



**DEERFIELD BEACH COMMUNITY REDEVELOPMENT AGENCY
MEETING MINUTES**

Monday, November 7, 2011, 6:30 P.M.
City Commission Chambers, Deerfield Beach City Hall

The meeting was called to order by Chair Noland at 6:30 p.m. on the above date in the City Commission Chambers, City Hall.

Roll Call:

Present: Mr. Bill Ganz
Mr. Joseph Miller
Mr. Ben Preston
Vice Chair Marty Popelsky
Chair Peggy Noland

Also Present: Burgess Hanson, City Manager
Andrew Maurodis, City Attorney
Samantha Gillyard, Deputy City Clerk

Absent: None.

APPROVAL OF THE AGENDA

DIGITAL TIME STAMP: 06:31:19

November 7, 2011

Chair Noland asked that Item 5 be discussed first.

MOTION was made by Mr. Miller and seconded by Mr. Preston to approve the agenda as amended.

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

GENERAL ITEMS

ITEM 5

DIGITAL TIME STAMP: 06:31:41

CRA Resolution 2011/028 - A Resolution of the City of Deerfield Beach, Community Development Agency authorizing the purchase of a certain property at 1701 Riverview Road, formerly the site of the Riverview Restaurant, for the CRA to use for CRA purposes.

Item 5 was discussed out of order.

GENERAL ITEMS - CONTINUED

Keven Klopp, CRA Director, outlined Item 5, which is for the purchase contract for 1701 Riverview Road, at a cost of \$2,212,500, as negotiated by the Board and the owner. The contract allows for a 30 day due diligence period, which will start with an environmental assessment and inspection; and a 30 day extension built in, upon request. There are two (2) items not consistent with the CRA Policy; the appraisal was conducted by the CRA on June 29th, and the deposit is normally a 1% deposit, \$22,000; however, the policy requires no more than \$10,000. He said that because of those exceptions, a unanimous vote is required to approve the contract. Moreover, this is an exciting project and is the key to redeveloping Sullivan Park and making a connection with the Cove.

Vice Chair Popelsky asked if this is an as is sale, or will the owner be providing funding for cleanup, or is it the City's responsibility. If so, he recommended asking for cleanup money.

Mr. Klopp replied that it is an as is sale; based upon the extensive back and forth with seller, he is certain that they would not be willing to assist in cleaning up the site.

In response to Vice Chair Popleksy's question, Mr. Klopp replied that there will be an environmental analysis; additionally, there is a contingency on the contract for this, if something is found.

Mr. Ganz said that the backup, states that environmental concerns are intentionally deleted; and asked is the City protected should there be any contamination issue.

Andrew Maurodis, City Attorney, said that is part of the as is. The City has an opportunity to do due diligence and then assume the property in its condition.

Mr. Ganz clarified that the due diligence period is 30 days and there will be enough time to determine if there are any environmental issues.

Mr. Maurodis said that if Phase 1 shows any indication, you would go to Phase 2 and you would get an additional 30 days.

Mr. Ganz asked if the policy needs to be amended since the policy objective is only \$10,000 because the properties of interest will exceed this amount.

Mr. Klopp replied that they can amend or approve on a one by one basis.

Mr. Ganz agreed with approving each as they come; however, it seems that they will be doing it for every property. He further asked why the appraisal was outside of the 60 days, which is contrary to the policy.

Mr. Klopp said that appraisals were ordered to get the process moving, but it takes longer. If it was a volatile market, or there were some changes in the market, they

GENERAL ITEMS - CONTINUED

would have ordered a new appraisal, but in this atmosphere, an appraisal from this summer would have still been valid. In addition, he said that the people he spoke to, the market is showing indications both ways and there is no way to show that an appraisal from a few months back would be any different.

Mr. Miller said that it is his understanding that the perimeter of the dock (s/b seawall) is relatively new; he asked if any part of it is still under warranty.

Mr. Klopp said that he will inquire about it, but it will be inspected.

MOTION was made by Mr. Ganz and seconded by Mr. Miller to approve Item 5, adopted CRA Resolution 2011/028.

Roll Call: YEAS: Mr. Ganz, Mr. Miller, Mr. Preston, Vice Chair Popelsky, and Chair Noland. NAYS: None.

Mr. Klopp said that the Board has made two (2) large commitments in terms of funding, added to the Cove Shopping Center. He commented on the progress that the Board has made over the past two (2) years with regard to acquisitions. He further stated that it is also important to start focusing on developing new sources of tax increment revenue. He also explained that there will be additional costs for the purchase of the Riverview property in terms of redevelopment. Mr. Klopp said that he and Kris Mory, CRA Coordinator, will work on new projects for the CRA to generate revenue.

ITEM 2**DIGITAL TIME STAMP: 6:40:27**

CRA Resolution 2011/025 - A Resolution of the Community Redevelopment Agency of the City of Deerfield Beach, Florida, to reimburse the Founders' Days' Committee for costs associated with Founders' Day Special Event in an amount not to exceed \$870.00.

