

APPROVED

BEACH REDEVELOPMENT ADVISORY BOARD
100 NORTH ANDREWS AVENUE
8TH FLOOR CONFERENCE ROOM
FORT LAUDERDALE, FLORIDA
MONDAY, NOVEMBER 17, 2008 – 2:30 P.M.

BRAB MEMBERS	ATTENDANCE	CUMULATIVE	
		2/08 – 1/09	PRESENT
Ina Lee, Chair	P	8	0
Shirley Smith	P	8	0
Miranda Lopez	A	7	1
Carlos Molinet, Vice Chair	A	6	3
Judy Scher	P	4	5
Amaury Piedra	A	4	3
Aiton Yaari	P	7	1
Ramola Motwani	A	6	2
Jordana L. Jarjura	A	5	2
Melissa Milroy	P	5	0

Staff

Donald Morris, Beach CRA Director
Earl Prizlee, Engineering Design Manager, CRA
Eileen Furedi, Economic Development Representative
Lindwell Bradley, Community Inspections Supervisor
Mario Sotolongo, Code Enforcement Officer
Victor London, Captain, Fort Lauderdale Police Department
Hilda Testa, Recording Secretary, Prototype, Inc.

I. Call to Order/Roll Call

Chair Lee called the meeting to order at 2:31 p.m., and roll was called.

II. Approval of Minutes

As a quorum was not present, the minutes of the October 20, 2008 Board meeting could not be approved at this time.

III. Code Compliance Update

Lindwell Bradley, Community Inspections Supervisor, introduced Code Enforcement Officer Mario Sotolongo, who gave the Board an update on Code compliance and issues.

Officer Sotolongo advised that most of the issues his Department had faced recently concerned outdoor displays, particularly sidewalk signs. He stated that the response from retail management is generally receptive when they are asked to correct these issues. Aside from these, there had been few infractions to Code.

Mr. Morris asked for an update on sidewalk café displays, which had been an issue in the past. Officer Sotolongo described this matter as “still in the works,” noting that regulations had changed over the years and the new rules were somewhat different. He reiterated, however, that he had encountered no major problems.

Mr. Yaari pointed out that café patrons often shift tables and chairs to station them in or out of the sun at different hours of the day. He noted that this was an “ongoing” consideration.

Mr. Bradley explained that the State of Florida owns the road and sidewalk in question where many of these minor infractions occur, and has signed a contract with the City allowing them to use a portion of the sidewalk leading up to the road. Part of this contract, however, requires that the City police its businesses to ensure that the sidewalks remain obstacle-free. In order to retain the privilege of using the sidewalks, the City must ensure that they are clear for pedestrian traffic.

He added that most businesses police themselves regarding this matter.

Mr. Yaari complimented Officer Sotolongo’s work as Code Officer.

Mr. Bradley noted that some businesses have begun to place mannequins outside their stores, which is also a violation of Code. He stated that Officers are addressing this issue.

IV. Police Update

Captain Victor London of the Fort Lauderdale Police Department provided the Board with this update, affirming that there are currently no existing unlawful trends in the Beach area. Compared to the months of September and October in

2007, crime in this area has actually decreased from 79 crimes to 70; overall calls to Police services are down from 860 last year to 809 this year.

He offered to take any questions from the Board at this time.

Ms. Scher stated that the manager of Birchwood Condominiums had been badly beaten after stopping two vandals in the condominium area. They had been sighted entering a motel across the street from the property, but the responding officers had been unable to pursue them into that location. She added that this had occurred approximately one month ago, as had incidents of public drunkenness in the same area.

Captain London stated that the Department had recently started up a Street Crimes Unit to focus on this type of activity, and requested that Ms. Scher ask the victim to get in touch with this Unit.

Chair Lee noted that the time for spring break planning was coming up, and wanted to ensure that this year's street signs were "student friendly," as the area merchants hoped to welcome these visitors. She felt these would be a good alternative to signs that listed what spring break visitors could not do while in town.

