



CRA Board Meeting Minutes  
Tuesday, July 28, 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 Hayward	

**OTHERS PRESENT:**

DJ Doody

**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 Kelcey Cordell Brooks, Commissioner Juli Casale, and Commissioner Adam Frankel.

**3. Approval of Agenda**

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

**4. Approval of Minutes**

**a. June 18, 2020 – Workshop Meeting Minutes**

**Motion** by Commissioner Boylston, seconded by Commissioner Frankel, to approve the June 18, 2020 Workshop Meeting Minutes as printed. In a roll call vote, the **motion** passed unanimously (7-0).

**b. June 23, 2020 – Workshop Meeting Minutes**

**Motion** by Vice Chair Johnson, seconded by Commissioner Boylston, to approve the June 23, 2020 Workshop Meeting Minutes as printed. In a roll call vote, the **motion** passed unanimously (7-0).

**c. June 23, 2020 – Regular Meeting Minutes**

**Motion** by Commissioner Boylston, seconded by Commissioner Casale, to approve the June 23, 2020 Regular 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 recorded public comments.

*Yvonne Odom, 305 Blossom Blvd*, stated the takeover of the CRA Board by the City Commission was evidence of systemic racism. She said homeowners not owning the land their homes were on was counterproductive to wealth building and asked the Commissioners to do their own research.

*Carol Howard, 1026 SW 7<sup>th</sup> Ave*, asked the CRA to assist nonprofits which contribute to the economy and stability of the community in reaching their goals.

**6. Proclamations**

**a. A PROCLAMATION OF THE DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY IN HONOR OF CAROL WESTMORELAND, EXECUTIVE DIRECTOR OF THE FLORIDA REDEVELOPMENT ASSOCIATION**

CRA Executive Director Renee Jadusingh provided a brief background on Carol Westmoreland, Executive Director of the Florida Redevelopment Association, who was a part of the Florida League of Cities for over 40 years. She read a proclamation for the record, honoring Carol Westmoreland upon her retirement and declaring October 15, 2020 to be “Carol Westmoreland Day.”

Ms. Jadusingh stated the proclamation would be signed and presented to Ms. Westmoreland at a meeting later in the year.

**7. Consent Agenda**

**a. CRA Financial Report – May 2020**

- b. CRA Monthly Progress Report – July 2020**
- c. First Amendment to Commercial Lease Agreement – 135 NW 5<sup>th</sup> Avenue, Unit C5 (Upper Cutz)**
- d. COVID-19 Rent Assistance Program – Lease Amendments for Commercial and Residential Tenants**
- e. First Amendment to Purchase and Sale of Real Property Agreement with Delray Beach Community Land Trust, Inc. – Corey Isle Workforce Housing Development**
- f. Revised Purchase and Sale Agreement – Delray Beach Community Land Trust – 102 NW 14<sup>th</sup> Avenue and 1311 NW 14<sup>th</sup> Avenue**
- g. Interlocal Agreement – Office of Economic Development, Director and Manager Positions**
- h. Subordination Agreement – 137 SW 14<sup>th</sup> Avenue**
- i. Careersource Lease for CRA-Owned Property at 186 NW 5<sup>th</sup> Avenue**

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

## **8. Old Business**

- a. Follow-Up Discussion – Lot 11 of Sunday and Tenbrook Addition to Delray, Florida – Comments on Use of Property by the City of Delray Beach**

Ms. Jadusingh stated Lot 11 was discussed at the June meeting and Commissioners requested additional information at that time. She explained the property was transferred to the City many years ago for a drainage project that never ended up happening. The property is now the subject of a purchase and sale agreement between the City and a third party, and the CRA is being given the opportunity to comment per the original agreement.

Ms. Jadusingh stated the proposed buyer is the adjacent homeowner, who is looking to purchase lot 10, which is also owned by the City, along with lot 11. She explained the lots are not buildable and will be used to expand the homeowner's back yard.

Chair Petrolia asked for clarification regarding the price.

Paul Snitkin, the City's real estate agent, responded the purchase price of \$45,000 was for both lots. He stated the purchasers want to expand their back yard and clean up the area to make it safe for their children.

Chair Petrolia clarified the CRA only had an interest in lot 11, and the City was in the process of selling both lots 10 and 11. She noted the agreement with the CRA allowed for comment from the CRA Board prior to the sale being finalized.

Ms. Jadusingh confirmed the sales agreement gave the CRA Board had the opportunity to comment in the case the City stopped using the property for public use.

Chair Petrolia asked if the new owner planned to build on the two (2) lots.

Mr. Paul stated the owners have young children and are having issues with garbage and people hanging out at night, so they want to add on a backyard.

