

SPECIAL/WORKSHOP MEETING
July 14, 2009

A Special/Workshop Meeting of the City Commission of the City of Delray Beach, Florida, was called to order by Mayor Nelson S. McDuffie in the First Floor Conference Room at City Hall at 6:00 p.m., on Tuesday, July 14, 2009.

Roll call showed:

Present - Commissioner Gary P. Eliopoulos
 Commissioner Fred B. Fetzer
 Commissioner Mackenson Bernard
 Commissioner Adam Frankel
 Mayor Nelson S. McDuffie

Absent - David T. Harden, City Manager

Also present were - Doug Smith, Assistant City Manager
 R. Brian Shutt, City Attorney
 Chevelle D. Nubin, City Clerk

Mayor Nelson S. McDuffie called the special meeting to order and announced that it had been called for the purpose of considering the following Item:

SPECIAL MEETING AGENDA

1. **SPECIAL EVENT REQUEST/32nd ANNUAL ROOTS CULTURAL FESTIVAL/YOUTH BASKETBALL TOURNAMENT:** Approve a special event request from the Roots Cultural Festival, Inc. for a Youth Basketball Tournament to be held from 7:00 – 10:00 p.m. on July 17, 9:00 a.m. – 9:00 p.m. on July 18 and 10:00 a.m. – 4:00 p.m. on July 19, 2009; approve staff support for security and event signage to be installed no earlier than ten (10) days prior to the event; and approve waiver of the facility rental fees for Pompey Park and the Community Center; contingent upon sponsor providing a liability insurance certificate and a hold harmless agreement at least one week prior to the event.

Douglas Smith, Assistant City Manager, presented this item. Staff recommends approval of the event subject to receiving the Hold Harmless Agreement and the Certificate of Liability Insurance and waiver of rental fees for the use of Pompey Park and the Community Center. The estimated cost is about \$3,000.00 excluding 50% of the ticket sales. This will cover this tournament, both gymnasiums.

Mayor McDuffie stated that we need to be very cautious considering the economic times we are in.

Alberta McCarthy, Roots Cultural Chairperson, spoke and gave a brief history about how the Basketball Tournament was conceived.

Mr. Bernard suggested that Linda Karch, Director of Parks and Recreation go back and setup a policy to bring in front of the Commission so they will know exactly how to proceed in the future. Also, he would like the item to come before the Commission prior to posting the event signage.

Mr. Fetzer stated we need to tighten up our event policy again.

Mr. Fetzer motioned to approve the special event request, seconded by Mr. Frankel. Upon roll call, the Commission voted as follows: Mr. Fetzer –Yes; Mr. Frankel –Yes; Mr. Bernard –Yes; Mayor McDuffie –Yes; Mr. Eliopoulos –Yes; Said motion passed 5-0.

2. **SPECIAL EVENT REQUEST/32nd ANNUAL ROOTS CULTURAL FESTIVAL/ADULT BASKETBALL TOURNAMENT:** Approve a special event request from the Roots Cultural Festival, Inc. for an Adult Basketball Tournament to be held from 6:00 – 10:00 p.m. on July 31, 9:00 a.m. – 9:00 p.m. on August 1 and from 10:00 a.m. – 3:00 p.m. on August 2, 2009; and authorize staff support for security, event signage which is to be installed no earlier than ten (10) days prior to the event, and waiver of the facility rental fee for City facilities (Pompey Park Gym and the Community Center) for the tournament; contingent upon sponsor providing a liability insurance certificate and a hold harmless agreement at least one week prior to the event.

Douglas Smith, Assistant City Manager, presented this item. Staff recommends approval of the event subject to receiving the Hold Harmless Agreement and the Certificate of Liability Insurance and waiver of rental fees for the use of Pompey Park and the Community Center.

Mr. Bernard motioned to approve the special event request, seconded by Mr. Eliopoulos. Upon roll call, the Commission voted as follows: Mr. Frankel –Yes; Mr. Bernard –Yes; Mayor McDuffie –Yes; Mr. Eliopoulos –Yes; Mr. Fetzer –Yes; Said motion passed 5-0.

