

Special Transit Meeting of the
Downtown Development Authority
Wednesday, September 19, 2007
Broward Center for the Performing Arts
New River Room, West Side

ROLL CALL

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

ALSO PRESENT:

John M. Milledge, DDA Legal Counsel	Phil Smelley
Chris Wren, DDA Executive Director	John Lafferty
Elizabeth Veliky, Planning & Design Manager	Eric Liberman
Marti Brown, Administrative Coordinator	Jeff Weidner
Chadwick Blue, Urban Planner	Roger Del Rio
Neil Sterling	Enrique Zelaya
Chuck Adams	Renee Quinn

PRESIDING: Peter Feldman, Chair

Chairman Feldman called the meeting to order at 4:13 p.m. Roll call was taken by Marti Brown. All Board members were present with the exception of Mr. Loos and Mrs. Butler who both arrived later.

Mr. Wren said he wanted to walk an item on today. He said one of the best things that have happened this year has been the various partnerships on the transit project. He said there are two presentations today from two special partners, the MPO and FDOT. He asked Roger Del Rio and Enrique Zelaya to come forward and said they were going to be presenting the Board with a check. Roger Del Rio, Executive Director of Broward County Metropolitan Planning Organization presented the DDA with a \$95,000 check and said it was a pleasure to be in attendance today. He said they've had a long relationship with the DDA and he thanked the Board for moving transit along and that the Downtown Circulator is an exciting project and they are 100% behind the project. Chairman Feldman presented pictures to Mr. Del Rio and Mr. Zelaya. He thanked them for their work and said the Board appreciates everything. Mr. Fazio thanked them for being good partners.

Mr. Wren said there was one other presentation which was a joint participation agreement with FDOT for \$315,000 and asked Mr. Weidner to come forward. Chairman Feldman presented a picture to Jeff Weidner and thanked him for everything he's done with the project. Mr. Weidner said he was just doing his job but as a planner and resident of Fort Lauderdale, he said this is an exciting project and he cannot wait to ride the circulator. Mr. Wren said he would need formal approval accepting the Resolution. *Mr. Fazio made a motion accepting the FDOT JPA Resolution for \$315,000 and Mr.*

Scherer seconded. All were in favor.

Mr. Wren said he has been working to achieve the contract extensions and that the language needs refinements. He said he thinks they need to have a special meeting next week and he will work on the language with everyone individually, along with the General Counsel. He said this represents the work from January to date. He said there were some unanticipated costs to get them through local meetings as well as carrying costs and delays in the project which resulted in additional costs. There is additional work needed to get them through City and County approval as well the FTA around mid 2008. He said that both Senator Nelson and Congresswoman Debbie Wasserman Schultz's earmarks for advanced alternative analysis were allowed to be moved up earlier (this is for bridge details, maintenance facilities, etc.). He said all this work is included in the contract authorizations and total about \$2.8 million. He said the State funding partner, FDOT is contributing \$315,000, with an additional \$335,000 anticipated, DDA funds are available (approximately \$850,000) and there are additional MPO funds as well as the earmarks previously mentioned. He said he had Mr. Adams include the transit project into the budget process to ensure there are enough DDA resources to get them into the construction phase and there are. He said he would like to work on the language changes pertaining to technical issues the Board should be aware of and have one on one's and a special meeting as early as Tuesday of next week. Mr. Wren added that he was looking for comments from the Board and wanted to know if they had any questions about the work authorizations and whether they are comfortable having a special workshop next week.

The Board asked why it needed to be next week and Mr. Wren said there are language issues. Mr. Milledge said they've been going back and forth and there and there is language included that he is not entirely comfortable with. He said that in concept he believes they are okay but he wants to go through it in more detail. He said there are contingencies hanging out there that he wants to get resolved. He said he is not ready to approve it yet and that Mr. Wren wants to go over the concepts at the special meeting or the Board can delegate it to him to approve the details. He said that he changed several details he had concerns about already.

Mr. Fazio said he was fine with Mr. Milledge going through the contracts after the Board decides what they want to do. Mr. Ladd said he hadn't reviewed it in detail as he would have liked before the meeting. He wanted clarification on whether there was a table that summarizes what the cost is from start to today, what is being funding by others and what we are funding. Mr. Wren said the overall project table on the DDA and partner monies was not included but they have that in the office. He said that the Parsons Brinckerhoff contract extensions specifically deal with how they are going to go forward. He said they are in the final phase of completing a \$1.89 million contract of which a little over \$1 million was DDA's portion and a little under \$1 million came from partner monies. He mentioned that moving forward, the \$2.85 million work includes the advanced work and the DDA is only committing to pay approximately 33% of the funding.

