



If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, that person will need a record of the proceedings, and that, for such purpose, the person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

REGULAR MEETING MINUTES

Thursday, July 28, 6:00 p.m.

City Commission Chambers
Delray Beach, FL 33444

STAFF PRESENT:

Jeff Costello	Lori Hayward	Joan Goodrich	David Tolces
Thuy Shutt	Yuberca Pena	Anne Fredy	Scott Pape
Elizabeth Burrows	Kevin Matthews	Amy Alvarez	Susan Shaw

OTHERS PRESENT:

Victor Kirson	Jane Smith	Winnie Edwards	Leslie Callaway
Steve Miskew	Michael Cruz	Elisabeth Salvadore	Howard Ellingsworth
Laura Simon	Louis Smith	Hilary Roche	Alice Pearce
Alan Kornblau	Evelyn Dobson	Ahmed Burton	

1. Call to Order

Chairman Cox called the meeting to order at 6:15.

2. Roll Call

Present: Reggie Cox, Joe Bernadel, Cathy Balestriere, Herman Stevens, Daniel Rose, Dedrick Straghn, Paul Zacks

Absent: None

3. Approval of Agenda

Ms. Balestriere made a motion to amend the Agenda to add Workshop Items 4A4 and 4A5 to New Business as Items 9A (Delray Beach Historical Society Funding Request) and 9B (Delray Beach Public Library Funding Request), making Items 9A and 9B become 9C and 9D. Mr. Rose seconded the motion which passed unanimously.

4. Approval of the Minutes of July 14 Regular Meeting

Mr. Rose made a motion to approve the Minutes of the July 14th Meeting which was seconded by Mr. Zacks and passed unanimously.

5. Public Comments on Non-Agenda and Consent Agenda Items

Tom Fleming, Institute for Civic Achievement, 123 MacFarlane Drive, requested that the Board reconsider and reverse the decision made at the last CRA Board Meeting in connection with the Arts Warehouse RFQ. He stated he is making the request after careful study and review of the Board Summary that recommended the action which the Board took. He felt the Summary could lead to a misunderstanding of just who the Institute for Civic Achievement is, and what they submitted. He believes the submitted proposal met the requirements of the RFQ, and gave a review of the qualifications of the excellent professionals involved as well as of the research the team did to prepare the submission. He believes it must be a community based

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public/private partnership, and noted that he helped to create the Pineapple Grove partnership which is now a vital part of the community. He would like the Board to reconsider the proposal submitted, and would like to move forward together to create the CRA's vision or at least to talk. Bill Nix, 3430 Boulevard Chatelaine, a 41 year resident of Delray Beach, stated he has spent the last 15 years with the Palm Beach County Cultural Council. Currently, he is consulting across the country on economic development which includes using the arts. He reviewed various arts entities such as the National Endowment for the Arts, with whom he has worked, and noted he is currently putting together the strategic plan for the State of Florida's Division of Cultural Affairs. He has joined with Mr. Fleming to move Delray forward with the Arts Warehouse, and he too believes it needs to be a public/private partnership. He stated that in a recent study of 1,400 groups across the country, it was shown that in order for success to happen in a community, it must be community based, community supported, and strategically planned, which is what ICA is trying to do with this project. He noted the ICA has tremendous experience with himself, Mr. Fleming, and Jane Hart who was the curator for the Arts Center for Culture in Hollywood for eight years. He said this project is key, and he would like the Board to take a look at their proposal and at their bios.

Evelyn Dobson, 130 NW 3rd Avenue, commented on the Capital Improvement Plan (CIP) regarding the sidewalks. She requested that the CRA look at the designated spots for the sidewalks, noting that it makes no sense why on the west side of NW 5th Avenue the 200 block is not included in the plan. She stated that once the sidewalks are completed, no sidewalk going north will look awful, and will not give any impact to what the DBCLT is doing on that corner. As a homeowner, she does not understand why the alleys between NW 4th Avenue and NW 3rd Avenue have not been approved nor are they on the 3 year plan although residents in that neighborhood have been asking for years to have that taken care of.

Mr. Bernadel asked her if she received the booklet from OSS that went to 20,000 residents, and she stated she has not received it so perhaps that needs to be looked into so all residents can be informed.

6. P&Z

A. Five-55 Building – Class V Site Plan – Richard Jones Architecture

Amy Alvarez, Senior Planner, presented the item. The petition is for the construction of two, four-story buildings for retail/office space, and ten residential units on the upper floors. Board consensus was supportive of the Development Proposal.

