



Broward County Commission Regular Meeting

43.

Meeting Date: 01/08/2019

Director's Name: Bertha Henry

Department: County Administration

Division:

Cultural Division

Information

Requested Action

A. **MOTION TO APPROVE** Second Application Cycle Tourist Development Tax Capital Challenge Grant Program request from the City of Pembroke Pines, in the amount of \$537,650, for the construction of a new Conference & Parking Annex at City Center; authorizing the County Administrator to approve and execute an agreement using the standard contract for the Cultural Incentive (Grant) and amendment(s) subject to approval as to form by the Office of the County Attorney; and authorizing the County Administrator to take any necessary administrative and budgetary actions. **(Commission District 6)**

ACTION: (T-11:20 AM) Approved.

VOTE: 9-0.

B. **MOTION TO APPROVE** Second Application Cycle Tourist Development Tax Capital Challenge Grant Program request from the Performing Arts Center Authority, in the amount of \$500,000, for the renovation, restoration and expansion of the iconic Parker Playhouse; authorizing the County Administrator to approve and execute an agreement using the standard contract for the Cultural Incentive (Grant) and amendment(s) subject to approval as to form by the Office of the County Attorney; and authorizing the County Administrator to take any necessary administrative and budgetary actions. **(Commission District 7)**

ACTION: (T-11:20 AM) Approved.

VOTE: 9-0.

Why Action is Necessary

Motions A and B: Pursuant to Broward County Administrative Code Chapter 29, Part II, Section 29.16. j.6.a., the recommended awards for the initial Second Application Cycle shall be submitted to the Broward County Board of County Commissioners (Board) no later than December 15, 2018. Board approval is required to allocate funding under the Tourist Development Tax Capital Challenge Grant Program (TDTCCGP).

What Action Accomplishes

Motions A and B: Allocates funding in the TDTCCGP Second Application Cycle for the two projects.

Is this Action Goal Related



Previous Action Taken

The Board at its September 13, 2018 meeting (Item No. 57) approved a TDTCCGP Second Application Cycle program.

The Board at its December 11, 2018 meeting (Item No. 41) received the applications for the TDTCCGP Second Application Cycle and approved to defer approval of the TDTCCGP Second Application Cycle to no later than January 29, 2018 to allow for appeal process to take place on December 13, 2018, and to direct staff to forward the review panel's recommendations to the Board for final review and approval.

Summary Explanation/Background

CULTURAL DIVISION AND GREATER FORT LAUDERDALE CONVENTION & VISITORS BUREAU (GFLCVB) RECOMMEND APPROVAL.

This item supports the Board's value of "Cultivating community culture, arts, recreation and life-long learning" and goals relating to providing diverse artistic, cultural, educational and historical amenities and programs that contribute to a vibrant, multi-cultural and economically-viable community.

Periodically, Broward County receives requests for financial assistance from its municipalities or non-profit organizations to support capital projects using proceeds from the Tourist Development Tax (TDT), which may be used for tourism-related purposes, including tourist-related projects.

The Board, at its August 20, 2013 budget workshop, directed staff to create the TDTCCGP. At the November 12, 2013 Public Hearing (Item No. 11), the Board adopted Resolution No. 2013-880 amending the Broward Cultural Council's Incentive (Grant) programs in the Administrative Code to create the TDTCCGP to provide capital funding to eligible organizations, which was added as Chapter 29, Part II, Section 29.16. j. The Board subsequently amended that section to include additional involvement of the GFLCVB, including the tourism impact review report by the GFLCVB of the "bed nights" that are projected by the applicants.

In the first cycle, applicants must provide matching funds via cash contributions in a minimum ratio of 2:1. The cash matches may include an applicant's available cash on hand earmarked for the project; irrevocable contributions of cash that will be received and obligated by the end of the project period; and the cost of site acquisition (for the applicant-owned property) if acquired within three years prior to the date of application. In-kind match must be identified and may not exceed 30% of the total projected cost. The maximum amount for each award may not exceed \$500,000.

