DEERFIELD BEACH COMMUNITY REDEVELOPMENT AGENCY
MEETING MINUTES

Tuesday, August 27, 2013, 6:30 P.M.
City Commission Chambers, Deerfield Beach City Hall

The meeting was called to order by Chair Robb at 6:31 p.m. on the above date in the City Commission Chambers, City Hall.

Roll Call:

Present:	Mr. Bill Ganz Mr. Ben Preston Mr. Richard Rosenzweig Vice Chair Joseph Miller Chair Jean M. Robb
Also Present:	Burgess Hanson, City Manager Andrew Maurodis, City Attorney Samantha Gillyard, CMC, Acting City Clerk
Absent:	None

APPROVAL OF MINUTES **DIGITAL TIME STAMP: 6:32:02**

August 13, 2013

MOTION was made by Vice Chair Miller and seconded by Mr. Rosenzweig to approve the August 13, 2013 minutes as submitted.

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

APPROVAL OF THE AGENDA **DIGITAL TIME STAMP: 6:32:22**

August 27, 2013

MOTION was made by Mr. Rosenzweig and seconded by Vice Chair Miller to approve the August 27, 2013 agenda as submitted.

Voice Vote: YEAS: Mr. Ganz, Mr. Preston, Mr. Rosenzweig, Vice Chair Miller and Chair Robb. NAYS: None.

GENERAL ITEMS

ITEM 1 DIGITAL TIME STAMP: 6:32:32

Presentation of preliminary design options for SE 15th Avenue drainage and streetscape improvements

Kris Mory, Interim CRA Director, provided a brief history on Item 1. She stated that in April 2013, the Board authorized funding for the preliminary design of streetscape and drainage improvements along SE 15th Avenue; whereas, this section of roadway was not included in the Cove Gardens Project. Lastly, she said that notification was provided to property owners who abut the project and others requesting notifications via e-mail; the public was also advised that they would be able to speak on the options.

Peter Moore, Chen Moore & Associates, 500 W. Cypress Creek Road, Suite 630, Fort Lauderdale, provided a presentation for improving SE 15th Avenue, Cove Gardens.

Cove Gardens - SE 15th Avenue Improvements - Mr. Moore said that the project entails transition from the Cove Gardens neighborhood into the Cove Shopping Center, running from Hillsboro Boulevard as a northern boundary to just north of SE 4th Street to allow for entrance into the Cove Gardens. Mr. Moore outlined the interests of the neighborhood as well as the stakeholders.

Existing Conditions - Mr. Moore said that he would expound on the estimated costs, alternatives, schedule and next steps. He said that the existing conditions in the area include parking in the right-of-way and on private property, non-contiguous sidewalks, private signage, varying parking methods, parallel, diagonally, straight in and double parking. Additionally, there is a raised median separating the northbound and southbound traffic, as well as a difference between the commercial interests on the east side and the residential issues on the west side.

Current Issues - Mr. Moore said some of the current issues are: illegal turning moments, double parking, missing links of sidewalks, non complaint parking, aesthetics with how solid waste and recycling is picked up and illegal restricted parking signage. Overall there are no uniformity and drainage concerns that exist.

Traffic Report - Mr. Moore said Quality Counts was hired for a traffic study. He reported that the intersection of SE 15th Avenue and SE 3rd Court was studied twice on Thursday June 17th from 12 p.m. - 1 p.m. and 5 p.m. - 6 p.m. during that time, there were 23 illegal left turns from the Cove Shopping Center. During the study period, there were 447 vehicles during the two (2) hour period. He further stated that all the signs address illegal left turns and increasing capacity in circulation.

Chair Robb said that she and Vice Chair Miller had commented on the barrier being removed and asked if that was an option.

Mr. Moore replied yes, some of the options include variations for it.

GENERAL ITEMS - CONTINUED

Proposed Alternatives - Mr. Moore outlined each option. Option 1 includes a roundabout and Option 2 is for no roundabout with a median on the west side.

After discussion with Staff, other options were developed. Mr. Moore provided a diagram of Option 1 with a roundabout, which allows for thru moments and are all yield control; however, it does not allow for left turns, but you must go around the roundabout. He said that because parking is placed in the right-of-way, it allows for improvements to landscaping, as well as, a landmark feature inside the roundabout. The parking is all angled; currently, there are various parking methods, i.e. 90 degrees, 45 degrees, etc. Lastly, the design provides contiguous sidewalks.