Captain London responded that he was lobbying for no signage at all this year, which he felt would be more appropriate than the signs used by the City in the past. He offered to bring more information before the Board within a month or so, when spring break planning was underway.

Ms. Smith stated that she walked the Beach in the mornings and mentioned that owners walking dogs often fail to clean up after them. Captain London said he would pass this information along to officers working the Beach area.

Steve Glassman, private citizen, said that some "mom & pop" hotels in the area were experiencing difficulties with Covenant House residents. He asked if the Department was aware of an increase in muggings and other crimes perpetrated by young people associated with Covenant House.

Captain London advised that there had been three incidents in the Covenant House area recently, thought to have been committed by individuals visiting residents at that location. He added that the Department had spoken with the Director of the facility, which has a protocol in place that requires their staff to patrol the house and grounds to ensure that residents are not contributing to this kind of activity.

The persons arrested and/or detained in connection with these incidents, he noted, do not have direct ties to Covenant House, although the Department is in communication with the facility to discuss the situation. To date, there has been “nothing out of the ordinary” related to that location, he said.

Mr. Glassman asked if there are an unusual number of calls from Beach area locations that are close to Covenant House. Captain London said this was not the case, to his knowledge, stating again that the Department is monitoring the situation.

Ralph Riehl, President of the South Florida Tourism Council, advised that there are “persistent individuals” acting as unlicensed street vendors in the Beach area. He described them as traveling the sidewalks and the Beach, attempting to sell sketches and handmade palm hats to visitors and outdoor restaurant patrons. He asked if the Department could focus some time on seeking out these individuals, whom he stated were very persistent. He felt they set a bad example for the area.

Mr. Yaari suggested that while this was undesirable, the Board should bear in mind that a Beach community naturally attracts this kind of activity, and it would be difficult to eradicate completely.

Captain London stated his officers are aware of the ordinance forbidding this activity, and will address the matter accordingly.

V. Old/New Business

Chair Lee requested an update on the Board’s ongoing projects.

Mr. Morris stated the Master Plan will be presented in December 2008 or January 2009 for the third and final public presentation. The Planning and Zoning Department has not yet seen the final draft of the Plan, he noted, and therefore are not comfortable finalizing a date until they have done so. He assured the Board he will let them know the date when he is made aware of it.

Regarding the South Beach Parking Lot, details are still being worked out regarding construction of the wall. He hoped to “get the process moving” toward a resolution by the end of 2008 so the project can go out for bid.

Mr. Morris announced that the Beach CRA has hired a new Planner, David Rubin, who will be working with Geographic Information Systems (GIS). This

means a good deal of data will be created for the CRA involving right-of-way issues, population trends, and other demographic considerations. The Planner will also conduct some Site Plan reviews for the CRA. Mr. Rubin will work under Mr. Prizlee's supervision, and is scheduled to begin work within the next few weeks.

He noted that Mr. Rubin brings environmental knowledge, such as beach renourishment, to his position as well. He hoped this will help in addressing the issues and creating a good environment for tourists and businesses in the area.

He planned to introduce Mr. Rubin to the Board at its next meeting, he concluded.

There are still matters to be worked out regarding the Beach Walk. FDOT has been asked to address the striping issues along A1A, which have been partially corrected. The CRA staff is also working with FDOT to have the sidewalks improved and made "walkable" again.

The CRA is working with the Sanitation and Parks Departments to have all liners in trash cans changed to plastic liners, as there are issues with rusting trash cans along the sidewalks. This creates a maintenance issue, as the trash cans become an aesthetic problem without liners.

A prototype has been approved for the turtle lighting, Mr. Morris continued, and some issues related to displacement of sand in the South Beach parking lot are being worked through before the lights may be permitted and installed.

Mr. Prizlee added that they are working with FDOT to go through the permitting process. Now that the prototype fixtures have been approved, the calculation process has begun. Mr. Prizlee estimated that this is a \$3 million project, and voltages are currently being checked on the fixtures.

