

# COMMUNITY REDEVELOPMENT AGENCY BOARD

## REGULAR MEETING Thursday, October 20, 2016

### MINUTES

**Present:**

Lesa Peerman, Chair  
Joanne Simone, Vice Chair  
Frank Talerico  
Joyce W. Bryan  
Tommy Ruzzano

**Also Present:**

Donald J. Doody, Board Attorney  
Diane Colonna, CRA Executive Director  
Kim Vazquez, Project Manager  
Cotter Christian, CRA Engineer/Manager  
Ben Ziskal, Director, Economic Development  
Douglas Smith, City Manager  
Lauren Harris, Marketing Coordinator

The regular meeting of the Margate Community Redevelopment Agency having been properly noticed was called to order at 7:00 p.m., on Thursday, October 20, 2016 by Chair Lesa Peerman. There was a moment of silence followed by the Pledge of Allegiance.

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1A. **MINUTES FOR APPROVAL:** Minutes from:

- July 12, 2016 CRA Board Workshop
- September 14, 2016 CRA Board Workshop
- September 14, 2016 CRA Regular Meeting

After **Donald J. Doody**, Board Attorney, read the item title, Ms. Bryan made the following motion, seconded by Mr. Ruzzano:

**MOTION:** SO MOVE TO APPROVE

**ROLL CALL:** Mr. Ruzzano, Yes; Mrs. Bryan, Yes; Mrs. Peerman, Yes; Ms. Simone, Yes; Mr. Talerico, Aye. The motion passed 5-0.

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2. **PUBLIC DISCUSSION**

No Comments

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3A. **APPROVING A CONSTRUCTION REIMBURSEMENT (FAÇADE IMPROVEMENT GRANT) AGREEMENT IN AN AMOUNT NOT TO EXCEED \$50,000 WITH NND CAPITAL, LLC, OWNER OF 2333 N STATE ROAD 7 IN MARGATE, FLORIDA.**

After **Donald J. Doody**, Board Attorney, read the item title, Ms. Simone made the following motion, seconded by Ms. Bryan:

**MOTION:** SO MOVE TO APPROVE

**Kim Vazquez**, CRA Project Manager, reported the subject property is located at 2333 North State Road 7 in the Coral Gate Plaza. The property owner is planning extensive interior and exterior renovations to the property. The anticipated project cost is \$107,000. The eligible maximum grant reimbursement amount is

\$50,000. Once completed NND Capital's sister company will occupy six to seven of the sixteen available bays.

**Roy Raiter**, property owner, said he closed on the property about one month ago and is in the process of submitting permit applications. **Mr. Talerico** commented the improvement may be a catalyst for other improvements in the area. **Mr. Ruzzano** welcomed Mr. Raiter to Margate and asked if a structural inspection was done on the property prior to the purchase of the building. **Mr. Raiter** responded yes, everything is fine. He plans to upgrade his parking area also and will be seeking a Landscape Grant in the future. **Ms. Bryan** wished Mr. Raiter success in his endeavor.

**ROLL CALL:** Mr. Ruzzano, Yes; Mrs. Bryan, Yes; Mrs. Peerman, Yes; Ms. Simone, Yes;  
Mr. Talerico, Aye. The motion passed 5-0

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3B. A RESOLUTION OF THE MARGATE COMMUNITY REDEVELOPMENT AGENCY APPROVING AN AGREEMENT BETWEEN PAINTSCAPING, INC. AND THE MARGATE COMMUNITY REDEVELOPMENT AGENCY FOR A 3D PROJECTION MAPPING HOLIDAY SHOW.

After **Donald J. Doody**, Board Attorney, read the item title, Ms. Bryan made the following motion, seconded by Mr. Talerico:

**MOTION:** SO MOVE TO APPROVE

**Mitch Pellecchia**, 6890 NW 9<sup>th</sup> Street, cautioned the Board against approving services that are stated as sole source, yet other companies provide similar services. The Board needs to ensure that the correct procedures are followed.

**ROLL CALL:** Mr. Ruzzano, Yes; Mrs. Bryan, Yes; Mrs. Peerman, Yes; Ms. Simone, Yes;  
Mr. Talerico, Aye. The motion passed 5-0

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~~3C. A RESOLUTION OF THE MARGATE COMMUNITY REDEVELOPMENT AGENCY, APPROVING AN AGREEMENT BETWEEN CHRISTMAS DÉCOR AND THE MARGATE COMMUNITY REDEVELOPMENT AGENCY FOR INSTALLATION OF HOLIDAY LIGHTS IN THE MEDIAN AND ROUNDABOUT AREA OF MARGATE BOULEVARD BETWEEN NW 58<sup>TH</sup> AVENUE AND STATE ROAD 7.~~

**Donald Doody**, CRA Attorney noted that the item has been taken off the agenda. **Ms. Colonna**, Executive Director said staff would like to provide more information on the item. **Ms. Colonna** said originally the CRA was proposing to contract with Christmas Décor to provide holiday lighting and decorations for Margate Boulevard. Later, the company determined they would require a multi-year contract and had concerns regarding the insurance requirements, so the item was removed. However there is an alternative proposal for discussion.

