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, June 9, 2016, 5:30 p.m.
Commission Chambers at City Hall
Delray Beach, FL 33444

STAFF PRESENT:
Jeff Costello        Lori Hayward        David Tolces        Mauricio Lara
Thuy Shutt          Kevin Matthews       Susan Shaw          Suzanne Fisher
Elizabeth Burrows   Mark Stivers         John Morgan

OTHERS PRESENT:
Jane Smith           Victor Kirson        Yvonne Odom         Mike Campbell
Margie Walden        Bill Morris          Peggy Gotte         Randy Nobles
Sharon Painter       Ari Whiteman         Jeanne Dubin        Dorothy Ellington
George Linley        Howard Klar

1. Call to Order
Chairman Cox called the meeting to order at 5:30.

2. Roll Call
Present: Reggie Cox, Cathy Balestriere, Herman Stevens, Daniel Rose
Absent: Bill Branning, Paul Zacks, Joe Bernadel

3. Approval of Agenda
Mr. Rose made a motion to approve the Revised Agenda which was seconded by Mr. Stevens and passed unanimously.

4. Approval of the Minutes
   A. Minutes of May 26 Workshop
      Mr. Rose made a motion to approve the May 26th Workshop Minutes which was seconded by Mr. Stevens and passed unanimously.
   B. Minutes of May 26 Regular Meeting
      Mr. Rose made a motion to approve the May 26th Minutes which was seconded by Mr. Stevens and passed unanimously.

5. Public Comments on Non-Agenda and Consent Agenda Items
Mike Campbell, 81 SE 5th Avenue, addressed the Board to announce that June 26th, 2016, will be his last day as Executive Director of Habitat for Humanity in Delray Beach. He introduced Randy

June 9, 2016
Nobles who will be taking over as Executive Director. Mr. Campbell also invited the Board to the “Raise the Roof” celebration at 51 SW 12th Avenue, the last of the CRA properties awarded to Habitat in the 2012 RFP, at 8 a.m. on Saturday, June 11th as well as to the dedication of 145 SW 11th Avenue at 2:00 pm on Sunday, June 12th.

6. P&Z - Amendment to the Land Development Regulations Regarding Sidewalk Cafes
Principal Planner Mark Stivers presented the item. One of the reasons for the Amendment is that in May the FDOT required the City to enter into a lease agreement with the FDOT to collect rental fees for cafes and valet queues located in Right of Ways on state roads, which resulted in additional lease fees which need to be recouped by the City. Also, this amendment would differentiate the requirements for private property from public property and provide regulations for geographical zones.

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

Mr. Costello asked if it was still the case that the LDR which allowed private property to be included as part of a sidewalk café with no in-lieu parking fee and excluding it from the lease area. Mr. Stivers responded yes, that if the area outside is 10% or less of the seating capacity they are not charged, but anything above the 10% there is a charge for the overage portion. Mr. Rose noted that this will clear up some of the potential ADA issues. Board consensus was supportive.

7. Consent Agenda
Mr. Rose made a motion to approve the Consent Agenda which was seconded by Mr. Stevens and passed unanimously.

8. Old Business – None

9. New Business
   A. Request for Funding Commitment for 2016 Davis Cup
Mr. Costello presented the item, noting that the City Commission had supported the proposal to host the 2016 Davis Cup Semifinals providing that all out-of-pocket expenses were funded by the CRA with the City providing in-kind services. The out-of-pocket expense is expected to be $140,000. Mr. Costello gave some background on the item, and stated that holding the Davis Cup here in Delray Beach would provide major media exposure and an opportunity to include The Set Branding Initiative which is being launched in September, 2016.

