

**MINUTES OF THE COMMUNITY REDEVELOPMENT AGENCY BOARD MEETING
HELD ON TUESDAY, JULY 13, 2010 AT 6:30 PM
IN CITY COMMISSION CHAMBERS, BOYNTON BEACH, FL 33435**

PRESENT:

Jose Rodriguez, Chair
Marlene Ross, Vice Chair
Bill Orlove
Woodrow Hay
Steve Holzman

Lisa Bright, Executive Director
Shana Bridgeman, Board Attorney

I. Call to Order - Chairman Jose Rodriguez

The meeting was called to order at 6:30 p.m.

II. Pledge to the Flag and Invocation

Chair Rodriguez gave the invocation. Mr. Orlove led the Pledge of Allegiance to the Flag.

III. Roll Call

Attendance was taken and noted above.

IV. Agenda Approval:

A. Additions, Deletions, Corrections to the Agenda

Chair Rodriguez explained over the last month or so there had been a lot of challenges that encompassed this Board such as challenges with citizens, with lawsuits and a public records request that has concerned them. He advised they have an obligation to address those items and as Mayor and the Chair, he felt it was important to do so, but he felt there was a time and a place to do so. He proposed calling a special meeting next Tuesday before the City Commission meeting at 6 p.m. to only address those issues so the Board could move on and rebuild the City. He explained there were items on the agenda that related to them. He suggested pulling those items and adding them on the special meeting agenda. He commented there was a long agenda and he proposed focusing on the positive items at this meeting and next Tuesday, take on those challenging issues they were presented with.

Mr. Orlove agreed but noted there was a Commission workshop scheduled from 1-5 p.m. He inquired if they could address the matter before the workshop. Chair Rodriguez

commented that the community would not be able to attend at that time. Mr. Orlove thought they would need more time. Mr. Hay agreed that 30 minutes may not be enough time. He suggested 5:30 p.m.

Shana Bridgeman, Board Attorney clarified that the City Commission meeting was advertised for 6:30 p.m. An acknowledgement would have to be made at 6:30 p.m. that they were continuing to discuss the previous matter and the City Commission meeting would commence after the discussion concluded.

There was consensus to meet at 6 p.m. Vice Chair Ross inquired which items would be moved to the special meeting.

These were Consent Agenda items N, and items D and F under Executive Director's Report.

Motion

Mr. Hay moved to move those 3 items to the special meeting on July 20, 2010 at 6 p.m. Mr. Orlove seconded the motion. The motion passed.

Chair Rodriguez requested if there were any other items to be pulled from the agenda.

Vice Chair Ross pulled Consent Agenda Items K and M.

Mr. Orlove pulled Consent Agenda Item J.

Mr. Hay pulled Consent Agenda Item I.

Mr. Holzman pulled Consent Agenda Items E, F, and G.

Chair Rodriguez added "Consultant Redevelopment Agreement for the Old High School as New Business Item C,

Chair Rodriguez added the City's Human Resources Proposal for Services as New Business Item D.

Chair Rodriguez requested adding a general discussion of 500 Ocean Avenue as New Business Item E.

B. Adoption of Agenda

Motion

Mr. Holzman moved to approve the agenda as amended. Mr. Orlove seconded the motion that unanimously passed.

V. Informational Items by Board Members & CRA Attorney

Mr. Holzman congratulated the Community Redevelopment Agency staff on a great 4th of July celebration. In spite of the rain, the event was packed. He hoped next year to have better weather.

Mr. Hay also congratulated staff on the same. He commended them for the meeting held last night with members of the community. It provided positive insight regarding the work of the Community Redevelopment Agency and he heard positive comments from the community regarding staff's presentation. It was informative and enlightening. The community often was not aware of what would occur behind the scenes.

Mr. Orlove commended staff on the Independence Day event and the great fireworks.

Vice Chair Ross thought the 4th of July was wonderful. She thanked Ms. Brooks for the presentation made at the community meeting the night before and agreed it was very helpful. She also attended the TED Center Graduation for Class No. 2 and reported it was great to be there, issue the certificates to the graduates and hear the testimonials. She noted some graduates were planning to start a business. Vice Chair Ross also attended a Woman's Conference at St. John Missionary Baptist Church and was invited to speak at the church service. The conference, which was the first one, was a huge success and she hoped it was the first of many.

Chair Rodriguez apologized and requested a motion to pull Consent Agenda Item B, Approval of the Financial Report for the period ended June 30, 2010.

Motion

Mr. Holzman so moved. Mr. Hay seconded the motion. The motion passed.

VI. Announcements & Awards:

- A. Eastside Business to Business Expo – Wed., July 28, 2010 at Benvenuto Caterestaurant

Kathy Biscuiti, Special Events Director, explained it was the summer season and staff was cognizant the east side businesses slow down. Staff was partnering with the Chamber of Commerce and the City to have an event to highlight them. This year, the event would be called the "East Side Business to Business Expo." It would be held Wednesday, July 28th at Benvenuto from 5:30 to 7:30 p.m. Businesses could purchase a booth for \$100, which was a fair price for this type of event, and attendees would pay \$10. Food vendors would be on site. The last time they held the event, the participants were very pleased. It provided for a great exchange for the businesses.

Lisa Bright, Executive Director, announced the Business Development Board was holding a special breakfast. There would be a moderated panel and she was a guest speaker. The event would be held in Palm Beach Gardens at 7:30 a.m. on July 22, 2010. She requested members interested in attending let her know and she would make reservations.

