

**APPROVED**

**BEACH REDEVELOPMENT BOARD  
100 NORTH ANDREWS AVENUE  
8<sup>TH</sup> FLOOR CONFERENCE ROOM  
FORT LAUDERDALE, FL 33301  
MONDAY, AUGUST 20, 2012 – 1:00 P.M.**

MEMBERS	FEB 2012/JAN 2013				
	REGULAR MTGS		SPECIAL MTGS		
		Present	Absent	Present	Absent
Bradley Deckelbaum, Chair	P	5	0	1	0
Mel Rubinstein, Vice Chair	P	4	1	1	0
Anthony Abbate	P	5	0	1	0
Jordana L. Jarjura	P	4	1	1	0
Ina Lee	P	5	0	1	0
Dan Matchette	P	4	1	1	0
Melissa Milroy	P	5	0	1	0
Judith Scher	P	4	1	1	0
Tim Schiavone	P	5	0	1	0
Aiton Yaari	P	4	1	1	0

**Staff**

Diana Alarcon, Director, Transportation and Mobility  
Don Morris, Beach CRA Manager  
Earl Prizlee, Engineering Design Manager  
Jamie Operlee, Recording Secretary, Prototype, Inc.

**Presenters and other Attendees**

Bernard Zyscovich, Zyscovich, Inc.  
Alan Ward, Sasaki Associates  
Patricia Zeiler, Sun Trolley  
Bryan Lilley, President, Lauderdale Air Show  
Dev Motwani  
Chris Stacey, Founder - Rock the Ocean  
Robert Dean, Marine Advisory Board  
Fred Carlson, Central Beach Alliance  
Dane Graziano  
Gary Nemeth, URS Corporation

**Communications to City Commission**

Upon **motion** made by Chair Deckelbaum, and duly seconded, the Board would like to express its support for the expanded marina project as generally contemplated by Option 2 as presented herein. We encourage seeking offsite mitigation for sea grass if

feasible. In the event that the project proves to be feasible, our intent is to commit CRA funding as contemplated herein towards the project. In the event that the project cannot be proven feasible within the next two years, this Board would encourage pursuit of Option 1 or similar plans to incorporate an Intracoastal Promenade with CRA funding. Mr. Abbate suggested the following amendment: "the feasibility of the sea grass mitigation plan and the economic mega yacht analysis." In a vote by show of hands, the Communication as amended passed unanimously.

#### **I. Call to Order/Roll Call – Bradley Deckelbaum, Chairperson**

The meeting was called to order at 1:05 p.m. by Chair Deckelbaum.

Roll was called by Ms. Operlee.

- **Quorum Requirement**

As of this date there were 10 appointed members to the Board, which means 6 would constitute a quorum. It was noted there was a quorum at the commencement of the meeting.

#### **II. Approval of Minutes - Bradley Deckelbaum, Chairperson**

**Motion** by Ms. Lee, seconded by Mr. Yaari, to approve the minutes of the June 18, 2012, minutes. In a voice vote, the motion passed unanimously.

#### **III. TMA Funding Request - Patricia Zeiler, Sun Trolley**

Chair Deckelbaum announced that since Ms. Zeiler was not yet present, they would move to Agenda Item IV.

#### **IV. Lauderdale Air Show Funding Request - Bryan Lilley, President, Lauderdale Air Show**

This item was deferred until later due to technical difficulties.

#### **V. Holiday Lighting Funding - Donald Morris, Beach CRA Manager**

Mr. Morris distributed copies of the proposal for Holiday Lighting. He reviewed that two members from the BID, two from BRAB, and one from the Parks and Recreation Department served on an evaluation committee for the lighting. Out of three proposers, Pat Brandano was selected. The overall cost of the lighting proposal is \$132,000. Mr. Morris remarked, however, that they have a ceremony which accompanies the lighting, and \$9,000 more is needed for the proposal, bringing the total to \$141,477. The CRA and the BID would pay \$70,740 each.

Ms. Lee said the Committee liked the fact that the display (where the "100" sign was) would stay up until turtle season in March, would not be holiday specific, and would be iconic and eco-friendly. She added the display would take away any concerns about a Christmas tree.

In response to a question by Mr. Matchette, Mr. Morris said they will still have the snowflakes and other lighted items on the light poles as well as tree decorations on Las Olas. Welcome signs will not be a part of it.

Even though he liked the concept, Mr. Matchette noted that since the lighting is not holiday specific, he wondered if holiday lighting was the correct spot in the budget for it.

