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**MINUTES OF THE
CITY OF NEW SMYRNA BEACH
COMMUNITY REDEVELOPMENT AGENCY
MEETING OF MAY 4, 2011
CITY COMMISSION CHAMBER, CITY HALL, 210 SAMS AVE.
NEW SMYRNA BEACH, FLORIDA**

1. CALL TO ORDER

Acting CRA Chair James Kosmas called the CRA meeting to order at 2:00 p.m.

2. ROLL CALL

Answering to roll call:

**James Kosmas
Doug Hodson
Chad Schilsky
James Peterson
John Kinney**

Also present were CRA Director Tony Otte; CRA Project Manager Michelle Martin; CRA Administrative Specialist Claudia Soulie and CRA Attorney Mark Hall. Commissioner Thomas Williams was (excused) absent. (Note: one seat is vacant due to the resignation of Chairman Chas Belote.)

Recommendation of CRA Chair and Vice Chair: Mark Hall, CRA Attorney welcomed new Commissioner John Kinney to the CRA, who had been appointed by the City Commission. Mr. Hall continued that due to the recent resignation of the CRA Chair and Vice Chair those positions were vacant and that he would like to move item 7. A. *Recommendation of CRA Chair and Vice Chair* under New Business to the beginning of the agenda.

Mr. Hall explained that Ordinance 18-85 addresses the procedure for designating the Chair and Vice Chair. A brief discussion ensued and Commissioner Kosmas was selected as Acting Chair and Commissioner Peterson as Acting Vice Chair. Both accepted.

Mr. Hodson made the motion to recommend to the City Commission James Kosmas as CRA Chair; seconded by Mr. Peterson. Mr. Hodson made the motion to recommend James Peterson as Vice Chair; seconded by Mr. Schilsky. Motions carried on roll-call vote 5 –0.

Mr. Kosmas stated that he appreciated the opportunity to serve as the Chair and will encourage the Board's diversity. He continued that he is proud to serve with his fellow Commissioners.

Mr. Kosmas suggested recognizing the former Chair Charles Belote and former Vice Chair Steve Dennis for their service on the CRA.

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3. CONSENT AGENDA

- A. Approval of Minutes – Regular CRA Meeting April 6, 2011
- B. Commercial Property Improvement Grant Applications for Wiley Building
 - a) 201 Canal Street (Faulkner Street side)
 - b) 10 – 80 Faulkner Street
- C. Grant Applications for 103 S. Pine Street – That’s Amore
 - a) Commercial Property Improvement Grant
 - b) Commercial Matching Revitalization Grant

Mr. Schilsky pointed out that he would be abstaining from voting on the consent agenda, as he was the applicant for the two grant applications at 103 S. Pine Street.

Mr. Kosmas stated that item C. a) and b) should be pulled from the consent agenda as he felt there are some unique issues that needed to be addressed separately after Public Participation. The CRA agreed.

Mr. Kosmas asked if there was a motion to approve the consent agenda items A. and B.

Mr. Hodson made the motion to approve the consent agenda items A. and B., seconded by Mr. Peterson. Motion carried on roll-call vote 5–0. (Note: Mr. Schilsky voted, since this motion did not include item 3. C. a) and b)

4. PUBLIC PARTICIPATION

In accordance with the City Commission Resolution #11-89, a three-minute limitation will be imposed unless otherwise granted by the CRA Commissioners.

Mr. Bob Wiley, 100 East Circle Street felt that there was some confusion pertaining to the new CRA grant program that the City Commission had recently approved. Mr. Wiley continued that he would like clarification on the “One grant per applicant” or “one grant per business” clause in the grant guidelines.

There being no further requests, Mr. Kosmas closed the Public Participation portion of the meeting.

Mr. Kosmas re-addressed item C a) and b) “That’s Amore” grant applications from the consent agenda and stated that he had issues with funding items that could be considered personal property. Mr. Kosmas felt that the CRA grants were meant to fund “bricks and mortar” types of improvements.

A brief discussion ensued about what is considered a fixture versus personal property; and assisting businesses that are perceived to be successful and possibly getting away from the original intent of the CRA assistance grants.

Mr. Schilsky stated that Mr. Kosmas was referring to the Commercial matching revitalization grant for interior, code related items that he had submitted for his restaurant. He explained why he submitted this application and how it meets the current

96 eligibility requirements, and that this improvement will become a permanent fixture that
97 would not be removed.

