



**Deerfield Beach Community Redevelopment Agency
MEETING MINUTES**

Tuesday, January 22, 2013, 6:30 P.M.
City Commission Chambers, Deerfield Beach City Hall

The meeting was called to order by Chair Noland at 6:35 p.m. on the above date in the City Commission Chambers, City Hall.

Roll Call:

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

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

Absent: Mr. Martin Popelsky - Excused

APPROVAL OF MINUTES

DIGITAL TIME STAMP: 6:37:01

December 18, 2012

MOTION was made by Mr. Miller and seconded by Mr. Preston to approve the December 18, 2012 minutes as submitted.

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

APPROVAL OF THE AGENDA

DIGITAL TIME STAMP: 6:37:10

January 22, 2013

MOTION was made by Mr. Miller and seconded by Mr. Preston to approve the January 22, 2013 agenda as submitted.

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

GENERAL ITEMS**ITEM 1****DIGITAL TIME STAMP: 6:37:21****CRA Resolution 2013/001 - A Resolution of the Community Redevelopment Agency of the City of Deerfield Beach, Florida, approving an agreement with the City of Deerfield Beach relating to the use of certain bond proceeds by the CRA.**

The Resolution was read by title only.

Andrew Maurodis, City Attorney, outlined Item 1, concerning bond proceeds that were recently approved by the City Commission. He said that this will provide for additional monies outside and inside the CRA, through the Florida Municipal Loan Council and then loan to the CRA. This allows for a transfer of the portion of the loan proceeds to the CRA in return, the CRA will pay back the interest, principal and costs associated with that portion of the money to the City; thus making the City whole. Mr. Maurodis outlined the changes to the resolution, to specifically indicate that the loan is through the Florida Municipal Loan Council and to contain an additional Section 3 to state that the CRA budget shall be deemed amended to reflect the availability of these funds in a separate CRA Capital Project Fund for authorized CRA purposes. Those funds are being set aside for the CRA to use for authorized projects provided in the plan. He reiterated that the CRA will be paying back all the principal, interest and all costs associated with the loan. Additionally, Albert del Castillo is the counsel representing the City.

Motion was made by Mr. Miller and seconded by Preston to approve Item 1, adopted CRA Resolution 2013/001, as amended.

Vice Chair Ganz said that he read somewhere that this was not a good move; however, there is no indication. Additionally, this is within the City's legal right and is a smart fiscal move.

Mr. Maurodis said that the refinance is clearly what a lot of people would do. If you have an old loan from 2003, borrowed at those rates, and you could refinance it at 2012 rates, it would be foolish not to do it.

Kris Mory, CRA Coordinator, said that the 2003 rates were in the 8% range; the current rate is in the 3% range. The total savings to the CRA is \$1,005,493.

Mr. Maurodis said that is only for the CRA; there are also savings to the City.

Vice Chair Ganz said that the facts are there, that this is smart and prudent; anyone who has an issue with this does not have their facts straight.

Mr. Maurodis said that the facts bear this out. Also, you avoid the separate loan costs the CRA would incur; the City is being made completely whole and the CRA is borrowing the money at 3%. Mr. Maurodis said that he will work on a few of the exhibits just too fine tune them and Mr. Del Castillo will give the final approval for the City's side.

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

GENERAL ITEMS - CONTINUED**ITEM 2****DIGITAL TIME STAMP: 6:42:41****CRA Resolution 2013/002 - A Resolution of the Community Redevelopment Agency of the City of Deerfield Beach, Florida, to reimburse the City of Deerfield Beach for costs associated with the Founder's Day Festival in an amount not to exceed \$35,450.00.**

The Resolution was read by title only.

