

Regular Meeting of the
Downtown Development Authority
Thursday, July 12, 2007
Broward Center for the Performing Arts
New River Room, West Side

ROLL CALL

BOARD PRESENT: Peter Feldman, Chair
Gale Butler, Secretary
D. Fredrico Fazio, Treasurer
Charles B. Ladd, Board Member
William R. Scherer, Board Member
Alan Hooper, Board Member

NOT PRESENT: Jack T. Loos, Vice Chair

ALSO PRESENT:

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|------------------------------------------------------------|--------------------------|
| Andy Maurodis (for John M. Milledge, DDA Legal Counsel) | Rabbi Kaplan |
| Chris Wren, DDA Executive Director | Karen Reese |
| Elizabeth Veliky, Planning & Design Manager | Chuck Adams |
| Marti Brown, Administrative Coordinator | Captain Anthony Williams |
| Chadwick Blue, Urban Planner | Patsy Mennuti |
| Neil Sterling | Heidi Davis |
| Phil Smelley | Andrea Scarborough |
| Eric Liberman | Stephen Botek |
| Richard Pryce | Mike Ferber |
| Charlene Burke | Scott Hendrix |
| Victor Yue | Jeff Modarelli |
| Richard Mancuso | Rabia Qureshi |
| Ron Centamore | Les Hollingsworth |

PRESIDING: Peter Feldman, Chair

Chairman Feldman called the meeting to order at 8:35 a.m. Roll call was taken by Marti Brown. All Board members were present with the exception of Mr. Loos

CONSENT AGENDA

Chairman Feldman asked if there were any items anyone wanted to pull. Hearing none, he asked if there was a motion approving the items on the Consent Agenda. *A motion was moved by Mr. Ladd and seconded by Mr. Scherer. All board members were in favor.* The following items were unanimously approved:

C-1) Approval of the minutes and follow-ups from the June 14, 2007 DDA Board Meeting

- C-2) Approval of Event Application – Chanukah Fair on Las Olas, 12/9/07
- C-3) Approval of Event Application – Broward Kiddie Carnival, 9/30/07

REGULAR AGENDA

R-1 Police Report

Captain Williams indicated there were 55 crimes in downtown last month. He said 18 were vehicle burglaries which is a major concern. He said there is a plan in place to address this issue.

Mr. Ladd asked if there was an update to the considerations regarding procedures on off-duty police services. Captain Williams said they are still in negotiations. Mr. Wren added that he sent a letter to the City Manager about the Board's position on this issue. The Board thanked Captain Williams.

Chairman Feldman mentioned he wanted to move some of the agenda items around and called for Item R-6.

R-6 2007/2008 DDA Budget

Mr. Wren said it is budget time again. He said they are faced with the typical issues but there is also the issue of the new State Legislation which will affect the DDA as well. He said that Chuck Adams was hired as the Budget Director and he was in attendance to answer questions. Mr. Wren said the Board has the 2007/2008 preliminary budget and the projections for current year in their backup. He said the budget shows a 5-year projection.

Mr. Wren said the State Legislative change effective in November is the main issue causing the budget cuts. He said there are a couple of options regarding the millage rate. He recommends the Board adopt the maximum millage rate calculated at 97% of the 2007 rolled-back rate. This would reflect a 3% reduction. He said the recommendation is an operating millage rate of .4933 and keeping the debt millage rate at .4800 and he was seeking the authorization to advertise.

Mr. Wren said the affect on the budget would be a \$95,000 gap in providing the same services and operations as last year. He said he reviewed the budget with Mr. Adams and he feels he can bring a balanced budget before the Board in August. He said he is basing his calculations on the recommendation that the State Legislators suggested of a 3% reduction over the 2007 rolled-back rate.

Mr. Adams talked about the tax base and indicated it would be about a 9.5% increase between last year and this year's tax base. Mr. Wren said that several properties fell off the tax roll, however. Mr. Adams said they need to concentrate on getting a better handle on what will be taken off the DDA's tax roll and understand what has come off to change the tax base.

Mr. Ladd asked for clarification between the 2007/2008 budget and the following year. Mr. Adams explained that for the 2008/2009 budget, the maximum millage rate would be calculated using the 2008 rolled-back rate adjusted for the growth in Florida per capita personal income.

