MINUTES
JOINT SPECIAL MEETING
COMMUNITY REDEVELOPMENT AGENCY
BOARD OF DIRECTORS (CRA BOARD)
AND
HARBOR CRA ADVISORY COMMITTEE
JUNE 13, 2018
ANNEX COUNCIL CHAMBERS
5:30 PM

The CRA Board and the Harbor CRA Advisory Committee met in a joint special session with the following members and staff present:

Destin Community Redevelopment Agency

Board Chairman Parker Destin
Boardmember Cyron Marler
Boardmember Tuffy Dixon
Boardmember Skip Overdier
Boardmember Prebble Ramswell
Boardmember Chatham Morgan
Boardmember Rodney Braden

Harbor CRA Advisory Committee

Committee Chairman Mike Buckingham
Committee member Casey Jones
Committee member Jim Green
Committee member Mike Raim
Committee member Jan Best
Committee member Sandy Trammell

City of Destin Staff

CRA Executive Director Carisse LeJeune
Deputy CRA Executive Director Steve Schmidt
Community Development Director Jennifer Bryla
Parks & Recreation Director Lance Johnson
City Clerk Rey Bailey
Finance Director Bragg Farmer
City Engineer David Campbell
City Attorney Jeff Burns

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

CRA Board Chairman Parker Destin called the meeting to order at 5:30 p.m. on Wednesday, June 13, 2018. He called for a moment of silence followed by the Pledge of Allegiance.

APPOINTMENT OF CRA BOARD CHAIR AND VICE-CHAIR

CRA Boardmember Morgan moved to set aside the order of the day for the purpose of appointing a new CRA Board chair and vice-chair; seconded by Boardmember Ramswell. Motion passed 7-0.

Boardmember Ramswell to re-appoint Boardmember Destin as the CRA Board Chairman; seconded by Boardmember Overdier.

Boardmember Morgan moved to appoint Boardmember Dixon as the Vice-Chairman of the CRA Board; seconded by Boardmember Ramswell.

At this time, Chairman Destin asked if any member of the public would like to comment on the above motions.

Seeing none, he called for a vote on the motions, which passed 7-0.

NEW BUSINESS

A) Capt. Royal Melvin Heritage Park and Plaza

1. Tetra Tech, Inc. presentation of Heritage Park Planning and Design

The City Engineer stated that Tetra Tech, Inc. has been working on the Heritage Park plans for about 10 years, starting with the original concept. He then called upon the firm's representative, Mr. Michael Bomar, to make the presentation.

Mr. Bomar discussed the following information:

- ➢ The City purchased the Melvin parcel and committed to the preparation of the harbor redevelopment plan in 2006
    - ❖ City policy makers and the Harbor CRA Advisory Committee felt the improvements could be better than what was considered the boardwalk at the time and the need to correct some of the drainage issues within the 400 acre Harbor CRA
    - ❖ Tetra Tech was hired to provide a plan to the City that had the community consensus as well as the policy makers consensus
    - ❖ Tetra Tech set forth looking at a variety of things within the plan:
        - Pedestrian access down to the water
        - Improving the east/west corridor along the waterfront – boardwalk improvements
        - Mountain Drive improvements
        - Two gateway features – Marler Bridge and the Melvin parcel
            - o Melvin parcel is 70' wide and about 280' long
            - o Melvin parcel is recognized to be the gateway of any euro-pedestrian park from Harbor Blvd. down to the waters
        - Harbor plan was prepared and the master plan was developed specific to the Melvin parcel which shows pedestrian access to and from the boardwalk, and from the north end to the south end; with the connection to the east/west boardwalk
    - ❖ Plan was adopted by the CRA Board. Tetra Tech was asked to refine the very broad design and develop a conceptual design
        - Initial conceptual design
            - o A pedestrian plaza from Harbor Blvd with landscaping on the side
            - o A splash pad or children recreational area in the middle of the park