Option 2 - No Roundabout with Median on West - Mr. Moore said that Option 2 does not include a roundabout, but a private access median on the west side. In this design, the inability to make a left or straight turn is enhanced; traffic is being driven to the north. The aesthetics is being improved by pushing parking on the east side into the right-of-way and on the west there is a separate drive access aisle. The homeowners expressed concern of having parking in the right-of-way; whereby, businesses would be parking in the parking designated for the apartment buildings. He continued to outline the design for Option 2: uniform parking, contiguous sidewalks and perimeter parking, which pushes parking onto private property, but has a visual separation for what is supposed to be parking in private parking for the apartment building and what would be on the business (east) side.

Continuing, Mr. Moore said that they gathered ideas based on having a private access aisle and the roundabout feature as a combination; Option 1A. By combining both, it provides improved traffic circulation with a roundabout, improved aesthetics, parking uniformity, sidewalk contiguousness, parking in right-of-way on the east side and private area for parking on the west.

Option 2A - No Roundabout and No Improvements on the West Side - Mr. Moore said the last option is stripped down to deal with concerns of ongoing maintenance costs and is the least costly. This option removes the roundabouts and improves the intersection to prevent left hand turns out of the Cove Shopping Center. The parking would be on private property as it exists today. In that case, it could allow for double parking if desired, but on the east side it addresses the contiguous sidewalks and parking uniformity.

Estimated Cost - Mr. Moore said that pricing is approximately $500,000 to $600,000 for each option; notwithstanding, they have estimated approximately $50,000 in contingencies since the final design is not done. The pricing is also based on there being an existing contractor in the neighborhood; whereas, they are using their unit prices. He said the Board could consider a change order or engaging in a contract with the existing contractor.

Schedule - Mr. Moore said that construction costs have increased over 25% over the last year; whereby, there is a concern with waiting, that the cost will continue to increase. Other concerns are: drainage permitting, which usually takes 30 days;

GENERAL ITEMS - CONTINUED

engineering design, which will take approximately two (2) months; bidding, approximately 60 days; and project construction will take approximately four (4) months.

Next Steps - Mr. Moore outlined what is to come with the project: obtain stakeholder buy in, select preferred alternative, complete engineering design, permit and then bid the project. He further advised that the existing contract with MBR Construction expires approximately January 18th. Lastly, construct the improvements.

Mr. Moore entertained questions from the Board.

Chair Robb asked how long it would be to complete the project if a design were chosen tonight.

Mr. Moore replied that once the project is bid and awarded, it will take four (4) months to construct. If an option were selected tonight, construction would begin approximately five (5) months from today. If there were a change order with the existing contractor, the Board could stipulate that construction would not begin until after the holidays.

John Grassi, 1001 SE 12th Terrace, Deerfield Beach, commented on the public receiving notice of construction projects.

The following individuals spoke in favor of the roundabout feature for the Cove Gardens Project:

1) Frank Kenny, 532 NE 8th Avenue, Deerfield Beach
2) Ron Coddington, 501 NE 6th Avenue, Deerfield Beach
3) Linda Wilkerson, 911 NE 49th Street, Deerfield Beach - representing apartment owners
4) Jay Geiserman, 1851 SE 4th Street, Deerfield Beach

Ms. Mory informed the Board of other individuals supporting the roundabout feature:

1) Roger Hampton, Cove Professional Building Manager, 1500 E. Hillsboro Boulevard
2) Julio Pavon, a property owner
3) Jim Balistreri, property owner at SE 2nd Court and 15th Avenue
4) Emilio Dominguez
5) Casa Mia Restaurant owner.

Vice Chair Miller agreed with the roundabout, based on his frequent visits to the area. He commented on the traffic study and how often people make illegal turns. He asked if Option 1 and 1A consisted of the buffer on the west side and if it separates parking for the apartment residents.

Mr. Moore replied that is correct; there would be a thru lane and a second access lane.

GENERAL ITEMS - CONTINUED

Vice Chair Miller commented on the dental office losing eight (8) parking spaces because of green space.

Ms. Mory said that in this area the property owners are being compensated by providing a courtyard between the parking and their building. They will be giving up dedicated private parking, but the dentist wants to be sure there will always be a designated parking space for him. Under this scenario, there is no guarantee of that since it will be public parking; however, the overall gain in parking spaces almost doubles the legal parking that currently exists; from 8 to 27 spaces. Additionally, she said that the angling starts directly in front of the convenience store. Notwithstanding, the property owners would have to sign off by utilizing a construction easement and maintenance agreement, and they would be aware upfront that they would lose their dedicated private parking.

Andrew Maurodis, City Attorney, said if they do not agree, the plan would have to be adjusted. He further explained that the City will not be doing eminent domain; therefore, if the owner does not voluntarily agree, a new design would be required around it.

Vice Chair Miller asked if the City would maintain the green space that is currently in their parking spaces; on the east side.

