

**City of Palm Bay, Florida**

**BAYFRONT COMMUNITY REDEVELOPMENT AGENCY  
Regular Meeting No. 2011-12**

Held on Tuesday, the 13th day of December, 2011, at the Bayfront Community Redevelopment Agency Office, 3790 Dixie Highway, NE, Suite B, Palm Bay, Florida.

This meeting was properly noticed pursuant to law; the minutes are on file in the Bayfront Community Redevelopment Agency Office, Palm Bay, Florida.

The meeting was called to order by Chairperson Brooks at approximately 7:00 p.m.

**ROLL CALL:**

<b>CHAIRPERSON:</b>	Donna Brooks	Present	
<b>VICE-CHAIRPERSON:</b>	John Russo	Present	
<b>COMMISSIONER:</b>	Michael Herbst	Absent	Excused
<b>COMMISSIONER:</b>	Rainer Warner	Present	
<b>COMMISSIONER:</b>	Michael McGarry	Present	
<b>COMMISSIONER:</b>	Mary Jane Browning	Present	
<b>COMMISSIONER:</b>	James Ritter	Absent	Excused

Motion by Mr. Russo, seconded by Mr. McGarry to excuse Mr. Herbst's and Mr. Ritter's absences. The motion carried with Commissioners voting as follows: Mrs. Brooks, yea; Mr. Russo, yea; Mr. Warner, yea; Mr. McGarry, yea; Mrs. Browning, yea.

**STAFF MEMBERS:**

Timothy Ford, Bayfront Community Redevelopment Agency (BCRA) Administrator; Elia Twigg, Public Works Project Manager; Andrew Lannon, City Attorney

**OTHERS PRESENT:**

Edward Fontanin, P.E., Wade Trim, Inc.

**ADOPTION OF MINUTES:**

**1. Regular Meeting No. 2011-11; November 8, 2011**

Motion by Mr. Russo, seconded by Mr. McGarry to adopt the regular meeting minutes of the Bayfront Community Redevelopment Agency (BCRA) Meeting No. 2011-11 as written. The motion carried with Commissioners voting as follows: Mrs. Brooks, yea; Mr. Russo, yea; Mr. Warner, yea; Mr. McGarry, yea; Mrs. Browning, yea.

**PRESENTATION:**

**1. The City Attorney will provide an update on the Sunshine Law Public Records Act.**

Andrew Lannon, City Attorney, gave a power point presentation on the Sunshine Law and Public Records Act to Commissioners and staff. Commissioners and staff signed training certificates to be kept on file with the Human Resources Department.

Commissioners' questions were answered by Mr. Lannon.

**PUBLIC COMMENTS:**

Bill Matheson (Palm Bay resident) commented on the US-1 Streetscape Project with regards to the lighting. Mr. Matheson spoke about the importance of lighting on US-1. Mr. Matheson felt that having no lighting would be better than having the high pressure sodium cobra head lighting, if it were not possible to fund the decorative lighting.

There was some discussion. Commissioners' questions were answered by staff.

**COMMISSIONER REPORTS:**

Mr. McGarry spoke favorably about the Bayfront 5 "K9" Fun Run/Walk which he attended on December 4, 2011. Mr. McGarry thanked Mr. Ford, who represented the BCRA at the event.

Mr. McGarry spoke about the two (2) boats that had washed up along the shore in the Bay since the no-name storm during the fall. Mr. McGarry had inquired with the County about the status of the boats and found that the Sherriff had deemed the boats to be derelict. Mr. McGarry informed the Agency that the County removes these types of boats with FIND grants although if a request was made it would be about two (2) years before they would be removed. Mr. McGarry noted that the County obtained a quote for prompt removal of the boats and the cost was \$2000 for each boat. The County would then pursue legal action to get owners to pay back the costs which would eventually come back to the Agency. Since the boats were in close proximity to the sidewalk Mr. McGarry felt they should be removed.

Motion by Mr. McGarry to authorize Mr. Ford, BCRA Administrator, to direct the County to do the work at a cost not to exceed \$4000 to have the boats removed promptly.

