

City of Fort Lauderdale

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Meeting Minutes

Thursday, March 23, 2023

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

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 6:20 p.m.

ROLL CALL

Present: 5 - Commissioner Warren Sturman, Commissioner John C. Herbst, Commissioner Steven Glassman, Vice Mayor Pam Beasley-Pittman and Mayor Dean J. Trantalis

QUORUM ESTABLISHED

Also Present: City Manager Greg Chavarria, City Clerk David R. Soloman, Interim City Attorney D'Wayne M. Spence, and City Auditor Patrick Reilly

Pledge of Allegiance

Jackson Smith, 3rd Grader at St. Anthony's Catholic School

MOMENT OF SILENCE**AGENDA ANNOUNCEMENTS**

Mayor Trantalis announced the following updates to the published Agenda:

Revisions:

R-2: Exhibit 8 (approval resolution) and Exhibit 9 (denial resolution) were revised in 3 places on each resolution from "542 multifamily residential units" to "542 residential flex units"

WALK-ON Resolutions:

WALK-ON: Resolution Delegating Authority to the City Manager to Submit a Grant Application for \$1,500,000 to the Florida District of Navigation - Waterway Assistance Program to Renovate the Cooley's Landing Marina

WALK-ON: Resolution regarding Advanced Placement African American Studies

A copy of the revision and Walk-On Agenda items are attached to

these Meeting Minutes.

Approval of MINUTES and Agenda

[23-0312](#)

Minutes for January 26, 2023, Commission Prioritization Workshop, February 7, 2023, Commission Conference Meeting, February 7, 2023, Commission Regular Meeting, February 21, 2023, Commission Conference Meeting and February 21, 2023 Commission Regular Meeting - (Commission Districts 1, 2, 3 and 4)

Commissioner Glassman remarked on a scrivener's errors in the title of PRES-1 and on page 19 of the Conference Meeting Minutes of February 7, 2023.

Commissioner Herbst made a motion to approve the Agenda and Meeting Minutes as amended and was seconded by Vice Mayor Sturman.

APPROVED AS AMENDED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

PRESENTATIONS

PRES- [23-0329](#)
1

Commissioner Beasley-Pittman to present a Proclamation declaring March 2023 as Woman's History Month in the City of Fort Lauderdale

Commissioner Beasley-Pittman presented a Proclamation declaring *March 2023 as Women's History Month in the City of Fort Lauderdale*, reading the Proclamation in its entirety. Sheryl Lopez, Rolly Marine General Manager, accepted the Proclamation and acknowledged the importance of the marine industry to her family since her father started Rolly Marine in 1966. Ms. Lopez thanked Commissioner Beasley-Pittman, Mayor Trantalis and Commission Members for this recognition.

PRESENTED

PRES- [23-0330](#)
2

Commissioner Glassman to present District II Community Appearance Board "WOW" Award

Commissioner Glassman and Community Appearance Board Member Miguel Wright presented the *District II Community Appearance Board "WOW" Award* (Award) to homeowners Charlie Baity and Alfonso Vargas, recognizing improvements to their residence. Commissioner Glassman described the renovation of the residence. Mr. Baity accepted the Award on behalf of Alfonso Vargas and thanked

Commissioner Glassman, Mayor Trantalis, and the Commission Members.

PRESENTED

PRES- [23-0337](#)
3

2023 Neighbor Support Night Sponsors Recognition - (Commission Districts 1, 2, 3 and 4)

Junia Robinson, Assistant Neighbor Support Division Manager, thanked and recognized the sponsors who contributed to the 2023 *Neighbor Support Night* event

Ms. Robinson congratulated the Police Department for winning the *Neighbor Choice Award*.

PRESENTED

CONSENT AGENDA PUBLIC COMMENT

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

CONSENT AGENDA

Mayor Trantalis announced that the following Consent Agenda item was pulled by for separate discussion.

CM-2: Commissioner Glassman

Approval of the Consent Agenda

Vice Mayor Sturman made a motion to approve the Consent Agenda and was seconded by Commissioner Herbst.

Approve the Consent Agenda

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

CONSENT MOTION

CM-1 [23-0301](#)

Motion Approving Event Agreements for Igloo Cooler Festival and FLL Fashion Week - (Commission Districts 2 and 3)

APPROVED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

CM-2 [23-0278](#)

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 improve traffic management efforts on the barrier island during and after special events. He noted the need to better inform people coming east on Las Olas Boulevard about how to reach the Las Olas Garage and recommended signage west of the Las Olas Bridge.

Commissioner Glassman remarked on the need for better coordination of events that require closing a lane on Seabreeze Boulevard and expounded on traffic issues during the St. Patrick's Day Parade. City Manager Chavarria said Staff would meet with Commissioner Glassman to share its action plan to address traffic concerns.

In response to Commissioner Glassman's question, City Manager Chavarria confirmed the April 4, 2023, Conference Meeting Agenda item contains a discussion of barrier island events. Commissioner Glassman requested that the discussion be as thorough as possible and cited items that need to be discussed.

Vice Mayor Sturman made a motion to approve this Agenda item and was seconded by Commissioner Glassman.

APPROVED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

CM-3 [23-0310](#)

Motion Declaring the Lauderdale Air Show on Fort Lauderdale Beach, Scheduled for April 29, 2023 - April 30 2023, 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 Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

CM-4 [23-0323](#)

Motion Approving a First Amendment to an Outdoor Event Agreement for Pixar Putt Putt - (Commission District 2)

APPROVED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

CM-5 [23-0107](#)

Motion Approving a License Application and an Agreement for the Sale, Service, and Consumption of Food and Alcoholic Beverages on the Public Beach - CWI-GG RCFL Property Owner, LLC for The Ritz Carlton Hotel Company, LLC - (Commission District 2)

APPROVED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

CM-6 [23-0272](#)

Motion Approving an Interlocal Agreement with Broward County to Conduct a Study on a Regional Biosolids Solutions - \$37,645.60 - (Commission Districts 1, 2, 3 and 4)

APPROVED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

CONSENT RESOLUTION**CR-1** [23-0232](#)

Resolution (a) Approving an Application for a Dock Permit for Usage of Public Property by 817 RIO LLC, a Florida limited liability company for a proposed 47'+/- long X 8'+/- wide marginal dock and appurtenant steps and (b) Authorizing Execution of a Declaration of Restrictive Covenants - (Commission District 4)

ADOPTED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

CR-2 [23-0254](#)

Resolution Authorizing the City Manager to Execute a Memorandum of Understanding with the State of Florida to Access Driver and Vehicle Information Database - (Commission Districts 1, 2, 3 and 4)

ADOPTED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

CR-3 [23-0281](#)

Resolution Creating a City Attorney Search Committee to Assist with the Selection of Candidates for the City Attorney Position and Prepare a Short List of Candidates for Review by the City Commission - (Commission Districts 1, 2, 3 and 4)

ADOPTED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

CR-4 [23-0327](#)

Resolution Amending Resolution 14-62 by Delegating to the City Manager the Authority to Execute Interlocal Agreements, and Approve and Execute Amendments, Modifications, Reinstatements, Addenda, Extensions of Time, and Other Documents, Related to Broward County Transportation System Surtax-Funded Projects -

(Commission Districts 1, 2, 3 and 4)

ADOPTED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

CR-5 [23-0325](#)

City Clerk Annual Merit Adjustment - (Commission Districts 1, 2, 3 and 4)

ADOPTED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

CONSENT PURCHASE

CP-1 [23-0184](#)

Motion Approving a Service Agreement for Sound, Stage & Lighting Services - BFAV, LLC d/b/a All On Stage Productions - (Commission District 1, 2, 3 and 4)

APPROVED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

CP-2 [23-0321](#)

Motion Approving the Purchase of Night Vision Goggles - TNVC - \$612,484 - (Commission Districts 1, 2, 3 and 4)

APPROVED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

MOTIONS

M-1 [23-0302](#)

Motion Approving an Event Agreement for Rhythm Fest 23' - (Commission District 2)

Commissioner Glassman remarked on District 2 Pre-Agenda Meeting discussions regarding this Agenda item and noted two (2) outstanding Code violations.

Mayor Trantalis recognized Stephanie Toothaker, Esq., on behalf of the applicant, Rhythm and Vine. Ms. Toothaker introduced Sion Soudai, General Manager of Rhythm and Vine. She explained that fencing separates the 513 NE 4th Street parcel from the 515 NE 4th Street parcel where the event will be located. The applicant has filed permit applications with the Building Department to correct the Code violations.

