



CRA Board Regular Meeting Minutes
Thursday, April 27, 2021 – 4:00 p.m.
Commission Chambers
Delray Beach City Hall
Delray Beach, FL 33444

STAFF PRESENT:

Renee Jadusingh	Christine Tibbs	Kim Phan
Rob Massi	Nikki Temple	Lori Hayward
Tracy Waterlander	Ivan Cabrera	

OTHERS PRESENT:

William Hatcher

1. Call to Order

Chair Johnson called the meeting to order at 4:09 p.m.

2. Roll Call

Present: Chair Shirley Ervin Johnson, Vice Chair Adam Frankel (virtual), Deputy Vice Chair Angie Gray, Commissioner Ryan Boylston, Commissioner Shelly Petrolia, Commissioner Juli Casale, and Commissioner Kelcey Cordell Brooks.

Absent: Commissioner Kelcey Cordell Brooks.

3. Approval of Agenda

Deputy Vice Chair Gray recommended moving items 9c and 9d to the Consent Agenda.

Motion by Commissioner Casale, seconded by Commissioner Boylston, to approve the agenda as amended. In a roll call vote, the **motion** passed (6-0).

4. Approval of Minutes

a. February 23, 2021 Regular Meeting Minutes

Item approved with 4b.

b. March 18, 2021 Special Meeting Minutes

Motion by Commissioner Casale, seconded by Commissioner Petrolia, to approve the minutes from February 23 Regular Meeting and the March 18 Special Meeting as printed. In a roll call vote, the **motion** passed (6-0).

5. April PowerPoint Presentation

CRA Executive Director Renee Jadusingh explained the April *PowerPoint* presentation was included with the meeting backup materials for information only.

6. Public Comments on Agenda and Non-Agenda Items

William Hatcher thanked the Commission for their support.

7. Consent Agenda

- a. CRA Financial Report – December 2020**
- b. CRA Financial Report – January 2021**
- c. CRA Monthly Progress Reports – March 2021**
- d. CRA Monthly Progress Reports – April 2021**
- e. Project Consultancy and Design Services Funding Application – SJO Worldwide, LLC (137 NW 1st Avenue)**
- f. Site Development Assistance Funding – Conch Cravings, LLC (1191 North Federal Highway) for an Amount Not to Exceed \$45,600**
- g. Paint-Up and Signage Funding Agreement – John Christopher Van Reich and Pineapple Grove Main Street, Inc. (217 NE 4th Avenue) in an Amount Not to Exceed \$4,912.50**
- h. Site Development Assistance Funding – Premier Virtual, LLC (430 NE 5th Avenue) for an Amount Not to Exceed \$36,400**
- i. Rent Subsidy Program Funding Application – Premier Virtual, LLC (430 NE 5th Avenue) for an Amount Not to Exceed \$6,000.**
- j. Ratification of Work Assignment for Architectural Services Provided by CPZ Architects, Inc.**
- k. Landscape Maintenance Agreement with the City of Delray Beach – 20 and 26 NW 6th Avenue**

- l. Second Amendment to the Ground Lease Agreement with Hatcher Construction and Development, Inc.**
- m. Auditing Agreement for Fiscal Years Ending on September 30, 2021 through September 30, 2024, with the Option to Renew**
- n. First Amendment to CRA/City Interlocal Agreement for Funding Construction/ Professional Services Fiscal Year 2020-2021**
- o. Delray Beach Community Redevelopment Agency Board Meeting Dates – May 2021 through March 2022**
- p. Amendment to CRA Accounting Policies and Procedures Manual**
- q. Revocable License and Facility Use Agreement with Compass Health for the Temporary Activation of 708 W Atlantic Avenue**
- r. Modifications to Curb Appeal Residential Improvement Program Guidelines**

Motion by Commissioner Casale, seconded by Commissioner Boylston, to approve the agenda as amended. In a roll call vote, the **motion** passed (6-0).

