

**MINUTES  
HARBOR COMMUNITY REDEVELOPMENT AGENCY  
ADVISORY COMMITTEE MEETING  
JUNE 8, 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, June 8, 2016 in the Destin City Hall Board Room.

**2. ROLL CALL:**

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

\*The Interim Community Development Director introduced the Interim City Manager Carisse LeJeune\*

**3. APPROVAL OF MINUTES: May 11, 2016**

**On a motion by Committee member Trammell, seconded by Committee member Green, the members voted 4-0 to approve the minutes of the May 11, 2016 as written.**

**4. OLD BUSINESS:**

The Interim Community Development Director informed the members there will be a CRA Board Meeting on June 20<sup>th</sup> at 5:30 p.m.

**• Food Truck Standards**

The Interim Community Development Director spoke of their request they to suspend allowing any further food trucks to operate in the City until standards are created to define the difference between portable buildings and food trucks. He spoke of the risk they could be taking regarding their CRS rating for FEMA flood standards and how important it is that they be adhered to in regards to the base flood elevation for the kiosks on the harbor boardwalk and, if those standards are the same for mobile vending and how they are defined by the State.

Committee member Green asked for Committee member Jones' input. According to Committee member Jones, parking is the main issue. He explained that there are two types of food vendors: trucks and trailers, and his truck being 29-feet is under the 30-foot guidelines that is set by most municipalities he's dealt with and that most that he's dealt with are setting up zones where food trucks are allowed and that within those zones, they are not allowed to be within a 100-foot of a residence and if they have propane cylinders, they are not only allowed to be within a 100-feet of a residence and other restaurants. And how his truck is completely independent with its own power and water source and how 90% of what he's read the all trucks must be self-contained but if they are running from someone else's power and water then they have to have designated parking and restrooms within a certain amount of feet of the

truck.

Committee member Trammell asked to be provided with the State Statutes requirements for food trucks and trailers as well as the definition so they could look those over and suggests that they start there and then determine if they may need to add anything to design their standards for the demographics of the City. The Chairman asked for the information to be provided to them at least a week before their next meeting so they'll have time to read it over.

And in regards to the used water he believes that about 90% of the trucks that are currently operating down now on the harbor dump their used water and it goes into the harbor, adding that he has a gentleman that collects his used cooking oil and uses it for biofuel his. He also explained to the members the difference between gray water and potable water, and all trucks are required to have potable water.

The Interim Community Development Director explained the offsite parking requirements for food trucks and Committee member Jones explained that he purposely leases a building across Highway 98 for his office and to park his truck when not in use.

Committee member Green spoke of the importance for the rules that are set forth to be strictly adhered to by all of the vendors and not just the few.

According to the Chairman, the biggest hurdle is making sure that everyone is adhering to the rules that are set forth and feels that in order for that to be successful; the city is going to have to hire more staff members hired so they can be enforceable. He feels that in particular the person hired should be someone that is not local and can't be influenced by people they personally know. According to Committee member Trammell, some of the problem is that the rules in the Code are so vague that they can easily be manipulated and that they need to be made specific which would make them easier to enforce and no second guessing.

Committee member Green also spoke of the need to have a short time limit for the corrections such as 15 or 30-days at the most to any rules breakers instead of the typical 90-days, which if fined early in the season it would be the end of summer before they would be forced to do anything which would defeat the purpose since they would be making all their money while being in violation. The Chairman agreed that the biggest problem that the City has is enforcing the adopted regulations and how important it is to get the owners on board and enforce the rules that are set forth in the easement agreement.

The Interim Community Development Director explained that when the property owners don't abide by the rules that were set forth, the city does not get to take the owner to the Special Magistrate, they have to be taken to court, which is a lengthier and more difficult process. Additionally, the only success that he's had in enforcing the rules is where the Land Development Code comes into play and the property owners add items that are not allowed such as tables, chairs, and dock boxes that become Code Enforcement issues; at that juncture, those property owners can get cited and get red tagged for noncompliance and sent before the Special Magistrate if they do not come within compliance within the given timeframe. He further explained that there are nine (9) easements that the City has and they are interspersed with the property owners that built their portion of the boardwalk themselves and the City cannot enforce the easement agreement rules with those owners.