B. Silver Ball Museum Conditional Use – Silver Ball Museum, FL, LLC

Scott Pape, Principal Planner, presented the item. The applicant is requesting permitting for the operation of a commercial recreational facility. The current use is beyond what is considered museum and it is really more of an entertainment venue.

Mr. Zacks inquired about any impact on parking. Mr. Pape stated that this has gone before the Parking Management Advisory Board, and staff has come to the position that ten spaces would be needed. It appears the applicant is probably going to do in-lieu parking. Mr. Rose had concerns that the Museum is slowly morphing into a nightclub, and felt parking would be an issue. Mr. Cox asked Mr. Pape if in-lieu was the resolution for parking. Mr. Pape responded if they could find off-site parking within 300 feet, then that would be an option, and that both solutions are viable. The Board consensus was supportive, with a request that Mr. Pape pass on the Board's concern about the ultimate goal for the Museum, i.e. if it is going to become a nightclub.

7. Consent Agenda - None

8. Old Business - None

9. New Business

A. A-GUIDE Funding Request – Delray Beach Historical Society

Ms. Hayward presented the item. She stated the request is for \$52,000 or 24% of their total budget, which is the amount they were funded last year. The Committee's recommendation was for \$52,000 in funding. She noted that the DBHS scored a 77% which was a significant improvement from last year's 69%. Executive Director Winnie Edwards thanked the Board for their support, and acknowledged the eleven DBHS Board Members in the audience. She gave an overview of the DBHS mission and the events of the past year, and reported that a full time Archivist & Program Assistant had been hired, Ms. Shellie Labell. She reported that all events have or are on target to meet or exceed their goals, and that by the end of October the DBHS will have achieved their revenue goals. She stated that in June, a new series called Fish Tales, opened with a sellout attendance of 350, and has to date netted \$17,000.

The Board Chair called for public comments.

Ms. Edwards reviewed some more of the upcoming activities for the fall, and noted that the events are designed to unite the community and celebrate the City's history and heritage. She thanked the Board for their support and helping the DBHS be wise stewards of Delray's history.

Mr. Straghn asked how the DBHS outcomes for the Fall Fest goal had increased by 50%. Ms. Edwards noted that a food component was added to the event, along with some aggressive fundraising during the event. Mr. Stevens felt the work of the DBHS is important, and asked if they were able to do what was needed in order to continue to grow. Ms. Edwards said it is a struggle like most non-profits, and that they do need to grow to stay relevant. She noted they are working to expand their education of children through the education guild, and would like to expand some other programs which they are unable to do financially. Mr. Bernadel supported the DBHS funding request. Ms. Balestriere noted some concerns in the budget, saying they had increased the budget by \$13,600 and asked where the additional monies were going to come from. Ms. Edwards stated that they are in the middle of the Membership Drive. Ms. Balestriere also noted concern about the increase in salaries. DBHS President Howard Ellingsworth addressed the Board, stating they are revamping their membership efforts to be an annual drive, and asserted that they do believe the goals will be met. Regarding salaries, the ¾ time archivist was just hired so there are no actuals yet for that position, and the DBHS would like the ability to hire a part-time administrative assistant which is much needed so monies for that position were included in the budget. He assured the Board that no funds will be expended until the funds are raised. Ms. Balestriere inquired about any grants being secured. Mr. Ellingsworth stated the DBHS has a grant from the City which will become a line item going forward.

Mr. Zacks is highly supportive of the requested amount and would be agreeable to even more. Mr. Rose was very supportive of the DBHS also, and suggested funding of \$75,000. There was some discussion regarding caution in funding, and Mr. Zacks pointed out the growth Spady has had over the past few years when the CRA funded them more than requested. Mr. Cox noted the low score related to strategic plan. He stated Delray has an engaged citizenry and would support \$75,000 as he would like to see some engagement with the strategic plan especially as it relates to connectivity. He would like to see the DBHS doing joint events with other organizations like Spady. Board consensus was supportive of \$75,000 in funding.

B. A-GUIDE Funding Request – Delray Beach Public Library

Ms. Hayward introduced the item. She reported the funding requested is \$442,250 or 20% of their total budget, and that the submission scored an overall average of 78%. The CRA recommendation is for funding of \$332,250 which was the amount prior to the one time increase of \$110,000 last year (\$283,750 for Program A; \$24,250 for Program B). The one time increase had been to allow the City to reduce funding to Library. It was anticipated that the Library would make adjustments to their programming and operations in 2015-2016 to reduce the amount of funding needed in 2016-2017; however, the Library has asked for the additional \$110,000 again this year.

