Riviera Beach Community Redevelopment Agency

City of Riviera Beach Council Chambers

2nd Floor, Municipal Complex

600 West Blue Heron Boulevard

Riviera Beach, Florida

Wednesday, December 14, 2016

6:03 p.m. to 8:43 p.m.

APPEARANCES:

Chair Terence Davis

Vice-Chair KaShamba Miller-Anderson

Commissioner Tonya Davis Johnson (by phone)

Commissioner Lynne Hubbard

Commissioner Dawn Pardo

Attorney Michael Haygood

Interim CRA Executive Director Scott Evans

Operations Manager & Public Information Officer Darlene Hatcher

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

CHAIR DAVIS: Good evening to everyone. And I welcome you all to the great City of Riviera Beach CRA meeting on December 14th at 6:00.

Madam Clerk, roll call, please.

(Upon roll call by Operations Manager & Public Information Officer Darlene Hatcher, the following were present: Chair Terence Davis, Vice-Chair KaShamba Miller-Anderson, Commissioner Davis Johnson, Commissioner Lynne Hubbard, Commissioner Dawn Pardo. Also present: Attorney Michael Haygood and CRA Interim Executive Director Scott Evans.)

CHAIR DAVIS: Thank you. We will stand, have a moment of silence, and the Pledge will be led by Vice-Chair Miller-Anderson.

(Moment of silence, followed by the Pledge of Allegiance.)

CHAIR DAVIS: Thank you, Vice-Chair.

Mr. Evans, do we have any additions or deletions?

INTERIM EXECUTIVE DIRECTOR EVANS: No, Mr. Chair.

CHAIR DAVIS: Do we have any disclosures by any of the Commission or staff?

Okay. Do we have a motion to adopt the agenda?

VICE-CHAIR MILLER-ANDERSON: So moved.

CHAIR DAVIS: We have a motion. Do we have a second?

COMMISSIONER HUBBARD: Second.

CHAIR DAVIS: Properly moved and second.

Madam Clerk.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

(Motion to adopt Agenda passed unanimously.)

CHAIR DAVIS: Thank you.

Now we're going to go down to consent. We have two items. Before I ask for a motion to approve consent do we have anyone who wants to pull any items?

COMMISSIONER PARDO: Yes, Mr. Chair, I'd like to pull item 1.

CHAIR DAVIS: Okay. Item 1.

Anyone else?

Motion to approve Consent, with item 1 being pulled?

VICE-CHAIR MILLER-ANDERSON: So moved.

COMMISSIONER PARDO: Second.

CHAIR DAVIS: We have it properly moved and second.

Madam Clerk.

(Motion to approve Consent with Item 1 being pulled passed unanimously.)

CHAIR DAVIS: Thank you.

Item number 1. Councilperson Pardo -- Commissioner Pardo.

COMMISSIONER PARDO: Thank you.

Okay. Constant Computing. So there's three invoices attached and they add up to, I don't know, $2,000, maybe a little more. And it seems like every month we're getting invoices from them.

And, you know, this is for Mr. Evans: Do you think that maybe we should hire someone part-time? It might be cheaper in

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

the long run to have someone part-time who can work on some of these computer issues.

And, you know, quite honestly, it doesn't look like it's anything complicated.

You know, can you tell us what's going on? We've brought this issue up several times. And, you know, once again here we are -- the other thing that bothers me is -- on one of the invoices, okay, it's invoice 100971, all right, for an example, 11/4, they -- let's see, the rate was $115, the amount charged was twenty-eight seventy-five. Right? Remote support, trouble shooting, resolve user issues. And then invoice 100972, it's the same date and -- remote issues, troubleshooting, blah, blah, blah, and a couple of other issues; and then they're charging us $172.50. So why are they sending us multiple bills instead of just one bill?

CHAIR DAVIS: Are they here, Mr. Evans?

INTERIM EXECUTIVE DIRECTOR EVANS: So we have multiple bills because we split them up amongst the various billing entities; because we have our Clean and Safe office, and then we have our CRA office, and then we also have work that's done at the marina.

And I did look up this -- part of our billing is very transparent every month. The City for example on their IT side spends over a hundred thousand dollars a month.

COMMISSIONER PARDO: Yeah, I know. I'm not talking about

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

the City. The City is a totally different animal. I'm just talking about the CRA. You know, you guys aren't as big as the City. Okay?

And then also to split it up between Clean and Safe and administration, you know, at the end of the day it's the same budget. And when we go through the budget it's -- you know, everything is under CRA.

INTERIM EXECUTIVE DIRECTOR EVANS: We can -- well, I will say that his invoicing thus far, or that company's invoicing, is in accordance with the contract. So it's what -- the amount that we expected to spend.

We can request the City to review what we're doing as a part of our ongoing look to see if perhaps they could provide the services at a cheaper rate. But I'm doubtful of that, considering that they have a large staff right now.

COMMISSIONER PARDO: Okay. So why do you think we consistently have user problems? Do we have antiquated equipment over there? Do we need to update the computers?

INTERIM EXECUTIVE DIRECTOR EVANS: I think we're continually trying to stay current but I wouldn't say we have antiquated equipment.

COMMISSIONER PARDO: Okay. But you're staying current with software. But what about the hardware?

INTERIM EXECUTIVE DIRECTOR EVANS: I think our hardware, it's a mix. And, no, not every computer is brand new, but as

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

they get aged we replace them slowly one by one. I would say our hardware is fairly modern.

COMMISSIONER PARDO: So you're just happy with, you know, continuously having them come in and, you know, resolve user issues? It's, you know, every month. It's almost like it's every day.

You know, Scott, you're the manager over there. If you think it's okay, then fine. I'm just questioning it because every month we're getting these bills. And it's not like the bills are $400 because we had an issue over at the Event Center and then, you know, someone had an issue with the accounting system or something like that. It just seems like it's just really, you know, it's becoming -- it's an invoice that we're paying at least two grand a month for. So can you just take a look at it?

INTERIM EXECUTIVE DIRECTOR EVANS: I'm confident that our IT costs that much. But we can go back over and look at it --

COMMISSIONER PARDO: Could you, please?

INTERIM EXECUTIVE DIRECTOR EVANS: -- and see if there is a cheaper way to do it. Yes, I can do that.

COMMISSIONER PARDO: And then also, you know, I didn't have the time to go back and look, but can you just send us the last twelve months of invoices for Constant Computing, please?

INTERIM EXECUTIVE DIRECTOR EVANS: Sure.

COMMISSIONER PARDO: Thank you.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

CHAIR DAVIS: One thing I will say, this is something I brought to the Board's attention quite some time ago. And it's to my understanding that we were going through a serious transition of technical support as we were upgrading our systems; and these were some of the things that the staff had told us that, to be expected. And as we reached the goals that we need to with our systems then we'll see the decrease in some of these items once we get to where we need to. Because also on the City's side we also have a lot of the same issues as we update a lot of our software and our technical support.

COMMISSIONER HUBBARD: Mr. Chair.

CHAIR DAVIS: Councilperson Hubbard. Commissioner Hubbard.

COMMISSIONER HUBBARD: But -- is any of this a part of an upgrade to the CRA software or is this just regular maintenance? That's what it seems --

COMMISSIONER PARDO: It looks like it's --

COMMISSIONER HUBBARD: -- to me. It doesn't seem like they have an upgrading project underway. Unless they misrepresented themselves.

CHAIR DAVIS: Well, Mr. Evans, could you for the next meeting give us a report on our IT services and where we are, and just have some of the issues addressed in that meeting as far as, you know, every day service, if there are some things, some upgrades that are going on with software.

INTERIM EXECUTIVE DIRECTOR EVANS: Certainly.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

CHAIR DAVIS: Just address the questions by the Commission.

INTERIM EXECUTIVE DIRECTOR EVANS: I think it's -- in any computer system you're going to have ongoing maintenance. And I can also look at what other agencies pay for their IT.

COMMISSIONER HUBBARD: Okay. Now, let's -- let me see, can I ask the question again? The -- is this a part of a -- based on the comments that the Chair made, is this a part of an upgrading of the CRA computer software or is this a maintenance invoice that we're looking at here? Mr. Evans.

INTERIM EXECUTIVE DIRECTOR EVANS: I think most of these charges are regular maintenance and helping us with minor issues. There's no major upgrade as a part of these invoices.

CHAIR DAVIS: Could we have the vendor at the next meeting, so she can ask the questions to the vendor.

COMMISSIONER HUBBARD: No, not to the vendor. I want to know about --

CHAIR DAVIS: I never met him. I never met him before.

COMMISSIONER HUBBARD: Me either. I never met him either. But what I'm saying, the vendor has -- I just want to know what are we soliciting, what are we paying for. If it's two different things -- what you said, Mr. Chair, about the upgrade is one thing, and what Ms. Pardo had pointed out initially is different, and I wanted to get a sense of clarity. Because if we're in the middle of a project and we're upgrading our software and our system then I can understand we're going to

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

have a roll out of different invoices to come to us. But if this is, you know, invoices for maintenance, it still begs the question, where are we on the software.

CHAIR DAVIS: And to talk about that, when I brought this up months ago, this same very question that we're discussing now, months ago, at the time who was the current -- the former executive director talked about our service at the Clean and Safe building and the service that we have at the CRA office, along with the stuff that we have at the Event Center. It raised a lot of our prices and a lot of our work. So I've been waiting to get a -- and that's -- I think now since everyone else is starting to chime in on this, I think it's only fair that we make sure our vendor is here to give a presentation on the work they've been doing since we been paying them.

COMMISSIONER HUBBARD: Okay. Okay. Thank you.

CHAIR DAVIS: Commissioner Davis Johnson, do you have any questions?

Vice-Chair?

VICE-CHAIR MILLER-ANDERSON: Are we officially asking for a presentation or --

CHAIR DAVIS: No, they're not here, the vendor is not here.

VICE-CHAIR MILLER-ANDERSON: No, not tonight. No, not tonight.

For them to come back? Or is Mr. Scott going to bring back some information? Did we get clarity on it? I mean I don't

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

think we finalized --

COMMISSIONER PARDO: I would prefer Scott to bring it back. Let him look at it.

VICE-CHAIR MILLER-ANDERSON: Okay.

CHAIR DAVIS: Yeah, just come back. And please bring the vendor with you. Because I think, you know, if you're going to spend money with someone it's only proper that, you know, we get the chance to question the vendor themselves, you know. I haven't had a chance to meet him since we brought him on board. And that's one of the biggest concerns that I've had on what's really going on, you know.

All right. Madam Clerk.

(Motion to approve Consent passed unanimously.)

CHAIR DAVIS: Thank you.

That's the end of Consent.

Now we're going to go down to regular business item number 3.

COMMISSIONER HUBBARD: There was another invoice in number 1 that she pulled I wanted to ask a question about.

CHAIR DAVIS: Did you pull another one?

COMMISSIONER HUBBARD: She pulled number 1.

CHAIR DAVIS: Is she going to pull just -- she only talked about one item.

COMMISSIONER PARDO: I had just -- correct. But it was the monthly vendor invoices, so there's a lot of them.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

CHAIR DAVIS: Well, I called the motion closed, so what I'll do is --

COMMISSIONER PARDO: I asked just for Constant.

CHAIR DAVIS: -- I'll just come right back and open it back up. We can go back to the vendors. Because we ended consent already. So we can come back and open it up at the end and go back to address those consent items.

COMMISSIONER HUBBARD: We didn't, we didn't end it. We just didn't finish it.

CHAIR DAVIS: I called the motion and I said, "And that's the end of Consent."

Now if there's an item that you want to talk --

COMMISSIONER HUBBARD: Somebody seconded it?

CHAIR DAVIS: Yes.

COMMISSIONER PARDO: I thought it was just --

COMMISSIONER HUBBARD: We didn't call the question though.

CHAIR DAVIS: Okay. Okay.

COMMISSIONER HUBBARD: I think we still can do it.

CHAIR DAVIS: Madam Clerk, roll call, please.

Hold on. What item did you want to discuss?

COMMISSIONER HUBBARD: It was only an invoice. I just wanted to ask about the --

CHAIR DAVIS: Okay. Go ahead.

COMMISSIONER HUBBARD: -- Pittman Law Group invoice. When does that RFP go back out on the street? Because we're at the

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

end of it.

INTERIM EXECUTIVE DIRECTOR EVANS: For the -- as far as the Pittman Law Group, we are piggybacking on the City's. So I can find out from the City what they're going to do. But we didn't independently solicit for that. We just piggybacked on their contract.

COMMISSIONER HUBBARD: Okay. Okay. Thank you.

CHAIR DAVIS: Any other questions, Commissioner Hubbard?

COMMISSIONER HUBBARD: No, that was it. Thank you so much.

CHAIR DAVIS: Thank you.

Okay. All right. Now we can call the question.

Madam Clerk.

COMMISSIONER PARDO: We already called it.

CHAIR DAVIS: I just -- oh, okay. I appreciate it. Someone said the question wasn't called. And I know I just voted yes.

Okay. All right. Item number 3.

COMMISSIONER DAVIS JOHNSON: Mr. Chair.

(Regular Business, Item 3, ready by Ms. Hatcher.)

COMMISSIONER PARDO: So moved.

VICE-CHAIR MILLER-ANDERSON: Second.

CHAIR DAVIS: Properly moved and second.

VICE-CHAIR MILLER-ANDERSON: Ms. Davis Johnson tried to say something.

CHAIR DAVIS: Commissioner Davis.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

VICE-CHAIR MILLER-ANDERSON: Johnson.

CHAIR DAVIS: Commissioner Johnson.

COMMISSIONER DAVIS JOHNSON: If you all would please speak into your mic.

CHAIR DAVIS: Can you speak a little louder? We can't hear you.

COMMISSIONER DAVIS JOHNSON: I said if you would be so kind as to speak into your mic so I can hear you all.

COMMISSIONER HUBBARD: We can't hear her either.

CHAIR DAVIS: Speak into the mic, is that what you said?

COMMISSIONER DAVIS JOHNSON: Please. Thank you.

CHAIR DAVIS: Thank you. Okay.

INTERIM EXECUTIVE DIRECTOR EVANS: I just want to announce that Commissioner Davis Johnson is attending by phone due to medical reasons.

CHAIR DAVIS: Correct.

All right. So we have the resolution -- let's please read that off again.

(Regular Business, Item 3 read by Ms. Hatcher.)

CHAIR DAVIS: All right. Thank you.

THE CLERK: It was a motion by Commissioner Pardo and second by Vice-Chair Miller-Anderson.

CHAIR DAVIS: Any questions or concerns on item number 3?

COMMISSIONER HUBBARD: A presentation by the executive director --

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

CHAIR DAVIS: All right.

COMMISSIONER HUBBARD: -- please.

CHAIR DAVIS: And public comment. Ms. Bonnie Larson.

MS. LARSON: I'll let him go first.

INTERIM EXECUTIVE DIRECTOR EVANS: This is a two-year agreement for the parking lot. We originally approved -- it's on Singer Island, just adjacent to Island Road and Plaza Circle. And this project was -- the lease was originally approved in 2013 and then extended. We took advantage of that two-year option agreement which extends it out through January of 2017.

And on this particular property we have improved it by adding overflow parking for the Ocean Mall and the adjacent businesses. And because the lease is about to expire, we would like to renew it. The renewal does give us the first right of refusal to buy the property. So if the owner decides to sell it we have the option to purchase it. And it will extend our lease for two years so that we can continue to provide that overflow parking.

CHAIR DAVIS: Okay. Any questions?

Oh. Ms. Larson. Then we'll come back to the Commission.

MS. LARSON: Bonnie Larson. My question is a long-term question. What is our eventual plan with this?

Now this is the parking area, and MTN I believe owns the other half, or somebody else owns the other half. But the parking there is now used by those offices along Blue Heron.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

And it's used apparently by Ocean Mall and by people going to the beach. So not only are our people using it but other vendors are using it also. How is that working out as far as space? Is it sufficient? Is it okay? Do the people going to the beach and the Ocean Mall now have sufficient space? Should we be charging rent for that?

We bought the properties on the east side of that. Right -- well, you can see it in the photo. And that was supposedly to be for parking also, or availability of parking. But that's just been torn down. It's a green space now. I thought we were going to use that for parking also.

So what is our long-term plan for this? Rather than renting it two years, two years, two years. Because the purchase was what he wanted to do, MTN wanted to do. In order to sell it he said his stipulation was that we had to build -- give him the rights to build a hotel above that space; which we then would incur all the costs, the parking garage, the this, the that, the elevator; and giving him all the income on the -- excuse me -- of the hotel. So that didn't sound like a real good plan to me.

