

**POMPANO BEACH
COMMUNITY REDEVELOPMENT AGENCY BOARD
MEETING MINUTES**

**Tuesday, October 17, 2017
CITY COMMISSION CHAMBERS
5:30 P.M.**

PRESENT

Mayor	Lamar Fisher
Vice-Chair	Charlotte Burrie
Commissioner	Rex Hardin
Commissioner	Barry Moss
Commissioner	Beverly Perkins
Commissioner	Michael Sobel

ALSO PRESENT

CRA Co-Executive Director	Kim Briesemeister
CRA Attorney	Claudia McKenna
City Manager	Greg Harrison
Project Manager	Adriane Esteban
Program Director	Dahlia Baker
Director of Prog. & Facilities	Cherolyn Davis
City Attorney	Mark Berman
Project Manager	Jordan Pace
NWCRA Advisory Chair	Whitney Rawls
Assistant City Manager	Brian Donovan
CRA Clerk	Marsha Carmichael
Deputy City Clerk	Kervin Alfred

CALL TO ORDER

Mayor Fisher called the meeting of the Community Redevelopment Agency Board to order at 5:32 P.M.

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

September 19, 2017 Minutes

MOTION made by Commissioner Hardin to approve the minutes of the September 17, 2017 CRA Board Meeting. Seconded by Vice-Mayor Burrie. Motion was approved unanimously.

Consent Agenda Items #1 and #2 were moved to the regular agenda.

APPROVAL OF THE AGENDA

MOTION made by Commissioner Hardin to approve the Agenda. Seconded by Vice-Mayor Burrie. Motion was approved unanimously.

AUDIENCE TO BE HEARD

Ed Phillips, 384 NW 19th Street expressed his concerns about density of future projects on the north side of MLK Boulevard.

Item #1

A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY, APPROVING AND AUTHORIZING THE PROPER OFFICIAL TO EXECUTE A SATISFACTION OF MORTGAGE PERTAINING TO A DEFERRED PAYMENT LOAN GIVEN BY THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY TO FLORENCE JOSEPH FOR PROPERTY LOCATED AT 641 NW 19 AVENUE; PROVIDING AN EFFECTIVE DATE.

Commissioner Sobel recognized this item is administrative in nature but questioned how many more mortgage forbearance and /or deferred payment loans would be coming before the Board for authorization. **Kim Briesemeister** stated she is unsure of the exact number and will have to provide the information back to the Board. Commissioner Sobel asked who inspects the property to see if it has been maintained. **Kim Briesemeister** responded staff checks for liens or code violations and a visual exterior inspection is completed.

Ed Phillips, 384 NW 19th, questioned the process regarding the maintenance of the property and the ramifications if the property is not maintained. **Mayor Fisher** said the city is in second position on the mortgage and pursuing a foreclosure for non-maintenance would force removal of the first option which could prove to be costly.

MOTION made by Commissioner Hardin to approve this resolution. Seconded by Vice Mayor Burrie. On roll call, motion passed unanimously.

Item #2

A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY, APPROVING AND AUTHORIZING THE PROPER OFFICIAL TO EXECUTE A SATISFACTION OF MORTGAGE PERTAINING TO A DEFERRED PAYMENT LOAN GIVEN BY THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY TO JEFFREY B. BOSKET, JR. AND TANZANIA T. BOSKET FOR PROPERTY LOCATED AT 681 NW 19 AVENUE; PROVIDING AN EFFECTIVE DATE

MOTION made by Commissioner Hardin to approve this resolution. Seconded by Vice Mayor Burrie. On roll call, motion passed unanimously.

REGULAR AGENDA

Item #3

APPROVAL TO CONTINUE DISCUSSIONS WITH IL PORTICO, LLC IN RESPONSE TO IL PORTICO'S SUBMISSION TO REQUEST FOR PROPOSALS (RFP) E-29-17 TO CONSTRUCT A MIXED-USE DEVELOPMENT LOCATED ON DIXIE HIGHWAY AND DR. MARTIN LUTHER KING, JR. BLVD. / NW 3RD STREET.

Kim Briesemeister explained the Request For Proposal (RFP) was issued due to preliminary interest on a single property of the gateway site and not the entire assemblage. One proposal was received upon deadline and presented in its simplest form, this footprint meets planning and zoning guidelines. Bringing the project forward at this time allows the opportunity for the community at large, the Advisory Committee and the CRA Board to provide input on whether the project generally meets the concept of the development parameters envisioned for this site. If the general consensus of the Board is to move forward with this developer, then staff will analyze the project in detail and bring it back before Board for discussion and final approval. **Kim Briesemeister** introduced **Jordan Pace**, Project Manager, who will be working on this project as well as other real estate projects in the Northwest area.

