

**APPROVED**

**BEACH REDEVELOPMENT ADVISORY BOARD  
100 NORTH ANDREWS AVENUE  
8<sup>TH</sup> FLOOR CONFERENCE ROOM  
FORT LAUDERDALE, FLORIDA  
MONDAY, MARCH 16, 2009 – 2:30 P.M.**

<b><u>BRAB MEMBERS</u></b>	<b><u>ATTENDANCE</u></b>	<b>CUMULATIVE</b>	
		<b>PRESENT</b>	<b>ABSENT</b>
Ina Lee, Chair	P	2	0
Shirley Smith	P	2	0
Miranda Lopez	P	2	0
Carlos Molinet, Vice Chair	P	1	1
Amaury Piedra	A	0	2
Aiton Yaari	A	0	2
Ramola Motwani (arr. 2:37)	P	2	0
Jordana L. Jarjura	P	1	1
Melissa Milroy	P	1	1
Dan Matchette	P	1	0

As of this date there were 10 appointed members to the Board, which means 6 would constitute a quorum.

**Staff**

Donald Morris, Beach CRA Director  
Eileen Furedi, Economic Development Representative  
Karen Reese, Economic Development Representative  
Lindwell Bradley, Community Inspections Supervisor  
Captain Victor London, Fort Lauderdale Police Department  
Hilda Testa, Recording Secretary, Prototype, Inc.

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

Chair Lee called the meeting to order at 2:34 p.m. Roll was called and a quorum was present.

**II. Approval of Minutes: January 20, 2009**

**Motion** made by Vice Chair Molinet, seconded by Ms. Milroy, to approve the minutes of the January 20, 2009 meeting. In a voice vote, the motion carried unanimously.

### **III. Approval of Minutes: February 16, 2009**

**Motion** made by Ms. Smith, seconded by Ms. Millroy, to approve the minutes of the February 16, 2009 meeting.

Ms. Lopez pointed out a correction on the last page, in which the phrase "...might rent the site" should be changed to refer to any such sites that have been approved for development but work is not yet underway.

In a voice vote, the **motion** to approve the minutes as corrected carried unanimously.

Chair Lee introduced new Board member Dan Matchette. Mr. Matchette was appointed to the Board by the outgoing Mayor. He has lived in Fort Lauderdale since 1968, including many years in the Beach area. He noted that he has observed changes in the Beach over the years, and wished to become involved with its redevelopment.

### **IV. Update on Wall Mural**

Mr. Morris informed the Board that the owners of the vacant Trump Las Olas site had been contacted regarding the wooden fence around that site. At the February 2009 meeting, the Board had discussed using the fence to create a mural. The property owners are in favor of this idea, provided the Board works out any related liability or permitting issues. Mr. Morris advised that he has already looked into permitting and there are no issues that would affect the plan. Once the idea has been approved by the Legal Department, the Board may move forward with the mural.

Chair Lee recalled that one idea they had discussed in February was to invite the Art Institute to hold a competition, or a similar plan to involve local talent. The Board could offer a prize for the selected design, she proposed. She added that the paint for the project would need to be donated.

Ms. Smith advised that this had been undertaken before on Sunrise Boulevard, in which an artist had sketched fish onto a wall for a mural, and members of the public had painted them in. Ms. Lopez felt this was a good idea, but cautioned that participants should be educated about pedestrian or bicycle safety issues, and suggested that this might be a theme for the design.

Chair Lee suggested a theme of "the New Fort Lauderdale Beach," which could show the new and old landscapes blending together. She pointed out that the area in which the mural would be featured ran "from casually chic to classic."

It was agreed that Chair Lee should contact the Art Institute to find out if they were interested in participating.

At the request of Chair Lee, the following item was taken out of order on the agenda.

**X. Election of Chair and Vice Chair**

**Motion** made by Ms. Milroy, seconded by Vice Chair Molinet, to nominate Chair Lee to another term in that position. In a voice vote, the **motion** carried unanimously.

