

Detailed Minutes - Final

City Commission

Rex Hardin, Mayor

Andrea McGee, Vice Mayor

Alison Fournier, Commissioner

Barry Moss, Commissioner

Beverly Perkins, Commissioner

Rhonda Sigerson-Eaton, Commissioner

Gregory P. Harrison, City Manager

Mark Berman, City Attorney

Kervin Alfred, City Clerk

Thursday, October 12, 2023

6:00 PM

Commission Chamber

Joint Special Meeting of the City of Pompano Beach and Pompano Beach Community Redevelopment Agency

CALL TO ORDER

Mayor Hardin called the Special Joint Meeting of the City and Pompano Beach CRA Board to order at 6:00 p.m.

ROLL CALL

Present: Commissioner Alison Fournier
Commissioner Barry Moss
Commissioner Beverly Perkins
Commissioner Rhonda Sigerson-Eaton
Vice Mayor Andrea McGee
Mayor Rex Hardin

INVOCATION

Mayor Hardin offered the invocation.

PLEDGE OF ALLEGIANCE

Led by Kervin Alfred, City Clerk

APPROVAL OF AGENDA

A motion was made by Vice Mayor McGee, seconded by Commissioner Sigerson-Eaton, that the Agenda be APPROVED AS SUBMITTED. The motion carried by unanimous voice vote.

A. REGULAR AGENDA

1. [23-785](#) Presentation by CBRE, the City and CRA's independent consultant, and approval of ranking order for Invitation to Negotiate (ITN) C-18-22, Master Developer for the Downtown Project, and authorize staff to negotiate an agreement with the highest ranked firm.

(Staff Contact: Antonio Pucci/Cassandra LeMasurier)

Cassandra LeMasurier, Co-Purchasing Agent of Record stated that she and Antonio Pucci, Purchasing Agent of Record, were involved in a joint solicitation by the City and CRA to select a master developer for the Downtown Project in June 2022. Responses were due in October 2022, and in March 2023, a selection committee evaluated responses and presentations from two shortlisted firms. A public workshop was held for these firms to present their proposals to the public, and recordings of these presentations were made available on the City's website. An email address was also set up for public comments. The negotiating team conducted several sessions with each respondent to gather additional information and rank them for consideration by the CRA Board and City Commission. A special meeting was called to approve the ranking of two shortlisted respondents, Related Urban Development Group LLC (Related Urban) and RocaPoint Partners LLC (RocaPoint). However, Related Urban withdrew their proposal earlier in the day. RocaPoint was recommended as the master developer.

Mayor Hardin acknowledged several individuals in the audience. He expressed gratitude for their presence and mentioned his appreciation for their attendance at the meeting.

Lee Ann Korst, Senior VP of Public Institutions and Education Solutions at CBRE, began the presentation by introducing herself and emphasizing the importance of the work that had been done over the past 5 months since the public workshop in May. She discussed her role as responsible for CBRE's Southeast region government practice and provided an overview of the timeline leading up to the project's current stage. She explained that the presentation marked the culmination of this phase but was only the beginning of soliciting community and public input.

Michael McShea, Executive VP of Public Institutions and Education Solutions at CBRE, followed Lee Ann Korst's introduction. He detailed the different proposals from the Related Urban and RocaPoint. Related Urban's proposal included 64 units of live-work spaces, multifamily residences, retail, hotel spaces, and 5.8 acres of green space, with a total investment of \$715 million in the community. On the other hand, RocaPoint presented a larger \$1.5 billion investment plan with almost 9 acres of open green space. Mr. McShea emphasized the mix of uses in each proposal, including residential options and various amenities. Mr. McShea provided further details on the development concepts, highlighting that the presented plans were conceptual and subject to evolution over time. He discussed the specific areas within the development, such as the MLK Gateway District, mixed-use multifamily development, mixed-use district, and office spaces. McShea showcased renderings to illustrate the potential look and feel of the developments, emphasizing that these visuals represented initial concepts. Mr. McShea discussed RocaPoint's development plan. He noted their intention to acquire additional properties to enhance the cohesiveness of the project. He highlighted the various aspects of their development, including residential properties, parking facilities (both public and private), a downtown transit loop, and civic uses like a new E. Pat Larkins Center and performing arts center. He

emphasized the thoughtful design and planning that went into RocaPoint's proposal, showcasing renderings and conceptual plans.