Chair Deckelbaum commented they are going over the estimated budget for the legacy projects, which will promote the area over the long-term, and pointed out that the events will help the businesses grow. He observed they are leaning towards events and wondered where the budget was headed. Mr. Morris replied that the TMA budget will come out of operating and not events, if the Board approves that proposal. Chair Deckelbaum was concerned there would not be enough money for capital projects. Mr. Morris reviewed the funding plan for capital projects, and said they were not proposing to take any money out of that for this year.

**Motion** by Ms. Milroy, seconded by Ms. Lee, to accept the proposal from Pat Brandano for Holiday Lights for 2012-2013. In a voice vote, the motion passed unanimously.

#### **IV. Lauderdale Air Show Funding Request - Bryan Lilley, President, Lauderdale Air Show**

Chair Deckelbaum returned to Agenda Item IV.

Mr. Lilley began a PowerPoint presentation at 1:18 p.m. and concluded it at 1:25 p.m.

Mr. Lilley pointed out that their request is for \$75,000 to help towards the \$473,000 in estimated costs for 2013. They would also like to request the same amount for 2014, because several of the jet teams are on a two-year scheduling cycle. Mr. Lilley felt confident that the show would be able to stand on its own after the next two years.

Mr. Rubenstein pointed out that the amount was supposed to be seed money, and thought it would decrease.

Mr. Schiavone thought the Board had decided to see financials and wanted to see a consistent methodology when considering applications. Mr. Motwani remarked that they have copies of the financials available and will distribute them. Mr. Morris commented that he had asked for the financials in advance, but did not receive them. Mr. Lilley said they wanted to explain the financials when the Board received them, because the documents are confusing.

Chair Deckelbaum was curious what the total financials were for this year, and Mr. Lilley said they were \$925,163.

Mr. Yaari acknowledged that they were asking for seed money, but pointed out that the bad weather this year was out of their control, and supported their request for two more years.

Ms. Lee complimented the group for their handling of people traffic and the problems caused by the weather. She noted that the ARBO convention would not be held in April next year which be a great financial loss to the City, and she was in favor of the Air Show request.

Ms. Milroy said that Macy's lost money on the Saturday of the air show, but donated \$30,000 of lost parking revenues to charity. She was in favor of funding for one year and then re-evaluating the request for the next year.

Chair Deckelbaum asked about making a two-year commitment, and Mr. Morris explained that it could be done if the CRA Board of Directors and the City Commission would agree to the multi-year commitment. However, the Board could still ask them to come back and share the financials after one year.

Mr. Matchette wondered if there would be a problem scheduling the jet teams if the air show only got a one-year commitment. Mr. Lilley responded that they do not want to ever cancel on a jet team - it is much better to have a commitment two years in advance in order to secure the teams. The same thing applies to hotels which will house the performers. Mr. Motwani added that if they have weather problems in 2013, it is paramount to have the 2014 commitment in place.

Mr. Matchette asked Mr. Morris why the Board had to provide money for police services when the City paid for it. Mr. Morris replied it was for time over the regular time. Additionally, he said that last year when the money was approved, it was specifically to cover City costs, both from the BID and the BRAB. Mr. Matchette was curious how much City services actually expanded for this event, and Mr. Lilley said last year they wrote over 280 checks for detail for different police officers over the course of the weekend. Mr. Motwani stated the money is escrowed with the City because the money from the BID and BRAB does not go directly to them (the event sponsors).

Ms. Scher remarked that she is for a one-year, not multi-year, agreement, citing the seed money philosophy. Mr. Yaari suggested a compromise of giving them the approval for two years, contingent upon them coming back next year and showing the financials.

Ms. Lee wondered what was needed to secure the Blue Angels. Mr. Lilley replied that the performers know it is an expensive venue for an air show. In discussions with any

jet team, the funding always comes up and the teams want to know where the money is going to come from.

Chair Deckelbaum was curious what the \$150,000 on the financials represented. Mr. Lilley responded it was for hard costs such as salaries and rent.

**Motion** by Mr. Yaari, to approve the 2013 \$75,000 budget, and also approve the 2014 \$75,000 request contingent upon the CRA review of the financial statements in 2013 for 2014 to get it approved. Upon request by Chair Deckelbaum, Mr. Yaari withdrew his motion.

**Motion** by Chair Deckelbaum, seconded by Mr. Yaari, to approve \$75,000 from this year's operating budget to the Air Show towards reimbursement of their City costs of the Air Show, and indicate the Board's support for doing the same for the 2014 Show, provided the Board is satisfied with the 2013 Show and with the financials presented afterwards. In a voice vote, the motion passed (9-1) with Mr. Rubenstein opposed.