VII. Consent Agenda:

- A. Approval of Minutes - CRA Board Meeting June 8, 2010
- B. Approval of Period Ended June 30, 2010 Financial Report

This item was pulled by Chair Rodriguez.

- C. Approval of Commercial Façade Grant to FSB-Fashion Shoppe Boutique, Inc.
- D. Approval of Business Signage Grant to SGVK, Inc. d/b/a Boynton Realty
- E. Approval of Commercial Rent Subsidy Grant to Modernizing Medicine, Inc.

This item was pulled by Mr. Holzman.

- F. Approval of Commercial Interior Build-out Grant to Modernizing Medicine, Inc.

This item was pulled by Mr. Holzman.

- G. Approval of Annual Back to School Community Health & Resource Fair

This item was pulled by Mr. Holzman.

- H. Approval of Agreement with Gadson & Ravitz for the Amphitheatre Public Art Element
- I. Approval of Six-month Lease for CRA Office

This item was pulled by Mr. Hay.

- J. Approval of Budget Workshop Date

This item was pulled by Mr. Orlove.

- K. Procurement Purchase Orders

This item was pulled by Vice Chair Ross.

- L. Approval of Community Meeting Grant to Timothy FL202 Chapter of the International Masons and Eastern Star
- M. Approval of Funding the Community Family Reunion in the Park

This item was pulled by Vice Chair Ross.

- N. Approval of Legal Bills Related to CRA Staff Investigations

This item was moved to the Special Meeting on July 20, 2010 by motion of the Board.

VIII. Pulled Consent Agenda Items

- B. Approval of Period Ended June 30, 2010 Financial Report

Chair Rodriguez explained on June 15, 2010 he emailed the Executive Director requesting what line items may have any leftover funds. Two were noted which were the General Fund would have \$100,000 in contingency, and the Project Fund Economic Development had \$50,000 in Direct Incentive Funding. He inquired where those funds were listed on the financials. He also inquired if the updated budget Ms. Bright agreed to supply was the information in the Board packet. Ms. Harris responded it was not. She pointed out where the above referenced line items were and she agreed to provide the year-to-date budget up to June 15, 2010 to Chair Rodriguez. In addition to the above referenced line items, she identified the following line items which also may have funds remaining:

Ms. Harris first prefaced her comments that the Community Redevelopment Agency received the Tax Increment Financing true-up for 2009 from the Property Appraiser's Office. The true-up came in at 3% instead of 2.5% which was a \$57,000 deficit in the Revenue Line. She asked her review of the line item for excess funds be tempered against the deficit.

General Fund Insurance would be under by approximately \$16,000. She suggested waiting awhile with these funds due to the marina redevelopment. The slips were improved and the insurance company was reassessing the amount. She believed she factored an increase into the renovation, but once the policies were received she would know for sure.

Professional Services This line item may be under by about \$50,000 mainly due to not having to pay some legal services and professional contracts that would not be used or not used to their full extent.

Buildings and Grounds. There was a hurricane contingency fund of \$50,000 and she backed out \$25,000. There may be excess there.

Project Fund. This line item was revised several times. They had to make a budget amendment for the 4th Street improvements and they added funds for four or five projects the Board approved. They may have about \$25,000 remaining.

Chair Rodriguez tallied the amount and after considering the variables there could be about \$59,000 left over.

Motion

Mr. Holzman moved to approve. Mr. Hay seconded the motion that unanimously passed.

- E. Approval of Commercial Rent Subsidy Grant to Modernizing Medicine, Inc.

Mr. Holzman explained items E and F were similar and he noted some of the other packets provided pictures with signage and some did not. He inquired about the signage.

Vivian Brooks, Assistant Director, explained they did not apply for signage. It may have been inadvertently listed, but it was a separate application.

Motion

Mr. Holzman moved to approve. Vice Chair Ross seconded the motion. The motion passed.

- F. Approval of Commercial Interior Build-out Grant to Modernizing Medicine, Inc.

Mr. Holzman explained this was the same as the other item. There was no further discussion of it.

Motion

Mr. Holzman moved to approve. Vice Chair Ross seconded the motion. The motion passed.

- G. Approval of Annual Back to School Community Health & Resource Fair

Mr. Hay recused himself from this item and declared he would directly be positively affected by the decision as he was on the Board of Directors. Mr. Hay stepped down from the dais at 7:00 p.m.

It was noted Items G and M would be heard together.

Mr. Holzman had no issues with the items but wanted to allow Mr. Hay to recuse himself.

Chair Rodriguez commented St. John Missionary Baptist Church did a great job supporting people. One request was for \$1,000 and the other was for \$12,000. He noted the item did not disclose who else was contributing to the event and what the total project budget was. It appeared to him that the Community Redevelopment Agency was funding the entire event and he requested they receive additional information from the Church on the total budget and who else may contribute to the \$13,000 that the Community Redevelopment Agency would fund.

Ms. Bright clarified the Board assisted with item G last year, as it was part of their youth Back-to-School Program with the Police. This was the first request for the community event because it was always held in Lake Worth.

Reverend Dixon, 6250 Palm Trace Landings Drive, Davie, explained the overall budget for the Family Reunion in the Park was upwards of \$16,000 or \$17,000. The other commitments were coming from the Church, the congregation, and other solicitations. They entertained partnering with the Community Redevelopment Agency because the event would take place in the Heart of Boynton. Based on the event last year, they anticipated a large turnout and thought the event would be beneficial to both the Community Redevelopment Agency and the Church.