Committee member Jones asked what the status is of the <sup>Liverly vessel</sup> ~~parking~~ medallions. According to Committee member Trammell, the CRA Board decided to change the wording to stickers rather than

medallions. The Interim Community Development Director spoke of the numerous turn overs for the boats and jet skis and how hard it could potentially be to keep up with them. Committee member Green pointed out that the medallion program in NYC for the taxis is the same and when a car is replaced, that medallion is removed off the old one and adhered to the new one. He then spoke of how important the harbor is to the city and the surrounding communities and how the top priorities for the harbor should be:

- Parking
- Commerce
- Safety

He added that if it takes more people to enforce the rules then more employees need to be hired.

Committee member Trammell clarified that what they need to do is to recommend to the CRA Board that violations involving easement language can now go before the Special Magistrate before going to Court. According to the Interim Community Development Director, the provisions of the easements cannot be changed. Committee member Trammell stated that they could if it's voluntary. She then spoke of how at first the property owners had a lot of issues with signing over their easements, but now that they are making money, they may be willing to look at it again. Adding that it's going to take the CRA Board getting with those property owners to work through the issues and figure out how they are going to deal with the violators and spoke of how some are already voicing the unfairness for those that are not following the rules. She would like this go forward and see if they could find a way to self-police those few that are pushing the envelope, if there could be recourse put in place other than full-fledged court action.

**Motion by Committee member Trammell to recommend the CRA Board look into other recourses for violations of Code Enforcement and/or easement violations which could go before the Special Magistrate prior to going to Court. With no one providing a second, she announced that it died for lack of a second.** Committee member Green said if she would agree to modify her motion by removing the portion about going before the Special Magistrate and adding **amending the easement agreements to allow for those to be taken before the Special Magistrate**, he would provide the second. According to the Interim Community Development Director, the Magistrate may determine that he doesn't have jurisdiction over a negotiated easement agreement and the easement language would need to be modified. After further discussion regarding the role the CRA Board and the City Attorney would have in the enforcement of the regulations, **Committee member Green provided the second to the original motion; with no more discussion, the members voted 4-0 and the motion passed unanimously.** Committee member Trammell agreed and is exactly what would have to happen; between the CRA Boardmembers, the property owners, and attorneys for both sides. Committee member Green stated that he is leery of tightening down the restrictions any further than what's already in place since there still is two phases of the boardwalk that need to be built.

## 5. NEW BUSINESS:

None

## 6. DISCUSSION:

- **Norriego Point Armoring**

According to the Interim Community Development Director, the plans have been distributed to FDEP and the bid should go out sometime next month.

- **Trust for Public Lands/Leonard Destin Park**

The Planning phase is still underway and will be addressed later this year after summer season.

- **Status of the Pedestrian Crosswalks**

According to the Interim Community Development Director staff anticipates they'll be finished and in operation by the end of June. Committee member Trammell asked about the status of the little bridge she suggested being installed at west side of the parking lot where the swale comes across to the sidewalk that connects to the new pedestrian signalized cross walk. According to the Interim Community Development Director Staff is waiting for FDOT to finish their work before starting that design.

According to the Chairman, the Public Services Director is currently working that out and it will be presented to them when he gets it finalized. Interim Community Development Director stated that he would provide them with an update at their next meeting.

- **Jewel Melvin Heritage Park Update**

According to the Interim City Manager the Mayor reported that he believes that he had reached an agreement with all of the parties involved and the next step is for him and the Land Use Attorney to take everything to Tallahassee for the preliminary meeting with the State next week.

