring devices in vacation rentals, expounded on related details, and recommended a more robust fine schedule. He commented on previous discussions regarding Homeowner's Associations (HOA) having the ability to set strict vacation rental rules. Mayor Trantalis remarked on his request for the Office of the City Attorney to research this topic to determine whether there is a path through an HOA to enforce vacation rental rules. Further comment and discussion ensued.

In response to Commissioner Herbst's questions regarding any current proposed legislation in Tallahassee concerning vacation rentals, Daphnee Sainvil, Economic Development and Government Affairs Manager, explained bills have been filed in the State Senate and State House of Representatives, which do not impact current regulations but discuss vacation rental registration. Staff is closely monitoring those bills. Further comment and discussion ensued.

Mayor Trantalis recognized Brian Donaldson, Birch Park Beach Homeowner's Association (BPB HOA) President. Mr. Donaldson remarked on previous Commission efforts to enact a vacation rental ordinance. He commented on the BPB HOA's efforts to ensure vacation rentals in their neighborhood are compliant and noted the increased tax revenue received from vacation rental properties.

In response to Vice Mayor Sturman's question regarding HOAs and Civic Associations having additional requirements for vacation rentals, Interim City Attorney Spence said that information would be included in a memorandum from the Office of the City Attorney requested by Mayor Trantalis, which will also be provided to Commission Members.

Commissioner Glassman remarked on the positive efforts of Mr. Donaldson and the BPB HOA regarding vacation rental properties



instituting best practices.

Commissioner Herbst confirmed he endorses requiring specific equipment in rental properties, cited examples, and expounded on his viewpoint.

Mayor Trantalis recognized Michael Weymouth, 2701 Coral Shores Drive. Mr. Weymouth discussed his opposition to vacation rentals and expounded on his viewpoint.

Commissioner Glassman confirmed his agreement to revisit or increase the fee structure for vacation rental violations and requiring a noise monitoring device in vacation rental units.

In response to Vice Mayor Sturman's questions regarding using information captured by the Ring Doorbell for enforcement efforts, Interim City Attorney Spence confirmed he would research that issue.

Mayor Trantalis commented on the history of efforts to register vacation rentals and related challenges. He remarked on Staff's actions resulting in reducing noise disturbances associated with vacation rentals. Mayor Trantalis requested City Manager Chavarria reexamine fine levels and other options instituted by area municipalities to regulate vacation rentals.

**BUS-3** [23-0090](#)

Prior Analysis of Potential Annexation of Central Area and Broadview Park - (Commission Districts 1, 2, 3 and 4)

Mayor Trantalis said he requested this Commission discussion of the *2019 Annexation Study of the Central Area and Broadview Park area (Study)*, an unincorporated area of Broward County. He remarked on the opportunity for further development in this area, including affordable housing, and whether annexation would impose a financial burden on the City.

City Manager Chavarria confirmed Staff provided Commission Members with a copy of the Study illustrating the requirements for the annexation, and Staff requests Commission direction.

Laura Reece, Office of Management and Budget Director, reviewed details and updates of the Study that include the areas of Boulevard Gardens, Franklin Park, Roosevelt Gardens, Washington Park, and Broadview Park. She noted that the consultant contracted to perform the analysis, PMG Associates, is no longer in business.

Ms. Reece narrated a presentation entitled *Analysis of Potential Annexation of Central Area and Broadview Park*.

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

In response to Mayor Trantalis' question regarding the Study indicating the City would need to hire eighty-six (86) new Police Officers to serve these areas, Ms. Reece confirmed and explained that the Study based this amount on the number of Broward County Sheriff personnel responding to all calls in these areas. Mayor Trantalis remarked on the accuracy of this aspect of the Study. Further comment and discussion ensued.

Commissioner Glassman noted the Study's age and possible changes. Mayor Trantalis remarked on his perspective regarding Police Officer needs contained in the Study. Further comment and discussion ensued.