In the past, other municipalities had not contributed to the Reunion; however, they anticipated citizens from other cities would attend. He emphasized the focus of the event this year was on Boynton Beach.

The \$1,000 for the Back-to-School event would be taken from the General Fund Event line item. The recommendation she made for the Community Family Day would be to fund it from the designated Heart of Boynton funds that were pledged by the Community Committee to be spent in the Heart of Boynton. Ms. Bright explained there was an outpouring from the Church community for the event. Consequently it was funded because it had a direct impact on the community. It was in a manner similar to the Florida Fishing Academy. The total budget for the Back-to-School event was \$5,577.

Chair Rodriguez thought it would be more appropriate to match the contribution from the Church.

Vice Chair Ross commented the letter came from Reverend Chaney and it would be beneficial if he could address it and provide the actual budget. Mr. Dixon explained they budgeted \$16,000 to hold the event successfully. If the Board would meet them halfway and fund \$8,000, it would be a true partnership. Last year they ended up spending

more money because they were unprepared for the large turnout and they had to pay for several items retroactively.

Chair Rodriguez suggested matching the Church's contribution and the Church reach out to other cities and communities that would participate in the event. The event would be funded from a line item that had \$326,000 remaining in the Heart of Boynton Strategies/Implementation line item from May of 2009. The funds had to spent in the Heart of Boynton.

Ms. Bright and Vice Chair Ross noted that activity was an excellent comparison to the Florida Fishing Academy, which the Community Redevelopment Agency funded. Chair Rodriguez thought it was funded because it was an ongoing community-wide project. Ms. Harris clarified there was \$300,000 encumbered for specific areas. There was \$1.6 million encumbered for Heart of Boynton strategies, as was directed by the Board at the recommendation of the Community Committee. Some of the funds were used for property acquisition, some were nuisance properties, some pertained to revitalization and some for community events. Staff did; however, utilize the funds to acquire properties in the Heart of Boynton.

Chair Rodriguez felt the funds should be used in a manner so as to receive the biggest impact for the dollar and he supported only matching the contribution. The funds were allocated in 2008 by Auburn Development for the redevelopment of the area. In March of 2009, when the Board motioned to drop negotiations for MLK Boulevard, the stipulation was to create a Community Committee to develop strategies within the Heart of Boynton to expend the monies. Last June or July, the funds were completely designated for any activity within the Heart of Boynton. The funds had not been supplemented; rather, the funds were rolled over. Mr. Holzman agreed with Chair Rodriguez to match the Church's contribution to the event, but felt decreasing blight in the community and continuing those efforts was important.

Reverend Dixon explained if the Board only matched their contribution, they would step up their other efforts to receive contributions. They would like to partner with the City and it was an ongoing effort to build relationships in the community. The event was also part of the 102nd Anniversary with the culminating event being the Reunion. The focus was to expose themselves to the community and the majority of their work was within the City.

Motion

Vice Chair Ross moved to fund St. John Church for the Community Family Reunion in the park at \$8,000.

Mr. Holzman offered a substitute motion and moved to fund the St. John request at \$8,000 or an amount equal to an amount raised by St. John, up to \$8,000. Vice Chair Ross seconded the motion. The motion passed.

The following was the motion for Item G, Approval of the Annual Back to School Community and Resource Fair.

Motion

Mr. Holzman moved to approve Item G at the cost of \$1,000. Mr. Orlove seconded the motion. The motion passed.

Mr. Hay returned to the dais at 7:18 p.m.

I. Approval of Six-month Lease for CRA Office

Mr. Hay pulled this item and requested an explanation if the lease would be cost effective, and some background on the Holiday House approval.

Ms. Bright explained this item was per the Board's direction. Chair Rodriguez commented the Board had already approved moving forward with this item on a six-month basis. The lease was \$3,300 per month and the six-month lease included an additional amount of \$400 per month. The action was taken in anticipation of using the Holiday House.

Motion

Mr. Hay moved to approve as written. Mr. Holzman seconded the motion. The motion passed.

J. Approval of Budget Workshop Date

Mr. Orlove requested an alternate date because he had a conflict. Chair Rodriguez commented the original workshop date of August 3, 2010 would permit the new Board to attend one meeting before the budget workshops.

Ms. Bright explained Community Redevelopment Agencies operate differently than the Cities. They have a first preliminary hearing to get a feel for the Board's ideas and concepts. Then a second meeting is held.

Chair Rodriguez expressed the new Board would not have a thorough understanding and he suggested having a joint meeting with the Commission.

Mr. Hay supported the concept of the new Board and those who would like to sit and help the new Board jointly, but he disagreed with the existing Board approving the new budget.

Attorney Bridgeman agreed to research the matter but believed the existing Board would have no authority over the new Board. The Board would have already transitioned.

Subsequently the Board set a special budget workshop on July 26, 2010 at 6:30 p.m. It would most likely occur in the Library Program Room.

Motion

Mr. Hay moved to have a special budget meeting for the Community Redevelopment Agency July 26, 2010, 6:30 p.m. with the location to be determined. Mr. Holzman seconded the motion. The motion passed.

K. Procurement Purchase Orders

Vice Chair Ross pulled the item and inquired where the Business Journal Event on July 22 would be held. Ms. Bright responded no location was set because it was in the sponsorship stages. It would probably be held in North Broward since it was a tri-county event. Ms. Bright agreed to email her the location when it was determined.