There was some discussion. Mr. Russo inquired whether the owners were willing to sign over the title of the boats to a salvage company. Some Commissioners felt that a better choice would be to investigate whether the owner would sign the rights over to a salvage company who may be interested in removing the boats for title at no cost to the BCRA. Discussion ensued.

Mrs. Brooks asked Mr. McGarry to restate the motion.

Amended motion by Mr. McGarry to determine if there was a practical path to follow by investigating the other options discussed regarding the removal of the vessels; and, if there was no other way, to authorize Mr. Ford, BCRA Administrator, to work through the County's Boating and Waterways Section to execute removal of the vessels.

Motion died for lack of a second.

Consensus of the Agency was to direct Mr. Ford to investigate whether there were other options available without the BCRA having to fund the removal of the vessels.

#### **AGENCY UPDATE (STAFF):**

##### **1. Legal Report:**

Staff noted that the Legal Report was given under Presentations earlier in the meeting.

##### **2. Bayfront Priorities Update**

Staff informed Commissioners that Mr. Koske would be completely moved from his former property on Orange Blossom Trail and the electricity would be shut off by the end of the December.

Mr. Ed Fontanin, Wade Trim, Inc. gave an update on the Palm Bay Road Design Project. Mr. Fontanin had been working with the St. Johns River Water Management District (SJWMD) and the City on the project.

It was determined that the Koske property which the BCRA/City had acquired could be used as part of the stormwater component of the Palm Bay Road Design project.

Mr. Fontanin mentioned he would be working with staff in January on the final conceptual layout of the Palm Bay Road Design. Discussion ensued.

Commissioners' questions regarding the timeline of the project were answered by Mr. Fontanin and Staff.

Staff gave an update on the US-1 Streetscape Project. Staff informed Commissioners that portions of the sidewalk needed to be relocated to the west, away from the shoreline after a survey layout indicated that the shoreline had moved westward from the original plan location. Due to bank erosion near the culvert outfall near Bay Boulevard, the proposed pedestrian bridge would need to be either lengthened or it could be replaced with a pipe extension, new headwall, and a sidewalk over the extended pipe outfall.

Elia Twigg, Public Works Project Manager, further explained the options and costs of the redesign.

There was some discussion. Commissioners' questions were answered by staff.

The Agency was updated on the US-1 Phase 2 Sidewalk Pedestrian Bridge vendors which had been selected by Wade Trim, Inc. to show the available styles of pedestrian bridges. Mr. Fontanin, Wade Trim, Inc., reviewed the design options and Florida Department of Transportation's (FDOT) requirements for the project. Discussion ensued. Commissioners' questions were answered by Mr. Fontanin and staff. Staff mentioned that more information would be given at the next BCRA meeting.

Staff gave an update on the US-1 Street Lights regarding the cost difference between the FDOT grant amount and the BCRA engineering consultant's cost estimate. It was determined that the grant was a reimbursement grant and there was concern about whether there were sufficient funds to install the lights. Staff contacted FDOT to see how they estimated the grant amount. Commissioners were provided with copies of FDOT's street lighting estimate as well as Wade Trim, Inc.'s latest estimate. Staff learned that although the grant was a reimbursement grant, the project could be done with reimbursements made during construction instead of after completion of the project.

Mrs. Twigg gave an update on her discussions with FDOT with regards to the estimates they provided for the lighting project. Discussion ensued and Commissioner's questions were answered by Mrs. Twigg and Mr. Ford.

### **3. Capital Projects Report**

Mr. Ford reported that a Request for Proposals would be advertised for the Main Street railroad vegetative buffer after the first of the year.

#### **4. Nice Program Update**

Staff informed the board that the Utilities Department had applied for a Department of Environmental Protection (DEP) permit for the water system improvements in the Farview Neighborhood. Work would begin in January 2012 at the earliest.

Staff was waiting for a second traffic analysis to be performed in the Farview Neighborhood. A neighborhood meeting would be scheduled after the results were obtained.

#### **5. District Update**

Staff provided an update on various items related to the BCRD.

#### **ADJOURNMENT:**

The meeting was adjourned at approximately 9:05 p.m.

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Donna Brooks, CHAIRPERSON

Attest:

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Carol Gerundo, SECRETARY