

MARGATE COMMUNITY REDEVELOPMENT AGENCY BOARD

REGULAR MEETING January 10, 2024

MINUTES

Present:

Joanne Simone
Antonio V. Arserio
Arlene R. Schwartz
Anthony N. Caggiano, Vice Chair
Tommy Ruzzano, Chair

Also Present:

Cale Curtis, Executive Director
David Tolces, Weiss Serota Helfman Cole & Bierman
Joshua Rydell, Esq., for Hildebrand Amusement Rides
Allen Dale Wyatt, founder, and CEO of My Family Matters
Foundation

The regular meeting of the Margate Community Redevelopment Agency having been properly noticed was called to order at 7:02 p.m., on Wednesday, January 10, 2024, by Chair Tommy Ruzzano. Roll call was taken. There was a moment of silence followed by the Pledge of Allegiance. The meeting was held in the City Commission Chambers and was also accessible virtually through Zoom technology.

1A. MINUTES FOR APPROVAL - (12/4/2023 Special)

After David Tolces, Board Attorney, read the item title, Ms. Schwartz made the following motion, seconded by Vice Chair Caggiano:

MOTION: SO MOVE TO APPROVE

ROLL CALL: Ms. Simone, Yes; Mr. Arserio, Yes; Ms. Schwartz, Yes; Mr. Caggiano, Yes; Mr. Ruzzano, Yes. The motion passed 5-0.

1B. MINUTES FOR APPROVAL - (12/5/2023 Regular)

After David Tolces, Board Attorney, read the item title, Ms. Schwartz made the following motion, seconded by Mr. Arserio:

MOTION: SO MOVE TO APPROVE

ROLL CALL: Ms. Simone, Yes; Mr. Arserio, Yes; Ms. Schwartz, Yes; Mr. Caggiano, Yes; Mr. Ruzzano, Yes. The motion passed 5-0.

2. PUBLIC DISCUSSION

Haldane Cooper, resident and business owner, said he had applied for funding for Valencia's and had been provisionally approved provided his name was on the lease. He said would appreciate it if the Board could provide a decision as quickly as possible with regards to his application to take over the lease.

Chair Ruzzano was advised that someone on Zoom had raised their hand and requested to speak. However, Mr. Arserio raised a point of order that anyone who wished to speak over Zoom needed to use their real name and "Joytab2" did not sound like a real name. The Chair advised "Joytab2" that if they wished to change their name to their real name, they would be allowed to speak later in the meeting.

3A. PRESENTATION: PRESENTATION BY THE MARGATE COMMUNITY REDEVELOPMENT AGENCY IN RECOGNITION OF THE DONATION OF TREES TO THE SPORTS COMPLEX BY THE FIELDS FAMILY

Mr. Arserio said he wanted to recognize the generous donations made by the Fields Family of the 29 Sylvester Palms which were valued between \$5,000 and \$7,000 per palm. These were installed at the Margate Sports Complex, and they had made a big impact on the landscaping there. He said they had also recently donated over 700 shrubs and 30 smaller trees to the City which were installed at the dog park and the fire station. As they were unable to attend the meeting that night due to a scheduling conflict, it was agreed they would be recognized at the next mutually available City Commission meeting.

Chair Ruzzano advised that the petitioner for Item 4, Allan Dale Wyatt (aka Doc Reno), was running late to the meeting so Item 5 would be heard prior to item 4.

5A. DISCUSSION AND POSSIBLE ACTION: UPDATE ON LITIGATION BETWEEN THE MARGATE COMMUNITY REDEVELOPMENT AGENCY AND NEW URBAN COMMUNITIES, LLC

David Tolces, Board Attorney, referenced the denial of the motion for a written opinion by the 4th District Court of Appeal that was filed by New Urban. He said the matter was back with Judge Robinson in the Broward County Circuit Court who was considering the motion for attorney's fees that was filed by the MCRA's outside counsel. Attorney Tolces requested direction and authorization from the Board to send a notice of termination of the agreement between the MCRA and New Urban pursuant to the terms of their agreement. He said if the Board agreed, he would work with outside counsel to draft a letter and make sure the letter appropriately referenced the status of the litigation. Some discussion ensued about retaining the deposits that were held in escrow, and the Board were all in agreement the letter should be sent out as soon as possible. Ms. Schwartz made the following motion, seconded by Mr. Arserio:

MOTION: SO MOVE TO APPROVE

Rich Zucchini, 380 Lakewood Circle East, asked about getting reimbursed for the payments made to New Urban for the Fairs which they did not have an ultimate right to receive. Several Board members replied the payments were not made by the MCRA but by Hildebrand Amusement Rides directly, therefore they were not recoverable.