Director of Parks & Recreation Suzanne Fisher explained there was a very short turn-around time to submit proposals, with tomorrow (Friday, June 10th) being the due date for submissions to host the Davis Cup Tie. She noted that the $140,000 figure is a maximum and that the costs may not be that much but will not be more. She reviewed how they arrived at the $140,000 figure, and she turned the podium over to George Linley, Executive Director of the Palm Beach County Sports Commission. Mr. Linley thanked the City and the CRA for its partnership over the years, and for helping to make Delray Beach a leading sports destination. He noted that the Davis Cup is one of the most prestigious and oldest sports events in the world, and one of the largest outside of the

June 9, 2016
Summer Olympics, with 115 countries which compete. He stated there are many things that have to happen first for the event to even be held in the United States. The weekend would be September 16, 17, and 18, during a time that traditionally is the slowest time of the year in Delray. He commented the Davis Cup had been in Delray once before in 2004, and that was also the last year a Davis Cup semifinal was held in the U.S. He reviewed the many economic benefits of hosting such an event, and the media marketing value. He noted there would be approximately 1,300 people from the USTA alone for five or more days, and an estimated attendance from around the world of 6,000 per day.

The Board Chair asked for any public comments. Bill Morris, 777 East Atlantic Avenue, apprised the Board that he and his wife have attended Davis Cup events and they are something quite special - quite exciting and very well attended. He encouraged the CRA Commissioners to be supportive and cherish this opportunity. Victor Kirson, Tierra Verde, felt the Tennis Tournament should be left to the country clubs and that $140,000 in taxpayer dollars should not be used to fund this event. He did not feel it had any meaning to the average person in Delray Beach. Ari Whiteman, Washington Road, stated he is really behind Delray Beach as a destination spot around the world, and thinks this Davis Cup tie would be great for Delray Beach. Jeanne Evert Dubin, 1125 Island Drive, noted that the event would draw many past champions and players and is a phenominal event. She encouraged the Board to support the proposal. Yvonne Odum, 3905 Lowson Blvd., proudly noted her granddaughter is a top tennis player, and that this is a unique opportunity and could be seen also as an investment in the area youth. She reminded the Board that this is just a bid, and a good will gesture from the CRA and she encouraged the Board to be supportive. Sharon Painter, 2075 S. Ocean Blvd., stated this is an opportunity to put in a bid with no obligation up front, and that with the deadline for submission being tomorrow she hoped the Board would approve submission of the proposal.

Mr. Rose thought it was a great opportunity and that it would be terrific for September when tourism is slow. He felt it would bring in revenue to small business, and stated the $140,000 would give a lot of positive recognition, great economic impact, and good will. Mr. Stevens was also supportive. Ms. Balestriere thanked Mr. Linley for trying to bring Davis Cup to Delray and for helping to make Delray a tennis town. She said she appreciates the work of the Sports Commission. She asked about the tie sponsorships as far as who sells them and what do they include. Mr. Linley responded that the host city would be allowed to sell sponsorships to corporate and/or community partners, and that there is an opportunity to generate revenue which could reimburse the CRA. He stated he will include that in the bid. She also inquired as to the response from hotels toward this opportunity. Mr. Linley said his preliminary inquiry drew very positive responses from hotels such as the Seagate, Hyatt Place, Delray Sands, Residence Inn, and Fairfield Inn. He noted the Fairfield Inn has been a great partner during other events and is one of the quickest to sell out of rooms given their competitive rates.

Ms. Balestriere noted that should Delray Beach get to host the Davis Cup Tie, she would like it written in the bid to have “Delray Beach” displayed prominently on the court. Mr. Linley confirmed that could be included in the bid, that community benefits can be tailored most any way the Host
City would like. This desire would be submitted in the bid, and negotiated after the bid is awarded as the host will need to work with the USTA. He also noted that display of all logos (City, CRA, Sports Commission) can be included as a part of the bid package and all partners would be given recognition. Mr. Cox got confirmation that the bid is due tomorrow, Friday, June 10th. He made a statement regarding the Bid Document Enhancements on page 15 of the Bid Document Guidelines. He cited the last two points which involve diversity and involvement for all cultures and nationalities, describing the Davis Cup as "an all-inclusive event that celebrates the uniqueness of all nations." He wants to see that for the City, especially as it relates to children, and he suggested adding the Executive Director’s backup documentation as an attachment to the bid proposal. He commented that this backup includes The Set Branding Initiative which would be great to tie in to the Davis Cup weekend. Mr. Linley stated that can absolutely be included, and he commented that adding in bid enhancements for the community will actually increase Delray Beach’s chance of being awarded the bid.

