



City of Pompano Beach

100 W. Atlantic Blvd.
Pompano Beach, Florida
33060

Detailed Minutes - Draft

Community Redevelopment Agency

Rex Hardin, Chairperson

Barry Moss, Vice Chairperson

Andrea McGee, Board Member

Rhonda Eaton, Board Member

Tom McMahon, Board Member

Beverly Perkins, Board Member

Gregory P. Harrison, Executive Director

Claudia McKenna, CRA Attorney

Marsha Carmichael, CRA Secretary

Tuesday, December 17, 2019

5:30 PM

Commission Chamber

CALL TO ORDER

Chairman Hardin called the CRA Board Meeting to order at 5:33 PM.

Present Board Member Rhonda Eaton, Board Member Andrea McGee, Board Member Tom McMahon, Board Member Beverly Perkins, Vice Chair Barry Moss, and Chairperson Rex Hardin

ROLL CALL

Present Board Member Rhonda Eaton, Board Member Andrea McGee, Board Member Tom McMahon, Board Member Beverly Perkins, Vice Chair Barry Moss, and Chairperson Rex Hardin

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

[20-179](#) CRA Board Meeting Minutes November 19, 2019

A motion was made by Vice Chair Moss, seconded by Board Member McGee, that the Minutes be APPROVED. The motion carried by a unanimous voice vote.

APPROVAL OF AGENDA

Items 2 and 6 were pulled and postponed until the Board Meeting on January 23, 2020.

A motion was made by Vice Chair Moss, seconded by Board Member Perkins, that the AGENDA be APPROVED. The motion carried by a unanimous voice vote.

CONSENT AGENDA DISCUSSION

Item #1 was pulled from the Consent Agenda and moved to the Regular Agenda.

The CRA Board may pull items from the Consent Agenda. During Audience To Be Heard, a person may speak on any item on the Consent Agenda, which has not been pulled.

A. SPECIAL PRESENTATION

20-177 Presentation on the relocation of the historic McClellan Office and proposed adaptive reuse of the structure.

(Fiscal Impact: N/A)

(Staff Contact: Nguyen Tran/Chris Brown)

Nguyen Tran, CRA Director, introduced Chris Brown as the Consultant and Project Manager for the McClellan office building. Mr. Brown gave a brief presentation regarding the history of the McClellan family, the McClellan building, and Dr. McClellan's influence on Pompano Beach. Mr. Brown stated the importance of cultural and heritage tourism and said this building would be added to the Pompano Beach Cultural Tourism Trail. Chris Brown said as part of his outreach he has presented this potential project to CP Old Town Square LLC & T E P M, Inc., The Historical Society, CRA, NWCRA Advisory Committee, Historic Preservation Board, Old Pompano Civic Association, Old Town Improvement District, McClellan family descendants, and other residents and stakeholders. He explained the project would include moving the McClellan building and turning it into a small cafe/wine bar. The project's estimated timeline is two years and the cost to relocate and renovate the building is approximately \$400,000. **Nguyen Tran** requested the Board consider this item as a project.

Vicente Thrower, 1890 NW 6th Ave., would like the history of Esther Rolle and her home preserved and turned into a project.

Jerry Bowman, representing the Historical Society and the Pompano Beach Historic Preservation Board residing at 717 NE 3rd St., explained the type of construction of the building wasn't prevalent at the time it was built. He gave a brief history of the McClellan family and stated his support for saving the building. He would also like to add the property to the local historic preservation registry and add it to the tour to remember the McClellan family and the office building.

Mike Skversky, 1630 SW 5th Ave., asked who owned the building. **Chairman Hardin** answered the building is owned by the Developer, Adam Adache. Mr. Skversky said he supports saving the building but we shouldn't spend the money.

Tom Drumm, 2700 NE 8th St., said he supports preserving the history of Pompano but doesn't want residents to pay for moving houses and suggested the Historical Society pay to move the building.

Rose Puerto, 525 N. Ocean Blvd., asked why the building needs to be relocated.

Chairman Hardin explained the land is being developed.

Dierdra Hunter, 1470 SW 14th Way., asked about property located East of Copans near a mill company. **Chairman Hardin** directed her to speak with **Nguyen Tran**.

Pat Rowley, 610 NE 3rd St., supports moving and restoring the building.