Item 2 was discussed after Item 5.

Keven Klopp, CRA Director, outlined Item 2, in which the Founder's Day Committee is seeking sponsorship and funding. He said that last year, the CRA paid for the transportation shuttle, from the mainland to the Island and Staff is suggesting that this be funded again this year, estimated at \$870.00. He advised that Dave McKay is available for questions. Additionally, there is a letter from the Founder's Day Committee requesting more than what Staff has recommended.

Chair Noland read from the statement from the Founder's Day Committee, specifically, the closing of the pier and trying to obtain a barge for the fireworks. She said that there is no actual figure. She again read from the letter and stated that their request is for the CRA to cover the cost of the fireworks and the barge; fireworks are \$10,200.00.

Mr. Klopp said that the barge is anywhere between \$25,000 and \$35,000.

GENERAL ITEMS - CONTINUED

Mr. Ganz said that if these events are going to be funded, it needs to be done right; even though he does not think they should be sponsored by the CRA. This event brings a lot of business to the CRA. He said that he would like to see estimates on the type of revenue generated to the CRA District due to these events. Nonetheless, he does not have an issue with the \$870 or the \$10,000 for the fireworks because it is suppose to bring economic stimulus to the area. However, knowing the history of this event, this request is not outrageous, and asked why Staff is only requesting \$870 and why there is no backup regarding potential revenue generated.

Mr. Klopp said that the backup for economic impact was previously requested; however, he takes responsibility and will provide it in the future. In this case, the \$870 request and not greater, comes from the discussion of how Founder's Day is funded and they are not in need of CRA Funding. If they do not bring in revenue for 2013, the CRA will support them at that point. He explained that they have funding for the 2012 event, but if they do not generate funds in 2012, they will not be able to do the event in 2013. Moreover, because it is an established event, and they have funding, he did not think it was necessary to fund it at this time, but rather use funding for events that are not established and have no funding to do what they intend to do.

Mr. Ganz said that he would rather give them a blanket amount now and not have them thinking that they will be bailed out if they fall short. He suggested that the CRA fund the shuttle and fireworks show, which brings in additional traffic; thus, it will not be an open ended checkbook. He reiterated a set amount of funding for the shuttle and fireworks, instead of acting as a bail out.

Vice Chair Popelsky commented on the \$10,200 for fireworks, \$800 for shuttle, and \$100,000 in the event that if the weather is bad, it can result in unpaid bills. He asked if the City or Founder's Day would pay this.

Andrew Maurodis, City Attorney, replied no, we are not incurring the bill, only offering funding.

Mr. Klopp said that a lot of that is City expense, BSO, Fire, and Parks; some of the unpaid bills will be for the CRA. Nevertheless, it is his understanding that they have the funds to pay this year.

Mr. Ganz asked if they paid the City back last year.

Mr. Klopp replied yes.

Vice Chair Popelsky referenced a summary report.

Mr. Klopp said that those are website hits.

Mr. Preston asked if the Board is voting on anything other than the \$870.

GENERAL ITEMS - CONTINUED

Mr. Klopp said that is according to their motion.

Mr. Maurodis said that the Board can include more if you would like.

Mr. Preston said that he would like to see exactly what he is voting on in resolution form.

Mr. Klopp said that it would be included in the resolution, once approved; however, included in the backup, is what the Committee gave them. Furthermore, if a larger dollar amount is requested, it needs to be clear; i.e. paying for the fireworks instead of a barge, even though a barge is needed. He asked if a dollar amount is going to be set or funding for a specific item.

Mr. Miller said that he had a different reaction than Mr. Ganz because over the last couple of years, the City has cut out funding for many special events and he thought that this was consistent with their previous act. Mr. Miller commented on the cost of the barge, \$25,000 - \$30,000 for a barge, wherein the entire 4th of July event cost that amount. He said that the economy has not improved; however, we have set a precedent that we will give them something and that this was a reasonable suggestion from staff. He asked the City Manager for feedback if more money was requested. He reiterated that he is supportive of staff.

Burgess Hanson, City Manager, said that this is the Board's decision. If you are going to do the fireworks, you want to do it the right way.

Mr. Ganz said that this Board voted to fund events, the City Commission did not.

Mr. Miller said that he is confusing the CRA budget with the City's budget.

Continuing, Mr. Ganz said that he agrees with the City Commission in their stance. He commented on the CRA trying to fund other events, i.e. the Green Market, but explained that he would rather support well established, successful events in the CRA, as opposed to gambling on an event that has no track record. Since events have been budgeted, it needs to be done right and events in the CRA need to be successful; notwithstanding, it does not need to be a bail out. Furthermore, he said that this request is not unreasonable because of what it brings; however, he said that he is very disappointed that there is no revenue analysis in the back up. A decision does not need to be made to increase. He reiterated that an analysis of the event would be useful, to include the number of attendees, the revenue generated, and what elements of the event guarantee success. Mr. Ganz further stated that \$870 is nothing when you look at the overall budget of the CRA, but beyond that, it is a very justifiable investment. In conclusion he suggested funding the ones that are the most successful and make sure they survive.

