



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.

CRA BOARD MEETING MINUTES

Thursday, February 22, 2018 6:00 p.m.
Swinton Operations Complex – Training Room
434 S. Swinton Avenue, Delray Beach, FL 33444

STAFF PRESENT:

Jeff Costello	Kevin Matthews	David Tolces	Mark Lauzier
Renee Jadusingh	Kristyn Cox	Susan Shaw	Missie Barletto
Joan Goodrich	Elizabeth Burrows	Amanda Skeberis	Caryn Gardner-Young
Lori Hayward			

OTHERS PRESENT:

Jane Smith	Daniela Quinn	Alexius Burns	Joycelyn Patrick
Mohamed Abdulla	Florence Robertson	Jim Robertson	Gerecia Edmond
Diane Colonna	George Long	Peter Perri	Dupree Jackson
Marjorie Waldo	Ari Whiteman	Patricia Wright	Jim Dupree
Jim Chard	Ron Gilinsky	Charlotte Danciu	
Dwayne Randolph	Ernestine Holliday	Kim Briesemeister	

1. Call to Order

Chair Gray called the meeting to order at 6:30 pm.

2. Roll Call

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

Absent: None

3. Approval of Agenda

Ms. Balestriere made a motion to amend the Agenda to continue the Workshop as Item 3.A. with a time certain of 15 minutes, and Executive Director Jeff Costello asked that Item 6.A. P&Z be moved to the next Board Meeting. The motion was seconded by Mr. Cox and passed unanimously. Mr. Carstarphen made a motion to reconsider the approval of the Amended Agenda which was seconded by Mr. Cox and passed unanimously. Mr. Carstarphen motioned to add a discussion of the Publix letter recently received to Old Business as 9A for consideration on the next Board Meeting Agenda which was seconded by Mr. Cox and passed unanimously.

Mr. Costello continued the Workshop discussion along with Ms. Kim Briesemeister of RMA Consultants. Mr. Cox stated that the RFQ/P has been discussed in the WARC Economic

Development Committee, so he thought feedback from today should go back to them for their meeting next Wednesday. There was some discussion about the recommended six sub-contractors requirement, and Ms. Briesemeister asked what the term 'vendor' means to everyone. Mr. Cox said he thought it was a business owner. Ms. Briesemeister felt the term vendor could bring forth more deep and meaningful participation. Mr. Costello noted that data will be brought back to the Board on March 8th and that can include vendor information. Ms. Briesemeister cautioned to make sure the words match the intent. Ms. Briesemeister spoke about the valuation of the land and how a grocer will affect the value. She suggested sharing as much of the RFP document as possible with an appraiser so they will know what is wanted on the land.

Mr. Zeller asked if the developer would have equity in the project. Ms. Briesemeister said it should be mandated that they have equity in the project. She said you don't need to ask them to pay cash for the land but the CRA needs to make sure they have the financial capacity to get financing. Mr. Tolces stated that typically the CRA requires documentation regarding financing. Ms. Briesemeister noted that the CRA is in a very strong position to do a P3 with this project, and asked about how the Board felt on sale versus lease or would they want to leave it open. Ms. Gray asked how a lease amount would be determined on such a project. Ms. Briesemeister mentioned a ground lease with an option to purchase. Mr. Costello reviewed the terms of the Fairfield Hotel which has a 40 year lease on the CRA's land with payments increasing periodically. Ms. Briesemeister stated that most developers want to just buy the land rather than lease and that gives the CRA money up front although it is more difficult to do. Mr. Zeller noted that gives the CRA protection if the developer defaults but Ms. Briesemeister noted the lender will be in the first position in that case. Mr. Costello said staff and counsel will formulate language in the Agreement with the developer.

4. Approval of the Minutes

A. Minutes of January 25th CRA/WARC Joint Board Workshop

B. Minutes of February 8, 2018 Regular Board Meeting

Mr. Cox made a motion to approve the January 25th CRA/WARC Joint Board Workshop Minutes which was seconded by Mr. Rose and passed unanimously. Mr. Rose made a motion to approve the February 8th CRA Board Meeting Minutes which was seconded by Ms. Balestriere and passed unanimously.

