

**MIDTOWN REDEVELOPMENT BOARD
MINUTES OF THE
REGULAR MEETING
Tuesday, October 13, 2020**

The regular meeting of the Midtown Redevelopment Board was held Tuesday, October 13, 2020, at 6:00 p.m. in the City Commission Chambers, Daytona Beach City Hall, 301 S. Ridgewood Avenue, Daytona Beach, Florida. The following people were present:

Board Members Present

Mr. Shawn Collins, Chair
Mr. Byron Cogdell (via audio connection)
Ms. Tangela Hardy
Mr. Pierre Louis (via audio connection)
Mr. Milverton Robinson (Planning Board appointee)
Ms. Valencia Stubbs (arrived at 6:10 p.m.)

Board Members Absent

Ms. Renee Richardson

Staff Members Present

Mr. Reed Berger, Redevelopment Director
Mr. Ben Gross, Deputy City Attorney
Ms. Sara Kirk, Code Enforcement Officer
Capt. Scott Goss, Daytona Beach Police Department
Ms. Becky Groom, Office Assistant

1. Call to Order

Mr. Collins called the meeting to order at 6:00 p.m.

2. Roll Call

The roll was called and attendance was noted as stated above.

3. Pledge of Allegiance

Mr. Collins led the Pledge of Allegiance.

4. Invocation

Mr. Robinson gave the invocation.

5. **Approval of Minutes**

September 8, 2020 Regular Board meeting

A motion was made by Mr. Louis, seconded by Mr. Robinson, to approve the minutes of the Regular Board Meeting of September 8, 2020 as presented. The motion carried unanimously.

6. **Staff Reports**

Police Department

Capt. Scott Goss stated overall crimes are down in the District. Capt. Goss stated more accurate numbers will be provided at the end of the year.

Mr. Louis stated the neighborhood is safe and the crime rate is down. Mr. Louis asked how we can promote that to the area so that people that want to do business in the District know crime is down and the area is safe. Mr. Louis stated perhaps a mailing should be done to provide residents with the information on crime.

Capt. Goss stated the Compstat report is publicized every other week on line at the City's website but stated he will check to see if information could be placed on line regarding the statistics for Midtown. Capt. Goss stated he could provide statistics for such a mailer but noted that a mailer has not been done for individual districts in the City regarding crime.

Ms. Stubbs arrived for the meeting at 6:10 p.m.

Mr. Collins suggested that Mr. Louis provide his suggestions in writing so the Board can review the subject later. Mr. Collins stated when suggestions are placed in writing, the Board will be able to track staff's response.

Code Enforcement

Sara Kirk, Code Enforcement Inspector, provided a hand-out of Code Enforcement cases in Midtown. Ms. Kirk stated 52 new cases were opened in Midtown and the majority are maintenance code violations.

Mr. Robinson noted only two cases were closed during the month. Mr. Robinson also noted he would like to know repeat offenders.

Ms. Kirk stated most code cases last more than a month since 30 days are allowed to address a violation. Ms. Kirk stated she is unable to obtain a report from the City's Trakit systems that shows cases that have been closed. Ms. Kirk stated in the future she will provide before and after pictures to show the progress on cases. Ms. Kirk stated she will also provide the number of cases that are field generated vs. complaint driven. Ms. Kirk stated the number of cases have risen which she feels is based on the visibility of Code Enforcement Officers in the Midtown area.

Mr. Collins stated he would like to see mapping that shows the location of a violation and when clicked on, the details of the violation would be provided.

7. Board Discussion

Mr. Collins stated he provided staff with a listing of items he would like to discuss with the Board this evening.

Mr. Berger stated Mr. Collins provided him with five items to be discussed this evening. Mr. Berger stated the first item is approval of the agenda by the Chair.

Mr. Collins stated he has talked with Mr. Gross, Deputy City Attorney, about his input regarding discussions to ensure the Board complies with the Land Development Code. Mr. Collins stated historically the Board has only met when there are items to be reviewed by the Board, once they have been reviewed by staff.

Mr. Gross stated the Code currently does not provide what is being requested by Mr. Collins; however, the City Commission could amend the Land Development Code or authorize the Board's request through a resolution.

Mr. Collins stated the Board's actions should not go against the LDC or State Statutes, should not slow down the review process of the Planning Board, CRA, or City Commission, and should not be ineffective.