Mr. Orlove inquired about the \$5K sponsorship rates. He noted the benefits were promotional materials, logo recognition, a table of 10, and he inquired what staff thought the benefit would be to attend. Chair Rodriguez commented it was an Amendment 4 forum and he understood the amendment passed, which prohibited spending funds that advocated a position. Ms. Bright commented it did not advocate a position.

Attorney Bridgeman responded there was not enough information provided. The materials indicated it was a forum on Amendment 4 and it would fully educate the public before voting; however, the extent of the education was unclear.

Ms. Bright explained the Board could rescind the contract. It was the only informational discussion available for Amendment 4 that was ever advertised. She explained they have a collegial arrangement with South Florida Business Journal and she agreed with the Chair because staff had never taken advocacy positions, but they had taken positions to educate.

Motion

Vice Chair Ross moved to withdraw. Mr. Orlove seconded the motion. The motion carried.

Chair Rodriguez wanted to address Item L; however, it had not been pulled.

Motion

Vice Chair Ross moved to pull Item L. Mr. Holzman seconded the motion. The motion passed.

- L. Approval of Community Meeting Grant to Timothy FL202 Chapter of the International Masons and Eastern Star

Chair Rodriguez had questions about the International Masons and Eastern Star. He commented the community meetings grant was for community groups and homeowner associations. The subject organization appeared to be a membership organization and Chair Rodriguez requested further information on it from Attorney Bridgeman. Attorney Bridgeman was not familiar with the organization.

Motion

Mr. Hay moved to approve Item L. Mr. Holzman seconded the motion.

Victor Norfus, Timothy 202 Masonic Lodge explained the organization mentors men and young boys. They have a sister organization which is the Eastern Star who mentors women and children in the community and the divisions work together as a unit. The organization conducts outreach along Martin Luther King Boulevard. They hold fundraising events to provide items to the community around the holidays. They also mentor men with social and substance abuse issues. The organization is a non-denominational organization, with the emphasis of the organization being to encourage people to become civic minded and work within the government framework.

They were meeting at the Wilson Center before the construction on the Carolyn Sims Center began. They then moved to the Ezell Hester Center and they worked with PAL and other organizations having civic programs for youth and adults. They are a community service-based organization. They have fees but they were basically insurance policies. The members have to meet criteria someone had to vouch for the inductee being an upstanding person and of good character. The organization has the ability to create leaders. They did not fundraise for the Masons or Eastern Star organization. They were incorporated and it was not a club. They have a mission statement, which was to make men better in the community and make them more civic minded. The change in meeting location was predicated on the fact that they were crowded out of the Ezell Hester Center. They needed that time slot for more athletic activities. The organizational meetings were open to the public.

Mr. Hay was familiar with the organizations and commented they were doing a great job. He supported the effort. The organization wanted to return to meeting at the Carolyn Sims area to address the core need in that area.

Mr. Holzman noted some of the organization was based on religion. It was not just a community organization. It was similar to the Rotary. Mr. Norfus clarified there were some lodges that were denominational and others non-denominational. There were no membership fees, but whatever fees were paid were for a life insurance policy to ensure their families were taken care of.

Vote

A vote was taken. The motion passed.

IX. Information Only:

- A. CRA Policing Activity Report for the Months of March, April, May & June 2010 and District Statistics for the Months of February/March, March/April, April/May and May/June 2010
- B. Public Comment Log Update
- C. Letters to Federal Highway Businesses for Commercial Façade Grants

X. Public Comments: (Note: comments are limited to 3 minutes in duration)

Vinola Rada, 718 3rd Avenue, distributed a handout to the Board and spoke in opposition to forming an independent Community Redevelopment Agency Board. She reported most citizens were also opposed to the concept. She explained in the past, former Mayor Taylor was upset because the former Board was making decisions outside the citizens' control, which was the reason for the current Board to be seated. She advised her handout listed the reasons why she was opposed.

Victoria Castello, 406 S. Seacrest Boulevard, spoke in opposition to having a totally new independent Board. There was too much going on and there was discord. She requested the Chair ask the Executive Director if she was still a founding officer of the Strategic Broadcast Media Group. Chair Rodriguez explained the matter would be addressed at a special meeting and she could comment then.

Mary Nagel, 2006 S. Federal Highway, commented there were several monetary issues about Community Redevelopment Agency expenditures. Her concern was who would be responsible for the monies once an independent Board was seated. Although the monies were Tax Increment Financing funds, they were still taxpayer dollars.

Victor Norfus, 261 N. Palm Drive, recommended once the new Board was seated, all the individuals who submitted their names for appointment to the new Community Redevelopment Agency Board should participate on a Community Redevelopment Agency Advisory Committee. There was still a list of individuals who were concerned and knowledgeable and those individuals should be able to serve on the advisory

committee which could assist with future training and appointments. It would also assist with a smooth transition. The first seating of the Board should be comprised of new individuals.

Ron Washam, 127 S. Atlantic Drive West, agreed with holding a special meeting. He indicated the progression the Board voted on was the correct action according to most of the people he spoke with. Regarding the budget, he thought it was good to have the public's views but he pointed out there were two new members joining the Board four months ago that were overseeing the budget without experience and they exceeded expectations. Many people have leadership experience, and they come with the background they have and their willingness to serve, just as the present Board had. He requested the petty politics be set aside. The new Board needed to be established so the current Board could move on to other legislative matters.

Brian Edwards, 629 NE 9th Avenue, directed his comments to the Chair and advised some misinformation was provided. The number one request that each candidate in the race for Mayor had was about having an independent Community Redevelopment Agency. The number one promise was they would fulfill it. To insinuate an independent Board was not requested was misleading.

