

**CITY OF DELTONA, FLORIDA  
COMMERCE PARK RESEARCH PROJECT SUB-COMMITTEE MEETING  
FRIDAY, AUGUST 8, 2014**

A Regular Meeting of the Commerce Park & Performing Arts/Historical Facility Sub-Committee was held on Friday, August 8, 2014 in the City of Deltona's 2<sup>nd</sup> Floor Conference Room at 2345 Providence Blvd., Deltona, Florida.

Mr. Ron Paradise informed the Sub-Committee members Mr. Jerry Mayes asked him to conduct the meeting due to the unexpected death of his nephew. He stated our hearts, minds and prayers go out to the Jerry Mayes and his family.

**1. CALL TO ORDER:**

The meeting was called to order at 3:31 p.m. by Chairperson Boggs.

**2. ROLL CALL & DETERMINATION OF QUORUM:**

Chairperson	Tanya Boggs	Present
Vice Chairperson	Christine Peacock	Present
Sub-Committee Member	Eric Alexander	Present (Arrived Late)
Sub-Committee Member	Jean Armstrong	Present
Sub-Committee Member	Ben Bove	Absent (Unexcused)
Sub-Committee Member	Roy Braddy	Absent (Excused)
Sub-Committee Member	Joe Cerrato	Present
Sub-Committee Member	John "Jack" Kesler	Present
Staff Liaison	Ron Paradise for Jerry Mayes	Present

**3. PLEDGE OF ALLEGIENCE:** Pledge was recited.

**4. REVIEW AND APPROVAL OF MINUTES:**

**A. Adoption of Minutes – July 11, 2014:**

Chairperson Boggs asked the members if they had a chance to review the minutes from July 11, 2014 and if there were any revisions. Member Cerrato complimented the accuracy of the transcription of minutes.

**Motion was made by Member Cerrato, seconded by Member Armstrong to approve the July 11, 2014 minutes as written.**

**Motion carried with members present voting unanimous.**

**B. Additions or Deletions to the Agenda:** None

**5. WELCOME OF PUBLIC SECTOR PARTICIPANTS, GUESTS AND PUBLIC ATTENDEES:**

John Kizer, from Volusia County, Economic Development Division introduced himself. Chairperson Boggs welcomed the guest and thanked him for attending.

**6. CITY LIAISON REPORT:** Written Report Submitted

Mr. Paradise updated information on the two page report. He stated representatives from the Walmart Neighborhood Markets submitted a second round of site plan material for staff review on Wednesday,

August 6<sup>th</sup> 2014. That involves a 44,000 plus minus square foot grocery store. There was a pre-application meeting with Florida Hospital on Wednesday, August 6<sup>th</sup> for a medical facility at the northwestern corner of Saxon Blvd. and Sterling Silver Blvd. They will build one facility first and reserve some land for later expansion. Mr. Paradise stated there is some exigency on Florida Hospital's part to get the process going and will do everything code compliant. The RaceTrac at Howland Blvd. is up and running and has had wonderful effects for the consumer with cheaper gas. Member Armstrong agreed and stated the prices have come down at a couple of other gas stations.

Member Alexander arrived at 3:37 pm and Chairperson Boggs welcomed him.