Mr. Collins stated he did not question when meetings were canceled over the last several months due to COVID; however, he received a call last Wednesday saying the meeting was canceled since there were no action items to be reviewed by the Board. Mr. Collins stated he wondered how the meeting could be canceled since no one had talked to him prior to that time about cancelling the meeting. Mr. Collins stated the Chair, not staff, should be deciding when meetings should be canceled and the Chair should review and approve what is placed on the agenda. Mr. Collins stated with the Board's approval, he would like to address the City

Commission regarding Board procedures, including cancellation of meetings.

Ms. Stubbs asked if the Chair wants to review and approve the agenda prior to the rest of the Board being notified of the meeting.

Mr. Collins stated right now, no one on the Board has any input on what will be placed on the agenda. Mr. Collins stated during the time the Board was not meeting, the City Commission continued to meet.

Mr. Robinson stated the Planning Board did not meet during that period, noting many other Boards did not meet and some still have not resumed meetings. Mr. Robinson stated he feels the Board should discuss at this meeting what will be placed on next month's agenda and staff should support what the Board wants on the agenda. Mr. Robinson stated it should not be the Chair's decision alone as to what is placed on the agenda. Mr. Robinson stated he feels like the Board is a puppet for the staff and the Board never decides what comes to the table. Mr. Robinson stated he wonders why the Board is here. Mr. Robinson stated he has never had staff set the agenda on any Board on which he serves. Mr. Robinson stated this is a redevelopment board and the Board should determine what needs to be redeveloped, not the staff. Mr. Robinson asked why the Board is in place if staff is going to provide the agenda and solutions. Mr. Robinson stated at the beginning of each year, the policies and procedures should be set for the year.

Mr. Cogdell stated he is confused as to why things are the way they are now. Mr. Cogdell stated he does not see any reason why the Board is not receiving and approving the agenda prior to it being publicized.

Mr. Louis stated he supports this measure. Mr. Louis stated two years ago when he became Chair, he addressed the same issue a number of times, including presenting the issue to the CRA and City Commission. Mr. Louis stated routinely when he was Chair he would receive an email saying the meeting was canceled since there were no action items scheduled. Mr. Louis stated there are always things going on in Midtown that could be discussed but his concerns fell on deaf ears. Mr. Louis stated he has reviewed the minutes from 10 years ago and procedures for the Board were discussed at that time. Mr. Louis stated he feels the Board should be establishing its own agenda. Mr. Louis stated the process needs to be fixed.

Mr. Collins stated the Board Chair will be placed on the agenda for the next CRA/City Commission meeting and he would like Mr. Louis to attend with him as well.

Mr. Louis stated he will attend.

Mr. Cogdell stated he would like to know why this procedure has been in place for so many years. Mr. Cogdell stated he would like to know what the intentions are for this happening for so many years.

Mr. Collins stated once the Board has been given the authority that they are requesting, there is no way the authority will be reversed. Mr. Collins stated he would like Mr. Gross to address Section 2.3.b.1.a of the LDC.

Mr. Gross stated it would be easy to interpret that section to include the procedure that is being discussed by the Board but the question would be how that could be implemented. Mr. Gross stated Section 2.3.h.1 states the Board shall adopt a schedule for regular meetings and states regular meetings may be cancelled if there are no applications requiring consideration by the Board. Mr. Gross stated the section does not say who will cancel the meeting and the Board could adopt a procedure that the Chair may cancel a meeting if there are no Planning and Zoning matters to be heard. Mr. Gross stated that would give the Chair the authority to cancel a meeting. Mr. Gross stated Section 2.3.k addresses procedures and the Board has the authority to create procedure. Mr. Gross stated the question is whether it is the obligation of staff to carry out that request. Mr. Gross stated the City Manager is responsible for the administrative functions of the City, as outlined in the City Charter; however, the City Commission would have the power to authorize the Board's request that is being discussed.

Mr. Collins asked if this Board is a legislative body.

Mr. Gross stated the Board is quasi-judicial. Mr. Gross stated currently there is not any authority given to the Board on other policy issues; however, Section 2.3.b.1.b gives the Board the authority to carry out any other duties as directed by the City Commission.

Mr. Collins stated he would recommend that Section 2.3.h.1 of the LDC be removed that says meetings will be canceled if there are no applications to be presented to the Board. Mr. Collins stated that is too specific and removes the Board's ability to meet to discuss goal setting.

Mr. Gross stated an amendment could be proposed that would say regular meetings may be canceled by the Chair.

Ms. Stubbs asked if the Board wants to consider having the Board review the agenda prior to it being publicized and does the Board want to address the schedule.

Mr. Gross stated the Board had adopted Rules of Procedure and maybe the Board wants to take a look at their by-laws. Mr. Gross stated he would like a copy of those by-laws to ensure they comply with the Land Development Code.

