



Downtown Improvement Board
Regular Monthly Meeting
Thursday, Dec. 20, 2018
7:30am

AGENDA

- I. Call to Order
 - a. Comments from the Chairwoman
- II. Recurring Agenda
 - a. Meeting was properly noticed
 - b. * Approval of the proposed meeting agenda for December 20, 2018
 - c. * Approval of the minutes from the regular meeting of the DIB held on November 27, 2018
- III. On-Going Business
 - a. LTU/MOU Loitering letter to Mayor Robinson and City Council
 - b. * 403(b) Plan revisions
 - c. * Jefferson Street Alley Makeover
 - d. * StreetPlus – Cleaning Ambassador program
 - e. Jan light turn-off and removal plan
- IV. Parking
 - a. * Parking Consent Agenda
 - b. Passport Transition update
- V. Finance
 - a. Audit Presentation
 - b. Finance Consent Agenda
 - c. Treasurer's Report
 - d. * DIB – November Financials
 - e. * DPMD – November Financials



VI. Marketing Report

- a. Dec. Marketing Report

VII. New Business

- a. *Executive Landscaping contract extension
- b. PensaLocal Award

VIII. Hold Items

- a. Downtown Pensacola Alliance – pending IRS approval
- b. Parking Interlocal Agreement Modification – on hold from Nov. 2018
- c. Interlocal Agreement Plan for 2020 - on hold until after meeting with CRA

IX. Public Comment

X. Adjournment

Next meeting – January 22, 2019

(*) = approval item

MINUTES OF THE DOWNTOWN IMPROVEMENT BOARD

Regular Monthly Meeting
Tuesday, November 27, 2018, 7:30 a.m.

Attendance:

Chairwoman Deedee Davis, Members John Peacock, Teri Levin, Michael Carro,
Charlie Switzer, Commissioner Doug Underhill, *Ex Officio*
Lissa Dees, Executive Director

Call to Order:

- a. Chairwoman Davis called the meeting to order at 7:30 a.m.

Recurring Agenda:

- a. Exec. Dir. Dees confirmed that the meeting was properly noticed.
- b. There was a motion and a second to approve the November 27, 2018, meeting agenda with one addition (discussion concerning consent agenda plan). The motion carried unanimously.
- c. There was a motion and a second to accept the minutes from the regular meeting of the DIB held October 9, 2018. The motion carried unanimously.

Ongoing Business:

- a. Interlocal Agreement Plan for 2020
 1. Ms. Dees met with Mayor Elect Robinson and CRA's Helen Gibson and discussed DIB goals. Ms. Gibson asked to meet again in March to discuss DIB's role in partnering with CRA.
 2. Member Peacock suggested that DIB needs to be formalizing a plan that will document and memorialize how DIB intends to utilize its funds, i.e., for cleanliness, infrastructure, lighting, safety, in order to have solid footing before October of 2020 when the existing interlocal agreement expires.
- b. LEAP trash cans update
 1. The trash cans have all been installed except a few that need new concrete pads. Ms. Dees received several concerns from merchants about the design of the trash cans, and asked Ms. Gibson if going forward we can have more of a conversation about what the merchants need before capital decisions of that nature are made.
- c. FCLF – Installation
 1. DIB was reimbursed \$76,953 from Visit Pensacola and \$91,000 from the City, leaving a deficit of \$32,182 for the First City Lights installation.
 2. Member Peacock made a motion to approve the payment of the deficit by DIB. Motion seconded by Member Levin and carried unanimously.
- d. LTU/MOU loitering
 1. Member Peacock recommended that that DIB, via a letter from the Chair, encourage the City to contact Michael Kahn, from Melbourne, Florida, who wrote an ordinance that has withstood the test of time and all other challenges, and has left the City of

St. Augustine with apparently no issues at all. His contract was for approximately \$35,000.

2. Member Carro made a motion that the Chair send a letter to Mayor Elect Robinson, and pending that conversation, allow up to \$35,000 to investigate hiring this consultant. The motion was seconded by Member Peacock.
3. Commissioner Underhill would like the opportunity to review the material and consider taking it before the Board of County Commissioners to be a partner in hiring Mr. Kahn. The County should be able to cover one-third of the cost and Commissioner Underhill will do so out of his discretionary fund if need be.
4. Member Carro clarified his motion to state DIB will not spend any money before the proposal is reviewed at the next meeting. The motion carried unanimously.

