



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, May 25, 2017, 5:30 p.m.
Commission Chambers at City Hall
Delray Beach, FL 33444

STAFF PRESENT:

Jeff Costello	Kevin Matthews	D J Lee	Susan Shaw
Lori Hayward	Renee Roberts	David Tolces	Candi Jefferson
Joan Goodrich	Elizabeth Burrows	Krista Walker	

OTHERS PRESENT:

Jane Smith	Karen Graber	Max Eida	C. Ron Allen
Kim Jones	Marjorie Waldo	Andrea Hutchinson	Jim Chard
Shirley Johnson	Anthony Holliday	Evelyn Dobson	Caryn Gardner-Young

1. Call to Order

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

2. Roll Call

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

3. Approval of Agenda

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

4. Approval of the Minutes

A. Minutes of April 27th CRA Board Meeting

Mr. Bernadel made a motion to approve the Minutes of the April 27th Meeting which was seconded by Mr. Straghn and passed unanimously.

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

6. P&Z – None

7. Consent Agenda

- A. **Monthly Financial Report, March, 2017**
- B. **Second Quarter Reports**
 - 1. **A-GUIDE**
 - a. **CCC**
 - b. **Delray Beach Library**
 - c. **Delray Beach Historical Society**
 - d. **Delray Beach Community Land Trust**
 - e. **EPOCH**
 - f. **Old School Square**
 - 2. **Downtown Trolley**
 - 3. **Delray Beach Downtown Marketing Cooperative**
- C. **Delray Beach Library 1st Quarter A-GUIDE Report**
- D. **Community Sponsorship Grant – KOP Mentoring Network, Inc.**
- E. **Second Amendment to ILA for Construction Services FY 2016-17**

Executive Director Jeff Costello requested that item #7E be pulled from Consent Agenda and moved to New Business as item #10C. Mr. Zacks made a motion to approve the Consent Agenda as amended which was seconded by Mr. Bernadel and passed unanimously.

8. Reports/Presentations – None

9. Old Business – None

10. New Business

A. Delray Beach Community Land Trust (DBCLT)

1. Letters of Intent – Property Acquisition – 23, 27 & 106 SW 14th Avenue Lots

Assistant Director Thuy Shutt presented the item. She reviewed the background on the properties and the plans for the lots. She noted that providing these properties to the CRA will complement the CLT's affordable housing efforts within the two blocks on SW 14th Avenue and further the CRA's mission to maintain affordable housing in Delray Beach.

The Board Chair called for public comments.

Evelyn Dobson, Executive Director of the DBCLT, stated the DBCLT is very proud of the work they have done on SW 14th Avenue. She noted it has become its own community, going from 17 homes to 24 homes in total.

Board members commended Ms. Dobson and her staff on the great job done in creating a neighborhood of affordable homes. Mr. Zacks made a motion to authorize CRA Staff and Attorney to negotiate a Purchase and Sale Agreement for conveyance of the properties located at 23 SW 14th Avenue, 27 SW 14th Avenue, and 106 SW 14th Avenue to the Delray Beach Community Land Trust, based upon the framework provided in the Letter of Intent, subject to any additional terms and conditions requested by the Board. Mr. Bernadel seconded the motion which passed unanimously. Mr. Zacks made a motion to authorize noticing of the intent to convey the CRA-owned property at 23 SW 14th Avenue, 27 SW 14th Avenue, and 106 SW 14th Avenue, to the Delray Beach Community Land Trust which was seconded by Mr. Bernadel and passed unanimously.

2. Request for Lot Exchange – 708 SW 2nd Terrace & 129 NW 4th Avenue

Mr. Costello presented the item. He reviewed the background of the discussions for the DBCLT to exchange the vacant Carver Square lot at 708 SW 2nd Terrace for the CRA-owned vacant lot located at 129 NW 4th Avenue. The CRA owns 19 lots in Carver Square, with the remaining lot (708 SW 2nd Terrace) being owned by the DBCLT. The exchange will allow the entire Carver Square site to be fully developed by the CRA. Staff and DBCLT representatives have discussed housing options for the NW 4th Avenue lot including the possibility of relocating a historic structure to the site in keeping with the character of the West Settler's Historic District.

The Board Chair called for public comments.

Evelyn Dobson, Executive Director of the DBCLT, commented that the lot being acquired in the exchange is larger than normal and she feels building a new single family home will enhance the block and better suit an end user.

