



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**  
**March 24, 2016, 5:30 p.m.**  
Commission Chambers at City Hall  
Delray Beach, FL 33444

**STAFF PRESENT:**

Jeff Costello	Elizabeth Burrows	Susan Shaw
Thuy Shutt	Isaac Kovner	David Tolces
Joan Goodrich	Scott Pape	

**OTHERS PRESENT:**

Jane Smith	Evelyn S. Dobson	Vic Kirson
Chris Wallace		

**1. Call to Order**

Chairman Cox called the meeting to order at 5:35.

**2. Roll Call**

Present: Reginald Cox, Cathy Balestriere, Joe Bernadel, Bill Branning, Herman Stevens, Paul Zacks, Daniel Rose

**3. Approval of Agenda**

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

**4. Approval of the Minutes –**

**A. Minutes of February 19<sup>th</sup> Special Board Meeting**

Mr. Zacks made a motion to approve the Minutes of the February 19, 2016, Regular Board Meeting. The motion was seconded by Ms. Balestriere and passed unanimously.

**B. Minutes of February 25<sup>th</sup> Workshop**

Mr. Zacks made a motion to approve the Minutes of the February 25, 2016, Board Workshop. The motion was seconded by Ms. Balestriere and passed unanimously.

**C. Minutes of February 25<sup>th</sup> Meeting**

Mr. Zacks made a motion to approve the Minutes of the February 25, 2016, Regular Board Meeting. The motion was seconded by Ms. Balestriere and passed unanimously.

**5. Public Comments on Non-Agenda and Consent Agenda Items - None**

**6. P&Z**

**A. Delray Health and Wellness Class V Site Plan - 2702 N. Federal Highway**

Principal Planner Scott Pape presented the petition for the vacant property. The development

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proposal involves the construction of a single story office building to accommodate a medical office and gym/fitness area. Mr. Zacks inquired about any waivers, and Mr. Pape stated the plans are still going through technical review but no waivers are anticipated.

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

Board consensus was supportive of the petition.

#### **B. Uptown Atlantic Final Plat & Abandonment of Alleyways & Easements**

Mr. Pape presented the petition for the Uptown Atlantic project which will be on the south side of West Atlantic Avenue between SW 6<sup>th</sup> Avenue and SW 9<sup>th</sup> Avenue. In December, the Site Plan Review and Appearance Board approved the Class V site plan. This current action involves the replat of the existing lots as a unified development, and includes the abandonment of existing easements and alleyways within the project area. Replacement easements will be dedicated to facilitate providing utility services to the buildings and will match the new development.

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

Board consensus was supportive of the project.

### **7. Consent Agenda**

#### **A. Economic Development Monthly Update, February, 2016**

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

Mr. Stevens arrived at 5:45.

### **8. Old Business**

#### **A. Update - TIF Analysis Report/Presentation – Munilytics, Inc.**

CRA Executive Director Jeff Costello introduced the item. He stated that the Analysis should be wrapped up in the next couple of weeks and will be brought back before the Board. He noted that March 24<sup>th</sup> was the completion date in the Munilytics Agreement and that date may be amended at the Board's discretion as Munilytics is committed to finalizing the Analysis.

Chris Wallace of Munilytics Inc. gave a presentation. He noted the changes that had been incorporated into the Analysis, and focused on the economic impact which he characterized as being substantial. He stated the report is pretty well complete, and has been broken down by sub-area per the Board's request. He cited the total economic impact from construction for the metropolitan area including final demand as being \$1.73 billion over the first 30 years of the CRA's existence. Mr. Branning asked for clarification of final demand. Mr. Wallace stated it is a derivative impact to other areas of the community. Mr. Branning inquired as to why the debt service was taken out of the equation. Mr. Wallace stated it would basically be double counting (debt service is principal and interest) particularly with the principal. He reported that the change in property values in the CRA District is more than double what the increase was in the rest of the City, which he said was a remarkable and impressive return. He reviewed the taxable value of some sample projects within the CRA District such as Atlantic Grove, Pineapple Grove, City Walk, and Hyatt Place.

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

Mr. Cox asked if the final report (once the extractions by sub-area are completed) will be issued prior to the Joint Session with the City. Mr. Costello confirmed that the goal is to have it to the

Board prior to the Joint Session. Mr. Zacks stated there is some very valuable information contained in the report, and inquired how soon before the Joint Session the final report will be distributed since the Session is in a few weeks. Mr. Costello noted that the TIF Analysis was not a discussion item for the Session. Mr. Zacks stated it would be good to have the information as back up. Mr. Branning suggested that Mr. Wallace focus on 2000 forward and not go back 30 years. Mr. Zacks stated a narrower range would be more relevant. Mr. Costello noted that it is difficult to extract information by sub-area from earlier budgets, and that it may be necessary to narrow it from about 2000 forward. He offered that perhaps extracting all the numbers by sub-area could be continued after the final report is issued.