### **III. TMA Funding Request - Patricia Zeiler, Sun Trolley (from earlier in the meeting)**

Ms. Zeiler pointed out the funding proposal in the Board packet, and reviewed the document. She mentioned that the budget is for seven day service on the beach only.

Ms. Zeiler said that with the third trolley on that route, ridership is up 106%. They are 100% live with the free mobile app with real time transit information, which is especially helpful for the older population.

Ms. Zeiler directed the Board's attention to Exhibit 4, the actual cost of routes - one day of service on the beach route is \$60,000 annually for three trolleys for nine hours a day. She pointed out they are asking for \$156,000, less than three additional days of service, but it allows them to draw additional FTA funds from a grant. Ms. Zeiler explained that \$136,000 of that amount would be for the beach route only. They will ask merchants and other potential funders if they could fund seven-day service on Las Olas.

Mr. Yaari wondered what will happen when the CRA sunsets. Ms. Zeiler said that transit never pays for itself and they are working very hard on other solutions like a tax or set fund. She continued that they have FTA grants of \$116,000 that will sunset in 2013. By City/County agreement, they can only charge 50 cents per fare.

Mr. Rubenstein asked what would happen if they only received \$60,000 from the CRA, and Ms. Zeiler replied they would not do seven-day service, but would do four-day service. Mr. Rubenstein wondered what the four busiest days of the week are, and Ms. Zeiler informed him they were Friday, Saturday, and Sunday.

Mr. Rubenstein asked Mr. Morris if the CRA could afford \$156,000, and Mr. Morris answered they could accommodate it this year.

Ms. Jarjura wondered about the increase in funding in relation to prospective ridership on the three additional days, and Ms. Zeiler responded that they do not have specific projections because they do not track the number of phone calls received.

Chair Deckelbaum was curious who asked the Sun Trolley to provide seven day service. Ms. Zeiler answered that the City staff had asked her to present a seven day budget.

Mr. Yaari mentioned that Tuesday ridership in the tourist season can be greater than that on a Saturday. He suggested that they could get more information after trying it out for a season.

Ms. Zeiler explained the formula for calculating the CRA portion of the cost of operating the route.

Mr. Schiavone asked if there is a record of income received through advertising on the trolleys. Ms. Zeiler directed him to the total budget on the Beach Link (Exhibit 4) under TMA. She explained that the "Farebox" and "Other" columns represent extra hours for special beach events.

Ms. Lee commented that hotels have been asking for seven-day service.

Ms. Jarjura wondered if the Trolley was going to ask the BID for money, and Ms. Zeiler responded they will to supplement the missing FTA funds for fiscal year 2014.

**Chair Deckelbaum opened the floor for public comment at 2:10 p.m.**

Fred Carlson, Central Beach Alliance, has heard people say that they do not see coordination between the trolleys and the City bus service. He said coordination would be a great improvement.

**Chair Deckelbaum closed the floor for public comment at 2:11 p.m.**

Mr. Yaari and Mr. Matchette commented favorably on the usefulness of the trolley to visitors on the beach, particularly Europeans.

Chair Deckelbaum remarked that he is in favor of supporting the project, but felt they did not have a lot of information.

**Motion** by Mr. Schiavone, seconded by Mr. Yaari, that the Board gives the TMA \$156,000. Ms. Milroy noted she would abstain, because she sits on the Board for the TMA. In a voice vote, the motion passed (9-0), with Ms. Milroy abstaining.

Mr. Schiavone mentioned that they could be thinking of improvements, such as a waving hand on the side of the bus for people to see. Ms. Jarjura said that before they consider approving money for the next year, she wanted to see ridership numbers for the additional days.

**VI. Rock the Ocean Fest - Chris Stacey, Founder - Rock the Ocean, Senior Vice President, Warner Music Nashville**

Mr. Stacey informed the Board he would be going before the City Commission on the next day. He began a PowerPoint presentation at 2:17 p.m., noting that their mission is marine conservation and the Guy Harvey Ocean Foundation will be the beneficiary of their event. His presentation concluded at 2:23 p.m.

Ms. Lee stated that the BID, the Beach Council and the Chamber of Commerce already approved the concept of this event.

**Motion** by Ms. Lee, to approve the concept of the event. Motion died for lack of a second.

Mr. Rubenstein confirmed that the entertainment will be located on the beach, adjacent to the South Beach Park. Mr. Stacey said they would try to replicate the NFL concept from several years ago.

In response to a question about transportation, Mr. Graziano (show producer) remarked they plan to use much of the same transportation that was used for the boat show.

