

**MINUTES OF THE  
COMMUNITY REDEVELOPMENT AGENCY  
MEETING OF APRIL 2<sup>nd</sup>, 2008  
DEBERRY ROOM 3<sup>RD</sup> FLOOR  
200 CANAL STREET  
NEW SMYRNA BEACH, FLORIDA**

**Chairperson Linda DeBorde called the April 2<sup>nd</sup>, 2008 meeting to order at 2:00 p.m.**

**Answering to roll call:  
Linda DeBorde, Chairperson  
Steve Dennis, Vice Chair  
Douglas Hodson  
James Kosmas  
Charles Belote  
Thomas Williams**

Also present were Mark Rakowski, Interim CRA Director; Kevin Fall, CRA Project Manager; Noeleen Foster, CRA Coordinator; Mark Hall, CRA Attorney; and Claudia Soulie, CRA Board Secretary. Commissioner Cynthia Lybrand arrived at 2:10 pm.

**CONSENT AGENDA**

**Mr. Dennis made the motion to approve the minutes of the March 5, 2008 CRA Board meeting as written; seconded by Mr. Hodson. The motion carried on roll call vote 6 – 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.

Ms. DeBorde declared public participation closed since there was nobody present to speak.

**OLD BUSINESS**

**A. CRA PROJECT PRIORITIZATION**

Mr. Fall stated that all the pertinent data had been received and incorporated to produce the current prioritization worksheet. Mr. Fall asked the Board to review that data because staff will discuss the placement of not-funded projects in the proposed budget for new fiscal year at the next CRA meeting.

Mr. Fall informed the Board that the “funded and in process” projects were listed in bold font and clarified the terminology “funded” as being an allotment in the budget that may or may not cover the entire scope of the project.

Mr. Fall stated that he would bring projects like the Medical District Area, North Causeway Recommendations and Flagler Ave. Sidestreets back before the Board with more specificity in regards to a possible budget by the next CRA meeting.

Mr. Belote asked for staff to keep the Board informed about the status of the N. Causeway / former High School Site Impacts project. Mr. Fall indicated that he would notify the Board via Memorandum about the final analysis of the site and the proposal, once he obtained that information from the City Commission.

Mr. Williams thanked staff for their work in compiling information pertaining to the Masterplan and putting together a brochure depicting the timelines for completed CRA projects.

Ms. DeBorde asked the Commissioners to review the old Masterplan to be prepared for the task of updating it.

Mr. Rakowski stressed the need for updating the Masterplan and raised the question again if it should be updated by staff or by an outside source.

Mr. Dennis emphasized that the Masterplan should be updated on a regular basis, since the CRA was required to report every March, to the Auditor General's office, how the CRA funds were being allocated.

## **NEW BUSINESS**

### **A. Florida Brownfields Redevelopment Program**

Mr. Fall introduced Mr. George Houston II, P.G., a professional geologist and technical reviewer for the Waste Cleanup Section with the Florida Department of Environmental Protection Central District, who gave a power-point presentation on what the Florida Brownfields Redevelopment Program consists of and the financial incentives and benefits of being a member. Mr. Houston encouraged the Board to ask questions at will.

A Brownfield site means real property, the expansion, redevelopment or reuse of which may be complicated by actual or perceived environmental contamination.

A Brownfield area means a contiguous area of one or more brownfield sites, some of which may not be contaminated, and which has been designated by a local government by resolution. Such areas may include all or portion of community redevelopment areas, enterprise zones, empowerment zones, other such designated economically deprived communities and area, and Environmental Protection Agency-designated brownfield pilot projects.

Mr. Fall informed the Board that the designation of a brownfields site was a resolution from the City Commission.

Ms. DeBorde thanked Mr. Houston for his presentation.

## **B. Proposed Development of FEC Property Glenn D. Storch, P.A.**

Mr. Fall stated that the reason for this presentation was that a small portion of the area between Canal Street and 10<sup>th</sup> Street proposed for redevelopment was within the CRA district and that there was a possibility to connect to the Canal Street Historic district and the Medical Services area.

