

**MIDTOWN REDEVELOPMENT AREA BOARD
MINUTES
Tuesday, March 12, 2013**

A meeting of the Midtown Redevelopment Area Board was held Tuesday, March 12, 2013, at 6:00 p.m. in the Commission Chambers, Daytona Beach City Hall, 301 S. Ridgewood Avenue, Daytona Beach, FL. The following people were present:

Board Members

Mr. Hemis Ivey, Chair
Ms. Patricia Heard (arrived at 6:03 p.m.)
Ms. Denise Cato (arrived at 6:20 p.m.)
Dr. Irma Browne Jamison
Mr. Kenneth McGee
Mr. Wilburn Williams
Ms. Shirley Benjamin
Mr. Martin Tooley

Board Members Absent:

Ms. Margaret Symonette

Staff Members Present

Mr. Reed Berger, Redevelopment Director
Mr. Charles Bryant, Redevelopment Project Manager
Mr. Ben Gross, Assistant City Attorney
Hardy Smith, Government Relations Administrator
Ms. Becky Groom, Recording Secretary

1. Call to Order

Mr. Ivey called the meeting to order at 6:00 p.m.

2. Roll Call

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

3. Invocation

Bishop Samuel Butts, Butts Miracle Temple COGIC, gave the invocation.

4. Pledge of Allegiance to the Flag

Mr. Williams led the Pledge of Allegiance.

5. Approval of Minutes for February 12, 2013

Mr. Tooley made a motion to approve the minutes of February 12, 2013, with any necessary corrections. Mr. Williams seconded the motion and it was approved unanimously (7-0).

6. Staff Reports

Police Department

Code Enforcement

Ms. Heard stated that there was a lengthy discussion at the last meeting and the minutes reflected that answers were not provided regarding Board questions. She stated that in the future she would like to see “old business” or “unfinished business” listed as an agenda item.

Mr. Ivey stated he thought it was discussed that answers would be provided to Board questions at the next workshop.

Ms. Benjamin stated she felt unfinished business or old business should be listed on the agenda. She asked if there was a reason why unfinished business could not be added to the agenda.

Mr. Ivey stated when he meet with staff he would discuss what can be done to amend the agenda. He stated at any time, any Board member can bring up an item that had not been answered, including during Board comments. He stated that Board members can also call Mr. Bryant or staff to get answers to their questions.

Ms. Benjamin stated she felt answers to the Board’s questions should be on the record.

Mr. Ivey stated in order for the item to be on the record, the Board member should state they met with staff and discussed the item.

Mr. Williams stated he felt Ms. Benjamin and Ms. Heard were stating there should be a process where questions asked by the Board were brought back at the next meeting. He stated that during last month’s meeting, there were specifically three questions asked.

Mr. Ivey stated there were questions during Code Enforcement and he asked that Code Enforcement attend the next workshop. He stated that a Board member had the opportunity to bring an item back up at the meeting if they had not received an answer to their questions.

Mr. Tooley made a motion to adopt the Police and Code Enforcement Reports.

Mr. Ivey stated a motion was not necessary to adopt the reports. He stated if there were questions on the reports, this was the time to bring them up. Also, he stated Mr. Bryant or Mr. Berger should be asked to look into issues not in the report.

Dr. Jamison stated that when an issue was resolved, there should be an official record of the action taken. She stated that Item 8 on the agenda is the Redevelopment Project Update and she thought there should be a staff report from Mr. Bryant on items he addressed so there was an official record. She said, for example, he addressed her concerns about the trash cans and street concerns and there should be a staff report outlining what he had done.

Mr. Ivey stated encouraged Board members to contact staff if they had issues that had not been resolved. He said he will review the concept of adding Old Business or New Business to the agenda.

