



MINUTES
DOWNTOWN DEVELOPMENT AUTHORITY BOARD MEETING
Monday, December 9, 2024 –12:00pm – 3:00pm
CITY HALL COMMISSION CHAMBERS
100 NW 1st Ave, Delray Beach, FL 33444

Call to Order of the DECEMBER 9, 2024 BOARD MEETING – 12:04PM

Members Present: Alan Costilo, Vera Woodson, Jim Knight, Brian Rosen, Cole Devitt, Harold Van Arnem, Aaron Hallyburton.

Members Absent: None.

Staff: Laura Simon, Liliana Fino, Suzanne Boyd, Marusca Gatto, Quentin Morgan.

1. AGENDA APPROVAL – Additions or Deletions

Motion by Jim Knight, seconded by Vera Woodson to approve the December 9, 2024 Board meeting Agenda with addition of Agenda Item 5A.A – In-leu Parking Discussion & expansion of the Gladiola Parking Lot.

Motion carries (7 - 0). All in favor.

2. PUBLIC COMMENTS & PARTNERS REPORTS – limited to 2 Minutes

City Partners Reports:

- Report by Stephanie Immelman, Delray Beach Chamber of Commerce, Chief Executive Officer.
- Report by Robert Evans, City of Delray Beach, Office of Economic Development, Manager.

3. DEVELOPMENT SERVICES

A. Gesto Restaurant - 522 E. Atlantic Ave.-Level 1 Site Plan Application-Nicolas Kurban

Nicolas Kurban presents item "Gesto Restaurant - 522 E. Atlantic Ave.-Level 1 Site Plan Application". Board Vice Chair Rosen comments that he is supportive of the applicant's new project and that he also likes the previous project.

DDA Chair Costilo asked the applicant about the pace of the process in the City.

Mr. Nicolas Kurban (Hospitality Group, Founder and CEO) answers that it was reasonable, that the follow-up was good and that overall, he was satisfied.

DDA Chair Costilo comments that he is supportive of this project.

Motion by Jim Knight, seconded by Vera Woodson to approve the "Gesto Restaurant - 522 E. Atlantic Ave.-Level 1 Site Plan Application" as presented.

Motion carries (7 - 0). All in favor.

4. NEW BUSINESS

A. DDA Art & Activation Grant Request - Chabad of East Delray - Shmuli Biston

Rabi Schmulu Biston presents the Chabad of East Delray Grant Request.

Board Vice Chair Rosen asks about the total cost of the event.

Rabi Shmuli Biston answers that the total cost is about \$23,000.

Board Treasurer Knight is supportive of this request, and he is glad that the event is expanding.

Board Member Woodson is also supportive of this request and comments that is a great event for the community. She asks what will the grant be applied for.

Rabi Shmuli Biston answers that it will apply to the game and bubble show.

Motion by Jim Knight, seconded by Vera Woodson to approve the "Chabad of East Delray DDA Art & Activation Grant Request" as presented.

Motion carries (7 - 0). All in favor.

B. Pineapple Grove Public Art Maintenance Plan Discussion – Marusca Gatto

Ms. Marusca Gatto presents the DDA Board with a list of the existent street artwork in the Pineapple Grove area and current status of the pieces. She suggests the DDA Board review the list and decide on the artwork to be maintained or deaccessioned, according to the current status. She also updates the DDA Board on the current installation status of the "Observations" mural by Dana Donati. She explains that the artwork list includes the artwork that was transferred to the DDA by the Pineapple Grove Arts District Foundation, plus other art pieces including city owned artwork located in the same area.

Board Chair Costilo suggests the DDA meet with the City to discuss the plan of maintenance for the Art pieces owned by the City.

Discussion ensued regarding the process for deaccession of an art piece.

Board Vice-Chair Rosen asks about the process of deaccession of an art piece and comments that selling those can bring revenue to put back towards maintenance or acquisition of new art pieces.

Ms. Marusca Gatto answers that the first choice in the deaccession of an art piece is to contact the author and ask if they want the piece back. Otherwise, those artworks can be disposed of, be sold or whatever the DDA Board comes to decide.

