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**MINUTES OF THE
COMMUNITY REDEVELOPMENT AGENCY
MEETING OF NOVEMBER 5, 2008
DEBERRY ROOM 3RD FLOOR
200 CANAL STREET
NEW SMYRNA BEACH, FLORIDA**

Chairperson Linda DeBorde called the November 5, 2008 CRA meeting to order at 2:00 p.m.

Answering to roll call:

**Linda DeBorde, Chair
Steve Dennis, Vice Chair
James Kosmas
Charles Belote
Douglas Hodson
Cynthia Lybrand
Thomas Williams**

Also present were Kevin Fall, CRA Director; Michelle Martin, CRA Project Manger; Noeleen Foster, CRA Coordinator; Mark Hall, CRA Attorney; and Claudia Soulie, Administrative Specialist.

CONSENT AGENDA

Mr. Hodson made the motion to approve the minutes of the October 1st, 2008 CRA meeting as written; seconded by Mr. Dennis. The motion carried on roll call vote 7 – 0.

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.

Nancy Lowden Norman, Director of Advancement with the Atlantic Center for the Arts (ACA), was present on behalf of their Festival Chair. Ms. Lowden Norman elaborated on the benefits of the *Images – a Festival of the Arts* event that was planned for January 31 and February 1, 2009.

Ms. Lowden Norman asked for the CRA's renewed support for the 2009 event in the amount of \$7,500 (\$5,000 to purchase art to be displayed throughout the City and \$2,500 for a children's art project, that would be displayed at the Marine Discovery Center) and thanked the CRA Commissioners for their previous sponsorship.

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Nicole Carni, with the Fortis Group, thanked the CRA Commissioners for their support of the *New Smyrna Beach Uncorked* event that was held in October, 2008. Ms. Carni gave the CRA a recap of the event happenings and the long-term benefits that this event will bring to New Smyrna Beach and its merchants. Ms. Carni stated that she would have a report before the CRA including financial summaries of expenses/earnings and “thank-you” letters from merchants.

Mr. Belote asked Ms. Carni about making the representation that she had officers and directors at the time of her original grant request, when it appeared that her company did not get organized for another sixty (60) days.

Ms. Carni stated that she had filed her paperwork with the State on-line and was not aware that she also had to send the paperwork via registered mail, which she did as soon as she discovered her error.

Ms. DeBorde thanked Ms. Carni for her report.

Hearing no further requests for participation, Ms. DeBorde closed Public Participation.

OLD BUSINESS

A. Selection of Firm - Redevelopment Plan Update

Mr. Fall stated that, out of the four (4) short-listed firms, the ranking committee had chosen Glatting Jackson as the most qualified firm to assist the CRA with the Redevelopment Plan Update and staff was seeking CRA selection of a firm and authorization to negotiate a contract and scope of services.

Mr. Belote asked if Glatting Jackson did the original Redevelopment Plan and was informed by Mr. Fall that they created it in 1985.

Mr. Dennis made the motion to accept staff’s recommendation and to authorize staff to negotiate a contract and scope of services; seconded by Mr. Kosmas. The motion carried on roll call vote 7 –0.

B. CRA Parking Program

Mr. Fall stated that staff had been approached on several occasions regarding the potential to re-establish the CRA Leased Parking Program to provide enhanced opportunities for the redevelopment of the Canal Street and Flagler Avenue business districts. Mr. Fall continued that staff was seeking CRA direction in drafting formal notices to the City Commission as well as the Director of Development Services,

93 regarding the utilization of CRA parking spaces to accommodate redevelopment
94 opportunities within the CRA district without changing the existing building footprints.
95

96 Mr. Fall reiterated that the CRA Redevelopment Plan update would include a
97 comprehensive parking analysis that would allow the CRA to establish policies and
98 programs to make it a less subjective program.
99

100 Ms. DeBorde stated that she would like the CRA Commissioners and staff to take
101 another look at the parking program, but to be very specific as not to enlarge the footprint
102 of the buildings and asked the CRA for suggestions. Ms. DeBorde thanked Michelle
103 Martin for compiling a summary, including aerials, of the existing CRA lots and parking
104 spaces.
105

106 Mr. Kosmas agreed that the program should be re-considered and asked for more
107 details to get re-acquainted with its guidelines.
108

109 Ms. Lybrand inquired if this could be part of the CRA Redevelopment Plan
110 Update and was informed by Ms. DeBorde that she had received requests from City
111 officials to re-implement this program as soon as possible.
112

113 Mr. Williams asked if the CRA would allow all or only a percentage of the
114 parking spacing to be leased. Mr. Dennis felt that a precise number was not indicated in
115 the original agreement and stated that this program was intended to help existing
116 businesses that changed their use. Mr. Dennis cautioned that specific conditions of the
117 lease needed to be addressed in order to avoid any misinterpretations of what this
118 program was truly intended for.
119

