

MINUTES

REGULAR MEETING - COMMUNITY REDEVELOPMENT AGENCY BOARD (CRA)

December 2, 2009

Minutes of the Regular Meeting of the Community Redevelopment Agency Board of The City of Daytona Beach, Florida, held on Wednesday, December 2, 2009, at 4:00 p.m., in the Commission Chambers, City Hall, 301 South Ridgewood Avenue, Daytona Beach, Florida.

1. Roll Call.

Commissioner Pamela Woods	Present
Commissioner Shiela McKay-Vaughan	Present
Commissioner Robert Gilliland	Present
Commissioner Derrick Henry	Present
Commissioner Cassandra Reynolds	Present
Commissioner Richard Shiver	Present
Mayor Glenn Ritchey	Present

Also Present:

James V. Chisholm, City Manager
Marie Hartman, City Attorney
Jennifer L. Thomas, City Clerk

2. Commissioner McKay-Vaughan led the invocation.
3. Commissioner Shiver led the Pledge of Allegiance to the Flag.
4. Approval of Minutes of the Special Meeting of the Community Redevelopment Agency of The City of Daytona Beach, held on Wednesday November 4, 2009, as individually read.

It was moved by Commissioner Henry to approve the November 4, 2009 Special Community Redevelopment Agency Board Meeting Minutes. Seconded by Commissioner Reynolds. The motion passed 7-to-0 with the breakdown as follows:

Commissioner Woods	Yea
Commissioner McKay-Vaughan	Yea
Commissioner Gilliland	Yea
Commissioner Henry	Yea
Commissioner Reynolds	Yea
Commissioner Shiver	Yea
Mayor Ritchey	Yea

5. AGENDA APPROVAL

James V. Chisholm, City Manager read the Agenda changes:

Item No. 8B - Daytona Beach Pier – Historic Restoration Work Authorization No. 9 – The company name should read DJdesign Services, Inc.

It was moved by Commissioner Henry to approve the Agenda. Seconded by Commissioner Gilliland. The motion passed 7-to-0 with the breakdown as follows:

Commissioner Woods	Yea
Commissioner McKay-Vaughan	Yea
Commissioner Gilliland	Yea
Commissioner Henry	Yea
Commissioner Reynolds	Yea
Commissioner Shiver	Yea
Mayor Ritchey	Yea

6. PRESENTATION

A. Main Street/South Atlantic Redevelopment Area Board

A report of the Main Street/South Atlantic Redevelopment Area Board past and current projects and programs undertaken in the areas was given by Frank Heckman, Chairperson for the board. Mr. Heckman stated he was going to give a very brief and short report that was also very good as well as effective. He read the names of the three new board members that were recently added and stated they were well received by the board members and they were working well on the board. He believed that progress had been made to make the heart of the beachside much better than the previous year. He named some of the projects that had been completed this year which included Auditorium Boulevard Streetscape between Peabody Auditorium and the Ocean Center. The Corbin Building parking lot has been leased for two years which not only secured parking for patrons of the Peabody Auditorium; but also parking for the various venues along Main Street and the pier. Issuance of the E-Zone proposals in April was another great accomplishment by the board which demonstrated a commitment to move the Main Street plan forward. He hoped that members of the Commission had visited the beachside to see the work that has been completed thus far. He had visited the area many times not only as the Chairperson of the board but also as a uniformed member with the Citizen on Patrol (COP). He believed that the beachside will become a place the citizens can really be proud of as well as attracting more tourists to our lovely City. He stated that resurrecting the pier will bring the life back to what we know as “The World’s Most Famous Beach”, which it was known as when he moved here in the year 1971. The pier was a huge part of the attraction on the beach and it will be again.

