

**LAKE WORTH COMMUNITY REDEVELOPMENT AGENCY
REGULAR MEETING
LAKE WORTH CITY HALL COMMISSION CHAMBERS
TUESDAY, JANUARY 13, 2009
6:00 P.M.**

I. ROLL CALL:

The Chair called the meeting to order at 6:00 p.m. on the above date in the Commission Chambers located at 7 North Dixie Highway, Lake Worth, Florida.

Present were CRA Members Mark Rickards, Brendan Lynch, Donna Ross, Ed Grimm, Wes Blackman, Shanon Materio & Wayne Marcinkoski.

Also present was CRA Director, Joan Oliva

II. PLEDGE OF ALLEGIANCE:

III. APPROVAL OF MINUTES:

- a. November 19, 2008
- b. November 24, 2008
- c. December 9, 2009

Action: Motion was made by Mr. Blackman to approve the minutes from November 19th, November 24th and December 9th seconded by Mr. Grimm.

Vote: All Ayes

IV. AGENDA – ADDITIONS/DELETIONS/REORDERING:

Action: Mr. Marcinkoski moved to delete Item VII. b- Pedestrian Walkway and reorder the action agenda before the discussion agenda seconded by Mr. Grimm.

Staff stated that there is no urgency for Item b- Pedestrian Walkway.

Vote: All Ayes

V. PUBLIC PARTICIPATION ON NON-AGENDAED ITEMS (3 minute limit):

Lawrence McNamara- I was Vice Chairman of the Climate Protection Task Force and I told Joe Kroll that you needed to re-stripe the bike lanes. The bike lanes are non-existent now. I would like to recommend that you authorize Joe Kroll to use CRA funds to re-stripe the bike lanes in the areas where they exist.

Dee McNamara- Every project over \$15K must be put out to bid a ½ a mile project cost us \$6 million dollars on 6th Avenue South and 10th Avenue North cost \$8.6 million. Why was 10th Avenue North not put out to bid it is a separate project from 6th Avenue South.

Maryanne Webber- I played tourist with my husband for his birthday and we came downtown on a Thursday and we saw how packed the streets were with bike night being in the downtown. I want to thank the CRA for keeping downtown going.

Rick Poll- I would like to make a proposal for land development. There are a lot of properties on South E Street south of 1st Avenue. There are a lot of properties that are empty. We should remove these buildings.

VI. CONSENT AGENDA:

- a. **By Laws- Approve Amendment**
- b. **Community Aid Grant- Stray cat/ Spay & Neuter Program**
- c. **Community Aid Grant- Paws on the Plaza**
- d. **Patrons Attraction Grant- Street Painting Festival**

Ms. Ross wanted to pull items A, C & D.

Action: Mr. Marcinkoski made a motion to pull items A-D from the consent agenda and putting them at the end of the action agenda seconded by Ms. Ross.

Mr. Lynch suggested if these items are just something that a Board Member has a question can there be just a quick question and answer period. Chair stated that he wants to give every member a chance to discuss the items that have been pulled.

Vote: 5 Ayes, 2 Nays

VII. ACTION AGENDA:

- a. **Hands on Consulting- Approve Agreement**

The CRA Board authorized the advertising of a Request for Letters of Interest (RLI) and Statement of Qualifications for a Cultural Redevelopment Program at the October 30, 2008 meeting. The RLI was advertised October 31, 2008. Three responses were received December 3, 2008 and reviewed by the Board at the December 9, 2008 meeting.

The Board unanimously chose Hands-On Consulting and directed Staff to develop an agreement and present it to the Board at the next regularly scheduled meeting. Highlights of the agreement are the following:

- Consultants are responsible for implementing a program that will promote the establishment of artists, art and cultural centers and institute's within the Lake Worth CRA.
- Consultants will work with local housing agencies to develop new, inclusive approaches for the development of LMI housing and business opportunities to incorporate the talents and abilities of local residents so segments of the population can become self-sufficient.
- Consultants will develop and assist with efforts to provide home ownership opportunities, attract market rate investment and develop events that support revitalization efforts.
- Implementation of the program includes the establishment of an incentive package to attract artists, arts-related businesses and professionals to the area and the solicitation and procurement of needed funding, program promotion and advertising.
- Total compensation for the Consultants totals \$200,000 annually.
- The Agreement may be terminated by either party if 30 days notice is given.
- The Agreement may be extended for additional time upon execution of a written amendment.
- Consultants do not have the right to assign the Agreement without written consent of the CRA.

