

May 2011

## **Tennis Anyone?**

### **City Serves Up Fat Contract**

Recently the City Commission approved a large, long-term contract for additional tennis.

For years, City Commissions have strived to raise the city's profile by putting events into the Delray Beach Tennis Stadium.

They have also attempted—so far unsuccessfully—to sell naming rights to the stadium to help offset the costs of hosting events most notably the Delray Beach International Tennis Championships.

Three years ago, Matchpoint owner Mark Baron proposed adding a Champions Tour event for senior players before the Delray ITC event in February. The proposal called for a commitment from the city of about \$350,000 per year with the prospect of offsetting the cost by selling sponsorships. The Commission asked the city's Budget Review Committee to review the proposed 20 year contract. The Budget Review Committee recommended that the city agree only to a 3 year contract to test its ability to sell sponsorships. If at the end of the period the city did not sell a minimum of \$750,000 in sponsorships, the city could cancel. Mr. Baron indicated that this would be an opportunity for Delray to break even or even make a profit.

During the 3 year test period the city sold no sponsorships and had no income to offset its expenses.

But our Commissioners are an optimistic group, and seem to be great tennis fans (although your Editor has never seen one with a racket in hand). So in spite of the poor results from the test period they recently approved a new 20 year contract that commits the city to pay Mr. Baron's company \$350,000 per year for 20 years – a total of \$7,000,000.

As good stewards of city finances, they proclaimed that there is an "economic benefit" to Delray. Our Mayor says that he followed exiting tennis fans to businesses on the Avenue. Commissioner Carney explained that he called two hotels and three restaurants to see if they had extra business as a result of the event, as well as talk to the company charged with selling the sponsorships for the city. Commissioner Frankel is reported to have found more crowds at Avenue watering holes. Commissioner Fetzter said he thought the expenditure was the good for the city. We are not aware of any comment by Commissioner Gray.

No one on the Commission, however, seems to have done a financial analysis. For instance, to determine how much of the \$350,000 per year will be returned to the City in incremental sales tax revenue, and to analyze the cost to taxpayers if no sponsorships are sold.

The long-term contract was passed by the Commission over the objections of several members of its own Financial Review Board.

At the time of the approval of the contract, city officials said sponsorship opportunities are “in front of us.”

For a \$7,000,000 taxpayer obligation.....

We sure hope so.

### **Worthing Place**

Worthing Place has had a controversial and difficult history. When first proposed and approved in the late 90s, the 5-story downtown mixed-use project was the source of major debate over density and height in the downtown.

Several lawsuits were filed against the city unsuccessfully by Tom Worrell, developer of the Sundry House who challenged the city’s approval process.

Now the building is up and being leased. Residential rentals are said to be fairly brisk and Carlos and Pepe’s restaurant is open.

But in order to make the remaining commercial space more marketable, Bill Morris the developer has requested that the city narrow the park by 22 feet and add a deck over the back of the park to accommodate outside seating for new restaurants on the ground floor of his building.

Some residents have questioned the terms of the proposed deal that has the taxpayer footing the cost of building the deck and adding new landscaping at a cost reported by the Sun Sentinel to be about \$285,000. (Your Editor is normally an agreeable fellow, but \$285,000?)

Developer Bill Morris, as a condition of winning the bid for the project more than a decade ago, promised to build a public parking garage and to spend \$100,000 on park improvements. The garage has been built and we assume (but are not sure) that the \$100,000 will be paid to the city as a part of this project.

City Commissioners seem inclined to give the park space over to commercial use and absorb the aforementioned cost. They “gave direction” to staff to proceed during a recent workshop. The plans for the park will be sent to the Site Plan Review and Appearance Board. Ultimately, a contract for the work will come back to the Commission for approval.

There is a variety of views. Some residents have cried foul saying the city should have at least split the cost with the developer. Others have quietly—why is it always quietly?—questioned the city’s priorities considering current budget constraints. Others denounce taking public park land for private use, even if rent will be paid on the land. Some say it is a violation of the city’s commitment to go green.

We want to see Worthing Place succeed and have a lot of sympathy for Bill Morris who has been a good citizen. He is to be commended for sticking with the project through lawsuits and a real estate bust.

But...

This involves one of the most visible and historic sites in Delray. It involves public land and a significant amount of money. It is important that residents express their own views while it is still in the planning phase. We urge you to send your opinions to our Commissioners now, before the final vote.

They can be reached by email: [agray@mydelraybeach.com](mailto:agray@mydelraybeach.com) [carney@mydelraybeach.com](mailto:carney@mydelraybeach.com)  
[fetzer@mydelraybeach.com](mailto:fetzer@mydelraybeach.com) [frankel@mydelraybeach.com](mailto:frankel@mydelraybeach.com) [mcduffie@mydelraybeach.com](mailto:mcduffie@mydelraybeach.com)

### **Downtown Arts Garage Making Some Noise**

The Creative City Collaborative (CCC), a new non-profit funded in large part by the CRA and led by Executive Director Alyona Ushe and a volunteer board, has transformed dead space at the Old School Square Garage into a jazz haven.