Executive Director Alan Kornblau stated the Library appreciates the continued CRA support, and gave a brief presentation. He noted this is the 103rd year of operation for the Library, and that the City has provided funding since 1939, and the CRA since 2007. He reported that this was the first year for the CRA Sundays and Mondays, Program A, as CRA Mondays were funded by the additional \$110,000 received last year. The program is highly effective as well as meeting its targets, and in fact Sundays and Mondays are actually the busiest days of the week. The CRA Business Resource Center at the Library is the second program for which funding is requested. This program came out of the 2014 CRA Redevelopment Plan Amendment, and at the direction given the Office of Economic Development at the May 26th Workshop. It will embed a representative from the Small Business Development Center at Palm Beach State College who would provide consulting services in the library. There would also be eight workshops on business related items.

The Board Chair asked for public comments.

Mr. Kornblau, 2472 Par Circle, finalized his presentation, noting that in a recent survey by the Pugh Research Center, 91% of the respondents felt public libraries are important and they have confidence in them, more than any other category. He thanked the Board again for the support. Dr. Victor Kirson, 4 Tierra Verde, said this is reducing blight and is something that the CRA is supposed to provide for Delray Beach. He felt this is what the CRA is all about and would like the Library get as much over and above as possible, and that if the CRA needs more money, don't fund the Tennis Tournament.

Mr. Zacks asked about the \$110,000 which was given by the CRA to the Library last year to allow the City to reduce funding to the Library. Mr. Kornblau responded that the City did not decrease their funding, they gave the same amount as the previous year, and the anticipated adjustments to the program and operations cost were not made. He noted the Library's Board did offer to return the money to the City and the gesture was refused. As those adjustments to the Library's programming and operations were not made, the Library is requesting an additional \$110,000 again this year. Mr. Kornblau noted that the money was used for equipment upgrades and other aging infrastructure needs, and stated the Library has not had a funding increase in ten years. Mr. Cox inquired if the Small Business Development program was operating. Mr. Kornblau responded that it is not yet operating. He stated that three initiatives were identified as part of the Library's long-term plan: 1) expanding the childrens' program which was done with private donations, 2) creating the Small Business Center which is in process by developing the space on the second floor of the Library and working toward getting a Palm Beach State College staff person, and 3) holding joint programs with other non-profits and agencies which has is already being done.

Mr. Bernadel asked if there was a system of verification in place when funding is provided to entities. Mr. Costello noted there are the quarterly reports received, and that perhaps some communications with the City (i.e. the \$110,000) could be improved. Mr. Bernadel and Mr.

Zacks favored staff's recommended \$332,250, but the consensus of the Board was for \$442,250 in funding.

C. Award of RFP – 221-223 SW 12th Ave Duplex – Ground Lease/Management Services
Contract Manager Yuberca Pena presented the item. She gave background on the scope of the RFP, and reported there was one respondent, the Delray Beach Community Land Trust (DBCLT). She noted the Selection Committee found two required items missing from the submission which were non-material. The Committee deemed there to be sufficient documentation in the submission to make a determination, and the submission scored a 98%.

The Board Chair asked for public comments. There were none.

Mr. Zacks made a motion to waive the Acknowledgement Letter and Local Business Certification requirements for the DBCLT's submission for the RFP for Ground Lease Rental Property Management Services for 221-223 SW 12th Avenue Duplex. The motion was seconded by Mr. Straghn and passed unanimously. Mr. Zacks made a motion to award the RFP for Ground Lease Rental Property Management Services to the Delray Beach Community Land Trust for the 221-223 SW 12th Avenue Duplex and direct staff to negotiate and draft management service agreement with the DBCLT for Board approval. The motion was seconded by Mr. Rose and passed unanimously.

D. Fourth Amendment to ILA for Streetscape Beautification Landscape Maintenance
Ms. Pena presented the item. She reviewed the background on the ILA and previous Amendments for the Irrigation and Landscape Maintenance. She noted that the City's Parks and Recreation Department was administering the contract, with the CRA providing funding. The initial term for the CRA's funding of the irrigation and landscape maintenance along Martin Luther King, Jr. Drive and SW 12th Avenue will expire on September 28, 2016. The terms of the ILA allow for renewal for an additional five (5) year term, and staff is recommending the extension.

The Board Chair asked for public comments. There were none.