Vice Chair Johnson stated she wanted to address how the CRA and the City interact in these types of situations. She questioned the CRA only being able to comment, not prevent the City from selling. She said it was a waste of time if the CRA was not able to stop the City from selling.

Ms. Jadusingh noted the issue predated the entire Board and staff except Board Attorney DJ Doody. She stated if the issue comes up again a different arrangement could be negotiated at that time.

Mr. Doody provided additional background, stating the City approached the CRA for the property in 2012. He stated the property was not useful to the CRA and the Board at the time saw it as donating the property for public use.

Ms. Jadusingh stated if there was no more discussion she would let the City know the CRA had no comment.

**Motion** by Commissioner Boylston, seconded by Commissioner Frankel, to approve the use of property by the City without comment. In a roll call vote, the **motion** passed (6-1). Deputy Vice Chair Gray voted no.

## **b. Carver Square Construction Strategy Determination**

CRA Redevelopment Manager Tara Toto provided a progress update on the Carver Square Workforce Housing project. She briefly explained the history of the project, which was in four (4) phases pursuant to acquisition of the property in 2005. She stated the first three (3) phases were completed and staff was requesting a construction strategy determination before moving forward with construction of the new affordable and workforce housing units.

Ms. Toto shared photos of the existing vacant property, which consists of 20 single-family lots, and shared language related to revitalization and stabilization of the neighborhood in the CRA Redevelopment Plan and SW Neighborhood Plan.

Continuing, Ms. Toto stated the CRA had been significantly involved in each step of the design planning and outlined the four (4) models selected for the project. She explained the cost of construction falls within the affordable housing rate per square foot, noting the estimations are calculated based on estimates and Brooks & Scarpa is confident project construction costs can meet the goal of \$125-\$155 per square foot. She stated if all houses are built at once, costs could be further reduced.

Ms. Toto outlined options presented at the June 23 CRA meeting, and factors to consider with each option:

1. Contract with a nonprofit to construct and sell the homes
2. Contract with a construction engineering inspector and general contractor
3. Partner with for-profit developer to fulfill the Palm Beach County Department of Housing and Economic Sustainability under their Workforce Housing Program or the City of Delray Beach Workforce Housing Program

Ms. Toto stated the CRA Board directed staff to conduct information gathering regarding option three (3). She explained they reached out to developers and contractors and received varying levels of interest including, but not limited to:

- Purchasing the lots for a nominal amount
- Acting as the General Contract (CRA design)
- Building some single-family homes now and some at a later undetermined date (developer designs)

Continuing, Ms. Toto shared details of the Delray Beach SW Neighborhood Improvement Project, which the City is managing and the CRA is funding with an investment of \$6,236,201. She noted City staff has worked to include Carver Square in the design and construction, including driveway location and curb cuts, as well as parking.

Ms. Toto outlined staff minimum recommendations for Carver Square no matter which options was selected, including:

- Homes developed within 18-24 months and are a for sale product (selling the land and house)
- Homes are restricted, developed, and sold in accordance with:
  - Palm Beach County Workforce Housing Program or City of Delray Beach Workforce Housing Program
  - Intent to increase the workforce housing stock within the CRA District
- CRA hires a Construction Engineering Inspector to oversee the development
- Require that a certain number of local subcontractors be hired
- CRA is involved in the income qualification and selling process
- If the intent is for a third-party developer to build the homes:

- Request that the CRA designs are considered for potential development
- Developer to process and pay for all permits and impact fees

Vice Chair Johnson asked that the Board discuss eliminating option three (3) first and going from there.

Commissioner Boylston stated he was in favor of option three (3).

Chair Petrolia asked if the Board knew that the staff recommendations were attainable for a for-profit developer.

Commissioner Boylston asserted developers were asked that question, and asked Ms. Jadusingh to share the response.

Ms. Jadusingh explained CRA Assistant Director Christine Tibbs reviewed the responses and asked her to respond.

Ms. Tibbs stated staff put out a request for information (RFI) the previous month, and five (5) responses were received. She outlined the content of the responses:

- Two (2) general contractors interested in responding to an invitation to bid to contract the homes (option two)
- Pulte Homes sent a letter of interest to all of the Board members
- City Vision offered to build homes on the 20 lots, but not working within the Workforce Housing guidelines (priced at approximately \$250 per square foot, designs similar to those chosen by the CRA Board)
- Chuck Halberg from Stuart and Shelby provided two (2) options, both of which would include purchasing the land. The first option would be to partner with the Community Land Trust (CLT) to build 20 Workforce Housing homes, and the second option would be to build 10 homes Workforce Housing and 10 homes market rate.

Ms. Tibbs noted that based on the responses, the 20 homes could be built on the site within the 18-24 month timeframe contemplated, but only two (2) gave the option to build within the Palm Beach County Workforce Housing guidelines.

