



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, September 8, 5:30 p.m.

Environmental Services Dept. 434 S. Swinton Avenue
Delray Beach, FL 33444

STAFF PRESENT:

Jeff Costello	Lori Hayward	Susan Shaw	David Tolces
Thuy Shutt	Yuberca Pena	D. J. Lee	Amy Alvarez
Elizabeth Burrows	Kevin Matthews	Janet Meeks	

OTHERS PRESENT:

Dan Schwartz	Keith Garsson	Serena Cummins	Marissa Gottesman
Margie Walden	George Linley	Jim Knight	Jorge Alarcon
Brian Rosen			

1. Call to Order

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

2. Roll Call

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

3. Approval of Agenda

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

4. Approval of the Minutes

A. Minutes of August 25 Workshop

Mr. Rose made a motion to approve the Minutes of the August 25th Workshop. Mr. Zacks seconded the motion which passed unanimously.

B. Minutes of August 25 Board Meeting

Mr. Rose made a motion to approve the Minutes of the August 25th Annual and Regular Meeting. Mr. Zacks seconded the motion which passed unanimously.

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

6. P&Z

A. ~~Tattoo Studios – LDR Text Amendment – City of Delray Beach~~

B. ~~Swinton Commons – Conditional Use – Atlantic Avenue Development LLC and MGM Sundry~~

C. ~~Sofa District Offices – CLIV Site Plan Modification – Richard Jones Architecture Inc.~~

Amy Alvarez, Senior Planner, presented the proposal to construct a four-story mixed-use office/commercial building in the CBD with ground level parking. She noted this Site Plan had

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been approved in 2014, and that Plan is now being modified. She noted there are several waivers being requested regarding setbacks which are in accordance with the previously approved site plans and which meet the streetscape standards.

The Chairman announced the Executive Director had a request to reconsider the Agenda. Mr. Zacks made a motion to reconsider the approval of the Agenda which was seconded by Mr. Rose and passed unanimously. Mr. Zacks made a motion to move Agenda Item 8A to New Business as Item 9C1. The motion was seconded by Mr. Rose and passed unanimously.

Ms. Alvarez completed her review of the Site Plan. She reported that staff is supporting the project which is scheduled to go before SPRAB next week.

The Board Chair asked for Public Comments. There were none.

Board consensus was supportive of the petition.

7. Consent Agenda

A. Interlocal Agreements between CRA & City for FY 16-17:

1. Demolitions

2. Code Enforcement Officer – NW/SW Neighborhoods

Mr. Rose made a motion to move Consent Agenda Item 7A2 to New Business Item 9C2. The motion was seconded by Mr. Zacks and passed unanimously. Mr. Zacks made a motion to approve the Consent Agenda as amended which was seconded by Mr. Rose and passed unanimously.

8. Old Business

A. FY 16-17 Budget Update (moved to Item 9C1)

9. New Business

A. Downtown Core Parking Utilization & Demand Analysis – Kimley-Horn Presentation

Assistant Director Thuy Shutt introduced the item which was a follow-up to the 2010 Parking Management Study. City staff had determined that a more comprehensive parking utilization and turnover evaluation for the downtown core was necessary prior to consideration of any additional design work for a garage. She introduced Mark Santos of Kimley-Horn to present the data and the study's conclusions. Mr. Santos gave a presentation of the Study for peak season and off-peak season parking utilization. Results showed weekend nights had the highest utilization, with the busiest time being from 8:00 pm to 9:00 pm, and that was fairly consistent throughout the year. Weekend parking is approaching capacity, and he reviewed some parking management options including short and long term. Short Term recommendations included increased valet parking, a centralized valet, paid public parking, and remote parking/shuttles. Long term recommendation was construction of a parking garage. Mr. Santos noted that is at least a two to three year process including identifying a site, funding sources, and then the design and construction phases.

The Board Chair asked for Public Comments.

Jim Knight, 123 E. Atlantic Avenue, asked if the Kimley-Horn study took into consideration that many of the private parking areas are converting to paid parking? He also inquired if consideration had been given to leasing spaces in the Federspiel and Old School Square garages during off peak hours to incentivize offices to locate in the downtown?