Mayor McDuffie adjourned the Special Meeting at 6:14 p.m.

WORKSHOP AGENDA

1. Options for use of Old School Square Garage retail space

Mr. Rich McGloin, former board member of the Downtown Development Authority presented this item. Mr. McGloin conducted a PowerPoint presentation and discussed the options for the use of the Retail Space along with the pros and cons in relation to the vision for the Pineapple Grove District. He suggested that the City Commission select the direction that the use should go; the one that the Commission feels addresses the original goal to create the activity in Pineapple Grove which would be consistent with plans for the district. Have the City or the CRA advertise with a RFP. This would be the best way to find that group interested in the use described. He also suggested that the City protect their asset. The build out is not complete, and there are some specific issues to be concerned with during the build out. Keep the primary goal of the fact that the property will be sold even though there will be temporary lease use so things do not get paid for twice.

Mr. Eliopoulos asked how we will proceed with this.

Mayor McDuffie suggested that questions be asked after each presentation.

Mr. Bernard asked if the Chambers was approached and what is their perspective?

Mr. McGloin stated that he spoke with Bill Wood and Marjorie Ferrer. Their concern was the back door, traffic, debris and smell.

Mr. Alperin stated they want some type of retail to draw people up the street and are against any food use.

Mr. Frankel asked what kind of businesses the interested groups had in mind.

Mr. McGloin stated that they talked with operators of a small market, 6,000 square foot specialty market. They showed two (2) operators currently in the business the retail space and asked them if it was durable in that area with the space. The operators conducted a market survey of the town and said that they would be interested in talking to the City about a market in the area. In regards to general retail, they did not take a look at any one that could use all the space. The discussions were with local people and they are concerned with the distance from Atlantic Avenue to the retail space. They talked with several groups regarding the Arts and they would like to be involved as well. The groups that they spoke with involved Jewelry, Clothing and Antique types.

Mr. Eliopoulos thanked the CRA for the presentation. He expressed concern with the current real estate market and the building design for future tenants, such as bathrooms and slabs.

Mr. McGloin stated the design would consist of slab, electric panel and some lighting. He stated that the one group they spoke to said that they needed bathrooms because they deal with children. The group would suggest stubbing out the bathrooms when the floor is formed and they will build the bathrooms at their expense.

Mr. Fetzter thanked the CRA for the presentation. He stated that we need to have a long term vision for the site.

Mayor McDuffie thanked the CRA for their presentation.

Michael Weiner introduced himself and thanked Rich McGloin. Present were Thomas Kinsloe, Richard Jones and Ingrid Kennemer. He gave an overview of his presentation.

Mr. Jones of Richard Jones Architecture spoke about diversity in the arts such as culinary arts and musical arts, which they plan to combine to create a designation that will draw people during the daytime, as well as at nighttime.

Mr. Kinsloe introduced his partners James Schwab and Bill Suzuki. He stated that their goal is to build a creative, artistic and cultural center that will attract local residences and visitors alike. Their objective is to meet the needs of the community and have businesses that are economically sustainable. He also stated that they feel the space indicated for meetings and private parties will possibly be used with the Chamber of Commerce to host meetings and to draw more interest to the area. It can also be used in connection with the City events such as the tennis tournaments or the film events and possibly be utilized as a film screening area. He stated that the commercial kitchen area was a suggestion from Lori Nolan from the CRA. In addition, he stated that they would be interested in speaking with Palm Beach Community College or Universities about having classes at the site. He spoke with some interested markets and they are concerned with the logistic of the garbage and shopping carts, but a small scale market said that it is doable and a good asset for the community. He stated that they are committed to advance recycling as much as green technology. He also stated that they expect to create new jobs. Lastly, he stated that their proposal is one of action and with support from the City Commission, various associations and a sense of urgency with the building department; they feel that it can be opened by December 1st of this year and would be a boost to the Pineapple Grove area.

