



CRA Board Meeting Minutes
Tuesday, November 19, 2019 – 1:30 p.m.
City Commission Chambers – 100 NW 1st Avenue
Delray Beach, FL 33444

STAFF PRESENT:

Renee Jadusingh	Danielle Arfin	DJ Lee	Tara Toto
Ivan Cabrera	Lori Hayward	Alexina Jeannite	

OTHERS PRESENT:

Matthew Scott	Valerie Courchesne	Neil Schiller	Alexius Vernas
Lynn Gelin	DJ Doody		

1. Call to Order

Chair Petrolia called the meeting to order at 1:30 p.m.

2. Roll Call

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

3. Approval of Agenda

Deputy Vice Chair Gray asked that discussion of accessory dwelling units be added to the agenda. The discussion was added as item 9e.

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

4. Approval of Minutes

a. Minutes of October 1, 2019 Regular Meeting

Motion by Deputy Vice Chair Gray, seconded by Vice Chair Johnson, to approve the minutes of the October 1, 2019 Regular Meeting. In a roll call vote, the **motion** passed unanimously (7-0).

5. Public Comments on Agenda and Non-Agenda Items

Matthew Scott, local attorney, spoke regarding businesses impacted by streetscape improvements on NE 3rd Avenue. He pled that the Board support his client in doing water main improvements to allow for moving forward with investment in the area.

6. Presentations

a. Transportation Services – Downtown Connect Vehicle Options

Ivan Cabrera, CRA Redevelopment Manager, presented an update on vehicle options for the Downtown Connect. He explained the temporary shuttle contract was in place for six (6) months, and decisions needed to be made about what vehicle to proceed with at the end of the contract.

Valerie Courchesne, First Transit, explained the details of each option available, including:

- EV Star – 14 passengers (10 with two (2) wheelchairs), green power (electric) with lift, in stock
- Promaster – 9 passengers plus two (2) wheelchairs with ramp, seat covers can be changed, available in 90-120 days
- Starcraft – 12 passengers with two (2) wheelchairs, unleaded or flex fuel, with lift, seat covers can be changed, in stock or customized in 90 days, has grant eligibility
- Trolleys – 17 passengers with two (2) wheelchairs, E450 gas or propane, wooden bench seats, ramp, available in 180 days
- Turtle Tops – 9 passengers with two (2) wheelchairs, unleaded or C&G, with lift, seat covers can be changed, available in 90 days

Chair Petrolia asked if there were pricing differences between the options.

Mr. Cabrera stated there were differences and deferred a question regarding grant eligibility of the vehicle options to City staff.

Ms. Courchesne outlined the pricing per vehicle:

- EV Star – \$219,000
- Promaster – \$90-\$95,000 for gas / \$120-\$125,000 for C&G
- Starcraft – \$190-\$200,000

- Trolleys – \$150-\$160,000
- Turtle Tops – \$95,000

Chair Petrolia noted an \$860,000 grant from the TPA was available for vehicle purchase.

The Board and staff discussed the potential transition from renting vehicles to utilizing grant funding to purchase vehicles.

Jennifer Alvarez, City of Delray Beach Purchasing Director, provided background on the TPA grant and how it could be used. She explained the grant was Federal and provided details on the presented options which would meet the requirements of the grant by piggybacking with the contracts of larger organizations for purchasing.

Continuing, Ms. Alvarez explained there are two (2) vehicles available to piggyback on contracts, including the gas version of Starcraft presented (at a cost of \$82,000) and a 30-foot trolley (at a cost of \$215,000) each with available options. Ms. Alvarez stated the Starcraft purchase would be through the Palm Beach County contract currently in place, and that a different type of fuel would increase the cost.

The Board and staff discussed how the TPA grant requirements would impact the current decision regarding the remainder of the Downtown Connect contract.

Commissioner Bathurst asked if anyone had looked into the potential savings of putting in electrical vehicles.

Ms. Courchesne stated once charging stations were put in and the amount of time vehicles could run was factored, the cost of electric would be higher than alternatives.

Chair Petrolia reiterated a discussion comment from Commissioner Frankel that only one (1) choice existed, as the grant would be a huge savings to taxpayers.

Mr. Cabrera shared images of wraps to make the selected vehicle look more like the FreeBee, as well as information regarding updating the seats.

The Board agreed by consensus to continue with the Starcraft vehicles.

Chair Petrolia thanked all those involved for the effort put into researching the project.

b. Wayfinding Signage Design

Mr. Cabrera stated a committee, including members of the CRA, DDA, Planning Department, and Parking Department, had met four (4) times to discuss the design of the wayfinding signage. He noted the most recent sketches has been sent to the Board. Continuing, Mr. Cabrera stated the input was integrated into the plan, and a proposal would be presented at the December meeting.

