

**DOWNTOWN DEVELOPMENT AUTHORITY
MINUTES
SPECIAL MEETING
Tuesday, May 21, 2014**

The special meeting of the Downtown Development Authority was held Tuesday, May 21, 2014, at 8:30 a.m. in Conference Room 149B of 301 S. Ridgewood Avenue, Daytona Beach, Florida. The following people were present:

Board Members

Mr. Robert Abraham, Chairman
Ms. Sheryl Cook
Mr. Joseph H. Hopkins
Ms. Tammy Kozinski
Ms. Kelly White (left meeting at 8:45 a.m.)

Staff Members Present

Mr. Jason Jeffries, Redevelopment Project Manager
Mr. Robert Jagger, Deputy City Attorney
Mr. Paul McKittrick, Deputy City Manager
Ms. Noeleen Foster, Farmers' Market Manager
Ms. Becky Groom, Board Secretary

1. Call to Order

Mr. Abraham called the meeting to order at 8:07 a.m.

2. Roll Call

Ms. Groom called the roll and noted members present as stated above.

3. Public Comments

There were no public comments.

4. DDA - City Agreement for Use of Downtown Facilities

Mr. Abraham stated he thought the proposed agreement would be to reduce fees for the use of the park and other facilities for events endorsed by the DDA. Mr. Abraham stated the proposed agreement makes the events DDA events, and places the responsibility on the DDA which the DDA may have difficulty in meeting should there be a staff change. Mr. Abraham stated should there not be the same level of support from staff in the future, the DDA does not have the resources in the budget to meet the responsibilities outlined in the agreement.

Mr. Hopkins stated that it appears the DDA has moved from a support position to a promoter position, such as has happened with Riverfront Fridays. Mr. Hopkins stated the DDA supported the event and now would be the promoter of the event. Mr. Hopkins stated that he does not believe the role of the DDA was to be a promoter.

Ms. Cook stated she agreed. Ms. Cook stated that the Board has tried to decrease fees in order to draw events to the Downtown. Ms. Cook stated there continues to be a loss of support staff for Downtown. Ms. Cook stated she was concerned about liability. Ms. Cook stated events have been free in the past but in order to draw good groups, an admission fee may be necessary.

Mr. Jagger stated the DDA could still hire a promoter, such as Bullseye Direct Marketing, and stated there was nothing in the agreement that would prevent the DDA from contracting out an event.

Mr. Abraham asked if there are staff changes and if the DDA does not have the same level of support, could the agreement be terminated.

Mr. Jagger stated a shorter termination period could be included in the agreement and the indemnification clause could be removed.

Mr. McKitrick stated staff received a request from the DDA and one from the Main Street merchants association for events. Mr. McKitrick stated the Main Street group never considered a three-year agreement as proposed in the DDA agreement. Mr. McKitrick stated the DDA may want to consider a shorter term for the agreement and review the agreement prior to the end of the term.

Mr. Abraham noted the DDA was a public entity and the merchants association was not and the DDA would be contracting with a for-profit organization.

Ms. Kozinski stated the DDA needs to have more control over events that are held downtown so there are not conflicts, such as there were with the 5K run, the Farmers' Market, and the city yard sale being all held at the same time.

Mr. McKitrick noted that both the Main Street and Downtown agreements do not include any reduction in fees for police and fire services and noted that most of the reduction in fees is in the area of permit fees.

Mr. McKitrick stated the City Manager has directed Cultural Services to shift events to Manatee Island to avoid conflicts.

Ms. White stated she had to leave but noted that she supports the agreement with a shorter termination period and removal of the indemnification clause. Ms. White left the meeting at 8:45 a.m.

Mr. McKitrick suggested amending the agreement and presenting it to the Board for their review at their regular meeting of May 27.

Mr. Abraham stated the agreement stated that someone must be on site for events and noted we do not have staff to do that.

Mr. Jagger stated that is something that would be contracted through the promoter of an event.

Mr. McKitrick stated other cities, such as DeLand and New Smyrna, have great events in their downtown but they have strong merchants associations.

Mr. McKitrick suggested having Helen Riger attend the next meeting to discuss events and procedures with the Board.

Mr. Abraham stated he would like to talk about the agreement at the next meeting and the items to discuss are indemnification, a general admission provision, a decrease in the termination period, and the use of subcontractors.

Board Action:

A motion was made by Mr. Hopkins, seconded by Ms. Cook to amend the proposed agreement with a shorter time period for termination notice; remove indemnification requirements; provide for events that charge an admission fee; and provide for subcontracting with a promoter. The motion carried unanimously (4-0).

Mr. McKitrick stated the revised agreement will be presented at the next meeting of the DDA on May 27 and will be forwarded to the City commission at their meeting of June 4, 2014.

5. **Adjournment**

There being no further business to come before the Board, the meeting was adjourned at 9:17.m.



Robert Abraham, Chairman



Becky Groom
Recording Secretary