98 **Mr. Hodson made the motion to approve item 3 C. a) and b) for “That’s Amore”;**
99 **Motion died for lack of a second.**

100

101 Mr. Otte suggested addressing the “That’s Amore” grant application for exterior
102 improvements as there were no questions pertaining to this application.

103 **Mr. Peterson made the motion to approve item 3 C. a) *Commercial Property***
104 ***Improvement Grant*” for “That’s Amore”; seconded by Mr. Hodson. Motion carried**
105 **on roll-call vote 4 –0. Mr. Schilsky abstained.**

106

107

108 **5. PRESENTATION:**

109 None

110

111 **6. OLD BUSINESS**

112 Mr. Kosmas stated that he was asked to add an item to the agenda that would be
113 presented by Khalid Resheidat, Assistant City Manager and Public Works Director. The
114 CRA agreed.

115 Mr. Otte informed the CRA that the Esther Street Beachfront Park was listed in the CRA
116 Master Plan update as one of the Capital improvement projects and that the CRA had
117 previously improved the design for the seawall.

118 Mr. Resheidat stated that staff had received Amendment No 1 to the Esther Street
119 Beachfront Park and Drainage Improvement proposal from Parker Mynchenberg &
120 Associates for \$98,900, which addressed items like geotechnical engineering, surveying
121 and architectural services as well as environmental consultant fees for both the Esther
122 Street Park and N. Atlantic Ave drainage improvements. The proposal also includes
123 charges for miscellaneous expenses related to bidding services. Mr. Resheidat continued
124 that construction was expected to start November 1, 2011.

125 Mr. Otte added that the CRA had previously been presented conceptual plans of two
126 different options for ingress and egress into the park and stated that the City Commission
127 had chosen the two-way option and that City staff was moving forward with that feature.

128 A brief discussion ensued about steps that have been taken to alleviate some of the
129 drainage issues in this area.

130 Mr. Resheidat stated that this item will go before the City Commission on May 24, 2011.

131 **Mr. Schilsky made the motion to approve the scope of work as presented; seconded**
132 **by Mr. Hodson. Motion carried on roll-call vote 5 –0.**

133

134 **A. Family Spring Expo Funding Request**

135

136 Mr. Otte stated that staff presented this item to the CRA at their April 6, 2011 meeting
137 and that the CRA asked the applicant get back with staff to provide more information
138 pertaining to the members of the applicant’s Board of Directors and Articles of
139 Incorporation. Mr. Otte continued that staff had met with Ms. Purkiss and the requested
140 documentation was included for the CRAs review.

141 Staff still felt that funding this event will be worthwhile, especially since the CRA can
142 advertise its business incubator program at the event and recommended that the CRA
143 approve funding for this event in an amount not to exceed \$4,095.

144

145 Ms. Purkiss was present and answered questions from the CRA Commissioners
146 pertaining to certain expenditures included in the funding request; the current number of
147 vendors that have signed up, and how many of those were from within the CRA district.

148

149 The CRA stressed that it was imperative to have a booth set up and a representative
150 present to advertise the incubator program for the entire duration of the Expo. Mr. Hall
151 suggested making the funding contingent upon that requirement.

152

153 **Mr. Schilsky made the motion to approve the funding for the Spring Expo in an**
154 **amount not to exceed \$4,095.00 contingent that the Incubator booth is set up and**
155 **manned for the duration of the event; seconded by Mr. Peterson. Motion carried on**
156 **roll-call vote 4 –1 with Mr. Hodson casting the dissenting vote.**

157

158

159 B. Wayfinding System –

160 a. Sign Locations

161 b. Signage Criteria

162

163 Mr. Otte stated that as part of the City of New Smyrna Beach downtown revitalization
164 efforts, the New Smyrna Beach Community Redevelopment Agency and the City of New
165 Smyrna Beach are requesting to implement a wayfinding sign system within the city
166 limits of New Smyrna Beach. Mr. Otte continued that FDOT requires signage criteria
167 prior to permission being granted for any signage that is placed in FDOT Right of Way
168 and that other municipalities have gained such permission by following a three phase
169 process of:

170

171 1) Design of Wayfinding Signs (approved by City Commission on April 12, 2011)

172 2) Establishment of Sign Content Criteria, and

173 3) Location of Signs within the Wayfinding System

174

175 Mr. Otte stated that these items must each be approved as a resolution by the City
176 Commission.

177

178 The Wayfinding consultants were present to answer any questions the CRA
179 Commissioners had pertaining to the sign location map and signage criteria included in
180 the agenda packet.