Ms. Mory replied that since it is private property, she anticipates that they would maintain it.

Mr. Maurodis said that anything installed on private property would have to be preceded by an easement agreement. Although it appears to be well received, contingencies (having agreements complete) should be added to the timeline.

Mr. Rosenzweig said that roundabouts have worked in other areas. He commented on educating the community on roundabout uses and having the right-of-way; as well as, dumpster locations so they do not interfere with the process.

Mr. Ganz agreed with Option 1A, with the roundabout and median to the West, and having the landmark in the center. Obviously, part of the problem with losing spaces is the roundabout would cut into where the apartments are.

Mr. Preston said it is in the best interest to install the roundabout.

MOTION was made by Vice Chair Miller and seconded by Mr. Ganz to approve Option 1A.

Roll call: YEAS: Mr. Ganz, Mr. Preston, Mr. Rosenzweig, Vice Chair Miller and Chair Robb. NAYS: None.

GENERAL ITEMS - CONTINUED

ITEM 2 DIGITAL TIME STAMP: 7:01:14

Presentation of preliminary Sullivan Park Master Plan concepts

Kris Mory, Interim CRA Director, said that at the last CRA meeting, Bermello Ajamil & Partners provided a presentation of Sullivan Park and tonight is the follow up. She further stated that the public was informed and there will be a public meeting on Thursday, August 29th for input.

Randy Hollingworth, Director of Planning & Landscape Architecture at Bermello Ajamil, 2601 S. Bayshore, Miami, briefly outlined what the presentation will consist of; thereafter, he briefly outlined the previous presentation, ULI Options, site visit in July, opportunities and constraints, a site aerial and others.

Site Constraints - Mr. Hollingworth outlined the DOT right-of-way, which appears to be a part of park property; however, to use it, there must be an agreement with the City and DOT. He outlined constraints for maintaining the existing trees. He said that the right-of-way, which is the existing Riverview Road, is approximately 11,000 square feet and can be used for park space by removing the road.

Site Opportunities - Mr. Hollingworth commented on the use of the right-of-ways to increase the green space for park use. He explained that there will also be a vertical connection at the top of the bridge, a connection from the park's lower area to gain access from across the bridge to the beach. Additionally, the design also allows for a connection underneath the bridge from the park to the Cove Shopping Center.

Andrew Maurodis, City Attorney, advised that is a constraint, as title issues are in the process of being worked out.

Site Opportunities - Mr. Hollingworth continued outlining the site opportunities, to include panoramic views, a marina opportunity and the existing trees that create a sense of environment.

Marine Options - Mr. Hollingworth outlined the boat parking options; which marginal dock allows 6-7 boats, and the second option; finger piers, allows for a maximum of 13 slips possible. Notwithstanding, the dock referenced is the existing County dock that has been retained in all the options.

Program Components - Mr. Hollingworth outlined key components to the project: marina, interactive water feature, open play areas that can be incorporated into the park; nevertheless, they are interchangeable.

Concept Plans - Mr. Hollingworth said that Concept #1 maintains the existing entry drive for Riverview Road, which extends into the park and allows access to the residential area, the parking area has been increased; the western edge is the same but is extended eastward and southward into the DOT right-of-way. This option provides for 66 parking spaces, which is substantial; however, the shuffle board courts and existing

GENERAL ITEMS - CONTINUED

bathrooms were removed. There is also a drop-off, but no parking in this area; it is easy access to the marina, park, etc. He said that a restroom facility and picnic shelter are included; additionally, an interactive water feature is placed between the restroom building and waterfront that becomes a focus at the park for kids to play during the day and at night, and becomes a light feature for people to walk through the park. Consequently, there are two (2) playgrounds, for younger and older children, which include a solid tent like structure for shade protection. This concept also provides finger piers; as a marina, which can be interchanged. A tower will be developed to allow access from the park, up the hill to the top and onto Hillsboro Boulevard, as well as, pedestrian access that continues under the bridge and into the Cove Shopping Center that is a waterfront promenade that extends around the entire waterfront of the project.

Concept 1 Vehicular Circulation - Mr. Hollingworth highlighted vehicle circulation with cars using the drop-off and the turnaround with a second drop-off. If the DOT right-of-way were removed, there would still be a full circulating parking lot; although there would be fewer cars, there is still the opportunity to drop-off and go back out.

Concept 1 Detail Program - Mr. Hollingworth outlined all components of the design at the waterfront; finger piers, waterfront promenade, playground/shade structure, picnic shelter, restrooms, interactive water feature surrounded by shade structures. He outlined that this reflects the old historic character of Riverview Road, which was a bridge that went right over the Intracoastal. Although cars cannot drive thru, the visual corridor has been maintained to the waterfront. He explained that the areas will be open space, open play, non structured recreation; thus, a lot of green space; as well as a walkway that connects from the drop-off to the marina.