Staff stated that they will interact with the consultants on a daily basis. Staff stated that the

consultants met with each of the Commissioners and the Commission did receive the packet. Staff stated that the agreement may be terminated after 30 days. The consultants are paid for however much work they have done up until the point of termination. Staff stated that we need to put together a package for the Neighborhood Stabilization Program in order to try and receive county funding for this program.

Consultants Mark Barone and Tom Barnett were present.

Action: Motion was made by Mr. Lynch to accept staff recommendation to execute the contract after the joint meeting with the City Commission no later than January 28, 2009 seconded by Mr. Blackman.

Action: (Amended) Motion was made by Mr. Lynch to accept staff recommendation to execute the contract after the joint meeting with the City Commission no later than February 2, 2009 seconded by Mr. Blackman.

Lynn Anderson- Were there any questions that the Mayor or the Commissioners had on this item when Hands On met with them individually?

Yujel Aziiz- This is a huge leap forward for this City and the art community within. I am proud of you guys. This will turn this town into a point of interest. There will be more funds coming from tourism.

Chair stated that he has felt a forceful effort from the Commission to spend time, money and effort stabilizing our neighborhoods.

Mr. Blackman stated that every Board and Commission member was allowed to meet with consultants individually. It is important that we go forward as a group here.

Action: Motion made by Mr. Lynch to call the question.

Motion dies for lack of a second.

Action: (Amended) Motion was made by Mr. Lynch to accept staff recommendation to allow the Chair execute the contract no sooner than February 2, 2009 seconded by Mr. Blackman.

Vote: All Ayes

b. Agreement with PBSO for District Officer

CRA funded community policing patrols were established in 2006 to increase the visibility of police officers through the use of foot, bicycle and vehicle patrols within the CRA boundaries. In fiscal year 07/08, the Board approved \$185.8K to pay for overtime officers in the district so additional coverage could be provided in the downtown, the western neighborhoods and near 10th Avenue North and South Dixie Highway. The additional police presence has led to an increased sense of safety and security in the area. Community policing continually helps to reduce instances of crime and blight and contributes to neighborhood stability.

At the August 2008 meeting, the Board approved the final Action Plan for 08/09. The Action Plan included community policing and code compliance. Included in the action steps were the following:

- Provide for additional community policing patrols in the neighborhoods and in business districts to reduce and eliminate criminal behavior
- Support an additional code officer to work exclusively in the CRA district

- Support efforts by the Community Action Team

In the fiscal year 08/09 budget, the CRA appropriated \$340K towards community policing, almost doubling the amount of previous funding for police. Discussions were underway last July with the City of Lake Worth Police Department about the possibility of hiring a district officer and funding additional officers to address specific areas of concern.

As of October 2008, the City's police services have been provided by the Palm Beach Sheriff's Office. Since that time, we have seen more officers on duty per shift than prior to the Sheriff's Department's commencement of service.

Over the past several months, CRA Staff has been working with PBSO to develop an agreement that would provide additional community policing services within the district. The term of the agreement is eight months, commencing February 1, 2008 and ending September 30, 2008. The total cost is \$90K. This cost covers salary, vehicle, equipment and insurance costs.

City and CRA Staff have recently completed interviews for the new CRA code officer. Hiring is underway and additional inspections within the district will begin shortly. The new CRA code officer will work closely with the CRA deputy and form what is called a "CAT" or Community Action Team.

CAT teams utilize community policing philosophies by providing the necessary tools to eliminate or reduce crime and blight through education and enforcement. Team members address traditional criminal and traffic concerns, as well as property management and other quality of life issues. Team members can also address neighborhood and business concerns and act as a point of reference for any services that the City, CRA or other organization may provide. Having a CAT team in place working on specific projects in targeted areas will help facilitate redevelopment efforts.

Staff stated this will save us \$250K.

Mr. Marcinkoski stated that at this economic time we could look into funding the library so that people could utilize those services. Currently, the City has enough police presence.

Staff stated once a code officer is hired for the CRA district he will be brought before the Board for a formal introduction.

Action: Motion was made by Mrs. Materio to approve the contract agreement between the CRA and the PBSO as indicated in the staff report seconded by Mr. Blackman.