181

182 A brief discussion ensued about the triangle at SR 44 and Canal Street that the CRA felt
183 is an important entry point into the Historic Downtown. Mr. Otte stated that this area is
184 being addressed as part of the City's Gateway and Entry feature project as it is outside of
185 the CRA district.

186

187 **Mr. Hodson made the motion to approve forwarding of the consultant's**
188 **recommendation for the sign criteria and sign locations to the City Commission;**
189 **seconded by Mr. Schilsky. Motion carried on roll-call vote 5 –0.**

190

191

C. CRA Grant Programs - Combining of three Assistance Grants into 1 Program

192

193 Mr. Otte stated that at their April 12, 2011 regular meeting the City Commission
194 requested that CRA staff combine the existing Exterior, Interior and Impact Fee
195 assistance grants into one program with a total CRA match of \$20,000. Another directive
196 was given to allow only one grant application per business.

197

198 Mr. Otte continued that nothing in the guidelines was substantially altered from the
199 existing programs. Wording was added pertaining to fixtures and eligible expenditures
200 for the interior grant. Since Police and Fire Impact fees are currently suspended, only
201 City Transportation Impact Fees are currently being assessed, where applicable.

202

203 Mr. Kosmas felt that combining the grant programs and limiting the applicants to only
204 one grant per business may not necessarily be in line with what the CRA has intended.

205

206 A brief discussion ensued about property owners of large buildings and how the
207 combining of the grant programs may affect them, and the definition of a business being
208 based on an occupational license.

209

210 Mr. Kosmas recognized Mayor Barringer.

211

212 Mayor Barringer elaborated on the City Commission's recent directive to combine the
213 grant programs and suggested maybe using a dollar amount per square footage for façade
214 improvements on larger buildings.

215

216 Mr. Otte suggested having CRA staff; the CRA attorney and the CRA Chair meet to
217 streamline and clarify the grant guidelines.

218

219 Mayor Barringer stated that he would like to take part in this meeting and recommended
220 also including the Vice Mayor.

221

222 Mr. Kosmas asked the Commissioners to review the grant guidelines, especially
223 pertaining to the items eligible for funding under the interior grant.

224

225 **Mr. Schilsky made the motion to appoint the Mayor and/or his designee as well as**
226 **CRA Chair Jim Kosmas as members of the Ad Hoc committee to meet with staff to**
227 **discuss CRA Grant guidelines; seconded by Mr. Peterson. Motion carried on roll-**
228 **call vote 5 –0.**

229

230

231

D. Clarification request - Development Assistance and Incentives Program

232

233 Mr. Otte stated that a potential applicant for the newly approved Development Assistance
234 and Incentive Program (\$50,000) had asked for clarification regarding the requirement in
235 the program guidelines that there be only one grant "per applicant".

236

237 A brief discussion ensued that the intend of this program is to incentivize larger buildings
238 with an up to \$50,000 grant and Mr. Otte suggested adding this item to the Ad Hoc
meeting agenda.

239 **Mr. Schilsky made the motion add this clarification request to the Ad Hoc**
240 **committee agenda; seconded by Mr. Peterson. Motion carried on roll-call vote 5 –0.**

241

242 **7. NEW BUSINESS**

243

244 **A. Recommendation of CRA Chair and Vice Chair**

245

246 See discussion under item 2. *Roll Call* above.

247

248 **B. Orange Street Streetscape Change Order # 3**

249

250 Mr. Otte stated that as the Orange St Streetscape Project nears completion; a change
251 order in the amount of \$18,226.20 would be needed finalize the project. This would
252 include items such as the installation of pressure treated boards to protect the root system
253 at various locations on S. Orange Street; changes in the landscaping to accommodate the
254 boards; milling and resurfacing a portion of Downing Street and change out of drainage
255 inlets.

256

257 **Mr. Hodson made the motion to approve Change Order Number 3 for the S.**
258 **Orange Street Streetscape in the amount of \$18,226.20; seconded by Mr. Schilsky**
259 **Peterson. Motion carried on roll-call vote 4 –1; with Mr. Peterson casting the**
260 **dissenting vote.**

261

262 **C. Discussion of new CRA program idea**

263

264 Mr. Otte stated that Commissioner James Peterson asked that the CRA discuss the
265 feasibility of creating a new program to facilitate exterior building improvements. Mr.
266 Otte continued that this request for discussion was motivated by the thought that the most
267 immediate and noticeable impact of CRA funds would be with funding for exterior
268 renovation projects and that many property owners were not in a position to contribute
269 matching funds for improvements – especially residential.

