



Deerfield Beach Community Redevelopment Agency

Meeting Minutes

Tuesday, June 15, 2010, 6:00 P.M.

City Commission Chambers, Deerfield Beach City Hall

The meeting was called to order by Chair Noland at 6:10 p.m. on the above date in the City Commission Chambers, City Hall.

Roll Call:

Present: Mr. Bill Ganz
Ms. Sylvia Poitier - Tardy
Mr. Martin Popelsky
Vice Chair Joseph Miller
Chair Peggy Noland

Also Present: Burgess Hanson, Interim City Manager
Andrew Maurodis, City Attorney
Ada Graham-Johnson, MMC, City Clerk

APPROVAL OF THE AGENDA

June 15, 2010

Motion was made by Vice Chair Miller and seconded by Mr. Ganz to approve the June 15, 2010 CRA Agenda as submitted.

Voice Vote: YEAS: Mr. Ganz, Mr. Popelsky, Vice Chair Miller and Chair Noland. Nays: None.

GENERAL ITEMS

Keven Klopp, CRA Director, introduced Kris Mory, CRA Coordinator. He said that Ms. Mory has been very helpful in putting the agenda together.

Ms. Poitier entered the meeting at 6:12 p.m.

ITEM 1

TAPE 1, COUNT 0049

[Resolution to Establish Procedures for the CRA Director to make expenditures*](#)

Keven Klopp, CRA Director, outlined the purpose of this item, which would grant the CRA Director authority to make expenditures up to \$10,000; thereafter, the Board

GENERAL ITEMS - CONTINUED

would have to review said expenditures. Additionally, this resolution requires that any expenditure be reported to the Board within seven (7) days, regardless of the amount. He said that the Board would receive said information on Friday with their Commission packets. The resolution will also mirror the City's procurement code for the CRA; with the exception of the \$10,000 limit for the CRA Director.

MOTION was made by Vice Chair Miller and seconded by Mr. Ganz to adopt Item 1 as submitted.

Voice Vote: YEAS: Mr. Ganz, Ms. Poitier, Mr. Popelsky, Vice Chair Miller, and Chair Noland. Nays: None.

ITEM 2**TAPE 1, COUNT 0103**

[Request for Motion to accept the recommendation of the Real Estate Consulting Services Review Committee and direct the CRA Director to negotiate a contract with The Urban Group for Real Estate Consulting Services*](#)

Keven Klopp, CRA Director, asked that the Board accept the recommendation of the Staff Review Committee's top ranked firm, The Urban Group, and approve negotiating a contract with them. He said that there were 11 submittals and the top five (5) qualified firms were short listed. He said that Mr. Howard Steinholz, The Urban Group, and other staff members are present to answer questions. He further stated that other short listed firms are also present; Mark Dreyer, ReMax, representatives of Campbell Rosemurgy, and Joseph Hillner, Ocean Trust.

Vice Chair Miller asked why a Deerfield firm was not accepted.

Mr. Klopp said that the firms were ranked based upon their qualifications. One of the items discussed by the committee was whether or not there would be a preference for a local firm or if there was no particular reason for preference. This discussion occurred after the technical ranking of their qualifications. He said that having a Deerfield Beach company that might otherwise be very involved in a redevelopment project might be a disadvantage to the CRA and that company. He said that if they are working as a consultant for the City, there may be a conflict of interest and therefore could not become a partner or private development.

Vice Chair Miller asked if a local firm had a listing and the CRA was trying to acquire it, is that what is being considered a conflict of interest.

Mr. Klopp replied yes, but the discussion was after the ranking was completed. He suggested not adding a local preference into the consideration.

Ms. Poitier asked why should there not be a local company.

GENERAL ITEMS - CONTINUED

Mr. Klopp replied because of the potential for a conflict of interest and the potential of eliminating a very valuable partner. For example, he said that Campbell Rosemurgy is involved in redevelopment projects within the CRA District and if they were a consultant to the CRA, they would have to choose not to have to do those projects; therefore, we do not want to remove a valuable local partner out of the realm of possibilities for the CRA to work with.

Ms. Poitier asked why Campbell Rosemurgy was short listed instead of including them and having the Board to make the decision.

Andrew Maurodis, CRA Attorney, replied because that the bid was not exclusive; no one was prohibited from proposing and the Committee had a legal obligation to consider them.

Ms. Poitier said that Campbell Rosemurgy must have known the conflict before they submitted their proposal. She commented on knowing Campbell Rosemurgy's presence in the City. She said that if they knew they had a conflict as a private entity, they would not have submitted a proposal. Therefore, she cannot make a decision over a firm that she is familiar with.

Mr. Klopp said that because there was no local preference considered; does not mean they are not qualified.