Mr. Paradise continued that RaceTrac will have a September 12<sup>th</sup> ribbon cutting and grand opening and is working with the Planning & Development Services Department (P&DS) on a second location at Finland Dr. and Saxon Blvd. Mr. Paradise stated someone told him the RaceTrac's business volume on Howland Blvd. has exceeded their projections but the information did not come from RaceTrac itself. Member Cerrato stated he lives right by the location and it is always full. Member Armstrong agreed. Mr. Paradise stated that RaceTrac has asked for concessions that are not code compliant for the facility at Finland Dr. and Saxon Blvd. and "the ball is in their court." Rafael Ramirez from Halifax Health on Saxon Blvd. pulled a permit for a Community Bar-B-Q Saturday August 30<sup>th</sup> from 10 am to 2 pm. Tractor Supply is submitting for final site plan approval with the City Commission at the August 18<sup>th</sup> Regular Commission Meeting. Florida Hospital East is not interested in the property located on Howland Blvd. and SR 415. Florida Hospital does own 20 acres at Doyle Rd. and SR 415 and has decided to concentrate their efforts for service on the east side of Deltona utilizing that property. The time frame for that project is yet to be determined. Halifax Health East is working with the City's P&DS Department on the 12.5 acres at Howland Blvd and SR 415. Mr. Paradise stated there has been no activity in a while and Halifax Health may be concentrating their efforts on another project. The Eastern Waste Water Treatment Plant a 25 million dollar investment is coming along. A Sub-Committee member asked if the Treatment Plant will be operational by August 2015 and Mr. Paradise confirmed the initial phase will be. Member Armstrong asked where the plant is located. Mr. Paradise replied the location is east of SR 415 on 11<sup>th</sup> Street in the north Osteen area of the City of Deltona. A commercial sewer study has been completed for the I-4/Saxon Blvd. to N. Normandy Blvd. area to connect it to the Fisher Wastewater Treatment Plant. This area is planned for commercial use but is largely residential. RaceTrac is planning on raising 11 houses to build their facility which is positive redevelopment. Mr. Paradise stated Central sewer has been deficient in this area and the City needs to invest in itself to ensure development. Commercial entities do not like septic tanks because they are so land hungry and limit the size of a facility. Halifax Health is looking at purchasing 31 acres in the Activity Center at the northeastern quadrant of the SR 472/Howland Blvd. and I-4 interchange. A rezoning application has been reviewed by the P&DS Department for the 148 acre parent track that includes the 31 acre hospital site. A meeting was held with the applicant Thursday August 7<sup>th</sup> and details are being worked out from traffic management to irrigation. The rezoning application will be presented to the City Commission at the September 3<sup>rd</sup> Regular City Commission Meeting with a second and final reading at the September 15<sup>th</sup> meeting. The Commerce Park Project is still under consideration with the three owners. The Eco-Tourism Project is ongoing. The City staff has applied for a Tiger Grant for the parallel interconnector improving the N. Normandy Blvd. corridor. This is a Federal Grant for economic development and the City will be competing with Los Angeles, Detroit and other large metro areas in the country. The Duke Energy substation is coming along and the Lakeshore Trail Loop is progressing.

Sub-Committee member asked where the parallel road will be going in. Mr. Paradise replied it will run along the Normandy Blvd. corridor upgrading it down to Sullivan St. where it is currently four lanes and improving Normandy Blvd. south of Saxon Blvd. Member Kesler stated the S curve was ripped up again. Mr. Paradise replied the City would like to realign the S curve but that would require involvement of private property and eminent domain.

Member Alexander asked if there is a target date on the Saxon Blvd. to Normandy Blvd. sewer study. Mr. Paradise replied there has not been a decision in light of the findings. There is a \$700,000 to \$3.5 million price tag depending on whether you want the “Chevy or the Cadillac.” The low number is based on utilizing the existing sewer infrastructure in that area where the Publix is served. There is some doubt cast on the capacity of that system. The more expensive option involves significant upgrades with 6” or 8” lines down Normandy Blvd. Vice Chairperson Peacock stated the City would really need to do that and Mr. Paradise agreed.

Member Alexander asked if Saxon Blvd. would be straightened out from Finland Dr. to Normandy Blvd. and is amazed the City is allowing the RaceTrac to go in there due to the traffic issue. Mr. Paradise replied one of the discussions City staff is having with RaceTrac is that of access based on the character of the road and the landscape. RaceTrac wants direct access to Saxon Blvd. and City staff has said no. He stated as a planner he wants to ensure the network is functional. Traffic may be there but it is moving and safety is maintained. The City wants to take advantage of the economic opportunities but it is a balancing act. The City wants the land uses without compromising the functionality of the network. He stated that is some of the same conversations they are having with Halifax Health as well.

Chairperson Boggs asked if there were any more questions on the City Liaison Report.

**7. OLD BUSINESS: Continue discussion of questions from July’s meeting on the “Performing Arts & Historical Research Project.”**

Chairperson Boggs asked Mr. Paradise if Mr. Mayes mentioned any responses from any of the performing arts centers and Mr. Paradise replied no. She stated Mr. Mayes had copied her on his email to the director of Performing Arts Center at Bethune-Cookman University and asked Vice Chairperson Peacock if she contacted the News-Journal. Vice Chairperson Peacock replied she talked with Chad and he stated that facility would not be comparable because it is paid for by Daytona Beach Community College (DBCC) so it is not really a functioning performing art center like some of the others. She will be contacting the facilities in Tampa and Ormond Beach and will bring that information to the next meeting. Vice Chairperson Peacock stated she found some performing art centers up north that are in very small communities and as soon as they finish approving their season brochure she will be able to interview them. She has discovered the centers have completely revitalized the town, brought in other types of businesses and made the community more of a destination.