5. Public Comments on Non-Agenda and Consent Agenda Items

Marjorie Waldo, 4550 Ellwood Drive, Executive Director of the Creative City Collaborative, updated the Board regarding some recent events at the Arts Garage including working with the DDA on its fashion show which netted about \$6,000 and a two-night Bruce Springsteen songs concert that made at least \$28,000. She also reported for development that the first corporate sponsorship was received from the Hyatt Place for \$5,000. For programming, she announced some planned events including a City Employee-plus-One Art Project being planned. She also gave an update regarding partnerships in which the Arts Garage is participating.

6. P&Z (postponed until March 8 Board Meeting)

A. Amendment to the Central Business District Land Development Regulations

7. Presentations

A. Parking Management Implementation Plan

City Manager Mark Lauzier presented the item. He reviewed the background starting with the hiring of Kimley-Horn in 2010 for a Parking Management Plan study, hiring them again in 2013 for a Parking Garage Feasibility Study on the Gladiola Parking Lot, and then in 2016 for a Downtown Core Parking Demand & Utilization Study. He gave an overview on the Pilot Project for Evolving Parking/Transit Needs being funded by the CRA as well as the DDA Shopability Study. He reviewed the current issues with mobility along Atlantic Avenue and the accessibility issues that need to be considered. Mr. Lauzier apprised the Board of the holistic approach being taken for parking and transportation in Delray Beach and provided the proposed policy schedule. He noted that the current Trolley operator, Unique Transportation, terminated their contract at the end of January, 2018, and another Trolley replacement is being sought which is expected to be part of an RFQ or RFP process. He said as an interim solution a piggyback contract is being considered. Mr. Costello noted there is \$475,000 for Trolley operations and \$500,000 for the Pilot Program currently budgeted. Mr. Lauzier thanked the Board for providing the funding for the Pilot Program, and stated that Parking Management is a joint effort with the City, the CRA, the DDA and the citizens.

Mr. Straghn asked about the Parking Management Advisory Board (PMAB) versus the DDA recommendations which Mr. Lauzier referenced earlier in his presentation and whether it was ever resolved. Mr. Lauzier said that when the item came before the City Commission it did not seem like it was the PMAB's recommendation. He stated he wants to think long term, bigger picture rather than day-to-day, month-to-month. Ms. Balestriere stated she was glad to see the big picture being considered with the parking situation and appreciated the update as there is a lot still to be done. Mr. Lauzier said he believes that PMAB is the correct venue and that they can do the heavy lifting. He added that he wants to give them flexibility by putting ordinances in place so that this only needs to be discussed once a year. He said he believes that PMAB is in line with a holistic, bigger picture approach. Mr. Zeller asked if the traffic concurrency area that the City adopted and which does not require developers to do traffic studies was taken into consideration. Mr. Lauzier said he did not consider it because, depending on who you speak to, there are either already enough parking spaces or enough coming on line. The Shopability Study consultant said another garage would be needed, and Mr. Lauzier said he was not sure why the Gladiola Parking garage was not built. Mr. Zeller felt the TCEA (Transportation Concurrency Exception Area) should be looked at and updated. Mr. Cox also agreed with the holistic approach and looking at the big picture. He said The Set Transformation Plan (TSTP) talks about some ideas for West Atlantic Avenue as well.

8. Consent Agenda

A. First Quarter Reports

- 1. DBMC**
- 2. Trolley**
- 3. A-GUIDE**
 - a) EPOCH (Spady Museum)**
 - b) Creative City Collaborative (Arts Garage)**
 - c) Old School Square**
 - d) Delray Beach Public Library**
 - e) Delray Beach Community Land Trust**

B. Third Amendment to Work Assignment – IBI Group – The Set Transformation Plan-Time Extension

C. Second Amendment to Agreement - LJ Craig & Associates – Workload Analysis - Time Extension

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

9. Old Business –

A. Pasadena Capital Letter Discussion for next Agenda (added to Agenda)

Mr. Rose clarified that there has been no motion to reconsider the Resolution which failed at the last meeting regarding the Pasadena Capital Agreement. Mr. Tolces, CRA Attorney, confirmed that, and said there is a new letter from Pasadena Capital (Publix) which may be considered if the Board wishes. Mr. Cox said what was heard tonight reinforces the need to consider Publix again. He said that given the Publix timeline, their grocery store would be finished about August of 2023. Based on the consultant's timeline given earlier in the workshop, Mr. Cox reviewed an outline of the time frame for a new developer, starting from the nine month process for the RFQ/P with three to four months negotiation time combined with all the typical development time frames through the City such as permitting and inspections along with a year for construction. He stated the community would have a grocery store finished about October of 2023. The Publix would have been finished in August of 2023. He said that Publix gives certainty, is a scale that fits the neighborhood and is a neighborhood serving business, and that a way to go forward needs to be found. He said if the decision is to be based on time frame, Publix versus another grocer is very close.

