

**APPROVED**

**BEACH BUSINESS IMPROVEMENT DISTRICT ADVISORY COMMITTEE  
100 NORTH ANDREWS AVENUE  
8<sup>TH</sup> FLOOR CONFERENCE ROOM  
FORT LAUDERDALE, FLORIDA  
MONDAY, MAY 11, 2009 – 3:30 P.M.**

<b><u>BID COMMITTEE MEMBERS</u></b>	<b><u>ATTENDANCE</u></b>	<b>10/08 – 9/09</b>	
		<b><u>PRESENT</u></b>	<b><u>ABSENT</u></b>
Amaury Piedra, Chair	P	6	2
Carlos Molinet, Vice Chair	P	6	2
Ina Lee	P	8	0
Andreas Ioannou	P	7	1
Ramola Motwani	P	3	5
Gabriel Rodriguez	P	6	2
Joseph Geluso	P	6	2
Jim Oliver	P	8	0
Jon McGaunn	P	4	0

At this time, there are 9 appointed members to the Board, which means 5 would constitute a quorum.

**Staff**

Stephen Scott, Economic Development Director  
Don Morris, Beach CRA Director  
Earl Prizlee, Engineering Design Manager, CRA  
Eileen Furedi, Economic Development Representative  
Ralph Riehl, Chair, Economic Development Advisory Board  
Cate McCaffrey, Director of Business Enterprises  
Hilda Testa, Recording Secretary, Prototype, Inc.  
Jennifer Picinich, Recording Secretary, Prototype, Inc.

**Communications to City Commission**

- **Motion** made by Ms. Lee, seconded by Ms. Motwani, to recommend funding the Beach Maintenance Contract in the amount of \$351,714. In a voice vote, the **motion** carried unanimously.
- **Motion** made by Ms. Lee, seconded by Vice Chair Molinet, to recommend the use of \$80,000 for the development of a signature event by Wizard Entertainment. In a voice vote, the **motion** carried unanimously.
- Ms. Lee proposed that Sasaki & Associates meet with the Committee regarding development of the Beach Master Plan, as many of the Beach hoteliers had not had significant input on the Plan thus far. It was

- suggested that the Planning and Zoning Board may be invited to attend this meeting as well.
- Mr. Rodriguez expressed concern that the planned signature event for the Beach area could face difficulty if it violated the present noise ordinance, and hoped some leniency might be allowed or a compromise reached.

### **I. Call to Order / Roll Call**

Chair Piedra called the meeting to order at 3:38 p.m. Roll was called and it was determined a quorum was present.

### **II. Approval of Minutes: April 13, 2009**

**Motion** made by Vice Chair Molinet, seconded by Mr. Oliver, to approve the minutes of the April 13, 2009 meeting. In a voice vote, the **motion** carried unanimously.

### **III. BID Beach Maintenance Contract Update**

Ms. Motwani advised that three vendors were on the list for consideration, although the vendor that received the most points in the Selection Committee's scoring system, based upon their low bid, did not attend the meeting. The two vendors who presented to the Selection Committee were Prism, which has the current (expiring) contract, and Labelle, who was the second lowest bidder. She noted that Labelle had been contacted by the Committee to ensure they "understood our needs" for the contract.

Labelle has the current contract for cleaning West Palm Beach, and has been in business roughly the same amount of time as Prism. Ms. Motwani noted that in the current economic climate, price was one of the top considerations, and the Selection Committee provided all vendors the opportunity to work with the City regarding the price. Prism lowered their bid by \$6000; however, there was approximately \$61,000 difference between Prism and Labelle, with Labelle's bid being the lower of the two. Their bid would be over \$80,000 lower than Prism's last contract.

Ms. Motwani recognized that Prism has worked well with the City for the duration of their contract, but reiterated that price is the primary consideration. Therefore the Selection Committee's recommendation is to award the contract to Labelle. She noted, however, that there is a termination clause in the contract's first 90 days, should the City be unhappy with the new vendor's service.

Mr. Morris explained that the City Commission votes on the final award of the contract; the Selection Committee will pass their recommendation on to the City Commission, based upon the scores. He added that a recommendation for the

funding of the contract must come from today's BID meeting, although this does not affect the award of the contract.

**Motion** made by Ms. Lee, seconded by Ms. Motwani, to recommend funding the Beach Maintenance Contract in the amount of \$351,714. In a voice vote, the **motion** carried unanimously.

