

MINUTES
DOWNTOWN DEVELOPMENT AUTHORITY BOARD MEETING
Monday – April 11, 2022 – 12:00 NOON
Downtown Development Authority
350 SE 1st Street, Delray Beach, FL

1. Call to order/Roll Call – 12:11 PM

Members Present: Peter Arts, Mavis Benson, John Conde, Alan Costilo, Mark Denkler, Rocco Mangel.

Members Absent: Frank Frione

Staff: Laura Simon, Marusca Gatto, Liliana Fino, BJ Sklar.

Guests: Alice Finst, Sgt. James Schmidt, Sara Maxfield, Jeff Oris, Ivana Shoultz, David Shoultz, Brian Duncan, Adly Frances, Matthew Scott.

Zoom/Phone: Jay Oberfield, Montre Bennett, Claus Guedner, Alyson Waltzer.

2. Agenda: Changes & Additions

ACTION – Motion to approve the agenda as presented.

Motion: M. Benson 2nd: A. Costilo. Motion carried 6-0. (Frank Frione not present).

3. Approval of Minutes

A. March 14, 2022 Board Meeting Minutes

ACTION – Motion to approve the March 14, 2022, Board Meeting Minutes as presented.

Motion: M. Benson 2nd: J. Conde. Motion carried 6-0. (Frank Frione not present).

4. Financial Report

A. Financial Report for March 2022

Checking **\$14,167.35**

Money Market **\$802,313.36**

Total Checking **\$816,480.71**

Total Revenue \$1,248,592.00

(Ad Valorem Taxes & Interest NET \$1,191,944.00)

Total Expenses: **\$750,170.00**

 Business Development: **\$479,971.00**

 Office/ Administrative: **\$270,199.00**

Net Income for Year: **\$498,421.60**

ACTION – Motion to approve the March 2022 Financial Report as presented.

Motion: A. Costilo 2nd: J. Conde. Motion carried 6-0. (Frank Frione not present).

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5. Public Comments: In Person Comments limited to 2 minutes (Submitted Via Email by 10am April 11, are read into the record) and Delray Beach Partner Reports (City, CRA, Chamber, etc.) – Comments limited to 2 minutes.

James Schmidt (Delray Beach Police Department, Sergeant) – Last month the Team made 14 arrests. Reported were, amongst other issues, two pickpocket phone thefts at Tin Roof, the vandalism to the DDA signage (the Team has made one arrest related to this issue), illegal trespassing at Deck 84, and illegal panhandling by Interstate 95 (a group of people was luring drivers to land them money). We received, also, complains from the Royal Atlantic Condo Association regarding noise and intoxicated pedestrians during late night hours around that area.

M. Benson – We are noticing, also, panhandling issues at Worthing Park.

James Schmidt – That issue is related to a new homeless population coming to Delray Beach. We are addressing that issue.

Sent by email by Montre Bennett (resident):

"Hello, my name is Montre Bennett, a lifetime resident of Delray Beach Florida. My comment is that the DDA should set up The Set Banners on Atlantic Avenue between I-95 and Swinton Ave. Resident Tax dollars were spent on a branding for our community. It would be so fitting to see them throughout the neighborhood corridor. Thank you"

(Montre Bennett, 323 NW 2nd Ave, Delray Beach, FL 33444)

Sent by email by Michael Rindos (resident):

- 1) May we impose on the developers of Atlantic Crossing that they open the sidewalk on Atlantic Ave and close only when necessary? It seems little, if any, construction is happening to the front face of the building, yet the hardship placed on residents and visitors by closing this sidewalk is substantial and dangerous as many opt to walk in the busy street. No one wants to see a fatality on Atlantic Avenue
- 2) What can be done about the ongoing litter problem in town? Worthing Park, Atlantic, and 2nd Avenues are a continuous mess. And parking lots in this area are full of discarded liquor bottles and other trash. Can the operators of nearby business and parking lots be asked to maintain/clean these areas on a regular basis? If not for the generosity of "Beach Keepers" who donate their time to clean our town, the streets would barely be passable some days.
- 3) It seems like the homeless population in and around Worthing Park is growing and the panhandling is becoming more aggressive. Perhaps the community can do a better job in providing and/or facilitating needed services.