Mr. Cox inquired how a historic structure relocated to the property came into play. Mr. Costello stated the thinking had been to increase the historic home inventory in the West Settler's Historic District. He added that there would be no objection to building a new home which would need to comply with the Historic Preservation Design Guidelines. Mr. Bernadel made a motion to approve the request from the DBCLT to exchange 708 SW 2nd Terrace for 129 NW 4th Avenue and authorize the CRA's attorneys to draft the purchase and sale agreement for the construction of a new home. Mr. Zacks seconded the motion which passed unanimously. Mr. Rose arrived at 5:50 pm. Mr. Straghn made a motion to authorize noticing of the intent to convey the CRA-owned property at 129 NW 4th Avenue to the DBCLT. The motion was seconded by Mr. Zacks and passed unanimously.

B. Purchase & Sale Agreement – Edron, LLC – NW 600 Block W. Atlantic Avenue

Mr. Costello presented the item. Mr. Stevens arrived at 5:55 pm. He stated the Purchase Agreement is for seven lots comprising almost an acre, with five zoned CBD (Central Business District) and two zoned R-1-A (Single Family Residential). He said the CRA has been working with the property owner periodically for many years regarding these properties. He stated the purchase price was modified to \$2.35 million which is 9% above the appraised value on both of the two appraisals obtained by the CRA. CRA Attorney David Tolces noted that the Agreement states the inspection period is 45 days, particularly given the large amount of property to be evaluated, as opposed to the 30 days which the seller requested.

The Board Chair asked for public comments.

Max Eida, seller of the property, stated he has owned the lots for 17 years with the idea to develop the whole square block. That has never worked out and he felt the CRA has not cooperated with him to do that. He stated he has three buyers, with at least one of them requiring no inspection period. He said he did not understand why more than 30 days would be needed to inspect the property given it is vacant except for one lot with a house.

Mr. Tolces noted that nothing is as simple as it looks, and that there can always be environmental issues, title issues, or access issues which are all things the CRA is entitled to discover.

Therefore, the attorneys feel it is felt appropriate to have 45 days for inspection. Mr. Cox asked if that was the standard amount of time for CRA purchase agreements. Mr. Tolces responded that was the typical inspection time on CRA property purchases. Mr. Straghn voiced concerns that the other offers on the land could not be verified and he felt the CRA was being backed into a corner. He noted that the CRA is being asked to pay 9% above appraised value which equates to about \$190,000 and that he cannot justify that amount when the seller is not willing to be transparent. He supported the appraised price with a 45 day inspection period. Mr. Zacks concurred with the lack of verification of the other offers. He felt the asking price was a significant amount over market value, plus closing costs, and also felt the 45 day inspection period was non-negotiable. He felt if some other buyer is spending over \$2 million to purchase that property, something nice will be built on the property and the CRA does not need to develop all the properties in the West Atlantic area.

Mr. Rose also agreed and felt it would be a bad precedent to deviate from the standard 45 day inspection period and from the appraised value. Mr. Stevens also wanted verification of the other offers, and said he might go along with some of the closing costs, but that he did not feel it was prudent to grant the \$2.35 million from a precedent standpoint or from a good business standpoint. Mr. Cox noted the CRA has no policy in place regarding how much over appraised value the CRA can pay or any other parameters. He did not see the significance of needing the other offers verified. Rather he felt the significance lay in what is the value of the property to achieve the community's redevelopment goals. He would support the \$2.1 million and paying the closing costs but would leave the inspection period at 45 days. Mr. Tolces noted that there is a contingency in the contract for more negotiation room if needed. Mr. Rose made a motion to authorize an Agreement for Purchase and Sale with Edron, LLC with a purchase price of \$2.16 million and for the CRA to pay the title Insurance cost with the Seller paying the doc stamps and with a 45 day inspection period. Mr. Zacks seconded the motion which passed unanimously.

10C Second Amendment to ILA for Construction Services FY 16-17 (was #7E)

Ms. Shutt presented the item and reviewed the pertinent background. She noted that the FDOT had requested additional funds for the West Atlantic Avenue Beautification/I-95 Interchange Modification project in the amount of \$44,079.44. Given unit costs may be higher at the time of bidding, staff recommended an additional 20% be added to that amount for a total of \$52,895.33. She commented that there was also an additional request from the City to cover the costs associated with the City's Service Authorization with Kimley-Horn for design work regarding utility relocation and conflicts associated with this project. However, the scope of the project goes beyond the CRA boundaries, so more information has been requested to clarify where within the district the CRA funds will be used.

