



CRA Board Meeting Minutes
Friday, May 26, 2020 – 4:00 p.m.
Virtual via Webex
Delray Beach, FL 33444

STAFF PRESENT:

Renee Jadusingh	Christine Tibbs	Tara Toto
Ivan Cabrera	Danielle Arfin	Heather Hinkle
Alexina Jeannite	Lori Nolan	Lori Hayward

OTHERS PRESENT:

Neil Schiller	DJ Doody
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1. Call to Order

Chair Petrolia called the meeting to order at 4:00 p.m.

2. Roll Call

Present: Chair Shelly Petrolia, Vice Chair Shirley Johnson, Deputy Vice Chair Angie Gray, Commissioner Ryan Boylston, Commissioner Pamela Brinson, Commissioner Juli Casale, and Commissioner Adam Frankel.

3. Approval of Agenda

CRA Executive Director Renee Jadusingh asked that item 6f be removed from the agenda at the request of the property owner.

Deputy Vice Chair Gray asked that items 8c, 8d, and 8e be moved to the Consent Agenda.

Motion by Commissioner Boylston, seconded by Commissioner Frankel, to approve the agenda as amended. In a roll call vote, the **motion** passed unanimously (7-0).

4. Approval of Minutes

a. February 25, 2020 – Regular Meeting Minutes

Motion by Deputy Vice Chair Gray, seconded by Commissioner Frankel, to approve the February 25, 2020 Regular Meeting Minutes as printed. In a roll call vote, the **motion** passed unanimously (7-0).

b. May 7, 2020 – Special Meeting Minutes

Motion by Commissioner Frankel, seconded by Deputy Vice Chair Gray, to approve the May 7, 2020 Special Meeting Minutes as printed. In a roll call vote, the **motion** passed unanimously (7-0).

5. Public Comments on Agenda and Non-Agenda Items

CRA Executive Coordinator Danielle Arfin played a recorded public comment from Matthew Scott.

Matthew Scott, local attorney, spoke regarding providing an extension to BH3. He encouraged the Board to deny the request, citing concerns with the company's progress and issues with the plans.

6. Consent Agenda

a. CRA Financial Report – January 2020

b. CRA Monthly Progress Reports – May 2020

c. First Amendment for A-Guide Funding Agreement FY 2019-20 – Delray Beach Historical Society, Inc.

d. Curb Appeal Residential Improvement Grant – 313 SW 8th Street

e. Paint-up and Signage Funding Agreement – St. Paul Missionary Baptist Church (46 SW 10th Avenue)

f. Paint-up and Signage Funding Agreement – Andrew Luchey (107-109 SW 9th Avenue and 822-824 SW 1st Street) - Item removed.

g. Community Sponsorship Grant – Milagro Center (695 Auburn Avenue)

h. Tentative CRA Board Meeting Dates: 2020-2021

i. Second Amendment to Commercial Lease Agreement – 182 NW 5th Ave (The Monogram Closet)

Item added to Consent Agenda. (Previously 8c)

j. Site Development Assistance Program Funding Application – Advanced Chiropractic of South Florida, LLC (104 SW 11th Avenue)

Item added to Consent Agenda. (Previously 8d)

k. Site Development Assistance Funding Application – Law Offices of Herman Stevens Jr. and Associates (75 SW 5th Avenue)

Item added to Consent Agenda. (Previously 8e)

Motion by Commissioner Frankel, seconded by Commissioner Boylston, to approve the Consent Agenda as amended, with the removal of item 6f and the addition of items 8c, 8d, and 8e. In a roll call vote, the **motion** passed unanimously (6-0). Deputy Vice Chair Gray had technical difficulties and was unable to vote.

7. Old Business

a. Delray Beach Community Land Trust Proposal to Purchase 102 NW 14th Avenue and 1311 NW 14th Avenue

CRA Assistant Director Christine Tibbs stated the CRA Board approved posting notice of intent to dispose of the properties at 102 NW 14th Avenue and 1311 NW 14th Avenue in February 2020. She stated in response to the notice, one proposal was received.

Ms. Tibbs explained development of the property would be restricted to workforce housing. She shared images of the lot and outlined the CLT proposal, which would be to combine the lots and construct a 3-bedroom, 2-bathroom single family home.

Ms. Tibbs stated the staff recommendation was to approve the proposal and authorize the CRA attorney and staff to negotiate a Purchase and Sale Agreement for a total of \$10,000, subject to any additional terms and conditions requested by the Board.