7. Consent Agenda

- a. CRA Monthly Financial Report – September 2019
- b. CRA Monthly Work Plan Report – October 2019
- c. Curb Appeal Grant – 214 SW 8th Street (Williams)
- d. Budget Amendment No. 3, FY 2018-2019
- e. Fourth Amendment to CRA/City Interlocal Agreement for Funding Construction Professional Services FY 2018-2019
- f. Ratification of 3rd Amendment of Purchase and Relocation Agreement – 215 NE 7th Ave

Motion by Commissioner Frankel, seconded by Deputy Vice Chair Gray, to approve the Consent Agenda with item 7f removed. In a roll call vote, the **motion** passed unanimously (7-0).

Motion by Commissioner Frankel, seconded by Deputy Vice Chair Gray, to remove item 7f from the Consent Agenda. In a roll call vote, the **motion** passed unanimously (6-0). Commissioner Boylston excused himself due to a conflict.

8. Old Business

- a. Development and Disposition of CRA-Owned Properties in the SW Neighborhood for Workforce Housing – Resolution 2019-12 Purchase and Sale of Real Property Agreement, Execution of Construction Loan Agreement, Mortgage and Security Agreement and Promissory Note with Delray Beach Community Land Trust, Inc.

Renee Jadusingh, CRA Executive Director, presented a proposal to authorize the Board Chair to execute an agreement with the CLT. The purchase and sale agreement covered 10 vacant single-family residential lots in the amount of \$5,000 with a closing date 15 calendar days after the CRA obtains building permits.

Additionally, the construction loan agreement of \$2,454,350 would cover the construction of 10 single-family workforce housing units with a completion date 270 days after issuance of Notice to Proceed by the CLT. The agreement also included a Mortgage and Security Agreement and Promissory Note.

Motion by Deputy Vice Chair Gray, seconded by Commissioner Boylston, to approve Resolution 2019-12. In a roll call vote, the **motion** passed unanimously (7-0).

9. New Business

a. Discussion – NW 600 Block Redevelopment

Tara Toto, CRA Redevelopment Manager, presented an update on the status of the NW 600 block redevelopment for discussion. She explained the presentation would be in three (3) parts, including Hatcher Construction and Development, CRA efforts toward land use amendments and rezoning, and the Edron request for purchase.

Ms. Toto shared maps and photos of the block, as well as the properties adjacent.

Continuing, Ms. Toto explained a ground lease was executed with Hatcher Construction on July 18. The proposal originally included a two-story office building on the block, but has since been amended to request a three-story, 13,150 square foot office building with four (4) residential units on the third floor.

William Hatcher, Hatcher Construction, stated after looking at the land and meeting with the Planning Department, his team found the building could be much larger than originally proposed. He noted they were open to change.

Jose Lopez, Architect for Hatcher Construction presented the Bahaman look proposed for the building and asked for feedback from the Board.

Deputy Vice Chair Gray stated the CRA had a plan for a Bahamian look with small buildings on the entire block and did not want large buildings to take over.

Commissioner Bathurst agreed the buildings could be larger, but the idea was to have smaller buildings to be a sort of neighborhood office center.

Project architect Mark Paul said his team had no issue with the common color of the neighborhood and utilizing the Bahamian shutters to give the feel discussed.

Deputy Vice Chair Gray asserted she did not have an issue with a third story but thought it should be utilized for low-income housing rather than workforce.

Vice Chair Johnson said she was happy to see that they were looking to maximize the space with housing, not commercial.

Commissioner Bathurst noted this building is responsible for setting the tone for the area, and he thought the plan should be amended to more closely fit the style that was originally discussed.

Chair Petrolia stated the idea was to not maximize the space, but to be a catalyst for the area to provide affordable office space. She noted the direction being presented was very different from what she thought was to be done.

Mr. Paul agreed to rework the plan and return at a later date.

Board Attorney DJ Doody stated the property is subject to a ground lease and requested an opportunity to review the ground lease prior to further discussion.

Next, Ms. Toto presented land use amendments and rezoning being pursued by CRA staff for the NW 600 block. She shared maps to reflect the proposed changes and noted five (5) separate ordinances will be required. She said the Planning and Zoning Board would be reviewing the changes in December.

Ms. Jadusingh outlined concerns expressed by the Planning and Zoning Board the night before, specifically regarding the central business districting.

Vice Chair Johnson asked if any feedback had been received from the owners of neighboring properties.

Ms. Jadusingh shared feedback and noted one (1) neighbor is interested in changes that would allow her to add a daycare center.

The Board discussed the consequences of redistricting, including the risk of having four (4) story buildings developed.

Ms. Jadusingh stated staff would review the proposal and bring it back before the Board at a future meeting. She noted a consultant is reviewing the options of various CRA-owned parcels.

