

**MEETING OF THE FORT LAUDERDALE
COMMUNITY REDEVELOPMENT AGENCY
8TH FLOOR CONFERENCE ROOM
CITY HALL**

TUESDAY, APRIL 21, 2009 – 5:26 P.M.

Chairman Seiler called the meeting to order at approximately 5:26 p.m. Roll was called and a quorum was present.

Present: Chairman John P. "Jack" Seiler
Vice Chair Bruce G. Roberts
Member Charlotte E. Rodstrom
Member Bobby B. DuBose
Member Romney Rogers

Absent: None.

Also Present: George Gretsas, City Manager
John Herbst, City Auditor
Jonda K. Joseph, City Clerk
Harry A. Stewart, City Attorney
Alfred Battle, Director, Community Redevelopment Agency

Minutes of the April 7, 2009 - Regular Meeting

Motion made by Member Rogers and seconded by Vice Chair Roberts to approve the minutes of the CRA meeting held on April 7, 2009 as corrected. Board unanimously approved.

Authorization For Assignment – EEC Group, LLC To Dickey Consulting Services, Inc.

Alfred Battle, Community Redevelopment Director, stated that staff's recommendation was to approve the assignment. This will allow Ms. Dickey to close on her financing with Northwest Savings Bank.

Motion made by Member DuBose and seconded by Member Rogers to authorize the proper CRA/City officials to execute an Assignment, Assumption and Consent Agreement from EEC Group, LLC to Dickey Consulting Services, Inc. for an agreement with the Fort Lauderdale Community Redevelopment Agency. Board unanimously approved.

Funding Request – Pinnacle Housing Group

Motion made by Member Rodstrom and seconded by Vice Chair Roberts to approve a forgivable loan of \$250,000 as a local government contribution and authorize the proper CRA/City officials to negotiate a development agreement for Pinnacle Housing Group, contingent upon approval of an application for tax credits, for the development of a Low

Income Housing Tax Credit Project in the NPF CRA from the Northwest Progresso/Flagler Heights CRA Blanket Projects account. Board unanimously approved.

Downtown Fort Lauderdale Transportation Management Association (DTFLMA) Funding Request.

Motion made by Member Rogers that a contribution is in furtherance of the NPF CRA Plan and authorizing a contribution in the amount of \$31,595.52 to fund a portion of the DTFLMA NW Circulator Extension Route operating expenses from April 30, 2009 to September 30, 2009 from the Northwest Progresso/Flagler Heights CRA Blanket Projects account.

In response to Member Rodstrom's question as to whether the TMA was doing anything different with the monies in each round, Member Rogers said at the last TMA meeting, direction to staff was for them to come back with a clear plan since the funds would run out at the end of the fiscal year.

Member DuBose said he was concerned about opening Pandora's Box in regard to using CRA funds, and said the amount of the funding request changed because a portion of its route fell outside of the CRA. Since they were able to get funds elsewhere, this led him to believe that other options were available and they did not have to use CRA funds.

Roosevelt Walters asked why monies were going to be used from a fund that was not designed for transportation projects. He added that the TMA was subsidized by Broward County, and no further transportation was needed on Sistrunk Boulevard. He believed that funds should be obtained from another source.

Member DuBose said he did not want to set a precedent for using CRA funds for something other than what those funds were designed for, and other sources should be investigated for such monies.

Mr. Battle said the total request was for \$48,000, and in looking at the Northwest Extension Circulator about 66% of the route was within the existing CRA. Prior to discussions regarding an expanded area, he believed there was a philosophy that if the area were expanded, the entire structure of the route would become eligible for funding. Once it was decided that they were not going to pursue expansion, the route had to be reviewed against the existing CRA boundary to see what was eligible for funding based on the Board's direction to staff. An amount of \$16,000 had to be funded from another source.

Chair Seiler asked if the route was necessary. Member DuBose explained that a portion of the route on Sistrunk Boulevard was already being covered. Chair Seiler asked if the Sistrunk Boulevard route was removed, and they used the other portion, how much money would be needed by the TMA to keep the route opened.

Mr. Roosevelt explained that if they separated the CRA portion from the non-CRA portion, the TMA would go nowhere because a destination was needed.

Chair Rogers believed that this was a form of "band-aid" surgery, but it was needed in order to move forward.