Mr. Fall introduced Mr. Glenn Storch with the Law firm of Storch & Morris. Mr. Storch gave a brief report of the history of this area and continued that the 100 acre area was zoned industrial and felt that a “Lifestyle Center”, including theaters, restaurants and retail outlets that tied into Canal Street would be the best alternative for this area and would draw people to the downtown. Mr. Storch felt that the proposed redevelopment could be a generator of new jobs.

Ms. DeBorde urged the Commissioners to attend the public neighborhood meeting at 7 pm that evening, where the proposed development would be discussed in more detail, since this would have an impact on the CRA district.

There was a brief question and answer session between the CRA Board and Mr. Storch in regards to access from the south side of SR 44 and the use of trolleys versus walkover bridges.

## **C. Election of CRA Chair and Vice Chair**

Ms. DeBorde asked for this item to be put on the agenda, since she felt that elections should be held at a regular basis.

**Ms. Lybrand made the motion to nominate Linda DeBorde to continue in her role as CRA Chairperson; seconded by Mr. Dennis. Motion carried on roll call vote 7-0.**

**Mr. Hodson made the motion to nominate Steve Dennis to continue in his role as CRA Vice Chairperson; seconded by Ms Lybrand. Motion carried on roll call vote 7-0.**

Ms. DeBorde thanked the Board for their vote of confidence.

## **D. Badcock Property Proposal**

Mr. Fall stated that the Canal Street Historic District (CSHD) had been working towards cleaning up the corner of Canal Street and US 1. In order to attain this goal, they had requested permission to have access to the unoccupied Badcock building to install banners and presentations in the windows. Mr. Fall continued that the owners of the Badcock property had been in touch with staff and were willing to consider the CSHD’s request if their building could be incorporated into the Canal Street pressure washing project that City staff was in the process of developing. Mr. Fall also mentioned that the Badcock representatives were looking for authorization from the City Commission to use

the City's right-of-way on Canal Street to drill three (3) wells to monitor possible ground contamination.

Ms. DeBorde wanted to clarify, should the Board agree with this request, that the responsibility and liability associated with the "banner hanging" would not rest with the CRA.

Flare Elliott, 421 Canal Street, thanked the CRA for purchasing the banners, which will be put up on Canal Street and mentioned that the idea to put eight (8) banners in the Badcock building windows for display was part of the Gateway clean up and other non profit groups might join the band wagon. Ms. Elliott confirmed that members of the CSHD would do all the work.

Mr. Dennis felt that it would be wiser for the CSHD to hire a contractor and invoice the CRA for possible funding. Mr. Belote was reluctant to give money outside of the CRA's existing grants and programs. Mr. Williams voiced his concerns about funding a project, directly or indirectly that he felt pertained to general building maintenance.

Ms. Lybrand suggested tying this topic into the brownfields discussion and Mr. Fall added that the brownfields program could be retroactive.

**Mr. Dennis made the motion to table the topic until a resolution from the City Commission had been received; seconded by Mr. Williams. Motion carried on roll call vote 7-0.**

## REPORTS AND COMMUNICATIONS

### **A. Capital Projects Status Report**

Mr. Fall stated that the CRA Board had previously authorized a design-build Request for Proposal (RFP) for the Flagler Avenue Boardwalk to get the subsurface and vertical infrastructure designed and fixed, complete with permit-ready construction plans.

Mr. Fall continued that prior to its approval by the City Commission, concerns were raised as to this RFP being the right vehicle for this project, since Florida was subject to the Florida Competitive Consultants Negotiation Act (CCNA). Mr. Fall stated that a discussion ensued as to whether this was a design or a construction project and the interested bidders expressed concerns about spending large amounts of money to come up with a proposal without any guarantees of being awarded the bid and their proposal being public property. Mr. Fall informed the Board that the RFP was changed to a Request for Qualifications (RFQ), but the specifications of "permit readiness" were not removed, thus creating the contractor's concerns.

A discussion ensued between staff and the Board as to what a RFQ is and what projects would require a RFQ versus a RFP, withdrawing the current RFQ or letting it run to its deadline and concerns with the engineering reports.

Ms. Lybrand felt that the CRA Board needed to be more involved in communicating the CRA's true intentions to prospective contractors before any proposal went out. Mr. Hall, CRA Attorney, suggested designating one CRA Commissioner to act as a representative.

Mr. Fall deferred the topic to Mr. Hall as to the legal options available to the CRA in regards to the current RFQ.

