

MINUTES OF MEETING
CITY OF DANIA BEACH
COMMUNITY REDEVELOPMENT AGENCY
WEDNESDAY, MAY 5, 2010 – 6:00 P.M.

1. Call to Order/Roll Call

Chairman McElyea called the meeting to order at 6:00 p.m.

Present:

Chairman:	C.K. "Mac" McElyea
Vice-Chairman:	Anne Castro
Board Members:	Walter Duke Bobbie H. Grace
CRA Executive Director:	Jeremy Earle
City Attorney:	Thomas Ansbro
CRA Secretary:	Miriam Nasser

Absent:

Board Member:	Bob Anton
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Vice-Chairman Castro motioned to excuse the absence of Board Member Anton; seconded by Board Member Duke. The motion carried unanimously.

2. Approval of Minutes of April 7, 2010

Board Member Grace motioned to approve the minutes of April 7, 2010; seconded by Board Member Duke. The motion carried unanimously.

3. CRA Updates

Jeremy Earle, CRA Executive Director, welcomed Board Member Grace to the CRA Board and said he looks forward to working with her as we move the City forward.

Director Earle spoke about the Pirates Inn property. He explained that some time ago he approached Hank Thomas to discuss the possibility to expand the City Center project and the potential on this property. Director Earle advised that Mr. Thomas now has a contract on the property which would support the hotel project scheduled to start construction later this year. He indicated that some developers discussed this property with him and suggested rehabilitation of the former building and liquor store; also a CVS Pharmacy, however our City code does not allow drive-through businesses in our TOD area. He presented a PowerPoint overview of a similar project in South Beach which is attached to and incorporated into these minutes. Director Earle clarified that the concept for Dania Beach would be different, but we could have other uses

that would encourage people to visit our downtown area. He noted that Mr. Thomas has been working hard on this project and he would like to share his ideas with the CRA Board.

Hank Thomas, Downtown Dania Beach Development, LLC, noted that the idea is to capture some of the traffic that circulates on Federal Highway. He advised that he developed some preliminary site plans to include approximately 125,000 square feet of retail with about 638 parking spaces. Mr. Thomas remarked that this is a challenging opportunity, and he looks forward to working on this project. He said this is a new concept in Dania Beach and added there is no reason not to use this property for vertical retail.

Board Member Duke noted that vertical retail is a concept being used in urban areas nationwide. He said that this property is a great location with its proximity to the Airport and Seaport. Furthermore, it would enhance the value of the surrounding properties. Board Member Duke noted that Mr. Thomas engaged Lisa Duke to put the parties together to develop this property. He noted that this development is good for local residents but also for tourists staying over in the area. Board Member Duke also indicated that he has been in touch with Boyd Gaming and they are excited about the project and the plans to re-energize our downtown.

Board Member Grace applauded Director Earle for his vision and expertise. She noted this is a great opportunity to put Dania Beach residents back to work. Board Member Grace thought it was a good idea to have Lisa Duke work with Mr. Thomas on this project. She stated that very positive things are happening in our City.

Director Earle asked Mr. Thomas to provide an approximate timeframe for the demolition process.

Board Member Duke noted that we have made arrangements with BSO/Fire Rescue to use the property for training prior to and during the demolition process.

Mr. Thomas noted that he originally spoke to the Board about using retail in the downtown area. He further said that he looked at other redevelopment projects in other towns to ascertain whether or not retail worked for them. It is important to have things happening in the City Center after the offices are closed. Mr. Thomas commented that although he made his first offer for this property in Nov-Dec 2009, it took some time for his attorneys to come to an agreement with the attorneys representing the bankruptcy. He advised that it would take approximately 90 days to have approval of the site plan, and immediately after, all four buildings on the site will be demolished. Mr. Thomas indicated that once the buildings are demolished the empty lot could be used for temporary parking.

Chairman McElyea noted Mr. Thomas is doing a great job and he will support him.

