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**MINUTES OF THE  
COMMUNITY REDEVELOPMENT AGENCY  
MEETING OF OCTOBER 7, 2009  
DEBERRY ROOM 3<sup>RD</sup> FLOOR  
200 CANAL STREET  
NEW SMYRNA BEACH, FLORIDA**

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Chair Linda DeBorde called the CRA meeting to order at 3:05 p.m.

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**Answering to roll call:**

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

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38

Also present were Kevin Fall, CRA Director; Michelle Martin, CRA Project Manager; Noeleen Foster, CRA Coordinator; Claudia Soulie, Administrative Specialist and CRA Attorney Mark Hall. Commissioner Douglas Hodson was absent.

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42

**1. CONSENT AGENDA**

- 43  
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46
- A. Approval of Minutes – August 5, 2009 CRA Meeting
  - B. Approval of Minutes – September 2, 2009 CRA Meeting
  - C. CRA Property Improvement Grant Applications

- 1. 135 Canal Street
- 2. 304 Flagler Avenue
- 3. 319 Flagler Avenue

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52

**Mr. Dennis made the motion to approve the above referenced Property Improvement Grants and minutes as written, seconded by Mr. Williams. The motion carried on roll call vote 6 – 0.**

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56

Ms. DeBorde asked for the record to reflect that Commissioner Hodson had called in sick.

57  
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59  
60

**2. PUBLIC PARTICIPATION**

61  
62  
63

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

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65  
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68  
69

Ms. Elaine Stathakis, Hospitality Group of Flagler Ave asked if the CRA Commissioners would entertain a late submission of a grant application for funding of events on Flagler Ave. as the submission deadline for the Fiscal Year 2010 had passed. Ms. DeBorde inquired about more details and Mr. Fall stated that he would meet with representatives

47 of the Hospitality Group and present this topic as an agenda item at a future CRA  
48 meeting.

49  
50 Ms. Dolores Maylone, 204 S. Myrtle Ave. inquired which areas could be addressed by  
51 CRA monies. Ms. DeBorde stated that there was a defined CRA district and maps  
52 delineating this area were available. Ms. Maylone asked if these were blighted areas and  
53 who made this determination. Ms. DeBorde affirmed this question and stated that a blight  
54 study had been performed prior to the establishment of the CRA district. Ms. Maylone  
55 stated that she felt that Flagler Ave. was no longer a blighted area and urged the CRA to  
56 reconsider feeding funds to this area. Ms. DeBorde stated that the CRA would take Ms.  
57 Maylone's comments into consideration.

58  
59 Hearing no further requests, Ms. DeBorde closed the public participation portion of the  
60 meeting.

61  
62 **OLD BUSINESS**

63  
64 Commissioner Williams asked to bring up a time sensitive item that was not listed on  
65 today's agenda. Mr. Williams stated that the CRA, at their May 2008 meeting, had  
66 approved a grant to the Surfari Club to assist in erecting their Surf memorial at the  
67 Flagler Boardwalk contingent upon all repairs having been completed. Due to  
68 extenuating circumstances pertaining to the repair of the Boardwalk, the Surfari Club was  
69 never able to erect that monument and had to keep it in storage, where it got damaged.  
70 Mr. Williams continued that he had been approached by the Surfari Club to bring this  
71 matter to the CRA's attention, as their annual Surf Contest was scheduled for October  
72 2009 and they were hoping to have to monument on display by then.

73  
74 A brief discussion ensued between the CRA and staff about any potential complications  
75 with displaying the monument prior to any repairs.

76  
77 **Mr. Williams made the motion to allow the Surfari Club to erect the monument**  
78 **contingent upon them working with City and CRA staff to ensure that the base was**  
79 **stable enough to withstand the monument's weight, seconded by Mr. Kosmas. The**  
80 **motion carried on roll call vote 6 – 0.**

81  
82  
83 **3. NEW BUSINESS**

84  
85 **A. Florida Avenue Appraisals**

86  
87 Mr. Fall stated that the CRA had commissioned two appraisal reports for the CRA  
88 properties at 207 and 215 Florida Avenue and that they received reports with significant  
89 differences in market values. Mr. Fall continued that the CRA solicited an Appraisal  
90 Review Report be performed.