Mr. Berger stated the by-laws are a part of the orientation packet for all Board members but he will send it out again for all Board members to make sure the Board members are up to date.

Public Comments:

Commissioner Paula Reed stated she met with Mr. Collins after the last City Commission meeting and discussed the items presented this evening. Commissioner Reed introduced the members of the Midtown Community Development Corporation, a 501(3)c which was formed in an effort to move the Midtown community forward. Ms. Reed stated Byron Cogdell is a member of the Board. Commissioner Reed introduced Donna Banks who is the CEO. Commissioner Reed stated she feels the Midtown Board should have a workshop to clarify the items discussed this evening.

Donna Banks, CEO, Midtown Community Development Corporation, introduced Percy Williamson, Chair.

Mr. Williamson stated there is a lot of activity in Midtown and a Board has been assembled that will be a partner to the Midtown Board. Mr. Williamson stated the Board wants to address affordable housing and redevelopment and many of those items that are being discussed will be presented to the Midtown Board.

Ms. Banks stated Thaddeus Collins is the Vice Chair and other Board members are Edith Shelley, Laquinta McGill, Cynthia Slater, and Dr. Aubrey Long.

Mr. Robinson asked if placing a grocery store in Midtown is a priority of the Board. Mr. Robinson invited the MCDC to attend the monthly Planning Board meetings.

Ms. Banks stated the food desert and affordable housing are part of the Board's priorities. Ms. Banks stated she will provide the Board with information of their upcoming plans and meetings.

Mr. Gross reminded the Board to not copy the Midtown Board members on emails received from the MCDC so the Board does not inadvertently communicate with other members of the Midtown Board.

Mr. Gross stated the Board could amend the by-laws to grant the Chair the authority to cancel meetings if there are no action items. Mr. Gross stated the question to the City Commission may be does the Board want to continue to allow staff to cancel meetings.

Mr. Collins asked if the agenda for the November and December meetings are on line.

Mr. Berger stated meetings are scheduled throughout the year month to month.

Mr. Gross asked if Mr. Berger presents a schedule of meetings for the upcoming year to the Board.

Mr. Berger stated that schedule is presented to the City Clerk.

Mr. Gross stated the LDC states in Section 2.3.h.1 that the Board will establish a schedule of meetings for the upcoming year and staff may call special meetings as needed. Mr. Gross noted if the by-laws are amended to allow the Board to call special meetings, it may still not be permitted by the LDC; therefore, a LDC amendment would be needed to give authority for the Chair to call a special meeting.

Mr. Berger stated the issue in the LDC that needs to be clarified is what are the powers and duties of the Board.

Mr. Gross stated if, for example, the City Commission wanted this Board to make recommendations on capital expenditures, that could be done by resolution.

Mr. Collins stated he would like the Board to review any dollars spent in the Midtown area, regardless of the source of the funds.

Ms. Stubbs asked for clarification and if recommendations from the Board would include: cancellations of meetings must be approved by the Board Chair; adopting rules of procedure giving the Board the authority to set the agenda or having the ability to interact with staff on setting the agenda; and clarification of the powers and duties of this Board. Ms. Stubbs stated she feels the Board needs to develop a plan for implementation of these items.

Mr. Gross stated he does not think this Board could create a rule in its by-laws that would give the Chair the authority to cancel meetings based on the way the LDC is written.

Ms. Hardy stated she supports Mr. Collins' suggestions but does not want the Board to vote on something and then the City Commission states the Board cannot do that.

Mr. Collins stated it has to be relayed to the City Commission that this is a serious Board with expectations. Mr. Collins stated he would like all of the Board members to attend the meeting when his presentation is made to the CRA/City Commission.

Mr. Gross stated the LDC gives the Board the authority to create rules and procedures, including authorizing the Chair to review and approve the agenda; however, that rule is not binding on staff. Mr. Gross stated this Board has no jurisdiction over staff.

Mr. Cogdell left the meeting at 7:50 p.m.

Mr. Collins stated the board needs the affirmation from the City Commission and needs their support.

Mr. Collins stated he would like an item included on the November meeting agenda to receive input from Mr. Gross on whether changes need to be made in our by-laws or the LDC and the Board will take action on that item.

Mr. Collins stated his second item is the annual approval of the CRA budget. Mr. Collins stated that should be a basic item for this board.

Mr. Gross asked if the Mr. Collins means the CRA budget for the Midtown area and noted the City Commission could delegate that authority to the Redevelopment Board by resolution.

Mr. Collins stated he would like to change the current procedure since the only people that have reviewed items presented to the CRA are staff.