Patrick Lynn, Police Department Chief, said should the City proceed with annexing these areas, a reexamination of the BSO's service personnel, positions, and assignments would be necessary, followed by a recommendation regarding the number of Police Officers needed.

Commissioner Beasley-Pittman concurred with Mayor Trantalis' remarks and concerns regarding the Study.

Commissioner Herbst remarked that the Study is consistent with prior similar internal studies. Ms. Reece confirmed Staff would research.

In response to Mayor Trantalis' questions, Ms. Reece confirmed Staff can do a separate analysis for Broadview Park. Ms. Reece noted the Study's cost impact is \$4,400,000 for Broadview Park. She expounded on current and anticipated taxable values. Further comment and discussion ensued regarding the related revenue analysis.

Commissioner Glassman remarked on increased expenditure projections since 2019 and cited examples. Ms. Reece confirmed and noted an approximate six percent (6%) increase for all neighborhoods, or approximately \$15,000,000 to \$16,000,000.

In response to Commissioner Glassman's question regarding separating the anticipated expenditure projections for Broadview Park, Ms. Reece confirmed she would research and provide.

In response to Commissioner Beasley-Pittman's question regarding the total anticipated increased taxable value for Washington Park, Roosevelt Gardens, Franklin Park, and Boulevard Gardens, Ms. Reece explained the total taxable value of these four (4) neighborhoods in 2023 is estimated to be \$370,000,000 and is larger than the 2023 taxable value for Broadview Park, which is estimated to be \$313,000,000.

In response to Commissioner Glassman's questions regarding the process should the Commission decide to annex these areas, Ms. Reece confirmed the residents would need to vote on annexation. She expounded on additional details of the process included in Florida Statute 171.

Mayor Trantalis requested Commission Member feedback regarding whether the City should move forward. In response to Mayor Trantalis' questions, City Manager Chavarria said Broward County has yet to revive conversations on this topic and noted a new Broward County Administrator is in place. Mayor Trantalis remarked on affordable housing opportunities. Further comment and discussion ensued.

Commissioner Glassman commented on his perspective regarding the need for these communities to vote on annexation, increased taxes in these communities, and cost burdens to the City. Further comment and discussion ensued.

Commissioner Beasley-Pittman remarked on annexing these areas in phases and commented on related details. She noted several individuals in these communities had reached out to discuss annexation. Commissioner Beasley-Pittman said related research and allowing these communities to decide is worthwhile.

Mayor Trantalis suggested City Manager Chavarria reach out to Broward County about incentives they may want to offer the City to pursue annexation of these areas. City Manager Chavarria confirmed and noted annexing would add two (2) park greenspace areas and a fire station to the City's inventory.

Commissioner Glassman reiterated his opposition, citing examples of the expense included in the Study. He recommended a careful review of the Study and remarked on the need to gauge the support of these communities before moving forward. Commissioner Beasley-Pittman confirmed the areas she is familiar with have neighborhood associations.

Mayor Trantalis said that annexation of these areas should not be a cost

burden to the City. He suggested Staff reach out to the neighbor associations in these areas to determine their interest. Further comment and discussion ensued.

Mayor Trantalis recognized David Neilson, 2430 SW 50th Terrace. Mr. Neilson spoke in opposition to annexation.

Commissioner Beasley-Pittman concurred with Mayor Trantalis' recommendation that Staff reach out to these neighborhoods to determine their interest in annexation.

**BUS-4** [23-0209](#)

Overview of Florida Statutes §255.065, "Public-private partnerships" - (Commission Districts 1, 2, 3 and 4)

Mayor Trantalis provided an overview of this Agenda item. Commissioner Herbst requested this Conference Agenda item to discuss public-private partnership (P3) agreements and the related Florida Statute.

Interim City Attorney D'Wayne Spence provided an overview of Florida Statute § 255.065 (Statute), narrating a presentation entitled *Public-Private Partnership - Florida Statute § 255.065*.

