

Regular Meeting of the
Downtown Development Authority
Thursday, October 12, 2006
Broward Center for the Performing Arts
New River Room, West Side

ROLL CALL

BOARD PRESENT: Alan Hooper, Chair
Peter Feldman, Vice Chair
Jack T. Loos, Secretary
Gale Butler, Treasurer
Charles B. Ladd, Board Member
Doug Eagon, Board Member
William R. Scherer, Board Member (**Via Conference Call**)

ALSO PRESENT: John M. Milledge, DDA Legal Counsel
Chris Wren, DDA Executive Director
Elizabeth Veliky, Planning & Design Manager
Marti Brown, Administrative Coordinator
Erin Emmons, Planning Assistant
Neil Sterling
Clay Baldwin
Marta Casas-Celaya
Victor Colon
Frank Adderley
Richard Mancuso
Jennifer Ramach
Tom Carpenter
Carlton Moore
Andrea Scarborough
James Carras

PRESIDING: Alan Hooper, Chair

Mr. Hooper called the meeting to order at 8:30 a.m. Roll call was taken by Marti Brown. All Board members were present with Mr. Scherer participating by speaker phone.

CONSENT AGENDA

Chairman Hooper asked if there was a motion approving the items on the Consent Agenda. *A motion was moved by Mr. Loos. Mr. Feldman said he wanted to pull an item. He asked if there was a representative present from Festival of the Arts and there was none. Chairman Hooper asked if Mr. Feldman wanted to go ahead and pull the item and Mr. Feldman responded yes. Mr. Loos then amended his motion that the Consent Agenda be approved with item C-4 being pulled. Mr. Eagon*

seconded the motion. All were in favor. The following items were unanimously approved:

- C-1) Approval of the minutes and follow-ups from the September 14, 2006 Regular DDA Board meeting and the minutes from the September 14, 2006 and September 28, 2006 Budget Hearings.
- C-2) Renewal of Outdoor Event Application-Maroon Movies, 10/28/06, 11/25/06, 12/23/06
- C-3) Renewal of Outdoor Event Application-Bank of America Fiesta Fort Lauderdale, 11/26/06
- C-5) Approval of Outdoor Event Application-Riverwalk Run, 3/24/07

Chairman Hooper then proceeded to the Regular Agenda beginning with Item C-4.

REGULAR AGENDA

C-4 Approval of Outdoor Event Application-Festival of the Arts

Mr. Feldman said that he wanted information about this application. Ms. Veliky indicated it would be an arts exhibit/festival where artists can exhibit their work. Mr. Feldman said that it indicated there would be up to 200 artists with no entertainment or food and he mentioned parking. He asked whether this event has been done before to which Ms. Veliky responded no. Mr. Feldman said that whenever there would be an event such as this with 200 of anything, that they would need more information and more detail. Mr. Wren responded that 200 is the maximum scenario and asked what type of information Mr. Feldman was looking for. Mr. Feldman indicated a sense of professionalism, something meaningful for the downtown. **Mr. Wren then said that since they are pulling the item and the event is not until February, staff can meet with Mr. Feldman and bring back the application at the November board meeting.**

Mr. Loos said he wanted more details but that he didn't want to lose the art festival by delaying approval. Ms. Veliky said the delay would not interfere and that marketing would be the only concern.

Mr. Eagon asked if any of the other applicants on the consent agenda were present. He said that as a matter of policy, the applicants are supposed to be present. Ms. Veliky said that the applicant is out of state but that she did advise them that they needed a representative at the meeting.

Mr. Loos asked if the representatives from the other three events were present. Ms. Butler was present for Maroon and staff responded that Jennifer was present from Riverwalk Run and that Elaine from Fiesta was not present but that it is a recurring event.

Chairman Hooper then discussed his concern with staff about wear and tear on the lawn.

Mr. Loos then made a motion to defer C-4 to the next DDA Board Meeting so that staff can obtain more information. Mr. Feldman seconded. All were in favor.

R-1 Introduction of Frank Adderley & Police Report

Chairman Hooper introduced Major Frank Adderley as the new representative from the City of Fort Lauderdale's Police Department. Mr. Adderley said he's been with the police for 26 years. He said that crime in the downtown has shown a 16% reduction in September compared to August. He said

the issues discussed which are of concern is the homeless in the downtown. He said there were three strong armed robberies for the past month, two of which were suspicious. He discussed the incidences. He said there was increased presence on the river between 6 p.m.-10 p.m. but to prevent these types of incidences in the future, they've changed the hours from 8 p.m.-1 a.m. He said that Parks and Recreation will be closing Esplanade and Huizenga Park from 4 a.m.-6 a.m. and that signs will be posted next week.

