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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 verbalim 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, September 28, 2017 5:30 p.m.
City Hall – Commission Chambers
Delray Beach, FL 33444

STAFF PRESENT:

Jeff Costello	Kevin Matthews	Krista Walker	Susan Shaw
Lori Hayward	Kristyn Cox	D J Lee	Elizabeth Burrows
Joan Goodrich	Jill Brown	Renee Roberts	Chief Goldman

OTHERS PRESENT:

Michael Caruso	Junior Beauzier	Matt Shipley	Kari Shipley
Walker Shipley	Pat Elber	Evelyn Dobson	Joycelyn Patrick
Pam Halbert	Glover	Kamita Sancnics	Stephanie Immelman
Victor Kirson	Marjorie Waldo	Lloyd Webber	Lauren Zuchman
Kirsten Sleeman	Michael Gulley	Peter Perri	Seth Bernstein
Kenya Madison	Natalia Lemos	Jane Smith	Alexius Burns
Lisa McMiller	Abbey Goodwin	Sara Selznick	Kevin McNally
Ernestine Holliday	Dupree Jackson	Jeff Goldberg	Yvonne Odum
Prentice Mobley	Chuck Ridley	Wesley Shuler	

1. Call to Order

Chair Gray called the meeting to order at 5:35 pm.

2. Roll Call

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

Absent: None

3. Approval of Agenda

Executive Director requested that Item 10D be moved to the beginning of New Business so Item 10A with the other items will shift down one. Ms. Gray asked to pull Old School Square and the Library from the Consent Agenda and to discuss them right after approving the Consent Agenda as amended. Mr. Zeller made a motion to approve the Agenda as amended which was seconded by Mr. Straghn and passed unanimously.

4. Approval of the Minutes

A. Minutes of August 8, 2017 Budget Workshop Meeting

B. Minutes of August 24, 2017 Workshop Meeting

C. Minutes of August 24, 2017 Regular Board Meeting

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

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

6. P&Z - None (*Discussion and comments by the CRA Board. No formal Action will be taken on P&Z Items*)

7. Reports/Presentations – None

8. Consent Agenda

A. FY 2017-18 A-GUIDE Agreements

1. Old School Square (OSS)
2. Delray Beach Library
3. Expanding and Preserving Our Cultural Heritage (EPOCH)
4. Delray Beach Historical Society (DBHS)
5. Creative City Collaborative (CCC)
6. Delray Beach Community Land Trust (DBCLT)

B. Interlocal Agreements between CRA & City for FY 2017-18:

1. Construction & Professional Services
2. Engineer Inspector Position
3. Tennis Tournament Sponsorship
4. Trolley

C. Third Quarter Reports

1. A-GUIDE
 - a. Old School Square (OSS)
 - b. Expanding and Preserving Our Cultural Heritage (EPOCH)
 - c. Delray Beach Historical Society (DBHS)
 - d. Delray Beach Community Land Trust (DBCLT)

2. DBMC

3. Trolley

D. Second Amendment to Agreement with LV Landscaping – Time Extension

Mr. Straghn made a motion to approve the Consent Agenda with Items 8A1 and 8A2 removed for discussion. Ms. Balestriere seconded the motion which passed unanimously.

8A1 FY 2017-18 A-GUIDE Agreement - Old School Square (OSS)

Ms. Gray asked that additional language for the extra amount over and above what was recommended by the A-GUIDE Committee be added to the Agreement. She understood that the extra monies were for a 3-year Strategic Plan and she wanted to make it clear this was not to be the benchmark for future funding requests and going outside of the A-GUIDE guidelines moving forward. Mr. Carstarphen said he agreed. Ms. Gray said she felt additional reporting to staff was needed specifically regarding the Strategic Plan and that it be made clear this is a one-time expense. Mr. Costello suggested modifying the Agreement by adding language to paragraph 4 regarding Quarterly Reporting Requirements to reflect that in conjunction with the 2nd Quarter Report a status update be provided to staff on the OSS Strategic Plan. Finance Director Lori Hayward clarified that it is more of a Financial Plan than a Strategic Plan. Attorney D J Doody noted that a motion could be made to approve the Agreement as amended to include the additional language suggested by the Executive Director. After some more discussion Mr. Cox made a motion to table the item until the October 12th Board Meeting for additional language to be crafted for the OSS Agreement for the Board to approve. Ms. Balestriere seconded the motion which passed unanimously.