GENERAL ITEMS - CONTINUED

Chair Noland said that this event has been going on for 65 years and it has always been successful. She said that the Mad Bomber, who does fireworks, always does an exceptional job; unfortunately, they have to get a barge because the pier is under construction, which is an unexpected expense for them. Founder's Day has always had their start up money to go forward the next year, and they have paid their bills from last year. If there is a rain day and they do not make as much money as expected, they still have funds in their coffers to pay their expenses. However, next year they may have to ask for more, but they save their money and use it for the next year. She commented on the participation for the fireworks night and it brings the community together.

Mr. Miller said that he thought the City budget was consistent with the CRA budget. He said that he would like to hear from Mr. Dave McKay, Founder's Day Committee.

Mr. Hanson asked that Staff meet with the Founder's Day Committee to bring back more information on economic impact.

Mr. Miller asked if a decision has to be made tonight or at the next meeting.

Mr. Klopp said that the December meeting was a need only meeting.

Mr. Hanson said that a meeting can still be held prior to the City Commission Meeting on December 6th.

It was the Board's consensus to meet before the December 6th City Commission Meeting.

Mr. Ganz asked how much time Staff will need to compile an analysis.

Mr. Klopp replied there will be plenty of time if the meeting is on December 6th.

Mr. Ganz said that the information is needed to move forward and there appears to be some Board members on the fence. He suggested approving the \$870, but stated time is needed to discuss this further, even if it puts them in a crunch. This is a large sum and there is concern. He said that with the analysis, it will likely be a justifiable expense.

Chair Noland asked if the money is in the bank to pay the City if there was a rainy day.

Mr. McKay replied yes, except for the barge. He explained the difficulty with funding due to the pier being closed and having to get a barge. He said that he found one for \$25,000 in Pompano; however, the gentleman wants a deposit. He said that they are trying to find those funds in various places. Money wise, the event can go on without the fireworks.

GENERAL ITEMS - CONTINUED

Mr. Hanson said that the pier is not being closed to the public, but it would not be safe to have fireworks on the temporary bridge, as Fire Rescue would not be able to respond.

Vice Chair Popelsky described the area of the temporary bridge.

Mr. Hanson said that there is no area to put the fire engine; whereas, when you have the parking lot, you can place the engine and staff there.

Vice Chair Popelsky suggested finding a space by the parking lot for the fireworks.

Mr. Klopp said that the Fire Department has indicated that the state may not allow the setup, to bring the explosives that close to an active construction site.

MOTION was made by Mr. Ganz and seconded by Vice Chair Popelsky to approve Item 2, adopted CRA Resolution 2011/025 .

Roll Call: YEAS: Mr. Ganz, Mr. Miller, Mr. Preston, Vice Chair Popelsky, and Chair Noland. NAYS: None.

Mr. Ganz said that since the event can proceed without the fireworks, how many people do the fireworks attract.

Mr. McKay replied that on Friday there are 10,000 people; Saturday, 30,000 for fireworks, and Sunday 10,000.

ITEM 1

DIGITAL TIME STAMP: 7:06:34

CRA Resolution 2011/024 - A Resolution of the Community Redevelopment Agency of the City of Deerfield Beach, Florida, to reimburse the City of Deerfield Beach Parks and Recreation Department for costs associated with the Cove Holiday Celebration Special Event in an amount not to exceed \$23,936.00.

Keven Klopp, CRA Director, outlined Item 1. The event will occur on December 10th, from 5 pm - 10 pm, to include tree lighting to replace the tree lighting previously at City Hall.

Mr. Preston asked what last year's cost was.

Walt Bratton, Director of Parks & Recreation, said that it cost \$15,400 last year to have it at City Hall.

Mr. Preston asked why it is so much more expensive.

GENERAL ITEMS - CONTINUED

Mr. Klopp said that the largest expense is the decoration rental, since the site is more substantial than City Hall.

Mr. Preston said that he struggles when he sees costs like this. There is almost a \$10,000 increase and it's only for decorations. He commented on keeping costs down, and said that a \$5,000 increase would be reasonable, but not a \$10,000 increase.

Mr. Miller said that there will be snow.

Chair Noland said that \$4,600 is for 25 tons of snow; we have never had snow. Additionally, because the Cove Shopping Center is new, they wanted to move it to the area and make it like a winter wonderland, as well as draw customers to the Cove. Moreover, this shopping center has never been decorated and thus has to purchase lights and other things to decorate. She said that the objective was to do something different for the kids, which is why the snow was included.

Mr. Miller said that he likes the event being moved to the Cove as the tenants have endured a lot through the construction. However, he also questioned the amount when he initially saw it. He asked if the décor package is being purchased or rented.

Mr. Klopp replied rented, it is more if it is purchased.