Mario Caprini, President, Capital Group, 55 NE 5th Avenue, Boca Raton, introduced the team involved in the IL Portico project. The proposed concept includes 173 micro, 1, 2 and 3 bedroom apartments, live/work space, shared office space, surface parking, parking deck and public green area. The project cost is estimated at approximately \$50 million.

Ed Philips, 384 NW 19th Street, expressed concerns regarding the preliminary design and the density of the project.

Vincente Thrower, 1890 NE 6th Avenue submitted a list of questions and concerns regarding the feasibility of the project. He asked if there will be any further property acquisition required for this development as presented. **Mr. Caprini** responded the concept is based on the available property and there are no plans to acquire additional property.

Dodie Keith, Keith and Associates, 301 E. Atlantic Boulevard, urged the Board to continue the process and allow staff to analyze the project.

Commissioner Hardin commended staff for bringing the project forward in the early stages to involve the community and the Board in the process. He said he would like to see staff do a detailed analysis of the proposed development. **Commissioner Moss** said he likes the overall concept and asked the developer who would pay for the construction of the parking garage. **Mario Caprini** responded Capital Group. **Commissioner Perkins** asked about the RFP process and questioned if it was solicited. **Kim Briesemeister** responded the RFP was placed on the City and CRA websites, advertised on "Opsites", the Sun Sentinel or Miami Herald or both, Loopnet and sent out to a compiled mailing list of industry professionals. The proposal was solicited initially for 60 days then extended for an additional 30 days. **Claudia McKenna** stated the solicitation process is completed by the Procurement Official and not CRA staff. **Mayor Fisher** commented he likes the creativity and green aspects of the conceptual designs and would like staff to continue to do analysis of the project.

MOTION made by Commissioner Hardin to approve this resolution. Seconded by Vice Mayor Burrie. On roll call, motion passed 4-2.

"Yes" – Fisher, Burrie, Hardin and Moss

"No" – Perkins, Sobel

Item #4

APPROVE RANKING ORDER FOR RFP P-40-17 BROKERAGE SERVICES FOR THE CITY AND CRA ASSETS TO AUTHORIZE STAFF TO NEGOTIATE A CONTRACT WITH THE HIGHEST-RANKED FIRM, CUSHMAN AND WAKEFIELD US, INC.

Kim Briesemeister explained this is a companion item to what was heard at the previous City Commission meeting. She explained this is to approve the ranking order and to authorize staff to negotiate an agreement with the top ranked firm Cushman and Wakefield. The agreement terms are to market the properties owned by the CRA as they can provide a broader outreach nationally. CRA will still be responsible for negotiating any development interest on the properties. **Mayor Fisher** asked that the agreement include a provision to involve local area brokers in the marketing process.

Ed Philips, 384 NW 19th Street, said he hopes Cushman and Wakefield will provide a variety of brokers including African Americans to assist in the process.

Vincente Thrower, 1890 NE 6th Avenue, expressed concerns regarding the use of Cushman and Wakefield and questioned whether this is good for the City. He said he feels bringing in a brokerage firm will have an impact on the price of properties in the area.

MOTION made by Commissioner Hardin to approve this resolution. Seconded by Vice Mayor Burrie. On roll call, motion passed 4-2.

“Yes” – Fisher, Burrie, Hardin and Moss

“No” – Perkins, Sobel

Item #5

A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA) APPROVING AND AUTHORIZING THE PROPER OFFICIALS TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CRA AND THE CITY OF POMPANO BEACH RELATING TO ADDITIONAL IMPROVEMENTS TO THE ATLANTIC BOULEVARD BRIDGE TO BE PROVIDED BY THE CRA; PROVIDING AN EFFECTIVE DATE

Adrian Esteban, Project Manager, explained Item #5 and Item #6 are companion items relating to the aesthetic improvements to the Atlantic Boulevard Bridge. The City entered into an agreement with FDOT for the improvements and approval of the Interlocal Agreement between the City and CRA is required to allow the CRA to manage and fund all aspects of the improvements. **Mayor Fisher** congratulated **Horacio Danovich** and exclaimed this has been a long time in the making and is excited to see it come to fruition. **Commissioner Moss** expressed concerns about doing aesthetic improvements without knowing the life expectancy of the bridge. **Mark Kleisley**, Burkhardt Construction, said the aesthetics improvements are not structural improvements but to the barrier wall, tenderhouse and surrounding the bridge. **Commissioner Sobel** said he spoke with **Mr. Donovich** prior to tonight's meeting and understood the bridge had undergone major structural improvements 5 or 6 years ago which extended the life expectancy of the bridge. He asked about the timeframe of construction. **Mark Kleisley** said they anticipate the construction will take approximately a year and half and will be completed by July 2019.