Director Earle noted that he recently contacted WorkForce One Employment Solutions, a training organization that provides numerous services to employers and job seekers in Broward County. He further advised that we plan to have job fairs and lots of activities to create jobs for our residents. Lastly, Director Earle noted there is a lot happening behind the scenes, such as

redevelopment, façade improvements, major marketing and branding and the implementation of a community garden.

4. CRA Legal Presentation – Kim Briesemeister, MetroStrategies, Inc.

Jeremy Earle, CRA Executive Director, noted that every year we try to have a presentation for everyone to know where we are, what we do and what the expectations are for our CRA. He introduced Kim Briesemeister and noted that her expertise is greatly appreciated.

Kim Briesemeister, MetroStrategies, Inc., noted that the main issue when you are in redevelopment is not to get cut up in legal issues. She presented a PowerPoint overview on how to organize and manage a CRA, which was attached to the agenda back-up. Ms. Briesemeister explained in detail what a CRA can and cannot do. She remarked that any project or program that a CRA wishes to undertake must be outlined in the CRA Plan. Ms. Briesemeister clarified that CRA board members are also subject to the Sunshine Law.

5. US Landscaping Scope Additional Services- Rick Durr, IBI Group

Jeremy Earle, CRA Executive Director, noted we added services to the contract with the IBI Group for approximately \$500,000.00 for the US1 beautification project. He indicated that before the One Code is adopted, the Mellgren Planning Group will need some conceptual designs showing where the “on street” parking will be, as well as the spacing of the new trees, lighting and other amenities.

Rick Durr, IBI Group, provided a brief update on the US1 landscaping program. He noted that they recently received partial approval for the special designation from the Florida Department of Transportation (FDOT). Mr. Durr said that they have modified their designs and will present them to FDOT next week. He noted that FDOT has been very helpful throughout the process. Mr. Durr advised that we will be inserting the additional services as we move forward with the project.

Vice-Chairman Castro spoke about the lighting aspect of the project. She questioned if we are open to use our own vendor or if we have to use Florida Power and Light (FP&L) products.

Mr. Durr advised that FP&L wants to have discussions with the IBI Group and the CRA Board to find out what we have in mind. He noted that they would like to be involved and, if possible, use some of their designers as well.

Vice-Chairman Castro confirmed that FP&L, in conjunction with FDOT, would have the first say on the lighting plan. She also clarified that we would be able to bid or compete on the prices when we use their products. Vice-Chairman Castro further discussed the NW/SW 1st Avenue conceptual streetscape design.

Director Earle noted that the design would be different in the Stirling Road south area. He added that we need to put together a comprehensive plan on how we plan our “on street” parking in downtown Dania Beach. Director Earle said that we need approval of this amendment tonight and we can then ask Mr. Durr to look at some other side streets.

Vice-Chairman Castro congratulated Mr. Durr for obtaining the designation from FDOT. She noted that we need to look at the trees we are planting and suggested using a variety of plants, not only palms.

Board Member Duke noted that he has not heard too many favorable comments on the solar lighting we have installed in our City and suggested using a more decorative type of solar lighting. He further commented that there are a lot of options for the plantings as long as they are low maintenance. Board Member Duke remarked that he is excited with the US1 improvements because that corridor is our front doorstep.

Board Member Grace noted she concurred with her fellow Board members with regards to the use of palm trees. She asked what type of street furniture they would be using and added that she would like something that is green friendly.

Director Earle noted that next month he will bring forward some of the street furniture we would be using. He remarked that our goal is to have one of the greenest downtowns in the state. Director Earle explained that we are looking at LED light fixtures which are very unique as well as several other products.

Vice-Chairman Castro motioned to approve an amendment to the agreement with the IBI Group for additional services; seconded by Board Member Duke. The motion carried on the following 4-0 Roll Call vote:

Board Member Duke	Yes	Vice-Chairman Castro	Yes
Board Member Grace	Yes	Chairman McElyea	Yes

6. Comprehensive Parking Management Plan, Additional Services- Poorna Bhattacharya, Bob Chapman, Kimley-Horn and Associates

Jeremy Earle, CRA Executive Director, noted that there will be some changes to address the long term operations of the parking garage. He indicated that Mr. Thomas has a contractual date of September, 2010, to complete the project. We need to consider operational costs, security systems, maintenance, parking access, site signage design and installation, etc. Director Earle further advised that as we approach the next budget cycle, both City and CRA staff asked Kimley-Horn to provide a revised scope of services under their current Comprehensive Parking Management Program to include some of those services.