8A2 FY 2017-18 A-GUIDE Agreement - Delray Beach Library

Ms. Gray had concerns with the Library's contract with the SBDC for paying a full time small business counselor. She requested some additional reporting on the use of that money given that it is a free service to anyone in the County to be able to receive free business coaching and

counselling. Mr. Costello noted that is the Library's Program B funding and there are specific requirements for that program already in the Agreement. Mr. Doody pointed out that the next to last sentence in Section 4 of the Agreement provides that "the CRA may request that the Library provide any additional information that the CRA deems necessary in order to fully evaluate the Library's performance and financial status." Ms. Gray clarified that any additional requests for accounting could be made directly to staff as a directive. Mr. Doody confirmed that was correct. Mr. Cox made a motion to approve the Funding Agreement with Delray Beach Library in the amount of \$453,000 for Fiscal Year 2017-2018. Mr. Rose seconded the motion which passed unanimously.

9. Old Business – None

10. New Business

A. Discussion – Pasadena Capital, Inc. – Request to Amend the Purchase & Sale Agreement to Include Additional CRA-Owned Property

Mr. Costello introduced the item. The President of Pasadena Capital, Randy Holihan, 200 Pasadena Place, Orlando, was available to answer any questions. He explained that in order to make the project compliant with staff and community requests, the site plan and elevations needed revising to provide a commercial liner building on West Atlantic Avenue to take care of the transparency issue. In order to accommodate this concept, two additional CRA-owned lots are needed for additional parking and shifting of the Publix building to accommodate the liner building.

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

Mr. Zeller asked about the market value of the two lots. Mr. Costello stated the lots were not currently being marketed and were going to go in the RFP for West Atlantic Avenue which will be reissued. He also stated that at the time of the Purchase & Sale Agreement with Pasadena Capital was being negotiated, an updated appraisal was obtained based on the site being developed as a Publix grocery store, rather than market value based on highest and best use. Based on the appraised value at \$16.70 per sq.ft., the current value is \$267,000 for both lots. Mr. Zeller asked if that exceeded the price the CRA paid for the properties. Mr. Costello stated that the CRA acquired the property with an appraisal value based on highest and best use, and the updated appraisal was based on a free-standing grocery store which is not the highest and best use. Mr. Rose stated this is a very important project for the area and will provide a place to grocery shop for people who do not drive as well as provide jobs so he was supportive. He suggested that perhaps in lieu of paying for the two properties, Publix could consider offering one of the bays in the liner building to a local non-profit that provides services for the community. Mr. Holihan stated that would not be his decision but that would have to go back to Publix and he does not know their thought process but he thinks that it would complicate the process.

Mr. Straghn sought clarification that the need for the extra lots was based on community desires and LDR code requirements around transparency. Mr. Holihan confirmed that was correct, and that the small shops in the liner building will provide the desired window transparency and will also require additional parking. Mr. Holihan stated that this Publix has been designed just for this site and is a one-of-a-kind store being built specifically for West Atlantic Avenue. Ms. Gray asked if it was Publix's intention to lease these two properties and receive lease revenue from them. Mr. Holihan confirmed that the 3,700 square feet (which is the liner building) will be for lease. Mr. Cox made a motion to direct staff to move forward with amending the Purchase and Sale Agreement to include the two lots at no additional cost. Mr. Rose seconded the motion which passed unanimously.

B. Letter of Interest – EJS Project – 700 W. Atlantic Avenue, Ste. 700

Economic Development Director Joan Goodrich presented the item. She reviewed the background and the specifics of a Letter of Interest from Emanuel "Dupree" Jackson Jr. requesting to lease retail space for his local non-profit organization, the EJS Project. He asked for a 2-year lease at a rental rate of \$1 per year with the utilities and maintenance being his responsibility. Ms. Goodrich reviewed the rationale for staff recommending a 2-year lease with the EJS Project to occupy/lease Suite 700 at 700 West Atlantic Avenue for an amount of \$5,856 per year. She noted there are 3 alternative actions provided for the Board to consider.

The Board Chair asked for public comments.