Chairperson Boggs referred the members to page seven (7) of the minutes and stated their task for today is to add additional questions to the list so the Sub-committee can make a recommendation for this project to the Deltona Economic Development Advisory Board (DEDAB). She stated she does not know about Bethune-Cookman but since Daytona State is funding the News-Journal Performing Arts Center, she would like to add the question: is it common for an educational facility or some other group to fund these centers rather than the City?

Vice Chairperson Peacock stated the Tampa facility just had a recent feasibility study completed for a large facility up north and she will try to get that. She mentioned to Lloyd Marcus she would help organize the information and put together a website so she is authorized to answer any questions for the team involved in this project regarding intent or design.

Chairperson Boggs stated the third paragraph down on page seven (7) takes note of the questions asked last time and that information is public record. She stated additional questions should be added to this list today.

Member Cerrato stated basically there are three options regarding funding: public, private or a combination of the two. The News-Journal center has some public with funding from the school but there is some private funding so a combination of the two might be a better approach. Vice Chairperson Peacock stated the developers are not depending on the City to provide a lot of funding although there has been some discussion on adding community related items such as the water side park and adding functionality to this site with outdoor events.

Chairperson Boggs stated she would like more information on this because her impression from the presentation was that a decent amount of money was needed from the City. That is why she is asking harder questions on the vision from those who want to see this project move forward and the vision of the City and this Sub-committee. "Funding is an extremely important part." If City funding is being asked, she would like to know what percentage, how much, for how long, into the future or is it a one-time deal? She would also like to know what projections there are over the next five (5) to ten (10) years and the impact there will be on the City if funding is provided.

Vice Chairperson Peacock replied funding would not be turned away but Mr. Paduke stated they are not looking to the City to subsidize this project. They are looking more toward angel sponsors and Disney.

Member Alexander stated it is difficult to get money and the City of Deltona needs a lot of things. This project will be lower on the list for the council because there are so many other needs in the City. He stated this type of function tends to get back-burnered and in his opinion it will be a hard time to get money out of the City. It will have to be put in the budget and will have to be supported by the council member's constituents. If everyone supports it, maybe funding will be placed in the budget.

Vice Chairperson Peacock replied the developer is not looking at the support for funding but whether the City is behind them as far as permitting. That is what is keeping the feasibility study from happening from Johnson. One study has been completed through E Sciences on the property itself and another study will be done once there is support from the City. She stated another item the developers forgot to mention is a big hotel will be located on the site. This will be of great interest to DEDAB because that is where the jobs will be provided. The Performing Arts Center will change the perception of the community and upgrade it but the hotel is a more direct line to jobs.

Chairperson Boggs stated if the group is looking to the City for planning, zoning and permitting support she is a little confused on the Sub-committee's involvement because "what we got out of the presentation is completely different than what we are hearing today."

Vice Chairperson Peacock agreed and stated they also did not mention the hotel and is not sure why that was left out.

Member Armstrong asked if this is the only venue the developers are looking at or is there another possible location or a plan B. Vice Chairperson Peacock replied they are very focused on this location and have been talking with the owner for some time. They want something on I-4 and want something very visible for the overall marketing plan. Member Armstrong stated that at the last meeting the Sub-committee had mentioned the possibility of locating on the upper end on I-4. Vice Chairperson Peacock answered that has been explored and is not being explored anymore unless everything else falls apart. She stated the developers do not want to drop the project if this piece of property does not go through but this plan has been developed quite thoroughly.

Chairperson Boggs stated she is not quite sure where the Sub-committee is supposed to go with this at this point and what they are being asked to do. The Sub-committee did not get to see any changes to the

plan or items that were not presented and she is not sure where DEDAB or the Sub-committee comes in. She recommended talking to Mr. Mayes when he returns to see if he wants to bring someone else back in to discuss this and determine if this is an appropriate project to be working on or should it go somewhere else.