Mr. Hollingworth further commented on the interactive water feature that attracts people from various areas because it offers children an opportunity to get wet in the summer without the use of a pool. The playground area has the potential for a full canopy over the structure so it is completely shaded. He also outlined the restroom, picnic, pavilion and the various access methods; to the playground, to the marina or Cove Shopping Center. He said that the entire park is focused on the interactive water feature.

Concept 2 - Master Plan Concept - Mr. Hollingworth said that this concept provides for a similar parking configuration; maintained roadway on the north side, Riverview Road stays the same, no parking on road, strictly dedicated access into residential area. He said that there are 74 parking spaces; instead of having the drop-off, additional handicap spaces are added; however, the parking goes further into the park and allows closer access to the water. Unfortunately, since the park is hidden, there is a concern about people feeling comfortable and safe which is an important part of this concept. The drop-off is also at the end. Due to the fire department's regulations, the restroom cannot be more than 50 feet from the parking lot; as well as a surface area for fire trucks to drive onto. He continued to highlight features of Concept #2; picnic shelter combined with restrooms to serve the open play space and the restroom to the north; marginal docks, that can be interchanged for finger piers. In closing, Mr. Hollingworth said that the playground is in the DOT right-of-way; however, there is space to move them; but he would rather keep the playgrounds away from the water's edge. There is

GENERAL ITEMS - CONTINUED

also a vertical connection to the park and Hillsboro Boulevard, a stair structure, which would transition people from the park to the beach, as well as pedestrian access to the Cove Shopping Center. He outlined the shading options for the playgrounds.

Ron Coddington, 501 NE 6th Avenue, Deerfield Beach, said that the City's Land Development Code 98-87 would require a variance for vessel parking, which is not parallel. Also, finger piers cannot interfere with navigational waterways. He commented on commercial usage and who will use the marina. He objected to the water feature, and recommended kayaks and stand up paddle boards.

Rita Masi, 349 NE 19th Avenue, Deerfield Beach, said it would be advantageous to have a bait shop to rent out fishing poles like at the pier. She further suggested bike paths since they were not shown in the concepts. Lastly, she asked about kayak rentals and a facility for dive boats.

Vice Chair Miller said that it is still there.

Marge Hilton 1101 SE 5th Court, Deerfield Beach, favored Concept #1, but to the water feature.

Steve Scaggs, 1754 SE 3rd Court, Deerfield Beach, said that both concepts are good; he applauded the additional parking as that is always an issue. He said he likes the playground as it encourages families; moreover, it is imperative to keep the stairs leading to the bridge to allow beach access.

Leann Kenny, 532 NE 8th Avenue, Deerfield Beach, favored both options. However, she expressed concerns with kayaking and stand up paddle boarding due to the number of bull sharks in the area. She asked if the City would be liable for the activity or if it would be leased to an outside entity.

Andrew Maurodis, City Attorney, said he is unsure at this point, but if anyone leased a kayak they would have to sign a liability waiver accepting the risk. Although this is not a part of the plan at this point, the City would take every precaution.

Vice Chair Miller said that there will not be any private enterprises to rent, selling, etc.

Caryl Berner, 3130 Cambridge F, Deerfield Beach, said that seven (7) boat slips is not enough. Also, she said Pompano's redesigned beach has a water feature and it is great for children. She further commented on walking to the beach, whereby, the City would be losing money on parking revenue.

Mike O'Leary, Blue Water, 1755 SE 3rd Court, favored Concept #1 and said that the water feature is a great addition to the park; as it would encourage other residents from other areas or part of the City to come and enjoy the park. He said parking is paramount; there are still people parking at the Cove and walking over the bridge to go to the beach, which puts the stores at a disadvantage. Lastly, he said that finger piers facilitate tourism and increase patronage.

GENERAL ITEMS - CONTINUED

Jim Mathie, 1307 SE 14th Avenue, also favored both concepts. He suggested blending the water feature from Concept 1 and the dock access from Concept 2. Thereafter, Mr. Mathie commented on the historical significance of the property; once being a fish house and then becoming a gambling house. He also commented on the difficulty with navigating finger docks because of the current from the Hillsboro River. Lastly, he suggested there be floating docks because they provide flexibility of tide rising or falling as well as the availability of using kayaks and stand up paddle boards.

Jim Lusk, 204 NE 8th Terrace, Deerfield Beach, said both concepts are great, but asked for a provision to allow internet connection. He said that Comcast agreed to donate cable while construction was ongoing if the City ran a cable from a common outlet to stream the footage.