8. Old Business

None.

9. New Business

a. Budget Amendment No. 1, Fiscal Year 2020-2021

Lori Hayward, CRA Finance Director, presented the proposed budget amendment, which included minor adjustments to the budget as follows:

- Assignment of \$1,705,314 in unassigned carryover funds
- Addition of \$507,837 for West Atlantic redevelopment to be utilized for construction
- Increase of \$191,545 in the budget line item for the NE 3rd Street/Avenue improvements
- Add line item of \$200,000 for Muse and Harvel Cottages to address new tenant build outs and a new roof
- Add line item of \$150,000 for the construction of an affordable single-family home built by Atlantic High School's Career Academy Program students

Motion by Commissioner Casale, seconded by Commissioner Boylston, to approve the budget amendment as presented. In a roll call vote, the **motion** passed (6-0).

b. Purchase and Sale Agreement – Pulte Homes Company, LLC – CRA Owned Properties in the SW Neighborhood (Carver Square)

Ms. Jadusingh thanked CRA legal counsel DJ Doody and Kim Phan for their efforts in negotiating the agreement with Pulte Homes for the Carver Square project.

Kim Phan, CRA Legal Advisor, outlined the key points of the Purchase and Sale Agreement with Pulte Homes Company, LLC. She explained closing was scheduled for around July 12, 2021. She addressed the reversion clause within the contract and stated the completion date was anticipated by January 18, 2023.

Ms. Phan provided details on the four (4) home models planned, with sale prices ranging from \$166,110 to \$308,490. She stated staff was recommending approval.

Deputy Vice Chair Gray asked for clarification regarding the local hiring line item within the contract, including whether women and minority businesses were required.

Ms. Jadusingh stated the requirement was local to Delray Beach. She noted there was no requirement or Ordinance within the City to have women and minority businesses required under the contract, so the CRA could not restrict in that way.

Chair Johnson asked for further clarification regarding what qualified as local.

Discussion ensued, and Ms. Phan stated the request for proposals (RFP) required that the company's office be in Delray Beach.

Commissioner Petrolia noted that when the disparity study had been done, the women and minority business requirements Deputy Vice Chair Gray had asked about would be in place.

Chair Johnson responded that the study seemed to be stopped at the City level.

Ms. Jadusingh stated the CRA Board had passed a motion over a year ago in support of paying 20 percent of the cost of the disparity study, and noted she believed it was in purchasing.

Motion by Commissioner Boylston, seconded by Commissioner Casale, to approve the Purchase and Sale Agreement with Pulte Homes Company, LLC as presented. In a roll call vote, the **motion** passed (6-0).

c. Revocable License and Facility Use Agreement with Compass Health for the Temporary Activation of 708 W Atlantic Avenue

Item moved to Consent Agenda.

d. Modifications to Curb Appeal Residential Improvement Program Guidelines

Item moved to Consent Agenda.

10. Other Business

a. Comments by Executive Director

Ms. Jadusingh stated following discussion in the workshop, an update on the old Pomosa site and a discussion of loan forgiveness for the Community Land Trust (CLT) would be added to a future agenda.

Ms. Jadusingh shared an update on Reverend JWH Thomas Park funded by a grant from the Solid Waste Authority. She noted the project was recently completed, and shared photographs of the work. She stated discussion with Parks and Recreation regarding updating the playground equipment and a possible shade structure was ongoing.

Continuing, Ms. Jadusingh showed images of art placed in empty storefronts and commercial space owned by the CRA as part of a Downtown Development Authority (DDA) initiative. She noted the RFP for the cottages was ongoing, with a deadline of Friday, May 7 at 5 p.m., and stated that the proposals received would be discussed at the May CRA meeting.

