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**MINUTES OF THE  
COMMUNITY REDEVELOPMENT AGENCY  
MEETING OF FEBRUARY 4<sup>th</sup>, 2009  
DEBERRY ROOM 3<sup>RD</sup> FLOOR  
200 CANAL STREET  
NEW SMYRNA BEACH, FLORIDA**

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Chairperson Linda DeBorde called the February 4<sup>th</sup>, 2009 CRA meeting to order at 2:00 p.m.

**Answering to roll call:**

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

Also present were Kevin Fall, CRA Director; Noeleen Foster, CRA Coordinator; Michelle Martin, CRA Project Manger; Mark Hall, CRA Attorney; and Claudia Soulie, Administrative Specialist. Commissioner Cynthia Lybrand arrived at 2:03 pm.

**CONSENT AGENDA**

Approval of Minutes – January 15<sup>th</sup>, 2009 CRA Meeting.

Ms. DeBorde pointed out a typographical error on page 9, line 394. Ms. Soulie stated that she would make the necessary correction.

**Mr. Dennis made the motion to approve the minutes of the January 15<sup>th</sup>, 2009 CRA meeting with the appropriate correction, seconded by Mr. Belote. 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.

Hearing none, Ms. DeBorde closed the Public Participation portion of the meeting.

47 **OLD BUSINESS**

48

49 **A. W Canal Streetscape Project**

50 **-Presentation of 100% Plans and Construction Schedule**

51

52 Mr. Fall stated that the City/CRA had received 100% plans for the West Canal  
53 Streetscape and Drainage Improvement Project, prepared by the Design Build Contractor  
54 ThadCon, LLC. The State and City/CRA review was targeted for completion by Friday,  
55 February 13, 2009.

56

57 Mr. Fall elaborated on the Landscape/Hardscape plans included in the agenda package  
58 and informed the CRA Commissioners that the full set of plans was available for review  
59 at City Hall, 210 Sams Avenue.

60

61 Mr. Fall updated the Commissioners on:

- 62
- 63 • West Canal Streetscape Groundbreaking ceremony held on January 28,  
64 2009;
  - 65 • Getting Utility Coordination letters (a requirement of the FDOT permit)  
66 signed by the Utility Companies involved;
  - 67 • Utility Easements –documentation mailed to respective property owners  
68 for execution, staff still in the process of trying to locate owner or  
69 representative for one of the propertiesl
  - 70 • Substantial completion of the Parking Lot at intersection of Julia and  
71 Lewis Streets (shell and landscaping);
  - 72 • Release of Project Construction Schedule and Pattern (construction  
73 moving west to east on Canal Street, traffic patterns and possible detours);
  - 74 • Authorization by the State of the original contract between the City and  
75 ThadCon, execution of the first change order for enhancements to the  
76 Parking lot design/construction and a forthcoming second change order for  
77 utility relocation may be;
- 78

79 Ms. Lybrand voiced a concern of the proposed trees for the Streetscape conflicting with  
80 the existing trees and that she would like to see that addressed and indicated on the plans.  
81 Mr. Fall duly noted the concern and would get a rendering to overlay the proposed  
82 landscape and hardscape with the existing one.

83

84 Mr. Belote asked if the impact that skateboarders could have on the proposed planters  
85 had been taken into consideration as well as making Streetscape benches more conducive  
86 to sitting instead of laying.

87

88 Ms. Lybrand felt that the bulb-out on the corner of Myrtle was fairly narrow and possible  
89 safety/visibility issues were being created by putting a large tree there. Ms. Martin stated  
90 that the bulb-out was a standard 24 inches.

91

92 Ms. DeBorde commented on the history of the bulb-out.

93

94 Mr. Williams inquired if it was possible to make the coquina arch feature on the corner of  
95 US 1 and Canal complimentary to the one that exists at the east end of Canal Street. Mr.  
96 Fall stated that this would be a possibility.