**Nick Cucunato**, Public Works Superintendent, presented the option of using two vendors who had provided quotes for this service. He explained Christmas Décor would bring in new features and can offer something different than what has been done in previous years. The other company, Brandano will continue to provide features from previous years. He stated that by using both companies, the overall cost will decrease by approximately \$10,000.

**Ms. Colonna** stated that each contract is below \$25,000 so individually they can be signed off by staff. The total will be over \$25,000 but it is two different vendors.

**Mr. Cucunato** explained that Christmas Décor will provide LED flood lighting for the oak trees on Margate Boulevard. The Royal Palm trees on each end of Margate Blvd will be wrapped in lights. Christmas Décor will design and light the City Hall roundabout and clock tower.

**Ms. Peerman** requested to that the lights be lit after Thanksgiving Day. **Ms. Bryan** asked if the Southgate area is included. **Mr. Cucunato** responded yes.

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3D. A RESOLUTION OF THE MARGATE COMMUNITY REDEVELOPMENT AGENCY (MCRA), AUTHORIZING AN AMENDMENT TO THE AGREEMENT BETWEEN LANDSCAPE SERVICE PROFESSIONALS, INC. AND THE MARGATE COMMUNITY REDEVELOPMENT AGENCY FOR MAINTENANCE OF LANDSCAPE AND IRRIGATION SERVICES FOR MCRA OWNED PROPERTIES AND MEDIAN AREAS WITHIN THE VARIOUS RIGHTS OF WAY ON ATLANTIC BOULEVARD, 441/SR 7 AND MARGATE BOULEVARD.

After **Donald J. Doody**, Board Attorney, read the item title, Ms. Bryan made the following motion, seconded by Ms. Simone:

**MOTION:** SO MOVE TO APPROVE

**Ms. Simone** asked if bids were received from other companies. **Kim Vazquez**, CRA Project Manager, said Landscape Service Professionals (LSP) is already contracted to service CRA-owned properties and the medians Their contract was recently extended. This amendment adds a provision onto their existing contract repair of damage caused by vehicle accidents and pedestrians. LSP has provided a cost list for labor and materials. **Ms. Simone** asked if they are required to submit a quote before doing the work. **Ms. Vazquez** responded yes, it requires staff approvals.

**Mitch Pellecchia**, 6890 NW 9<sup>th</sup> Street, said if damages are being caused by pedestrians, is that a sign that the CRA needs to look at pedestrian crossings. He questioned the need for the amendment and asked who oversees the work. **Ms. Peerman** clarified the damage repair services are not currently in their contract. **Ms. Vazquez** responded the current contract includes it as additional services; however, the amendment provides a cleaner way to keep track of repair costs. She said Jim Nardi, Property Manager, provides oversight of the services and repairs.

**ROLL CALL:** Mr. Ruzzano, Yes; Mrs. Bryan, Yes; Mrs. Peerman, Yes; Ms. Simone, Yes;  
Mr. Talerico, Aye. The motion passed 5-0.

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3E. AMENDMENT TO BUSINESS LEASE BETWEEN THE CITY OF MARGATE AND THE MARGATE COMMUNITY REDEVELOPMENT AGENCY

After **Donald J. Doody**, Board Attorney, read the item title, Mr. Talerico made the following motion, seconded by Ms. Simone:

**MOTION:** SO MOVE TO APPROVE

**Mitch Pellecchia**, 6890 NW 9<sup>th</sup> Street, said since this is a CRA building he thinks the CRA should fund all of the improvements.

**ROLL CALL:** Mr. Ruzzano, Yes; Mrs. Bryan, Yes; Mrs. Peerman, Yes; Ms. Simone, Yes;  
Mr. Talerico, Aye. The motion passed 5-0.

