

**MINUTES OF THE COMMUNITY REDEVELOPMENT  
AGENCY BOARD MEETING HELD ON  
WENDESDAY, NOVEMBER 5, 2008, AT 6:15 P.M.  
IN CITY COMMISSION CHAMBERS, BOYNTON BEACH, FLORIDA**

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**PRESENT:**

Jerry Taylor, Chair  
Jose Rodriguez, Vice Chair  
Woodrow Hay  
Marlene Ross  
Ron Weiland

Lisa Bright, Executive Director  
James Cherof, Board Attorney

**I. Call to Order**

Chair Taylor called the meeting to order at 6:16 p.m.

**II. Pledge to the Flag and Invocation**

An invocation was given by Mr. Hay followed by the Pledge of Allegiance to the Flag.

**III. Roll Call**

The Deputy City Clerk called the roll. All members were present.

**IV. Agenda Approval**

- A. Additions, Deletions correction to the Agenda

Vice Chair Rodriguez requested adding the budget for the Old High School and the Community Redevelopment Agency website. Chair Taylor added both items to the agenda under New Business.

- B. Adoption of the Agenda

**Motion**

Ms. Ross moved to approve the agenda as amended. Mr. Weiland seconded the motion. The motion passed unanimously.

**V. Announcements & Awards**

None

**VI. Consent Agenda**

- A. Approval of Minutes – CRA Board Meeting October 14, 2008
- B. Approval of the Period-Ended October 31, 2008 Financial Report

Vice Chair Rodriguez pulled Item VI.B for discussion.

- C. Approval of Funding up to \$50,000 from the Homebuyers Assistance Program to Andrae Robinson

**Motion**

Mr. Hay moved to approve the Consent Agenda with the exception of Item B. Vice Chair Rodriguez seconded the motion. The motion passed unanimously.

**VII. Information Only**

- A. CRA Policing Activity Report for the Month of September, 2008 and District Statistics for the Months of September and October Boynton Beach Police Department CRA Police Unit Statistics and Progress Report March 17, 2008 to October 31, 2008 (Info Only)
- B. Boynton Beach CRA and Trolley Website Updates

**VIII. Pulled Consent Agenda Items**

VI.B. Approval of the Period-Ended October 31 2008 Financial Report

Vice Chair Rodriguez discussed a staff issue relating to the Administrative Assistant position that had been eliminated in the 2009 budget. An individual had filled the position during a Family Leave for another staff member. He questioned why the position continued to be funded.

Lisa Bright, Executive Director, advised the position was not eliminated, it was left unfilled. She had sent correspondence to the Board advising the individual was working on a legal project, involving the transfer of 25 boxes of files from Lewis, Longman & Walker that could not be archived unless reorganized and integrated into the existing file system. The budget does include funds for temporary labor. It is a year-end cleanup. Ms. Bright did not anticipate going over budget.

Vice Chair Rodriguez understood the position had been eliminated. Ms. Bright indicated the position was not filled. No positions were eliminated. The unfilled positions were not funded. Mr. Weiland understood the position was filled until the Family Leave ended and staff returned to work. Ms. Bright indicated the budget included \$40,000 for temporary labor and services. Vice Chair Rodriguez understood the need for special projects; however, the individual was answering the phone and performing administrative duties and was listed on the CRA website as the Administrative Assistant. Mr. Weiland indicated his assumption was the one Administrative Assistant position had been eliminated and the other Administrative Assistant worked for Ms. Bright until the Family Leave was granted. The temporary assistant was to work until the Family Leave had ended.

Vice Chair Rodriguez recalled commending Ms. Bright during the budget review for eliminating a position. He was concerned the Board had previously been misled.

### **Motion**

Vice Chair Rodriguez moved to eliminate the Administrative Assistant position and save the funding.

Mayor Taylor indicated there were several open positions in the budget that had not been filled. Vice Chair Rodriguez thought the only positions budgeted were those filled at the time. Ms. Bright explained the plan had not changed. She would review the website and have the temporary staff removed. The temp was hired for the duration of the Family Leave. She was now working on the transfer of the legal files just received. Compliance with the State was important to get the files prepared for archiving. Ms. Bright requested direction from the Board. Mr. Weiland asked for a timeline to complete the special project. It was projected that two months would be sufficient.