Mr. Miller said that during these economic times, people do not want money spent this way. He said that he would be willing to get rid of the snow to reduce the increase. He said Mr. Preston appears to be onboard with that; moreover, it would help the businesses. He reiterated that he would support it without including the snow.

Mr. Ganz said that there is no analysis. He said that the Board should be frugal and smart in investments, even though the CRA is mandated to spend money. If it can be illustrated that funds spent in the CRA will generate revenue to help the area, then it is a justifiable expense. He explained the difference between the previous budget and this year's budget in terms of the number of participants. Furthermore, he is very disappointed in that there is no additional backup; as much of the funds are for decorations; however, he does not know what the decorations look like. Therefore, he cannot make an educated decision on this. If there is backup to show estimates of how many people will come out versus having it at City Hall; if 700 people come to City Hall, much more will come to the Cove. The snow would be really good for the kids, even though it is a big part of the budget; however, he said that he would like to know the liability of having snow on top of concrete.

Mr. Klopp said that the placement of the snow has not been determined. However, there has been some thought about having the event between Sullivan Park and the Cove, but the logistics of that was difficult. If there is a liability with putting it on the concrete, it may prevent it from happening anyways.

GENERAL ITEMS - CONTINUED

Mr. Hanson said that they are looking at a special type of covering to place between the snow and pavement, wherever it may be.

Mr. Ganz said that he likes the idea; and moving it there makes sense; however, he does not have enough information to make a decision for something with this price tag.

Chair Noland said that she met with the decoration company in Orlando and she bought things back from the company and they can come in with a presentation to show the decorations at a special meeting. Also, she asked that Staff find out what it would cost to buy them since this is a yearly event, as well as solar lights.

Mr. Ganz asked what the decorations look like.

Kris Mory, CRA Coordinator, said that they can bring the decorations down.

Mr. Hanson said that he asked them to look into this for a number of reasons, to bring activity to the Cove; as well as creating the Cove as a destination gathering. He said that he came up with this a few weeks ago and they have been scrambling. Additionally, the celebration would be multi-cultural, Christmas and Hanukah. He further stated that Staff wants the Cove to be identifiable to the traffic that may not go over there when they are traveling to the Barrier Island or elsewhere. He also explained that the tree from City Hall cannot be used because it is staked into the grass and they did not want to drill holes into the new concrete at the Cove.

Mr. Ganz said that it makes sense to do the event over there, but it needs to be justified.

Mr. Klopp said that Ms. Mory is making copies of the decorations.

Mr. Preston said that Mr. Ganz makes a good point wherein if this is going to be done, a good job should be done. He said that even though there is a mandate to spend CRA funds, it does not mean they should be spent. If someone is proposing a cost for \$16,000, Staff should examine all costs and explain why the costs cannot be negotiated.

Chair Noland said that Ms. Mory is still working on it, but she wanted to present information on it. Also, Chair Noland said that the current price tag is \$23,900, is not in stone as Ms. Mory is still checking out other avenues for better pricing. She is also looking at places that sell the decorations. This includes installation and everything.

Mr. Preston said that being able to purchase it allows you to use it in the long run.

Chair Noland explained that Ms. Mory is still working on this and that she also introduced the idea of solar lights to Ms. Mory.

Mr. Miller said that the relocation is a no brainer and the Board can agree on it. However, the ice could be a compromise, and if someone could show him that the

GENERAL ITEMS - CONTINUED

participation would be greater, then it would be helpful. To be more frugal, he said that the ice is not necessary. He again asked for statistics on the participation.

Chair Noland said that at Constitution Park, they always have snow and the kids didn't get out of it until it melted away.

Mr. Miller said that it will take away parking spaces if it is on the pavement.

Mr. Hanson explained the location of the event, close to the professional doctor offices, the small area to the west of the main entryway of the Cove.

In response to Mr. Miller's question, Mr. Klopp replied that the snow will last a couple of hours.

Ms. Mory presented photos of the decorations for the Board's review.

Mr. Klopp identified a photo of the existing clock tower with lighting.

Mr. Ganz clarified that the Cove owners do not put anything toward this; it is completely CRA funded.

Mr. Klopp replied yes. If the decision tonight is to approve a lesser amount, he would recommend going to the property owners and ask for a donation toward the event.

Chair Noland asked if all the trees are decorated.

Ms. Mory said that this cost estimate only wraps the Royal Palms at the main entryway.

Chair Noland asked about the possibility of purchasing commercial grade lighting and having Staff do the palm trees, with white lights. She said that certain decorations were not needed; i.e. figurine skaters.

Ms. Mory said that it was not researched because there is not enough manpower to do lighting. Additionally, she said that to bring additional power to the site would be approximately \$4,000 – \$6,000 which would be a permanent solution.

Vice Chair Popelsky asked if the decorations would be up until January 1st.

Ms. Mory said that many of the decorations are a one day rental for the event. The other decorations, like wrapping the Royal Palms, decorating the entryway feature, and the tree would stay from December 10th until after the holidays.