Mr. Smith stated that Volusia County had held a number of public meetings regarding CRA's. He stated that action taken by the County Council could impact projects in Midtown, including the reconstruction of Orange Avenue. Mr. Smith stated that the County had stated they were in need of extra money and had identified the County's portion of redevelopment funds as a potential target for getting the extra money they needed to run County programs. Mr. Smith stated the primary discussions were about new and potential CRA's and they were talking about existing CRA's but no vote had been taken. He stated the CRA discussion was on the March 21 agenda and had indicated they intended to move fast with the actions being discussed. He stated the reason they wanted to move fast was because the advice they had was they could not go in and alter projects where funds had been committed, loans had been signed, or bonds were on the record. He stated they would go after projects where no contracts had been signed and there was no encumbrance of funds. Mr. Smith stated that the County could not take away funds already collected but they could establish rules and regulations on how those funds were being used. He stated the County could decide to be the determining body for how the funds were used instead of the City Commission CRA. Mr. Smith stated it would add another layer to the approval process for redevelopment.

Mr. Smith stated there were multiple sources of County funds that go into the CRA pool of money and they intended to pull that back. He stated that the County intended to reduce the percentage amount of funds going into the CRA pool and intended to restrict and control the uses of the money.

Mr. Smith stated that the final determination had not been made by the County. He stated that the County was concerned about the comments he was making regarding their intentions but he was only reporting what was being discussed at open public meetings.

Mr. Smith stated that the proposed hotel project in Daytona Beach could be in jeopardy if the rules and regulations for CRA's were amended prior to final approval of the project.

Mr. Williams asked Mr. Smith if the County would have the right to redirect funds earmarked for a specific project.

Mr. Smith stated he did not believe they could take funds away that had been collected but the County believed they could control how those funds were used.

Mr. Ivey stated he would like the Board members to receive a copy of the slide presentation that was made at the County Council meeting on February 28.

Mr. Smith stated he would see that the Board members received the presentation.

Mr. McGee asked if the County Council met on March 21.

Mr. Smith stated March 21 was the next County Council meeting and the discussion of new CRA's was on the agenda.

Mr. McGee asked what was meant by new CRA's.

Mr. Smith stated there were several cities around the County that would like to establish new CRA's.

Mr. McGee asked the Chairman if he had seen a breakdown of where the funds were allocated in the Midtown budget.

Mr. Ivey stated he received a copy of the budget for last year and there were 5 potential CRA's from other cities. He stated he discussed the item with County Councilman Josh Wagner who told him the County was looking at new CRA's. He said the Council did not want to discuss existing CRA's right now because they were trying to formulate the other cities' requests. Mr. Ivey stated that he asked if discussion of the old CRA's was on the agenda and Mr. Wagner stated discussion of the old CRA's was not on the agenda. He stated the reason the County Council wanted to look at the CRA's was because of mis-use and abuse of funds. Mr. Ivey stated that at the last meeting about Orange Avenue, the \$1,000,000 came up and Mr. Berger stated that the funds were not going to come; however, in the paper Ron McLemore stated that the \$1,000,000 in CRA funds would not be touched. Mr. Ivey stated that part of the discussion with the County Councilman was about using the \$1,000,000 for public utilities. Mr. Ivey stated he felt there was a conflict of interest.

Mr. Ivey asked if it was correct that CRA's were in place for 20 years and the City must re-apply for continuance after 20 years.

Mr. Berger stated the CRA for Daytona Beach, except the South Atlantic CRA, had a life until 2036 which was the sunset date.

Mr. Ivey stated the Board had been told many times they were have no authority to question the budget so he thought it was good that the County could question it. He stated they had to make sure they did not lose the CRA's and the policy on new CRA's would not affect them. He stated the County Council could put guidelines in place and he was for it. He said if the funds would have been handled better over the years, the community would not look the way it looked.

Mr. Smith stated regarding the question of the term for CRA's, he did not believe the length of the term could be altered in a negative way; however, the County believed they could alter the funding of the CRA.

Mr. Smith stated the County had discussed misuse of funds and funds not being used the way they felt they should be used. He stated that the County had stated on the record that the County needed money, and existing CRA's were a drain on County resources.

Mr. Smith stated the money for the Orange Avenue project was not in the bank. He stated the City of Daytona Beach was applying for loans which must be approved. He stated that should the efforts to secure funds not be successful, the money that was set aside in the Midtown Redevelopment fund was a back up should it be needed. He said he believed the County could not take that money back but they were on a path to restrict its use.