- **Emergency Dredging on the Shoaling at the Old Pass Lagoon**

According to the Interim Community Development Director the City accepted bids for the Emergency Dredging and has entered into a contract agreement with Panhandles Machine & Supply that City Council approved at their June 6<sup>th</sup> meeting for both the Old Pass Lagoon and some much needed dredging at Joe's Bayou Boat Ramp.

Committee member Jones thanked Committee member Green for pointing out how important the harbor is to the community and how safety is very much a concern. He feels that the medallion/sticker initiative is a way of providing the City with the necessary funding to add additional personnel to the Code Enforcement staff as well as charging for parking to help pay for the necessities. He pointed out how almost all big cities and tourist destinations charge for their parking and the City should do the same to help raise the much needed funds.

The Chairman mentioned how he would like to create some kind of incentives to bring the large yachts back to the harbor slips that are now renting to multiple pontoon boats and jet skis businesses. He stated that bringing back the Billfish Tournaments and encouraging renting the slips out to large yachts would in turn solve a lot of the parking problems.

According to Committee member Green, the big yachts cannot navigate the shallow waters of the harbor and until the Old Pass Lagoon is dredged, the point is armored, and a deep channel is secure once again they cannot return. The Chairman mentioned that now is the time to start planning how to bring them back with ideas for tournament sponsorships.

The Chairman spoke of how he has been getting feedback from homeowners in Marler and Joe's Bayou regarding the businesses at Crab Island are mooring their boats and pontoons out in the water or tying up to some of the residential docks and something needs to be done now to stop this before it gets out of hand, referencing how if businesses are not allowed to park their commercial vehicles at their

residence, then those boats should not be able to park into the bayous either. During discussion, Committee member Green stated that the best way to stop it is to form HOA that would have rules against those instances. The members also discussed how Crab Island is already out of hand and something needs to be done to tighten the reigns.

Leigh Moore with the Howard Group spoke of how her company is very concerned what Crab Island has become. She explained they are not anti-business, they are pro-business but pointed out that there are obvious safety issues and concerns over the type of activities that are taken place out there.

The Interim City Manager informed the members that this is a concern of the City Council and they have brought it to her attention. She added that she is aware that safety is the main concern and because it's State Jurisdiction, the City has no jurisdiction to take control of the issue from an enforcement prospective. She added that she will be contacting the appropriate authorities and other agencies and hopefully come together to find a solution that is mutually agreeable for everyone.

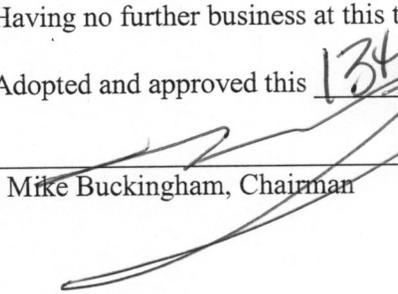
According to Committee member Green, even though the City has no jurisdiction, it's a direct reflection on Destin and why it's such a big concern.

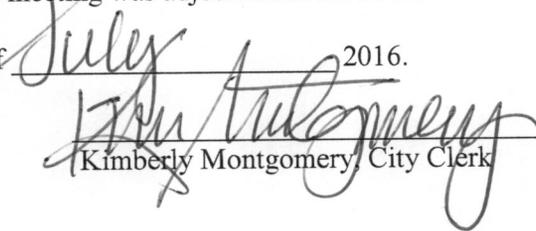
According to Committee member Trammell the area is actually Federal Government Land and is a park, the Gulf Islands National Seashore and is why the county and the state have not been able to do anything because they cannot enforce any rules on Federal Park Lands. She feels that starting at the top with the Feds is where to begin adding that it is one of the reasons why Matt Gaetz is running for Congress.

**ADJOURNMENT:**

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

Adopted and approved this 13th day of July 2016.

  
Mike Buckingham, Chairman

  
Kimberly Montgomery, City Clerk