

Community Redevelopment Agency

*City Hall
200 East University Avenue
Gainesville, Florida 32601*

Meeting Agenda

September 18, 2006

3:00 PM

City Hall Auditorium

*Jack Donovan (Chair)
Scherwin Henry (Vice-Chair)
Ed Braddy (Member)
Rick Bryant (Member)
Pegeen Hanrahan (Member)
Craig Lowe (Member)
Jeanna Mastrodicasa (Member)*

Persons with disabilities who require assistance to participate in this meeting are requested to notify the Office of Equal Opportunity at 334-5051 or call the TDD phone line at 334-2069 at least 48 hours in advance.

CALL TO ORDER**ROLL CALL****ADOPTION OF THE CONSENT AGENDA****SECRETARY CONSENT****060492. Community Redevelopment Agency (CRA) Minutes (B)****RECOMMENDATION**

The CRA approve the minutes of August 21, 2006, as circulated.

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EXECUTIVE DIRECTOR CONSENT**060484. Second Amendment to Contract with Asset Property Disposition, Inc (B)**

Explanation: APD, Inc. has been a crucial part of the Model Block program and the Northwest 5th Avenue Corridor work in the Fifth Avenue/Pleasant Street Redevelopment Area. APD, Inc. was responsible to bring both the National Trust for Historic Preservation and Freddie Mac to the Model Block project, as well as developing key strategies for property acquisitions and redevelopment activities. The CRA has, in the past, considered APD, Inc. a specified source because of its expertise in this field and staff continues to designate APD as a specified source in this area. APD, Inc. has over 25 years experience in developing projects similar to those planned in the FAPS district.

The current scope includes continued support for the Model Block project, but also shifts the focus of APD, Inc.'s work. On the Fifth Avenue Model Block, APD, Inc. will facilitate the development of vacant lots through marketing materials and bid packages. On the Pleasant Street Model Block, APD, Inc. will work closely with CRA staff on the construction and sale of properties. On the Northwest Fifth Avenue Commercial Corridor, APD, Inc. will refine the site plan, acquire site control, and recommend an incentive package to offer prospective developers and retailers.

The total cost for this amendment is \$8,500.

Fiscal Note: The total cost for this amendment is \$8,500. \$3,000 can be allocated from the Model Block Project Account and \$5,500 can be allocated from the Northwest Fifth Avenue Streetscape account.

RECOMMENDATION

Executive Director to the CRA: Recommend approval of the second amendment of contract with Asset

Property Disposition, Inc. for a not to exceed amount of \$8,500 and recommend extension of the agreement for six months, to March 30, 2006.

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060485. Amendment of Contract with Jay Reeves and Associates (B)

Explanation: The CRA entered into an agreement with Jay Reeves and Associates for services related to the Model Block project. These services include rehab services under the Supplemental Agreement and new construction services under the second Supplemental Agreement. The timeframe for the work under the contract has been longer than anticipated and the contract needs to be extended in order for the work to be completed.

At present, two of the historic homes have completed construction and two additional historic homes will soon begin construction. As the CRA has moved forward in completing construction of these homes the amount of time needed for construction observation has increased, and there has been a need to amend the construction plans. In addition, fees for services have been increased. In order to address these changes, the contract is requested to be amended to increase the maximum fees for construction observation services for the remaining rehabs (Site C and D) to \$4,000 per site, which is an increase of \$2,800 from the original agreement.

Fiscal Note: The amount for construction observation services is requested to be increased by \$2,800 from the Model Block Account.

RECOMMENDATION

Executive Director to the CRA: Recommend the amendment of the Model Block Contract, the Supplemental Agreement, and the second Supplemental Agreement with Jay Reeves and Associates, under the same terms and conditions as the original contract, to reflect the new fees and additional \$2,800 for construction observation services.

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060486. Extension of Contract with Zamia Designs for Eastside Gateway Feature (B)

Explanation: The CRA previously retained the landscape architecture services of Zamia Designs to provide conceptual services for the Eastside Gateway feature. Zamia Designs completed the obligations under their initial contract by developing concepts for the Eastside Redevelopment Advisory Board and presenting the recommended option to the CRA. The CRA has made suggestions on the initial proposal for the Gateway feature, and staff would like to proceed with refining the concept with Zamia Designs, the Eastside Redevelopment Advisory Board and the CRA. In order to continue this process

staff is requesting the CRA to extend the contract with Zamia Designs for a period of one year beginning June 1, 2006 and allocate a not to exceed amount of \$4,000 for continued refinement of the concept and final approval of the CRA.

