

**WINTER HAVEN COMMUNITY REDEVELOPMENT AGENCY
BOARD MEETING**

**City Hall – John Fuller Auditorium
451 Third Street NW
Winter Haven, Florida**

March 9, 2009

Minutes

The meeting was called to order at 5 p.m. by Chairman Jeff Potter, in the John Fuller Auditorium of Winter Haven City Hall, 451 Third Street NW, Winter Haven, Florida.

Board Members Present: Chairman Jeff Potter, Mike Easterling, Nathaniel Birdsong, Jr., Yvonne Brooks, JP Powell, Dr. James Threlkel, U.J. Johnson

Staff Present: Dale Smith, Assistant City Manager/CRA Director; F. John Murphy, Jr., City Attorney; T. Michael Stavres, Community Services Director; Kim Hansell, Strategic Initiatives/Capital Projects Division Director and Sheandolen Dunn, Executive Assistant/Deputy City Clerk

Approval of Minutes:

Motion by Board Member Powell to approve the minutes of the December 8, 2008 meeting, with the addition of JP Powell's name to the *Board Members Present* listing.

Motion carried unanimously.

Florence Villa Advisory Committee – Membership

Dale Smith, Assistant City Manager/CRA Director, presented the fact sheet on the Florence Villa Advisory Committee Membership. On February 9, 2004, the CRA Board approved Resolution R-04-02, adopting by-laws to simplify the organizational structure of the Advisory Committees and CRA Board. The by-laws provide that the advisory committee shall be composed of ten (10) members who are residents of or engaged in business within the City of Winter Haven; provided, however, that a majority of the membership shall either reside or be engaged in business within the Florence Villa District. The by-laws also specify that four of the advisory committee members be on the Florence Villa CDC Board of Directors. Terms of membership shall be for two (2) years.

Presently, only three committee members are on the Florence Villa CDC Board of Directors; therefore, the vacancy needs to be filled by a sitting member of the Board.

On January 12, 2009, the Florence Villa Advisory Committee recommended the CRA Board appoint Miriam Tillman to the Florence Villa Advisory Committee to fill the vacant seat for the term which expires March 2011.

Motion by Board Member Powell to approve the appointment of Miriam Tillman to the Florence Villa Advisory Committee to fill the vacant seat for the term which expires March 2011.

Motion carried unanimously.

6/10 Corporation Agreement for Reimbursement of Streetscape Construction Project

Dale Smith, Assistant City Manager/CRA Director, presented the fact sheet on the 6/10 Corporation Agreement for Reimbursement of Streetscape Construction Project. In 2007, the 6/10 Corporation constructed a streetscape redevelopment project on a portion of 2nd Street, NW and Avenue B, NW, west of 2nd Street in accordance with City approved plans and specifications. The cost for the project totaled \$210,500..

The project was funded by the 6/10 Corporation, with the intent of being reimbursed by the CRA in two equal, annual payments of \$105,250. The first payment was made on December 30, 2008. The remaining \$105,250 will be budgeted in FY 2009-2010 and paid in December 2009.

AGREEMENT:

Key provisions of the Agreement include:

- 6/10 Corporation will be fully reimbursed for the approved costs in two equal, annual payments of \$105,250. Final payment will be made on December 5, 2009.
- The total amount of the reimbursement is \$210,500.
- Each party shall maintain that portion of the project located on its property at its sole cost and expense.
- Specific provisions are stated regarding occurrence of default by either party.
- This Agreement may not be amended, modified, altered or changed in any respect, except by a written agreement signed by both parties.
- In the event of any litigation related to the interpretation or enforcement of this Agreement, the prevailing party shall be entitled to recover its reasonable attorneys' fees and court costs, including, without limitation, any such fees or costs related to appellate or bankruptcy proceedings.