120 Ms. Lybrand asked about the cost to lease those spaces. Ms. Foster stated that
121 each space was \$150 per year and Ms. Lybrand felt that number ought to be re-evaluated.
122

123 Ms. DeBorde would like to work with the City to make the codes for parking in a
124 mixed-use area easier to comply with and agreed with Mr. Dennis that the parking
125 program had to be redefined.
126

127 Mr. Kosmas felt strongly that the purpose of this program was to assist businesses
128 with a hardship and that any leased spaces should be returned to the CRA, once that
129 hardship had been resolved.
130

131 A brief “brain storming” session ensued about possible changes that could be
132 made to redefine the parking program.
133

134 Mr. Fall offered to put together a summary of the parking program along with the
135 parking lot inventory for the Commissioner’s review.
136

137 **Ms. DeBorde asked the CRA Commissioners' consensus to authorize staff to draft**
138 **formal notices to the City Commission as well as the Director of Development**
139 **Services, regarding the utilization of CRA parking spaces. All agreed.**
140

141 Ms. DeBorde asked Mr. Fall to compile any correspondence that had been received in the
142 past addressing different incentives, waivers and opportunities offered by other areas to
143 see if they were applicable to the CRA District.
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NEW BUSINESS

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A. Atlantic Center for the Arts – Sponsorship request

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149 Please refer to Ms. Nancy Lowden Norman's presentation under Public
150 Participation.
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154 Mr. Fall informed the CRA Commissioners that any funds appropriated to this
155 request would come out of the CRA's Art Fund.

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158 Mr. Kosmas questioned the \$2,500 being funded out of the Public Arts Fund and
159 felt that this amount should come out of a different CRA fund. Ms. DeBorde and Mr.
160 Belote shared Mr. Kosmas' concerns.

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163 A brief discussion ensued about the budgeted balance in the CRA Art Fund and
164 what it was reserved for.

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167 **Mr. Hodson made the motion to accept funding the Patron's request in the amount**
168 **of \$5,000 and the Creative Education Area in the amount of \$2,500 for a total of**
169 **\$7,500 from the CRA Art fund; seconded by Mr. Dennis. The motion carried on**
170 **roll call vote 4–3, with Ms. DeBorde, Mr. Kosmas and Mr. Belote casting the**
171 **dissenting votes.**

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B. Riverside Park Lights Project

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175 Mr. Fall stated that the lights in Riverside Park had reached the end of their
176 functional life. Mr. Fall continued that there were five different light styles in the Park.
177 Staff recommended consolidating the different light styles into a single style throughout
178 the Park at a cost of \$3,200 each, including estimated installation and wiring.
179

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182 Mr. Fall informed the Commissioners that, as a quick repair in response to
183 residents complaints, a proposal had been approved to replace 29 ballasts at a total cost of
184 \$5,000.
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181 As the long-term solution, Mr. Fall asked that the CRA Commissioners authorize
182 staff to issue a Request for Proposal (RFP) to replace 58 lights and install new wiring in
183 Riverside Park.

184
185 Mr. Kosmas asked about a previously suggested scenario where the Utilities
186 Commission would maintain the lights. Mr. Fall stated that staff researched the pros and
187 cons of this arrangement and felt that it would be financially more advantageous to have
188 City staff maintain/service the lights.

189
190 Ms. Lybrand inquired about the new lights' efficiency. Mr. Fall stated that the
191 CRA and the City would need to evaluate the technical details.

192
193 **Ms. Lybrand made the motion to authorize staff to create a RFP for the light**
194 **replacement at Riverside Park and bring it back to the CRA Commissioners for**
195 **approval; seconded by Mr. Belote. The motion carried on roll call vote 7-0.**

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197 Mr. Fall stated that administrative oversight and a realistic maintenance program would
198 be implemented. Mr. Fall continued that he had been in touch with the Parks and
199 Recreation Department in that regard.

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202 C. EPA Grant Application – Environmental Assessments

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204 Mr. Fall informed the Commissioners that staff had entered into discussions with
205 Concurrent Technologies Corporation (CTC), a non-profit, professional services firm
206 specializing in assisting communities with the development and implementation of
207 brownfield grant programs. Mr. Fall continued that CTC had offered to author a grant on
208 behalf of the City of New Smyrna Beach and its CRA to be submitted for inclusion in the
209 current grant application cycle without cost or obligation, in exchange for being allowed
210 to bid on the project in a fair competition, if the community is awarded the grant.

211

212 Mr. Fall asked the CRA Commissioners to authorize staff to direct CTC to
213 proceed with the EPA Brownfield Assessment Grant on behalf of the CRA and City of
214 New Smyrna Beach.

215

216 Mr. Kosmas inquired if the City had to be a designated brownfield area in order to
217 qualify for any grants. Mr. Fall stated that this was not the case and that this grant was a
218 federal program and the designation as a brownfield was done by the state.