Ms. Jadusingh shared photographs of art installations at 10 locations throughout the CRA District, currently featuring artists in the Arts Warehouse. She gave a brief update on infrastructure programs. She stated the Southwest Neighborhood improvement project and Phase 1 of the Osceola Park Neighborhood improvement project were slated for substantial completion in May and final completion in mid-July. She shared video provided by the City of the projects.

b. Comments by Board Attorney

None.

c. Comments by Commissioners

Commissioner Boylston stated it was good for the public to see the CLT presentation and he would like to see a presentation from the Delray Beach Community Development Corporation (CDC).

Ms. Jadusingh responded that she would reach out. She noted there were budget presentations coming up, so it may be at a Regular Meeting.

Chair Johnson suggested also inviting Habitat for Humanity.

Commissioner Petrolia mentioned that there were breaks in June and August with the City Commission, and suggested the CRA Board make calendar adjustments, as well.

Ms. Jadusingh noted there was an agenda item with the calendar under the Consent Agenda and they had worked to make it match the City Commission calendar.

Commissioner Casale announced a COVID-19 vaccine distribution on Saturday at 9 a.m. at St. Paul and invited the public to come.

Commissioner Petrolia added that there was also an event at Pompey Park at the same time and day. She noted it was walk up.

Chair Johnson stated that the community was running out of people to vaccinate and added that anything the CRA could do to promote would be helpful.

Deputy Vice Chair Gray asked for an update on the Pompey Park bathrooms. She expressed concern the bathrooms were being shared by men, women, and children, and the flooring had been left incomplete.

CRA Project Manager Ivan Cabrera stated the previous work for remediation of the asbestos had been closed, and the bathroom work would be starting in the next few weeks. Mr. Cabrera noted that he had made sure City staff was aware that it was an issue.

Deputy Vice Chair Gray asked for further clarification.

Mr. Jadusingh stated it was the same contractor doing all of the work, which was the reason one (1) project had to wait for the other. She noted they could ask Parks and Recreation to give an update at the next meeting.

Deputy Vice Chair Gray asserted the issue was that the City continues to tell the CRA things that do not happen. She asked that the City schedule a forensic audit on the Parks and Recreation Department, noting the CRA was picking up a number of things that were scheduled and budgeted in the parks. She stated Delray Beach was a three (3) time All-American City and the parks were not being taken care of.

Ms. Phan reminded Deputy Vice Chair Gray that this was a CRA Board meeting and asked that City Commission and CRA Board issues be kept separate.

Chair Johnson asserted that this was a CRA issue, and Deputy Vice Chair Gray was asking that the CRA Board members contact their counterparts on the City Commission to get an understanding as to what was going on with the projects. Chair Johnson stated that as the fiduciary of these projects, the CRA Board should be aware of how the money was being spent and who was being selected to do the projects and how they were being managed.

Deputy Vice Chair Gray stated she understood what legal counsel was referencing. She asked that staff find out what was happening with the projects.

Chair Johnson added that she had inquired about projects and been told there were problems with the contractors. She stated it was difficult for the CRA Board to manage the problems if they were handed over to the City and asserted that if the City was incapable of managing the projects, the CRA should be in charge of them. She asked if there were any rules against that.

Ms. Jadusingh explained the projects being discussed are on City property. She stated that any projects on CRA property are managed by the CRA. She outlined the separations.

Chair Johnson asked if that meant that the CRA was forced to fund projects which the City would then mismanage.

Ms. Jadusingh responded that the CRA did not have to approve funding for the projects. She noted the funding requests come each year and are considered in the budget. She stated the CRA was a separate entity and in cases where a funding request is approved, CRA staff works with the City.

Deputy Vice Chair Gray asserted that it was a staff issue.

Chair Johnson stated that had been the relationship between the CRA and City, and for many years she had been dissatisfied with it, which was why she was in favor of the City Commission sit as the CRA Board. She noted she thought there would be more accountability that way, but she was not finding that to be the case.

