

Regular Meeting of the
Downtown Development Authority
Wednesday, September 9, 2009
Broward Center for the Performing Arts
New River Room

COMMUNICATIONS TO CITY COMMISSION

ROLL CALL

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

ALSO PRESENT:

John M. Milledge, DDA Legal Counsel
Chris Wren, DDA Executive Director
Elizabeth Van Zandt, Planning & Design Manager
Marti Brown, Administrative Coordinator
Chadwick Blue, Urban Planner
Kate Sheffield, Planning Assistant
Neil Sterling
Alan Tinter
Chuck Adams
Phil Bernstein
Doug Tober
Doug Sterner
Mike Ferber
Leas Saraceno
Charlie Palmer
Kelley Shanley

Jan Goodchild
Deborah Bylica
George Mihaiu
Stephen Botek
Nicole Gargotta
Robyn Chiarelli
Dave Marshall
Laurie Watkins
Renee Quinn
Richard Mancuso
Ron Centamore
Genia Ellis
Bob Van Fleet

PRESIDING: Charles B. Ladd, Chair

Chairman Ladd called the meeting to order at 4:06 p.m. Roll call was taken by Marti Brown. All Board members were present.

CONSENT AGENDA

Chairman Ladd asked whether anyone wanted to pull any items 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. Fazio. All Board members were in favor.* The following items were unanimously approved:

- C-1) Approval of the minutes and follow-ups from the August 13, 2009 DDA Regular Board Meeting and Approval of the Real Estate Committee Meeting on 8/18/09
- C-2) Approval of Outdoor Event Application –Miami Dolphins Pep Rally, 9/18/09, City of Fort Lauderdale, Debbie Bylica
- C-3) Approval of Outdoor Event Application – Emerge Broward Movie in the Park, 12/11/09, Nicole Gargotta
- C-4) Approval of Outdoor Event Application – Take Steps Walk 2010, 4/17/10, Martha Lagarde

Chairman Ladd wanted Mr. Wren to briefly talk about the Dolphins Pep Rally Event. Mr. Wren said this is an exciting event and that the Mayor wanted to partner with the DDA. Mr. Wren said there will be no fee imposed by the DDA. He said he's met with City Staff about the event.

Debbie Bylica from the City said they wanted to kick off the Dolphin's home season and are encouraging everyone to come out and support the pep rally. She said there will be a band, players and cheerleaders will be in attendance and there will be food vendors. The event will be from 4:30 - 8:00 p.m. She asked everyone to come out and wear the team colors. Mr. Wren said the Mayor asked for his assistance in getting the word out. Chairman Ladd asked about radio coverage and Ms. Bylica said WQAM will be broadcasting. She said the City will be doing press releases and it will be on the City's communication channel and on their website.

At this time, Chairman Ladd mentioned that all the events had been approved on the Consent Agenda.

REGULAR AGENDA

R-1 Police Report

There were no officers present today.

R-2 PACA Update

Charlie Palmer said for those who did not know him, he was the DDA Board's representative on the PACA Board and then he turned the presentation over to Mr. Shanley. Mr. Shanley said ticket sales have been soft for most activities. He said Jersey Boys was record setting. Mr. Shanley said they are not expecting any changes going into 2010 but that in 2009, buying patterns are occurring later and subscriptions trail off so they are adjusting marketing patterns. Mr. Shanley said this is the first year that they are promoting a classical series and that there is a market for it. He said family programming continues as well as cultural programming such as Benise and Tanguera. Mr. Shanley said Broadway is strong, naming some shows such as Mary Poppins, The Color Purple, Phantom and In the Heights. Mr. Shanley said that in October, Laughing Matters will be in the New River Room for a six month test run. He said moving forward, they will continue with capital planning and that in the Winter/Spring, they should have more solid plans indicating what they will be doing at the Broward Center. Mr. Palmer said that as far as financials, they broke even from a cash flow standpoint.

Mr. Fazio asked about Opera being shown in movie theaters and how it impacts the Center. Mr. Shanley said they are concerned about it but that so far there hasn't been an affect. Mr. Palmer said that of all their performances, they lose more money on Opera. Chairman Ladd suggested they look now at the capital planning aspect due to the economy. Mr. Palmer said they really need to

understand what improvements are needed and the dollar amounts before they go to their partners. Chairman Ladd said he hopes the capital program or any type of expansion of the program can be taken to the next level to spark redevelopment. The Board thanked them both for their presentation.