- No member, official or employee of the City and/or the CRA or the CRA staff shall be personally liable to 6/10 or to any person with whom 6/10 shall have entered into any contract, or to any other person in the event of any default or breach by the City and/or the CRA, or for any amount which may become due to 6/10 or any other person under this Agreement.
- The invalidity, illegality or unenforceability of any one or more of the provisions of this Agreement shall not affect any other provision of this Agreement.
- Neither this Agreement nor the obligations imposed upon the City and/or the CRA shall be or constitute an indebtedness or general obligation of the City and/or the CRA. 6/10 agrees that the obligation of the City and/or the CRA to make any payments pursuant to this Agreement shall be subordinate to the obligations of the City and/or the CRA to pay debt service on any bonds issued or to be issued by the City and/or the CRA; nor does the Agreement constitute a lien on any properties or funds of the City and/or the CRA.
- Nothing contained herein shall be deemed, construed or applied to cause the City and/or the CRA, to waive its rights to exercise its governmental power and authority or to consider any request causing the exercise of its governmental powers in any manner other than that which is customary for the exercise of such governmental powers.
- The Agreement sets forth the entire agreement between the parties and supersedes any and all prior oral or written agreements, understandings, representations or warranties between them, except as otherwise specified.
- The Agreement shall not be binding upon any party until it is executed by all parties.
- Neither party may assign this Agreement or delegate its responsibilities without written consent of the other.
- Each party agrees to indemnify and hold the other harmless, to the extent allowed under Section 768.28, F.S.
- This Agreement shall take effect upon the date set forth and, if not terminated as provided in the Agreement, shall expire on December 5, 2009 the date of the final CRA reimbursement.

Staff recommended CRA Board approval of the Agreement between the CRA, 6/10 Corporation and the City of Winter Haven for reimbursement of streetscape construction at 2nd Street, NW and Avenue B, NW.

Motion by Board Member Easterling to approve the Agreement between the CRA, 6/10 Corporation and the City of Winter Haven for reimbursement of streetscape construction at 2nd Street, NW and Avenue B, NW.

Motion carried unanimously.

Third Street Streetscape Project - Update

Dale Smith, Assistant City Manager/CRA Director, presented an update on the Third Street Streetscape Project which commenced on May 21, 2008 with improvements from Avenue A SW northward to Avenue D NW. The CRA budgeted \$1.5 million to pay for the reconstruction and streetscaping. The bid was awarded to Carl Hankins, Inc. for \$1,296,202.

In order to facilitate traffic during the holiday season, Third Street and the sidewalks were opened prior to Thanksgiving. To date, both the North and South bound lanes on Third Street continue to be open with no detours. Sidewalk re-construction continues on Avenue B, NW along the south side of the block between Second and Third Street. Traffic is closed East bound on Avenue B, NW from the intersection of Third Street East to Second Street as well as South bound traffic on Second Street, NW from the intersection of Avenue C South to Avenue B.

The contractor and City staff are currently working on final grading plans to ensure proper drainage before final paving begins.

Before the start of milling and paving of Third Street, a two (2) week notice will be posted. The planting of shrubs/flowers will commence after the street is paved.

Paving will begin on March 23. The project is approximately 76% complete.

Board Chairman Potter asked if the paving would be done at night.

Dale Smith, Assistant City Manager/CRA Director, responded yes.

Board Member Powell questioned the length of time for this project and asked how the business owners are adjusting to the road work.

Dale Smith, Assistant City Manager/CRA Director, responded that Avenue D will take three weeks to complete and 3rd Street milling will be done simultaneously. Completion of the project will take approximately five weeks. The businesses will be affected a maximum of two days. A PowerPoint was presented of the Third Street Progress.

Discussion ensued.

Avenue T Phase II

Dale Smith, Assistant City Manager/CRA Director, presented an update and PowerPoint on the Avenue T Phase II project which began in August 2008 by CenState

Contractors. The project is 95% complete with plantings, irrigation, electrical and light systems and crosswalks installed. The contractor is currently finalizing a punch list.

Florence Villa Phase IV

Dale Smith, Assistant City Manager/CRA Director, presented an update and PowerPoint on the Florence Villa Phase IV project. Florida Telecom began the Florence Villa Phase IV project in August 2008. The tree grates have been received and installed along with the remaining plantings. Crosswalks were installed in January. The project is 95% complete. The contractor is currently finalizing a punch list.