Ms. Vera Woodson comments that when the art pieces that were under the management of the Pineapple Grove Arts District passed onto the management of the DDA some of the artworks were already in "disrepair", therefore the DDA inherited some debt (40,000 of artwork in disrepair). She suggests the DDA Board discuss the plan to overcome that inherited debt and suggests selling the pieces to be deaccessioned, as did Board Vice-Chair Rosen suggested.

Board Chair Costilo refers to the "Observations" mural by Dana Donati and mentions that the DDA Board previously approved \$10,000 to restore and move the mural to a new location.

DDA Executive Director Simon answers that the mural has been repainted, but it is not installed yet.

Board Chair Costilo asks if these costs were included in the initial budget.

DDA Executive Director Simon answers that these costs were not included in the initial budget, seeing that there were some grants at the time that are not available now.

Board Chair Costilo suggests the DDA review the DDA costs with this project.

DDA Executive Director Simon mentions that due to its size the mural would have to be installed in two different locations, or if the DDA Board decides to choose a different location than the one initially planned to keep all the pieces in one place. She reminds that the mural needs to be at least 10 ft. tall.

Discussion ensued regarding the mural installation timing and process.

DDA Chair Costilo asks if the mural belongs to the DDA.

DDA Executive Director Simon confirms it.

Board Member Hallyburton suggests keeping the mural pieces together.

Board Treasurer Knight adds that the mural pieces should not be separated and also that they should be placed facing north to avoid extreme sun exposure. He suggests in the future the DDA place new artwork spread around downtown and not only within the "arts district" area. He also suggests the DDA search for artists that want to make donations, to avoid major expenses on acquiring new artwork.

Board Vice-Chair Rosen asks Jeff Oris if the City has any art plan in place for the maintenance of the artwork within downtown Delray Beach and suggests the DDA share the artwork list under the DDA maintenance with the City team.

Mr. Jeff Oris answered that there is no master plan in place yet, as no funds were released yet to support this plan.

Board Vice-Chair Rosen requests Mr. Jeff Oris for an inventory of the downtown area artwork.

Mr. Jeff Oris answers that the City does not have any staff assigned to this plan yet and requests the collaboration of the DDA on this matter.

Board Member Woodson comments that if there is no budget, the art needs to be secured, reviewed, to ensure it is in good standing, get funding, and then perhaps the DDA Board can discuss maintenance of the art pieces across downtown Delray Beach (further than Pineapple Grove).

Board Vice-Chair Rosen asks if the DDA has a list of the artwork located across downtown Delray Beach.

Ms. Marusca Gatto answers that there is a list, the one created for the Delray Beach Art Trail website.

Board Vice-Chair Rosen asks what is the process for eminent domain artwork that is unclaimed.

DDA Executive Director Simon suggests meeting with old board members of the Pineapple Grove Arts District to discover the proof of ownership of those. Also, she suggests if there is no ownership claimed and the art piece cost on maintenance are equal to the value of the piece, those pieces should be deaccessioned. She also mentions that this process can be reviewed at the future DDA Board meeting in January. Meantime, she suggests moving forward with the maintenance of some of the artwork that its maintenance does not represent an excessive cost to the DDA.

Board Treasurer Knight mentions a previous DDA Board suggestion of covering the utility boxes and suggests the DDA collaborate with the City on this.

Board Chair Costilo passes the gavel to Board Vice-Chair Rosen.

Motion by Alan Costilo, seconded by Jim Knight to move forward with the maintenance process of the existent artwork as long as the maintenance costs do not reach the value of the art piece.

Motion carries (7 – 0). All in favor.

Board Member Woodson agrees that it is important the beautification of the utility boxes and to move forward with this process.

Mr. Jeff Oris comments that the Public Art Advisory Board, a few days prior, presented the City team with a list of utilities boxes available to be wrapped up (5 units). Regarding the utility boxes owned by the Florida Power & Light Company, they mentioned that they would collaborate on this project at the expense of the requester, but they would be wrapped up with existing approved wraps by the Florida Power & Light Company. Other boxes that are owned by the Department Of Transportation need to go through an approval process. or the County or the City. He also informs the Public Art Trust is funded by the City's construction department, if the funding source so allows and therefore there is not much funding available. He continues explaining that for those utility boxes owned by the County the cost with each wrapping is of \$2,500 to \$3,000 which includes artistic costs, the execution of the wraps and their installation. He concludes that the matter should come before the City Commission again in February.