Vice-Chairman Castro confirmed with Director Earle that funding for the additional services has been budgeted. She asked that when Kimley-Horn prepares their financial plan, they also provide us with their recommendations for funding sources and possible expenses.

Bob Chapman, Kimley-Horn and Associates, noted that we need to consider how the parking garage will operate today and in the future. He further indicated that they need to look at all the elements to make sure that it is a safe and convenient environment.

Director Earle noted that we would bid out the new access control system including the new gate arms for the parking garage and Kimley-Horn will be preparing the specifications. The City Commission will make the final decision as to which company would be used for this project.

Mr. Chapman commented that they would prepare a tight specs document so that the City is protected against malfunctioning and other similar issues.

Board Member Duke noted that for a number of residents this decision would come as a surprise, so we will need to deal with this accordingly. He asked Director Earle if it would be possible to include this as part of a County funding.

Director Earle responded in the negative.

Board Member Duke would like staff to consider and research the option to outsource the parking garage management. He asked Director Earle to bring the information for the Board to decide the best option for the taxpayers.

Chairman McElyea noted that there are other parking garages in Broward County and we should look at how they operate them.

Vice-Chairman Castro noted that people visiting Broward County Main Library have to pay for parking; however, Dania Beach Branch Library patrons will get to park for free. She pointed out that our agreement with Broward County requires us to have 125 parking spaces reserved for the Library.

Director Earle clarified that the parking garage will have 440 spaces. In accordance with our agreement with Broward County, we have to provide 225 parking spaces that would be undesignated. He further noted that a 10,000 square foot library would have approximately 350 users a day but we may only have 20 cars using the parking garage.

Vice-Chairman Castro clarified that Library users and guests at the Indigo Hotel will be allowed to use the parking garage for free, provided they get their ticket validated. She noted that we may or may not need to charge for the remainder of the space. Vice-Chairman Castro asked for different options to be considered in the scope of analysis being prepared by Kimley-Horn. She would also like to include Public Services Director Orlando in the process, since certain aspects of the plan could be done in-house.

Director Earle noted that this will be a City-CRA parking garage and that City staff has agreed to pay for half of the additional services being approved tonight.

Vice-Chairman Castro motioned to approve an amendment to the agreement with Kimley-Horn and Associates for additional services; seconded by Board Member Duke. The motion carried on the following 4-0 Roll Call vote:

Board Member Duke	Yes	Vice-Chairman Castro	Yes
Board Member Grace	Yes	Chairman McElyea	Yes

Poorna Bhattacharya, Kimley-Horn and Associates, noted that the Board had asked to include information regarding “on street” parking, rates for charging at a later time, and the latest technology on meters, as part of the payment in-lieu study that they are preparing. She requested that the draft study which has already been submitted be presented to the CRA Board for discussion and consideration.

7. CRA Community Garden Presentation – Dr. Marvin Dunn, Executive Director

Jeremy Earle, CRA Executive Director, presented a CNN video report showing Dr. Dunn’s community garden model in the Overtown Miami neighborhood which has received national attention. He introduced Dr. Marvin Dunn, Executive Director of Roots in the City, Inc.