Fiscal Note: The contract amount is requested to be a not to exceed amount of \$4,000. The CRA has budgeted \$90,342 in the Tackle Box Account.

RECOMMENDATION

Executive Director to the CRA: Recommend approval of extension of the contract with Zamia Designs for one year beginning June 1, 2006 to provide final refinement of the Eastside Gateway feature at a not to exceed amount of \$4,000.

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060488.

Second Contract Extension for Janitorial Services in the Downtown Area (B)

Explanation: The CRA has a contract with EC's cleaning to provide exterior janitorial services in the downtown area after the clubs close and the daytime businesses open several evenings a week. These services include trash pick up, cleaning up waste from sidewalks, and cleaning the Plaza bathrooms over the weekend. The contract expires on September 30, 2006 and allows for the CRA to renegotiate and renew the contract for one additional period of one year. EC's Cleaning Services has agreed to renew the contract with a 3% increase in the cost, increasing the contract from \$33,900 per year to \$34,917 per year. This is \$1,017 more than the CRA has budgeted for Downtown Maintenance for FY 06-07, but sufficient funds are available in the Downtown Maintenance account for the increase.

Fiscal Note: The CRA has budgeted \$33,000 for Downtown Maintenance in FY 06-07. The remaining \$1,017 can be allocated from the Downtown Maintenance account.

RECOMMENDATION

Executive Director to the CRA: Recommend approval of the extension of the contract with EC's Cleaning Services for one year to provide downtown maintenance at a not to exceed price of \$34,917 and 2) fund the additional \$1,017 from the Downtown Maintenance account.

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060489.

Update on Redevelopment Projects and Development Agreements (NB)

Explanation: Staff has been asked to provide an update on several redevelopment projects and development agreements under review.

University Corners- Staff has met with the developer who will be submitting an application in September for an amendment to the University Corners PUD and PD, requesting 470 units including up to 243 condo-tel units, eliminating the

underground garage, adding parking on the roof deck behind a parapet wall, and making a few other adjustments to the PD layout plan. The façade would remain unchanged. An application and proforma proposal will be submitted to the CRA for review and approval of these changes before processing the development agreement.

Hampton Inn/Lot 9 - The development agreement was provided to the developer and staff is awaiting comments from the developer.

Jefferson on Second - The developer is preparing an initial proposed development agreement based on previous agreements, for review by the CRA Attorney and Staff.

Gainesville Greens -The development agreement will likely be executed by the date of the CRA meeting.

University House on 13th Street - A draft development agreement is in review by staff. The letter of intent to provide improvements to the A. Quinn Jones school recreational areas was approved by the School Board in August; a formal agreement is in development.

Depot Park Area Master Plan - Staff is revising the scope and reissuing the RFP with price as a factor and with a not to exceed limit, as the initial proposals came in higher than budgeted.

Downtown Competitive Façade Grant Program - Following approval by the CRA in June, a new, competitive façade grant program to aid Downtown commercial storefronts was launched. The new program aims to focus the grants on high visibility corridors such as University Avenue and Main Street. Two grants of up to \$10,000 each will be offered to applicants. Applications were due in July, and the CRA received four applications. The Downtown Redevelopment Advisory Board selected the Chestnut Building as the first grant recipient and will select the final grant recipient at the September Downtown Redevelopment Advisory Board meeting. The successful grant applicants will be recognized at a public meeting of the City Commission upon successful completion of their projects.

Eastside Redevelopment Area Expansion - The Eastside Community Redevelopment Plan was adopted by the City Commission on August 28, 2006. The second and final reading of the Ordinance expanding the boundaries of the Eastside Community Redevelopment Area has been scheduled for September 11, 2006.

Eastside Gateway - Staff is currently obtaining an estimate from Water and Air Research to prepare a site assessment to determine options for the overall scope of the cleanup needed, the potential remedial actions, and the likelihood of disruption if the CRA proceeds with developing the entry feature in advance of taking remedial action. The scope of this work will be brought to the Eastside Redevelopment Advisory Board in September and the CRA in October. Following clarification from the site assessment, the Eastside Redevelopment

Advisory Board will discuss the gateway feature and staff will bring back a revised design reflecting the comments of the CRA and Eastside Redevelopment Advisory Board.