He requested the Chairman's undivided attention on the City budget because he had misspoken regarding the budget on an amount. He opined he was having difficulty with reading the budget, and it was because he was overwhelmed. He suggested a qualified independent Board would help them carry forward the Community Redevelopment Agency and there should be no question that it was what the people wanted.

James Lynch, 610 Horizons East, indicated the people of Boynton Beach elected the new Board to represent the public and the public wanted change. He commented at each meeting, individuals speak, but the election was over. He urged the Board to work for all the people of Boynton Beach and to continue their good work.

Herb Suss, 1711 Woodfern Drive, reserved some of his comments to the special meeting. He spoke about a meeting next Wednesday, July 21, 2010 at the School Board regarding Galaxy Elementary School. He urged the members to attend. New schools were needed but Galaxy had termites, a leaky roof, floods, rats, snakes, and raccoons. The meeting would start at 7 p.m. He suggested a letter of support be read and pointed out that currently, it appeared there would be a 4-3 vote against Galaxy School. He urged the members to keep the school in Boynton Beach. The building was 60 years old.

Don Scantlan, 13 Cedar Circle, commented he attended almost every candidate forum and recalled the promises were for a seven-member Board, not a seven-member independent Board. On a different matter, he commented there was Florida Legislation regarding special taxing districts being run by private or appointed individuals and who

had the right to do so. There was an inherent accountability issue with having appointed individuals, as opposed to elected individuals, spending tax funds.

There being no one else coming forward, Chair Rodriguez closed the public comment.

XI. Legal

None.

XII. Old Business:

A. Presentation & Consideration of Responses for the RFP on 4-Lots in HOB

Mike Simon, Development Director, explained the item was to consider approval of the response submitted by Habitat for Humanity. The Community Redevelopment Agency Board had approved issuing an RFP on May 11, 2010 and one response was received to develop four single-family homes. Mr. Simon indicated staff would recommend approval of Habitat for Humanity. In response to a question regarding why such a low response rate, Mr. Simon explained given the overall economic climate and housing starts, Habitat for Humanity had a proven methodology of generating applicants from within their program. An independent homebuilder may not have a pool of applicants.

Chair Rodriguez inquired about the 30-year mortgage and the \$20K second mortgage. He inquired if the Community Redevelopment Agency would finance it. Mr. Simon responded they would not. Habitat for Humanity was the first mortgage holder and the Community Redevelopment Agency held a soft second mortgage -- similar to the SHIP program. If the applicant sold the home, the Community Redevelopment Agency would recapture the \$20K, which was the value of the land.

Vice Chair Ross left the dais at 8:04 p.m.

There were no deed restrictions and the downpayment was made by the Habitat for Humanity applicant.

Motion

Mr. Hay moved to accept Option 1 to approve the proposal as submitted by Habitat for Humanity of South Palm Beach County. Mr. Orlove seconded the motion.

There was no public comment received.
A vote was taken. The motion passed.

B. Consideration of Letter of Intent for 710 N. Federal Highway as CRA Office

Ms. Bright explained the Board moved to continue negotiations with Mr. D'Almeida, the owner of the property. The lease terms were contained in the agenda packet.

Mr. Orlove inquired if the information was in line with what the Board was considering in terms of budget and space. Ms. Bright explained this was the work order so the Board would have a comparison in terms of what it would cost for renovations, etc.

Chair Rodriguez inquired who authorized the work order. Ms. Bright explained the request was from Mr. Holzman while the Chair was out traveling. It was explained the information was important because they would not move forward with any expenditures related to the property. Chair Rodriguez did not recall being notified of the proceeding.

Rick Gonzales, REG Architects, was working on a feasibility study for Holiday House. The conversion would be from a restaurant to a commercial use. A small section in the front of the structure would be suitable for an art gallery or retail space and the back was available for an office use. When they inspected the structure, the roof and some other items were deteriorating and they hired a structural engineer who submitted a two-page report outlining the issues. The building was more than 30-years old and did not meet the Building Codes or Hurricane Codes. The site was situated in a blighted area and part of the design budget was to review the site's function, create landscaping and have parking areas. He reviewed the landlord's letter contained a cost estimate of about \$300,000 and he was unsure if it accounted for the structural, site, and landscaping costs. Their estimate included those items and was slightly higher based on the preliminary studies.

Chair Rodriguez commented the site was owned by the proprietor and he noted the proprietor indicated he would include those costs and engage in the work to be done. The onus would be on him to make the improvements and incur the costs.

The estimates were very similar. After brief comment, Mr. Holzman expressed his support of entering into the lease agreement with Mr. D'Almeida.

Ms. Bright went on record advising an email was sent to the entire Board and Attorney Cherof informing the Board that she entered into a work order with REG on June 23, 2010. Chair Rodriguez explained his only concern was in some cases when he asked her to do something, she required direction from the Board and in others she takes direction from a single Board member. He requested she be consistent.

Motion

Mr. Holzman moved to approve the lease agreement with Art D'Almeida. Mr. Orlove seconded the motion.

Mr. D'Almeida, 105 W. Palmetto Park Road, Boca Raton, was present. He indicated he hired a contractor to bring sub-contractors to the site because they did not have

plans. They provided estimates on the cost to refurbish the entire building including the elements outlined in his letter. He thought the prices were close. Other than the shell of the building, once renovated it would be a brand new building meeting all the Codes and he indicated he would like whatever Community Redevelopment Agency subsidy was available.