#### **IV. BID Special Event RFP Update**

Mr. Scott informed the Committee that the Selection Committee for this RFP had met and elected to view private presentations by the top three bidders. These have been completed in the time since the last BID meeting, and the top presenter was Wizard Entertainment, Inc. He introduced Dan Barnett, President of Wizard Entertainment, to discuss his idea with the Committee. Mr. Scott added that at the end of his presentation, a recommendation would be needed from the BID to support the funding for this RFP. The amount of the awarded contract was for \$78,960.

Ms. Lee added that she and Chair Piedra had attended both Selection Committee meetings, and Wizard Entertainment "came out on top" at each meeting. She noted that representatives of the Beach Council Marketing Committee had seen an unofficial PowerPoint presentation on Wizard Entertainment's proposal as well.

Mr. Barnett stated he would give the Committee a brief overview of the "Saturday Night Alive" proposal, the concept of which is a marketing strategy garnering the participation of the retailers, hoteliers, and other business representatives of the New Fort Lauderdale Beach. The concept is to stage an event over a series of Saturday nights so the marketing dollars will bring the public to these events on a weekly basis.

For the 2009 event promotion, the proposal is for four Saturday nights, beginning on July 4, 2009. This launch would coincide with the large audience already expected to come to the Beach for the holiday, and would also provide an opportunity to elevate the brand of the New Fort Lauderdale Beach.

The concept is for Saturday night, from 7:00 p.m. until 11:00 p.m. or midnight, depending upon the noise ordinance, every participant within the BID area would have a "live entertainment extension" from their business outside onto the sidewalk area to encourage pedestrians to move from place to place up and down the Beach.

The primary objective will be to draw people in to the businesses, so specials and promotions will be planned inside each resort, hotel, or retailer. Searchlights

will be seen on the Beach, and six different entertainers will be strategically placed from the north to the south end (Atlantic to Las Olas Boulevard).

Mr. Barnett noted that expanding the website has been discussed, and there is consideration of changing the BID site's present name to a name more easily associated to the event, as well as using the site to promote other events in the Beach area.

The event is intended to showcase the new Fort Lauderdale Beach as a five-star destination, drive hotel rooms, and bring in both local residents and tourists. The marketing campaign would be steered toward meeting these objectives. Vendors would be encouraged to come onto the Beach if they pose no conflict – Starbucks, for example, could bring carts, and art vendors and artists could work on the Beach.

Mr. Barnett noted that one challenge is bringing the north end of the Beach “to life” in the same manner as the south area in this time period.

Another part of the campaign would be creating a map for consumers. A printable PDF file would be made available on the website, with built-in promotions also available for print, so prospective customers could see the locations of the participating businesses. A schedule of live shows would be listed on the PDF as well.

He concluded that another goal would be to inform visitors “where to go and where to park” for the event.

Mr. Oliver expressed concern with attracting a larger crowd on July 4, 2009, for the inaugural event, noting the parking restrictions. Mr. Barnett explained that one goal is to showcase the New Fort Lauderdale Beach brand while a large crowd is already assembled. He pointed out the possibility of watching the fireworks display from a “five-star hotel terrace pool deck,” showing the public that a higher brand is now available.

Mr. Rodriguez proposed that perhaps there could be three days of events leading up to the July 4 celebration, as many of the people who will be in town for the holiday will arrive earlier than the July 4 weekend itself. Mr. Barnett agreed that while there is some benefit to this plan, it will be difficult to move the project successfully along from the May 19 City Commission Agenda date to July 4 while completing all phases. He noted that one suggestion that had followed Wizard Entertainment's presentation was to have the first and third Saturdays in July and August as well. Mr. Rodriguez felt this plan would provide a “stronger program.”

Chair Piedra explained that the timing issue remains a challenge, as even a prompt approval process would only allow a limited time to arrange the first

event. He added that alternating weeks would extend the plan further, and reminded the Committee that there will be “limited funds” to contribute to the first event; as interest builds and more sponsors are attracted, however, the events may be expanded.

Ms. Lee stated that when the presentation was shown to the directors of marketing at key Beach hotels, it was pointed out that these hotels will already be advertising for the summer; it was suggested to “piggyback” reminders of the Saturday Night Alive events onto existing advertising, tagging these advertisements with the name of the event and the website. This would steer individuals to the website for information, and also help expand the brand image of the Beach area and the event as well.

