

**MINUTES
CRA MEETING
MONDAY, OCTOBER 3, 2022
7:30 PM
CITY HALL**

Chair Dearmin called to order the Community Redevelopment Agency Meeting at 8:40 PM.

City Clerk Bourgeois conducted the roll call.

Community Redevelopment Board Members in attendance: Chair Jack Dearmin, Vice Chair Brent Eden, Board Member Mac Fuller, Board Member Nancy Daley, and Board Member Albertus Maultsby.

Staff in attendance: City Manager Ryan Leavengood, City Attorney Seth Claytor, Finance Director Amber Deaton, Public Works Director John Deaton, Community Development Director Ameer Bailey, Parks and Recreation Director Richard Weed, Police Chief Art Bodenheimer, and Fire Chief Robert Turner.

Chair Dearmin presented the consent agenda for consideration of approval.

- 1.) Community Redevelopment Meeting Minutes for September 8, 2022.

Board Member Maultsby made a motion to approve the minutes from September 8, 2022, Community Redevelopment Agency Board meeting. The motion was seconded by **Vice Chair Eden**. The motion was unanimously approved.

Chair Dearmin presented CRA Resolution 03-22 for consideration of approval.

City Attorney Claytor read the title of CRA Resolution 03-22 into the record.

City Manager Leavengood read the analysis into the record. He said on September 12, 2019, the Community Redevelopment Agency approved Resolution 02-19 establishing the Facade Improvement Grant Program.

The Lake Alfred Community Redevelopment Agency's Facade Improvement Grant Program partners with the business community to promote investment in the downtown area. The program incentivizes commercial building owners and tenants to renovate and update the exteriors of commercial properties located within the CRA, specifically in the downtown area, by providing financial assistance.

The program was designed to provide a matching reimbursement grant to make these exterior and facade improvements. By offsetting the cost of these projects, the CRA hoped to incentivize visible improvements that will improve building and site aesthetics thereby improving the marketability and value of existing businesses while also attracting new businesses, residents, and visitors to the area.

On June 21, 2021, the program was modified by the Community Redevelopment Agency with CRA Resolution 01-21 to allow the ADA improvements to be eligible, parking lot and roof improvements to be eligible, and the reimbursement timeline.

Based on feedback from operating the program for the past few years, the staff is proposing several changes to improve the program that is designed to make the program more flexible and accessible:

- Allow non-profit organizations, multi-unit residential, and churches to participate in the program.
- Expand the program to the entire CRA area instead of just downtown (Properties within the downtown area will be given priority in the rankings).
- Allow for 100% of ADA improvements to be funded by a grant of up to \$25,000 (instead of a 50% match).

\$100,000 has been set aside in the current FY 22/23 Budget for facade grants. The commercial facade grant program is currently accepting applications through the end of the calendar year. The residential program will begin accepting applications in January. This is a policy decision of the board.

Board Member Daley said spoke about the certain types of tax exempted organizations benefiting from the program and having to explain it to others that are paying taxes. She said she understands that we want to improve those blighted areas but is also worried about slighting the people who are paying the taxes. The taxes are a pool of money, but she thinks the priority ranking, if permissible, it would help.

City Attorney Claytor said he thinks the distinguishing factor would be payment of taxes versus non-payment of taxes. We don't want to be regulating based upon something that would be protected by First Amendment speech or some other type of constitutional prohibition regulation. We want to be content-neutral in whatever we do. He concluded by providing examples of scenarios.

City Manager Leavengood said the CRAs are to address blight, so you are purposely going to spend dollars and cents, by definition, in areas that don't produce revenue. If they didn't have the blighted condition, to begin with, you wouldn't have created the CRA. He said it could be weighed by that they are not tax-exempt. There was a time when we didn't have an application in one project cycle. The goal is to cast a wider net and not limit it to downtown and give the board more options. The program is for exterior projects so it will help the overall neighborhood and you may see an increase in taxes in the surrounding areas as you make improvements to the buildings.

Chair Dearmin opened the floor to public comments, and seeing no one, he closed the floor to public comments.

Vice Chair Eden made a motion to approve CRA Resolution 03-22 amending the Commercial Facade Grant Improvement Program as presented. The motion was seconded by **Board Member Fuller**. The motion was unanimously approved.

Chair Dearmin presented CRA Resolution 04-22 for consideration of approval.

City Attorney Claytor read the title into the record.

City Manager Leavengood read the analysis into the record. He said on October 18, 2021, the Community Redevelopment Agency Board adopted Resolution 03-21 which established a residential facade improvement grant program. Community Redevelopment Agencies are given

tools above and beyond what is normally afforded to local governments to address blight within the community.

The residential facade improvement program was drafted in part based on provisions from the existing downtown commercial facade grant as well as from other CRA residential facade programs from various cities around the state.

Based on the intent of the program staff is proposing several changes to make the program more accessible that the Board may wish to consider:

- Allow flexibility and specialization within the Program Grant Cycle regarding the format, amounts, and operation and types of improvements being performed each year.

\$100,000 has been set aside in the current FY 22/23 Budget for facade grants. The commercial facade grant program is currently accepting applications through the end of the calendar year. The residential program will begin accepting applications in January.

He spoke about the flexibility of having a targeted grant cycle along with the traditional program and said depending upon the program cycle, it may be targeted such as with painting as the budget allows. He spoke about tree removal and the potential to target storm resilience or improvements with a CRA grant cycle where all we did for one year is for trees they wanted to take down. He spoke about the traditional program which we would look to grow into and will be budget-dependent. After a few years, we may be in a more comfortable position to award \$10,000 – \$15,000 grants than with the limitations of the program now.