Motion by Deputy Vice Chair Gray, seconded by Commissioner Frankel, to accept the CLT proposal. In a roll call vote, the **motion** passed unanimously (7-0).

7. New Business

a. Budget Amendment No. 2, FY 2019-20

CRA Finance Director Lori Hayward explained the amendment was mainly to carry forward unspent funds related to the Corey Isle project and general fund, along with making adjustments to expenditures for the SW Neighborhood, Carver Square, and the CRA grant programs.

Motion by Commissioner Boylston, seconded by Commissioner Casale, to approve the budget amendment. In a roll call vote, the **motion** passed unanimously (7-0).

b. First Amendment to the Consulting Work Assignment with Song & Associates, Inc.

CRA Redevelopment Manager Tara Toto outlined the proposed amendment to the agreement with Song & Associates, Inc. for work on the office building at 95 SW 5th Avenue. She explained the plan was originally for a 3,000 square foot building, later revised to a 9,981 square foot, two-story commercial/office building. She presented a list of the items included in the amended assignment.

Ms. Toto shared updated elevations incorporating feedback provided by the CRA Board at the January meeting. She stated the project was submitted for site plan review and comments have been received.

Chair Petrolia asked if there was an estimated cost for the total project available.

Ms. Toto stated the consultant provided a rough estimate of \$1.8 million.

Commissioner Boylston stated while he wanted to see the project move forward, he wondered if the timing with COVID-19 and adjustments to the needs for office space and housing might mean adjustments to priorities were necessary.

Chair Petrolia agreed the community is in a different day and age than when they first looked at the project. She noted she was much more satisfied with the redesign.

Ms. Jadusingh pointed out that there was \$1.5 million allocated for the project in the current budget.

Deputy Vice Chair Gray said she believed it was important to move forward with activating the 5th Avenue business district. She stated this neighborhood is always the first to be cut when changes happen, and noted the economic development is needed.

Vice Chair Johnson stated she was torn but wanted to echo Deputy Vice Chair Gray's comments. She said she did not want to draw from the projects happening in the Northwest/Southwest Neighborhood when looking at changes and said she was in favor of moving forward.

Vice Chair Johnson clarified the orientation of the building, with the short side of the building facing SW 5th Avenue and the entrance facing SW 1st Street.

In response to a question from Vice Chair Johnson, Ms. Jadusingh explained the amendments to the agreement included creating construction documents necessary for the next steps in the project.

Chair Petrolia stated she understood both sides and was on the fence. She said she would hate to spend hard-earned tax dollars on a project that was no longer what they hoped.

Vice Chair Johnson asked if there was an additional need for parking.

Ms. Jadusingh explained there are seven (7) spaces onsite, then the CRA owns a lot a few buildings away with a few spaces available and has the opportunity to build a parking lot on the other side of 1st Street if the area develops more.

Deputy Vice Chair Gray stated she believed it was too early to determine what would happen in the City of Delray Beach based on COVID-19. She said if the Board chose not to do office space on the property, she thought it still needed to be built out and should perhaps be residential.

Chair Petrolia asked how easy it would be to adapt the plan to some other form of building, such as residential, if moving forward.

Jill Lanigan with Song & Associates stated the project was being considered for site plan approval based on commercial use, so they would need to go back through some of those steps if the use were to change. She stated the site does have the potential to shift toward residential or multi-use.

Commissioner Boylston stated he loved the idea of a work/live space similar to what once existed along Atlantic Avenue. He said if they do move forward as is, he wanted to see staff working aggressively to be sure when it opens, tenants are already in place.

Deputy Vice Chair Gray pointed out the Board does not know if the BH3 project is coming online. She stated she did not want to see restrictions placed on use of this building.

Chair Petrolia asked for a consensus regarding moving forward.

Deputy Vice Chair Gray stated she would like to give it a few weeks to see where the virus put the community and the nation but would like to move on to the next steps.

Vice Chair Johnson encouraged the Board to move forward and not be timid.

Commissioner Boylston asserted he was in favor of moving forward but wanted to see the project reviewed before breaking ground.

Ms. Jadusingh stated with COVID-19, City approvals will be delayed naturally. She noted some review will not happen until August or September.

Chair Petrolia clarified that what was being approved was Song & Associates moving forward with architectural and engineering services as listed.