    - A connection to the boardwalk
    - Design included cutting the corner of each adjacent parcel (southwest and southeast corners) to try to make a more attractive plaza for the public – create a bigger gathering area

- ❖ Acceptance of the grant from the State of Florida drove a more refined and revised conceptual designs to incorporate State requirements
    - Included similar design from Harbor Blvd. to the water. No longer include the southeast corners of the adjacent parcels; staying within the east and west property lines
    - Rendering from Harbor Blvd. with landscaping from each side and a pedestrian plaza gateway to the water
    - Takes into account State requirement to include restroom facility structure
    - Preserving the trees along the east side of the parcel
- ❖ Approval of the CRA Board to move forward with the 30% percent and 60% site plans
    - 60% site plan a little more refined than the 30% site plan
- ❖ Next step (2017) was to prepare the 90% complete design based on existing conditions
    - Same idea but a little more detailed
    - A more detailed restroom facility
    - Includes landscaping and grading along the edges

Mr. Campbell noted that the City had just finalized their submittal for the Restore Act funding a week ago; and that a final application was submitted to the federal government for their approval to receive the construction funding for the project.

The Executive Director Carisse LeJeune stated that the City has been working with Okaloosa County's Grant Coordinator Jane Evans refining the submittal for the Restore Act funding; adding it was accepted on June 7th by the Department of Treasury and is now under final review.

Boardmember Braden asked what application the County was submitting to obtain the money for the City.

Ms. LeJeune explained the funding process for the park. She stated that the County can only be the recipient of the federal dollars and that the City is considered a sub-recipient. She continued they have gone through the entire process, they have been pre-approved by the Department of the Treasury and approved by the Board of Okaloosa County Commissioners twice. The County Grant Coordinator had informed the City of the information they needed to include as part of their application to the Department of the Treasury. The City provided all the required information to the County, and that on June 7th, the County as the recipient of the fund, submitted the City's grant application to the Department of Treasury.

According to Boardmember Braden, since the County submitted the application to the Department of Treasury over a month ago, it should have already been approved.

Ms. LeJeune explained that the County's initial submittal was returned because it did not quite meet the federal requirement guidelines contained in CFR-200, which is procurement driven. The County had to rewrite their procurement manual to meet the federal requirement guidelines for CFR-200. The federal government subsequently approved the County's revised procurement manual which gave the County the go-ahead to resubmit the application.

At this time, Chairman Destin announced he would allow newly appointed Vice-Chairman of the Board Dixon to preside over the rest of the meeting as he has a personal conflict over the issue at hand because of his relation to one of the litigants with regards to the park itself.

Mr. Campbell noted that pending further direction from the CRA Board and the City Council, the City would still need to go through a development order review process with the Community Development Department. Once a development order is obtained, they could move forward with the construction documents, coordinate with Tetra Tech and put the project down for competitive bidding.

At this time, Vice-Chairman Dixon asked the members of the Harbor CRA Advisory Committee, the CRA Board and City staff to discuss their areas of concern regarding this project.

Committee Chairman Buckingham stated that the advisory committee has had some questions over the design of the park for over 2 years. They have asked to see the plan, but it has been a slow process getting the plan back to the committee. They have some concerns about the elevations, bathroom location, parking and removal of trees. When they received the plan they noticed that the parking was on the Destin Fishing Fleet's property and not on the park property. Staff had said they previously asked the committee for their recommendation to not require parking on the park at all; but, it was their understanding part of the grant requirement was to have parking on site.

Mr. Buckingham also noted that Council's direction was not to remove the bluff. He also stated the elevations were not what they have seen at the beginning. The design showed a big walkway that goes down to the water and no place to enjoy the park on the way down. There was also some concern about the bandstand not facing south and the bathroom location at the bottom of the hill with the lift station. The committee felt it would be better to put the bathroom at the top of the hill and let gravity takes over. He added that the committee voted in January 2018 to have staff conveys these concerns to the CRA Board.