Ms. Balestrieri made a motion to approve the request by the City for funding in the amount of $140,000 to be included as part of the financial contribution for the City’s 2016 Davis Cup bid proposal, based on the positive economic benefits that the event will produce within the CRA district. Mr. Rose seconded the motion which passed unanimously.

**A1. Site Development Assistance Grant – Access Development Properties (799 NE 2nd Ave.)**

Economic Development Manager Elizabeth Burrows presented the item, noting that the owner of the business, Peggy Gotti, was present to answer any questions. The firm has 52 employees and will be relocating from Lake Worth to Delray Beach once the renovations are complete. The applicant has done a lot of interior renovations and is requesting funding for some of the exterior improvements.

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

Mr. Rose made a motion to approve the Site Development Assistance Grant Agreement with Access Development Properties, LLC for the exterior improvement project located at 799 NE 2nd Avenue, for an amount not to exceed $13,535.04. Ms. Balestrieri seconded the motion which passed unanimously.

**B. RFP for Ground Lease & Management – Duplex at 221-223 SW 12th Avenue**

Assistant Director Thuy Shutt presented the item. Ms. Shutt stated that the property will be utilized for affordable housing, and is in the middle of the five renovated duplexes that were awarded previously in an RFP in 2013 for Management Services. If approved, the RFP will be issued on Sunday, June 12th.

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

Mr. Rose made a motion to authorize issuance of the RFP for a Ground Lease/Management Agreement for the CRA-owned duplex property located at 221-223 SW 12th Avenue. Mr. Stevens seconded the motion which passed unanimously.

June 9, 2016
C. Award of RFB for Appraisal Services

Ms. Shutt introduced the item. She apprised the Board there were seven responses to the RFB, four of which were deemed non-responsive. One of the respondents that was not selected for non-residential appraisals filed a Bid Protest which was vetted by CRA Counsel and the Executive Director. The Bid Protest was found to be unjustified and was denied. There were several reasons for that including the fact that the RFB indicated the award would be based solely on price, so the responses stating “By Quote” or giving an hourly fee cannot be considered. Staff provided five recommendations for the Board to consider.

The Board Chair asked for any public comments. Mr. Howard Klar, East Hill Valuation & Consulting, stated his comments were not about the award but about the process used for the bid protest. He said the protest issue had to do with the formatting of how the pricing was to be presented. He felt the breakdown of how the pricing was to be presented was too broad and not clear enough. He noted that the RFB required the appraisals be performed according to the Uniform Standard of Appraisals Practice which require bidding on assignments and that you know what you are bidding on. He stated he just wanted to comment on the process for future consideration when issuing RFB’s.

Ms. Balestriere made a motion to find that the Bid Protest from Parrish and Edwards, Inc. is unjustified based on the Executive Director’s denial of the Bid Protest. Mr. Rose seconded the motion which passed unanimously. Ms. Balestriere made a motion to award the Request for Bids for residential appraisals (properties with up to 4 units) to Callaway and Price, Inc., Allied Appraisal Services, and Parrish and Edwards, Inc. in the amounts listed below:

<table>
<thead>
<tr>
<th>Respondents</th>
<th>Single-family Property</th>
<th>2-4 unit Property</th>
</tr>
</thead>
<tbody>
<tr>
<td>Callaway and Price, Inc.</td>
<td>$400.00</td>
<td>$650.00</td>
</tr>
<tr>
<td>Allied Appraisal Services, Inc.</td>
<td>$390.00</td>
<td>$590.00</td>
</tr>
<tr>
<td>Parrish and Edwards, Inc.</td>
<td>$375.00</td>
<td>$800.00</td>
</tr>
</tbody>
</table>

