

# MARGATE COMMUNITY REDEVELOPMENT AGENCY BOARD

## SPECIAL MEETING February 24, 2025

### MINUTES

#### Present:

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

#### Also Present:

Cale Curtis, Executive Director  
Larry Vignola, Assistant Director  
David Tolces, Weiss Serota Helfman Cole & Bierman  
Joshua D. Rydell, Esq., for Hildebrand Amusement Rides

The special meeting of the Margate Community Redevelopment Agency having been properly noticed was called to order at 2:00 p.m., on Monday, February 24, 2025, by Chair Anthony N. Caggiano. 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.

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#### 1A. **RESOLUTION 743: APPROVAL OF A TEMPORARY USE AGREEMENT BETWEEN THE MARGATE COMMUNITY REDEVELOPMENT AGENCY AND HILDEBRAND AMUSEMENT RIDES, INC., FOR THE USE OF MCRA PROPERTY AT 1000 NORTH STATE ROAD 7 TO HOLD A MARGATE SPRING FLING**

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

MOTION: SO MOVE TO APPROVE

Mr. Arserio said there were some conditions he wished to discuss. He addressed the outstanding balance and said it should be paid in full before the start of the fair. He said there should also be a bond paid to the City in advance of any future fairs. He asked Mr. Rydell to elaborate on the addition of a circus as checked off in Hildebrand's Special Event Application.

Joshua Rydell, Esq., and representative for Hildebrand Amusement Rides, Inc., distributed a revised site plan and asked Cale Curtis, Executive Director, to amend Hildebrand's previously submitted application to the Board. He said the modified site plan would replace "Exhibit A" of the Temporary Use Agreement. Mr. Rydell addressed the money owed to the City and said Mr. Bast planned to pay approximately \$120,000 that week whilst Mr. Rydell assessed the invoices that had been submitted for payment. He said the Board could make it a condition that full payment was made before he appeared before the City Commission. Chair Caggiano asked when Mr. Rydell had received the first set of bills, and he said it was in January. Mr. Arserio said he understood the public perceived that every time the fair came around, money was still owed on the last event, however, he assured the residents the Board would make sure all payments were paid in full. Mr. Arserio made the following amendment, seconded by Chair Caggiano:

AMENDMENT: THE BALANCE OWED TO THE CITY WOULD BE PAID PRIOR TO THE CITY COMMISSION MEETING ON MARCH 5

Ms. Schwartz said the fair originally went from a three-day set up to a seven-day set up and then to a ten-day set up. She said Hildebrand was a for-profit organization and should pay a bond in advance for expected services. She said she had a problem with the hours they wished to operate and noted they wanted to open a week before schools officially closed for Spring Break. She asked Mr. Rydell to elaborate on the change of plans.

Mr. Rydell said his client, Mr. Bast, had recently engaged a circus which had just concluded its performance at the Florida State Fair. He said the circus was included in the revised site plan. He added the circus would be comprised of cirque du soleil type acts and some exotic animals. David Tolces, Board Attorney, confirmed it would be the City Commission's decision to allow any display or entertainment that would include live animals on any property owned by the City, CRA or any other City property and it would be part of the City Commission's consideration of a Temporary Use Permit. Mr. Arserio amended his motion as follows, seconded by Chair Caggiano:

**MOTION:** SO MOVE TO APPROVE WITH THE REVISED SITE PLAN; THE BALANCE OWED TO THE CITY WOULD BE PAID PRIOR TO THE CITY COMMISSION MEETING ON MARCH 5; AND, THE CITY COMMISSION'S APPROVAL OF THE DISPLAY OF LIVE ANIMALS ON THE PROPERTY.

Ms. Simone agreed with everything Ms. Schwartz said and said Mr. Bast had a history of appearing before the Board with debts owed to the City. She said it was ridiculous to expect the Board to review a revised site plan at the very last minute and voiced her opposition to have a circus in Margate. She also said it was wrong to have a meeting in the middle of the afternoon when the public would be unable to attend.

Donna Fellows, resident, thanked Mr. Bast for the tickets for the homeless children during the last fair. She said Mr. Bast should have come to the meeting prepared to pay in full the money that was owed to the City. She said she was not in favor of the circus or the fair.