Mr. Weiner stated that Tom's proposal is unique because he can do it from morning to night, wants to get into the business right away and he is ready to go and he will not have proposals that might keep other people from leasing on the street. He discussed the alternative with respect to leasing; it more than likely means that money will have to be spent in order to make money, and no matter who the tenant is there will be concerns with tenants ability to perform. They are talking about buying it, taking it off the City's hands and the City putting the money in the bank and for them to get on the tax rolls by December 2009.

Mr. Frankel stated that he is concerned with the performance area being next to the Chambers and what is their opinion on that, and what effects will that have. He also stated that it may have an effect on Old School Square and he would like their opinion on any prospective tenant. In addition, he expressed concern with the music venue.

Mr. Bernard asked about the cost of the build out.

Mr. Kinsloe stated that they estimated it at about \$450,000 to \$500,000.

Mr. Bernard commented regarding the vision for that area and stated he does not want to lose the vision.

Mr. Eliopoulos stated that if we are going to sell make it a fast sale because the use can change. He supports keeping this property and doing something with it temporarily.

Mr. Harden stated that they have addressed that and the proposal talks about a restaurant. They would have to operate under a restaurant license and have meals available while they are open.

Mr. Fetzer stated that he would like to hear from the Commercial Realtor Ingrid and get her opinion on the Letter Intent/Lease Purchase.

Ms. Kennemer explained that third party financing is not readily available today. She believes that Mr. Kinsloe's approach is that the initial money would be put towards cleaning up the space, finishing up the space, getting the space utilized and getting the business up and running, then, he has a much better chance at getting third party financing and the support from the market that he needs. This is the reason the proposal was structured as a lease purchase and Mr. Kinsloe is not asking for a lease option, he is asking the Commission to support him in getting open and then close on the property.

It was the consensus of the Commission to research this more, get an updated appraisal and for staff to bring this back to the Commission as quickly as possible.

2. Presentation of the Budget Task Force Final Report

Joseph Safford, Director of Finance, presented this item. He gave an overview of the establishment of the Budget Task Force and their tenets. Mr. Safford discussed the observations and recommendations made by the Budget Task Force to increase revenues, reduce expenditures without reducing essential services, consider what a fair and reasonable cost would be to our taxpayers and to improve productivity and efficiency. He also stated that the Budget Task Force asked the Commission to consider a permanent Financial Review Committee or a Financial Review Board to continue the work that has been done in the analysis of revenues, expenses, as well as, the analysis in participation in the negotiation of major long term contracts. Mr. Safford thanked the members of the Budget Task Force and the finance staff.

Mr. Frankel thanked the Budget Task Force members. He stated that the City has an abundance of free parking on Atlantic Avenue and the downtown area; and asked if the Budget Task Force looked at the free parking. Mr. Frankel stated that he is favor of a permanent Financial Review Committee or Financial Review Board.

Mr. Safford advised that they had not looked at that because there is going to be consultant study done to address the parking.

Mr. Bernard thanked the Budget Task Force members, Joseph Safford and staff. He stated that he is in agreement with creating a permanent Financial Review Board.

Mr. Eliopoulos thanked all of the members. He stated that he supports having a Financial Review Board. He also would like to continue communicating with the different department to make sure the information is clear.

Mr. Fetzter congratulated and thanked the Budget Task Force, Joseph Safford and staff for all their efforts. He stated that he like the idea of having a permanent Financial Review Committee or Financial Review Board. Mr. Fetzter recommended combining any boards that can be consolidated because the boards are growing. He stated that he is in support of the board.

Mayor McDuffie thanked the Committee and staff for their report. He stated that he noticed this report contained the following: investigation on the bargaining units; provided information from other jurisdictions and gave comparative numbers of what is happening around us. He is in support of a permanent Financial Review Board.

The Commission thanked the Budget Task Force for its presentation.

3. Presentation regarding the proposed Fire-Rescue Training Site

David Harden, City Manager presented this item. He gave some background information on the development of the site located at 80 Depot Road.