Parking:

- a. Parking Consent Agenda
 1. Member Peacock requested that in the future, big expenditure items be highlighted so that the board can easily see what they are.
 2. Member Peacock moved for approval of the consent agenda (minus the plan). Motion seconded by Member Levin and carried unanimously.
- b. Parking Interlocal Agreement Modification Reconsideration
 1. Exec. Dir. Dees recommended that parking dollars remain where they are until the parking infrastructure is determined.
- c. Parking Consent Agenda Plan
 1. Member Peacock emphasized that the thought process discussed in the parking committee was that DIB staff spend a few months gathering data as the first point.
 2. Exec. Dir. Dees asked that staff be given three months to compile this data because there is a lot of transition going on within the DIB and with parking.
 3. After some discussion, Chairwoman Davis iterated that staff will be allowed through the end of March to collect data and then go back to the parking committee as we begin to formulate a plan.

Finance:

- a. DIB Financials - Approval
 1. Exec. Dir. Dees presented the treasurer's report for September and October.
 2. Member Switzer moved for approval, seconded by Member Levin. The motion carried unanimously.
 3. Member Switzer wishes to publicly thank John Hodgden, Adam Cobb, and Mambwe Mutanuka for their service.
- b. DPMD Financials – Approval
 1. Exec. Dir. Dees presented the treasurer's report for September and October.
 2. Member Peacock moved for approval, seconded by Member Switzer. The motion carried unanimously.
- c. Audit – update
 1. Exec. Dir. Dees advised that as of yesterday the audit was 91 percent complete.
- d. Finance Consent Agenda – Approval
 1. Member Switzer moved to approve the finance consent agenda. The motion was seconded by Member Levin and carried unanimously.

Marketing Report:

1. Freddie Haydn-Slater, of IdeaWorks, presented the November marketing report.

New Business:

- a. December meeting date
 1. The DIB board will meet next month on Thursday, December 20, 2018, at 7:30 a.m.
- b. 403(b) Plan revisions - vote
 1. Exec. Dir. Dees requested that the plan be modified to require a 90-day probationary period before participating and the contribution of a matching share.
 2. This matter will be tabled until the next meeting to allow review of information by the members.
- c. 2019 Employee Handbook update - vote
 1. Exec. Dir. Dees requested that the board allow her the flexibility to manage staff without the necessity of asking for board recommendations.
 2. Member Carro made the motion that Ms. Dees be allowed to have the authority to make those calls regarding the employees if it is vetted, if necessary, with Mr. Stebbins and approved by the Chair. The motion was seconded by Member Peacock and carried unanimously.
 3. Ms. Dees will provide a redline copy of the proposed changes in the employee handbook to the board members.
- d. Jefferson Street Alley makeover – vote
 1. Exec. Dir. Dees presented a plan to expend the unused funds from economic development and arts and culture to reengage Jefferson Street alleyways into art projects and community spaces; and asked the board to allocate \$30,000 to be spent as phase one of this project.
 2. Member Switzer said that Ms. Dees should have gotten input from the owners and merchants before approaching the board. Member Peacock encouraged Ms. Dees to meet with every board member in the future before asking for a vote on such a large expenditure.
 3. Chairwoman Davis asked Ms. Dees to send all the board members the two proposals she received as well as the specifics and the potential associated with the two plans, so the board can take definite action.
- e. StreetPlus – vote
 1. Ms. Melea Solheim, of StreetPlus, presented a proposal to the board for DIB to enter a contract for street maintenance at a cost of \$159,391 annually for three years.
 2. Chairwoman Davis asked for suggestions from the board as to the direction to take as far as approval, or not, of the plan and implementation.
 3. After much discussion, Member Carro moved to approve StreetPlus for a three-year agreement with a 60-day termination clause. There was no second.
 4. Ms. Dees will provide all the data she has to the board members and the matter will be tabled until next month.
- f. Pensalocal Award
 1. Frank and Jane Taylor were the recipients of November's Pensalocal Award for their contribution to the downtown restaurant business and community involvement.

