



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.

CRA BOARD MEETING MINUTES

Thursday, March 22, 2018, 5:30 p.m.

City Hall Commission Chambers -- 100 NW 1st Avenue
Delray Beach, FL 33444

STAFF PRESENT:

Jeff Costello	Kevin Matthews	Kristyn Cox
Renee Jadusingh	Joan Goodrich	David Tolces
Elizabeth Burrows	Rob Massi	

OTHERS PRESENT:

Diane Colonna	Jim Dupre	Jane Smith
Alice Finst	George Long	Russ Mager
Amanda Skeberis		

1. Call to Order

Chair Gray called the meeting to order at 5:30 pm.

2. Roll Call

Present: Annette Gray, Dedrick Straghn, Daniel Rose, Carstarphen, Sandy Zeller, Cathy Balestriere

Absent: Reggie Cox

3. Approval of Agenda

Chair Gray made a motion to approve the Agenda which was seconded by Mr. Straghn and passed unanimously.

4. Approval of the Minutes

Ms. Balestriere made a motion to approve the Minutes which was seconded by Mr. Carstarphen and passed unanimously.

A. Minutes of February 22nd Board Workshop

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

None.

6. P&Z (Discussion and comments by the CRA Board. No formal Action will be taken on P&Z Items)

No items.

7. Consent Agenda

- A. Clean & Safe Report, January, 2018
- B. Interlocal Agreement with Solid Waste Authority – SWA Blighted Property Beautification Grant
- C. Second Amendment to Work Assignment – Calvin, Giordano & Associates, Inc. – SW Neighborhood Alleys Project – Time Extension

Mr. Carstarphen made a motion to approve the Consent Agenda which was seconded by Mr. Straghn and passed unanimously.

8. Old Business

A. Discussion - RFQ/P– SW 600, 700, 800 Blocks West Atlantic Avenue

CRE Executive Director Jeff Costello began with a follow up to the March 8th meeting regarding the RFQ/P draft discussion noting items that needed clarification. They are still looking at 7.5 acres from 6th Ave to 9th Ave with considerations of other CRA-owned properties south of Farifield Inn hotel. The key elements in the RFQ/P include: provision of housing, including workforce housing on-site or off-site or a combination of the two, inclusion of priority uses identified in the 2012 West Atlantic Area Needs Assessment (full service grocery store is a required use; pharmacy could be located with the grocery store; health and wellness facility (urgent care, clinic, fitness center); financial institution (bank or credit union) can all be located with the grocery store; family/social entertainment (sports bar, jazz club/lounge, amusement venues). It does not have to be all inclusive of all 5 but the priority is full service grocer. Corrections were made to priority uses to include "pharmacy." Others include the relocation plan for existing businesses, space for local small business in the new development, and the local hiring and inclusion plan.

In terms of timetables, the CRA reserves the right to advance or delay scheduled dates. In terms of the definition of vendors, examples of vendors were added for clarification: suppliers, manufacturers, consulting firms, architects attorneys, engineers, companies providing surveying or testing, or any other services that are relevant to construction. With regard to community inclusion, at least 6 subcontractors/vendors from Delray Beach will be required. The subcontractors or vendors would be within the 3 Delray Beach zip codes that correspond with the City limits (33444, 33445, 33483). With regard to skilled and unskilled construction jobs, they will be provided with a minimum livable wage for at least 30 local persons within certain census tracks in NW and SW neighborhoods. Vendors will be zip code related and employees will be more census track oriented.

RFP Scoring Criteria has been updated: project concept- 30 points, community inclusion- 30 points, fiscal impact has been reduced to 20 points.

Open Items for Discussion: 3 or 4 story building; list of local subcontractors/vendors; penalties for non-compliance with local participation and inclusion requirement (subject to negotiations); grocer- prior to closing if grocer is no longer committed, retain ownership of portion of property associated with grocer; may need to include deed restriction to ensure grocer and required uses; and inclusion of the 900 block properties.

Ari Rose, 5091 Washington Road, asked if you could mandate the grocer during the RFQ/P process if there is no commitment.

Mr. Zeller stated he wants to know who exactly is going to be the CRA staff who will review the RFQ/P's. Mr. Costello responded that the individuals who will be reviewing the RFQ/P's will include himself, the Assistant Director, West Atlantic Redevelopment Director, the Economic Development Director, and possibly the Planning and Zoning Director. There will be a 5 member evaluation

committee that will review the RFQ/P's and it will be the same committee for the RFQ and the RFP process. For the financial analysis aspect, the CRA will outsource that to one of the consultants to conduct the financial analysis who will then provide a report. The CRA has also worked in the past with the City to conduct a preliminary development review to assist in the technical evaluation of the projects. Chair Gray inquired about having someone from the consulting group sit on the committee. Mr. Costello said it is a possibility to bring in someone from the consulting group that has been involved but that it is not normally how the matter is handled but it is something he can look into. Chair Gray also inquired into the cone of silence and how that works with staff and WARC members. Mr. Costello responded that the CRA staff is under the cone of silence. As far as WARC members are involved, anyone outside of that committee cannot communicate about the matter. Any member of the public not on the evaluation committee can speak with those on the evaluation committee. The CRA does not control the WARC Board and they are not under the cone of silence.

Mr. Rose is concerned that WARC can start to resemble a lobbying group because they are powerful and influential and that people placing bids will feel obligated to meet with WARC members to work something out in order to get their approval.

