



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#24-0198

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

FROM: Greg Chavarria, City Manager

DATE: March 5, 2024

TITLE: Motion Approving a Third Amendment to the Comprehensive Agreement with Las Olas Parking Solutions, LLC for the Development, Operation, and Maintenance of a Multi-Use Structure with Public Parking, a Fire-Rescue/EMS Substation, and Retail, at the Southeast Corner of SE 2nd Court and SE 8th Avenue – (**Commission District 4**)

Recommendation

Staff recommends the City Commission consider approving a Third Amendment to the Comprehensive Agreement with Las Olas Parking Solutions, LLC for the Development, Operation, and Maintenance of a Multi-Use Structure with Public Parking, a Fire-Rescue/EMS Substation, and Retail, at the Southeast Corner of SE 2nd Court and SE 8th Avenue.

Background

On June 24, 2021, the City received an unsolicited proposal pursuant to Section 255.065, Florida Statutes, to develop, operate, and maintain a multi-use structure with public parking, a Fire Rescue/EMS Substation, and retail, at the site of an existing City parking lot located at the southeast corner of SE 2nd Court and SE 8th Avenue. The proposer submitted the required application fee of \$25,000 in accordance with Resolution No. 13-187.

On November 16, 2021, through Resolution No. 21-261, the City Commission determined that the proposed project would serve a public purpose as a vehicle parking facility and a public facility or infrastructure that is used and will be used by the public at large or in support of an accepted public purpose or activity, and constitutes a qualifying project pursuant to Section 255.065, Florida Statutes. In accordance with the foregoing statute, the City advertised and accepted other proposals for the same project in accordance with Section 255.065, Florida Statutes, for a period of thirty (30) days after the initial date of publication, up through and including 5:00 PM, December 22, 2021. The City did not receive any proposed competing proposals during the aforementioned timeframe.

On May 3, 2022, through Resolution No. 22-94, the City Commission authorized the City Manager to negotiate a proposed Interim and/or Comprehensive Agreement, in

Accordance with Section 255.065, Florida Statutes.

The City Commission approved the Comprehensive Agreement on July 5, 2023. Subsequently, there have been two amendments executed to extend the Inspection Period. The First Amendment was approved on November 7, 2023, and the Second Amendment was approved on January 23, 2024. The proposed Third Amendment will extend the Inspection Period to July 5, 2024 to provide additional time to finalize the real estate and infrastructure considerations.

Resource Impact

There are no fiscal impacts associated with this action.

Strategic Connections

This item is a *2024 Commission Priority*, advancing the Infrastructure and Resilience & Public Safety Initiatives.

This item supports the *Press Play Fort Lauderdale 2029 Strategic Plan*, specifically advancing:

- The Infrastructure and Resilience Focus Area
- Goal 4: Facilitate an efficient, multimodal transportation network.

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

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

Attachment

Exhibit 1 – Third Amendment to the Comprehensive Agreement

Prepared by: Ben Rogers, Director, Transportation and Mobility

Department Directors: Ben Rogers, Transportation and Mobility

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

CM-2 [24-0198](#)

Motion Approving a Third Amendment to the Comprehensive Agreement with Las Olas Parking Solutions, LLC for the Development, Operation, and Maintenance of a Multi-Use Structure with Public Parking, a Fire-Rescue/EMS Substation, and Retail, at the Southeast Corner of SE 2nd Court and SE 8th Avenue - (Commission District 4)

APPROVED

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

CM-3 [24-0205](#)

Motion Approving a License and an Agreement for the Sale, Service, and Consumption of Food and Alcoholic Beverages on the Public Beach for the FTLFS Hotel Property LP d/b/a Four Seasons Hotel and Residences Fort Lauderdale - (Commission District 2)

APPROVED

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

CM-4 [24-0258](#)

Approval of Mural Donation by The Veterans Trust at Fire Station #49 - (Commission District 4)

APPROVED

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

CM-5 [24-0261](#)

Motion Authorizing Execution of a Dock Use Agreement with Water Taxi of Fort Lauderdale, LLC from March 1, 2024, to February 28, 2025, and Authorize the City Manager to Execute on Behalf of the City - (Commission District 2)

APPROVED

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

CM-6 [24-0277](#)

Motion Approving a Consent, Recognition, Non-Disturbance, and Attornment Agreement with Cameron Mitchell Restaurants, LLC. and Las Olas SMI, LLC - (Commission District 2)

APPROVED

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

THIRD AMENDMENT TO COMPREHENSIVE AGREEMENT

This Third Amendment to Comprehensive Agreement (this “**Amendment**”) dated this ____ day of March, 2024, is entered into by and between the CITY OF FORT LAUDERDALE, a municipal corporation of the State of Florida (“**City**”), and LAS OLAS PARKING SOLUTIONS, LLC, a Florida limited liability company, its successors and assigns (“**Private Party**”).

RECITALS

WHEREAS, the City and Private Party entered into that certain Comprehensive Agreement dated as of July 31, 2023, as amended (“**Agreement**”); and

WHEREAS, the Parties desire to amend the Agreement to extend the Inspection Period to a period from the Effective Date until July 5, 2024.

