

# COMMUNITY REDEVELOPMENT AGENCY BOARD

## REGULAR MEETING Tuesday, July 11, 2017

### MINUTES

**Present:**

Tommy Ruzzano, Chair  
Anthony Caggiano, Vice Chair  
Lesa Peerman  
Arlene Schwartz  
Joanne Simone

**Also Present:**

David N. Tolces, Board Attorney  
Kim Vazquez, Project Manager  
Cotter Christian, CRA Engineer/Manager  
Danielle Sabat, Marketing Coordinator  
Sam May, Interim City Manager  
Kim Briesemeister, RMA

The regular meeting of the Margate Community Redevelopment Agency having been properly noticed was called to order at 7:17 p.m., on Tuesday, July 11, 2017 by Chair Tommy Ruzzano. There was a moment of silence followed by the Pledge of Allegiance. Roll call was taken.

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#### 1A. **MINUTES FOR APPROVAL:** Minutes from June 14, 2017 CRA Board Regular Meeting

After David Tolces, Board Attorney read the item title; Ms. Simone made the following motion, seconded by Ms. Peerman:

**MOTION:** SO MOVE TO APPROVE

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

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#### 2. **PUBLIC DISCUSSION**

Juan Landazabal, 891 N. State Road 7, spoke regarding his building located at 891 N. State Road 7. He stated he has owned the building for eight years and expressed concern regarding the delay in redeveloping the downtown area. He believes this is affecting the sale of the building. He asked if the City can grant a variance for the building to help draw in potential buyers for the building. Mr. Tolces commented the CRA Board does not address City variances.

Ahmad Mohammad, 1031 North State Road 7, Beautyland, stated his lease with the CRA expires December 31, 2017 and requested a five year lease with a five year renewal option, as opposed to a standard three year lease. Mr. Ruzzano and Mr. Caggiano supported a five year lease.

Jim Nardi, Advanced Asset Management, stated all leases have a twelve month out clause. The inclusion of the clause is a Board decision. David Tolces said based on the discussions, the Board could direct Mr. Nardi to draft a five year lease for Board approval at a later date. Ms. Schwartz supported a five year lease option and requested information on tenants who also have a five year lease. The Board directed Mr. Nardi to draft a five year lease.

Mitch Pellecchia, 6890 NW 9<sup>th</sup> Street, said he believes the Board has been misadvised and they are the final decision makers for the CRA regarding leases.

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#### APPOINTMENT OF SAM MAY AS CRA EXECUTIVE DIRECTOR

Ms. Peerman asked Mr. Ruzzano if discussions could be held regarding the appointment of the City Manager as the CRA Executive Director.

Mr. Ruzzano asked Mr. May if he is comfortable accepting this position. Mr. May responded it would be something outside of his comfort zone, however, he would accept the position. He said he would like to keep experts around that know about CRA's. Mr. Ruzzano said he appreciated Mr. May's honesty and willingness to step up.

Ms. Peerman said she has no doubt Mr. May can learn about CRA's, however, she does not think the City Manager should be the CRA Executive Director as they are both big positions and it is very hard to separate the two positions. She noted she has full confidence in Mr. May. Mr. May said it can work if the current staff remains in place. Ms. Schwartz asked Ms. Peerman why she nominated Mr. May as the CRA Executive Director if she believes the position should be separate. Ms. Peerman responded if the CRA does not have an Executive Director provided by Redevelopment Management Associates (RMA)-then the City Manager becomes the Executive Director. At the last meeting the Board discussed Mr. May becoming the Executive Director and he was directed to meet with RMA to discuss options.

Ms. Simone recalled that at the previous Board meeting, it was discussed that Mr. May would be the CRA Executive Director and an Assistant CRA Executive Director would run the day-to day operations. Mr. May stated he would oversee the agency and an Assistant would run the daily operations.

Mr. Caggiano reiterated that one-fifth of the City is not under the City Manager. He noted that in nine years the CRA will fall under the City Manager anyway.