Chairman Hooper discussed Esplanade Park being a target of crimes due to lighting, trees or bushes. Major Adderley said it's really a small number occurring and said they were isolated incidences.

Mr. Wren mentioned that he met with Major Adderley and they discussed Crime Prevention through Environmental Design. **Mr. Wren said he will meet with downtown stakeholders including Mark Nerenhausen, Patsy Mennuti and the DTC Steering Chair regarding safety issues. He said he would do a CEPTED walk through with the Police to see if they can offer any suggestions and then he would report back to the Board with any information.**

Mr. Adderley said that a big issue nationally is with the homeless and that the newspapers do not always print the entire story of what occurred when homeless are attacked, just what sells.

Chairman Hooper thanked him. Chairman Hooper then acknowledged Commissioner Moore who was in attendance.

R-2 Airport Expansion Program Presentation, Clay Baldwin, Senior VP & Regional Manager for URS

Mr. Baldwin thanked the Board for allowing him to be present and he wanted to provide the Board with an update on what's going on at the Airport and what's happening in the future. He said the current Airport Expansion Program began in 1995. He said that the 2020 Vision was put forward in 2000 and that it never was officially approved by the County although elements have gone forward but not all. Mr. Baldwin went through the completed projects.

He indicated that they've spent just over \$717 million in projects and they are under budget by over \$20 million. He said the City and County should be proud. He discussed roadway changes. He mentioned that a new Taxiway C is being built. Mr. Feldman asked about the roadways and Mr. Baldwin talked about the RLI process. He said you won't see construction until late next year. He said they will be going to a pay by foot process so you won't have to pay at the toll plazas. He said they are working on the security area trying to move the machines out of the lobby so you won't see the screening process. He said that is scheduled for completion by the Superbowl.

He discussed future projects and an automated people mover. They expect findings within the next year although no funding is in place for the people mover. They would be looking for federal funding and DOT.

Mr. Loos asked about the technology. Mr. Baldwin said the automated people mover is similar to Tampa's system where it moves people to the port. He said currently there are 20-25,000 people who transport from the port to the airport by bus over a two day period. Mr. Loos asked if it could drop people off at the convention center and Mr. Baldwin said it could. He added that there has been consideration for an intermodal transportation center connecting to the rail line, people mover and

any other type of rail system. Mr. Baldwin discussed the south runway expansion and said initial findings would come in around April or May of next year. He said public hearings would take place and there would be feedback from the FAA. He said that recently the gate issue was brought up in the newspaper. He said there is a master plan available as a draft document on Broward County's website. He said it should be finalized in December.

Chairman Hooper thanked Mr. Baldwin for his time.

R-3 CIP/Redevelopment Grant

Chairman Hooper said he would like the Board to consider including an additional project into the CIP and Redevelopment grant application. He said \$600,000 of funds we received for the DTC came from a funding source that the City of Fort Lauderdale was also applying for. He said that somehow the applications got mixed up and that the City and DDA were applying for the same monies. He said that the improvements being requested by the City are on 15th avenue, which are outside the DDA's boundary and that he spoke with Commissioner Hutchinson about this. He noted since the City will be the official grant applicant for the redevelopment grant, he feels it would be a good faith gesture to include the City's 15th Avenue in the application request.

Mr. Sterling said that he recommends including it. He said Elizabeth can modify the grant application if the Board agrees. He said he met with County staff and said there is \$8-10 million in additional funding which is spread out over several years. He said once they submit their preliminary application to the County they would review it and give us input. Afterwards, they would do a final revision and they can add 15th avenue in at that time. He said that underground utilities were folded in and there were no negatives. If the Board agrees to add this item in, it would be the 7th item. After going to the County for final comments and then revising the application, they would then go to the City to be the applicant and begin the formal process.

Mr. Loos asked why the DDA needs to include 15th avenue and why the City wouldn't do it as the applicant. Mr. Sterling said it would be a good faith effort. Chairman Hooper added that since the DDA is putting together the application, it would be a gesture on our part.

Mr. Eagon asked if the DDA was cleared with the City on the issue of the monies so that the City understands the DDA was not trying to do anything with the application. Chairman Hooper said Commissioner Hutchinson understands. Mr. Eagon said he was disturbed that the City thought the DDA acted inappropriately. Mr. Sterling said he encourages the Board to include it.

Mr. Loos said that adding 15th avenue into the application as an area outside the downtown opens the possibility of others coming in from outside of the district as they go through the process if the Board sets a precedent that they allowed it. Mr. Eagon said he understood doing the gesture because of the confusion, but agreed with Mr. Loos and encouraged the Board to keep his comments in mind.