Thank you for hearing my concerns.

(Michael J. Rindos, 32 SE 2nd Avenue, Unit 234, Delray Beach, FL 33444)

Sent by email by Cindi Freeburn (resident):

"We attended the Savor the Avenue event this year for the first time in the 11 years we have lived in Delray. We had a very lovely experience at the event itself and appreciate all the hard work and effort put forth by those involved in the execution of the evening.

However, we had a HORRIBLE experience with making reservations, and despite pleas to the DDA Director and restaurant (Avalon) the matter was not resolved to our satisfaction. We were able to attend as guests of friends who secured a reservation ON THE PATIO at Avalon. It was not the same as experiencing the event ON THE AVE; it felt more like being a spectator. That said, the food and service were terrific.

In our opinion, and that of several with whom we have spoken, MANY residents are TURNED OFF by the reservation process and have stopped attempting to attend. There is definitely a perception of cronyism, favoritism, elitist behavior etc. with regard to the restaurants and the manner in which they accept reservations and the unlimited seats the person can reserve for their "group".

J C.

Our personal experience and that of at least 4 couples (friends) was that despite calling precisely at 9 am on reservation day (after calling the day before to confirm the reservation process) and leaving a detailed message including the time stamp on my iPhone, we were told we were not among the first 60 to secure a seat ON THE AVE at the Avalon tables. It is not humanly or technologically possible that 30 people/couples called ahead of me at 9am. The restaurant does not have that many "trunk lines". I did not receive a busy signal and was connected immediately to the voicemail. I will likely go to my grave disbelieving the claims of the restaurant that they "sold out" before I called.

That said, it is our belief that it is IMPERATIVE that you change the reservation process and make it a condition of participation that NO RESTAURANT may accept a reservation for more than 6 people under one family/group. If 12 friends want to attend, they will have to make 2 reservations. Six is a reasonable number so 3 couples, or 6 friends may dine together. Limiting individual reservations to 6 people will permit more different/diverse groups to experience the event. The price itself is a challenge for diversity, it is not good to have certain large friend groups monopolizing one restaurant.

The opinion that there are "shenanigans" involved in the reservation system is pervasive around town and contributes to a very poor taste in the mouths of residents. Even though the event supports a charity, there does not seem to be a lot of transparency about what % of the \$150/per plate (before tax/tip) actually goes to the charity. We did appreciate that every restaurant was charging the same price, leveling the playing field in that regard.

I have spoken to several members of the Commission about the debacle/favoritism in the reservation system. They vote annually to permit the DDA to collect an additional 1% tax in the downtown. I have asked that they investigate the plans taking reservations at Savor the Avenue 2023 PRIOR to authorizing that tax for next fiscal year.

Thank you for your time."

(Cindi Freeburn, 1740 NW 22nd Ave., Delray Beach, FL 33445)

Montre Bennet (Delray Beach Resident)– We would like to see *The SET* neighborhood banners up again on the West Atlantic Avenue area.

P. Arts – The DDA Board will discuss on the process with the Community Redevelopment Agency and get back to you on that matter.

6. NEW Business

A. View Optical at 302 E. Atlantic Ave Code Amendment request from DDA – Matthew Scott

Matthew Scott - presenting item 6A View Optical at 302 E. Atlantic Ave Code Amendment (documents provided). This amendment is for optometrist services to be allowed to trade (under the required business license permit) on first floor of a building (now just permitted on the 2nd floor) in the Central Business District (CBD). Is a request of a "similarity of use". The same way pharmacists are allowed to be located on the 1st floor in the CBD area. Both pharmacists and optometrists provide prescriptions. Please note that service is just to assist their main trade: retail.