In response to Commissioner Glassman's question, Ms. Toothaker

noted that the Rhythm and Vine event would take place on the 515 NE 4th Street parcel. A fence separates the parcel located at 513 NE 4th Street, which was sold and is the parcel with the Code violations and part of a Commission approved development project. Further comment and discussion ensued.

Commissioner Glassman made a motion to approve this Agenda item and was seconded by Vice Mayor Sturman.

APPROVED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

RESOLUTIONS

R-1 [23-0324](#)

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/or reappointment at the April 4, 2023, Commission Regular Meeting.

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

City Clerk David Soloman requested Commission Members provide the names of individuals to be appointed to the City Attorney Search Committee. The following individuals were appointed: Richard Weiss - Commissioner Herbst (District 1); Troy Liggett - Commissioner Glassman (District 2); Roosevelt Walters - Commissioner Beasley-Pittman (District 3); Romney Rogers - Vice Mayor Sturman (District 4); and McKillop Erlandson - Mayor Trantalis.

In response to Commissioner Herbst's question, Interim City Attorney D'Wayne Spence explained the Charter prevents individuals from serving on two boards, but the Charter does not prevent individuals from serving on multiple committees.

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

ADOPTED AS AMENDED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

R-2 [23-0221](#)

Quasi-Judicial Resolution Approving a Design Deviation Request for a Site Plan Level II Development Permit - Ben Ft Laud, LLC and

Ben Ft Laud DRC, LLC - The Benjamin - Case No. UDP-S22035 -
(Commission District 4)

Anyone wishing to speak must be sworn in. Commission will announce any site visits, communications or expert opinions received and make them part of the record.

Each Commission Member disclosed verbal communications, written communications, site visits, and expert opinions received.

Mayor Trantalis opened the public hearing.

There being no one wishing to speak on this item, Commissioner Herbst made a motion to close the public hearing and was seconded by Commissioner Glassman. Roll call showed: AYES: Vice Mayor Sturman, Commissioner Herbst, Commissioner Glassman, Commissioner Beasley-Pittman, and Mayor Trantalis

Commissioner Herbst introduced this Resolution approving this Agenda item which was read by title only.

ADOPTED - Approving

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

R-3 [23-0222](#)

Quasi-Judicial Resolution Vacating a Ten-Foot Utility Easement Located at 520 West Broward Boulevard - 520 Broward (Fort Lauderdale) Owner, LLC - Case No. UDP-EV22003 - (Commission District 2)

Anyone wishing to speak must be sworn in. Commission will announce any site visits, communications or expert opinions received and make them part of the record.

Each Commission Member disclosed verbal communications, written communications, site visits, and expert opinions received.

Mayor Trantalis opened the public hearing.

There being no one wishing to speak on this item, Commissioner Herbst made a motion to close the public hearing and was seconded by Commissioner Glassman. Roll call showed: AYES: Vice Mayor Sturman, Commissioner Herbst, Commissioner Glassman, Commissioner Beasley-Pittman, and Mayor Trantalis

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

ADOPTED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

ORDINANCE SECOND READING**OSR-1** [23-0168](#)

Second Reading - Ordinance - Amending Unified Land Development Regulations (ULDR), Sections 47-19.3 Boat slips, docks, boat davits, hoists and similar mooring structures and 47-39 Development Regulations for Annexed Areas and Adding Section 47-19.13 Resiliency Standards for Tidal Flood Protection - (Commission Districts 1, 2, 3 and 4)

In response to Mayor Trantalis' questions, Anthony Fajardo, Assistant City Manager, explained this Ordinance brings the City into compliance with Broward County's seawall height requirement. Dr. Nancy Gassman, Public Works Department Assistant Director - Sustainability Division, explained three (3) conditions that require the raising of a property owner's seawall: 1) a new seawall is being built or being replaced; 2) a seawall is more than fifty percent (50%) damaged; or 3) if the seawall owner is allowing tidal flows to come over the seawall and impact an adjacent property or a public right of way.

In response to Mayor Trantalis' question, Dr. Gassman confirmed the fifty percent (50%) threshold requires complete replacement of a seawall to the new height standard versus repair of the existing seawall.

Commissioner Glassman remarked on the Planning and Zoning Board's (P&Z Board) discussion on this topic described in the September 22, 2022 Meeting Minutes. In response to Commissioner Glassman's questions, Mr. Fajardo explained his understanding of the P&Z Board's viewpoint of this Ordinance and Broward County's new seawall standard and its impact on costs and property rights. Dr. Gassman said when an Ordinance relating to the Unified Land Development Regulations (ULDRs) is brought before the P&Z Board, they act as the local planning agency, and its primary function when reviewing the ordinance is to determine whether it is consistent with the Comprehensive Plan. There is a specific objective within the Comprehensive Plan that says that the City will come into compliance with the Broward County Ordinance. Further comment and discussion ensued. Commissioner Glassman confirmed his support of this Agenda item.

Mayor Trantalis recognized Suzee Bailey, 105 Nurmi Drive. Ms. Bailey

spoke in support of this Agenda item, inquired about the ability to enhance seawalls and discussed related details. Further comment and discussion ensued.

Mayor Trantalis recognized Dane Hancock, P.E., 516 Bontona Avenue. Mr. Hancock spoke in opposition to this Agenda item and explained related details. Mayor Trantalis explained that this Agenda item is an administrative task implementing a Broward County mandate.

Mayor Trantalis recognized Tricia Halliday, 60 Nurmi Drive. Ms. Halliday discussed her viewpoint regarding this Agenda item and the City obtaining funding to mitigate the costs associated with seawall replacement.

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

ADOPTED ON SECOND READING

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

OSR-2 [23-0280](#)

Second Reading - Ordinance Amending the Non-Bargaining-Unit Classification Table of the Pay Plan of the City of Fort Lauderdale, Florida, by Amending One Classification from Non-Classified to Classified - (Commission Districts 1, 2, 3 and 4)

Commissioner Beasley-Pittman introduced this Ordinance for the Second Reading which was read by title only.

ADOPTED ON SECOND READING

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

OSR-3 [23-0328](#)

Second Reading - Ordinance Amending the City of Fort Lauderdale Unified Land Development Regulations (ULDR) to Revise Section 47-13.20, Downtown RAC Review Process and Special Regulations, Section 47-18.21, Mixed Use Development, and Section 47-23.16., Affordable Housing Regulations. Case No. UDP-T22011 - (Commission Districts 1, 2, 3 and 4)

Mayor Trantalis recognized Adam Schnell, Urban Planner III - Development Services Department. In response to Mayor Trantalis' question, Mr. Schnell explained this Ordinance adheres to Broward County's Geller Amendment and includes three (3) basic modifications.

Mayor Trantalis remarked on his understanding that this Ordinance

enhances the City's ability to increase affordable housing options. Mr. Schnell said the County has modified payment in lieu of, modifying the formula to a \$10,000 flat fee to every unit within a development.

Mayor Trantalis recognized Ted Inserra, 912 SW 19th Street. Mr. Inserra spoke in support of this Agenda item.

Vice Mayor Sturman introduced this Ordinance for the Second Reading which was read by title only.

ADOPTED ON SECOND READING

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

OSR-4 [23-0331](#)

Second Reading - Quasi-Judicial - Ordinance - Rezoning from Industrial (I) District to Northwest Regional Activity Center - Mixed Use West (NWRAC-MUw) District - SJC Sistrunk, LLC - Case No. UDP-Z22019- (Commission District 2)

Anyone wishing to speak must be sworn in. Commission will announce any site visits, communications or expert opinions received and make them part of the record.

Each Commission Member disclosed verbal communications, written communications, site visits, and expert opinions received.

Mayor Trantalis opened the public hearing.

There being no one wishing to speak on this item, Commissioner Herbst made a motion to close the public hearing and was seconded by Commissioner Glassman. Roll call showed: AYES: Vice Mayor Sturman, Commissioner Herbst, Commissioner Glassman, Commissioner Beasley-Pittman, and Mayor Trantalis

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

ADOPTED ON SECOND READING

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

[23-0350](#)

WALK-ON - Resolution Delegating Authority to the City Manager to Submit a Grant Application for \$1,500,000 to the Florida District of Navigation Waterway Assistance Program to Renovate the Cooley's Landing Marina- (Commission District 2)

Commissioner Glassman discussed his support of this Agenda item

moving forward in the Sailboat Bend neighborhood.

