

MINUTES OF THE REGULAR MEETING
BOCA RATON COMMUNITY REDEVELOPMENT AGENCY
MONDAY, JANUARY 8, 2007
*1:30 P.M.

*The Regular Meeting of the Boca Raton Community Redevelopment Agency was called to order by Chairman Baronoff at approximately 1:42 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 December 11, 2006

Motion was made by Deputy Mayor Whelchel, seconded by Council Member 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 AND REGULAR PUBLIC HEARINGS:

There were no items for consideration.

OTHER BUSINESS:

There were no items for consideration.

DIRECTOR'S REPORT:

1. Mizner Park Cultural Arts Association (MPCAA) Project Update

CRA Executive Director Jorge Camejo advised that the project is coming together, the permit has been submitted, and the first round of comments from staff have been provided to the applicant, General Growth Properties (GGP). They are now waiting for the contractor and their architects, Kaufman Lynn, to

respond; they are hopeful to meet the January 23, 2007 deadline. Mr. Camejo then referred to a memo, dated January 3, 2007, which provided the status of the project and mentioned a checklist that was reviewed at the last meeting. He noted that all items had been satisfied and, barring objection from the CRA, GGP would like to proceed as recommended in the report.

At that point, Mr. Camejo highlighted the checklist, stating that staff now has plans, specifications, and documents on file for review should anyone wish to see them; staff also had in its possession the construction budget and a letter from Kaufman Lynn related to the \$14.3 million letter of credit, wherein Kaufman Lynn advises that this amount is sufficient to cover anticipated construction costs. In light of this letter of credit, which represented GGP's commitment, Mr. Camejo advocated allowing additional time to satisfy several issues. One of those issues is the contract with Mizner Park V and the contractor; he recommended it be arranged such that, in the event of a default, the CRA may step in. Mr. Camejo noted that the CRA did not, at this time, have the lump sum contract and recommended that an additional time frame, up to March 23, be built in to allow sufficient time to procure same.

In addition, an issue exists in regard to the all risk liability insurance that is typically provided by the contractor. The contractor does not currently have this insurance; however, the City has agreed to hold the \$14.3 million letter of credit until such time that the security is provided. If they choose not to obtain the security, staff would retain the letter of credit indefinitely. Mr. Camejo clarified that all risk insurance would cover any casualty that might occur during the construction process. He then concluded his comments by recommending that the project be allowed to move forward as outlined in the report. Responding to Agency members, Mr. Camejo and Mr. Ahnell explained that nothing official had been forthcoming from County Commissioner Mary McCarty in regard to the \$3 million cultural bond money.

Bill Moston, representing GGP on behalf of Mizner V, indicated that redevelopment of the former Cartoon Museum building was ready to begin and that they were close to signing another restaurant tenant on the first floor.

Lee Davidson, Senior General Manager of Mizner Park, advised that this weekend would see the grand opening of the Dubliner, an Irish pub and restaurant. In addition, Truluck's was currently under construction and expected to open in March 2007. Other entities expected to locate in Mizner Park include Plattinni Men's Wear, Fitigues, and the Sunglass Hut.

The City Attorney referred to the staff analysis and clarified several items: 1) the building permit, dated January 23, 2007, was not being modified and must still be obtained by that date, 2) regarding the stipulated subcontract and the governmental approvals - essentially, the DOT permit - staff was recommending extending compliance to March 23, 2007, and 3) according to the memo, the builders' risk insurance must be provided prior to the permit being issued. Ms. Frieser and Mr. Camejo engaged in brief discussion regarding the builders' risk insurance. It was decided that they would report back to the CRA at the next meeting on this specific issue.

2. Special Events Update

Community Resources/Affairs Specialist Emily Lilly gave a PowerPoint presentation, which outlined downtown events that are currently offered by the City. These include concerts, outdoor films, children's events, art shows, holiday events, and the outdoor Farmers' Market, also known as the Boca Raton Green Market. Ms. Lilly then reported on what events are proposed in addition to those currently in place, specifically, a new concert series, which would occur every third Wednesday of the month between 7:00 p.m. and 9:00 p.m. in the Royal Palm Plaza southwest parking lot. She advised that facilities, manpower, and expenses would be shared by the City, the CRA, and the Royal Palm Place property owner; details were provided. It was noted that each event would cost approximately \$6,000 in addition to personnel costs related to City staff. Private initiatives offered by the property owner included horse and carriage rides, a special permit for alcohol consumption in the concert area, and the participation of restaurant and shop owners within Royal Palm Place. Ms. Lilly concluded her presentation and answered questions from Agency members.

It was determined that the downtown merchants connected with this endeavor are all located in Royal Palm Place. Responding to members, Mr. Ahnell advised that staff has encouraged participation by all downtown merchants and is willing to speak to any interested parties; however, as no association for

downtown merchants exists, there is no one representative or group to address in this matter. Despite that, staff continues to seek out interested merchants. During discussion, it was noted that it is easier to negotiate with one owner as opposed to many owners; also, Royal Palm Place is an anchor where merchants are centrally clustered, not spread out over a long distance.

Mayor Abrams emphasized the need for consistent advertising, stating that this was key to success. He also advocated looking at what other cities are doing to market their events. Additional discussion ensued; it was suggested that attendance and community input be reviewed to determine what events are popular and what events may be eliminated.

ATTORNEY'S REPORT:

The City Attorney had nothing to report at this time.

COMMISSIONERS' REPORTS:

The Commissioners had nothing to report at this time.

ADJOURNMENT:

Motion was made by Commissioner Hager, seconded by Chairman Baronoff, 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 2:13 p.m., Monday, January 8, 2007.

Peter R. Baronoff, Chairman

ATTEST:

Sharma Carannante, City Clerk