Mitch Pellecchia, 6890 NW 9<sup>th</sup> Street, said allowing the City Manager and City staff to run the CRA is not an issue because it was done in the past. The City Manager should be able to run the entire City.

Ms. Peerman reiterated to the Board that Florida Statutes for operating a CRA should be adhered to. There are different laws for running a CRA as opposed to a City.

The following motion was made by Ms. Peerman, seconded by Mr. Caggiano:

**MOTION:** TO APPOINT THE CITY MANAGER AS THE EXECUTIVE DIRECTOR OF THE  
COMMUNITY REDEVELOPMENT AGENCY

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

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#### 3A. WINFIELD BOULEVARD TRAFFIC CALMING AND STREETScape IMPROVEMENTS

Kim Vazquez, CRA Project Manager, said the final plans for Winfield Boulevard includes restriping and narrowing the travel lanes. Some underground improvements will be required. Additionally, there are two

landscaped roundabouts. The traffic tables in the previous plans have been removed. The current plans are provided as part of the agenda back-up.

Ms. Schwartz asked how much has been allotted for the project. Ms. Vazquez responded \$450,000. The amount has increased since it was previously presented to the Board due to additional work on underground waterlines that will be required to support irrigation and weight. Ms. Schwartz commented that having two roundabouts within four blocks is too many and people who live in the area do not want two roundabouts. She suggested only adding one roundabout. Ms. Peerman asked Ms. Vazquez if one roundabout could be removed.

The following motion was made by Ms. Schwartz, seconded by Ms. Peerman:

**MOTION:** TO REMOVE THE ROUNDABOUT LOCATED ON 59<sup>th</sup> STREET AND WINFIELD BOULEVARD AND TO KEEP THE ROUNDABOUT AT NW 62<sup>ND</sup> STREET

Mr. May recommended removing the roundabout on the west end of Winfield Boulevard. Ms. Vazquez explained the location of the roundabouts was placed so they would not interfere with residential drive-ways and crossroads. The roundabout on 59<sup>th</sup> Street is the closest to 441.

Ms. Simone asked if the roundabout closest to 441 is the entranceway that included signage. She recalled there were plans to beautify the entranceway into Winfield. Mr. May responded the median includes some beautification with landscaping and the signage could be placed within the median area.

Mr. Ruzzano recommended not using Sable Palms for the project. Ms. Peerman agreed. Ms. Simone recommended adding art work to the medians. Mr. Ruzzano recommended adding Magnolia trees. Ms. Schwartz recommended adding a flower trees. Mr. May said staff will bring back a revised plan that includes the crosswalk elements and median improvements and the removal of one roundabout.

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

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### 3B. CONSIDERATION OF COLONIAL DRIVE IMPROVEMENTS FINAL PLANS

David Tolces, Board Attorney, read the item title.

Cotter Christian, CRA Project Manager, reported that the project is intended to address the pedestrian safety issues. Before the project goes out to bid, he wanted to Board to review the final plans for further input.

Ms. Simone asked if the road's arrows are included in the plan, from Colonial Drive to 441. Mr. Christian said they are extending the left turn lanes and providing new arrows on the pavement markings.

Ms. Peerman made the following motion, seconded by Ms. Schwartz:

**MOTION:** SO MOVE TO APPROVE

Mr. May noted lighted RPM's are not included in the plans.

Mark Crompton, Keith and Associates, said the RPM's on the plans are the reflected RPM's as per the Department of Transportation (DOT) standards, however lighted RPM's can be included. The Board requested that the lighted RPM's are added to the plan.

**AMENDED MOTION:** TO INCLUDE THE LIGHTED RPMS TO THE COLONIAL DRIVE IMPROVEMENT PLAN.

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

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**3C. NEGOTIATE WITH NEW URBAN COMMUNITIES TO START CONSTRUCTION OF PHASE II OF THE CITY CENTER PROJECT**

David Tolces, Board Attorney, read the item title.

David Tolces reported that at the last meeting the Board authorized the CRA Attorney to negotiate with New Urban Communities to come to a resolution with respect to the project. Now that Mr. May has been appointed as Executive Director of the CRA, at this point it's appropriate to authorize the Executive Director to negotiate.