Mr. Ladd said that the budget was squeezed last year and now they will be penalized this year. Mr. Wren said it does have an affect. Mr. Ladd said that the revenue last year was \$751,000 in ad valorem tax revenue and the proposed figure for the next cycle is \$655,000 creating a decrease in revenue of

approximately \$100,000. Mr. Wren confirmed the gap. He said he will be looking to shift monies around from the general fund and brought up the suggestion of shifting monies from the bond fund money. Mr. Ladd said he does not feel strongly about shifting around bond funds.

Mr. Hooper asked if a part of the revenue decrease was due to the PACA parking garage and Mr. Wren said yes. He said he anticipated the PACA agreement with Broward County being approved and included the \$60,000 revenue in the budget, but it is not a long-term source. Mr. Hooper added that the reduction in tax base could be related to the loss of land and properties and that most of the boom was not realistic. He said money will be added to the base if the market becomes stable with residential and office.

Mr. Wren said that one approach the Property Appraiser's Office was encouraging was to assume no growth projections next year. Mr. Adams added this was not realistic for the downtown because it's seen approximately 5.2% in growth. Mr. Hooper said that our downtown is healthy and he does not agree with the no growth approach.

Mrs. Butler brought up the bond funds again and Mr. Wren said he wasn't looking to do anything long term. **He said he will be meeting with all Board members before the August meeting to assure everyone is on the same page.**

Mr. Scherer asked if the purpose today was to set the maximum millage rate and that in September, they would adopt the final millage and budget. He noted that you cannot increase the advertised rate, but can decrease it. Mr. Wren said he was seeking authorization and direction on what to advertise the millage rate as, so it can be put on the TRIM Notice. He said that in September, they will go through the final budget and he recommends what the State Legislators are suggesting they do. Chairman Feldman confirmed that the millage rate recommended is .4933. Mr. Wren said the figures are .4933 operating and .4800 debt service. Mr. Adams said the total is about .9733 but they are separate figures.

Mr. Scherer made a motion that the Board accepts the recommendation of a millage rate of 3% less than the 2007 rolled-back rate which is .4933 and accepts the debt service rate remaining the same at .4800. Mr. Hooper seconded. All Board members were in favor.

R-5 Transit

Mr. Wren said the project is wrapping up in the alternative analysis stage and with that, he reviewed the three options studied: no built, rubber wheel and rail. He said they started with 13 alignments and have narrowed them down to 3. He said they are trying to figure out what they can build as a first phase of the project that is affordable locally. He showed a rendering of a potential minimum operable segment (MOS). He said he was seeking consensus and went into more detail on the proposed route. He said the cost operationally would be \$1.5 million annually. He said the capital cost is just over \$100,000 million. He said he wants to discuss possible financial strategies with the City and County. Mr. Wren said he is looking for direction from the Board. He said the consultants are present to answer any questions and he is seeking authorization to move forward.

Mr. Hooper brought up that there is no Las Olas route and Mr. Wren answered it would not be included in the first phase. Mr. Hooper asked if there was one on the \$200,000 million cost estimate (the full build) and Mr. Wren said yes. The Board talked about the rubber wheel alternative, the

number of vehicles, headways, etc. Mr. Hooper said the headways of 7 ½ minutes was good.

Mr. Smelley said they moved the route over to Brickell from Andrews Avenue between 4th and 2nd and that they located a potential additional maintenance facility. Discussion was held further.

Mr. Wren discussed the current issues. The Board talked about the rubber wheel versus rail with regard to cost as well as the potential route.

Mr. Scherer wanted to know why the Board was picking a route and feels it would be a mistake to pick a route rather than submitting alternatives and letting the County choose. He said the Board previously approved three routes and urged them to consider not choosing one route in particular.

Mr. Wren said geographically they don't need to target a route but they should have a Phase One pricing strategy. Mr. Scherer said all three routes were about the same amount of money and that the County would ultimately choose the route. Mr. Hooper said he has similar concerns on choosing one route and feels all should be delivered to the County and they should choose but he feels they need to give them something with different price points. He feels the approach is correct to give them three alternatives but that one should show a cost that is more affordable. Discussion further held.

Chairman Feldman said he has sat in numerous meetings with City and County staff and they have asked the DDA and the consultants if they where to phase it, how would they recommend doing it. He said the focus of staff and the consultant has been a dollar price – where the project could become a reality. Mr. Scherer said again that he feels they shouldn't choose one route. Instead, show an MOS for each of the 3 alignments. **Mr. Wren said he will bring them back at the August meeting.** Mr. Hooper said they need to achieve them all in the same price point range.