**Motion** made by Ms. Jarjura to nominate Ms. Motwani as Vice Chair. The **motion** died for lack of second.

**Motion** made by Ms. Millroy, seconded by Ms. Jarjura, to nominate Vice Chair Molinet to another term in that position. In a voice vote, the **motion** carried unanimously.

**V. Update on Beach Vendor**

Chair Lee provided background information on this issue for the Board, explaining that the Boucher Brothers, who were contracted as the current Beach vendor, had been the object of some concern by the City, and particularly by the Department of Business Enterprises. There were issues of contract compliance as well as concerns by the hoteliers.

When Cate McCaffrey, Director of Business Enterprises, had called a public meeting with several Beach hoteliers as well as with the vendors, it was determined that the Boucher Brothers were in compliance with the terms of their contract. However, the hoteliers pointed out that many implementations they had expected from the vendor did not happen, which was due to a miscommunication between the first RFP and the final RFP.

Following the meeting, both the vendor and the City agreed to take specific steps to move the process along. Chair Lee noted that City Manager George Gretsas had spoken at the most recent Beach Business Improvement District (BID) meeting to reaffirm his commitment to the Beach area, and maintaining five-star quality on the Beach and in the hotels.

She added that another issue is the service of food in the Beach area. While this is an amenity on which the hotels would actually lose money, it is an important consideration as part of a guest's expectations. Chair Lee asked Mr. Morris to bring the Board up to date on this issue.

Mr. Morris advised that Ms. McCaffrey, in cooperation with the Beach CRA, is attempting to ensure the vendors are in compliance. He continued that they are now in full compliance with many of the minor points of the contract; the City is currently attempting to bring the food service consideration into compliance as well. There are, however, legal questions being addressed regarding this service. Mr. Morris stated he hoped to be able to bring the Board more information at the next meeting, and at the moment his understanding was that the vendors were in compliance with their contract.

Chair Lee noted that there had been discussion of putting together an area with a "full cafeteria," which the hoteliers would be able to review and have some control over the final version of this amenity. The intent was for there to be an element of uniformity as well as of diversity.

Mr. Morris reported that this meeting was scheduled for Thursday, March 19, 2009, and would be available on display from 1:00-4:00 p.m.

He explained that the legal question is as follows: the cafeteria area would be put in place by the Boucher Brothers, but the hoteliers could provide food, if they were able to accommodate this need, in "sidewalk café" settings in front of their facilities. There is still a question of legality, however, that has yet to be settled.

Ms. Motwani felt this was an option on which the Beach area should strive to move forward, and suggested they look at how other Beach communities have set up similar concessions.

## **VI. Aquatics Complex**

Chair Lee advised that she had asked Mr. Morris to regularly place this item on the Board's agenda, as a large portion of the Board's funding has been earmarked toward this project, including the RFP process.

Mr. Morris stated that he was part of the Selection Committee to choose an action plan for the Aquatics Center. The property is actually owned by the Department of Business Enterprises; it is, however, part of the Beach CRA.

The idea behind the action plan came from a 2008 presentation of the conceptual Master Plan regarding what might be done with the site. The Plan included a water park, an aquarium, a potential restaurant area, and other prospective uses. It had not been evaluated, however, whether those uses were reasonable ones for the site: whether they would be self-sustaining, what they might cost from an engineering standpoint, and whether they were feasible. For this reason, it had been decided to bring in a group or individual with some expertise in this area and ask them to develop an action plan.

There were five proposals, Mr. Morris continued, and the one selected was headed by the Falkanger Group, a local company. Mr. Morris reported that in his opinion as a member of the Selection Committee, this group was “head and shoulders” above its competitors. At least one member of the group has had a longtime interest in both the Beach area and the Master Plan. Mr. Morris expressed confidence that this group would be a good “fit” for the project.

The Selection Committee anticipates bringing the plan before the City Commission at its second meeting in April. They are scheduled to meet in conference the afternoon of April 21 and vote on the proposal at that night’s meeting. This will determine whether the Falkanger Group may “take the next step on the RFP,” Chair Lee explained.