Frank Kenny, 532 NE 8th Avenue, Deerfield Beach, said that after heavy rains and the gates at Military to the Hillsboro River are opened, at the change of tide, there is an extreme waterfall which would make it difficult for boat dockage. He asked what the width of the parallel boat dock is.

Mr. Hollingworth replied 8 to 10 feet, but it is flexible and has not been decided.

Mr. Kenny asked why the dock cannot be wrapped around to the southern end of Sullivan Park; then designates each end for specific tasks.

Mr. Hollingworth said the docks shown here are fixed docks because the fluctuation of the water levels is not that great and they are thinking of a way to accommodate for kayaks and paddle boats to dedicate areas adjacent to the fixed docks with floating docks that would go up and down. The entire dock will not be dedicated to floating docks as it would require longer docks; furthermore, the width of walkway has not been determined. He said that new docks cannot be placed in a certain area because you have to be 100 feet away from the waterways. Additionally, you cannot wrap a marina around the entire site as it is not permitted because of the close proximity to the Intracoastal. Additionally, Mr. Hollingworth said that there will be a historical monument/art, but the actual feature has not been determined.

Mr. Ganz asked if the docking included non-motorized sports.

Mr. Hollingworth replied that they will not permit docks because you cannot control who will come in. Also, it is for day users; whereas, if you install a dock, people will try to park their motor boats there. Nevertheless, he would check into the permitting; but the issue is the docking facility and not the dock use.

Vice Chair Miller said he likes the idea of the floating docks and agreed with Concept #1. He further agreed that the water feature will draw attention to the park at night when it is transformed into a light feature. Concept #2, he objected to the extra parking, as he prefers green space rather than parking; however, there could be merit to a hybrid between 1 and 2, if possible as parking is always needed. Vice Chair Miller also favored the extra slips, but stated with a current, backing into a slip can be a nightmare

GENERAL ITEMS - CONTINUED

especially for an inexperienced boater. He commented on how the water feature would attract other families from the west portion of the City. He said it may be wise to install the parallel boat slips.

Mr. Rosenzweig asked if the park would be open at night.

Mr. Hollingworth said that would be up to the City. When the concept was first introduced, the idea was to provide a place for people who were going to dinner at the Cove to walk over to the park after dinner and have a waterfront promenade being lit up and safe, along with a water feature. The idea was to attract a passive crowd at night.

Mr. Rosenzweig said his concern is security; therefore, he asked to limit the parking time to allow for circulation through the park instead of having people park there all day. He also recommended safety features for the playground area. Lastly, Mr. Rosenzweig asked if the structures are movable in case there was a major storm.

Mr. Hollingworth said the canopies are designed to a certain wind speed; and in severe hurricanes, canopies are removed. The problem with a solid structure is that they are cumbersome; but with no canopy, it is hot, and the use of tree shade or fabric structure is used.

Mr. Preston said Concept #1 is more family friendly, and allows parents to go out with their kids. He said he agrees with finger piers because it is easier to move forward and back.

Vice Chair Miller asked if the platform can be floating.

Mr. Hollingworth said they do not have to be fixed docks, but can be floating. He further explained that there is a setback distance off the waterway; therefore, you have to be careful with the length of the piers; they are trying to keep piers as short as possible. Notwithstanding, the City's Code does not allow finger piers.

It was the consensus of the Board to wait until the public input session is held before the Board makes their decision.

ITEM 3 DIGITAL TIME STAMP: 7:48:32

CRA Resolution 2013/012 - A Resolution of the Community Redevelopment Agency of the City of Deerfield Beach, Florida, approving Admiral Building Associates LTD. request for commercial façade improvement grant funding for 1645 SE 3rd Court for an amount not to exceed $20,254.

The Resolution was read by title only.

Kris Mory, Interim CRA Director, explained the commercial façade program, which funds are set aside to encourage private property owners to invest in the improvement

GENERAL ITEMS - CONTINUED

of their façade. Those who have taken advantage of the program are Two Georges at the Cove, USA Deerfield Parking, Antilla Plaza, where Billabong is located and Antilla Plaza II. The most recent applicant was KMJ Development.

In response to Chair Robb's comment, Ms. Mory said that there is a formula that determines what property qualifies; it's $200 per linear foot for the first floor and $150 per linear foot for the second floor. The applicant tonight has such a large building that they would qualify for more than the program maximum, $100,000. Their improvement is not that expensive; therefore, the request is for $20,254.00. She also explained that the agreement is structured as a forgivable loan over five (5) years, whereby, it protects the public's funds from a windfall profit. In year one, if the applicant was to sell the property, they would have to reimburse the CRA 100% of funds contributed, and decreases each year thereafter.