91  
92 Mr. Kosmas felt that the CRA needed to be a facilitator of this project and that real estate  
93 values for these properties were only relevant with respect to the enabling legislation

94 which dedicated what the CRA could sell these properties for. Mr. Kosmas would like to  
95 look at options pertaining to the sale or lease options for these properties.

96  
97 Ms. Fall stated that he would welcome the Commission to dedicate Mr. Kosmas to work  
98 with him in this regard, Mr. Kosmas accepted.  
99

100 Mr. Williams stated that he had reviewed both appraisals and felt that the property value  
101 ranged somewhere between the values quoted. Mr. Williams would like to let the record  
102 show that the market forced an action and to determine how the City/CRA can assist in  
103 reducing certain city fees to facilitate the project.

104  
105 A brief discussion ensued about the purchase year and price of the properties; reducing  
106 the sales price of the properties to reflect the economic benefit that the sale could  
107 generate for the district and other options to facilitate a potential sale.

108  
109 Mr. Dennis asked Mr. Fall if staff had requested a financial plan from the developer. Mr.  
110 Fall stated that he had requested a project finance plan, which should include the value of  
111 the properties, which at this point in time was an estimated figure.

112  
113 Mr. Dennis felt that the CRA impaired the value of the project by including certain  
114 requirements of the developer, whereas the appraisals were based on highest and best use.

115  
116 Mr. Fall understood Commissioner Dennis' concerns and stated that the independent  
117 consultant, that staff was going to ask the CRA to retain, would be able to assist the CRA  
118 with making an informed decision.

119  
120 **Mr. Williams inquired about a timeline that would keep this project on track. Mr. Fall**  
121 **stated that he would put this information in a document and forward it to the**  
122 **Commissioners.**

123  
124

125 **B. Redevelopment Plan Update - Additional Services**

126  
127 Mr. Fall stated that as part of the update to the CRA Redevelopment Plan, the consultant  
128 team Glatting provided interviews, meetings and presentations with individuals, business  
129 and property owners, civic organizations and most importantly, the CRA partners.

130  
131 Mr. Fall continued that the update required additional services from the consultant team  
132 that would exceed the targeted number of meetings authorized in the approved scope and  
133 that staff had negotiated a not to exceed fee for the additional services requested.

134  
135 Mr. Fall recommended the CRA approve staff's request for additional professional  
136 services required of the Redevelopment Plan Update with Glatting Jackson.

137  
138 Ms. DeBorde complemented Glatting Jackson on the excellent work they had performed  
139 to date.

140

141 **Mr. Kosmas made the motion to approve the request for additional professional**  
142 **services required of the Redevelopment Plan Update with Glatting Jackson up to**  
143 **\$15,000, seconded by Mr. Belote. The motion carried on roll call vote 6 – 0.**

144  
145 CRA Redevelopment Plan Update – Additional Services/Development Finance Advisory  
146 Services

147  
148 Mr. Fall stated that the CRA was in need of professional development advisory services  
149 related to the hotel development proposed by Premiere Development Group and in  
150 providing strategic recommendations to assist the CRA in their negotiations with  
151 Premiere for the sale of the CRA properties located at 207 and 215 Florida Avenue.

152  
153 Mr. Fall continued that staff had negotiated a Not-To-Exceed Fee of \$ 20,000 for the  
154 additional professional services with Robert Charles Lesser & Co., (RCLCO) a real estate  
155 advisory firm, providing a range of services including but not limited to market research,  
156 product programming, financial sourcing, deal structuring, conceptual design, and  
157 development strategies

158  
159 Mr. Fall recommended the CRA approve staff’s request for additional professional  
160 development advisory services to assist in providing economic/financial analyses of the  
161 proposed financial plan/team related to the hotel development.