In response to Commissioner Glassman's question about applying fines for the funding of the seawalls in the Riverwalk area, City Manager Chavarria remarked on the need for Public Works Staff to determine which seawalls qualify to maximize the ability to seek funding. Staff will provide an update to the Commission regarding the ability to qualify for funding, timing and plans to meet with Riverwalk representatives. Laura Reece, Office of Management and Budget Director, will be involved in coordinating the Riverwalk meetings.

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

ADOPTED

Yea: 5 - Commissioner Sturman, Commissioner Herbst, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

[23-0375](#)

WALK-ON Resolution urging the Florida Department of Education to rescind its disapproval of the College Board's Advanced Placement African American Studies Course, and to include the College Board's revised Advanced Placement African American Studies Course in the Florida Department of Education's Course Code Directory and Instructional Personnel Assignments, opposing all Legislative and Executive Measures that would erode or diminish the integrity and standards of Florida Educational Programs and Institutions - (Commission Districts 1, 2, 3 and 4)

In response to Vice Mayor Sturman's question, Mayor Trantalis confirmed the update to this Resolution relates to whom the Resolution is directed.

Commissioner Beasley-Pittman introduced this Resolution which was read by title only.

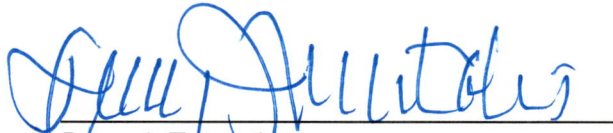
ADOPTED

Yea: 4 - Commissioner Sturman, Commissioner Glassman, Vice Mayor Beasley-Pittman and Mayor Trantalis

Not Present: 1 - Commissioner Herbst


ADJOURNMENT

Mayor Trantalis adjourned the meeting at 7:37 p.m.



Dean J. Trantalis
Mayor

ATTEST:



David R. Soloman
City Clerk

From: [Jonathan Luscomb](#)
To: [Katerina Skoundridakis](#)
Subject: FW: Grant Application for Cooley's Landing.
Date: Tuesday, March 21, 2023 2:27:17 PM
Attachments: [image001.png](#)



From: Jonathan Luscomb
Sent: Tuesday, March 21, 2023 2:25 PM
To: Katerina Skoundridakis <KaterinaS@fortlauderdale.gov>
Subject: FW: Grant Application for Cooley's Landing.



From: Greg Chavarria <GChavarria@fortlauderdale.gov>
Sent: Monday, March 20, 2023 12:35 PM
To: Laura Reece <LReece@fortlauderdale.gov>
Cc: Yvette Matthews <YMatthews@fortlauderdale.gov>; Jonathan Luscomb <JLuscomb@fortlauderdale.gov>
Subject: RE: Grant Application for Cooley's Landing.

Yes I am. Please proceed.

Respectfully,

Greg Chavarria
City Manager
City of Fort Lauderdale, Florida

From: Laura Reece <LReece@fortlauderdale.gov>
Sent: Monday, March 20, 2023 9:45 AM
To: Greg Chavarria <GChavarria@fortlauderdale.gov>
Cc: Yvette Matthews <YMatthews@fortlauderdale.gov>; Jonathan Luscomb

<JLuscomb@fortlauderdale.gov>

Subject: RE: Grant Application for Cooley's Landing.

Greg,

As we discussed on Friday, Jonathan reached out to FIND (see below). They are OK with us upwardly adjusting the application until the 27th.

Are you OK with Jonathan increasing the grant amount approved on the pre-application and resolution from \$1 Million to \$1.5 Million? This would mean an additional \$250K General Fund contribution from our grant match account.

If you are OK, we'll work with Jonathan to draft a revised resolution to increase the amount as a walk-on for Thursday.

Regards,

Laura

From: Jonathan Luscomb <JLuscomb@fortlauderdale.gov>

Sent: Monday, March 20, 2023 9:35 AM

To: Laura Reece <LReece@fortlauderdale.gov>

Cc: Yvette Matthews <YMatthews@fortlauderdale.gov>

Subject: FW: Grant Application for Cooley's Landing.

We can add to the grant, but the question is how?



From: Janet Zimmerman <jzimmerman@aicw.org>

Sent: Monday, March 20, 2023 9:33 AM

To: Jonathan Luscomb <JLuscomb@fortlauderdale.gov>

Cc: Frank Gernert <fgernert@shmarinas.com>

Subject: [EXTERNAL:CAUTION!]- RE: Grant Application for Cooley's Landing.

[::CAUTION!:] This email originated from *outside* The City of Fort Lauderdale.
Do Not Reply, click links, or open attachments from an unknown or suspicious origin. Confirm the email address is from an expected source before taking action.
Report any suspicious emails to spamadmin@fortlauderdale.gov

For this year's WAP grant requests, you have until March 27 at 4:30pm to make any \$ increases in the 2023 application.

From: Jonathan Luscomb <JLuscomb@fortlauderdale.gov>

Sent: Monday, March 20, 2023 9:05 AM

To: Janet Zimmerman <jzimmerman@aicw.org>

Cc: Frank Gernert <fgernert@shmarinas.com>

Subject: Grant Application for Cooley's Landing.

Hi Janet.

Is it possible to amend our application of \$1M for the rebuilding of the Cooley's Landing Marina? We would look to increase the amount requested.

Thanks





WATERWAYS ASSISTANCE PROGRAM

APPLICATION PACKAGE

Part 2. Attachment E



FY 2023

WATERWAYS ASSISTANCE PROGRAM
APPLICATION PACKAGE
Part 2. Attachment E

The following attachment E-1 through E-8, in addition to the requirements of items 10 through 13 of the application checklist, constitute your formal application.

**SUBMIT THE APPLICATION INFORMATION IN
THE ORDER LISTED ON THE CHECKLIST.**

Applications must be received by the District by 4:30 p.m. on March 27, 2023.

SUBMIT ENTIRE APPLICATION ONE OF TWO WAYS:



Electronic copy (pdf) via email:
JZimmerman@aicw.org

OR



Completed hardcopy via Mail:
FIND, 1314 Marcinski Rd.,
Jupiter, FL 33477

Application must be received by the deadline, no exceptions.

Attachment E - Applicant Tips Sheet

(Mistakes Common to the application process and how to avoid them)

SCHEDULING

The new application is available by January each year, and District funding is available AFTER October 1st of each year. Applicants should plan their schedule to avoid commonly missed deadlines: Application due – 27th of March; Property control/Technical sufficiency items – 15th of May, Permits – 18th of September. (Staff suggestion: Begin to secure property control and permits PRIOR to applying for funding.)

PROPERTY CONTROL VERIFICATION

Please have your attorney complete and sign the form in the application verifying applicant property control. In the case of leases or management agreements, please forward a copy to the District well in advance of the deadline to verify consistency with our program rules. (Staff suggestion: Resolve this requirement outside the application "window".)

PROJECT COSTS ELIGIBILITY

Please note the eligible project costs in Rule Section 66B-2.008, F.A.C. If you are not sure about an item's eligibility, ask! Note: Any ineligible cost, including in-house project management and administration, is also not eligible for an applicant's match. Make sure you have delineated your required minimum cost-share on the project cost estimate. (Staff suggestion: If you have questions about the eligibility of an item, work up a mock cost-sheet and send it to our office well before the deadline.)

COST-SHARE

Although the applicant must provide a minimum of 50% of the total project costs (25% for eligible public navigation dredging), there is no specific requirement to split each item. (Staff suggestion: You may want to organize project element in a certain manner for easier accounting.)

PRE-AGREEMENT EXPENSES

Rule 66B-2.005(3), F.A.C. requires any activity in the submitted project cost estimate occurring PRIOR to October 1st to be considered as pre-agreement expenses. The Board's past philosophy has been to fund only those projects that require District funding assistance to be completed. It is best to avoid pre-agreement expenses if possible. Note, that pre-agreement expenses must be limited to 50% or less of the total project costs, and they are eligible for only ½ of the original District funding. (Example: A project with a total cost of \$200,000 is Board-approved for one-half construction PRIOR to October 1st. In this case, District funding will be limited as follows: Only 50% of the \$100,000 project cost prior to October 1st is eligible as project expenses (i.e. \$50,000). Then only ½ of the eligible project expenses (\$50,000) are eligible for District funding assistance (i.e. \$25,000).

SUBMITTED MATERIALS & JUNE PRESENTATION

The Board must review and evaluate every application and each year we receive about 90 applications for consideration. The final product for the Commissioner's review is two 8-1/2" x 11" spiral-bound notebooks containing the essential information for the application. NOTE: make sure your final submitted material is the same material you will be presenting to the Board at our June meeting. This will avoid confusion and strengthen your presentation. (Staff suggestion: Limit the submitted materials to the requested information, in the required format and make sure it is consistent with your June presentation. Do not submit additional material at the June presentation!)

