

**MINUTES OF THE SPECIAL COMMUNITY REDEVELOPMENT
AGENCY BOARD MEETING HELD ON TUESDAY, MARCH 3, 2009,
AT 6:15 P.M. IN THE CHAMBERS, CITY HALL,
BOYNTON BEACH, FLORIDA**

Present:

Jerry Taylor, Chair
Woodrow L. Hay, Board Member
Marlene Ross, Board Member

Lisa Bright, Executive Director
James Cherof, Board Attorney

Absent:

Jose Rodriguez, Vice Chair
Ronald L. Weiland, Board Member

I. Call to Order – Chair Jerry Taylor

At 6:18 p.m., Chair Taylor called to order the special meeting of the Community Redevelopment Agency Board. He declared a quorum was present. Vice Chair Rodriguez was out of town and Board Member Weiland was delayed in traffic.

II. Roll Call

The Deputy City Clerk called the roll.

III. Consideration of Second Amendment to Purchase and Sale Agreement with NSG Properties, Inc. and Grindstone Management LLC

Attorney Cherof explained the request was for a waiver of right of first refusal. He recalled when the Agency purchased the business licenses for the adult entertainment establishment, it required there be a restrictive covenant as to use on the property. It included a right of refusal. The potential buyer wanted a more explicit document with specific language for a waiver of right of the first refusal.

If the Board is not interested in acquiring the property pursuant to the contract that is pending, a motion is needed to waive the option of first refusal and authorize the execution of the waiver of right of first refusal.

Chair Taylor opened the issue for public comment.

Muriel Anderson, Gulfstream, inquired about Mr. Knight's intended use for the property. Chair Taylor replied a site plan for development had not been submitted. There was a deed restriction on the property to control the use. Any use would require Board approval.


Attorney Cherof added the restrictive covenant prohibits the use of the property for adult entertainment businesses. Any additional uses in the future would have to conform to the zoning requirements of the City. If it is a permitted or conditional use, it would have to be approved at the City Commission level if and when applications for occupational licenses or site restoration or reconstruction would occur.

Motion

Mr. Hay moved to waive the right of first refusal. Ms. Ross seconded the motion. The motion passed unanimously.

IV. Adjournment

There being no further business to come before the Board, Chair Taylor properly adjourned the meeting at 6:22 p.m.


Judith A. Pyle
Deputy City Clerk