In response to Vice Chair Popelsky's question, Ms. Mory replied that the tree will be half way in the parking lot side of the main entryway; the first four (4) rows of parking would be blocked off and it would be very visible from the highway.

GENERAL ITEMS - CONTINUED

Vice Chair Popelsky asked if the old parking lot near Pal's was considered for all the decorations.

Ms. Mory said that there are safety issues on that property.

Chair Noland said that she would not spend \$6,000 for some of the decorations. She said that when the center was recreated, no one looked at having special events over there so the electricity was not upgraded for that purpose. She said that generators can be bought in, but you have to worry about them being stolen. She suggested finding out how much it would cost to put electricity in the shopping center to accommodate other events. She said that having events is a way to draw people out and getting the business owners to open at night. Chair Noland reiterated pricing out commercial grade lighting and having Staff install it.

Ms. Mory said that they are trying to obtain the purchase price. It was requested today, but they were unable to provide it.

Mr. Hanson said that Staff is limited. Several years ago, City Hall and other locations would be lit up; notwithstanding, contractors were used to doing the lighting. He said that they also stopped doing the holiday lighting in the lobby. However, they are trying to move it from City Hall to generate a wider customer base for the Cove and for new business prospects.

Mr. Preston asked that the Board consider a set amount and then allow Staff to talk with businesses to see about contributing. If they get actively involved, there may be enough money to fund the entire event and if not, then evaluate the difference at that point. He recommended approving \$20,000 and let them talk to the business to see what they will contribute.

Chair Noland said that \$6,000 for one day is out of the question.

Mr. Ganz said that he is prepared to terminate the entire project until we can get better plans. He said that it feels rushed and the area is still a construction site, although the intent is good.

In response to Mr. Ganz's question, Ms. Mory replied that the contract with West will be complete as of November 14th; there may be 20 items left on the punch list.

Mr. Ganz said that he would prefer to move it back to City Hall until there is a better analysis; however, in the spirit of compromise, he would prefer getting contributions from the owners. Additionally, he agreed with Chair Noland to eliminate the \$6,000 for those decorations.

Mr. Miller said that it is a great idea to have it in the Cove, for the exposure of business owners and citizens. He agreed with a fixed dollar amount, but was also disappointed in what he saw. He said that he would like to know what can be purchased and reused.

GENERAL ITEMS - CONTINUED

He further stated that he would be willing to have another CRA Meeting if Staff can obtain more estimates.

Mr. Hanson said that would be cutting it really close.

Mr. Ganz said that \$15,000 was spent to bring 700 people to City Hall; if we bring in 1,000 people to the Cove, the budget is increased by \$5,000 for additional exposure which is logical.

MOTION was made by Mr. Miller and seconded by Mr. Ganz to approve \$20,000 for the tree lighting ceremony at the Cove, adopted CRA Resolution 2011/024.

Roll Call: YEAS: Mr. Ganz, Mr. Miller, Mr. Preston, Vice Chair Popelsky, and Chair Noland. NAYS: None.

ITEM 3**DIGITAL TIME STAMP: 7:39:56****CRA Resolution 2011/026 - A Resolution of the Community Redevelopment Agency of the City of Deerfield Beach, Florida, approving Chen Moore Associates' proposal for the creation of a wayfinding signage program for a lump sum of \$25,000.00.**

Kris Mory, CRA Coordinator, outlined Item 3. She said that this project was discussed during the budget process and budgeted. The project's purpose is to get rid of visual clutter in the CRA district, often referred to as sign pollution. She explained that there are too many signs in the district, some are duplicitous and a better job can be done to assist with getting people from point A to B. This is likely one of the simplest and most powerful ways to bring people to the district and direct them within the district. Another positive aspect of wayfinding is that it takes them one step closer with marketing the CRA. Once the process begins, the consultant will provide a logo and tagline, which can be used in the CRA's upcoming website and a visual image to help identify the district as well as building the identity. Additionally, this price is consistent with what other communities spent, based on the City's size, destinations, and existing sign problems. The budget is \$25,000 and she asked the consultant to fast track it; the budget for fabrication and construction is \$75,000 which is enough to install roughly 25 - 30 signs. In doing so, it will eliminate approximately 75 - 100 signs, but the messages will be condensed into one.

Mr. Ganz said that whatever the consultant comes up with, should it be utilized by the CRA, it could also be used as a blueprint for usage throughout the City for having an overall look and feel, as there is an issue with sign clutter.

Mr. Preston referenced page 4 of the backup. He said that the contract is being given for \$25,000, but there is a charge for the meetings of \$3,000.

GENERAL ITEMS - CONTINUED

Ms. Mory said that the consultants are compensated for attending meetings, because they are bringing in experts from certain fields.

Mr. Preston said that in these economic times, they should be satisfied with the contract. He expressed dissatisfaction with having to pay additional for meetings.

