

MINUTES OF THE REGULAR MEETING  
BOCA RATON COMMUNITY REDEVELOPMENT AGENCY  
MONDAY, SEPTEMBER 21, 2009  
1:30 P.M.

The Regular Meeting of the Boca Raton Community Redevelopment Agency was called to order by Chairman Scott at approximately 1:31 p.m.

**PLEDGE OF ALLEGIANCE TO THE FLAG:**

**ROLL CALL:**

Chairman Constance Scott  
Vice Chairman Anthony Majhess  
Commissioner Susan Haynie  
Commissioner Michael Mullaugh  
Commissioner Susan Whelchel

Also attending the meeting were:

Boca Raton City Manager Leif J. Ahnell, Agency Director  
Boca Raton City Attorney Diana Grub Frieser, Attorney to the Agency

**ROLL CALL:**

Chairman Constance Scott  
Vice Chairman Anthony Majhess  
Commissioner Susan Haynie  
Commissioner Michael Mullaugh  
Commissioner Susan Whelchel

**AMENDMENTS TO THE AGENDA:**

There were no amendments.

**MINUTES:**

Minutes of the Regular Meeting of August 24, 2009

*Motion was made by Commissioner Haynie, seconded by Commissioner Whelchel, to approve the minutes as presented. Motion carried unanimously on a voice vote; Chairman Scott, Vice Chairman Majhess, Commissioners Haynie, Mullaugh, and Whelchel voting yes.*

**REGULAR BUSINESS - PART I - QUASI-JUDICIAL & RELATED PUBLIC HEARINGS:**

There were no items for consideration.

**PUBLIC REQUESTS:**

No one came forward to speak.

## **REGULAR BUSINESS - PART II – RESOLUTIONS AND REGULAR PUBLIC HEARINGS:**

### 1. Resolution No. 2009-13-CRA

A resolution of the Boca Raton Community Redevelopment Agency amending the 2008-2009 Budget; revising revenues and expenditures in the Mizner Park Lease Revenue Fund, Mizner Park Sinking Fund and Mizner Park Revenue Fund; providing for severability; providing for repealer; providing an effective date

Deputy Director of Financial Services Linda Davidson gave the presentation, explaining that this resolution would recognize increased revenues and expenditures in the Mizner Park Lease Revenue Fund (\$129,200), the Mizner Park Revenue Fund (\$84,200), and the Mizner Park Sinking Fund (\$50,000); details were provided. She concluded by advising that the total of additional revenues and expenditures in this CRA Budget Amendment came to \$263,400 and then made herself available for questions.

During the public hearing, Lenore Wachtel advocated using the Sanborn Square area in terms of the downtown spine and encouraged Agency members to look at foreclosures in that area as a way to obtain more parking; she also stated that more restaurants were needed as well. Responding to Chairman Scott, Ms. Wachtel advised that she had no comments regarding the above resolution.

Seeing no one else come forward to speak, the public hearing was closed.

*Motion was made by Commissioner Whelchel, seconded by Commissioner Haynie, to adopt Resolution No. 2009-13-CRA. Motion carried unanimously; Chairman Scott, Vice Chairman Majhess, Commissioners Haynie, Mullaugh, and Whelchel voting yes.*

### 2. Resolution No. 2009-15-CRA

A resolution of the Boca Raton Community Redevelopment Agency establishing a consolidated Application Review Fee Schedule (inclusive of the DDRI cost recovery fee); repealing Resolution 2008-03-CRA regarding application review fees and the DDRI cost recovery fee; providing for severability; providing for repealer; providing an effective date

Manager of Administrative Services for Development Services Ruby Childers gave the PowerPoint presentation. She explained that a new Advertising Administrative Processing Fee of \$50 was contemplated, which correlates with the changes in advertising fees. Specifically, deposits would now be credited to a project account and advertising costs would be paid out of that account. Additional funds might be required; however, any remaining amounts would be refunded at the time the project was completed. Ms. Childers then reviewed the DDRI (Downtown Development of Regional Impact) cost recovery fee, which would be increased from \$0.52 per square foot of development to \$0.69 per square foot of development. Details were provided on all the above. Ms. Childers concluded her presentation and then answered questions from the Agency related to IDA application fees and how advertising fees have been - and will be - processed. Responding to Chairman Scott, Mr. Ahnell advised that SB 360 was a separate issue from what was being presented today; details were provided.

During the public hearing, Charles Siemon voiced opposition to the proposed fees and encouraged the CRA to be alert to the potential consequences of instituting same.

Seeing no one else come forward to speak, the public hearing was closed.

*Motion was made by Commissioner Whelchel, seconded by Vice Chairman Majhess, to adopt Resolution No. 2009-15-CRA. Motion carried unanimously; Chairman Scott, Vice Chairman Majhess, Commissioners Haynie, Mullaugh, and Whelchel voting yes.*

3. Resolution No. 2009-16-CRA

A resolution of the City of Boca Raton Community Redevelopment Agency authorizing the chairman to execute an Amended and Restated Agreement between the Boca Raton Community Redevelopment Agency and the City of Boca Raton for the purpose of providing services and support to the Boca Raton Community Redevelopment Agency and extending the term of the agreement; providing for severability; providing for repealer; providing an effective date

Deputy Director of Financial Services Linda Davidson gave the presentation, stating that the aforementioned agreement would consolidate the original agreement and amendments into one document and expand the concept of support services to include: 1) maintenance services in the downtown in excess of those generally provided throughout the City through general revenues, and 2) services including, but not limited to, police, special events, and marketing in the downtown, also in excess of those generally provided throughout the City. Ms. Davidson advised that these services were necessary to encourage and promote redevelopment in the downtown. She then concluded her presentation and made herself available for questions.