Mr. Bernadel asked who validated the numbers. Mr. Wallace stated he pulled the data from the CRA's audited financial statements. He noted that it is important to remember that there is some overlap of projects in sub-areas. Mr. Cox asked if the Board wanted to extend the Munilytics contract as a point of order. Mr. Zacks moved the Munilytics Analysis completion date be extended to April 14<sup>th</sup>. The motion was seconded by Mr. Branning and passed unanimously.

## **9. New Business**

### **A. Interlocal Agreement – CRA-City - Housing Study**

Assistant Director Thuy Shutt presented the item. She gave a brief history, noting that the last Housing Study done was in 2008 by the Shimberg Center, and that in a public hearing for the 2014 CRA Plan Amendment there were suggestions from the public made regarding ongoing development of market rate and affordable housing. She stated the City has worked jointly with the CRA and other housing partners to develop the scope for this Study, and has issued a Request for Quotes with nine major categories contained therein. The lowest most responsive bidder was MetroStudy at a cost of \$19,500 which will be the firm recommended for bid award. Since this will be a Citywide Housing Study, the CRA's proportionate cost will be 50% of the cost or \$9,750. Staff is recommending the Board approve \$15,000 in funding should additional services be needed. That way, the Executive Director can approve the services without delaying the project. Ms. Shutt stated there is \$50,000 allocated in the budget for this year.

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

Mr. Rose made a motion to approve the Interlocal Agreement with the City of Delray Beach for funding of the Delray Beach Housing Study which was seconded by Ms. Balestriere. Mr. Bernadel inquired if the scope provided for race of people to be included, and requested that if not he would like to see race captured in the Study. Ms. Shutt noted that the demographics will come from the Census tracking. Mr. Cox asked if the CRA had input into the scope which Ms. Shutt confirmed. Mr. Cox asked how it fit in with the Neighborhood Plans, and Ms. Shutt stated that while it is a separate item the end result can be used for other Plans. Mr. Costello stated that the City is looking at an amendment to the Workforce Housing Ordinance as well as updating the Comprehensive Plan, and this data will be used to update those and can also be used in the Neighborhood Plans. Mr. Cox asked what happens to the balance of the unused portion of the \$50,000 in the budget. Mr. Costello stated that whatever funds are not used will be reallocated. A vote was taken for the motion on the floor to approve the ILA and it passed unanimously.

### **B. RFQ for Engineering Services - Continuing Service Contracts**

Ms. Shutt presented the item. She stated that typically the CRA has funded all or part of projects, leaving processes and oversight to the City Engineering Staff. This RFQ is based on direction from the Board so the CRA can assist in expediting the pre-design, design, bidding, and construction processes on projects. Ms. Shutt reported that with the City's new procurement process is taking an average of two months for service authorization approvals and an average of five months from bid advertisement to contract execution. Ms. Shutt stated that for the CRA the

process normally takes about three months for construction to begin. Ms. Shutt explained that the City's policy requires additional sunshine public meetings to negotiate the Service Authorizations with their consultants and the CRA does not. CRA Attorney David Tolces clarified that the CRA does abide by the Sunshine Law, but that the City raised the bar above the statutes and holds all contract negotiations in the sunshine whereas the CRA does not nor is it required by law. Having Engineering Consulting Services will help facilitate projects, and the scope has been broadened to include pre-design and potentially project management with an in-house project manager. If approved, the RFQ will be issued this week and the contract would be awarded at the end of July.

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

Mr. Branning sought clarification that the time frame given of three months for the CRA to get a project awarded (and four to six months for the City) could be reduced to six weeks by already having an engineering firm under contract which Ms. Shutt confirmed. Mr. Rose stated this will be a great way to streamline the process. Mr. Branning made a motion to authorize staff to issue the Request for Qualifications for Continuing Contracts for Engineering Services. Mr. Bernadel seconded the motion which passed unanimously.