Mr. Fazio asked if they should consider an electric bus system which is better than gas driven buses and would bring a significant savings. Mr. Smelley said the savings would be on construction costs only. They talked further about seating capacity on buses versus rail. Mr. Fazio asked if they would save money because they wouldn't have the bridge involvement and Mr. Smelley said yes.

Mr. Hooper said they should consider a bus that looks like a rail if they don't get what they really want. He brought up Denver as an example.

Mr. Ladd said that in looking at the funding schedule and based on the County making decisions, the CRA could determine the route or the City could determine it. He said the particular funding they are talking about is about a taxing district. Chairman Feldman said the City and County are both looking to the Board to make a recommendation and that every governmental entity is involved in the process. Mr. Wren said he has also met with the Executive Staff at the County as well and they are looking for some type of Board consensus. Discussion held further.

Mrs. Butler suggested that along with the three routes, they provide three options. Mr. Ladd asked if all alternatives were still in place and Mr. Smelley said yes. Mr. Ladd confirmed that this is just Phase One of one of the alternatives and Mr. Smelley said yes. Mr. Ladd said they need Phase One of the other two alternatives. **Chairman Feldman said at the August meeting, they will bring back the other two.** Mr. Wren said he would like an opportunity to respond to the comments today and bring this back in August. Chairman Feldman said they need to move forward and that in the next 30 days, the Board should read all the backup with the different scenarios and provide direction. **Mr.**

Wren added that he will set up one on one's.

Mr. Feldman told the Board they heard good news from Washington and asked Mr. Sterling to elaborate. Mr. Sterling said that he spoke with Congresswoman Debbie Wasserman Schultz and she secured an additional \$400,000 in appropriations to move this project forward and he added that she is a great supporter of the project.

R-3 PACA Agreement with Broward County for Judicial Parking

Mr. Wren said they finalized the issues needed to enter into an agreement. He said the committee of one was Gale Butler. He said they talked with the County and they would like to lease 300 spaces on Mondays, Tuesdays and Wednesdays from 6:00 a.m. to 6:00 p.m. He said it would be a six month agreement and they offered the County a governmental rate of \$16 per month per space. Mr. Sterling said Mr. Corwin was on vacation and apologized for not being present today.

Mr. Scherer made a motion to enter into a six month agreement with the County and Mr. Fazio seconded. Roll call was taken and all Board members approved.

Mr. Scherer departed.

R-2 100 East Las Olas (mixed use/office/hotel/retail)

Heidi Davis was present from Gunster Yoakley. She said this project is between SE 1st and SE 2nd Avenue, across from FAU. She said the project would consist of 198 hotel rooms (boutique type hotel) and office space consisting of 295,000 square feet. She said the others present today were Scott Hendrix and Victor Yue. She said the project went before the DRC at the City on Tuesday and they will be addressing comments that came out of that. She said the project is called an FQD (Florida Quality Development) which is similar to a DRI.

Mr. Yue thanked the Board for their time. He said there is a lot of activity on Las Olas and said this project provides the missing link, one he feels is important. He said having a hotel in the downtown is a good thing as there is a lack of them. He said they want a good design that meets the City's standards. He showed renderings. He said along Las Olas, there will be the potential for 8,000 square feet of retail. He said there will be 10 levels of parking and a pool deck facing the Riverhouse. He said they will have 198 hotel rooms and office space and that it will be a 27-story building. He said they want to create a skyline in the City. He went through the renderings.

Mr. Hooper asked what the material facing the park was and Mr. Yue said it was all glass with mullions and extrusions. Mr. Yue said they are using color in the glass.

Mr. Fazio asked how much parking there will be and Mr. Yue said 800 spaces. Chairman Feldman asked where the entrance and exit of the garage will be. Mr. Yue said 2nd Avenue.

Mrs. Butler said that facing the Huizenga Plaza will be two huge loading docks. Mr. Hooper said that he's concerned about that as well. He said having a loading dock facing the park and potential smells can have a negative impact toward the park, especially during events. Mr. Yue said they are concerned as well. Heidi Davis said it is consistent with what's there now.

Mrs. Butler said she would like to meet with Mr. Yue and the Riverhouse to mitigate the

loading dock issues. She said maybe they could help by creating a screen or having trees. Mr. Yue said they met with the Downtown Civic Association and are aware of the concerns and will work with the DDA to address them.

Mr. Hooper brought up ventilation for the garage. He discussed fluorescent lighting at night in the garage and that it will emphasize the cars in the garage. He said maybe a screen could help mitigate that. Mr. Yue talked further about the garage and said having a shield on the fluorescent tubes will help with the light source.