It was noted that the BID could purchase prospective domain names for an event-related website, or could direct Wizard Entertainment to make this purchase once their contract has been approved. Mr. Barnett felt Wizard could make this purchase and sign any potential domain name over to the BID “at no additional charge.”

Mr. Rodriguez felt the biggest obstacle facing the event would be Code Enforcement, and specifically the noise ordinance. He recalled that he had had to cancel entertainment at his establishment due to the numerous calls he received about the ordinance. He noted that there is not a specific time at which greater noise is allowed within the entertainment district; the decibel level cannot be exceeded at any time. He described Code Enforcement as “very strict” with regard to this issue, and noted that many businesses are curtailing their entertainment rather than be cited for this Code infraction.

Mr. Morris stated that he could look into ways to work with Code Enforcement on this issue, although he could not guarantee success. Ms. Lee proposed that it be made “loud and clear” that a major promotion is underway; Mr. Morris agreed that this is understood, but pointed out that there are other interests at work in the Beach area that must be dealt with, and the current strict enforcement is the result of past abuses of the noise ordinance. It was noted that there are residents in the Beach area who have made numerous complaints, on which Code Enforcement has no choice but to act.

Mr. Scott added that to make the signature event work, issues like the noise ordinance would need to be dealt with. He suggested that details such as “event agreements” might be called for, and felt issues can be worked out, such as keeping louder entertainment indoors where possible. He added that some of the entertainment in question could be done by street performers rather than musical acts, and no significant noise would be generated.

Ms. Motwani noted as well that the noise ordinance is not invoked only at night, but can cause complaints even in the afternoon. She agreed that the businesses should be “fair and reasonable” in dealing with these complaints, but felt “something should be done” if possible as the Beach district moves forward with the event.

Mr. Scott affirmed that the noise ordinance has become a major issue with many businesses; while he hears a good deal of business feedback from an economic development standpoint, he advised that there are other interests at work who are in touch with their City Commissioners with regard to the noise ordinance. He could not predict how the issue might “play out.”

Mr. Rodriguez added that another consideration is pulling a BMI/ASCAP permit for the performance of licensed music if performers played directly in or in front of a property, as owners could be liable should licensing not be properly carried out.

Mr. Ioannou asked how the entertainment available at each individual business would be determined. Mr. Barnett explained this would be up to the business owners themselves, who could “decide their own image” by hiring the entertainment they wished to associate with their business as a destination during the event. Within the overall budget, however, funds are also set aside to hire six different entertainers, all consistent with the New Fort Lauderdale Beach image, to perform on the Beach.

Ms. Lee asked how the motion recommending use of funds for the signature event should be worded, as the Selection Committee has twice chosen Wizard Entertainment as the best vendor for the event. She wished to make a motion approving Wizard as the vendor based on the Selection Committee’s findings rather than based on a dollar amount.

Mr. Morris explained that no funds have been allocated for the signature event as yet; while monies have been budgeted for the event, the vendor must ultimately be approved by the City Commission.

Ms. Lee then asked if it would be best to move for the use of \$80,000, which is the allocated amount, and tie those funds to the use of Wizard Entertainment as the vendor. Mr. Scott agreed that there is nothing to prevent the motion from approving a vendor as well as the funding, although he pointed out that the official recommendation to the City Commission, with regard to the vendor, comes from the Selection Committee rather than the BID.

**Motion** made by Ms. Lee, seconded by Vice Chair Molinet, to recommend the use of \$80,000 for the development of a signature event by Wizard Entertainment.

Mr. Ioannou asked what would happen after the four planned Saturday Night Alive events, recalling that the original plan was to create a sustained event for area residents. He asked if there are plans to continue the event at this time. Chair Piedra pointed out that for the amount of available funds, the best use was determined to be development of four weeks' events. Hopefully, by 2010, Wizard will have more time to expand the program by generating more sponsorships, he added; however, there is not time to implement a farther-reaching program during the 2009 summer months.

Mr. Ioannou suggested that part of the marketing plan could involve suggesting to business operators that Wizard would handle the first four weeks of the event's promotion, and perhaps if funds remain, an "ongoing advertising campaign" could follow, such as mailers to area residents, to sustain the event.