Ms. Simmons, 208 NW 15th Place, supports the McClellan project and would also like the Cristwell/Braggs building saved.

Board Member McMahon stated he was abstaining from the discussion and the vote due to conflict as his father owns the property where the house would be relocated.

Board Member Moss asked if the City was purchasing the property where the building is being relocated. **Claudia McKenna**, CRA Attorney, stated the CRA leases that property from T E P M, Inc.

Board Member Perkins doesn't object to the project but wishes more of the history on Martin Luther King Blvd. was saved throughout the years. She would like to see Esther Rolle's home and the Westview Cemetary preserved.

Board Member McGee likes the concept of the project but is concerned about not owning the land where the building is being moved.

Chairman Hardin explained the motion is only to make the McClellan building a project and questions and concerns will be addressed as staff moves forward and the project develops.

Nguyen Tran explained staff will come back with recommendations about funding the project.

A motion was made by Vice Chair Moss, seconded by Board Member Eaton, that the Presentation be ACCEPTED and to make the McClellan Building a Project. The motion carried by the following roll call vote:

Yes: Board Member Eaton, Board Member McGee, Board Member Perkins, Vice Chair Moss, and Chairperson Hardin

Abstain: Board Member McMahon

B. AUDIENCE TO BE HEARD

All persons interested in speaking during "Audience To Be Heard" must fill out a request form and turn it in to the CRA Secretary prior to the meeting.

C. CONSENT AGENDA

Item 1 on Consent Agenda was pulled from Consent.

1. 20-172 A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA) APPROVING AND AUTHORIZING THE PROPER OFFICIALS TO EXECUTE A FIRST AMENDMENT TO THE PROPERTY DISPOSITION AND DEVELOPMENT AGREEMENT BETWEEN THE CRA AND GO ECO HOMES, LLC. RELATING TO SIX VACANT INFILL HOUSING PARCELS IN THE NORTHWEST CRA DISTRICT TO EXTEND THE CONSTRUCTION COMPLETION DATE TO MARCH 1, 2020; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Nguyen Tran)

Nguyen Tran explained the developer requested an extension on November 20 for 6 lots on NW 9th Street. The developer cited many permitting delays and requested an extension until March 1. **Nguyen Tran** stated the item has been amended requesting an extension until December 1, 2020.

A motion was made by Vice Chair Moss, seconded by Board Member Perkins, that the CRA Resolution be AMENDED to reflect the extension date of December 1, 2020. The motion carried by the following roll call vote:

Yes: Board Member Eaton, Board Member McGee, Board Member McMahon, Board Member Perkins, Vice Chair Moss, and Chairperson Hardin.

Board Member McGee expressed her concerns for granting extensions to developers and not holding them accountable to their timelines. **Chairman Hardin** agreed.

Board Member Perkins asked if the properties are secured. **Nguyen Tran** explained the homes are being manufactured offsite.

A motion was made by Vice Chair Moss, seconded by Board Member Perkins, that the CRA Resolution be APPROVED. The motion carried by the following roll call vote:

Yes: Board Member Eaton, Board Member McGee, Board Member McMahon, Board Member Perkins, Vice Chair Moss, and Chairperson Hardin

D. REGULAR AGENDA

2. 20-111 A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA) APPROVING AND AUTHORIZING THE PROPER OFFICIALS TO EXECUTE A SUBLEASE AGREEMENT BETWEEN THE CRA AND BROWARD SHERIFF'S DEPARTMENT RELATING TO PROPERTY LOCATED AT 731 DR. MARTIN LUTHER KING JR BOULEVARD, UNIT 101A AND 102B, POMPANO BEACH, FLORIDA; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

(Fiscal Impact: N/A)

(Staff Contact: Kimberly Vazquez)

This Item was postponed until the January 23, 2020, CRA Board Meeting.

The CRA Resolution was TABLED.

3. 20-174 A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA), APPROVING AND AUTHORIZING THE PROPER OFFICIALS TO EXECUTE A FAÇADE AND BUSINESS SITE IMPROVEMENT GRANT AGREEMENT BETWEEN THE CRA AND INNOVATE FOOD GROUP LLC RELATING TO THE PROPERTY LOCATED AT 165 NE 1ST AVENUE; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

(Fiscal Impact: \$40,000)

(Staff Contact: Kimberly Vazquez)

Kimberly Vazquez, Project Manager, gave a presentation for Item #3 and Item #4 together. She explained Innovate Food Group is requesting a Facade and Business Site Improvement Grant and a Strategic Investment Program Grant. The grant funds requested total \$190,000 and the total cost of improvements by the developer are estimated at \$1.2 Million.