Sara Maxfield (City of Delray Beach, Economic Development Office Department, Director) – Please be aware that if this amendment is approved, it will open the opportunity to other businesses in the same situation. Ordinance 45-02

A. Costilo – Can this request be considered as a "similarity of use" according to the 4.3.2 (C) (1) of the Delray Beach Land Development Regulations?

Sara Maxfield – No. The Pharmacies and the View Optical store cannot be considered to have a "similarity of use."



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A. Costilo – Who decided on that?

Sara Maxfield – The Planning and Zoning Board voted against 6-1.

A. Costilo – It is my opinion that these businesses could be considered having a “similarity of use”.

Matthew Scott – This amendment needs to be drafted in a way that it includes, specifically, what the DDA and the Partners want to be included. So, it does not extend this opportunity to all the Doctor’s offices types of business.

M. Benson – I have been at this location (View Optical) and their office space is located at the rear of the floor plan and it represents a small square footage percentage of the total space.

Matthew Scott – There will be no medical procedures happening on site.

A. Costilo – The Capital 1 business (located at 330 E Atlantic Ave, Delray Beach, FL 33483) is an example of this kind of floor plan distribution. We need to make sure that this Amendment is specific to Optometrist services only.

M. Denkler – This Amendment needs to specify that the retail part of the business represent the majority of the floor plan and that it is located at the front on the floor plan.

Sara Maxfield – In the best interest for the City to be able to enforce this code how can this be measured? The Amendment needs to specific the digits of these percentages (retail space versus office space) and the location of these uses on the floor plan, so we are able to enforce it.

Matthew Scott – The draft amendment we are discussion limits the optometrist service to up to 40% of the store total revenue and up to 40% of floor plan usage.

J. Conde – 40% of the floor plan usage is still a big percentage. It is almost half of the store floor plan.

P. Arts – I agree with John Conde. How much of the floor plan does view Optical has dedicated to office space as of now?

Matthew Scott – 25% of the floor plan is reserved for office space as of now.

ACTION – Approve View Optical at 302 E. Atlantic Ave Code Amendment request from DDA as specified:

- Amendment to allow for optometry services applications only (additionally to what the ordinance was already allowing for),
- The optometry service total square footage cannot exceed 20% of the total business area square footage,
- The optometry service has to be placed at the back of the floor plan allowing the retail store street facing.

Motion: J. Conde 2nd: A. Costilo. Motion carried 6-0. (Frank Frione not present).

B. Goal Setting Meeting – proposed dates

It is the DDA Board consensus to schedule the FY22/23 DDA Goal Setting Meeting for Tuesday, May 10th from 11:30am to 3:30pm.

7. OLD Business

A. Parking Management: PMAB meeting, Employee Parking update

L. Simon presents item 7A - Parking Management: PMAB meeting, Employee Parking update (document provided). The DDA will launch the Employee Parking Program trial during the summer season.

J. Conde - Regarding parking changes on the Railroad Parking Lot (changing the parking maximum limit of hours allowed per user), I suggest no changes to be made before the Employee Parking Program is in place.

M. Denkler – Regarding that lot, the two first parking rows (south of the Silverball Retro Arcade Museum), I suggest those to be change in the near future. The rule there is that users can park for maximum 2 hours

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until 6PM. Theoretically people who would park there at 4pm could stay for more than 2 hours at that same parking location, seeing that at 6pm the rule of maximum of 2 hours parking limit would expire. Regarding the rest of the parking lot rules of usage, I have the same opinion as John Conde. The 9-hour parking limit per usage, attributed to that lot when it was built, was done so employees could park there. P. Arts – I also agree with John Conde.

A. Costilo – I have the same opinion. After the Employee Parking Program trial is in place, the program should be monitored for future adjustments.

M. Benson – I have the same opinion regarding future changes on the Railroad parking lot.

M. Denkler – I would still recommend changing the schedule from “2-hour parking limit between 8AM to 6PM” to “2-hour parking limit between 8AM to 9PM” on the first two rows at the Railroad parking lot. *The DDA Board agrees on changing the schedule to “2-hour parking limit between 8AM to 9PM”.*

B. DDA Program Status Report – Mar. 2022 – DDA Team

i. Programs & Events: Fashion Week Recap

L. Simon presenting the DDA Program Status Report for the month of March on the matters of Fashion Week event, Placemaking, Art & Activations, Construction Updates, Banners & Lighting, Parking, Trucks on the avenue issue.