MOTION was made by Mr. Ganz and seconded by Vice Chair Miller to approve Item 3, adopted CRA Resolution 2013/012.

Roll Call: Mr. Ganz, Mr. Preston, Mr. Rosenzweig, Vice Chair Miller and Chair Robb. NAYS: None.

ITEM 4 DIGITAL TIME STAMP: 7:52:07

CRA Resolution 2013/013 - A Resolution of the Community Redevelopment Agency of the City of Deerfield Beach, Florida, approving an Interlocal Agreement between the City of Deerfield Beach and the Deerfield Beach Community Redevelopment Agency for the redevelopment of a portion of Sullivan Park; and authorizing the execution of the Interlocal Agreement.

The Resolution was read by title only.

Andrew Maurodis, City Attorney, said that this item is ministerial, allowing the CRA to conduct improvements on City property.

MOTION was made by Mr. Ganz and seconded by Vice Chair Miller to approve Item 4, adopted CRA Resolution 2013/013.

Roll Call: Mr. Ganz, Mr. Preston, Mr. Rosenzweig, Vice Chair Miller and Chair Robb. NAYS: None.

GENERAL ITEMS - CONTINUED

ITEM 5 DIGITAL TIME STAMP: 7:52:44

CRA Resolution 2013/015 - A Resolution of the Community Redevelopment Agency of the City of Deerfield Beach, Florida, approving an Interlocal Agreement between the City of Deerfield Beach and the Deerfield Beach Community Redevelopment Agency for administration of the CRA: and authorizing the execution of the Interlocal Agreement.

Andrew Maurodis, City Attorney, said that the agreement has been amended and asked that it be approved based on his changes. This is an operating agreement for which he is recommending approval by the Board.

MOTION was made by Mr. Rosenzweig and seconded by Vice Chair Miller to approve Item 5, adopted CRA Resolution 2013/015 as amended.

Roll Call: Mr. Ganz, Mr. Preston, Mr. Rosenzweig, Vice Chair Miller and Chair Robb. NAYS: None.

ITEM 6 DIGITAL TIME STAMP: 7:53:23

CRA Resolution 2013/ - A Resolution of the Community Redevelopment Agency of the City of Deerfield Beach to request a binding estimate from FPL for the conversion of overhead electric distribution facilities to underground along A1A (SE 3rd Street to NE 7th Street)

The Resolution was read by title only.

Keven Klopp, Assistant City Manager, outlined Item 6, improvements for the A1A project.

Quick Summary - Mr. Klopp said that there was a PD&E Study; in 2011, there were concepts. In 2012, the Federal Highway Administration approved the locally preferred alternative. He said that construction of the project is not funded; however, this is a long term plan. Currently, the engineering design is funded and the construction documents will be prepared. He explained that this project is similar to the Dixie Highway Flyover whereby, the plan was on the books for a number of years and when funding became available, construction began. However, the design includes widening intersections, adding turn lanes, signalized intersections, lighting, bike paths and sidewalks.

Undergrounding Utilities on A1A - Mr. Klopp said undergrounding was not discussed during the PD&E Study, but is a local choice and the question is whether the overhead utilities should be placed underground while it is being designed. He said that FP&L is requesting a deposit of $5,353 for a detailed design. FP&L has provided a ball park estimate for their services of $800,000, as well additional costs. He said that there will not be any state or federal funding for undergrounding utilities, but possibly local

GENERAL ITEMS - CONTINUED

funding. He further explained the process for underground utilities and obtaining easements; however, we the Board cannot acquire the easements until Staff knows what FP&L's design requires. If the Board decides to commit, the fee has to be paid so they can provide a more detailed design.

Continuing, Mr. Klopp outlined the pros and cons for undergrounding: pros include attractive aesthetics for tourism, not having poles along the right-of-way and it may liberate the engineering design and allow sidewalks to go straight instead of bending around the poles. Lastly, it is less susceptible to outages caused by wind during a storm. The cons include the cost, as no state or federal funding may be received, the project is challenging, obtaining the easements, finding out how to do the construction with all the overhead utilities running on a wire to the individual properties and businesses, which would have to be underground. Finally, although it is less susceptible to outages, if there is a problem during the storm, it takes longer to recover after a storm.

Thereafter, Mr. Klopp provided photos of the area with overhead lines and the area with no overhead lines

Seeking Policy Direction - Mr. Klopp provided possible choices for the Board's consideration: 1) direct staff not to pursue undergrounding of utilities; 2) indicate support for undergrounding, but do not fund the FP&L deposit yet as it can be paid later; 3) direct staff to continue pursuing undergrounding and authorize the FP&L deposit, which gets more attention from FP&L and allows Staff to obtain better information in terms of where the easements are; and lastly, 4) take no action at this time and request additional information.