ROLL CALL: Ms. Simone, Yes; Mr. Arserio, Yes; Ms. Schwartz, Yes; Mr. Caggiano, Yes; Mr. Ruzzano, Yes. The motion passed 5-0.

5B. DISCUSSION AND POSSIBLE ACTION: APPROVAL OF A TEMPORARY USE AGREEMENT BETWEEN THE MARGATE COMMUNITY REDEVELOPMENT AGENCY AND HILDEBRAND AMUSEMENT RIDES, INC., FOR USE OF MCRA PROPERTY AT 1000 NORTH STATE ROAD 7 TO HOLD A MARGATE SPRING BREAK FAIR

After David Tolces, Board Attorney, read the item title, Vice Chair Caggiano made the following motion, seconded by Mr. Arserio for discussion:

MOTION: SO MOVE TO APPROVE

Mr. Arserio said the window of opportunity to allow Mr. Bast to operate the Fair on MCRA property was quickly closing as the Board was terminating its contract with New Urban and getting ready to have a new developer come on board. He wanted Mr. Bast to be aware of that situation.

Ms. Simone stated her concern was first and foremost with the safety of the people who went to the Fair. She said although the mechanical rides were inspected, they could fail. She went on to say she did not want herself or the City of Margate to be responsible if something bad were to happen.

Mr. Arserio asked the Board Attorney to clarify if something bad were to happen on the ride itself that it would be considered the ride operator's issue, to which the Board Attorney agreed it would.

Ms. Schwartz commented that the Broward County 2023-2024 school calendar did not have children breaking for Spring Break until March 21st, yet the Fair was requesting to start on March 15th and run through March 31st. Josh Rydell, Esquire, for Hildebrand Amusement Rides, confirmed she was correct. He said the Fair was encompassing the weekends before and after to include the Spring Break and there would be no amplified music after a certain time. She went on to say her other concern was it took much longer than the three days requested in the application to vacate the property after the Fair was over. Mr. Rydell agreed with her and said he had a conversation with his client and the City Manager about that topic and wished to amend his application. He asked to orally amend the set-up dates of the Fair to March 8th to the 14th, and the take down dates of the Fair from April 1st to the 6th.

Mr. Rydell said he wanted to address Board Member Simone and her worries about the safety of the rides, in particular. He said some bad press had aired on television about a ride that had malfunctioned during the last Fair. When the video that aired was reviewed by the Department of Agriculture, it was determined the ride was, in fact, not Hildebrand's ride at all. Mr. Rydell said he understood Board Member Simone's concerns for the safety of the

community but had proof the story was fraudulent, and the news entity should not have aired the story in the first place.

Mr. Arserio said Florida was a destination state with a lot of people from all over the country with differing spring breaks and the Board should be mindful of that. Ms. Schwartz said she was not so much worried about the hours of the Fair on a school night as she was about the noise issue.

Attorney Tolces asked Mr. Rydell to clarify the dates of the Event that were before the Board. Mr. Rydell confirmed they were asking to modify the dates of set up from March 8 to 14, 2024 and take down to April 1 to 6, 2024. He confirmed the dates of the event would remain the same as requested on the application: March 15 to 31, 2024.

Ms. Simone asked Mr. Rydell if they planned to have any live animals at the Fair and he responded there would be no live animals or animal acts. Mr. Rydell then offered free admission tickets for upcoming Students of the Month, as had been done in the past. He also offered the opportunity for any MCRA business to be highlighted along the Fair's business thoroughfare as well. Chair Ruzzano thanked him and said if the Board did pass the item, he would appreciate it if banners promoting Margate baseball, football and basketball could be placed along the fence during the Fair. Mr. Rydell agreed.

ROLL CALL: Ms. Simone, No; Mr. Arserio, Yes; Ms. Schwartz, Yes; Mr. Caggiano, Yes; Mr. Ruzzano, Yes. The motion passed 4-1.

