

MINUTES OF THE REGULAR MEETING
BOCA RATON COMMUNITY REDEVELOPMENT AGENCY
MONDAY, MAY 8, 2006
*1:30 P.M.

*The Regular Meeting of the Boca Raton Community Redevelopment Agency was called to order by Chairman Baronoff at approximately 2:30 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG:

ROLL CALL:

Chairman Peter R. Baronoff
Vice Chairman M.J. Mike Arts
Commissioner Steven L. Abrams
Commissioner Bill Hager
Commissioner Susan Whelchel

Also attending the meeting were:

CRA Executive Director Jorge Camejo
Boca Raton City Manager Leif J. Ahnell
Boca Raton City Attorney Diana Grub Frieser, Attorney to the Agency

AMENDMENTS TO THE AGENDA:

There were no amendments to the agenda.

MINUTES:

Minutes of the Regular Meeting of April 24, 2006

Motion was made by Commissioner Abrams, seconded by Commissioner Hager, to approve the minutes as presented. Motion carried unanimously on a voice vote; Chairman Baronoff, Vice Chairman Arts, Commissioners Abrams, Hager and Whelchel voting yes.

REGULAR BUSINESS - PART I - QUASI-JUDICIAL & RELATED PUBLIC HEARINGS:

There were no items for consideration.

PUBLIC REQUESTS:

No one came forward to speak.

REGULAR BUSINESS - PART II - RESOLUTIONS:

1. Resolution No. 2006-08-CRA

A resolution of the Boca Raton Community Redevelopment Agency ("Agency") canceling the second regular meeting in June 2006 and canceling the first regular meeting in July 2006; providing for severability; providing for repealer; providing an effective date

Motion was made by Commissioner Hager, seconded by Commissioner Whelchel, to adopt Resolution No. 2006-08-CRA. Motion carried unanimously; Chairman Baronoff, Vice Chairman Arts, Commissioners Abrams, Hager and Whelchel voting yes.

OTHER BUSINESS:

There were no items for consideration.

DIRECTOR'S REPORT:

2. Discussion with Representatives of General Growth Properties (GGP)

CRA Executive Director Jorge Camejo provided opening remarks and then gave the floor to Lee Davidson, the general manager for Mizner Park. Mr. Davidson advised that everyone was working diligently to bring back Mizner Park as a dominant retail, residential, dining, and cultural center once again and voiced commitment to the downtown. He also mentioned that a marketing director, Donna Tallon, had been hired specifically for Mizner Park. On the topic of the Cartoon Museum building, Mr. Davidson stated that progress had been made with the bookstore tenant; they were very close to obtaining an executed lease. Once the lease is signed, demolition of the building would begin in preparation for the redevelopment of the former Cartoon Museum.

At this point, Randy Holcombe, Director of Leasing for GGP, and responsible for leasing in Mizner Park, responded to questions from Agency members, advising that the revised lease is not yet in the hands of the bookstore. Agency members asked that they be notified once the bookstore is in receipt of the lease; members also confirmed with Mr. Holcombe that GGP has been negotiating with Vald Svekis and that this one lease has been the cause of all the delay. Chairman Baronoff stated that approximately six months ago, a representative from GGP appeared before the CRA and advised that they were very close to signing leases for restaurants and other entities, saying that they had a vision and a plan. After that day, very little communication with the City's CRA Director was provided by GGP; in addition, it appeared that people had also changed positions during this time. Mr. Baronoff then referred to the County funding for the Cartoon Museum building, advising that specifics were needed from GGP as to direction and strategy, as well as an action plan.

Mr. Holcombe explained that this property was a flagship asset and his company had a strict, disciplined merchandising vision for the entire property – not just the Cartoon Museum building. They desired to make the property a regional draw again by bringing in the right restaurants and the right stores within the framework of a predetermined merchandising plan, which is what they've been working on. Mr. Holcombe stated that by the end of this year, Mizner Park will be 97% open and then provided details as to the percentages of new stores, relocations, and remodels that were anticipated.

Bill Moston, Director of Development for GGP (Chicago), referred to the presentation made by GGP to the CRA approximately six months earlier and explained that they have not begun custom construction on the Cartoon Museum building, since the design is driven by the tenants that will be housed there. He stated that before any construction begins, GGP must have a signed lease from, at least, the main lead tenant in the building. Originally, the lead tenant was going to be a restaurant and GGP designed around that tenant, who was expected to take up the bulk of the lower level; however, they elected to go elsewhere in Boca Raton. GGP regrouped and spoke with another restaurant; at this time, GGP is still working on the restaurant tenancies. However, the bookstore lease is ready to go. Once it is signed, the demolition permit may be pulled prior to completion of the construction documents for the rest of the building; the construction documents will be done concurrently with the demolition process, which should help accelerate the schedule. He voiced that in late Spring 2007, or early summer, the bookstore and the restaurant tenants should be open for business. Mr. Moston indicated that much progress had been made and that GGP would endeavor to improve their communication process.

