



Bay Park Improvement Board (BPIB) Meeting
March 29, 2024 – 10:00 A.M.

City of Sarasota - SRQ Media Studio
1565 1st Street, Sarasota, FL 34236

BPIB MEMBERS:

- Chair, City of Sarasota Mayor Liz Alpert
- BPIB Member, Sarasota Board of County Commissioners (BCC) Ron Cutsinger
- BPIB Member, Sarasota BCC Mark Smith
- BPIB Member, City of Sarasota Commissioner Debbie Trice
- BPIB Community Member Jon Thaxton

GUESTS:

- A.G. Lafley, Founding Chief Executive Officer, The Bay Park Conservancy, Inc. (The BPC)
- Philip DiMaria, BPC Planner, Kimley-Horn and Associates, Inc.
- Jennifer Compton, Chair, The BPC Board
- Jennifer Jorgensen, Governmental Affairs Director, City of Sarasota

1. CALL MEETING TO ORDER:

The meeting was called to order by Chair Alpert at 10:02 A.M.

2. ROLL CALL: No one was absent.

3. APPOINTMENT OF CHAIR/VICE CHAIR:

Chair Alpert sought and received BPIB consensus to appoint BPIB Member Smith as Chair, and BPIB Member Trice as Vice Chair.

BPIB Member Alpert passed the gavel to Chair Smith.

4. PLEDGE OF CONDUCT: Pledge of Conduct read by Chair Smith.

5. CITIZENS' INPUT: Citizens' Input received from an individual in the SRQ Media Studio.

6. APPROVAL OF THE MINUTES:

A motion was made by Vice Chair Trice, seconded by BPIB Community Member Thaxton to approve the minutes of the March 10, 2023, Bay Park Improvement Board (BPIB) Meeting, which carried by a 5-0 vote.

7. UPDATE ON PHASE 2 PLANNING:

Mr. Lafley presented and referred to a PowerPoint presentation displayed on the SRQ Media Studio monitors entitled "The Bay One Park for All Bay Park Improvement Board 29 March 2024," as follows:

- Design is on track; working on four relatively discreet Capital Improvement Projects (CIPs), which are all at 15-30% of design completion although two are headed to 60% in the next six months
- Scope is being refined; prepared to accommodate the Van Wezel Performing Arts Hall (VWPAH) for the future and the proposed recommendations of the Purple Ribbon Committee as well as prepared to accommodate any conceptual design plans for a new Performing Arts Hall (PAH)
- Phase 2 consists of four projects:
 - Resilient Shoreline (Including Hogs Creek) which will enable the ability to handle stormwater surges and treat more water running through and off the site and into the Bay
 - Cultural District focuses on the front of the Bay Park, stretching from Boulevard of the Arts to 10th Street
 - Canal District Day Docks & Seawall is primarily an infrastructure improvement facilitating boater access to the park.
 - Sunset Pier, which is still in the permitting process
- Total Budget for Phase 2 is \$65 million, with \$48 million funded by Tax Increment Finance (TIF) backed City Bond,
 - \$8.7 million expensed to date; \$11 million forecast expense balance for 2024
 - \$17 million potentially eligible for Government Grant funding
- Action requested: the BPIB recommends Fiscal Year 2025 (FY25) deposit of City and County TIF District Revenues into TIF Trust Fund (at April 2024 Commission Meetings)
- Over 400,000 park guests have visited The Bay Park
- More than 50,000 park guests participated in one or more free events in The Bay Park
- Approximately 2.5 million total connections have been made since inception (including community meetings, newsletters, social media, website, park guests, Friends of The Bay)
- More than 70 million gallons of polluted stormwater run-off are treated in the park annually before flowing into Sarasota Bay.

Questions posed by BPIB Member Cutsinger were addressed by Mr. Lafley, Mr. DiMaria provided input, and BPIB Member Cutsinger stated that one of the reasons this project is supported is because millions upon millions of gallons of water were flushing into the Bay and improvements are already being seen; that in relation to Phase 2, the request is to highlight those improvements for the BPIB when moving forward.

BPIB Community Member Thaxton spoke to the impact of the improvements to The Bay Park in Phase 1 and proposed in Phase 2 for stormwater treatment, which are favored, and stated that for the first time in over 100 years the watershed is being treated prior to running in the Bay, and Hogs Creek will be treated with the same approach.

8. RECOMMENDATION TO APPROVE DEPOSIT OF FY25 REVENUE INTO THE BAY PARK TRUST FUND

A motion was made by BPIB Community Member Thaxton, and seconded by BPIB Member Alpert to approve the deposit of Fiscal Year (FY) 2025 revenues from the Tax Increment Finance (TIF) District into The Bay Park Trust Fund.

Question posed by BPIB Member Cutsinger was addressed by BPIB Community Member Thaxton.

BPIB Community Member Thaxton spoke to the motion.

Chair Smith called for a vote on the motion to approve the deposit of Fiscal Year (FY) 2025 revenues from the Tax Increment Finance (TIF) District into The Bay Park Trust Fund, which carried by a 5-0 vote.