ELECTRONIC SUBMISSIONS

Grant applications are being accepted by email or hardcopy. Grant applications may be submitted via email as a pdf attachment (permits attached separately). Make sure to label your pdf attachment with the applicant and project title. You will receive a confirmation email letting you know your application has been received. Email your completed application to JZimmerman@aicw.org Or you may send hardcopy applications to FIND, 1314 Marcinski Rd, Jupiter, FL 33477.

Applications must be received by the District by 4:30 p.m. on March 27, 2023.

ATTACHMENT E-1

APPLICATION CHECKLIST

WATERWAY ASSISTANCE PROGRAM FY 2023

Project Title:	
Applicant:	

This checklist and the other items listed below in items 1 through 13 constitute your application. The required information shall be submitted in the order listed.

An electronic copy may be emailed to JZimmerman@aicw.org. Application must be received by the deadline, no exceptions.

All information will be printed on 8 ½"x11" paper to be included in agenda books bound by staff.

	<u>YES</u>	<u>NO</u>
1. District Commissioner Review (prior to March 3rd) (NOTE: <u>For District Commissioner initials ONLY!</u> (District Commissioner must initial the yes line on this checklist for the application to be deemed complete)	_____	_____
2. Application Checklist – E-1 (Form No. 90-26, 2 pages) (Form must be signed and dated)		
3. Applicant Info/Project Summary – E-2 (Form No. 90-22, 1 page) (Form must be completed and signed)		
4. Project Information – E-3 (Form No. 90-22a, 1 page)		
5. Application and Evaluation Worksheet – E-4(+) (Form No.91-25) (One proper sub-attachment included, 7 pages) Must answer questions 1-10. No signatures required		
6. Project Cost Estimate – E-5 (Form No. 90-25, 1 page) (Must be on District form)		
7. Project Timeline – E-6 (Form No. 96-10, 1 page)		
8. Official Resolution Form – E-7 (Form No. 90-21, 2 pages) (Resolution must be in District format and include items 1-6)		

ATTACHMENT E-1 (Continued)

APPLICATION CHECKLIST

WATERWAY ASSISTANCE PROGRAM FY 2023

YES

NO

9. Attorney's Certification (Land Ownership) – E-8
**(Must be on or follow format of Form No. 94-26,
Legal descriptions NOT accepted in lieu of form)**
10. County/City Location Map
11. Project Boundary Map
12. Clear & Detailed Site Development Plan Map
13. Copies of all Required Permits: ACOE, DEP, WMD
(Required of development projects only)

The undersigned, as applicant, acknowledges that Items 1 through 12 above constitutes a complete application and that this information is due in the District office no later than 4:30 PM, March 27, 2023 By May 15, 2023 my application must be deemed complete (except for permits) or it will be removed from any further consideration by the District. I also acknowledge that the information in Item 13 is due to the District no later than September 18, 2023. If the information in Item 13 is not submitted to the District office by September 18, 2023, I am aware that my application will be removed from any further funding consideration by the District.

LIAISON: _____ TITLE: _____

**** SIGNATURE - PROJECT LIAISON ****

DATE

FIND OFFICE USE ONLY

Date Received: _____

Local FIND Commissioner Review: _____

All Required Supporting Documents: _____

Applicant Eligibility: _____

Project Eligibility: _____ Available Score: _____

Compliance with Rule 66B-2 F.A.C.: _____

Eligibility of Project Cost: _____

Form No. 90-26 - New 9/2/92, Revised 07-30-02.

ATTACHMENT E-2
APPLICANT INFORMATION & PROJECT SUMMARY
WATERWAY ASSISTANCE PROGRAM FY 2023

APPLICANT INFORMATION			
Applicant:			
Department:			
Project Title:			
Project Director:		Title:	
Project Liaison: <i>(if different from Director)</i>		Title:	
Mailing Address:			
City:		Zip Code:	
Email Address:		Phone #:	
Project Address:			

*** I hereby certify that the information provided in this application is true and accurate. ***

SIGNATURE: _____ DATE: _____

PROJECT NARRATIVE (Please summarize the project in space provided below in 2 paragraphs or less.)

ATTACHMENT E-3**PROJECT INFORMATION****WATERWAY ASSISTANCE PROGRAM FY 2023**

Applicant:	Project Title:	
Total Project Cost: \$	FIND Funding Requested: \$	% of Total Cost:
Amount of Applicant's Matching Funds:		
Source of Applicant's Matching Funds:		

1. Ownership of Project Site (check one): Own: ☐ Leased: ☐ Other: ☐

2. If leased or other, please describe lease or terms and conditions:

3. Has the District previously provided assistance funding to this project or site? Yes: ☐ No: ☐

4. If yes, please list:

5. What is the current level of public access in terms of the number of boat ramps, boat slips and trailer parking spaces, linear feet of boardwalk (etc.)? (as applicable):

6. How many additional ramps, slips, parking spaces or other access features will be added by this project?

7. Are fees charged for the use of this project? No ☐ Yes ☐ **

**If yes, please attach additional documentation of fees and how they compare with fees from similar public & private facilities in the area.

Please list all Environmental Resource Permits required for this project:

AGENCY	Yes / No / N/A	Date Applied For	Date Received
WMD			
DEP			
ACOE			

ATTACHMENT E-4
EVALUATION WORKSHEET

WATERWAY ASSISTANCE PROGRAM FY 2023

DIRECTIONS:

All applicants will complete questions 1 through 6, and then based on the type of project, complete one and only one subsection (E-4A, B, C, D or E) for questions 7-10.

*****Please keep your answers brief and do not change the pagination of Attachment E-4*****

All other sub-attachments that are not applicable to an applicant's project should not be included in the submitted application.

Project Title:	
Applicant:	

1) PRIORITY LIST:

a) **Denote the priority list category of this project from Attachment C in the application.**
(The application may only be of **one** type based upon the predominant cost of the project elements.)

b) **Explain how the project fits this priority category.**

(For reviewer only)

Max. Available Score for application _____

Question 1. Range of Score (1 to _____ points)

2) WATERWAY RELATIONSHIP:

- a) Explain how the project relates to the ICW and the mission of the Navigation District.

- b) What public access or navigational benefit to the ICW or adjoining waterway will result from this project?

(For reviewer only)
(1-6 points)

3) PUBLIC USAGE & BENEFITS:

- a) Describe how the project increases/improves boater/public access.
Estimate the amount of total public use.

- b) Discuss the regional and local public benefits provided by the project.
Can residents from other counties of the District reasonably access and use the project? Explain.

- c) Has the local Sponsor implemented or plans to implement any boating access, speed zone, commercial access or other restrictive use of this site?

(For reviewer only)
(1-8 points)

4) TIMELINESS:

a) Describe current status of the project and present a reasonable and effective timeline for the completion of the project consistent with Attachment E-6.

b) Briefly explain any unique aspects of this project that could influence the timeline.

(For reviewer only)
(1-3 points)

5) COSTS & EFFICIENCY:

a) List funding sources and the status and amount of the corresponding funding that will be utilized to complete this project including any cash match or matching grant funds.

b) Identify and describe any project costs that may be increased because of the materials utilized or specific site conditions.

c) Are there any fees associated with the use of this facility? If so, please list or attach fee sheet.

d) If there are any fees, please explain where these fees go and what they are used for. In addition, please provide a listing of the fees charged by similar facilities, public and private, in the project area.

(For reviewer only)
(1-6 points)

6) PROJECT VIABILITY:

a) Why is the project necessary and what need will it fill? Why are existing facilities insufficient to meet demand?

b) Clearly demonstrate how the project will continue to be maintained and funded after funding is completed.

c) Is this project referenced or incorporated in an existing maritime management, public assess or comp plan?

(For reviewer only)
(1-7 points)

SUB-TOTAL _____

FIND FORM NO. 91-25
Rule 66B-2.005 (Effective Date: 3-21-01, Revised 4-24-06, 1-27-14)

ATTACHMENT E-4A
EVALUATION WORKSHEET
DEVELOPMENT & CONSTRUCTION PROJECTS

WATERWAY ASSISTANCE PROGRAM FY 2023

THIS ATTACHMENT IS TO BE COMPLETED IF YOUR PROJECT IS A DEVELOPMENT OR CONSTRUCTION PROJECT BUT **IS NOT** AN INLET MANAGEMENT OR BEACH RENOURISHMENT PROJECT.

