

**Joint Meeting
City of Crestview City Council
Okaloosa County Board of County Commissioners**

**February 13, 2018
2:00 PM
Warriors Hall**

The Joint Meeting of the Crestview City Council and the Okaloosa County Board of County Commissioners was called to order by Commissioner Graham Fountain at 2:00 PM. City Council Members present were: President J.B. Whitten, Vice President Bill Cox, Joe Blocker, Shannon Hayes, and Doug Faircloth. Board of County Commissioners present were Chairman Graham Fountain, Vice-Chairman Kelly Windes, Nathan Boyles, Trey Goodwin and Carolyn Ketchel. Also present were the honorable Mayor David Cadle, County Administrator John Hofstad, Crestview CRA Director Alisa Burleson, City Attorney Bill Holley, CRA Attorney Carole Leone, County Attorney Greg Stewart, Crestview City Clerk Elizabeth Roy, Okaloosa County Clerk of Court J D Peacock II, Assistant County Administrator Kay Godwin, and members of the Press.

Joint Meeting

I. Call to Order/Invocation/Pledge - Okaloosa BCC Chairman Graham Fountain

The Meeting was called to order by BCC Chairman Graham Fountain. Invocation was delivered by Clerk of Court JD Peacock II, who also led the Pledge of Allegiance.

II. Introductory Comments – Mayor David Cadle & Chairman Graham Fountain

Commissioner Fountain opened the meeting with comments about the purpose of the meeting. He commented that the meeting was being held to discuss the Crestview Community Redevelopment Agency (CRA) and we need to make sure that the two bodies work together to keep the progress moving forward in the North end of the County. Mayor Cadle echoed the sentiment that the groups need to work together. He expressed appreciation for the work that the County is doing in the north end regarding the P J Adams Parkway and the Courthouse.

III. Designation of Mayor David Cadle as Moderating Official

Commissioner Fountain stated since Mayor David Cadle is a non-voting member of the City Council, he would like to appoint Mayor Cadle as the moderator. He asked if any member of the joint boards had any objections. Hearing none, he then stated that Mayor David Cadle would be the moderating official for the meeting. He then turned the meeting over to the Mayor.

IV. Statement of Okaloosa County

Mayor Cadle opened the session by stating he hoped this body could reach an agreement on the Crestview CRA that would be amenable to both sides. He then called on County Administrator John Hofstad for the statement from Okaloosa County.

Mr. Hofstad thanked the Boards, and stated that the BCC was committed to working with the City of Crestview for the betterment of the City and the County. He stated that the County has and is investing approximately \$60 million dollars for the improvement of the Downtown area. Improvements include the New Courthouse, the Brackin Building, the joint project of the Piggly Wiggly property, and the most recent purchase of the Drive Through area to the rear of the Brackin Building. He emphasized that the County is committed to working with the City for the betterment of the entire City, not just the downtown area, i.e. the Tax Increment Financing (TIF) district that was established in the north end of the County, and Triumph projects.

Regarding the CRA, Mr. Hofstad stated that the BCC has discussed representation on the CRA board and the term extension that was presented by the CRA. The extension exceeds the extensions that were granted to other local municipalities. The feedback from the Board to Mr. Hofstad on the extension was that it be consistent with other municipalities and the County has some sort of representation to the CRA Board. He has met with representatives from the CRA and feels they are open to some sort of compromise on these issues.

V. Statement of City of Crestview

Mayor Cadle then called on JB Whitten, Council President, for the statement from the City.

Mr. Whitten stated the negotiations today are to ensure the continuation of the work of the Crestview Community Redevelopment Agency (CRA). He asked that the boards concentrate on the current state of the CRA, not the past as has been done both publicly and privately. He stated the City and the CRA board have worked in the last two years to create a Master Plan that shows the desire to redevelop the downtown district. He also stated the City has hired a CRA director, a CRA attorney, an advertising and marketing firm, and a company to develop the Master Plan that is being discussed today.

