

CLEARWATER DOWNTOWN DEVELOPMENT BOARD
June 4, 2008 – 5:30 p.m.

Members Present:	David Allbritton	Chairman
	Bob Fernandez	Vice-Chairman
	Josee Goudreault	Member
	Geri Aranjó	Member
	Dennis Bosi	Member
	Dean Nichols	Member
	Charles Lykes	Member
Also Present:	John Doran	Ex-Officio/Councilmember
	Carlen Petersen	Ex-Officio/Councilmember
	Geri Campos Lopez	Director of Economic Development & Housing
	Courtney Orr	Downtown Manager
	Anne Fogarty	Board Administrator/Main Street Coordinator

The Chair called the meeting to order at 5:36 p.m. at City Hall.

2 – Citizen Comments – Items Not on the Agenda

There were no comments from citizens.

3 – Approve the Minutes of the May 7, 2008 Regular Meeting.

Member Goudreault moved to approve the minutes of the May 7, 2008, meeting as submitted in written summation to each board member. The motion was duly seconded and carried unanimously.

4 - Adopt the April 2008 Financial Statement for Filing.

Member Aranjó moved to adopt the April 2008 Financial Statement for Filing. The motion was duly seconded and carried unanimously.

5 – Farmer’s Market Request – Pat Fernandez

Pat Fernandez, Farmer’s Market Board President referred to the letter sent to the board requesting sponsorship in the amount of \$15,000. She further stated that when the market starts in the fall, she would like the market to be on 400 or 500 block of Cleveland Street.

Mrs. Fernandez requested DDB approval of this request to locate on Cleveland Street. She stated that she was advised by upper management that she needed to get DDB’s approval to bring it forward to the City Council.

Geri Campos Lopez stated that she had met with management and they would consider the request if it comes from the DDB. The City Manager has directed staff to advise what the Police, Fire and Traffic impacts and costs would be.

Chairman Allbritton asked if there was a petition and advised that the board should review the petition before they made any recommendations.

Board attorney Elise Winters reminded the board that there were two motions on the table, moving the market and funding their request of \$15,000

Member Goudreault moved to fund the market in the amount of \$15,000. The motion was duly seconded and carried unanimously with Vice-Chairman Fernandez recusing himself from the vote.

Mrs. Fernandez stated that she would provide the petitions to the board at a later meeting for their review.

6 - DDB Minute Preparation – Geri Campos Lopez

Ms. Lopez advised that it has been almost a year since Economic Development went thru a reorganization of the department and that we now had Courtney Orr as our Downtown Manager. She advised the board that Anne Fogarty would not be at the meeting next month and the Clerk's Office, can not provide board reporter services to the DDB as they are not a city board. Ms. Lopez advised that the CRA was contractually liable to do minutes and staff had requested three quotes for a firm to do the board's minutes. She advised that the CRA would fund this cost for these services until October and then the board would pay for these services. The lowest bid was \$2,200 for 14 meetings a year.

Board members questioned if the \$2,200 would be reduced from the amount of the Interlocal Agreement?

Ms. Lopez advised that the board would still see a 4% increase in the amount of the Interlocal Agreement. She added that the board also receives the assistance from other staff members of Economic Development for budget and accounts payable processing and the Finance Department for Budgetary assistance and cash management of funds for interest Income that the DDB receives.

Board members had additional questions about going out to pay for everything ourselves and if they would see an increase and also if these duties could be done for a month and then Ms. Fogarty could then do in subsequent months?

Board attorney Elise Winters advised the board that having been through the independent contractor as a board member, the storage of public records is a vital task that the firm chosen would need to be aware of. She further stated that the board could have a private individual do this at the same price, but it would be without the security of knowing that the city is doing it.

Members questioned who would the person doing the minutes would report to and Ms. Lopez advised that the vendor would report to Anne, David and board.

Member Bosi offered to research outsourcing to see what the cost would be next month.

Member Aranjó stated that she recently learned that the city was doing a lot that we are not getting charged for.

Board attorney Elise Winters reminded the board that her main concern is public records and having someone who is responsible for taking care of them.

Ms. Fogarty advised that having someone there to do the minutes would allow her to be more effective and manage the programs the board created and supports as well as manage the Main Street program.

7 – Discussion Regarding Business Expansion & Relocation Grant Application from Caliyogurt – Courtney Orr

Ms. Orr stated that the agenda sent on Friday noted that she had planned to request approval. After the language was reviewed by Board Attorney Elise Winters it was felt that the requirements threshold was not met and the board does not have the ability to review on a case-by-case basis.

Board Attorney Elise Winters advised that the board has to deny the applicant because the language in the program guidelines stated that applicants need to provide three years of tax returns and be financially sound and the board does not have the flexibility to change that.

Members asked if they changed the language today, could the applicant come back next month.

Ms. Winters stated that the board has to be consistent. If the eligibility requirement states that three years of tax returns need to be submitted, that requirement is not subject to interpretation.

Members advised that they did not want this to be seed money and asked what would the board's attorney suggest that the board do to help this business.