Abbey Goodwin, 3619 SW 23rd St., former Executive Director of the Achievement Center for Children & Families and currently Vice President for Grants & Community Investments for Palm Health Care, stated there is a clear need for his work and it is an exciting opportunity for the youth of Delray Beach. She said Mr. Jackson has made critical impacts in the community, has a stellar reputation and is sought out as a leader in the community.

Lauren Zuchman, Director of Healthier Delray Beach, commented how invested Mr. Jackson is in the youth of all ages and in the community reaching its full potential. She urged the Board to consider his request favorably.

Seth Bernstein, Co-Chair of Healthier Delray Beach, said that he along with Abbey and Lauren has been very inspired by Mr. Jackson and stated he is a man of compassion, integrity and passion. He said he strongly supports Mr. Jackson's letter and that it will be a win-win with an incredible return on investment.

Kenya Madison, 301 NW 7th Avenue, school counselor at Village Academy, has worked with Mr. Jackson for the past two years and said he has done tremendous work with the students helping them with their social skills and conflict resolution skills. She feels he can make a phenomenal impact on the community as he has done at Village Academy and hopes the Board will consider his original request and receive a return on your investment for years to come.

Dr. Sara Selznick, 204 Palm Trail, clinical psychologist, said she has known Mr. Jackson for the past four years and that he is passionate, innovative, and has more social capital than anyone she has ever met. She stated he has become the resident expert in restorative practices and is dedicated to his community and to doing whatever it takes to matriculate young change agents who can help solve the problems the adults have not been able to. She noted she is committed to supporting EJS with her skills in fundraising, grant writing, program development and evaluation. She also read a letter in support of the EJS Project from the Chief Investment Officer of Kayne Anderson Real Estate Advisors saying that Mr. Jackson and EJS are uniquely positioned and have deep credibility in the community, and that he has and will continue to support the EJS Project.

Kevin McNally, 32 SW 2nd Avenue #2, President of the Board of the Achievement Center for Children & Families, spoke on behalf of Mr. Jackson and the EJS Project. He said he has known him for four years and that he has done a phenomenal job with the kids at the Achievement Center. He also read a letter from Stephanie Seibel, Executive Director of the Achievement Center, which described the positive impact Mr. Jackson has on the children and families at the Achievement Center and supported the request.

Chuck Halberg, 4870 S. Classical Blvd., stated that some people talk and some people do, and this is a man who does. Mr. Halberg said he is personally committed to assisting Mr. Jackson and urged the Board to honor his request and provide him a space with 'low rent' to really be able to gain some sustainability.

Matt Shipley, 1210 Vista del Mar, said his non-profit, Community Greening, would not be where it is today without Mr. Jackson's help. He said he sees Mr. Jackson working with the kids and they listen to him. He said Mr. Jackson is a leader in the community and hoped the Board will

be supportive of his request.

Alexia Burns, 2578 Lake Ida Road, also expressed his support for Mr. Jackson, who he finds to be a leader in the community and someone who portrays a good image. He said he is a big supporter of EJS and would like to see the Board grant the original request.

Chuck Ridley, 210 NW 2nd Avenue, speaking as an elder said Mr. Jackson is a tremendous community organizer and someone who understands the community and will be an example for them. He said the Board would be investing in this young man and all the young people of the community. He noted that Mr. Jackson is not starting an agency, that this is his life's work, his purpose and supported Mr. Jackson's request.

Nathalia Ramos, Hollywood, is a film maker who met Mr. Jackson while doing a documentary profiling the work he has been doing and supported his request. She said his passion, commitment and love for this City is clear and has made her love the city too. She noted she has seen firsthand how the kids look up to him.

Yvonne Odum, 3905 Lawson Blvd., stated that the Board should support this young man and it will pay off triple-fold. She said we can go either way with our young people, and this young man has even gone to Canada to do what he does for the betterment of the youth in this community. He has equipped himself to do the job and she strongly recommended the Board approve the \$1.00 per year lease.