Ms. Mory said that the consultant does not convince the Board that this is good, but hopefully, if it is approved, that the Board believes it is worthy.

Mr. Preston expressed concerns with paying a contract and then having to pay for meetings. He said that Chen Moore should compensate the City for awarding them a contract, which there is none. Notwithstanding, they get the benefit of the contract the way that they want it, which is inclusive of meetings.

Mr. Ganz said that looking at this in face value Mr. Preston has a legitimate point. He said in his experiences as a consultant, he would either charge for a meeting, or build them into the overall cost. He said that they can take the meetings out and put it into design, but you will pay for it either way. He said that you are paying for experts to attend, information gathering, asking questions, and compiling it; it is all a part of the process. However, the charge for meetings is a part of the process. As far as them giving back to the City, they are giving back by offering their expertise. Moreover, Mr. Ganz said that the meetings do not scare him, because he knows what they have to do to come up with this. Considering how we can use this Citywide, and not only limited to the CRA and District 1, but to all others, it is a worthwhile expense and he is not intimidated by this.

Mr. Preston said that this appears to be common practice; however, that does not make it right. He said that when a client gives him an opportunity to do business with him, he automatically seeks ways to show appreciation to the customer. In big businesses, there are common costs that are built in and no one questions it. Even if it is common practice, he is not comfortable with it.

Mr. Ganz said that if it was not called meetings, but was called designs, and was not itemized, but built in, the larger sum is not being picked apart, but the portion titled meetings. He further asked if it were part of the design, would there be a dilemma?

Mr. Preston said that if he has a ball park price, then he is done; but questioned the separate costs, \$3,000 for meetings; therefore, he wants to know what occurs in the meeting, how long are the meetings, and how many meetings. Although, there is no indication of how many meetings; there could be a tremendous added cost. Moreover, he expressed concern of saving money out of the bottom line cost.

Burgess Hanson, City Manager, outlined the meetings included in the proposal, a total of four (4) meetings. Additionally, he said that they are coming to the City, and that is a part of their service; they are highlighting it as meetings, so that the CRA Board and Staff have an understanding.

GENERAL ITEMS - CONTINUED

Mr. Preston said that there is not enough information for him to support it. He reiterated that in big business, this is done all the time as common practice, but he is questioning it.

Chair Noland said that one of the meetings is a two (2) hour meeting; the others do not state the duration. She said that Mr. Preston has a valid point. She asked if there is a time scale on this and maybe Chen Moore can provide more information at a later date.

Ms. Mory said that they selected a lump sum contract instead of an hourly rate because they want Chen Moore to deliver something. She further explained that they have a calculation in their business about how much time it is going to take them to accomplish this; thus, if they spend five (5) hours and come up with the perfect logo, great, but if they spend 25 hours, it is the same. She explained that these meetings are necessary to gather the information for the ideas and the logos and graphics. It is not just paying them for meetings, but the time it takes for meeting preparation, what they glean from the meeting, public interaction, skill at facilitating a public meeting and getting good information. After the meeting is over, the information is percolated down into a concept; therefore it is not just sitting at meetings for an hour.

Mr. Miller asked if there was an RFP.

Ms. Mory replied that Chen Moore is one of the qualified engineering firms on the Consultants Continuing Services Contract; they go back and forth with various consultants when they are awarding work.

Mr. Miller said that he thought the \$25,000 was initially an issue. He said that he is not concerned about the cost of the meetings, as time is money and it has been spelled out in the RFP. He said that he thinks there will be more meetings and because this can be used in other parts of the City, this is an investment. He said that he does not object to the \$3,000 portion of the bill and that this will pay off dividends in the future. He reiterated the potential of using their findings in another part of the City.

Mr. Preston said that what the project is trying to accomplish, he agrees with; unfortunately, he is still uncomfortable.

Vice Chair Popelsky asked if they should consider the expense after the report is received. In the past, other consultants have provided reports, but a year or two (2) later, some of the components die.

Ms. Mory said that this project will move immediately into fabrication and construction. She said that \$75,000 has been budgeted for fabrication and installation.

In response to Vice Chair Popelsky's question, Ms. Mory replied that \$25,000 will be the maximum for the design. She said it had to be delivered for \$25,000.

Vice Chair Popelsky reiterated his fear of not utilizing the report once it is complete.

GENERAL ITEMS - CONTINUED

Mr. Ganz said that it appears that the meetings are limited which concerns him. He read from the proposal regarding the meeting with the public to present the design for the logo design and entry feature. However, he does not want to see Chen Moore come up with a design that the public does not like, then the City is nickled and dimed for additional public input meetings. Moreover, designing anything and getting a consensus is torturous; thus, there needs to be more flexibility.

Ms. Mory said that based on past experience with Chen Moore; they are currently working on two (2) projects for the City and they have put in above more than what was outlined in their scope of services for those projects, to make sure the City is happy.

MOTION was made by Mr. Miller and seconded by Mr. Ganz to approve Item 3, adopted CRA Resolution 2011/026.