Vice-Chairman Dixon pointed out the City has some outstanding obligations with both the east and west property owners. He asked if the committee had made some recommendations on how they could fulfill these obligations.

Committee Chairman Buckingham noed that the committee has recommended they reach out to property owners on both sides and bring them in to try to come up with a viable solution for both parties.

Vice-Chairman Dixon stated this may not happen any time soon as they are currently under litigations. He also stated he has been approached by people who were concerned about cutting down the bluff. He asked if stairs with a switchback is a feasible solution and if they could work them into the design.

Mr. Bomar stated they would be able to accommodate it if directed by the City.

Committee Chairman Buckingham commented that that saving the bluff would save a lot of the trees. He also stated that relocating the restrooms to the top of the hill could save a lot of money depending on the proposed design for the lift station.

According to Mr. Bomar, the idea of having the restrooms at their current location is it is where they would have the most used from people along the boardwalk.

Committee member Trammell addressed the issue regarding the location of the bandstand. She stated they recommend designing the bandstand not directly facing the dock because there had been a lot of complaints from residents of Holiday Isle that the noise level emanating from the north of the harbor to the south of the harbor was very disturbing. She added that a solution may be to angle the direction the amplifiers are facing because the noise is really coming from the amplifiers.

There were some discussions regarding parking.

Vice-Chairman Dixon mentioned that the City Council has discussed the possibility of eliminating handicapped parking on the south side of Harbor Blvd; and that it did not receive much support from the majority of the Council.

Boardmember Morgan stated the handicapped parking was not presented to the Board as being helpful to the park; but, it was a solution to the parking problem and it would keep them in compliance with State requirements.

Deputy CRA Executive Director Steve Smith stated there are no requirements from the Florida Communities Trust (FCT) to put parking on the park site; adding it is strictly a City of Destin code requirement. He continued this was communicated to the Harbor CRA Advisory Committee at the October 2017 meeting when they were asked to basically opined to the idea of eliminating parking in pedestrian parks.

Boardmember Morgan stated that since it is solely a pedestrian park, he does not see the need to have parking especially if it is not required by the FCT. He also noted that staff was given direction to not remove handicapped parking from the south side of US Hwy 98 and to revise the code to not require handicapped parking in City parks.

Ms. LeJeune stated that the Community Development Director is working on this issue, and that they plan to bring the ordinance back for Council consideration in the very near future.

Vice-Chairman Dixon stated he seems to remember some members of the Council not wanting handicapped people crossing the busy highway.

Committee member Best asked what implications changing the park design would have on the $2.3 million State grant and the restrictive covenants

Mr. Campbell stated that the State has put no time frame on the construction of the park; and that they could change the design as long as they stay within the restrictive covenants for the FCT grant.

Committee member Best stated the committee requested a list of the restrictive covenants so they could effectively do their job, but staff has not provided that list.

Mr. Campbell noted that the presentation he gave to both the CRA Board and the Harbor CRA Advisory Committee included a list of the pertinent restrictive covenants; but, he would provide the advisory committee a copy of the covenants and restrictions document.

Vice-Chairman Dixon stated that staff has told them several times in the past they could lose the grant money if they do not take certain actions. He asked which grant staff was referring to.

According to Ms. LeJeune, to do a major redesign at this time could render the project no longer shovel ready; and that it could jeopardize the Restore Act funding for the construction of the park.

Vice-Chairman Dixon asked Mr. Bomar if any of the issues they have discussed so far tonight was a major issue and a major change in the design of the park

Mr. Bomar stated that other than moving the restroom, none of the other issues – i.e., switch back, pedestrian access, regrading – would result in a major redesign.

Committee member Best mentioned that at the time of the sale of this property; there were 15 parking spaces that were supposed to be designated for this park. She inquired as to the status of those parking spaces.

Committee member Trammell noted it was not in the provision of the sale that the City designates 15 parking spaces.