Ms. Toto shared conceptual site plans for the properties owned by the CRA on the NW 600 Block prepared by Currie Sowards Aguila Architects for potential development. Both plans included retail, office, and restaurant space.

Architect Jeff Sowards shared regarding developing the pattern for the block and the feedback from the staff and Board integrated into the plans. He reviewed plans, including parking and other shared services, noting the presentation was for discussion purposes.

Chair Petrolia commended the proposal for embracing the surrounding neighborhood.

Vice Chair Gray asked if the market owner was being involved in the plans.

Ms. Jadusingh stated he was amenable to the Grand Bahamian style for his building.

Finally, Ms. Toto presented regarding a request from Mr. Edron to purchase six (6) of his properties on the 600 block. She stated appraisals are in process.

Chair Petrolia asked who was paying for the proposals and said the CRA did not have funds available to purchase the properties. In addition, she said no one on the Board had expressed an interest in the purchase.

Commissioner Boylston stated though the original acquisition was not a part of the Board strategy, he wanted to see opportunities staff saw it appropriate to bring before the Board as they become available.

Commissioner Bathurst said if someone else was interested in making the purchase, it made sense for the CRA to know the value.

The Board and staff discussed the cost of appraising the properties, as well as what control the CRA might have regarding the transfer of the property to a third party.

b. Second Amendment Purchase and Sale Agreement – BH3 Management, LLC – SW 600-800 Blocks of W. Atlantic Avenue

Ms. Jadusingh stated the current date to submit applications for the BH3 project is November 18, and an extension was being requested.

Neil Schiller spoke on behalf of BH3 in support of the request for extension. He explained an additional 60 days is being requested because developers have gone out to the market and received feedback, specifically from regional and national grocers, and revisions need to be made to the site plan.

Mr. Schiller stated land use changes had already been made, and a community meeting was held last week.

Vice Chair Johnson asked Mr. Schiller to share highlights of the community meeting.

Mr. Schiller stated it was a great meeting, held at St. Mathews with 30 people plus members of the team. He said feedback regarding the project was gathered. He noted there was BBQ and live music to tease an upcoming concert series in the park.

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

c. Site Development Assistance Program Funding Application – Studio 404, LLC (404 W. Atlantic Avenue)

Alexina Jeannite, CRA Grant Manager, presented regarding the site development assistance application from Studio 404, a new frozen daiquiri bar and café at 404 W. Atlantic Avenue.

Ms. Jeannite stated the owner secured a five (5) year lease on the property, which was a previous retail space which had been vacant for several years. She noted extensive renovations were required to convert the space.

Continuing, Ms. Jeannite explained total eligible expenses are \$84,876.33, with eligible funding assistance not to exceed \$66,157.25.

Chair Petrolia asked when the five (5) year lease began.

Alexius Vernas with Studio 404 stated the lease began July 2015, and they are currently in talks to extend it beyond 2020.

Chair Petrolia expressed concern with approving funding for the project when a lease was not in place. She asked for a breakdown of what the funding would cover.

Mr. Vernas stated it was for air conditioning, counters, and freezers in the interior of the building, and outlined the funds that had been invested to this point.

Vice Chair Johnson said she knows the landlord is anxious for them to open, and suggested approval with the addendum that an extension to the lease be secured.

Commissioner Bathurst clarified whether a five (5) year extension was being sought.

Vice Chair Gray asked design questions regarding the property.

In response to a question from Deputy Vice Chair Johnson, Mr. Vernas stated the plan is to open by the second week of December.

Motion by Deputy Vice Chair Gray, seconded by Vice Chair Johnson, to approve the funding contingent on a lease extension. In a roll call vote, the **motion** passed unanimously (7-0).

d. Modifications to Curb Appeal Residential Improvement Program Guidelines

Ferline Mesidort, Delray Beach Neighborhood Services Division, presented modifications to the Curb Appeal program. She stated the guidelines had been before the Board in February, but some minor housekeeping items were needed.

Ms. Mesidort noted a department change was made, and clarity within the guidelines regarding insurance was required.

Motion by Deputy Vice Chair Gray, seconded by Commissioner Bathurst, to approve the revisions. In a roll call vote, the **motion** passed unanimously (7-0).

e. Discussion – Accessory Dwelling Units

Ms. Jadusingh distributed a memo regarding accessory dwelling units and noted photos had been prepared.

Deputy Vice Chair Gray stated because of the lack of affordable housing, garden suites are becoming increasingly popular. She said she wanted to bring it forward to determine if it would be beneficial to Delray Beach. She noted there was also a benefit to homeowners and said the mother-in-law suites are currently an option off Swinton.

Chair Petrolia asked for a legal opinion on whether the Board could approve the item.

Mr. Doody clarified zoning would be under the purview of the City Commission.