Mr. Tooley asked how it would affect the distribution of the funds.

Mr. Smith stated there would not be as much money to distribute and use of the distribution could be effected.

Mr. Tooley stated that if the funds were coming from a central location, then access to them be more equal to everyone. He stated that the funds that go to Main Street Redevelopment were different than what goes to Midtown; therefore, if there was a centralized location that the funds were distributed from, there would be more equality in the availability of those funds.

Mr. Smith stated the answer needs to come outside the conversation that has been initiated this evening.

Mr. Gross stated that Mr. Smith was concerned the County would not be contributing to the Tax Increment District. He stated the obligation that currently existed to spend redevelopment dollars only arose once money from taxes went into that Tax Increment Fund. He stated there was not an obligation for it to be spent in a redevelopment area. He stated there was not an obligation that it be spent in the City. He stated that some of the money was for special taxing

authorities under the County. He stated if the County proceeded as outlined by Mr. Smith, those funds would never come in.

Mr. Smith stated that State Law did not allow the mixing of the funds. He stated that the funds could not be pooled and then disbursed.

Mr. Smith stated that roughly \$0.42 to \$0.44 of every dollar in a CRA was County money. He stated this would reduce funding by almost half and would eliminate utility costs and staff.

Mr. Berger stated there was a provision that the County was all capital in their definition and the City's portion will be restricted to capital and 5% for non-capital, including the administration and paying for studies. He stated that if this went into effect today, there would be \$6,000 to pay for everything other than capital under the County's definition.

Dr. Jamison stated that the issue regarding Orange Avenue was that the project went beyond Midtown so funding from Martin Luther King Boulevard to Beach Street should be used.

Mr. Smith stated Midtown money could not be used in other areas. He stated Beach Street CRA funds would have to be used for that area of the project.

Dr. Jamison stated that the Hometown News had an article about using the CRA funds for blighted areas should not be used to hire staff. She stated the money should go to actual projects and not for hiring people. She stated there should be restrictions on how the money was used.

Mr. Smith stated any time you talk about CRA's, there were a number of different questions and issues, but his purpose in being at the meeting was to share the concern that there would not be any money to have a disagreement over. He said there will be nothing to audit and other sections of town will not receive any funding.

Mr. Ivey stated that the Board members had been provided with contact information of the County Council members should they be interested in discussing the issue with them.

7. Presentation – Draft/Daytona Beach Midtown Strategic Plan for Commercial Redevelopment – Phil Gonot, PMG Associates, Inc.

Mr. Phil Gonot, PMG Associates, stated his work was to review the strategic plan for commercial redevelopment. The report from PMG was included as part of the packet.

Mr. Gonot stated that the goal was to recognize the conditions in the district and identify the needs. He said 20 meetings were held with stakeholders and 2 public meetings with the advisory board. He stated that a focus group was formed with students and representatives of Bethune-Cookman. He stated the needs identified included a grocery store, fresh produce, family restaurant, specialty clothing, and improved transportation access.

Mr. Gonot stated that the vacant properties were reviewed and the property on ISB across from Burlington Coat Factory was now vacant and an ideal commercial site. He stated there was only one east-west bus route through the district and it was poor. He stated discussions should be held with Votran regarding expansion of routes.

Mr. Gonot stated that the population had decreased by 19% since the 2000 census with a current population of 4,700. He stated that people were leaving the district and noted that the poverty rate was nearly 40%. He stated that student enrollment at Bethune-Cookman is 3,578, which was almost as large as the area's population. Mr. Gonot stated money was spent outside the district for food and clothing. He said the area should be developed to retain that spending within the district. Mr. Gonot's report included a listing of businesses that should be targeted for locating within the district.

Mr. Smith noted retailers, such as Office Depot and WalMart, were building smaller urban stores. Also, there was potential for development on the second floor of properties.