9. CONSIDERATION OF FUNDING FOR NEW PERFORMING ARTS CENTER DESIGN ARCHITECT AGREEMENT

Ms. Jorgensen stated that the request is for the BPIB to consider funding from the Tax Increment Finance (TIF) District the Design Architect Agreement (DAA) which is currently undergoing negotiations and presented as follows:

- Costs provided today are based on estimates since currently in negotiations regarding the legal terms of the Contract; that costs cannot be discussed per Florida law until the legal terms are finalized; that once final costs are obtained, and final Contract is negotiated then will return back before the BPIB
- In May 2023 a Design Architect Selection Task Force interviewed six design architects, and three were selected and ranked in order; Renzo Piano Building Workshop (Renzo Piano) was ranked number one
- Once dollar amounts are finalized with Renzo Piano the Contract will go before the City Commission for approval and then before the County Commission; that the need is to ensure the City as well as the Sarasota Performing Arts Foundation (SPAF) has the funds since the cost of the DAA will be split 50/50
- Paratus Group estimated the envelope cost for the DAA to be approximately \$44 million; that the envelope cost entails the base Architect Agreement currently being negotiated with Renzo Piano and could be approximately \$35/\$38 million; that the remainder costs are for contingency, future change orders, and/or unanticipated costs to make up the total of \$44 million
- The estimated cost of \$44 million does not just include the design architect; that the design architect will then in turn hire the architect of record and all of the subcontractors, such as the landscape architects, geo-technology engineers, structural engineers, et cetera.

In response to a question from Vice Chair Trice asking about whether the \$44 million is the City's expense or includes what the SPAF is providing, Ms. Jorgensen stated that the \$44 million is the total cost which will be split 50/50 between the City and the SPAF; that the design architect costs will be less than the \$44 million and the additional funds will be set aside for contingencies.

In response to clarification sought from BPIB Community Member Thaxton asking whether the proposed motion requested is to include the architecture work to be qualified for TIF funding rather than seeking approval for a specific dollar, Ms. Jorgensen stated yes, and provided a brief overview of the Interlocal Agreement (ILA) passed by the City and County which indicates projects must come before the BPIB for TIF funding consideration.

In response to a question posed by BPIB Member Cutsinger asking was this project considered and presented as an improvement to be funded when the original TIF was approved, Ms. Jorgensen stated that this was part of the 53-acres of the entire Bay Park, and the new performing arts center (PAC) was considered as part of The Bay Park Master Plan which was approved.

BPIB Member Cutsinger continued to pose questions regarding whether the new performing arts center was always anticipated to be paid for by TIF funding and voiced concerns about voting in favor of this project since unaware the TIF would be paying for the new PAC, was addressed by Ms. Jorgensen, BPIB Member Alpert, and BPIB Community Member Thaxton.

Questions posed by Chair Smith regarding the Request for Proposals (RFP) for the Design Architect Selection, the timeframe for work to be completed once the engineer is selected, and whether there is a set deadline, was addressed by Ms. Jorgensen, and Chair Smith voiced concerns about how the fees were estimated without a scope of work being provided, which was addressed as follows:

- The RFP did include some information about what is being sought pertaining to the new PAC

- Square footage approximately 98,000
- Seating capacity approximately 2,200
- A larger and smaller theater, which was changed slightly to lower the cost
- Paratus Group, the consulting team, provided these numbers and assisted with formatting the RFP based upon the square footage, theaters, and seating capacity to determine the estimated \$44 million

In response to a question posed by Chair Smith asking if the RFP was sent out with the assumption the VWPAH will not be in existence, Ms. Jorgensen stated that the belief is this is not the case, and the Purple Ribbon Committee was put into place to examine how the VWPAH can be used in correlation with the new PAC.

In response to questions posed by BPIB Member Cutsinger asking what the timeline is, could this be tabled to the next BPIB meeting, and what the urgency is with this issue, Ms. Jorgensen stated that the urgency is to continue moving forward with the process and making sure the funding is aligned prior to bringing before the City Commission, to keep on good timeline to get the Contract with Renzo Piano signed in a timely manner, and keep the Implementation Agreement on track to be presented to the City Commission in November 2024 as well.

BPIB Member Alpert spoke in favor of the BPIB taking action today to approve the funding for the DAA from the TIF.

Chair Smith spoke to the topic and stated that the belief is moving forward today is slightly premature.

Vice Chair Trice spoke in favor of the BPIB moving forward and stated that the future VWPAH and new PAC are separate and distinct and the BPIB should consider them as separate decisions.

Discussion ensued about whether to move forward with approving the DAA to be funded by the TIF District.

Ms. Jorgensen addressed comments/questions posed by the BPIB and stated that this will need to return back before the BPIB within the next month or so to keep on track, to bring before the County Commission, City Commission, and bring the Renzo Piano Contract before the City Commission as well, and provided a brief overview of the hard and soft costs; that the hard costs per the current scope of work of the new PAC are estimated to be approximately \$170 million; that this is based upon an estimate from the consultant and these numbers cannot be obtained until the design architect is hired; that the request today is to allow the DAA to be funded from the TIF.

Questions posed by Chair Smith were addressed by Ms. Jorgensen.

A motion was made by BPIB Member Alpert, seconded by BPIB Member Cutsinger to table the decision concerning the payment for the Desing Architect Agreement (DAA) from the Tax Increment Finance (TIF) District until the next Bay Park Improvement Board (BPIB) Meeting in approximately one month (April 2024), which carried by a 5-0 vote.

10. ANY OTHER BUSINESS

None

11. NEXT MEETING

To be determined in April 2024.

12. MEETING ADJOURNS

The Bay Park Improvement Board (BPIB) adjourned at 11:05 A.M.