Ms. Poitier said that she would expect Staff to inform her that there is a qualified local firm. Further, Ms. Poitier commented on the ranking system.

Mr. Ganz asked if there was no punitive action taken in the voting based upon whether they were local or not.

Mr. Klopp replied that is correct.

Mr. Ganz clarified that everything was an apples to apples comparison, removing the fact that they were local or not local. He said that it is unusual to see the number one ranked firm with the lowest score and the lowest ranked having the highest score. He asked for clarification on the process.

Mr. Klopp replied that each member ranked their top five (5), from 1 - 5. Then those scores were added up and the one with the lowest score is the highest ranked firm.

Vice Chair Miller asked if there was a gap between The Urban Group and Dreyer, or were they very close.

Mr. Klopp replied that the ranking was based upon each individual member's belief of the qualifications matching with the RFQ. There was considerable discussion that there were different strengths in each firm, including ReMax Mark Dreyer who had very strong aspects; thus, the ranking was one (1) point. He said that what The Urban

GENERAL ITEMS - CONTINUED

Group had that others did not; is experience, specifically with CRA's and with government, as a consultant. He recommended a strategy for real estate acquisition as the first task. He further stated that The Urban Group has mapped out a strategy for other CRA's. Although the Committee felt that each firm would be able to accomplish this, The Urban Group had the most experience.

MOTION was made by Vice Chair Miller and seconded by Mr. Ganz to approve Item 2 and to bring back a contract with The Urban Group.

Roll Call: YEAS: Mr. Ganz and Chair Noland. Nays: Ms Poitier, Mr. Popelsky, and Vice Chair Miller.

Motion failed by a 2-3 vote.

Mr. Maurodis said that since Staff's recommendation was not accepted, the item can be tabled to allow the Board to review the proposals personally. He said that it would be a mistake to make a decision without reviewing the proposals.

Mayor Noland reminded the Commission that they will be out during the month of July.

MOTION was made by Ms. Poitier and seconded by Mr. Ganz to table Item 2 until the first meeting in August.

Roll Call: YEAS: Mr. Ganz, Ms. Poitier, Mr. Popelsky, Vice Chair Miller and Chair Noland. Nays: None.

Mr. Klopp distributed the proposals to the Board with the intent that it would be discussed at the first meeting in August.

Ms. Poitier said that she wants to be sure that the correct firm is selected.

Mayor Noland stated that there is a code of silence; none of the proposers can contact any of the Board members.

ITEM 3**TAPE 1, COUNT 0529**

[Request for Motion to enter into a contract with Chen and Associates for the Creation of a 5 Year Capital Improvements Plan](#)

Keven Klopp, CRA Director, requested the approval of a contract with Chen and Associates for creation of a 5 Year Capital Improvement Plan. He said that this will be an input into the Fiscal Year 2011 budget for the CRA. Although the plan was going to include real estate acquisition, it will be removed at this time.

Mr. Popelsky asked if he is requesting the fee summary.

GENERAL ITEMS - CONTINUED

Andrew Maurodis, CRA Attorney, replied that he is requesting a work authorization. He said that this firm was selected through the CCNA process to perform work for the CRA. He said that they try to alternate and when there is a chore, the CRA Director presents it to the Board. Therefore, the request is for the Board to approve a contract with one (1) of the firms previously selected for the particular chore.

In response to Mr. Popelsky's question, Mr. Klopp replied yes, it is a lump sum contract.

MOTION was made by Mr. Ganz and seconded by Ms. Poitier to approve Item 3.

Roll Call: YEAS: Mr. Ganz, Ms. Poitier, Mr. Popelsky, Vice Chair Miller, and Chair Noland. Nays: None.

ITEM 4**TAPE 1, COUNT 0593**

[Request for Motion to enter into a contract with Keith and Associates for CRA ADA Compliance Assessment Services*](#)

Keven Klopp, CRA Director, said that based on discussions with Charles DaBrusco, Director of Environmental Services, this item is in coordination with sidewalk improvements for ADA Compliance that is necessary. He said that the City is mandated to do this; further, Keith & Associates will assist with determining what can be completed quickly and what can be included in the Capital Improvement Plan for FY 2011.

MOTION was made by Vice Chair Miller and seconded by Mr. Popelsky to approve Item 4.

Roll Call: YEAS: Mr. Ganz, Ms. Poitier, Mr. Popelsky, Vice Chair Miller and Chair Noland. Nays: None

Andrew Maurodis, CRA Attorney, said that there are technical changes that have to be made to the work authorization to ensure that only the first half is being approved.

Mr. Klopp said that the purchase order will reflect Items 1 and 2 in the work authorization.