Mr. Bernadel asked about where technology is heading in regard to locating and paying for available parking. Mr. Santos said there is already a mobile application for prepaying, but that locating empty parking spots requires the more advanced technology. In response to Mr. Knight's question, Mr. Santos stated that the idea of leasing garage spaces during the day to businesses is a good example of shared parking and is worth investigating. Ms. Balestriere asked about the difference in the numbers from the 2010 Study. Mr. Santos noted that in 2010 parking on weekends was reaching about 70% compared to 93-99% on weekends in 2016. Mr. Straghn asked about centralized valet parking and how many stations would be needed. Mr. Santos replied that this option requires a lot of collaboration, as drop off can be at one station with pick up at a different station. In terms of how many stations would be needed, that would have to be determined.

Mr. Zacks commented that as there is almost 100% capacity for on-street parking, he considers a "today" problem not a long term one, and that more valets is a short term fix and not a solution. Mr. Costello sought clarification that with the centralized valet there would be just one vendor handling the whole downtown. Mr. Santos confirmed that was correct.

Brian Rosen of the Creative City Collaborative Board, asked about employee parking. Mr. Costello stated that he believes the City is working on a program that would utilize the County Courthouse parking garage for employee parking, which may be implemented soon. Mr. Cox asked if this Study had been before the Parking Management Advisory Board. Mr. Santos responded it was being presented later this month, and that staff is currently reviewing it. Mr. Cox asked if community input had been sought. Mr. Santos replied that this was strictly a data gathering study, and that getting the community involved would be the next step.

B. Creative City Collaborative A-GUIDE Funding

1. FY 16-17 Funding Request

2. FY 15-16 Third & Fourth Quarter Funding Request

B2. Finance and Operations Director Lori Hayward presented, and began with the FY 15-16 Third & Fourth Quarter Funding Request. She gave an overview of the item, noting that the stipulations given for each quarter have been met. Based on the information provided, the CCC budget shows a deficit for Programs A and B for the year in the amount of \$100,366. Staff is recommending the CRA provide that amount of funding based on the amended budget.

The Board Chair asked for Public Comments. There were none.

Some board members commented they were glad to see the CCC getting back on track, and noted the amount of CRA staff effort it had taken to get to this point. Mr. Rose made a motion to direct the CRA attorney to prepare an Agreement with the Creative City Collaborative for FY 2015-2016 for A-GUIDE funding for the 3rd and 4th quarters in the amount of \$100,366, and to authorize the CRA Chair to execute the Agreement accordingly. Ms. Balestriere seconded the motion which passed unanimously.

B1. Ms. Hayward introduced the item and gave some background on the request. She reported the A-GUIDE Evaluation Committee's recommendations for some organizational changes to be completed within six months. The Committee felt the CCC expenses could be reduced (i.e. payroll, health insurance, retirement contributions) thereby improving the CCC's sustainability. Thus, committee recommended CCC FY 16-17 A-GUIDE funding as follows:

1. CRA to allocate \$275,000 in the CRA's FY 2016-17 budget.
2. That the FY 16-17 CCC Funding Agreement provide funding in the amount of \$170,000 with the condition that within six months (April 1, 2017), the CCC demonstrate that a

reorganization plan has been completed to the satisfaction of the CRA, including measures to streamline expenses with other organizations in the community. (This stipulation must be satisfied in order for the remaining \$105,000 to be provided).

Keith Garsson, Co-Executive Director, gave a presentation on the CCC including its core values and vision for the future. He does agree that CCC operations can be streamlined. He noted they have reached out over the summer to both Spady Museum and WARC for program partnering opportunities. He commented that the CCC is predominately Blues and Jazz oriented, and so is deeply rooted in African American culture. He mentioned that free classes are being offered to teens 12 and older who cannot afford them in both piano and voice, and hopefully up to 10 one-hour classes a week. He also gave an update on strategic objectives.