Motion by Vice Chair Johnson, seconded by Commissioner Boylston to approve the amendment. In a roll call vote, the **motion** passed (6-1). Chair Petrolia voted no.

c. Second Amendment to Commercial Lease Agreement – 182 NW 5th Ave (The Monogram Closet)

Item added to Consent Agenda.

d. Site Development Assistance Program Funding Application – Advanced Chiropractic of South Florida, LLC (104 SW 11th Avenue)

Item added to Consent Agenda.

e. Site Development Assistance Funding Application – Law Offices of Herman Stevens Jr. and Associates (75 SW 5th Avenue)

Item added to Consent Agenda.

f. Discussion – Summer Greenmarket

Ms. Jadusingh explained the 6th annual Summer Greenmarket would normally begin in the first week of June. She sought Board direction on if and when the market would be held during the 2020 season.

Continuing, Ms. Jadusingh presented a staff proposal to shorten the dates of the Summer Greenmarket, changing the start date to June 20 and leaving the end date at July 25. Additionally, the location would be changed from Delray Beach Tennis Center to Old School Square Pavilion to allow for social distancing. Ms. Jadusingh outlined the plan, which included limiting occupancy, spacing vendors 10 feet apart, and hand washing and sanitizing stations.

Chair Petrolia stated she thought it was too early and social distancing would be almost impossible to enforce. She referenced the difficulty in enforcing activities on the beach and said she didn't believe it was realistic.

Commissioner Frankel said his concern would be the limit to the occupancy, and the logistics of enforcing the limit.

Ms. Jadusingh stated fencing and roll-down doors would be utilized.

Commissioner Frankel asked if there had been any feedback from vendors looking to try the plan for the summer.

Ms. Jadusingh stated the vendors were excited to come back. She pointed out many of the vendors are participating in an online version of the market, since the winter version had also been cut short.

Deputy Vice Chair Gray asked if there were other events taking place in the City. She said while as a small business owner she understands the need to get back to normalcy, she didn't want to be first in jumping into events.

Chair Petrolia asked who would be doing the staffing to control numbers.

Ms. Jadusingh said in addition to the manager, there is part-time staff and there may be additional staff needed on the day of the market. She stated the first question was whether to host the market at all, understanding that safety is first.

Vice Chair Johnson applauded staff on their desire to accommodate the public and vendors who still want to do business in Delray Beach. She stated the restaurants have been allowed, so the market should be, as well. She noted if it doesn't work, they can always close it down.

Commissioner Boylston stated what he doesn't want is to do something that doesn't work and have to pull it back. He said staff did as asked and explored the options, but it doesn't mean they have to implement it at this time. He said he hopes the Board is in a place to green light it by the next meeting.

Vice Chair Johnson disagreed, stating the vendors were ready to move forward. She said she saw an urgency to decide.

Ms. Jadusingh stated pushing the opening date back another week would mean the Board could make a final decision at the June meeting.

Chair Petrolia stated she could support that plan, noting there had been a lot of pushback in the community related to opening too soon or too late. She said she wanted more time to see what impact the recent openings would have on numbers.

Motion by Deputy Vice Chair Gray, seconded by Commissioner Boylston, to postpone the item to the June meeting. In a roll call vote, the **motion** passed unanimously (7-0).

g. Update – BH3 Management, LLC – SW 600-800 Blocks of W Atlantic Avenue

CRA Assistant Director Christine Tibbs presented an update regarding the BH3 project, now called Fabrik. She shared a chart highlighting critical dates and adjustments which had been made previously and a brief history.

Ms. Tibbs stated at this time, BH3 is working on their response to the first round of technical comments from the City, and the next critical date would be the approval date in January 2021.

Commissioner Casale said she met with BH3 attorney Neil Schiller to go over the project and had some concerns. She asked for clarification that in the current iteration of the project, the grocery store would be on Atlantic Avenue, and for details regarding the size.

Mr. Schiller confirmed the grocery store would be brought forward to Atlantic Avenue.

Commissioner Casale expressed concern the grocery store space was too small for the stores being looked at for the space.

Mr. Schiller stated there hasn't been a signed agreement with any potential grocery, but discussion continues with both the national grocer and the regional grocer. He said the national grocer's footprint is typically 30,000 to 40,000 square feet, and a commitment of 30,000 square feet has been committed.

Continuing, Mr. Schiller said the impacts of COVID-19 on the real estate scene has not been felt yet, and they don't know what the market trends will be. He stated BH3 continues to work with staff to address comments and hopes to finalize and resubmit shortly. He said if the market can't sustain something that is proposed, they don't want to see it fail and will come back to the Board.

Vice Chair Johnson stated she had not seen the renditions being shared and asked when they would be made available for review.