Mr. Yaari wondered what the entrance fee would be, and Mr. Stacey said it would depend on the talent, but probably would be between \$50 and \$75 average ticket price for the multi-day event.

Mr. Stacey estimated the event area would be from the bridge by Bahia Mar to the base of the Yankee Clipper Hotel. There would probably be multiple stages and drop-off points.

Chair Deckelbaum wondered how large of an area would be blocked off, and Mr. Graziano replied that the entire South Beach Lot would be used for production and buses, from the restroom facilities on the beach to the Sheraton Union Clipper.

Mr. Matchette asked what their goal was, and Mr. Stacey replied that their foremost goal is awareness. They expect to lose money the first year.

Upon **motion** made by Ms. Scher, and duly seconded, the Board expressed its support of the event and accepted it as presented. In a voice vote, the motion passed unanimously.

## **VII. Recommendation of FY 2012-2013 Budget - Donald Morris, Beach CRA Manager**

Mr. Morris distributed the Beach CRA budget document. He noted that the second page shows the previous year's budget and the proposed budget flat lined out to 2017-2018. Revenues for this year were \$6,089,900, personnel costs were \$405,000, and operating expenditures were \$501,000. Mr. Morris pointed out that the operating expenses were higher because they include the TMA expenses. He continued they hope to install Wi-fi services on the beach and hope to extend electrical drops to the beach for events and possibly an ice rink. The total operating expenditures are \$1,566,747, with the CIP contribution of \$4,523,150. Mr. Morris proposed a 10% reduction for the Saturday Night Alive and Great American Beach Party budgets. He also recommended that they fund the fireworks for the Fourth of July event. After the various expenditures, Mr. Morris said there would be \$127,760 left over (the \$75,000 for the Air Show comes out of that amount), leaving approximately \$50,000 for other events that may come forward.

Ms. Jarjura was curious what became of the revenues in excess of expenditures from last year. Mr. Morris explained that this year any leftover money will be transferred into the CIP, but last year it went into a blanket fund.

Chair Deckelbaum asked about the dollar amount at the top of page one, wondering if it included all the CIP contributions over the years as well as revenue in excess of expenditures accumulated. Mr. Morris replied that the \$27,000,000 was what they had in all project numbers as of February 15, 2011. Last year that money was transferred to specific projects, most of it going to the Aquatics Complex, with the remainder going to the master plan projects.

Ms. Lee was curious if there was money allocated for replacing the Wave Wall fiber-optics, and Mr. Morris replied that was already programmed in CIP projects. Ms. Lee asked if the money taken out of the BID (\$55,000) was also reflected in the budget, and Mr. Morris advised it was in the operating expenditures. He explained that in the past the City was able to absorb certain costs in the general fund; however, since budgets are tightening, all funds are now paying an IT charge and an administrative charge. Those charges are \$55,657 (Administrative) and the IT charge is \$36,745. Mr. Morris elaborated that those expenses are not just germane to this Board - the City Commission sits as the CRA and the City Attorney, Clerk's office, Procurement Department and other departments provide services pertaining to the CRA.

Mr. Matchette wondered if the electrical drops would be associated with the holiday lighting, and Mr. Morris answered that the fish (for holiday lighting) would be located at the Las Olas entryway, and the electrical drops would be at the basketball courts. Mr. Matchette expressed concern with the expense of the generator for the "100" sign, and anticipated the same problem with the holiday lighting. Mr. Morris responded that they



do have electrical drops there, although they are not as much as they would like. He added that the proposal for Las Olas Plaza includes more electrical infrastructure for the future, even though there is enough electricity now for the holiday lighting.

Mr. Matchette wondered what the difference was between the \$70,740 for holiday lighting, and \$110,280 for the fish. Mr. Morris explained the cost was to be split with the BID.

Chair Deckelbaum pointed out that the way the budget is constructed for this year does not allow for a slush fund if they go above the event budget (beyond the \$50,000).

**Motion** by Mr. Rubenstein, seconded by Ms. Jarjura, to approve the budget for the following year. In a voice vote, the motion passed unanimously.

Mr. Morris clarified that the holiday lights contract is a two-year contract with a one-year option. Mr. Brandano will present again next year because they will be proposing a different freeway feature.

[The Committee took a break from 2:41 p.m. to 2:47 p.m.]

#### **VIII. Refined Master Plan Feasibility Studies - Donald Morris, Beach CRA Manager**

Mr. Morris remarked that Mr. Zyscovich will show how they incorporated comments from the Board into the Master Plan.