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

Mayor Trantalis recognized Marilyn Mammano, 1819 SE 17th Street, on behalf of *Lauderdale Tomorrow*. Ms. Mammano discussed the need to address the process by the Commission establishing enhanced criteria for analyzing an unsolicited P3 proposal upon receipt, including whether the proposed P3 serves a public purpose and presenting the proposal to the community.

Mayor Trantalis recognized Boyd Corbin, 12 NE 26th Street, Wilton Manors. Mr. Corbin commented on his viewpoint regarding the P3 project associated with replacing the Fiveash Water Treatment Plant.

Commissioner Herbst commented on the opportunity for the City to have a more robust P3 process. He recommended incorporating two (2) items into the City's Ordinance, including mandating that an initial P3 proposal include a complete business plan that provides for a market analysis, customer analysis, financial feasibility, and pro forma financial statements. Commissioner Herbst said that waiving these requirements are not in the best interest of the City. The second recommendation is a minimum sixty (60) day advertising notice (notice) period for competing

proposals. Commissioner Herbst expounded on his perspective regarding including these modifications in the current Ordinance. Further comment and discussion ensued.

Mayor Trantalis remarked on receiving a proprietary proposal and having a mandatory lengthy timeline that could cause missed opportunities and increased costs. Commissioner Herbst said an increased response time could allow the submission of entirely different P3 proposals for the same public land.

Mayor Trantalis remarked on his viewpoint and explained the Commission's discretion to set a twenty-one (21) day to one hundred-twenty (120) day minimum response for competing proposals. Further comment and discussion ensued.

Commissioner Glassman noted his request made at the Commission Goal Setting Session for Commission Members to receive a list of all approved P3 projects, including response timelines for submitting competing proposals. He cited the example of the P3 pickleball project and the community's response. Further comment and discussion ensued.

In response to Commissioner Glassman's question, Interim City Attorney Spence explained the Statute language states that the responsible public entity will receive and accept other proposals for the same project.

Commissioner Herbst discussed his perspective opposing constraining the City with regard to the type of project on public land. Further comment and discussion ensued.

Mayor Trantalis noted the City's actions could not contradict language in the Statute and cited the examples of the Inter Miami proposal and other previous proposals submitted to the City for Lockhart Park.

Interim City Attorney Spence explained the process should the City seek differing P3 projects on a parcel. When the City receives a P3 proposal for a particular property, the City will not evaluate that project. It would advertise for a solicited P3 proposal of the same magnitude on that parcel.

Commissioner Herbst remarked this would be similar to a Request for Information (RFI), which could be modified. Interim City Attorney Spence confirmed. Commissioner Herbst noted the Commission should consider this option and explained his viewpoint.

Mayor Trantalis commented on the P3 recreational facilities that have benefited the City. He recommended Commissioner Herbst discuss his first recommendation with Interim City Attorney Spence to develop proposed language mandating financial details related to P3 submissions to determine their viability.

Mayor Trantalis commented on including Ms. Mammano's recommendation to establish enhanced criteria for analyzing a P3 upon receipt of an unsolicited P3 project proposal and including this in the process. Further comment and discussion ensued. Mayor Trantalis commented on recent modifications to the Statute and the Commission's flexibility regarding setting the notice timeframes in the P3 process.

Commissioner Herbst clarified his comments regarding having a sixty (60) day window for a P3 evaluation process that allows competing proposals to come forward and providing the City with additional options for creative projects.

Commissioner Glassman explained his support of the Commission continuing to have the discretion to set the response time for responses to an unsolicited P3, allowing between twenty-one (21) days and one hundred and twenty (120) days, included in the State Statute.