So what is our -- how is the usage working out now? How does it look for the immediate future? Should we charge? And what can we do? Because this is going to be an ongoing problem, something we'll have to do all the time.

But I don't know that -- I don't think that giving him an

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

option to put a hotel on top of our parking is the right way to go. So what is our plan for long-term plan?

Thank you.

CHAIR DAVIS: Thank you.

That's the end of public comment.

Questions by the Commission?

COMMISSIONER PARDO: All right. Mr. Chair.

CHAIR DAVIS: Yes, ma'am.

COMMISSIONER PARDO: Okay. Well, I have a comment about the parking in reference to what Ms. Larson said. Or asked. We still don't have sufficient parking over there. On the weekends and holidays the Ocean Mall is full, that parking lot is full. If you drive by on the weekends you'll notice once the banks close that their parking lots are full because people park over there. Phil Foster Park is always full. Right? By noon it's full. So we still don't have adequate parking over on Singer Island. But this lot has made a difference.

And she made reference to the two buildings that we purchased, that we knocked down. We knocked those buildings down so the people using the lot would be able to transition into the Ocean Mall instead of going around onto the street. There's no sidewalks there. Right? So we made the little green space, made it look a little nicer so the people walk through to get to the mall.

And I think the ultimate plan is to one day have some kind

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

of parking lot over at the mall. Right? We've had discussions for a while about, you know, we're in dire need of parking here, we're in dire need of parking over at the marina. And if you recall we had the discussion maybe four months ago about possibly implementing a parking district which would allow us to, you know, either put kiosks or something, so we start charging people for parking and then bond the money so we can start building parking garages at the marina and then over here. Right? So that's the long-term goal.

But that's all I have. Thank you, sir.

CHAIR DAVIS: All right. Anyone else from the Commission have any questions in regards to item number 3?

COMMISSIONER HUBBARD: Is this 28,000 annually, sir? Mr. Chair?

INTERIM EXECUTIVE DIRECTOR EVANS: Yes.

COMMISSIONER HUBBARD: Thank you.

CHAIR DAVIS: Any questions, Commissioner Davis Johnson?

COMMISSIONER DAVIS JOHNSON: No questions.

CHAIR DAVIS: Vice-Chair?

VICE-CHAIR MILLER-ANDERSON: No.

CHAIR DAVIS: Okay. Madam Clerk.

(Regular Business, Item 3. Motion passes unanimously.)

CHAIR DAVIS: Thank you.

Item number 4.

MR. HAYGOOD: You want me to read it?

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

A resolution of the Board of Commissioners of the Riviera Beach --

CHAIR DAVIS: 4.

VICE-CHAIR MILLER-ANDERSON: Presentation.

INTERIM EXECUTIVE DIRECTOR EVANS: This is a presentation on a CRA Property of Distinction project. And I am proposing to begin moving forward again on this project. It is located on the northwest corner of Broadway and Blue Heron Boulevard. It's our 2600 block of Broadway. And this is the largest -- one of the most busiest intersections in the City.

And we've completed Phase I of the project. And that is -- can be shown here. And you can see this is -- we purchased this site and we knocked down the building that was encroaching very close to the sidewalk. And as a result we were able to beautify this corner. And what I'm proposing this evening is that we begin to move forward on this project, to take the beautification to the next step.

And the current status of it is we've knocked down the building on the property, we resodded it, we put in some landscaping and some up-lighting to enhance the decorative landscaping, and then we put in this temporary sign here that shows that future development is coming to Broadway and to the Marina District.

When we originally purchased this property, you can see how dangerous this corner was. And we did that to enhance

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

pedestrian safety and to create a new City beautification site. And I think it's a really key site for branding the City too. It's a key location. There's actually over 35,000 cars per day that pass by this corner.

And we did an agreement with Florida Department of Transportation; and so as a part of their improvements to the Broadway and Blue Heron intersection we provided some of the land after we removed the building so that they could enhance the turning radius and expand the sidewalks to make it a safer condition.

And this is a picture of the existing site. And so the entire 2600 block includes this building which is leased to Cash America, and then this vacant structure which was formerly the Dairy Bell site, and then the park.

And I'm proposing that we begin moving forward on this project in two phases. One phase we're looking at, what we're going to do on the corner, which is our beautification and branding site; and then also how we enhance both the property which has inadequate parking and then the structure which also has a variety of problems.

We have worked through a couple of concepts on how we take the corner to the next level; looking at some improvements that would be fairly inexpensive but that would provide us an opportunity to really create a marquee area of the City. What we were envisioning is that it would really show a large City of

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

Riviera Beach sign with some perhaps some trellis enhancing the landscaping in the background and a fountain.

And we're showing you an example here. This is the existing landscaping that sort of exists on the site now. And we'd replace that temporary sign with a fountain or monument similar to some of these municipal ones that we've provided. And then we'd also use that opportunity to provide City of Riviera Beach signage.

So -- and this is just a, this is sort of a concept plan of how we would make that happen. You see the new -- we'd still utilize the existing landscaping that's on the site, we'd add new landscaping. And one of the concepts is we'd put the fountain directly in front, and with the signage of the City of Riviera Beach so it could be well seen on the corner.

CHAIR DAVIS: Is that where the sign is located at? Is that where you put the fountain at?

INTERIM EXECUTIVE DIRECTOR EVANS: Yes. Right where the existing sign is now.

And this is another concept that we're -- that we've worked through, which would basically be the same thing except that we'd also provide some hardscape. This is like a pedestrian pathway that we could have here where you could walk around the corner instead of being adjacent to the traffic.

The property side of the development we're proposing, we have a few things that we want to try and accomplish. One is a

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

facade improvement for the building which we own. We need to do a parking lot enhancement. That parking lot is fairly dangerous and doesn't meet code. And by doing that we would have to do a site reconfiguration. And also I want to get an updated appraisal and potentially sell that property back to the private market after we've improved it.

VICE-CHAIR MILLER-ANDERSON: Which part?

INTERIM EXECUTIVE DIRECTOR EVANS: The portion, the Cash America building and the adjacent parking lot.

This is a picture of the Cash America building here. So this is the one, and this below is just a very -- fairly inexpensive improvement that we could make, starting to adjust the signage, we would apply a monument sign instead of this large sign here. And then just -- and this portion of the building, which is on the south end, needs to be improved. Right now it looks like it's just vacant space when actually it's leased to Cash America. So we would want to try and improve this property -- it's on our major intersection -- as a part of this beautification project.

This is an example -- this is the parking lot that's adjacent. The former Dairy Bell site sits right here. It's a very small building. So this is a concept that would improve the parking lot and fix it to meet code for the property.

So tonight I'm just -- I wanted to bring it to your attention that I wanted to begin moving forward again with this

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

project. And what I propose is to refine the concepts that we've shown tonight, look through the various options and refine those, and then bring cost estimates for what those potential improvements might cost back to the Board for consideration.

And I would bring those back in two segments: One would be how much it is to continue the corner beautification and add the City of Riviera Beach sign, with a couple of different options and pricing for those. And then some pricing to provide a facade improvement to the building and conduct the site enhancement, which would include improving the parking lot and potentially demoing or renovating the building. And I would give you the costs and implications of both of those potential options.

VICE-CHAIR MILLER-ANDERSON: Chair Davis.

CHAIR DAVIS: Vice-Chair Miller-Anderson.

VICE-CHAIR MILLER-ANDERSON: So for the area where Dairy Bell is, looking at the -- that right there, that configuration, you want to demo the Dairy Bell and turn it into a green space similar to what we have at the corner of Blue Heron and Broadway?

INTERIM EXECUTIVE DIRECTOR EVANS: Yes. It could be used for open space. It could also be utilized to add a little bit more parking. So we could just, we could just limit the green space to the south -- I mean, rather, to the eastern side of it; and then we could add a little bit more parking here. It could

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

be a couple of different options. But mostly just for beautification.

VICE-CHAIR MILLER-ANDERSON: Okay. So because of the parking issue it's not feasible to have another building or some sort of business in that spot?

INTERIM EXECUTIVE DIRECTOR EVANS: Well, the existing building, yes, doesn't work. Yes, the existing building is very small. And the parking in the way that it works around that building is actually quite dangerous.

VICE-CHAIR MILLER-ANDERSON: Still not -- okay. Okay. That's all.

CHAIR DAVIS: How many spaces, Mr. Evans, do that parking have over there; do you know?

INTERIM EXECUTIVE DIRECTOR EVANS: I think currently they have -- actually it's on one of these slides.

CHAIR DAVIS: Eleven spaces? Okay.

INTERIM EXECUTIVE DIRECTOR EVANS: Yes.

CHAIR DAVIS: All right.

Any questions from any other commissioners of the Board?

COMMISSIONER HUBBARD: Question.

CHAIR DAVIS: Ms. Hubbard.

COMMISSIONER HUBBARD: Parking for what exactly? You would be tearing the Dairy Bell building down. To accommodate what parking where?

INTERIM EXECUTIVE DIRECTOR EVANS: We would just put in

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

parking that meets City code for the Cash America building. For the building that's leased to Cash America.

COMMISSIONER HUBBARD: I'm just thinking, with the type of businesses that are in there now, and having something like a Dairy Bell there, or a small entrepreneur initiative or a small business, they are transient businesses, not like people park there like they -- you know, they're staying. So both, both people seem to benefit from the parking lot, you know, like Cash America. You never really see anybody parking on the side of the road for either business.

And the only reason I bring it up, not to disagree with you but for the simple reason if you were going to have something, you know, fun like a Dairy Bell or an ice cream shop or something, that someone interested in entrepreneurship could open up or have there, that would be an affordable business venture. And that's, that's the reason that I brought it up. So keep that in mind.

INTERIM EXECUTIVE DIRECTOR EVANS: I can also get a cost on what it would cost to reopen that building and make the improvements that would bring it to up code.

COMMISSIONER HUBBARD: Thank you.

CHAIR DAVIS: I share the same sentiment of Commissioner Hubbard a while back on it. But what brought it to my attention and what made me really understand the parking, I was walking by one evening, is that you saw some -- when it is crowded you see

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

cars, the Cash America building, those parking spaces as you pull up towards the south, then there's cars parking right behind the old Dairy Queen. And so when they're kind of backing up and getting out it becomes a real serious issue at times. That's only when they're packed. But other than that, you know, it's pretty in and out situation. But there are some times where it does become a safety issue.

COMMISSIONER HUBBARD: Okay.

VICE-CHAIR MILLER-ANDERSON: Chair.

CHAIR DAVIS: Vice-Chair.

VICE-CHAIR MILLER-ANDERSON: What are the required amount of parking spaces for the Cash America and the Dairy Bell building size? What, what would be required?

INTERIM EXECUTIVE DIRECTOR EVANS: I don't recall offhand --

VICE-CHAIR MILLER-ANDERSON: Okay. Okay. You can just find out.

INTERIM EXECUTIVE DIRECTOR EVANS: -- but I will include that.

VICE-CHAIR MILLER-ANDERSON: Okay. That's it.

CHAIR DAVIS: Commissioner Davis Johnson, do you have any questions?

COMMISSIONER DAVIS JOHNSON: No questions.

CHAIR DAVIS: Anyone else from the Board?

Madam Clerk.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

THE CLERK: That was just a presentation.

CHAIR DAVIS: Okay. So let's go, item number -- it's 5.

THE CLERK: Discussion. Redevelopment of the Broadway Corridor.

INTERIM EXECUTIVE DIRECTOR EVANS: Good evening. Scott Evans, Interim Executive Director.

I'm having trouble with my pointer here so I'm just going to come down here and use this.

In recent months both at the City and the CRA, City Council meetings, there's been considerable discussion about the future of the Broadway corridor. Generally speaking the City Council and the CRA have expressed concern that the Board and the City Council is really not satisfied with the types of proposed development for the corridor; that they don't meet the vision or the expectations of the Council and the CRA Board. And this creates a difficult challenge for developers in the development community and for us as staff employees in trying to advise them on what types of development would work.

And I think it's very important that this Board refines that vision and takes an opportunity to go through what you would like to see in the corridor so that we can try and solicit types of development that meet your expectations. The corridor has many significant redevelopment opportunities. And it's really our largely undeveloped opportunity if we're going to promote future growth and prosperity for the community. So I

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

believe we need to establish a vision framework that the development community can rely upon and that the Board can refer to when you begin to consider new projects and ensure that they meet both your goals and the vision that you've agreed to. And it also helps future developers, it provides them a clear understanding of what kind of project you're looking for.

COMMISSIONER PARDO: Mr. Chair.

CHAIR DAVIS: Yes. Ms. Pardo.

COMMISSIONER PARDO: All right. Just for a second. So, Scott, aren't we scheduled to discuss this at our retreat in a couple of weeks, the vision for the Broadway corridor? Wasn't that an item on the agenda?

INTERIM EXECUTIVE DIRECTOR EVANS: The January retreat is just focused on the marina.

VICE-CHAIR MILLER-ANDERSON: We asked for it.

COMMISSIONER PARDO: Yeah, didn't we ask for it?

VICE-CHAIR MILLER-ANDERSON: I don't know if --

CHAIR DAVIS: It was two phases. On the one day was the marina, the other day was for items that we had discussed prior. Because we had the two-day retreat like we normally do it. So one day was on the marina, on the area and the redevelopment; the master developer agreement that's no longer existing, do we want to choose a master developer. Then the other date was talking about Broadway, vendors, and the direction -- what you wanted the CRA to look like, which was day two.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

COMMISSIONER PARDO: So it is on there.

INTERIM EXECUTIVE DIRECTOR EVANS: Okay. I'll definitely include it.

This is a picture of what Broadway used to look like. And since then we've made a variety of improvements. When you're trying to enhance a corridor you really have two main spaces: You have your public space, your right-of-way. This is occupied by your street lights, your sidewalks, your lighting, your decorative lighting hopefully. And then you have the development regulations that guide the types of development that you get along and adjacent to the property. And those two things together make up your corridor.

And this is -- we've made some progress in the main area. Obviously streets are our community's front door, they're centers of activity, and it's very important for them to be comfortable places not only just for cars but for pedestrians. They provide a sense of place but they also need to feel like they're occupied.

Our new form based zoning code, which is the regulations that are adopted along the Broadway corridor, were approved in 2013. And they provide that appropriately scaled buildings are constructed with buildings lining the street, and that forms a continuous line of buildings which helps create that positive pedestrian environment. And in this area we really need to create and enhance and strengthen it as a downtown. And part of

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

the improvements that are shown above is some of the landscaping median that was installed along with new sidewalks in the recent DOT project.

The completed improvements include the decorative street lights, landscaped median, and building facade improvements. The pending improvements are we are removing the overhead utility lines and burying them under the street.

COMMISSIONER DAVIS JOHNSON: Mr. Evans. Mr. Chair.

CHAIR DAVIS: Yes, ma'am.

COMMISSIONER HUBBARD: Question about the --

COMMISSIONER DAVIS JOHNSON: Excuse me. Mr. Chair.

COMMISSIONER HUBBARD: One --

CHAIR DAVIS: Commissioner Hubbard, and then we'll go to Davis Johnson. She already called.

COMMISSIONER HUBBARD: The pending improvements with FP&L and the overhead utility burial, I know that we were waiting or -- we were waiting to hear from Viking about us getting into their right-of-way for FP&L to be able to go ahead and bury those lines. Where are we with that?

INTERIM EXECUTIVE DIRECTOR EVANS: So we have an agreement, a potential agreement with Viking that would say if we swapped property with them that as a part of that agreement we could also obtain access to those easements for the utility burials. However that property swap is not -- will be a part of the discussions at our marina retreat because we would like to try

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

and move forward on that aspect of the project.

So right now we are currently waiting, still waiting to receive the utility burial easements.

COMMISSIONER HUBBARD: Okay. Thank you very much.

INTERIM EXECUTIVE DIRECTOR EVANS: Some of the future potential right-of-way improvements -- oh, I'm sorry. I believe another commissioner had a question.

CHAIR DAVIS: Ms. Davis Johnson.

COMMISSIONER DAVIS JOHNSON: Based on the amount of information that's going to be contained in this discussion and presentation, is it not better suited for the workshop? Because this doesn't seem as if it's something that can just go -- I don't think that we need to fly by our seat of our pants at this, so that we could really have an opportunity to have conversation amongst ourselves as well as review the overall plan. I think trying to have a discussion about it tonight, it would just really extend the time of the meeting and not really give us an opportunity to really discuss this.

And I couldn't clearly hear what the comments were with regards to my colleague, Pardo, when you mentioned whether or not this was going to be on the agenda. So can someone enlighten me?

CHAIR DAVIS: Yes, this will be on the agenda.

COMMISSIONER DAVIS JOHNSON: So we're going to go ahead and go through this discussion tonight, with it being on the agenda

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

for the retreat?