7. PUBLIC COMMENTS BY PEOPLE ADDRESSING THE COMMUNITY REDEVELOPMENT AGENCY BOARD

John Nicholson, 413 North Grandview Avenue, Daytona Beach stated turtle season is over and the lights have not been turned back on, volleyball court lights have not been turned back on, the lights that approach to the beach were still not on, the light at Breakers Park that lights up a very, very dark park are not on and also the lights on Main Street which there has been talk for the longest time about lighting up Main Street which gets very dark at night time and that still has not been done. There is a need to take a look at all the lighting not just on Main Street itself but throughout the community. Ora Street Park is a problem in itself because it is very dark. The inside lights on the west side can be lit where all the trees are by placing lights in the trees which would also enhance the park and make it more attractive and available for people to walk through. There is a problem with the lights on A1A after going through several renditions of landscaping and the lights now point up to nothing. There is a problem with having the lights underneath the bush and shining up at the sky. The Boardwalk access to the beach has been decreased by over ninety-five percent which is a great loss because people like to be able to walk on the beach and with this much access being taken away he requested the Community Redevelopment Agency (CRA) take a look at this situation. He thanked the CRA for the skateboard amenities put in on the boardwalk near the children's playground.

8. ADMINISTRATIVE ITEMS

- A. Adopted/CRA Resolution No. 09-19 supporting an amendment to the Midtown Redevelopment Plan to authorize financing of catalytic projects along specific commercial corridors by written agreement, to define "streetscape improvements", and update the list of capital projects to be undertaken by the Community Redevelopment Agency (CRA). This new provision recognizes projects like the Liberty Plaza redevelopment agreement which was approved by the CRA at its November 4, 2009 meeting (CRA Resolution No. 09-18). City Clerk Thomas read the Resolution by title only. A RESOLUTION APPROVING AMENDMENTS TO THE MIDTOWN REDEVELOPMENT AREA PLAN; APPROVING AN AMENDMENT TO PROVIDE FOR GRANTS AND LOANS FOR COMMERCIAL CATALYST PROJECTS ALONG CERTAIN COMMERCIAL CORRIDORS; APPROVING AN AMENDMENT TO DEFINE STREETSCAPE IMPROVEMENTS; APPROVING AN AMENDMENT TO UPDATE THE LIST OF CAPITAL PROJECTS; AND PROVIDING AN EFFECTIVE DATE.

Mayor Ritchey stated this is the one where we participated in the resurrection of Liberty Plaza; it is more of a housekeeping deal to make sure that our plans are consistent.

Reed Berger, Redevelopment Director stated he appreciated the opportunity to come back after the Liberty Plaza project was presented and approved. They now need to process the paperwork and provide a more specific language in the Midtown Plan. There are three issues they need to deal with to amend the plan. He commented that they have received direction from the City Manager and will be going back and taking a look at all of the redevelopment plans and changing them. They are already at that stage with their Redevelopment Boards; they will work through the spring and will be back with some

significant comprehensive revisions to those Redevelopment Plans. To be specific in the Liberty Plaza Plan they want to address what they are calling a catalyst project. There is a fairly lengthy explanation of what that is, to try to limit exactly what they are going to finance so it has to have some significant impact and that is a judgment call by everyone as to what is important and what isn't, what a catalyst is and what is not. They have tried to define it so they can at least talk about the streets that are commercial, where it has to be and specifically name the Matthews Redevelopment site, the Police Station and Liberty Plaza those three are now named specifically in the plan. They revised references from "Westside" plan to "Midtown" plan and update the capital projects list by taking out a lot of old language. One other little issue was the paragraph on streetscape; it is important to define that as it includes a lot of things but they are typically not what the General Fund can afford or does. If the CRA agrees with these changes they will go forward to the Commission meeting tonight and go for a second reading on December 16.

Marie Hartman, City Attorney asked Mr. Berger about the removal of the reference "Westside" as the final plan she has did not reflect that change particularly in the beginning of it.

Mr. Berger explained that there are some historical references and they want to leave that in as it was "Westside" at that time.

Ms. Hartman commented that what she was looking at was different than the one she saw. She stated okay.

Commissioner Reynolds asked when the "Westside" Redevelopment Area sunset's.

Mr. Berger stated he did not have that date in front of him, but he thought when they approved this initially it was in 1998. He asked Marie if she recalled the actual sunset date.

Ms. Hartman stated she thought amendments may have extended it; in any event they all sunset in 2036 per the County's resolution.

Commissioner Woods stated it was a lot to read and she appreciates the detail but she thinks it is something they need to be doing as they have talked a lot about it. It is good to get started and make sure they have in there the things that they say they want to do, she appreciates it.