Board Member Birdsong questioned the use of red mulch versus regular tree bark. Pine Bark is difficult to see and is not the same as landscape accents in other areas. There is a need for consistency in the NE area.

Dale Smith, Assistant City Manager/CRA Director, replied that red pine bark is getting difficult to find.

Michael Stavres, Community Services Director, indicated that the Pine Bark is on the original URS specifications. However, when it is time to replace the mulch, red mulch will be used.

Board Chairman Potter inquired about the old light poles remaining with the new period lighting.

Dale Smith, Assistant City Manager/CRA Director, indicated that FDOT requires that the original light poles remain. FDOT pays the City for each light maintained.

Board Member Birdsong indicated for safety reasons, there is a need for both.

Board Chairman Potter expressed his pleasure with the crosswalks design as it gives definition to them.

Discussion ensued.

Hill Building – Update

Dale Smith, Assistant City Manager/CRA Director, presented an update on the Hill Building which was purchased by the City on March 29, 2008. It is located at 131 3rd Street SW within an area essential to the City's CRA plans for redevelopment of the downtown retail component south of Central Avenue.

The bid opening for the building demolition was held on February 26 and bids are currently being reviewed. The budgeted amount of \$50,000 is available for demolition. An asbestos survey on January 22 revealed the presence of nonfriable asbestos in the

vinyl floor tile. Removal is not required during wet demolition, provided it remains nonfriable.

Sixteen bid packages were submitted, ranging from \$55,000 to \$194,000. The bid will be awarded once references are checked and the background investigation is complete.

South Park Design - Update

Dale Smith, Assistant City Manager/CRA Director, presented an update on the South Park Design. The City continues to work with Envisors on plans for South Park. A kick-off meeting for the South Park design took place on January 14, 2009. The project timeline calls for 30% plans in March, 60% in May, 90% in August and final plans in September. Preliminary schematics for the park should be ready in March, and will be presented to the Downtown Advisory Committee at its May meeting. Once the preliminary plans are complete, a public meeting will be scheduled to preview/discuss the design concepts.

Board Chairman Potter asked that if the time line is not met, will it be pushed back?

Dale Smith, Assistant City Manager/CRA Director, stated as the plan phases come in, they can shift as long as the final completion date is met by September. More time for input can be given between 30% and 60%, if required.

Discussion ensued.

Zoned Parking Project - Update

Dale Smith, Assistant City Manager/CRA Director, presented an update on the Zoned Parking Project. In an effort to further continue downtown planning principles and make the core area more accessible and pedestrian friendly, staff is recommending changes to the City parking restriction code.

Staff met with downtown business merchants on November 13, 2008 to discuss the proposed ordinance and suggested changes discussed at the August roundtable. The suggestions were incorporated into the ordinance and map. Business owners were highly receptive to the changes.

Inquiries were made regarding employment demographics for downtown businesses and the need for parking per business. Main Street staff has coordinated with a Polk Community College student volunteer to conduct the parking survey. The survey is complete. Staff is analyzing the results to better determine the parking issues and incorporate any findings into the proposed Zoned Parking Ordinance.

A meeting will be scheduled in the Spring to present the results of the research and to discuss the proposed Ordinance with downtown merchants.

Board Chairman Potter suggested that the proposed plans be presented to the CRA Board prior to presentation to the merchants.

Dale Smith, Assistant City Manager/CRA Director, indicated that the ultimate goal is a consensus of everyone in the area.

Board Member Brooks asked if there was good representation of the merchants at the meeting.

Dale Smith, Assistant City Manager/CRA Director, stated yes, and there was very good input.

Board Member Books shared that the Polk Community College students enjoyed conducting the survey.

Discussion ensued.