Mr. Gonot stated the Master Plan called for 7 centers totaling 1.7 million square feet. He stated there was a demand today for 152,000 square feet. He stated that the former automobile dealership on ISB would be a good location for a new center. He stated his study found there was more traffic on Nova Road than ISB. Mr. Gonot stated the old Police Department building would be best used for residential instead of commercial. He said the major cost would be the removal of the old building. Mr. Gonot stated there were properties on Mary McLeod Bethune Boulevard with empty second floors that could be leased for possible office space.

Mr. Gonot stated that in keeping with the Master Plan objectives, residential development in the area should be increased. He stated that the facilities at BCU should be made more appealing. He also said an entertainment district should be developed.

Mr. Gonot stated that the design guidelines needed to be adopted. He stated the auto-related uses must be removed from ISB and incentives for developers must be created. He stated the relationship with BCU must be improved and improvements need to be made to the infrastructure, such as street lights. Mr.

Gonot stated that grants and other funding sources, such as CDBG, were available for projects within the district. He stated that DOT managed a program called Florida Safe Routes to School and that funding could be used to improve safety for the children and improve the appearance of the area. Mr. Gonot stated there was a directory mentioned in his report that outlined funding programs available for districts like Midtown.

Mr. Gonot stated the area needed to be promoted and incentives for property improvement be developed.

Dr. Jamison asked if there was an economic development staff person in the City.

Mr. Tooley stated yes.

Dr. Jamison asked Mr. Gonot if he had talked with that person.

Mr. Gonot stated no since he primarily talked with developers.

Dr. Jamison stated that a restaurant was needed closer to BCU that was open late at night. She asked which center should be started with.

Mr. Gonot stated several were considered, such as a community center off ISB. He stated one needed to be on the north end to draw from the school.

Dr. Jamison stated that a Mary McLeod Bethune festival may be developed. She stated during the Christmas festival, there was discussion of using Daisy Stocking Park for festivals.

Mr. Gonot stated for a festival to be successful, there must be services available to draw people to the area.

Ms. Heard stated there was a need for a student union building at BCU.

Mr. Tooley stated he would like more information on the Florida Safe Routes.

Mr. Gonot stated the information was in the report on Page 56 and was administered by the Florida Department of Transportation. He said the funding was for improvements to routes children use to travel to schools.

Mr. McGee asked Mr. Gonot what type of residential development he would propose at the old Police Station site.

Mr. Gonot stated he would suggest multi-family, such as a town house development.

Mr. McGee asked if mixed use would fit at that site.

Mr. Gonot stated it could since there was more traffic on Nova Road than ISB.

Mr. McGee stated he mentioned 7 centers and the Board had been encouraging 5 and asked for Mr. Gonot's comment on that.

Mr. Gonot stated that 5 centers could not be done today since there was not a market for 5. He said there could be a market in the future. He stated they would want to prioritize efforts and get maybe 2 or 3.

Mr. McGee asked if street lighting and street furniture should be specific, such as on ISB, even though they could not do the entire district.

Mr. Gonot stated there needed to be consistency in the district and there needed to be lighting for safety reasons. He stated ISB should be the first step and MLK next.

Mr. McGee stated the street identification program had to be set aside because of funding.

Mr. Gonot stated the Board needed to think about street furniture. He said benches should have shade and there should be public restrooms.

Mr. McGee asked Mr. Gonot if he located the 7 centers.

Mr. Gonot stated he identified 3 in the report because they did not want to develop space and have it remain empty. He stated the priority should be the one on MLK north to service the school.

Mr. Ivey stated that basically the report says what the board had been saying for the past 4 years. He asked if the report would be presented to the CRA and City Commission.

Mr. Berger stated it will be brought to the City Commission's attention as soon as it was completed.

Mr. Ivey stated infrastructure in the community was at an all-time low. He stated the community was constantly being driven down by the minority of the people who made the decisions. The report stated what the Board had been saying all along but implementing the document would be key.

Mr. Gonot stated he talked with Mr. Berger and the report would be finalized prior to being presented to the City Commission.