CHAIR DAVIS: Well, well, it was set to be a presentation as we get warmed up for the meeting. So there may be some things when we come to the meeting to be prepared to have a discussion. And if we can maybe just have a presentation so we can take our notes and be prepared to come to the meeting to address any issues that any of us may have missed on the first go-round. This would be a good opportunity to just kind of take some mental notes and writing those down so when we come back in January we can be ready to work together as one group.

COMMISSIONER DAVIS JOHNSON: I don't know how my colleagues feel, but it just seems to be a duplication of efforts in having this pre-discussion, only to come back and discuss it as part of a two-day event. That's just my, that's my -- those are my comments about it.

CHAIR DAVIS: I agree with you, we don't need to discuss it, we can just do it, receive a presentation and move forward. Or if you don't want to receive a presentation we can move to the next item.

INTERIM EXECUTIVE DIRECTOR EVANS: Yeah, I can save it to the retreat.

CHAIR DAVIS: Next item. Okay. No problem.

COMMISSIONER PARDO: Yeah, I'm -- Mr. Chair.

CHAIR DAVIS: Yes.

COMMISSIONER PARDO: I'm fine with saving this until we're

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

all together at the retreat. You know, why waste the time tonight when we're just going to review it again.

CHAIR DAVIS: Well, I just, I just want to make sure that we all are committed to being there on that retreat. Because if someone doesn't show up, I'm not -- I'm telling you, just my respect of my time and everyone else's time, I'm not going to sit through another meeting because someone chose not to come for whatever reason; we could have talked about it, we could have at least saw a presentation tonight.

Mr. Evans, so we're going to go on. Thank you for the presentation. We're going to go ahead and get prepared for item number 6.

VICE-CHAIR MILLER-ANDERSON: I have a card in for it.

CHAIR DAVIS: 5. Ms. Larson, did you still want to ask some questions, Ms. Larson?

MS. LARSON: Yes.

CHAIR DAVIS: Please come to the microphone.

MS. LARSON: We have so many projects in the CRA and not too much money to do it. So you were just talking about that Broadway corner on Broadway and Blue Heron, where the green space is. Why do we need to improve it any more than it is now? It looks pretty. It looks very pretty now. So why waste more money on it right this second? Let's move on to something else that doesn't look so great.

If you put a fountain in there, I -- I'm very familiar with

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

that property; I can tell you who's going to be taking a bath right there on the corner of Broadway and Blue Heron. I can tell you what's going to happen. So let's reconsider that because, like I said, it looks very pretty now, that corner. So, you know, rather than pouring more and more money into something let's think about doing other things.

In 2008 the City hired -- I don't have my notes with me -- the City hired the Treasure Coast Regional Planning Council as a consultant for us, for the whole City and the CRA. And one of the things they showed us -- they must have showed us a hundred pictures of how Broadway would look without the overhead utility lines. That was 2008. Everybody agreed, money was set aside. We hired -- there was a representative who always came to the meetings when Florida Power and Light was involved with something. When he retired the CRA hired him to figure out how to do that underground burial of the lines on Broadway. So we've paid all that money already. Now I'm wondering, now I'm hearing something about Viking, access to their properties or whatever. Isn't this going to be in the swale? Isn't this going to be on city-owned property that this happens? We hired all those people to do that several years ago.

And then the south end was supposed to be done first. Then they were going to do north of Blue Heron. I understand we hired someone to do that, to figure out that. But here we are eight years later and we don't have anything. And that was one

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

of the things that Treasure Coast really, really pushed, was how much nicer Broadway would look without those lines. So I don't understand why we have to wait for Viking or anybody else to do that. I just don't -- if you could explain what that connection is, because I thought all this was supposed to happen within the swale, which really belongs to the City. So I don't understand why we paid these people years ago and still we have nothing. Because like I said, that was the biggest thing and it really did look much nicer without that.

As far as attracting people to the Broadway corridor there, we can wish for whatever we want to wish for. That's not going to make it happen. We have to look like an up-and-coming business. And some of the things we've been proposing lately is not going to help this situation. So we need to work with the people who are there now, make sure they're maintaining their properties. You drive through our city and you see the way some of those properties are maintained. Not so good. Would you want to put your business next to them? Probably not. There's a lot of things that we can do to make it look better before people come.

We need to be also proactive. Go after some companies and say, you know, we have all this property, it's right here on Broadway; what do you think? We're looking for stores, we're looking for restaurants, we're looking for all kinds of things to make a downtown corridor. So we should be proactive and

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

advertising it.

But meanwhile some of those people who work along Broadway can certainly clean up their projects. And I think the underground utility would make a huge difference right now. Not eight years later.

Thank you.

CHAIR DAVIS: Thank you, Ms. Larson.

COMMISSIONER HUBBARD: Mr. Davis, can I --

CHAIR DAVIS: That's the end of public comment card.

COMMISSIONER HUBBARD: Can I ask a question to that?

CHAIR DAVIS: Ms. Hubbard.

COMMISSIONER HUBBARD: The -- Mr. Evans, as far as easement and the City right-of-way, would you explain that in relation to Broadway for me?

INTERIM EXECUTIVE DIRECTOR EVANS: Yes. The utility lines are buried in the right-of-way; underneath the sidewalk actually in most areas. The problem is that every so many feet you have to have a transformer; and there's no room in the sidewalk or the right-of-way in the Broadway corridor for those transformers. So we need to get easements approved from various property owners for the entire length of the roadway for the burial, in order to put those transformers there.

And for a lot of properties it doesn't affect them because if they're built then we try to fit them into a spot that's already landscaped or green space. And for new projects or

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

vacant ones we try to put them on a part of the property where if they did redevelop their property or build a new project that it could just fit into their building setback or into their landscaping. But the actual transformer part is what we need the easement for.

COMMISSIONER HUBBARD: Okay. So one way or the other it will benefit and -- benefit and affect both the City and the owner of the property at some point in the future?

INTERIM EXECUTIVE DIRECTOR EVANS: Yes, the beautification that will help everybody in all properties on the Broadway corridor.

COMMISSIONER HUBBARD: The -- I mean the placement of the transformers and the placement of the lines underground.

INTERIM EXECUTIVE DIRECTOR EVANS: Yes. Now some private property owners, it does reduce the amount of space they have available to do other things. But we try to make it as minimal an impact to them as possible.

COMMISSIONER HUBBARD: Okay. All right. Thank you.

CHAIR DAVIS: Any other questions?

So that's the end of item number 5. We heard public comment.

Let's move on to item number 6.

(Regular Business, Item 6, read by Ms. Hatcher.)

COMMISSIONER PARDO: So moved.

CHAIR DAVIS: We have a motion. Do we have a second?

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

COMMISSIONER HUBBARD: Second.

CHAIR DAVIS: Properly moved and second.

Any questions by anyone from the Commission?

VICE-CHAIR MILLER-ANDERSON: Presentation.

COMMISSIONER HUBBARD: Presentation, please.

CHAIR DAVIS: Okay. Presentation from staff.

INTERIM EXECUTIVE DIRECTOR EVANS: This is an amendment to the existing lease that the Board has approved for the Rafiki Tiki.

It just -- the existing lease is approved; and it specifically references that they're permitted to sell beer and wine. And this amendment would just say that they're permitted to sell all alcoholic beverages, because they expressed a desire to also be able to sell liquor. And this would -- and it just approves it as -- they would still have to comply with Florida statutes. And it would just expand that definition so that they're not limited in what they can offer at their new cafe space.

COMMISSIONER PARDO: Mr. Chair.

CHAIR DAVIS: Yes, ma'am.

COMMISSIONER PARDO: Mr. Evans, will this require them to increase their insurance liability?

MR. HAYGOOD: I think they have to have Dram -- I think it's called Dram Act insurance, anyway, for the alcoholic beverages, even for the beer and wine.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

CHAIR DAVIS: Well they won't get their license without that, correct?

MR. HAYGOOD: That's my understanding, yes.

COMMISSIONER PARDO: Okay. But the City or the CRA will not require additional --

UNIDENTIFIED SPEAKER FROM THE AUDIENCE: No.

COMMISSIONER PARDO: Wait. I'm asking staff right now.

MR. HAYGOOD: Yeah. As it stands -- no, I don't think so, I think it would still be covered in their existing insurance requirements.

COMMISSIONER PARDO: Okay. All right.

VICE-CHAIR MILLER-ANDERSON: Question.

CHAIR DAVIS: Yes.

VICE-CHAIR MILLER-ANDERSON: So the original lease was just for beer and wine. What changed? I mean did you not want it at the beginning or --

CHAIR DAVIS: That's a good question.

MR. SALLOUM: Thank you for your question.

No, it's actually been an ongoing --

VICE-CHAIR MILLER-ANDERSON: State your name.

MR. SALLOUM: My name is Roland Salloum. Demetri Salloum's son, and general counsel for Rafiki Tiki, LLC.

It's actually been an ongoing conversation between us, the CRA and CBRE, to get a liquor license. We have communications going back and forth since the inception of the lease agreement,

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

to get a liquor license there.

One of the things that was holding it up was there were concerns that, hey, we don't want them competing with, you know, the big restaurant we put in there and things like that. Well, there is no big restaurant in there.

We want exactly what the City wants, what the CRA wants, we want more people, more customers, more to offer the City. And as our revenue grows obviously the six percent that we pay on the gross to all of our revenue to the City will likewise grow.

So we're asking, since there is no large restaurant in there at this point, you know, why not. Let's help each other do some good things.

I mean I -- and to address some of the other concerns, you know, in the lease it's -- you know, the restaurant as it is is closing up about nine p.m. So I mean it's not like it's going to be an after hours place or in any way staying open late and serving liquor at a later point. You know, we're going to be lights off, doors locked by ten p.m., everybody out of there. So, you know, any concerns we have for late night liquor sells I hope is quelled with that. I mean that's in the lease.

VICE-CHAIR MILLER-ANDERSON: Well, yeah, I thought I recalled there being a question of competing with the other restaurants. So basically because we don't have a restaurant coming in there you all want to take advantage, which makes sense.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

MR. SALLOUM: Well, we want, we want all of us to take advantage of it.

VICE-CHAIR MILLER-ANDERSON: Right. Right.

MR. SALLOUM: I mean with our increased revenues, again, you know, that's six percent additional tax to you.

VICE-CHAIR MILLER-ANDERSON: Right.

MR. SALLOUM: So -- and as far as the insurance, liquor license, in order for us to get the liquor license we'd have to comply with the insurance requirements anyway. So there's no additional requirement on the City but it's on us.

VICE-CHAIR MILLER-ANDERSON: Okay. Thanks.

CHAIR DAVIS: And to piggyback, when this first came up, the question with our previous leadership, when you're dealing with restaurants and business and economic development, competition is good for all businesses. I mean if you go right on Legacy Place you see TGI Friday's selling liquor right next door to Chili's. There's nothing that's going to stop one business from making another. But people sometime will go to one for one thing and at the drop of a dime sometime just change their mind and go the other direction. But if it weren't for the business next door it would be an opportunity for either one of the businesses. So it becomes a win/win. And I just hope that this Board if as we do look at expanding and giving others opportunities that we don't restrict liquor licenses or menus on one versus the other because competition once again is good for

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

business. And it puts all other businesses on notice about how you want to present yourself to Palm Beach County.

Any other questions from the Commission?

COMMISSIONER HUBBARD: Yes.

CHAIR DAVIS: Yes, ma'am. Miss -- Commissioner Hubbard.

COMMISSIONER HUBBARD: I want to -- I want to see how the -- okay. In calculating on 1.2 product and service description, under the fiscal impact of approved lease cash flow to the agency, the -- how would that affect --

CHAIR DAVIS: What page are you on?

COMMISSIONER HUBBARD: -- the bottom line of what, of what we -- 1.2 -- what we will get and how would we benefit from that? Because if you look at it, the -- if you look at it as it stands now, it's not -- it's almost, you know, kind of minimal as to what the City will be receiving as it is. But what I'm asking is, what's the economic impact and benefit to the City once the estimated price of the liquor that is expected to be sold will increase the bottom line for the City of Riviera Beach?

MR. SALLOUM: Thank you for your question.

And allow me just to clarify. You'd like a -- like a hard figure or estimated amount as to how much revenue the City will realize with the amendment going into effect as opposed to the without the amendment going into effect? Or are you trying to figure out --

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

COMMISSIONER HUBBARD: Well, without it going into effect it's very minimal here. And some of this was negotiated and previously. But I'm hoping to see an increase for the City of Riviera Beach.

MR. SALLOUM: Absolutely. And so are we.

And obviously with the addition of liquor sales it's going to boost our revenue. And with the boost of revenue -- and that's gross revenue; so whatever we sell -- I mean every single thing that -- that's not, you know, what we sell minus our expenses; that's total sales of the gross revenue, that six percent comes off to the City from our gross revenue. So obviously if we have, you know, one more sandwich, one more drink, one more option on the menu, whatever it might be, in this situation it would be liquor, you know, that's going to increase our revenue base and that's going to increase the money flowing into the City.

COMMISSIONER HUBBARD: Okay. So the City doesn't realize it's six percent until after the break point of the $875,000, it says here?

MR. SALLOUM: That's correct.

COMMISSIONER HUBBARD: Until after?

MR. SALLOUM: That's correct. And that was a break even point that was negotiated with the parties. And the way we arrived at that was essentially, you know, how much is this endeavor going to cost to operate, what's it going to be to be

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

profitable. And then what do we expect with the additional foot traffic, with the addition of the greenery, all the work that's been done there with the addition of the companies coming in? Where do we put it at, you know, okay, once you start making this amount of money we're going to start taking this. And we went back and forth over that number for quite a while. But that's a fairly low number if you consider what we're expected to do.

So if there's a question of the City realizing anything above that, you know, we can go back with -- between all the communications. I know Mr. Haygood was a part of that. I know the CRA -- I mean we can show you the numbers. I can present you the business plan if you'd like.

COMMISSIONER HUBBARD: I have the business plan. And, truthfully, I -- I always thought that this was just a low amount that the City was receiving. What I'm saying now, if we're going to add the alcohol to it I think what we need to increase is the percentage amount that the, that the City gets.

And the reason I say that is because we already have to wait until almost a million dollars is made before we realize anything at all. And with the increase of the amount of money that we will realize from the liquor sales, I say this is -- and like you said, an opportunity for a win/win, where we can increase the six -- move the six percent up so the City can realize a fairer -- not a fairer but a larger amount.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

CHAIR DAVIS: Commissioner Hubbard. Commissioner Hubbard.

COMMISSIONER HUBBARD: Yes, sir.

CHAIR DAVIS: And I share your sentiment. But here's the issue that we have. There's one component that you're leaving out. You remember the company CBRE that we, the Board, choose to no longer deal with the broker?

COMMISSIONER HUBBARD: Yes.

CHAIR DAVIS: She -- well, the problem here is they also have to re-splitting that fee with them; and that's what's causing the problem for us and the business owner.

COMMISSIONER HUBBARD: I don't think that a real estate development fee has anything to do with the --

CHAIR DAVIS: They're making a fee every year on the backs of us. This business. Not just the initial fee.

Mr. Evans, how long do they -- can you please tell us and explain to this Board and the people at home --

COMMISSIONER HUBBARD: Give me -- give me -- let me ask --

CHAIR DAVIS: -- what role the CBRE played -- because I need to know before I speak out of my mouth and what it is I'm talking about as far as the referencing -- how much money they're making and when did that kick in?

COMMISSIONER HUBBARD: One minute, Mr. Chair --

CHAIR DAVIS: Well, hold on, hold on.

COMMISSIONER HUBBARD: -- before he answer the question, let me finish stating the question so he can give me the answer

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

to what I was asking. Let me at least ask it.

When you give the answer, Mr. Evans, understand that I'm not saying that CBRE won't realize or get any money or not affecting the bottom line, I'm not saying that. This is what I'm asking you, and I'm just looking for an answer. Because CBRE will take a percentage of this deal, I don't agree that it should weigh in on the percentage -- not -- that -- now that we're adding the liquor to the table. That's all that I'm asking.

Now I know Mr. Davis evidently doesn't agree, he's shaking his head. But I'm just -- I'm merely asking a question. And I think it's important that we get questions answered.

CHAIR DAVIS: No, no, I --

COMMISSIONER HUBBARD: And I don't think it's wrong to --

CHAIR DAVIS: I'm not -- no, no problem --

COMMISSIONER HUBBARD: -- to answer.

CHAIR DAVIS: I got no problem with that. I just wanted to -- I was going to update you on the history on what transpired once this agreement, this conversation came up.