Roll Call: YEAS: Mr. Ganz, Mr. Miller, and Chair Noland. NAYS: Mr. Preston and Vice Chair Popelsky.

Motion was passed by a 3-2 vote.

ITEM 4**DIGITAL TIME STAMP: 8:00:54**

CRA Resolution 2011/027 - A Resolution of the Board of Commissioners of the Community Redevelopment Agency of the City of Deerfield Beach, Florida, recommending that the Community Redevelopment Agency of the City of Deerfield Beach, amend the Community Redevelopment Plan of the Community Redevelopment Agency of the City of Deerfield Beach, as established by Resolution No. 1999/174 (as amended), to revise portions of the plan relative to real estate acquisition.

Keven Klopp, CRA Director, outlined item 4. Mr. Klopp said that the CRA has a redevelopment plan which is the comprehensive plan for the redevelopment area; if it is not in the plan, it cannot be done. Two (2) years ago, the redevelopment plan indicated that there was no property acquisition that would occur. Since that time, there has been an amendment process to change that; which involved listing five (5) specific properties that the CRA would consider purchasing. He said that it would not be allowed to purchase any property outside of these five (5) properties. Another amendment is being suggested to the plan which would broaden it so that any property that met objectives within the CRA Plan could be purchased by the CRA. Continuing, Mr. Klopp said that this will start the amendment process which involves going to the Planning & Zoning Board, notifying the County, and coming back before the City Commission and then back to the CRA Board. With approval, it would begin the process by crossing out the five (5) properties and amending it to state that any property acquisition must further the objectives of the redevelopment plan and follow CRA Real Estate Acquisition Policy.

GENERAL ITEMS - CONTINUED

Chair Noland said that this came about because of the Elizabeth House. It was discussed at the last CRA Meeting that this would be the best way to change it so that the Board would have more flexibility.

Vice Chair Popelsky left temporarily at 8:03 p.m.

Mr. Ganz said that the votes had to go a certain way in order to do this; in order to actually vote on the purchase of a property.

Mr. Klopp said that is a different issue. He explained that the CRA Real Estate Policy is a resolution that the Board approved that guides how to purchase property; and is not in the redevelopment plan. If the Board wish to revise that, it is a different motion; this begins the amendment process of the plan. The CRA Real Estate Policy guides how you do it in addition to how many votes you would need to do it.

Mr. Ganz said that he does not want to open the floodgates to allowing too much flexibility and then not having the tight restrictions that allow the safety of knowing that the Board will not be able to simply purchase any property desired. He said it has to be a true supermajority decision of the Board.

Andrew Maurodis, City Attorney, said that it may not resolve the supermajority aspect, but it can be indicated where it says objective for the redevelopment plan, to include, "and follow the CRA Acquisition Policy set forth in the resolution adopted by the CRA Board". He said that how the plan is done, it offers no flexibility, so you have to change this.

Vice Chair Popelsky returned at 8:05 p.m.

Mr. Ganz said that if we untie our hands and three (3) of us decides that we are picking a property that was not in the original plan and suddenly, three (3) votes can buy that property; that is how it works now. He asked if the voting procedure should be changed first to make sure there is a larger majority.

Mr. Maurodis said your real security is in the plan because once the plan is changed and says that it will be implemented as per the resolution policy, the policy can be changed anytime by three (3) votes. He explained that once the plan is changed, one person's flexibility can result in too much flexibility.

Mr. Miller said that this is a reasonable suggestion, because the Chamber is off the market, the hotels want too much money, and the center in the Cove Shopping Center may have private offers. Thus, 3 of the original 5 are gone, as the Board just voted to buy one, there being only one (1) left. If this is not adopted, we only have one (1) place that can be considered over the next years.

Mr. Preston asked for clarification on a supermajority vote.

GENERAL ITEMS - CONTINUED

Mr. Ganz explained if all are present, it would have to be a 4/5 vote; if one is absent, then it would have to be a 4/4 vote.

Mr. Preston expressed concern with one person being able to veto it, or stall movement. He said that he believes it should be a majority vote.

Mr. Ganz said that Mr. Miller has commented on the price of the hotels for two (2) meetings and it has not been discussed at the meeting. He asked how the price is known.

Mr. Klopp replied that there is a real estate listing.

Chair Noland and Mr. Miller said they consulted with Mr. Klopp.

Mr. Ganz said that if a policy is going to be set, it is not about it being personal, but to set a policy for the future. He said that he is leery and down the line, someone can change and there will be a small portion of people who have the flexibility to use a lot of money and buy property. Notwithstanding, there was a reason in the past that there were no acquisitions through the CRA and although it is wise to make changes, there needs to be security on it. He further stated that the way it has been explained, it does not matter; we can cast the rule of a 4/5 vote and then turn around and vote on it and nothing gets changed.