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

Mr. Cox sought clarification on how staff will handle the work outside of the CRA district that is part of this project. Ms. Shutt explained that the \$52,895.33 will be for stamped asphalt at the intersection of NW 12th Avenue and two upgraded light poles which are totally within the CRA's boundaries. As for the service authorization, staff will work with ESD staff to request that Kimley-Horn clearly identify the scope of the project with a location map and work description so that items within the district will be clearly defined to be able to assure CRA funds are spent within the district.

Mr. Straghn made a motion to approve the Second Amendment to the Interlocal Agreement with the City of Delray Beach for funding of Construction/Professional Services for Fiscal Year 2016-17. Mr. Bernadel seconded the motion which passed unanimously.

11. Other Business

A. Comments by Commissioners

Mr. Stevens commented that he had received Mr. Zacks' letter stating that he will not be seeking another term on the CRA Board. He thanked Mr. Zacks for always being a steady calm voice on the Board and wished him well. He also referred to the letter from Mayor Glickstein which all the commissioners received and which gave some directions going forward as to the role of the CRA in relation to the City. He felt it spoke of micro-managing which never sits well with him. He believed the overall intent was for both entities to work together. He noted it is always important to have an independent voice and hopes the Board will retain their independent thinking.

Mr. Zacks stated he withdrew his application to return to the CRA Board for the reasons outlined in his letter which all the commissioners received. He noted that when he first came on the CRA Board there was no communication between the City and the CRA but that it has improved with the joint workshops, and he hopes it will continue to get better. He suggested perhaps a liaison from each Board could meet regularly, and added that communications need to be two-way.

Mr. Bernadel commented he spent 22 years in the United States Army and that when he moved to Delray 17 years ago, he brought his dedication to service, discipline, dedication and competence with him. He noted that in the Army, for orders to be well received and fulfilled one had to have the 'commander's intent' –giving clear direction on exactly what is the commander's intent and what is being requested. He felt clear direction has been lacking in the past from the City to the CRA but thought the letter from the Mayor seemed to initiate some clear direction for the CRA going forward which he applauded. He has chosen not to renew his service on the Board but will continue to serve the community in other ways.

Mr. Straghn stated he attended the last City Commission meeting and appreciated all who spoke on behalf of the CRA as well as all those who spoke against the CRA. He acknowledged Commissioners Johnson and Chard in the audience and thanked them for voting to keep the CRA as it is. He said he appreciates all those who were in favor of the City Commission taking over the CRA as he believes it is important to listen and perhaps learn from your opposition. He appreciated knowing their concerns and will keep them in mind going forward. He seconded Mr. Stevens' and Mr. Zacks' comments. He felt the Mayor's letter went above and beyond 'commanders' intent' and stated he felt the Board needs to remain independent.

Mr. Rose commented he will be sorry to see Mr. Zacks, Mr. Bernadel and Mr. Stevens go. He emphasized that communication is the key and that it is important to communicate not dictate. He also agreed with Mr. Straghn that it is good to hear and learn from differing opinions.

Mr. Cox stated he too appreciated the public comments at the City Commission Meeting. He stated he spoke at the Commission Meeting to recognize the community members in The Set who are still engaged after many years. He noted the intent of the MOU between the CRA and WARC was a communication plan to be able to talk with the CRA concerning The Set. He stated that some of the Plans funded by the CRA have all been developed to enhance communications and that the CRA's vision and mission are what help to create policy. He stated that the vision and mission should be a constant and it is important to have platform over personalities as personnel

on staff and the Board's membership changes. He feels the glue is the non-profits, the neighborhood associations, and the engaged members of the community whose goal is to enhance the quality of life.

B. Comments by Board Attorney

Mr. Tolces said it is a pleasure to represent the Delray Beach CRA.

C. Comments by Executive Director

Mr. Costello stated that a Joint Workshop with the CRA and WARC to discuss a Partnership Agreement is currently scheduled for June 8th. He gave a status update on some of the projects underway, and noted that June 1st is the Ribbon Cutting for the Housing Group at their new location. He also mentioned the Economic Development Committee of WARC met to review the RFP for the 700-800 Blocks of West Atlantic and anticipates that will go out toward the end of June or July.

D. Comments by Staff - None

12. Adjournment

There being no further business the meeting was adjourned at 6:58 pm.

Jeff Costello, Executive Director

Reginald A. Cox, Board Chair