

**MINUTES  
HARBOR COMMUNITY REDEVELOPMENT AGENCY  
ADVISORY COMMITTEE MEETING  
MAY 11, 2016 - 5:30 PM  
DESTIN CITY HALL BOARDROOM**

**1. CALL TO ORDER:**

The Interim Community Development Director called the meeting to order at 5:30 p.m. on Wednesday, May 11, 2016 in the Destin City Hall Board Room.

**2. ROLL CALL:**

<u>Members Present</u>	<u>Members Absent</u>	<u>Staff Present</u>
Mike Raim	Tom Case	Deputy City Clerk Kim Montgomery
Mike Buckingham	Casey Jones	Interim Com. Dev. Director Steve Schmidt
Jan Best		Planner, Hank Woollard
James Green		
Sandy Trammell		

**3. NOMINATION OF CHAIRMAN & VICE CHAIRMAN:**

**CHAIRMAN:**

The Interim Community Development Director called for nominations for Chairman of the committee.

**Committee member Trammell nominated herself for Chairman of the Committee. Committee member Raim provided the second for the nomination. A roll call vote of 2-3 was taken and the motion failed, with Committee members Green, Best and Buckingham dissenting.**

The Interim Community Development Director called for any other nominations.

**Committee member Green nominated Committee member Buckingham for Chairman. Committee member Best provided the second for the motion. A roll call vote of 3-2 was taken and the motion passed with Committee members Trammell and Raim dissenting. Committee member Buckingham accepted the nomination.**

**VICE CHAIRMAN:**

The Interim Community Development Director called for nomination for Vice Chairman.

**Committee member Best nominated Committee member Green for Vice Chairman. Chairman Buckingham provided the second to the motion. A roll call vote of 5-0 was taken and the motion passed. Committee member Green accepted the nomination.**

**4. APPROVAL OF MINUTES: February 10, 2016**

**On a motion by Committee member Raim, seconded by Committee member Best, the**

members voted unanimous 5-0 to approve the minutes of the February 10, 2016 as written.

5. OLD BUSINESS:

- Food Trucks

The Interim Community Development Director informed the members that he invited the City's Planner, Mr. Woollard to attend this meeting so that he could better explain the situation and answer any questions they may have.

The Planner explained to the members the process that was taken in regards to the kiosk businesses that are set up near the boardwalk on the harbor and how high the standards are in regards to FEMA's flood plain rules as well as maintaining the historic character of the harbor. He added that at the time of adopting those standards, staff never considered how popular food trucks would become so those standards were never adopted, adding that there has been a steady stream of requests for food truck vendors with everything from high-end food items to shaved ice trucks and the permitting process for this use is different and also is contrary to the directions that the City wants to go in regards to the types of businesses on the harbor. And with that information, staff is asking for their input on how to regulate these types of businesses, should they put a limit the number of food trucks, prohibit them, or set an amortization date on the ones that are already down there.

According to Committee member Trammell, the biggest concern is there is not enough parking as it is and it takes a lot of space to have one; unless, the owner of the property has more than enough for his business and allows one. She also has a concern over what food truck vendors do with their cooking oil waste and asked, is a food truck going to help the harbor; in her opinion, no and feels that this is not just a harbor problem but a Destin problem.

Committee member Green stated that his concern is with the trucks being in the same location. He also expressed his concern over with food trucks exploiting the loopholes.

Committee member Trammell asked what the difference would be from the ones that are set up during the Seafood festival and special events. There was a lengthy discussion regarding the Seafood Festival event and this type of use.

The Chairman stated that he doesn't think they bring the feel of what Destin wants and the ones that are already in business should be grandfathered in but they should not allow anymore.

Committee member Green feels that a moratorium should be in place to prevent any more and that should close any loophole concerns.

The Planner pointed out to the members that the results they want to achieve are what will be presented to the CRA Board, who will make the rules and set the guidelines.

Committee member Best stated that she likes what she is hearing and feels that they should put it in the form of a motion regarding standards for food trucks.

The Planner stated that he would be glad to research this and make a draft up for them to review

and consider at their next meeting.

The Chairman stated that he really doesn't want to delay this for another month and feels that they should go ahead and make a recommendation to the CRA and they can always revisit it later if necessary to make any changes or additions.

**On a motion by Committee member Green seconded by Chairman Buckingham, the members voted 5-0 to recommend a 6-month moratorium be set on food truck and trailers vendor permits to allow the Harbor CRA-AC time to modify the criteria of the permitting process while still allowing special event requests to be reviewed and permitted.**

**6. NEW BUSINESS:**

- **Redefinition/Clarification for South Harbor Market Place**

The Interim Community Development Director explained that this issue is in regards to allowing people to meander the harbor boardwalk from business to business with a drink however, people are taking advantage of that liberty and walking up from the harbor and running across the street with their drink. The Okaloosa County Sheriff's Department is asking for a policy to be set that they can enforce, which is why this ordinance was written.