### **C. CRA Monthly Progress Report, February 2016**

Ms. Shutt presented the Progress Report, reviewing the highlights of the priority projects and responding to Board questions regarding specific projects. Mr. Branning requested the same names be used on the Schedule as on the Progress Report so they are synced. He asked if the Timeline Gant Chart could reflect actual vs projected progress by using a double bar showing what is projected and what is actual. Mr. Branning asked if the Old School Square Building Maintenance was on schedule. Ms. Shutt stated the Service Authorization was approved March 15<sup>th</sup>, and City Engineer Isaac Kovner noted that he is waiting for Walters Zackria Architects to organize a site visit so he has not gotten a definite time schedule from them yet.

Mr. Branning felt the Chart and Progress Report are getting better but that these seem to be used to follow projects so the report is tracking in arrears. He suggested that CRA Staff and Isaac Kovner along with Tim Tack meet weekly to keep projects updated and assign tasks. He said it is essential to work together to keep these projects on track and with weekly meetings no issue will go unaddressed for more than six days. Mr. Kovner noted he has staff meetings every Tuesday morning at 9:30, and he could put projects involving the CRA at the top of the agenda if any CRA staff wants to attend. Ms. Balestriere asked if tasks were actually assigned at the meetings so there is a staff person accountable. Mr. Kovner stated that he can certainly assign any tasks the CRA deems are needed. He advised the Board that he now has the consultants meeting with the utility companies when a project is at 0%, so that by the time the project is ready for the utilities (to be designed and relocated) they will have had sufficient lead time and have it on their schedules. Mr. Cox noted he has some concern with the workloads of engineering firms, and Mr. Costello stated that could be taken into consideration when selecting the particular engineer for a project.

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

### **D. Executive Director Evaluation**

CRA Attorney David Tolces introduced the item. He apprised the Board that he met last week with Mr. Branning and Mr. Costello to review the evaluations submitted by each commissioner. Mr. Branning said they went over the groupings from the summary and all of the comments on the evaluations. He noted there were a couple of themes among the evaluations. One was communication – both from the CRA Board to Mr. Costello and others, and from Mr. Costello to the CRA Board members. He cited several examples of miscommunications on each side, including

one commissioner voicing a desire to see a staff assessment which from the Executive Director's perspective may not have been understood as a collective directive from the Board. Mr. Branning suggested that in the future when a request is made by a Board member, a Board consensus is taken so it will be clear Board direction. Also, improved communication with the City Commission to avoid misunderstandings on Work Plan priorities was suggested. Another theme was last minute changes/additions to the Agendas shortly before Board Meetings. Mr. Branning stated that perhaps in the future any last minute additions to the Agenda could be moved to the next Meeting whenever possible, and that changes be kept to a minimum. Overall, Mr. Branning stated the evaluations were very favorable, and he thanked Mr. Costello for all his diligent efforts and for all he does for the City of Delray Beach.

Mr. Bernadel stated that all of his dealings with the Executive Director have had a positive note. Mr. Cox thanked Mr. Branning for heading up the Evaluation Committee. He noted that Mr. Costello's years of experience are very helpful. He also noted that when Mr. Costello became Executive Director he inherited all the turmoil occurring at the City and the CRA. As for Board directives, he stated that if something is brought up by a commissioner at a meeting and is not objected to it could be interpreted as a directive. On the other hand, it would be good to get a Board consensus on requests to give clarification on directives to Mr. Costello. He then referred to the turnovers in the Project Manager's position in the past two years. He feels this is a crucial position that works with consultants, ESD and Planning, and cited the turnover as being a concern and part of the reason he feels a staff assessment is warranted. He added that unfilled position may affect the rest of the staff as well, i.e. if Mr. Costello is working on items that are in other Staff members' job description it could be contributing to late Board Packet production.

Mr. Cox stated that along with the Annual Review comes the salary review. He noted that when Mr. Costello was promoted to Executive Director he received a 20% increase just over a year ago. He suggested that Mr. Costello do a self-evaluation and bring it back to the Board in 30 days and a salary increase could be determined at that time. There was further discussion regarding a self-evaluation and delaying the salary adjustment until that is received. Mr. Zacks noted Mr. Costello took over at a time of many transitions in the City Staff. Overall he felt it is a very good evaluation. He also agreed with a consensus on requests by commissioners so everyone is clear. Mr. Branning said he supports a 5% increase, and does not feel his increase should be based on how well he thinks he is doing his job. Mr. Rose supported a 5% increase, as well as having Mr. Costello prepare a self-evaluation. Mr. Bernadel supported the Chairman's recommendation. Ms. Balestriere thanked Mr. Branning for taking on this task. She said she found it a bit difficult to fill out the evaluation form and felt it needs revising. She noted that no one is perfect but it is good for the Board to discuss these issues, and she would support a self-evaluation. She also really appreciated Mr. Costello having staff present at the Goal Setting Workshop – she said it was great to see Staff working as a team and especially mentioned West Atlantic Redevelopment Director Kristyn Cox. Mr. Branning agreed that the Evaluation Form needs to be reviewed before next year.