Mr. Schiller said he would go over the plans with commissioners individually, noting planned meetings had been interrupted due to COVID-19.

Chair Petrolia stated the business at this meeting was just an update.

The Commissioners and staff discussed getting CRA Board approval for the design, along with the placement of the grocery store and Frog Alley.

Ms. Jadusingh stated the contract gives the CRA Board architectural approval, so at some point the plans would need to go before the Board. Additionally, she said there would be comments from City staff and other boards.

Chair Petrolia stated a workshop to discuss the plans was needed.

Mr. Schiller concurred, saying they would prefer to get the Board's feedback collectively. He noted they hoped for a format that was easier to communicate in.

Chair Petrolia sought a consensus as to whether to hold a workshop.

The Commissioners and staff discussed a timeline and venue for a workshop.

Mr. Schiller said the conservative estimate to resubmit with comments was six (6) to seven (7) weeks after the final meeting.

By consensus, the Board agreed to hold an in-person workshop to review the plans and give input in two (2) to three (3) weeks.

Commissioner Brinson expressed concern the plans would not be able to get back to where the Board wanted them after major changes were made.

Commissioner Boylston stated the initial concept was just a concept, not a plan, and it had to evolve in order to become reality. He listed items from the plan which he liked and said he had provided some notes to Mr. Schiller previously. He noted he was looking forward to seeing the project after edits.

Commissioner Casale said the developers want to do a good job for the community, but she is concerned the grocery store isn't enough of a focus.

Deputy Vice Chair Gray stated she was looking forward to the workshop to iron out the issues and asked if Board input had been integrated.

Mr. Schiller stated the overwhelming response has been to go back to the concept plan, noting everyone loves the pictures that were presented. He said between the concept plan and the modern design that no one liked, BH3 has worked to add feedback.

Continuing, Mr. Schiller stated BH3 has not been able to hold large meetings, but has been holding weekly meal giveaways, purchasing from local vendors. He said he looked forward to a workshop meeting to discuss the plans.

9. Other Business

a. Comments by Executive Director

Ms. Jadusingh stated she wanted to celebrate getting two (2) projects under construction. She shared updates regarding the SW neighborhoods infrastructure project which the CRA invested \$6.2 million in. The project is underway and set to begin construction shortly under the direction of the City.

Additionally, Ms. Jadusingh shared updates on phase one (1) of the Osceola Park infrastructure improvements. She stated the project, which the CRA invested \$4.5 million in, is underway and construction is set to begin in the coming weeks.

Ms. Jadusingh updated on the FreeBee service, stating it was scheduled to resume service on June 1. She outlined precautions being taken to protect drivers and riders, which are listed on the CRA website and the FreeBee app.

b. Comments by Board Attorney

Mr. Doody briefly commented regarding the restrictive covenant agreement for workforce housing. He stated the agreement would be going before the City Commission in June.

c. Comments by Commissioners

Commissioner Brinson asked for an update on Caesar's Catering.

Ms. Jadusingh stated the cabinets for the restaurant were delivered the night before, which had been a major delay in getting the business finalized.

Vice Chair Johnson said she was disappointed in the technology and hoped the next meeting wouldn't need to be completely virtual. She suggested a partially virtual meeting with a few commissioners in a conference room for better access.

Deputy Vice Chair Gray apologized for congratulating Commissioner Casale at the last meeting but not congratulating Vice Chair Gray on her election. She thanked the CRA Board and staff for continuing hard work through the closures.

Deputy Vice Chair Gray asked when budget meetings were set to begin, noting she would like to look at code officers, economic development, and fire prevention as CRA line items.

The Commissioners and staff discussed budget hearing timelines.

Commissioner Boylston stated he hoped the project on NW 5th would be discussed during budget hearings. He said he thought it was a good time to look at a live/work concept.

Continuing, Commissioner Boylston updated on the Pomosa property. He said staff had put together ideas, including a potential land swap or a sale. He noted it was an incredible opportunity to do more affordable housing in one (1) project than the CRA had ever done.

The Commissioners and staff discussed the Pomosa property and history of the issue.

Commissioner Boylston asked the item added to a future agenda.

Chair Petrolia stated the item should be left open to future discussion, noting the comments regarding taking not dollars away from the West Atlantic area for new projects was well received. She said she agreed housing was desperately needed.

10. Adjournment

There being no further discussion, the meeting was adjourned at 5:56 p.m.

Renee Jadusingh, Executive Director

Shelly Petrolia, Board Chair