Commissioner McKay-Vaughan stated she was looking at the section E. Capital Projects, Programs and Activities section and saw where old projects were taken out and just streetscape improvements were put in. She thought the whole object was to be more specific and she does not know that it is. She does take his word for it if he thinks it is but beyond that what happened to the projects that they just took out. Now all it is is streetscapes.

Mr. Berger stated most of the projects were completed or reiterated again as streetscape projects rather than broken down as a reuse water main. For example, there is a reuse water main at Magnolia Avenue that is already done.

Commissioner McKay-Vaughan would like a review of the projects on paper before the next meeting.

Mr. Berger stated he could provide that.

Commissioner McKay-Vaughan stated she is still not convinced that the way the plan is written is more specific. She asked about one phrase “but not limited to” here we are trying to be more specific and then we say public improvements, public utilities but not limited to the following ... that does not sound very specific to her. It sounds like it was made more general.

James V. Chisholm, City Manager stated it is very hard to identify every element in public corridors without being specific; he thought the intent was to leave it such that when they come back with a request it is going to say streetscape improvements and projects and list specific projects included in the plan at that time but it would all be within the same general definition that is included in the plan.

Commissioner McKay-Vaughan stated she assumed that was what it was but she wanted to go on record as saying she does not see how that tightens up the definition at all. She really thinks that leaves it open to almost anything they interpret as fitting in there. She is very skeptical of it but will let it go at that for now. She asked about what was taken out, she did not see a whole lot. Maybe she missed it.

Mr. Berger asked if she was speaking of the capital projects.

Commissioner McKay-Vaughan stated that he said in this plan there were a lot of old things taken out and the only thing she could see was in the capital projects.

Mr. Berger stated that is correct, you will see a cross through and highlighted in red on anything he touched in the plan.

Commissioner McKay-Vaughan stated there were not a lot and when you said a lot I thought I must have missed something, there just wasn't a lot. There is a lot on that one page ... Commissioner Woods asked if the 13 items on page 27 and 28 are the ones he is referring to.

Mr. Berger replied yes.

Commissioner Woods stated and you added the ones on page 29.

Mr. Berger stated one through six.

Commissioner McKay-Vaughan stated okay that is fine for now.

It was moved by Commissioner Reynolds to adopt the Resolution. Seconded by Commissioner Shiver. The Resolution was adopted 7-to-0 with the breakdown as follows:

Commissioner Woods	Yea
Commissioner McKay-Vaughan	Yea
Commissioner Gilliland	Yea
Commissioner Henry	Yea
Commissioner Reynolds	Yea
Commissioner Shiver	Yea
Mayor Ritchey	Yea

Commissioner McKay-Vaughan asked Mr. Berger about the overlay zone mentioned on page 9, she asked for a definition.

Mr. Berger stated under the sub-heading of Land Use Objectives. He would look to Marie but he thought it was a term used in land use zoning; you create overlay zones instead of an actual change in the zoning district, he thinks they are doing that with the Historic Preservation ...

Commissioner McKay-Vaughan stated when it says overlay zone what does it mean in this sentence.

Mr. Chisholm stated you could have other overlays.

Commissioner McKay-Vaughan stated this is just saying an overlay could be created as a regulatory mechanism to restrict blight and we will describe it later. She asked if that was what he was saying.

Ms. Hartman stated yes that is what it is saying. It is saying use this tool.

Commissioner McKay-Vaughan stated okay thank you very much. She stated page nine in the plan, it is just a general term.

Mr. Berger stated page 21 in the agenda.

- B. Adopted/CRA Resolution No. 09-20 authorizing the expenditure of Main Street Redevelopment Funds, in the amount of \$50,000, for Work Authorization No. 9 with DJ Design, Inc., 913 N. Nova Road, Holly Hill, FL 32117, for the architectural and engineering design work necessary to accurately describe the historical aspects and details for this structure. This project is consistent with the goals and policies of the Main Street Community Redevelopment Plan. City Clerk Thomas read the Resolution by title only. A RESOLUTION APPROVING THE EXPENDITURE OF TAX INCREMENT FUNDS FROM THE MAIN STREET REDEVELOPMENT AREA TRUST FUND IN THE AMOUNT OF \$50,000 FOR HISTORIC RESTORATION ARCHITECTURAL SERVICES FOR THE DAYTONA BEACH PIER; AND PROVIDING AN EFFECTIVE DATE.

