

MINUTES OF THE COMMUNITY REDEVELOPMENT AGENCY BOARD OF DIRECTORS, CITY OF HALLANDALE BEACH, FLORIDA, HELD ON MONDAY, DECEMBER 17, 2012 AT 6:00 P.M., CITY COMMISSION CHAMBERS, 400 S. FEDERAL HIGHWAY, HALLANDALE BEACH, FLORIDA 33009

1. CALL TO ORDER

Chair Cooper called the Meeting to Order at 6:16 P.M.

2. ROLL CALL

Directors Julian, Lazarow and Sanders, Vice Chair Lewy and Chair Cooper, Executive Director Dr. Alvin Jackson, Jr. and Hallandale Beach Community Redevelopment Agency Attorney Steve Zelkowitz, Gray Robinson, PA - All Present.

City Manager Renee Crichton Miller was also present at the meeting.

3. PLEDGE OF ALLEGIANCE

In light of the Tragic School Shooting which took place on December 14th, 2012, in Newtown, Connecticut, Chair Cooper requested the public to sign on a petition issued by the U.S. Conference of Mayors in opposition of illegal guns and calling for a Federal Plan to 'End Gun Violence.' She further directed the public to the websites www.mayorsagainstilllegalguns.org and www.demandaplan.org for further information regarding the petition.

4. PUBLIC PARTICIPATION - Items not on the Agenda (to be heard at 6:15 PM)

Maggie Ivanovski, asked questions concerning the application for funding submitted by the Zamar School of Performing Arts and the validity of the organization's Tax Identification Number and loan repayment status with the City.

Judith Selz, 717 Layne Blvd., Hallandale Beach, spoke in support of requiring annual presentations by entities who receive funding from the HBCRA to include a five (5) year sustainability plan. She added that it is necessary to improve the application and evaluation criteria in order to maintain fiduciary responsibility.

Thomas Sands, 630 NW 9th Court, Hallandale Beach, spoke concerning the need for adequate restroom facilities at the O.B. Johnson Park.

5. DIRECTOR COMMUNICATIONS - Items not on the Agenda

A. DIRECTOR JULIAN

Director Julian had no Communications.

B. DIRECTOR LAZAROW

Director Lazarow had no Communications.

C. DIRECTOR SANDERS

Director Sanders had no Communications.

D. VICE CHAIR LEWY

Vice Chair Lewy had no Communications.

E. CHAIR COOPER

Chair Cooper had no Communications.

6. EXECUTIVE DIRECTOR COMMUNICATIONS

7. APPROVAL OF MINUTES

A. DRAFT MINUTES OF OCTOBER 15, 2012

MOTION BY VICE CHAIR LEWY, SECONDED BY DIRECTOR LEWY, TO APPROVE THE DRAFT MINUTES OF OCTOBER 15, 2012. The Motion carried on a 5/0 Voice vote.

Chair Cooper pulled Item #8.A. from the Consent Agenda for discussion.

8. CONSENT AGENDA

A. A RESOLUTION OF THE CHAIR AND BOARD OF DIRECTORS OF THE HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING AN AMENDMENT TO THE AGREEMENT BETWEEN FLORIDA ATLANTIC UNIVERSITY, COLLEGE FOR DESIGN AND SOCIAL INQUIRY AND HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY FOR THE AFFORDABLE/WORKFORCE HOUSING STUDY UPDATE; AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE THE AMENDMENT; AUTHORIZING THE EXECUTIVE DIRECTOR TO TAKE ALL STEPS NECESSARY AND APPROPRIATE TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AMENDMENT; PROVIDING AN EFFECTIVE DATE. (STAFF: EXECUTIVE DIRECTOR) (SEE BACKUP)

Mayor Cooper introduced the Item and noted that she was not in support of expending additional funds for revisions to the Housing Study as the draft has not yet been reviewed by the Board of Directors. She suggested staff research implementation strategies for the approaches recommended in the study.