Susan Harris, Finance Director, added the unfilled positions had not been funded in the budget. Mayor Taylor reiterated the positions are left open and not funded. Mr. Weiland contended if the Director felt there was work that needed to be done in a timely fashion, he would agree the temporary help remain through December to complete the project. He reiterated he understood the Administrative Assistant positions had been eliminated.

Mayor Taylor pointed out money had been budgeted and approved for temporary assistance. Ms. Bright was not going over budget and she should be allowed to manage the Department.

Mr. Hay confirmed with Ms. Harris that the funds were budgeted. Ms. Harris indicated the position did not appear on the organizational charts and was considered professional services personnel costs.

Vice Chair Rodriguez's concern was the Board had been misled regarding the elimination of the position during the budget cycle and the budgeted funds were specified for use in an emergency, such as the Family Leave.

Mr. Weiland could not agree the Board had been misled, but minutes could be reviewed or verbatim excerpts could be requested. He repeated if the monies were budgeted he would agree with two months to complete the special project. Mr. Weiland requested that the matter be researched so there would be no confusion.

Vice Chair Rodriguez suggested the Board reaffirm that the position be eliminated. Mr. Weiland wanted to resolve any and all confusion and accusations. Vice Chair Rodriguez inquired if the CRA Attorney had any knowledge of the files being discussed.

CRA Attorney Cherof believed they were legal files that were dormant and kept by the previous Board Attorney. Mayor Taylor clarified there were boxes of files in the previous Attorney's office that were not accessible. Space was made available and the files could be organized for future reference. The organization of the files did have to be accomplished at the direction of the Executive Director.

Ms. Bright explained her responsibilities and the rules that govern the Agency dictate the Chair as her superior. She pointed out Vice Chair Rodriguez was the only member of the Board that did not have a standing meeting with CRA staff to discuss his concerns with continued operational frustrations with her and staff. She would like better communication between herself and Vice Chair Rodriguez. The project with the files had been fully discussed with Chair Taylor. She suggested regular meetings with Vice Chair Rodriguez with either herself or Ms. Brooks would give him a better understanding of the operations in the Agency. It was a business decision not to fill the open position.

Vice Chair Rodriguez commented it was an Executive Board and his position was every discussion should be done in a public setting. Discussions should not be held behind closed doors with individuals, rather openly and publicly. He felt everyone should hear the same thing to make informed decisions.

Mayor Taylor contended it was not practical and he had meetings every week with the City Manager to go over many things that were not official. Not every problem can be solved in two week intervals. Vice Chair Rodriguez reiterated his position that he would not have discussions behind closed doors with the Executive Director.

Ms. Ross felt it was her right to have a meeting with the Executive Director or the City Manager. Mr. Hay asserted it was his right to ask questions and get further information when needed and not necessarily in a public setting. Mr. Weiland opined it was Vice Chair Rodriguez's loss not to be fully informed. Mr. Hay contended emails serve the same purpose. Vice Chair Rodriguez pointed out emails are sent to everyone and the answers are received by everyone.

Ms. Ross indicated it was a small agency with nine employees. The City may have similar situations in their departments, but the Commission does not dissect those departments. Upper management is trusted to organize the departments as needed. The decision to employ one or two people for special projects should be made by the Executive Director. Chair Taylor explained anything beyond the budgeted items would have to come to the Board for approval.

### **Motion**

Vice Chair Rodriguez moved to approve Item VI.B. Mr. Weiland seconded the motion. The motion passed unanimously.

### **IX. Public Comments**

No one came forward. Chair Taylor closed the public comments.

### **X. Public Hearing:**

#### **Old Business:**

#### **New Business:**

### **XI. Old Business:**

### **XII. New Business:**

Old High School *(Added to agenda by Vice Chair Rodriguez)*

Vice Chair Rodriguez advised he had gotten confirmation from Ms. Harris that the Old High School had been funded for \$50,000. Insurance had been paid that would be refunded.

**Motion**

Vice Chair Rodriguez moved to have the monies transferred to the City to support the Old High School as they were budgeted for the Old High School.