Mayor Ritchey asked the Community Redevelopment Agency (CRA) if there were any questions or comments for Mr. Wetzel.

James V. Chisholm, City Manager stated the comment he wanted to make was since this was a renovation project that you may find things that you don't anticipate and even though the fee was set at \$50,000, if the project needed to go beyond that amount it would come back before the CRA for approval. When you are doing renovations you don't know what you are going to find underneath the layers.

Commissioner McKay-Vaughan commented that was her first question. The company that was listed was an engineering design company, and are they the company that would be doing the work after they tell the City what needs to be done or was the \$50,000 dollars just for the design work and there might be more.

J. Paul Wetzel, Support Services Director reported design work and historic architectural work are things that are important to make sure the project is brought back to the way that it was when it was originally constructed.

Commissioner McKay-Vaughan asked Mr. Wetzel if he was saying that this project might get into more than you understand ... she was confused by that because it sounded like work.

Mr. Chisholm stated when you get into the design you might have a design of one thing which would depend on the integrity of the structure, but when they get into the design they find other things that would require civil engineering or other work that had to be done to make it ... that was what he was speaking of.

Commissioner McKay-Vaughan commented that they were not just looking at the design but they were also looking at some of the structure as well. There are other issues on the next item and she thought that was what Logan was doing, but they are doing under the pier or the piling as corrected by the City Manager.

Commissioner Woods stated she thought they were doing the building.

Commissioner McKay-Vaughan commented that she saw on the PowerPoint where they were not only doing architectural which is where the engineering part came in they would also be seeing if the walls needed replacing and things of that nature.

Mr. Wetzel replied yes ma'am, any type of damage that is not obvious.

Commissioner McKay-Vaughan stated her second question was after looking at DJdesign this company was sub-contracting for Paul Weaver and his company, why doesn't the City just hire Paul Weaver and his company and not do this middle man deal with DJdesign.

Mr. Wetzel responded by saying that Mr. Weaver is not an architect. He is a historic preservation specialist. He is going to do the historic review, make recommendations of things he think is important that the City should have placed back on the pier building structure.

Commissioner McKay-Vaughan stated that Mr. Weaver was only going to tell us about how it looked and not about engineering.

Mr. Wetzel replied that is correct.

Commissioner McKay-Vaughan stated it had come to her attention that DJdesign was off our standard list which to her meant we chose this company for that purpose. She wanted to know how this company was chosen, because there were other companies on this list that told her they have never been called in the years they had been on the list.

Mr. Chisholm replied that was a different issue to be brought up at another meeting.

It was moved by Commissioner Gilliland to adopt the Resolution. Seconded by Commissioner Henry. The Resolution was adopted 7-to-0 with the breakdown as follows:

Commissioner Woods	Yea
Commissioner McKay-Vaughan	Yea
Commissioner Gilliland	Yea
Commissioner Henry	Yea
Commissioner Reynolds	Yea
Commissioner Shiver	Yea
Mayor Ritchey	Yea

- C. Adopted/CRA Resolution No. 09-21 authorizing the expenditure of funds, in an amount up to \$500,000, for the identified prioritized listing of repairs, replacement, and restoration of pilings to be completed by the sole source service provider, Logan Diving and Salvage, 4811 Bowden Road, Jacksonville, Fl. 32216. This project is consistent with the goals and policies of the Main Street Redevelopment Plan. City Clerk Thomas read the Resolution by title only. A RESOLUTION APPROVING THE EXPENDITURE OF TAX INCREMENT FUNDS FROM THE MAIN STREET REDEVELOPMENT AREA TRUST FUND IN AN AMOUNT NOT TO EXCEED \$500,000 FOR REPAIR AND RESTORATION OF THE DAYTONA BEACH PIER SUBSTRUCTURE; AND PROVIDING AN EFFECTIVE DATE.

Commissioner McKay-Vaughan stated she was told that it was probably April before this was finished and she wanted to know if they were going to keep the pier, or casino, or restaurant or whatever open during this whole time.