East University Avenue Medians - FDOT Beautification funds may be available to fund these improvements, but they will not be available this year. Public Works staff is working on obtaining an interlocal agreement to secure repayment of these funds if the CRA proceeds to fund the improvements earlier.

Lanier Parking Management Contract - CRA staff has not proceeded with the contract for Lanier Parking Management due to the fact that the Public Works Department is hiring a consultant to do comparable work.

Lot 13 Solid Waste Project - Waste Management will be continuing to provide service to the dumpsters on Lot 10 until the compactor at Lot 13 is constructed when Gainesville Greens begins development. CRA staff is working with Public Works as they begin designing the new compactor for Lot 13.

Model Block Project Update- The second Model Block House, Site B, located at 408 NW 4th Avenue is now complete and a ribbon cutting ceremony was held on August 3, and an Open House was held on August 19 and 20. Bids for Site B are due by September 25, 2006 at 1 PM. The minimum bid is \$158,000. The contract with Carter Construction for Site D is in the process of being finalized.

Northwest 5th Avenue Streetscape- Bid documents are being processed by the Public Works Department.

Northwest 5th Avenue Tot Lot - The Gainesville Housing Authority has agreed to return this lot to the City so improvements can be made. CRA and Parks and Recreation staff will meet with the Fifth Avenue/Pleasant Street Advisory Board on September 26 to discuss a plan to improve the tot lot.

Responsible Hospitality Partnership - CRA staff assisted the steering committee with an alcohol awareness weekend for UF and Santa Fe students at Lowe's.

RFP for Real Estate Services - The RFP for Real Estate Services is being reissued due to not receiving sufficient responses.

Seminary Lane - Staff has submitted a letter to the Gainesville Housing Authority offering our assistance in preparing an RFP for the redevelopment of Seminary Lane, per the CRA's discussion last month.

SFCC Houses - On September 5, 2006 the Historic Preservation Board approved the CRA's request, acting as agent for Santa Fe Community College, to move the houses located at 502 and 508 NW 4th Avenue, and to demolish later additions to the house prior to moving the houses to their new location at 414 Northwest 5th Avenue. The houses will be later rehabilitated and sold for homeownership through the CRA's Model Block Program.

Sorority Woods Feasibility Study - The results of the study and request for

easement are in the process of being submitted to the University of Florida for review and approval.

St. Augustine's Church Parking Lot - Staff has submitted a letter offering our assistance in preparing an RFP for the redevelopment of St. Augustine's parking lot, per the CRA's discussion last month.

SW 5th Avenue Triangle - The bid documents are being processed through the Public Work's department. A Call to Artists has been issued through the Art in Public Places Trust.

SW 7th Avenue Improvements - design is underway by consultant and once drafted will be reviewed by the CPUH Advisory Board.

SW 8th Avenue Streetscape - CRA staff is working with Public Works on obtaining estimates for design services to complete the plans for SW 8th Avenue, and will bring the request to the CRA in October.

Tumblin Creek Watershed Management Plan -- At the July 5 College Park/University Heights Redevelopment Advisory Board meeting the Board reviewed the draft Tumblin Creek Watershed Management Plan report. This important planning document outlines the stormwater issues and opportunities in the area and provides the Advisory Board with options to consider funding to address stormwater issues in the area. Stormwater is among the biggest infrastructure concerns in the College Park/University Heights Redevelopment Area, and affects further redevelopment of the area. The College Park/University Heights Redevelopment Advisory Board will continue their review of the Master Plan at their October meeting. After reviewing and discussing the report the College Park/University Heights Redevelopment Advisory Board will submit recommendations to the Community Redevelopment Agency.

Fiscal Note: None at this time

RECOMMENDATION

Executive Director to the CRA: Receive the monthly update from staff.

ADVISORY BOARDS/COMMITTEES CONSENT

END OF THE CONSENT AGENDA

ADOPTION OF THE REGULAR AGENDA

SECRETARY

EXECUTIVE DIRECTOR

060358. Eastside Banner Proposal Update (NB)

Explanation: At last month's meeting during the review of the University of Florida banner proposal it was requested that staff research if it was feasible to place University of Florida commemorative banners on the Eastside, on Waldo Road near the University of Florida's Eastside campus or on East University Avenue.