There were 21 restaurants said no to Riviera Beach Marina. 21.

COMMISSIONER HUBBARD: That --

CHAIR DAVIS: So -- hold on. That's before you came on board. So I'm just updating you on what happened before we get to the question.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

The question they had was they could not be sustainable for two reasons: One, we have no foot traffic. You cannot dictate the economic position for no restaurant until you can determine foot traffic. Now you're talking about parking. Now you're talking about experience. What are the things that we're going to do to draw people to our marina.

I'm just like you, our focus on the CRA is to create jobs and to spur private development. That's our -- that's, that's, that's our job.

The more money they make, the more money they can pay our employees, hopefully the employees from Riviera Beach, those people are making money, their families are coming out spending money. And that's the whole purpose of CRAs. And I want to make sure that we focus on why we all here --

COMMISSIONER HUBBARD: Let me --

CHAIR DAVIS: -- which is to spur --

COMMISSIONER HUBBARD: Excuse me.

CHAIR DAVIS: Wait. Hold on. Hold on. I allowed you to speak. I'm not going to go back and forth, with all due respect.

COMMISSIONER HUBBARD: No. Wait a minute. We're not going to go back and forth --

CHAIR DAVIS: Hold on. Hold on. Hold on. Hold on.

COMMISSIONER HUBBARD: -- but I'm going to say what I have to say. I'm going to ask the question. I have had it with us

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

not being able to even get questions out up here.

VICE-CHAIR MILLER-ANDERSON: Point of order, please.

THE CHAIR: Point of order is being recognized.

Now, the Chair had the floor and you asked the question and I --

COMMISSIONER HUBBARD: I had the floor. You took it from me.

CHAIR DAVIS: No, no.

COMMISSIONER HUBBARD: That's why I interrupted you, because you didn't let me finish.

But you go ahead, sir.

CHAIR DAVIS: You know what, I'm going to allow Mr. Evans to go and answer the question because I'm not going to say any more. Go ahead, Mr. Evans.

INTERIM EXECUTIVE DIRECTOR EVANS: CBRE would not benefit further from a change to this lease related to the six percent. They did -- their compensation was based on a percentage of the lease rate that they paid over a certain number of years. So it was -- so the lease that we signed was for a certain number of years and then their compensation was directly related to that.

MR. SALLOUM: If we may. Commissioner Hubbard, we appreciate the questions. We appreciate the scrutiny. We want -- there's certainly everything to gain and nothing to lose by additional scrutiny in all of these. I mean what you want is for the best interests of this community to prevail. And that's

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

what we want as well.

And I say that to say this: You know, we sat down and negotiated this over the last, I want to say 18 months at this point. That six percent was not argued over but poured over, let's say, back and forth; that break point was poured over back and forth.

We sat down, we -- you know, if you've seen the business plan then you've seen the reports from our CPA firm that has done one thing after -- you've seen the foot traffic reports. It's very difficult to gauge. Given that, you know, we made what we felt, given what our intended expenses were going to be, what our fixed costs were going to be, what our projected sales were going to be, the best deal that we felt everybody could work with. At least initially.

Now, again, you know, down the road, you know, this lease is going to be obviously up for renewal and we can reevaluate. Once everything is in place, once we start putting in other businesses there, once the foot traffic is -- can be measured, once we can sit back and say, look, you know, we're bringing in an additional 20,000 people into that area, well, you know, now, you know, that deal we had in place before was working out great but you know what, we're doing a lot better in all these projections so let's come back to the table and figure this out. And we're open to do that. But at this point everything that we're talking about right now, all the negotiations, these

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

numbers at six percent, the alcohol sales, whatever it might be, have been just examined and negotiated; and they form the basis of the bargain now between us, the City and the CBRE.

COMMISSIONER HUBBARD: Mr. Chair.

CHAIR DAVIS: Yes, ma'am.

COMMISSIONER HUBBARD: The -- sir -- and I appreciate your comments, and I'm glad that you understand where I'm coming from because it is my duty and my responsibility to ask you the questions, because that's what I was elected for. And as the Chair said, our responsibility is for redevelopment and economic development. And I understand that foot traffic and the things that it takes to make a business viable. And I understand the deficiencies that the Riviera Beach and the Riviera Beach Marina present right now for a potential business. But you negotiated six percent of what we were looking at, which was the food and the sales from -- to 9:00 p.m. The only thing that birthed this question in my mind is the fact that once we start to add the alcohol of course we're going to that -- one, we will reach the break point quicker, which is, which is a fact, so you'll get closer to the $875,000 quicker. And what I wanted to be considered was the fact that we will make more money quicker and it also would give us an opportunity to have a discussion about increasing our part from six percent to further, to seven percent or whatever. I'm just throwing that out there now.

So these are questions that should be asked. And I know

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

you guys negotiated it probably with Mr. Brown, back and forth, Mr. Evans, and Mr. Haygood. But as the Chair pointed out, when the conversation initially started I wasn't there, but I was here in the beginning before anything at all was done. So with there being an addition, a new addition and a -- and, you know, an amendment to the contract, I think it's fair ground to have a conversation about it. So that's where my questions was. And I want to be real clear that it wasn't to have anything -- to kill the project or anything of that. But I'm supposed to ask those questions.

MR. SALLOUM: Yes. And, again, we appreciate the scrutiny, we appreciate the questions because, you know, we want the same thing you want, what's best for the community. In order for us to thrive, you know, we need your help and in order for the City to thrive you're going to need the help of small businesses such as Rafiki Tiki.

However, as of right now that base price was negotiated with a beer and wine sales in mind. So the addition of the actual liquor sales may be incremental at best. We just don't know.

So when we go back and we're having this discussion of, well, the City has given you more consideration and more incentive and a bigger benefit, you know, then we want to think about maybe a better deal for the City, well for the most part we've already had the right to sell beer and wine built in. So

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

as far as what that difference is between what the sales would be with beer and wine and then with liquor on top of that, we just don't know.

However, it couldn't -- one, we didn't foresee it because, again, we had discussed, you know, the obstacles with, you know, getting the bigger restaurant and the concerns involved there. However, at this point it's tough to tell.

So I understand, you know, you want to fight and do what's best for the City and do what's best for everybody -- and we do really appreciate that. We appreciate, you know, the questions and looking into it.

We just don't have those answers. So if you're looking for, let's say, oh, well, you know, we agree to seven percent or eight percent, well right now, you know, all of our numbers, all of our negotiations were based and built on six percent. All the money we invested, all the arrangements being made, were based on that six percent being built in.

COMMISSIONER HUBBARD: And none of it was based on the alcohol sales? Just the beer and wine.

MR. SALLOUM: Well, that's -- that is -- I mean it's alcohol sales, it's not the liquor sales, correct.

COMMISSIONER HUBBARD: Okay. So everything that you're talking about with the beer and wine and everything, the construction and the investment, were all based on the six percent. And, again, as I tried to point out, we're talking

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

about something totally different with the alcohol. So that's where I thought the additional discussion would ensue.

MR. SALLOUM: Yes, ma'am. And as far as, you know, a completely different animal, we don't see it that way; we see it as an addition to an area of what we're going to offer, you know, as opposed to just beer and wine or just soda, whatever it might be. It's drinks, it is going to add revenue, hopefully, for us and for everybody. That's the goal here. We just don't know how much that's going to be. And we -- and certainly at this point, with all the money we've invested, I mean going back to the negotiating table to negotiate the terms of this would be, let's just say detrimental at best, especially if we're hoping to open by the end of January and, you know, have that, you know, moving before the season ends.

COMMISSIONER HUBBARD: As you pointed out, this was negotiated based on your investments and the terms --

MR. SALLOUM: Ongoing negotiations for the last --

COMMISSIONER HUBBARD: -- all based on the alcohol and the beer and...

MR. SALLOUM: Well, we had discussed liquor sales throughout the entire process. Now there was -- it was prevented first from all the concerns with the big restaurant. But we discussed the liquor sales and permission of liquor sales from the inception of the project. I mean that was on the table and discussed the entire time.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

COMMISSIONER HUBBARD: Okay. Thank you.

MR. SALLOUM: And, you know, obviously with the eventual intent of getting the liquor sales and, you know, competing with every other business out there.

COMMISSIONER HUBBARD: Got you. Thank you, sir.

MR. SALLOUM: Thank you for your time. Thank you for your questions.

CHAIR DAVIS: Excuse me. What's your name again?

MR. SALLOUM: Roland Salloum.

CHAIR DAVIS: Salloum. Mr. Salloum, how much money have you all invested in construction so far?

MR. SALLOUM: 95? Roughly $95,000 so far. Now we have -- I mean we're not done yet. As you can see if you've been down there, you can see that there's still much more work to do. We just got some change orders in from the plumbers, from the kitchen hood, that are going to need additional expenses. I mean it's 95 today. It's certainly going to be at least another, what, another 80? We'll split the -- yeah, so another -- yeah, so another four hundred. All together, I mean between what the City is giving us -- and we're looking at another, you know, $80,0000 that we're going to be investing in it. I mean ourselves. Besides the peripheral stuff. Once we get up and moving.

CHAIR DAVIS: So a total of $400,000?

MR. SALLOUM: It's going to be a total of four hundred,

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

yeah, $400,000 project, yeah.

CHAIR DAVIS: Commissioner Davis Johnson, do you have any questions?

Anyone else on the Board?

Madam Clerk.

(Regular Business, Item 6. Motion passed unanimously.)

MR. SALLOUM: Thank you.

CHAIR DAVIS: Thank you.

All right. Item number 7.

THE CLERK: Discussion item. Inner City Youth Golfers, Inc., request to amend the purchase and sale agreement contract for property located on 13th Street, west of Avenue E.

CHAIR DAVIS: Do we have a motion?

COMMISSIONER PARDO: So moved.

THE CLERK: I'm sorry. It's a discussion item, Chair.

CHAIR DAVIS: Let me go to -- Ms. Larson, you want to wait until we go through a presentation?

MS. LARSON: Yes.

CHAIR DAVIS: Okay.

INTERIM EXECUTIVE DIRECTOR EVANS: The Inner City Youth Golfers non-profit organization is requesting to modify their approved sales agreement. They would like to close on the property now and continue to raise funds until they complete construction.

On the screen above is a diagram of their approved plan.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

Part of the condition that they had to move forward with the sale of the property was they obtain a site plan approval from the City Council for the project, which they did. And the last remaining condition that they needed to meet was that they needed to raise the construction funds to build the project in order to close.

So they have submitted a request that would allow the property to close on the project now. And they -- they are saying that their fund raising activities have been limited because they do not control the property, they don't have ownership. So they're requesting to modify the contract to close now.

However, we would also modify -- we would incorporate a deed restriction. And the deed restriction, if the Board decided to move forward with it, would suggest that the property could only be developed exclusively for the planned youth center; and that if the construction does not begin in five years that the property would be returned to the CRA for the original purchase price.

So this -- I would propose that this would be instead -- if we did allow them to close, if that enhanced their fund raising, we would still include that condition so that if it doesn't get built we would still get the property back.

CHAIR DAVIS: Okay. Any question by anyone from the Commission?

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

COMMISSIONER PARDO: Yeah, I have a question.

CHAIR DAVIS: Go ahead.

COMMISSIONER PARDO: Scott, are they still paying the $2,562 a year for maintenance of the property?

INTERIM EXECUTIVE DIRECTOR EVANS: Yes. They have paid the first two years worth. So they've contributed over 5,000. And they do owe us for the third year, which we are now in, for continuing maintenance.

COMMISSIONER PARDO: When was the third year due?

INTERIM EXECUTIVE DIRECTOR EVANS: I believe it was due when they last amended it, so in August. So it's still -- they do owe it to us now.

COMMISSIONER PARDO: So was it due in August or is there a specific date that the funds are due?

Does anyone know that?

Mr. Haygood?

MR. HAYGOOD: I do not.

COMMISSIONER PARDO: I wasn't able to find it in the contract.

CHAIR DAVIS: Are they here?

INTERIM EXECUTIVE DIRECTOR EVANS: Mr. Knowles was unable to make it this evening.

However, there is a specific date that it's due by.

COMMISSIONER PARDO: Okay. And what is that date?

INTERIM EXECUTIVE DIRECTOR EVANS: Just looking to get it

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

exactly.

COMMISSIONER PARDO: You still don't know?

INTERIM EXECUTIVE DIRECTOR EVANS: Yeah.

COMMISSIONER PARDO: Can we put this off until the next meeting?

COMMISSIONER HUBBARD: It's a discussion item.

COMMISSIONER PARDO: Oh, it's a discussion.

INTERIM EXECUTIVE DIRECTOR EVANS: Yeah, it's just for discussion.

COMMISSIONER PARDO: Okay. Fine. So, you know, the next time it comes back can we have that information, please?

INTERIM EXECUTIVE DIRECTOR EVANS: Yes.

CHAIR DAVIS: And make sure -- please invite Mr. Knowles to the meeting so we can hear from him, how his progress is going with this project.

Commissioner Davis Johnson, do you have any questions?

COMMISSIONER DAVIS JOHNSON: Can you hear me?

CHAIR DAVIS: Yes, we can hear you just fine.

COMMISSIONER DAVIS JOHNSON: Is there discussion about having them come to make a presentation to us at the next meeting? Is that what I heard?

CHAIR DAVIS: Yes, ma'am.

COMMISSIONER DAVIS JOHNSON: I support that.

CHAIR DAVIS: All right.

VICE-CHAIR MILLER-ANDERSON: Wait a minute. Chair.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

We're asking who to come back and make a presentation? Mr. Knowles?

CHAIR DAVIS: Mr. Knowles, yes. The Golfers -- what are they called?

INTERIM EXECUTIVE DIRECTOR EVANS: Inner City Youth Golfers.

CHAIR DAVIS: Inner City Youth Golfers.

All right. Any other questions before we move to item number 8?

No. Ms. Larson.

MS. LARSON: I'll pass.

CHAIR DAVIS: Ms. Larson, you'll pass?

MS. LARSON: Mmhmm.

CHAIR DAVIS: Okay. Thank you.

Not that I'm happy you're passing but thank you.

All right. So we'll go to item number 8.

THE CLERK: Discussion of the Riviera Beach CDE and the Riviera Beach LLC, and recommendation for appointment of special RBCRA manager of the Event Center LLC.

CHAIR DAVIS: This is discussion.

MR. HAYGOOD: Well, there's some action we need you to take or we are requesting you to take.

CHAIR DAVIS: Okay.

MR. HAYGOOD: As I explained in my memo, this first issue involves the position on the CDE Board.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

Mr. Brown as an employee of the CRA was a member of the CDE Board. Upon his termination he longer was qualified or no longer fit the criteria under the Articles of Incorporation to serve as a City/CRA employee.

At the CDE meeting back in August a motion was made to appoint Mr. Brown as a non-CRA/City employee member of the Board, conditioned upon the CRA Board agreeing to the appointment.

The item was discussed at the next CRA meeting, which was I think on August 28th, but no formal vote was taken. We thought there was a consensus made of the Board during the discussion. But to avoid any question about the Board's intent we are requesting you to take a formal vote on whether you will agree to Mr. Brown serving as a non-CRA/City employee of the Board.

The motion as I stated -- and we sent you copies of the minutes. The motion as I stated was made and passed by the Board, by the CDE Board, and we're just requesting you to take a vote on that appointment.

The -- I don't know if you want to take these one at a time.

CHAIR DAVIS: Go ahead.

MR. HAYGOOD: Okay. Then the second item has to do with the appointment of a -- under the Articles of Organization -- I'm sorry -- operation agreement, the CRA has the right to appoint a special Riviera Beach CRA manager of the LLC.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

CHAIR DAVIS: And who does that? Is that a board or is that --

MR. HAYGOOD: This is your appointment.

The other appointment is based upon the motion made at the CDE Board meeting was to request whether or not you would approve him as continuing to serve as the CDE Board.

CHAIR DAVIS: Do you have any questions?

VICE-CHAIR MILLER-ANDERSON: Yes, I do.

CHAIR DAVIS: Vice-Chair.

VICE-CHAIR MILLER-ANDERSON: I actually thought this item was going to be pulled based on Mr. Brown saying he was removing his name, he no longer wanted to participate. Is that not accurate from the e-mail, Mr. Haygood?

MR. HAYGOOD: No, that's not -- the last e-mail I got, I did not see that; it said, as I've read it, that he wanted it -- it would be pulled if the CDE Board in fact still wanted to take the position that they wanted your comments as far as appointment.

VICE-CHAIR MILLER-ANDERSON: In the last part of his e-mail he says, "Please do not offer my name to the CRA Board for a vote on the concurrence of an appointment to the CDE Board."