7) PERMITTING:

- a) Have all required environmental permits been applied for? (USACE, DEP and WMD)
If permits are NOT required, explain why not.

- b) If the project is a Phase I project, please provide a general cost estimate for the future Phase II work.

- c) Detail any significant impediments that may have been identified that would potentially delay the timely issuance of the required permits.

(For reviewer only)
(1-4 points)

8) PROJECT DESIGN:

- a) Has the design work been completed?
If this is a Phase I project, has a preliminary design been developed?
- b) Are there unique beneficial aspects to the proposed design that enhance public usage or access, minimize environmental impacts, improve water quality or reduce costs?

(For reviewer only)
(1-2 points)

9) CONSTRUCTION TECHNIQUES:

- a) Briefly explain the construction techniques and materials to be utilized for this project. Identify any unique construction materials that may significantly alter the project costs. If a Phase 1, elaborate on potential techniques.

- b) What is the design life of the proposed materials compared to other available materials?

(For reviewer only)
(1-3 points)

10) ENVIRONMENTAL COMPONENTS:

a) How has the facility where the project is located demonstrated commitment to environmental compliance, sustainability, and stewardship?

b) What considerations, if any, have been made for sea level rise impacts in the design and life span of this project?

(For reviewer only)
(1-3 points)

RATING POINT TOTAL _____

Note:

The total maximum score possible is dependent upon the project priority category but cannot exceed 50 points unless the project qualifies as an emergency-related project. The minimum score possible is 10 points. A score of 35 points or more is required to be considered for funding.

Form No. 91-25A

Rule 66B-2.005 (Effective Date: 3-21-01, revised 4-24-06, 1-27-14)

WATERWAY ASSISTANCE PROGRAM FY 2023

- (For reviewer only)
(1-2 points)

- (For reviewer only)
(1-2 points)

10) PROJECT GOALS:

a) What are the long-term goals of this project as it relates to the ICW?

b) What is the expected duration/frequency of this program?

(For reviewer only)
(1-3 points)

RATING POINT TOTAL _____

Note:

The total maximum score possible is dependent upon the project priority category but cannot exceed 50 points unless the project qualifies as an emergency-related project. The minimum score possible is 10 points. A score of 35 points or more is required to be considered for funding.

ATTACHMENT E-4C
EVALUATION WORKSHEET
LAW ENFORCEMENT & BOATING SAFETY PROJECTS

WATERWAY ASSISTANCE PROGRAM FY 2023

THIS ATTACHMENT IS TO BE COMPLETED IF YOUR PROJECT IS A LAW
ENFORCEMENT OR BOATING SAFETY PROJECT

7) VIABILITY:

c) Describe how the project will address particular public health, safety, or welfare issues of the Navigation District's Waterways.

d) How does the project provide significant benefits or enhancements to the District's Waterways?

(For reviewer only)
(1-3 points)

8) EXPERIENCE & QUALIFICATIONS:

- a) List the personnel tasked with the implementation of this project, their qualifications, previous training and experience.

- b) Have the personnel participated in or received state marine law enforcement training?

(For reviewer only)
(1-2 points)

9) DELIVERABLES:

- a) Describe the anticipated, long-term measurable results of implementing this project.

- b) What is the range or area of coverage for this project? Please provide a map of the coverage area.

- c) Does the project fulfill a particular community need?

(For reviewer only)
(1-4 points)

10) EDUCATION:

a) What are the educational benefits (if any) of this proposed project?

b) How does the project or program provide effective public boating education or expand boater safety?

(For reviewer only)
(1 -3 points)

RATING POINT TOTAL _____

Note:

The total maximum score possible is dependent upon the project priority category but cannot exceed 50 points unless the project qualifies as an emergency-related project. The minimum score possible is 10 points. A score of 35 points or more is required to be considered for funding.

ATTACHMENT E-4D
EVALUATION WORKSHEET
INLET MANAGEMENT & PUBLIC NAVIGATION PROJECTS

WATERWAY ASSISTANCE PROGRAM FY 2023

THIS ATTACHMENT IS TO BE COMPLETED IF YOUR PROJECT IS AN INLET
MANAGEMENT OR PUBLIC NAVIGATION PROJECT

7) WATERWAY RELATIONSHIP:

- a) How does the project directly benefit the Atlantic Intracoastal Waterway (AICW)?

- b) Identify any long-term sedimentation problems and briefly discuss any methods or activities that will address these issues.

- c) Will the project inhibit sediment inflow into, or reduce the dredging frequency of the AICW?

(For reviewer only)
(1-5 points)

8) PUBLIC ACCESS:

- a) Will the project enhance public access to or from the waterways? Describe in brief detail.

- b) List the upstream publicly accessible facilities with improved access as a result of this project.

(For reviewer only)
(1 -3 points)

9) BENEFICIAL PROJECT ELEMENTS:

- a) Are there additional economic benefits to be realized by implementing this project?

- b) Briefly spell out any water quality, environmental or habitat benefits to be realized by this project.

(For reviewer only)
(1 -2 points)

10) PROJECT MAINTENANCE:

a) When was this area last dredged? What is the expected frequency of future dredging?

b) Explain the funding mechanism for the long-term maintenance of the project.

c) Describe the long-range dredge material management plans.

(For reviewer only)
(1 -2 points)

RATING POINT TOTAL _____

Note:

The total maximum score possible is dependent upon the project priority category but cannot exceed 50 points unless the project qualifies as an emergency-related project. The minimum score possible is 10 points. A score of 35 points or more is required to be considered for funding.

ATTACHMENT E-4E
EVALUATION WORKSHEET
BEACH RENOURISHMENT PROJECTS
WATERWAY ASSISTANCE PROGRAM FY 2023

THIS ATTACHMENT IS TO BE COMPLETED IF YOUR PROJECT IS A
BEACH RENOURISHMENT PROJECT

7) WATERWAY RELATIONSHIP:

- a) Describe how the District and other navigation interests will benefit from the implementation of this project.

(For reviewer only)
(1 -4 points)

8) VIABILITY:

- a) Is the project site defined as critically eroded area by a statewide beach management plan?
- b) Cite the quantifiable rate of erosion in this area.
- c) Is the project an important component of an overall beach management effort?

(For reviewer only)
(1 -4 points)

9) PUBLIC BENEFITS:

- a) Are there quantifiable public benefits demonstrated by the project?
- b) Is there adequate public access to the project area?
Please describe location and amount.

(For reviewer only)
(1-2 points)

10) PROJECT FUNDING:

- a) Describe any assistance funding from other sources.

- b) Clarify the availability of long-term funding for this project.

(For reviewer only)
(1-2 points)

RATING POINT TOTAL: _____

Note:

The total maximum score possible is dependent upon the project priority category but cannot exceed 50 points unless the project qualifies as an emergency-related project. The minimum score possible is 10 points. A score of 35 points or more is required to be considered for funding.

ATTACHMENT E-4F
EVALUATION WORKSHEET
EMERGENCY RE-CONSTRUCTION

WATERWAY ASSISTANCE PROGRAM FY 2023

THIS ATTACHMENT IS TO BE COMPLETED ONLY IF YOUR PROJECT IS A WATERWAY PROJECT THAT WAS DAMAGED BY A NATURAL DISASTER AS DECLARED BY A STATE OF EMERGENCY UNDER CHAPTER 252, FLORIDA STATUTES.

11. (EXTRA) STORM DAMAGE EVALUATION:

- a) List the State of Emergency declaration order or proclamation & the name and date of the storm/event.

- b) Has this site/project previously received funding from FIND

- c) Detail the other funding mechanisms and financial assistance that will be applied to defray the reconstruction costs or damage repair.

- d) What is the current status of your FEMA paperwork for the project?

(For reviewer only)
(0-3 points)

ATTACHMENT E-5
PROJECT COST ESTIMATE

WATERWAY ASSISTANCE PROGRAM FY 2023

(See Rule Section 66B-2.005 & 2.008 for eligibility and funding ratios)

Project Title:	
Applicant:	

<div>Project Elements</div> <div><i>(Please list the MAJOR project elements and provide general costs for each one. For Phase I Projects, please list the major elements and products expected)</i></div>	Total Estimated Cost	<div>Applicant's Cost</div> <div>(To the nearest \$50)</div>	<div>FIND Cost</div> <div>(To the nearest \$50)</div>

**TOTALS =	\$	\$	\$
-------------------	----	----	----

ATTACHMENT E-6
PROJECT TIMELINE

WATERWAY ASSISTANCE PROGRAM FY 2023

Project Title:	
Applicant:	

The applicant is to present a detailed timeline on the accomplishment of the components of the proposed project including, as applicable, completion dates for: permitting, design, bidding, applicant approvals, initiation of construction and completion of construction.