219

220 **Mr. Dennis made the motion to authorize staff to work with CTC and to**
221 **recommend that the City Commission pass a resolution to dedicate the City of New**
222 **Smyrna Beach as a brownfield site; seconded by Mr. Hodson. The motion carried**
223 **on roll call vote 7-0.**

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227 D. Intersection Level of Service Study

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230 Mr. Fall stated that in an effort to assist redevelopment efforts within the CRA
231 District, staff recommends that the CRA consider conducting a Signalized Intersection
232 Level of Service Study that would provide the CRA with transportation analysis to be
233 used to evaluate individual redevelopment applications and to guide the overall
234 improvements to the local transportation network. Mr. Fall continued that such a study
235 was estimated to be completed within a three-month timeframe and to cost under
236 \$25,000.

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238 Mr. Kosmas asked what the useful life of such a study was and if the CRA's
239 Redevelopment Plan Update should be completed first. Mr. Fall stated that every seven
240 years an Evaluation and Appraisal Report (EAR) was required to verify if any changes
241 had occurred and that this traffic study would include slightly different information that
242 was not gathered during the Redevelopment Plan update.

242

243

244 Mr. Kosmas inquired about the usefulness of a traffic study within the CRA
245 district versus an intersection that was much more impacted by development. Mr. Fall
246 elaborated that the City pledged to perform an infrastructure study as part of its economic
247 development strategy and the CRA's traffic study could tie into this.

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249 Mr. Williams inquired about three (3) comprehensive plan amendments within the
250 City of New Smyrna Beach being reviewed by DCA and if the CRA district could be
251 included. Mr. Fall stated that the CRA district had to be looked at slightly different as far
252 as traffic, compared to busier intersections and referred to Mr. Rakowski for further
253 elaboration.

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255 Mr. Mark Rakowski, Development Services Director, stated that the City of New
256 Smyrna Beach had performed a traffic study, but not as detailed as the study Mr. Fall was
257 suggesting.

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259 Mr. Dennis asked if any of the costs associated with this study could be recouped
260 from a potential developer. Mr. Rakowski stated that this study would be a
261 developmental tool to entice developers and draw them to the area. Mr. Mark Hall, CRA
262 Attorney, felt that the direct cost could not be recouped, but that it was more along the
263 lines of an incentive.

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265 Ms. DeBorde felt that the cost for this study was a small step for the CRA to take,
266 to show their "good will" towards redevelopment and working with developers.

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268 Mr. Kosmas inquired about the City having certain requirements that have to be
269 met/included in this type of study. Mr. Rakowski stated that the City's traffic planner
270 would assist and give his input.

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272 Mr. Belote asked if Mr. Rakowski concurred with the seven (7) year life span,
which he did.

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Ms. Lybrand felt that the traffic would vary by season, and Mr. Rakowski stated that this would be taken into consideration.

Mr. Dennis made the motion to authorize staff to solicit technical proposals to accomplish the CRA Signalized Intersection Level of Study; seconded by Mr. Kosmas. The motion carried on roll call vote 7-0.

REPORTS AND COMMUNICATIONS

A. Director's Report (verbal)

- Mr. Fall stated that he would keep the CRA Commissioners informed of on-going projects via bi-weekly informational memorandum. Mr. Fall felt that this would free up time during the monthly CRA meetings Mr. Fall offered to answer any questions that may result from the correspondence on an individual basis.
- Mr. Fall informed the CRA that he created a new line item for the next CRA agenda titled "Commissioner Reports" that would give the CRA Commissioners a chance to address any comments/concerns in a public venue.
- Mr. Fall stated that the Dunn Lumber property acquisition was still within the due diligence period and stated that two (2) appraisals had to be performed per the conditions of the contract. Mr. Fall continued that the environmental assessment studies were performed and felt that the results should not deter the CRA from moving forward. CRA staff put together a brownfield application to obtain an environmental assessment grant.
- Mr. Fall continued that a final utilities relocation/re-design meeting was scheduled pertaining to West Canal Streetscape. Mr. Fall mentioned that staff would keep the CRA Commissioners informed of the outcome. Mr. Fall stated that staff had received a construction time schedule. Also, the 90% plans had been reviewed by FDOT and submitted. Staff had requested an additional extension from the State for one year starting November 2008. Mr. Fall elaborated that, once all the necessary steps had been taken, staff would be working on procuring the required easements. Mr. Fall was hopeful that the private property owners were in agreement, but wanted to mention that the worst-case scenario would be to keep the utilities overhead.

317 Ms. DeBorde welcomed Mr. Sizemore, Thadcon – West Canal Streetscape
318 Contractor. Mr. Fall informed the CRA that Mr. Sizemore has been extremely patient in
319 regards to any permit requirements and change orders.
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B. Correspondence

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324 None

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326

ADJOURNMENT

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328 **Mr. Williams made a motion to adjourn, seconded by Mr. Dennis; all agreed.**

329 **Meeting adjourned at 4:30 pm.**