Tracy Van Winkle, resident, suggested the amount owed to the City was actually \$208,000. She said \$113,000 was for the police detail, \$45,000 was for the fire detail and \$50,000 was for the rental fee. She asked if Mr. Rydell received the invoices via email or regular mail and questioned the City Manager's ability to collect the payment.

Jonathan Kraljic, resident, said everything was wrong with their application. He said the length of time requested for both the set up and clean up by the applicant violated city ordinances. He further pointed out the applicant and the length of the event itself violated the MCRA Event Policy. He referenced the Development Services Department's 90-day review policy to ensure public health, safety and welfare at an event and said because the application was rushed through so quickly it would lead to an unsafe event. He said Board Members Caggiano, Arserio, Ruzzano and Schwartz should abstain from voting because they had received campaign contributions from either the applicant or the applicant's representative.

Elsa Sanchez, resident, said the fair was a lot of fun for some of the residents, and Mr. Bast had given a lot of tickets to the homeless and less fortunate children during the last fair. However, she was very troubled by the money that Hildebrand still owed the City and she found the allowances made for the fair unacceptable. She referred to the extension of the hours of operation, the length of the event and the fact that this only came before the Board for approval a week before the event was due to set up.

Nina Culver, resident, questioned why residents had to pay upfront the full costs of renting the Covered Sports Field, including any fire and police details, but Hildebrand did not have that requirement. She said it was an unfair practice, and the item should be tabled until the bill was paid in full. She also said the hours of the fair were too long and it should close earlier.

Lauren Beracha, resident, stated she agreed with everyone who spoke before her. She asked the Board what they would do if a tenant from Ace Plaza did not pay their rent for several months, or a resident did not pay their water bill. She said this should be looked at from a resident's point of view and not approved until the bill was paid in full.

Vice Chair Ruzzano asked if Hildebrand had ever carried an outstanding debt before. Mr. Rydell replied that it had not, and also confirmed the rental fee of \$50,000 had been paid to the MCRA according to the terms previously set. Vice Chair Ruzzano agreed with Board Member Arserio about setting a bond moving forward. He said he never received any of the homeless tickets despite what Ms. Fellows had implied. In direct response to Ms. Van Winkle's comments, he praised the City Manager and said the city had never looked so good. He disagreed with Mr. Kraljic's assertion about campaign contributions from Mr. Bast and lastly, he said the Chair had no option but to call the Special Meeting when he did because of the timing of the application.

Ms. Schwartz referred to the rental payment and said it should have been made clear on the application why the applicant had only proposed a rental fee of \$25,000 instead of the usual payment of \$50,000. Discussion ensued about the rental policy and Mr. Tolces clarified the MCRA reserved "the right for the majority to extend the times of approved events for good cause and fees associated with an extended event may be waived or adjusted based on good cause". Ms. Schwartz made the following amendment, seconded by Ms. Simone:

**AMENDMENT: TO PROVIDE RENTAL PAYMENT OF \$50,000 TO THE MCRA**

Ms. Simone questioned the length of time approved for a circus in the MCRA Event Policy. Mr. Tolces said the Board could adjust the dates as it deemed appropriate, and it was the City Commission's decision whether to allow a display to include animals. Ms. Simone then questioned why the Board even had an Event Policy if the Commission could change it. Mr. Rydell addressed the matter of the proposed rent of \$25,000 and said this event would be a smaller

event in terms of capacity and ticket sales. He said the applicant would only use the lot on the east side of US 441 for the entire event, including patron parking, and it was expected that attendance would be almost half the size of the November fair.

**ROLL CALL ON**

**THE AMENDMENT:** Ms. Schwartz, Yes; Mr. Arserio, No; Ms. Simone, Yes; Mr. Ruzzano, No; Mr. Caggiano, No. The amendment failed 2-3.

Ms. Schwartz said the Board should consistently charge the same amount of money for use of the same property.

**ROLL CALL ON**

**ORIGINAL MOTION:** Ms. Schwartz, No; Mr. Arserio, Yes; Ms. Simone, No; Mr. Ruzzano, Yes; Mr. Caggiano, Yes. The motion passed 3-2.

There being no additional business, the meeting was adjourned at 3:00 p.m.

Respectfully submitted,

Transcribed by Fiona Christmas, CRA Coordinator

Anthony N. Caggiano, Chair