J. Paul Wetzel, Support Services Director stated yes. If you look at this carefully it talks about doing some minor work while the tide is out in the winter. They don't like going into the deep part because the wave action is a little stronger in the winter. They won't be starting a lot of this work until the spring.

Commissioner McKay-Vaughan asked if in the mean time, if it was safe.

Mr. Wetzel stated yes.

Commissioner Woods asked if they were done pulling out boards.

Mr. Wetzel stated no, they are going to take the decking out all the way down to the restaurant entrance.

It was moved by Commissioner Gilliland to adopt the Resolution as amended. Seconded by Commissioner Reynolds. The Resolution was adopted 7-to-0 with the breakdown as follows:

Commissioner Woods	Yea
Commissioner McKay-Vaughan	Yea
Commissioner Gilliland	Yea
Commissioner Henry	Yea
Commissioner Reynolds	Yea
Commissioner Shiver	Yea
Mayor Ritchey	Yea

D. Discussion - Volusia County CRA Delegation of Authority Resolutions

James V. Chisholm, City Manager stated he would like the Commission to take action on the item tonight. He could not think of a reason why they could not do so and they would need to expedite it to get it to the County. He asked the City Attorney if it should come back to the City Commission.

Marie Hartman, City Attorney stated she recommended that they bring it back before the Commission for consideration.

Mayor Ritchey stated you are looking for an action to adopt.

Paul McKittrick, Deputy City Manager/Administrative Services stated other cities have been provided with the draft resolutions the Commission has been given and they are going to be adopting something identical or similar. He knows for a fact that Ormond Beach, South Daytona, Port Orange, and Deland have every intention of adopting a similar resolution that the Commission is going to consider tonight. On December 10, 2009, the County Council is going to consider an option of two different resolutions; one is to address existing delegations of authority and the second is addressing future delegations that would be future Community Redevelopment Agencies (CRA's). While most of the counties requirements for reporting and submissions of annual reports and an opportunity to review proposed annual budgets are acceptable and not very difficult for staff to comply with, there is section three of the County resolution on page 74 dealing with the County's assertion that they have unilateral authority to repeal or modify an existing delegation of authority. It is a cause of concern to him and City staff and every municipality with the CRA which has prompted Mrs. Hartman to draft this resolution again. Section three is not very specific and it might prompt the County to invoke their authority to repeal or modify. There is no provision that requires that they give notice to the municipalities of its intentions or any kind of standard corrective or remedial period for corrections. Unlike most contracts the Commission has seen, they can very quickly and unilaterally modify or repeal an existing delegation as it says in the draft resolution, this is a cause for concern. Mrs. Hartman has artfully reworded the resolution so that we can express our doubts about its validity should we want to argue this sometime in the future.

Commissioner Woods asked why the County did it and why haven't they been willing to reword it. She did not want to make the County unhappy but the County did not seem happy to do this in the first place and asked Mr. McKittrick for some background.

Mr. McKittrick stated that exact question regarding their intentions was asked of them at a recent meeting at the airport ... let me reel back a little bit. Regarding the County's interest in being directly involved in the creation of new CRA's and the expansion of existing, this is a posture that they have had in place for almost 10 years. I directly watched them heavily negotiate the CRA in Daytona Beach Shores. What you see in the resolution is actually policies and procedures that they had for many years. Regarding their interest in unilaterally repealing or modifying an existing CRA, when that same question was asked of them, their response was it was because of substantial problems or issues in New Smyrna Beach,

Florida. He stated he could give them many details of that but it was his understanding that the City of New Smyrna Beach, because of staffing issues, did not spend any CRA monies in excess of three years. A situation came about where a request that was very reasonable was made to the New Smyrna Beach CRA, which is not their City Council or Commission, it's an appointed body and that the CRA decided not to approve the request and after having not spent any money in years and then rejecting what many people thought was a very reasonable request, it prompted County Councilmen Jack Hayman to take a hard look at that situation and that's what prompted it. We have been assured it is not The City of Daytona Beach which is causing Deland's interest in this.

Commissioner Woods asked if they had attempted to change the wording.

Mr. McKitrick stated they heard that request from others and managers and decided not to incorporate that into the draft resolution.