R-3 Status of Land Use Amendment Request

Mr. Wren said at the Board's direction, he sent a letter to the City Manager's Office requesting the City start the land use process. He said he's had dialogue with City staff and specifically that he's spoken to Wayne Jessup on this issue. Discussion was held.

Mr. Hooper said they need to figure out how many units they need for the next 20 years. Mr. Milledge said the DDA needs to figure out where they see the downtown but work through the process. He said everyone needs to be on the same page and do what makes sense in the downtown in the long term. Mr. Hooper brought up hometown democracy and how it can affect this issue and the timeframe. Discussion was held after which Mr. Milledge said they need expertise to deal with infrastructure and to prepare an analysis. The Board talked about who prepared the reports on this issue previously and who should work on it now and how it needs to be handled. Mr. Wren suggested that perhaps the City can share the cost. Chairman Ladd said they need a report for the next meeting. After discussion, Mr. Milledge said that he may determine that State law requires them to bid this out and if that were the case, he'd like Board authorization to move forward. He said this would involve bidding what's required to file the application. ***Mr. Scherer made a motion that Mr. Milledge look into starting the process. Mr. Durden seconded. All were in favor.***

Chairman Ladd added that he'd like staff to prepare a full memo on the process and the strategy/action steps moving forward.

R-4 Streetscape

a) 4th and 5th Update

Chairman Ladd said with reference to 4th and 5th Streets, they received a price from FPL on 8/21 for the cost of undergrounding the power lines. He said the estimate is \$13,000 for engineering and drawings. Chairman Ladd said his staff took the cost of the 2nd Street project and worked with Jay Flynn to put together a preliminary budget on the streets at a cost of \$12 million (for both streets). Chairman Ladd said potential funding sources could be through federal grants, the CRA or a special assessment. He said he believes the next step is to take conceptual drawings and discuss this with the City and the CRA. He said there are bond fund monies available for Flagler to do this and asked if the Board wanted to move forward. ***Mr. Scherer made a motion to pay the \$13,000 out of bond funds for the FP&L scope of work, with Mr. Fazio seconding. By roll call, all approved.***

Mr. Hooper asked about Andrews Avenue and 3rd Avenue and why they have not done anything there. He said they are dangerous streets in the downtown and main streets of the downtown. Discussion was held, after which the suggestion was made to have Parsons Brinckerhoff research how this can be pursued, with the implementation of the future streetcar system.

The Board talked about the 7th Street Study in their packages. Mr. Wren discussed report details such as four lanes and turn lanes at intersections and said the report included information on PM congestion. Mr. Wren said Peter Partington from the City will support either four lanes on that street or turn lanes and widening. He said they need to do a cost benefit analysis. Mr. Wren said they looked at right-of-way issues. At this time, the meeting was suspended at 5:01 for the budget hearing.

This item resumed at 5:05 p.m. with Mr. Wren asking the Board if they wanted him to get an estimate for a cost benefit analysis, hiring Mr. Tinter to do it and whether he should bring a memo to the board at their next meeting. Mr. Durden talked about the courthouse design with relation to 7th street. Chairman Ladd asked what the DDA's contribution for the courthouse streetscaping was and Mr. Wren said \$1.3 million which started at \$1.5 million. He said the \$15,000 study was split with the City. Discussion was held. Mr. Tinter said the City needs the cost benefit analysis. Chairman Ladd said they don't need a motion to do the next stage of work and Mr. Wren agreed. **Mr. Wren said he'd get the Board an accounting of what was spent on the southern streetscape bond for the October meeting and put it under director's report**

R-5 TMA Budget

Mr. Wren said he's been working in the capacity as the Interim TMA Director supporting Mr. Fazio and Mr. Hooper. He said the issues to be discussed are in their packages such as the 09/10 budget for operating and administration and the trolleys. Mr. Wren said that Commissioner Romney Rogers asked him to look at the agency assets. Mr. Wren said the budget has been reduced \$100,000 since last year. He said they've put together a job description for the TMA Manager Position and that they received a lot of applications from qualified individuals. Mr. Wren said if the City approves giving the TMA \$48,000, the debt to Mark Levitt of Limousine's of South Florida is approximately \$100,000. Mr. Wren said he is confident the City will approve the funding. Mr. Wren said the NW and Galt routes will stop October 1st, as they no longer have funding. Mr. Wren said he's been working with both Vice-Mayor Roberts and Commissioner Dubose on how to save these routes. Mr. Wren discussed the possibility of the DDA purchasing trolleys for \$100,000 and then leasing them back to the TMA and being in a position to make the money back in approximately 14 months. He said then the money could be used to fund these two routes.