97

98 Mr. Kosmas asked if there were plans for picnic tables in the Park. Mr. Fall stated there  
99 were not. Ms. DeBorde mentioned that the Parks and Recreation as well as the Police  
100 Department felt that benches and tables bring a certain undesirable element to the parks.  
101 Mr. Fall stated that the CRA had Myrtle Avenue park surveyed for possible  
102 improvements in the future and staff was working on finding a solution that would please  
103 everybody.

104

105 Ms. DeBorde thanked CRA staff for their efforts and all the Commissioners for their  
106 input.

107

#### 108 B. Florida Avenue CRA Properties – Request for Proposals

109

110 Mr. Fall stated that at the January 15, 2009 regular meeting, the CRA discussed a Request  
111 for Proposals (RFP) related to the acquisition and development of CRA properties located  
112 at 207 and 215 Florida Avenue and deferred the item to a date uncertain.

113

114 Mr. Fall stated that, at the request of CRA Vice Chair Steve Dennis, revisions to the  
115 Request for Proposals were drafted that eliminated the requirement that the proposed  
116 development projects be limited to a specific use. Other than changes related to  
117 removing this requirement, the remaining elements of the Request for Proposals are  
118 unchanged including the process, submittal requirements, the evaluation criteria and the  
119 schedule.

120

121 The Request for Proposals seeks development interests, qualifications and proposals from  
122 the private sector to, among other things, undertake a redevelopment project that will  
123 serve to stimulate local economic activity within the Flagler Avenue business district and  
124 yield long-term positive financial benefits to the City, CRA and local community.

125

126 Mr. Fall was seeking authorization to advertise the attached Request for Proposals –  
127 Acquisition and Development of CRA Properties located at 207 and 215 Florida Avenue.

128

129 Mr. Dennis referred to the email he had forwarded to Mr. Fall's office and stated that his  
130 reason for bringing this topic back up for discussion was that there was a due diligence  
131 period, which allowed the RFP to run concurrent with the Redevelopment Plan Update.  
132 Also, Mr. Dennis felt that this RFP could give the CRA ideas for other uses of the  
133 properties. Mr. Dennis continued that, after discussion with staff and Mr. Hall, the CRA's  
134 legal definition of New Smyrna Beach Redevelopment Agency (NSB CRA) was used  
135 throughout the RFP to eliminate any future misinterpretation of responsibilities.

136

137 Mr. Fall informed the Commissioners that staff was negotiating with the Consultants  
138 involved in the Redevelopment Plan update (RPU) to develop a meeting schedule.

139

140 Mr. Kosmas inquired about scheduling workshops pertaining to the RPU, that the public  
141 could attend in order to get the most input of public comments and concerns. Mr. Fall  
142 informed the Commissioners that several venues would be available to the public. The  
143 Consultants would be available for one-on-one meetings. Also, interested residents may  
144 serve on citizen's steering or advisory committees. Mr. Fall stated that he had an open  
145 door policy and would be available for questions.

146

147 Mr. Kosmas stated that the revisions of the "new" RFP eliminated concerns he had  
148 voiced at the previous CRA meeting.

149

150 Mr. Kosmas questioned the need for listing the assessed values for the parcels and felt  
151 that this might be misleading to any potential bidders.

152

153 Ms. Lybrand felt that this RFP gave the impression that the CRA was intending to sell the  
154 parcels and was concerned as the CRA needed to maintain parking. Ms. Lybrand asked  
155 for the RFP to indicate sell/lease.

156

157 Mr. Belote questioned that the RFP did not indicate that the CRA was currently using the  
158 parcels for parking and felt that the potential proposer should be asked to address these  
159 facts.

160

161 Mr. Dennis conferred with Mr. Hall, who confirmed that the RFP could be changed to  
162 state sell/lease or joint use as well as reflect the fact of the parking space encumbrances.

163 Mr. Hall suggested delegating a Commissioner to work with Mr. Fall to create the  
164 appropriate wording.

165

166 Ms. Shelley of 220 Florida Ave. asked if the proposals would become public record. Mr.  
167 Dennis stated that once they had been opened and reviewed by CRA staff on the proposal  
168 due date, they would become public record.

169

170 Mr. Frank Marshall of 109 Esther Street inquired about the evaluation criteria selected for  
171 the RFP. Ms. DeBorde stated that no specific economic criteria had been used.