Committee member Best noted one of the grant requirements was to have a kayak launch. She asked if they could lose the grant if they do not have a kayak launch since they do not own the riparian rights.

Mr. Schmidt replied that the City has sufficient riparian rights with the park to put in a kayak launch. He also stated the City controls 3 boat slips; and that attaching a kayak launch to the boardwalk is not going to affect their riparian rights.

Committee member Green noted that Mr. Campbell's presentation to the committee in January included the 90% plan that had the elevation drawing, a view of the park from the south looking north, a birds eye view that gave the topography of the map in relation to the properties adjacent to it, the walkway that was 8 or 9 feet below where the bluff was and a list of the covenants and restrictions. He also stated that Mr. Campbell spoke of the project being shelved for a long time; and that the construction grant is getting close to being approved, but that there is still a chance this plan could be changed and even completely redesigned.

Committee member Green also spoke of the committee's concerns about the bathroom, moving the sidewalk to save the 100-year old Oak Trees, the water main that run under those trees, handicapped parking, and the bluff. He continued they have been asking to see the plans for over a year but they did not see it again until January 2018. He further stated that the advisory committee's review of the plan should not stop at 60%. They should be able to review and offer changes to the 90% plan; adding this is part of their work plan and it is important they get it right.

Committee member Jones stated that he has a business on the harbor and there are restrooms above his place of business and people do not travel uphill to use those restrooms. They stay down and use the restrooms on his property instead. He continued he is adamant about not changing the location of these restrooms.

Boardmember Braden commented there have always been threats of losing the grant money if they do not do certain things during the 5 years he has been a member of the City Council and CRA Board. He also noted that Mr. Bomar's presentation seemed to indicate the plan has changed 3 different times.

Mr. Bomar explained that the changes in scope occurred once the grant was executed between the City and State because it brought in the requirements of the covenants. Then there was a change to incorporate such things as the restrooms. Since then there had not been any items they would consider scope changes from the design standpoint. There was a series of public workshops, public meetings, Harbor CRA Advisory committee meetings and CRA workshops that went into developing the management plan. The park was just one element of that plan. Mountain Drive, the boardwalk, other gateway features at the end of the bridge, improving pedestrian access, and providing on-street parking were also part of the plan. He added they had 4 number one priorities out of the master plan – Mountain Drive, boardwalk, Heritage Park and parking.

Boardmember Braden asked what the 3 change orders were in the design of the Heritage Park.

Mr. Bomar noted there had only been one that they would consider a change order, and that was to change the plan to meet the State requirements for the grant. He continued there had been multiple work orders for the design preparation.

Boardmember Braden mentioned a change order #1 for $14,900.00, a change order #2 for $4900.00 and a change order #3 for $7400.00.

Mr. Campbell stated he could not speak as to the exact documents Mr. Braden was referencing; however, there had been some costs associated with getting an archeological review of the site, doing the permitting for moving the water line, and adding an arborist to the team.

Boardmember Braden asked if they could avoid cutting the bluff out and finding some other way, such as having the switchback, to make the pedestrian walkway ADA compliant.

Mr. Bomar stated that keeping the bluff and having the switchback would make the pedestrian walkway ADA compliant, but they could end up losing the view of the harbor; adding that part of the design element of this park is to create the visual corridor down to the water.

Boardmember Braden stated he does not like the look of a "big ditch" with no playground for children. There was also some concern about the safety of the children crawling through a tunnel and playing on a rock pile inside the tunnel. He further stated that contrary to a previous statement that the committees and the public played a big part in designing the park, seeing the 60% plan seemed pretty much the extent of the advisory committees participation.

Boardmember Overdier noted that the conceptual designs portray a flat park, but the other drawings he had seen show a different grading which some people referred to as a valley or a tunnel.

According to Vice-Chairman Dixon, what he understood from the discussions so far tonight was they are going to do a flatter design till they get closer to the end of the park where they would have stairs and switchbacks for wheelchairs.