In response to Commissioner Glassman's question regarding whether the public received the February 2, 2023, memorandum sent to Commission Members regarding other cities' P3 Ordinances (Memorandum), Interim City Attorney Spence said it was not part of the backup to this Agenda item. Commissioner Glassman expounded on details in the Memorandum and remarked on his understanding of the Statute and that an alternative mechanism may be necessary to address Commissioner Herbst's recommendation regarding receiving other types of P3 proposals.

Commissioner Beasley-Pittman remarked on her support of Ms. Mammano's recommendation for additional transparency, a pre-evaluation process to inform neighbors of proposed P3 projects, and the opportunity for neighbors to be able to present ideas.

Mayor Trantalis remarked that Ms. Mammano's recommendation allows neighbors to provide feedback regarding P3 proposals.

Vice Mayor Sturman confirmed his strong support for Commissioner Herbst's recommendation for a sixty (60) day response timeframe.

In response to Mayor Trantalis' question, Interim City Attorney Spence explained the Statute does not preclude the City from Ms. Mammano's suggestion. Other municipalities with a pre-notice provision provide for a separate process and the ability of others to submit a conceptual P3 proposal for a fee, followed by the submission of a detailed P3 proposal. Interim City Attorney Spence explained that the focus is on the evaluation period that precedes the actual intent of the municipality to enter into a comprehensive agreement and the Office of the City Attorney would research further.

In response to Commissioner Glassman's questions, Interim City Attorney Spence said a pre-notice provision allows others wishing to submit a P3 proposal to expend fewer funds to gauge the municipality's interest in a concept plan. Further comment and discussion ensued.

In response to Commissioner Herbst's question, Interim City Attorney Spence explained that following the notice period associated with the initial P3, the Commission is not required to commit to a comprehensive agreement with the initial P3. Commissioner Herbst clarified that if alternative unsolicited proposals of a different nature for the same parcel are received following the notice period, the Commission could decide not to move forward with a comprehensive agreement of the initial P3.

In response to Mayor Trantalis' question, Interim City Attorney Spence clarified that if the Commission decides not to move forward with the initial P3, the City will return the submission fee if Staff has not evaluated the proposal.

Mayor Trantalis requested Interim City Attorney Spence return with suggested modifications to the City's P3 Ordinance at a future Conference Meeting for Commission consideration.

## CONFERENCE REPORTS

**CF-1**    [23-0204](#)

Update on Broward College at the L.A. Lee YMCA/Mizell Community Center - (Commission District 3)

Clarence Woods, Area Manager Northwest-Progresso-Flagler Heights Community Redevelopment Agency (NWPFH CRA), provided an overview of this Agenda item and reviewed details included in backup information.

Yolanda Brown, Broward College Associate Vice President of Adult and Community Education, discussed educational programming at Broward College's YMCA location, and expounded on related details.

In response to Mayor Trantalis' questions, Ms. Brown explained current educational programs offered at the YMCA are not degree programs, but accreditation is being pursued to allow degree programs to be offered. The current programs are introductory entry-level training certification programs, i.e., computer help-desk skills, supply chain management. Ms. Brown expounded on related employment opportunities. There are plans for a Certified Medical Assistant (CMA) Program. Ms. Brown confirmed there is an online hospitality degree program at Broward College.

Commissioner Beasley-Pittman commented on her support of these programs being embraced and completed, and ensuring students can continue on to accredited courses. She suggested a mentor-type program following enrollment to assist and encourage students to remain encouraged and engaged. Commissioner Beasley-Pittman discussed current mentors in the community and recommended reaching out to them to partner with YMCA.

## **CITY COMMISSION REPORTS**

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

Commissioner Herbst remarked on the recent honoring of Corporal George Johnson, a 101-year-old Lauderhill resident, for his service in the Montford Point Marines, the first group of black Marines in the 1940s. Corporal Johnson was awarded the Congressional Gold Medal at a gathering at the Fort Lauderdale African-American Research Library and Cultural Center.

Commissioner Herbst suggested scheduling a discussion regarding a new City Hall at an upcoming Conference Meeting.