Mr. Rose seconded the motion which passed unanimously. Ms. Balestriere made a motion to award the Request for Bids for multi-family (properties with 5 or more units) to Allied Appraisal Services, Inc. and Parrish and Edwards, Inc. in the amounts as listed below:

<table>
<thead>
<tr>
<th>Respondents</th>
<th>≥5 unit Property</th>
<th>Nonresidential Property (&lt;10,000 square feet)</th>
<th>Nonresidential Property (&gt;10,000 square feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allied Appraisal Services, Inc.</td>
<td>$950.00</td>
<td>$1,400.00</td>
<td>$1,800.00</td>
</tr>
<tr>
<td>Parrish and Edwards, Inc.</td>
<td>$1,500.00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Mr. Rose seconded the motion which passed unanimously. Ms. Balestriere made a motion to award the Request for Bids for nonresidential property appraisal services to Allied Appraisal Services, Inc. in the amounts listed above. Mr. Rose seconded the motion which passed unanimously. Ms. Balestriere made a motion to authorize the CRA Chair to execute the Agreements with the Awarded Appraisal firms. Mr. Rose seconded the motion which passed unanimously.

June 9, 2016
D. Temporary Use Agreement with Brave Man Media – Arts Warehouse (313 NE 3rd Street)

Ms. Shutt presented the Agreement, and outlined the terms for Brave Man Media to utilize the Arts Warehouse, 313 NE 3rd Street, for a photo shoot July 9th and 10th. She noted that staff felt this use was supportive of the arts and economic development as well as enhancing the arts and cultural scene in Delray Beach. Brave Man Media is not required to provide the Worker’s Compensation, but staff feels it appropriate to provide an exemption in this case. She stated that Article 5, Insurance and Indemnity, could be amended to state after the second sentence “If the Permittee is exempted from providing Workers’ Compensation Insurance, documentation shall be provided to the CRA prior to the Commencement Date.” Staff recommends approval as amended.

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

Ms. Balestriere inquired as the amount being paid for use of the Arts Warehouse. Ms. Shutt stated that in 2014 Brave Man Media used the Warehouse for a month and paid $500. However, after they had left, the CRA incurred a large utility bill, so this time an amount of $300 for the two days was agreed upon so that there will be no need for any back charges. Mr. Rose made a motion to approve the Temporary Use Agreement between the CRA and Blue Hour Films, LLC d/b/a Brave Man Media to utilize the CRA warehouse located at 313 NE 3rd Street with the addition of the amendment to Article V, Insurance and Indemnity. Ms. Balestriere seconded the motion which passed unanimously.

E. FY 2015/16 Budget Amendment

1. Resolution No. 2016-10 – Budget Amendment No. 2

Finance & Operations Director Lori Hayward presented the Resolution and Budget Amendment No. 2 to the FY 2015/16 Budget. She stated the Amendment deals mainly with adjustments made on CIP projects. Since this item was distributed, there have been two small changes made: 1) to GL 5650 Sidewalks the amount changed to $303,191 and GL 7440 Arts Warehouse to $865,931.

2. Amendment #1 to City-CRA ILA – Construction/Professional Services

Ms. Shutt presented the item. She stated that one reason for the Amendment is to rectify some of the bid pricing that came in for some of the construction projects. She reviewed some of the changes, including items which were decreased or eliminated because they will not be completed in this fiscal year such as the OSS Campus/Park Upgrade design, Parking Study Implementation and various other Items which were reduced based on actual costs. Other items were increased, such as Old School Square Building Maintenance as the cost estimates are much greater than anticipated as well as NW 12th Avenue/MLK Jr. Drive project and SE 2nd St/Ave Project (Osceola) to address construction administration costs.