Item #6

A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA) APPROVING AND AUTHORIZING THE PROPER OFFICIALS TO EXECUTE AN AMENDMENT TO THAT CERTAIN

DESIGN-BUILD AGREEMENT BETWEEN THE CRA AND BURKHARDT CONSTRUCTION, INC./CURRIE SOWARDS AGUILA ARCHITECTS, INC. RELATING TO ADDITIONAL IMPROVEMENTS TO THE ATLANTIC BOULEVARD BRIDGE IN THE AMOUNT OF \$3,498,860; PROVIDING AN EFFECTIVE DATE.

Adrian Esteban, Project Manager, said the total project cost is approximately \$5 million. In 2014, the Board entered into a design/build agreement with Burkhardt Construction, Inc./Currie Sowards Aguila Architect, Inc. for \$1.5 million to assist the CRA with design, permitting and partial construction. This amendment includes the cost for the additional improvements proposed including the sails and the tenderhouse. Staff believes it is in the CRA and City's best interest to carry out all improvements in one phase so BCI/CSA can manage to minimize the impact to residents and visitors and expedite construction activities. **Ms. Esteban** confirmed the life expectancy of the bridge by FDOT is another 20-30 years.

MOTION made by Commissioner Hardin to approve this resolution. Seconded by Vice Mayor Burrie. On roll call, motion passed 5-1.

Yes – Burrie, Fisher, Hardin, Perkins and Sobel

No – Moss

Item #7

A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA), APPROVING AND AUTHORIZING THE PROPER OFFICIALS TO EXECUTE A LEASE AGREEMENT BETWEEN THE CRA AND ASHANTI CULTURAL ARTS AND ENRICHMENT, INC.; PROVIDING AN EFFECTIVE DATE.

Jordan Pace, Project Manager, said Ashanti's previous lease has expired and the new lease is for an initial 1 year term with option to renew for 1 additional year.

Linda Jones, 3499 Oaks Way, thanked the Board for their continued support and requested consideration of longer term lease of 5 years. **Mayor Fisher** explained an amendment to the lease could be brought forward at a future meeting but the dance company must be in compliance under a current lease before an extension of terms can be considered.

MOTION made by Commissioner Hardin to approve this resolution. Seconded by Vice Mayor Burrie. On roll call, motion passed unanimously.

Item #8

A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA), APPROVING AND AUTHORIZING THE PROPER OFFICIALS TO EXECUTE A SUBLEASE AGREEMENT BETWEEN THE CRA AND CITY VISTA ASSOCIATES, LLC; PROVIDING AN EFFECTIVE DATE.

Jordan Pace, Project Manager, reported City Vista is requesting a short term sublease agreement to operate a temporary leasing office at the CRA-leased property located at 37 NE 1st Street.

MOTION made by Commissioner Hardin to approve this resolution. Seconded by Vice Mayor Burrie. On roll call, motion passed 5-1.

Yes – Burrie, Fisher, Hardin, Moss, and Sobel
No – Perkins

Item #9

A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA) APPOINTING FRED STACER, ONE GENERAL CONTRACTOR, DEVELOPER, REAL ESTATE PROFESSIONAL, APPRAISER OR RELATED INDUSTRY PROFESSIONAL, TO THE EAST CRA DISTRICT ADVISORY COMMITTEE OF THE CRA FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON OCTOBER 17, 2019; PROVIDING AN EFFECTIVE DATE.

MOTION made by Commissioner Hardin to nominate Fred Stacer. Seconded by Commissioner Moss. Mayor Fisher asked for any other nominations. Commissioner Sobel nominated Ronald Postma. On roll call, Fred Stacer was appointed.

Fred Stacer – Hardin, Moss, Burrie, Fisher
Ronald Postma – Sobel, Perkins

Item #10

A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA) APPOINTING KENNETH RODGERS, ONE RESIDENT FROM THE ECRA DISTRICT OR WITHIN ONE-MILE RADIUS OF THE ECRA DISTRICT, TO THE EAST CRA DISTRICT ADVISORY COMMITTEE OF THE CRA FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON OCTOBER 17, 2019; PROVIDING AN EFFECTIVE DATE.

MOTION made by Commissioner Hardin to nominate Kenneth Rodgers. Seconded by Commissioner Moss. Mayor Fisher asked for any other nominations. Commissioner Sobel nominated Jay Arneson. On roll call, Kenneth Rogers was appointed.