Ms. Korst highlighted the Vocational Tech Center, an adaptive reuse of the City Hall, located in the upper right-hand corner of the development plan. She emphasized the importance of education in community development and noted that the center would cater to those who choose trade school over traditional college education.

Clarissa Willis, Senior Associate at CBRE Advisory and Transaction Services, briefly reported on site visits at different developments of both RocaPoint and Related Urban. She stated that representatives from the CRA and the City accompanied her and Mr. McShea at the different sites. She provided an overview of the developments and shared photos of each site as well. Lastly, she commented on two public sector references received for RocaPoint of which they spoke positively of their experiences of working with RocaPoint on their development projects.

Mr. McShea discussed RocaPoint's vision for creating a sense of place within the development. He emphasized that the project was designed to be a true live-work-play environment, focusing on a mix of uses to create a vibrant community. McShea mentioned that their developments typically achieved an average dwell time of 3 hours, indicating that people stayed and enjoyed various amenities, including restaurants, parks, and public art. Mr. McShea presented the key financial details of the two proposals. He noted that Related Urban had not provided sufficient financial information, making it challenging to analyze their proposal comprehensively. In contrast, RocaPoint proposed a development structure involving a "waterfall" model, where the City would increase property values over time. This model included upfront payments and a revenue-sharing mechanism that would benefit the City as the property values grew. He highlighted the expected revenue to the City, both through the waterfall model and increased tax revenues, emphasizing the potential financial benefits of the RocaPoint proposal. Additionally, Mr. McShea mentioned that RocaPoint's development would generate jobs during construction and create 4,000 permanent jobs upon completion. He recommended moving forward with RocaPoint as the preferred partner for further negotiations on the development agreement.

Ms. Korst emphasized that the ranking and recommendation presented in the meeting were just the beginning of a series of next steps in the project. She mentioned that community input and commissioner feedback would play a crucial role in shaping the development plan. Based on this feedback, Ms. Korst acknowledged the possibility of changes to the conceptual plan, such as the placement of City Hall or the amount of office space.

COMMISSION / CRA COMMENT

Ms. LeMasurier confirmed that the next steps would involve community engagement, an iterative negotiation process, and the development of a term sheet and master development agreement, both of which would be presented to the Commission for approval.

Mayor Hardin sought Commission's input on the presentation.

Comr. Moss inquired about the waterfall revenue-sharing process, specifically whether it had been implemented in any other city besides Greenville.

Mr. McShea mentioned that while the concept is common in developments, Greenville County was the first public sector entity they had encountered using it. He highlighted the positive results in Greenville and the County's satisfaction with the approach.

Mayor Hardin expressed interest in the community engagement process, wanting to ensure thorough engagement with residents. Ms. LeMasurier assured that the engagement would be comprehensive and would involve various forms to engage the entire community.

Comr. Fournier asked whether there were any substantive changes to the proposal based on the feedback received on May 3rd.

Ms. LeMasurier mentioned changes related to the inclusion of a performing arts center and a focus on affordable housing and mixed-income residential options.

Comr. Fournier also inquired about the unanimous nature of the selection committee's recommendation and raised concerns about the impact on infrastructure due to increased density.

Ms. LeMasurier mentioned that the recommendation was unanimous, and the developers had considered traffic counts and transportation plans to address infrastructure concerns.

Comr. Perkins expressed confusion regarding the discussion about building a new E. Pat Larkin Center, as this information was not presented during her meeting with the CBRE consulting group and city staff.

Ms. LeMasurier clarified that the option was presented either to renovate the existing Larkins Center or build a new one next to the new City Hall, allowing both civic uses to share facilities.