M. Gatto gives updates on the Safety Ambassadors Program and Public safety. The DDA made a tour to some media writers last month (one of them representing Forbes magazine, other representing the Toronto Star magazine (<https://www.thestar.com/life/travel/2022/04/08/trade-your-beach-towel-for-a-museum-pass-in-palm-beach-county-explore-an-unexpectedly-vibrant-arts-and-culture-scene.html>)) regarding the Art Trail program other Art and Culture initiatives in Delray Beach.

BJ Sklar gives updates on the Visitor Information Center statistics. The Visitor Information Center has now a display outside, available to the public 24/7. On this display, visitors can find the Delray Beach Guidebook, the Delray Beach Event Guide flyer, and the Art Trail flyer. During the month of March, the Visitor Information Center was visited by 1811 guests. On the same month, in March of 2020 2676 guests visited the center. The International Traveler is not at the same level, yet, as before the pandemic.

L. Simon presents updates on the St. Patrick’s Day Parade and Festival, First Friday Art Walk initiative, 13th Annual Savor the Avenue event, Mother’s Day Orchid Giveaway, Art & Jazz on the Avenue and DDA Tourism Marketing initiatives. Regarding some requests on rising the number of attendees for the yearly sold out tickets for the Savor the Avenue event, which is not possible as we cannot had more seats/ tables on the street. One of the solutions would be to have 2 yearly events instead of 1 only.

M. Benson – There is a loyalty on the attendees’ side regarding their presence on this event. Guests reported they have been attending to this event for years. When guests were asked if they were attending different restaurants every year, they answered they are loyal to the restaurant they go on a regular basis.

R. Mangel – Savor the Avenue was a successful event. For Rocco’s Tacos Tequila & Bar restaurant was the best year so far. The reviews from the attendees were extremely positive.

ii. Cleanliness of the Downtown

L. Simon - There has been discussion and complaints received from some Delray Beach residents regarding the cleanliness of the downtown area. Although there has been an increase on the number of visitors to Downtown Delray Beach along the years, the frequency of cleaning maintenance (such as pressure cleaning services, executed only four times per year) did not change. The Cleanliness of Delray Beach impacts the opinion of our visitors about Delray Beach.

A. Costilo – The DDA should draft a Clean and Safe Plan to address these issues.

L. Simon – The DDA works in partnership with the CRA and the City team as a liaison regarding this matter.

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Jeff Oris (City of Delray Beach, City Manager Department, Assistant City Manager) – The City Team is working towards the goal of increasing the pressure washing frequency to once a month.

Sara Maxfield – That is correct. Sammie Walthour (City of Delray Beach, Neighborhood and Community Services, Director) proposed, also, to start a collaboration with the DDA on this matter, to perceive better ways to improve the City cleaning services. Regarding the Wayfinding Signage Program, the signs are being fabricated, and there was a meeting last Friday with the Florida Department Of Transportation. The Wayfinding Signage Program was passed from the Community Redevelopment Agency (CRA) hands onto the City team with the caveat (from the part of the City Team) that the Wayfinding Signage project would just be executed after the construction project on NE 3rd Street would be finished.

M. Gatto – Regarding the cleanliness of Delray Beach I want to congratulate the Beach Keepers Inc (a non-profit organization dedicated to protecting South Florida beaches by eliminating litter <https://beachkeepersinc.org/>) for the great service they provide to the community. They also cooperate with the DDA on keeping clean the footprints of the DDA events, help cleaning before and after the events happen, such was the case for Savor the Avenue events.

