



If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, that person will need a record of the proceedings, and that, for such purpose, the person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

REGULAR MEETING MINUTES
Thursday, July 11, 2013, 5:30 p.m.
City Commission Chambers
Delray Beach, FL 33444

BOARD MEMBERS PRESENT:

Howard Lewis
Cathy Balestriere
Bill Branning
Annette Gray
Herman Stevens
Reggie Cox
Joseph Bernadel

STAFF PRESENT:

Diane Colonna	Vince Wooten
Jeff Costello	Kristyn Cox
Elizabeth Burrows	David Tolces
Vin Nolan	Susan Shaw
Scott Aronson	Ron Hoggard

BOARD MEMBERS ABSENT

Veronica Covington

OTHERS PRESENT:

Bob Schwartz	Samuel Spear	John Bellofatto	Cheryl Schwartz
Gregg Weiss	Jessica Joly	Maria Bolivar	Brandon Belluscio
Jack Williams	Sharon Burke	Evelyn Dobson	
Chuck Ridley	Al Jacquet	Tony Batallan	

Chairman Howard Lewis called the meeting to order at 5:30.

1. Approval of Agenda

Ms. Gray made a motion to approve the Revised Agenda, which was seconded by Ms. Balestriere and passed unanimously.

2. Approval of the Minutes

A motion was made by Ms. Balestriere to approve the minutes of the Board Meeting on June 27, 2013. The motion was seconded by Ms. Gray and passed unanimously.

3. Public Comments on Non-Agenda Items (Note: comments are limited to 2 minutes in duration, and will be responded to at the next board meeting) –

Sam Spear of WARC said he is looking forward to working with the CRA. He stated he wanted to make an official request to have Mr. Reggie Cox, newly appointed board member, be appointed as the CRA representative to WARC.

4. P&Z – Class III Site Plan Modification – El Camino Restaurant

Principal Planner Ron Hoggard presented the item. The consensus of the board was to recommend approval of the project, but with support for P&Z staff's position not to remove the landscape island.

5. Presentation – Block 117 Parking Garage Study (Gladiola Parking Lot)

Randal Krejcarek, City Engineer, presented the findings of the Kimley Horn parking garage study for Block 117, which included five (5) options. The Parking Management Advisory Board) PMAB recommended Option 3 without the retail space on the ground floor. The design work would begin next year, with the construction (financing) the following year. There was some discussion of various parking payment systems which incorporate newer technology. Mr. Scott Aronson, Parking Management Specialist, said the multi-space meters have the capability of using pay by phone technology. Ms. Balestriere asked about the robotic options, and the timing of retrieving vehicles. Mr. Branning stated it was good to see that PMAB was supporting the double stacked design Option 3 but he feels it does need to include a retail component. The area is being redeveloped, millions are being invested in US-1 improvements, and retail is needed since the infrastructure is being put in place. Mr. Branning supports Option 3a which includes retail on the ground floor. Mr. Lewis, Mr. Stevens, Ms. Balestriere and Mr. Cox all concurred with Mr. Branning, with Mr. Bernadel reserving comment at this time.

Chairman Lewis took a moment to acknowledge two new board members, Mr. Joseph Bernadel and Mr. Reggie Cox, and stated he was sure they would be assets to the board.

Consent Agenda:

- 6. CRA Monthly Progress Report – June 2013**
- 7. DBMC Monthly Progress Report aka “Dashboard Measurables”**
- 8. DBMC Acceptance of Minutes for May 2013**
- 9. Resolution 13-02 – Budget Amendment No. 2 – FY 2012-2013**

Mr. Branning made a motion to approve the Consent Agenda which was seconded by Ms. Gray and passed unanimously.

Old Business: None

New Business:

10. Paint-Up & Signage Grant Application – PürCycle (101 SE 2nd Avenue)

Ms. Burrows, CRA Grants & Marketing Manager, presented the grant request. Mr. Branning made a motion to approve a Paint-Up & Signage Grant for PürCycle in an amount not to exceed \$713.74 for the exterior signage project at the property located at 101 SE 2nd Avenue. The motion was seconded by Mr. Stevens and passed unanimously.

11. Curb Appeal Grant Application – 102 SW 8th Street

Ms. Burrows presented the grant request. Ms. Gray made a motion to approve a Curb Appeal Grant for the property located at 102 SW 8th Street for an amount not to exceed \$8,078.40. Mr. Cox seconded the motion which passed unanimously.

12. Award of RFB for Landscape Maintenance Services

CRA Assistant Director Jeff Costello presented the item, stating there were eight (8) responses to the RFB ranging from \$37,000 to just over \$114,000. The majority contained some type of irregularity except for Property Works, which was the second lowest bid. Mr. Bernadel asked if an RFP response does not fully comply with requirements, is there an option which allows the applicant to remedy it. Mr. Costello responded that the CRA board can waive certain irregularities at its discretion. CRA Attorney David Tolces clarified that the applicant cannot re-submit something different. Mr. Branning felt that if a respondent cannot submit the proper information as specified in the RFP, they are not likely to perform well on the job. Mr. Tolces added that if the CRA awarded the bid to a company that had not

submitted proper documentation, it could be challenged. Ms. Gray said she does not support consideration of applicants who haven't submitted all the information requested. She felt discretion should only apply to price. Mr. Cox wanted to know if there was any precedent to accept responses with irregularities, and Mr. Costello related a previous instance where an adjustment was permitted per board discretion.