Linda Mahoney- I am a little concerned about having police officers go along with code enforcement. This is heavy handed. Property owners have the option of not allowing a code officer on the property I don't know if that changes with a police officer. I am afraid of where this might be going.

Staff stated that the code enforcement officer and the police officer would be working together as a team. The City currently, has CAT teams available and this would be when we need another resource to provide another team.

Mr. Grimm stated that he would not want the role of the police officer to be heavy handed.

Legal counsel stated that the agreement includes publicity and signs with respect to using the CRA logo.

Mr. Marcinkoski stated that he will vote against this item. Although, Mr. Marcinkoski does believe

in policing he feels that it is heightened at this time and the funds could be utilized better somewhere else.

Vote: 5 Ayes, 1 Nay

c. Budget Amendment

The original budgeted amount for police, under Other Contractual Services, was \$340K. Of the total, only \$100K will be needed to fund the additional officer. Therefore, \$240K can be transferred to other line items.

There are two other areas where the Board has discussed increasing funding this fiscal year. These include Patrons Attraction and the new Cultural Redevelopment Program.

The total budget will remain the same at \$4.9M. The proposed changes are as follows in the table:

FROM:		TO:	
Fund	Amount	Fund	Amount
Personnel	\$50,000	Patrons Attraction	\$15,000
Professional Services	30,000	Total	\$15,000
Other Contractual	240,000	Cultural Redevelopment	
Housing	200,000	Program Management	160,000
Land	500,000	Land	575,000
Total	\$1,020,000	Rehabilitation	160,000
		Marketing	20,000
		Incentives	80,000
		Misc.	10,000
		Total - Cultural Redevelopment	1,005,000
		Total	\$1,020,000

Of the original \$44K budgeted for Patrons Attraction, \$31.5K in grants have been approved, leaving \$12.5K in the Patrons Attraction line item. Once the budget transfers are approved, the remaining total would increase to \$22.5K.

To facilitate the accounting and tracking of the new Cultural Redevelopment Program, a new department within the CRA redevelopment fund will need to be created. In addition a budget amendment to transfer funds into the new department will be necessary. The account descriptions and allocations to each would remain somewhat fluid to account for program changes over the course of the project. Staff stated that all costs incurred from Hands On will be set in this department.

Mr. Marcinkoski questioned the amounts of money to be transferred to the Cultural Redevelopment Program. Mr. Marcinkoski stated that this money seems to have magically appeared to do something very quickly. He looks forward to doing this more in the future. Chair stated that during budget discussion we earmarked money without having a program. Now, that we do have a program we are able to use the money for that purpose. Chair stated that the CRA will not be hiring new personnel but will hire 2 new adjunct personnel that we will not have to pay benefits to.

Staff stated that the Code Enforcement Officer will be paid out of a separate line item.

Action: Motion made by Ms. Ross to accept staff's recommendation to create the new

department called Cultural Redevelopment and approve the budget amendment outlined above seconded by Mr. Blackman.

Vote: All Ayes

d.a. By Laws- Approve Amendment

At the December 9, 2009 meeting, the CRA approved amending the CRA By-Laws, to make Section 3.5, Notice of Meetings, consistent with the corresponding section of the Florida Statutes. Also known as the "Sunshine Law", Section 286.011 states that the Board or Commission must provide reasonable notice of all meetings. This change and other minor changes, discussed at the Board's retreat in June of 2008, are included for review.

Mr. Marcinkoski stated that the October 30th meeting was not properly noticed because of this the entire Board has been told to sign a waiver. At this time the Board is re-visiting the bylaws to see if it is necessary to change the notice of the meetings in the bylaws.

Mr. Marcinkoski stated that the only reason we would remove the language in the current bylaws is because staff will not follow through and do what is currently written. Mr. Marcinkoski has a problem that staff did not follow the bylaws and notice the meeting correctly and instead of taking care of this issue we are going to change the rules.

Mr. Marcinkoski stated that there are other changes in the bylaws not just the sunshine law provision. Mr. Marcinkoski asked staff how these changes came about and why. Staff stated during the Board retreat the Board reached consensus to amend sections 9.1.5 and 9.1.4 in the bylaws.