4A. **RESOLUTION 719:** APPROVAL OF SPONSORSHIP AGREEMENT BETWEEN THE MARGATE COMMUNITY REDEVELOPMENT AGENCY AND MY FAMILY MATTERS FOUNDATION, INC., FOR 'DOC RENO'S MEATBALL MANIA' TO BE HELD ON MARCH 9, 2024, AT THE MARGATE COVERED SPORTS FIELD

After David Tolces, Board Attorney, read the resolution title, Vice Chair Caggiano made the following motion, seconded by Mr. Arserio for discussion:

MOTION: SO MOVE TO APPROVE

Mr. Arserio said the Board should come up with a policy to cap the number of waivers given in a year for the Covered Sports Field facility. He said having the Sounds at Sundown and this event in the same month meant the facility was not available to be rented out on those weekends. He suggested perhaps rescheduling the Sounds at Sundown in future years might be a solution if this event was to become an annual event. Ms. Simone agreed with him about a waiver amendment to the policy. A general discussion ensued about how well attended the Sounds of Sundown events were and how much it cost the MCRA to host the events. Cale Curtis, Executive Director, suggested allowing the Sounds of Sundown to remain as scheduled to see if there would be a drop in attendance while Doc Reno's events also took place. Mr. Arserio agreed but also said the events could be spread out during scheduling the following year.

Allan Dale Wyatt, aka Doc Reno, from iHeart Radio and Big 105.9, founder and CEO of My Family Matters Foundation, said his Foundation helped cancer families with sick children who were struggling financially to pay their day-to-day household bills. He wanted the Board to know the Foundation not only paid for the sound and the bands at the events but were also offering a minimum of \$70,000 in advertising. iHeart Radio, Big 105.9 and the other nine radio stations between Miami and Fort Lauderdale, would all promote the event on air in the four weeks leading up to the event. So, whilst the Foundation was seeking a waiver of the fee to rent the facility for this event, the Foundation was giving something of value back to the MCRA. Ms. Simone assured Mr. Wyatt the Board was not faulting his organization but simply discussing how many waivers should be given per year.

Rich Zucchini, 380 Lakewood Circle East, said the Board should not just be looking at this event as lost revenue but considering the event as a business decision. Based upon the kind of advertising the Foundation was offering, the benefit to the MCRA was significant.

ROLL CALL: Ms. Simone, Yes; Mr. Arserio, Yes; Ms. Schwartz, Yes; Mr. Caggiano, Yes; Mr. Ruzzano, Yes. The motion passed 5-0.

4B. **RESOLUTION 720:** APPROVAL OF SPONSORSHIP AGREEMENT BETWEEN THE MARGATE COMMUNITY REDEVELOPMENT AGENCY AND MY FAMILY MATTERS FOUNDATION, INC., FOR 'DOC RENO'S WINGFEST' TO BE HELD ON JUNE 15, 2024, AT THE MARGATE COVERED SPORTS FIELD

After David Tolces, Board Attorney, read the resolution title, Mr. Arserio made the following motion, seconded by Vice Chair Caggiano:

MOTION: SO MOVE TO APPROVE

Allan Dale Wyatt, aka Doc Reno, said that date was chosen specifically as it was the Saturday before Father's Day.

Rich Zucchini, 380 Lakewood Circle East, reiterated the in-kind benefit from the advertising was invaluable.

Ms. Schwartz asked Mr. Wyatt if he intended to mention the Margate Sports Complex was available to rent to other organizations while promoting both events on the radio. Mr. Wyatt said that was always his intention.

ROLL CALL: Ms. Simone, Yes; Mr. Arserio, Yes; Ms. Schwartz, Yes; Mr. Caggiano, Yes; Mr. Ruzzano, Yes. The motion passed 5-0.

6A. EXECUTIVE DIRECTOR'S REPORT

Cale Curtis, Executive Director, provided the following capital project updates:

Chevy Chase Plaza Improvements – Over the last month, the focus had been on the parking lot. The opinion of probable cost for redoing the entire parking lot far exceeded the budget and so the Staff had been working on solutions to whittle that down. He hoped to have some revised estimates put together to report back to the Board soon. While some much-needed repairs were done to existing columns in the last month, they were still looking at options for replacing all the columns, as well as painting and improvements to the walkways in front of the Plaza.

Wayfinding Signage – The Request for Proposal was being finalized and would go out soon. He said the intent would be to pre-qualify a number of different sign vendors to be put on the City's procurement list so there would be a choice to get different prices for a variety of signs being installed throughout the City.

Margate Boulevard Improvements & Southgate Boulevard Improvements – He said both of the signs were with the County for comments and for final permitting. For the sign on Southgate Boulevard, the Florida Department of Transportation (FDOT) had required it be moved back from US-441 so it would have a 30-foot setback from the median headway.

Mr. Arserio asked if there was a rendering he could look at before making a final decision. Mr. Curtis agreed he would provide a rendering of the sign as well as try to have staff stake out the median to show the physical location of the sign.