Discussion ensued regarding the specifics of wrapping a utility box.

Board Chair Costilo agrees that it is important to start the utility boxes beautification process and asks DDA Executive Director Simon how can the DDA help in moving along this project.

DDA Executive Director Simon answers that the DDA board can write a recommendation letter to the City. DDA Board Secretary Devitt mentions that in West Palm Beach part of the taxes on major developments revert towards art projects.

Mr. Jeff Oris comments that that matter was previously discussed at a City Commission meeting, but it was not approved.

Board Chair Costilo comments that it is important to bring that matter in front of the City Commission again. He also requests Jeff Oris to keep the DDA Board informed on the status of the utility boxes wrapping project.

C. Annual Performance Review for DDA Exec. Director – A. Costilo

Board Chair Costilo explains the process for reviewing the performance of the DDA Executive Director.

Board Member Woodson suggests the DDA Board provide evidence regarding their comments given on the evaluation form.

Board Chair Costilo suggests this item to be under discussion at the upcoming DDA board meeting agenda.

DDA Executive Director Simon suggests the DDA Board meet individually with her to discuss her evaluation.

D. Downtown Advocacy Recommendation Review: Restaurant & Merchant Meeting Update & Discussion – L. Simon

DDA Executive Director Simon refers to a previous meeting with the downtown merchants and restaurateurs when some of the attendees mentioned their challenges regarding their businesses. She adds that one of the roles of the DDA is to be a bridge between the City team and the businesses owners/management, working to achieve solutions, and helping navigate through the process.

DDA Vice-Chair Rosen mentions the next day's City Commission meeting and asks Mr. Jeff Oris about the items to be discussed.

Mr. Jeff Oris answers that the Development Services team will be clarifying as per the regulations in place the definitions for "Bar" and "Restaurant".

Board Chair Costilo mentions that the hybrid licenses seem to be a matter of concern between some downtown businesses and mentions to Mr. Jeff Oris that it would be beneficial for the DDA Board to be involved in this discussion.

Board Member Woodson comments that some of the regulations language is vague, confusing those who read them.

Board Chair Costilo agrees with Board Member Woodson and comments that it is important the DDA Board advocate for clear communication of the regulations in place. On another note, he comments that he met with the City team to request the list of violations produced by the Code Enforcement Team, as requested by the DDA Board at a previous meeting and explains that the list is clear and that the process is described and exposed in a clear way beginning to end.

Board Member Hallyburton is concerned about the message process being broken.

Mr. Jeff Oris mentions that there was some broken process in the past, referring to the sidewalk cafes' rules and regulations, and in consequence the City Team is now communicating all the rules and regulations.

Board Member Woodson comments on the fact that the City Team in the past did not inform, nor enforced some of those rules and now some businesses are getting violations; the message did not get out.

Board Chair Costilo mentions that regarding his business, he was always informed when its business was not in compliance and that a City official would come to his business to warn them of the matter, so the business could come in compliance voluntarily.

Board Treasurer Knight suggests the city delivers a copy of the City's regulations and other rules important to the businesses when they are delivered the yearly tax license permit.

Discussion ensued with Board Vice-Chair Rosen, Board Member Hallyburton and Board Member Woodson mentioning the disconnect between the City's rules and regulations in place and the actions on the ground.

DDA Counsel Morgan requests Mr. Jeff Oris to inform the DDA of the date for the DDA and City of Delray Beach to meet to discuss the matter.

Board Chair Costilo mentions that the City team is aware of the importance in moving this matter along and are actively engaged in the resolution of these issues.

1:59pm – Alan Costilo leaves the meeting.

The gavel is held, now, by Board Vice-Chair Rosen.

5. OLD BUSINESS

AA. Parking in-lieu and Gladiola parking lot expansion

DDA Executive Director Simon comments that the next day at the City Commission meeting the City will be reviewing the changes to the Parking *in-lieu* program, in regards amongst others to the new Parking *in-lieu* fee.

Board Member Hallyburton asks about the balance on the Parking *in-lieu* program fund.