Further discussion was held about the advanced AA costs, hospital LPA costs and non Parsons Brinckerhoff costs. Ms. Veliky went through this. Mr. Ladd asked Mr. Wren if he was looking for authorization to move forward and that the DDA's portion would be \$855,000 and Mr. Wren said yes. Mr. Wren said the consultant cannot do the work until they receive the appropriate shares from the partners. Mr. Ladd asked what the total money was that they allocated in the bond for transit. Mr. Wren said it was about \$3.1 million about two years ago. He believes they have combined bond funds and repayment funds of about \$1.4 million. The repayment is reflected through capital. Further

discussion was held. Mr. Wren asked Mr. Adams what the remaining assets are for transit in bond funds. Mr. Adams clarified by saying there is \$1.4 million available to expend on transit. The Board discussed the monies in more details and asked if they were over what was anticipated. Mr. Wren said not really and discussed this further.

Mr. Ladd requested that this be in a format that the Board can understand that shows the history of where we've been and where we intend to go. He said they need to move forward and John Milledge should review the contracts. Mr. Milledge told the Board that the consultant is waiving a claim of \$500,000 that they had for additional work so this can move forward. However, if they are terminated before the PE phase of work, there will be a fee involved. Mr. Hooper said they should have some type of invoicing system that is done monthly that shows the projected amounts, completed amounts and change orders needed. He showed concern about the change order of \$500,000 and stressed the importance of having a system in place so they are aware of change orders. Chairman Feldman asked Mr. Wren what steps he has taken to manage this as we move forward. Mr. Wren said he sought assistance from Sharpton Brunson, a consulting firm that offered management controls. He also said he wants to give the Board at each meeting, the scopes they've approved, what will be done within 30 days, resource information, change orders, etc. He said they've had a tight budget to handle large amounts of work. He added he'd like to hire Chuck Adams to handle the budget more closely and that Jeff Weidner has agreed to meet with staff to provide assistance on tracking grants better.

Mr. Hooper expressed concern over entering into a \$2.9 million contract and having to guarantee payment of \$500,000 for a change order. Mr. Scherer asked if it was a change order or was work performed and asked if the initial contract embraced what the Board asked the consultants to do that was extra work. Mr. Milledge said that the agreement provides for additional work and went into detail. He said this was additional work outside the scope. Mr. Hooper asked for clarification of Work Authorization 5 where it lists three items pertaining to temporary office space through June 2008. He said there is no clarity of what the costs are since all three say they are for the same thing. Mr. Smelley went into detail on these items and what the contract stipulates for. Mr. Hooper added that his concern is that it is not clear and he wants more clarity. The Board talked about the changes since the original scope was done and the additional costs involved and what that comprised of. Mr. Sterling arrived.

Chairman Feldman said that usually in this type of project, the City or County is the lead agency but the DDA is leading this project. He said the consultants have had to step out further and they've had over runs. He said the Board requested more details and more work. He said the consultant also did underestimate as well. He said they had a meeting today with the City Manager and he believes they need to move forward. The Board discussed this further. Mrs. Butler arrived. Due to the time, the meeting was suspended to conduct the Final Budget Hearing at 5:01. After the budget hearing, the Board resumed conversation.

Mr. Fazio said he shares the concern about the \$500,000 cost but feels they need to move forward and let Mr. Milledge work out the language details. Mr. Scherer said he agreed.

Mr. Milledge said he wanted to clarify that the motion the Board would take today was to approve Work Orders 5, 6, 7, & 8 subject to review of the language by him and his approval of the work orders. Brief discussion was held after which *Mr. Fazio made the motion that the Board move forward with Work Orders 5, 6, 7 & 8 subject to John's review and approval. Mr. Scherer*

seconded.

Mr. Ladd requested Mr. Milledge notify him by phone before he finalizes everything. Mr. Loos asked Mr. Wren to be vigilant in monitoring the monies to ensure they are within budget and Mr. Wren said he would. ***Roll call was taken on the above motion and all approved.*** Chairman Feldman asked if there was any other business.

Mr. Wren said that the information that Mr. Ladd wanted as Chair of the Financial Committee is being put together and they are coming up with a strategy. Mr. Ladd said they are identifying potential funding sources and are trying to quantify the monies involved. They hope to come up with a menu of ways it can be funded that is fair to everyone. He said if transit is going into the CRA boundaries, they should contribute, if it is going into the Hospital District, they should contribute. He said they need to determine costs. He hopes to have this in 2-3 weeks.