Comr. Perkins raised concerns about building a new E. Pat Larkin Center, given past issues with the existing senior center's design. She stressed the importance of avoiding similar problems with a new facility. She addressed the withdrawal letter from the Related Urban. She expressed her confusion regarding the email she had received and requested clarification from Jordan Davis, a representative of Related Urban, who confirmed their openness to continuing negotiations. She wanted to make a motion to rescind the withdrawal letter submitted by the Related Urban so that negotiations with them could continue.

Claudia McKenna, CRA Attorney clarified that the Commission could not take action to rescind the letter directly. Instead, it was up to the Related Urban to retract their withdrawal letter in writing.

Comr. Perkins emphasized the importance of community input and working with a group willing to engage with the community, especially in the sensitive context of the Northwest community. She requested that the Related Urban reconsider their withdrawal based on the information presented in the email.

Mr. Davis stated that he would bring Comr. Perkins' request back to the President of the Related Urban, Albert Milo, and they would follow up in writing if they decided to retract their withdrawal letter.

Comr. Perkins inquired about the payment made to the CBRE consulting group.

Ms. LeMasurier explained that CBRE was compensated with a \$7,500 monthly retainer. However, this amount would be refunded to the CRA upon execution of the development agreement.

Mark Berman, City Attorney addressed Comr. Perkins' concerns, stating that the email from Related Urban contained factually inaccurate information and that they stood by the procurement process. He mentioned that minor irregularities in both proposals did not significantly impact the evaluation process, both RocaPoint and Related Urban met the minimum requirements.

Mrs. McKenna clarified that the procurement process followed was lawful and in accordance with Florida statutes, emphasizing that any irregularities in the proposals were minor and did not disqualify the proposers. She also mentioned that both parties were given fair opportunities throughout the process.

Comr. Perkins expressed her concerns about the process and how it had unfolded, emphasizing the need to consider the Northwest community's interests. She suggested that the Related Urban be given an opportunity to respond to the points made during the meeting, but it was clarified that this was not necessary, as the Commission had already received legal counsel's explanation. She also brought up the public comment form's required disclosure and questioned when this practice had started.

Ms. LeMasurier explained that the form was a requirement of the Invitation to Negotiate (ITN) process and had been provided to the public to collect comments during the May 3rd public input workshop.

Comr. Sigerson-Eaton sought clarification on various aspects of the downtown development project. She confirmed that an invitation to negotiate was issued, and both RocaPoint and Related Urban were the top firms selected for negotiations. The negotiations had been ongoing for approximately 5.5 months, with the involvement of city staff and outside consultants, including CBRE.

Ms. LeMasurier affirmed the timeline and mentioned that the negotiating team unanimously recommended entering into negotiations with RocaPoint.

Comr. Sigerson-Eaton inquired about the contract timeline.

Ms. LeMasurier stated that the goal was to complete all community engagement, negotiation, and agreement drafting within 6 months, though the timeline could vary depending on the complexity.

Comr. Sigerson-Eaton expressed eagerness to move forward with the project and highlighted the importance of not letting perfection get in the way of progress. She also thanked both developer groups for their contributions and emphasized the significance of creating a new district in Pompano Beach.

Vice Mayor McGee expressed gratitude to both developer groups for their involvement and enthusiasm. She commended RocaPoint for their vision of creating a central district in Pompano Beach and praised their efforts to integrate transportation, a performance art center, parking solutions, and mixed-use options into the project. She also noted the importance of the waterfall financing plan and the potential for homeownership options

within the development. She expressed excitement about moving forward with the project and creating a new downtown area for Pompano Beach.

PUBLIC COMMENT

Ed Phillips, 384 NW 19th Street, Pompano Beach, FL, expressed the belief that the City Commission did not ask Related Urban to withdraw from the running, indicating that this decision rested with the company itself. Mr. Phillips commended the selected company (RocaPoint) and their potential to meet the City's requirements. He also highlighted the importance of certain aspects of the project, such as vocational training and local minority participation. He emphasized that local participation should extend to the neighborhoods in the community, not just the surrounding areas. He expressed his disappointment with what he perceived as a negative perception from the City Commission regarding the project's benefit to the overall community. He urged the Commission to focus on ensuring the inclusion and spirit of the project and called for collective efforts to make it a reality.