Member Cerrato recommended Mr. Marcus and his group focus an initial feasibility of the entire project regardless of the location. Once the project is shown to be feasible then there will be a potential interest in people to support it. He stated he does not believe “they have gotten over that first hurdle yet.” If the project is shown to be feasible for this City, then a location can be decided. He is not ruling out anything the developers are hoping for but if they want support from the City they have to show that this is going to be feasible because it will always cost the City some money. He asked are there public/private partnerships available out there for this project and stated “if you cannot really tap into Orlando you will have to look locally.” Member Cerrato stated if the whole project is not feasible the location is irrelevant and it would be a good focus to show the Sub-committee this is a feasible project.

Vice Chairperson Peacock replied that is being developed to a point but would like to get some feedback from the City and stated if the owner does not want to sell the property maybe the City can step in and “flex some muscle.”

Mr. Paradise stated the question before this board is not a permitting matter and the permitting challenges are enormous. Wetlands, lacustrine systems i.e. lakes are heavily regulated. Independent of any permitting the construction costs of bringing in fill, stem walling and altering the location would certainly cast doubt on the feasibility. He stated the task in for this Sub-committee is to look at the feasibility, what it could mean for the economic condition of the community and look at other experiences both good and bad of other local governments. The cities financial contributions are going to be very conservative and the developers are looking toward this Sub-committee for some financial guidance and wondered if the proponents on this project are looking for the City or DEDAB to run interference for the extreme permitting challenges facing them. Vice Chairperson Peacock answered no and maybe she miscommunicated. She stated the information is still getting congealed and is available at [www.perform-arts.com](http://www.perform-arts.com). There will be more information as it becomes available. Studies with the other performing arts centers still have to be done. The project is on hold until they get positive reinforcement from the City and are hesitating to move forward with the feasibility study from the real estate consulting company, Charles Johnson. The E Sciences work has been done which is the wetlands information and mitigation. Mr. Paradise stated he thinks the question here is: is a Performing Arts Center something that is feasible in the City? Vice Chairperson Peacock replied that information will come from the other performing art facilities and she still needs to get that information.

Member Alexander referred to page seven (7) of the last meeting and read Mr. Mayes stated the Commission asked DEDAB to look at whether a Performing Arts/Historical facility is feasible, not just this project by Mr. Marcus. Where would the facility be located, how much would it cost and who would run it? Mr. Mayes explained the Sub-committee can look at multiple sites within the City, who is going to run it and will it be on private land or on City owned land. He stated the Sub-committee did discuss what the focus is.

Vice Chairperson Peacock replied this group is not looking at a lot of different property. The foundation work has been done with certain things in mind. This particular group would like a very visible location.

Chairperson Boggs stated it is not this Sub-committee’s job to determine the feasibility. If this group wants to move forward they already have some positive feedback from the City in the fact the City asked this Sub-committee to consider the feasibility. There are a lot of questions and we are working on getting answered. She stated some of the answers can come from the developers and some from third party

sources. For the developers to move forward and spend some money on those feasibility studies she stated she does not know if they will get any more positive reinforcement than what they already have. Vice Chairperson Peacock replied the developers are just not at the stage moving forward to invest the money there because they are in the process of getting other information first. She was real surprised on the issue of the hotel and stated “why was this not mentioned because that is big.”

Member Cerrato commented he would still like to see someone from the News-Journal Center because that is an example of the direction to look at with a public, private partnership. Get some background from them because we have Bethune-Cookman and Daytona State is here. They are up and operational and would be a good resource.

Vice Chairperson Peacock replied Chad had said he does not feel that facility is a good comparison but referred her to a gentleman at the Ocean Center. She will contact him to be a guest speaker. The gentleman from Tampa that has done a recent feasibility study can provide some additional information and the Newberry South Carolina Center will provide information when they are done with their brochure.

Member Cerrato stated it is up to the Sub-committee but he would still like to see somebody from the News-Journal Center. Chairperson Boggs stated it would be a good comparison so that when the Sub-committee makes a recommendation, they have looked at all angles. Member Cerrato stated it is a local resource. Vice Chairperson Peacock asked if she should have Chad come over and Member Cerrato replied that Mr. Mayes could check out who would be appropriate for the Sub-committee’s purposes. Chairperson Boggs recommended that Vice Chairperson Peacock get the information to Mr. Mayes.

