

**APPROVED**  
**MINUTES**  
**NORTHWEST PROGRESSO – FLAGLER HEIGHTS**  
**REDEVELOPMENT ADVISORY BOARD**  
**FORT LAUDERDALE**  
**100 NORTH ANDREWS AVENUE**  
**8<sup>TH</sup> FLOOR CONFERENCE ROOM**  
**JANUARY 28, 2009 – 3:30 P.M.**

<b><u>Members Present</u></b>	<b><u>Attendance</u></b>	<b>Cumulative Attendance</b>	
		<b><u>Present</u></b>	<b><u>Absent</u></b>
Michael Ferber, Chair	P	6	0
Ella Phillips, Vice Chair	P	5	1
Phyllis Berry (Arr. 3:54)	P	6	0
James Brady	P	4	2
Jerry Carter	P	3	3
Ron Centamore	P	6	0
Mickey Hinton (Arr. 3:43)	P	6	0
Bradley Hubert	P	6	0
Laura Mutti (Arr. 3:41)	P	6	0
Doug Sterner	P	6	0
Claire Vickery	A	4	2
Alan Gabriel	A	2	4
Jerry Heniser (Arr. 3:57)	P	5	1
Samuel Williams	A	4	2
Jessie Adderley	P	5	1

**Staff**

Alfred Battle, CRA Director  
Sandra Doughlin, Secretary  
Hilda Testa, Recording Clerk, Prototype, Inc.

**I. Call to Order/Roll Call**

The meeting was called to order at 3:38 p.m. by Chair Ferber. Roll call was taken, and it was determined a quorum was present.

**II. Approval of December 3, 2008 Minutes**

**Motion** made by Mr. Brady, seconded by Ms. Phillips, to approve the minutes of the December 3, 2008 meeting.

Mr. Sterner noted a correction on Page 6, the last paragraph. The sentence should be corrected to read, “Mr. Sterner and Mr. Centamore noted the stimulus dollars....”

In a voice vote, the motion with the recommended correction, was approved unanimously.

### **III. Action Item – Development Assistance Request – LIN, LLC**

Mr. Battle described a funding request from LIN, LLC. Mr. Battle explained renovation of the office space was always a part of the plan to enhance business prospects in the area. The applicant provided a package outlining the renovation plan, which included approximately \$260,000 in construction costs. Mr. Battle explained the \$50,000 assistance requested would include \$30,000 funding from the Mid-town Development Assistance Program, and a façade grant of \$20,000, with the understanding that if those costs increase they would not exceed \$15,000.

Chair Ferber called for a motion.

**Motion** made by Ms. Berry, seconded by Mr. Carter, to approve Staff's recommendations.

Chair Ferber opened the motion for discussion.

Mr. Brady asked about the total square footage of the project, to which Mr. Battle replied approximately 2,300 square feet. Mr. Brady asked about the location for the ultimate right-of-way of 7<sup>th</sup>. Mr. Battle stated property was positioned far enough back and the right-of-way would not impact the project.

Mr. Hubert requested the motion be amended to require a personal guarantee from the borrower. Mr. Battle stated only a few projects in the past included a personal guarantee requirement, mostly due to high dollar amounts or risks involved with the project. Mr. Battle felt the current project required a personal guarantee. Mr. Battle explained the project would draw funds at 50% completion, with the remainder being drawn at completion of the project.

Mr. Hubert explained a personal guarantee would make the City a lender and not only a partner. Mr. Battle suggested a due upon sale repayment clause, however for such a small amount of assistance a repayment clause was not typically required. Ms. Phillips noted the applicant was a known entity with a track record for performance.

Mr. Carter emphasized the project would expand improvements directly adjacent to the applicant's existing business, and sent a message the area was worthy of investment. Mr. Carter noted the façade project contained a reimbursement policy at the time of

sale, so \$20,000 of the total amount was covered. Mr. Carter felt setting a precedent would discourage future investments in the area.

In a voice vote, the motion was approved (with Mr. Hubert opposing).

#### **IV. Director's Report**

Mr. Battle provided an update regarding the New Vision project with Bank of America, and referred to a recent newspaper article. Mr. Battle assured the Board there was no malfeasance in the spending of the Board dollars, and no misappropriation of funds from the Board's perspective. Mr. Battle explained the problems stemmed from price differentials for two houses in the area, but did not apply to any funding approved by the Board.

Mr. Battle also provided an update on the redevelopment agreement for the townhouses on Sistrunk Boulevard. Mr. Battle explained the redevelopment agreement would not allow access to the properties prior to building permits and financing being in place. Mr. Battle assured the Board the money provided in the agreement was for reimbursements and no money was committed up front. Mr. Battle explained HUD was currently reviewing the agreements, and agreed to report any changes to the Board.

Mr. Battle explained the Sistrunk Boulevard project was currently being reviewed by the County, and an updated schedule would be available by the next meeting.

Chair Ferber noted Ms. Mutti, Ms. Berry, Mr. Hinton, and Mr. Heniser joined the meeting.

Chair Ferber asked for an update on the 6<sup>th</sup> Street issue. Mr. Battle stated Staff was working with the County to resolve design considerations.