Mr. Chisholm stated in the meetings, they did make changes in the initial resolution that they had presented. There were a series of changes made that were recommended by the County staff after reviewing it with the managers and the CRA's. The only place that really didn't see much change was section three. His understanding was the staff was interested in trying to find a solution but did not think that the legal staff for the County felt that that was a position that they should take and it's been their position that they have the authority and do not want to change it.

Commissioner Woods stated the legal staff ...

Mr. Chisholm stated the legal staff.

Mayor Ritchey stated for us to repeal or modify an existing situation; he asked Mr. McKitrick how does that play out when there is bonding associated with an existing CRA.

Mr. McKitrick stated he was going to refer the question to the City Attorney.

Ms. Hartman stated the County resolution states: "the County may unilaterally modify any delegation of authority providing such modification would not impair existing contractual obligations for financing or bonding or repayment thereof." So it does exempt an impairment of bonding.

Commissioner McKay-Vaughan stated she was very troubled and did not think they had enough information about the item and wanted to hear more about it from the County. She wondered if there is any possibility of getting the minutes to that particular meeting. She wanted to know the reason behind the County's legal staff and that Ms. Hartman did not seem to know.

Ms. Hartman stated her understanding was the County Attorney's position is that under the statute, the County is authorized to delegate its redevelopment authority in whole or in part to a city and his position is the delegation can be taken back in whole or in part.

Commissioner McKay-Vaughan stated which they did.

Ms. Hartman stated they did set an end date for it. These particular resolutions kind of set the stage for future redevelopment areas to identify various conditions that may be imposed on the exercise of the redevelopment authority and then as to existing ones, puts us on notice that they believe they have the ability to go back and take back parts of that delegation and that's where when the cities attorney's looked at this, we're not sure that it is in fact what Chapter 163 contemplates. The only way to resolve that question is to go to a court and find out. This is not the time to do that. The County may never attempt to take back any of our delegations and this particular resolution does not do that. With the resolution that we have drafted that is before you, we are asking you to consider putting the County on notice that we don't necessarily agree with their legal interpretation of the wording under Chapter 163.

Commissioner McKay-Vaughan stated but in fact Marie, they did take back some authority in 2001 and she remembered the exact conversation.

Ms. Hartman stated they started to do something different but what they ultimately adopted was simply the delegation would cease as of 2036.

Commissioner McKay-Vaughan asked if back in 2001, that is what they did.

Ms. Hartman stated if I got the year right, yes.

Commissioner McKay-Vaughan stated her understanding in 2001 was that we had the ability to create new CRA's and then after that we did not and had to go to them and ask their permission. That was one of the things they took back and changed. She did not see any harm in this; it does not obligate us to anything. All it says is we do not agree to your interpretation of what you can do and was this correct.

Commissioner Woods stated yes.

Ms. Hartman stated yes.

Commissioner Shiver stated in the future we may object to it on a case by case basis.

Ms. Hartman stated correct.

Mayor Ritchey asked the City Clerk to read the resolution.

Jennifer L. Thomas, City Clerk read the resolution.

Commissioner Woods stated she still had concerns and was not going to support the resolution.

It was moved by Commissioner Shiver to adopt the Resolution expressing doubts as to the validity of the assertions contained in the proposed Volusia County Resolution relating to delegation of powers. Seconded by Commissioner Gilliland. The Resolution was adopted 5-to-2 with the breakdown as follows:

Commissioner Woods	Nay
Commissioner McKay-Vaughan	Nay
Commissioner Gilliland	Yea
Commissioner Henry	Yea
Commissioner Reynolds	Yea
Commissioner Shiver	Yea
Mayor Ritchey	Yea

E. Discussion - E-Zone Update

Reed Berger, Redevelopment Director, stated they began a Request for Proposal (RFP) in late April. The initial 29 responses were very exciting because they knew the firms and their quality of work. They narrowed those RFPs to the six best proposals and in September they got down to three proposals - Elkus Manfredi, Morris Architects, and EDAW. Then it was time to get estimated fees for doing this and an estimate of how long it was going to take. It would be six to nine months to create this new area. Looking at the numbers \$348,000 for Elkus Manfredi and over one million dollars for the other two sticker shock set in. They were budgeting between \$200,000 and \$250,000 for the whole process. They gave the three finalists another opportunity to tell them what it would cost to make this a success within a reasonable time frame for a reasonable amount. They were working now to finalize the process and they wanted to let the Commission know where they were. There were some other issues for the Commissioners' attention. The Fishkind proposal was still out there.