Mr. Maurodis said that for drafting purposes, he prefers language stating that "any property acquisition must further the objective of the redevelopment plan". Then, you adopt your policies. He said that he does not know why you have to reference the acquisition plan because the key goal is to give the Board flexibility, for better or for worse and he believes this is wise. Nevertheless, a future Board may not want to have a real estate acquisition policy. He reiterated adding "objective of the redevelopment plan"; under law, this is a requirement. He said to keep it uncomplicated, he would place a period behind redevelopment plan. In doing so, you can still adopt the policy, but it is only as good as the three (3) people at the next meeting who may want to change it. He said he does not want anyone to be under any illusions.

Mr. Miller said that when he ran for District 1, he really wanted to get rid of those hotels, but is not willing to pay a price that is unwise. If something comes up, and is not on the list, the Board cannot move on it, then it would be a mistake. He agreed with Mr. Maurodis' suggestion, "objective of the redevelopment plan." He reiterated that some of the properties are already off and to not have the flexibility to move on a good deal would not be good stewardship. He said that this Board gets along and there should not be concerns about them doing it wrong.

Mr. Maurodis said that the Board still has the real estate acquisition policy that was approved.

GENERAL ITEMS - CONTINUED

MOTION was made by Mr. Miller and seconded by Mr. Preston to approve Item 4, adopted CRA Resolution 2011/027.

Roll Call: YEAS: Mr. Miller, Mr. Preston, Vice Chair Popelsky, and Chair Noland.
NAYS: Mr. Ganz.

Mr. Klopp clarified that the motion included the City Attorney's suggestion to put a period after redevelopment plan.

Mr. Preston replied yes.

Mr. Maurodis said that the policy still exists. Additionally, he said that there is presently a real estate policy and it will govern procedure. With regard to changing the vote to the 4/5, it has not been changed. At a future meeting, it can be changed; however, the simplest way to state it is that it requires an affirmative vote of four (4) members of the Board to waive the rule.

Mr. Ganz said that will only last until it is changed as it bears no teeth.

BOARD/ADMINISTRATION COMMENTS

Keven Klopp, CRA Director - Buoys at the Cove - Mr. Klopp said that there has been a lot of commentary about the painted buoys at the Cove, some negative and some positive. Nevertheless, someone decided to paint the buoys in their own colors over the weekend. He expressed dissatisfaction and said that the act was quite vigilante. The colors were approved by a public body and there is discourse that should take place if there is a selection of other colors. A police report was filed and they are talking with the business and property owners there; notwithstanding, they are open to discussion regarding the colors. He said that the buoys are creating discussion; they are attention getting and some say they are clean and colorful and want them to remain. He said that they are hoping it does not happen again. The site is under West Construction's control and they will have to repaint it in order for the job to be accepted by the City.

Mr. Ganz asked who would pay for repainting.

Mr. Klopp replied that he thinks West will assume the costs without any change orders.

Mr. Miller said that one of the colors was substituted.

Kris Mory, CRA Coordinator, said that the buoys are located at the main entry way of the Cove, between Paul's Barber Shop and Sondro's Clothing Store. The buoys are five (5) colors; purple, pink, green, blue, and yellow. Whoever did it, removed all the colors except for yellow and green. Now the colors are yellow, green, and white.

Mr. Ganz said that it is pretty understandable what businesses over there are yellow and green, but there is no proof or witnesses.

BOARD/ADMINISTRATION COMMENTS - CONTINUED

Ms. Mory said that BSO is interviewing people to find out who did it. As this is being taken seriously, and they would like to give the person an opportunity to pay for it as there is a cost associated with fixing it.

There was a brief discussion regarding the colors, how they were selected, and the public's comments about the colors.

Mr. Ganz commented on the various colors throughout the Cove, as well as the public's request for those colors and he does not want to make any changes to that.

Ms Mory said that one of the larger property owners is making improvements to the façade, in this color theme and according to the design theme. She said that you will start to see the architectural theme and colors more reinforced and maybe the buoys won't be so outstanding.

Mr. Miller said that it draws attention to the Cove Shopping Center, even though his first impression was wow.

PUBLIC INPUT

Jim Mathie, 1307 SE 14th Avenue, Deerfield Beach, said that the buoys do not look like buoys in his opinion. He offered to attend the Chen Moore meetings for free to tagline color scheme themes. Thereafter, he read an article regarding coral reefs in Florida, which accounts for 85% of all coral reefs in the United States. In South Florida alone, reef ecosystems annually pump more than \$6 billion into the economy through recreational activity, fishing and tourism. The reefs sustain more than 71,000 jobs and inject \$2 billion each year into Broward County's economy, according to a study by Hazen and Sawyer. Continuing, Mr. Mathie said that the CRA is the heart of the community and supplies circulation to the rest of the community. He also commented on the sign program being called wayfinding. Lastly, he said that as a marine community we have something to define ourselves and move forward.

ADJOURNMENT:

There being no further business, the meeting adjourned at 8:26 pm

PEGGY NOLAND, CRA CHAIR

ATTEST:

ADA GRAHAM-JOHNSON, MMC, CITY CLERK