

**DOWNTOWN DEVELOPMENT
AUTHORITY SPECIAL MEETING
MINUTES**

October 17, 2011

There was a special meeting of the Downtown Development Authority held Tuesday, October 17, 2011 at 9:00 a.m. in Conference Room 149B, 301 South Ridgewood Avenue, Daytona Beach, Florida. The following people were present:

Board Members

Mr. Robert Abraham
Ms. Sheryl Cook
Mr. Joseph Hopkins
Ms. Kelly White

Board Members Absent

Ms. Stacey Lipton

Staff Members Present

Mr. Paul McKittrick, Deputy City Manager/Administrative Services
Mr. Jason Jeffries, Project Manager
Mr. Bob Jagger, Deputy City Attorney (left at 10:00)
Ms. Jeanne Tolley, Redevelopment Technician

1. Call to Order

Mr. Abraham called the meeting to order at 9:00 a.m.

2. Roll Call

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

3. Discussion: Farmers' Market

Mr. Berger stated that farmers and other individuals came to a recent City Commission meeting to express unhappiness about the management of the Farmers' Market. He stated that the City Manager had discussed with the City Commission and other people about whether or not to issue a Request for Proposals to see if there was an organization who could manage the Market. He stated that staff had met with representatives of the DBPA as well as Sheryl Cook and Al Smith to discuss the Market and the DBPA wanted to continue to manage the Market for 6 months to show they could make it a success. He asked permission to speak to vendors to

reaffirm improvement of the Market and to let them know that the City was behind them. Mr. Berger stated he had talked to some vendors but not all of them and he had asked the DBPA for names of vendors who had been at the Market for quite some time. He stated that there were a number of people upset and not happy with the current situation. He stated that he had received a petition signed by most of the vendors listing their grievances. He asked if the DDA was in favor of submitting a proposal to manage the Market and hire someone to oversee its sustainability and growth. He stated if the DDA supported the idea staff would prepare a proposal and present it to the Board.

Mr. Jeffries stated Stacey Lipton was out of town and apologized for her absence. He read an email from her indicating her feelings about the Farmers' Market.

Mr. Hopkins asked if Cheryl Kelley was still the Market manager.

Mr. Berger stated she had resigned and Naomi Weiss was fulfilling the role of manager.

Ms. Cook suggested that Sans Lasseter report on the meeting with herself, Mr. Smith, Mr. Berger, Mr. McKitrick and Mr. Jeffries.

Mr. Abraham stated that were issues to be addressed. He stated first was the ownership issue and who owned the Farmers' Market. He asked if the City Commission considered the RFP what right they had to do that if they did not own the property. He asked if the DDA would supervise the Market on behalf of the City since they had never operated a business. He asked about any contractual agreements with the Market and what would happen with them.

Mr. Jagger stated that the DBPA was given authority by City Commission resolution in 1980 to operate the Market. He stated he would look into other legal issues but there was no contract with the DBPA only a resolution allowing them to operate on City Island.

Mr. Berger stated that they did not typically get into contracts but the important issue was the venue and who owned it. He stated he was not aware of any form of ownership.

Mr. Sans Lasseter stated that he was not familiar with the Farmers' Market. He had been on the Design committee and was Vice President of the DBPA, set to become President. He stated that part of a successful Downtown was a successful market. He stated that he had received a letter of resignation from Cheryl Kelley. He stated that if a farmer did not show up on a particular Saturday Ms. Kelley allowed another farmer to set up in his space then when the original farmer came he did not have a space. Mr. Lasseter stated he was surprised at the public hearing when it was said that the Market was empty because that was not true. He stated that when DBPA

representatives had met with staff, Mr. McKitrick told them they could respond to the RFP and they planned to do that.

Ms. Naomi Weiss stated that certain vendors were not going to pay because Ciana Maglia had called them and told them the DBPA had no authority over the Market. Ms. Kelley also called vendors and told them not to show up in an effort to show they were not in favor of what was going on. She stated that Ms. Maglia was also at the Market asking vendors to move and set up with her at her market. She stated that some vendors did not know what was going on so they were asking her and the negativity was not good for the Market. Ms. Weiss stated that the previous meeting was an attack on her and the DBPA and she did not want to be in the middle of it.

Mr. Lasseter stated that a contract had been drawn up by Jack White with input from Ms. Maglia and Ms. Kelley. He stated that they both had been asked to stop causing problems but it was still going on. Ms. Lipton's email said that Cheryl Kelley was the person to run the Market but she was causing it to be more divided. She did not work well with the DBPA and they were still waiting for information from her.

Mr. McKitrick stated that since hearing vendor comments at the public hearing he and Mr. Berger had been working with the City Manager to do an RFP.

Mr. Abraham stated that he had raised the question of who owned the Market and was told the City Commission had approved a resolution in 1980 for the DBPA to operate the Market. He stated that the City was in a position to issue an RFP as owner of the Market and if that was done, then the DDA would have to decide if they wanted to submit a response. He stated the DDA had never run a business and he did not know if they had the ability to budget for a business.

Ms. Cook stated the RFP would be like what was done with Bullseye Marketing for holiday marketing.

Mr. Abraham stated the RFP was for a firm to market the Downtown for the post holiday season. He stated if the City issued the RFP for the Market the DDA would be a respondent.