NOTE: All funded activities must begin AFTER October 1st
(or be consistent with Rule 66B-2.005(3) - Pre-agreement expenses)

Date

Component

ATTACHMENT E-7

RESOLUTION FOR ASSISTANCE 2023

UNDER THE FLORIDA INLAND NAVIGATION DISTRICT
WATERWAYS ASSISTANCE PROGRAM

WHEREAS, THE _____ is interested in carrying out the
(Name of Agency)
following described project for the enjoyment of the citizenry of _____
and the State of Florida:

Project Title _____

Total Estimated Cost \$ _____

Brief Description of Project:

AND, Florida Inland Navigation District financial assistance is required for the program mentioned above,

NOW THEREFORE, be it resolved by the _____
(Name of Agency)
that the project described above be authorized,

AND, be it further resolved that said _____
(Name of Agency)
make application to the Florida Inland Navigation District in the amount of _____% of the
actual cost of the project in behalf of said _____
(Name of Agency)

AND, be it further resolved by the _____
(Name of Agency)
that it certifies to the following:

1. That it will accept the terms and conditions set forth in FIND Rule 66B-2 F.A.C. and which will be a part of the Project Agreement for any assistance awarded under the attached proposal.
2. That it is in complete accord with the attached proposal and that it will carry out the Program in the manner described in the proposal and any plans and specifications attached thereto unless prior approval for any change has been received from the District.

(1)

3. That it has the ability and intention to finance its share of the cost of the project and that the project will be operated and maintained at the expense of said _____
_____ for public use.
(Name of Agency)

4. That it will not discriminate against any person on the basis of race, color or national origin in the use of any property or facility acquired or developed pursuant to this proposal, and shall comply with the terms and intent of the Title VI of the Civil Rights Act of 1964, P. L. 88-352 (1964) and design and construct all facilities to comply fully with statutes relating to accessibility by persons with disabilities as well as other federal, state and local laws, rules and requirements.

5. That it will maintain adequate financial records on the proposed project to substantiate claims for reimbursement.

6. That it will make available to FIND if requested, a post-audit of expenses incurred on the project prior to, or in conjunction with, request for the final 10% of the funding agreed to by FIND.

This is to certify that the foregoing is a true and correct copy of a resolution duly and legally adopted by the _____ at a legal meeting
(agency governing board)
held on this _____ day of _____ 20_____.

Attest

Signature

Title

Title

(2)

ATTACHMENT E-8
ATTORNEYS CERTIFICATION OF TITLE 2023
(See Rule 66B-2.006(4) & 2.008(2) FAC)

OFFICE OF THE (City or County) ATTORNEY
(ADDRESS)

(Date), 2023

To WHOME IT MAY CONCERN:

I, (Name), an the Attorney for the (City or County), Florida I hereby state that I have examined a copy of a (deed, lease, management agreement, etc.) from _____ to the (City or County) conveying _____ (Type of interest, i.e.. Fee simple, easement, 30-year lease, etc.) in the following described property:

(Brief Legal Description of Property)

I have also examined a document showing that this property is listed on the tax rolls as belonging to the (City or County). Finally, I have also examined such documents and records as necessary for this certification.

This property is what is now called "(Name of Property as Referenced in the WAP Application)".

I Certify that the (City or County) does in fact (Own, Lease, etc.) this property for _____ years.

Sincerely,

(Name)
Attorney, (City or County)

FIND Form No. 94-26 (effective date 5-25-00)

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DELEGATING AUTHORITY TO THE CITY MANAGER TO SUBMIT A GRANT APPLICATION IN THE AMOUNT OF ONE MILLION FIVE HUNDRED THOUSAND AND NO/100 DOLLARS (\$1,500,000.00) TO THE FLORIDA INLAND NAVIGATION DISTRICT UNDER THEIR WATERWAY ASSISTANCE PROGRAM TO RENOVATE THE COOLEY'S LANDING MARINA; DELEGATING AUTHORITY TO THE CITY MANAGER TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY OR INCIDENTAL TO THE GRANT APPLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, staff is seeking to submit a grant funding application for the renovation of Cooley's Landing Marina to the Florida Inland Navigation District (FIND) – Waterways Assistance Program, in the amount of \$1,500,000.00; and

WHEREAS, the Cooley's Landing Marina is very near the end of its useful life and in need of replacement. FIND may fund up to 50% of replacement costs or in this case \$1,500,000.00 of the costs needed to demolish and rebuild the marina; and

WHEREAS, this grant requires a City match of \$1,500,000.00 to the FIND Waterways Assistance Program; and

WHEREAS, Section 4.01(b) of the City Charter of the City of Fort Lauderdale requires that Mayor, City Manager, City Attorney and City Clerk execute all contracts, agreements or other instruments to which the City is a party under which the City assumes any liability; and

WHEREAS, the City Charter further provides that the City Commission has the authority to delegate by resolution to another person the authority to execute these instruments;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the City Commission of the City of Fort Lauderdale hereby delegates authority to the City Manager to submit a Grant Application to the FIND Waterways Assistance Program in the amount of \$1,500,000.00 relating to the above referenced Project.

SECTION 2. That the City Commission of the City of Fort Lauderdale is in complete accord with the attached proposal and that it will carry out the Program in the manner described in the proposal and any plan specifications attached thereto unless prior approval for any change has been received from the District.

SECTION 3. The City Commission certifies its commitment of the Grant's matching funds and its ability and intention to operate and maintain the expense for public use.

SECTION 4. That it will maintain adequate financial records on the proposed project to substantiate claims for reimbursement.

SECTION 5. That the City Manager of the City of Fort Lauderdale, Florida is hereby delegated the authority to execute the Grant Application and any and all documents necessary or incidental to the Grant Application.

SECTION 6. That the office of the City Attorney shall review and approve as to form all documents prior to their execution by the City Manager.

SECTION 7. That all Resolutions or parts thereof that are in conflict herewith are hereby repealed.

SECTION 8. That the Effective Date of this Resolution is the date of adoption.

ADOPTED this ____ day of _____, 2023.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

APPROVED AS TO FORM:

Interim City Attorney
D'WAYNE M. SPENCE

Dean J. Trantalis _____
John C. Herbst _____
Steven Glassman _____
Pamela Beasley-Pittman _____
Warren Sturman _____

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING THE ISSUANCE OF A SITE PLAN LEVEL II DEVELOPMENT PERMIT FOR AN ALTERNATIVE DESIGN THAT MEETS THE OVERALL INTENT OF THE DOWNTOWN MASTER PLAN FOR THE DEVELOPMENT OF A 30-STORY MIXED USE PROJECT CONSISTING OF 542 RESIDENTIAL FLEX UNITS AND 13,764 SQUARE FEET OF COMMERCIAL USE, LOCATED AT 777 SOUTHEAST 3RD AVENUE, FORT LAUDERDALE, FLORIDA, IN THE DOWNTOWN REGIONAL ACTIVITY CENTER – CITY CENTER (RAC-CC) ZONING DISTRICT.

WHEREAS, Section 47-24.1 of the City of Fort Lauderdale, Florida Unified Land Development Regulations (herein “ULDR”) provides that no development of property in the City shall be permitted without first obtaining a development permit from the City of Fort Lauderdale in accordance with the provisions and requirements of the ULDR; and

WHEREAS, an application was submitted on behalf of the property owners, Ben Ft Laud, LLC and Ben Ft Laud DRC, LLC, for a Site Plan Level II development permit to develop a 30-story mixed use project that consists of 542 residential flex units and 13,764 square feet of commercial use for the property located at 777 Southeast 3rd Avenue, Fort Lauderdale, Florida, within the Downtown Regional Activity Center – City Center (RAC-CC) zoning district having an underlying land use designation of Downtown Regional Activity Center (Downtown RAC); and

WHEREAS, Section 47-13.20.J.3. of the ULDR provides that in the event the developer of a parcel of land in the Downtown RAC districts desires to deviate from the requirements of Section 47-13.20.B., the developer may submit the design of the proposed development for review and approval by the City Commission, if the alternative design meets the overall intent of the Downtown Master Plan; and

WHEREAS, on August 23, 2022, the Development Review Committee (DRC), reviewed the Site Plan Level II development permit application, Case No. UDP-S22035 and issued a report; and

WHEREAS, the City Commission has reviewed the application for an alternative design for a Site Plan Level II development permit submitted by the applicant as required by the ULDR, and finds that such application meets the requirements of the ULDR as provided herein.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the recitals set forth above are true and correct and are incorporated in this resolution.