CHAIR DAVIS: And -- can I --

MR. HAYGOOD: Yeah, I think it was a little further than that. His position is that subsequent to the CDE Board member he sent an e-mail saying that he's basically reversing his

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

position and that one of the Board members had agreed with him and the other -- nobody else objected. And I don't think that's consistent with the CDE Board's motion.

CHAIR DAVIS: Correct. I was there.

COMMISSIONER HUBBARD: Mr. Chair.

CHAIR DAVIS: Are you finished, before we go to Hubbard? Can I -- can I explain what happened? I was there.

VICE-CHAIR MILLER-ANDERSON: I'm just going by what these e-mails went by -- went -- that went back and forth between you all today, where he said he wanted to remove his name. And then I also understand that he texted me and said that he wanted to move on from the City. So I understood that to say that he was done and didn't even care to go through this process. I mean I had not responded back to him yet. But I mean --

MR. HAYGOOD: I don't know about your text.

VICE-CHAIR MILLER-ANDERSON: Well, even with the e-mail, they both are pretty much saying the same thing. He just basically said what the e-mail said in the text. So it's no different from the e-mail. Other than to say he wants to move on. So I understood that to mean that he -- we didn't even need to go through this.

COMMISSIONER DAVIS JOHNSON: Mr. Chair.

CHAIR DAVIS: Commissioner Hubbard. Then we go to Davis Johnson. She was waving her hand.

COMMISSIONER HUBBARD: Based on the litany of e-mails that

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

were going back and forth, what I got out of what he was saying was that if the CDE Board felt like they had to get approval from this Board then he wanted his name taken out. Because in actuality he is saying that we don't have the right to tell the CDE Board what to do, and we can't even weigh in on whether or not he gets to be the acting, the manager of that.

Also what I got from it was that the CDE Board stated what they wanted to do was accept him only if we approved. And by us not approving, then he cannot be the CDE manager; and we have the wherewithal and the right to appoint someone to be the overseer because we know we have to do that because of the tax credit requirement. So that's what I got out of the fact that when he said he didn't want to be involved. He don't want to be involved if we have to give our blessing or our approval. But if the CDE stand up and say, hey, Board, we don't need your approval, we want Mr. Brown to be the manager, then he's good; but if they are going to come to us and ask us for our approval before they accept him he's saying pull my name out of the hat.

VICE-CHAIR MILLER-ANDERSON: Okay. So, Mr. Haygood, what did the CDE Board say they wanted to have done?

MR. HAYGOOD: The motion was that -- the motion that was passed was that they would appoint him if the CRA Board did not object to his appointment as a board member. Now there's a separate issue -- that's a board member, it's not -- that's a separate issue when we started talking about the manager.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

VICE-CHAIR MILLER-ANDERSON: Okay. So did you agree with what Ms. Hubbard just stated as the summation of this e-mail between you all going back and forth?

MR. HAYGOOD: Well, I did not read the e-mail. And the last one I think I saw was --

VICE-CHAIR MILLER-ANDERSON: You responded to the e-mail.

MR. HAYGOOD: Okay. Then based on those e-mails I did not understand him to say he was withdrawing his name. In fact, I thought he asked it to be delayed --

VICE-CHAIR MILLER-ANDERSON: He says it in the last paragraph. That's what it says.

CHAIR DAVIS: No. He kept sending e-mails. You got to keep watching him.

VICE-CHAIR MILLER-ANDERSON: Well --

CHAIR DAVIS: He kept on --

VICE-CHAIR MILLER-ANDERSON: But I'm just saying -- I'm just -- I'm just trying to say if he is saying that if the CDE Board has to come to us to get approval before they let him go on the board, and if he's feeling -- if he's saying that he feels that if that is the necessary route to take then he will remove his name, well, that's what they're saying they want done, right?

COMMISSIONER HUBBARD: Exactly.

MR. HAYGOOD: Right. But there was some more to the e-mails. I just think that it's better that you go ahead and

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

vote one way or the other and --

VICE-CHAIR MILLER-ANDERSON: No. If he is saying that if the CDE Board needs to come to us for approval he no longer wants to be considered -- and that is what is -- that's what they're asking for. Because if they didn't ask for that we wouldn't even be talking about this probably right now.

CHAIR DAVIS: What did it say, considered for what? For which board position? Because there's a couple positions --

MR. HAYGOOD: No, no, no. This is a non-member --

VICE-CHAIR MILLER-ANDERSON: The CDE Board, and -- I will remove my name from nomination -- okay. I do not wish my name to be submitted to the CRA Board, and believe your action is unnecessary and contrary to the bylaws of the CDE. If the current members of the CDE Board insist on the concurrence of the CRA Board to my appointment, which is not a required action in the bylaws, I will remove my name from nomination. Please do not offer my name to the CRA Board for a vote on the concurrence of an appointment to the CDE Board.

MR. HAYGOOD: Yeah, but again he said that -- and if you keep reading it it says I communicated to you --

VICE-CHAIR MILLER-ANDERSON: He said he said that before in October and again now.

MR. HAYGOOD: Right. And his point back in October was that Mr. Howard had changed his mind and that no one else had objected to it. So that his position was that that vote was no

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

longer valid or --

CHAIR DAVIS: Yep.

MR. HAYGOOD: -- that there was some other action. I think he said well let's wait and take it off the agenda --

CHAIR DAVIS: Mmhmm.

MR. HAYGOOD: -- and wait until the CDE Board meets, so they can clarify.

COMMISSIONER HUBBARD: But that's his position, right --

MR. HAYGOOD: Yeah.

COMMISSIONER HUBBARD: -- Mr. Chair? But it's not our position. He doesn't get to make that decision while we're talking about what people don't get to do. He doesn't get to make that decision. That's our decision.

MR. HAYGOOD: Well, it's -- okay --

CHAIR DAVIS: Let, let, let me state, let's stay focused here because everybody is right where they need to be. What we don't see is the CDE Board asking to take him off the agenda. The CDE Board gave us -- asking us to take action. He sent his e-mail to this Board, not the CDE. They're asking for us to send him something. So we responded to their request to the CDE Board. We shouldn't be responding to Mr. Brown because he want to ask us to do something that the CDE Board already made a request.

Now if the CDE Board members said, hey, don't do it, then I'm with it. But they said we need this, because we can't go

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

back and forth with him changing his mind. Because he was saying one thing today and then the next day it becomes something else.

COMMISSIONER HUBBARD: And regardless of how he changes his mind, it really doesn't matter. What we need to do is take a stand here tonight and make a motion, vote on it, and make sure that he is not the acting manager of that. Then as we move on to the next part appoint someone so that we can be in compliance with the tax credit authority.

MR. HAYGOOD: Okay. Let me make sure that -- again, let me clarify. Okay? We're talking about two separate things. One is a membership --

VICE-CHAIR MILLER-ANDERSON: I'm talking about the Board. That's the only thing I'm talking about.

MR. HAYGOOD: Yes. And -- I want to clarify that under the bylaws and as an independent board they have the right to appoint the person. They said though -- and it was a long discussion. I don't know if you read the minutes. It was a long discussion about whether there was going to be a relationship between the CRA and the Board going forward. And in fact Mr. Brown actually made an amendment to it and said if in fact the Board doesn't want him to be a member, then if you all oppose it then he would not accept the appointment.

COMMISSIONER HUBBARD: Well, that -- Mr. Chair.

CHAIR DAVIS: Yes, ma'am.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

COMMISSIONER HUBBARD: That's all, that's all well and good. I think, you know, based on the comments up here thus far we're all real, real, real clear as to what's happening. The CDE Board has asked us to make a motion to confirm or to deny their position on making him the manager. If we, if we take a -- if we take a vote that's -- and we say no, we don't want -- we will not confirm their appointment of him to the Board, he is no longer there. So we don't have to go back and forth. We do this, we send a letter to the CDE Board to let them know that under any -- under no circumstances is he the manager partner of that organization.

And I mean to keep -- we can keep repeating it and make it as clear as mud if we want to, but the bottom line is we should not have a person that we terminated acting in any capacity with the CRA. And I don't think that it's going to take an act of Congress for us to make that motion and take that vote.

COMMISSIONER PARDO: I believe Councilwoman --

CHAIR DAVIS: She hasn't said anything yet.

COMMISSIONER PARDO: Right. Didn't she ask --

CHAIR DAVIS: No.

COMMISSIONER PARDO: -- to speak?

CHAIR DAVIS: Did you -- Davis Johnson, did you make a request?

COMMISSIONER DAVIS JOHNSON: I did. And you told me to hold off, but you all continued your conversation.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

CHAIR DAVIS: Okay. You have the floor.

COMMISSIONER DAVIS JOHNSON: I understood it the same way in which Commissioner Miller-Anderson read it, he no longer wishes to be considered. So what is it that needs to happen at this particular moment? Because he simply says, I don't want to be considered. So if he doesn't want to be considered we know that we need to remove him and replace him.

CHAIR DAVIS: Well, Commissioner, Commissioner Davis Johnson, now the Board, because I -- the Board, the CDE -- the CDC Board, is that what it is?

COMMISSIONER DAVIS JOHNSON: The CDE.

CHAIR DAVIS: The CDE Board, regardless of what Mr. Brown has told us, they want to be comfortable by us taking action, and they sent that request. Because in that meeting he was going back and forth on what he wanted. Just like he's doing in these e-mails.

This e-mail did not come from the Board, it came from him.

They're saying regardless of what he's telling us today they want something hard, substantial to come to them from this Board so they know moving forward; so if he comes back and change his mind, they got something they can stick to.

Because this has been going on for months now, back and forth, back and forth, regardless of the e-mail that happened today, at the last minute that I received today, this item has been on the agenda for a week. And he waited until today to

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

submit this to cause confusion in this meeting, what's going on today.

Now we're moving forward as a city and telling folks how to vote, he's no longer here. The Board asked us to do something for them so they can govern accordingly.

Mr. Howard -- is that his name?

MR. HAYGOOD: Mmhmm.

CHAIR DAVIS: Mr. Howard said he would not move forward unless the Board take action. So that's all we're doing today in response to the Board. Not to Mr. Brown. He do not run this show anymore.

COMMISSIONER HUBBARD: Mr. Chair.

CHAIR DAVIS: Yes, ma'am.

COMMISSIONER HUBBARD: I'd like to make a motion that we do not confirm Mr. Brown's appointment as the non-member manager for the CDE.

MS. BROWN: I have a card.

COMMISSIONER HUBBARD: I'm sorry, Madam.

Go ahead, Mr. Chair.

CHAIR DAVIS: I will receive the motion and then go to the public and we'll come back.

COMMISSIONER HUBBARD: Okay.

CHAIR DAVIS: Okay. Miss Bessie Brown.

COMMISSIONER HUBBARD: I didn't see you standing there. I'm sorry.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

MS. BROWN: Good evening. Bessie Brown.

According -- if you all -- if you want to be about protocol, the actual item on here is saying to -- your recommendation for appointment of a special RBCRA manager of the Event Center LLC, there's nothing in this agenda that says about Mr. Brown and what you all are talking about, that's not even an item. So if you're planning to make a recommendation, you're making a recommendation on something that's not even on your agenda. I don't care how many e-mails you have, this is -- that item is not an item for you to take care of tonight.

And the only, and the only other thing is that I'm not sure if you all were given a copy of the Board's roster, who are on the Board, but I have a copy here -- we have a copy of the CDC Board and we have a copy of the Event Center on August 12th, 2016, says Tony Brown, non-member manager, and other than -- and Scott Evans, John Howard, Natalie Moore, and Zar Yassine.

And then we have on August 12th again where it says Tony Brown no longer on the Board. You all need to have information to look at that comes from the CRA, because this is where this information came from. And actually that -- and actually what you're about to make a motion on is not even on the agenda, to even discuss.

CHAIR DAVIS: Thank you, Ms. Brown.

COMMISSIONER HUBBARD: Mr. Chair.

CHAIR DAVIS: Before we go, I want to make sure the record

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

is clear. Mr. Haygood, would you please explain what the agenda item says and how it all combines?

MR. HAYGOOD: I didn't prepare the agenda. My memo --

CHAIR DAVIS: Yeah.

MR. HAYGOOD: I don't know who prepared the agenda but my memo says there are two items that we're requesting you to take on this item. One is to either oppose or agree to the appointment of Mr. Brown to the CDE Board.

CHAIR DAVIS: Mmhmm.

MR. HAYGOOD: And the second item is one that she talked about you appointing a special RBCRA member.

CHAIR DAVIS: Correct.

COMMISSIONER HUBBARD: Okay. So, Miss Brown, they both are on there.

MS. BROWN: They are?

COMMISSIONER HUBBARD: Yeah.

CHAIR DAVIS: Commissioner Hubbard.

COMMISSIONER HUBBARD: Okay. I move that we oppose the CDE's appointment of Mr. Tony Brown as the non-member manager to the CDE Board.

MR. HAYGOOD: As a member of the CDE Board.

COMMISSIONER HUBBARD: As a member of the CDE Board.

I don't -- let me rephrase that, Mr. Haygood, because I don't want to go back and come back and be here where we are today because, one, you know, we didn't get a -- we -- in August

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

we didn't get a consensus, there wasn't any clarity.

But let, let, let me say this: We -- I oppose the CDE appointment of Mr. Tony Brown as a member or a non-member part of the CDE.

Can I get a second?

CHAIR DAVIS: Do we have a second. We have a motion. Do we have a second?

VICE-CHAIR MILLER-ANDERSON: I, I, I have a second for a question.

CHAIR DAVIS: Okay. Question, Vice-Chair.

VICE-CHAIR MILLER-ANDERSON: Why -- again, I know I stepped out very briefly, but why are we having to make a motion on something that should be a moot point? I mean why?

CHAIR DAVIS: Here's, here's --

VICE-CHAIR MILLER-ANDERSON: No. I want Mr. Haygood to tell me why are we having to make a motion for this when --

MR. HAYGOOD: I -- I'll read the e-mail and my understanding of the e-mail. That's all I can tell you.

VICE-CHAIR MILLER-ANDERSON: And -- but let me say this too, I thought I recall -- and remember what I said about my memory, but I thought I recall Mr. Evans saying once before, we had -- we kind of had a similar discussion; and Mr. Evans said if the Board directs me to -- you can have him removed or something. This was -- was that the same conversation you had?

MR. HAYGOOD: That was the meeting back in August at which

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

we never got a formal vote.

CHAIR DAVIS: You said bring it back.

MR. HAYGOOD: Right. Well, you didn't say bring it back but --

VICE-CHAIR MILLER-ANDERSON: We didn't say bring it back. We -- he said you can direct me to do it and I can do it.

MR. HAYGOOD: So --

VICE-CHAIR MILLER-ANDERSON: So why didn't Mr. Evans -- Mr. Evans didn't do it?

MR. HAYGOOD: Okay. So we got a -- that was the action you all took. And we thought it was a consensus.

Mr. Brown sent us an e-mail --

VICE-CHAIR MILLER-ANDERSON: I'm not -- I'm not talking about what Mr. Brown did.

Did that count that night? Why are we still talking about this if we told Mr. Evans, we gave him -- and if it was three that said yes, then that's a consensus I'm thinking, because that's how it goes any other time.

CHAIR DAVIS: Mr. Haygood. With all due respect to response to what Vice-Chair Miller-Anderson is requesting. Based upon the way the board is structured, they do not listen to Mr. Evans. He does not have the authority as one individual to tell them what -- he can make a recommendation to that board. It's independent. That's why the Board said, we -- before we step on anybody's toes we want to hear from us. Because we

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

don't have to listen to Mr. Evans.

VICE-CHAIR MILLER-ANDERSON: But did -- okay. But why -- okay. So why, Mr. Evans, did you share as who -- whatever you represented at that point, why did you say if the Board directs me to do it then I can do it? Tell me what was that about.

INTERIM EXECUTIVE DIRECTOR EVANS: Right. So at our last meeting, if the Board gave me consensus, then that was the result, that would in fact mean that Mr. Brown was not a CDE Board member. Because the vote said --

VICE-CHAIR MILLER-ANDERSON: The vote or -- because we -- if we did take a vote --

CHAIR DAVIS: It wasn't a vote.

VICE-CHAIR MILLER-ANDERSON: Did you tell us we needed to take a vote that night?

MR. HAYGOOD: We did not.

INTERIM EXECUTIVE DIRECTOR EVANS: We did not.

CHAIR DAVIS: We didn't take a vote. It was asked to come back.

INTERIM EXECUTIVE DIRECTOR EVANS: So that, that point was challenged.

VICE-CHAIR MILLER-ANDERSON: My question is, why wasn't that discussed then to say well we can't take a consensus, we need to vote on it tonight.