Commissioner Boylston asserted only one (1) of the options, Pulte Homes, was within the model the CRA was exploring in option three (3).

Ms. Tibbs stated Pulte Homes would be purchasing the 20 lots and would not be utilizing the designs the CRA had worked on. She noted they would build their own designs, similar to those they have built within Palm Beach County already. She stated the options provided were three (3) bedroom, two (2) bath homes ranging from 1,600 to 1,900 square feet with two (2) car garages.

Continuing, Ms. Tibbs explained the letter from Pulte Homes stated they would need no financing help from the CRA as they would take on all cost associated with building the homes. She stated the price points illustrated were:

- Seven (7) homes at \$166,000
- Six (6) homes at \$213,000
- Six (6) homes at \$261,000
- Three (3) homes \$308,000

Ms. Tibbs stated Pulte Homes has an immediate need to construct 11 single-family homes based on a market rate development they have received, and they would commit to building 20 single-family homes within 12 months of receiving their building permit.

Chair Petrolia asked if Pulte Homes would be following the Workforce Housing program of Palm Beach County, the City of Delray Beach, or the CRA.

Ms. Tibbs stated because the market rate development approval was from Palm Beach County, that would be the guidelines followed.

Chair Petrolia asked how the construction of the additional nine (9) homes the developer did not have an immediate need for would work.

Ms. Tibbs stated Pulte Homes said they would commit to building all 20 homes and bank the additional nine (9) Workforce Housing credits against future projects. She noted she assumed that was something to be negotiated.

Vice Chair Johnson asserted she wanted to get option three (3) out of the way first because Pulte Homes had an immediate need but would have cookie cutter homes and were not interested in the homes designed for the CRA. She said the Board had put a great deal of time into a community that was unique and welcoming, and not cookie cutter.

Continuing, Vice Chair Johnson questioned how the sale prices and construction costs lined up with the CRA plan. She noted some of the CRA plan sale prices were higher, but asserted that if they continue with what they have, they will have a quality product with the stamp of Delray Beach on it. She said she believed the CRA was being used by the developers as an answer to the builder's requirements for affordable housing.

Vice Chair Johnson stated she wanted to get it out of the way to see if anyone on the Board was interested in Pulte Homes' offer. She said she was not in support and would like to move on to discussing other options, including the CRA running the project itself. She stated she believed the CRA was capable of doing a lot of good by following a project from the beginning to the end.

Commissioner Boylston stated there would be plenty of architectural options to choose from out of Pulte Homes' predesigned homes. He asserted their designs are more in line with what the Board liked on Corey Isle plus the price point was lower. He said he believed

he was the only one really fighting for the unique architecture at Carver Square, but the price point was high.

Continuing, Commissioner Boylston pointed out that by going with Pulte Homes, not only would the CRA have funds available for other needed areas such as Pompey Park, but also the price point is lower. He stated he thought it was a no-brainer and noted the only reason Pulte Homes was the only respondent was because the CRA had not put the request out. He stated an RFP would garner additional interest from other companies needing to fulfill the County requirement and said he was very much interested of option three (3).

Ms. Jadusingh added that the architects, Brooks & Scarpa had been asked to look for ways to bring the costs of the homes down. She stated the total cost shown including a conservative and likely high estimate of general conditions and construction management fees and noted the estimates would reduce significantly by building all of the homes at the same time. She reminded the Board the initial estimates were prepared contemplating building one (1) or two (2) homes at a time.

Continuing, Ms. Jadusingh noted staff reached out to 30 plus local and national contractors and this was the response received, but an RFP could result in additional interest. She added that she had some conversations with local contractors who were also interested in an invitation to bid if the CRA was managing the project.

Ms. Jadusingh pointed the Board to the slide listing the minimum staff recommendations and asked that list of items remain a part of the discussion. She noted items like development time and hiring locally could be a focus no matter which direction the CRA went in.

Deputy Vice Chair Gray agreed with Vice Chair Johnson, stating the project had come a long way already, it was in the budget, and the CRA was pretty much ready to go. She said they should continue with what they had been working on and noted some of the money would be recouped at sale of the units. She questioned whether subsidies would be required by these developers and asked how much Pulte Homes would ask the CRA to sell the homes for.

Commissioner Boylston stated there were no subsidies needed.

Deputy Vice Chair Gray asserted the Delray Beach CRA has its own guidelines, so she didn't think they should follow the Palm Beach County guidelines when their own were better. She stated the CRA was ready to go now and a developer would be slower, and said she was not interested in a developer "banking" CRA properties.

Vice Chair Johnson asked if it was possible that the CRA would recapture their money from the home sales, and why they were following the Palm Beach County Workforce Housing guidelines when theirs were superior and the CRA could do the job. She stated the CRA had come this long and invested the money, so they should seal the deal. She said they should not allow an outside developer to take advantage of the City to bank properties and expressed concern the CRA was being seen as an "easy mark."