At its September 13, 2018 meeting (Item No. 57), the Board approved a TDTCCGP Second Application Cycle when unobligated funds remain in a given funding year. Under the Administrative Code Chapter 29, Part II, Section 29.16 j., the Board in its discretion may initiate a Second Application Cycle if more than \$250,000 remains in the program's fund. From Fiscal Years 2014 to 2018, \$3,690,007 was awarded to 11 recipients (Exhibit 1). Of the \$5 million allocated over the previous five years, \$1,309,993 is unobligated.

Grant applicants in the Second Application Cycle are required to commit and have available (through cash contributions) a minimum ratio of 1:1 matching fund. They are also permitted to apply for more than one grant in a five-year period and may receive up to \$1 million cumulatively in a five-year period. Only applications receiving a narrative ranking of "High" or "Medium" are considered for funding. Applications receiving a "High" ranking shall be funded before applications receiving a "Medium" ranking. Within any ranking category ("High" or "Medium"), the first dollars awarded in the Second Application Cycle are given to any projects that have not, in the previous five years, been awarded TDTCCGP funds.

The grant review panel for this Second Application Cycle was held on November 5, 2018. The panel consists of five members: one member who has served on the Broward Cultural Council (BCC) for at least three consecutive years; one member who is the Tourist Development Council (TDC) liaison to the BCC; and three members who are hoteliers identified by the TDC. One hotelier member of the invited panel did not attend the panel review. (While the grant review panel consists of five members, the GFLCVB also participates in the ranking the projects for tourism impact).

Three grant applications were received (Exhibit 2). The project applications were reviewed and ranked on a High-Medium-Low-NonResponsive/Ineligible basis by the panel. The review sheet used by the grant review panel included the tourism impact review report by GFLCVB of the "bed nights" that were projected by the applicants (Exhibit 3).

The Performing Arts Center received a "High" rating, The City of Pembroke Pines received a "Medium" ranking and the City of West Park received a "Low" ranking and therefore does not qualify to receive funding (Exhibit 4).

The City of West Park subsequently submitted a Notice of Appeal (Notice) to the staff on November 19, 2018 (Exhibit 5). The Notice stated that the panel's decision was based on insufficient information as it relates to the projected hotel room nights provided as an estimate for room nights within the City and surrounding areas that have great potential to attract overnight visitation. The Notice also stated that unlike other applications scored by the panel, the range between the lowest and the largest total score is rather large and inconsistent with how other applications were scored.

Cultural Division staff responded to the City of West Park (Exhibit 6) on November 30, 2018 and restated that according to the staff at the GFLCVB, the City of West Park's room night projection seems high as the center will be new and just starting to attract visits and that there are limited hotels in the municipality and surrounding areas. Without accommodations, it seems unlikely to attract overnight visitation. It is difficult to determine the number of room nights without a history of generation by the municipality.

The table below, also included in the letter, demonstrated that the scores were reasonably consistent among the panel members and the GFLCVB staff.

	Kurland	Koslowski	Keesler	Lundgren	GFLCVB
City of Pembroke Pines	Medium	Medium	High	Medium	Medium
City of West Park	Low	Medium	Low	Low	Low

Performing Arts Center Authority	High	High	High	High	High
----------------------------------	------	------	------	------	------

GFLCVB sent a letter to the Cultural Division on December 3, 2018 (Exhibit 7), to further explain the low ranking given by staff. The letter stated that the mission of the GFLCVB is to promote and market the destination which is Broward County. Expending TDT dollars is set out in a Florida Statute 125.0104. The primary directive for the spending of TDT dollars is also the promotion and marketing of the destination. According to the GFLCVB, there is no way to accurately predict the City of West Park's room night generation as there is no historical data provided. In addition, the dining and retail option focus are limited and focus on residents.

On December 11, 2018, The City of West Park, through electronic mail (Exhibit 8), informed staff that they would not attend the appeals workshop scheduled on December 13, 2018. The Cultural Division staff requested a formal letter from the City of West Park stating its intention to rescind the appeal but did not receive a letter.

An appeals workshop occurred on December 13, 2018, and the City of West Park did not attend.

The BCC discussed the grant panel's recommendation on December 13, 2018, and unanimously approved the TDTCCGP panel ranking recommendation.