Member Alexander recommended the person who developed the center not just the person running the center but someone who has been through the hurdles of the land, the retention, developing the whole thing. Vice Chairperson Peacock replied that would be the people from Newberry and the feasibility study from Tampa. Member Alexander stated he would like to know the hurdles, financing and some of the roadblocks they came up against and funding is part of that.

Member Cerrato asked if there were any local developers involved and how would that information be obtained. Member Alexander replied it is public record through the county.

Chairperson Boggs stated we have quite a bit more questions to the list and will see those in the minutes.

## **8. NEW BUSINESS:**

### **A. Discuss potential speaker for September’s meeting.**

Chairperson Boggs stated the new business is to find someone related whether a developer or someone with a local performing art center to come in for September’s meeting and will talk with Mr. Mayes to get that arranged. She recommended someone coming in to discuss the Sunshine Law since there are a lot of new members and she asked Mr. Paradise to give a 30 second overview. Mr. Paradise replied he is not an attorney and stated as he understands the Sunshine Law “anything you say and do in the context of these meetings needs to happen out in public in the sunshine, at the meetings.” He summarized that members cannot talk about items at the meetings, like the Performance Arts Center idea between two of you or elected officials. Member Armstrong asked that is between the members, correct? Mr. Paradise agreed. A report and a recommendation will be issued on various topics and will go through the DEDAB process. You can talk about fishing, weather, NASCAR but you cannot talk about official business outside of these meetings. Be conservative, be careful and he stated “I would be reluctant to send email to your fellow committee members. That has been a reoccurring source of consternation for the City Attorney’s

office.” If you want to talk to about something on the agenda, talk about it now, here, do not do it anywhere else. If you need information or want to talk about ideas outside of this forum that is what Mr. Mayes is for. Do not expect Mr. Mayes or any other staff member to test the temperature of another committee member. This can be a breach of the Sunshine Law because a staff member cannot serve as a conduit from one committee member to another. You can contact me if you have questions on permitting or land development regulation. Vice Chairperson Peacock asked if she had questions on permitting she could come to Mr. Paradise with that. Mr. Paradise replied yes, that is what we are here for. Vice Chairperson Peacock stated that Mr. Mayes has simplified it by saying everything would go through him.

Member Cerrato stated when replying to something for this meeting do not reply all just reply directly to Mr. Mayes. Anything placed in an email is public record so anything Sub-committee related should go through Mr. Mayes. Mr. Paradise replied that is sound advice. It is very easy to be inconsistent with the Sunshine Law by the stroke of a keyboard and hitting reply all. It is an innocent mistake but has potential to compromise the whole discussion and hard work you have done from a moment of inattention. He asked is it right? That is debatable. Member Cerrato replied that is irrelevant, the law is the law. Mr. Paradise stated that is his understanding of the Sunshine Law and if you stick those rules you should not have problems and you cannot use other people out in public as such as talking to your mom and expect her to talk to Joe. Chairperson Boggs stated the rule she applies, is if the recorder is not on, she does not talk about anything in this group.

**9. PUBLIC AND PUBLIC SECTOR PARTICIPANT’S CONTRIBUTIONS. None**  
(Four minute limit)

Chairperson Boggs asked if Mr. Kizer had any questions and Mr. Kizer replied no.

**10. MEMBER COMMENTS:**

Member Kesler stated he had nothing to add and was trying to listen today.

Vice Chairperson Peacock commented information will be compiled at [www.performing-arts.com](http://www.performing-arts.com) and a little information is there now. Everyone involved in this group has a connection or passion for the arts and they are active with other committees and groups. She stated they are not just doing a job for a company and some are donating their time.

Member Alexander stated he had no additional comments.

Member Armstrong commented she had no additional comments.

Member Cerrato wanted to thank everyone for coming and stated there is no question on members of the group’s passion.

Chairperson Boggs stated she had no additional comments.

**11. NOTICE OF THE NEXT MEETING DATE AND TIME:**

Next meeting will be Friday, September 12, 2014 at 3:30 p.m. in the 2<sup>nd</sup> Floor Conference Room.

**12. ADJOURNMENT:**

**Motion was made by Member Armstrong, seconded by Vice Chairperson Peacock to adjourn the meeting.**

**Motion carried with members present voting unanimously.**

Meeting adjourned at 4:32 p.m.

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**Tanya Boggs, Chairperson**

**ATTEST:**

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**Sandi Jackson, Administrative Assistant II**