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

CRA Attorney David Tolcos read Resolution No. 16-10 into the record. Ms. Balestriere made a motion to approve CRA Resolution No. 16-10 adopting Budget Amendment No. 2 for FY 2015-2016. Mr. Rose seconded the motion which passed unanimously. Ms. Balestriere made a motion...
to approve Amendment #1 to the Interlocal Agreement with the City of Delray Beach for funding of Joint Projects for Fiscal Year 2015-16. Mr. Rose seconded the motion which passed unanimously.

F. Discussion - Draft FY 2016-17 Budget

Mr. Costello opened the discussion, which is a follow-up to some of the discussions from the April Joint Workshop with the City as well as from various City and CRA staff meetings concerning the capital improvement program for next year. He noted that a budget has been drafted (including the Tennis Tournament and Clean & Safe), which addresses items that the City has been funding which the CRA may be able to absorb into its budget given their consistency with the Community Redevelopment Plan and State Statutes. The draft also includes some additional A-GUIDE funding to help relieve the City's funding of non-profits (he noted the A-GUIDE is capped at 25% of an entity's budget). He stated that given the significant costs of the Capital Improvement Projects for Complete Projects identified at the Joint Work Session with the City, the City will probably finance the design and construction of the Complete Projects and the CRA would pay the debt thereby easing some impacts on cash flow. He added that at the next Joint Session in July there will be maps provided with each of the projects identified for the next fiscal year to provide a better understanding of how it will work over the next five years. He commented that this is a kick-off discussion to the Budget Workshop which is scheduled for June 22nd. Staff will follow-up with a more detailed description and Work Plan for the projects, but he wanted emphasize the Clean & Safe (they have identified a need for two more officers), the Tennis Tournament and A-GUIDE Funding.

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

Mr. Cox voiced a concern with the Tennis Tournament contract which has another fifteen years left, with the CRA's funding increasing each year. He felt a way needs to be found to increase the residual benefits to the community such as was discussed with the Davis Cup, and to look at some of the surrounding communities which could be more involved. Ms. Balestriere shared some of the same concerns, and suggested a meeting be set up with the Tournament Director to ascertain who are some of the benefactors that are associated with the tournament, are they local or could they be, and can the CRA have some input to see how the area non-profits could receive some benefits. For example, she stated there may be a way to integrate the excess tennis tickets into area schools so the kids could benefit. Ms. Balestriere would like first for staff to meet with the Director and then bring it to the Board. Mr. Rose felt the CRA, as a major sponsor, should have access to the Tournament books and see where the money is going. Tennis tournaments are very lucrative and he would like to know how the monies are being spent. He would rather see money going to National Night Out where the whole community can be involved. He also expressed dissatisfaction at the way that Clean & Safe and Code Enforcement are performing their duties. He feels there is a lack of code enforcement.

Mr. Stevens stated he has a problem with the Clean & Safe Program line item in terms of being fiscally responsible – a problem with where we started from, where we are and where we are going. He does not feel it is sound and that it is wrong. Ms. Balestriere noted while there could be improvements, it is a big challenge enforcing code and that they do need the CRA's support. Mr. Rose has a problem with designating more officers for the NW/SW neighborhood. Mr. Costello noted that Clean & Safe is designed specifically for that geographic area. Mr. Tolcos stated there are statutory limitations, and that Clean & Safe is associated with the improvements to the infrastructure that the CRA has funded and needs to stay focused on slum and blight. Mr. Stevens has a problem with the increase in officers as he feels the program needs to be supported by cata. He feels it is not and never has been. Mr. Cox agreed the data needs to support the request. Mr. Costello stated there will be a Clean & Safe presentation at the June 23rd Workshop that should
provide supporting data. He also noted in previous CRA Board Meetings there was a 3-year Clean & Safe plan identified. The new positions being requested were identified in the third year of the 3-year plan that was previously approved.