Richard Mancuso offered discussion and said he did not know how the City would implement the \$600,000 grant assuming it's the same money. Mr. Sterling said the federal grant of \$600,000 was what the City and DDA applied for.

Mr. Scherer said that he would like Mr. Sterling to talk about the Judicial Campus and the upcoming election.

Mr. Loos moved approval of the recommendation by Chairman Hooper including SE 15th Avenue and that the Board consider doing other worthwhile projects as they want to. Mr. Eagon seconded for quick discussion.

Mr. Eagon said that he shares in the motion but said he wants it spent in the downtown with occasional requests outside the area. ***Discussion was held at which point Mr. Loos withdrew his motion.***

Mr. Ladd made a motion to add 15th avenue to the CIP request based on the request of a City Commissioner because it is ancillary to the downtown. Ms. Butler seconded. All were in favor; none opposed.

Chairman Hooper said that since Mr. Sterling had to leave, he could talk about the Judicial Campus at this time.

Judicial Campus Discussion

Mr. Sterling discussed the constituency list and said they are putting a campaign together. He said they would be participating in cable tv, PR and outreach and that it has a decent chance of passing. He said all polls show taxation is a concern. He said Board support makes sense. He went on to say that it is of immense importance to the downtown. He said the County is moving forward with the acquisition of property. He said the goal is to raise \$200,000-250,000 to use towards the campaign. He said Mr. Scherer and others are heading the effort.

Mr. Scherer responded by saying they did some surveying to see if they can get it passed and some feel that if it won't pass, they will put it back on. He said the feeling is that the majority will pass it. He said they raised \$40,000 last week through law firms and property owners around the courthouse. Mr. Scherer said he would like the DDA to consider contributing \$25,000 toward this effort and he would also like them to request the City of Fort Lauderdale to kick in \$25,000.

Mr. Scherer made a motion asking the DDA to authorize a contribution of \$25,000 to educate the efforts on the bond issue. Mr. Ladd seconded the motion.

Mr. Sterling departed.

Mr. Eagon asked Mr. Scherer to clarify how the political action committee will administer the monies to educate the voters. Mr. Scherer said there is a CPA in charge of the funds. He said both Mr. Sterling and Mr. Milledge are helping to ensure the money is spent appropriately. Mr. Milledge said there were 2 options: long term grass roots campaign which is a one year process or cable tv and mailers. He said this has the ability to affect numbers at this juncture.

Mr. Ladd asked if the money would come from operational funds or bond money. Mr. Wren said it cannot come from bond funds. He recommends it come from general funds and use bond pay back monies which could repay the money spent. **Mr. Ladd asked if they could get feedback on where the money is spent and Mr. Scherer said they are required by law to show where it goes and that he would report back to the DDA.**

Mr. Ladd said he supports it. He said that the DDA set a millage rate and cut the budget and now they have this issue before them. He said in the next budget cycle, they should have the capital available for things like this.

Mr. Scherer discussed how they would get the word out.

Chairman Hooper said he supports it but not out of operational expenses. He said there are other bond issues the Board should be supporting such as transit. He said they should be asking the members to put up the money to find the \$25,000 and that he would put money toward it. Mr. Loos said he is donating personally and Mr. Ladd said he would contribute along with Chairman Hooper.

Mr. Eagon said that Stiles has contributed to the transit initiative. He asked Mr. Wren if this falls under marketing and if the money could come from there. Mr. Wren said there are programs budgeted in marketing and if you used that money, they wouldn't do those initiatives. He said the bond repayment money goes back into the budget. Mr. Loos said that it's not going to affect the operational budget and Mr. Wren said they would balance it.

Chairman Hooper asked if they would be replacing the money and if one of the members would recommend the Board contribute \$25,000 for transit toward the penny tax. Mr. Wren said that the \$1.47 million is unrestricted federal money and that if you take out \$50,000, he could repay the budget.

Mr. Scherer moved a motion that the Board asks the City to make a \$25,000 contribution to the courthouse bond referendum. Mr. Loos seconded. All were in favor by roll call.

Mr. Loos made a motion that the DDA contribute \$25,000 for the transit tax. Mr. Ladd seconded. All were in favor by roll call.

R-4 Bond Construction

Mr. Wren said the Board wanted him to look into hiring someone to implement the streetscape projects and he went through the specific streets. Mr. Wren said he recommends an RFQ process to hire an engineer to go through two steps: simple due diligence and then to instruct staff to do construction documents. He said he is looking for approval to utilize \$90,000 in bond funds annually to hire someone to report back monthly. The Board discussed the issue. Mr. Wren said the RFQ process will take 2 to 3 months. The Board discussed the magnitude of the work involved and staffing concerns.