Mr. Carter noted the lots in the Sweeting Estates area were conveyed by the CRA, and was hopeful future projects would be monitored for requirement compliance. Mr. Carter stated the Community Development Division normally monitored transactions, and suggested noting requirements in the future to safeguard decisions made by the Board. Mr. Battle stated although a monitoring process was built into the development agreements, Mr. Carter made a valid point regarding monitoring future projects.

Mr. Battle referred to an email received from Mr. Brady, and suggested the Board members make a point to see the Specialty Automotive Treatment building at the corner of Sunrise and 7<sup>th</sup> Avenue. Mr. Battle agreed to include the Board in the upcoming

grand opening. Chair Ferber noted the financials and the TIF generated on the project were positive.

## **V. Old/New Business**

Mr. Battle reminded the Board of an issue Chair Ferber pointed out with regard to the zoning code process dealing with new projects in certain parts of the CRA. Mr. Battle recapped, stating large parcel owners in the Flagler Village area would announce project plans and demolish existing buildings, however if timely reconstruction was not completed the developer would lose CRA contributions. Chair Ferber had previously suggested the issue be brought before the Board to discuss the timing issues for the completion of construction projects in the area. Upon agreement of the Board, Chair Ferber would work with Staff to evaluate the current timing process and make suggestions for future improvements.

Chair Ferber stated he was unable to find specific language in the ordinances requiring developers to rebuild in a timely manner, or to rebuild an equivalent number of units (for example, a building containing 100 units being rebuilt with fewer than 100 units). Chair Ferber suggested a meeting with Mr. Battle, an official with the Planning Department, and an official from the Building Department to discuss the laws governing the timing issues. The issue would then come back before the Board to suggest more formal language to further redevelopment in the area. Chair Ferber emphasized the same issues exist throughout the entire balance of the CRA.

Ms. Mutti requested the people from City Hall involved with the issues be asked to come to a Board meeting, as the property demolition was a public issue. Chair Ferber explained there would be no blanket policy for demolition, and the properties would be handled on a request-only basis. Chair Ferber also noted the suggestion was only for preliminary discussions which would then be brought before the Board. Ms. Mutti again expressed a desire for the people involved to appear before the Board to hear other opinions.

Chair Ferber explained the discussions would not involve all buildings, only the substandard buildings where the developers had solid reasons for demolition, but were hesitant to demolish due to the language penalizing them on the basis of timing of the reconstruction. Ms. Mutti expressed the desire to look at an approach involving all the Board members.

Mr. Brady stated it was his opinion that staff did not like to be questioned (for a variety of reasons), and suggested more would be accomplished by a discussion with an

individual rather than in the context of a Board meeting. Mr. Brady felt a preliminary discussion would yield better results.

Mr. Carter felt the suggested approach was proactive, and would improve the efficiency of development opportunity while at the same time eliminating slum and blight in the area. Mr. Carter agreed Staff, whether intentionally or unintentionally, did not always give the most precise and direct information while “officially” addressing an issue to a group. Mr. Carter felt Chair Ferber was suggesting gathering information to bring back to the Board for discussion.

Mr. Centamore agreed the suggested discussions were a great idea, and agreed questions being asked in a group setting would hinder receiving timely answers to questions.

Ms. Phillips explained the process suggested by Chair Ferber could potentially provide a better perspective and a clearer view of reality. Mr. Hubert suggested a short paragraph explaining why the questions were being asked, and explaining the constraints and issues from the developer’s perspective.

Chair Ferber summarized by stating that he felt the Board had no objections with Chair Ferber and Mr. Battle meeting with building and planning officials over the next thirty days to try to “get to the crux of the issue.” Ms. Mutti objected.

Mr. Battle provided an update regarding the CRA boundary expansion from North Sunrise to 13<sup>th</sup> Street, and Flagler Drive to I-95. Mr. Battle described a request from the City Commission to provide a formal request of the County to expand the boundaries, as there was a requirement in the Florida Statute for the County to sign off on the request. The request was originally made in 2004, and was now being revisited. Mr. Battle stated the letter to reopen the request went to the County, and the County would be requesting additional information on the issue. Mr. Battle felt there would be more information available at the next meeting.

There followed a discussion regarding the underlying issues with changing the boundaries. Ms. Berry felt this was the wrong time to be expanding boundaries, and hoped the Board would weigh in on the issue. Mr. Hubert noted the County Manager pointed out to the County Commission it was not advantageous to expand the areas. Mr. Battle explained the County had a revised CRA program. Mr. Battle indicated that he would keep the Board apprised of updates.

Chair Ferber asked if there was a finding of necessity completed in 2004. Mr. Battle stated the process began in 2001, and was completed to the point of being submitted to

the County. Chair Ferber asked if the CRA funding sources would be on the hook for expenses relating to the potential expansion. Mr. Battle stated up to this point they have been.

**XI. Adjournment**

With no further business to come before the Board, the meeting was adjourned at 4:29 p.m.

[Minutes prepared by K. Bierbaum, Prototype, Inc.]