Chair Lee asked what the time frame should be for raising additional funds for the wave wall lighting. Mr. Morris felt the first order of business should be to find a solution all parties could agree on, which he did not yet feel had been achieved.

Chair Lee advised that her main concern was the expiration of the equipment's warranty. She requested this information for the next Board meeting, as the funds involved would be "not insignificant" and would require more partners than the Board alone.

Mr. Morris discussed a way-finding system for the Beach area, and informed the Board that an RFP had gone out for this issue. So far, four or five responses had been received, the bids had been ranked, and the top three bidders had been asked to make presentations to the Selection Committee. Once a bid had been awarded, Mr. Prizlee noted, a design would be created.

Mr. Morris added that they hoped to bring the selected proposer before both the BRAB and the Beach Business Improvement Board (BIB) so these bodies can provide input.

Mr. Prizlee advised that the top three bidders will make presentations, and their qualifications and ideas will be considered as well.

Mr. Morris stated he would make the Board members aware if they could attend the official presentations before the Selection Committee. This would not allow Board members to vote, but would permit them to listen to the responders.

He noted that the CRA was the "perfect area" in which to first implement a new sign package, as they have funding available and have budgeted for the project.

Ms. Lee felt it would be a good idea to involve member(s) of the Convention and Visitors Bureau (CVB) as well, particularly individuals with knowledge of international tourism. She believed it was very important to understand the best way to work with an international market on the issue of signage.

Mr. Morris agreed, pointing out that "stakeholders" such as the CVB would provide important input to be considered.

Mr. Glassman asked for an update on the progress of the streetscape projects.

Mr. Morris responded that the project was ongoing to an extent, although the CRA was currently placing funds in a savings account to be used to deal with streetscape projects in the future. As projects come through he explained improvements will be made based upon the approved streetscape plan. Some large projects have agreed to this, but have not yet broken ground; in addition, Mr. Morris noted, private development is being relied upon to an extent, due to the state of the economy.

While the focus for these projects is on the CRA, he added, the Beach is a cohesive area, and projects are considered according to how they relate to the entire Beach area. They have asked Sasaki to take this into consideration during

the completion of their Master Plan as well, and to incorporate aspects of the new signage into the Plan.

Chair Lee asked Mr. Morris for an update on how the Board might become a voting entity, and what language changes might be necessary to achieve this.

Mr. Morris replied that, while he did not have specific language changes, he had spoken to the Legal Department, which had stated the BRAB does not have the authority to vote in recommendation on specific developments. He believed, however, that the Board could examine how a plan relates to use, and affirm whether or not a development's use makes sense as related to the CRA plan.

Mr. Morris stated that he wanted projects to have been vetted completely by the Planning & Zoning Board before they came before the BRAB, as he did not want the Board to review a project that may ultimately have a different use than the one presented to them. Some plans and uses that a development might present to the Board, he explained, might change before they are brought before the Planning & Zoning Board or the City Commission.

Chair Lee noted that, while she understood this rationale, there is validity to the Board giving input on a development before it reaches its late stages. The stated use might change after the Board offered its input, and she suggested that a dramatic change in use might bring a development before the Board for a second time. She particularly felt a project of major importance to the CRA should come before the BRAB before going before the Planning & Zoning Board, as BRAB members might be able to contribute input and advice specific to the Beach area that other Boards might not be able to offer.

Mr. Morris agreed that some projects, such as hotels, will not significantly alter their uses. Using Bahia Mar as an example, however, he pointed out that the developers were still putting together an economic study, and the CRA will not know what uses the City Commission is interested in seeing on their site until the study has been concluded.

Currently the Bahia Mar property is undergoing pre-PUD Site Plan approval, which is a lengthy process on its own and can involve several different plans and proposals before finalization. Once the economic study is complete, the developer can come before the Board with uses they know have the possibility of approval. At that point, he counseled, it would be within the Board's role to agree or disagree with these uses. He did not, however, feel comfortable bringing developers before the Board until their proposed projects had been vetted and the stated uses were realistic.