David James, Fire-Rescue Chief discussed the needs and justifications for a fire-rescue training facility for the fire-rescue staff. Chief James introduced Edward Crelin, Division Chief.

Mr. Crelin discussed the type of facility that he had envisioned which includes a tower, prop area for training props, classroom facility and a place to conduct state mandated trainings.

Chief James stated that the Fire Academy at Atlantic High School only provides emergency medical services for the students. He stated that their goal is to eventually add fire training and the facility would be a great help to enhance the vision that started the fire academy.

Chief Danielle Connor stated that is an element of sustainability and that new facility can be leased out to other municipalities. Chief Connor introduced Jose Aguila.

Jose Aguila of Currie Sowards Aguila Architects discussed the preliminary architectural plans for the development of 80 Depot Road.

Chief James stated that having a training facility at this site would enable all department units to be available in city limits at all times.

Mr. Harden explained that Palm Beach County had a facility at the old South Tech site, which was convenient for the fire-rescue staff. This facility has been moved to Southern Boulevard, which is too far for Fire-Rescue to use. He asked if the plan was acceptable, so that they can plan for it in the future in seeking grants.

Mr. Fetzter stated he understands the need, it is a matter of prioritizing the capital improvement plan, and he is willing to consider this as a high priority but needs to see where this fits.

Mr. Eliopoulos stated he understands the need, but is not agreeable with the location of the site. He stated that he appreciates the architect; it is a sharp design. He would rather see other uses on this site.

Mr. Bernard stated that he feels funding Fire Station No. 2 is a high priority with regards to the budget prior to addressing spending money for a training facility.

Mr. Harden explained that this project is not in the capital budget at this point and Fire Station manning will have to be addressed this year. Mr. Harden asked if the design and location was acceptable.

Mr. Frankel asked about the impact that training at this location would have on motorists on I-95. He stated he does not agree with the location and is concerned with regards to the budget.

Division Chief Crelin stated that there will be no smoke or fire generated at this location.

Mayor McDuffie stated that the design is great, but not at that site. He would support it in another location at another time.

Mr. Eliopoulos stated that one of the problems with this site is the accessibility and access is only from the north. He stated that he would like to see more information with regards to what this site can be used for.

4. Discussion regarding the Green Task Force

Mr. Fetzner stated that he asked for this item to be put on the workshop agenda due to Nancy Schnieder of the previous Green Task Force inquiries as follows: the frequency of meetings of the new task force, whether the name for the group would be a board or task force; and that there will be five (5) members. He asked if it could be a seven (7) member task force and what is the number of applicants that we have for the task force.

Mr. Smith stated that a few new applicants were received and that they are going back through the previous applicants and contacting them to find out who is interested.

Mr. Eliopoulos asked if a staff member was assigned to work with the board and when do they meet.

Mr. Harden stated that it would start out with the same people they had before.

Mr. Frankel stated that a few people approached him, expressed interest in the board and they have applied.

Mayor McDuffie stated he has been approached as well.

Mr. Bernard asked if alternates should be added.

Mayor McDuffie thanked the Green Task Force members.

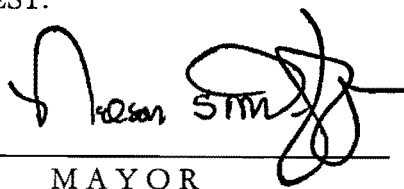
It is the consensus of the Commission to establish a permanent Green Task Force.

Mayor McDuffie adjourned the Special Meeting at 9:36 p.m.




City Clerk

ATTEST:



MAYOR

The undersigned is the City Clerk of the City of Delray Beach, Florida, and the information provided herein is the Minutes of the Special/Workshop Meeting of the City Commission held on Tuesday, July 14, 2009, which Minutes were formally approved and adopted by the City Commission on August 4, 2009.


City Clerk

NOTE TO READER: If the Minutes you have received are not completed as indicated above, this means they are not the official Minutes of the City Commission. They will become the official Minutes only after review and approval, which may involve amendments, additions or deletions to the Minutes as set forth above.