Mr. Hay inquired how much more the Community Redevelopment Agency would be paying for the building on a monthly basis compared to the present location. Mr. Simon explained the applicant for rent subsidy or façade grant was the individual receiving the grant. The rent on Mr. D'Almeidas building would be \$6,501 plus sales tax amounting to about \$6,900. The current rate was \$3,300. There was discussion that there was a benefit to improving the building. It provided twice the amount of space and was a good opportunity to improve the north end of the City. Hopefully it would draw the public to the area.

Vote

There was a vote on the motion. The motion passed.

(Chair Rodriguez left the dais at 8:25 p.m.)

C. Discussion of ULI Sustainability Pilot Project CRA GreenCentives

Ms. Bright explained this was a competitive process that the Community Redevelopment Agency participated in last fall. The program allowed the Community Redevelopment Agency project to be a pilot project to help develop their Tax Increment Finance Agreement, which was part of the downtown Master Plan. At the time, the Urban Land Institute (ULI) was going to fund the project; however, due to budget cuts, the money for the program was no longer available. As a result, staff recommended reallocating those funds to another program.

Vice Chair Ross explained the award was a major accomplishment and a press release had been issued. The Community Redevelopment Agency was very proud to have been selected for the program. Mr. Orlove viewed the project as a duplication of efforts and was concerned whether there was any redundancy. Ms. Bright clarified the project was specifically defined in their Downtown Master Plan. The program would move the effort from concept through to application. Staff sought to incentivize Green on the front end, which appeared to be the biggest deterrent in the predevelopment phase. This was one of their five-year goals, and since ULI was a national expert, they wanted to work through those efforts. Once the funding was dropped, the project did not make sense. There was some crossover. They used the Green Alliance Task Force on their application and staff and the City were working in tandem. Accordingly, there was no need to create an implementation committee.

(Chair Rodriguez returned to the dais at 8:28 p.m.)

Motion

Mr. Hay moved to not approve the \$23,000. Vice Chair Ross seconded the motion. The motion passed.

(Mr. Holzman left the dais at 8:29 p.m.)

XIII. Executive Director's Report:

A. Results of CRA Business Survey

Ms. Bright reviewed that staff issued a survey to evaluate how the program was doing, what was missing and what could be done to improve the program. This was important due to the upcoming budget cycle. The complete presentation is included with the meeting materials. A few of the highlights were:

(Mr. Holzman returned to the dais at 8:31 p.m.)

- The average jobs per business were 8.5%
- The majority of the businesses surveyed owned their business.
- 35% of the surveyed businesses had difficulty in obtaining financing

As a result of the survey, staff would be organizing a Downtown Business Expo in July, and they would allocate additional funds for economic development. Additionally, interested businesses would be sent program information.

(Mr. Hay left the dais at 8:34 p.m.)

The top three items of most significant note were, not having access to capital from banking and the ability to expand; re-instituting the micro-loan fund; and, the event program. Ms. Bright explained the downtown struggled last year trying to engage the retailers with activities in the different nodes such as summer sidewalk sales and boutique type activities.

(Mr. Hay returned at 8:37 p.m.)

Chair Rodriguez commented they should focus on one goal and he had entertained the idea of bringing back the Boynton Gala. He thought there was an opportunity to bring back activities to the area. This was one of his goals he would like to consider in the future. He observed Delray Beach's event was very successful.

This item was for information only and no motion was needed.

B. Status Report on Ocean Avenue Projects

Ms. Bright reviewed a PowerPoint presentation on the four key projects listed below.

➤ Marina Entry Feature

The entryway feature general drawings were complete. The soil borings were complete and the engineer's report was due at the end of the month. The project cost estimate was due next month and the project would be submitted for permitting.

➤ Amphitheatre

The public art proposal and contract were approved. The construction drawings and the soil borings were complete. The engineering and cost estimates were due in August and the project would be submitted for permit review to the City in September.

➤ Jones Cottage

The land lease was approved and the property was shown seven times. The soil borings and construction plans were complete. The engineering report and cost estimates were due July 30, 2010 and August 15, 2010 respectively. The property was listed on Loopnet and there was one letter of interest received.

➤ 211 E. Ocean Ave.

There has been a good deal of interest in this property. The property was shown six times and there is a "For Sale or Lease" sign on the property. It was also listed on LoopNet. One issue with this property was the zoning conversion to commercial had not taken place, and until the Noise Ordinance was enacted, they were concerned about putting a restaurant in a residential district. Ms. Bright reported all the parties loved the building, but those two issues would need to be addressed if they wanted active space. It was noted the Noise Ordinance would be addressed at the City Commission meeting in the very near future.

The parties interested in the Jones Cottage envisioned it as some type of a restaurant. It would be operated by a small business entrepreneur as opposed to a larger type of establishment and it was noted Chair Rodriguez was aware of at least two parties that would submit letters of intent. It was anticipated the information would be on the August agenda.

C. Presentation of Small Business Development Program Graduation (2nd Quarter)

This item was for information only. A visual presentation was given by Ms. Bright, which is included in the meeting materials. The presentation was of photographs taken at the

graduation ceremony. It was pointed out this was the second graduation ceremony held for the program. The classes were well attended and Vice Chair Ross had also attended the graduation. There was a lot of financial commitment on the part of the Community Redevelopment Agency with the program.

D. Discussion of Public Records Policies and Procedures

This item was moved to the Special Meeting on July 20, 2010 by motion of the Board.