Ms. Balestriere commented about the non-profit funding as it relates to the A-GUIDE and is concerned it will take away from the A-GUIDE process if any organization is funded over the 25% threshold. Mr. Costello responded that for example, in taking on the funding of Old School Square for the City, OSS would still be under the A-GUIDE guidelines of 25% of their budget. He noted that the Board has the ability to waive certain requirements. Ms. Balestriere stated that with the complete city projects, she wanted to make sure CRA funds would stay within the CRA District. Mr. Costello stated that the funds would need to be specific for projects within the CRA District which is why the maps will be provided to insure CRA funds are used only within the district. She asked Counsel if this would be a slippery slope. Mr. Tolces responded it should not be a problem as long as the projects are clearly defined and delineated. Mr. Costello confirmed that there will be no funds going toward any part of projects outside the CRA District. He added that most projects do not overlap between the City and CRA District boundaries. Ms. Balestriere commented she hopes the CRA can continue to be focused on West Atlantic Avenue and CRA projects. Mr. Cox stated this is one community and it is not "us against them" - this is the public's money and the Board will need to find middle ground on some things.

Ms. Shutt gave an overview of the May Progress Report, updating the Board as to the status of the various CIP Projects. In reference to the Sidewalks project, Ms. Shutt noted staff was just informed there are some right-of-way issues for the NW 7th Avenue sidewalks. There is not enough right-of-way for sidewalks on both sides of the road so staff is working with the consultant to provide alternatives. She noted usually those issues are not known until the survey crew is on site. Mr. Cox asked whether there could be some sort of preliminary evaluation or analysis to see if there will be enough right-of-way in the first place. Mr. John Morgan, Environmental Services Director, said there is some information in advance but you really do have to wait until the project is underway. He did say the good news is that ESD is expanding the GIS applications, and the goal is to have a good inventory of all public right-of-ways in the City. He also assured the Board that CRA projects will continue to be handled efficiently in the absence of the Engineer who typically handled those projects.

10. Other Business
A. Comments by Commissioners –
Ms. Balestriere thanked Elizabeth Burrows for a great job with We Small Biz month.
B. Comments by Board Attorney - None
C. Comments by Executive Director - None
Mr. Costello apprised the Board that staff would be interviewing next week for a much needed Project/Property Manager. With the delays in the Uptown Atlantic project, homeless camps have been more prevalent and property oversight is needed. He has been working with Code Enforcement, and the CRA's landscape maintenance company has been trimming trees on some of those vacant lots. He stated that LV Landscaping, the CRA landscape maintenance company, will be taking over maintenance of the Gateway feature in July, and he gave an update on the replacement of sod. An update on the La France noise complaint was given, and Mr. Costello said that, as a short term solution, removal of the rear benches where residents gather is being
considered. He is working with Dorothy Ellington at the Housing Authority regarding alternatives, including possibly an awning and patio, but would like the Board’s input. Mr. Cox did not agree with removing the benches as they are enjoyed by the residents, and the Board concurred. Board consensus was not supportive of removing the benches.

Mr. Costello noted also that the City is working with the City’s IT Department to install security cameras at the West Settlers Building to observe the area. Lastly, Mr. Costello introduced Kevin Matthews, new CRA Project Manager who was welcomed by the Board. Ms. Shutt noted he is an Engineer with a Master’s Degree.

**D. Comments by Staff**

Ms. Burrows updated the Board regarding the grant that was conditionally approved for Mr. Andrew Luchey. He has not met the requested deadlines as determined by the Board and is out of compliance. She has been working with the CRA’s Attorney to draft a letter notifying Mr. Luchey the grant is being revoked due to non-compliance.

**11. Adjournment**

There being no further business, the meeting was adjourned at 7:40.

Jeff Costello, Executive Director

Reginald A. Cox, Board Chair