Chain of Lakes Downtown Trailhead Project and Recreational Trails Grant – Update

Michael Stavres, Community Services Director, presented an update on the Chain of Lakes Downtown Trailhead which will be located on City-owned property immediately north of Fire Station 1. The primary focus of this facility is to provide access to the recently completed Chain of Lakes Trail, while also expanding the City's general recreation offerings. The facility's proximity to the Winter Haven Area Transit Terminal (WHAT) will allow for enhanced connectivity between multiple transportation modes (vehicular, pedestrian, mass transit, etc.). As an indirect benefit, the facility will help meet parking needs associated with other destination facilities in the immediate area (i.e. City Hall, MLK, Jr. Park, Senior Adult Center, Garden Center and Nora Mayo Hall).

Improvements associated with the project include 140 new parking spaces, restroom/concession facilities, a transportation themed interactive playground, a municipal lawn/plaza, maintenance storage building, picnic facilities, shade pavilion, bike lockers, and general site furnishings. The landscape/layout design is consistent with recent redevelopment patterns of downtown and incorporates Mediterranean Revival Theme architecture consistent with the Winter Haven Public Library and WHAT Terminal.

Current cost estimates for the project are approximately \$1.4 Million. Over the next two years, the City has approximately \$780,000 budgeted for the project, of which \$475,000 will be in the form of Florida Department of Transportation Grants.

Project plans are 60% complete and are currently under review by the Southwest Florida Water Management District, FDOT, and City Staff.

A PowerPoint was presented of the Chain of Lakes Downtown Trailhead Progress.

Board Member Powell inquired about the Farmer's Market location.

Michael Stavres, Community Services Director, indicated at this time, the vendors will remain in their current location. It is not conducive to move into the Downtown area as this would create parking issues.

Discussion ensued.

Lake Maude Natural Area - Update

Michael Stavres, Community Services Director, presented an update on the Lake Maude Natural Area. A public meeting to share the final design for Lake Maude Natural Park was held September 4, 2008 at the WHRCC; approximately 45 people were in attendance. The only concern expressed was regarding ownership of the north-westernmost section of the property. Review of a previously completed title search by the City Attorney confirms the entire site is owned by the City of Winter Haven.

The project went to bid on September 18 and was awarded to Everett Whitehead and Son, Inc. in the amount of \$635,178. The project is funded with \$200,000 in Florida Recreation Development Assistance Program (FRDAP) Grant Funds and City Funds. Not included in the primary contract is a small playground and site amenities. These items will cost approximately \$62,000.

Everett Whitehead & Son, Inc. began construction on November 17, 2008. The project is approximately 75% complete. The following elements of the project have been completed or are nearing completion:

- Clearing and grubbing
- Trail-completing the entire loop (almost 1 mile)
- Stormwater/drainage
- Parking areas, including parking lot security lights
- Landscaping
- Wetland Restoration/Mitigation
- Stormwater quality pond adjacent to the Neighborhood Services Center on Avenue S. Currently, a storm drain collects water from the surrounding neighborhood and the runoff goes directly into Lake Maude. The pond will treat the water prior to sending it to the lake.
- Two fishing piers and a bridge over the canal
- Restroom structure
- 2 picnic pavilions

It is expected that the project will continue to move quickly with a target completion date, the end of March 2009.

A PowerPoint was presented of the Lake Maude Natural Area progress.

Board Member Johnson commented on the beauty of this project.

Board Member Birdsong inquired about the electrical outlets in this park.

Michael Stavres, Community Services Director, indicated that there will be power in each pavilion and in the restroom structures.

Board Member Birdsong inquired about the restrooms closing at a certain time. During Daylight Savings Time, can the restrooms be closed at a later time?

Michael Stavres, Community Services Director, indicated that the restrooms will be locked from a remote location on a timer. If anyone is inside during this time, they will have the capability to exit. The necessary maintenance and cleaning will be done the next morning. The closing/locking time can be adjusted as deemed appropriate.

Discussion ensued.

New Business

None

Comments from the Board or Public

Board Chairman Potter commented on the need for Police Patrol on Bikes for the parks in our City.

Adjournment

The meeting was adjourned at 5:46 p.m.