##### Oceanside Plaza

Mr. Zyscovich, from Zyscovich, Inc., began a PowerPoint presentation at 2:48 p.m. Their team focused on parking modifications, defining and specifying an opportunity for theatrical productions, redesigning the Plaza to handle a substantial number of people, and developing the Plaza and open space area.

Several Board members expressed appreciation for the efforts of the team in creating the space.

Mr. Matchette mentioned concern over the view from the Venetian's lower floors which would negatively impact those residents economically. He suggested that thought be given to beautifying the wall on the top parking deck, perhaps mimicking the Wave wall or adding some other color. Secondly, Mr. Matchette hoped that the landscaping for the deck on the building (the date palms) would not obstruct a view of the street in case the City ever hosts a Grand Prix.

Mr. Yaari confirmed that if commercial space was added to the Plaza it would have to go through a referendum process. He wondered if the planners were going to proceed right away to the referendum process. Chair Deckelbaum stated that he met with the

City Manager and reported that he does not want to pursue the referendum. They wish to evaluate the space as a parking garage, some event space and some City space for the moment.

Mr. Yaari remarked that he (and the Central Beach Alliance) are trying to create a residential/commercial neighborhood partnership and he would like to see commercial outlets. Mr. Schiavone asked if the building was being plumbed for commercial, and Mr. Zyscovich replied that they have a professional responsibility to leave the City with as much flexibility as possible, and he strongly recommended that the building be set up during the construction process to accommodate any future needs. There could even be a City-run banquet space, which would need special plumbing and so forth.

Chair Deckelbaum confirmed that the ground floor of the parking garage is set up so that it could be used for events.

Mr. Rubenstein wondered if the garage could accommodate additional parking, and Mr. Zyscovich said they would need to decide that before building. He said to accommodate additional parking, they would have to make all the other garages be self-park, and turn this one into a valet park or vice versa (valet-park structures can get at least 30% more cars in than a self-park structure). Mr. Morris reminded the Board they are limited to four floors.

Mr. Abbate stated that Mr. Zyscovich did a “masterful job” within the constraints of the program, but disagreed with the concept of the garage, separating the site from the streets, and not having a connection to Las Olas or A1A. He felt the decisions that preceded the plan were “unfortunate.”

Mr. Zyscovich commented that the construction costs have been difficult to estimate, since many specifics (such as structural systems) are not yet known. He said they estimated on the high end, with contingencies on all subcontracts and consultants. They sent the plans out to several contractors for estimates, and the numbers came in lower than expected. Mr. Zyscovich relayed that the worst case scenario would be \$33,000,000, with annual revenues of approximately \$2,000,000, a debt service of \$1,400,000, and annual expenses of \$1,800,000. With that, there is a positive net revenue of \$145,000.

Ms. Alarcon remarked that the surface lot now brings in approximately \$1,000,000, and there is a debt service of \$550,000. After expenses, the net revenue is about \$375,000.

### Las Olas Beach Plaza

Mr. Zyscovich began a PowerPoint presentation on Las Olas Beach Plaza at 3:28 p.m.

### Sebastian

Mr. Zyscovich continued his PowerPoint presentation at 3:29 p.m., focusing on Sebastian, and concluded the presentation at 3:33 p.m.

Mr. Yaari asked if they had approached the condominium owner, and Mr. Morris answered they had one meeting and have another scheduled. Mr. Morris added that the additional parking will be helpful for them.

Mr. Yaari wondered how a surface lot could cost over \$2,000,000. Mr. Zyscovich replied there are contingencies built into all the numbers, such as 10% for construction, and 17% for the City. Mr. Prizlee noted that 17% is typically what the City estimates for design fees, inspections and such. Ms. Alarcon interjected that these are projected figures, not final ones. She continued that the lot has to be brought up to code, and there will be lighting, landscaping, drainage, and other issues. Mr. Morris emphasized the numbers are conservative.

Mr. Schiavone asked Ms. Alarcon if she believed the need for cars would be reduced over the next twenty years. She answered that as other means of transportation are provided, the next generation is opting for transportation other than a personal vehicle. However, there will be more vehicles due to tourist traffic.

#### Almond Avenue

Alan Ward, of Sasaki Associates, introduced his colleagues from TetraTech, who would be available to answer questions on FDOT permitting, environmental mitigation, or the marina.

Mr. Morris covered the changes in parking capacity for all the facilities/areas, using a slide to display the numbers. It was noted that the overall increase in parking is 410 spaces.

Mr. Ward began a PowerPoint presentation featuring the areas of design where adjustments were made at 3:41 p.m.