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- 3F. A RESOLUTION OF THE MARGATE COMMUNITY REDEVELOPMENT AGENCY, APPROVING A DECLARATION OF CONTINUING OBLIGATIONS, RESERVATION OF RIGHTS AND RESTRICTIVE COVENANTS AND REPURCHASE RIGHTS BY AND BETWEEN THE CRA AND NEW URBAN COMMUNITIES, LLC; AUTHORIZING THE CRA CHAIR TO EXECUTE SAID DECLARATION

After **Donald J. Doody**, Board Attorney, read the item title, Mr. Talerico made the following motion, seconded by Ms. Simone:

**MOTION:** SO MOVE TO APPROVE

**Mr. Ruzzano** felt the agreement benefits the developer and asked why the City is paying for additional \$75,000 for surface water permitting. He stated he does not agree with the proposed parking times for the downtown. He questioned how the 20,000 square feet designated for businesses will be allocated. **Mr. Doody** explained the document was drafted with the intent of memorializing the term of the development agreement that has already been approved. The continuing obligations and restrictive covenants will be recorded against each parcel as they are developed. This agreement is to be approved by both parties within 110 days of the effective date.

**Mitch Pellecchia**, 6890 NW 9<sup>th</sup> Street, questioned how the 20,000 square feet designated for businesses will be allocated. He asked if there is anything different in this agreement that is not in the development agreement. **Mr. Doody** responded there is nothing different it just includes more specificity as to various components.

**Frank Tropepe**, owner of Ace Hardware, 5843 Margate Boulevard, requested more information about the extension of his current lease at the Ace Hardware plaza. He noted his lease expires in March and he has yet to have discussions regarding an extension. He did not feel the developers' proposed terms for relocation of his business are favorable.

**Mr. Talerico** said he asked a few meetings ago for the plan for tenants. He commented the tenants shouldn't be left in limbo during the process. **Mr. Ruzzano** thanked Mr. Tropepe for having his business in Margate for 30 years. He reiterated that the staff and the developers should reach out to the businesses already in the City.

**Kevin Rickard**, Principal, New Urban Communities, said discussions were held with the owner of Ace Hardware and other tenants in the area. He explained that Ace Hardware indicated they wanted to relocate in Phase Two however; the current focus is on Phase One. He noted that in regards to the leasing, that's between the City and the tenant.

**Tim Hernandez**, Principal, New Urban Communities, noted his firm does not negotiate private leases with tenants in public. There is a confidentiality clause. He explained that their proposal to Ace Hardware the includes the cost of providing parking, sewer, drainage, stormwater retention, and water distribution to the property.

**Ms. Peerman** directed staff to work with Ace Hardware on their lease extension. **Mr. Ruzzano** commented the tenant is looking to secure his future. **Ms. Colonna** reminded everyone the developers is still in the due diligence process and there is time to negotiate relocation terms.

**Charlie Artner**, 6631 NW 22nd Court, said he started a petition against the project and is stunned the Board is moving along with project with the current plans. Ms. Peerman stated that there are people who support the project. She will ask them to attend the meeting and speak in favor of it.

**ROLL CALL:** Mr. Ruzzano, No; Mrs. Bryan, Yes; Mrs. Peerman, Yes; Ms. Simone, Yes;

Mr. Talerico, Aye. The motion passed 4-1.

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- 3G. A RESOLUTION OF THE MARGATE COMMUNITY REDEVELOPMENT AGENCY, AUTHORIZING A FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN THE MARGATE COMMUNITY REDEVELOPMENT AGENCY AND NEW URBAN COMMUNITIES, L.L.C FOR THE CITY CENTER PROJECT.

After **Donald J. Doody**, Board Attorney, read the item title, Mr. Talerico made the following motion, seconded by Ms. Bryan:

**MOTION:** SO MOVE TO APPROVE

**Ms. Peerman** said Mr. Ruzzano asked to have the item pulled from the agenda due to the fact commission candidates are attending a candidate's night. She noted because the item is time sensitive, the item cannot be tabled. **Ms. Peerman** said she requested the candidates submit statements on the agenda item and she would read them during public discussion. **Mr. Ruzzano** asked to table the item until Monday.

**Mr. Doody** explained he brought the item forward because he is handling the title work on the matter. He explained he received nine letters from developer's counsel raising title objections. Under the terms of the development agreement the cure period is 20 days. The 20 days expire on Monday. **Ms. Peerman** clarified that it is the CRA Board requesting the extension, not the developer.

**Ms. Peerman** read at statement from Eddie DeCristifaro into the record.

**Mitch Pellecchia**, 6890 NW 9<sup>th</sup> Street, expressed concern that the previous item was approved before ensuring land titles are correct. He questions how the deal can be completed if the titles aren't cleared. **Mr. Doody** clarified that the CRA has marketable title and these are issues associated with the development of the property such as the location of easements.