He discussed the contributions that the CRA has made to aid in the development of the Piggly Wiggly property, totaling approximately \$100,000. Also, the CRA advanced the Public Services \$100,000 in advance of the receipt of Florida Recreation Development Assistance Program (FRDAP) grant funds, for improvements in the Parks located in the CRA district. He stated several other projects that are currently under review by the CRA, or in process for the improvement of the CRA district. He stated he feels that these accomplishments are not being recognized, and that the personnel and infrastructure is in place to accomplish these goals, but 7 years is not long enough for these improvements and others to come to fruition.

VI. General Discussion Among Parties

Mayor Cadle then asked for any discussion from Council members or Commissioners.

Nathan Boyles, County Commissioner, spoke first. Mr. Boyles echoed the sentiment that the partnership between the City and the County is deep and unique. He feels, as the commissioner whose district encompasses a majority of the CRA district, that the County has and continues to make substantial financial contributions to the District, the most obvious is the building of the new Courthouse, and the efforts that were made to keep the Courthouse in Downtown Crestview.

He stated he feels it is important to look at past performance, to be able to look forward. He feels there has been a period of stall, where the CRA has not accomplished any progress. The progress has not kept pace with the rest of the City and the County with the increase in property values. He then compared the 2015 Master Plan with the current Master Plan. He then stated he does want the District to succeed, but wants to increase the partnership with the County by extending the time, and allowing the County to have representation on the CRA board.

Shannon Hayes, City Council Member spoke next. Mr. Hayes stated that he thinks the proposal that has been presented by the County is reasonable, and he has no objection to having a County representative on the CRA board. He would prefer, however, that the 10-year time frame for extension be increased to 15 years. He stated the past was in the past and the current CRA Commissioners are committed to moving forward.

Mayor Cadle then asked Mr. Hofstad if the proposal to have a County Commissioner member on the CRA board would be a voting position or an advisory position. Mr. Hofstad stated that based on the feedback he received it would be a voting position.

Mr. Hayes then asked the CRA attorney to address the question about a County Commissioner being a voting member of a City CRA. Ms. Carole Leone, CRA Attorney, stated the Florida Statute regarding redevelopment agencies does allow a current sitting county commissioner from a taxing agency that contributes to the CRA, to serve on the CRA board, so long as there is an agreement between the two agencies. The logistics would have to be worked out between the agencies regarding the size of the CRA board.

Mr. Fountain then asked Ms. Leone about the statute regarding the size of the CRA board. Ms. Leone stated you can have a maximum of 9.

Mr. Ben Holley, City of Crestview attorney, then stated he feels the current City Council is more invested in the CRA as board members than any board he worked with in the past when he was the CRA attorney.

Mr. Bill Cox, City Council member, addressed the Piggly Wiggly Project. He has concerns about the latest plans for the parking lot and his concerns are the decreasing number of parking spaces due to design changes. He stated consideration of a County commissioner to be a CRA board member is showing a lack of confidence in the CRA board and the City Council. He asked it not be considered.

Mr. Boyles stated that the parking lot plan was presented to the City Council in advance of it being presented to the BCC to solicit feedback from the City Council. He is committed to working with the City to develop the lot. Also, the purchase of the drive thru behind the Brackin building will be advancing the number of parking spaces downtown. He also stated he does have confidence in this Council, as well as the current County Commission.

Mr. Holley discussed the previous County Commissions regarding the courthouse.

Mr. Boyles spoke regarding Mr. Holley's comments.

Mr. Joe Blocker, City Council member, gave background about conversations with City Council members outside Okaloosa County in regards to a County Commissioner on the CRA board. They stated they would not recommend it. He feels that any member of the CRA Board should be a City resident. He also stated that the downtown area needs all the parking spaces that can be developed. He feels the County and the City need to work together to keep the CRA on track, but does not support a County Commissioner being on the Board.

Mayor Cadle reminded the boards that the bathroom discussion on the Piggly Wiggly lot came about during a discussion of the homeless downtown.

Mr. Fountain, stated that he is getting questions about the Piggly Wiggly parking lot, and he admitted he was confused about the project. He also stated that the homeless issue is a real problem downtown, especially regarding panhandling.