ITEM 5**TAPE 1, COUNT 636**

[Resolution to approve proposed Commercial Façade Funding Program*](#)

Keven Klopp, CRA Director, said that he previously proposed a change in the façade program that would increase funding from \$10,000 to \$100,000; however, \$100,000 was based upon the linear feet of frontage. He said that part of the strategy is to have the façade grant program coincide with the Cove Shopping Center parking lot improvements, so that it will be available for the businesses to make improvements at

GENERAL ITEMS - CONTINUED

the same time. He said that the Cove Shopping Center Request for Qualifications opens next week and will possibly be brought to the Board at its first meeting in August for consideration.

Mr. Ganz asked what would be the funding amount for a certain blue building in the Cove.

Mr. Klopp replied that the calculations of their frontage would be used, but assumed it would likely be a little less than \$50,000.

Chair Noland asked if anything can be done to assist the Community Appearance Board with concerns of the Cove.

Mr. Klopp replied that the CRA Staff will be happy to work with the Planning and Growth Management Department to see what can be done to tweak the overlay district requirements for the Cove Shopping Center.

Ms. Poitier said that since this is CRA funding, she asked if the five (5) year period to release the land also applies to commercial properties or does the money have to be replaced.

Mr. Klopp said that the improvements have to be maintained for five (5) years and the property cannot be sold in that time. However, if it is sold, they will have to repay the loan.

Ms. Poitier suggested that this be clarified in the requirements.

Mr. Klopp said that this can be added to the resolution.

Ms. Poitier said that there may be a case wherein the property must be sold; and it should be noted what will occur if the property is sold or maintained by the same owner.

Mr. Klopp asked that funding be included in the resolution.

Andrew Maurodis, CRA Attorney, suggested adding a special provision on the attachment. He said that it could be approved with that addition.

Vice Chair Miller asked if this is for any building in the CRA.

Mr. Klopp replied that is correct.

MOTION was made by Vice Chair Miller and seconded by Ms. Poitier to approve Item 5 as amended.

Roll Call: YEAS: Mr. Ganz, Ms. Poitier, Mr. Popelsky, Vice Chair Miller, and Chair Noland. Nays: None

GENERAL ITEMS - CONTINUED

Mr. Klopp said that with regard to Item #4, for Keith & Associates, it is task 1, 2, and 3.

ITEM 6**TAPE 1, COUNT 0809****[Update on proposed CRA Plan Amendment for Special Events Partnerships](#)**

Keven Klopp, CRA Director, requested consideration for the CRA Amendment to add a provision that allows CRA funds be set aside for special event partnerships. He said that this is only a plan amendment which would open the door to the possibility; however, no funds will be allocated as this would be accomplished through the budgeting process. He said that it does not put a process in place. He said if this is what the Board intended, the taxing entities need to be notified that an amendment will be forth coming at a future meeting.

Vice Chair Miller asked if approved, would it come back to the Board for approval.

Mr. Klopp said that a certain amount would be placed in the budget for special events; however, it would not be earmarked for any particular event. When an event is submitted, Staff would ask for approval for a transfer of funds out of the special events account into a project account to track all funds. He said that mid-budget year, if the first amount was expended and things are going well, Staff would tap into the second amount; nevertheless, all events would be accounted for and would become a project account for accounting purposes.

Vice Chair Miller asked for examples on what the funds would be used for, i.e., advertising for a Green Marketing, security for a volleyball tournament, etc.

Mr. Klopp said that it would be on a case by case basis. He said that his intent was more of a marketing aspect. Once you start paying for operations, the event has to stand on its own.

MOTION was made by Vice Chair Miller and seconded by Ms. Poitier to approve Item 6.

Roll Call: YEAS: Ms. Poitier, Vice Chair Miller, and Chair Noland. Nays: Mr. Ganz and Mr. Popelsky.

Prior to Mr. Popelsky voting, a brief discussion ensued regarding the necessity of the item and the concerns of approving the event.

Motion passed by a 3-2 vote.

BOARD/ADMINISTRATION COMMENTS

Mr. Ganz - No Report

BOARD/ADMINISTRATION COMMENTS - CONTINUED

Ms. Poitier - No Report.

Mr. Popelsky - No Report.

Vice Chair Miller - No Report.

Chair Noland - No Report.

PUBLIC INPUT

Jeff Manzullo, 1631 Riverview Road, stated that there are three (3) areas he would like the Board to consider; the old Riverview Restaurant, which is consistent with the streetscape concept; potential purchase and/or lease of the Chamber of Commerce land, and the property over the bridge on the left, the row of condos. He said that these elements are consistent with the streetscape concept.

ADJOURNMENT:

There being no further business, the meeting adjourned 6:45 p.m.

PEGGY NOLAND, CRA CHAIR

ATTEST:

ADA GRAHAM-JOHNSON, MMC, CITY CLERK