NOW THEREFORE, in consideration of the mutual covenants exchanged herein and other good and valuable consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt, adequacy and sufficiency of which is hereby acknowledged, the parties intending to be legally bound, hereby agree as follows:

1. The recitations heretofore set forth are true and correct and are incorporated herein by this reference. The Agreement as modified by this Third Amendment remains in full force and effect. To the extent of any inconsistency between the terms of this Third Amendment and the terms of the Agreement, the terms of this Third Amendment shall supersede and control to the extent of such inconsistency. Terms not otherwise defined herein shall have the meaning set forth in the Agreement.

2. The definition of Inspection Period is hereby amended to be the period from the Effective Date until July 5, 2024.

3. Duplicate originals of this Third Amendment may be executed and each of such original shall be deemed to be an original Third Amendment. This Third Amendment may be executed by electronic signature which shall be deemed an original signature of each such party.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, this Third Amendment has been executed of the day first above written.

WITNESSES:



Print Name: Crystal Iaziano

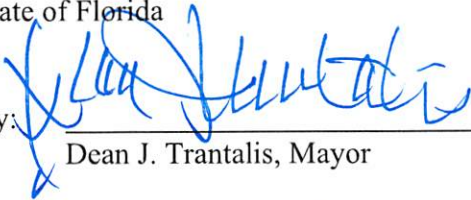
Address: 1 E Broward Blvd
STE 444 Fort Lauderdale FL 33301



Print Name: Amber Cabrera

Address: 101 NE 3RD AVE, 2100
Ft. Laud. FL 33301

CITY OF FORT LAUDERDALE,
a municipal corporation of the
State of Florida

By: 
Dean J. Trantalis, Mayor

By: 
Greg Chavarria, City Manager


ATTEST:


David R. Soloman, City Clerk




APPROVED AS TO FORM:

City Attorney

By: 
Name: Shaun Amarrasi
Title: Assistant City Attorney

WITNESSES:

**LAS OLAS PARKING SOLUTIONS,
LLC**, a Florida limited liability company



Joseana L. Mantkus

Print Name

By:



Name: Charles B. Ladd

Title:

Manager

Address: 699 N. Federal Hwy, Suite 250
Ft. Lauderdale, FL 33304



Laura Herrera

Print Name

Address: 699 N Federal Hwy, Suite 250
Ft. Lauderdale, FL 33304



CITY ATTORNEY'S OFFICE

DOCUMENT ROUTING FORM

Rev: 3 | Revision Date: 9/1/2022

TODAY'S DATE:

4/8/2024

DOCUMENT TITLE: 3rd Amendment to the Comprehensive Agreement – Las Olas Parking Solutions LLC, DEV, Operation, and Main of Multi Use Structure w/Public Parking/Fire Rescue/Retail – SE corner of SE 2nd Court & SE 8th AvenueCOMM. MTG. DATE: 3/5/23 CAM #: 24-0198 ITEM #: CM-2 CAM attached: ☒ YES ☐ NORouting Origin: COA Router Name/Ext: Sonia S x5598 Action Summary attached: ☒ YES ☐ NOCIP FUNDED: ☐ YES ☒ NO

Capital Investment / Community Improvement Projects defined as having a life of at least 10 years and a cost of at least \$50,000 and shall mean improvements to real property (land, buildings, or fixtures) that add value and/or extend useful life, including major repairs such as roof replacement, etc. Term "Real Property" include land, real estate, realty, or real.

2) City Attorney's Office: Documents to be signed/routed? ☒ YES ☐ NO # of originals attached: 1Is attached Granicus document Final? ☒ YES ☐ NO Approved as to Form: ☒ YES ☐ NODate to CCO: _____ Attorney's Name: Shawn Amarnani Initials: SA3) City Clerk's Office: # of originals: 1 Routed to: _____ Ext: _____ Date: 04/09/244) City Manager's Office: CMO LOG #: APR 10 Document received from: CCO 4/10/24Assigned to: GREG CHAVARRIA ☐ ANTHONY FAJARDO ☐ SUSAN GRANT ☐GREG CHAVARRIA as CRA Executive Director ☐☐ APPROVED FOR G. CHAVARRIA'S SIGNATURE ☐ N/A G. CHAVARRIA TO SIGNPER ACM: A. FAJARDO (Initial) S. GRANT (Initial)☐ PENDING APPROVAL (See comments below)

Comments/Questions: _____

Forward _____ originals to ☐ Mayor ☐ CCO Date: _____

5) Mayor/CRA Chairman: Please sign as indicated.

Forward _____ originals to CCO for attestation/City seal (as applicable) Date: _____

INSTRUCTIONS TO CITY CLERK'S OFFICE

City Clerk: Retains _____ original and forwards _____ originals to: Gina Rizzuti-Smith/TAM/ Ext 3764*****Please email a scan of completely executed documents to ssierra@fortlauderdale.govAttach _____ certified Reso # _____ ☐ YES ☒ NO Original Route form to CAO