E. Outcome of RFP for Land on MLK Blvd.

Ms. Bright explained there was a great deal of controversy last year regarding the parcels east of the property owned by Octavia Bell when they did the land swap. The land on 9th and 10th Streets was aggregated to create an RFP. Although several parties urged them to issue a Request for Proposal, when they did, no one responded to it. She confirmed staff attempted to obtain a developer for the property. Chair Rodriguez inquired if a developer would have to buy some of the adjacent properties. Ms. Bright explained Quintus Greene, Development Director, strongly suggested issuing the RFP the way the land was structured. Staff also tried to work with another landowner who wanted to swap parcels and staff was amenable to squaring off the property. She was aware someone wanted to put a child care on one side and a multi-family project on the other.

Chair Rodriguez suggested staff rethink some of the incentives to move the property along. Staff would review the funds set aside for the Heart of Boynton and continue their efforts to find a developer for the property.

F. Outcome of Staff Investigation Relating to Political Activities

This item was moved to the Special Meeting on July 20, 2010.

XIV. New Business:

A. Consideration of Issuing an RFP for Site Development of Ocean Breeze West (21 Single-Family Homes)

Vivian Brooks, Assistant Director, explained this item was on the west side of a parcel the Community Redevelopment Agency assembled over the last three years, comprised of 4.37 acres located at 6th Avenue and Seacrest. The Community Redevelopment Agency was allocated \$400,000 of the Neighborhood Stabilization Funds which allowed for site development of vacant land. The property was formerly known as Boynton Terrace, which was damaged by a hurricane and demolished. The \$400,000 would allow for the infrastructure needed for the construction of 21 new single-family owner-occupied homes. The funds would remove the infrastructure costs from the cost of the units reducing the cost of the units by about \$20,000. She explained a bank would not

fund a project when the cost of development exceeded the value of the finished product. New families would be added to the neighborhood. She noted the west side of the neighborhood had about a 50% rental rate which staff was trying to reduce. By increasing homeownership, it stabilized the neighborhood and reduced crime.

Staff would issue an RFP and Ms. Brooks hoped there would be responses. She noted Seacrest Avenue was undergoing streetscape improvements and having two projects completed would have a positive impact on the community.

Motion

Mr. Holzman moved to approve. Mr. Hay seconded the motion. There was no comment from the public. A vote was taken and the motion passed.

B. Consideration of Issuing an RFP for Fuel Dock Replacement Project

Mr. Simon reviewed the item as contained in the agenda item. He indicated this was the only dock structure and it was waterside of the bulkhead. Photographs were provided to the Board. The current construction was not adequate for the current Building Code requirements and activity levels at the dock. Staff recommended approval of the request and indicated an RFP could be issued July 16, 2010.

The replacement was not part of the original master plan, but it was recognized as part of the larger-scaled master redevelopment plan and would be handled in a manner similar to the slips being addressed, which was one piece at a time. It was a public safety item that could not wait. This item was also not part of the original RFP. The RFP was written identically to what was done on the larger-scaled project to ensure it was done correctly. They would use aluminum support as opposed to pressure-treated wood. The product would provide an approximate life span of 40-years.

The fuel dock sales were about \$10,000 to \$12,000 per month in diesel fuel. On Memorial Day, they sold \$4,000 worth of fuel. The replacement could not wait and needed to be completed immediately. There was a brief discussion about the IPEI wood. Mr. Simon responded they used the wood on the marina. There would be no shutdowns to the operations because they would be addressed in sections. When the larger dockmaster building was moved, they would then move the pumps and the supply lines.

A letter from the engineering firm, MSW, the master plan design firm notified Mr. Simon of their concerns but the City was not notified. So far no claims were filed.

Motion

Mr. Holzman moved to approve issuing an RFP for the fuel dock replacement project. Mr. Orlove seconded the motion.

Mr. Suss inquired about the type of wood to be used for the docks. Mr. Orlove explained the Recreation and Parks Department studied the matter and used the industry standard. Chair Rodriguez commented all the state and federal standards would be met in all matters, including the fuel tanks.

Vote

There was a vote on the motion. The motion passed.

- C. Consulting Services for the redevelopment agreement of the Historic Boynton Beach High School

Chair Rodriguez commented he campaigned on restoring the Old High School and there were ways and opportunities to do so. This was the first step to attain that goal. The City owned the high school and a presentation would be made at the next meeting. He explained this arrangement would provide the framework to put the City in a position to obtain a tenant for the project.

The matter was presented at this meeting because the City owned the building but it was in the CRA district. The City does not have funds to support the redevelopment. Chair Rodriguez requested the Board entertain a tri-partied agreement with the City and the CRA to support the Old High School. There was \$57,000 the Community Redevelopment Agency Board had available and he suggested the Board motion to hold that money for a potential agreement once the Commission reviewed it. If the Commission moved forward with it the funds were available. If they did not, the funds would be released.

Motion

Mr. Holzman moved to encumber the funds that the next Board would have no control over, and if the City Commission moved to approve the project, the funds would automatically be transferred to the City to pay for the exact function. If the Commission decided not to move forward then the funds are released. He clarified the funds could only be spent by the City Commission for this specific purpose.

Mr. Orlove agreed the Old High School was important and inquired if this group came to the City. He expressed there was talk in the community about other groups looking at the facility and he questioned the need to spend \$52,000 on an assessment/appraisal of the project without a potential tenant.