Committee Chairman Buckingham noted that the CRA Board would have to provide that particular direction to staff. He also stated that speaking from experience for being in business for over 30 years, having the restrooms at the bottom of the hill could be problematic because if they fail there is no other way to service them but to have a 30,000 lbs. truck travel along the sidewalk. They would need to make sure they design the sidewalk well enough to accommodate these service trucks. He added that turning the building where they have the bandstand a little bit to the south should not be a major redesign as opposed to relocating the bathrooms on top of the hill.

Mr. Bomar stated that changing the shape of the building is not a major redesign, but changing the grading plan could become a major design change.

Mr. Campbell noted that the walkway would be of sufficient width to get emergency vehicles or maintenance vehicles down to the harbor.

Mr. Schmidt pointed out that the building being described as a restroom serves other purposes. It meets several FCT requirements, which include a wildlife viewing area and an educational classes and staff maritime center. He continued that the wildlife viewing area on top of the building also serves as an area for bands in events such as the Seafood Festival.

Committee member Trammell argues that going to the switchbacks would prevent emergency vehicles from getting down to that area.

Vice-Chairman Dixon stated they would not be able to get emergency vehicles within 20 feet of that area; but, he does not think it is a major issue as carrying people upstairs is something emergency responders often deal with.

Committee member Best suggests giving the advisory committee all the documents they have requested and allowing them another month to study the design and try to come up with more concrete recommendations to the CRA Board and City Council.

Boardmember Ramswell noted that according to the management plan for the park, the majority of the improvement is going to be on the north side of the parcel. She continued that page 12 of the management plan dated July 2017 states that "*The north portion of the lot, where the majority of improvements will be constructed, is elevated from the water and located in a Zone X.*"

Mr. Schmidt explained that the building is designed with storm resistant doors. There would be ceiling doors on the bathrooms and the resource center that are designed to withstand storm surge and meet all FEMA requirements. He added there would be another annual update where they would be revising that particular paragraph in the management plan.

According to Boardmember Ramswell, they seemed to have already violated several of the restrictive covenants; primarily section 11 of the grant that talks about preserving coastal resources, the need to maintain all natural resources and that no harm should come to any natural resources. She continued cutting the bluff out would surely harm the trees which are a major natural resource.

Mr. Campbell stated they have made every effort to preserve the big trees on the property. They have been over the current set of plans with the FCT, and that the FCT has no objections to anything they were doing including cutting significantly into the bluff.

Boardmember Ramswell noted there were no requirements to have parking on site in the management plan, restrictive covenants and the grant contract; and that it was mentioned at the last meeting that it was an LDC requirement to have it. She asked why this change did not come to Council for approval; and if parking has to be added in, why it was not placed somewhere on the property instead of the adjacent neighbor's property. She asked who directed staff to add parking to the plan and place it on another neighbor's property on the east side. She also noted that some of the documents that were provided to Council for the May 21st meeting included a statement that if they are going to have parking they would have to acquire an access agreement and easement from an adjacent property owner; which makes no sense since they are currently in litigation with an adjacent neighbor over an easement driveway.

Mr. Campbell explained that the property line currently straddles parking both for the fishing fleet and the City's property. By virtue of improving the park, they are making 2 to 4 parking spaces unusable on the fleet's side. Their effort to relocate those parking spaces so that they are usable was one reason the plan shows parking spaces on that property. He continued that the previous staff opined that having parking spaces adjacent to the property would meet the code requirement of having parking on site. He had asked for determination from the City's Community Development Department regarding the City's requirements. The response was the City code specifically requires parking on that site. They asked Tetra Tech to come up with a plan on where to put parking spaces; and that Tetra Tech has done several sketches. He further stated that putting parking on the site near the harbor would require vehicular access agreement with either neighbor. They could also put parking on the top of the hill on the City's site and utilize the FDOT driveway, but this would put vehicles in conflict with pedestrians. They could also change the code to utilize the parking that is already available across the street from the park, which already has 7 or 8 handicapped parking spaces already being used by people wanting to access the harbor.