Mr. Hall specified the options of letting the RFQ "run" or withdrawing it. The Board and staff discussed the pros and cons of these two (2) options, what the next steps would be, should the RFQ be withdrawn, if it should be a RFP or RFQ and how specific the new proposal should be and possibly continuing with the current RFQ while posting a new request.

**Mr. Dennis made the motion to withdraw the current Request for Qualifications (RFQ); seconded by Mr. Belote. Motion carried on roll call vote 6-1 with Mr. Williams casting the dissenting vote.**

**Mr. Dennis made the motion to draft a new RFQ for the sub-structural foundation; including the seawall and concrete cap; seconded by Ms. Lybrand. Motion carried on roll call vote 7-0.**

Commissioner Williams volunteered to work with staff to oversee the new RFQ and staff will send a draft to the Board.

Mr. Fall commented that the ThadCon design team was at close to ninety (90%) percent design for the West Canal Streetscape and had submitted plans to the Utilities Commission (UC). Several meetings have also occurred regarding underground utilities, easement requirements, future conduit and long term maintenance of the improvements. Mr. Fall informed the Board that the UC was apprehensive about having their electrical lines run underground next to the water and sewer lines due to cost and maintenance issues. Mr. Fall stated that the ThadCon design team was in the process of negotiating different alternatives with the UC, which could result in an increase of the West Canal Streetscape budget. Mr. Fall felt that easements might be needed for some of the nineteen (19) properties that needed to have their utilities put underground.

There was a brief discussion between staff, CRA Board and CRA Attorney about a meeting with the UC where inaccuracies in the design plans, alternatives to the electrical issues, keeping the utilities separate (water, sewer, cable, phone and electric), temporary construction easements and sidewalk width were discussed.

Further discussion ensued about the previous streetscape work of East Canal Street, the use of temporary, permanent and City owned easements and feeding of electric from the rear of the buildings through alleys.

Mr. Fall clarified the need for permanent easements on private property for the West Canal Streetscape project and stated that he would inform the Board of the outcome of the next scheduled meeting.

**B. Property Improvement Grant Status/ Report Residential Grant Status Report**

Mr. Fall commented that Mr. Hussey, Six Coquina Plaza, 100 N. Cooper Street, asked for a six (6) months extension on this project, due to the considerable amount of time it took to complete the architectural prints, receive permits and come to term with contractors. Staff recommended the CRA Board consider approving the six (6) months extension.

**Mr. Hodson made the motion to approve the six (6) months extension; seconded by Mr. Kosmas. Motion carried on roll call vote 7-0.**

**C. Fifth Annual Restoration Workshop**

Mr. Fall invited the CRA Board to attend a Restoration Workshop to be held in DeLand on April 11 – 12, 2008. This workshop will be presented by the West Volusia Historical Society and is a two-day hands-on, intensive workshop for lovers, owners and/or restorers of older homes and buildings.

Mr. Fall handed out the CRA 2007 Annual Report to the CRA Board for their review and stated that arrangements have been made to send a copy to each taxing entity that supports the CRA. The report covers the *History of the CRA, CRA District Boundary, 2007 Activities, CRA Projects, Property Improvement Grant Program and Residential Property Grant Program, Grants in Aids, CRA's Goals and Visions for 2008 and Financial Condition.*

Ms. DeBorde thanked Mr. Fall for the timely completion of the Annual Report.

Ms. DeBorde reported that she had met with Mr. Bob Williams, CEO Bert Fish Medical Center (BFMC), and he expressed interest in a joint workshop between the CRA and BFMC to possibly discuss the use of funds given to the CRA by BFMC through tax increments by way of hospital millage.

Mr. Fall informed the CRA that he was approached by Volusia County in regards to the CRA's worth and wanted the CRA Board to be aware that Volusia County was looking at ways to maximize their aggregate tax base. Mr. Fall felt confident in justifying the CRA's existence, should he get called on to do so.

Mr. Lybrand mentioned that the Workshop to be held by the Florida Redevelopment Association on Friday, April 18, 2008 in Holly Hill would feature topics explaining these financial aspects involving CRA's.

**ADJOURNMENT**

**Mr. Belote made a motion to adjourn; seconded by Mr. Dennis, all agreed. Meeting adjourned at 4:20 pm.**