Mr. Branning made a motion to award the bid for Landscape Maintenance Services to Batallan Enterprises, Inc. d/b/a Property Works in the amount of \$44,100.00. Ms. Gray seconded the motion which passed unanimously.

13. Amendment No. 2 to Agreement with ACG Consultants re: Arts Warehouse Project

CRA Executive Director Diane Colonna presented the amendment to the Arts Consulting Group (ACG) Agreement which was discussed at the last board meeting. Ms. Balestriere questioned if ACG was the right consulting group to be doing a business plan for the arts incubator concept. She also wanted to know if the CRA would have a voice regarding which eight facility leaders they will be interviewing, and if ACG could analyze a member-based facility. She also stated her concern that one of the consultant team members was primarily involved in performance facilities, not art studios or incubators. Ms. Colonna said that ACG has relied on CRA input in the past and was sure there would be an opportunity to review the interviewee list beforehand. Also, Ms. Balestriere asked if input would be sought from the CCC, and Ms. Colonna responded that the CCC will not really be involved in this aspect. Ms. Gray also felt the CRA should be involved in who ACG interviews, and that it would be acceptable for ACG to speak with the CCC but not let them take a leading role. She stated she was comfortable with Willem Brans' background and experience, she feels he has a good grasp of the incubator concept, and that \$13,500 is a reasonable price for the creation of the business plan. Mr. Branning stated that ACG has been involved with this project for a long time and he supports moving forward.

Mr. Branning made a motion to approve the second amendment to the Independent Consultant Agreement between the CRA and Arts Consulting Group, Inc., with the stipulation that research be done regarding member-based business models, and that the CRA's Executive Director approve the list of facility leaders to be interviewed. Ms. Gray seconded the motion which passed unanimously.

14. Termination of Agreements with Reginald Cox & Associates – Continuing Contract for Architectural Services

Mr. Cox announced he would be abstaining from voting on this item.

This item was presented by Mr. Costello and is before the board due to the fact that Mr. Cox is now a CRA board member. Ms. Gray made a motion to terminate the Continuing Contract Agreement for Architectural Services and SW 12th Avenue Duplex Renovations Work Assignment between the CRA and Reginald Cox & Associates, Inc. effective immediately. Mr. Branning seconded the motion which passed unanimously.

15. Discuss the Process for Review of Fourth & Fifth Avenue RFP Responses

Mr. Costello presented the item, giving a brief overview of the four proposals. All four responses have been reviewed and deemed responsive. Discussion pursued regarding the process going forward on the responses. Mr. Branning wants financial information to be presented prior to the developer presentations, with the consultant who puts together the financials citing which proposal is most advantageous. Then the respondents can give their presentations, and the board may or may not vote on them that same night. Mr. Lewis stated how important this parcel is, and that it is crucial the board gets it right for Delray Beach. The board agreed the process should not be rushed. Regarding the timing of the

presentations, it was agreed that they should be up to 15 minutes in length with Q&A after each, and that the workshop should begin at 5:00 as usual.

The decision was to have the financials presented at the board meeting on August 8, with the presentations to be made at the board Workshop on August 22nd.

Other Business:

16. Comments by Commissioners

Ms. Gray requested the language in RFP's be clarified so that any submission not meeting all of the requirements is considered non-responsive. Mr. Tolces said he would need to look into the language that was included in the RFP. Ms. Colonna stated that depending upon the extent of the deviation, staff was not always comfortable making the decision to reject a proposal. Ms. Gray also requested the P&Z items be presented in a more legible fashion as currently they can barely be read.

Mr. Stevens welcomed Mr. Cox and Mr. Bernadel. He stated he thinks the board should continue to have final determination on RFP's and does not want to eliminate all discretion.

Mr. Bernadel thanked the City Commission and Commissioner Al Jacquet for appointing him to the CRA board. He reported he visited the CRA offices, met the staff and attorneys, and took a tour of the district and the CRA projects.

Mr. Cox also agreed that the board should retain some discretion on RFP submissions. He thanked the City Commission for his appointment to the board.

Mr. Lewis commented that the CRA has been doing an amazing job, and that Cathy Balestriere has worked very hard on the board and for the city. He again welcomed the new board members.

Ms. Balestriere was thankful for everyone's support and hopes to be reappointed. She was also pleased to announce that Stephanie Immelman will be the new DBMC Executive Director.

17. Comments by Board Attorney

Mr. Tolces welcomed the new board members.

18. Comments by Executive Director

Ms. Colonna welcomed the new members as well, and assured them that staff is always available to assist them.

19. Comments by Staff

Ms. Burrows updated the board that the consultants are compiling the input from the public meetings on the CRA Plan Amendment. Also, she informed the board that the commemorative plaque has been installed at Libby Wesley Plaza, and there will be a dedication on Thursday, July 8th at 4:00 pm. She additionally reported that the new Trolleys are operating on the avenue and look great. Lastly, she announced that August 8th the DBMC will be holding 'On the Avenue' on SW 5th Avenue.

There being no further business, the meeting was adjourned at 7:15.

Diane Colonna, Executive Director

Howard Lewis, Chairman