Mr. Rose said he turned down the Pasadena offer because he felt Publix was not committed and that it is a possibility not a guarantee. Mr. Carstarphen wanted to discuss the item again as he has thought about it as well as having heard from the community that they are willing to wait another three or four years. He noted that if another large project were to start out on Congress, for instance, at the same time as the West Atlantic project, it will put additional workload on the City adding further delays. He pointed out that there is not a guarantee from any developer, whereas the community knows that Publix can fund their own construction. He also mentioned that he has not seen any evidence that the City can deliver all the paperwork on time. Ms. Balestriere said her vote was due partly to time frame and partly because there was no change in the construction date as a result of renegotiating. She said she heard Ms. Briesemeister ask 'what grocer the community wants', saying that will be one of the bigger challenges for any developer that could come in. She said if the timeline were to be closer she might reconsider her decision. Mr. Tolces commented that if it is the Board's desire to have the Resolution come back for reconsideration then it would be placed on the next Agenda. Ms. Balestriere made a motion to reconsider the Resolution at the next meeting with a second from Mr. Cox.

Mr. Zeller stated that Publix keeps coming back to the table which is indicative of their sincerity to go forward. Mr. Straghn said a factor for him was he felt Publix did not show any interest in developing until they see what else will be built in the area. He said the community needs to be considered and he is open to discussing it. Ms. Gray stated she did not care for all of the escape clauses in the Agreement and she felt the community was not aware that there has never been a commitment from Publix but rather from the developer, Pasadena Capital. She also noted the lack of change in the construction date after the contract was renegotiated aside from adding a commitment date. She thought Publix will wait to see the Workforce Housing and that if the culture

and demographics don't match their business model they will not build. It was her feeling that if Publix wants to build they can be a part of the RFP. Mr. Cox motioned to call the question which was seconded by Mr. Zeller. The motion passed 5-2 with Mr. Rose and Ms. Gray dissenting. The Chair called for a vote on Ms. Balestriere's motion to reconsider the Resolution which was seconded by Mr. Cox, and that motion passed 5-2 with Ms. Gray and Mr. Rose dissenting. Therefore, the Resolution and the Contract will be on the March 8th Agenda for reconsideration.

10. New Business

A. Agreements for Purchase and Sale Agreement:

1. Resolution No. 2018-02 – 15 NW 11th Avenue (Foundation Hope for Haiti, Inc.)

Mr. Tolces read the Resolution into the record. West Atlantic Redevelopment Director Kristyn Cox presented the item and reviewed the background. She noted that the owners, Mr. and Mrs. Robertson were on hand for any questions. (Ms. Balestriere left the meeting at 8:00 pm.)

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

Mr. Rose made a motion to approve CRA Resolution No. 2018-02 for the Agreement for Purchase and Sale with Foundation Hope for Haiti for the acquisition of 15 NW 11th Avenue for the purchase price of \$250,000. Mr. Straghn seconded the motion which passed unanimously.

2. Resolution No. 2018-03 – 51 NW 9th Avenue (Desjean)

Mr. Tolces read the Resolution into the record. Ms. Cox presented the item and reviewed the background on the property. She noted the maintenance of the parcel has been a concern of both the neighbors and the City's Code Enforcement Division, and said that it was appraised at a value of \$264,000 which was acceptable to the Desjeans.

The Board Chair asked for public comments.

Ms. Ernestine Holliday, 40 NW 9th Avenue, said the property has been used as a tree garden for the last three years and was concerned that the price would be less for other properties in the area. Mr. Rose and Ms. Cox pointed out the land is vacant and that with a structure on it the appraisal value will increase.

Mr. Straghn made a motion to approve CRA Resolution No. 2018-03 for the Agreement for Purchase and Sale with Robert and Cathie Desjean for the acquisition of 51 NW 9th Avenue for the purchase price of \$264,000 which was seconded by Mr. Carstarphen and passed unanimously.