Mr. Carstarphen said he admired Mr. Jackson and that the impact he has on the community is priceless. He said the kids and the community need him, and that he has made the community better as a result of his own experience. Mr. Carstarphen said he will do whatever is needed to support Mr. Jackson's EJS Project. Ms. Gray knew of Mr. Jackson's work across the county, but had concerns that there are many other really great non-profits in Delray Beach that need the same kind of support. She said that the EJS Project is at the 3-year mark which is when the door begins to open for grants. She said she was glad to see the United Way present and hoped that they will support the EJS Project. She too said she will work with him to find additional funds, but she felt the recommendation made by staff of \$5,856 rent per year was the responsible action to take. Mr. Rose stated he has long been supportive of having more youth programs in Delray Beach, and he said he has never seen anyone come to the Board with such diverse support within the community. He asked staff if this would have to be put out for bid. Mr. Costello responded that the Intent to Lease would need to be publicly noticed for 30 days. Mr. Rose was 100% supportive and said it has to happen given the enrichment it would provide the community.

Mr. Straghn stated that in the Joint Workshop with the City recently when the CRA was chided for the amount of money spent funding non-profits, he had stated there is a human element that needs to be considered in providing funding that does not have a pricetag. He said all non-profits are dealt with on a case-by-case basis, and he does not have any problem with this request. He said he will vote for the best benefit to the community which is to approve the request for a lease at \$1 a year for two years. Ms. Balestriere said she only ever spoke with Mr. Jackson once and could tell he was special. She said the CRA will be challenged over the next few years in the redevelopment of The Set, and she can see his non-profit is unique and needed in the community. Ms. Gray sought clarification regarding Mr. Jackson being able to raise the funds to pay the staff's recommended lease amount which he had told her by phone that he thought he could. Mr. Jackson stated he had said that, but he did not take utilities and insurance into account so the new information precluded him being able to pay \$5,686 a month. Ms. Balestriere asked if there was any other available space and Ms. Goodrich responded no. She then asked if there were any other interested parties for the space. Ms. Goodrich responded that there have not been any other inquiries for that space, only restaurants wanting longer term leases. She added that space around the community for non-profits that serve the community is badly needed. Ms. Gray, in consideration that the CRA is an audited public agency which needs to be fiscally responsible, suggested a \$1 rent for one year and renegotiate

after that year. Mr. Jackson said he would be agreeable to that. Mr. Costello said the Board could also consider a \$1 a year contract with an escalator of a certain percentage for the following year.

Mr. Cox stated that Mr. Jackson is a true community based asset, which is what is talked about with capacity building in Development Plans. He commented that it is always an easier lift for brick and mortar projects than for the social, cultural recommendations in those Plans. He noted that the return on investment for what Mr. Jackson is doing is really priceless to the CRA. He said the EJS Project would even assist with public safety, and noted that Chief of Police Goldman was on hand in support of Mr. Jackson. He said the community is going to make sure a commitment like the EJS Project is going to be successful. He stated it is an investment in human capital, and thought it was tremendous.

He made a motion to approve the request as submitted by the applicant for \$1 a year for two years and for the applicant to take care of the utilities and insurance. Mr. Carstarphen seconded the motion. Mr. Zeller stated he was impressed with the wealth of backing that has been expressed tonight and with the thoughtfulness of his fellow commissioners. He felt this presentation tonight would not be deemed as a precedent by the Board and that requests will continue to be evaluated on a case by case basis. He also felt it was an excellent staff analysis, but that given everything he would be in favor of the motion as presented. The motion passed unanimously.

C. Adoption FY 2017-18 Budget and CRA Work Plan

1. Resolution No. 2017-13 Approving 2017-18 CRA Budget

2. FY 2017-18 CRA Work Plan

Ms. Hayward presented the item. She noted the budget process involved three CRA Workshop Meetings, discussion at three different CRA Board Meetings, and a presentation to the City Commission at the Joint Workshop with the City and the CRA.

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

Attorney Doody read the Resolution No. 2017-13 into the record. Mr. Straghn made a motion to Approve Resolution No. 2017-13 adopting the FY 2017-18 Budget for the Delray Beach Community Redevelopment Agency as presented. Mr. Carstarphen seconded the motion which passed unanimously. Mr. Straghn made a motion to approve the CRA Work Plan for FY 2017-18 as presented which was seconded by Mr. Carstarphen and passed unanimously.

D. Human Resources Policies & Procedures Manual – Emergency Conditions Pay Policy

Ms. Hayward presented the item. She reported that the CRA does not have an Emergency Pay Policy, and unlike the City, the CRA does not have any essential staff who are required to work during an emergency. It was recommended the CRA adopt its own Emergency Conditions Pay Policy, which the CRA General Counsel drafted for Board consideration.