Chairman Feldman said the meeting today with the City Manager was challenging with reference to the City's concern of taking over the project versus the County but it ended with his support of the project as a partner. Mr. Ladd said that every time the City has gone forward with anything concrete, the public supported it. Chairman Feldman thanked Mr. Ladd and Mr. Adams for their work.

Mr. Wren said they could talk about the project calendar at the October meeting or through their one on one's. Mr. Wren said they had a positive meeting about Tunnel Park with the City and that they might be able to secure \$25,000 by applying for a BCIP grant. He said the City has said the DDA is acceptable to apply for the grant. He said the DDA's previous contribution of \$500,000 will be their match and if they get the grant, they could get the \$25,000 match. ***Mr. Loos made a motion to move forward with applying for the BCIP Grant and Mr. Hooper seconded. All were in favor.***

As there was no other business to come before the Board, Chairman Feldman adjourned the meeting at 5:28 p.m.

Final Public Hearing on Budget
Downtown Development Authority
Wednesday, September 19, 2007
Broward Center for the Performing Arts
New River Room, West Side

ROLL CALL

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

ALSO PRESENT: John M. Milledge, DDA Legal Counsel
Chris Wren, DDA Executive Director
Elizabeth Veliky, Planning & Design Manager
Marti Brown, Administrative Coordinator
Chadwick Blue, Urban Planner
Chuck Adams, Budget Consultant
Neil Sterling
Phil Smelley
Eric Liberman
Renee Quinn

PRESIDING: Peter Feldman, Chair

Chairman Feldman called the First Public Hearing on the Final Millage Rate and Final Budget for 2007-2008 to order at 5:01 p.m.

Chairman Feldman opened the Public Hearing on the Final Millage Rate for 2007-2008. Mr. Milledge made the announcement of the following: The name of the taxing authority, the rolled-back rate of .5086, the percentage increase which was -3% of the Final Millage Rate over the Rolled-back Rate, the Final Operating Millage Rate of .4933, the Final Debt Service Millage Rate of .4800 and the Final Total Millage Rate of .9733.

Mr. Milledge read Resolution 9-5-07 by title only adopting the Final Millage Rate for 2007-2008.

Chairman Feldman asked if there were any comments from the public. Hearing none, he closed the Public Hearing on the Final Millage Rate for the 2007-2008 Fiscal Year. Chairman Feldman asked if there were comments from the Board. There were none. Chairman Feldman asked if there was a Motion to Adopt the Resolution Adopting the Final Millage Rate for the 2007-2008 Fiscal Year. ***Mr. Fazio made the motion and Mr. Scherer seconded.*** Roll call was taken and all approved.

Chairman Feldman opened the Public Hearing on the 2007-2008 Budget. Mr. Milledge read Resolution 9-6-07 by title only adopting the Final Budget for the 2007-2008 Fiscal Year.

Chairman Feldman asked if there were comments from the public. Hearing none, he closed the Public Hearing on the 2007-2008 Budget. Chairman Feldman asked if there were comments from the Board.

Mr. Ladd asked for an update on any adjustments made to the budget since their last meeting. Mr. Wren said he's been working with the Board. He said there is a possibility of renegotiating with Stiles on the maintenance of Huizenga Plaza to reduce the cost. Mr. Wren said the budget is sound and he would like the Board to allow him to move forward. He added that he will continue to work with Mr. Ladd on reducing the maintenance costs and he believes he might be able to save about \$9,000 by keeping the same contractor with the same scope. He said that Mr. Adams, the Budget Director has reaffirmed some figures for the recapitalization of the Performing Arts Center garage and some of the City costs have come in less. In running the five year budget projections, Mr. Wren said it looks like they will be able to save approximately \$30,000 each year. He added that he would prefer the monies stay undesignated as contingency this year. Mr. Ladd asked for confirmation that they were using \$30,000 of bond funds to pay for half the cost of the government liaison position and that marketing was reduced by \$30,000. Mr. Wren said that was correct.

Mr. Adams discussed the revenue from the PACA/a&e garage. Mr. Loos arrived. The Board continued discussion on the garage and talked about the projected revenue.

Hearing no other comments, Chairman Feldman asked if there was a Motion to Adopt the Resolution Adopting the Final Budget for the 2007-2008 Fiscal Year. ***Mr. Fazio made the motion and Mr. Scherer seconded.*** Roll call was taken and all approved.

Chairman Feldman closed the Public Hearing at 5:13 p.m.