B. Habitat for Humanity Purchase and Sale Agreements:

- 1. Resolution No. 2018-04 -125/129 SW 5th Ave**
- 2. Resolution No. 2018-05 -138 SW 11th Ave**
- 3. Resolution No. 2018-06 -101 SW 13th Ave**
- 4. Resolution No. 2018-07 -110 SW 12th Ave**

Mr. Costello presented the item. He noted that the CRA posted 30-day Notice of Intent and did not receive any competing proposals. He reviewed some terms of the Agreements including the Right to Repurchase if construction is not completed with a Certificate of Occupancy within 24 months. Mr. Tolces read Resolution No. 2018-04 into the record.

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

Mr. Rose made a motion to approve Resolution No. 2018-04 which was seconded by Mr. Carstarphen and passed unanimously.

Mr. Tolces read Resolution No. 2018-05 into the record.

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

Mr. Rose made a motion to approve Resolution No. 2018-05 which was seconded by Mr. Cox and passed unanimously.

Mr. Tolces read Resolution No. 2018-06 into the record.

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

Mr. Rose made a motion to approve Resolution No. 2018-06 which was seconded by Mr. Cox and passed unanimously.

Mr. Tolces read Resolution No. 2018-07 into the record.

The Board Chair called for public comments.

Mohamed Abdulla, 3130 Millwood Terrace, Boca Raton, of Habitat for Humanity of South Palm Beach County, thanked the CRA Board for approving the Agreements and for helping Habitat to provide quality homes in the community.

Mr. Straghn made a motion to approve Resolution No. 2018-07 which was seconded by Mr. Rose and passed unanimously.

C. Site Development Assistance Grant - Charlotte H. Danciu, P.A. (202 N. Swinton Avenue

Economic Development Manager Elizabeth Burrows presented the funding request. She reviewed the application for exterior improvements and noted that it is a historically contributing structure. She stated that the property is in the target area, and that this would be the second grant under this program for this applicant and property. The first grant in May of 2015 was for assistance with the cost of landscaping and irrigation improvements, site lighting and upgrades to the alleyway, and Ms. Burrows noted that the improvements have been maintained.

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

Ms. Straghn asked about Michael Danciu since his name was on the letterhead. Ms. Danciu stated that is her brother and he does consulting work for the company but has since gone out on his own. Mr. Zeller wanted to know if approval was needed from the Historical Preservation Board. Ms. Burrows stated it was not because there will be no deviation from the plans. Mr. Zeller asked if the grant was need-based in any way. Ms. Burrows said it is not a need-based program and is paid by reimbursement so the applicant needs to already have funds available.

She also noted the grants are not but-for scenarios but are more about rewarding property owners for helping further CRA goals in the district by making improvements and enhancements for publicly visible areas. Mr. Carstarphen said he has questions about what is and is not funded and always has a problem with funding something that the property owners can fund themselves. He acknowledged however that is not a criteria of the program so under the current guidelines this application is compliant. Mr. Cox said he does not see blight so he will not be supporting it. Mr. Rose felt funds that could be used to relieve blight would instead be used to enhance someone's property. Ms. Gray noted that if the Board wants to change policy that is a separate issue and that this applicant should not be penalized because she meets the current criteria. Mr. Rose made a motion to table the item which was seconded by Mr. Cox. The motion failed 3-3 with Mr. Carstarphen, Mr. Straghn and Ms. Gray dissenting. Mr. Straghn made a motion to approve the Site Development Grant Agreement with Charlotte H. Danciu, P.A. for the proposed exterior improvement project located at 202 N. Swinton Avenue, for an amount not to exceed \$9,486.00. The motion was seconded by Mr. Carstarphen and failed 3-3 with Mr. Rose, Mr. Zeller, and Mr. Cox dissenting.

D. Resolution No. 2018-08 - Budget Amendment No. 1

Mr. Tolces read the Resolution into the record. Finance and Operations Director Lori Hayward presented the item and reviewed the proposed changes.

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

Mr. Rose made a motion to approve CRA Resolution No. 18-08 adopting Budget Amendment No. 1 for FY 2017-2018. Mr. Cox seconded the motion which passed unanimously.