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

Ms. Balestriere asked if the City Commission knew that the CRA is adopting a new policy. Mr. Costello stated staff consulted with Counsel and it was determined that it is appropriate that the CRA have an Emergency Pay Policy. Mr. Cox asked about any City training for emergency or disaster situations such as site assessments and whether the City had the resources to handle the CRA properties. Mr. Costello noted the CRA has been involved with the City in preparation of its emergency plan concerning the CRA properties and assessment of the needs of the CRA, known as the COOP Plan. The CRA also has insurance through the Florida Municipal Insurance
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Trust (FMIT). He added there is no separate agreement with the City, and each entity manages their own assets. He stated that after the storm staff conducted an assessment of all CRA properties and coordinated with appropriate sub-contractors to assist with clean-up. Mr. Cox wanted to know about any special forms or documentation for the assessment process. Mr. Costello stated staff creates a report and coordinates with FMIT representatives regarding CRA properties. Ms. Hayward stated there is flexibility in the CRA budget to address any additional personnel costs related to such an event.

Mr. Rose made a motion to approve the Amendment to the Delray Beach CRA Human Resources Policies and Procedures Manual to include Section 40 – Emergency Conditions Pay Policy. The motion was seconded by Mr. Zeller and passed 6-1 with Mr. Cox dissenting.

11. Other Business

A. Comments by Commissioners

Ms Gray said she wanted to discuss the Executive Director not conveying the Board consensus regarding a specific funding amount for the Tennis Tournament. She said the Executive Director had Board consensus and that was the direction that needed to be followed but was not. She believed the City Manager was not in favor of the Board consensus and that that was what drove the funding decision. Mr. Doody suggested that rather than get into specifics, if there is a consensus for considering a reprimand it needs to be an item on a future Agenda. Ms. Gray stated it is important and dire that communication is clear and Board consensus is followed. Mr. Carstarphen noted he had said he would support the \$850,000 funding of the Tennis Tournament if the City Commission agreed to it, but since they did not he voted for the \$1 million in sponsorship. Mr. Straghn noted that any discussion of the item was not permitted because it could be discoverable so it was never ascertained if there would be City Commission agreement. He felt if the budget had the \$850,000 in the line item that would have prompted a discussion. Mr. Zeller felt it should be an agenda item so that everyone could air their concerns. He said he had expected the \$850,000 to be in the budget for the Tennis Tournament and that there might be a valid reason why it was not which he would like to know. Mr. Cox did not favor any disciplinary action at this time, and questioned what the agenda item would be. Mr. Rose said he is not in favor of considering any disciplinary action and does not believe there was any malintent. Mr. Carstarphen felt the message had already been relayed verbally to the Executive Director, and that if anyone ever had a question they can call the Executive Director. After much discussion Mr. Doody recommended the Board not take any action and that the subject can be addressed in the Director's Annual Review and properly placed in his record thereby avoiding any legal ramifications for the CRA and assuring the Director's rights are protected. Board consensus was supportive of that tact. Ms. Gray asked Mr. Costello to continue to follow up on a Joint Meeting with the City Commission in November so as to stay on track with quarterly workshops. Mr. Costello said he has requested a meeting in November or if not at the earliest convenience and he will follow up with the City Manager.

B. Comments by Board Attorney – None

C. Comments by Executive Director

Mr. Costello handed out project updates for the Board. He asked about an item regarding a Land Acquisition Policy to be an agenda item. He noted the results of the Real Estate Committee's action at Pasadena Capital, Inc. will be known by November 10th and said he would like to put an item on the October 26th Workshop Meeting Agenda to discuss and obtain feedback regarding the various components of the proposed RFP for the SW 600-800 Blocks on West Atlantic in preparation for issuance of the RFP in the near future.

D. Comments by Staff

Economic Development Manager Elizabeth Burrows handed out a flyer from CareerSource for their first collaborative West Atlantic Avenue Career Expo on November 12th with a focus on the retail and hospitality industries. There will also be a job seeker expo October 3rd for those interested in job opportunities to help them prepare for the upcoming opportunities at the Career Expo.

12. Adjournment

There being no further business the Meeting was adjourned at 8:15 pm.

Jeff Costello, Executive Director

Annette Gray, Board Chair