#### SR A1A West Side

Mr. Ward continued his PowerPoint presentation at 3:43 p.m., addressing A1A West Side.

Mr. Morris interjected that if they think part of a project can be funded through a grant, it will be mentioned. They hope to extend a Joint Participation Agreement with FDOT to do the lighting for the portion north of Alhambra. Mr. Prizlee said they are working hard to get the grant, but if they find an interim solution they will proceed with it.

#### SR A1A East Side Beachfront Promenade

Mr. Ward returned to his PowerPoint presentation at 3:47 p.m.

In response to a question by Chair Deckelbaum, Mr. Ward elaborated that the concept of combining the bicycle lane with the car lane was suggested by FDOT, as they were not comfortable with the idea that the existing bike lanes on each side were shifted to a more recreational use. It was noted that FDOT disliked taking the bike lane out of the pavement and putting it into the sidewalk area (converting it to recreational use). FDOT felt it would inhibit left turns and would inhibit people who use the bike lane for transportation, not recreation. Ms. Alarcon remarked this concept has been implemented in Miami Beach and Miami, and is a practice used throughout the country.

Discussion ensued on using the share row (sharing bike transportation and car transportation). Ms. Alarcon detailed which type of lane should be used for which type of cyclist: transportation, recreation and sport - transportation users would ride the share row, and the recreational cyclists would use the shared use path. Sport cyclists would coordinate through the police department as to which path is being used. Ms. Alarcon stated they will work with FDOT to educate people on the bike lanes.

Mr. Abbate wondered what FDOT's symbol scheme would be for the bike lanes. Ms. Alarcon responded there is a clear scheme for signage that is required by FDOT.

Mr. Ward resumed his presentation at 3:57 p.m.

Mr. Morris interjected that the most important column on the financial slide was the "Unfunded" column. He stated they can fund what is in the CRA, but money is not identified for what is outside the CRA (60%).

Ms. Lee cautioned there has to be a wall to protect the turtles outside the CRA or the City will be fined. Mr. Prizlee responded they are having discussions about that internally. He said the project (at the intersection of Sunrise and A1A) would need to come out of the general fund. Mr. Prizlee continued that they could join the two walls.

Mr. Abbate wondered if there was a way to combine Option 3 with the mixed travel lane of Option 2, adjacent to each other. Mr. Ward answered that they looked at options that had the vehicular lane adjacent to the multipurpose path with a raised curb separating the two. He said they rejected that version because with planting and such, it would make it more of a recreational lane. Mr. Abbate clarified his suggestion, and Mr. Ward said it could be considered. Mr. Prizlee stated it would involve striping and lane configurations. Chair Deckelbaum wondered if it would be safe to have both bike lanes next to each other, and Ms. Alarcon said they would have that discussion with FDOT.

#### Intracoastal Promenade

Mr. Ward continued his PowerPoint presentation at 4:06 p.m.

Mr. Prizlee introduced Gary Nemeth from URS Corporation, who is working on sea grass mitigation from the Intracoastal dredging. Mr. Nemeth said that in the marina area, there is more than one acre of mitigation, and they will look at off-site mitigation options. He mentioned the cost is about \$500,000 per acre under more ideal conditions.

Mr. Prizlee remarked that the Intracoastal dredging is needed to allow mega yachts to get to the marina. He continued that two other areas need to be dredged: the marina and a small area near the bridge for marina access. Mr. Prizlee emphasized that the three areas/projects are all related and must be done if the marina is expanded.

Ms. Lee asked for clarification on the mitigation process. Mr. Prizlee explained that sea grass grows on the open areas near the docks. When dredging occurs, the bottom is cut deeper and the sea grass is eliminated as a habitat for manatees and other sea life. The grass has to be put somewhere else, in some cases 1.3 times the original sea grass. Mr. Nemeth said they are required to put 60% of the function of the sea grass in the County, and the other 40% could go elsewhere in a suitable area. Chair Deckelbaum wondered if there were any mitigation banks in the area, and Mr. Nemeth answered in the negative.

Mr. Prizlee continued that Sasaki has set aside \$700,000 for mitigation, but the cost could be much more. Mr. Nemeth is charged with finding a solution and cost to the mitigation effort. He reported they have already looked at 18 sites within the County and have narrowed it down to six possible sites which are publicly owned waterways. Mr. Nemeth said that two acres of impact might result in the need for six acres of mitigation.

Ms. Jarjura questioned the costs for Option 1 and 2, and confirmed that the only cost the CRA will be responsible for is the \$9,300,000 or the \$8,000,000. Mr. Morris explained that those costs include the add-ons (in addition to constructing the Intracoastal Promenade), but do not include the sea grass mitigation. He reiterated that the CRA is only proposing to pay for the dry land improvements.