Tom Drumm, 2700 NE 8th St., said the city shouldn't be paying for interior work for a restaurant.

Mike Skversky, 1630 SW 5th Ave., asked who owns the property. **Kim Vazquez** answered T E P M, Inc. owns the property. Mike Skversky asked who funds the SIP program. **Chairman Hardin** answered the CRA funds the program. Mr. Skversky said we are giving money to people who don't need it.

Tom Terwilliger, 3160 NW 1st Ave., read a prepared statement regarding the lease of the property. He said the documents for both items are identical regarding the interior and exterior work which he stated is incorrect. **Claudia McKenna** explained this is a single project but the funding for the grants is from two different sources so there are two separate items even though they used the same exhibit.

Lauren McGee, 560 SE 23rd Ave., said she showed this same property a few years ago before the improvements started. She explained the funding by the CRA has helped the area to become ready for activation and development. She is excited about the project.

Rose Puerto, 525 N. Ocean, said she supports bringing in new restaurants but feels there is an appearance of conflicts of interest.

Vice Chair Moss explained this is what CRAs do, they give economic incentives to bring businesses to the area. He stated the CRA can't give money to homeless people or anything else other than these types of things. He said he doesn't see a conflict and said the McMahon family has been in the area for a long time and has held the community together by investing.

Board Member McMahon stated he is abstaining from discussion and voting as his family owns the property.

Board Member McGee said anyone with a direct conflict will recuse themselves.

Board Member Eaton said the private contribution is over a million dollars so she supports the incentive program. She is excited about the restaurant and the entire area.

Board Member Perkins asked if the funds come from the CRA. **Kim Vazquez** answered yes.

A motion was made by Vice Chair Moss, seconded by Board Member Perkins, that the CRA Resolution be APPROVED. The motion carried by the following roll call vote:

Yes: Board Member Eaton, Board Member McGee, Vice Chair Moss, and Chairperson Hardin

No: Board Member Perkins

Abstain: Board Member McMahon

4. 20-176 A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA), APPROVING AND AUTHORIZING THE PROPER OFFICIALS TO EXECUTE A STRATEGIC INVESTMENT PROGRAM GRANT AGREEMENT BETWEEN THE CRA AND INNOVATE FOOD GROUP, LLC RELATING TO THE PROPERTY LOCATED AT 165 NE 1ST AVENUE; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.
(Fiscal Impact: \$150,000)

(Staff Contact: Kimberly Vazquez)

Kim Vazquez explained this is the companion item to Item #3 and clarified this is a reimbursable grant which means the developer will pay for the work then be reimbursed by the CRA program. She also clarified there was one exhibit for construction which was used for both items in the backup but the funds are separate.

Mike Skversky, 1630 SW 5th Ave., said money shouldn't be given to people who don't need money.

Rose Puerto, 525 N. Ocean Blvd., asked if anyone can receive a grant. **Chairman Hardin** explained it is an incentive program to attract developers and business owners to the area but they are approved on an individual basis.

Tom Terwilliger, 3160 NW 1st Ave., stated exhibit A is incorrect.

Chairman Hardin thanked Mr. Linder for coming to the area and investing in the Old Town area.

Board Member McMahon stated he is abstaining from voting on this item due to a conflict as his father owns the property.

A motion was made by Vice Chair Moss, seconded by Board Member Perkins, that the CRA Resolution be APPROVED. The motion carried by the following roll call vote:

Yes: Board Member Eaton, Board Member McGee, Vice Chair Moss, and Chairperson Hardin

No: Board Member Perkins

Abstain: Board Member McMahon

5. 20-173 Consideration of a Term Sheet for 44 NE 1st Avenue and Adjacent Vacant Property owned by the CRA for Patio Area.
(Fiscal Impact: N/A)

(Staff Contact: Kimberly Vazquez)

Kimberly Vazquez presented the item to the Board and explained the Lean Grill LLC is interested in opening a restaurant, Papamigos, at 44 NE 1st St. as well as leasing the patio area. Troy Ganter gave a brief history of his restaurants owned by himself and his family. He is excited about bringing his brand to the area and appreciates the CRA and work being done to the area. **Chairman Hardin** thanked him for his interest in the area.