Chair Petrolia stated there exists a tremendous number of homes in the older neighborhoods that have guest suites, and it provides a nice income property or a place for an aging parent to remain close by. She said it would serve the community well.

Commissioner Boylston noted there were likely other communities that could be looked to for best practices.

Commissioner Frankel shared an article related to an apartment complex made of shipping containers and asserted there are many options to explore.

10. Other Business

a. Comments by Commissioners

Commissioner Brinson acknowledged Ms. Jadusingh on being named one of the Most Influential and Prominent Black Women in South Florida by Legacy Magazine.

Ms. Jadusingh shared photographs of the house move for the CRA. She noted construction of the foundation has begun and completion is expected mid-January.

Vice Chair Gray addressed Matthew Scott's comments from the public comment section of the meeting, stating she felt improvements on NE 3rd Avenue were something the City fell short on.

Commissioner Bathurst stated the water portion of the NE 3rd Avenue project needed to be addressed to fulfill the City side of the obligation.

Ms. Jadusingh explained an interlocal agreement between the CRA and City was approved on October 1, with a funding amount of \$1.25 million for the construction of this project, but the project started in 2011 with designs. She noted it was a joint project to revitalize the Artists Alley neighborhood.

Continuing, Ms. Jadusingh stated there have been issues over the years, but funding has now been approved. She stated the bid set is in hand, but for a timeframe she would have to defer to City staff.

The Board and staff discussed the history of the project, including funding and defunding over time and changes to scale. They further discussed promises made by prior Boards and changes in priority direction which had caused issues for this developer.

Commissioner Boylston stated there are a lot of businesses and artists in the area who have been waiting for these improvements, in addition to this developer. He said he thought this was something which needed to be corrected.

Matthew Scott asserted due to timing issues, the hope of the developer is that the CRA Board would express support of their contractors installing the water main for the entire

street with City reimbursement. Additionally, the lowering of the property at the requirement of the City due to a CRA project remains a priority.

Mr. Scott stated they had met with the City Attorney regarding this issue and construction like what was being requested is routine in other cities. He noted the cost is between \$220,000 and \$250,000.

Ms. Jadusingh explained the funding for the CRA project also includes sidewalks, landscaping, and parking.

Mr. Scott stated in speaking with the Public Works Director, he believes the next steps would be to negotiate with the City.

City Attorney Lynn Gelin explained the City Manager is not in agreement with the way the duties are delegated in the interlocal agreement, so it is being brought back before the City Commission. She noted the water main is not a simple fix and is bigger issue than was originally believed. She explained it is not uncommon for utilities to be installed and conveyed to a City.

Chair Petrolia asked for an opinion regarding the developer relying upon the project moving forward.

Ms. Gelin stated they relied on the promises of the City. She said from a fairness aspect the City should fulfill their promises, but from a legal aspect, it was a risk to move forward and build a structure without the underlying structure to support it. She stated she could see both sides and was unclear if there was an easy fix.

Chair Petrolia stated the permits should not have been approved without the infrastructure in place.

Ms. Gelin stated it was her understanding the permits contemplated completion of the project.

Deputy Vice Chair Johnson said she thought it was important to uphold the promise made, but a cap on how much the CRA would contribute needed to be set.

The Board discussed costs associated with the project.

Chair Petrolia pointed out a consensus was in place to support the developer in completing the water main project in an amount not to exceed \$250,000. Continuing, she said the City Commission should look at pulling additional funds from water budgets in the City rather than from the CRA.

Commissioner Boylston stated the attendance for the CRA meetings had gone down, and he would be in support of shifting start times to no earlier than 4 p.m. to allow the community to engage more with the meetings.

Deputy Vice Chair Johnson said she hears a lot of complaints about the City Commission meeting time not being open to working people.

Commissioner Boylston noted he had reviewed the data and felt the time change was supported.

Commissioner Frankel stated he supports his colleagues' opinions, but there seem to be a lot of people coming to the CRA meetings and he thinks it is working.

Commissioner Bathurst said it does turn into a long day, and he was in support of the change to two (2) days.

Chair Petrolia stated there was a consensus to change the meeting time, and asked Ms. Jadusingh to find a date to change the CRA meetings to.

Vice Chair Johnson noted the CRA had received a statewide award for the iPic project and recognized that Ms. Jadusingh represented the Board well.

Deputy Vice Chair Gray stated she wanted to be sure to also recognize the previous Executive Director and Board because they were instrumental in making the project happen.

b. Comments by Board Attorney

Mr. Doody noted it is always a pleasure to be seen and not heard at the CRA meetings.

c. Comments by Executive Director

Ms. Jadusingh shared upcoming events.

11. Adjournment

There being no further discussion, the meeting was adjourned at 3:55 p.m.

Renee Jadusingh, Executive Director

Shelly Petrolia, Board Chair