Staff has discussed this issue with GRU, and banners do not appear to be feasible on Waldo Road near the University of Florida's Eastside campus, because the poles along Northeast Waldo Road are set back from the street 40 to 50 feet on the east side and are behind the trees. In addition, there are very few poles on the west side and no banner brackets on any of the poles. This is not a suitable location for banners.

East University Avenue has also been determined to likely not be a suitable location for banners at this time because the poles along East University Avenue are near the street but do not have any banner brackets and will have some potential clearance problems with communications lines. Banners could only be placed if brackets are installed where there are no conflicts with communications.

GRU staff has recommended the CRA consider a lighting project along Northeast Waldo Road in the future. New lighting fixtures could accommodate a future banner project. In addition, the CRA may consider funding a lighting project on University Avenue, continuing installation of the Renaissance light fixtures that can also better accommodate banners as well as improve the aesthetics of the corridor.

Fiscal Note: None.

RECOMMENDATION

Executive Director to the CRA: Receive the report from staff.

Legislative History

8/21/06	Community Redevelopment Agency	Approved as shown above (See Motion) (6 - 0 - 1 Absent)
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060490. Transformational Incentive Program Changes (B)

Explanation: The CRA has requested that the Transformational Projects Incentive Program be reviewed. Due to the number of issues that need to be discussed, staff has proposed dividing discussion of this program into two parts: first, a discussion of changes to the mechanics of the program, and second, a discussion of the financial formula for the program, the maximum financial participation, at the October CRA meeting.

At this time, the CRA has received three Transformational Projects Incentive Program applications. Three applications have been approved, one in the

College Park/University Heights Redevelopment Area (University Corners) one in the Downtown Redevelopment Area (Jefferson on Second, and one in the Fifth Avenue/Pleasant Street Redevelopment Area (University House on 13th Street).

The Transformational Projects Incentive Program was created to help move key sites into redevelopment. These sites, located in various CRA areas, many of which were challenging for a variety of reasons, including difficult land assembly, environmental issues, and complex infrastructure or parking needs. The program is structured to explain to developers what the CRA expects and desires from redevelopment projects and to help quantify for the CRA which projects merited incentives.

The program lists specific redevelopment goals that projects must meet and provides a point system to evaluate the level of incentives for which the developer can qualify. Each Advisory Board created a unique points system for their area that focused on the issues they believe are key to redevelopment. The program also lists the types of public infrastructure, design, and land assembly expenses for which the CRA will reimburse the developer.

Over the past few years the CRA has moved to providing only back end incentives for projects. These incentives are paid for from the tax increment generated by the project, rather than having the CRA participate in projects by incurring debt. Since the CRA's ability to borrow is limited and the increment is not large enough to provide front-end infrastructure for projects, this strategy is the only way the CRA can participate in projects.

Over time, other CRAs have moved to back end incentives for the same reasons. Similar programs exist in Orlando, Ft. Myers, and Daytona Beach. The most current Development Agreement form is based on a model from Orlando and prior Gainesville CRA agreements. The push to increase residential units in the urban core is seen statewide. Significant residential density is required to support the type of urban environment Gainesville is seeking, and incentives for residential development are often key to getting the units built.

In addition to providing incentives through the Transformational Projects Incentive Program, the CRA provides incentives in the College Park/University Heights, Eastside and Fifth Avenue/Pleasant Street Areas through the Redevelopment Incentive Program. Awards under this program are limited by the amount equal to 100% of the tax increment revenues generated by the project for up to 5 years, or 50% of the tax increment revenues generated by the project for up to 10 years, or 25% of the tax increment revenues generated by the project for up to 20 years. The College Park/University Heights Redevelopment Incentive Program has received the most applications for incentives under this program, receiving thirteen applications since the program was created. However, each application is independently evaluated to ensure that the project would not be feasible if not for the incentives provided for the CRA. As a result of these evaluations, five of the thirteen applications for incentives have been rejected at the staff level for failure to meet that requirement. A spreadsheet outlining all of the incentive requests granted over

the past ten years has been included in the backup.