Commissioner Woods asked if the Fishkind proposal had gone to the County.

James V. Chisholm, City Manager, stated they had transmitted that information to the county. They had a difficult time trying to get Fishkind, the County, and the City together in one place at one time. The Fishkind proposal would come to the Commission at the December 16th Community Redevelopment Agency (CRA) meeting and Mr. Fishkind would present it then instead of in January.

Commissioner Woods stated she misunderstood. She thought the way Frank Bruno, County Council Chairman, talked it would be put on the County agenda for discussion.

Mayor Ritchey stated he, Mr. Chisholm, and Mr. Bruno originally agreed to have joint meetings for Fishkind to present to both bodies with everyone there to ask questions to expedite the process and determine the interest level. That was two weeks ago and it was difficult to arrange everyone's schedule. Mr. Chisholm made a good decision to present it to both bodies and then have a joint meeting.

Commissioner McKay-Vaughan stated she was trying to figure out exactly what the

Fishkind report entailed. She heard a lot of people saying it was only about helping to get money. She asked if phase two and phase three were about more money to be raised. She wanted to know what Fishkind really wanted.

Mr. Chisholm stated he thought that was what Fishkind would tell them. To do something they would have to have money. That was part of the process. He wanted to share something he had shared on several occasions. Part of the E-Zone concept was to provide opportunity and flexibility toward not only a development but also an opportunity to look at how they could use some of the properties south of Main Street so they could have a village concept of shops with anything from knitting to art related activities. What it would require was to have in the E-Zone some ability to channel parking to a garage area so they had common parking and not something that was required for every property. That would make it successful and it would become a walking area much like other cities they had visited. The flexibility was important if it was going to be possible. Also they needed a master plan design of the area so they had concepts to see and they needed to preserve the integrity of some of those structures in that zone. Even though they might not be historic they had a character all their own. They would try to encourage that to be maintained at the same time. The last thing was about the Fishkind proposal. It was to develop financial alternatives for all of the enterprises within the area so it could be something feasible and successful as a tourism destination. All those things fit into the primary picture of making the Ocean Center successful, the City successful, and tourism successful providing rooms, parking, and a destination atmosphere for Daytona Beach in that area.

Mr. Berger stated part of the concern was what was happening on the south side of Main Street where there was fear that something was going to happen. Main Street was a thoroughfare that had the three-story limit with a 100-foot setback. There were some limitations and to change it there had to be a good reason. Those regulations were put there for a reason. It was not to just create historic places but also to create that look. That was still what they were thinking. The other thing was a historic structure survey. They knew about Paul Weaver who was working on the pier. He was the gentleman who did the work on the initial national districts and their creation many years ago. They asked him to look at the E-Zone area and give his thoughts. They talked about the fact that there had to be some understanding about where the line was with respect to the historic structures. Mr. Weaver had completed his survey but he was finishing his report. A couple of weeks ago he presented his initial findings to the Historic Preservation Board. The Commissioners might have heard of that very preliminary discussion and they would see the report when it was finished.

Mr. Chisholm stated initially the expense of the Fishkind proposal was to be shared by the two governments. He thought they should make it a public/private process so the stakeholder private properties in the E-Zone area that might benefit from some of the improvements could participate in the funding also. Some of them had already indicated they were very interested.

Mr. Berger stated there would be a meeting on Thursday, December 10th at 6:00 p.m. at the Peabody Auditorium Rose Room.

Mayor Ritchey stated a lot of people who left the earlier workshop meeting didn't know much more when they left than they did when they arrived. He hoped there would be a lot more information to share with the residents and that there could be someone there who could answer questions.

Mr. Berger stated they expected to do that.

Commissioner McKay-Vaughan stated she thought the first workshop could have gone better and with less confusion on the part of the citizens if the Commission had been given more opportunity to begin with. She wondered if Mr. Berger could let the Commission see what he was going to ask of the three consultants regarding the RFP.