Dr. Joyce Levine, Consultant, Florida Atlantic University, gave a presentation with a summary of the proposed updates to the 2007 Affordable Housing Study and answered questions posed by the Board of Directors.

The Board of Directors discussed the additional costs for updates to the Affordable/Workforce Housing Study.

Attorney Zerkowitz clarified that since preliminary revisions have already been completed and incorporated into the study, it is recommend the Board of Directors authorize a 'Cease Work Order' and the approval of payment for work that has already been completed.

Answering questions posed by Chair Cooper Dr. Levine stated that FAU has completed an estimated \$3000 to date.

MOTION BY CHAIR COOPER, SECONDED BY VICE CHAIR LEWY, TO APPROVE THE DRAFT AFFORDABLE/WORKFORCE HOUSING STUDY UPDATE; AND TO AUTHORIZE THE EXECUTIVE DIRECTOR TO EXPEND THE AMOUNT NECESSARY TO COVER THE COSTS FOR ADDITIONAL SERVICES PROVIDED BY THE FLORIDA ATLANTIC UNIVERSITY TO DATE; AND TO FURTHER ISSUE A CEASE WORK ORDER ON THE ADDITIONAL UPDATES TO THE STUDY. The Motion carried on a 5/0 Voice vote.

9. RESOLUTIONS/AGENCY BUSINESS

- A. A RESOLUTION OF CHAIR AND BOARD OF DIRECTORS OF THE HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY APPROVING THE COMMUNITY PARTNERSHIP GRANTS FOR FISCAL YEAR 2013; AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE COMMUNITY PARTNERSHIP GRANT AGREEMENTS; AUTHORIZING THE EXECUTIVE DIRECTOR TO TAKE ALL STEPS NECESSARY AND APPROPRIATE TO IMPLEMENT THE TERMS AND CONDITIONS OF THE COMMUNITY PARTNERSHIP GRANT AGREEMENTS; AND PROVIDING AN EFFECTIVE DATE. (STAFF: EXECUTIVE DIRECTOR) (SEE BACKUP)

Leo Grachow, Chair, HBCRA Citizen's Advisory Committee gave a presentation outlining the review process and the final funding recommendations of the Committee. He further answered questions posed by the Board of Directors.

Director Jackson noted that he was recently informed that the application from Zamar School of the Performing Arts was withdrawn from consideration due to their ineligibility. He noted that their withdrawal is a result of a revoked/invalid 501C(3)Tax Exemption which is a requirement of the application.

The Board of Directors discussed the reallocation of the funding as a result of withdrawal of the application.

Director Lazarow noted that she was uncomfortable with approving the funding requests due to the lack of information. She further suggested staff conduct a more thorough review of the applications to determine eligibility and sustainability.

MOTION BY DIRECTOR LAZAROW TO DEFER ITEM #9.A.; AND TO DIRECT STAFF TO CONDUCT THOROUGH BACKGROUND RESEARCH REGARDING THE APLICATIONS FROM THE FOUR (4) ORGANIZATIONS THAT ARE BEING RECOMMENDED FOR FUNDING; AND TO BRING BACK THE ITEM FOR CONSIDERATION AT THE HBCRA MEETING ON JANUARY 14, 2013.

Director Julian seconded the Motion for discussion.

Answering questions posed by the Vice Chair Lewy, Director Sanders noted that his spouse Jessica Sanders is no longer a member of the Palms Community Action Coalition and therefore should not be referenced on the application.

The Board of Directors discussed the timeliness for consideration of the applications.

Chair Cooper suggested the Board approve the award to specific organizations that have been properly vetted and whose information is complete.

Director Lewy suggested a friendly amendment to the Motion requesting the HBCRA Advisory Committee to re-evaluate the applications being recommended for funding for reallocation purposes of the \$50,000 which is now remaining as a result of the withdrawal of the application from Zamar School of Performing Arts.

Director Lazarow accepted the Friendly Amendment and Director Julian seconded.

Answering questions posed by Director Lazarow, Attorney Zelkowitz stated that each Director can contact members if the HBCRA Citizen's Advisory Committee on an individual basis with any questions.