Kris Mory, CRA Coordinator, outlined Item 2, a resolution to reimburse the City's Parks & Recreation Department for a portion of the 66th Annual Deerfield Beach Founder's Day, special event, in an amount not to exceed \$35,450.00. The CRA has been asked to fund a portion of Founder's Day; which consists of a parade and a 4 day festival. She said approximately 80,000 to 100,000 people attend over the four (4) day period, bringing many people to the district. The feasibility of the event was compromised when the Founder's Day Committee dissolved and did not want to be responsible for managing the event. The Parks & Recreation Department agreed to manage it this year. The hope is to find another suitable group to manage and hold it in the future; however, this is only a stop gap measure allowing the CRA to preserve this event and bring those people into the district. The budget is based on the expertise in the past and what information they have received from previous organizers. The best estimate is to structure it as a not to exceed approval. She outlined the expenses and anticipated revenues which were included in the backup. She explained that if the revenues exceed expectations, the CRA's contribution to this event will decrease. However, it will not exceed tonight's requested amount.

Mr. Miller asked if the expectations were not met, would it come from the City's budget.

Burgess Hanson, City Manager, replied yes.

Andrew Maurodis, City Attorney, replied that the CRA's contribution is capped.

Ms. Mory said that the Parks & Recreation Department is trying to find private sector sponsors to decrease the need for CRA and City funding.

Vice Chair Ganz asked how much the CRA contributed last year.

Ms. Mory replied that funding for the shuttle was approved, approximately \$1200; however, Founder's Day never requested those funds and the CRA never contributed anything.

Vice Chair Ganz asked for the overall costs for the event.

GENERAL ITEMS - CONTINUED

Ms. Mory replied that the expense will be approximately \$102,000; the anticipated income is \$66,500. However, this is a worst case scenario, but hopes that there is not a deficit.

Vice Chair Ganz asked if there are any funds that the committee can put toward the event.

Mr. Hanson said that Staff is trying to obtain that information.

In response to Vice Chair Ganz's question, Ms. Mory replied that there is no economic impact report because the CRA has not been such a large contributor.

Vice Chair Ganz said we should know what the economic impact is. It may be hard to ascertain, but there needs to be an answer.

Chair Noland suggested speaking to the restaurants and hotels to see if they are filling up during this time; but understands that most of the money is going to police and fire. The carnival brought in a lot of money which goes back to the coffers. However, was a lot cheaper when the City had its own police and fire. Chair Noland commented on marketing strategies for the carnival; i.e. wristbands prior to the event. She said that there was frustration over the expense. Also, it's over \$500 per band in the parade; the school band charges for their overhead. If Founder's Day had a great year, they would try to give the schools money for their program. She said it is hard to get people to go out and solicit sponsors. Hopefully, when the festival is over, work can be done to start finding sponsors. She also outlined various sources to ask; Target, Swap Shop, Fiesta Flea Market, etc.

Vice Chair Ganz clarified that the event would be approximately \$100,000 and estimated revenues to reimburse the City's expenses approximately \$60,000 leaving the CRA with a \$40,000 deficit. Basically, if anything goes out of the City's pocket is \$5,000 to \$10,000. As a board, it was agreed that we would fund events. He said that it would be ridiculous to look for new events when there is an extremely and popular event that operated primarily in the CRA; then why not fund it; therefore he supports it.

Mr. Miller suggested working with the Kiwanis; as Calle Ocho in Miami is sponsored by them. He said he was told that the volunteers in the past would put money away to start planning for the next year; so there should be a piggy bank somewhere.

Chair Noland said she does not know what happened, but there was approximately \$25,000 - \$30,000 when she was involved with it.

Mr. Hanson said that he does not have anything written, therefore, he cannot say if the amount is accurate; but will work with them to see if they will partially sponsor the event. He further stated that this year, Staff will pay closer attention to the economic impact by tracking it for the restaurants, hotels, retails, and parking garage; as well as the impact on the Cove and Hillsboro Square. Additionally, they are hoping that a community organization, Kiwanis, will pick up the event after this year as we do not want to see the

GENERAL ITEMS - CONTINUED

event die. The estimate that Parks & Recreation provided will cover the expenditures and they are safely conservative on the revenue estimates as they do not like to overshoot. Consequently, they have been trying to get information about [the committee's] involvement as far back as July and August 2012 to determine the funding.

Motion was made by Vice Chair Ganz and seconded by Mr. Miller to approve Item 2, adopted CRA Resolution 2013/002.