Ms. Cook stated that if the DDA responded then they would need to hire someone to manage the Market.

Mr. Berger stated that staff had the responsibility to take care of the bills and could manage a contract for someone who would have a contract with the DDA for management of the Market.

Ms. White stated that if the City Commission issued an RFP then the DDA would need to decide if they wanted to respond to it.

Mr. Berger stated that staff would draft an RFP to see if there was interest.

Mr. McKittrick stated that Mr. Berger had been tasked with preparing the paperwork for the November 2nd meeting. If the DDA, DBPA and others were interested it would go further. If only the DBPA wanted to respond then the contract would be reworked.

Ms. White stated she had come up with the following suggestions:

Operations

signage on banners
attendance
names of vendors
tables and chairs

Finance

accounting system with checks and balances
invoicing system
plan to reinvest revenue

Sales and Marketing

recruit vendors and assist current vendors
coordinate with the Cubs and Downtown restaurants for healthy living (the west side of the County had agriculture and the Market needed to have a relationship with them)

Ms. White stated there needed to be up to date vendor contracts, a vendor handbook and a balance of all types of food. She stated that some of the items could be done by volunteers and City staff. She asked if the DDA had the ability to manage all of those items.

Mr. Abraham asked how the finances would be handled. He stated that each vendor was a business and revenue was rent from the vendors but there were expenses such as advertising and trash pickup.

Mr. Jeffries stated that a separate cost center could be set up under the DDA 140 fund with a monthly report of income and expenses.

Mr. Abraham asked who would suffer any potential losses.

Mr. Berger stated the DDA.

Mr. McKittrick stated he thought if the DDA wanted to manage the Market on their own they could and it would not have to go through the City like the DBPA.

Ms. White stated that the Farmers' Market had never had its own budget and revenue had never been reinvested into the Market but was used for other things.

Ms. Cook stated she was concerned that the DDA gave \$6,000 to hire a Market manager and the vendors were told more money would go into market but that had not happened. She stated there was an issue of accountability.

Ms. White agreed and stated there needed to be a separate entity for the Farmers' Market.

Ms. Cook stated that there used to be a manager who was available with a bathroom key and maps of the area. She stated non-profits had tables and there was music and tables and chairs for customers.

Mr. Abraham asked if the DDA was interested in responding if the City issued an RFP.

Ms. Cook stated she was interested.

Mr. Hopkins stated he would like the DDA to be able to oversee the Market but not manage it.

Mr. Abraham stated that they did not need to take action but needed to let staff know if they were interested.

Ms. Cook stated that from what Mr. Berger and Mr. McKitrick said the DDA needed to tell staff to do the RFP which would take them to the next step then they would vote on it at the meeting the following week.

Mr. Abraham stated that they were not ready to tell the City to do an RFP.

Mr. Berger stated that his discussions with the vendors were to reinforce stability in the Market. He stated there were individuals stirring the pot and he had contacted them and asked them to stop and they needed to let the DBPA do their job.

Mr. Abraham stated that he had received a phone call about the Farmers' Market and he told the person the DDA had no authority over the Market. He stated that he did not want to manage the Farmers' Market and be in a controversial position by people criticizing them.

Ms. White asked who the overseer was for the DDA.

Mr. Abraham stated they were an independent entity.

Mr. Jeffries stated that the Farmers' Market was on City Island and Cultural Services was the overseer for City Island.

Ms. Weiss stated that the DBPA Board of Directors was the overseer for the Farmers' Market and they did reinvest in the Market. She stated that a part time manager said the Market was operating in the black but there was insurance and other expenses to be paid so it did not consistently operate in the black.

Mr. Harshaw stated the DBPA had operated the Market for 30 years and only 4 people had complained so that was not bad. He stated that the vision of the DBPA had changed over the past 4 years. He stated that Chris Challis and Jack White were developers who had the DBPA meeting with developers and cut Ms. Weiss's job short. He stated that they needed to know who owned the Farmers' Market and if the DBPA owned it then they should do the RFP.

Mr. Abraham stated that if the City canceled the lease then the DBPA would have to find private property and the City could put their own market on public property.

Ms. Weiss asked if there was an issue with Ms. White being on the City Commission and crafting an RFP and also being part of the DDA.

Ms. White stated she may have to abstain from voting.

Mr. Abraham stated that if staff wrote the RFP and staff wrote the response then they would not be able to evaluate the proposals.

Mr. Harshaw asked if respondents would need to know financial information about the market.

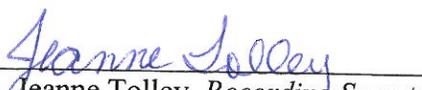
Mr. Lasseter stated that they would need to look at the business plan.

Mr. Jeffries stated that the City Commission would be voting on the RFP on November 2nd. The DDA has a special meeting at 8:00 a.m. on November 8th scheduled and could discuss the response to Farmers' Market RFP at that meeting. He stated that Joanne Flick, Purchasing Agent, would be present to walk the Board through the process and would provide scoring sheets for them.

4. Adjournment

There being no further business to come before the Board, the meeting was adjourned at 10:25 a.m.


Mr. Robert Abraham, *Chairman*


Ms. Jeanne Tolley, *Recording Secretary*