Mr. Ganz said that he supports underground utilities, but does not support funding it at this time. He said that he would like more information, but supports staff looking into it.

Vice Chair Miller said aesthetically it is better and less prone to hurricane outages. However, it is a large project; therefore, he was hoping the project would come in much sooner as opposed to the Dixie Highway Flyover. He asked if funds were available from CRA.

Mr. Klopp replied that there would be funds available for the deposit; however, if the Board approves, the funds could be paid later.

Mr. Rosenzweig said he would like to do the initial study and over time look for ways to improve the area for flooding.

Mr. Preston said the Board should consider leaving it as is, because cost is a factor.

Chair Robb said that she has seen five (5) hurricanes and if wiring is underground, it is harder to get to when there is flooding. She recommended not doing anything at this time; as it is not affordable.

GENERAL ITEMS - CONTINUED

Mr. Rosenzweig asked what the time frame is if the deposit is paid.

Mr. Klopp said that once the design is in, they will provide the hard cost, which is good for 180 days; thereafter, the cost would be updated. If it takes three (3) years to obtain funding, FP&L would update the cost, as they will not guarantee the cost past 180 days. If the design is not done now, that price may also increase.

Mr. Ganz said that the design only gives the Board a more refined price, but either way, the cost is tremendous. He suggested having FP&L work on the appearance of their poles that are currently in the area. He further recommended that the Board not move forward at this time.

It was the consensus of the Board to not move forward at this time.

ITEM 7 DIGITAL TIME STAMP: 8:07:45

CRA Resolution 2013/015 - A Resolution of the Community Redevelopment Agency of the City of Deerfield Beach, Florida, adopting the Fiscal Year 2013-2014 Budget.

The Resolution was read by title only.

Chair Robb asked why the CRA is paying 25% of the City Manager's salary, the Assistant City Manager, and Assistant (Deputy) City Clerk salary and how it is calculated.

Burgess Hanson, City Manager, said that in reviewing the CRA budget, the Assistant City Manager was once funded wholly from the CRA, as well as Kris Mory, as CRA Coordinator. At this time, the CRA has not been appointed a permanent director, which is why the 25% was inputted. The Assistant (Deputy) City Clerk is included because she handles all the meetings for CRA, and the City Clerk focuses more on the City Commission and has very little interaction with CRA. Keven Klopp, Assistant City Manager, also deals a lot with the capital projects and intergovernmental relations for the CRA.

Chair Robb commented on other cities that have CRA's. For instance, Pompano Beach does not pay any city employees from the CRA. And Hallandale has a cost basis allocation, which establishes a percent of the total amount to be paid. The City of Fort Lauderdale has a service agreement codified and independent of the City and they pay indirectly for service charges, but does not pay anyone's salary. Additionally, Chair Robb commented on changes from the 2012/2013 FY Budget whereby, the Assistant City Manager was also the CRA Director. She said that this past year, his salary was entirely paid by the General Fund. Her contention is that as the CRA Director, he should only be the CRA Director. Also, since much of the City's budget goes to BSO for police and fire, the City Manager may not need an Assistant City Manager. She said during the budget, she will propose the Assistant City Manager go back to just being the CRA Director. She outlined the progression of the CRA Director to Assistant City

GENERAL ITEMS - CONTINUED

Manager; 2009 - CRA Director, 2010 - CRA Director/Assistant City Manager. Notwithstanding, his contract is approximately $200,000 based on salary and benefits and could go back to the General Fund. She said salaries for City Staff should not be paid from the CRA, as those funds are meant for brick and mortar.

Mr. Ganz said that if City Staff is used for CRA purposes, then the CRA should pay for it. He said if it were another entity using City Staff, they would have to pay and in essence that is what is happening. He said it does not make sense to further burden the General Fund, when, for example, the Assistant (Deputy) City Clerk handles the CRA meetings and should be compensated by the CRA.

Chair Robb suggested that the CRA adopt the same procedure as Fort Lauderdale, pay the person who is doing the work, but not paying part of the salary. She said she does not mind paying for Staff time; however, it should be allocated from the CRA's budget and not as part of a salary.

Kris Mory, Interim CRA Director, said that in the salary line item, the budget calculates what they believe Staff's workload will be for the year.

Chair Robb asked when Ms. Mory became the Acting CRA Director.

Ms. Mory replied November last year.

Chair Robb said that Mr. Klopp was still under contract as the CRA Director and there should not have been an acting CRA Director.