Mr. Hayes stated he feels that this is not the discussion that is on the table and suggests that that item be moved to the end or to another meeting.

Mr. Kelly Windes, County Commissioner, stated the City of Destin did extend their CRA 10 years with the cooperation of the north County commissioners. He agrees with the 15-year extension that was proposed by Mr. Hayes and the presence of a County Commissioner on the Board.

Ms. Carolyn Ketchel, County Commissioner, stated she agrees with the 15-year extension, but was concerned, after clarification from Mr. Windes, about putting a Commissioner on the City of Crestview CRA board, when one was not put on the Destin Board.

Mr. Windes stated he agrees with the appointment as making the difference with the Destin CRA only being extended 10 years.

Mr. Whitten stated he is concerned that the Crestview CRA is the only one in Okaloosa County being told they need to have a County Commissioner on the board. It seems to demonstrate a lack of confidence in the Crestview CRA.

Mr. Windes asked if Mr. Whitten is aware that the north County Commissioner has done a lot for Crestview, regarding transportation and other issues.

Mr. Whitten stated he does not deny the partnership, but is still concerned that the County is saying the other CRA's don't need a County Commissioner on the Board, but Crestview does.

Mr. Boyles stated that he feels since Crestview is the County Seat, and the Courthouse and Administrative buildings are in the CRA district, they have invested in the CRA where other offices have pulled out. The County has chosen to invest in the CRA district in Crestview, where they have not invested in the CRA districts of Destin or Ft. Walton Beach.

Mr. Faircloth, City Council Member, questioned the reasons for the businesses moving out. Did it really have anything to do with the CRA, with the need to expand, or that the businesses failed. Mr. Faircloth stated that the County is investing in the CRA district because they need it for the County business. He then began to discuss the issues within the CRA that have caused it to move more slowly than the CRA board would have liked. He feels regulation and changes in the CRA have caused some of the issues and not the lack of efforts by the CRA Board.

Mr. Fountain mentioned that Tallahassee politics concerning CRA's are one of the reasons for increasing oversight by the County. He feels Destin and Ft. Walton Beach are different as they spend money quickly. He feels that going more than 10 years could cause issues in the future with the other CRAs in the County. He also feels that County participation would help with the State issues with the CRA.

Mr. Windes stated he agrees with the 15 years for the City because of the growth potential and he is not worried about having to defend the decision to the other Cities.

Mr. Trey Goodwin, County Commissioner, stated he has concerns about adding a County Commissioner to the CRA board. He related this to the feelings that the Counties and Cities have about the State and Home Rule. He stated that some may feel that this action by the County is the same. He wants to be a partner, not a babysitter. He feels there is a way to work together without having a voting member on the Board.

Mr. Whitten suggested the two issues be separated and see if a consensus could be reached on the time element, as it seems to have more support.

Mr. Boyles stated he feels that the window for extension may be closing by actions from the State.

Mr. Faircloth brought up that the City is working on an Ordinance to deal with dilapidated buildings. Mayor Cadle stated that this was not a part of the discussion for today.

Ms. Ketchel agrees that the two issues need to be divided.

Mr. Whitten asked that Mr. Boyles clarify his position on the two issues being divided. Mr. Boyles stated that he feels that the CRA should try something different, even if it is for a short time.

Ms. Ketchel stated she doesn't agree that the issues should be married, and would like to make a motion to extend the CRA 15 years if that is the procedure that needs to be used.

Mayor Cadle asked if a vote needs to be taken. It was determined that a vote would not be binding and a consensus would suffice until the separate Boards meet to vote.

Mayor Cadle asked for a consensus for a 15-year extension. All agreed except for Mr. Cox.

Ms. Ketchel asked that the representation be the next item for consensus. He asked how many are in favor. Consensus was 5-5 with Mr. Blocker, Ms. Ketchel, Mr. Cox, Mr. Goodwin and Mr. Whitten not in favor.

Mr. Boyles stated that the City would have the authority to determine the structure of the CRA board regarding the number of members.

Mayor Cadle asked if it would now go back to each governing body for an official vote.