**Ms. Peerman** asked Mr. Rickard to address a question on behalf of a candidate. The candidate is concerned that after two years the housing in the downtown will convert to Section 8 housing. **Mr. Rickard** responded New Urban Communities has never considered or proposed Section 8 housing for Margate City Center or any other development they've been involved in.

**ROLL CALL:** Mr. Ruzzano, No; Mrs. Bryan, Yes; Mrs. Peerman, Yes; Ms. Simone, Yes;  
Mr. Talerico, Aye. The motion passed 4-1.

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## DISCUSSION AND POSSIBLE ACTION

### 4A DRAFT AMENDMENT TO MARGATE COMMUNITY REDEVELOPMENT PLAN

**Ken Stapleton**, Ken Stapleton & Associates, presented an update amendment to the Community Redevelopment Plan. The changes included removing outdated language or images, updating financial projections, program and project descriptions to reflect current policies and practices. A section was added to include plans for neighborhood impacts and safeguards for implementation as required by the State. The amendment will be submitted to the Planning and Zoning Board and then submitted back to the CRA Board. Final approval is by the City Commission. **Ms. Bryan** commented the plan is clear and easy to understand. **Ms. Peerman** said the consultant did hold public input meetings to present the plan.

**Ms. Bryan** noted that the plan outlined a goal to create a Community Appearance Board. **Ben Ziskal**, Director of Economic Development, said the CRA will encourage the City Commission to establish a board. However, the official direction would come from the City Commission.

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#### 4B. CRA RULES OF PROCEDURE

After Donald J. Doody, Board Attorney, read the item title, Mr. Talerico made the following motion, seconded by Ms. Simone:

**MOTION:** SO MOVE TO ADOPT

**ROLL CALL:** Mr. Ruzzano, Yes; Mrs. Bryan, Yes; Mrs. Peerman, Yes; Ms. Simone, Yes;  
Mr. Talerico, Aye. The motion passed 5-0.

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#### 4C. MCRA 5- YEAR FINANCING AND IMPLEMENTATION PLAN

**Ms. Colonna** reported the Financing and Implementation has been updated to include forecast revenues, expenditures and projects. She noted many projects are taking place within the next five years. The plan reviewed tax increment revenues and projected increases based on history, land sales and Phases One and Two of the City Center development. It also included property management costs, tenant rents and other sources of revenue. The plan is provided for informational purposes.

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### EXECUTIVE DIRECTORS REPORT

#### 5A. MCRA MONTHLY REPORT FOR SEPTEMBER 2016

**Ms. Colonna** highlighted the major activities for September 2016. She said the renovation of the new CRA office space is ongoing. Staff received quotes for the installation of a communications tower for Wifi services. Additionally, the Melaleuca Drive agreement is signed with PE Services. A community input meeting for Winfield Boulevard was held at the end of September. The Margate Under the Moon event was held on September 10<sup>th</sup>.

#### 5B. TENANT UPDATES

**Ms. Colonna** reported Vera Brown Events has paid October rent and is up to date.

**Ms. Colonna** reported on Partnership II. She explained that the original stipulated settlement with the restaurant over late rent was short one month. The attorneys are working on submitting an amended stipulated agreement to the courts.

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#### 6. BOARD MEMBER COMMENTS

**Mr. Talerico** noted that this will be his last meeting. He commented the CRA will end in ten years and his concern is having the development agreement voided when so much progress has been made. He thanked the staff for their good work through the years and hopes the project moves forward. He said he has enjoyed working with the Board.

**Ms. Bryan** thanked Mr. Talerico for his comments and feedback over the years. She gave an update on her experience at the Florida Redevelopment Association Conference and encouraged Board members to

attend next year. She commented she is happy to see the City Center project move forward and encouraged everyone to read the CRA Comprehensive Plan.

**Mr. Ruzzano** commented he is not against the development of the downtown, but is against the 900 residential units. He stated he has spoken with many residents in Margate who also do not support the units. He said the Board should make efforts to support the local businesses. Additionally, he asked how often the landscaper trims the trees. **Ms. Vazquez** responded the trees are trimmed once a year. **Mr. Ruzzano** asked if that could be increased to twice a year.

**Ms. Simone** said she is excited about the downtown project and that it will be a great asset for the residents. She distributed a document on global warming from the Metropolitan Planning Organization that highlighted the long term effects in Broward County.

**Ms. Peerman** said the Florida Redevelopment Association conference was amazing and encouraged new Board members to attend. She announced the Margate CRA won an award for the 2015 Annual Report. She wished Mr. Talerico the best during his retirement, and thanked him for moving the CRA forward in his years on the Board.

Respectfully submitted,

Transcribed by Courtney Easley

Lesa Peerman, Chair