Ms. Jadusingh stated if a developer took over the project the CRA would sell them the land to build the homes on to satisfy a current City or County requirement or build them to bank against a future requirement. She noted staff was recommending safeguards be put in place, such as if the developer were to not build within a certain time the properties would revert back to the CRA, but that issue would need to be worked out through contract negotiation.

Ms. Jadusingh responded to the question about recouping funds, pointing out that would happen at the selling of the lots, not at the sale of the homes, as the CRA would no longer have the sales interest.

Deputy Vice Chair Gray clarified she was looking at recouping funds at the sale when the CRA built the properties, not with a third-party developer.

Ms. Jadusingh stated that if the CRA were to build the homes, they would put out a bid to hire a general contractor and someone to help with construction management and sales, then develop a program to facilitate home ownership counseling and training, but they would recoup hopefully 70 plus percent of the funds. She noted the price points the CRA was working with was within the Workforce Housing guidelines, though some were on the higher end of that range.

Ms. Jadusingh stated the designs of both the Pulte Homes and CRA homes are in line with Workforce Housing, it just depends on the direction the Board wants to take and whether they want to spend the money up front.

Commissioner Frankel agreed with Commissioner Boylston, stating it was a sound way to get the homes built nicely and quickly. He said the developers Vice Chair Johnson called cookie cutter homes are doing a pretty good job throughout the City and County. He stated he assumed this project would be something similar and would expedite the process.

Commissioner Frankel asked Ms. Jadusingh if this had ever been done in the past with a CRA, where they go with one (1) group, they build the houses, and the CRA takes a step back rather than worrying about subcontracting.

Ms. Jadusingh stated the CRA has worked with the CLT on projects like Corey Isle and others in the past. She pointed to the Renaissance project many years ago, noting the CRA has worked in partnership with others and this was the same thing.

Commissioner Frankel said unless staff had a strong objection, he would choose option three (3).

Commissioner Casale asked if staff had a sense of any of the options having advantages or disadvantages in time or money for the CRA. She stated option three (3) seemed the most expeditious.

Ms. Jadusingh clarified that options one (1) and two (2) could be considered together, explaining option (1) was similar to what the CRA had done with the CLT on other projects and option (2) would require the CRA hire a general contractor to fill the holes instead of going through someone else.

Ms. Jadusingh said as far as timing, the CRA plans are already in review by the City and incorporated into the City's infrastructure project. She noted the project is close to being ready to submit for permits.

Deputy Vice Chair Gray stated Swinton Gardens was built by the CRA in partnership with another organization and it was one of the CRA's best builds.

Commissioner Boylston referenced the letter received from Pulte Homes, pointing out it had a guaranteed completion date of 12 months. He said he didn't see the CRA being able to do the project faster, as it would require a large developer that was able to maneuver their workforce.

Continuing, Commissioner Boylston addressed Vice Chair Johnson's comment about the developers using the CRA. He stated he saw it in the reverse – the County had put together an aggressive program requiring large builders to build affordable housing in the County, and in this case the CRA gets the benefit of the affordable housing even though the market rate housing was being built elsewhere in the County. He stated they were getting the better end of the deal.

Commissioner Boylston stated he didn't understand the comments saying the CRA's Workforce Housing program was superior, because the County has an aggressive program. He pointed out the pricing on the homes offered by Pulte Homes was better than the planned pricing from the CRA. He said even if the architect was able to bring the homes down by 10 or 15 percent under budget, it was still nowhere near what the developer was able to sell the homes for.

Commissioner Boylston stated with a 12-month time frame, more affordable housing, and the CRA not having to put out millions of dollars, he saw it as a win-win-win and hoped others would follow him in supporting option three (3).

Deputy Vice Chair Gray said she believed the project would take 24-36 months because of redesign and permitting. She stated the CRA had gone through the process and was ready to go right now.

Ms. Jadusingh clarified the offer was 12 months from the issue of permits and they don't know how long that process would take.

Deputy Vice Chair Gray stated she wanted that difference to be clear.

Commissioner Boylston asserted to add three (3) to six (6) months for permitting.

Vice Chair Johnson stated the CRA would be forced to choose from the developers' designs, noting they had already selected the type of homes they want in the area. She

said she did not know the quality of the homes, but with Pulte Homes or another developer, the CRA Board would not get to pick the homes. She stated she would like to see a quality project for once with the CRA stamp on it.

Vice Chair Gray asserted the CRA was almost there, and questioned why they would now allow someone else to come in and utilize. She said there was plenty of land in other places, but if the CRA develops this themselves they will come out happier and better.