The Board Chair asked for Public Comments. There were none.

Mr. Rose was very concerned that last year a curriculum from Youth Expressions was provided to the Arts Garage which he felt would be a perfect program for the community youth, and that the CCC has not done anything with it. Mr. Straghn sought clarification on the payment disbursements. Ms. Hayward confirmed the total funding would be \$275,000, with \$170,000 to be allocated initially and the remainder contingent upon the fulfillment of the stipulations stated within six months (April 1, 2017). Ms. Balestriere noted that the CCC still has many internal changes to be made, and hopes they will resolve them given all the effort the CRA has put into working with the CCC. She requested the Board be updated regarding programming efforts with Spady Museum and the community. Mr. Zacks commended the Evaluation Committee for coming up with a plan to hold back funds until stipulations have been addressed as the organization still has serious dysfunction.

Mr. Rose made a motion to direct staff to include funding for the Creative City Collaborative in the CRA's FY 2016/17 Budget in the amount of \$275,000 with the stipulations as recommended by the Selection Committee. Mr. Zacks seconded the motion which passed unanimously.

C1. FY 16-17 Budget Update

Mr. Costello introduced the item. He reviewed the modifications to the budget as outlined in the Update Memo given the Board, including modifications to the City's Capital Improvement Projects, the A-GUIDE funding amounts as determined at the July 28th Board Meeting, as well as the extra \$110,000 for the Delray Beach Library approved at the August 25th Meeting. He stated that staff has been working with the City to assist the City with their budget constraints. In regard to the funding of the 2017 Tennis Tournament, the Board previously approved funding in the amount of \$550,000 (the same as in FY 2015-16), with the ability to increase the amount if certain information was received. However, the submitted information was determined to be inadequate. Three funding options were previously provided to the Board. Mr. Costello presented a fourth option for consideration which would provide additional funding for the CRA's A-GUIDE non-profits that also receive funding from the City. The City provides funding as follows: Old School Square \$250,000; EPOCH/Spady Museum \$31,000; and, Historical Society \$50,000. This along with the additional \$110,000 previously approved for the Library at the last meeting, makes a total of \$441,000. Given this scenario, the CRA would fund another \$443,780 in addition to the previously approved \$550,000 for the Tennis Tournament Sponsorship. The total CRA funding for the Tennis Tournament would be \$993,780 or 52% of the City's obligation to Match Point for the Tournament. Staff recommended approval of the fourth option.

The Board Chair asked for Public Comments. There were none.

There was a great deal of discussion regarding this funding. Mr. Zacks noted that the Board is being asked to assist the City, and it sits better to fund non-profits than to directly fund the Tennis Tournament. Most commissioners thanked staff for this new option. Ms. Balestriere preferred one of the other three options any of which would pay the Tennis Tournament directly rather than involve A-GUIDE non-profits. Mr. Straghn found this fourth option to be good middle ground and supported it. Mr. Rose asked who would receive the proceeds from the sale of any sponsorships sold by the City or its representatives. Mr. Costello noted the City does have the ability to sell a fixed number of sponsorships that would offset City costs, but would get back to the Board with the specifics. Ms. Balestriere asked if there was a way to require Match Point to submit data regarding hotel rooms and economic impact. Mr. Tolces stated the agreement is between the City and Match Point, so if there is something the CRA would like the City to request of Match Point, it could potentially be put into the Interlocal Agreement with the City for the funding. Mr. Costello commented that the economic impact data is based more on indirect impact, but on a County wide basis and not on the local level. Mr. Tolces said he would have to explore what type of language could be put in the ILA in order to request that certain records be provided as a condition of the Agreement. Mr. Costello reminded the Board that this should be a one-time situation and that there is still litigation pending.