Mr. Fazio said the TMA cannot do charters, as the vehicles are federally subsidized and would pose an unfair advantage to the private sector. However, if the DDA were to purchase the vehicles, the DDA could do charters and bring in revenues.

He said it would be nice to have the trolleys tie into the Wave project. Mr. Scherer asked where the trolleys would be kept and Mr. Wren said they would stay with the operator in a closed warehouse. Mr. Durden stressed the importance of the loss in the NW and Galt routes and said they have the most ridership of all the routes. Mr. Hooper said they are the most used because there is no fare.

The Board discussed the trolleys and the cost to potentially purchase them. Mr. Hooper said that the DDA could purchase three trolleys for \$100,000 when they originally cost \$200,000 each. Chairman Ladd said the DDA is not the TMA. He said the DDA contributes \$24,000 annually to the TMA and when the Director was let go, the DDA was asked to look at the liability to run the organization. He said he doesn't know what the staff time has been to date and the cost related to that. Chairman Ladd talked about when six trolleys were purchased previously and asked how much they were. Mr. Wren said \$375,000 with federal monies of \$1.2 million. Mr. Wren said the money came from bonds. Chairman Ladd asked how much they could get if they sold them and Mr. Wren said that Mark Levitt believes about \$40,000 a piece but that it hasn't been verified. Mr. Hooper suggested they help keep the routes open to help Commissioners Dubose and Roberts. Mr. Wren talked about charters and the types of requests received. Mr. Hooper said that unless the DDA gets their \$100,000 back first, they shouldn't do it. Chairman Ladd said he'd want to see how they would get paid back. Mr. Wren said

he'd have a legal document prepared which protects the DDA's interest with a payback schedule. Chairman Ladd said they need to figure out what the estimate of administrative time has been from the DDA and whether they will get paid back or whether they won't. **He said he wants Mr. Wren to come back with a firm proposal to purchase the trolleys with a lease and payback provision. Mr. Wren said they'd present this to the TMA Board at their next meeting and then at the DDA's second hearing in 2 weeks.**

Mr. Wren said that given the lean TMA budget, there is still an outstanding issue of office space. He said that he spoke to Tom Vogel about options and he offered the possibility of free TMA space if the DDA were to extend their current lease, which expires in November 2010. Chairman Ladd said he'd like to see other office space that is available and Mr. Durden agreed.

R-6 Approval of Resolution in Support of Courthouse Efforts

Mr. Wren said this Resolution was prepared based on the Board's direction. He said Mr. Milledge and Mr. Sterling worked on it together. ***Mr. Durden made a motion in support of the Resolution with Mr. Fazio seconding. All were in favor.***

R-7 The Wave

Mr. Wren said he was in D.C. recently meeting with FTA staff. He said it was clear the staff are very supportive and want to assist in getting the application filled out for entry into Project Development. He said the meeting was very technical and FTA staff wants the consultant to tweak the FDOT model. Mr. Wren said the minutes from the meeting are in their packages. He indicated that the changes to the model and revisions to project documents are anticipated to be complete by November. Mr. Smelley of PB has said that this will not change the current schedule.

Moving onto the City Commission's recent action, Mr. Wren said the City Commission, at their workshop, directed the City Manager's Office to put \$2.2 million in their budget for the Wave for the upcoming fiscal year. He said he is attending the budget meeting tonight.

Mr. Wren asked Mrs. Van Zandt to present Chairman Ladd with a copy of their first federal grant check for repayment of the 2nd street streetscape project, in the amount of \$495,000. Chairman Ladd said this is great news.