Mr. Rodriguez pointed out, however, that from a marketing/advertising standpoint, \$80,000 is a very small amount with which to work. He recalled that there had been discussion as to whether the funds should be put into advertising or the event itself, but it was decided that very little advertising could be purchased for this amount, regardless of the medium.

Mr. Ioannou agreed that the BID would not be able to have "everything we want for \$80,000," but continued that there could be a possibility of continuing to co-advertise with properties and business owners in order to retain some continuity.

Vice Chair Molinet felt this was a valid point, which was why he felt it would be a good idea to hold two of the four events in July and two in August, as this would allow more time for momentum to build surrounding the event. This would also provide more time in which to discuss continuing the event with individual property owners and representatives, as well as to consider engaging the Convention Visitors' Bureau (CVB) or other additional sponsor(s) later on.

Ms. Lee asked if the BID's budget is determined anew in October 2009. As this is the case, along with the additional money saved from the Beach Maintenance Contract and the BID's 2010 allocation, there could be a new push to fund and plan the following year's event over the winter and begin in late spring 2010, perhaps for Memorial Day through Labor Day.

Mr. Rodriguez felt development of a domain promoting the event would be key to its continued success, as it could list the acts expected to perform in 2010. He noted that any advertising of the event could be tagged with its domain name.

Mr. Barnett asserted that should the event become a success and widely known to the community, it could be held on "Super Saturday Night" before the 2010 Super Bowl, when people would be aware of the event and the brand.

Mr. Ioannou asked if Wizard Entertainment would be working directly with the City for approval of the event's actual advertising, or whether the group would work with a specific committee. Mr. Barnett stated that in the RFP, he had requested to work directly with BID members. Mr. Scott agreed that this was acceptable, provided that all decisions comply with City-wide event agreement requirements. He confirmed that the BID may have "creative input" as long as the event agreements are met.

Mr. Morris added that BID members could meet individually with Wizard Entertainment, but Sunshine Law requirements state that no two BID members could meet outside an official posted meeting. Ms. Lee asked if Mr. Barnett could address the directors of marketing of the Beach district's major hotels, as none of them are BID members; Mr. Morris and Mr. Scott agreed that Mr. Barnett could speak to such a group without restrictions. Mr. Scott also agreed with Mr. Rodriguez's suggestion that a BID member be designated as a liaison to any such meetings.

Ms. Lee volunteered to serve as BID liaison to the proposed meetings.

In a voice vote, Ms. Lee's **motion** to recommend use of funds and specification of Wizard Entertainment carried unanimously.

Ms. Lee requested specifications on how the issue would proceed to the City Commission, and stated that it is "critically important" that as many BID members attend the appropriate meeting to speak in favor of the proposal as possible. Mr. Scott advised that it would be a procurement item on the May 19, 2009 City Commission Agenda.

Chair Piedra thanked Mr. Scott and Ms. Lee for serving on the Selection Committee for the marketing RFP. Ms. Lee added that the other presenters had good ideas for the signature event as well.

#### **V. Beach Chair Vendor Update**

Cate McCaffrey, Director of Business Enterprises, advised that "a number of things" had happened since she had last addressed the BID. She recalled that one such item concerned the mini-umbrellas to be provided to hotels when they approached capacity. Since that time, the vendor provided a sample of these for the City to review, which they approved along with a color palette in "shades of blue." The luxury chairs have been approved for use as well.

She added that another issue that had been discussed was the possibility of individual contracts between the vendor and the hotels, and stated that some of these agreements have been made. The time frame for provision of the luxury



items would be up to the individual agreements between the vendor and the hotels.

Chair Piedra asked if any details are still missing from a City perspective, now that chairs and umbrellas are available. Mr. Ioannou pointed out that training of beach attendants remained, as well as determination of where these individuals would be stationed. He added that he did not know which styles had been approved for the deluxe chairs.

Jim Boucher, representing Boucher Brothers, the Beach vendor, agreed to provide emails of the approved chairs and the color palette to the individual BID members.

#### **VI. Police Update**

Mr. Morris noted that due to an emergency, no members of the Police Department were able to attend today's meeting.

#### **VII. Communications to City Commission**

Mr. Morris explained that the City Commission has requested the addition of this Item to all Advisory Board or Committee Agendas. If the Committee wishes to bring any particular information to the City Commission's attention, it is discussed at this point, as well as included at the beginning of the meeting's minutes.