**On a motion by Committee member Green, seconded by committee member Raim; the members voted 5-0 to recommend that the CRA Board adopt Ordinance 16-12-LC.** In discussion, Committee member Trammell pointed out that City Council will not agree to allow people to walk along the sidewalk with a drink in their hand. She stated that the entire purpose of the original ordinance was to allow for patron to walk from establishment to establishment with a drink but on the boardwalk only adding that coolers were never a consideration either. She also pointed out that the rules clearly stated that cans and bottles are not allowed on the boardwalk and also she cannot see the City purchasing waste cans to sit out along the sidewalk either. Committee members Green pointed out that they could not restrict coolers since a majority of the Charter boat businesses customer's park in the Marler Parking lot and bring coolers when going out on fishing trips. **The motion passes 4-1 with Committee member Trammell dissenting.**

**7. DISCUSSION:**

Committee member Green asked about the current status of the grant for Royal Melvin Heritage Park. According to the Interim Community Development Director, the only things that have been accomplished at this point are mulching and a sign indicating the park. He explained that staff has met with FDEP and has received a list of items for swap and the Mayor has been directed by City Council to meet in mediation with the adjacent property owners to come to a compromise so that they can turn that over to the State; pointing out that they hope to have it started after the 100-days of summer because if something is not done by the end of summer, the City could lose the grant.

Committee member Green expressed his concern over the property being used as a parking lot for the adjacent restaurant and questioned the liability of the property and if it's properly insured. He added that he would like to see the property locked down if it's unable to be used properly. The Interim Community Development Director assured him that the park is insured properly.

- **Crosswalk Status**

The Interim Community Development Director informed the members that the work on the medians is coming along and they all should be finished and operating by the end of June.

Committee member Sandy Trammell asked why the crosswalks are not installed at a diagonal to give pedestrians time to make it to the medians before the traffic gets the green light. The Planner explained ones being installed stop traffic in both directions at the same time when initiated by the pedestrians on either side of the highway.

Committee member Raim stated that he has observed automobile traffic going in an excess of 60 mph as well as semi-trucks and the City is in need of speed enforcement. According to the Chairman, FDOT is waiting for the crosswalk signals to be installed but agrees and feels that the speed limit should be dropped down to 25-mph within the Harbor District.

**On a motion by Chairman Buckingham, seconded by Committee member Raim; the members voted 5-0 to recommend the CRA Board petition FDOT to officially reduce the speed limit down to 25 mph in the Harbor District.**

The Interim Community Development Director reiterated that FDOT will wait for the impact of the signalized crosswalks before any action is taken on reducing the speed limit.

Committee member Trammell expressed concern over accessing the sidewalk at the southwest corner of the Marler Parking Lot referring to a parking space that is in the way and suggests a little bridge built over the swale that will allow pedestrians access to the sidewalk without having to walk around if a car is parked in that space. The Chairman stated that he has already addressed this with staff and it's in the process of being corrected.

The members discussed Heritage Park a little further and felt that they need to make a recommendation to the CRA Board addressed their concerns.

**On a motion by the Committee member Green, seconded by Committee member Raim; the members voted 4-0 to secure the park for pedestrian traffic only and beautify the park property but allow the blacktop driveway to still be used until the project breaks ground and to no longer allow it to be used for overflow parking. Committee member Buckingham expressed his conflict of interest and would be abstaining from voting on the motion.**

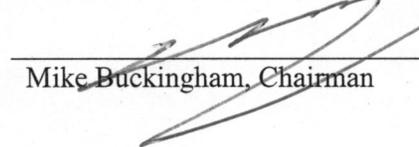
Committee member Trammell stated that with there not being a Chairman for the CRA yet, she recommends Chairman Buckingham attend the next City Council meeting to present to them all of their motions that have been made as well as discuss and get the status of the sticker program for businesses on the harbor.

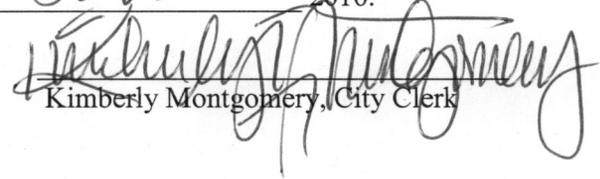
The Interim Community Development Director announced that their next meeting would be on June 8<sup>th</sup>.

**ADJOURNMENT:**

Having no further business at this time, the meeting was adjourned at 5:50 PM.

Adopted and approved this 9th day of June 2016.

  
\_\_\_\_\_  
Mike Buckingham, Chairman

  
\_\_\_\_\_  
Kimberly Montgomery, City Clerk

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>Buckley, Mike Alan</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>Home CBA</i>
MAILING ADDRESS <i>283 Bay Dr.</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY <i>Dade</i>	NAME OF POLITICAL SUBDIVISION: <i>City of Dade</i>
DATE ON WHICH VOTE OCCURRED <i>5-11-16</i>	MY POSITION IS: <input type="checkbox"/> ELECTIVE <input checked="" type="checkbox"/> APPOINTIVE

### WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

### INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his special private gain. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain of a principal (other than a government agency) by whom he is retained (including the parent organization or subsidiary of a corporate principal by which he is retained); to the special private gain of a relative; or to the special private gain of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

#### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

**PRIOR TO THE VOTE BEING TAKEN** by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

**WITHIN 15 DAYS AFTER THE VOTE OCCURS** by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

#### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

**IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:**

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes.
- A copy of the form must be provided immediately to the other members of the agency.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, \_\_\_\_\_, hereby disclose that on \_\_\_\_\_, 19\_\_\_\_:

(a) A measure came or will come before my agency which (check one)

\_\_\_ inured to my special private gain;

\_\_\_ inured to the special gain of my business associate, \_\_\_\_\_;

\_\_\_ inured to the special gain of my relative; \_\_\_\_\_;

\_\_\_ inured to the special gain of \_\_\_\_\_, by whom I am retained; or

\_\_\_ inured to the special gain of \_\_\_\_\_, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

*In name of two party as agent*

5/14/16  
Date Filed

[Signature]  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317 (1991), A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$5,000.