E. Discussion - Amendment to CRA By-Laws - CRA Board Monthly Meetings

Mr. Costello introduced the item and reviewed the current CRA By-Laws addressing the frequency of Board Meetings and Workshops. He noted that if the Board chooses to go to one meeting per month, a special meeting can be called when necessary. The staff recommendation is to have the monthly Board Meeting occur on the 2nd Thursday of the month as well as the Workshop. Mr. Costello read the procedure in the By-Laws for calling a special Board Meeting.

Ms. Gray felt that one Board Meeting a month given the current workload and the redevelopment that is under way was not enough. She felt the meetings are already long with agendas that are stacked, and that the later items perhaps do not get the same attention as ones earlier in the meeting. She said she was not a proponent of the change at this particular time. Mr. Straghn suggested that the Workshop be held on another night. Mr. Cox agreed that the Workshop could be held on the 4th Thursday of the month and that would give more time to ask questions and really focus in on the topic at hand. He noted how staff is always busy preparing Agendas and packets and said that with more preparation time it could reduce the number of last minute items the Board receives. Mr. Carstarphen stated that his concern is getting the materials in a timely fashion. He said there will be items if there is only one Board Meeting a month and the materials would need to get to the Board members further in advance to allow sufficient review time. Mr. Zeller supports continuing with the two meetings a month. Mr. Straghn suggested possibly starting the Board Meeting at 5:00 to allow more time. After further discussion, the Board consensus was to put the item on the March 8th Agenda for consideration.

11. Other Business

A. Comments by Commissioners

Mr. Carstarphen said he would like to have materials on the grant process emailed to him for review. He said he is not a fan of giving money to those who can afford to make improvements themselves. He felt all Board members should be brought up to speed on the grants programs.

Ms. Gray stated there are two parts in the CRA mission – relieving blight but also maintenance of improvements. She said there is an entire district to maintain, and that all segments of the mission need to be addressed.

Mr. Straghn would like the CRA Grants to be need-based. Mr. Costello suggested perhaps the issue needs to be workshopped, but noted that needs-based programs are even more challenging and saying that the applicants are tax payers. He reminded the commissioners that grants are awarded by Board discretion and that what was done tonight was consistent with the guidelines.

Mr. Zeller commented that he agrees with needs-based and not with individual property but more for areas of public use when there is a need for the greater good. He felt priorities need to be weighed.

Ms. Gray used the A-GUIDE process as an example of a non needs-based program in that many smaller organizations need a great deal more support than Old School Square but the policy is not based on need.

Mr. Rose felt the grants system should be workshopped to examine the checks and balances. He also brought up a big warehouse food court type concept called Grandview Public Market for the area. Mr. Zeller said that is being proposed for the Metropolitan site downtown.

Mr. Cox commented that he would like to get individual items pulled up more easily on his tablet. He also asked the Board to consider when the recommendations come back on the West Atlantic RFQ/P that the Board gets to do the ranking of the proposals rather than staff. He said if the Board ranks them, if one falls through the next proposal can be considered rather than starting over.

Mr. Costello stated staff would provide information to the Board regarding the grant programs and meet individually with Board members to review.

B. Comments by Board Attorney

Mr. Tolces reminded the Board members to hand in their Executive Director Evaluation Forms by March 1st. He regarding the legislation, the House Bill that was passed has not moved yet in the Senate, and there is a new House Bill 883 that has engulfed all the legislation relating to CRAs. He will keep the Board apprised. He also noted that counsel will be happy to meeting with any Board member individual regarding the anonymous complaint to the Inspector General.

C. Comments by Executive Director

Mr. Costello said the DDA felt strongly that the joint meeting with the CRA should be separate from a Board Meeting or Workshop, and that perhaps it could be done in April depending on what the Board decides at the next meeting regarding Board Meeting days.

D. Comments by Staff

Ms. Cox acknowledged Mr. Carstarphen for winning a grant award at Healthier Delray's Build our Block project for his Family Movie Night project which is slated for March 23rd at 8:00. She also congratulated Dupree Jackson who received a grant as well to do a Music Video along with three other projects which received grants. She commended Ms. Gray for receiving the award for Non-Profit of the Year.

12. Adjournment

There being no further business the meeting was adjourned at 9:02 pm.

Jeff Costello, Executive Director

Annette Gray, Board Chair