Mr. Ladd talked about the loading bay. He said trucks will be in the building versus curbside. The Board further discussed loading concerns.

Mr. Wren brought up the lighting project in Huizenga Park and said he would like to meet with Mr. Yue to talk about any problems that could come up with the existing development. Mr. Yue said when events will be occurring in the park, there will be parking available in this new project.

The Board thanked them for their presentation and Mrs. Butler said she hopes the project works out for them.

R-4 Streetscape Engineering Support

Mr. Wren said this is a follow-up that has been going on for awhile. He said Mr. Ladd served on the committee of one. He said he is looking for authorization for staff to enter into a contract with Craven Thompson for up to \$52,000 of bond funds under Flagler Village and up to \$69,500 of courthouse bond funds and to enter into a contact with Botek Thurlow for up to \$3,000 for the completion of the survey work.

Chairman Feldman asked who was present from Craven Thompson. Mr. Pryce was present. He mentioned that there were some approvals and development on NE 5 Street between Federal Highway and 3rd Avenue and this segment of the contract should cost less. Mr. Ladd said a survey is a survey and that the CAD backup will help. Mr. Pryce said they cannot take someone else's survey and approve it. Mr. Ladd added that the prices given to the Board were rack rates. Chairman Feldman asked if there was further discussion. There was none.

Mr. Hooper made a motion to spend the monies as outlined in the staff memo. Mrs. Butler seconded. Roll call was taken and all approved.

DIRECTOR'S REPORT

D-2 Joint Workshop with MPO & Broward County Commission (8/16 from 9 am-12 pm)

Mr. Wren said he wanted to mention there is a meeting on 8/16 from 9-12 which is a joint workshop on transit. He said the Board's project will be highlighted at this meeting and the County Commission and MPO will be there. **He said he will be contacting the Board to put this on their calendars and urged their attendance.**

OTHER BUSINESS

Mr. Hooper mentioned that Carl Mayhue passed away. He said he was a good guy and that he participated in the development of the Performing Arts Center. He said he helped make the community a better place. **Chairman Feldman asked if staff could prepare a Resolution and letter of condolence to the family.**

Mr. Wren brought up Smoker Park regarding the \$125,000 developer contribution. He said he met with the City and that they are spending this money on a pathway and that he will continue to monitor this.

Mrs. Butler said the Winterfest Boat Parade will be December 15th and they are going to start the parade in Downtown. She said there will be possible fireworks and Huizenga Plaza will take a role.

Mr. Ladd said that since the 100 East Las Olas project just went before DRC and is in that process, he would like to agenda this item again to discuss the loading issue further. **Mr. Wren said he will be meeting with Mr. Yue out at the park and will let the Board know the outcome of that meeting.** Mr. Ladd suggested he let Marc LaFerrier know as well. Mrs. Butler said to let the Riverhouse know that they are not happy about the loading dock issue. Mr. Wren added that he had already contacted the Trim the Tower group and will be meeting with them.

Chairman Feldman said that Les Hollingsworth of the TMA was present. Mr. Hollingsworth announced that the TMA has launched an update on their website. He said they are launching a sponsorship advertising campaign and he passed out packets.

Mr. Wren said they are working on making the trolley more visible and working on other improvements. Mr. Hollingsworth showed the Board the website which has information such as: news, South Florida Update, Sun Trolley information, schedules and maps, a link to the DDA and an interactive map. He said he looks forward to any feedback. Mr. Hooper said the TMA is looking for advertisements on the trolleys.

Chairman Feldman asked if only one vehicle operates in the downtown and Mr. Hollingsworth said yes. Mr. Hooper said the operational cost annually per vehicle is \$122,000. He said the TMA is trying to balance the budget and looking at advertising as a source of revenue. Mr. Hollingsworth said there are 11 routes and 14 vehicles.

Chairman Feldman reconfirmed that the courthouse route is one vehicle out of 14 and Mr. Hooper said yes. Chairman Feldman was concerned that this was a small part of the overall TMA. Mr. Hooper then added that that the route running from the PACA to the beach affects the downtown as well and the courthouse loop. Chairman Feldman asked where the funding comes from and Mr. Hooper said there is funding from the City, County and Federal government. Chairman Feldman asked if there is a monthly report on ridership and Mr. Hooper said yes. **Mr. Hooper asked Mr. Hollingsworth to bring the ridership report to the DDA meeting in August and for staff to place the item on the agenda.**

As there was no other business to come before the Board, Chairman Feldman adjourned the meeting at 10:12 a.m.