Boardmember Ramswell pointed out the June 30, 2017 drawing was the first drawing that she actually saw where parking was included. There was one ADA parking space and 5 regular parking spaces on the fleet's property. She continued that during that time, they were already involved in litigation with the property owner on the western side of the property. The owner actually came before the City Council with a land exchange proposal. She asked why staff had chosen one neighbor over another instead of asking the City Council to make that decision.

Mr. Schmidt explained that those particular spaces were not going to be the City's parking spaces. Those were the neighbor's parking spaces which the park construction would be impacting and making them unusable by virtue of cutting them in half. The effort was to reconfigure those spaces so they could still be used by the neighbor. He also asked the Harbor CRA Advisory Committee to consider making a recommendation to change the City code to eliminate parking requirement for linear and neighborhood parks.

Vice-Chairman Dixon noted it was his understanding it was a parking agreement the City had reached with the fishing fleet in 2008.

Boardmember Ramswell stated that the City had a lease with the fishing fleet for the use of the City's submerged land and riparian rights. The parking spaces emerged from the original lease with Melvin. It was presented to Council and signed in 2010. The original agreement called for 30 spaces – 15 spaces provided by Melvin and 15 provided by the fleet. It began to change as discussions move forward between the fleet and the City. The spaces on the City's property were reduced so that there were 9 spaces for the fleet and 6 for Melvin's owned slips. The City's slips are transient slips that do not require parking; which reduced the parking requirement on their property.

Boardmember Ramswell also noted that the management plan mandates the City to do a cultural resource survey. She asked if this survey has been completed.

Mr. Schmidt replied this survey has been completed. It was a review for artifacts and other cultural impacts.

According to Boardmember Ramswell, her biggest concern was the advisory committee has been asking information from staff, and that this information was not being provided in a timely manner. She asked the City Manager to make sure this issue is immediately resolved.

The City Manager stated she has reviewed the committee's meeting minutes for the past two years, and the first mention of this committee wanting the information was October 17, 2017. She continued there were references that Mr. Schmidt brought back periodic updates because there were a number of years when the project stalled. It was approved at 60% by the advisory committee. There was a long period of time when there was no changes; and then they were prompted to do the 90%. The statement that the committee has been asking for information for years was not reflected in the meeting minutes. In January 2018, staff provided a Power Point presentation to the committee showing all the information that they had requested, including an outline of the restrictive covenants, to give them the opportunity to provide their opinion at that time.

Committee member Best noted that in January the committee asked for a copy of the actual restrictive covenants document, information regarding implications a change in the park design would have on the two grants, and whether or not a time change would impact the grants; but the committee has not received any of that information.

Boardmember Marler commented that they seem to end up on the same path every time they have a new council and new members of the advisory committee. Staff gets blamed for a lot of things but a lot of it had not staff's fault. Previous Council made a decision to approve the plan and the present Council has been second guessing their decision. They have already spent a lot of money making changes to the plan and now they want to make more changes. He added they have been arguing over this piece of property for a long time now and so his personal opinion is to split the park property in half, and sell each half to the neighboring property owners.

Vice-Chairman Dixon stated he does not see where there have been any arguments tonight and that asking staff tough questions does not mean they are berating staff. He felt they have been fair and professional dealing with staff.

Committee member Green noted that the Council may change every two years but some of the members of the advisory committee had been there for nearly a decade. They have made big strides on a lot of issues, lately on mobile vending and livery vessels, and now their focus is on this park. The committee realizes that both staff and the Council have a tough job, but they work at the pleasure of the citizens of this town. He does not feel there is anything wrong in asking tough questions. The committee just wants to make sure the City does not lose the grant funding and not waste a lot of time.