MR. HAYGOOD: Because in the motion it said either informal or formal. That was the original motion.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

Later Mr. Brown said, well, there was no vote taken. So -- we call it belt and suspenders, to make sure there's no question, we are asking you to take a formal vote to tell them of your position one way or the other as far as Mr. Brown being a member of the CDE Board.

VICE-CHAIR MILLER-ANDERSON: I understand your explanation on that part, as to why you're telling us to do it, so that it is clear as crystal clearness can be.

MR. HAYGOOD: Of what your position is.

VICE-CHAIR MILLER-ANDERSON: However --

MR. HAYGOOD: Yes, ma'am.

VICE-CHAIR MILLER-ANDERSON: -- if the CDE has the power to do it themselves, why is it they are afraid to do what they need to do as a board and then go on to bring it to us so that it could say, well, we didn't say it, they said it? So what, what, what's the deal with that?

MR. HAYGOOD: Well, if you --

VICE-CHAIR MILLER-ANDERSON: Let me say --

MR. HAYGOOD: As I read the minutes and as the discussion went at the CDE Board, the Board realized I think that they had -- it was their authority to appoint a member of the CDE Board, it's not up to the CRA. But in consideration of the original purpose of the CDE, in consideration of the relationship as explained by the Board members, the relationship between the CDE and this city, they wanted to know your position

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

on whether or not you wanted him to serve as a member.

VICE-CHAIR MILLER-ANDERSON: It doesn't matter if we -- they're the ones that are supposed to be governing the Board. Why do they need -- I, I mean I don't have a care about voting on this. But my point is don't try to make this an issue of voting when it doesn't have to be, it doesn't have to be there.

And then second, he said in writing he wanted to remove his name. I'm still stuck on that. He said he did not -- he said he was going to move on from the City, he will take his name from nomination. That's what I understood this to say.

So with that being said, why are we even still sitting here talking about this?

MR. HAYGOOD: Okay. Let me read the e-mail.

MR. ALTEN: Come on, he's laughing at you all.

MR. HAYGOOD: The second action is confusing. You were asked on the CRA Board to vote on the offer extended to me by the CDE Board to serve as the director of the CDE Board.

In an e-mail dated October 28th, 2016, I asked the CDE Board members to alter their requirement for the CRA's Board's concurrence. As you know, Mr. Howard rescinded this requirement and no one else objected. The concurrence and nomination of any member to the CR -- CDE Board is not a right that the CRA Board has privy. I do not wish my name to be submitted to the CRA Board and believe your action is unnecessary and contrary to the bylaws of the CDE.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

If the current members of the CDE Board insist on the concurrence of the CRA Board to my appointment -- which is not a required action in the bylaws, I will remove my name from nomination.

I believe the appropriate action is to return this matter to the CDE Board and not an outdated action that has since been altered.

Please do not offer my name to the CRA Board for a vote on concurrence and appointment to the CDE Board. I communicated this to you in October and again now. I respectfully ask that this item be tabled or removed from the CRA Board agenda and be returned to the Board of the CDE Board for clarity of action.

CHAIR DAVIS: Now --

COMMISSIONER HUBBARD: There you go.

CHAIR DAVIS: -- so -- thank you.

MR. HAYGOOD: So I don't think --

CHAIR DAVIS: It still go back and he gonna make a decision --

COMMISSIONER HUBBARD: He wants it to go back to the CDE Board and come back.

He clearly stated that he believes it needs --

VICE-CHAIR MILLER-ANDERSON: You have a microphone.

CHAIR DAVIS: Microphone.

COMMISSIONER HUBBARD: He clearly stated that he believes that this needs to go back to the CDE Board.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

When he's saying remove my name, CDE Board, if you feel you need the authorization of this Board. However, when we don't take action on it he's taking it straight back to the CDE Board, asking them again, telling them, these are you-alls bylaws, you can appoint me as you have done; the CRA Board has no authority over the CDE Board, so let's go ahead and appoint me as the LLC -- as the CDE manager.

And I think it's important that we take a vote so that we can have it clear and it states that we are not having him. So he don't keep inserting these 13th hour e-mails. And if he does, we can ignore him like the 30th of February. We don't have to keep having this discussion. Let's take a vote so he can -- so he won't be able to say that there wasn't a consensus.

We'll take a vote. We let the -- that will let the CDE Board know that we oppose their appointment, it's dead; we make our appointment of our own.

And did you notice in one of the e-mails he wrote, you -- that we must be appointing this gentleman to work along with him. He put that statement in. Because surely we couldn't possibly be thinking that we were removing him. That if we were appointing somebody tonight, that person would be working along with him. So I'll find that e-mail.

But I don't think that is even necessary. I think what's going to be necessary and sufficient is for us to take a vote to oppose his appointment and appoint our own person.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

CHAIR DAVIS: I must say, you sound like a top-notch attorney. And I couldn't say it no better. With all due respect to Haygood. That's all I wanted to hear. There is an intimidation factor at that board. They do not put their foot down and make a decision of the board without his approval. And I won't say anything else. I will stand on what Commissioner Hubbard just said if I don't stand on nothing else from this dais for the rest of the year.

Is anybody comfortable with me moving forward and calling the question?

VICE-CHAIR MILLER-ANDERSON: Yeah, I put a second out there.

CHAIR DAVIS: Okay. Madam Clerk.

THE CLERK: Commissioner Hubbard.

MR. HAYGOOD: Yes.

THE CLERK: Commissioner Pardo.

COMMISSIONER PARDO: Yes.

THE CLERK: Commissioner Davis Johnson. Commissioner Davis Johnson.

VICE-CHAIR MILLER-ANDERSON: I heard her.

MR. HAYGOOD: Is she on the line? She has to vote.

CHAIR DAVIS: Yeah, she has to --

VICE-CHAIR MILLER-ANDERSON: Go ahead.

THE CLERK: Vice-Chair Miller-Anderson.

VICE-CHAIR MILLER-ANDERSON: Yes.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

THE CLERK: Chair Davis.

CHAIR DAVIS: Yes.

THE CLERK: That motion carries with Commissioner Davis Johnson out for the vote.

CHAIR DAVIS: Ask it -- just check one more time. We don't want to leave her off the vote.

THE CLERK: Commissioner Davis Johnson.

CHAIR DAVIS: Is she still on? Did we hang up on her?

UNIDENTIFIED SPEAKER: She said no.

CHAIR DAVIS: She has to say it to the mic. We have to get it into the microphone. She have to speak into the mic.

VICE-CHAIR MILLER-ANDERSON: I hear something.

CHAIR DAVIS: Oh, I hear, I hear something but I -- okay.

INTERIM EXECUTIVE DIRECTOR EVANS: It's not on speaker anymore.

VICE-CHAIR MILLER-ANDERSON: Put it on speaker.

CHAIR DAVIS: Put it on speaker.

MS. JENKINS: Hold on. We're trying to figure out what's going on with the speaker.

Speak now.

COMMISSIONER DAVIS JOHNSON: Well, I asked to comment before the -- I guess you didn't hear me, but my vote was no.

MR. HAYGOOD: Okay. The second action that we're requesting you to do --

THE CLERK: Can I just say that? Because she said no.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

MR. HAYGOOD: Okay.

THE CLERK: Motion passed with Commissioner Davis Johnson no, dissenting.

MR. HAYGOOD: Okay. The second item we're asking you to take is to appoint a special CRA manager to the Event Center LLC. That's all you're doing. You cannot remove Mr. Brown as the non-member manager; that is an action that has to be taken by the CDE Board. You can appoint, you have the right to appoint a second person but you cannot remove him. So what we're asking you to do is to appoint Mr. Broussard as the special RBCDE manager to the Event Center.

And as I explained in my memo, this is really to make sure that reports are filed in a timely manner. It's really more of an administrative issue. It doesn't confer any right to go out and do any other projects. And this only involves the Event Center.

CHAIR DAVIS: Okay. Well, let's make sure in the record, I want to get this in the record, now the vote that we just previously took, Mr. Howard said they would not move further with him on any board without us saying we're either for or against it, correct?

MR. HAYGOOD: No. He just -- no. The motion was as far as an appointment of him being a member of the CDE Board. The issue of him being the manager -- non-member manager did not come up.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

CHAIR DAVIS: Oh. Well, I'm going back to that. I know, I know what you're saying.

We need to call a special meeting with that board.

COMMISSIONER HUBBARD: We do.

And, Mr. Chair --

CHAIR DAVIS: Mmhmm.

COMMISSIONER HUBBARD: -- the -- when you went to the meeting in August yourself, along with me looking for it in writing here, my understanding was that the CDE Board would not appoint him, ratify his appointment, unless we ratified theirs?

CHAIR DAVIS: Correct.

COMMISSIONER HUBBARD: So in our motion we need to indicate in that resolution that that's the fact, that because the CRA Board did not ratify the appointment of the CDE Board for Mr. Brown, he cannot serve as the manager. Because that's what they said they wouldn't do.

CHAIR DAVIS: Correct.

MR. HAYGOOD: That is not correct.

I'm telling you it's two separate issues. First of all, he is currently serving as the manager. He has to be removed. There is no way -- well, it wasn't discussed. The only discussion was him being a member of the CDE Board.

You do not have to be a member of the CDE Board to be a manager of the LLC. Mr. Broussard is not a member of the CDE and we were asking you to appoint him as a special CRA manager.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

CHAIR DAVIS: Okay. Okay.

So what are you asking this Board to do tonight?

MR. HAYGOOD: I'm asking you to approve the appointment of Mr. Broussard as a special RBCRA manager to the Event Center.

CHAIR DAVIS: Anybody got any question with that item?

COMMISSIONER DAVIS JOHNSON: I do.

CHAIR DAVIS: Yes, ma'am.

COMMISSIONER DAVIS JOHNSON: How is it that you're asking this body to enter into the affairs of another organization that has established bylaws and has directors? How is it that we can arbitrarily make a decision as to who is placed in that position?

CHAIR DAVIS: They asked us to.

MR. HAYGOOD: Hold on. No. The actual operating agreement -- when you're dealing with these entities, the operating agreement is comparable to the bylaws of a corporation. The operating agreement -- and it had nothing to do with Mr. Brown -- specifically says that the CRA shall have the right to appoint a special manager to the LLC.

COMMISSIONER DAVIS JOHNSON: Let me find that in the document.

MR. HAYGOOD: I'm sorry?

COMMISSIONER DAVIS JOHNSON: I'm looking in the -- I'm looking at the bylaws and in the documents here.

MR. HAYGOOD: It's in the --

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

COMMISSIONER DAVIS JOHNSON: Under what section is that?

MR. HAYGOOD: It's in the operating agreement of the LLC. And I don't know the section. I think it's Section 4.2.

VICE-CHAIR MILLER-ANDERSON: Here it is.

COMMISSIONER DAVIS JOHNSON: I don't see the operating agreement. I see the bylaws. Not in the backup that I have.

MR. HAYGOOD: Yes. Well, you can take my word for it and I'll send you a copy of it. It's specific language -- it's specific language in the operating agreement. This is not anything new. You always had that right. It was done when the organization was first formed.

I don't have a copy.

VICE-CHAIR MILLER-ANDERSON: It's on Novus.

Ms. Davis Johnson, it's on Novus. It's one of the attachments.

COMMISSIONER DAVIS JOHNSON: Just looking at my backup here. Okay.

INTERIM EXECUTIVE DIRECTOR EVANS: Yeah, it's 4.2.

MR. HAYGOOD: Yeah, it is 4.2.

During such period as the company is assisting RBCRA in the finance of a new community event center utilizing financing which provides New Markets Tax Credits to certain investors, the company and its members hereby grant the exclusive right to the RBCRA to designate and appoint from time to time and at any time a special RBCRA manager who shall serve in addition to the

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

existing manager.

COMMISSIONER DAVIS JOHNSON: Thank you.

What then is the scope of the Council's authority regarding the CDE?

MR. HAYGOOD: I'm sorry, I didn't understand you.

COMMISSIONER DAVIS JOHNSON: My question is: What is the scope of the Council's authority regarding the CDE?

MR. HAYGOOD: The CDE is an independent organization and but for the Board conditioning the appointment of Mr. Brown to the membership, they could have appointed him. But that was a motion that was made after much discussion.

As far as the LLC is concerned, this was a special appointment that was given to the CRA because you really were funding the development of the Event Center. And so this was a provision that was specifically added to give the CRA the authority to appoint this special manager.

COMMISSIONER DAVIS JOHNSON: Thank you.

COMMISSIONER HUBBARD: Mr. Chair.

CHAIR DAVIS: Yes, ma'am.

COMMISSIONER HUBBARD: Let me say this: We may be talking about one, two or three things here in part; and the last thing that we spoke of is to appoint Mr. Broussard as the special manager, because that was an appointment that we were given in the document here. So we want to take advantage of that special appointment and give it -- and appoint someone else as a special

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

manager. So we'll -- so we'll take that.

The -- previously we were discussing the fact that the member or non-member, you don't have to be in order to be a manager. How do you get to be a manager? By appointment of the CDE Board?

MR. HAYGOOD: Yes. Yes, ma'am.

COMMISSIONER HUBBARD: So let me say this to you, Mr. Haygood, and to you, Mr. Evans, I would appreciate it if you go back to the CDE Board, let them know that we want a resolution or something in writing to take Mr. Brown off as a manager, a member, or a non-member of that board. And as you pointed out, this is something that we as a CRA Board is funding and paying for. Now if we have to stop doing so to stop them from being able to do business then we'll have to take it.

But one thing I'm asking you as our director and you as our attorney, to figure it out, get us out of this, and make sure that they understand that we no longer want him there and we want to have a special meeting with that board. So those are three things that I'd like to have scheduled by the -- and know the date by the end of next week, please.

CHAIR DAVIS: How about we invite them to the retreat, and talk about how we can -- and we can have a, have a conversation at the retreat, to talk about --

COMMISSIONER HUBBARD: At the end of January?

CHAIR DAVIS: -- how do we -- during the retreat, talk

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

about how we can -- how we work together and what our Board's roles and responsibilities are and what are our goals.

COMMISSIONER HUBBARD: I don't want to work together with keeping Mr. Brown. I want to work together and figure it out --

CHAIR DAVIS: I'm talking about with the Board on how it functions, because there's a lot of questions. And, you know, we just need to make sure that how do we work -- even though they're independent they do play a significant role in improving Riviera Beach.

COMMISSIONER HUBBARD: I know they're -- I know that they're independent. But let me say this: What will get us in trouble, what will have us in a bad way, is the fact that we are -- we have fired someone who had authority over our CRA; we developed the CDE in conjunction with our CRA to do this particular project; and we're not having what we need from staff to get out of this mess.

And what I -- based on everything I've heard tonight, the CDE Board need to be make -- be made aware that there are three different moving parts in order to get rid of Mr. Brown's involvement period.

So I'd like to -- I'd like to have staff do that.

Now we shouldn't have to sit up here and go through this back and forth when since August staff knew that that's what we want. And whatever it takes to get it done, that's what we need to do to get it done.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

We shouldn't have somebody who no longer works for us taking up this much time of our agenda.

CHAIR DAVIS: Thank you.

MR. HAYGOOD: We will communicate to the Board your concerns.

But as I've told you, legally there's only so much you can do.

So we will communicate to them.

We've given you every legal right and brought it to you and asked for your concurrence.

CHAIR DAVIS: Thank you.

So do we have any questions before we call the -- we got a second on that, correct, on that motion?

MR. HAYGOOD: I didn't know a motion was made.

CHAIR DAVIS: I was talking about you going to make the -- well, we need a motion to approve this, what you asked for, Mr. --

MR. HAYGOOD: To the appointment of Mr. Broussard as the special RBC --

CHAIR DAVIS: So we need a motion for that.

COMMISSIONER HUBBARD: I make a motion that we approve Mr. Broussard as the special manager for the CDE.

MR. HAYGOOD: For the Event Center.

CHAIR DAVIS: The Event Center.

COMMISSIONER HUBBARD: For the CDE, for the CDE's Event

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

Center LLC.

MR. HAYGOOD: Okay.

CHAIR DAVIS: Correct.

COMMISSIONER HUBBARD: As it states here. It states CDE and LLC Event Center.

CHAIR DAVIS: We have a proper motion. Do we have a second to support that?

VICE-CHAIR MILLER-ANDERSON: Second.

CHAIR DAVIS: Madam Clerk.

THE CLERK: Commissioner Pardo.

COMMISSIONER PARDO: Yes.

THE CLERK: Commissioner Hubbard.

COMMISSIONER HUBBARD: Yes.

THE CLERK: Commissioner Davis Johnson. Commissioner Davis Johnson.

COMMISSIONER DAVIS JOHNSON: I'm coming. I -- yes.