Ms. Winters stated that the board has to decide whether to grant it and as counsel, you cannot grant it, but you can amend the requirements. She asked the board to consider who determines if a business is financially sound and further stated that it is not a good baseline for a volunteer board to determine. Ms. Winters noted that the board should have someone come up with a way to determine this and further advised that you can't guarantee that an applicant will succeed. She also cautioned the board to recognize that they can't just change for this applicant.

Members noted that the language has to be replaced to make sense and also wondered if it could state that they could review each application on a case-by-case basis.

Member Bosi moved to deny the application from JPK Enterprises/Caliyogurt as they did not meet the requirements of the program. The motion was duly seconded and carried unanimously.

Members stated that the main goal was to help businesses downtown and to find a way to word the grant so that it doesn't exclude people.

Jennifer Lindsay stated that she was the Project Manager for the Caliyogurt store. She advised that Courtney Orr and Anne Fogarty were helpful and she could understand how the attorney advised the board to deny the grant. The attorney was paid to give advice to the board.

Members suggested that the guidelines be worded in a way so that a business' commitment to downtown is noted and their financial responsibility was important. They also wondered if maybe one year was enough experience.

Members also noted that the board spent hours on this grant and they wanted to use these funds to help businesses and recently revised it to make it easier. They felt the board should not keep changing the grant.

Ms. Winters noted several legal issues that came through tonight's discussion. This is a business issue and could have to deal with collection of funds and the unlikeliness of getting the money back. Someone that the board denies can come back and argue that the board owes them money.

She also noted that as a volunteer board using public funds, you have to show that you are not showing favoritism even if you have to hire someone to state that a business is financially sound.

Chairman Allbritton suggested a special meeting be held in two weeks to decide how to change the grant. He told the applicants that everyone would like to see them here. The board members are stewards of the district and have to use the funds wisely.

Ex-officio Councilmember Doran noted that the board spent hours on this grant when they did not have an applicant and now that somebody came in that they like, the board wants to change the rules.

Ex-officio Councilmember Petersen stated that the board could be sued if they are not careful.

Ms. Winters advised the board that although they can't talk to other board members, they could call her before the special meeting to discuss the grant and their thoughts about changing it.

Ms. Fogarty stated that she would advertise the meeting and would check if June 18 was a good date.

Chairman Allbritton opened the meeting for public comments.

Jennifer Lindsay addressed the board by stating that sales bring people in and that she suggests the board amend the program for three months to bring businesses in and have the grant be reviewed on a case-by-case basis. She noted that she had spent 60 hours on the

grant submittal and having grants like this would promote other businesses wanting to locate here.

Grant applicant Philip Park thanked the board for giving him the opportunity to address them. He noted that he has been in multiple retail businesses for 15 years. He managed a 300-seat restaurant for 3 years, had convenience store that he sold and then opened a wireless store and before starting this business. Mr. Park stated that the response in Tampa has been great. This product was marketed for 2-1/2 years but can't he prove he has been in business with tax returns.

Jennifer Lindsay added that Philip has commitment from two businesses equal to the amount of his first year of rent that they will purchase his product from his store.

Tony Siatti addressed the board and stated that he was a taxpaying property owner who tries to spend money in downtown businesses. He works in finance and advised that a lot of people thought ENRON and MCI were sound, but they went bankrupt and that all airlines are in bankruptcy. Mr. Siatti reminded the board to look at the purpose of the grant, to bring people downtown to spend money, and he felt that this company sounds like one that would bring people to downtown.

Lisa Mansell addressed the board on behalf of the Church of Scientology, who pays more than \$800,000 in property taxes, which includes \$600,000 of taxes in downtown. She respects and appreciates that the board wants to be careful and felt that many people would be glad to have Caliyogurt here.

Paris Morfopolous stated that he has been an existing retailer and property owner in Clearwater and welcomed Caliyogurt to downtown.

8 - Discuss FY 2008-2009 Preliminary Budget – Chairman Allbritton brought up the Preliminary Budget provided to board members and noted the discussion items from the agenda and asked staff to present each item.

- a. Streetscape Median Art – Ms. Lopez advised that staff had talked to Margo Walbolt, Cultural Affairs Manager, and requested that a line item in the amount of \$10,000 be included in the budget for public art instead of median art.

DDB members stated they did not have a problem with this request. A question was raised concerning the inclusion of a public art line item every year. Staff advised that the bulk of the funds went to the artist.

- b. Downtown Restaurant Incentive/Relocation and Expansion Grant – Ms. Lopez noted that the restaurant incentive had been included in the board's budget for the past few years and was originally intended for a restaurant in the Station Square Condominiums project. She suggested that the two programs be blended together into one grant with a separate section for restaurants. The restaurants would still need to meet the qualifications, but that it would be more efficient to tie the two programs together.

- c. Downtown Marketing Plan Implementation – Ms. Lopez noted that the suggested line item for Marketing Plan Implementation was reduced as the focus this year is on retail recruitment.

Ms. Lopez went thru the preliminary budget line by line.

- d. Main Street Retail Support – the idea for this line item was to help businesses and get the logo out to be more recognized.