Boardmember Braden stated that he disagrees with Boardmember Marler's statement that the Council keeps making changes to the park plan; adding he has been a member of the Council for 5 years and he does not remember this present Council directing any changes be made to this park.

Boardmember Morgan noted they discussed 3 major issues tonight – parking, restrooms and grading of the park. They were informed by Tetra Tech that moving the restrooms would be a major change and would jeopardize the grant funding; which he is not willing to do. With regards to parking, it is very common in cities to have pedestrian parks without handicapped or regular parking. The grading of the park seems very severe and they have objections from one of the adjacent property owners. This is where they need to find a common ground and try to reach a consensus.

Vice-Chairman Dixon asked whether a very gradual slope on the park, maintaining the bluff and not doing anything to disrupt the trees, would still give the view of the harbor and lessen the switchbacks when they get down to the bottom.

Mr. Bomar stated it can be done, but they need to consider other issues such as the landscape plan, the electrical lighting plan and the location of the restrooms.

Vice-Chairman Dixon stated they seemed to have a consensus to not move the restrooms from their current location.

At this time, Vice-Chairman Dixon announced he would allow public comments.

Mr. Dewey Destin noted that three of the trees located on his property are over 100 years old. He stated when he went before the advisory committee, the City Engineer came up with two possible solutions – moving the cut over 10 feet and trying to figure out a way not to remove the Destin Water Users old pipe. He continued that putting the new pipes in and leaving the old pipes in place would be very significant in trying to save these trees.

Mr. Destin pointed out there are very large tall shade structures in the conceptual drawing that would completely block the harbor view on the eastern side of his restaurant; and that he hopes they could discuss mitigating those structures. He continued that benches or tables with umbrellas would accomplish the same thing without blocking the views.

Mr. Destin also noted that the kayak launch ramp is part of the covenants that are required by the Trust money; but he did not see them on the drawings either in a slip or anywhere else. He suggests the City work with them to waive the 25 foot setback on their mutual property line, which they have the ability to do under Florida Law.

Mr. Destin stated that the parking issue is very complicated; and that they would be able to help with the parking situation. They have two parking spaces that they could provide for the City's use. They could also work with the City to provide access to those parking spaces. He continued that off-site handicapped parking is not allowed in the City of Destin. He expressed concern that when they send this plan to the Treasury Department, and if the Treasury Department puts on notice that this plan would somehow violates the American Disabilities Act by not providing handicapped parking, the chances for the City obtaining the grant funding will be zero. He suggests checking with the appropriate federal agency and obtaining a very clear answer regarding handicapped parking requirements.

Finally, Mr. Desitn noted that an integral part of the Trust covenants was for the City to provide educational classes on the park site 12 times a year; however, he does not believe the City has any agreement in writing with the Destin Fishing Museum of their willingness to participate; adding that the Museum has no money and no personnel to be able to accommodate it. He also added he would like to assist the City in building the heritage park, regardless of litigation.

Vice-Chairman Dixon asked if maintaining the grade through the park, as they have discussed, can be a solution to saving the Oak Tree on site.

Mr. Destin stated he believes it is a solution because they would not be cutting down with the 11-foot wall very close to the trunk of the tree.

Boardmember Ramswell noted that according to the management plan they have to provide an observation wildlife tower; but, she did not see it accounted for anywhere in the plan.

Vice-Chairman Dixon noted that the top of the building serves multiple purposes, including wildlife viewing area and band area.