Mr. Greg Stewart, County Attorney, stated that the request for extension would have to be resubmitted to the BCC. Ms. Leone stated that the City Council would have to approve the amended plan.

Mr. Hayes stated that the County representative would have to be a County Commissioner. He then suggested that a County representative would save time on issues going back to the County for vote. He suggested that the City have the ability to ask the County to replace their representatives.

Mr. Cox brought the number of spaces on the parking lot back to the floor. Mr. Boyles stated that the parking lot plan was done to meet some of the Master Plan elements.

Mr. Boyles then asked if the City intended to give back the unlawfully retained monies that are currently being held by the CRA.

Mr. Cox stated he thought he still had the floor. He asked about the expansion of the CRA. Mr. Whitten stated he started a task force to look at this after the Master Plan was in place. It hasn't been done, but as CRA/Council President he has the authority to form the task force.

Mrs. Ketchel stated she did not want to be considered for the CRA board.

Mr. Fountain stated that one item has a consensus, and the other had a tie. We need to have a plan moving forward. We need to leave here with two items to take back to the Crestview City Council and the Board of County Commissioners.

Mr. Boyles stated that he agrees with Mr. Hayes that the CRA/City Council be able to have a method to replace a County Commissioner as a member.

Ms. Leone stated she was taken aback by Mr. Boyles' statement about getting their money back, and takes exception to the comments. She feels his statement about the use of the funds in a certain time frame is an interpretation of the Statutes regarding the completion of the projects. She stated she feels the CRA is responding to the request for a shortened time frame, that they are moving forward, and comments like "getting their money back" are inappropriate. She stated even if we leave today with an agreement on 15 years and a County Commissioner on the Board, what assurances does the City have that the County is not going to turn around and want its money back? She doesn't hear those assurances. If the County should choose this course there would be problems, such as statute of limitations, bad faith, sovereign immunity, and frankly thinks the County would lose.

Mr. Boyles stated his remarks did not mean to convey that intent and the County would not be coming after the City, but wants to work with the City for the use of the trust fund dollars going forward.

Mr. Goodwin stated he feels that after listening to the meeting today, he could support appointing someone to an ex officio position with the Crestview CRA.

Ms. Alisa Burlison, CRA director, stated that when she started she was really excited about working with the County. Now her interpretation of Mr. Boyles comments is the only way the CRA can move forward is if the County has a representative. She asked if it was true that the CRA could not get cooperation from the County without someone on the Board?

Mr. Fountain asked if there is any interest in having an ex officio member from the County?

Mr. Hayes stated he would support an ex officio member.

Mr. Blocker stated he would support an ex officio member.

Elizabeth Roy, City Clerk, stated that a change in the number of members would take a change in the City Ordinance establishing the CRA board membership.

Mr. Stewart suggested that the change be made to allow for that expansion. The City can make the change to allow for an ex officio member when adopting the Master Plan.

Ms. Leone suggested an interlocal agreement to provide for the changes. Mr. Stewart agreed.

Mr. Faircloth asked if that would be a decision of the CRA board. Ms. Leone said it would be done by the City Council as the governing body of the CRA.

Ms. Ketchel told the council that Mr. Boyles would more than likely be the ex officio member and they need to make sure they agree with that choice.

Mayor Cadle asked for those in agreement with the ex officio position raise their hands. The consensus was unanimous.

Mr. Fountain thanked the Mayor for mediating the meeting. The Mayor feels both groups are committed to doing what is best for the City.

Ms. Ketchel stated she feels when the new Courthouse opens, there is going to be a resurgence in the Downtown District.

Mr. Hayes suggested that we do more of these meetings.

VII. Comments from the Audience

Mayor Cadle asked if there were any comments from the audience. No comments were provided.

VIII. Adjournment

Mayor Cadle thanked everyone for their participation and adjourned the meeting at 3:36 PM.

For the City



JB Whitten, Council President


Elizabeth Roy, City Clerk

3/12/2018

For the County


Graham Fountain, Commission Chairman


JD Reacock II, Clerk of Courts