

Regular Meeting of the
Downtown Development Authority
Thursday, February 12, 2009
Broward Center for the Performing Arts
New River Room West Side

ROLL CALL

BOARD PRESENT: Charles B. Ladd, Chair
Alan Hooper, Vice Chair
D. Fredrico Fazio, Secretary
Peter Feldman, Treasurer
Dennis F. O'Shea, Board Member
Gregory Durden, Board Member

NOT PRESENT: William R. Scherer, Board Member

ALSO PRESENT:

John M. Milledge, DDA Legal Counsel	Ron Centamore
Chris Wren, DDA Executive Director	Peter Apito
Elizabeth Van Zandt, Planning & Design Manager	Jennifer Nayak
Marti Brown, Administrative Coordinator	Patsy Mennuti
Chadwick Blue, Urban Planner	Tim Petrillo
Neil Sterling	Kevin DeNell
Susan Long	Albert Carbon
Courtney Crush	Clay Wieland
Heidi Davis	Nikki Sack
Andy Weiser	Dodie Keith
John Lafferty	Leas Saraceno
Phil Smelley	Anthony Williams
Joe Abruzzino	Mary Gillis
Dan McCawley	Sgt. Rod McGowan
Lee Torain	Captain Gregory Salters
Norm Adams	Roy Schultheis
Richard Mancuso	Stephen Scott
Kelley Shanley	Heather Parnass
Mike Ferber	Karen Reese
Ginger Wald	Brittany Wallman

PRESIDING: Charles B. Ladd, Chair

Chairman Ladd called the meeting to order at 8:38 a.m. Roll call was taken by Marti Brown. All Board members were present with the exception of Mr. Scherer who would be calling in.

CONSENT AGENDA

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

- C-1) Approval of the minutes and follow-ups from the January 8, 2009 DDA Regular Board Meeting and Approval of the 1/28/09 General Marketing Committee Minutes.
- C-2) Approval of Outdoor Event Application – Women's Outdoor Workout, 2/23/09-3/19/09, Lee Torain.

REGULAR AGENDA

Chairman Ladd moved item R-3 up on the agenda.

R-3 Tunnel Park Update

Mr. Wren said this has been an ongoing project and the whole team is present today. He recognized Al Carbon from the City of Fort Lauderdale, Sam Poole, Clay Wieland and Joe Abruzzino. He said the project was bid as a \$400,000 project with \$140,000 in contingencies for amenities and any other things that the City will do as part of the park. Mr. Scherer called in by phone but due to mechanical difficulties, the call was not connected.

Mr. Carbon said this was a good community project and that the City has the plans and they are working on putting together the electrical and landscaping plans. He said they should be ready to bid around the first week of March. He said they have about \$500,000 committed to the project but they are bidding it out as a \$400,000 project. He added that there is an NCIP Grant and a BCIP Grant comprised within the \$140,000 that could contribute funding to the project. Joe Abruzzino said they have gone through the final round of City comments and are waiting for the process to begin.

Mr. Hooper asked if it was engineered down and Mr. Abruzzino said yes although the cost of the Riverwalk bricks is not in there. Mr. Carbon said they have been discussing adding in one of the gazebos. He added that the project cost includes the conduit for the lighting but not the pole. He said lighting will be the number one amenity after the first phase of the park is constructed.

Mr. Carbon said the plans have been finished and they are assembling the specs now and that it should get out to bid by the first week of March with a bidding time of about 20 days. He said they should go before the new Commission for the first meeting in April with a start date of the first of April or the middle of May. He said the estimated completion date is 60 working days after that putting it at the end of summer, around Labor Day. Mr. Hooper said he would choose lights over the gazebo as a priority and Mr. Abruzzino agreed. The Board thanked them for their presentation.

R-1 Police Report

Major Williams introduced all the officers present today. He said homeless continues to be a concern. Major Williams said they are doing their best about the homeless and have spoken with top management at BSO. He said part of the problem is that people get released when the jails are full.