Commissioner Herbst requested an update on One Stop Shop and noted that the applicant was to provide details of its financing on January 31, 2023. City Manager Chavarria said that correspondence was received yesterday from another bank that had proposed financing, which needs to be vetted with Interim City Attorney Spence. Commissioner Herbst remarked that the applicant retained an investment bank to go out and source funds, but commitments have not yet been received, and explained related details. He requested clarification regarding whether the correspondence is the engagement of a firm to explore financing options or whether the correspondence includes a firm financial commitment.



In response to Mayor Trantalis' question regarding an unsolicited proposal's financing obligation, Interim City Attorney Spence explained it would be guided by the terms of the comprehensive agreement, and he would research and provide an update. Mayor Trantalis commented on challenges related to obtaining financing, remarked on examples, and requested an update regarding compliance.

Interim City Attorney Spence referenced language in the One Stop Shop's Comprehensive Agreement (Comprehensive Agreement) which states that the cost of the qualified project shall be fully financed by One Stop FTL through private funds to be evidenced by providing the City with appropriate and sufficient letters of credit or other documents from a financial institution evidencing its ability to fully finance the qualified Project.

Commissioner Glassman noted that based on his understanding, what has been submitted meets the intent of the comprehensive agreement for the developer team to show the ability to finance the Project.

In response to Mayor Trantalis' question, Interim City Attorney Spence confirmed he would review and provide an update regarding whether the applicant has complied with the Comprehensive Agreement.

Commissioner Beasley-Pittman noted that February is Black History Month, which will include several events in the City, including the Sistrunk Festival on Saturday, February 25, 2023. She invited everyone to attend.

Commissioner Beasley-Pittman requested a Commission discussion regarding adopting a resolution stating the City's position on the Florida Department of Education's efforts related to Advanced Placement African American Studies (APAA Studies) course made at the direction of Governor DeSantis. Commissioner Glassman concurred.

Mayor Trantalis concurred with Commissioner Beasley-Pittman's recommendation. Mayor Trantalis remarked on conversations with other Broward County municipal mayors regarding putting forth a resolution. He explained discussions with Interim City Attorney Spence about replicating those efforts.

In response to Commissioner Glassman's question, Commissioner Beasley-Pittman commented on her understanding that a group of approximately thirty (30) ministers in Miami-Dade County were the first group to request municipalities state their positions regarding this topic. City Manager Chavarria said he would share a February 1, 2023, article

in which the Black Affairs Board provided its viewpoint on this subject.

Mayor Trantalis recognized Daphnee Sainvil, Government Affairs & Economic Development Manager. Ms. Sainvil concurred with Commission concerns discussed and recommended either supporting the watered-down version of the APAA Studies Course or wait to see what the Department of Education does with the new proposal. Mayor Trantalis remarked on his viewpoint. Further comment and discussion ensued.

Commissioner Beasley-Pittman confirmed her understanding of the situation and recommended that this subject remain open for further Commission discussion and action.

Commissioner Glassman remarked on reviewing whether the Black Affairs Board had taken action. He concurred with Mayor Trantalis' discomfort with supporting a watered-down version and explained related details.

Commissioner Beasley-Pittman requested a preparation session for Broward Days in Tallahassee. Ms. Sainvil confirmed and explained related details.

Interim City Attorney Spence requested clarification regarding Commission Members meeting as a group to prepare for Broward Days. Mayor Trantalis noted that the Commission's Legislative Priorities would be voted on tonight at the Regular Meeting and used by Commission Members as a guide for Broward Days meetings in Tallahassee. Commissioner Beasley-Pittman clarified her request for an individual preparation meeting that would not include other Commission Members.

Commissioner Beasley-Pittman confirmed her support of Police and Fire Department personnel and their needs. She requested additional updated information regarding the new Police Headquarters, including an understanding and complete breakdown of itemized costs associated with the \$40,000,000 increased costs to include what has been added or removed from the original plans. City Manager Chavarria confirmed and explained the related contract and details requested would be available at the February 21, 2023, Commission Meeting.