Vice Chair Moss said this is the work the CRA does to bring businesses to the area which brings visitors and tax revenue.

A motion was made by Vice Chair Moss, seconded by Board Member Perkins, that the Item for Consideration/Discussion be APPROVED. The motion carried by the following roll call vote:

Yes: Board Member Eaton, Board Member McGee, Board Member McMahon, Board Member Perkins, Vice Chair Moss, and Chairperson Hardin

6. 20-175 A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA), APPROVING AND AUTHORIZING THE PROPER OFFICIALS TO EXECUTE A CONTRACT FOR SALE AND PURCHASE BETWEEN THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY AND G-I INVESTMENTS, LLC RELATING TO TWO PARCELS LOCATED AT 704 AND 706-708 DR. MARTIN LUTHER KING JR. BOULEVARD, POMPANO BEACH, IN THE AMOUNT OF \$650,000.00; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.
(Fiscal Impact: \$650,000.00)

(Staff Contact: Nguyen Tran)

This Item was postponed until the January 23, 2020, CRA Board Meeting.

The CRA Resolution was TABLED.

E. REPORTS

Greg Harrison wished everyone a Merry Christmas.

Claudia McKenna wished everyone a very Happy Holiday Season and a New Year filled with joy.

Chairman Hardin reminded everyone of the change to the meeting date to January 23, 2020.

Board Member Eaton wished everyone a wonder holiday season and a Happy New Year.

Board Member McGee wished everyone Happy Holidays and a Happy New Year.

Board Member McMahon wished everyone Happy Holidays and Merry Christmas.

Board Member Perkins reminded everyone about the BSO Christmas Extravaganza on December 16-19 at E. Pat Larkins. She also wished everyone a Merry Christmas and Happy New Year.

Vice Chair Moss said he is concerned about the lack of civility in the chamber. He said it bothers him when people use inflammatory language and would like the meetings more structured to discourage these types of personal attacks. He also wished everyone a Happy Holiday Season.

Chairman Hardin agreed with **Vice Chair Moss** and said he hopes everyone is on their best behavior in the New Year. He wished everyone Happy Holidays and he looks forward to 2020.

20-180 Monthly Reports for November 2019

- Northwest Advisory Committee
- East Advisory Committee
- Staff Report
- November Financial Summaries
- PSC Security Reports - November

The Informational Report was RECEIVED AND FILED.

F. ADJOURNMENT

Chairman Hardin adjourned the CRA Board Meeting at 6:53 PM.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME McMahon, Thomas		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Pompano Beach Community Redevelopment Agency	
MAILING ADDRESS 473 NE 1st Street		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Pompano Beach 33060		COUNTY Broward	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED December 17, 2019		NAME OF POLITICAL SUBDIVISION	
		MY POSITION IS <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTEE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained), to the special private gain or loss of a relative, or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Thomas McMahon, hereby disclose that on December 17, 2019

(a) A measure came or will come before my agency which (check one)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, Father _____;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Under the provisions of Florida Statutes, Section 286.012 and Section 112.3143, at the Pompano Beach Community Redevelopment Agency Meeting held on December 17, 2019, I abstained from voting on the following Agenda Item:

- Presentation on the relocation of the historic McClellan Office and proposed adaptive reuse of the structure.

- Item 3 - A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA), APPROVING AND AUTHORIZING THE PROPER OFFICIALS TO EXECUTE A FAÇADE AND BUSINESS SITE IMPROVEMENT GRANT AGREEMENT BETWEEN THE CRA AND INNOVATE FOOD GROUP LLC RELATING TO THE PROPERTY LOCATED AT 165 NE 1ST AVENUE; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

- Item 4 - A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA), APPROVING AND AUTHORIZING THE PROPER OFFICIALS TO EXECUTE A STRATEGIC INVESTMENT PROGRAM GRANT AGREEMENT BETWEEN THE CRA AND INNOVATE FOOD GROUP, LLC RELATING TO THE PROPERTY LOCATED AT 165 NE 1ST AVENUE; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

The nature of the conflict, which I orally disclosed prior to the vote on this item, is that the subject property is owned by my father.

December 23, 2019

Date Filed


Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.