



**CITY OF PUNTA GORDA, FLORIDA
COMMUNITY REDEVELOPMENT AGENCY MINUTES
SPECIAL MEETING - SEPTEMBER 17, 2008**

MEMBERS PRESENT: Friedman, Albers, Wallace, Goldberg, Sturges, Smith-Mooney, Weikel

CITY OFFICIALS PRESENT: Executive Director Kunik, CRA Attorney Levin, Recording Secretary Foster

Chairman Friedman called the meeting to order at 9:17 a.m.

Recording Secretary Foster called the roll.

Approval of Minutes: Regular Meeting of September 3, 2008

Commissioner Goldberg **MOVED** approval, **SECONDED** by Commissioner Weikel.

MOTION UNANIMOUSLY CARRIED.

Herald Court Parking Facility Commercial Space

Executive Director Kunik reported three proposals had been received for either sale or property lease/management of the commercial space in the Herald Court parking structure, providing a summarization, as delineated in the agenda material. He then described options as follows: sale to the museum; property lease/management; combination of sale and property lease/management; lease of property to museum or status quo. He noted the third option, a combination of sale and property lease provided the most flexibility and opportunity to meet the definition of commercial as included in the original Invitation to Negotiate.

Chairman Friedman confirmed no representative was present from CB Richard Ellis, adding this was not advertised as an opportunity to make a sales pitch. He requested those present limit their comments to that which was not included in the information provided.

Ms. Kim Lovejoy, Military Heritage and Aviation Museum (MHAM), stated their proposal was based upon the purchase of what was essentially a condominium which did not consider the land it was constructed upon. She pointed out many of the costs addressed by Executive Director Kunik were the responsibility of the City regardless of

whether it was sold as retail or not. She then read a statement from Ms. Becky Bovell, Charlotte County Tourism Director, in support of the museum's relocation.

Mr. Peter Taylor, MHAM trustee, stated the manner in which a square foot cost was derived by the City was not accurate due to the fact some costs were not relative and the fact the museum would be required to complete the interior construction on the first floor. He stated approximately one out of every four citizens in Charlotte County was either a veteran or related to a veteran, thus providing the museum in the downtown area would be appropriate. He reported the local schools were interested in having a tour of the museum included in their curriculum.

Commissioner Wallace inquired if the museum had the funding to purchase the property and complete the inside.

Ms. Lovejoy responded they had funds for purchase and would be able to raise the remainder.

Mr. Terry Yonker, Thomas Ryan Real Estate, commented all parties wished for a vibrant downtown. He stated the question was related to additional revenues over a longer period of time or a quicker turn around with a sale to the museum.

Mr. Tom Carroll reminded members of the vision for a demand for parking in the downtown area, opining the decision for the rental space should be based upon future needs. He further stated if the need for retail space in the future would be greater, it should not be sold at a bargain at this time.

Chairman Friedman recalled the addition of retail space to the parking structure was to maximize revenues and to facilitate the expansion of the downtown to the south and east with vibrant enterprises. He stated he felt any sale or lease should be based upon what the market price was rather than providing a deal to a particular entity, thus if members were comfortable with its use by the museum it was the CRA's fiduciary responsibility to gain the appropriate payment for same.

Commissioner Albers spoke favorably toward the museum moving into the City rather than relocating at the airport. He concurred the inclusion of retail was to provide for the economic stimulus in the downtown area and to recoup some of the funds utilized for construction of the garage. He advised he had spoken with a commercial realtor who indicated the current cost was \$130 per square foot, thus members should not consider accepting less.

Commissioner Weikel reiterated the fiduciary responsibility to attempt to recover a portion of the costs of construction.

Commissioner Wallace commented there was some intrinsic value to the museum, stating he would prefer for staff to attempt to work out a deal to allow a portion of the

space to be utilized by the museum. He acknowledged the offered price was not appropriate.

Commissioner Sturges advised she was a supporter of the museum, suggesting it be determined exactly how much space was required. She voiced concern with the fact funds were not available at this time to finish the interior construction.

Commissioner Goldberg voiced support of the museum; however, he felt the numbers did not work. He stated the proposal was essentially a request for the CRA to donate revenues to the museum, noting same was not an appropriate use of CRA funds. He recalled the long term vision to provide retail space in the downtown area, adding it may be possible for the museum to utilize a portion of same.

Chairman Friedman stated a possibility may be some of the space that was not conducive for retail; however, it must be at competitive rates for similar type space around the City. He added there may be less pedestrian traffic at the garage location for the first years as the museum was presently gaining at its Fishermen's Village location. He mentioned a possible partnership with the owner of the former Wal-mart location.

Mr. Taylor advised he had spoken with the owner who indicated he would require the entire building.

Chairman Friedman confirmed members would be amenable to entertaining a subsequent proposal for a smaller space within the garage at a competitive commercial rate or a lease proposal.

Consensus of members was to entertain a combination of sale and lease/management.

Chairman Friedman then asked if members wished to proceed with property management, pointing out it was not necessary to select a manager at this time.

Executive Director Kunik advised staff had not met with either proposer, thus were not prepared to make a recommendation. He stated staff could do so upon members' direction.

Consensus of members was to direct staff to speak with the proposers and make a recommendation to members.

Commissioner Goldberg pointed out Hurricane Charley had destroyed many structures in the downtown area, thus the reason for including retail space within the parking structure.

Presentation of the Evaluation and Selection Committee's selected proposal for the construction of the Interactive Fountain by Exotic Pools By Janeen, Port Charlotte, FL

Ms. Marian Pace, Procurement Manager, stated staff had received seven proposals to design and construct the fountain, with four being deemed nonresponsive and therefore rejected. She noted the staff committee had ranked Exotic Pools by Janeen of Port Charlotte as the top ranked proposer.

Chairman Friedman inquired if the contractor had constructed fountains before.

Ms. Pace responded in the negative, explaining they would partner with Chrystal Fountains who were nationwide and did much fountain work. She further explained they would design the pumps and spray nozzles for Exotic Pools by Janeen.

Commissioner Smith-Mooney suggested alternative surface designs be requested, noting she was not pleased with the displayed design, preferring something more reflecting a recreational nature.

Mr. Jeff Weiler, Weiler Engineering, explained the compass rose was designed due to the request to be similar to fountains in either Venice or Celebration, adding the fountain in Celebration cost more than \$1,000,000. He noted the compass rose design worked within the City's established budget.

Commissioner Smith-Mooney opined a sunburst would be less expensive.

Mr. Weiler advised same would be dependent upon time.

Commissioner Albers mentioned dolphins.

Commissioner Smith-Mooney **MOVED** approval conditioned on alternative designs being presented to members, **SECONDED** by Commissioner Wallace.

Commissioner Albers asked if anything other than the fountain was included.

Ms. Pace responded the fountain with pavers surrounding same.

MOTION UNANIMOUSLY CARRIED.

Executive Director Kunik inquired if members approved of the surrounding amenities proposed by staff, including stadium seating and a shade area. He advised TPG would be participating in laying the bricks.

Commissioner Wallace suggested the stadium seating be located so it was facing the harbor.

Executive Director Kunik responded it was not located thus in the proposed plan.

Consensus of members was to relocate the seating to the other side of the fountain.

Statement of Icard, Merrill, Cullis, Timm, Furen & Ginsburg, P.A., for services rendered to the Community Redevelopment Agency by David M. Levin, Esq., through September 10, 2008

Commissioner Weikel **MOVED** approval, **SECONDED** by Commissioner Goldberg.

MOTION UNANIMOUSLY CARRIED.

The meeting was adjourned at 10:10 a.m.

Chairman

Recording Secretary