Mr. Berger stated he could do that.

Commissioner McKay-Vaughan stated she liked what Mr. Chisholm had to say but there was one word that was absent and that was "residents" and their role in that area. The people wanted to know about that.

Commissioner Woods asked about the blue lines and red lines on the last page of the report.

Mr. Berger stated staff had reevaluated some of their initial thinking and revised the area. They had taken it as a study area maybe taking it by the zoning instead of the land use. It was just their thinking with some lines.

Commissioner Woods stated so they could revise it to just the blue lines that would narrow the scope of what the consultants would do and hopefully reduce the cost and it would be the focus on the E-Zone.

Mr. Chisholm stated he liked that.

Commissioner McKay-Vaughan stated by doing that Mr. Berger had probably cut out about 30 percent of the heat. There had been a lot of heat about Peninsula Drive and the houses there and now almost all of them had been removed from the plan area. She thought the Ocean Center should be part of it.

Mr. Chisholm agreed and asked that the line be left in the plan.

Commissioner Woods stated reducing the area to reduce the scope of work was a good idea. She always had a problem over the Hollywood Avenue to Peninsula Drive corridor.

Commissioner McKay-Vaughan agreed that was good and it looked like the Main Street line had been narrowed. The only other question she had was the section that winds out. She would talk to the businesses there.

Mayor Ritchey thanked Mr. Berger and asked if it would be prepared for the meeting.

Mr. Berger responded yes.

9. COMMENTS AND INQUIRIES FROM THE COMMUNITY REDEVELOPMENT AGENCY BOARD AND CITY MANAGER

Commissioner McKay-Vaughan stated she asked how they chose the designated lists for a project. The lists were locked up and there was nobody else allowed in. She was not sure what the period of time was but she would be interested.

Mr. Chisholm stated he thought it was 12 months.

Mr. McKitrick stated they had extended the time for the continuing contracts and as long as Mr. Chisholm had been City Manager they had been trying to develop a process where they had as many names on the list as possible. He was able to get the number of architectural firms that were on a continuing contract and there were only four at the time.

Commissioner McKay-Vaughan asked how the process worked. It was totally staff decision. A person was on the list for ten years and never gotten asked. It seemed like the four people would be called in and all make presentations. She would like to see the process sharpened. She also wanted to make sure new people got on it.

Mr. McKitrick stated they had been extending the period but he would have to work with Purchasing to see when they issued the RFP and when those continuing contracts were established which might have been some years ago.

Mayor Ritchey stated another question would be if someone had been on the list for a number of years and not chosen why are they on the list.

Commissioner Shiver stated he wanted to report that the committee for advertising and marketing of the redevelopment tourism had made a lot of progress in the last 30 days and they were trying to develop a structure that would produce an effective and positive image based marketing plan for Daytona Beach. A group of volunteers had hit the ground running. He introduced the members of the group who were in the audience, Manuel Bornia from the Daytona Beach International Festival, Naomi Weiss from the Downtown Partnership, Bob Williams from Daytona State College, Kim Isemann from the Speedway, and Theresa Doan from Main Street, Hardy Smith from the City. He reported on the task force's plans and ideas. He assured Commissioner McKay-Vaughan that residents from each redevelopment area and other citizens would be included in the process. It would be a public/private partnership of all the effected businesses in the area that they hope would contribute financially to the marketing effort.

12-02-09

10. ADJOURNMENT

There being no further discussion or comments the meeting was adjourned at 5:26 p.m.

GLENN S. RITCHEY
Chair

ATTEST:

JENNIFER L. THOMAS
City Clerk

Adopted: December 16, 2009

RECORD REQUIRED TO APPEAL: In accordance with Florida Statute 286.0105 if you should decide to appeal any decision the Community Redevelopment Agency Board makes about any matter at this meeting, you will need a record of the proceedings. You are responsible for providing this record. You may hire a court reporter to make a verbatim transcript, or you may buy a tape of the meeting for \$2.00 at the City Clerk's office. Copies of tapes are only made upon request. The City is not responsible for any mechanical failure of the recording equipment.