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

ITEM 3**DIGITAL TIME STAMP: 6:58:11****Request for board approval for continuation of Community Policing Program***

Kris Mory, CRA Coordinator, said that Community Policing Program began on December 7th and BSO has been patrolling the district regularly on Thursday, Friday and Saturday nights. In fact, they have gone door to door to the businesses and are canvassing parking lots; and leave their cards on people's vehicles if they see personal items in plain view to give them a heads up. She outlined various arrests that have been made in the area, speeding and other infractions. The response has been very positive. The only recommendation is to change the hours on Thursday as it is quite slow; suggested starting at 5 pm and ending at 1 am. She advised that there will be another report in the next 30 days.

Chair Noland said that because of the light situation, it being very dark on the beach, she asked if they are parking their vehicles and walking the street.

Ms. Mory replied yes. In the next couple of weeks, they will patrol the district on segways. Sometimes they are in unmarked cars.

Vice Mayor Ganz said that he would like to see specifics in the report, to quantify the activity; the number of arrests/types, number of vehicles stopped, etc. This will make it easier to justify funding.

ITEM 4**DIGITAL TIME STAMP: 7:03:45****Update on Cove Gardens Improvements Project**

Kris Mory, CRA Coordinator, said that the bid was advertised on December 7th; there was a mandatory pre-bid for all interested proposers on December 18th. The bid(s) will be open on February 13th. Staff anticipates bringing forth the lowest responsive bidder for consideration at the March CRA Meeting, and work towards an April implementation date.

GENERAL ITEMS - CONTINUED

Ms. Mory said that in terms of stakeholder notification, because of the ownership pattern, there is a high level of absentee property owners, therefore Staff decided to write a specific scope of the project, what it will entail, and the schedule. Also, they will receive the project manager's, Hiep Huynh, contact information via certified mail. They will also be invited to meet with Mr. Huynh at their convenience, to discuss the possible impact to their property. The plan is to do this before construction begins.

In response to Chair Noland's question, Ms. Mory replied about 45% are absentee owners and about 45 different property owners.

Continuing, Ms. Mory said that the Board will be invited to see the neighborhood to determine what the scope entails; however, a project boundary map was highlighted from the backup. Ms. Mory further stated that people who will be affected by construction on 15th Avenue and the alley along Hillsboro Boulevard will be notified. They can also ask for a one on one meeting to discuss the project. Additionally, Ms. Mory said that this is a 9 month project and the completion date anticipated for December. However, it will be refined when the contract is signed.

Chair Noland asked if there are penalties in the contract if they go beyond the due date.

Andrew Maurodis, City Attorney, replied there will be liquidated damages if they go beyond.

ITEM 5**DIGITAL TIME STAMP: 7:08:28****Update on Sullivan Park Redevelopment Project**

Kris Mory, CRA Coordinator, outlined the process for Sullivan Park Redevelopment Project. At the November 9th meeting, the Board directed Staff to move forward with a construction at risk procurement model. She explained what the procurement model entails; which is the best value for the dollar as there is continued communication between the design firm and contractor. Also, the Board can pick the design team. The RFQ, request for qualifications, was selected to look at qualifications and not simply cost. She outlined the members of the Staff committee who will also sit as the evaluation committee; Kris Mory, CRA Coordinator, Keven Klopp, Assistant City Manager, Charlie DaBrusco, Director of Environmental Services, Kara Petty, Assistant Parks & Recreation Director, Bob Harbin, Parks & Recreation Superintendent and Mr. Huynh, Capital Projects Manager.

Continuing, Ms. Mory referenced Page 15 of the RFQ excerpt; evaluation criteria. She outlined each of the evaluation criteria to assure that it reflects what the Board is looking for.

Andrew Maurodis, City Attorney, said that this will all be done in the context of a CCNA to make sure everyone complies with Chapter 287; Consultants Competitive Negotiation Act; thus, it may be formatted a little differently.