CHAIR DAVIS: I know you ain't running.

THE CLERK: Vice-Chair Miller-Anderson.

VICE-CHAIR MILLER-ANDERSON: Yes.

THE CLERK: Chair Davis.

CHAIR DAVIS: Yes.

THE CLERK: Motion carries.

CHAIR DAVIS: Davis Johnson, I hope you're not running.

COMMISSIONER DAVIS JOHNSON: No, I'm not.

CHAIR DAVIS: Okay.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

All right. Okay. We've got -- so now we have item number 9. This is an item that was added on, that's something we want to talk -- as we talked about earlier we had restaurants that's going to be coming to the City in consideration. And the question that they're all asking is what is going to be our foot traffic and what is going to be our draw at the Event Center or the waterfront area.

And we're going to have a presentation, a young lady by the name of Ms. Jennifer Devlin-Herbert, and she's an architect, interior designer with Urban Design. And she will present and tell you a little something about her company. We're just going to do a presentation. We know we got some retreats coming up. It's just going to be a presentation, no action. We got some retreats coming up, we want to talk -- start having some ideas generated on what we want to do at the Event Center. This is just a concept. I invited her. She flew here on her own dime and wanted to come to Riviera Beach and talk about her company and what they do in a very brief presentation.

Yes, ma'am.

MS. DEVLIN-HERBERT: Commissioners, thanks for hearing me. Tough acts to follow. So I'll try and keep this a little bit light. I will give you a little context for why I'm here. My firm, EHDD, was here 20 years ago and did a concept design for an aquarium down at the Marina and Bicentennial Park. My partner at that time, Chuck Davis, was here and got to know your

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

community and developed a plan for that. I think perhaps you know about it.

Chuck called me about a month ago and said, hey, I was speaking to the City of Riviera Beach, it sounds like there are some things going on there, maybe it's worth a visit.

I planned to visit for this week, not knowing at all that this was going to be your CRA meeting. And I was invited to come present what I know about aquariums and their success as drivers in cities and redevelopment; and also to give you a little context about aquarium design and what we see as the opportunity here.

Certainly the Marina and the Bicentennial Park area -- which I'm very new to, I've been here three hours. So I -- this is my first view of actually being here. That was my intent behind this trip.

I think a lot has changed in the last 20 years. So I'm kind of getting, getting my kind of knowledge base up a little bit.

So I have a few slides here. As an architect I always rely on the images to tell our story a little bit. But I thought I'd give you a little bit of background just so you know who we are. We're from -- based in San Francisco. The reason I'm here, I'll just put that out up front, is that we were the designers of the Monterrey Bay Aquarium and have done a handful of other aquariums around the world.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

Our founding on the coast of California has always put us at the forefront of all things having to do with the oceans and things having to do with sustainability. That eventually led to our design at the Monterrey Bay Aquarium.

We're a firm that does a whole cross section of projects from urban planning and design, kind of the higher level planning issues; architecture and interiors. We do strategy and design and outcome.

As I mentioned, we're big leaders in sustainable design. And this slide shows you the extent of aquariums that we've either studied or built. Aquariums, zoos and museums.

Our education sector also informs a great deal of what's happening in the museum and aquarium world. Whether it's been planning for cats at the Philadelphia Zoo or figuring out how to best display the jellyfish at the Monterrey Bay Aquarium or how to house the space shuttle as it came down to Los Angeles, that whole range of experiences are all catalysts for transforming places.

Quick little note here. The Monterrey Aquarium is the yellow dot on the left. National Aquarium, another significant aquarium in the country, on the right. What these two places have in common with you is that they are on a marine ecosystem that has a very rich story to tell.

I think there's no question that Monterrey and the National Aquarium and a handful of others around the country, the

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

aquariums themselves have been transformational to the development of the cities.

We gather a great amount of data around aquarium sizes, their economic benefits and how that translates to use, and that's something we could share with you at a later date.

There's really just -- there's a question of what is an aquarium in this town. And it's clear that there's an economic benefit and impact. And then there are really just questions as to what belongs here in Riviera Beach. It really does have to be about this place. And you have a remarkable story to tell, from what I can tell.

And then there's always the question of, well, what draws people to an aquarium. It's often what's beautiful, what's cute, and what's scary.

So quick -- a few quick case studies here. The Monterrey Bay Aquarium was built at a time when the Cannery Row on the coast and at Monterrey Bay was in decline. Buildings were falling apart along the waterfront. And there was an opportunity taken to tell a very -- a story about that very rich marine ecosystem there, which isn't too -- it's a very different marine ecosystem but not dissimilar to the opportunity you have to tell us here off the coast. A very deep trench, lots of upwelling, and a really rich species and marine ecosystem to tell a story.

It was a, kind of a town in decline with the demise of the

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

sardine system. And with the installation of the aquarium, that's seen three additions. You can see here the original aquarium was in the white floor plan; additional, the pink and the yellow, have all evolved over the last 30 years.

We are asked to design many aquariums, and all of them ask what the secret sauce is to Monterrey. The reality is that you can be out over that water and see the species and the rich marine life right there. Everyone desires to have that waterfront edge, and many don't. You share that same opportunity. And then there are ways in which you tell that special story in a way that just -- that here draws millions of visitors. And with that comes the additional support for keeping the fish and the animals alive. And all of this has generated a whole system of economic industry throughout Monterrey, in addition to others, a marine science institute and a fair bit of research infrastructure.

On a very different scale an aquarium under construction now up in Tacoma, Washington, they don't have the benefit of being right on the sound. But have a good view to it. It's a much smaller scale, which is why I'm sharing it with you. And it has a slightly different configuration but again highlighting stories of the sound and how the sound is connected to the wider ecosystem of the Pacific Ocean.

And here are some renderings of what those spaces are. They have a very significant focus on education and how they're

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

tied into the local schools. So that's a big feature of this particular aquarium. And they also have a strong charge of figuring out how to resonate with their local community, figure out how people can be recommitted to what the oceans mean to them.

Next project. And this is really the last one before I talk about yours again a little bit. The exploratorium at Pier 15 is a science center right on the waterfront in San Francisco. It's in one of those piers, was renovated and moved from an old historic building.

The photograph on the left, that's our waterfront along the, along the bottom right of each of those slides. There used to be an elevated freeway called the Embarcadero. That came down after the 1989 earthquake. And that all prompted an incredible amount of redevelopment along the waterfront there.

The exploratorium renovated this building and it has seen a huge up charge, up surge in its attendance.

Here one of the big sustainability measures was to use the bay water for energy and take advantage of the incredible shed roof and offset all of its energy with on-site renewables. So these were some of the sustainability strategies that we used.

You can see it's a big warehouse. Again, very connected to its site and the story that it's telling.

The last aquarium I'll talk about is one in Long Beach. Each of these buildings had a very different funding mechanism.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

This was seen as a redevelopment project early on as Long Beach was looking to redevelop its waterfront. It was developed by a developer and then bought back by the City over time. And they've just seen great success and are putting this addition on the bottom.

So there was a concept design done 20 years ago. Because the question now is with all of the advancements that are happening along your marina and the great, great opportunity you have as economic development is shifting, to really revisit perhaps the economic feasibility study that was done then -- and I have a copy of it -- and then develop kind of how the content of this aquarium will start to be a real anchor for the City of Riviera Beach. And that leads eventually to a building plan and some costs and a business plan.

These were images that I grabbed without having been here, so I'd have many more appropriate images tomorrow after having taken them today. But imagine I've mentioned the great opportunity that you have being right on the waterfront, and it's clearly a destination, you can see that. And I'm getting to know more about it.

This inlet, as I've learned in my late dive into the marine life outside, right outside the coast, is a very unique spot on the gyre, the Atlantic gyre. You have a -- you do have a story to tell here that very few others have to tell. And I think that is usually a strong foundation for why to build an

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

aquarium, and when you have a site like you have.

I had a question as I was researching who you are and where you are, if there isn't an opportunity for other partnerships. I know there are many, many others. And I learned of more today, what could be the research engine that could come from this community in addition to supporting the education foundation of Palm Beach County.

Whoops. That's a duplicate.

And really I was going to end with partnerships and figure out if there were any items here that I didn't cover that would be useful for you to know about us and/or something you would like to discuss.

CHAIR DAVIS: Yes. Thank you. Really quick. How long how you all -- your company has been in existence now?

MS. DEVLIN-HERBERT: Oh. Since 1946. And the Monterrey Aquarium was built in 1980, and we've been doing aquariums since then.

CHAIR DAVIS: So what is the unique story that the Monterrey Bay tell again?

MS. DEVLIN-HERBERT: So it's that big 10,000 foot trench that allows a really unique ecosystem to well up; and from that there is a very unique marine ecosystem that's then told.

And each of the additions tells a further story beyond that trench.

CHAIR DAVIS: So it's 10,000 feet right off the shoreline?

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

MS. DEVLIN-HERBERT: Yeah, right off the shoreline.

CHAIR DAVIS: So those -- are there caves there in those trenches?

MS. DEVLIN-HERBERT: You know, there are -- there must be. But there aren't -- people don't go to see them.

CHAIR DAVIS: Oh. I didn't know if they had any cave diving going on.

All right. But I just want to thank you. I'm going to let my colleagues chime in. But, you know, the purpose of this was, just like I say, as we get and move further down the road we need to all start brainstorming on what are some of the ideas we all as individuals like to bring to the table, so we can have future discussions as we move into our retreat goal setting, when we want to talk about spurring private development along our Broadway corridor, and how we want to get traffic and get people to stay here more than -- not just a few hours but a few days. And to get those that leave home to venture -- understand that we're doing something significant for them to come back and actually raise their families.

And I tell you, this is just one of the ideas I remember, in 1996, right before I got ready to leave to go to college this concept came before us and I thought, wow, we finally got something that's going to do something if not for me as a youth at the time, at least the people behind us. And here we are 2016, 20 years later. I didn't ever think I would be on the

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

dais. But we owe some type of responsibility, whatever we choose to do as a group, to give our younger generation now something to do, some real career jobs, training, scientists, biologists, whatever it is that they do on whatever -- on any level. At least with this I can talk about science and engineering, architects, you know, construction, jobs after this. We can really change the mindset of our children, you know, moving forward, that they can leave here and they become something spectacular, you know, with the experience that we make on our decisions.

But right now I will let the public and my colleagues comment on the presentation. Any questions for this young lady before we go to public comment? Because I have one public comment card.

VICE-CHAIR MILLER-ANDERSON: Yes. Just a question, Chair Davis.

CHAIR DAVIS: Yes, ma'am.

VICE-CHAIR MILLER-ANDERSON: In your experience with working with other aquariums, what are the funding sources you typically see to get this going? Is it on the backs of the City, or sole donors, or foundations?

MS. DEVLIN-HERBERT: It's all of the above. Depending on the organization.

Monterrey had the Packard family as their kind of primary donor, and then we're a foundation, and now they're completely

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

self-sustaining with their research and the gate.

Others will do a -- an initial development with a developer, and money comes in that direction and then it's paid back over time. That's usually kind of a longer pay back.

And a number do a combination of local bonds, state funding, and private fund raising. So it's a combination of what works best in that particular situation.

VICE-CHAIR MILLER-ANDERSON: Okay. I definitely think it's a great idea. I just -- I would like to get a little more information and see, you know, exactly how, how the funding -- and if we have partners or someone that would love to donate to this great cause and not have to have it at the expense of the taxpayers. But I certainly, I'm on board with the concept. I think we do need something. And I do understand that we have a unique situation right here off of the coast. So I mean I think it's a great idea. I just would like to know a lot more about how, you know how this is done and what the costs are for the City.

CHAIR DAVIS: Yes. And to piggyback, I know Lockheed Martin has been having conversations -- they have quite a bit of submarines that they've been looking to donate for a particular cause, and this could be one of them.

You know, you talk about FP&L, you talking about the state, the federal government, the Palm Beach County Tourism Board, you know, the BDB, all these different chambers across the county,

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

and all the different people that make all this money in our city, you know, as we come together to figure out ways -- if this is something that the Board want to do, or they want to do something different, whatever that may be, it's going to definitely take a conservative effort and a team effort to set the next generation off in the right tone, you know.

Commissioner Hubbard, do you have any questions as far as this presenter?

COMMISSIONER HUBBARD: It was a wonderful presentation. And I think it's a wonderful project.

What I would like to find out a little more, the same as Mrs. Anderson, about the potential partners as far as funding a project like this in Riviera Beach, that you might be able to point out after you've had more time to visit here.

MS. DEVLIN-HERBERT: I think that's a, that's the perfect right next step.

COMMISSIONER HUBBARD: Thank you so much.

MS. DEVLIN-HERBERT: Thank you all. I think you have an amazing opportunity here and I'm pleased to have been here. The waterfront is taking on some nice character.

CHAIR DAVIS: Commissioner Davis Johnson, do you have any questions or any comments for the presenter?

COMMISSIONER DAVIS JOHNSON: I do. I thank you for making the presentation.

The question that I have is what would be the role of this

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

company who is presenting tonight if we were to decide as a body to move forward with an aquarium? What would be the role of this particular company that's making the presentation here tonight?

MS. DEVLIN-HERBERT: Yeah, so we would have to be selected. I want to just make that very clear. And we are architects and we work with exhibit designers.

COMMISSIONER DAVIS JOHNSON: Exactly. And I guess my -- it's not a guess. My question, it puts you almost at an advantage in my mind because you are here making this presentation; and if there are others that wish to be considered, how does that play? Are we going to then open up the doors, Mr. Chair, to everyone that has an idea to come before us before the project is bid?

CHAIR DAVIS: Absolutely. I've been stating this for a long time, that we need to all work together to bring ideas together, because once it -- it's going to be transparent. I just remember following this story back in '96. And I went through the information. I found the old studies. And I was working on this for the last two years and I made contact with Chuck Davis; and me and this young lady, we spoke maybe a couple days ago, and she happened to be in Orlando and she said she would love to come down and talk. I said would you mind doing a presentation; she said absolutely.

I mean she understands the role and the responsibilities

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

and what she can and can't do. But it was something that would definitely be competitive, you know. But I just wanted to let the people get a concept that we as a board are definitely considering on doing something. And they need to see that. And that's for the public.

COMMISSIONER PARDO: Mr. Chair.

CHAIR DAVIS: Commissioner Davis Johnson.

COMMISSIONER DAVIS JOHNSON: I too remember Mr. Wilkins working on this project, and he was associated with Palm Beach County and he made a trip out to Monterrey Bay -- they took a trip out to Monterrey Bay, so I remember all of the wonderful advance work that was done back in 1996. And that is certainly not to say that this is not a viable project. I just think that we may be putting the cart before the horse in bringing a person out to present. Perhaps in a workshop, if we open it up to a workshop, to provide a fair advantage -- I'm just wanting us to make sure that we are not operating outside of any procurement codes or processes or bidding. So that's my concern.

I am not in any means -- by any means saying that -- I see you, Mr. Chair -- it is not my intent to try to cause -- I'm not trying to kill it, so to speak. I'm just saying we need to make sure that what we're doing is proper and correct.

CHAIR DAVIS: Absolutely.

MS. DEVLIN-HERBERT: So let me just say that Chairman Davis is correct, is that I was planning -- I was out here for another

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

reason, I was in Orlando and I just happened to be here this week --

CHAIR DAVIS: Yep.

MS. DEVLIN-HERBERT: -- and he asked for the presentation so...

CHAIR DAVIS: We got lucky.

MS. DEVLIN-HERBERT: I offered.

CHAIR DAVIS: And we didn't have to pay for it.

COMMISSIONER PARDO: Mr. Chair.

CHAIR DAVIS: Yes. Commissioner Pardo.

COMMISSIONER PARDO: Okay. First of all, ma'am, thank you very much for coming. I enjoyed the presentation. And hopefully you'll have a copy of it for us?

MS. DEVLIN-HERBERT: Sure.

COMMISSIONER PARDO: Okay. All right. I'd appreciate that.

I'd like to comment on what my colleague, Councilwoman -- or we're CRA so Commissioner Davis Johnson said. You know, the reality of this --

CHAIR DAVIS: Excuse me. Excuse me. Can you please pull up the mic? They can't hear you.

COMMISSIONER PARDO: The reality is, you know, we can't even build a parking garage right now over at the marina. So hopefully in time we'll be able to do something like this. But I think, you know, just trying to be realistic, it's not like

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

this project is going to happen in the next couple of years.

So, you know, I just wanted to, you know, be realistic. I'm sorry to, you know, burst the bubble.

MS. DEVLIN-HERBERT: No, that's fine.

COMMISSIONER PARDO: But that's just the realty of it.

MS. DEVLIN-HERBERT: These take time.