Commissioner Glassman remarked on resident traffic-related concerns associated with the National Hockey League All-Star Events recently held on the beach and expounded on related details. He requested Staff address the need for improved traffic flow.

Commissioner Glassman requested a schedule of meetings for all of the neighborhoods that are in the queue for utility undergrounding, along with progress updates for Riviera Isles, Idlewyld, Seven Isles, Victoria Park, and Sunrise Key.

Commissioner Glassman remarked on the need for the Commission to receive information regarding ethics training. Interim City Attorney Spence confirmed that the Office of the City Attorney addresses ethics related questions. Commissioner Glassman remarked on his viewpoint regarding the burden placed on the Office of the City Attorney and made recommendations regarding the amount of time allocated to addressing ethics inquiries. Further comment and discussion ensued.

Commissioner Herbst remarked on ethics training received at the Broward League of Cities, which was explicit about any questions related to ethics be addressed by the Office of the City Attorney. Further comment and discussion ensued. Vice Mayor Sturman remarked on his experience concerning ethics training. Further comment and discussion ensued.

In response to Commissioner Glassman's question regarding the Office of the City Manager responding to concerns included in a memorandum from the Office of the City Auditor's review of ERP implementation, City Manager Chavarria confirmed it was sent to the Commission earlier today. City Auditor Patrick Reilly explained the Office of the City Auditor has been monitoring and reviewing its progress since inception and expounded on related details. Further comment and discussion ensued.

Vice Mayor Sturman discussed concerns related to raising the sewer limit for the George T. Lohmeyer Wastewater Treatment Plant (Lohmeyer WTP). He recommended that at this point the Commission should not direct Staff to request Broward County to increase Lohmeyer WTP capacity to the State level. He noted the need to concentrate on fixing underground infrastructure, and as infrastructure is addressed, the Infiltration and Inflow (I&I) will decrease.

Mayor Trantalis commented on the concerns associated with the Lohmeyer WTP servicing other cities who are requesting the capacity be increased to allow development projects. Vice Mayor Sturman remarked on his concerns regarding increasing capacity to 48,000,000 gallons per day at the Lohmeyer WTP to accommodate additional development. Mayor Trantalis discussed his viewpoint and expounded on the City's efforts to improve its underground infrastructure. Vice Mayor Sturman reiterated his concern and requested input from other Commission

Members. Mayor Trantalis recommended that this subject be discussed at an upcoming Conference Meeting with Staff input.

Vice Mayor Sturman discussed his efforts and concerns regarding the Las Olas Boulevard Mobility Project (Project), including meetings with merchants and community members. He requested pausing the Project to allow for public workshops. He noted an upcoming Town Hall for District 4 to address project concerns, including traffic implications, Fire-Rescue concerns, and tying the Project into the Tunnel Top Park project.

Commissioner Glassman remarked on his opposition to pausing the Project and explained details of his prior efforts along with those of former Commissioner Sorensen. In response to Commissioner Glassman's questions, Ben Rogers, Transportation and Mobility Department Director, noted approximately twenty (20) formal meetings with stakeholders regarding the Project from Andrews Avenue to the beach. Further comment and discussion ensued.

In response to Commissioner Glassman's questions, Mr. Rogers explained details related to the Project being divided between an eastern and western portion. The previous Commission voted to move the western portion from Andrews Avenue to the Sospiro Canal Bridge (Western Portion). There was no Commission direction to advance the eastern portion of the Project corridor at that time because there was no consensus and a need for additional outreach. There is currently an active bid solicitation for the Western Portion of the Project and closes at the end of February 2023, to be followed by creating an evaluation team to award a contract for the design process.

Vice Mayor Sturman noted that the Western Portion of the Project is in District 4 and remarked on neighbor concerns. He requested additional time to consult the community. Commissioner Glassman expounded on his perspective.