MOTION A:

The Board at its February 10, 2015 meeting (Item No. 43) approved a TDTCCGP funding request (for Fiscal Year 2014) from the City of Pembroke Pines in the amount of \$462,350 for the construction of the Civic Center Cultural Complex.

The City of Pembroke Pines' Second Application Cycle request of \$1 million is for the construction of a new Conference & Parking Annex at City Center. The City of Pembroke Pines is eligible to receive up to a maximum of \$537,650 for this Second Application Cycle.

The proposed six-story structure will provide five parking levels for 669 vehicles and a sixth-story conference center with a roof garden.

Building on an established program of year-round conference and cultural events, the City's Cultural Arts Division and the City's contracted management firm, SMG, have scheduled a full calendar of performances, exhibitions, community engagement events and innovative arts education at the new \$60 million Charles F. Dodge City Center, which opened in 2017.

The Conference & Parking Annex will be used for attendees attending banquet facilities, allowing management firm SMG to book larger out-of-county conferences, weddings, bar mitzvahs, and fraternity/sorority reunions.

The campus also incorporates the Great Hall with seating up to 3,200 with flexible configurations; City Commission Chambers that is also used for civic meetings; Frank C. Ortis Art Gallery and a one-acre plaza.

The campus is adjacent to a new 145-acre mixed-use downtown currently under development by private developers. The downtown has 1,900 residential units, a movie theater, restaurants, office space, and 350 hotel rooms (planned) within walking distance.

Motion A would approve \$537,650 in this Second Application Cycle for the construction of the new Conference & Parking Annex at City Center.

MOTION B:

The Board at its June 5, 2018 meeting (Item No. 50) approved a TDTCCGP funding request (for Fiscal Year 2018) from the Performing Arts Center Authority in the amount of \$500,000 for the renovation, restoration and expansion of the iconic Parker Playhouse in Fort Lauderdale.

The Performing Arts Center Authority's Second Application Cycle request of \$1 million is for additional renovation of the Parker Playhouse. The Performing Arts Center Authority is eligible to receive up to a maximum of \$500,000 for this Second Application Cycle.

The Parker Playhouse is a 1,167-seat theater that has been a venue for concerts, theater, comedy, and dance since 1967. The funding request is to restore Parker Playhouse to state-of-the-art and include extensive renovation or replacement of the existing building shell, mechanical and electrical systems, theatrical equipment, audio-visual systems and seating as well as the addition of approximately 7,100 square feet of new space, all of which will help ensure the venue can continue to attract artists and audiences and remain viable in the competitive arts and entertainment industry for years to come.

Motion B would approve an additional \$500,000 in this Second Application Cycle for the Performing Arts Center Authority's renovation of the Parker Playhouse.

After approval of the funding amounts by the Board, the County Administrator is authorized to approve and execute the appropriate

standard agreement form and subsequent amendments as allowed by Chapter 29, Part II, Section 29.17. f. of the Administrative Code . The County Administrator will use the appropriate (or most current) standard contract for the Cultural Incentive (Grant) Program subject to prior review and approval of each agreement as to form by the Office of the County Attorney.

Source of Additional Information

Leslie Fordham, Acting Director, Cultural Division, (954) 357-7532

Fiscal Impact

Fiscal Impact/Cost Summary:

The remaining unobligated funds for the prior year in the Convention Center Capital Fund for the TDT Capital Challenge Grant Program that are available for the 2018 Second Application Cycle are \$1,309,993.

Attachments

[Exhibit 1 - Summary of Grant Awards from Fiscal Years 2014 to 2018](#)

[Exhibit 2 - Grant Applications and Project Description](#)

[Exhibit 3 - GFLCVB Staff Review Summary and Ranking](#)

[Exhibit 4 - Panel Members' Ranking](#)

[Exhibit 5 - Notice of Appeal from the City of West Park dated November 19, 2018](#)

[Exhibit 6 - Letter from Broward Cultural Division to City of West Park dated November 30, 2018](#)

[Exhibit 7 - Letter from the GFLCVB dated December 3, 2018](#)

[Exhibit 8 - Electronic Mail from the City of West Park dated December 11, 2018](#)