172

173 **Mr. Dennis made the motion to approve the Florida Avenue CRA Properties –**  
174 **Request for Proposals with the agreed upon changes, seconded by Mr. Hodson. The**  
175 **motion carried on roll call vote 7 –0.**

176

177 A brief discussion ensued about the highest/best use of the parcels and the overall benefit  
178 for the community.

179

180 Mr. Steven Provost commented on compatibility along the edges of zoning districts and  
181 he hoped that the CRA's RPU would take that into consideration.

182

183 Mr. Kosmas wanted to be sure that, in the realm of full disclosure, the RFP should reflect  
184 that the CRA was in the process of conducting a RPU, which may conflict with the  
185 proposer's vision.

186

187 Mr. Shelly Pestine asked that the CRA would reach a decision in a timely manner.

188

189

## NEW BUSINESS

190

### A. CRA Meeting Schedule

192

193 Mr. Fall stated that section 189.417(1) of the Florida Statutes requires that the governing  
194 body of each special district shall file a schedule of its regular meetings with the local  
195 governing authority to include the date, time and location of each scheduled meeting.  
196 Additionally, the schedule shall be published in a newspaper of general paid circulation  
197 in accordance with this subsection.

198

199 Mr. Fall continued that the proposed 2009 CRA Meeting Schedule maintains a regular  
200 monthly meeting on the first Wednesday of each month, unless adjusted to accommodate  
201 timing concerns with certain Holidays.

202

203 Mr. Fall recommended the CRA adopt 2009 CRA Meeting Schedule and authorize filing  
204 and publishing it in accordance with requirements of State law.

205

206 **Mr. Kosmas made the motion to approve the proposed 2009 CRA Meeting**  
207 **Schedule, seconded by Mr. Williams. The motion carried on roll call vote 7 -0.**

208

## 7REPORTS AND COMMUNICATIONS

210

### A. Director's Report (verbal)

212

213 Mr. Fall reported on the following items:

214

215 • FEC Visioning scheduled for 5:30 pm on 2/4/09 at the Brannon Center  
216 pertaining to the acreage south of Canal and US 1.

217 • The CRA having acquired the Dunn Lumber property and Mr. Fall was  
218 soliciting ideas and comments from the Commissioners for clean up and  
219 future use.

220 • CRA leased parking agreement with Sherry McHenry (12 spaces) was  
221 ready to be executed.

222 • Concurrent execution of parking lease agreement between Flip Flops  
223 and the CRA still in process.

224 • Volusia County's effort to equalize the millage rate paid by the County  
225 and to keep them in the loop with the progress of CRA projects.

226 • Revisit the item of renegotiating with Glatting Jackson to have them do  
227 the Wayfinding portion of the RPU at a much-reduced rate.

228

229

230 Ms. DeBorde felt that the cost for the Wayfinding was too high and was in favor of  
231 having it done by CRA staff.

232

233 Ms. Lybrand felt that keeping money within the Community was one of the CRA's goals.

234

235 Mr. Fall recommended doing a Request for Qualifications for Architects to keep on an  
236 on-call basis for future projects, as this would be time saving and cost effective.

237

238 B. Commissioners Reports

239

240 Mr. Williams inquired about the Esther Street Property.

241

242 Mr. Kosmas commented on the piece of art that was purchased at the Images –Festival of  
243 the Art and inquired where it would be placed. Mr. Fall invited the Commissioner's  
244 input in finding a worthwhile location and stated that he was working with the City  
245 Manager and the PW Director on the matter.

246

247 All agreed that the event was a success.

248

249 Mr. Dennis commented on the upcoming Mardi Gras and Mardi Paws event on Canal  
250 Street on Saturday, February 7, 2009.

251

252 C. Correspondence

253

254 No Discussion

255

256 Ms. DeBorde recognized Mark Rakowski, Development Services Director and City  
257 Commissioner Randy Richenberg and thanked everybody for attending the meeting.

258

259

### ADJOURNMENT

260

261 **Mr. Dennis made a motion to adjourn, all agreed. Meeting adjourned at 3:30 pm.**