Mr. Wren said that he and Chairman Ladd have been working with the City on land donation for the maintenance and storage facility, which they expressed an interest in doing. Chairman Ladd said staff has attended numerous meetings this past year with condo associations, neighborhood associations, building owners, law firms and banks. Ms. Sheffield said when all is said and done, it would total over 120 meetings. Chairman Ladd said the community is very supportive of the project and the prospect of being assessed. However, some members of Victoria Park have expressed concern over the City's funding contribution. He said he's explained to them that the contribution can be land. He said they've looked at potential property on the south side of 2nd Street between Andrews and Brickell and at the One Stop Shop. He said half of the One Stop Shop would accommodate a main facility with retail and a garage. He said Hugh Johnson of Architectural Alliance can do a conceptual plan of the M&SF on that site. He said the cost for the scope would be \$11,800, which will serve as a tool when speaking to the community, governmental partners and elected officials. ***Mr. Fazio made a motion to proceed in doing the plan, authorizing \$11,800 out of undesignated capital projects funds. Mr. O'Shea seconded the motion. By roll call vote, all were in favor.***

R-8 Election of Treasurer

Mr. Durden made a motion for the nomination of Mr. O'Shea as Treasurer with Mr. Fazio seconding. All were in favor.

As there was no other business to come before the Board, Chairman Ladd adjourned the meeting at 5:54 p.m.

First Public Hearing on Budget
Downtown Development Authority
Wednesday, September 9, 2009
Broward Center for the Performing Arts
New River Room

ROLL CALL

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

ALSO PRESENT:

| | |
|--|-----------------|
| John M. Milledge, DDA Legal Counsel | Deborah Bylica |
| Chris Wren, DDA Executive Director | George Mihaiu |
| Elizabeth Van Zandt, Planning & Design Manager | Stephen Botek |
| Marti Brown, Administrative Coordinator | Nicole Gargotta |
| Chadwick Blue, Urban Planner | Robyn Chiarelli |
| Kate Sheffield, Planning Assistant | Dave Marshall |
| Neil Sterling | Laurie Watkins |
| Alan Tinter | Renee Quinn |
| Chuck Adams | Richard Mancuso |
| Phil Bernstein | Ron Centamore |
| Doug Tober | Genia Ellis |
| Doug Sterner | Bob Van Fleet |
| Mike Ferber | |
| Leas Saraceno | |
| Charlie Palmer | |
| Kelley Shanley | |
| Jan Goochild | |

PRESIDING: Charles B. Ladd, Chair

Chairman Ladd called the First Public Hearing on the Proposed Millage Rate and Tentative Budget for 2009-2010 to order at 5:01 p.m.

Chairman Ladd opened the Public Hearing on the Proposed Millage Rate for 2009-2010. Chairman Ladd made the announcement of the following: The name of the taxing authority, the rolled-back rate of .4849, the percentage increase of the Proposed Millage Rate over the Rolled-back rate which is 2.50%, the Proposed Operating Millage Rate of .4970, the Proposed Debt Service Millage Rate of .4313 and the Proposed Total Millage Rate of .9283.

Mr. Milledge read Resolution 9-1-09 by title only adopting the Proposed Millage Rate for

2009-2010.

Chairman Ladd asked if there were any comments from the public. Hearing none, he closed the Public Hearing on the Proposed Millage Rate for the 2009-2010 Fiscal Year. Chairman Ladd asked if there were comments from the Board. Hearing none, Chairman Ladd asked if there was a Motion to Adopt the Resolution Adopting the Proposed Millage Rate for the 2009-2010 Fiscal Year. ***Mr. Durden made the motion and Mr. Fazio seconded. Roll call was taken and all approved.***

Chairman Ladd opened the Public Hearing on the 2009-2010 Budget. Mr. Milledge read Resolution 9-2-09 by title only adopting the Tentative Budget for the 2009-2010 Fiscal Year.

Chairman Ladd asked if there were comments from the public. Hearing none, he closed the Public Hearing on the 2009-2010 Budget. Chairman Ladd asked if there were comments from the Board. Hearing none, Chairman Ladd just wanted the Board to understand that the budget contemplates changing the staff intern position to a full-time temporary Planning Assistant position costing \$50,000 (for both salary and benefits), paid partially by transit project funds. Chairman Ladd also said that additional transit project expenditures include legal services at \$80,000 and Governmental Liaison services at \$30,000. He said the Board will have to make big decisions in future years to either cut services or raise taxes, as these expenses are project based and have been supported by bond funds and federal grant dollars.

Chairman Ladd asked if there was a Motion to Adopt the Resolution Adopting the Tentative Budget for the 2009-2010 Fiscal Year. ***Mr. Fazio made the motion and Mr. Durden seconded. There was no discussion. Roll call was taken and all approved.*** Chairman Ladd closed the Public Hearing at 5:07 p.m.