Mr. Morris added that he had understood that funds set aside for the Aquatics Center also covered the planning process; however, this had been his error, he noted. He pointed out that between his presence and the presence of Economic Development Director Stephen Scott on the Selection Committee, the Board had been well represented. He asserted that the decisions made by that Committee were in the best interests of the CRA.

He encouraged the Board members to contact him with any questions they might have before the plan goes before the City Commission, and added that any questions he was unable to answer could be addressed by Ms. McCaffrey or another Staff representative.

Chair Lee asked if the Falkanger Group could appear before the Board at their April meeting, or if it would be more appropriate to wait until their proposal had cleared the City Commission. Mr. Morris cautioned that it would be best to wait until the City Commission had voted.

Chair Lee proposed placing the Falkanger Group on the Board’s May meeting agenda, so they could introduce themselves to the Board. Mr. Morris agreed, noting that meeting with stakeholders such as the Board was one of the most important steps of the process. He affirmed that he would make sure they addressed the Board and appeared at the BID meeting as well.

## **VII. Discussion of Master Plan**

Regarding the Master Plan date, Mr. Morris advised that he had been told this would be in April, but he did not yet have a specific date. Once it was known, he agreed that the Board meeting for that month would be rescheduled to fall on the date of this presentation.

Chair Lee also noted that in April or May, the Board should schedule its annual Beach Walk, in which they view the area during a walk along the Beach. Mr.

Morris agreed, and noted that many of the issues raised during past Beach Walks have recently been addressed.

Chair Lee clarified that the month in which they did not review the Master Plan would be the time to schedule the Beach Walk – for example, if the Master Plan was presented in April, the Beach Walk would take place in May.

### **VIII. Police Update**

Captain Victor London informed the Board that Spring Break has now arrived, and there have been no issues to report thus far. It has continued through this week and may decline next week, if last year's Spring Break is used as a model.

Mr. Morris added that the City steps up its activities annually, including trash pickup, code enforcement, and police presence. He suggested that if Board members are pleased by this increase in activity, they should ensure that City officials know it, so the activity is not trimmed from the budget in future years.

Chair Lee proposed making a formal motion of this nature at the next Board meeting. Mr. Morris agreed to add it to the agenda.

She requested that Captain London stay for the discussion of Code compliance as well.

### **IX. Code Compliance Update**

Community Inspections Supervisor Lindwell Bradley reported that Code Officers are working "hand in hand" with the police, even at night. They are seeing good behavior from beachgoers, and it has not been necessary to issue citations at this time.

He reiterated that this and next week are the peak of the Spring Break season, and noted that the owners of sidewalk cafés are placing more tables on the street. There had been an incident earlier this week that involved tables crowding the sidewalk area, and the Police Department, along with Code Officers, had met with the parties involved. The next step, should this activity continue, would be a "Notice to Appear," or NTA, summoning the parties to appear before a circuit court judge. Mr. Bradley affirmed that this is a significant safety issue, as people have been "walking in the streets."

Chair Lee stated that there is another ongoing Code compliance issue, which had been discussed at the February meeting. Ms. Smith had taken photographs of some of the t-shirts, which viewed as obscene, that store vendors had on display in windows. She asserted that this situation had gone on "for years" and might even necessitate a change in the law.

Chair Lee recalled that an earlier discussion had focused on the issue of freedom of speech regarding these t-shirts. She also noted that Ms. Motwani had suggested talking to the store owners as peers, as they were all business owners.

Mr. Morris stated that he would set up an appointment with the Code Compliance Attorney to find out if any recourse was available, as some of the t-shirts might cross a line into obscenity.

Mr. Bradley informed the Board that Code Officers have asked store owners not to place t-shirts of this nature in their windows; however, they were clearly not complying.

Chair Lee asked that Mr. Morris get in touch with her in the event the attorney has no legal recourse. Should this be the case, Board members could approach the store owners and speak to them individually about the issue. Mr. Morris provided the Board with the names of the business owners in question in case this step is necessary.

Ms. Motwani proposed reaching out to the vendors in any case, as a courtesy, as many of them have been in business in the area for quite some time.