Responding to Agency members, Mr. Moston explained that, as a team, an overall merchandising strategy was developed for the entire shopping center, as were the desired retail components. Mr. Holcombe added that GGP just opened Fila last week, which was a great example of the type of merchant they wished to attract; details were provided. He stated that Truluck's had taken the space where the American Café used to be located; GGP had also entered into an agreement with Herringbone and Hound, a gift store catering to people and their pets.

Agency members confirmed with Mr. Holcombe that, once the bookstore lease is signed, GGP would also begin renovating the second and third floors of the Cartoon Museum at the same time. He advised that, once the bookstore lease is in place, GGP expected that the restaurant tenancy on the first floor would also fall into place. Mr. Holcombe provided additional information to members as requested, related to merchandising, tenants, and placement of tenants. Agency members confirmed with Mr. Holcombe that GGP would build out the public parts of the museum building concurrently when they build out the bookstore; they also suggested that a periodic, written communication be provided to the CRA. Responding to members, Mr. Holcombe explained that GGP was not attempting to achieve a certain mix in terms of national tenants and local tenants; they simply envision the shopping center to be unique and fun. Agency members then voiced the desire to include affordable items within upscale stores; Mr. Holcombe advised that GGP shared the same vision.

Chris Roscoe, Senior Vice President, Asset Director for ING Clarion Partners, explained that he is responsible for all retail matters for ING Clarion and stated that he was here to demonstrate their level of commitment to their partner, GGP. Mr. Roscoe reported that, with regard to the retail component, everyone was focusing on the best tenant mix for the community, not necessarily the best economic deal. He then referred to the communication problems and advised that, to the extent he could, he would make sure everyone communicated on a regular basis and reiterated ING Clarion's commitment to making Mizner Park a success.

Chairman Baronoff thanked the representatives from GGP and ING Clarion for attending today's meeting and providing an update, stating that regular communication would be appreciated in order that Agency members can report back to the community.

ATTORNEY'S REPORT:

The City Attorney distributed copies of bills that have recently come before the State Legislature. She advised that the legislation accomplished two objectives: 1) it takes away the power of the CRA to use eminent domain as a tool for redevelopment and retains the right of eminent domain to the City, at the same time prohibiting delegation of this power to the CRA, and 2) it significantly restricts and impairs the existing power of eminent domain, as used by local government entities; details were provided. Essentially, the legislation makes it onerous for a city or county to use eminent domain in a manner in which it will not be the primary holder and controller of the property for the first ten-year period. Ms. Frieser advised that she was currently preparing a more detailed memo, outlining the specifics of the bills, which are not yet in effect, and would distribute same by the end of the week. She then answered questions from Agency members, including but not limited to, effective dates, how the legislation affects the proposed pedestrian spine, and incidental uses.

Chairman Baronoff asked that Mr. Camejo meet with the City Manager to determine the options available to the CRA in regard to the spine. Commissioner Abrams advised that safeguards exist in relation to the power of eminent domain, explaining that a supermajority vote is required, as is a public hearing process.

COMMISSIONERS' REPORTS:

Commissioner Abrams commented positively on the new Cody the Cougar building safety activity book.

Commissioner Whelchel provided positive commentary related to the lobby in City Hall, just outside the One-Stop Center, indicating that the television sets and the coffee stand are welcome additions.

Chairman Baronoff reminded those present that the Historical Society's meeting in regard to the pedestrian spine is scheduled for May 15 and 16. He added that, at the May 22, 2006 CRA meeting, a presentation for the proposed Boca Raton signature event would be provided by the Center for the Arts and the Boca Raton Historical Society.

ADJOURNMENT:

Motion was made by Commissioner Whelchel, seconded by Commissioner Hager, to adjourn the meeting. Motion carried unanimously on a voice vote; Chairman Baronoff, Vice Chairman Arts, Commissioners Abrams, Hager and Whelchel voting yes.

The regular meeting of the Boca Raton Community Redevelopment Agency adjourned at approximately 3:10 p.m., Monday, May 8, 2006.

Peter R. Baronoff, Chairman

ATTEST:

Sharma Carannante, City Clerk