- g. Commissioner Underhill brought two matters to the board's attention: 1) The county is entertaining a proposal for a fieldhouse facility at the site of Old Stinky and DIB's interests and equities need to be addressed; 2) Power Boat Nationals is considering bringing an in-shore, high-speed boat race event to Pensacola. Comm. Underhill would like for someone to provide him a point of contact on the city side so that he can make that introduction.

Hold Items:

- a. Downtown Pensacola Alliance is still on hold.

Public Comment:

Public input was heard from Ms. Dottie Dubuisson.

Adjournment:

The meeting was adjourned at 9:20 a.m.



December 20, 2018

Hon. Grover Robinson
Mayor
City of Pensacola
222 West Main Street
Pensacola, Florida 32502

Hon. Lumon May
Chairman
Board of County Commissioners
221 Palafox Place
Pensacola, Florida 32502

RE: Proposed Partnership for Legal Services to Establish a Panhandling Ordinance in
Downtown Pensacola

Dear Mayor Robinson and Chairman May:

I am writing to you on behalf of the Board of Directors of the Pensacola Downtown Improvement Board, who voted on December 20, 2018 to propose to the City of Pensacola and the County of Escambia County that we enter into a partnership with the Pensacola Downtown Improvement Board to hire attorney Michael Khan of Melbourne, Florida to create a panhandling ordinance. From the research conducted by the Pensacola Downtown Improvement Board, Mr. Kahn, has been very successful in the City of St. Augustine, Florida in creating such an ordinance that has withstood judicial scrutiny.

As you may know, there has been an alarming and consistent increase in the amount of soliciting, begging and panhandling, along the streets, in the parks, along the sidewalks and by storefronts in Downtown Pensacola, which adversely impacts tourism and economic development.

Downtown Pensacola is an essential part of the overall Pensacola tourism experience. Additionally, the City of Pensacola and the Pensacola Downtown Improvement Board look to expand the economic base of the City by not only maintaining the established businesses of Downtown Pensacola but also attracting new investment to encourage and continue quality development in Downtown Pensacola. Therefore, the DIB believes the implementation of an enforceable panhandling ordinance is vital to providing a safe, pleasant, family friendly environment for all those who own businesses, work, live, dine, shop and otherwise enjoy Downtown Pensacola.

As you can see from the attached resume, Mr. Khan has been practicing more than 41 years and has extensive experience on First Amendment issues, including the drafting of panhandling, street vendor and street performer ordinances. The Pensacola Downtown Improvement Board expects that he could assist in the implementation of an effective panhandling ordinance in Downtown Pensacola on behalf of the City of Pensacola, Escambia County, and the Pensacola Downtown Improvement Board.

I am enclosing Mr. Khan's proposed retainer agreement for preparing and implementing a panhandling ordinance. The Pensacola Downtown Improvement Board would propose that the City of Pensacola, Escambia County, and the Pensacola Downtown Improvement Board evenly split the fees and costs to engage Mr. Khan for this project.

Again, recognizing the importance of the overall tourism experience and the economic development of Downtown Pensacola, the Pensacola Downtown Improvement Board asks that the City of Pensacola and Escambia County consider partnering with the Pensacola Downtown Improvement Board to engage Mr. Khan to create and implement a panhandling ordinance that effectively addresses the problems of soliciting, begging and panhandling in Downtown Pensacola.

Thank you for your consideration.

Sincerely,

Dee Dee Davis
Chairwoman
Pensacola Downtown Improvement Board

Enclosures

cc: [List All Members of the City Council]
[List All Members of the BCC]
[List All Members of the DIB]
[List Administrators for the City, the County & the DIB]
[List General Counsels for the City, the County & the DIB]

DIB/DPMD Retirement Plan

The DIB/DPMD is a not-for-profit organization and is exempt from paying Social Security taxes. A typical employer is usually subject to 7.65% Social Security Tax on each employee's salary. A typical employee is also subject to 7.65% Social Security Tax on their salary.

In lieu of paying 7.65% of the employee's salary to Social Security, the DIB/DPMD currently pays this amount directly into the retirement account of the employee.