Mr. Yaari felt the Board was not prepared to make a vote on this item due to lack of knowledge. Chair Deckelbaum suggested letting the City and Marine Advisory Board proceed with the project, and revisit the project in several years. He added that if the marina project is not feasible by then, that they would recommend implementing the Intracoastal Promenade, Option 1.

Mr. Rubenstein requested that they return to the Promenade Option 2 renderings, and he compared them to the beauty of Venice. He suggested having kiosks for beverages and food on the Promenade, and Mr. Ward said there would be room for that.

By consensus, the Board agreed to postpone a decision on the Marina.

Mr. Rubenstein wondered how the whole concept would be affected if the marina could not be expanded. Mr. Morris replied that it would not affect anything related to the CRA, but the timing would be affected. Ms. Jarjura was curious if the design of the Promenade would be affected in that scenario, and Mr. Prizlee answered that the design would be the same, but it would be in a different location.

Chair Deckelbaum reiterated that the Board liked Option 2, and if the marine industry cannot make Option 2 happen in two years, the Board will revisit and strongly recommend going forward with Option 1 or something similar which does not involve the dredging. If Option 2 did happen, he proposed that the CRA funding go toward the appropriate portions.

Mr. Prizlee returned to the PowerPoint presentation at 4:35 p.m., discussing the funding for various projects.

In response to a question, Mr. Morris commented that there will be a tight budget for the City next year, and he did not want to recommend a project that could not be funded.

Ms. Alarcon returned to the discussion on the shared vehicle/bike lane, noting that they are looking at overall connectivity. In that light, Option 2 is the preferred alternative (provided money was available), and she foresaw A1A coming together over the course of 25 years. Mr. Morris clarified that to make all the projects feasible, the Board should select Option 3 at this time for the beachfront properties.

This presentation concluded at 4:41 p.m.

**Chair Deckelbaum opened the floor to public comment at 4:41 p.m.**

Mr. Carlson, Central Beach Alliance liaison to the City government, thought that in front of the Venetian was the wrong place for the Oceanside project. He said that the CBA had not had a presentation on this project and foresaw a lot of people becoming upset. It was pointed out that there is an open meeting in September to cover all topics, but Mr. Carlson said they need to look at it when the seasonal tourists are available for input. Furthermore, on the Sebastian property, he suggested a different configuration that does not obstruct the view for the Casablanca café, and block in an open space.

Bob Dean, member of the Marine Advisory Board, Marina Mile Association Board of Directors, and president of the Carlton Condominium, commented that he did not see turn-offs for public transportation on Sebastian and other areas, which would back up traffic. Secondly, Mr. Dean brought up undergrounding of utilities, specifically in front of Bonnet House. Chair Deckelbaum noted that was out of the CRA jurisdiction. Mr. Morris said they were working on undergrounding within the CRA, but FDOT will not fund undergrounding of utilities (outside of the CRA). The best that can be done according to Mr. Morris is to update the poles and make the lighting turtle compliant. Mr. Dean then pointed out that much thought and effort had gone into the Marine

Advisory Board's recommendations. The impetus of the marina idea was the Monte Carlo concept, and the Marine Advisory Board is very committed to the marina because it would provide jobs and create a destination. He thought the sea grass mitigation issue was resolvable.

**Chair Deckelbaum closed the floor to public comment at 4:48 p.m.**

Chair Deckelbaum suggested the following Board actions:

- Recommend projects for City staff and City Commission to go forward with funding, design and development
- State support for other projects for their exploration of other projects but are not ready at this time for fund commitments

Ms. Lee commended City staff, especially Mr. Morris and Mr. Prizlee, for engineering the projects. She praised them for their diligent hard work. Mr. Morris mentioned other departments (Sustainable Development and Parks and Recreation) were instrumental in the work as well.

Chair Deckelbaum wondered if funds were already committed to the Wayfinding project. Mr. Morris remarked there is money, and the Board does not need to incorporate that into the motions at this meeting.

**Motion** by Mr. Abbate, seconded by Mr. Matchette, to proceed with Option 1 (Sebastian), Beach Plaza, SR A1A (Option 3), with looking into just the multi-modal travel lanes from Option 2 as a possibility. In a vote by show of hands, the motion failed (9-1), with Mr. Abbate in favor.