Vicente Thrower, 1890 NW 6th Avenue, Pompano Beach, FL, raised concerns about the document signing process and the lack of early community involvement before selecting the master developer. He asked how outreach would occur after the selection and criticized the perceived bias in favor of one developer. Mr. Thrower mentioned previous instances where commissioners had interacted with stakeholders before decisions were made and questioned the timing of the decision-making process.

Mary Phillips, 384 NW 19th Street, Pompano Beach, FL, expressed her enthusiasm for new developments and improvements in the community. She believed that revitalizing the MLK Boulevard corridor could change the negative perception associated with it. Mary also mentioned the importance of affordable business condos to support local businesses and stressed the need for security in affordable housing developments. She hoped for transparency regarding the hiring of local residents by developers.

Michael Skversky, 1630 SW 5th Avenue, Pompano Beach, FL, voiced concerns about the scale of the gentrification project and emphasized the importance of listening to Comr. Perkins, who has lived in the area for a long time. He mentioned that existing City facilities like the Burrie Center could be utilized instead of constructing new ones. Mr. Skversky also highlighted the significance of community input, especially in Comr. Perkins' district.

Willie Jones, 7124 Crescent Creek Lane, Coconut Creek, FL, expressed concerns about preserving the historical significance of the land where black farmers once lived and worked. He questioned how the project would protect and acknowledge the historical heritage.

David Hall, 290 SE 8th Court, Pompano Beach, FL, voiced strong support for the billion-dollar project in the underserved area of Pompano Beach. He argued that it's not gentrification when the development includes affordable housing and minority-owned businesses. Hall proposed repurposing the Burrie Center to generate more revenue through taxation, ultimately benefiting the City.

Janine Jones, a resident of Pompano Beach, shared her concerns about affordable housing and the income requirements for residents to move into new developments. She raised questions about how people with lower

incomes could afford to live in these new buildings. Jones also emphasized the need for upgrading E. Pat Larkins Center if the City Hall was to be relocated.

Saracha Peterson, 4354 NW 9th Avenue, Pompano Beach, FL, spoke passionately about preserving the cultural and historical heritage of the community. She urged developers to honor the ancestors and culture of the area in their plans. Ms. Peterson emphasized the importance of engaging with the youth in the community during the development process to ensure it meets their needs and aspirations.

Dodie Keith-Lazowick, 301 E. Atlantic Boulevard, Pompano Beach, FL, a representative of Related Urban, expressed disappointment in how her group was treated during the selection process. She emphasized that from the beginning, Related Urban was not treated respectfully, and there were issues with transparency and communication. She called for improvements in the process to ensure fairness to all participants.

Jocelyn Jackson, (no address provided), urged the City Commission to allow staff and consultants to do their jobs without constant back-and-forth discussions. She highlighted the need for transparency in the decision-making process and emphasized that regardless of which developer is chosen, the community will have to work with them.

Whitney Rawls, 550 NE 34th Street, Pompano Beach, FL, a member of the selection committee, explained that the committee had evaluated proposals from various developers and believed that both RocaPoint and Related Urban had strong potential proposals. However, he raised concerns about the process, stating that the selection committee did not officially make a recommendation. Mr. Rawls suggested tabling the decision to allow for further evaluation and community engagement to ensure an apples-to-apples comparison between the two proposals.

Mayor Hardin closed the public comment segment. He acknowledged public input and the role of the selection committee.

Ms. LeMasurier explained the committee's composition and purpose in evaluating proposals.

Mayor Hardin discussed the difficulty of the proposal process and highlighted the importance of the next steps in the development project. He emphasized the long-term commitment and the need for the right partners.

Comr. Fournier clarified the process, stating that the Commission was voting to authorize staff to negotiate with one firm.