Chair Petrolia stated option three (3) would be a net loss to any developer coming in, with the developer realizing a huge gain on a project outside the CRA and the CRA reaping the benefit. She asserted it would be the same with the other options, with the CRA realizing the net loss.

Chair Petrolia stated the CRA has a limited number of resources and taking a loss on this project would mean some other project did not have funds. She used Pompey Park as an example, noting it is really important for all of the Board members and they want to continue moving forward with it, but there is a limited number of resources. She noted with the current times, there may even be more constraints on budget than there ever had been in the past because businesses were already failing and that would affect the CRA's bottom line.

Continuing, Chair Petrolia said she didn't disagree with the quality issue, but they could require it be monitored as part of the process. She said she was less concerned about that because everything had to go through inspections at each level of the build and the engineers and inspectors would recognize problems. She stated she did not see the CRA spending \$6 million or more on this project to get \$4 million or less back and then not have that money to be able to utilize right away for something else. She stated she would support the project going forward under option three (3) to seek out a partner in the process.

Chair Petrolia stated the banking of properties was not concerning to her and explained that it wasn't that the property would be undeveloped, simply that it would be built as part of the 20 homes and banked against a future development where they are required to give back to the community through these types of workforce housing units. She said if the CRA were to sell the lots and get in return 20 workforce housing units within the next 18-24 months, the CRA Board had done its job. She added they could then use the \$6 million to do it again, buying more land, or put the funds into moving forward with other projects which had languished.

Vice Chair Johnson again said the CRA should be abiding by the City of Delray Beach's Workforce Housing requirements and asked for Commissioner Brooks' opinion.

Commissioner Brooks stated the project was much needed in the community and said he was listening and taking everything in to determine the best option. He noted the property had been vacant a long time and was looking horrendous, so getting this development going was much needed.

Ms. Jadusingh stated if the Board chose to go with option three (3), staff could continue with its designs as a backup plan, and also to offer the developer the option to follow those plans. She noted that would ensure the CRA had not lost the time if what was received back from developers was not palatable, as it was already budgeted and into the process.

Deputy Vice Chair Gray asked if utilizing the plans developed by the CRA could be a requirement of the RFP, then subtract the design process from the final bottom line.

Vice Chair Johnson stated the contract should also be binding that the houses have some sort of attachment to the land so there is not a constant turn over. She said she dearly loves the CLT because once you buy a home with them, you are family and are not left the whims of a changing housing market. She added that owners should have a safety net in case they run into some sort of financial problem. She stated the City was going to find itself all built out with no recourse and suggested a clause to have the homes revert back to the CRA at a later date.

Deputy Vice Chair Gray asked if there was real consent to say that the CRA was selling the land and the house, noting that Delray Beach has its own land trust and housing program. She stated she doesn't understand how the CRA went from preserving the land and affordability of homes to selling them for almost market value. She asked where maintaining affordable housing was lost.

Commissioner Boylston stated that was not at all the case, and the homes in the proposal were nowhere near market value. He clarified that the developers are required to sell at certain price points and to work with the Community Land Trust (CLT) or similar community housing partner (or multiple partners) to put the houses up for sale, protect them from being flipped, and screen for income eligibility.

Deputy Vice Chair Gray stated she would like to make sure the CLT, which came out of the CRA, was a required partner in the building of the homes so that the CRA was getting what it needed and was still supporting its affordable housing partners.

Chair Petrolia asked Ms. Jadusingh to weigh in on the value of the homes and not being able to jump in and flip them for market value.

Ms. Jadusingh stated restrictions would be in place whether through the County or City Workforce Housing programs, and the homes would not be restricted and not able to be converted to market rate for many years. She noted the reversion back to the CRA could be a term of the agreement to be negotiated if the Board preferred.

Ms. Jadusingh stated staff understood the properties were intended to be a for sale project, with the home and land for sale, so if the Board wanted to go through the CLT or other model, that should be communicated.

Vice Chair Johnson asked if the CRA had stated they would insist on using their own non-profit and designs when putting the item out to developers. She said from her understanding, Pulte Homes overrode the CRA and said the Board had to pick from their

designs. She asked how the Board had changed over so quickly from the first two (2) options and said she did not see the advantages of working with a developer.

Continuing, Vice Chair Johnson asked how the CRA had gotten to this point, considering selling the land to a developer rather than using their own designs and their own nonprofit partner.

Commissioner Boylston outlined the benefits of the partnership, including:

- The homes would be completed in the same amount of time or faster (3-6 months for permitting and guaranteed 12 months for building)
- The CRA does not have to put up the \$6 million in building costs
- The homes would be sold for less money than the CRA can sell them for

Commissioner Boylston outlined the downside of the partnership, which he said would be that the developers will build their own designs, saving money by building designs they have built before and utilizing in-place contracts. He pointed out the designs were more in line with the Corey Isle architecture, which the Board members all really loved.