DDA Executive Director Simon answers that the fund is about \$800,000.

DDA Member Devitt enquires about if on the discussion is the relaxation on the lot size.

2:01pm – Aaron Hallyburton leaves the meeting.

DDA Treasurer Knight mentions that there has been discussion on the number of floors to be allowed depending on the lot size to avoid big block buildings to keep the character of the downtown as well as how much of the existent parking facilities is being effectively utilized so that the City can make the proper changes to the Parking *in-lieu* program rules and regulations.

DDA Executive Simon asks DDA Board Secretary Devitt what he means by “the relaxation on the lot size.”

2:02pm – Aaron Hallyburton arrives at the meeting.

DDA Board Secretary Devitt answers that, in his opinion, lots up to 0.3 acres should not be providing any parking spaces, as it his a very small lot, as it will be hard for the developer to build in such small lot if parking spaces need to be included on the project.

DDA Treasurer Knight mentions that the rules for small lots to provide parking spaces are also being discussed as well as the costs of building parking and the rules for automated parking garages.

A. October 8, 2024 Workshop Meeting Minutes

Motion by Jim Knight, seconded by Cole Devitt to approve the October 8, 2024 Workshop Meeting Minutes as presented.

Motion carries (6 – 0). All in favor (Alan Costilo not present).

2:05pm – Alan Costilo arrives at the meeting.

Board Vice-Chair Rosen passes the Gavel to Board Chair Costilo.

B. November 12, 2024 Board Meeting Minutes

Motion by Jim Knight, seconded by Brian Rosen to approve the November 12, 2024 Board Meeting Minutes as presented.

Motion carries (7 - 0). All in favor.

C. October 2024 Financials

Discussion ensued with some Board members (Board Vice-Chair Rosen and Board Member Woodson) enquiring regarding to certain budgets lines.

Motion by Jim Knight, seconded by Aaron Hallyburton to approve the October 2024 Financials as presented.

Motion carries (7 - 0). All in favor.

D. DDA/OSS Program Updates – DDA Team

2:30pm – Aaron Hallyburton leaves the meeting.

Ms. Suzanne Boyd reports on the Shop Small initiative, the SET 12 Days of Christmas event marketing initiatives, the activation of the 300 and 400 blocks on Atlantic Avenue for the 100ft Tree Lighting event.

2:35pm – Aaron Hallyburton arrives at the meeting.

Ms. Suzanne Boyd continues reporting on email marketing and social media data, public relations initiatives and website data for the Downtown Development Authority. She also reports on the DDA's advocacy initiatives through the month of November as well as downtown economic development data. She continues with presentation on the Visitor Information Center data and initiatives for the month of November. Regarding the DDA's management of Old School Square, she reports on the month of November's events.

DDA Board Chair Costilo suggests the DDA honors Mr. Roy Simon for all his achievements within the DDA and within the City of Delray Beach.

2:44pm – Alan Costilo leaves the meeting.

The gavel is held, now, by Board Vice-Chair Rosen.

Ms. Marusca Gatto reports on the November Cornell Art Museum data and initiatives, on donations and sales, and on upcoming initiatives and exhibitions for 2025 - "Icons of Art in February", "Mirror, Mirror" and "Reflections" in March and "Dorothy Gillespie Retrospective" in October.

Ms. Suzanne Boyd reports on the email marketing data, social media data, public relations initiatives and website data for Old School Square as well as upcoming events.

COMMENTS

– **DDA Board Members**

DDA Vice-Chair Rosen asks for the data on the current funds of the Old School Square Foundation.

DDA Board Member Woodson comments that when attending the Art Basel event, in Miami, during one of the talks "What can public art do" by Kate Gilbert and Dr. Deborah Willis it was mentioned that Public Art should provoke thought, community engagement and social commentary, adding that when acquiring new art pieces for the downtown area the DDA should follow this new trend, acquiring "conversational art" pieces.

DDA Board Secretary comments that he is excited about the upcoming programming at Old School Square.

ADJOURNMENT

The meeting was adjourned at 2:58pm through motion by Vera Woodson seconded by Cole Devitt.

All in favor.

Respectfully submitted,
Liliana Fino



Cole Devitt, DDA Secretary

1-23-25

DATE