He concluded by saying the staff would answer any questions.

Board Member Daley had a question about the way the policy was written. She provided an example of a resident who needed painting for \$5,000 and then a roof repair for \$10,000 during the targeted cycles, the policy says you can only get a grant once every seven years. Is that the cap of \$15,000? Do I have to wait seven years?

City Manager Leavengood read an excerpt and said the past recipients under this program may reapply in future years if the Grant Program Cycle is targeting a different category of improvement. He explained that once every seven years applied only to the specific grant award program by assigning a dollar value for them to do whatever they want up to the \$15,000. This does not interfere with the targeted cycles and was intentional for flexibility if it is a different category of improvement.

Board Member Daley asked if this went towards a \$15,000 cap and City Manager Leavengood replied no. That was not the way it is intended. **Board Member Daley** said that was how she understood it when she read it. There could be people who could get \$15,000 this year and also next year.

City Manager Leavengood said we can articulate that in the grant cycle, and we would track all of that so when we go through the grant cycle you will get the breakdown of what each property received. He provided examples. He said if we do target based you can always apply if it is a different category. He said if we did paint this year we probably won't go back and do the painting in two years or if we did you wouldn't need to apply for another paint job anyway. If we budget \$150,000 and the board awarded 15 applications, that is for the seven-year limitation.

City Attorney Claytor said it is relevant to the situation for consideration if the applicant has received prior funding and that will be at the board's discretion when considering applications. He provided examples of a property receiving funding for two of the three-year cycles versus a new applicant and said that would be germane to consider a funding award.

Board Member Daley said that the property may need a roof more than the new applicant and City Attorney Claytor said that is where the board would have the lateral discretion to receive additional information to help you make those decisions.

City Manager Leavengood said the staff review team researches and provides the information to the board to make it as easy as possible going into that process.

Chair Dearmin asked if an applicant can apply for one targeted cycle one year and then apply again next year if it is a different category of targeted improvements.

City Manager Leavengood said that is correct. We have tried to bifurcate or split the program into two. He said for the next few years he sees the program being targeted for improvements.

Board Member Maultsby asked who can apply for these grants or awards, can tenants apply for them?

City Manager Leavengood said the tenants can apply but they have to get written notarized authorization from the owner.

City Attorney Claytor said that is where he will work with the Community Development Director to make sure corporate resolution is provided and that the member/manager of the LLC provides authorization to the tenant to be able to request the grant funding from the city. We will ensure that whoever applies tenant/owner has the legal authority to ask for such grant funding.

Vice Chair Eden commented it is fantastic we are here in the first place, which means we have made it. He said 660 E. Tangerine is in the CRA area and asked if there has been a study for potential costs for a permanent fix of the flooding. He read an excerpt that said improvements associated with flood hazards such as elevation of utilities, floodproofing, or repair of water-damaged exteriors.

City Manager Leavengood said we worked specifically with them by putting in a flapper to prevent backflow, we have done the low-hanging fruit. He said there will be diminishing returns because the actual solution may be 1M. He spoke about the stormwater master plan that will look at stormwater citywide. He continued and said they have a systemic challenge due to the house being lower than the road. Are there other lower options we can do, such as curbing to reroute the water? We can look at that to see if there are any other low-cost options. The stormwater master plan task order will come before the City Commission before the end of the year.

Vice Chair Eden said thank you and he appreciated it.

Board Member Maultsby suggested pouring another one-foot higher floor inside the house to be above the crest.

City Attorney Claytor said the CRA circles back to blight which is defined by Florida Statutes. He read some excerpts of the statutes into the record.

City Manager Leavengood said another layer is that the CRA is another engine to do things that we would not normally be able to do. He said there are CRA dollars that could potentially go for a cost-share project in the CRA area to make certain improvements to make drainage better in the neighborhood.

Board Member Daley suggested looking into funding from FEMA and spoke about the response after Hurricane Sandy and how they came in and raised the homes. She mentioned Polk County was added to the individual disaster funding from Hurricane Ian.

Board Member Fuller asked if there was any attention paid to the houses with blue tarps from previous storms and if would they be eligible to apply with existing damage that was unrepaired.

City Manager Leavengood said they would not be unrestricted to apply.

A discussion ensued regarding the homeowner being paid for the roof damage and not spending the funds on repairs, the city addresses that contractually, and the policy behind the CRA is not to provide a windfall to the property owner in the event they do receive recovery funds.

Community Development Director Bailey spoke about the Property Maintenance Code and how it addresses how long blue tarps can stay on the roofs. She said we have worked with property owners through the Code Enforcement process to get those addressed. Some were cleared up this year. We do follow up and maintain contact with the property owner.

City Manager Leavengood said the stormwater master plan will give us the credibility and studies we need to go after those Federal Funds.

Chair Dearmin opened the floor to public comments, and seeing no one, he closed the floor to public comments.

Board Member Daley made a motion to approve CRA Resolution 04-22 amending the Residential Facade Grant Improvement Program. The motion was seconded by **Board Member Maulsby**. The motion was unanimously approved.

Without any further comments, at 9:14 PM Chair Dearmin adjourned the CRA Meeting.

Respectfully Submitted,



Linda Bourgeois, BAS, MMC, City Clerk