Mr. May said the CRA is requesting additional time to work with Mr. Tolces and New Urban Communities and will present the results at the next CRA Board meeting. Ms. Peerman said if it involves starting on Phase 2 first, she requests Mr. May get a legal opinion on whether it would change the Request for Proposals. Mr. May said time is needed to review thoroughly as it is unknown if it is legally possible.

Ms. Peerman made the following motion, seconded by Ms. Schwartz:

**MOTION:** TO DIRECT THE CRA EXECUTIVE DIRECTOR AND CRA ATTORNEY TO NEGOTIATE WITH NEW URBAN COMMUNITIES BY THE NEXT CRA BOARD MEETING

Mr. Caggiano said he thought at the last CRA Board meeting direction was given to end the deal not to change it. Mr. Tolces said the direction was to find a resolution with respect to the development agreement.

Ms. Schwartz referenced Phase 2 of the project and said moving the community center was part of previous discussions. She would like the issue to be readdressed during current negotiations. Mr. Tolces said that would be a part of amending the development agreement.

Mr. Ruzzano said he asked that the discussions are held at the CRA Board meeting because it makes no sense for Mr. May to negotiate if it's something the Board does not want.

Mr. Ruzzano said he has a list of things he would like added to the negotiations. He said there may be three options that include either a financial settlement, negotiate the development agreement or go to court. If the terms of the development agreement are renegotiated, Mr. Ruzzano requested that the CRA receive the east side property back, the CRA gets 911 N. State Road 7 property back for as the future site for a community center, sell the west side property for fair market value and allow for no more than 503 units within the entire project.

Ms. Schwartz asked how much time Mr. May needed for negotiations. Mr. May responded until the next CRA Board meeting. She said she would like to see the community center on the 911 N. State Road 7 property.

Manny Lugo, 1129 East River Drive, said the Board should vote on Mayor Ruzzano's proposal for the basis of the negotiation. Anything that looks like a \$20 million giveaway to New Urban is not acceptable. He recommended the Board hire a contract attorney.

Karl Artner, 6631 NW 66<sup>th</sup> Court Margate, said he thought the goal was to end the development deal. He said he was told a survey was sent to residents to see what they wanted in the downtown. He said the survey can be found on Margatenews.net and 67% of respondents did not want any apartments.

Ms. Peerman commented that the negotiated terms Mr. Ruzzano has presented may conflict with the terms of the RFP. Mr. Tolces requested time to review all elements. Ms. Schwartz noted the RFP stated the project should continue to maintain a small time feel without a parking garage. Ms. Peerman said the parking garage has always been in the CRA plan.

ROLL CALL: Mr. Ruzzano, Yes; Mr. Caggiano, Yes; Ms. Peerman, Yes; Ms. Simone, Yes;  
Ms. Schwartz, Yes. The item was approved 5-0.

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### 3D. CONSIDERATION OF CITY CENTER SITE PLAN

David Tolces stated that under the current amendment to the development agreement the site plan is due on August 7, 2017. He asked the Board to authorize the execution of an amendment to extend the time until September due to the negotiations.

Ms. Schwartz asked if the developer would need to submit a visual or updated site plan when they come back to the Board. Mr. Tolces said in theory there is currently a site plan. Mr. Tolces responded if the CRA is able to negotiate terms that are acceptable to the Board the developer will not have the site plan available at the same time as the term consideration.

The following motion was made by Ms. Peerman, seconded by Ms. Simone:

MOTION: TO EXTEND THE SITE PLAN APPROVAL DATE UNTIL THE SEPTEMBER CRA BOARD MEETING.

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

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### 3E. EXTEND THE CONTRACT AS AMENDED WITH REDEVELOPMENT MANAGEMENT ASSOCIATES UNTIL AUGUST 31, 2017.

David Tolces noted at that the previous CRA Board meeting the Board directed that a Notice of Termination be issued to terminate the RMA agreement by August 31, 2017. Mr. Tolces requested the Board rescind the Notice of Termination if the proposed amendment is considered. Mr. May stated he would like to keep RMA on a month to month contract.