Chair Lee felt that the Board would not be able to give input of a significant nature under these specifications; however, she stated, her hope was that developers and others would come to understand that it was in their best interest to appear before the BRAB, just as it was in their best interest to appear before any other Board.

Ms. Scher felt that the BRAB served the public interest in the Beach area as well as did other Boards, such as the Central Beach Alliance, and developers should be encouraged to come before the Board for input; however, she did not feel it was appropriate that projects come before the Board prior to further approval, such as that of the Planning & Zoning Board.

Mr. Yaari felt the best time to bring large-scale projects before the BRAB would be after their approval by the Planning & Zoning Board, but prior to presentation to the City Commission, as the BRAB serves a purpose of advising the City Commission. He felt they should have input, however, as a business coming into the area would contribute funds to the CRA; therefore the Board had a vested interest in making sure the business would be a success.

Mr. Morris affirmed that he wanted the Board to have input, but felt they should trust that Staff would bring projects to them when they were ready to be discussed.

Chair Lee recalled that some years ago, the BRAB had been the guiding force behind developing a Disaster Plan for the Beach area – specifically, to grandfather in “uses and properties,” should the Beach be struck with a major hurricane or other storm. She felt it was important to have such a plan in place before the 2009 hurricane season, although she noted that development of a plan should wait until after the upcoming City elections, as she did not believe the issue should be politicized.

She explained that this plan would focus on zoning, so an existing building, if harmed by a natural disaster, could be rebuilt as it stands today, which would mean grandfathering it in under the present zoning Code. Some realtors, she added, have been unable to close deals because of their inability to rebuild.

Chair Lee cited research conducted by Costanza some years ago as a potential resource for a plan.

Mr. Glassman suggested that development of a plan could start before the upcoming elections, but remain unpoliticized if it was not “brought to the forefront” before that time.

Mr. Morris advised that this is a City-wide issue as well as a Beach one, and would not provide a “quick fix.” In certain situations, he pointed out, a better product might result from rebuilding to a standard different from the one under which a building was originally constructed, and the Beach or City might be better served by looking at the issue from “a more holistic standpoint.”

He cautioned the Board that this would be an issue involving the Planning Department, as it would affect the ULDR, and therefore would need to be directed to that Department by the City Commission. It would not be a CRA function, although Mr. Morris noted that of course the CRA staff would assist in any way it could, if so directed.

Chair Lee stated that it is an important issue that should be undertaken on a City-wide basis, noting that at one time the BRAB was the only official body interested in going forward with such a project. She asked Mr. Morris to begin a dialogue with the City Manager to discover what might be the best way to proceed. Mr. Morris agreed that he would look into this issue.

Chair Lee then raised the issue of attendance. Mr. Morris advised that individuals' dates of appointment to the Board are being looked into, as well as their attendance, to find out if some members' absences have been excessive. For anyone falling into this category who wishes to remain on the Board, he continued, they would need to become involved in the re-appointment process.

He did not, at this time, know which individuals had excessive absences, he added. He expected to have this information by the following week, at which time letters would be sent to appropriate members.

Chair Lee asked if a letter might be sent through Mr. Morris, to ensure compliance with the Sunshine Law, stating the importance of regular attendance at Board meetings. Mr. Morris agreed to compose a letter for this purpose.

It was agreed that the Board would discuss the issue further at the December 2008 meeting.

Chair Lee recommended that the Board definitely meet in December, should Sasaki be ready to make its final Master Plan presentation. She asked if most Boards hold December meetings.

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Mr. Morris advised that the Board plan to meet, with the option to cancel the meeting if there are no items to discuss.

Chair Lee stated the Board would schedule its December meeting, noting that a meeting time was dependent upon Sasaki's scheduled presentation in any case. She added that she would let Mr. Morris know in advance of a cancellation, so he could inform the rest of the Board.

There being no further business to bring before the Board at this time, the meeting was adjourned at 3:27 p.m.

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