Chair Rodriguez explained he has been in the community and he was aware of the interest in redeveloping the Old High School. The firm he was referring to had a continuing service agreement which would avoid having the project go out to RFP. He had dozens of meetings with different people regarding financing, use, etc. and

explained this action would bring it all together. Once it was complete it was ready for tenants. He commented some tenants lost interest because the scope was so large.

Mr. Orlove recalled conversations with the Greater Boynton Foundation. A discussion was brought to his attention about someone on the outside using the building that may not be the same as what Chair Rodriguez was referring to. He was concerned that if they moved towards that goal and a party put together a study and analysis regarding an appropriate purpose for the building, it could run counter to someone else who was considering the building. He inquired if they could be approaching someone that would be a tenant/owner and noted they would be spending money that would provide a benefit if someone came in.

Chair Rodriguez agreed the questions were valid but felt the allocation would give them the opportunity to have a plan structured enough so they could hand over the project to someone. There were new market tax credits, and historic preservation grants that have requirements.

He commented they were not asking to approve the project, only to use the funds as a placeholder. The Board could ask as many questions as they liked of the City Manager who was involved in meetings with him about the project. They were not approving the project or group.

Vice Chair Ross was excited about redeveloping the high school; however, she questioned how they could consider using this group without considering others.

The funds would be encumbered until the City Commission decided on the matter next Tuesday. The item was already on the agenda.

Mr. Hay agreed with Mr. Orlove and Vice Chair Ross and expressed they had to look at other entities. He thought there were other interested parties.

Mr. Orlove pointed out they had decided to have a workshop. Dialogue followed if they encumbered the funds for a certain time, whether the funds could be used by any group after a decision was made by the City Commission.

Mr. Hay also commented he had an issue with the information being provided at the last minute but commented he supported encumbering the funds. Chair Rodriguez explained he just received the information and it would avoid the RFP process. He was aware there were individuals who wanted to support the redevelopment but he thought those members could question the firm when they made their presentation at the meeting. His agenda during his campaign was to get things done and this was one of the projects.

Mr. Holzman moved to approve encumbering \$52,000 to be spent 100% by the Commission for the sole purpose of entering into a consultant services contract for the

redevelopment of the historic Boynton Beach High School and for those funds to be encumbered for a period of four months, giving us time that if we decide not to go with that group, they can find another group to provide the same services.

Ms. Bright inquired if Mr. Holzman meant the Community Redevelopment Agency would encumber the funds. Mr. Holzman responded in the affirmative.

Chair Rodriguez also requested the motion be clarified to say if the Commission approves it, that they immediately enter into an agreement with the Community Redevelopment Agency for the funds.

Mr. Holzman believed his motion gave over the rights to the City Commission to spend those funds. Chair Rodriguez disagreed. He contended the Board was giving permission to enter into a third party agreement regarding the City and the Community Redevelopment Agency to get that done.

Motion

Mr. Holzman repeated his motion was to encumber or set aside \$52,000 for the purposes of allowing the City Commission to enter into agreement for consulting services for the redevelopment of the historic Old Boynton Beach High School for a period for four months and once approved, enter into a third-party agreement. It was clarified the funds to be set aside were Community Redevelopment Agency funds. Mr. Hay seconded the motion. The motion passed.

D. City's Human Resources Proposal for Services as New Business Item D.

Chair Rodriguez requested this item be placed on the agenda. He noted there were several challenges over the last month and felt there was a Human Resources Department within the City that does that. He felt the Chief Financial Officer should not handle these types of matters and he suggested the task be outsourced to the City so there would be a clear role of responsibility. Vice Chair Ross noted the Community Redevelopment Agency Board had previously voted on the matter about a year and a half ago. Mr. Hay explained the item was an outcome of the recent issues that surfaced. He felt the item should be discussed at next Tuesday's meeting. After a brief discussion there was agreement to table the matter to Tuesday.

(Mr. Orlove left the dais at 9:31 p.m.)

Motion

Mr. Hay moved to table to the special meeting next Tuesday. Mr. Holzman seconded the motion. The motion passed.

E. 500 Ocean Avenue

(Mr. Orlove returned to the dais at 9:32 p.m.)

Chair Rodriguez commented he has been receiving input regarding the above property. Central Properties in Chicago owned the land. A few years ago when the site plan extension was applied for, they had to screen and landscape. At this point, there was no redevelopment. He suggested removing the fence, signs, and trash and keep it as a grassed open area.

Ms. Bright explained they would have to speak with the owner about indemnification and adding them to the Community Redevelopment Agency's Maintenance Schedule. It was thought the fence was there for safety reasons. It was noted SE 4th Street was newly redesigned and the cottage would be placed at the corner. Doing so would increase visibility. After a brief discussion, staff would work with the developer and bring back a plan next month.

Motion

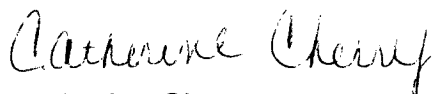
Mr. Holzman moved to instruct staff to negotiate with the owner of 500 East Ocean for a maintenance plan. Mr. Hay seconded the motion that unanimously passed.

XV. Future Agenda Items

- A. History & Analysis of Local Businesses at CRA Events
- B. Downtown Interactive Google Map First Year Analytics
- C. Small Business Incubator Concept Project at MLK & Seacrest
- D. Marina Signage Entryway Feature at Boynton Beach Blvd. & Federal Hwy.
- E. Report on Mandatory Vacation Requirements

XVI. Adjournment

There being no further business to discuss, the meeting was properly adjourned at 9:35 p.m.



Catherine Cherry
Recording Secretary
071510