In response to Commissioner Herbst's question, Vice Mayor Sturman remarked on the need for an approximate two (2) month delay. Vice Mayor Sturman explained meetings with City Manager Chavarria discussing Project concerns. City Manager Chavarria will coordinate with TAM, Code Enforcement, and the Office of the City Attorney to address issues. Commissioner Glassman remarked that those issues would be addressed in the Development Review Committee (DRC) process. City Manager Chavarria confirmed and explained efforts to find a middle ground. Further comment and discussion ensued.

Mayor Trantalis remarked on the lengthy duration of the Conference Meeting and noted the start of the Regular Meeting would be after 6:00 p.m.

Mayor Trantalis remarked on the prior process, including meetings with neighborhood organizations and stakeholders. He recommended a pause to allow Vice Mayor Sturman to reconnect with stakeholders and determine whether they have a different point of view.

Vice Mayor Sturman reiterated this Project is in District 4 and said that he is still in the process of addressing differing concerns raised by stakeholder groups. Mayor Trantalis confirmed additional time would be given for Vice Mayor Sturman to address constituent concerns regarding the Project.

Mr. Rogers confirmed the procurement process for this Project is approximately ninety (90) days out. Commissioner Glassman reiterated details of the previous efforts related to this Project when bifurcated into the eastern and western portions.

In response to Commissioner Beasley-Pittman's question, Mr. Rogers provided an update regarding a memorandum issued by City Manager Chavarria summarizing the reasons The Boring Company projects did not move forward in several cities, which were due to a contract impasse, a change in administration and the project was abandoned, and one in which the City submitted federal documents and the process stopped with no explanation.

In response to Commissioner Beasley-Pittman's question, City Manager Chavarria confirmed that the related memorandum was sent to the Commission yesterday. Commissioner Beasley-Pittman confirmed and remarked on her desire for transparency and the need to share this information with everyone.

In response to Commissioner Herbst's question regarding receiving a business plan from The Boring Company, Mr. Rogers confirmed he has not received one and is meeting with The Boring Company tomorrow for an update. Commissioner Herbst remarked on conversations with representatives of The Boring Company regarding his request for a business plan. In response to Commissioner Glassman's question, Mr. Rogers confirmed he will advise The Boring Company of what the City is looking for regarding a business plan.

Mayor Trantalis discussed his meeting with the Deputy Assistant Secretary of Commerce April McLean-Delaney, who provided a synopsis on how to seek federal funding assistance for broadband infrastructure in areas, including District 3.

Mayor Trantalis discussed the upcoming Neighbor Support Night on February 16, 2023, at City Hall that will include a City Job Fair.

Mayor Trantalis commented on the recent earthquake in Turkey and noted the City's rescue team is on standby to assist in the disaster.

Mayor Trantalis commented on the visit tomorrow, February 8, 2023, from His Royal Majesty Otumfuo Nana Osei Tutu II, the Ruler of the Eastern Region of Ghana, and remarked on the Sister City Relationship with Agogo, Ghana.

### **CITY MANAGER REPORTS**

City Clerk David Soloman noted that Staff requested a date change for the April 18, 2023, Joint Workshop Budget Advisory Board to May 2, 2023, at 11:30 a.m. Mayor Trantalis said there was no objection from Commission Members.

Interim City Attorney D'Wayne Spence noted the City has a settlement of claims Ordinance that provides for the settlement of claims based on different dollar amounts. There is no Commission appointee on the Risk Management Committee, and settlements above \$50,000 and under \$100,000 now come before the Commission. He requested a Commission Member appointment to the Risk Management Committee to review settlement claims with the City Manager and the Risk Manager. Commissioner Herbst confirmed he would serve as the Commission Member appointee on the Risk Management Committee.

### **ADJOURNMENT**

Mayor Trantalis adjourned the meeting at 6:14 p.m.