162  
163 Mr. Kosmas asked for clarification what RCLCO’s report would entail. Mr. Fall stated  
164 that it would be analyses of the developer, the actual proposal and/or financing plan as  
165 well as giving options to facilitate the project with the best economic benefit to the  
166 community.

167  
168 **Mr. Dennis made the motion to approve the request for additional professional**  
169 **development advisory services with RCLCO up to \$20,000, seconded by Mr.**  
170 **Williams. The motion carried on roll call vote 6 – 0.**

171  
172  
173 C. CRA Property Improvement Grant – Proposed Changes

174  
175 Mr. Fall stated that over the past twenty years, the Property Improvement Grant (PIG)  
176 program had provided seed money to assist in the revitalization of business facades in  
177 order to make them inviting to shoppers and facilitate an increase in commercial activity.  
178 Mr. Fall continued that this seed money had gradually increased from \$3,000 in 1985 to  
179 \$5,000 at present.

180  
181 Mr. Fall stated that over the past several years, the overall ability for investment in local  
182 business expansion or enhancement had weakened as the business community directed its  
183 focus on maintaining profits through existing operations. Therefore, staff recommended  
184 that the maximum grant amount under the Property Improvement Grant program be  
185 increased to \$10,000 per grant application. Mr. Fall continued that all other criteria of the  
186 Property Improvement Grant program would remain unchanged.

188 Mr. Kosmas stated that in the past the CRA was provided with a chart of monies granted  
189 through this program and the corresponding private investment and felt that every dollar  
190 made available had a tremendous return on the CRA's investment.

191

192 **Mr. Fall suggested the CRA submit this CRA Property Improvement Grant program to**  
193 **the Florida Redevelopment Association's "success-story program" with before and after**  
194 **pictures.**

195

196 Mr. Kosmas would like to get the local media involved in highlighting the CRA's  
197 contributions towards economic development in the community.

198

199 Ms. DeBorde asked Ms. Foster to provide an updated list of all grant funds to-date that  
200 the CRA had made available.

201

202 Mr. Belote questioned continuing the PIG as a consent agenda item, since the amount  
203 would increase to \$10,000. Mr. Fall stated that he had inquired with the City's Finance  
204 Director and was informed that, at this time, the City Manager had the authority to  
205 approve requests up to \$25,000 without City Commission approval, but Mr. Fall would  
206 defer to the CRA for direction.

207

208 A brief discussion ensued about available funds in the CRA budget for PIG.

209

210 **Mr. Belote preferred addressing each PIG as a separate item and would like to keep**  
211 **receiving the spreadsheet.**

212

213 **Mr. Williams made the motion to increase the maximum amount for CRA Property**  
214 **Improvement Grants to \$10,000, seconded by Mr. Belote. The motion carried on**  
215 **roll call vote 6 – 0.**

216

217

218 **D. CRA Property Improvement Grant Applications**

219

- |     |                          |                       |
|-----|--------------------------|-----------------------|
| 220 | 1. 334 Canal Street      | 3. 207 Downing Street |
| 221 | 2. 221 Washington Street | 4. 622 Canal Street   |

222

223

224 Mr. Fall stated that the above listed PIG applications had received the necessary points to  
225 qualify for funding under the Property Improvement Grant program. **Mr. Fall continued**  
226 **that for future applications he would provide the CRA Commissioners with a small**  
227 **explanation for each application what the main scope of work entailed.**

228

229 Ms. DeBorde asked to have the business name listed (if applicable).

230

231 Ms. Lybrand inquired about the grant for a mural at 622 Canal Street. Mr. Fall stated that  
232 some CRA's have approved grants for murals and others didn't allow it. Mr. Fall  
233 suggested the CRA vote on this application separately, if they felt more research was  
234 needed.

235 **Mr. Williams made the motion approve all CRA Property Improvement Grants,**  
236 **except 622 Canal Street, seconded by Mr. Dennis. The motion carried on roll call**  
237 **vote 6 – 0.**

238

239 Ms. DeBorde felt that the motion for \$10,000 grants should be made contingent upon the  
240 City Manager's or the City Commission's approval, whichever was required. Ms.  
241 DeBorde wanted to be sure the CRA was following the law.