The public hearing was opened and, seeing no one come forward to speak, closed.

*Motion was made by Commissioner Whelchel, seconded by Commissioner Haynie, to adopt Resolution No. 2009-16-CRA. Motion carried unanimously; Chairman Scott, Vice Chairman Majhess, Commissioners Haynie, Mullaugh, and Whelchel voting yes.*

4. Resolution No. 2009-14-CRA

A resolution of the Boca Raton Community Redevelopment Agency adopting the Community Redevelopment Agency Budget for Fiscal Year 2009-2010; providing for severability; providing for repealer; providing an effective date

Deputy Director of Financial Services Linda Davidson gave the presentation. She explained that the proposed 2009-2010 budget emphasized continued implementation of the Downtown Master Plan Update with the completion and implementation of the Downtown Pattern Book and Transportation Design for Livable Communities Plan. In short, the resolution provides the budget for all the CRA funds, which includes the operating fund, the Mizner Park Revenue Fund, the Mizner Park Debt Service Fund, and the Mizner Park Lease Revenue Fund. Ms. Davidson and the City Manager then answered questions from the Agency regarding new construction projections, and a transfer of funds from the Mizner Park Revenue Fund into the operating fund.

During the public hearing, Lenore Wachtel questioned whether the CRA budget was breaking even with the bonds this year. Ms. Davidson advised that the CRA budget contained sufficient funds to make the debt service payment on the bonds and, in fact, this was the third year wherein a transfer of money was not required; details were provided. Ms. Davidson then provided additional information to the CRA as requested and indicated that, beginning in 2009-2010, the CRA will begin repaying the City.

Seeing no one else come forward to speak, the public hearing was closed.

*Motion was made by Commissioner Whelchel, seconded by Commissioner Haynie, to adopt Resolution No. 2009-14-CRA. Motion carried unanimously; Chairman Scott, Vice Chairman Majhess, Commissioners Haynie, Mullaugh, and Whelchel voting yes.*

**OTHER BUSINESS:**

There were no items for consideration.

**DIRECTOR'S REPORT:**

5. Sandwich Signs - Update

Manager of Administrative Services for Development Services Ruby Childers gave the PowerPoint presentation, advising that Ordinance 4035 authorizes the CRA to permit pedestrian signage in the downtown. She then reviewed a sample of a sidewalk sign, outlining the costs for the frame and panels, as supplied by an out-of-state vendor; details were provided. Additional sign criteria followed; it was noted that the information listed on the signage was for the benefit of pedestrians and not to garner the attention of passing cars. Ms. Childers explained that, upon consensus of the Agency, the sign criteria would be forwarded to the Community Appearance Board and the Downtown Boca Raton Advisory Board for additional review. Input received would be incorporated into specific criteria for downtown signage and then brought back to the Agency for consideration. Ms. Childers concluded her presentation and answered questions from the Agency related to the size and weight of the sandwich sign, whether the merchants had been contacted, and whether staff could order some different signs and discuss same with the merchants. Chairman Scott asked that staff contact the City of Ft. Lauderdale regarding the Las Olas Merchants Association in order to obtain information on the signage they use.

Responding to the Agency, the City Attorney advised that there would be an increase in liability since signs would be placed on City sidewalks; details were provided. Overall, the CRA advocated having tasteful, standardized signage and involving the merchants. Ms. Childers suggested placing this item on the agenda for the Downtown Boca Raton Advisory Committee and having that group meet with the merchants. Chairman Scott suggested having a day meeting and a night meeting for the sake of convenience and also including the topic of organizing an independent merchants association on the agenda. Mr. Ahnell was asked to work with staff on scheduling the meetings; it was suggested that the City partner with the Chamber of Commerce in this endeavor.

At this time, Mr. Ahnell mentioned that staff was still working on a banner program and hoped to bring information forward to the CRA toward the end of October.

**ATTORNEY'S REPORT:**

The City Attorney had no report at this time.

**COMMISSIONERS' REPORTS:**

Commissioner Whelchel reminded those present that the last jazz concert is scheduled for this Thursday at SE 1 Street and SE 1 Avenue at 6:30PM. Chairman Scott advised that there would be antique cars on display at that time as well and encouraged everyone to attend.

Council Member Majhess recognized his sister Jennifer, who was visiting from Gainesville and sitting in the audience; Chairman Scott extended a welcome on behalf of the CRA.

**ADJOURNMENT:**

*Motion was made by Commissioner Whelchel, seconded by Chairman Scott, to adjourn the meeting. Motion carried unanimously on a voice vote; Chairman Scott, Vice Chairman Majhess, Commissioners Haynie, Mullaugh, and Whelchel voting yes.*

The regular meeting of the Boca Raton Community Redevelopment Agency adjourned at approximately 2:15 p.m., Monday, September 21, 2009.

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Constance Scott, Chairman

ATTEST:

CRA Meeting  
Recorder: VH/SS

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Susan S. Saxton, City Clerk