Chair Johnson stated that in the future she would be more cautious about funding CRA projects because it did not seem to make a difference. She noted that she was still stuck on the CRA -funded sidewalk project in the Southwest Neighborhood which the City had awarded to the lowest bidder even though he had no sidewalk experience. She asserted that if it was a City project, the City should pay for it, and added that if the CRA never tells the City they are not happy with the work, it will continue to be the same thing.

Commissioner Petrolia commented that as a group of Commissioners, they were responsible to carry the request from the CRA Board to the City.

Ms. Jadusingh added that a lot more funds had been put into vertical construction this fiscal year, with not as much going into infrastructure. She noted that the percentage of funds allocated to City projects had reduced. She stated staff was making more proactive measures, and the tide was turning from what had been done before.

Chair Johnson responded that she thought the issue was the quality of work the CRA was getting for its funds. She stated the CRA Board was responsible for that, and if they never give the City a grade on that performance it will continue to be a D minus or F plus. She stated that the CRA Board had the authority to make their thoughts heard.

Ms. Jadusingh stated they could deallocate the funds, as they control the purse strings. She asserted that the CRA was not just the funder but was also in the meetings and involved in the process.

Chair Johnson asked where the Board was with defunding the work on Pompey Park, because that project had been dragging on. She stated it was not what they thought it would be, but it was a little late to pull the funding. She noted that she thought the City Commissioners had heard that the CRA Board was not happy.

Ms. Jadusingh stated she could clarify Pompey Park. She provided a brief background on the project and the funds committed by the CRA. She noted the discussion was about intermediary issues prior to the overhaul of the park, including roof leaks, mold remediation, and work on the bathrooms.

In response to a question from Chair Johnson, Ms. Jadusingh explained the CRA had reached out to the City to start the intermediary work.

Commissioner Boylston stated that the CRA, thanks to the attention of Deputy Vice Chair Gray, had brought up to the City that there was a need and that they would be willing to fund the need. He asked that staff obtain the original timeline, the actual timeline, and the reasons for any deviations. He noted it had been a rough year, and City staff had been working around that. He stated that he was not for sitting on the dais calling out their partner that is the City or the Director who was extremely responsive to the community and to leadership.

Commissioner Petrolia stated she had spoken recently with the Interim City Manager about this issue, and there was a potential reason for the delay which had to do with acquisition of materials. She noted she was having the same trouble personally.

Deputy Vice Chair Gray asserted that if the Director did not know what was going on in the City's parks, he needed to be called out.

Chair Johnson stated that she had loved being in the Arts Garage, but the meeting had been very difficult for her. She noted the City was going back to the Commission Chambers and requested that the next CRA Board meeting be held there, as well.

Commissioner Casale asked that Ms. Jadusingh be given an opportunity to find out if staff was comfortable with that change. She stated she did not know that everyone had been vaccinated and the Commission Chambers was a smaller area. She added that while she understood the point about the meeting, she sometimes has problems hearing at the Commissioner Chambers, as well. She stated if the Board members came prepared with the slides preloaded on their laptops it might be easier to follow.

Commissioner Casale pointed out there was a staff member who was pregnant and not vaccinated, noting she did not mind staying at the Arts Garage until staff was comfortable.

Chair Johnson stated she was all in favor of taking into consideration the health of the staff but wanted to know what the rest of the Commission thought.

Ms. Jadusingh noted they could look into remote access, as well, noting that there were two (2) expecting staff members.

Chair Johnson asserted that it was time for the Board to try to get back and return to normal, or as close as they could.

Chair Johnson thanked staff for the workshop, and stated Delray Beach needed to be number one (1) in all areas as far as she was concerned. She asked if there had been any

complaints from the neighbors in the Southeast about anything related to the construction at Osceola Park.

Ms. Jadusingh stated she had not heard any complaints related to Osceola Park.

Chair Johnson responded that they had waited so long, they were probably happy with anything.

11. Adjournment

There being no further discussion, the meeting was adjourned at 5:02 p.m.

Renee Jadusingh, Executive Director

Shirley Ervin Johnson, Board Chair