An item concerning welcoming new businesses was taken out of order.

Courtney Orr asked the board how they would like to welcome businesses. Member Aranjo discussed an idea she had for eco-friendly bags. These are the bags that are becoming more popular now. She suggested that we could have the Cleveland Street District logo on it to promote the district and have the merchants give a discount if someone brought the bag in. Coupons could be included in the bag at events. It helps the businesses and is a good marketing tool to continue to brand the image.

Member Aranjo agreed to be the official ambassador to new businesses and Ms. Fogarty offered to help find a company to produce the bags.

Ms. Lopez advised that the preliminary budget was proposed by CRA Staff and that Ms. Fogarty prepared the projected budget. The budget was focused on retail recruitment. And she advised the board that the Property Appraiser's initial findings is that the DDB's taxable values went up by .1% and this is good because most municipalities have seen a decrease.

Vice-chairman Fernandez moved to approve the FY 2008-2009 Preliminary Budget as submitted. The motion was duly seconded and carried unanimously.

9 - Chairman's Report – Chairman Allbritton advised members that the streetscape median art opening will take place in mid July and that more information would follow.

He liked the idea of having new businesses welcomed to downtown by a DDB member representing the board.

Chairman Allbritton queried the board concerning who would be out of town the first week of July and unable to attend the July 2 meeting. A few members advised they were unavailable and members felt it would be good to move the meeting to mid-July.

Member Bosi moved to move the July 2 meeting to July 16. The motion was duly seconded and carried unanimously. The July meeting will be non-televised and C-View would be advised of this change.

10 - Welcoming New Businesses – Courtney Orr (Item discussed out of order)

11 - Program Updates & Main Street Report – Anne Fogarty advised the board on the following items:

- a. Directory Kiosks – the downtown walking map and abbreviated STreetscene Newsletter board will be installed in the cases next week.
- b. Main Street – The Main Street Promotion committee met recently to discuss how to make it the Pet Fair bigger and better next year. Our next meeting is Tuesday, May 27 at 6 p.m. in the 2nd floor conference room at City Hall. Call 562-4044 for more information.

The Florida Main Street 2008 Summer Quarterly Meeting flyer was provided to board members for their review. The Meeting will take place in New Port Richey and begin with a reception the night of Thursday, June 5 followed by a full day meeting on June 6. The featured speaker is Dave Ivan and his afternoon workshop is entitled Creating Cool Downtown and Commercial Districts Through Community Entrepreneurship. If you would like to attend please let me know so that I may register you. There is a \$50 charge to attend and it includes lunch. Vice-Chairman Fernandez asked to attend.

12 – Final Comments

Dean Nichols welcomed Mr. Lykes and felt it was good to have an attorney on the board. He noted that he was looking forward to having the boat slips.

Dennis Bosi stated that it was nice having people at the meeting and that we are looking at promotions like the Pet Fair that had people on the street. He asked if it were possible to send a letter to the businesses inviting them to the meeting and asking what they would like to have us promote on the street.

Charles Lykes stated that it was good to be here. He also noted that the board needed to be careful how we amend the Business Relocation and Expansion grant program so that it is good across the board.

Vice-Chairman Fernandez had no final comments.

Geri Aranjo was excited to see that there is a lot of things happening downtown.

Josee Goudreault welcomed Charles Lykes and noted that she would like to have the Farmer's Market on the street and felt the market would have more people if its on Cleveland and help feed the businesses. With Caliyogurt and new businesses being attracted to downtown up and coming businesses are what's needed.

Exofficio Councilmember Petersen welcomed Charlie Lykes and agreed with Member Goudreault that the board had to be careful with criteria and that changes will be able to withstand the tests if we change the rules.

Chairman Allbritton had not final no comments.

13 - Adjournment

Member Fernandez moved to adjourn the June 4, 2008 Regular Meeting of the Clearwater Downtown Development Board at 7:37 p.m. The motion was duly seconded and carried unanimously.

CLEARWATER DOWNTOWN DEVELOPMENT BOARD MEETING ACTION AGENDA
Wednesday, June 4, 2008 – 5:30 p.m.

06.04.08.01

Member Goudreault moved to approve the minutes of the May 7, 2008, meeting as submitted in written summation to each board member. The motion was duly seconded and carried unanimously.

06.04.08.02

Member Arango moved to adopt the April 2008 Financial Statement for Filing. The motion was duly seconded and carried unanimously.

06.04.08.03

Member Goudreault moved to fund the market in the amount of \$15,000. The motion was duly seconded and carried unanimously with Vice-Chairman Fernandez recusing himself from the vote.

06.04.08.04

Member Bosi moved to deny the application from JPK Enterprises/Caliyogurt as they did not meet the requirements of the program. The motion was duly seconded and carried unanimously.

06.04.08.05

Vice-chairman Fernandez moved to approve the FY 2008-2009 Preliminary Budget as submitted. The motion was duly seconded and carried unanimously.

06.04.08.06

Member Bosi moved to move the July 2 meeting to July 16. The motion was duly seconded and carried unanimously. The July meeting will be non-televised and C-View would be advised of this change.