Ms. LeMasurier mentioned that the process had been ongoing for over a year and a half, and previous solicitations were unsuccessful.

Comr. Fournier expressed concern about the unused land in the northwest area and the need to take action.

Ms. LeMasurier stated that the unused land size was 75 acres.

Comr. Fournier voiced her reservations about tabling the project, highlighting the importance of having a

responsive partner and an outside perspective. She also mentioned her concerns about the project's financial aspects.

Comr. Perkins expressed hesitation about proceeding with the current options and favored tabling the decision to gain more clarity about the master developer. She mentioned concerns about fairness in the process.

Suzette Sibble, Assistant City Manager, addressed concerns about fairness in the process, highlighting the importance of financial considerations and the willingness of the chosen developer to invest in the project. She emphasized the need for community engagement and the responsibility of the City to minimize risk while achieving its goals.

Mrs. McKenna emphasized that the negotiations were conducted fairly and professionally. She mentioned that all meetings with the developers were recorded, and every communication was in writing, meeting the standards of integrity expected by the City of Pompano Beach.

Comr. Fournier inquired about the expectations during the postponement period, to which Ms. LeMasurier explained that community engagement meetings beyond the ITN process were not part of the legal procedure. She mentioned that such meetings would occur after selecting a master developer as part of the contract requirements.

Comr. Perkins expressed her desire to introduce the developers to her district's community and gain more insight into both groups before making a decision.

Mr. Berman clarified that the recommendation was not about approving specific plans or buildings but selecting a partner to start negotiations.

Comr. Perkins emphasized her concern about fairness and the need to build trust with the residents in the district where the project would be located.

Mr. Berman and Mrs. McKenna emphasized that the allegations made in the email were not supported by facts and that the process had been conducted fairly.

Comr. Perkins expressed her desire to table the decision and have more time to connect with the development groups and gather community input.

Comr. Moss expressed skepticism about the motion to table, seeing it as a tactic to delay the process. He also spoke highly of Ms. Sibble's integrity and trustworthiness.

Comr. Fournier inquired about when the selected developer could meet with the community. Ms. LeMasurier mentioned that the timing would depend on the negotiation sessions and the Master Development Agreement. Mrs. McKenna clarified that the developer could initiate community engagement independently before the agreement was finalized.

Comr. Fournier highlighted the legal aspect and the option for the developer to hold community meetings even

before the agreement was in place.

Comr. Perkins expressed her desire to withdraw her motion to table the decision and proceed with the vote.

Vice Mayor McGee expressed excitement about moving forward with the project and highlighted the benefits of having a committed partner.

Comr. Moss emphasized the importance of the City's reputation with developers and urged moving forward to avoid further reputation damage.

Comr. Sigerson-Eaton emphasized the urgency of taking action given the property's long period of inactivity.

Mayor Hardin expressed commitment to advancing the city and acknowledged Comr. Perkins' concerns while expressing his belief in the project's potential.

Comr. Perkins commented on the project being about money and power.

Mayor Hardin expressed the importance of going into the partnership with the selected developer with a firm commitment and a shared goal of seeing the project succeed. He emphasized the significance of the decision for the City and expressed hope for a unanimous decision by the Commission, acknowledging that there are reservations but emphasizing the importance of the opportunity.

A motion was made by Commissioner Perkins, seconded by Commissioner Fournier, to postpone the consideration of the item to December 5, 2023, at 6:00 PM. However, after further discussions on the matter, Commissioner Perkins decided to withdraw her motion to postpone the item.

A vote was taken to accept CBRE's recommendation to approve RocaPoint Partners, LLC as the number one ranked firm; and to authorize staff to negotiate an agreement with RocaPoint Partners, LLC as Master Developer for the Downtown. The action carried by the following roll call vote:

Yes: Commissioner Eaton, Commissioner Fournier, Commissioner Moss, Vice Mayor McGee and Mayor Hardin

No: Commissioner Perkins

B. ADJOURNMENT

The meeting adjourned at 8:20 p.m.

Rex Hardin, Mayor

Kervin Alfred, City Clerk