Vice Chair Roberts said that the TMA was having serious funding issues, and that is why staff was directed to return with some type of plan.

The City Auditor said that Beach CRA funds could be used to fund the routes going through the beach area, thereby freeing up other monies within the TMA for other projects.

Les Hollingsworth, TMA, said the northwest route was peculiar in the sense that it touches some critical areas. They were presently looking at some grants and negotiating contracts, otherwise the Galt Ocean Mile and Northwest routes would be eliminated.

In response to Member Rodstrom's question as to the amount of the last band-aid approach, Peter Partington, City Engineer, explained that since the start of this financial year they entered into short-term agreements with the County regarding bus service. This approach would take them to the end of the year. The total amount budgeted by the City for the year was \$175,000, and therefore, one-third of that amount would be approximately \$60,000.

Motion was seconded by Member Rodstrom.

The City Manager said that a fund balance could be used.

Albert Carbon, Public Works Director, said that Consent Resolution 08 on tonight's agenda calls for \$35,000 of undesignated general fund balance to pay for the Galt for three days per week, and a portion of the Northwest Circulator that was not within the CRA.

Chair Seiler said if they are going to underwrite the Galt with the fund balance and not go to the CRA, it would not be fair to raid the CRA in the Northwest for the same reason. He added that the Northwest link had a greater connection to the downtown.

The City Manager said that tonight's resolution could be amended to incorporate the balance.

Vice Chair Roberts said that he wants to get both routes to the end of the fiscal year.

Roll call showed: YEAS: Member Rogers and Chair Seiler. NAYS: Member DuBose, Vice Chair Roberts, and Member Rodstrom.

Sistrunk Boulevard Design Consultant Contract – Fourth Amendment

The City Auditor said he was concerned whether this was a fixed-price contract or whether there would be continual billing during the design process. It appeared to him that permitting should have been part of the original design process, and he was not clear why the City's in-house Engineer was not handling such tasks.

Alfred Battle, Community Redevelopment Director, said the design developed by the consultant belongs to them until it is turned over to the City in the form of construction drawings. The City still has to utilize those drawings with the various agencies for coordination of all design changes and technical modifications. Therefore, they were still

engaged during the permitting process. The staff engineer is responsible for organizing and coordinating the permits, but the consultant works with the City in connection with obtaining the permits from the various agencies.

In response to Member Rodstrom's question regarding the Sistrunk Boulevard lane change, Mr. Battle explained that this was for that project. Monies were being received from the County, but were funds that were going to be reimbursed. This was a critical element to get the project moving forward.

In response to Chair Seiler's question as to whether the City was going to receive the reimbursement or the CRA, the City Attorney said the City's ability would be impacted to obtain the Federal funds. Such funds may or may not be available to the CRA. Mr. Battle said that most of the monies would come through FDOT and the MPO, and the City would enter into agreements to accept those funds. The City Commission would accept such funds on behalf of the CRA.

Chair Seiler said that the motion did not cover the fact that the City had to do all this, and the CRA would expend the funds. The City Attorney said the motion anticipates that the money would be obtained from the City.

Mr. Battle explained that they would enter into an agreement with themselves to accept the money, and utilize it for the purpose of reimbursing themselves for the project. The City Attorney said they did not have a grant at this time to get the funds, and therefore, failing to get a grant of any kind, the monies would come from the CRA.

Juanita Gray, TMA, said that all of her questions had been answered.

Motion made by Vice Chair Roberts and seconded by Member DuBose to authorize the proper CRA officials to execute the fourth amendment to the contract with Wallace Roberts and Todd, LLC in the amount of \$253,330 for a total contract amount of \$689,160 for additional design services, construction document preparation and permitting of the NE 6th Street/Sistrunk Boulevard Streetscape and Enhancement Project from the NPF CRA Blanket Project Account. Board unanimously approved.

Motion made by Member DuBose and seconded by Member Rodstrom to transfer \$22,472.50 for additional engineering services from the CRA Blanket Project Account to Work Authorization the Sistrunk Boulevard Water Main Replacement. Board unanimously approved.

There being no further business to come before this Board, the meeting was adjourned at 5:52 p.m.

John P. "Jack" Seiler
Chairman

ATTEST:

Jonda K. Joseph
City Clerk