Mr. Stevens was not supportive of more funding for the Tennis Tournament. He felt the information provided was inadequate for him to approve more funding, and that the City is dictating to the CRA. Mr. Cox felt that the fourth option was the best solution, and that as things move forward this situation will get ironed out. Mr. Bernadel made a motion to direct staff to move forward with Option Four, that for FY 2016-17 the CRA will provide additional funding of \$441,000 to the A-GUIDE non-profits which also receive funding from the City, and that additional funding for the Tennis Tournament Sponsorship in the amount of \$443,780 be provided for a total of \$993,780. Mr. Zacks seconded the motion. More discussion ensued. Mr. Costello clarified that the additional funding to the non-profits described in the fourth option is to offset the City's contribution this year. Mr. Zacks noted that the CRA is not giving money to the Tennis Tournament but rather to the City. He also stated that he was not confident it will be a one-time occurrence so he wanted it clear that his vote is based on a one-time situation and has no bearing on future years. The motion passed 6-1 with Mr. Stevens dissenting.

C2. Interlocal Agreement between the City and CRA for a Code Enforcement Officer Position

Mr. Costello presented the Agreement. He stated a need has been identified for a full-time code enforcement officer to focus on the Northwest and Southwest neighborhoods within the CRA district. He noted the CRA would fund 100% of the position, that it is renewable on an annual basis, and that the position is consistent with the CRA's mission regarding slum and blight.

Mr. Zacks wanted to know to whom this position reports, who has oversight responsibility. Ms. Hayward stated that this is a City position and she receives quarterly reports on all CRA funded City positions. Mr. Costello noted that City staff could come to the Board Meetings to report on a quarterly or monthly basis. Mr. Bernadel inquired if there were any language specific qualities required for the position as many of the neighborhoods are bi-lingual. Mr. Costello noted the City could include the bi-lingual requirement in the job description.

The Board Chair asked for Public Comments. There were none.

Mr. Rose voiced concerns regarding Code Enforcement Officers giving citations prior to proper investigation. He also felt that a bigger issue was the new blight of substance abuse and sober homes, and that code enforcement cannot take care of that blight. He felt a vision is needed prior to funding any more positions. Mr. Straghn felt the problem of substance abuse and sober

homes in the City is not a code enforcement issue, but is a problem with the ordinance that allows them to exist unregulated. Mr. Zacks asked Community Improvement Assistant Director Janet Meeks if this person will become just another officer in the code enforcement 'pool'. Ms. Meeks responded that this officer will be hired specifically for this designated area. Mr. Cox felt it is critical that a reporting mechanism to the Board be in place so it can be determined if the extra officer is making a difference. He also inquired if this officer will be put on back-logged cases or to identify new issues. Ms. Meeks stated it is her understanding that this officer will be roving the NW/SW neighborhoods and reporting on any violations. She noted all of the officers submit monthly reports, and they are required to do a minimum of eight random rental home inspections per month.

Mr. Cox would like City staff reporting to the Board on a monthly basis. Mr. Costello noted that Section 6 of the Agreement could be amended to include monthly reports. Mr. Tolces commented that he could work with Ms. Meeks as to what is wanted in the monthly reports. Mr. Cox commented he wants to see an attack on slum and blight done in a fair manner. Mr. Stevens inquired as to how many code enforcement officers there are. Ms. Meeks said 7 throughout the City, plus 2 dedicated for the Clean and Safe area. Mr. Stevens wanted to know how a determination was made that another officer was needed, if there was any data supporting the need in the NW/SW area for another officer. Mr. Costello reported that in working with Community Improvement it was recognized that there are many blighted homes and unsafe structures in the area. Ms. Meeks noted no resources will be taken away from the area, that this will be an additional resource. She added that it is not just giving citations, but that officers also need to take the time to work with the residents so they understand what is required. Mr. Stevens stated he just does not see the need. Mr. Cox said he had no problem seeing the need, that some properties are minimally maintained and substandard which affects all the property values. He also stated it is not enough to identify a violation; the case also needs to be followed up. Mr. Zacks made a motion to approve the Interlocal Agreement between the City and CRA to fund 100% of the actual amount expended for the Code Enforcement Officer position up to \$42,000, subject to approval of the City and CRA budgets for Fiscal Year 2016-17 with the addition that the reports be monthly. Mr. Bernadel seconded the motion which passed 5-2 with Mr. Rose and Mr. Stevens dissenting.

