

**TAB 1**

Community Redevelopment Agency Board  
and  
Community Redevelopment Agency Advisory Board

August 11, 2009 6:30 PM

CRA Board Members Present:

Tamara Cornwell  
Mary Lancaster  
Tambra Varnadore  
Brian Williams  
Alan Zirkelbach

CRA Advisory Board Members Present:

Nick Costides  
Sia Mollanazar  
Betty Ann Price  
Charles Smith

CRA Board Members Absent:

Shirley Bryant

Staff Present:

Mark P. Barnebey, City Attorney  
James R. Freeman, City Clerk  
Capt. Rex Hannaford  
Allen Tusing, Public Works Director  
Diane Ponder, Deputy Clerk-Administration

Vice Mayor Williams called the meeting to order at 6:30 p.m. A moment of silence was observed, followed by the Pledge of Allegiance.

Public Comment: None

1. CITY COMMISSION AGENDA APPROVAL

**MOTION:** Mrs. Lancaster moved, Ms. Cornwell seconded and motion carried 5-0 to approve the August 11, 2009 7:00 PM Agenda.

1. DISCUSSION: STOREFRONT GRANT PROGRAM

Mr. Smith explained what the Advisory Board has recommended to date in the rewrite of the Commercial Facade Enhancement Grant Program.

Mr. Costides discussed the Board's belief that the intent of the program should be made very clear in the document. He discussed the Board's reasoning for leaving signage as an eligible improvement, explaining examples of how signage would meet the criteria. He cited examples of when paving would meet the intent of the program. He stated that "routine seasonal maintenance and repairs would not meet the eligibility criteria, and cited examples of those types of maintenance projects. Mr. Costides stated the Advisory Board agreed that there has to be a visual improvement that is not related to seasonal maintenance or normal upkeep to qualify for the program. He reported that the Board also agrees that clarification should be made to the owner/tenant issue when awarding a grant.

Mr. Smith suggested that resolution to a structure being partially in the CRA District should be clarified. He also stated the Advisory Board would like to be more involved in the recommendations made to the CRA Board, stating guidance from the Board and attorney is necessary in areas; i.e. paving improvement projects and, non-profit organization and churches receiving grant funds, requirements for applicants to be present at meetings.

Discussion ensued on the funding of churches, where funds are used strictly for the building, not the furtherance of the ministry. Attorney Barnebey stated the Constitution of the State of Florida clearly indicates the CRA cannot give a church money for a building.

Time certain end of the meeting was set for 8:00 p.m.

Mr. Williams introduced the new Interim CRA Administrator, Jeff Burton. Mr. Burton stated one of his first projects will be the development of a computer based GIS map to allow the precise location of each parcel in the CRA District. Mr. Burton stated he will begin at the county level and then work with the Property Appraiser's office to ensure all the maps are properly aligned.

During the course of the meeting, the Boards jointly reviewed the document and made the following amendments:

#### Program Description

A definition for maintenance will be obtained from the Florida Building Code and Property Maintenance Code to better explain what maintenance will qualify.

1. Amend to read: It is not intended for the improvement of property which is used primarily for residential use. (Mixed use qualifies so long as the use is not primarily residential.)
2. Amend to read: Examples of eligible exterior improvements as listed in the adopted CRA Plan, but not limited to, are attached.

Discussion ensued on the portion of the Program Description that will give priority to applicants implementing the Waterfront Plan vs. a business in the middle of the CRA District. Debate of the language and its meaning occurred; no amendment was made.

#### Eligibility

1. Add a new first bullet to read: "Initiation and approval by property owner." Create a new agent of record form.
2. Bullet #2: Amend to read "Buildings that are partially in and partially out of the CRA District are eligible for funding, as to those improvements in the CRA District."
3. Bullet #4: Amend to read "Projects must be completed within 90 days of award, unless a written extension is requested of and granted by the CRA Advisory Board." Research will be done to determine if the Advisory Board has the authority to grant a 90-day extension.

#### Procurement Procedures

1. Bullet #4: Add: "Labor expenses are eligible only when performed by a licensed contractor in good standing in Manatee County. All quotes/bills/invoices must reflect the contractor's license number.

#### Funding

1. Second paragraph: Amend to read "Buildings that are partially in and partially out of the CRA District are eligible for funding of 50% of the total improvement cost, as to those improvements within the CRA District, (opined he did not know if the balance of the sentence is necessary) provided that the award does not exceed the actual dollar amount expended within the CRA District. The quoting criteria for buildings that are in and out of the district will have to be rewritten.

Timeliness

1. First Paragraph, last sentence: Amend to read "In order to implement this intent, the CRA will accept and review completed applications with submission deadlines of 3:00 p.m. on October 2, 2009, January 4, 2010, April 2, 2010 and July 2, 2010 for consideration at the next scheduled CRA Advisory Board.

Disbursement of Funds

Language will be added to the document to reflect that recorded lien releases are required. It was also opined that the check recipient should be only the grant recipient.

Correct the title of the program to Commercial Façade Enhancement Grant Program.

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Example of recommended language to add: Improvements must be in keeping with the intentions of the program. Items on the example list will not necessarily be approved if they do not meet all other aspects of the Façade Enhancement Grant Program. (It was recommended that the language should be as explicit as possible so that it cannot be construed that subjective decisions are made by the Boards.)

It was suggested that language should be added to Signage stating it could be used for informational purposes only, not advertisement of businesses.

The Boards concurred that there is a need to have the document rewritten before the next meeting when the document will be reviewed.

**MOTION: Ms. Varnadore moved, Mrs. Lancaster seconded and motion carried 5-0 to recess the meeting to August 17, 2009 at 7:00 p.m. or as soon thereafter as possible.**

**MOTION: Ms. Price moved, Mr. Mollanazar seconded and motion carried 4-0 to recess the meeting to August 17, 2009 at 7:00 p.m. or as soon thereafter as possible.**

Meeting recessed at 8:15 p.m.