Mr. Bernadel made a motion to have Mr. Costello prepare a self-evaluation and submit it to the Board within 30 days to be reviewed by the Board at the April 28<sup>th</sup> Meeting, with a salary increase to be determined at that time. Mr. Rose seconded the motion. There was some discussion about the form of the self-evaluation. Mr. Costello noted the CRA does have a self-evaluation form that

Staff members complete. Mr. Bernadel stated the three primary parts of an evaluation are strengths, weaknesses, and goals. Mr. Branning feels it is fine to have Mr. Costello do a self-evaluation but to make the salary adjustment at this time and have the self-evaluation be informational. Ms. Balestriere agreed with Mr. Branning that the salary increase and self-evaluation be kept separate. Mr. Zacks felt if the Staff is required to do a self-evaluation it is a good idea for the Director to do so also.

The motion on the table failed 2-4 with Ms. Balestriere, Mr. Branning, Mr. Rose and Mr. Zacks dissenting. Mr. Rose made a motion to award Mr. Costello a 5% salary increase. The motion was seconded by Mr. Zacks, and passed 4-2 with Mr. Cox and Mr. Bernadel dissenting.

## **10. Other Business**

### **A. Comments by Commissioners**

Mr. Rose commented that it has been three years since Coach Doozie (Wayne Martin) passed away and would like the Board to look into a way to honor him. He stated he would send the Board information about him. Mr. Cox suggested it be an Agenda item for consideration, and Board consensus agreed.

Ms. Balestriere said she was delighted to see so many people collaborating at the Team Delray Meeting.

Mr. Zacks informed the Board he will not be able to attend the Joint Session with the City.

Mr. Cox announced the NW-SW Neighborhood Alliance Meeting at 6:00 on March 31<sup>st</sup> at the Delray Full Service Center Library and invited everyone to attend.

### **B. Comments by Board Attorney**

Mr. Tolces thanked all the commissioners for participating in the Evaluation process. He reported the CRA bid on 618 NW 1<sup>st</sup> Street was successful. The deposit wire associated with the bid had gotten held up and a motion was filed with the court which was successful. The Court entered an order without Staff having to go to West Palm Beach so there was a positive result and the CRA owns the property. He added there are several real estate transactions in process and will be brought to the Board when ready.

### **C. Comments by Executive Director**

Mr. Costello thanked the Board for their comments, support and trust. He said it is an honor to have this position and he will continue to work hard. He stated the CRA has a great Board and a great team which will continue to get better. He said it is always important to understand where there is room for improvement. He then noted the Board had each been provided discussion items regarding the Joint Session with the City which will be from 6 to 7 pm on April 12<sup>th</sup>. The City may also introduce the new CIP process. He said he and Staff have been meeting with City Staff on that process. He announced the iPic Project was approved by the City Commission, and meetings are being set up to discuss the Parking Facility Easement Agreement. Also, Uptown Atlantic has two meetings before the City Commission in April so it is anticipated they will have all their approvals by April 19<sup>th</sup>. Mr. Costello apprised the Board that in reference to a discussion at the Goal Setting Workshop regarding improving or relocating the CRA offices next year, he has spoken with Alan Kornblau at the Library regarding office space opportunities as it relates to the Library's current administrative offices. Mr. Costello will keep the board informed regarding options for the CRA offices.

Mr. Zacks commented that an hour is not sufficient for a meaningful Joint Session with the City.

Board consensus was for Mr. Costello to ask the City to allot two hours for the Joint Sessions.


**D. Comments by Staff**


Economic Development Manager Elizabeth Burrows reminded the Board that May is "We ♥ Small Biz Month" in Delray and reported on various activities planned including two business walks and a MiniCon on May 4<sup>th</sup>.

Delray Beach Community Land Trust Executive Director Evelyn Dobson invited the Board to the Southeast Region Community Land Trust's Celebration next month at the Deerfield Beach Country Club. Further information will be forwarded and attendance is encouraged.

**11. Adjournment**

There being no further business the meeting was adjourned at 7:43.

  
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Jeff Costello

  
\_\_\_\_\_  
Reginald Cox