Commissioner Boylston noted he was the most outspoken in support of the Carver Square designs and would be sad to see them go, but the upside of the project trumped that.

Chair Petrolia stated she was never in love with the designs, and she welcomed the different look. She said the issue for her was the net loss of money as well as the CRA being out of pocket millions of dollars with options one (1) and two (2), while option three (3) gave the CRA funds for other projects.

Continuing, Chair Petrolia said from her perspective, being able to get 20 workforce housing homes without spending money – in fact, getting some money back when selling the lots – allows the CRA the ability to move on to another project.

Chair Petrolia asserted it was possible they wouldn't be comfortable with the proposals that came in, but she thought they should open it up to see what developers would present. She noted this was the reason staff should continue with the current process, so time was not lost if that were the case, as previously agreed.

Commissioner Boylston added that the letter received stated "assuming the City can turn around permits in 30-60 days" the homes would be completed in 12 months, so the permitting process was at least partially included in the production.

Chair Petrolia stated it would probably be done before the CRA could get it done itself.

Deputy Vice Chair Gray said she would be fine with that if they added in the CLT as a partner. She noted if that were the case, she would be willing to look at it a little differently.

Vice Chair Johnson agreed she did not want to stop the CRA's own momentum until they saw what the developers had to offer. She said she guaranteed that if Chair Petrolia didn't like the current designs, she would not like what the developers had to offer.

Commissioner Frankel asserted it didn't matter what the Board thought about the designs, it mattered what the 20 families who were going to buy them thought. He said he was getting dizzy with the circular conversations and wanted to make a motion.

Deputy Vice Chair Gray stated she would be willing to look at option three (3) if the CLT were added in as a required community partner.

Chair Petrolia asked if the addition of the partner was meant as an amendment.

Deputy Vice Chair Gray stated she would like to see it added to the bid. She said Commissioner Boylston mentioned the developers work with nonprofits, so she wanted to make sure that was the CRA's partner, not someone else's.

Commissioner Boylston asked for legal counsel to comment on whether adding that restriction was permissible without a separate RFP.

Board Attorney DJ Doody stated the selection of the partner would require an RFP. He asked if the Board's intent was to enter into an agreement with Pulte Homes.

Ms. Jadusingh responded that a vote for option three (3) would mean the CRA went out to RFP for a developer that satisfied a County or City Workforce Housing requirement. She said that through her conversations with County staff, he knows the County program does allow for other nonprofit partners, but it would be a separate conversation, not tied to the developer.

Deputy Vice Chair Gray reiterated the question as to whether the Board was selecting a developer or going out for RFP.

Chair Petrolia stated the vote was on whether to put out an RFP.

**Motion** by Commissioner Frankel, seconded by Commissioner Boylston, to approve option three (3). In a roll call vote, the **motion** passed (5-2). Vice Chair Johnson and Deputy Vice Chair Gray voted no.

In response to a question from Vice Chair Johnson, Chair Petrolia clarified staff would continue with the project in-house while starting the RFP process.

### **c. Wayfinding Signage Design Project – Final Sign Array, Map of Vehicular Sign Locations and Sign Content, and Gateway Sign Design**

Ms. Jadusingh provided a brief update on the wayfinding signage design project. She stated the project is ready for the construction document process and asked for input

from the Board before continuing to work with the City. She noted because the signs would be on City rights-of-way, that cooperation was needed.

Ivan Cabrera, CRA Redevelopment Manager, shared PowerPoint slides showing signage from 15-20 years ago and the current vehicular, parking identification, and pedestrian/interactive signs. He noted feedback on colors was provided by the Board at a meeting earlier in the year.

Mr. Cabrera explained the lettering measurements required under current regulation and showed renderings to illustrate the ways in which the new signs would be more legible from the street. He continued by showing options for the gateway signage and asking for Commissioner input.

Chair Petrolia outlined reasons she preferred the black poles, and stated she liked option one (1) for the gateway sign. She asked that placement is careful of sidewalks and shared additional comments asking for a more substantial entry sign.

Chair Petrolia suggested staff speak to the City staff to find out if there is interest to add signs in key areas outside the CRA district.

Vice Chair Johnson stated she agreed with most of Chair Petrolia's comments and was ready to move on from the conversation. She noted that placement was vital, taking care of sidewalks but also not placing them too far away. She asked that care is taken that each of the old signs be removed with the addition of the new signs and commented on colors.

Vice Chair Johnson said she did not want to take away from the gateway signs, so wanted to be sure that was also considered in placement. She commented that it was difficult to see sizing. She asked where the gateway sign was currently located.

Ms. Jadusingh shared a photo and map, showing the gateway sign near the French bakery off George Bush.