COMMISSIONER PARDO: But, again, I would really appreciate a copy of your presentation.

All right. Thank you very much, ma'am.

CHAIR DAVIS: And I want the public to understand that something like this is worth waiting for, no matter who does it.

And at some point in this city we're going to create real jobs, economic sustainable efforts. Because we done spent over 30 million dollars at the marina, and we're losing money every day. And it's up to us as a board to work together to bring ideas together to the table, to work together, simple as that.

And I want to say thank you again for taking your time and actually driving down and really doing a wonderful job with your presentation.

All right. Oh. We have one person wants to speak. Ms. Mary Brabham, do you want to speak? Okay. She said not this time.

MS. BROWN: I have one.

CHAIR DAVIS: Okay. Public comment. You want to speak on this one?

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

Thank you, ma'am.

So we're going to go to public comment at this time.

Okay. All right. Public comments. Please be reminded that the CRA Board of Commissioners has adopted a set of rules of decorum governing public conduct during official meetings, which have been posted at the entrance of the Council chambers. In an effort to preserve order, if any of the rules are not adhered to, the commission chair may have any disruptive speaker removed from the podium, from the meeting and/or the building if necessary. Let's please govern all ourselves accordingly.

Ms. Bonnie Larson.

MS. LARSON: Bonnie Larson.

Just a question regarding the presentation we just had. Does this mean we would be doing an aquarium instead of the restaurants? Because it's going to take up a lot of room. We don't have a lot of room there at the marina. So how many feet are we talking about? Just a question, because we don't have a lot of room down there.

This is for Mr. Scott Evans. If you could please -- oops, he's gone.

CHAIR DAVIS: We'll make sure that he -- there's notes taken for Mr. Evans.

MS. LARSON: Hmm. I'm going to go on to something else here.

The status of O'Donnell. The last I heard we were going to

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

tell them at the next meeting that we didn't require their services anymore. So I haven't really heard anything from them or that we did cancel them.

CHAIR DAVIS: We did.

MS. LARSON: We did cancel them? I'm hearing a yes here. Okay. Now that I've heard that follow-up --

CHAIR DAVIS: We just didn't renew it.

MS. LARSON: Oh. Okay.

The other -- these are all for Mr. Evans. Gosh.

Does everyone on the Board -- we talked a lot about the CBRE and the CDE tonight. Do all of you have the bylaws? There seems to a lot of questions about that organization. And if you don't have it, it's very important that you get the bylaws of that -- of the CDE, and also to know how it's formed, how it can change. There's a lot of questions going back and forth, so I'm not sure everybody is fluent on that.

And maybe it wasn't meant that way but, Mr. Haygood, it seemed like you were defending Mr. Brown instead of working with the Board tonight. I'm just telling you how it came across to me.

The -- now I lost my train of thought. Oh. Mr. Scott is back. Scott, could you please contact code and have them follow up with the properties on Broadway? It's really looking bad. And those properties which have been cleared, the trailer parks which have been cleared, they're not, they're not cleaning their

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

swales. We as homeowners have to keep our swales clean or we get a nasty letter or a rap on the door or something.

But all those trailer parks, they're not, they're not cleaning. And that's -- when you're driving down the street that's the first thing you see is all that trash and the debris and the twelve inch vegetation there.

The other thing -- okay. We talked about the electrical lines tonight, so I kind of understand that a little bit better but I don't understand why it took eight years.

The other thing is marina signage. That's another thing -- to get the community involved, we had a survey, who wants this plan, who wants that plan. In the meantime our previous CRA director said too bad, I, I voted on the other plan so I've already directed a company to design the logos, to design this, and we hired someone also to build the signage. Now that's been a couple years. Money was placed aside for that. And I'm wondering when are we going to get those signs down there? Because right now what I see is a little twelve inch by twelve inch thing on the west side of Broadway saying Marina.

VICE-CHAIR MILLER-ANDERSON: There's a big sign out there now.

MS. LARSON: Oh. There's a big sign there now? Okay. Good.

All right. Is that the sign that we voted on? Is that the -- all that's down there?

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

COMMISSIONER PARDO: Yes.

MS. LARSON: Great. Thank you.

CHAIR DAVIS: Thank you, Ms. Larson.

Tyler -- is it Alten?

MR. ALTEN: That's all right, T.D.

Tyler Alten --

CHAIR DAVIS: Alten. Okay.

MR. ALTEN: -- representing Viking as a corporate citizen, and on behalf of Robert Healey, Chairman of the Viking Group, and the students at the Riviera Beach Maritime Academy.

On a separate note, that sign is extremely hard to miss. So go down there.

You've heard from many of our staff members at the Riviera Beach Maritime Academy on a number of different fronts. You've received letters from Robert T. Healy, our chairman. We've had people speaking here at Council meetings before.

We have a commitment to our current and future students at the Maritime Academy. It's a ranked A free charter school. It's the only maritime charter school in the state of Florida. It's free. It's a non-profit. It's something we've put a lot of time, money and effort into over greater than a decade. We still do not have a lease on the ground. And without a lease we cannot continue. And so I'm just putting that out there, that this is coming to fruition extremely quickly. Students are applying for the 2017 school year. And it's really unfair to

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

students, teachers, faculty, and the families over there. They're asking us what's going to happen in September 2017. And we can't give them an answer. We don't want to give them the answer that we have to give them.

So we're asking you to please direct your city manager to include the RBMA lease on the next City Council agenda. You can debate it. We can answer any questions you have. We'll be completely transparent. And you all can make a decision on it.

We're concerned that the CRA workshop in January is going to be too late for the students and their families. And the students are currently filling out applications as we speak for the 2017 school year.

So this is a priority from a corporate steward and a corporate citizen in Riviera Beach, and so we really hope you can make it a priority as well. Thank you.

CHAIR DAVIS: Thank you, sir.

Ms. Mary Brabham. And then Bessie Brown.

MS. BRABHAM: Miss Mary Brabham, Riviera Beach. It's so amazing, the presentation. I like that. What belongs here in our city? What belongs here in our city?

The marina down there, we do need parking. But we need an engine, mechanism down there, something to really to make money for us; and not whereas we continuously have to pay out and bail others out.

On tomorrow night residents at 7:00 p.m. it is a most vital

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

crucial agenda. What some in this city has procrastinated and pushed forward to deteriorate not only our city but our surrounding communities. They are anticipating on putting in here a hazardous material sodium chlorhydric bleach warehouse, right next to Stonybrooks, with 40 gallon storage tanks. This is not no ordinary bleach. Shame on, shame on whoever is doing this. Shame on the managerial staff.

We are better than this.

You sit here and talk about jobs. This has no jobs. This type of stuff does not even belong in a city, not last in a residence where schools and people's homes. Your market value will taint to zero. This is no play thing.

And we know that it's being pushed. We know that this is being pushed. And we're asking you as a board to stop this.

This had to come from somewhere. When they called me -- I don't sit at the devil's table -- I told them no. And that should have been the response of you as leaders.

Whatever we have to do in order to protect this, this is a travesty, a total travesty.

And we are asking this Board and all others to come out tomorrow at 7:00 p.m. and vet this out.

This has never been vetted. They had it last week at the planning and zoning board meeting. Nobody knew. And tomorrow night they have it there at 7:00 p.m. And nobody still knows.

But this is horrible. You see this stuff out, way out in

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

rural areas. Travel the rural areas. They don't even let livestock and stuff come in contact with this.

In India it was two thousand people that was wiped out about this. In their sleep.

CHAIR DAVIS: Thank you, Ms. Brabham.

MS. BRABHAM: Soldiers used this to kill soldiers in World War II --

CHAIR DAVIS: Okay. Miss Bessie Brown.

MS. BRABHAM: -- and someone wants to bring this in here. Thank you.

CHAIR DAVIS: Thank you.

MS. BRABHAM: Travesty.

MS. BROWN: Bessie Brown. I'd just like -- I'd like to say I have to agree with Ms. -- well, Mr. Haygood, it was very, it was very obvious that you could not stop reading the e-mails and want to -- and, and working -- you know, pushing Mr. Brown's agenda.

Now, like I told you, if you want to push his agenda you need to make sure that what's on the agenda is correct, and all the information that is given to all of the, all of the board members. Because you didn't -- because they -- you all need these board members to see who's on these boards and how it was done. And the date is August 12th. All this should have been on there and you wouldn't have a whole bunch of questions, like I said. And I think, I would suggest that you read the bylaws

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

itself. And then -- and then you -- and you have an attorney to interpret them for you. And he gets paid for that. Okay?

Now I was -- I was -- the Event Center, I, my class had a tentative date for December 35th (sic), but the application wasn't in --

CHAIR DAVIS: The 25th?

MS. BROWN: For the Event Center. December 31st.

And -- but the application wasn't in about a week before they decided to do the event for the Rafiki Tiki, and it was their food and everything is off. That's the one thing I was concerned about, when we use -- in order to use the Event Center, who's going to be -- you know, how are things just going to come over and, you know, take -- you're just going to knock the other person out. Especially since we're residents.

And so I really would like to know how that's going to -- you know, is that going to continue to happen? Because, you know, we're residents and we should be allowed to use that when we ask for it.

But I still -- the application wasn't in. But the Rafiki Tiki didn't have one either, that's the point. And so I just -- I'm just, you know, I'm just appalled at how things are going to happen around here.

And I brought a copy, I made a copy so you all can have a copy of the list, who's on these boards. Then you don't have to sit there and try to figure out this and figure out that.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

You'll have it for yourself. Because you really need it. You need to see what's on here, and what was done.

CHAIR DAVIS: Thank you, Ms. Brown.

VICE-CHAIR MILLER-ANDERSON: Chair Davis.

CHAIR DAVIS: Yes.

VICE-CHAIR MILLER-ANDERSON: I -- Ms. Brown, were you saying that you put in an application to rent the hall on that date and they told you you couldn't because the Rafiki Tiki was having something?

MS. BROWN: No. It was tentative. We asked to have the application -- to have that date. But the application had not been submitted. We had just picked it up though, you know, about a week before.

And then I was at another meeting and then I was told that, oh, I think that date has been, you know, it's been given to someone else. That was the thing.

VICE-CHAIR MILLER-ANDERSON: Okay. I just wanted to clarify, understand what you were saying.

MS. BROWN: But the Rafiki Tiki didn't have one in either. And I would like to know if they actually submitted one.

VICE-CHAIR MILLER-ANDERSON: Okay. We'll check into it.

CHAIR DAVIS: That was December 21st -- 31st?

MS. BROWN: Yes.

CHAIR DAVIS: Okay. All right. That's the end of public comment.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

I'm going to start -- Mr. Evans, do you got any updates, anything that you want to...

INTERIM EXECUTIVE DIRECTOR EVANS: Yes. Our retreat is scheduled for Friday, January 19th, and Saturday, January 20th. And I wanted to -- and when we first discussed it previously it was on Friday we would start from six to nine p.m. And I wanted to request if the Board would extend that to starting earlier on Friday. Because on Saturday we only have until the early afternoon as there's other events happening. And so I wanted to request if the Board would extend to start earlier on Friday to give us more time to work through all of the various issues that we have.

CHAIR DAVIS: Okay.

INTERIM EXECUTIVE DIRECTOR EVANS: Just a correction. It's Friday the 20th of January and Saturday the 21st.

CHAIR DAVIS: The 21st. Okay.

INTERIM EXECUTIVE DIRECTOR EVANS: So on the 20th I would like to start as early as the Board could commit to.

CHAIR DAVIS: So do you need that today?

INTERIM EXECUTIVE DIRECTOR EVANS: No, we can circulate an e-mail. If everyone could check their calendars, that would be fine.

CHAIR DAVIS: All right.

We just have Commission update.

Commissioner Davis Johnson, you got anything you want to

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

update the Board on.

COMMISSIONER DAVIS JOHNSON: Just to clarify, did he say he wanted to start the meeting earlier on the 20th?

INTERIM EXECUTIVE DIRECTOR EVANS: Yes, that was my request.

COMMISSIONER DAVIS JOHNSON: Okay. I'll look at my schedule on that.

But no other comments other than wanting to wish everyone a happy holiday.

CHAIR DAVIS: Thank you. Thank you. Happy holidays to you too.

Commissioner Pardo.

COMMISSIONER PARDO: All right. Well, I'm not going to wish everyone a happy holiday because we still have two meetings next week; we have Utility and City Council. For whatever reason.

I would like to thank the residents and the businesses that came out to the toy drive two weeks ago. We were able to raise a lot of money and a substantial amount of toys.

And for the residents, if you signed up for the toy drive, we'll be distributing the toys next Tuesday. You can call my office at 561-845-3683 and we'll let you know where to pick your packages up.

And with that, that's all I have. Thank you.

CHAIR DAVIS: Commissioner Hubbard.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

COMMISSIONER HUBBARD: Yes. I just want to reiterate that I would like for Mr. Evans to send a letter to the Board stating that on tonight we voted to oppose Mr. Brown as a member or a non-member manager of the CDE Event Center LLC; and that we would like to sit down and have a meeting with them. And also that Mr. Haygood and Mr. Evans would find out for us about our options as far as getting control of the CDE. Because it seems like every time we get to a point where we think we have done this, we're thrown another curve as to what our authority is.

Mr. Haygood pointed out that to appoint a manager, that is something that the CDE Board does and you don't have to be a member.

Now what we're asking that board to do is to remove Mr. Brown as a manager. We're asking them to remove him as a manager and to inform them that we have opposed their nomination.

And in this resolution I really want it to state that that board stated that if we did not confirm their appointment, they would not move further with their appointment. And we did oppose it so we expect them to, you know, live up to what they said. And I really would like to have them -- have us meet so that we can get this cleared up. Because I think this is just about as hilarious as the past election, that we are going -- not the municipal election. The presidential election --

COMMISSIONER PARDO: We're making America great again.

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

COMMISSIONER HUBBARD: We're making America great again.

You know how America was made great in the first place. So we don't want to do that again. So let's be real clear, we don't want to do that.

But we do not want to -- we don't want to have this. We shouldn't be having this conversation. We have staff, we have an attorney, we have an executive director. My thing is, make it happen. Just make it happen.

CHAIR DAVIS: Thank you.

Vice-Chair.

VICE-CHAIR MILLER-ANDERSON: No, I don't have any comments at this time. Thanks.

CHAIR DAVIS: Really quick. I want to just give an update on -- I went to the -- we had a Florida League of Cities conference. And in my committee we did the growth management. We talked about the two issues that we're going to support: One was home rule and how we're going to conduct impact, assess impact fees from the local government. And home rule on how CRAs are really designed to do economic development across the cities, and making sure they're doing what they supposed to as far as housing. And that's one of the issues that they're really driving, affordable housing across CRAs across the state of Florida.

Number two, I just want to state to Commissioner Hubbard that earlier, you know, we had a little rough start, but I just

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

want to make sure that we can work well together to improve upon our meeting. It was nothing personal. So it went too far, at least from my standpoint. And I can assess that. And that we can do better to get to where we need to go. But I want to say that publically to you. Okay?

COMMISSIONER HUBBARD: I too would like to say that to you. I think we, you know, got a little passionate and overzealous in our conversation. And I do apologize for our rough conversation.

CHAIR DAVIS: I would hug you but I might hurt your back.

But -- this on a good note. Thank you for the presentation, young lady, for coming before the Board.

Everyone drive safe home tonight. And who's cooking? Somebody cooking now.

Do we have a motion to adjourn the meeting? Do we have a motion to adjourn the meeting? Do we have a motion to adjourn the meeting?

Oh. Do we have a report from Haygood?

MR. HAYGOOD: I have nothing.

CHAIR DAVIS: He has nothing.

Can we have motion to adjourn the meeting?

VICE-CHAIR MILLER-ANDERSON: So moved.

CHAIR DAVIS: Thank you.

(Proceedings concluded at 8:43 p.m.)

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

C E R T I F I C A T E

THE STATE OF FLORIDA)
)
COUNTY OF PALM BEACH)

I, Claudia Price Witters, Registered Professional Reporter, certify that I was authorized to and did report the foregoing proceedings at the time and place herein stated, and that the foregoing is a true and correct transcription of my stenotype notes taken during said proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand this 20th day of December, 2016.



CLAUDIA PRICE WITTERS
Registered Professional Reporter

Electronically signed by Claudia Witters (301-073-648-3400) 8341b80d-76da-4bc5-82f4-556eae5c2e52

ADJOURNMENT

The CRA Regular Meeting was adjourned at 8:43 P.M. The minutes were approved by the

Board of Commissioners on _____.

_____
Terence Davis, Chairperson

_____
Interim Executive Director Scott Evans

/cw
Florida Court Reporting