Captain Salters said that with reference to the District 3 side concerning Smoker Park signage

reflecting dawn to dust, they did speak with Phil Thornburg from the City about the sign. He said Mr. Thornburg indicated that the sign would be too restrictive for users. They are looking at posting the hours instead. Captain Salters introduced Rod McGowan who's been with the department 17 years and Sgt. Mary Gillis who's been with the department 21 years. Mr. Wren congratulated the Police Department for all their help. He said that after the last board meeting, they had a squad put out and within one week, they had arrested several people. He said that since then, the element creating issues has not come back to the area. He thanked them for their extraordinary work. Captain Salters said that as part of that 40 man unit, the evening team was included and they set up the operation on their own. **He requested that the Board defer the commendations until the officers could attend and Chairman Ladd said he'd be happy to put it on the March agenda.**

R-2 Resolution & Boat Parade Picture Presented to Mark Nerenhausen

Chairman Ladd said that Mark Nerenhausen is going to Dallas and that Kelley Shanley was appointed as the new director. Chairman Ladd read the resolution. Chairman Ladd said he was going to miss Mr. Nerenhausen. Mr. Nerenhausen thanked the Board and said it was a joy getting to know everyone and said it was great to work with Mr. Wren.

R-4 100 East Las Olas Project Update

This item was withdrawn from the agenda.

R-5 Homeless Ordinances

Mr. Wren said that Ginger Wald from the City Attorney's Office was present as well as others from the community. He recognized Tim Petrillo from the Urban Core and Courtney Crush from the DTC.

Ms. Wald said she is the Assistant City Attorney and that she spoke yesterday with the DTC. She said there is no homeless ordinance and that no one would want that. She said homelessness is not a crime and gave some background on the issue including previous case information on the same issue. She talked about what Orlando did with permitting and what West Palm Beach recently did. She said they need to be careful what they do. She said that when the jails are full, the individuals get released. She said the Commission has asked the Attorney's Office to look at this issue and it's not a simple one.

Mr. Hooper asked if there was a designated location for feeding and Ms. Wald said there is none. Mr. Hooper said he believed they should find reasonable designated locations and said homeless individuals are part of the community but they should find designated spots.

Chairman Ladd asked if any cities are proactively creating a feeding center and Ms. Wald said they are dealing with legal issues only and have not looked into that specifically. She added that the City of Dallas and the City of San Francisco both have programs. Chairman Ladd asked if having a feeding location would stop the problems and Ms. Wald said no.

Mr. O'Shea said he was at yesterday's presentation and what he came away with was that they are going to have to have a series of multiple designated spots and that there will be tradeoffs and gave an example of begging restrictions on the beach but not across the street from the beach. The Board thanked her for the presentation.

R-6 Broward County Courthouse Task Force

Mr. Durden said he wanted to put this on the agenda to get input from the Board. He talked about

space concerns. He said they are looking for at least 400,000 square feet of space for an expansion. He said their group had discussed electronic filing as part of a solution. He said they had discussed the idea of the Public Defender's Office and the State Attorney's Office being located outside of the courthouse. He said they want to keep the civil and criminal courthouses downtown. Mr. Durden talked about different funding options such as a bond and using County reserves to pay for construction. He talked about other options such as leasing.

Mr. Feldman asked what happened to the 10 courtroom addition that was previously discussed. Mr. Durden said the idea is to build a new one. Mr. Feldman asked about a schedule and Mr. Durden said there isn't one. Mr. Durden said the building is outdated, the elevators do not work and the parking is horrendous. Mr. Fazio said that had allocated money for the 10 courtrooms but parking is more of an issue. Mr. Hooper asked about using the 110 Tower and Mr. Durden said it was discussed. Mr. Milledge said they could use the 110 Tower for offices but probably not for the use of courtrooms.

Mr. O'Shea suggested doing an RFQ to the marketplace to let the market respond to the County's need. Chairman Ladd asked if Mr. Durden could report back every month and if there was anything the DDA could do to keep the courthouse in the downtown to let them know.

R-7 Downtown Demographics on Commercial and Residential Properties

Mr. Wren introduced Kate Sheffield from DDA Staff and said she has been producing the data the Board requested detailing the office, residential and retail space in the downtown. He said that Norm Adams and Andy Weiser were present today to speak.