Mr. Blackman stated that Mr. Marcinkoski was not present during the Board retreat. The Board did not take action at the retreat the Board will be taking action tonight. Mr. Marcinkoski stated he has issues with not being able to speak to the consultants or the attorney directly without going through staff. Mr. Marcinkoski stated that he does not feel that the bylaws should be changed at this time. Staff stated that the other changes made were discussed at the Board retreat.

Legal counsel stated that section 9.1.3 Interference states that Board members should communicate with the Executive Director first to avoid miscommunication on projects and with the other members of the Board.

Action: Motion was made by Mr. Marcinkoski to leave the bylaws as is with no changes seconded by Ms. Ross.

Vote: 3 Nays, 3 Ayes

Motion fails.

Action: Motion was made by Mr. Grimm to change section 9.4 to read supermajority that there will be no less than 5 members voting yes if all 7 members are present seconded by Mr. Marcinkoski

Action: 4 Ayes, 2 Nays

e.b. Community Aid Grant- Stray cat/ Spay & Neuter Program

Mr. Marcinkoski stated that he personally did not think that this was the proper use of CRA funds. The applicants stated that they will be competitively looking for a clinic that will neuter and spay at an inexpensive price. Currently, proceeds have been going to Lake Worth Animal Hospital. Ms. Ross stated that this will help eliminate the blight. The applicants stated that they will provide

documentation showing how the funds have been spent.

Vote: Motion was made by Mr. Marcinkoski to fund the Stray cat's program contingent on showing proper receipts to show how the funds were spent seconded by Mr. Grimm.

Action: All Ayes

f.-e. Community Aid Grant- Paws on the Plaza

Mrs. Tompkins stated that the Recreation Department has made a lot of changes to the prices to hold events in the City. Ms. Tompkins stated that the City has assured her that all of these prices are absolute requirements. It is required if you have a food vendor to have a 10 yard dumpster. Mrs. Tompkins stated that the CRA logo will be included on all of the printed material. Ms. Tompkins stated that she will provide the CRA with receipts for all expenses.

Action: Motion was made by Mr. Marcinkoski to approve the grant for Paws on the Plaza contingent on the event organizers releasing the full records to the Board afterwards seconded by Mr. Grimm.

Vote: All Ayes

g.d. Patrons Attraction Grant- Street Painting Festival

The Lake Worth Street Painting Festival (scheduled for February 21 – 22) is a non-profit event which provides a unique cultural experience in the City. For the first time this year, the event is being organized and coordinated primarily by the Lake Worth Chamber of Commerce. The Chamber is requesting funding through the CRA's Patrons Attraction grant in the amount of \$10,000 which will primarily be used to cover expenses that have increased each year, such as:

- Artists travel: hotels, airline tickets, food
 - Marketing: i.e. advertising in the Palm Beach Post has increased significantly
 - Increasing logistical costs from last year: tent rentals, port-o-lets, chalk, etc.
- Staff stated that there was an error on the application. The applicant is the Street Painting Festival Inc. Mr. Ramiccio stated the Street Painting Festival is a separate entity from the Chamber of Commerce with separate tax status, bank account and a separate Board of Directors. Mrs. Webber stated that the festival needs 50-60K to operate the hard costs of the festival. Mrs. Webber stated that the Street Painting Festival is intended to be a cultural event for the community free for everyone. Mr. Ramiccio stated that receipts will be provided for the hard costs of the festival such as the chalk and the tent rentals. Mr. Marcinkoski stated that the children's play area is too close to Dixie Highway and is very dangerous. Mrs. Webber stated that there are barricades sectioning off Dixie Highway. Mr. Marcinkoski stated that the City gives \$22,000 in kind services. Mrs. Webber stated that the Chamber does receive an administrative fee from the Street Painting Festival.

Adam Razin- I try to think of different ways besides giving money. Since there are so many vacant storefronts downtown maybe we can store the chalk in one of the vacant stores in order to save money. We are where we want to be.

Mr. Ramiccio stated that all of the Street Painting Festival supplies are kept in the Chamber of Commerce's garage. Mr. Marcinkoski requested that the Street Painting Festival work alongside with Bike Night to promote each other and work side by side.