#### **XI. Old / New Business**

Mr. Morris asked how many Board members had a copy of the CRA plan, and offered to procure copies for any members who did not. He advised that this was the plan "that we do our business from" and sets the tone of the Board's work.

Chair Lee asked if the Board might have an update on their year-to-date budget, showing the expenditures for the Aquatics Complex and other considerations. Mr. Morris agreed to bring the capital budget, and at Chair Lee's request, to pass it along to Vice Chair Molinet so he could report on it.

She also asked for an update on the South Beach Parking Lot. Mr. Morris reported that they were anticipating DEP permits for this project in January 2009; however, these have still not been received. This presents a significant problem, as turtle nesting season has already begun.

Once these permits are received and plans are finalized, the project will be sent out for bids, which is a three- to four-month process due to the size of the project (over 2000 linear ft.). By the time the project is ready to move forward, it will be late summer or early fall, which creates a conflict with the Boat Show and potentially with the concert. Chair Lee felt it would also have an impact on preparations for the Super Bowl.

Mr. Morris continued that another issue for the parking lot is ADA compliance, which must be met in August 2009. He did not feel construction could begin on this lot until after the Boat Show, as this had been part of the direction from the City Commission in September 2008. He noted that this would actually be better, as construction begun after the Boat Show could move forward without interruptions rather than stopping progress.

He continued that by the time a contractor has torn down the old wall and dug a trench, it would not be certain that the new wall would be up before these events were scheduled, which created a safety concern. This had been discussed with Public Works and with Parking and Fleet Services, and it had been generally agreed upon to wait until after the Boat Show to begin construction.

Once begun, the process would begin with construction of the wall and sidewalk, Mr. Morris went on, to prevent interruption of the pedestrian flow. The entire process is expected to take approximately four months.

Chair Lee expressed concern that the 2010 Super Bowl would be the most important event in the City. National and international media will be at the Convention Center, which she described as a "chance of a lifetime" to showcase the City as a destination for the world. She felt the hoteliers should speak to this issue as well, suggesting that the best plan might be to wait until after the Super Bowl to begin construction.

She recalled that at least one other event had been canceled rather than go on while the South Beach Parking Lot was under construction, and if construction was delayed until after the following winter, this event could be jeopardized once again.

Mr. Morris agreed, but noted that there will be a significant impact no matter when construction is begun. While the City does not wish to impact any events, the project will more than likely take a full year to complete under the best of circumstances, as new light fixtures and undergrounding will take place as well as the construction phase of development. He assured the Board that he would keep them apprised of the project's progress, reiterating that the greatest concern at the moment is obtaining permits and finalizing plans so the bid process can begin.

Another consideration, he pointed out, is there are no barriers up between the site and the turtle nesting area, which meant no construction could be done on a wall if a turtle nests next to it. He recalled that the City's agreement with the Fish and Wildlife Department specified that construction could only be done if barriers were in place.



Ms. Motwani agreed that the national exposure created by the Super Bowl could not be jeopardized, and asked if it might be possible to undertake the parking lot project in phases.

Mr. Morris explained that this was possible with the exception of the wall and the sidewalk. These two considerations, however, must be done first and completed at once, as this is "too big of a project" to stop and return to later. He added that this would also add considerably to the project's costs. The time frame for this part of the project, he approximated, would be four months, if there were no delays, storms, or other considerations.

Chair Lee asked that this also be added as a regular item on the Board's agenda so they could receive updates on its progress.

Mr. Morris noted that had the permits from DEP been received in January, part of the project could have begun in April; however, these permits are necessary before the City may apply for Broward County and FDOT permits.

Ms. Motwani asked if cleaning and lighting on the Beach would have an effect on turtle season. Mr. Morris responded that FDOT had approved a grant for the City to install new turtle-compliant lighting. He had heard no issues from the Parks Department related to cleaning, and felt their agreement with the Fish and Wildlife Department was satisfactory to them. He assured the Board that he would bring any concerns in these areas to their attention.

There being no further business to come before the Board at this time, the meeting was adjourned at 3:23 p.m.

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