Mr. Cox asked if the City is doing the work or subcontracting it out. Mr. Costello stated the majority of the work is being subcontracted out on these particular streets. Mr. Cox felt whoever is handling SW 2nd Street is not doing their job. He commented he would want to see a non-performance clause in the Agreement, particularly on a five year term. He said there is dead vegetation, beds are not being maintained, and that what he sees is very concerning. Mr. Zacks noted that this is another case where the CRA funds a project but has no oversight capabilities. Mr. Costello responded that an RFB is issued and it typically goes to the lowest responsive bidder. He added that staff can participate in the RFB process, and also noted there are provisions for non-performance. Another option would be for the CRA to take over the contract, but this could not occur until next year when the CRA will issue an RFB for Landscape Maintenance. Mr. Straghn asked about the repercussions of not extending it. Mr. Costello stated it needs to be extended one way or the other, and that he could look into getting this project in the RFB for next year. He will get with Parks & Recreation regarding management and oversight, and he believes the City may be issuing RFB's on some of these projects soon. Mr. Cox commented that some of the landscaping is blight and is just not being maintained

Mr. Zacks said he is concerned the Board is being asked to extend the Agreement for five years which is maintaining the status quo which is not satisfactory. CRA Attorney David Tolces noted that the CRA's obligations are always subject to budgeting and appropriations, so while it is a five year agreement, the Board still needs to approve the funding each year. Mr. Costello also

noted perhaps more qualifications could be specified in the RFB to get better contractors. He stated he will get with Parks & Recreation about better oversight of the landscape maintenance. Mr. Cox stated he wanted to hear from the people who are responsible to manage the contract.

Mr. Bernadel made a motion to table the item until the August 25th Board Meeting, which was seconded by Mr. Zacks. The Board requested staff discuss the situation with City staff, provide a report at the next meeting, and to have Parks and Recreation at that meeting to answer questions. The motion passed unanimously.

10. Other Business

A. Comments by Commissioners

Mr. Straghn commented about Mr. Fleming's comment regarding the RFQ for the Arts Warehouse Management and Operations, and he said he thought the issue was the ability of the Board to have the expertise to move forward. He advised the Board to take heed of Mr. Fleming's comments and give some consideration for awarding them the contract.

Mr. Stevens brought up the vote on the Library funding, in particular in regard to the one-time payment of \$110,000, and he wanted to change his position and go with the staff recommendation of \$332,250. Mr. Tolces stated that procedurally it was an item added to the regular Agenda with a 4-2 consensus. If a commissioner wanted to reopen the discussion on the item a motion would need to be made. Mr. Stevens made a motion to re-open the discussion on Item 9B for reconsideration which was seconded by Mr. Rose and passed unanimously. Discussion ensued regarding the funding recommendation by staff. Each commissioner was polled and the consensus was to fund \$332,250 to the Delray Public Library. Mr. Bernadel asked that when any information needs to be disseminated, to remember to include translations in Haitian and Creole for the non-english speaking members of the community.

Ms. Balestriere asked how the Board could reconsider the RFQ response for the Arts Warehouse which Mr. Straghn referenced. Mr. Tolces said the Board could make a motion to reconsider and if that passed it could be put on the next Meeting Agenda. Ms. Shutt noted that one issue with the submission was that neither of the entities had a certificate to do business in the State of Florida. Mr. Tolces noted that could be considered submitting information after the deadline for the RFQ and might not be able to be considered. Ms. Balestriere also asked if the extra funding to non-profits could be used for salaries. Ms. Hayward commented she would reach out to them for a new budget. Mr. Zacks suggested letting the A-GUIDE process play out with the currently required reporting.

Mr. Cox noted there were no totals for revenue on the sub-areas of the budget. He raised the topic of having standards for land acquisition and to not just depend on how a Purchase Agreement is presented. He did not understand how a seller remaining for six months in a property after the CRA has purchased it from them became a point of negotiation.

B. Comments by Board Attorney - None

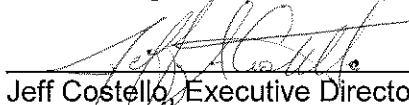
C. Comments by Executive Director

Mr. Costello let the Board know the Joint Meeting between the City and CRA regarding the OSS presentation will be on August 23rd at 5:00. At the September 8th City Commission Workshop the CRA Budget for FY 2016-17 will be presented. He also noted there will be an update on the Staff Assessment scope on the August Agenda as well as a Budget Update.

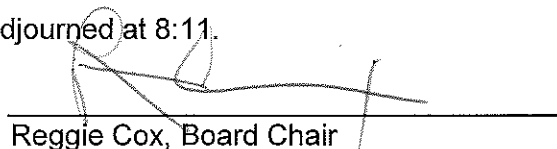
D. Comments by Staff - None

11. Adjournment

There being no further business, the meeting was adjourned at 8:11.



Jeff Costello, Executive Director



Reggie Cox, Board Chair