Chair Petrolia asked if that was the appropriate location for the sign, because that is not where Delray Beach begins.

Ms. Jadusingh stated the roadway narrows as you move north, so that is the first location for a size of its size. She said staff was proposing a smaller sign at the true entrance.

Vice Chair Johnson asserted she had never seen the sign, noting it was a busy place where drivers keep their eyes on the road. She said she didn't think it was a good placement, but she didn't know what was better.

Chair Petrolia stated it was not a very attractive, modern sign, so unfortunately it fades into the background.

Vice Chair Johnson said she didn't believe what they were trying to put there would do much more.

Commissioner Boylston agreed with Chair Petrolia's comments and stated that option one (1) tied in with the design of the other signs best. He said he thought it was a good idea to have conversation with the City and its consultants about obvious places to put signs outside the CRA district. He stated this would be the time to have the City pay to put in signs as needed.

Commissioner Boylston stated the signs themselves are beautiful, and care should be taken with the materials chosen. He noted it seemed staff was doing that, but he wanted to make sure it remained a focus.

Deputy Vice Chair Gray added her support of option one (1) and said staff had listened to what the Board wanted. She asked if a sign would be on SW 10<sup>th</sup> at Swinton, as you enter the CRA from that direction.

Chair Petrolia stated she didn't see anything on the map but wasn't sure it was the right place for a welcome sign. She noted the Tennis Center and Library would be marked.

Deputy Vice Chair Gray noted it would be a directional sign.

Chair Petrolia agreed it might be a good place for a directional sign, as it is the tie in of Dixie to 10<sup>th</sup> to Swinton. She stated there is also a beautiful park to the north of 10<sup>th</sup> that could be a site for signage.

Deputy Vice Chair Gray added that people come in from **Pond Ridge (?)** and are wondering which way to go to the beach or downtown.

Chair Petrolia stated that would also be a place where the City could work to bring people into areas that are not in the CRA District.

Ms. Jadusingh stated she would move forward with the consensus for option one (1). She noted if the City wanted to use the same design, the signs could be replicated and used in other areas.

Chair Petrolia asserted keeping the signage consisted created conformity between areas.

Deputy Vice Chair Gray asked if the signage at Libby Wesley Park had been discussed, noting there are no signs now to let you know you are at the park.

Ms. Jadusingh stated Libby Wesley Park was a City park and staff had spoken with the Director of Parks and Recreation a few times about signage. She said the Director had talked to a sign company and had options the last she heard, but she would check in and then report back.

Vice Chair Johnson thanked the CRA staff for the hard work they had done to bring the project to this point.

Chair Petrolia agreed.



## 9. New Business

### a. Delray Beach Chamber of Commerce Loan Forbearance Request

Ms. Jadusingh provided a brief background on the request, explaining the CRA entered an agreement with the Delray Beach Chamber of Commerce on February 22, 2013 to build out the Chamber office space in the amount of \$459,675. She stated at that time, the Chamber agreed to pay \$250,000 over a 15-year period at four (4) percent interest. Due to loss of revenue due to COVID-19, the Chamber is requesting forbearance of the loan from June 2020 to December 2021. Ms. Jadusingh noted on time payments had been made up to the point of the request.

Commissioner Boylston stated he would like to hear staff thoughts on the issue and asked if any other adjustment periods were considered, such as six (6) or 12 months rather than the 18 months requested. He noted other entities were negotiating similar agreements and adding the payments to the end of the loan but had seen shorter adjustment periods.

Ms. Jadusingh explained she had discussed the request with the Chamber CEO, and significant revenue generators are not happening for the Chamber of Commerce such as the Delray Affair, so they are asking for assistance while they get back on their feet. She noted shorter time periods were not a part of the discussions.

In response to a question from Commissioner Boylston, Ms. Jadusingh clarified the payments were included in the FY20 budget but were not included in the proposed FY21 budget. She stated the total amount was about \$17,000 and would be added to the end of the loan.

Ms. Jadusingh noted there was a COVID-19 forgiveness line item that was large enough to absorb the request.

Commissioner Boylston stated he would like to hear from Stephanie Immelman, Delray Beach Chamber CEO, about what the Chamber of Commerce was doing to leverage their office to assist area businesses which are in great need due to COVID-19.

Vice Chair Johnson asked to hear from Ms. Immelman before continuing Board discussion.

Ms. Immelman explained the Chamber's goal was to be a trusted voice to businesses in the community through the pandemic. She outlined ways they work to get information out to businesses, not just members, regarding resources and advocacy. She noted the SBDC has helped that effort.

Continuing, Ms. Immelman stated the Chamber is part of the Business Assistance Taskforce, which includes the City, Economic Development, the CRA, and others. She noted that during the heat of the lockdown, that group communicated almost on a daily basis. She said they had collated a list of things businesses suggested to help them through COVID-19 and would be following up with the CRA on those issues soon.