GENERAL ITEMS - CONTINUED

Continuing, Ms. Mory said after a week of advertisement, 20 firms had picked up the paperwork. She brought forth the due diligence activities that Staff has performed; while going through procurement, they are making sure the Riverview parcel is complete and all legal documents are in order. She said that an important aspect of this project, stemming from the Urban Land Institute's report, is not only revitalizing Sullivan Park, but also to act as a stimulus for the Cove Shopping Center, to encourage pedestrian traffic. Without that, pedestrian oriented goals have not been achieved and we have not revitalized the Cove and strengthened the investment that has already been made. She said that Staff is in the process of interacting with the property owners. The importance is to get the public walking across the front along the water; however, we have the cooperation of Blue Waters property and Two Georges to achieve that.

Chair Noland left temporarily at 7:13 p.m.

Ms. Mory said if things come up during negotiations, there will be design impacts on the park. If there cannot be public access from the park, under the bridge, and into the Cove, it will alter and greatly reduce the type of funding and design.

Chair Noland re-entered the meeting at 7:14 p.m.

Vice Chair Ganz expressed concern that we get one design and does not want to put one design or plan forward. He said that he wants the Board to be open minded and see other options; and asked if it is too late for that. Additionally, besides having multiple options with everything fitting into what the Urban Land Institute suggested, but because there are other parties involved, he does not want the Board to have complete reliance on the cooperation of these outside parties. He suggested a backup; whereby, if cooperation is not received, then we can move on with another design/contractor. This will allow flexibility so that the City is not stuck. He further commented on the ranking, 1 point to financial stability. He said that should be higher as there were problems in the past; maybe a 2 instead of 1.

Ms. Mory said if the Board agrees, they can do that.

Motion was made by Vice Chair Ganz and seconded by Mr. Miller to increase the criteria from 1 to 2 for financial stability.

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

Ms. Mory said that in the backup on page 10, Scope of Services Section 3.2.1 already includes preparation of the conceptual plans for various alternatives, including boat dock, seawall modifications and some combination of park features. It also references the ULI; it is already built in that options must be provided.

Mr. Miller said that it appears that the City owns the waterway right across [from] the O'Leary property; and that pedestrians can walk along the Intracoastal and then into the

GENERAL ITEMS - CONTINUED

Cove. He asked if pedestrians would have to walk over their property to go back and forth.

Mr. Maurodis said that they are working out issues with property owners; there will also be meetings. Furthermore, there are multiple owners which is unusual; three (3) parties each own a 1/3 and some don't know they own it. Some think they own it and don't. The City does not own all of it, but has a clear handle on what is owned.

Mr. Miller commented on the dock and repairs.

Vice Chair Ganz said the dock does not belong to the City.

ITEM 6**DIGITAL TIME STAMP: 7:21:55****Request for direction regarding Relocation of Temporary Bait Shack**

Kris Mory, CRA Coordinator, said that the temporary bait shack has served its purpose and is no longer in use and has been detached from the main pier. She said everything on the walkway has been reused onsite. The project team tried to permit the relocation effort through an amendment to the existing pier permit with DEP and they said no; which means there needs to be a new field permit. A scope of services has been requested from The Chappell Group as they were involved in permitting the pier. Also, they are a CCNA approved vendor. If the expense exceeds \$10,000, Staff will bring it back; the initial proposal was \$7,500.

Chair Noland clarified that this will replace the shack where they rent out the cabanas.

Ms. Mory replied yes. She said that when the temporary shack was constructed, it was constructed so that it could be cut off the foundation and relocated elsewhere. She highlighted a diagram of the location for the existing temporary bait shop and the current beach concession stand in the backup. The new proposed location is just slightly south of the current stand. She mentioned that moving the stand would benefit the hotel with their view. She asked for general approval for the location.

Mr. Miller agreed with moving it slightly south. He further asked, when permitting is done, will the concessioner be able to use it.

Ms. Mory replied that in November 2013, the City's beach concession contract is up and will give the opportunity to have a new vendor.

Mr. Preston asked the cost to move it.

Ms. Mory replied that the distance to move it does not change the relocation cost; the only cost is moving and relocating four (4) coconut palm trees.

Mr. Preston asked if it is just a nice gesture for the hotel.

GENERAL ITEMS - CONTINUED

Ms. Mory replied that is correct.