Budget Transfer – Mr. Curtis notified the Board of a budget transfer of \$16,000 from the Contingency account to the Office Furniture and Equipment account for the purchase of multimedia equipment for the new production specialist.

MCRA Extension - Lastly, he said the GAI consultants had been hard at work with the County on the request for an extension to the MCRA. He said he would have them come to the next meeting to provide an update on some of the pathways and possibilities that had been presented to the MCRA.

6B. TENANT UPDATES

Ms. Schwartz said by looking at the January Rent Rolls it appeared the MCRA was losing some tenants. She said she was aware one of the tenants was leaving but asked if there were more she did not know about.

Jim Nardj, Advanced Asset Management, responded that besides the one tenant the others were just late on their rent. He said he would follow up with them the following day.

6. BOARD MEMBER COMMENTS

Ms. Simone: She wanted to make the residents aware of the back-to-school tax holiday which was running until January 14th for school supplies. This normally only ran in August, but it had started to be offered in January as well.

Mr. Arserio: He said the Margate police were doing an incredible job but asked residents to do their part. He asked residents to please lock their car doors and not leave items unattended and visible in the car which might tempt a break-in. He went on to say when he earned his FRA-RP certification, he learned CRA's were allowed to buy

technology for the police and fire departments as long as it was innovative. If the MCRA could provide technology that could deter criminal behavior, or help track criminals down, then he was all for it. He also asked if the landscaping around the entryway signs could be trimmed on a regular basis in order to maintain a good impression as people drove through the City.

Ms. Schwartz: She said she too wanted to see the placement of the new sign going onto Southgate Boulevard. She wanted to be sure it would not be too far back and would be seen. She also wanted to take a look at the rendering of the wayfinding signs to be sure the City logo was in the correct place on the actual sign as it was such an enormous investment. Finally, she asked residents to make it their New Year's resolution to drive safely.

Vice Chair Caggiano: Wished everyone a pleasant, peaceful, and happy New Year. He said the Board had done a lot of good work in the last year and had great plans moving forward. The residents had loved what was done and he was sure they would love what was going to continue to happen.

Chair Ruzzano: He reminded everyone that Monday was Martin Luther King Junior Day. He said he and the Executive Director had a meeting scheduled with the County Administrator the following day. He said he was going to discuss the options for attainable housing in the new downtown development in order to maintain the possibility of extending the MCRA past its scheduled sunset in 2026 so as to keep collecting the Tax Increment Financing (TIF) money which equated to almost \$40 million. Mr. Arserio said the County's big issue was affordable/attainable housing and if the MCRA could show they intended to build a certain number of housing units in the new development, then perhaps the County would be willing to give so much per unit. Chair Ruzzano said that was his plan.

Ms. Schwartz asked the Executive Director if Arborview or Marquesa were in the MCRA as both of those properties were considered affordable housing and were already in the City without help from the TIF. Cale Curtis, Executive Director, responded Marquesa was in the MCRA, but Arborview was not. She went on to say he should bring those statistics to the meeting with the County. So at least they would consider that Margate had been building attainable housing whereas some of the neighboring cities had not and it might provide some leverage.

Mr. Arserio said it was important to note affordable housing did not have the stereotype it once had. In today's market, affordable housing meant rent was around \$2,900. That translated to verifiable income which was typically at two and half to three times the rent. So, if it was \$3,000 a month in rent, the potential renters had to be making \$90,000 to \$100,000 a year so these were hard working individuals who were moving into these houses. He was also happy to report he had been working hard with the owner of the Presidente and Bealls shopping center who had just applied for the Property Improvement Program (PIP) grant to do a \$1.5 million project. The project would include a façade and plaza upgrade.

Vice Chair Caggiano said he had heard some complaints from many store owners in that plaza who could not get the owner to put up enough monument signs to advertise their individual stores. If they were going to max out the PIP grant, perhaps they should put as many monument signs as they could in a plaza of that size. Mr. Arserio said he would relay that complaint back to the representative. Lastly, he asked the Executive Director about the glitch that affected the opening of the City's PIP grant application process earlier in the week.

Mr. Curtis said anyone who had submitted an application received an auto reply message that indicated the application window was closed. That was incorrect as the application had, in fact, been submitted, time-stamped and received. He said there was no need to re-submit as they were going through the review process, and nothing further was required at that time. He said everyone who had applied had been contacted individually.

Chair Ruzzano advised that Boston Market had closed down and the 1,000 square foot building on Atlantic Boulevard that they had previously occupied was now available.

There being no additional business, the meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Transcribed by Fiona Christmas, CRA Coordinator

Tommy Ruzzano, Chair