Ms. Immelman stated programming has been continued, including Delray Morning Live, Business and Bagels, and an education forum. She noted a weekly lunch and learn seminar was recently added to existing programming and has been well received.

Commissioner Boylston asked if there were any thoughts on leveraging the Chamber's space for businesses which had been displaced.

Ms. Immelman said that there was, noting she looks forward to opening the office to the public. She stated plans are in place to use the back room for coworking space in addition to use of the space by the Small Business Development Center (SBDC).

Vice Chair Johnson asked if the Chamber of Commerce qualified for the Payroll Protection Program (PPP).

Ms. Immelman stated the Chamber is not eligible. She noted they had been lobbying for eligibility in the next round of funding.

Vice Chair Johnson noted it sounded like the cities were in the same position, and said she would be in favor of approving the Chamber's request.

Chair Petrolia emphasized approving the request did not mean the dollars were forgone, they would simply be delayed. She said she knew the Chamber had been hit hard and she was in favor of lending support.

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

## **b. Discussion – CRA Legal Services**

Ms. Jadusingh stated as previously discussed, she recommends bringing full-time legal services on-site for the CRA. She said she believed centralizing the services in one (1) person in-house would be a more efficient approach.

Continuing, Ms. Jadusingh explained the CRA has an open contract with Goren, Cherof, Doody, & Ezrol, PA for outside counsel and that firm has significant knowledge of the CRA. She stated the CRA is large and has multiple projects going, so it would not be uncommon to have multiple attorneys working on their behalf.

Chair Petrolia asked for a breakdown of costs for legal counsel.

Ms. Jadusingh stated the proposal was for \$85,000 to \$125,000 for in-house counsel.

Lori Hayward, Finance and Operations Director, explained she would have to research the amount currently spent on outside counsel because it was separated over each category of the budget. She stated she would research the total number and email Board members.

In response to a question from Chair Petrolia, Ms. Hayward said she believed in-house counsel would represent a cost savings.

Ms. Jadusingh stated it would be nice to have someone in the office, working lockstep with the CRA staff. She noted that person would make the decisions about when outside counsel was necessary. She further explained that some contracts are templates, so having an attorney able to make the changes in the office as opposed to sending it out and having it sent back would save time and money.

Commissioner Boylston agreed in-house counsel would be more efficient. He noted he would also support Ms. Jadusingh if she wanted to explore working with the City Attorney's office.

Ms. Jadusingh stated she had spoken with City Attorney Lynn Gelin, but because of the volume of work the CRA has, that office would also have to make a hire. She said the addition of that office would add a layer to work through rather than simplifying efforts.

Commissioner Boylston stated he was glad she had explored the option to see if there were any efficiencies there but agreed that adding layers of complexity was not what they would want.

Commissioner Frankel spoke in support. He said he had spoken with Ms. Jadusingh regarding the use of inside counsel at the CRA she worked at previously and understood it to be a win-win.

Vice Chair Johnson stated she too was in support and thought it was long overdue. She said the CRA is trying to get things done, and in-house will be better.

Deputy Vice Chair Johnson said she had asked about this issue previously, and said she had concerns that every line item in the budget had a line item for legal, even when it wasn't needed or used.

**Motion** by Deputy Vice Chair Gray, seconded by Commissioner Boylston, to approve the hiring of in-house legal counsel. In a roll call vote, the **motion** passed unanimously (7-0).

## 10. Other Business

### a. Comments by Executive Director

Ms. Jadusingh provided a brief update on the SW Neighborhood Improvement Project, including aerial photos. She stated all alleyways in the project are now cleared.

Chair Petrolia noted Vice Chair Johnson had commented on how well the project was proceeding. She said when the opportunity arises, it would be nice to do a ribbon cutting or other celebration of the project to let everyone know about the positive things happening in the neighborhood.

### **b. Comments by Board Attorney**

Mr. Doody expressed his satisfaction with having had the opportunity to work with the CRA over the years. He stated he supported Ms. Jadusingh's assessment that in-house counsel was needed, as the CRA had evolved. He said he believed it would be to the benefit of the CRA and he looked forward to working with them on a case-by-case basis.

Chair Petrolia thanked Mr. Doody for his many years of service. She agreed the CRA was growing into a new position and stated she was glad Mr. Doody and Ms. Jadusingh had the conversation.

### **c. Comments by Commissioners**

Vice Chair Johnson asked the Commissioners to distribute information regarding the 2020 Census and to share it wherever they can.

## **11. Adjournment**

There being no further discussion, the meeting was adjourned at 6:06 p.m.

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Renee Jadusingh, Executive Director

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Shirley Ervin Johnson, Board Chair