C. Interlocal Agreement between CRA & City for FY 16-17 - Tennis Stadium Study

Contract Manager Yuberca Pena presented the item. She stated that the purpose of the study would be to determine potential upgrades that would allow for alternate uses of the tennis facility, and to determine the cost of those improvements.

The Board Chair asked for Public Comments.

George Linley, Palm Beach County Sports Commission Executive Director, stated the Sports Commission was very interested in the outcome of this item. He noted the stadium is a one-of-a-kind facility in Palm Beach County and he wanted to offer their help if there is going to be a study. The Sports Commission Board has authorized some funding to assist with the study.

Margie Walden, 6103 Caladium Road, Board Member of the Sports Commission, stated this study would be very helpful, and she noted there is the potential to put together a number of governmental agencies to fund the renovations to make a beautiful facility for our City. She noted the Sports Commission has offered to provide \$15,000 to focus on job creation when the time is appropriate.

Mr. Bernadel thanked Mr. Linley and Ms. Walden for their parts in bringing sports and other initiatives to the community. He felt the Tennis Center has been an albatross for some time, and said the residents don't even recognize it as a place to go other than for the tennis tournaments. He wants to see it turned into a usable structure functioning as a venue for various events. Ms. Balestriere

supports having a study, but also felt that a plan or a vision is needed to know in what direction to go, and suggested perhaps the City Commission could be approached regarding developing a plan for the future. Mr. Zacks thinks there is a 50/50 chance it will be torn down as it is a very old structure and he is in favor of a study. Mr. Zacks made a motion to approve the attached Interlocal Agreement between the CRA and the City of Delray Beach for the CRA to fund the Architectural and Structural Study of the Tennis Stadium, in an amount not to exceed \$75,000, subject to approval of the City and CRA budgets for Fiscal Year 2016-17. Mr. Bernadel seconded the motion which passed unanimously.

D. Monthly Progress Report, August, 2016

Project Manager Kevin Matthews went over some of the highlights of the Progress Report. Mr. Cox asked about the MicroEnterprise Program. Economic Development Manager Elizabeth Burrows stated that is being finalized, and should be ready in October if not September.

10. Other Business

A. Comments by Commissioners

Mr. Rose asked the status of the Wayne Martin tribute. Mr. Costello stated he has spoken to Parks & Recreation, and that he called Noel and it is a matter of them getting together. He said he believes they are looking at Pompey Park.

Mr. Straghn noted a concern regarding Equity Enterprises. He stated one reason he supported that project was their hiring of Randolph & Dewdney Construction as their project contractor which apparently is now in question. Mr. Tolces stated D. J. Doody is working with Equity on that matter and that Mr. Costello can update the Board perhaps having it as an agenda item.

Ms. Balestriere reminded all of events of The Set Branding Weekend, and commented that a lot of collaborative effort and a great job was done in putting the weekend together.

Mr. Bernadel once again made a request for the Board to proceed with renovating the CRA offices and giving the staff a dignified building in which to work.

Mr. Cox suggested that the Executive Director is available between meetings for any questions regarding Agenda items, so commissioners could get some of their questions answered in advance which would make the Meetings more effective and efficient. He reviewed more specifically the events of the coming The Set Weekend, and noted it is WARC's 20th year anniversary.

B. Comments by Board Attorney - None

C. Comments by Executive Director

He noted the adoption of the budget will be on the next Board Meeting Agenda, and reminded the Board of the budget presentation next Tuesday, September 13th to the City Commission. He asked about having the Monthly Progress Report on the Consent Agenda, but Board consensus was to keep having them presented in the concise manner in which they have been. Mr. Costello noted there is funding in the budget for the office renovations for the coming year. Lastly he commented he would have an update on the Equity situation on the next Agenda.

D. Comments by Staff – None

11. Adjournment

There being no further business the meeting was adjourned at 8:00.

Jeff Costello, Executive Director

Reginald A. Cox, Board Chair