Ms. Mory said the Board took final action for it to happen. Additionally, she reiterated how the budget was calculated; whereby, a certain amount of funds are set aside to pay for the workload. She explained that staff has to submit timesheets every pay period; thus, if the person does not work that percentage, they are not paid. During the last fiscal year, funds were budgeted for a CRA Director, but no one was hired at a director's salary. Although $20,000 was budgeted for the position, since the funds were not used, it will be rolled back into the new budget.

Andrew Maurodis, City Attorney, said the key point is that there will be timesheets to document the percentages.

Chair Robb said that she would like to see them from last year.

The following individuals commented on the CRA Budget:

1) Leann Kenny, 532 NE 8th Avenue, Deerfield Beach

2) Ron Coddington, 501 NE 6th Avenue, Deerfield Beach

3) James Benefield 533 NW 3rd Way, Deerfield Beach

GENERAL ITEMS - CONTINUED

4) Caryl Berner, 3130 Cambridge F, Deerfield Beach

5) Rita Masi, 349 NE 19th Avenue, Deerfield Beach

6) Sandra Jackson, 386 SW 35th Avenue, Deerfield Beach

Chair Robb said that the $200,000 figure she commented on includes all the benefits that Mr. Klopp receives as an Assistant City Manager, which were not part of the original 2009 contract. Everything changed in 2010 when he received a contract to do both jobs, CRA Director and Assistant City Manager.

In response to Sandra Jackson's question, Mr. Maurodis said that he approved Mr. Klopp's contract for legality.

MOTION was made by Mr. Ganz and seconded by Vice Chair Miller to approve the FY 2013/2014 CRA Budget as submitted.

Mr. Preston said that there are issues that need to be discussed. Whenever there is dissension with the public, the Board is responsible for bringing about clarity. He said if the budget is passed as recommended, it further isolates the public from the Board.

Chair Robb asked if the budget is passed, can it be amended on September 3rd.

Mr. Maurodis replied that you can do amendments to the CRA Budget; however, adopting the budget allows use of tax increment funds.

Chair Robb asked if the salaries can be taken out.

Mr. Maurodis replied that this is allotted for services and if documentation does not indicate that 25% was accrued.

Chair Robb asked who will pay the money if staff does not meet their time.

Mr. Maurodis replied the City. Additionally, if the budget is not passed, every project stops and the CRA cannot spend any money. He explained that the money does not go back to the tax payers, but back to Broward County.

Vice Chair Miller said that the budget needs to be passed now, but can be amended if needed. He further stated that if they are spending less than the 25%, then it will be more money in the budget, but the Board must move forward to keep the projects going. Consequently, budgets are calculated on educated estimates and if there were not good ways to analyze it in the past, there will be better ways in the future.

Mr. Ganz also recommended moving forward as the issues that Chair Robb has will likely be dealt with during the City's budget.

GENERAL ITEMS - CONTINUED

Chair Robb said the City of Fort Lauderdale has an indirect service charge; the person is paid when the person's assistance is requested. She said she would prefer that there be a service pool of money and when they are needed, they submit a bill.

Mr. Ganz said that the way it is set up, the CRA Director answers to the City Manager, which is how it was put forward.

Chair Robb reiterated her suggestion to create a service pool of money and submit a bill on the time they spend.

Burgess Hanson, City Manager, said that in 2009, the City organization was arranged as follows: City Manager salary $177,000, Assistant City Manager salary $140,000 plus $30,000 for travel; and a CRA Director. In 2010, as Interim City Manager, Staff discussed having an assistant city manager for succession; they decided to allow Mr. Klopp to become both CRA and Assistant City Manager, which called for less funding, even though Mr. Klopp was being paid significantly less than the previous assistant city manager. However, a year ago, the City Commission wanted to see more economic development in the City, outside of the CRA; to accomplish that, Mr. Klopp was moved out of the CRA to focus on economic development, Code Enforcement and other matters. He commented on other cities of similar demographic having an assistant city manager.

Mr. Rosenzweig said that 25% is set aside and their timesheets will show that if they do not invest that time, they are not paid that amount.

There was a brief discussion between Chair Robb and Mr. Rosenzweig about how the time for City Staff would be calculated and whether 25% would be paid from CRA without regard for the amount of time spent on CRA duties.

Roll Call: Mr. Ganz, Mr. Preston, Mr. Rosenzweig and Vice Chair Miller. NAYS: Chair Robb

BOARD/ADMINISTRATION COMMENTS

Expense Report - Kris Mory, Interim CRA Director, said that no funds were spent this month.

PUBLIC INPUT

No comments.

ADJOURNMENT:

There being no further business, the meeting adjourned at 8:45 p.m.

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JEAN M. ROBB, CRA CHAIR

ATTEST:

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SAMANTHA GILLYARD, CMC, ACTING CITY CLERK