Current Pertinent Details

Type of Retirement Plan: 403B; defined benefit plan

Eligibility Requirements: Employees are currently eligible for retirement benefits immediately upon hiring.

Employer Match/Contribution: Employer currently makes a mandatory contribution of 7.65% of employee salary upon eligibility. No employee participation is required for this benefit.

Proposed Changes

Type of Plan: 403B; defined contribution plan

Eligibility Requirements / SECTION 4-1 & 4-2: Employees will be eligible for retirement benefits after 6-months or 500 working hours. Employee enrollment to the plan will be done on the 1st working day of each quarter for eligible employees.

Employer Match/Contribution SECTION 6-2: Employer will match contributions dollar-for-dollar, up to 7.65% of employee salary upon eligibility. Employees must elect to participate in the plan. Employee participation is not mandatory.

Reason for change: Eligibility Requirements

To increase employee retention and maintain long-term employment. Employees must complete probationary period prior to becoming eligible for retirement benefits.

Reason for change: Employer Match/Contribution

To encourage employees to actively participate in the plan. If employees participate to the maximum limits of the plan, money that would otherwise go to Social Security will be a direct retirement asset of the employee. Employees also have the option to opt out of the plan altogether.

Project – Jefferson Alley / Romana Street

- Project Goal – remove commercial blight, improve aesthetics, enhance safety through activation of ‘dead’ space, beautify with art.
- Budget – Phase 1 = \$30,000.00
- Budget derived from – DIB 2018/19 Budget line item 5027 – Economic Development – annual budget of \$61,000.00
- Service Providers Solicited - Executive Landscaping, Michael Wolf, A Cut Above
- Service Providers Responded – Executive Landscaping & Michael Wolf
- Staff Recommendations – Executive Landscaping, which provided options for total reconfiguration of the space to include: plants, planters, seating, fans, lighting and pergolas to mimic improvements made by The Wine Bar in the alley and on Romana Street the landscaping to be cohesive with Southtown landscaping for a budget of \$30,000.00. Mr. Wolf proposed expending \$21,898.50 of budget on installing Tremron Park Plaza Concrete Pavers with fewer plants and public upgrades for a budget of \$36,816.50.
- Timeline – construction timelines vary depending on selection of landscape architecture. *Approximate* construction timeline 30-90 days.
- Maintenance – plants selected were discussed in depth with both companies to ensure minimal maintenance and heartiness for area. Daily maintenance and cleaning of the area will be included in DIB Cleaning Ambassador scope of work to include weed abatement and general landscaping. Additional DIB Economic Development funds can be allocated in future years to expand project and include any replanting necessary to keep the space fresh and inviting.

Notes: DIB will partner with businesses benefiting from the activation of the space with increased outdoor seating space for customers or event space to sponsor additional portions of the project such as seating, planters, trash receptacles, bike racks, public art, etc...

Project – Hospitality Ambassador Program

- Project Goal – improve the appearance, safety and hospitality of the DIB district.
- Budget – \$165,560
- Budget derived from – DIB & DPMD 2018/19 Budget:
 1. DIB line item 5000 Ambassador Program = \$122,060
 2. DIB line item 5022 –Repair and Maintenance (pressure washing) = \$7,500
 3. DPMD line item 50-28 Street / Landscaping Improvements = \$36,000
- Service Providers Solicited – Block by Block, StreetPlus, & Pathways for Change
- Service Providers Quotes:
 1. Block by Block – 1st quote \$393,133 – 2nd adjusted quote - \$188,360 (inclusive)
 2. StreetPlus – quote \$159,391 (inclusive)
 3. Pathways – quote \$21 per hour – (exclusive) DIB to provide management, tools, uniforms, supplies and capital equipment. *Note: sidewalk pressure washing not included.*
- Staff Recommendations – StreetPlus covered all areas of management, training, cleaning, safety, hospitality and reporting for least amount of money. Hire local employees. Been cleaning the streets of New York City and over 60 districts nationwide for more than 25 years.
- Timeline – 30-day implementation to allow for proper hiring of local personnel, training and purchase and branding of uniforms and equipment with DIB logo.