Three standing room only events in April featuring the likes of Grammy winner Federico Britos and Miami Jazz great Jesse Jones Jr., shows the potential of the venue and the CCC.

The Cultural Plan was developed and adopted in 2005-06 by the City Commission under Mayor Jeff Perlman and then shelved by subsequent commissions until the CRA resurrected the plan. Ushe was hired and has been a whirlwind ever since.

Hopefully, the city matures from a place of festivals and dining opportunities to a place of culture and commerce.

The CCC has found a niche in the marketplace and is filling it admirably. We recommend that our readers look out for announcements of upcoming events at the Arts Garage.

### **Fire Chief Returns**

After a long, health related absence, Delray Beach Fire Chief David James returned to work part-time in late April.

He will serve as assistant chief while working 8 hours a week for the next two months.

Acting Chief Danielle Connor will continue to hold the reins at the department.

This seems like an awkward managerial situation—because while Connor is technically the chief, her erstwhile boss is in the building parts of two days. It is not clear to some firefighters who is in charge.

Hmm...not sure that management guru Peter Drucker would agree with this decision made by our City Manager David Harden.

Chief James has held the top spot for four years and has had numerous physical setbacks limiting his time at work. In fact, he has been extensive and prolonged medical absences since his arrival at the Department.

Stay tuned.

### **Downtown Shuttle**

The city commission agreed to extend Quality Transport Services deal to run the Downtown Shuttle.

The CRA will pick up the tab for the time being.

There are still efforts under way to add a more aesthetically pleasing trolley like vehicle to replace the shuttles which many have said they are reluctant to ride because they cannot see inside the vehicle.

Stay tuned.

### **Serious crime falls in Delray**

In 2010, 3,930 serious crimes were reported in Delray Beach, down from 4,036 in 2009, according to the Florida Department of Law Enforcement.

The crime rate – or number of crimes reported per 100,000 residents – was 6,120, down from 6,327 in 2009.

FDLE reported the following crime figures for Delray Beach:

- 3 murders in 2010, 3 in 2009;
  
- 22 rapes, 29 in 2009;
  
- 198 robberies, 218 in 2009;
  
- 367 aggravated assaults, 356 in 2009;
  
- 724 burglaries, 771 in 2009;
  
- 2,423 larcenies, 2,448 in 2009;
  
- 193 motor vehicle thefts, 211 in 2009;

Good news for Delray. However, we still have room for improvement. Our neighboring cities reported even lower rates: Boca Raton reported 2,683 serious crimes or 3,182 crimes reported per 100,000 residents. Boynton Beach logged 3,780 serious crimes or 5,601 crimes reported per 100,000 residents.

### **Delray Affair**

Huge crowds and good weather greeted the 49<sup>th</sup> annual Delray Affair last month.

Still, there were several reports of unhappy vendors. The two issues seemed to be: poor pedestrian flow at the Old School Square Park which inhibited vendor sales according to some vendors and the alleged failure to conduct a juried art show.

Let's hope, the chamber irons out those issues for the big 50<sup>th</sup> next year.

### **In memory of a fallen officer**

Kudos to Delray Citizens for Delray Police for hosting a barbecue to raise funds for Sgt. Adam Rosenthal who died in a car crash on his way to work in February.

A large crowd enjoyed SWAT and K-9 demonstrations at Old School Square. Money is being raised to help Adam's family which includes four small children.

It was heartwarming to see the outpouring of community support for one of our own. And a reminder of what makes Delray a special place.

Donations can be made to Delray Citizens for Delray Police and dropped off at the Police Department. Please put Adam's name in the memo section of the check.

Until next month...we invite your comments, tips, input, etc

### **Comments from Readers**

In response to our article in the April 2011 issue of the Delray Intelligence Report "Restaurant Moratorium?", Mr. Fran Marincola, Chairman of the Downtown Development Authority contacted us and asked us to make a correction. He said that the DDA has not recommended a moratorium on new restaurants along Atlantic Avenue. Instead the DDA has recommended "restricting issuance of in-lieu fees and parking spaces for a short period". Also the DDA has "recommended restricting outdoor café licenses for a short period". These recommendations were forwarded to city staff in April. To date the city staff has not responded.

Our response: We are happy to clarify the record.

With reference to our article "Speaking of Handouts" in the March 2011 edition, Bob Buoniconti comments:

The moving estimates for the Chambers move to the garage is ludicrous. First to your point they are not a city dept. and any aid should be closely scrutinized. Lastly a move of that short a distance could not cost that much, are you sure that doesn't include build out of the space @ the parking garage?

Our response: You are correct. The expenditure of between \$500,000 and \$1,000,000 does include build out of the new Chamber offices. Although technically a loan by the CRA to the Chamber, it remains to be seen if it will be repaid. The Chamber will also benefit from a long-term lease at \$1 per year.

Reader comments are always appreciated.