242

243 A brief discussion ensued about the City's purchasing policy and the City Manager's  
244 approval authority threshold.

245

246 Ms. DeBorde asked Ms. Foster for more details about the mural application for 622 Canal  
247 Street. Ms. DeBorde continued that she was hesitant about granting funds for a mural, as  
248 she felt this should be considered art. **Mr. Fall stated he would do some more research**  
249 **and if warranted bring this application back under Public Art or another category.**

250

251 **Mr. Dennis made the motion to defer approval of the application until a later time,**  
252 **seconded by Charles Belote. The motion carried on roll call vote 6-0.**

253

254 **Mr. Kosmas asked to receive a copy of other Cities' policies for murals.**

255

#### 256 **4. REPORTS AND COMMUNICATION**

257

##### 258 A. Director's Report

259

260 Mr. Fall's report contained the following topics:

261

##### 262 Announcements

263

264

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266

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##### 269 Work Priorities

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- Joint Meeting with City Commission – October 8, 2009 at 6:00PM
  - Grand Opening of El Palenque Restaurant on Canal Street
  - Canal Street Bicycling Event – October 10, 09 at 6:30 pm at Farmers Market
  - Florida Redevelopment Association Annual Conference in Orlando – October 28-30, 2009
- 
- Work Priorities
    - City Hall – CRA administrative staff was relocating to the Connor Library building to accommodate the retransformation of the Commission Chambers and the relocation of City Manager and other City staff within City Hall
    - Redevelopment Plan Update – Coordination with planning consultant on the Design Workshop and joint meeting presentation, and discussion of deliverables, remaining work schedule and final products
    - Flagler Avenue Hotel Project
      - Review appraisal reports for 207 and 215 Florida Avenue
      - Development of scope of services for professional development finance advisory services to assist with review of economic/financial aspects and the negotiations with Premiere Development Group for the potential sale of CRA properties for inclusion in a proposed hotel development project on Flagler Avenue

- 283 • Flagler Avenue Parking Concepts – Research real estate opportunities and  
284 coordinate with planning consultant regarding strategies and recommendations for  
285 providing additional parking opportunities within the Flagler Avenue Business  
286 District
- 287 • Mary Avenue Streetscape
- 288 ○ Coordination with project consultant on delivery of 100% design plans  
289 and construction bid documents
  - 290 ○ Coordinate with City and FDOT regarding potential impacts to US 1
  - 291 ○ Coordinate with project consultant on impacts to railroad crossing
- 292 • Street Sweeping– Coordinate with City in development of a proposed contract  
293 scheduled for City Commission consideration on October 13, 2009 to address and  
294 improve street sweeping operations
- 295 • Volusia County Proposed Changes regarding CRA’s in the County – Coordinate  
296 and assist the interim City Manager and legal staff regarding the proposed  
297 changes to the means by which the CRA’s were created, amended and  
298 administered.
- 299

300 A brief discussion ensued about ways and opportunities to highlight the CRA’s  
301 involvement with the Community.

302

303 Mr. Williams stated that he was approached by a citizen questioning him about  
304 maintenance issues the CRA was involved in and Mr. Williams suggested clarifying to  
305 the public that the CRA was operating within the realm of what was allowed by the  
306 Auditor General. Mr. Williams also cautioned that the CRA not create a budget crisis for  
307 the City whenever the task/property was being turned back over to the City at the sunset  
308 of the CRA.

309

310 Ms. DeBorde suggested providing quarterly reports to the local newspapers showing the  
311 CRA’s projects.

312

313 Mr. Dennis stated that the CRA had always advertised all of their meetings and invited  
314 County representatives to attend.

315

316 Ms. Lybrand suggested having the City’s accountant meet with the County  
317 Commissioners to clarify information on the CRA’s financial statements. Mr. Fall stated  
318 that a meeting to this effect had been set and that the City Manager was handling this.