SECTION 2. The City Commission finds that the application for an alternative design for a Site Plan Level II development permit submitted to construct a 30-story mixed use project located at 777 Southeast 3rd Avenue, Fort Lauderdale, Florida, consisting of 542 residential flex units and 13,764 square feet of commercial use located within the Downtown Regional Activity Center – City Center (RAC-CC) zoning district with an underlying land use designation of Downtown Regional Activity Center (Downtown RAC) meets the criteria of Section 47-24 and Section 47-13 of the ULDR as enunciated and memorialized in the minutes of its meeting of March 23, 2023.

SECTION 3. That the City Commission finds that the proposed project meets the standards and requirements of the ULDR and the alternative design submitted by the applicant, meets the overall intent of the Downtown Master Plan in accordance with Section 47-13.20.J.3. of the ULDR.

SECTION 4. That the Site Plan Level II development permit is hereby approved, subject to the conditions listed in the Commission Agenda Memo 23-0221 and imposed by the DRC.

SECTION 5. That pursuant to the provisions of the ULDR, the proper City officials are hereby authorized to issue the necessary building and use permits subject to the conditions imposed by the DRC and listed in the Commission Agenda Memo 23-0221.

SECTION 6. The conditions contained herein are intended to memorialize the conditions expressed in the record of the hearings at which the application for the development permit was reviewed. In the event that the record of the proceedings contradicts or contains additional conditions not reflected in this instrument, the conditions expressed on the record of the proceedings shall prevail and are incorporated herein.

SECTION 7. Issuance of a development permit by a municipality does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

SECTION 8. This approval is conditioned upon the applicant obtaining all other applicable state or federal permits before commencement of the development.

ADOPTED this ____ day of _____, 2023.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

APPROVED AS TO FORM:

Interim City Attorney
D'WAYNE M. SPENCE

Dean J. Trantalis _____
John C. Herbst _____
Steven Glassman _____
Pamela Beasley-Pittman _____
Warren Sturman _____

RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DENYING THE ISSUANCE OF A SITE PLAN LEVEL II DEVELOPMENT PERMIT FOR AN ALTERNATIVE DESIGN THAT MEETS THE OVERALL INTENT OF THE DOWNTOWN MASTER PLAN FOR THE DEVELOPMENT OF A 30-STORY MIXED USE PROJECT CONSISTING OF 542 RESIDENTIAL FLEX UNITS AND 13,764 SQUARE FEET OF COMMERCIAL USE, LOCATED AT 777 SOUTHEAST 3RD AVENUE, FORT LAUDERDALE, FLORIDA, IN THE DOWNTOWN REGIONAL ACTIVITY CENTER – CITY CENTER (RAC-CC) ZONING DISTRICT.

WHEREAS, Section 47-24.1 of the City of Fort Lauderdale, Florida Unified Land Development Regulations (herein “ULDR”) provides that no development of property in the City shall be permitted without first obtaining a development permit from the City of Fort Lauderdale in accordance with the provisions and requirements of the ULDR; and

WHEREAS, an application was submitted on behalf of the property owners, Ben Ft Laud, LLC and Ben Ft Laud DRC, LLC, for a Site Plan Level II development permit to develop a 30-story mixed use project that consists of 542 residential flex units and 13,764 square feet of commercial use for the property located at 777 Southeast 3rd Avenue, Fort Lauderdale, Florida, within the Downtown Regional Activity Center – City Center (RAC-CC) zoning district having an underlying land use designation of Downtown Regional Activity Center (Downtown RAC); and

WHEREAS, Section 47-13.20.J.3. of the ULDR provides that in the event the developer of a parcel of land in the Downtown RAC districts desires to deviate from the requirements of Section 47-13.20.B., the developer may submit the design of the proposed development for review and approval by the City Commission, if the alternative design meets the overall intent of the Downtown Master Plan; and

WHEREAS, on August 23, 2022, the Development Review Committee (DRC), reviewed the Site Plan Level II development permit application, Case No. UDP-S22035 and issued a report; and

WHEREAS, the City Commission has reviewed the application for an alternative design for a Site Plan Level II development permit submitted by the applicant as required by the ULDR, and finds that such application does not meet the requirements of the ULDR as provided herein.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the recitals set forth above are true and correct and are incorporated in this resolution.

SECTION 2. The City Commission finds that the application for an alternative design for a Site Plan Level II development permit submitted to construct a 30-story mixed use project located at 777 Southeast 3rd Avenue, Fort Lauderdale, Florida, consisting of 542 residential flex units and 13,764 square feet of commercial use located within the Downtown Regional Activity Center – City Center (RAC-CC) zoning district with an underlying land use designation of Downtown Regional Activity Center (Downtown RAC) fails to meet the overall intent of the Downtown Master Plan and is hereby denied in accordance with Section 47-13.20.J.3. of the ULDR.

ADOPTED this ____ day of _____, 2023.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

APPROVED AS TO FORM:

Interim City Attorney
D'WAYNE M. SPENCE


Dean J. Trantalis _____
John C. Herbst _____
Steven Glassman _____
Pamela Beasley-Pittman _____
Warren Sturman _____



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#23-0350

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

FROM: Greg Chavarria, City Manager 
Greg Chavarria (Mar 21, 2023 17:18 EDT)

DATE: March 23, 2023

TITLE: **Walk On** - Resolution Delegating Authority to the City Manager to Submit
a Grant Application for \$1,500,000 to the Florida District of Navigation –
Waterway Assistance Program to Renovate the Cooley's Landing Marina
– **(Commission District 2)**

Recommendation

Staff recommends the City Commission adopt a Resolution authorizing the City Manager to submit an Application for Grant Funding of \$1,500,000 to Florida Inland Navigation District (FIND) – Waterways Assistance Program. This Grant requires a City match of \$1,500,000.

Background

The Florida Inland Navigation District (FIND) administers the Waterways Assistance Program. FIND provides funding assistance to local governments to provide public access to area waterways through boat ramps, floating docks, and derelict vessel removal.

The Cooley's Landing Marina is very near the end of its useful life and in need of replacement. FIND may fund up to 50% of replacement costs or in this case \$1,500,000 of the costs needed to demolish and rebuild the marina. This Grant application is due March 27, 2023.

At the February 7, 2023 Regular Meeting of the City Commission, the Commission approved applying for a \$1,000,000 grant, but since then staff has learned there may be more funding available and may, according to FIND rules, resubmit a grant application for the increased amount. The Application for \$1,000,000 previously authorized on February 7, 2023, will be withdrawn and the Application for \$1,500,000 will be submitted in lieu of the previously approved \$1,000,000 Grant Application.

The remaining grant match of \$1,500,000 may be provided by a grant from the Broward Boating Improvement Program and a Land and Water Conservation Fund (LWCF) Grant. Staff has already applied and presented to the Broward County Boating Improvement

Program (BBIP) and intends to apply to the Land and Water Conservation Fund by January 31, 2023 deadline.

Resource Impact

There is no fiscal impact associated with the grant application. The Grant will be brought back to the City Commission for execution and appropriation if awarded.

Strategic Connections

This item is a *Press Play Fort Lauderdale Strategic Plan 2024*, specifically advancing:

- The Public Places Focus Area
- Goal 3: Build a healthy and engaging community
- Improve access to and enjoyment of our beach, waterways, parks and open spaces for everyone

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

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

- The Public Places Focus Area
- The Parks, Recreation & Open Space Element
- Goal 2: Be a community with high quality parks and recreational facilities that highlight the character of our City.