When the Transformational Projects Incentive Program was originally created, the program anticipated projects in the \$40 to \$50 million range. This range is significantly higher than anything that has ever been built in the CRA. That University Corners was the first application to the program led to the following results. First, it has redefined what “transformational” means, and the projects originally anticipated by the program pale in comparison to the \$187 million University Corners project. This comparison is unfortunate because the CRA would benefit from the development of a number of \$40 to \$50 million projects throughout the four CRA areas. This type of redevelopment would be easier for the market to absorb and be more reflective of a solid growth pattern. University Corners will be a great addition to Gainesville, and there may be a market for more of this type of redevelopment, but it is not the standard for all future development in the CRA.

CRA staff has been working to make recommendations for modification of the program based on previous feedback from the CRA and staff’s experience in working with the program. Staff would like to discuss the issue of the maximum financial participation in incentives at the October CRA meeting, in order to provide a number of options. Staff has provided a number of recommendations for discussion this month, and recommends the following be considered for modification:

- 1. Establish a non-refundable application fee – Some communities require that the developer provide an outside review of their project as part of their application. At present, the CRA hires a firm to review the projects and the review can run between \$10,000-\$15,000. Staff recommends that the CRA continue to hire its own consultant to review projects rather than require the developer to provide the review, but does believe that a non-refundable application fee should be charged to help cover the cost. The establishment of an application fee of \$15,000 per project would also help insure that the developer works closely with staff to be sure the application is complete and meets all the criteria before submittal.*
- 2. Modification of the program by area –Staff recommends that the CRA consider limiting the Transformational Projects Incentive Program in the College Park/University Heights Redevelopment Area to the following development types: 1) Technology/health care and related developments within the City’s Innovation Zone; 2) Hotel-conference center and 3) mixed use projects including these components. Staff further recommends that projects of any type be considered in the following locations: 1) projects within the College Park/University Heights Expansion Area; 2) projects on University Avenue between 6th Street and 13th Street; 3) projects on Southwest 2nd Avenue; 4) projects on Depot Avenue and 5) projects on 13th Street between University Avenue and 7th Avenue. In the Downtown Redevelopment Area, staff recommends that the CRA not limit the program until the first project has been built, after which, the program can be considered for amendment. In the Fifth Avenue/Pleasant Street and Eastside Areas staff recommends that no changes to the program be made. This will provide generous incentives in these two redevelopment areas where projects are needed comparatively more.*

3. *Clarification of the items for which developers receive points – Staff recommends that the items for which developers receive points be clarified to make them more straightforward. This clarification should help developers understand exactly what is expected if the points are claimed. As an example, tying into the City’s Stormwater Park is not a creative stormwater solution.*
4. *Changes to the Points System – Staff recommends that the points system be referred back to the Advisory Boards for review. College Park/University Heights has discussed several additions they would like to consider for inclusion based on the updated Redevelopment Plan, such as providing incentives for technology/health care development. The CRA may also wish to make amendments to the points system independent of the Advisory Board recommendations. Staff proposes also considering adding points for green building, affordable or moderate housing (where appropriate, and energy conservation. The point value of certain items could be adjusted and the level to meet the threshold for qualifying for incentives could be raised.*
5. *Clarification of the role of the “but for” gap in formulating the incentive amount – There is an opportunity to clarify the overall concept so that it becomes clearer that the “but for” gap in the project is at the heart of the incentive; that the CRA will reimburse the developer for specific eligible types of costs up to the value of the “but for” gap. The program should also clarify the net present value concept and make it clear that the program may cover the gap early if the increment generated by the project is higher than anticipated or may never cover the gap if the increment is lower than anticipated. This is how the concept is currently described in the development agreements.*
6. *Introduction of design guidelines – The CRA could establish design guidelines for the program that would help to define the desired features in future projects. These guidelines could include desired façade materials, architectural features, mass, scale and building rhythm or the CRA could require the developer to meet a general design value statement.*
7. *Authorization for staff to decline an application – If an application does not appear complete, does not meet the criteria, requests more funding than it is eligible for, or from the consultant’s report does not meet the “but for” test, staff requests authorization to decline the application without bringing it forward to the CRA. Staff, including the Executive Director, Community Development Director, the Finance Director, the CRA Attorney, and the CRA Manager would review the application, consultant’s report, and other materials and would determine if the application should move forward. This should help clarify to developers that the program’s parameters are firm.*
8. *Applications previously submitted and approved may be modified under the terms of the original program as it existed when the original application was submitted, provided further that the modification application is submitted within two years of the original application.*
9. *Use of increment payments to make repairs – The CRA could ensure that if those items the CRA has provided incentives for fall into disrepair the CRA can use annual increment payments to make repairs as needed.*
10. *Require review of the application by the appropriate Redevelopment Advisory Board prior to referral to the CRA.*
11. *The CRA Attorney has recommended the CRA consider limiting or prohibiting contact between applicants and the Community Redevelopment Agency and Advisory Board members outside of public meetings. This is*