Mr. Adams said that Broward County has 68 million square feet of office space with the downtown representing 4 million of all of that. He said that institutionally owned property countywide is 15 million square feet and the downtown is a quarter of that. He said that West Broward comprises most. Mr. Adams said the demand for office space is job growth. He said there were 30,000 job losses in 2008. He said within the downtown there are 16 institutionally owned buildings representing 4 million square feet. Mr. Adams said there is an 18% vacancy rate. Mr. Adams said in 2008 there was a steady absorption into the area. He said the market is fairly healthy and the downtown has the highest rental rates. He said the Bank of America building has the highest numbers they've ever seen, saying the rental rate is \$46 gross. He said the lowest in the downtown has a \$28 gross rate so the average is a \$35 gross rate plus or minus. He acknowledged some of the larger recent transactions: Holland & Knight, Colonial Bank, Certified Tours. He said overall, law firms have expanded and he gave some examples. He said that no job growth has created them to stop building supply. He mentioned new projects on hold: Simmons Vedder, Atlantic Center, Las Olas Riverfront, Seagate, an office/residential tower at the French Quarter site and Groupe Pacific. He said if anyone needed additional copies of today's presentation that he had it electronically.

Mr. Weiser introduced himself from Coldwell Banker. He said residential real estate is still selling and gave a brief history of what was referred to as South Florida. He said cities are individual and have their own distinct neighborhoods. He said property is still selling but that unqualified people are not getting loans now. He talked briefly about short sales. He said today it's about price, location and value. Mr. Weiser said the downtown real estate market is not in poor shape and that they are absorbing the stock, not building.

Chairman Ladd asked how many first generation units are left in the downtown and Mr. Weiser said

not a lot. Chairman Ladd asked about the absorption period and Mr. Weiser said about a year if priced correctly. He said every neighborhood is different. Mr. Hooper said he felt 18 months was more accurate and discussed why. Mr. Fazio asked how many units that are for sale are being rented and Mr. Weiser said quite a few. Discussion was held. Mr. Hooper said the Wave will give the downtown a location and it will be a hot place to live in 5-10 years from now.

Chairman Ladd asked Ms. Sheffield where the demographic information was retrieved from. Ms. Sheffield said the information came out of different sources including the MLS. She recognized Heather Parnass from Hooper Realty. Mr. Fazio said that Ms. Sheffield did a great job. Chairman Ladd said the information was great and said **he would like her to focus on the first generation rates and the number of for sale units that are being rented out.** The group reiterated that in the downtown, there are restaurants, parks, the Riverwalk, etc. and said the core is growing.

R-8 Board Discussion on a)Board Appointees on Committees, Subcommittees and Liaisons and b) DDA Project List

Mr. Wren introduced the item as a follow up from the January meeting where staff was directed to list all the board appointments to various boards, committees and subcommittees. He mentioned that a list of projects was also included to show all the initiatives the office is working on.

Mr. Fazio volunteered to take over Jack Loos' chairmanship of the transit real estate committee. However, he said that having a bulleted list of duties and expectations for each of the roles would help in deciding which committee he would like to sit on. Mr. O'Shea echoed that statement.

The Board discussed the PACA Board. After which, a motion was made and seconded and later withdrawn.

Chairman Ladd requested Mr. Wren to continue to refine the document and to meet with the Board Members. He said at next month's meeting, they can talk about reallocating positions including which items are no longer active. Chairman Ladd said they need to flush out the responsibilities and to allocate time to go through this next month.

R-9 Transit

Mr. Wren said that Phil Smelley and John Lafferty from Parsons Brinckerhoff were present today. He pointed towards the completed environmental assessment document lying on the table and said that we should have an environmental clearance from the federal government by late May. He said that the project development submittal is almost complete with the exception of some items that need input from BCT, which are currently being worked on.