**Kenneth Rodgers – Hardin, Moss, Burrie, Fisher
Jay Arnenson – Sobel, Perkins**

Item #11

A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA) APPOINTING ROBERT SHELLEY, ONE CITY RESIDENT OR BUSINESS OWNER, TO THE EAST CRA DISTRICT ADVISORY COMMITTEE OF THE CRA FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON OCTOBER 17, 2019; PROVIDING AN EFFECTIVE DATE.

MOTION made by Mayor Fisher to nominate Robert Shelley. Seconded by Commissioner Hardin. Mayor Fisher asked for any other nominations. Commissioner Sobel nominated Angela Hill. On roll call, Robert Shelley was appointed.

**Robert Shelley – Hardin, Moss, Burrie, Fisher
Angela Hill – Sobel, Perkins**

Item #12

A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY APPOINTING _____, ONE RESIDENT OF THE NORTHWEST CRA DISTRICT, TO THE NORTHWEST DISTRICT ADVISORY COMMITTEE OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON OCTOBER 17, 2019; PROVIDING AN EFFECTIVE DATE.

Mayor Fisher reported the name Phyllis Smith from District 5 has been added for consideration.

MOTION made by Commissioner Hardin to nominate Phyllis Smith. Seconded by Commissioner Hardin. Mayor Fisher asked for any other nominations. Commissioner Sobel nominated Margaret Luster. On roll call, there was a three to three vote.

**Phyllis Smith – Hardin, Moss, Fisher
Margaret Luster – Burrie, Sobel, Perkins**

Mayor Fisher referred to the CRA Attorney on the matter. **Claudia McKenna** stated the vote yields no appointee. One of the Board members could either change their vote, nominate someone else or recall the vote.

A Second Vote was called

MOTION made by Commissioner Hardin to nominate Phyllis Smith. Seconded by Commissioner Hardin. Mayor Fisher asked for any other nominations. Commissioner Sobel nominated Margaret Luster. On roll call, there was a three to three vote.

Phyllis Smith – Hardin, Moss, Fisher
Margaret Luster – Burrie, Sobel, Perkins

No appointment was made.

Item #13

A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY APPOINTING VELMA FLOWERS, ONE OWNER AND OPERATOR OF A BUSINESS LOCATED IN THE NORTHWEST CRA, TO THE NORTHWEST DISTRICT ADVISORY COMMITTEE OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON OCTOBER 17, 2019; PROVIDING AN EFFECTIVE DATE.

Richard Sasso, introduced himself and stated he is the business owner of Mr. Squeaky Car Wash located at 499 W Atlantic Boulevard. The business has been operating in the Northwest community for approximately 12 years. He provided a letter of support from the Northwest Advisory Committee Vice-Chairman, Jay Ghanem, for consideration of appointment to the Northwest Advisory Committee.

MOTION made by Commissioner Hardin to nominate Velma Flowers. Seconded by Commissioner Hardin. Mayor Fisher asked for any other nominations. Commissioner Perkins nominated Richard Sasso. On roll call, it was a three to three vote.

Velma Flowers – Hardin, Moss, Fisher
Richard Sasso – Sobel, Perkins, Burrie

Commissioner Sobel stated there are problems with absenteeism on this Committee and asked Mr. Sasso if he is committed to attending the meetings. **Richard Sasso** responded yes, he is committed to serving the area. **Commissioner Moss** expressed concerns about **Mr. Sasso** not residing in the

Northwest. **Commissioner Sobel** said there are many voluntary Committees served by people who own businesses that impact the community. **Vice Mayor Burrie** said Ms. Flowers has donated her time to the community, is an exemplary person and would be an excellent choice for the Committee.

A Second Vote was called

MOTION made by Commissioner Hardin to nominate Velma Flowers. Seconded by Commissioner Hardin. Mayor Fisher asked for any other nominations. Commissioner Perkins nominated Richard Sasso. On roll call, Velma Flowers was appointed.

**Velma Flowers – Hardin, Moss, Burrie, Fisher
Richard Sasso – Sobel, Perkins**

REPORTS

Kim Briesemeister

1. The first joint City and CRA flyer of all the holiday activities is completed providing opportunity to cross promote all the events.
2. October 26th, there will be a community input meeting to discuss various options for Annie Gillis Park.
3. October 30th, EDSA will moderate a meeting regarding Atlantic Boulevard/Dixie Highway intersection.

Mayor Fisher requested cancelation of the November 21st meeting.

MOTION made by Commissioner Hardin to cancel the November 21, 2017 CRA Board meeting. Seconded by Vice Mayor Burrie. On roll call, the motion passed unanimously.