Action: Motion was made by Mr. Marcinkoski to approve the Patron Attraction Grant for the Street Painting Festival Inc. in the amount of \$10,000 with the caveat that the Street Painting Festival provides a copy of their financials to be kept at the CRA office and to work with Bike Night at least this year seconded by Mr. Grimm

Mr. Marcinkoski requested that all of the literature that is printed from this point on include the Lake Worth Bike Night and Evening on the Avenues.

Mr. Marcinkoski stated that if the Board had the Chambers word to work together with Bike Night then it would not have to be included with the motion to grant the Street Painting Festival funding.

Action: Motion was made by Mr. Marcinkoski to approve the Patron Attraction Grant for the Street Painting Festival Inc. in the amount of \$10,000 with the caveat that the Street Painting Festival provides a copy of their financials to be kept at the CRA office seconded by Mr. Grimm.

Adam Razin- I wanted to thank the Board for their support, but the Street Painting Festival came here for a grant and we have to grant the Street Painting the money directly.

Vote: All Ayes

VIII. DISCUSSION AGENDA ITEM:

a. Phase II Residential Sidewalk Project- Update

The second phase of residential sidewalk repair and replacement was completed in late October. Replacement of the most severely damaged sidewalks, as determined by the Lake Worth Public Works Department, began in early August and encompassed the remaining CRA district within the Tropical Ridge Neighborhood.

Chair stated that we had originally budgeted an amount not to exceed \$210,000. Staff stated the work required additional tasks than what was originally proposed such as:

- Moving and replacing over 250' of fences and gates
- Replacing and repairing sprinkler systems
- Supplying and installing landscape timbers
- Rebuilding or building 12 new staircases and entrance walks
- City requirements for additional width of sidewalks which resulted in constructing numerous and unexpected retaining walls

Mr. Marcinkoski stated that at the November 13th, 2007 CRA Meeting the Board did not reach consensus to focus on finishing the remaining streets in the northern residential sections of the CRA.

Staff stated that it was a suggestion made to measure out the job and not use engineering services for this next phase. Focus of work should be on "C", "D" & "F" streets.

Mr. Rick Volpe with Wynn and Sons and John Lamb with the City of Lake Worth were present for the discussions.

Mr. Volpe stated that the sidewalks that were 4ft. had to be 5ft. which included taking down walls and building fences which was not included in the original scope. Mr. Volpe stated that they were hired to repair trip hazards.

Mr. Grimm stated that on 327 N. C Street two side walk aprons have been completely ignored. Mr. Marcinkoski stated that this is outside of the CRA district. Mr. Volpe stated that the sidewalk that was laid down by Wynn & Sons the CRA paid for.

Action: Motion was made by Mr. Marcinkoski to table this item to a workshop to determine what happened and how we can correct it seconded by Ms. Ross.

Vote: All Ayes

Mr. Lamb stated that Wynn & Sons did complete the project to code with the correct ADA standards.

Mrs. Materio requested that we create criteria for bids and site inspections. Mr. Marcinkoski stated that he wanted to know the interaction that the contractor had with the CRA staff. Mr. Marcinkoski stated that this was not approved by the Board but it was paid for.

Mr. Lamb stated that Public Services will be providing project managers for all City projects from this point forward.

IX. BOARD MEMBERS' COMMENTS:

Shanon Materio- Congratulated Staff on the Hands On project. Asked Staff to ask the City staff for documentation on the Board terms.

Wes Blackman- Great discussion during the meeting. I am looking forward to the joint meeting with the City Commission.

Donna Ross- No comment.

Wayne Marcinkoski- I am looking to bring the 1-95 walkway issue back. There is a lot to look at in the future.

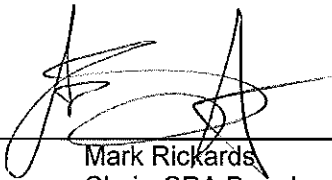
Ed Grimm- I would like to compliment Wes for his insight as to what is going to be happening with a top to bottom effort for this economy. I am confused about the re-ordering of the agenda.

Mark Rickards- We made the choice to go to one meeting a month this why they will be lengthy. I would like to encourage the Board if there is a single question on the consent agenda that can be answered before the meeting I recommend that you call staff. If not we will pull it. We need to look into the sidewalks and see how much money was spent.


X. ADJOURNMENT:

Meeting adjourned at 10:02 p.m.

Minutes Approved 2/24/09



Mark Rickards
Chair, CRA Board



Emilia Theodossakos
Recording Secretary