Mr. Wren said there is technical need for appropriations, economic stimulus, omnibus bill, additional follow ups with the City regarding the assessment process and anything else that may come up that is outside the current scope of work. He said he would like to hire PB (Mr. Smelley) on an hourly basis triggering the request for Work Authorization 9 (up to \$20,000/month for 6 months through June 2009). He added that he would report back monthly on actual activity. Chairman Ladd questioned the memo and asked if this would be a retention agreement. Mr. Smelley said they would set aside \$20,000 a month and forecast activities in the month and they wouldn't exceed this amount without permission. Mr. Wren said only work that is authorized would be paid. He said he needed Mr. Smelley's assistance last month and that his assistance is essential to the technical work. Chairman

Ladd asked if some months might be \$10,000 instead of \$20,000, meaning they would only be billed for actual work that was done and Mr. Smelley said yes. ***Mr. Hooper made a motion authorizing the expenditure of up to \$120,000 from the capital projects fund for Work Authorization 9 (at an up to \$20,000/month for six months through June) and Mr. Durden seconded. Roll call was taken and all approved.***

Mr. Wren said that Item C's backup has detail in their packages. He said they have been meeting with the community comprised of about 81 leaders. He recognized Richard Mancuso, Ron Centamore, Peter Apito, Michael Ferber and thanked them all for their help. Mr. Wren said they have received extreme support and have also met with commercial leaders and will continue meeting with the others. He said they have been working with the City on the assessment process and estimate that in the spring or fall, a public hearing with the City Commission will take place. He talked about the Finance Committee's local funding plan led by Chairman Ladd. He said they are proposing the funding as follows: 50% Federal, 25% State and 25% local funding and explained in more detail. He said they are targeting an assessment as follows (annually): \$99/ residential unit, 9 cents per building square feet for office space and 5 cents per land square foot for vacant. Chairman Ladd said as new development comes on board over the years, we will be in position to either lower the assessment rates or pay off the bond early. Mr. Fazio congratulated Chairman Ladd on coming up with a fair funding plan. Mr. O'Shea asked if they had reached out to vacant land owners and Chairman Ladd said they are still doing that. He said they are trying to figure out land ownership since so many entities do not share the same ownership name, which makes it difficult.

Mr. Wren said the last item was the schedule. He said the Federal schedule is not clear yet. He said the green schedule in the backup is their best guess. He said they should have the environmental clearance done by May and the Federal submittal on project development completed by later this year. He said he's very optimistic of having an opening day in December, 2012. Mr. Smelley said the timing of the Wave coming on line is perfect. He talked about the New Starts Program. He said the FTA has to appoint a new Administrator, but discussions to date have been positive and productive.

R-10 Updated Policy for Educational Class Events in Huizenga Plaza

Mr. Wren said this was a housekeeping issue with item C-2. He recognized Patsy Mennuti for bringing more events to the downtown. He said this policy would be for the class events, which are small in size. He said he was looking for a motion waiving the fee on this type of event to encourage activity in the park. A motion was made and seconded but later withdrawn. Discussion held about how this could affect things in the future. After discussion, Chairman Ladd requested that they take it on a case by case basis under consent when these types of events are submitted and Mr. Wren said that would be fine.

R-11 DDA Annual Event

Mr. Wren said that Mr. Hooper has been discussing this with the marketing committee. Mr. Hooper said they are looking at it as a PR event. They have been talking about an annual meeting or State of the Downtown event. He said it would bring the community, commercial and residential leaders and the politicians together. He said they could have a keynote speaker and a venue that has a theater. He said they looking at a 30-45 gathering and then proceeding into the theater for an annual report. He said Mr. Sterling, Ms. Van Zandt, Mr. Blue, Ms. Mennuti and Mr. Wren have been involved. He said there is a new mayor at the City and each year there is a new major at the County. He said there is strong Washington support and would like a Congressperson like Debbie Wasserman Schultz to

attend. He said they will talk about how the downtown is important to the City, the downtown and the region. He said the DDA Chairman can speak and it would be a great event. He said it would get people engaged on issues. Mr. Hooper said they are looking at having it in April or June and will report back. He said the estimated budget is \$17,500 which is not in the budget so they are looking at the downtown community to fund it by sponsorships or donations. Chairman Ladd said it's a good idea to have it annually to build a sense of community. ***Mr. Hooper made a motion in support of having the event and Mr. Fazio seconded. All were in favor.***

As there was no other business to come before the Board, Chairman Ladd adjourned the meeting at 10:32 a.m.