

COMMUNITY REDEVELOPMENT AGENCY MEETING



City of Fort Lauderdale
City Hall, 100 N. Andrews Avenue
Fort Lauderdale, FL 33301
www.fortlauderdale.gov

Meeting Minutes

Tuesday, April 7, 2015

3:00 PM

City Hall Commission Chambers

Mayor Seiler called the meeting to order at approximately 4 p.m. Roll was called and a quorum was present.

Present: Mayor John P. "Jack" Seiler
Vice-Mayor Romney Rogers
Commissioner Bruce G. Roberts
Commissioner Dean J. Trantalis
Commissioner Robert L. McKinzie

Also Present: Lee Feldman, Executive Director
John Herbst, City Auditor
Jonda K. Joseph, Secretary
Cynthia A. Everett, General Counsel
Alfred Battle, Deputy Director of Sustainable Development

No public comments were submitted by email for this meeting.

CRA-1 15-0414 Resolution - Authorizing Issuance of Debt in the form of a Bank Loan for Wave Streetcar North Loop Option - Northwest-Progresso-Flagler Heights Area Project - STI Institutional & Government, Inc. - \$7,603,000

Commissioner Trantalis encouraged the Board to move forward on this matter.

Vice-Mayor Rogers abstained from discussion and voting on this item. A memorandum of voting conflict filed by Vice-Mayor Rogers is attached to these minutes.

The resolution was read by title.

Motion made by Commissioner Trantalis and seconded by Commissioner Roberts to adopt the

resolution as recommended. AYES: Commissioner Roberts, Commissioner Trantalis, Commissioner McKinzie and Mayor Seiler. NAYS: None. ABSTAIN: Vice-Mayor Rogers.

CRA-2 15-0314 Funding Assistance for Brooklyn Italian Ice, LLC - Property and Business Investment and Facade Programs - 560 NW 7 Avenue - \$68,671.06

In response to Mayor Seiler, Deputy Director of Sustainable Development Alfred Battle explained how staff has been in discussion with Brooklyn Italian Ice. About \$1 million of incentives was put into the northwest area last year and the same amount is slated this year. This is the second project in the Property and Business Investment Program. Over \$800,000 is remaining in the program.

Sean Jones, landlord for Brooklyn Italian Ice, provided some background information about Brooklyn Ice and the principal, Brad Minto. Brooklyn Ice is requesting funding assistance in the amount of \$68,000. Mr. Minto is also putting forward \$60,000. The landlord is contributing \$30,000 toward build-out.

Brad Minto, founder of Brooklyn Italian Ice, explained the facts surrounding why he decided to move his business to the Sistrunk area. In response to Mayor Seiler, he confirmed that they intend to place façades in the front and back with a walk-up window on the side. There will be permanent seating in front and back. Jones added that this will activate the corner.

Commissioner Trantalis felt the landlord should make a larger contribution in that \$30 per square foot rent seems a little high. Jones indicated that the rate of rent has not been the issue, but rather qualified traffic. If they lowered the rent, he did not believe they would be able to attract qualified tenants. Commissioner Trantalis felt the City's contribution is a little high. Jones noted there is a tenant whose rent rate is higher than this prospective tenant. Commissioner Trantalis commented that everything is market-driven. He wanted to help tenants by giving them more funding in order to encourage more people, particularly minority business owners, to return to this neighborhood. Commissioner McKinzie pointed out that more should be done in terms of incentivizing business along the corridor. When a person opens a business, it is not enough to help them aggressively pursue their dreams in an area that does not have the economic engine of east Broward. Minto advised that an exact rent rate has not been finalized. Commissioner McKinzie indicated that he confirmed with Mr. Minto that rate was acceptable. Mayor Seiler pointed out that \$1 million has been budgeted for this program. Ten or 15 projects in this range would be critical to the success of Sistrunk. It is a high-profile location. He felt that approval of this item should be conditional on an executed lease. He did not want to proceed with façade improvements without an executed lease. Vice-Mayor Rogers agreed with Commissioner Trantalis that the CRA wants to ensure that the business is successful. He did not think the income against rent ratio is good. He also felt the build-out amount is high. Commissioner Trantalis emphasized the CRA wants a genuine partnership with the landlord entity which began with sale of the property. He wanted to continue augmenting the build-out. Start-up businesses will require a little leeway. If the landlord cannot contribute with additional build-out dollars, it is important that the tenant not be burdened with this level of rent at the onset. There will not be the street traffic that existed at Mr. Minto's Las Olas business. Full capitalization, a good business concept and a market are needed components for success. The City is trying to ensure that the business is successful because there has already been the problem of businesses not surviving.

Commissioner Roberts felt that the CRA should examine the restrictions in general. Vice-Mayor Rogers did not think it would be appropriate to give with one hand and take with the other. He felt that the rent and build-out numbers are too high. Jones advised that some things such as equipment are included in the tenant's contribution.

Commissioner McKinzie did not want to lower potential market rates for rental space. Mayor Seiler reiterated that this is a signature corner where activity is needed. He would rather do 12 or 13 similar seed-money projects than one loan with it being an all or nothing situation. He supported the item as presented subject to an executed lease. He noted that the documentation provides that an agreement must be secured.

Motion made by Commissioner Roberts and seconded by Commissioner McKinzie to approve the item as recommended. AYES: Commissioner Roberts, Commissioner Trantalis, Commissioner McKinzie, Vice-Mayor Rogers and Mayor Seiler. NAYS: None.

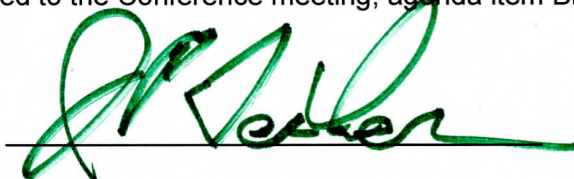
CRA-3 15-0467 Resolution - Appointing the Law Firm of Greenberg Traurig, LLP as Special Counsel to the Fort Lauderdale Community Redevelopment Agency in Connection with Incurring Debt to Fund the Design and Construction of a Portion of the Streetcar System known as the Wave Modern Streetcar Project

In response to Mayor Seiler, the General Counsel confirmed she is comfortable with this item.

The resolution was read by title.

Motion made by Commissioner Roberts and seconded by Commissioner Trantalis to adopt the resolution as recommended. AYES: Commissioner Roberts, Commissioner Trantalis, Commissioner McKinzie, Vice-Mayor Rogers and Mayor Seiler. NAYS: None.

The Board recessed at 4:29 p.m. and returned to the Conference meeting, agenda item BD-1.



John P. "Jack" Seiler
Mayor

ATTEST:



Jonda K. Joseph
Secretary

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Rogers -- Romney -- Campbell		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Community Redevelopment Agency	
MAILING ADDRESS 1101 SE 7th Street		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Fort Lauderdale	COUNTY Broward	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED April 7, 2015		NAME OF POLITICAL SUBDIVISION: City of Fort Lauderdale	
		MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

2015 APR -7 PM 1:25
CITY CLERK

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Romney C. Rogers, hereby disclose that on the 7th of April, 20 15:

(a) A measure came or will come before my agency which (check one)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☒ inured to the special gain or loss of SunTrust Bank, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Agenda Item CRA-1 (15-0414) "Resolution - Authorizing Issuance of Debt in the form of a Bank Loan for Wave Streetcar North Loop Option - Northwest-Progresso-Flagler Heights Area Project - STI Institutional & Government, Inc., a SunTrust Company, \$7,603,000"

I serve on an advisory board of SunTrust Bank for which I am compensated.

4/7/15

Date Filed

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.