Ms. Ross thanked Vice Chair Rodriguez for gathering the information.

Vice Chair Rodriguez restated his motion was to transfer all monies budgeted and not used and any that may be credited in the future, to the City to support the Old High School.

Ms. Ross seconded the motion.

Ms. Harris clarified the insurance was prepaid in the amount of \$28,000. A refund would be received when the property was legally transferred. Termite, rodent and pest control was \$6,000 to \$7,000 and the balance was for additional property maintenance, cleanup and hurricane contingency.

CRA Attorney Cherof advised the property had not been transferred. The Commission would be asked to adopt a Resolution authorizing the execution of the actual deed. The Community Redevelopment Agency Board also has to approve the agreement.

**Motion**

Vice Chair Rodriguez moved to approve the agreement. Mr. Weiland seconded the motion. The motion passed unanimously.

Returning to the issue of budgeted funds, Mayor Taylor noted the City did not transfer monies to the Community Redevelopment Agency to maintain the building when the Old High School was originally transferred. Mr. Weiland agreed. Mr. Hay believed if the money was earmarked for the school it should follow the transfer. He disagreed with the prior action of the Commission and viewed the funds as a tag-a-long with the ownership.

Ms. Bright explained the monies were budgeted in September and the determination on the Old High School was not made by the Commission until October. She understood the money would stay with the Community Redevelopment Agency and the City had \$50,000 budgeted to cover the costs.

Kurt Bressner, City Manager, confirmed the City had budgeted monies for the Old High School.

The motion to return the monies failed 2-3. (*Chair Taylor, Mr. Weiland and Mr. Hay dissenting*)

B. CRA Website (*Added to the agenda by Vice Chair Rodriguez*)

Vice Chair Rodriguez inquired if any other Board members were aware that paintings were being sold on the CRA website. It was interesting that staff was posing in front of pictures with links to a website run by a relative of staff that sells paintings and was best friends with the Executive Director. He did not understand how City resources and City staff could be used to sell paintings.

Ms. Bright was not aware of the links, but did know the art in the office was for sale. Ms. Ross advised when she toured the office the artwork had been highlighted to her and it was beautiful. She was not aware of the link on the website.

Vice Chair Rodriguez opined there was gross misconduct and warranted immediate action. Mayor Taylor asked the Executive Director to look into the allegation. Ms. Bright agreed to make a report at the December meeting.

**XIII. Future Agenda Items**

**XIV. Comments by Staff**

**XV. Comments by Executive Director**

Ms. Bright indicated a revised Master Development Agreement from the Auburn Development Group had been received by the CRA Board Attorney. Ms. Bright and the CRA Board Attorney had met to discuss an appropriate response to the Board's direction. It was decided that a workshop with the Board could be held on November 17, 2008 to discuss the Master Development Agreement.

CRA Board Attorney Cherof explained the reason for the workshop would be to review the 16 items brought to the Board for policy decisions to determine if the agreement is consistent with the Board's direction. It would be a public meeting. The agreement is for a term of 12 years and it would be well worth the time to assess the agreement before it is brought for approval.

There was consensus to meet at 5 p.m. on Monday, November 17, 2008.

**XVI. Comments by CRA Board Attorney**

**XVII. Comments by CRA Board**

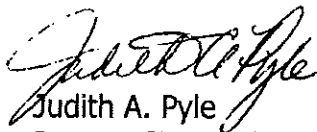
Commissioner Hay mentioned the Men's Conference at the St. John Missionary Baptist Church wanted to use the CRA property north and south of the Church for parking. Mr. Weiland's only concern was any liability issue.

CRA Board Attorney Cherof advised both parties would bear responsibility. The issue should be resolved between the Community Redevelopment Agency and the entity using the property to provide insurance for the event or the Community Redevelopment Agency should be indemnified. Mr. Hay advised the Church had used the land in the past, a good relationship had been established and the logistics could be accommodated.

There was consensus to allow the Church to use the vacant land for parking with the proper paperwork to indemnify the Agency from any liability.

**XVIII. Adjournment**

There being no further business to come before the Board, Chair Taylor adjourned the meeting at 6:54 p.m.

  
Judith A. Pyle  
Deputy City Clerk