After further discussion by the Board of Directors, Chair Cooper Called the question.

MOTION BY DIRECTOR LAZAROW, SECONDED BY DIRECTOR JULIAN, TO DEFER ITEM #9.A.; AND TO DIRECT STAFF TO CONDUCT THOROUGH BACKGROUND RESEARCH REGARDING THE APPLICATIONS FROM THE FOUR (4) ORGANIZATIONS THAT ARE BEING RECOMMENDED FOR FUNDING; AND TO DIRECT THE HBCRA CITIZEN'S ADVISORY COMMITTEE TO CONVENE AND RE-EVALUATE THE APPLICATIONS FOR REALLOCATION PURPOSES OF THE \$50,000; AND TO BRING BACK THE ITEM WITH FINAL RECOMMENDATIONS FOR CONSIDERATION AT THE HBCRA MEETING ON JANUARY 14, 2013. The Motion carried on a 5/0 Voice vote.

The Board of Directors discussed the need for a Strategic Visioning Session of the HBCRA Board of Directors in order to determine priorities and objectives for the ensuing year.

Consensus

- To direct staff to schedule a Visioning Session for the HBCRA; and to poll the Board of Directors for their availability.

- B. A RESOLUTION OF THE CHAIR AND BOARD OF DIRECTORS OF THE HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY, HALLANDALE BEACH, FLORIDA; APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH THE FIRM GRAYROBINSON, P.A. TO PROVIDE LEGAL REPRESENTATION SERVICES TO THE HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY (HBCRA) IN AN AMOUNT NOT-TO-EXCEED \$60,000.00 FOR FISCAL YEAR 2012-2013; AND PROVIDING AN EFFECTIVE DATE. (MAYOR COOPER) (SEE BACKUP) CAD#019/02

Chair Cooper introduced the Item and recommended the Board of Directors ratify the

agreement for Fiscal Year 2012-2013 in accordance with the approved budget.

MOTION BY VICE CHAIR LEWY, SECONDED BY DIRECTOR SANDERS, TO APPROVE A RESOLUTION OF THE CHAIR AND BOARD OF DIRECTORS OF THE HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY, HALLANDALE BEACH, FLORIDA; APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH THE FIRM GRAYROBINSON, P.A. TO PROVIDE LEGAL REPRESENTATION SERVICES TO THE HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY (HBCRA) IN AN AMOUNT NOT-TO-EXCEED \$60,000.00 FOR FISCAL YEAR 2012-2013; AND PROVIDING AN EFFECTIVE DATE.

Chair Cooper opened the floor to public comments.

Maggie Ivanovski, 437 Golden Isles Drive, Hallandale Beach, spoke concerning the need for Outside Legal Counsel to carry malpractice insurance and spoke in opposition of hiring outside counsel to represent the HBCRA.

Attorney Zelkowitz, stated that his firm GrayRobinson, P.A. currently carries malpractice insurance. He provided a brief overview of his experience and a list of surrounding CRA's the firm currently represents.

Chair Cooper closed the floor to public comments.

After further discussion by the Board of Directors, Chair Cooper Called the question.

MOTION BY VICE CHAIR LEWY, SECONDED BY DIRECTOR SANDERS, TO APPROVE A RESOLUTION OF THE CHAIR AND BOARD OF DIRECTORS OF THE HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY, HALLANDALE BEACH, FLORIDA; APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH THE FIRM GRAYROBINSON, P.A. TO PROVIDE LEGAL REPRESENTATION SERVICES TO THE HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY (HBCRA) IN AN AMOUNT NOT-TO-EXCEED \$60,000.00 FOR FISCAL YEAR 2012-2013; AND PROVIDING AN EFFECTIVE DATE. The Motion carried on a 5/0 Roll Call vote as follows:

AYES: Directors Julian, Lazarow, Sanders, Vice Chair Lewy and Chair Cooper

NAYS: None

C. DISCUSSION OF EMPLOYMENT CONTRACT FOR HBCRA EXECUTIVE DIRECTOR, DR. ALVIN B. JACKSON, JR. (MAYOR COOPER)

Chair Cooper provided background information concerning the Item and requested her colleagues support termination the Executive Director's employment without cause. She added that the termination will become effective January 18, 2013.