Mr. Scott added that any motions on which the Committee votes will be automatically included in this section; however, other important items should be included in the Communications as well.

Ms. Lee stated that at the most recent Beach Redevelopment Board meeting, member Aiton Yaari had made a motion that the business stakeholders, including the owners of some businesses on the first block of A1A, meet with Sasaki and Associates to give their input on the Beach Master Plan, as these stakeholders felt they had not given sufficient input, particularly in comparison to residents and condominium associations. Ms. Lee agreed with this assessment, and asserted that the major hoteliers should have input on the Plan as well.

Mr. Morris recalled that in 2008, there had been a combined meeting of the BID and the Beach Redevelopment Board to review previous drafts of the Master Plan, although he noted that this had not necessarily led to detailed input. Ms. Motwani pointed out that significant changes to the Beach Master Plan had occurred since that time.

Mr. Scott advised that "stakeholders," in this case, be clarified as including major hoteliers, and explained that if the BID is in consensus on this matter, this will be

one of the first items the City Commissioners see when they receive their copies of the minutes. He added that he will also convey this request to the City Commissioners.

Chair Piedra clarified for the BID that this will notify the City Commission that major stakeholders, such as the Beach hoteliers, would like to have input into the Beach Master Plan on a one-on-one basis, as had been granted other Beach stakeholders. This could mean the hotels' ownership or its general management, he noted.

Mr. Morris added that the most recent input to the Beach Master Plan had a "focus on zoning," which related particularly to development of property and was not covered in great depth at the earlier Master Plan presentation.

Ms. Motwani agreed that there are concerns with how the Master Plan, as presented, will address some of the specific zoning issues. She felt the stakeholders from small hotels as well as the major ones should have input in this area, as density, height, and setbacks are among these considerations. She suggested that Planning and Zoning Staff could attend this meeting as well to help identify how the Plan's goals could be achieved.

Ms. Lee added that one of Sasaki's proposals was placing a hotel "just over the Las Olas Bridge," as they asserted a hotel in the CRA will help raise monies to be used in other public areas; she felt the hoteliers' views should be addressed regarding this aspect of the plan, for example. She felt the BID, or the hotels' ownerships, should begin meeting with Sasaki right away, as the Beach Redevelopment Board had done.

Mr. Morris stated he would convey this request to the City Manager, and would come back to them with ideas on "how to move forward" with this request. He asked if the request would be for Sasaki to meet with the BID, or with the hotels' owners, for clarification. Chair Piedra pointed out that hotel ownership can be based in various parts of the U.S. and would be less knowledgeable or influential about the issues than the hotels' representatives who are BID members.

Ms. Lee noted that Sasaki had met with the Central Beach Alliance's Executive Board, and there was no reason they could not meet with the BID as well. Mr. Scott affirmed that Sasaki will be asked to attend the next BID meeting; this request will be reported to the City Commission; and he will discuss the Committee's concerns directly with the Planning and Zoning Department.

Mr. Rodriguez asked if Communications to the City Commission would be an appropriate section for expressing concerns about the signature event and the noise ordinance. He felt the obstacles to the event should be presented along with the idea for the event itself.

Regarding the noise ordinance, Mr. Scott asked if the earlier consensus had been that this rule was "too strict." Chair Piedra clarified that he felt the policy should be revisited based upon the Committee's comments. He noted that Saturday Night Alive is presently a minor event; should the noise ordinance become an issue for something of this magnitude, perhaps it should be revisited.

Mr. Rodriguez clarified that he is not attempting to revisit the noise ordinance for Beach Place specifically, or to create a "bigger issue," but to request some leniency for the particular event in question.

### **VIII. Old / New Business**

Ms. Lee advised the Committee that at the last City Commission meeting, she, Mr. Molinet, and Mr. Piedra learned they would no longer serve on the Beach Redevelopment Board; the only BID member remaining on that Board is Ms. Motwani. No other hoteliers are on that Board for the next term.

Chair Piedra asked for the final outcome of the City Commission's decision regarding the Beach Music Festival in 2010. Mr. Scott informed the Committee that it was tentatively approved for May of that year.

Ms. Motwani stated that for the first time, the Mayor, City Commissioners, and County Commissioners will meet jointly on May 19, 2009.

There being no further business to come before the Committee at this time, the meeting was adjourned at 4:42 p.m.

[Minutes prepared by K. McGuire, Prototype, Inc.]