319

320 Mr. Dennis stated that the CRA had to file their expenditures/financial reports etc. with  
321 the State of Florida since 1985 and inquired if any of this information was ever  
322 questioned by the State. Ms. DeBorde stated not to her knowledge.

323

324 Mr. Kosmas would like to look into the opportunity to put together a press release stating  
325 the CRA’s position, as he has encountered citizens that were not aware what the CRA  
326 was about.

327

328 Mr. Kosmas stated that the City Commission had canceled the position of Ombudsman,  
329 which the CRA had previously voted on establishing. Mr. Kosmas suggested going back

330 to the City Commission to reiterate the CRA's strong desire for funding this position,  
331 especially since it would be with CRA funds.

332  
333 Mr. Fall stated that Glatting would include this position as part of their redevelopment  
334 plan update recommendation and felt that this topic might be worth mentioning at the  
335 next joint CRA/ City Commission meeting.

336  
337 A brief discussion ensued about the actual title for the proposed position, its function and  
338 verifying the minutes of the meeting where this topic was discussed. **Mr. Fall stated he**  
339 **would research the minutes and present them back to the CRA for their review (see**  
340 **attached).**

341  
342 Mr. Fall stated that the last item for his Director's report pertained to recalling all heavy  
343 equipment used for the West Canal Streetscape to ensure a smooth, upcoming  
344 Biketoberfest event.

345  
346 Ms. Lybrand commended the Thadcon team on their professionalism in helping the  
347 business owners affected by the W. Canal Streetscape project operate as undisturbed as  
348 possible.

349  
350 Ms. DeBorde mentioned that she had received correspondence from IMAGES: A Festival  
351 of the Arts thanking the CRA for their previous monetary participation/ sponsorship of  
352 the Festival. Ms. DeBorde continued that Ms. Lowden Norman, Director of  
353 Advancement, was hoping the CRA would contribute again for their 34<sup>th</sup> annual Festival  
354 to be held January 30 & 31, 2010.

355  
356 Mr. Fall suggested the CRA not take any action on this item today, and have him check  
357 into the how much money the CRA had previously spent on art purchases.

358  
359 Ms. Lybrand informed the Commissioners that she was part of the W. Canal Streetscape  
360 committee and that she City staff were working with Thadcon to make sure that all the  
361 landscaping/irrigation was being put in the right place. Ms. DeBorde thanked

362

363 **ADJOURNMENT**

364

365 **Mr. Dennis made the motion to adjourn; all agreed. Meeting adjourned at 5:23 pm.**

**ATTACHMENT**

**ADDITION TO 10/07/2009 MINUTES**

**MINUTES OF THE  
COMMUNITY REDEVELOPMENT AGENCY  
SPECIAL MEETING OF JUNE 24, 2009  
DEBERRY ROOM 3<sup>RD</sup> FLOOR  
200 CANAL STREET  
NEW SMYRNA BEACH, FLORIDA**

**New Business:**

**A. CRA Budget Resolution – FY 2009/2010**

Mr. Fall stated that the CRA needed a fulltime administrative assistant, as it was currently sharing this position with the Development Services Department. Mr. Fall continued that the CRA had a vacant Planner position and suggested reclassifying this position to a CRA Program Manager/Mainstreet Coordinator.

Mr. Dennis suggested renaming the Mainstreet Coordinator as it gave the impression of being limited to Canal Street, which it was not. Mr. Fall agreed with Commissioner Dennis and stated that this position was meant to be the first point of contact for any development interest and to facilitate the process of redevelopment.

Mr. Dennis suggested shortening the permitting process instead of extending the permitting time.

Mr. Kosmas suggested having the reclassified position aid the City as well as the CRA and have the City pay a small percentage of the salary. Mr. Fall stated that this was being discussed.

Ms. DeBorde mentioned that in the past the CRA and the City had worked together and shared staff. Ms. DeBorde felt that the Coordinator was a very important position.