Vice Chair Lewy noted that although he does not approve of termination of an employee 'without cause,' he will not support termination without an adequate severance package.

Director Julian spoke in opposition of terminating the Executive Director.

At the request of Director Sanders, Attorney Zelkowitz provided clarification of the terms of the Executive Director's employment contract regarding reasons for termination.

MOTION BY DIRECTOR JULIAN, SECONDED BY DIRECTOR LAZAROW, TO OPEN THE FLOOR TO PUBLIC COMMENTS.

Attorney Zelkowitz clarified that Florida Statutes only require Public Participation during a Public Hearing.

Director Julian withdrew his Motion and Commissioner Lazarow withdrew her second.

Executive Director Jackson gave a presentation stating that he thanked the Board of Directors and the Hallandale Beach community for the opportunity to serve. He add that he has acknowledged his mistakes, but also added that he has tried to make a positive difference in the department and community and believes it is in the best interest of the HBCRA if he agrees to termination 'without cause' with a severance package.

MOTION BY CHAIR COOPER TO TERMINATE DR. ALVIN B. JACKSON, JR. AS THE EXECUTIVE DIRECTOR OF THE HBCRA WITHOUT CAUSE; AND TO SET AN EFFECTIVE DATE OF JANUARY 18, 2013; AND TO APPROVE A SEVERANCE PACKAGE IN ACCORDANCE WITH THE EMPLOYMENT CONTRACT.

Director Julian seconded the Motion for discussion.

Chair Cooper opened the floor to public comments.

Murvin Wright, 419 NW 5th Street, Hallandale Beach, spoke in opposition of terminating Executive Director Jackson; further he spoke concerning the need for continuation of the Community development process.

Mary Washington, 700 NW 5th Court, Hallandale Beach, spoke concerning the need for additional CRA investments in the Northwest Quadrant of the City.

Gerald Dean, 726 NW 1st Court, Hallandale Beach, spoke concerning the need additional CRA investments in the Northwest Quadrant of the City. He further spoke in support of Executive Director's continued employment with the CRA and further requested compelling evidence for the Executive Director's termination.

Andrew Markoff, 705 SW 2nd Court, Hallandale Beach, spoke in support of offering the Executive Director a fair severance package.

Maggie Ivanovski, 437 Golden Isles Drive, Hallandale Beach, spoke in support of offering the Executive Director a fair severance package. She added that the Board of Directors should make certain decisions rather than delegate to an Executive Director.

Etty Sims, 1000 NE 5th Street, Hallandale Beach, spoke in support of offering the Executive Director a fair severance package.

Chair Cooper closed the floor to public comments.

There being no further discussion by the Board of Directors, Chair Cooper called the Question.

MOTION BY CHAIR COOPER, SECONDED BY DIRECTOR JULIAN, TO TERMINATE DR. ALVIN B. JACKSON, JR., AS THE EXECUTIVE DIRECTOR OF THE HBCRA WITHOUT CAUSE; AND TO SET AN EFFECTIVE DATE OF JANUARY 18, 2013; AND TO APPROVE A SEVERANCE PACKAGE IN ACCORDANCE WITH THE EMPLOYMENT CONTRACT. The Motion carried on a 3/2 Voice vote (Director Lazarow and Vice Mayor Lewy voted no)

10. ADJOURN

There being no further business before the Board of Directors, Chair Cooper adjourned the Meeting at 9:02 P.M.

RESPECTFULLY SUBMITTED,

ATTEST:

Chair

Clerk to the HBCRA Board

RECORDING SECRETARY:

Sheena James, Clerk to the
HBCRA Board

APPROVED BY BOARD:

January 14, 2013