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

Attachments

Exhibit 1 – City Manager's Authorization to Amend Cooley's Landing Pre-Grant Application

Exhibit 2 – Amended Cooley's Landing FIND Grant Application 2023

Exhibit 3 – Resolution

Prepared by: Jonathan Luscomb, Parks & Recreation Department

Department Director: Phil Thornburg, Parks & Recreation Department






Walk On CAM 23-0350 Final

Final Audit Report

2023-03-21

Created:	2023-03-21
By:	Katerina Skoundridakis (katerinas@fortlauderdale.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAaNQTK47X7fKinVEJeJ-5C_xdNwe7QLy1

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RESOLUTION NO. 23-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, URGING THE FLORIDA DEPARTMENT OF EDUCATION TO RESCIND ITS DISAPPROVAL OF THE COLLEGE BOARD'S ADVANCED PLACEMENT AFRICAN AMERICAN STUDIES COURSE, AND TO INCLUDE THE COLLEGE BOARD'S REVISED ADVANCED PLACEMENT AFRICAN AMERICAN STUDIES COURSE IN THE FLORIDA DEPARTMENT OF EDUCATION'S COURSE CODE DIRECTORY AND INSTRUCTIONAL PERSONNEL ASSIGNMENTS, OPPOSING ALL LEGISLATIVE AND EXECUTIVE MEASURES THAT WOULD ERODE OR DIMINISH THE INTEGRITY AND STANDARDS OF FLORIDA EDUCATIONAL PROGRAMS AND INSTITUTIONS, AND PROVIDING FOR DISTRIBUTION, RESCISSION OF CONFLICTING RESOLUTION PROVISIONS, AND AN EFFECTIVE DATE.

WHEREAS, the Advanced Placement ("AP") Program is administered by the College Board, a not-for-profit membership corporation operating for educational purposes under a Charter granted by the Board of Regents of the University of the State of New York and on behalf of the New York State Education Department, and authorized to transact business in the State of Florida as College Board, Inc., ("College Board"), and consists of college-level courses referred to as AP Courses; and

WHEREAS, according to the College Board, "AP gives students the chance to tackle college-level work while they're still in high school—whether they're learning online or in the classroom. And through taking AP Exams, students can earn college credit and placement."; and

WHEREAS, according to the College Board, "AP courses and exams are designed by committees made up of college faculty and experienced AP teachers who ensure that the course and exam reflect college-level expectations."; and

WHEREAS, according to the College Board,

For more than a decade, the AP Program has worked alongside colleges, universities, and secondary schools to create an AP course in African American studies.

Drawing from the expertise and experience of college faculty and teachers across the country, the course is designed to offer high school students an evidence-based introduction to African American studies.

The interdisciplinary course reaches into a variety of fields—literature, the arts and humanities, political science, geography, and science—to explore the vital contributions and experiences of African Americans.; and

WHEREAS, the College Board's Course Development Timeline for the development of the African American Studies course is as follows:

2022-23	First pilot at 60 schools across the country.
2023-24	Pilot expands to hundreds of additional high schools.
2024-25	All schools can begin offering AP African American Studies.
Spring 2025	First AP African American Studies Exams are administered.; and

WHEREAS, State Board of Education Rule 6A-1.09441, Florida Administrative Code, provides, in part, that “[f]or student membership in a program or course to generate funding through the Florida Education Finance Program and for the student to receive elective or required credit toward high school graduation for such a course . . . (5) the course or program shall be listed in the ‘Course Code Directory and Instructional Personnel Assignments’ for the year in which the student is in membership.”; and

WHEREAS, the Florida Department of Education's 2022-2023 Course Code Directory and Instructional Personnel Assignments includes the following Advanced Placement cultural programs:

1. **AP European History** – Study the cultural, economic, political, and social developments that have shaped Europe from c. 1450 to the present. You'll analyze texts, visual sources, and other historical evidence and write essays expressing historical arguments.
2. **AP Chinese Language and Culture** -Develop your Mandarin Chinese language skills and learn about Chinese culture. You'll practice communicating in Chinese and you'll engage with real-life materials such as newspaper articles, films, music, and books.
3. **AP French Language and Culture** - Develop your French language skills and learn about the cultures in French-speaking parts of the world. You'll practice

communicating in French and study real-life materials such as newspaper articles, films, music, and books.

4. **AP German Language and Culture** - Develop your German language skills and learn about the cultures in German-speaking parts of the world. You'll practice communicating in German and study real-life materials such as newspaper articles, films, music, and books.

5. **AP Italian Language and Culture** - Develop your Italian language skills and learn about the cultures in Italian-speaking parts of the world. You'll practice communicating in Italian and study real-life materials such as newspaper articles, films, music, and books.

6. **Japanese Language and Culture** - Develop your Japanese language skills and learn about Japanese culture. You'll practice communicating in Japanese and you'll engage with real-life materials such as newspaper articles, films, music, and books.

7. **AP Latin** - Learn to read and analyze Latin literature as you explore ancient Roman history and culture. You'll translate passages from the writings of Vergil and Caesar and examine them through class discussions, debates, and presentations.

8. **AP Spanish Language and Culture** - Develop your Spanish language skills and learn about the cultures in Spanish-speaking parts of the world. You'll practice communicating in Spanish and study real-life materials such as newspaper articles, films, music, and books.; and

WHEREAS, in a letter dated January 12, 2023, the Florida Department of Education notified the College Board Florida Partnership as follows:

[T]he Florida Department of Education (FDOE) does not approve the inclusion of the Advanced Placement (AP) African American Studies course in the Florida Course Code Directory and Instructional Personnel Assignments (adopted in State Board of Education Rule 6A-I.09441, Florida Administrative Code). As presented, the content of this course is inexplicably contrary to Florida law and significantly lacks educational value.; and

WHEREAS, on February 1, 2023, on the first day of Black History Month, the College Board delivered its release of the official framework for the AP African American Studies

course, which replaced the preliminary pilot course framework that was disapproved by the Florida Department of Education, and which, according to the College Board's Newsroom, "is an interdisciplinary course that draws from a variety of fields—history, literature, the arts, geography, science—to explore the vital contributions and experiences of African Americans. As with all AP courses in the humanities, this is a course that offers direct engagement with evidence and events."; and

WHEREAS, according to the College Board's Official Course Framework, Project, and Exam Overview for AP African American Studies,

AP African American Studies is an interdisciplinary course that examines the diversity of African American experiences through direct encounters with authentic and varied sources. Students explore key topics that extend from early African kingdoms to the ongoing challenges and achievements of the contemporary moment. Given the interdisciplinary character of African American studies, students in the course will develop skills across multiple fields, with an emphasis on developing historical, literary, visual, and data analysis skills. This course foregrounds a study of the diversity of Black communities in the United States within the broader context of Africa and the African diaspora.; and

WHEREAS, according to the College Board's Newsroom,

The official framework is different from the preliminary pilot course framework in three important respects:

1. New topics added: Despite an overall reduction in the breadth of the course, the monthslong review by 300 African American Studies professors nationwide added a small number of topics to address important subjects that were not adequately represented in the pilot version.
2. Primary sources: The official course framework only requires the careful analysis of core historical, literary, and artistic works. As stated in the principles for AP courses published in March 2021: "AP courses ground such studies in primary sources so that students can evaluate experiences and evidence for themselves." Hence, consistent now with every other AP course, there is no required list of secondary sources.
3. Student projects: The official course framework dedicates time for students to explore topics in greater depth through a research project at the end of the

course that counts as part of their AP Exam score. Students pursue their own interests and choose their topic; they can return to areas they studied earlier in the course or address contemporary topics that are not part of the required course framework. These projects allow in-depth examination of contemporary issues rather than rapid, superficial coverage of them at the end of the course.; and

WHEREAS, on February 11, 2023, the College Board issued a release stating, in part, that its “commitment to AP African American Studies is unwavering,” that it regretted “not immediately denouncing the Florida Department of Education’s slander, magnified by the DeSantis administration’s subsequent comments, that African American Studies ‘lacks educational value,’” and that “[t]he official framework is a significant improvement, rather than a watering down”;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the City Commission of the City of Fort Lauderdale, Florida, urges the Department of Education to rescind its disapproval of the College Board’s Advanced Placement African American Studies course, approve the official framework for the AP African American Studies course, and to include the revised Advanced Placement African American Studies course in the Florida Department of Education’s Course Code Directory and Instructional Personnel Assignments.

SECTION 2. That the City Commission of the City of Fort Lauderdale, Florida, opposes all legislative and executive measures that would erode or diminish the integrity and standards of Florida educational programs and institutions.

SECTION 3. That the City Clerk is directed to transmit a copy of this Resolution to the College Board, the Florida Department of Education, Commissioner of Education Manny Diaz, Jr., State Board of Education Chair Thomas Grady, each member of the State Board of Education, and each member of the Broward Legislative Delegation.

SECTION 4. That all resolutions or parts of resolutions in conflict herewith are hereby rescinded to the extent of such conflict.

SECTION 5. That this Resolution shall be in force and effect immediately upon its adoption.

ADOPTED this ____ day of _____, 2023.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
DAVID R. SOLOMAN

APPROVED AS TO FORM:

Interim City Attorney
D'WAYNE M. SPENCE

Dean J. Trantalis _____
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