because each of the three transformational projects, which have applied to the CRA for TIF reimbursement, have involved matters that require the City Commission to take action in a quasi-judicial hearing. Discussion of such matters outside that quasi-judicial hearing, i.e. during closed door presentations by a developer or staff to CRA members regarding the merits of a CRA transformational application, could be considered *ex parte* communications regarding the judicial matter. Such discussions would then, of course, need to be fully disclosed, months later, at the quasi-judicial hearing to avoid any due process violations. Further, if the only presentation to both the CRA and the applicable advisory board is at public meetings, then the CRA can be more assured it will be basing its decision on the same record that formed the basis for the advisory board's recommendation.

Following the discussion of the maximum financial participation of the CRA at the September CRA meeting and once the CRA has determined which changes it would like to implement, staff will prepare a draft of the program for review by the Advisory Boards and return it to the CRA with their recommendations. Staff recommends that applications be reviewed under the current program if submitted prior to changes being implemented.

Fiscal Note: The program provides funds only from a portion of the taxes generated by development projects, paid in future years as that project tax increment is generated.

RECOMMENDATION

Executive Director to the CRA: Recommend the CRA establish a non-refundable application fee of \$15,000 and direct staff to work with the Advisory Boards to make recommendations for the following changes to the Transformational Projects Incentive Program: 1) authorize staff to decline an application; 2) modification of the program by area; 3) clarify the items for which the developer receives points; 4) review possible changes to the points system; 5) clarify the role of the "but for" gap in formulating the incentive amount; 6) consider the introduction of design guidelines or a value statement regarding design; 7) applications previously submitted and approved may be modified under the terms of the original program as it existed when the original application was submitted, provided further that the modification application is submitted within two years of the original application; 8) allow the use of increment payments to make repairs; and 9) require review of the application by the appropriate Redevelopment Advisory Board.

CRA Attorney to the CRA: Recommend the CRA limit or prohibit contact between applicants and the Community Redevelopment Agency and Advisory Board members outside of public meetings.

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CRA ATTORNEY

REPORTS FROM ADVISORY BOARDS/COMMITTEES

College Park/University Heights Redevelopment Advisory Board

Downtown Redevelopment Advisory Board

060487. Downtown Redevelopment Advisory Board Recommendations regarding Homeless Services and the Downtown Plaza Sleep Out (NB)

Explanation: At the August 27, 2006 Downtown Redevelopment Advisory Board meeting the Advisory Board discussed concerns with the upcoming sleep out planned for the plaza and the concentration of homeless services. The Downtown Redevelopment Advisory Board discussed the impact of these issues on downtown, including difficulty attracting and retaining new businesses and patrons. The Downtown Redevelopment Advisory Board recommended the CRA recommend the City Commission not approve the upcoming sleep out on the plaza and that homeless services currently provided in the downtown area be spread out throughout the city in accordance with the City's Comprehensive Plan.

Fiscal Note: None

RECOMMENDATION

Downtown Redevelopment Advisory Board to the CRA: Recommend the City Commission 1) not approve the upcoming sleep out on the plaza and 2) spread out the homeless services currently provided in the downtown area throughout the city in accordance with the City's Comprehensive Plan.

Executive Director to the CRA: Forward the recommendation of the Downtown Redevelopment Advisory Board to the City Commission.

Fifth Avenue/Pleasant Street Redevelopment Advisory Board

Eastside Redevelopment Advisory Board

MEMBER COMMENT

CITIZEN COMMENT

NEW BUSINESS

NEXT MEETING DATE

ADJOURNMENT