Ms. Maryanne Windes stated that the Destin Fishing Fleet is very interested in seeing the heritage park come to completion; and since the lawsuit is basically over, they can now move forward with obtaining the Restore Act funding and constructing the park. She also stated they are having some problems regarding a request to waive the 25-foot setback. They have been communicating with FDEP quite a bit lately because the property on the west has 14 boats on that site and does not have a submerged land lease. They have not followed the rules and are not in compliance, but they have been given permits to operate. They are putting boats on that site that are land-locking the City slips. The fishing fleet has been fighting with them on that issue since 2005. The contention was the City has the right to waive the 25-foot setback. But since the fishing fleet has the lease on the submerged land, it is the Destin Fishing Fleet Marina that would be impacted. Waiving the 25-foot setback could actually land-locked all the boats, not just the City slips. The City's attorney Bill Warner from Panama City has opined that the City could not get involved on this issue because of the lawsuit. With the lawsuit getting ready to wrap-up, she would like the City's assistance on this issue. She urged the City not to waive the 25-foot setback because it is imperative for the ingress and egress for their charter boats.

Mr. Destin explained that they are not asking the City to waive anything; instead, they are offering to waive their 25-foot setback.

Boardmember Ramswell noted that at least one of the City's slips is too shallow and unusable. She asked who is responsible for having the slips dredged to they can be usable.

Ms. Windes stated the City slips have not historically been shallow. They have been deep enough for charter boats, which are big boats, to get into. She continued that when small boats started parking illegally on the east side of Mr. Destin's east dock in 2005, it landlocked the slips. They have previously discussed that issue with Mr. Destin, and that Mr. Destin had agreed to remedy that situation; but, it had only been remedied within the last 6 months. She added that the 25-foot setback is Mr. Destin's setback, but it is the law that he must setback 25-feet. The fishing fleet has setback 25-feet on their side, and so Mr. Destin has to setback 25 feet on his side for safe passage for boats.

Boardmember Braden asked Mr. Bomar if it is feasible to construct a 4-foot wide ADA compliant ramp all the way down on either side of the property line to the boardwalk rather than trying to incorporate it in the driveway.

Mr. Bomar stated it is something they could consider; however, until they start laying it out grading-wise, they have to take into account access to the restrooms and other buildings and they have to have ingress and egress point in that structure.

Committee member Trammell would like the CRA Board and City Council to consider changing the City ordinances to remove requirements for parking on pedestrian parks.

Boardmember Morgan noted they have already directed staff a few meetings ago to come up with those changes and bring the ordinance back to the Council. Staff has also been asked to research ADA handicapped parking requirements at the federal level.

Committee member Trammell stated it is very easy for everyone to notice action items in the minutes if they are in the form of a motion. She suggests putting actions items in the form of a motion as much as possible.

Committee member Best requests the Harbor CRA Advisory Committee conducts their regularly scheduled meeting in July and then come back with another joint meeting with the CRA Board.

Vice-Chairman Dixon moved to recommend to the City Council to direct staff to do the following:

- **Look into the possibility of amending the heritage park design putting in gradual slope on pedestrian walkway incorporating stairs and switchbacks**
- **Provide the Harbor CRA Advisory Committee all the materials they request in a timely manner to allow them to make an informed decision and recommendation to the CRA Board**
- **Schedule another joint meeting with the CRA Board and the Harbor CRA Advisory Committee within 30 to 45 days**
- **Research the ADA parking requirements at the federal level for this project**
- **Reach out to the Destin Fishing Museum and discuss what projects they want to do and the involvement they want to have in the park**
- **Remove or redesign the awning on the property that is blocking the harbor view on the eastern side of Destin Restaurant**

Boardmember Ramswell provided a second to the motion.

Ms. LeJeune asked if the Board would like to bring back an estimated cost from Tetra Tech to make changes to the park plan.

There was a consensus among the Board members to have staff bring back estimated cost from Tetra Tech.

Vice-Chairman Dixon called for a vote on the motion, which passes 6-0. Boardmember Destin abstained from voting.

ADJOURNMENT:

Having no further business at this time, the meeting was adjourned at 8:10 PM.

ADOPTED THIS 20th DAY OF AUGUST **2018**

By:

for → **Parker Destin, Chairman**

Mike Buckingham, HCRA-AC Chairman

ATTEST:

CITY OF DESTIN SEAL FLORIDA

Rey Bailey, City Clerk