Mr. Miller said that it has to be moved from where it is right now.

Chair Noland said that it is being moved toward the street, where it is open and no buildings are in front of it.

Ms. Mory described the new location of the stand; from the back parking lot of the Sun Rider Hotel. Currently, you have to travel slightly north to get to it and it blocks the hotel's patio deck view of the water.

Vice Chair Ganz said that it is not a favor to the hotel, but centralizes it to the main beach parking lot. No matter where you move it, you will run into the same permitting. He said he would be more inclined to move it further south, but agrees with the proposed location. (See attached)

Mr. Preston said that he wanted to clarify that it was a wise move for the City or whether it was better for the hotel.

Motion was made by Vice Chair Ganz and seconded by Mr. Miller to approve Item 6, relocating the stand further south.

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

ITEM 7**DIGITAL TIME STAMP: 7:30:25****Update on State Road A1A Design**

Kris Mory, CRA Coordinator, said that this is not a CRA funded project, just an update on what is occurring in the district. The project was funded by State and Federal funds. The City, in partnership with FDOT, awarded a contract to Metric Engineering to prepare construction drawings. The work has begun and in March, early April, public input will begin. Before those meetings, Metric will provide 30% design plans. The design anticipates the expansion at Hillsboro Boulevard and the signalization at SE Second Street and A1A. The latter intersection needs to be signalized by installing mast heads, which come across the street. She said that Staff will fight during the design phase to make it aesthetically pleasing.

Continuing, Ms. Mory said that the sidewalk that goes to nowhere, from the pier restaurant to the promenade to A1A, the sidewalk ends. She said that Staff was aware of this project and designed to this project to open the curb to go out to A1A. This was not a design flaw to the pier, but anticipates the upcoming A1A improvement project. Additionally, the timeframe is unknown because once the project is complete it has to be funded for construction. Once a design is provided, there needs to be \$10 million for business damages. When they expand A1A and install sidewalks, there will be a taking from certain properties which is a big ticket for this project. Notwithstanding; it does not

GENERAL ITEMS - CONTINUED

include the cost for construction, which makes it a \$13 - \$16 million project. The funding remains unknown, but the project will be shovel ready so when funding occurs, we will be able to move forward. The next update will follow the public meetings.

Vice Chair Ganz commented on resurfacing.

Ms. Mory said FDOT plans on resurfacing A1A through the City in 2015. The City wants to see the resurfacing move forward as the construction funds are unknown at this time.

Chair Noland said that there will be more crossing signs on A1A.

Mr. Miller said that they want them at 10th Street as well.

Mr. Hanson said that there are issues with having them at 10th Street.

Mr. Miller clarified that the resurfacing does not deal with bike paths.

ITEM 8**DIGITAL TIME STAMP: 7:37:04****Request to approve distribution of Broward County CRA Impact Report**

Kris Mory, CRA Coordinator, said this is a collaborative effort of 8 CRA's in the County. She said that CRA's are very good at redevelopment, but not marketing their accomplishments, but this report attempts to deal with that. There has been talk about the ongoing bills in the State Legislature regarding eliminating or reducing the power of CRA's. This is a preemptive measure with accomplishments to get all the eight (8) boards that contributed information to sign on to it and authorize delivery to the State and County Legislators so that when the bills come up, they are aware of the importance of CRA's for redevelopment.

Ms. Mory said that in Deerfield, \$1 of CRA funds, through the incentive program, has leveraged \$5 in private money. We are on par with other CRA's with that return on investment. She explained that the City CRA is very effective at managing capital projects, large ticket items, with very little overhead and is very efficient as compared to other counterparts. Additionally, they did not rely on testimony from businesses, but included before and after photos of projects. If all the CRA's sign on, the Florida Redevelopment Association has indicated that they will adopt this as a State best practice and share with other CRA's throughout the State.

Motion was made by Mr. Miller and seconded by Vice Chair Ganz to approve coordination of Item 8.

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

BOARD/ADMINISTRATION COMMENTS**Expense report, pursuant to CRA Resolution 2011-011**

Kris Mory, CRA Coordinator, announced that there are no change orders this month.