Mayor Bryant reconvened the meeting August 17, 2009 at 7:20 p.m.

CRA Board Members Present:  
Shirley Bryant, Presiding Officer  
Tamara Cornwell  
Tambra Varnadore  
Brian Williams

CRA Advisory Board Members Present:  
Jeff Burton, Interim CRA Administrator  
Nick Costides  
Sia Mollanazar  
Betty Ann Price  
Charles Smith

CRA Board Members Absent:  
Mary Lancaster  
Alan Zirkelbach

Staff Present:  
Mark P. Barnebey, City Attorney  
James R. Freeman, City Clerk  
Capt. Rex Hannaford  
Allen Tusing, Public Works Director  
Diane Ponder, Deputy Clerk-Administration

Mr. Burton distributed the rewritten Commercial Facade Enhancement Grant Program documents. The document will be reviewed by the CRA Board at a future meeting.

### 3. DISPOSITION OF CBI PROPERTY

Mr. Burton informed the Board the CRA Advisory Board recommends to declare CBI Property surplus and move forward with an RFP. The Fire Department is willing to work with the CRA so long as there is a show of intent. He requested that the CRA Advisory Board be allowed to review and rank the RFP responses, after which the topic will be brought to the CRA Board for action. Implementation of the Waterfront Plan and City Commission's height restrictions should be criteria carefully considered.

**MOTION: Mr. Williams moved, Ms. Cornwell seconded and motion carried 3-0 to declare the CBI Property surplus and authorize the issuance of an RFP for development or sale of the property.**

### 4. CRA STRATEGIC PLAN

Mr. Burton briefly discussed the process to initiate a strategic planning process, including the roles the CRA Board, CRA Advisory Board and the CRA Administrator will play leading to the culmination and adoption of the plan. Both the CRA Board and the CRA Advisory Board were in unanimous agreement to proceed with the process as outlined by Mr. Burton.

### 5. PUBLIC COMMENTS

None

Mayor Bryant closed the joint meeting of the CRA Board and CRA Advisory Board at 7:40 p.m.

Minutes approved:

James R. Freeman  
Secretary

Community Redevelopment Board  
Special Meeting  
August 17, 2009 7:40 PM

CRA Board Members Present

Shirley Bryant (Presiding Officer, Non-Member)  
Tamara Cornwell  
Tambra Varnadore  
Brian Williams

CRA Board Members Absent

Mary Lancaster  
Alan Zirkelbach

Staff Present:

Mark P. Barnebey, Kirk Pinkerton  
James R. Freeman, City Clerk  
Garry Lowe, Chief of Police  
Allen Tusing, Public Works Director  
Diane Ponder, Deputy Clerk-Administration

Mayor Bryant called the August 17, 2009 special meeting of the Community Redevelopment Board (CRA) to order at 7:40 pm.

1. CRA BOARD AGENDA APPROVAL

**MOTION: Ms. Cornwell moved, Mr. Williams seconded and motion carried 3-0 to approve the August 17, 2009 CRA Board agenda.**

2. CRA CONSENT AGENDA

**MOTION: Ms. Varnadore moved, Ms. Cornwell seconded and motion carried 3-0 to approve the August 17, 2009 CRA Board Consent Agenda.**

3. CRA COMPLIANCE AUDIT

Susan Churuti, special counsel retained to perform the CRA compliance audit, reviewed the audit options available to the CRA. The remedial measures taken to date by the City were reviewed by Ms. Churuti. She also discussed the optional remedial measures the City should consider, recommending concentrated efforts should be prioritized on the following items from the audit options to be considered:

1. Forward to appropriate authority reference of criminal activity alleged in affidavit
2. Clarify the properties within the CRA area and conform the map to the properties
3. Complete Due Diligence Checklist
4. Review expenditures as they relate to funds awarded to churches; refund the amount to evidenced in documents
9. Identify and review all existing CRA contracts other than vendor contracts and grant agreements

Discussion ensued on the \$10,000 budget, with Ms. Churuti confirming there remains a balance of \$3,613.50 unspent.

Attorney Barnebey confirmed staff will gather the information on the issues recommended by Ms. Churuti and then the Board can determine how to proceed. He stated it is possible to complete the next phase within the budgeted amount.

Mayor Bryant departed the meeting at 8:30 p.m.

4. CRA COMPLIANCE AUDIT ADDITIONAL EXPENSES

The CRA Compliance Audit invoices have been split between identification numbers 001-Audit and 002-General Employment law issues. Ms. Churuti again confirmed \$6,386.50 has been expended as of August 14, 2009. The 002 items will be brought back to the City Commission, with a portion of those expenses allocated to the CRA. No action by the CRA Board was necessary.

5. INTERIM CRA ADMINISTRATOR'S COMMENTS

None

6. CRA BOARD MEMBERS' COMMENTS

Ms. Cornwell opined nothing over \$10,000 should be spent on the CRA Audit before coming back to the Board. Ms. Varnadore disagreed, opining the \$10,000 will be exceeded, and it is hard to stop at a dollar amount in the legal field. Mr. Williams suggested an anticipated additional amount can be provided the Board before expending the funds. Mr. Smith agreed with Ms. Varnadore's opinion. Attorney Barnebey confirmed with the Board that it is permissible that up to \$10,000 can be spent, and that amount will not be exceeded before the next CRA Board meeting. He stated an estimate of possible additional expenses will be better known by the next CRA Board meeting.

Meeting adjourned at 8:45 p.m.

Minutes approved:

James R. Freeman  
Secretary