Mr. Zeller mentioned that Ms. Kristyn Cox and Ms. Joan Goodrich are CRA employees who are bound by the cone of silence but are essentially assigned full-time and part-time to the WARC Board and are wearing dual hats. The lack of control and oversight that the CRA would have over outside appointees is a concern of his since the people assigned to WARC are playing a dual role. He also noted his understanding of the RFQ/P process is that once the CRA designated group comes up with the potential developers who are qualified it then comes back to the Board.

Mr. Zeller then went on to propose that, in regards to Step 1 of the RFQ/P process, the developer or proposed developer should be required to submit a description of any litigation matters that they have been involved in and specify if the entity or those involved with them have been sued or been a party to any litigation involving a municipal entity that they have done work for or were supposed to do work for. They should disclose any potential conflicts of interest they may foresee when dealing with the CRA or City of Delray Beach. They should also be required to disclose if they were involved in any disciplinary proceedings that could effect their ability to follow through with completion of a project. They should certify that they are not in any violation of any regulations, rules, ordinances or contracts that could impact their operations and ability to perform under this proposal. Mr. Zeller also suggested that the RFQ/P should have a condition that anyone selected is prohibited from assigning, transferring, or conveying their contract rights to any other entity without written approval of CRA Board.

Chair Gray notes that if the WARC Board is going to make recommendations during the RFQ/P process then the WARC Board should be in a cone of silence and not meet with developers and that developers should not be able to lobby any organization that will make recommendations on an RFQ/P to the Board. She also mentioned that she is concerned about the lobbying of WARC Board members and the power that rests within the WARC Board.

Mr. Carstarphen mentioned that WARC will not be making any final decision on the RFQ/P. It is up to the staff and the board. WARC represents the community and they are the voice of the community. The input that is coming from WARC is coming from the community.

Mr. Rose noted that the people who are going to bid are going to understand that the grocery store is the most important thing. The grocery store is the biggest priority. He wants to see a recognized grocery store that is a national chain come in. He is a big proponent of local hiring and is tired of companies coming in saying they will hire locals and not following through.

Mr. Carstarphen wants to see Publix bid on the RFQ/P since they have the funding as well as a proven track record of hiring the local people from the community.

Chair Gray thinks too much emphasis is being put into finding 6 vendors within the target area and not enough emphasis is being placed on the actual qualifications of these vendors and wants to implement a fail safe in case 6 qualified vendors cannot be found within that designated area.

Mr. Costello responded that they will follow up on this item prior to finalization of the RFQ/P and will consider changing the language if necessary in the case that meeting this goal is unattainable.

9. New Business

A. Work Assignment – Calvin, Giordano & Associates, Inc. – NE 3rd Street/NE 3rd Avenue Design Services

Mr. Kevin Matthews from the Delray Beach CRA addressed the board stating that additional design services are required for the NE 3rd Street/NE 3rd Avenue project. The cost for the proposed plan revision is \$23,793.72. The item passed unanimously.

Mr. Rose made a motion to approve the CRA Work Assignment for the NE 3rd Street/NE 3rd Avenue Design Services which was seconded by Mr. Carstarphen and passed unanimously.

B. First Amendment to City-CRA Interlocal Agreement for Construction/Professional Services FY 17-18

Mr. Kevin Matthews from the Delray Beach CRA addressed the Board requesting an amendment to the City/CRA ILA.

Commissioner Zeller commented on the inadequacy of the elevators in the Old School Square parking garage and that they are always broken. He suggested to ask the City Manager what is going on with the elevators.

Mr. Costello said a request from the City to the CRA is anticipated with regard to funding for the elevators and said the City is working on the matter and getting quotes.

Ms. Balestriere made a motion to approve the First Amendment to the City-CRA Interlocal Agreement for Construction/Professional Services for FY 17-18 which was seconded by Mr. Straghn and passed unanimously.

C. City Funding Request - Rock the Block (fka Curb Appeal by the Block)

Ms. Elizabeth Burrows addressed the Board to make a request to the City to help fund this event.

Mr. Straghn made a motion to approve the City Funding Request for Rock the Block which was seconded by Mr. Rose and passed unanimously.

D. Amendment to Human Resources Policies & Procedures Manual

Mr. Costello addressed the board asking for approval of the recommended changes to the HR Manual which included clarification regarding vacation and, sick leave, processing of leave request forms, family and medical leave forms referencing US Department of Labor forms. The changes include, leave

accruals on a monthly basis. He also stated that the change from traditional leave to paid leave is currently being evaluated to ensure that there are no issues in regards to accrue time.

Mr. Rose made a motion to approve the Amendment to the Human Resources Policies & Procedure Manual which was seconded by Mr. Carstarphen and passed unanimously.

E. Amendment to Accounting Policies & Procedures Manual

Mr. Costello addressed the board noting that there were suggestions with regard to providing additional internal controls and having the payroll provider system be used as the official record.

Mr. Straghn made a motion to approve the Amendment to the Accounting Policies & Procedure Manual which was seconded by Mr. Rose and passed unanimously.

10. Other Business

A. Comments by Commissioners

Mr. Zeller stated that he is happy to see the board is moving along effectively with regard to the RFQ/P and hopes they will continue to be productive.

B. Comments by Board Attorney

No Comments.

C. Comments by Executive Director

Mr. Costello provided a reminder that in May is the Frog Alley Caribbean Festival and that the Annual Report is available.

D. Comments by Staff

Ms. Goodrich addressed the Board to inform them that a successful sublease has been executed between CareerSource and Manpower. She also announced Manpower will have its first open house in Career Cottage and all people looking for a career opportunity are invited to attend.

11. Adjournment

There being no further business the meeting was adjourned at 7:08 pm

Jeff Costello, Executive Director

Mayor Shelly Petrolia, Board Chair