PUBLIC INPUT

Sullivan Park - Rita Masi, 19th Avenue, Deerfield Beach, suggested asking the hotel owner to pay for the moving of the trees. She commented on the walkway that goes nowhere and said that a lot of people do not know about it and when they get to the end, they lose their footing. She suggested some sort of barrier to alert them of it ending. She also asked what is going into Sullivan Park.

Chair Noland said it is unknown, as the RFP is going out.

Andrew Maurodis, City Attorney, said we are retaining a design consultant.

Sullivan Park - Nancy Marchione, 1100 SE 5th Court, Deerfield Beach, commented on the Urban Land Institute findings, she asked if the conceptual plans a, b and c could be incorporated into one plan. Ms. Marchione outlined various elements from the conceptual plans. She also said that the underpass connection for pedestrians was not stated in any of the plans. Moreover, she said that the residents would like to have grills and picnic tables. Furthermore, the residents should be able to use the tables and hopes that they are not for the concession stand. Also, the Tiki hut was mentioned, but not tables and grills. She said if you have a table, then you need a grill.

Chair Noland said you cannot put grills under a Tiki hut.

Ms. Marchione said that at Hillsboro Inlet, they have a Tiki hut with a shaded area, with tables and outside of it, they have grills. Also, there is no mention of fishing and a dock area. Lastly, she asked that these options be included in one plan.

Chair Noland commented on the conditions of the park. She said that she also wants picnic tables and will personally be very involved in what we receive. This Commission is attuned to what the residents want and what needs to be in the parks for the residents.

Ms. Marchione also commented on having bait tables.

Mr. Preston asked Ms. Marchione if she was representing a particular community group.

Ms. Marchione replied no, but said there have been several public meetings whereby the residents mentioned these things.

Chair Noland explained how the Urban Land Institute gathered information from the residents and explained what would or would not work. It was thereafter presented to the Board. She said the residents definitely had input.

PUBLIC INPUT - CONTINUED

Ms. Marchione said that there were several meetings that everyone came to. Also, she went to Hillsboro inlet and took pictures of their park and provided them to the Board.

Burgess Hanson, City Manager, said that Kris Mory, CRA Coordinator, will provide Mr. Preston with the ULI report.

Island Water Sports - Michael Payne, Island Water Sports, 1985 NE 2nd Street, Deerfield Beach, asked if the City is open to other private companies coming in to sponsor sections of the redevelopment to Sullivan Park; for example, a rental shack, and paying for that.

Mr. Maurodis said that the problem is that the charter has restrictions on leasing City property for that purpose; there is a referendum requirement.

Mr. Payne asked about donations. He said that larger companies like Van's that has always tried to get a skating section in the City, but has not found the right location.

Mr. Maurodis said that a donation can be explored.

Mr. Miller said that in regard to kayak rentals, like we do at the pier, we have a facility, but are leasing it to the vendor. If there was a structure, could it be leased to someone?

Mr. Maurodis replied that we have to be careful as the referendum requirement has a special exception; the one exception is a pier restaurant. We have to be very careful and under the charter, there are obligations; there are certain legal restrictions.

Mr. Miller asked if there were kayak rentals, it would have to be managed by City employees.

Mr. Maurodis replied that it could be managed by someone under the charge of City, but could not lease it out to some company to make profits to get rent back.

Founder's Day - Maureen Kenny, Deerfield Beach, suggested asking Pal's to help and volunteer at Founder's Day.

Chair Noland said that for years, Kiwanis and Rotary were the parade marshals.

Ms. Kenny also suggested volunteers to help curb the cost of police and fire.

Chair Noland said that volunteers are not paramedics and you have to consider injuries that could occur.

Mr. Hanson said that a bulk of public safety relates to the parade and there are certain things required for law enforcement only and you cannot use volunteers. He said we are looking at sponsors but the Board or Staff cannot help with that.

ADJOURNMENT

There being no further business, the meeting adjourned at 7:55 PM.

PEGGY NOLAND, CRA CHAIR

ATTEST:

ADA GRAHAM-JOHNSON, MMC, CITY CLERK