Upon recommendation by Chair Deckelbaum, and by consensus of the Board by show of hands, the Board proposed that the CRA instruct City staff to go forward with design development plans and present to the Board to go forward with completion of the following projects as funded by the CRA as presented at this meeting as a base:

- Oceanside Plaza passed (9-1) with Mr. Abbate opposed
- Almond Avenue Streetscape passed unanimously
- Las Olas Beach Plaza passed unanimously
- West Side A1A Streetscape passed unanimously

**Motion** by Mr. Abbate, seconded by Mr. Yaari, that the Board recommend SR A1A Option 3 limited with the multimodal travel lane from Option 2, and that the City staff continue to explore the feasibility of Option 2. In a voice vote, the motion passed unanimously.

**Motion** by Mr. Abbate, seconded by Ms. Jarjura, to recommend Option 1 for Sebastian Street. There was no vote taken.

Mr. Yaari brought back the possibility of having accommodation for public transportation parking.

Chair Deckelbaum noted there were two parts of Sebastian:

- Rerouting traffic on East side where Seabreeze starts to break off
- Redoing surface lot (even though there is no land swap yet)

**Motion** by Ms. Jarjura, seconded by Mr. Matchette, to approve the surface lot option for Sebastian and for the consultants to consider incorporating an accommodation for public transportation. In a voice vote, the motion passed unanimously.

#### **IX. BRAB Representative to the BID - Bradley Deckelbaum, Chairperson**

Not addressed at this time.

#### **X. Communications to the City Commission**

Upon **motion** made by Chair Deckelbaum, and duly seconded, the Board would like to express its support for the expanded marina project as generally contemplated by Option 2 as presented herein. We encourage seeking offsite mitigation for sea grass if feasible. In the event that the project proves to be feasible, our intent is to commit CRA funding as contemplated herein towards the project. In the event that the project cannot be proven feasible within the next two years, this Board would encourage pursuit of Option 1 or similar plans to incorporate an Intracoastal Promenade with CRA funding. Mr. Abbate suggested the following amendment: "the feasibility of the sea grass mitigation plan and the economic mega yacht analysis." In a vote by show of hands, the Communication as amended passed unanimously.

Mr. Abbate asked Mr. Morris if the mitigation plan and mega yacht economic impact analysis were underway, and Mr. Morris said they would go the next day to the City Commission for approval. Mr. Abbate felt more comfortable delaying a decision until after the results of the economic impact analysis and sea grass mitigation analysis. Mr. Morris pointed out that the Communication is phrased to say, "if feasible."

#### **IX. BRAB Representative to the BID - Bradley Deckelbaum, Chairperson** (not addressed earlier)

**Motion** by Ms. Lee, seconded by Ms. Scher, that Mr. Yaari be the representative. In a voice vote, the motion passed unanimously.

**Chair Deckelbaum adjourned the meeting at 5:07 p.m.**

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



Ms. Lee asked to speak on New Business. Chair Deckelbaum allowed the discussion, but noted that the meeting was technically adjourned.

Ms. Lee asked that for the next meeting, staff look at a disaster recovery plan. Mr. Morris detailed that they have a number of projects that are non-conforming on the beach, and if there is a disaster resulting in property damage, there is an issue whether they could rebuild. Chair Deckelbaum believed they had already asked staff to look into this. Mr. Morris commented that a Communication to the City Commission would be necessary for that direction.

Mr. Yaari mentioned it is too dark on the beach for safety.

[Minutes prepared by J. Rubin, Prototype, Inc.]

Documents to be attached:

Air Show Power Point

Memo and exhibits from Patricia Zeiler regarding their request for funding

Rock the Ocean PowerPoint presentation

Refined Master Plan Feasibility Studies PowerPoint presentation

Beach CRA Budget document

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Milroy Melissa Wagner</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>BRAB</i>
MAILING ADDRESS <i>2710 NE 6<sup>th</sup> Street</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY <i>Pompano Beach</i> <i>Broward</i>	NAME OF POLITICAL SUBDIVISION: _____
DATE ON WHICH VOTE OCCURRED <i>8/20/12</i>	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" 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.

## 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.

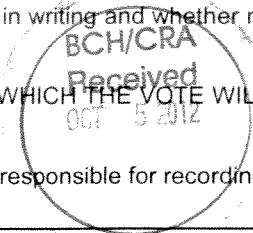
\* \* \* \* \*

### 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, Melissa Milroy, hereby disclose that on August 20, 20 12:

(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 \_\_\_\_\_, 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:

*I sit on the board for the TMA - which we were voting on regarding a financial donation / contribution from the BEAB. I excused myself from the vote due to the conflict.*

9/27/12  
Date Filed

Melissa Milroy  
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.