The following motion was made by Ms. Peerman, seconded by Ms. Simone

MOTION: EXTEND THE CONTRACT AS AMENDED WITH REDEVELOPMENT MANAGEMENT ASSOCIATES UNTIL AUGUST 31, 2017.

Ms. Schwartz noted the contract currently has \$10,000 per month for promotions and publicity. She asked Ms. Kim Briesemeister, Principal, RMA, what services are provided for \$10,000.

Kim Briesemeister, Principal, RMA, said she would welcome the opportunity to revisit contract terms. The marketing portion of the contract includes a Marketing Director, Manager and Coordinator. Instead of hiring three full time marketing people, Margate CRA receives extensive skill sets and man hours. The contract approach is more cost effective for cities. She recommended the marketing team give a presentation to the Board at the next CRA Board meeting.

AMENDED MOTION: TO AUTHORIZE THE REDUCTION OF THE MONTHLY FEE FROM \$40,208.33 FOR ONGOING SERVICES TO \$30,-208.33 AND TO EXTEND THE CONTRACT AS AMENDED WITH REDEVELOPMENT MANAGEMENT ASSOCIATES UNTIL AUGUST 31, 2017.

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

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### 3F. PRESENTATION AND DISCUSSION ON THE PROPOSED FY2018 BUDGET

Kim Vazquez, presented the preliminary budget for FY2018. She gave an overview of the CRA mission, objectives and projects.

Ms. Peerman requested the CRA look into purchasing property located Banks Road and Copans Road and also the Stage Door Theatre property. She suggested adding more lighting on Melaleuca Drive.

Mr. Caggiano asked is there a reason the CRA is limited to commercial areas. He said there are residential areas that could use assistance. Mr. Tolces said there is a process in the statute for expanding the CRA that requires a slum and blight study. It also would require consent from Broward County.

Mr. Ruzzano commented that State Road 7 near Atlantic Boulevard looks nice but the properties north of the site need improvement. He would like to see the medians within the CRA boundary to look similar to those located on Rock Island Road near Sample Road near the City boundary.

Ms. Schwartz made a request to expand sidewalk, infrastructure and lighting improvements in residential areas within CRA boundaries.

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## 4) EXECUTIVE DIRECTOR'S REPORT

### A. MCRA WORKPLAN STATUS REPORT FOR JULY 2017

Kim Vazquez gave an overview on CRA projects and initiatives for July 2017.

Copans Road Improvements – The project bid was re-issued and is due July 20, 2017

Melaleuca Drive Improvements – The project is completed and will close July 2017.

David Park Improvements – The canopies to cover the bench areas have been received and have been replaced. Soil borings and survey work has been completed on Phase 2 and 80% of the design will be completed next week.

Sports Complex – The plat amendment is under review by Broward County.

Wayfinding Signage – Working on draft bid documents

Utility Art Wrap Project – CRA received 253 submitted from Call to Artist requests. The first committee meeting was held on July 10, 2017.

In the Business Tuesdays – The event was held at Zuccarellis with estimated 40 attendees. The next event is at Keg King at 952 South State Road 7 from 6-8pm on July 25<sup>th</sup>.

1291 N. State Road 7 – Ongoing Florida Department of Environmental Protection Petroleum Restoration. Monitoring wells are being installed.

## B. TENANT UPDATES

Jim Nardi, Advanced Asset Management, Property Manager, said all tenants are up to date on rent payments.

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## 5) BOARD MEMBER COMMENTS

Ms. Schwartz – No comments

Ms. Peerman wished Mr. May good luck in his new position.

Ms. Simone – No comments

Mr. Caggiano said the fireworks display was amazing. There was an estimate that ten thousand were in attendance for the show.

Mr. Ruzzano said he received positive feedback from the residents regarding the Fourth of July event.

Having no other business, the meeting ended at 9:14 P.M.

Respectfully submitted,

Transcribed by Courtney Easley

Tommy Ruzzano, Chair