Mr. Collins stated his third item is to have the Midtown Board review each year all capital purchases funded in the CRA prior to the City Commission review.

Mr. Collins stated a change order was presented at the City Commission meeting on Wednesday night for the streetscape project on MLK and he had never heard of the project before that evening. Mr. Collins stated staff is picking projects and ranking them.

Mr. Gross stated the expenditure authority of the City Manager is \$25,000. Mr. Gross stated any purchase above that amount is competitively solicited and once the items are presented at a bid opening, a selection

committee reviews the bids; and the bids are then presented to the City Commission,

Mr. Collins stated his fourth item is an annual review of goals and objectives. Mr. Collins stated the Board needs to hold a workshop to set goals and objectives for the year.

Mr. Robinson asked if that would be for the calendar year or budget year.

Mr. Collins stated it should be in alignment with the budget year.

Mr. Berger stated the City Commission starts the budget planning process in January and February. Mr. Berger stated prior to 2015 when the new Land Development Code was adopted, he used to review the proposed budget with the Midtown Board.

Mr. Collins asked if those recommendations were shared with the Public Works Director.

Mr. Berger stated yes and it would also be presented to the CRA as part of the quarterly report.

Mr. Collins stated Item 5 is to provide a GIS map that shows CRA projects. Mr. Collins stated this item is important. Mr. Collins stated the Board needs to see the funded projects in all of the CRA's.

Ms. Hardy stated a workshop was held with the Midtown Board members and she felt it was ineffective. Ms. Hardy stated she feels the items need to be evaluated that will be discussed at a workshop.

Mr. Louis stated he likes what has been presented and looks forward to the Board moving forward.

Mr. Robinson stated he likes the direction the Board is going and has improved his confidence in serving on the Board.

Mr. Collins stated he would like to have success stories from around the country brought in to tell us as a Board how we are doing. Mr. Collins stated there is also a possibility that the Board may attend conferences. Mr. Collins stated right now he feels staff and the Board are adversaries and that is not the way it should be.

Board Action:

A motion was made by Mr. Louis, seconded by Ms. Hardy, to update the by-laws to correctly reflect the Board's name; eliminate any conflicts

between the by-laws and the Land Development Code; add authority for the Chair to review and approve agendas at least a week in advance prior to mailing and delivery; and to provide that the Board annually approve a public meeting schedule for the next calendar year. The motion carried (4-0).

A motion was made by Mr. Louis, seconded by Ms. Stubbs, to request the City Commission to amend the Land Development Code to: provide the Board Chair or other members of the Board per the by-laws the authority to cancel Board meetings instead of City staff as is currently provided in the Land Development Code Section 2.3.h.1; the City Commission give the Board authority to review and recommend approval of the CRA budget for the Midtown area prior to review and approval by the City Commission; the City Commission authorize the Board each year and as often as necessary to review and make recommendations on capital projects funded in the Midtown Redevelopment Area prior to the City Commission approval; and the City Commission direct staff within 60 days after the City Commission's order, make available GIS layer files that identify all CRA funded or completed projects within all of the CRA areas for the last five years. The motion carried (4-0).

Mr. Gross stated he will review the by-laws prior to the next meeting and provide a marked-up draft to the Board with suggested changes.

Mr. Gross suggested the Board make a motion to authorize the Chair to make a presentation to the City Commission regarding the items discussed this evening.

Mr. Collins stated he will provide a copy of the power point presentation to staff so it can be shared with the Board so the members know what will be discussed with the City Commission.

Board Action:

A motion was made by Mr. Louis, seconded by Ms. Stubbs, to authorize the Chair to go before the City Commission to address the policy recommendations discussed at this evening's meeting. The motion carried (4-0).

8. Project Update

Mr. Berger stated he had nothing to report.

9. Public Comments

There were no public comments.

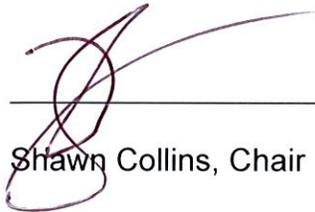
10. Board Comments

Mr. Louis asked the status of the grocery store study. Mr. Louis stated he understood that the City Commission has received the report and asked the status of the study.

Mr. Berger stated he is not aware of a report that is going before the City Commission. Mr. Berger stated a grocery store has been on a list of priorities since 2007. Mr. Berger stated Charles Bryant brought Lucky's to this town but they decided to locate in another city.

11. Adjournment

There being no further business, the meeting was adjourned.



Shawn Collins, Chair



Becky Groom, Board Secretary