C. State of the Downtown - Town Hall – May 23

The DDA State of the Downtown Town hall meeting (open to the public in general) will be held on May 23rd at the Aloft Hotel (202 SE 5th Avenue, Delray Beach, FL 33483) from 5:30PM to 8PM. (Please note that the date for this meeting was changed to June 1st at Arts Garage (94 NE 2nd Ave, Delray Beach, FL 33444) from 5:30PM to 8PM).

8. Non-Agenda Items

There were no non-agenda items.

9. Board Comments

P. Arts – Thank you to Sara Maxfield for keeping the DDA updated on the City matters.

Sara Maxfield – Regarding waste management procedures, last Friday, the contract for this service (waste management). Also, an increase in cost was requested due to supply changes, fuel cost changes, labor costs changes. The proposal was to increase the solid waste disposal fees \$2.29/month applied to all residents in Delray Beach. The City Commission as they review the Waste Management contract, they have decided to do a Request For Proposals (put out to bid) in order to find a more affordable option.

Regarding the Freebee Transportation service, the City is proposing an expanded service area, which extends beyond the Community Redevelopment Agency (CRA) district (the area being serviced as of now). We are cooperating with the CRA to perceive, from the requests made from outside of the CRA district footprint, to which locations should this service be extended to. There was a request for a point-to-point transportation service, between the Delray Beach Downtown area to the Tri-Rail train station to be utilized by downtown employees mainly. We are waiting on answers regarding this subject.

A. Costilo – Transportation Services and Wayfinding Signage are particularly important matters (especially for visitors of Delray Beach) that should be prioritized.

J. Conde - What was the feedback, from the merchants, regarding the Delray Affair event?

M. Benson – My business, Avalon Gallery, did not receive as many guests during this event as it was before the pandemic. Some businesses said business increased tremendously during this period, and others reported the opposite.

R. Mangel – Rocco's Tacos did not notice much of a difference during this period of time. But, in my opinion, that is related to the fact that there were some major events in neighboring counties (Tortuga Festival) were happening, attracting a vast number of visitors at those locations. Rocco's Tacos in Fort Lauderdale saw a tremendous number of guests.



JC

M. Benson – Maybe we need to look at those other events, happening on the same period, to adapt the services/products offers at the Delray Affair event.

A. Costilo – Big Al Steak's (my own business) received more guests, but still not at pre-pandemic levels.

M. Benson – It was a not a good decision to exclude the 500 block from the event footprint in such short notice (one day before he event). There was no communication made to the merchants, from the Delray Affair event management regarding the footprint of the event.

M. Denkler – The DDA should invite Nancy Stewart (Delray Beach Chamber of Commerce, Executive Director, entity managing the Delray Affair event). To give a Recap on this event at the next DDA Board meeting and open a discussion on this matter. The DDA should create a survey to obtain the businesses feedback on the Delray Affair event, so we can communicate the merchant's feedback to the Delray Affair management team.

A. Costilo – Regarding the Wayfinding Signage project and the Parking issues, much as been discussed and results are not happening.

2:33pm – John Conde leaves.

Sara Maxfield – Some projects, such as the Wayfinding Signage project and the Freebee Transportation Services program were passed to City hands. The City had other ongoing projects at the time, which need to be completed first, in order to have full focus on the new arrived projects.

P. Arts – Thank you to all the volunteers for their participation in the Savor the Avenue event. Their contribution was of immense value.

L. Simon – This coming Wednesday, April 13th, there is a Town Hall session at the Delray Beach Chamber of Commerce, for public to give feedback on City projects.

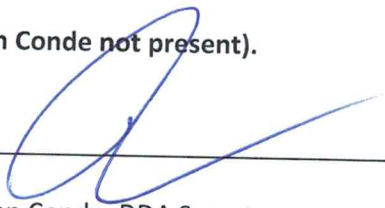
11. Adjournment

Motion: M. Benson 2nd: A. Costilo

Motion carried 5-0. (Frank Frione and John Conde not present).

Meeting adjourned at 2:43PM.

Respectfully submitted,
Liliana Fino



John Conde, DDA Secretary

5-16-2022

DATE