Dr. Marvin Dunn, Executive Director, advised that Roots in the City, Inc. is a non-profit community-based beautification organization located in the Overtown neighborhood in the shadow of downtown Miami. He briefly explained his background. Dr. Dunn noted that late in his career as a professor in the Department of Psychology at Florida International University (FIU) he realized that students would do anything for a grade. They were required to do beautification of Miami’s inner city for 8 Saturdays during the semester. As he got involved in this beautification project, they decided three years ago to start planting vegetables. He pointed out that Overtown has a lot of vacant land and also vagrant people. Dr. Dunn noted that he wanted to establish an urban farm where people with trouble-employment history could be trained in agriculture and landscaping, and then move into sustainable employment. He advised that the City of Miami CRA has given them, on three consecutive years, a grant for \$100,000.00. Dr. Dunn noted that if they implement a community garden in Dania Beach, they would like to have the same principle of giving away a portion of what they grow. He presented a PowerPoint overview of their organization which is attached to and incorporated into these minutes. Dr. Dunn remarked that their overall goal is not beautification, but creating more jobs.

Chairman McElyea supported the idea.

Board Member Duke noted this is a fantastic idea. He indicated we have some vacant land in the City that would be perfect for this project.

Vice-Chairman Castro confirmed with Director Earle that we have already identified a large parcel of land in the Sun Garden Isles area.

Vice-Chairman Castro motioned for Director Earle to start discussions with Dr. Marvin Dunn; seconded by Board Member Duke. The motion carried unanimously.

Director Earle noted Dr. Dunn suggested we start planting in July. He further advised that funding for this project will be discussed at the next CRA meeting.

Board Member Duke clarified with Director Earle that the involvement of outside corporate sponsors would be considered.

Vice-Chairman Castro would like to see as many people involved citywide, not only the neighbors of Sun Garden Isles.

Vice-Chairman Castro confirmed with Director Earle that he plans to start negotiations with Mr. Hank Thomas, in connection with the Pirates Inn property, next Friday.

Vice-Chairman Castro motioned to allow Director Earle to access any of the capital redevelopment funds currently available from the County, to be used for the Pirates Inn project; seconded by Board Member Grace. The motion carried on the following 3-0 Roll Call vote:

Board Member Duke	Recused	Vice-Chairman Castro	Yes
Board Member Grace	Yes	Chairman McElyea	Yes

The Board spoke about the creation of the Neighborhood Improvements Committee suggested by Director Earle at the April 4 CRA meeting. The following appointments were made:

Board Member Duke appointed:
Willie Lough to College Gardens
Ernest Ron Jackson to North West Byrd Point
Patrick Phipps to the Dania Beach Heights

Vice-Chairman Castro appointed:
Janice Peterman to College Gardens
Joe Van Eron to Dania Beach Heights and the Triangle Village area
Sharon Caroll to Sun Garden Isles

Board Member Grace appointed:
Annette Hibbits to Dania Beach Heights
Matty Mason to Sun Garden Isles
Lucy Penn to College Gardens

Director Earle confirmed Chairman McElyea's appointments as follows:
Robert Chunn
Teddy Bohanan
Mac McCutcheon

Vice-Chairman Castro motioned to approve the appointments; seconded by Board Member Grace. The motion carried unanimously.

7. Adjournment

Chairman McElyea adjourned the meeting at 7:34 p.m.

ATTEST:

COMMUNITY REDEVELOPMENT
AGENCY



LOUISE STILSON, CMC
CRA SECRETARY

C. K. MCELYEA
CHAIRMAN - CRA

Approved: June 17, 2010



FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Duke, Walter	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Dania Beach City Commission
MAILING ADDRESS 2860 Marina Mile, Suite 109	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY Dania Beach	COUNTY Broward
DATE ON WHICH VOTE OCCURRED May 11th 2010 <i>JH wh</i>	NAME OF POLITICAL SUBDIVISION: Dania Beach
MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE	

RECEIVED
 MAY 19 2010 1:00 pm
 BY: *M. Lane*

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Walter Duke, hereby disclose that on May 5th 11th 10, 20 10.

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, Lisa Duke, Wife _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

My wife facilitated contract negotiations between a seller and a buyer on a property located at 4 N. Federal Highway in Dania Beach, Florida. Although there is contractually no brokerage relationship with either party, she will be compensated if the deal ultimately closes. Out of abundance of caution and to avoid misperception; I abstained from voting because of the possibility that the buyer may procure a public private partnership with the City and/or CRA in the future.

May 12th 2010

Date Filed

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.