Claudia McKenna announced the following Attorney Client Session:
Pompano Beach Community Redevelopment Agency and City of Pompano Beach vs. Broward County, Case No.: 14-009654(18), 17th Judicial Circuit, Broward County, Florida.

Commissioner Hardin requested discussion on conceptual projects being brought to the Board in the beginning stages and prior to due diligence completed by staff. **Mayor Fisher** stated he was in favor of bringing a concept forward but would like to have more due diligence done prior to any presentation. **Vice Mayor Burrie** agreed with **Commissioner Hardin** and thinks bringing projects forward earlier provides more transparency and opportunity for input. **Commissioner Sobel** said he would like to see more details provided on conceptual projects to avoid the appearance of approving a development without

all the details. **Claudia McKenna** said she would like to speak in the context of the conceptual project on tonight's agenda. She explained there are generally a number of potential outcomes outlined in RFP's which includes withdrawing the RFP, negotiate with responders, modify etc. If multiple responses had been received, there would have been a committee review and ranking completed. On this particular RFP, there was only one responder. When you have a single responder and prior to the due diligence process, the question is, do you want staff to proceed to continue to pursue conversation with the developer or do you want to reissue the RFP.

Commissioner Moss commended Vincente Thrower on a letter provided to the Board and how well it was written.

Commissioner Perkins reported she had attended the 1st annual Haiti Leadership Conference with approximately 40 ladies from Haiti who were all Mayors of their cities.

Commissioner Sobel stated he inadvertently omitted **Greg Jones** when commending staff for the Harlem Nights event. He commended **Cherolyn Davis** for Soulful Sundays and observed in the area of the Ali Cultural Arts Center, the need for additional lighting and questioned the status of the sign and the canopy for the Center. **Kim Briesemeister** answered the signs have been designed and they are in the permitting process. She explained the west side is dark due to the City Vista construction. **Adrian Esteban** stated the Board approved \$55,000 in the FY 2018 budget for a canopy for the outside courtyard area of the Ali. Three quotes have been received and Public Works is currently reviewing the submittals.

Commissioner Sobel stated a vote was done at a prior meeting to have the County conduct a forensic audit of the CRA and to date there has been no forward movement. He said according to information received by the County, they are not in agreement with the motion made by the CRA which includes a request for reimbursement of City/CRA staff time. **Claudia McKenna** clarified this Board made a motion as follows; to conduct a forensic audit from 1989 forward with Broward County paying an independent auditor selected by the County and the City collectively, and Broward County paying all costs related to the forensic audit, and the audit will not conflict with the ongoing lawsuit. A memorandum outlining the conditions in the motion was provided to the County Attorney and to date has not gone before the County Commission to be heard. **Commissioner Sobel** said he wanted to amend the previous motion to remove the stipulation of the County reimbursing for staff time related to the audit. **Mayor Fisher** stated he has to protect the City and CRA and feels the city should not be responsible for spending any city tax dollars related to the forensic audit.

MOTION made by Commissioner Sobel to replace the prior motion by the Board and to have Broward County pay for a forensic audit from 1989 forward by an independent auditor selected by the County and City collectively. On roll call, motion failed 2-4.

“Yes” – Perkins, Sobel

“No” – Hardin, Moss, Burrie, Fisher

Commissioner Sobel commended RMA for the progress of the CRA to this point. He stated he feels development will continue organically therefore he would like to terminate the RMA contract effective in six months. **Mayor Fisher** said in the past, complaints were made that nothing was happening when there was not a firm in place. **Kim Briesemeister** said there is a defined contract that ends in 2020 administered by the City Manager. She encouraged the Board to review and analyze the fiscal aspects of in house employees versus contractual employees. What RMA currently provides is access to 21 employees of which 8 are full-time. If you do a comparison of other CRA's with their own employees, administrative overhead cost is higher and they have less money to spend. Currently 9% of the CRA budget is attributed to administrative cost. **Commissioner Hardin** asked if anyone has consulted with the City Manager if RMA is phased out what he envisions to maintain the CRA as it currently functions. **Commissioner Perkins** said the community is very divided and stated it is structured racism and Commissioners should listen to the community with an open mind prior to making final decisions.

Motion made by Commissioner Sobel to terminate RMA's contract in 6 months. Seconded by Commissioner Perkins. On roll call, motion failed 2 - 4.

“Yes” – Perkins, Sobel

“No” – Hardin, Moss, Burrie, Fisher

Vice Mayor Burrie – No reports

Mayor Fisher - No reports.

ADJOURNMENT

Mayor Fisher adjourned the meeting of the CRA Board at 8:53 PM.