270

271 Mr. Otte stated that the proposed program would not require a match from the property
272 owner and included elements such as:

273

- 274 • Funds for both residential and commercial building exterior improvements,
275 including landscaping, not exceed \$2,500
- 276 • All work would have to be done in conformance with the established CRA design
277 guidelines
- 278 • All work needs to be performed by local contractors and a percentage of supplies
279 to be purchased from local suppliers.
- 280 • Only one grant of this type per property. If another grant program is applied for
281 and received, that grant award would be reduced by the amount received in this
282 program.

283

284 A brief discussion ensued about putting an overall budget on this proposed program and
285 if the matching aspect of the current CRA grants truly deters some property owners from
286 applying.

287 Mr. Kosmas suggested that the proposed \$2,500 program become a non-match
288 component in the combined grant program (\$20,000) and to include the current
289 residential grant as an additional component.

290 **Mr. Peterson made the motion add this to the Ad Hoc committee agenda; seconded**
291 **by Mr. Hodson. Motion carried on roll-call vote 5 –0.**

292 Ms. Soulie asked for clarification of the motion. Mr. Kosmas stated that the CRA
293 recommends to add the proposed \$2,500 no-match program to the overall program
294 recommended by the City Commission and to add the residential program into this grant
295 as well.

296

297 **3. REPORTS AND COMMUNICATIONS**

298 Director's Report

299

300 Mr. Otte stated that the City Commission authorized a 90-day extension to the
301 Developer of the proposed hotel on Flagler Ave and asked that the CRA authorize the
302 acting CRA Chair to sign the extension.

303

304 **Mr. Hodson made the motion to authorize the acting CRA Chair to sign the**
305 **extension; seconded by Mr. Schilsky. Motion carried on roll-call vote 4 –1 with Mr.**
306 **Peterson casting the dissenting vote.**

307 Mr. Hall gave a brief update on the actions of the Developer to secure financing and that
308 the 90-day extension would give the Developer until July 27, 2011 to close on the
309 properties on Florida Ave.

310

311 Mr. Otte continued that it had been requested to move the June CRA meeting from June 1
312 to June 8, 2011 to allow for submission of results for the proposed Myrtle Ave
313 Improvements bid. The CRA agreed to change the date.

314

315 Capital Projects Report

316

317 Mr. Otte commented on the Capital Project Report included in the agenda that lists all
318 Capital improvement projects within the CRA and citywide.

319

320 Financial Report

321

322 Mr. Otte explained how the financial report was derived and that staff has been working
323 with the Finance Department to compile the budget for Fiscal Year 2011/12.

324

325 Commissioner Report

326

327 Mr. Peterson stated that he would like to revisit Commissioner Schilsky's interior grant
328 application.

329

330 **Mr. Peterson made the motion approve item 3. C b) Commercial Matching**
331 **Revitalization Grant application for “That’s Amore” as submitted; seconded by Mr.**
332 **Hodson. Motion carried on roll-call vote 3–1 with Mr. Kosmas casting the dissenting**
333 **vote. Mr. Schilsky abstained.**

334

335 Mr. Kosmas asked for clarification if a matter that has been brought before the Board and
336 no motion was made could be brought back up at the same meeting. Mr. Hall stated that
337 he would review the Robert’s Rules of Order with Mr. Kosmas.

338

339 Mr. Schilsky gave an update on actions of the Administrative Office Building (AOB)
340 Review Committee that he was a member of. Mr. Schilsky informed the CRA that the
341 committee is recommending that the City Commission not consider the one proposal
342 received in response to an Request for Proposal for 160 N. Causeway, as they felt that
343 this proposal was not the best and highest use for the AOB site.

344

345 Mr. Kinney stated that he has enjoyed his first meeting.

346

347 Mr. Kosmas suggested that grant applications be listed individually under New Business
348 as they have been in the past.

349

350 Hearing no further comments, Mr. Kosmas entertained a motion to adjourn.

351

352 **ADJOURNMENT**

353

354 **A motion was made to adjourn; all agreed. Meeting adjourned at 4:53 pm.**