8. Redevelopment Project Updates

Mr. Bryant stated that the City CRA had purchased the apartment complex property at 925 Sycamore Street. Mr. Bryant stated he wanted to address

comments about reporting back to the Board on items they brought to his attention at the meetings. He stated that he went through the minutes each month to make sure each issue was addressed. He stated that Dr. Jamison asked about the grass growing through the cracks on MLK. He stated he did a report that he passed around to the Board. He said when a report was prepared it was reflected in the minutes and it was on a case by case basis as he got the information. He stated the violation on 500 Loomis Avenue had been reported to Code Enforcement and it had been reported to EPA.

Mr. Bryant stated he checked the property at 551 Cedar Street today where people were living that should not be. He notified the people living there that he would return tomorrow with the Police.

He asked Board members to contact him with any concerns they may have.

Mr. Bryant stated he attended the ICSC conference in Tampa and a report was included in the Board packet.

Mr. Bryant stated he represented the Board in the community and that he attended the funeral of Ms. Hymes' sister as the Board's representative.

Mr. Bryant stated the CRA issue with the County was personal for him. He asked that the Board attend the County Council meeting regarding the CRA discussion.

9. Public Comments

Ms. Suzanne Grubbs, Volusia County Health Department, stated the MPO had done a walkability study on the 3 schools in the Midtown area, which was the old Bonner site, Campbell, and Turie T. Small. She stated the MPO had made recommendations for improvements for the routes to school and the information was available on the website.

10. Board Comments

Mr. Williams stated he had been following the situation with the County. He stated that PMG had provided the Board with useful information and thanked PMG for the draft.

Dr. Jamison stated that Mr. Bryant did provide reports but she wanted something else so everyone would know what was going on.

Dr. Jamison stated she attended an NAACP meeting to be a presenter to talk about the plan. She stated she did not like the way the invitation developed. She stated when she got to the meeting the plan was being discussed by someone who was not familiar with the plan. She stated people were mixing the Orange Avenue project with the Midtown Plan and now there was confusion. She stated

the plan was not presented by a Board member. She stated if the Board was invited to present the plan, it should be decided at the Board who would attend and what the Board's role would be.

Ms. Benjamin stated she did not attend the NAACP meeting and the Board was not invited. She stated the NAACP members could attend Midtown Board meetings.

Mr. Tooley stated the Board needed to become involved in the discussion regarding the CRA funds. He stated he would like to thank Mayor Henry and Commissioner Reed for addressing the concerns at the Huger property. Mr. Tooley thanked Code Enforcement for taking care of the property on Marion Street and Cedar Street. He thanked the Board for keeping a level head and said they were making great progress. He stated he would attend the March 21 meeting regarding CRA's. Mr. Tooley thanked staff for all they do to support the Board.

Ms. Heard stated lights needed to be brighter on south MLK. She thanked Mr. Bryant painting the store and the house behind it on Cedar Street and MLK. She stated that 20 years ago there was a streetscape on MLK and she had pictures of Second Avenue at that time. She stated the pro bound bowl was discussed at the City Commission meeting last week. She stated she had not heard about the bowl which was discussed at that meeting and the bowl was to be March 23. She stated a gentleman was asking for funding but there was no vote. She stated the City Manager indicated it will work out. She stated that 5 students from BCU as well as from throughout the State of Florida will play a bowl game against other players throughout the nation and it was an opportunity to showcase players.

Ms. Heard stated the 4 houses on Vernon Street did not have street lights and asked who was responsible.

Mr. Bryant stated the housing authority would be responsible for the lights.

Ms. Heard stated she hoped everyone had a safe Bike Week. She stated she did not like the poster that was produced for Bike Week this year.

Mr. McGee stated he was pleased to hear the PMG report. He stated that Charles Lichtigman was a personal friend of his and he offered to contact him if his assistance was needed.

Mr. Bryant stated he visited Custom Works and they were doing a good job at the new site and abiding by the rules.

Mr. Ivey encouraged the Board to contact companies or developers that may benefit the community and encouraged the Board to help market the City.

Mr. Ivey stated the CRA's were important. He stated some things had not been done right and others should be supported.

11. Adjournment

There being no further business to come before the Board, the meeting was adjourned at 8:30 p.m.

Hemis Ivey, Jr., Chairman

Becky Groom, Recording Secretary