Mr. Loos moved a motion in approval of Mr. Wren's recommendation of hiring an engineer to bring information back to the Board. Mr. Eagon seconded. Roll call was taken and all approved.

Mr. Loos and Mr. Eagon departed.

R-5 Downtown Transit Corridor Program

Mr. Wren gave the Board a status of where they are in the process including funding for the transit circulator.

Mr. Milledge said that he and Mr. Wren met with the County's traffic engineers and the meeting was

positive. He said some of their staff is going on the transit trip.

Mr. Wren discussed the transit alignment and the affect it will have on the east/west traffic. Mr. Milledge added that County staff said there are ways to address the issues. Chairman Hooper thanked both of them for their efforts.

R-6 Workforce Housing

Mr. Feldman said that the City is about to discuss this item at the City Commission meeting on Tuesday. He said the City asked for the Board's concerns. He said backup was in their packages containing the ordinances from the City of Fort Lauderdale and the City of Coral Springs. He said Jim Carras who is present can discuss where the County is going.

Jim Carras gave an update. He said that with any major land use improvements, the City must show an Affordable Housing Policy and how they are addressing it. He said Coral Springs was the first to step out with a three pronged approach. He discussed the details and options the County is looking into. He said Commissioner Jacobs is the lead on linkage fees and that information will be available by the end of the first quarter of 2007.

Mr. Feldman asked about a doc stamp. Mr. Carras said it was introduced by Rep Chris Smith and supported by Commissioner Eggelletion. He said he assumes it will be introduced again. He mentioned that a select committee will be in Pembroke Pines on 10/25. He said the State passed a community Workforce Housing Initiative that goes up to 150% of median household income.

The Board then talked about the Coral Springs Ordinance and fees.

Mr. Ladd said the Coral Springs Ordinance makes sense. Chairman Hooper asked if the City has an Affordable Housing Program and Mr. Feldman said they have one through Community Development. Mr. Carras said he doesn't believe that's enough.

Chairman Hooper discussed density concerns and said the downtown cannot enjoy that portion of the Coral Spring Ordinance as it relates to density bonuses. Further discussion was held.

Mr. Carras said that it's not only the County but the Regional Planning Council and the State that is putting pressure on cities. The City has to come up with something.

Mr. Ladd talked about the City waiving parking requirements since there is no density in the downtown. Mr. Feldman said that even the least dense building in the downtown has 50-70 units to the acre. Chairman Hooper said they need to carve out the downtown and that incentives need to be given. After further discussion the following motion was made:

1. ALL RESIDENTIAL DEVELOPMENTS OF TEN (10) UNITS OR MORE TEN (10) PERCENT MUST BE WORKFORCE UNITS OFFERED THROUGH CONSTRUCTION OR A PAY-IN-LIEU-OF FEE FOR A PERIOD OF NOT LESS THAN THIRTY (30) YEARS;
2. ELIGIBLE HOUSEHOLDS ARE DEFINED AS; EIGHTY (80) TO ONE HUNDRED FORTY (140) PERCENT OF MEDIAN HOUSEHOLD INCOME;

3. PAYMENT-IN-LIEU-OF-FEE SHALL BE CALCULATED AT A RATE OF ONE DOLLAR AND SEVENTY FIVE CENTS (\$1.75) PER GROSS SQUARE FOOT OF LIVABLE AREA PER RESIDENTIAL UNIT WITH A TWENTY-FIVE HUNDRED DOLLAR (\$2,500) PER UNIT MINIMUM FEE, PAYABLE AT THE ISSUANCE OF THE FINAL CERTIFICATE OF OCCUPANCY;
4. DENSITY BONUSES, PARKING EXEMPTIONS AND ADDITIONAL HEIGHT FOR PARTICIPATING DEVELOPMENTS;
5. INCLUSIONARY UNITS MAY BE SMALLER IN AGGREGATE SIZE AND MAY HAVE DIFFERENT INTERIOR FINISHES AND FEATURES THAN MARKET RATE UNITS OF THE SAME DEVELOPMENT;
6. EXPEDITED REVIEW AND FINAL CERTIFICATE OF OCCUPANCY FOR ALL PARTICIPATING DEVELOPMENTS

Roll call was taken and the motion passed 3-2 with Chairman Hooper and Mr. Scherer voting no.

The meeting was adjourned at 11:15 a.m.

A taped recording of the full proceedings of the October 12, 2006 Regular Meeting of the Board is on file in the DDA office – 305 South Andrews Avenue, Suite 301.