

COMMUNITY REDEVELOPMENT AGENCY

REGULAR MEETING

Monday, August 21, 2017

MINUTES

Present:

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

Also Present:

David Tolces, Board Attorney
Samuel A. May, Executive Director
Adam Reichbach, Asst to the City Manager
Kim Vazquez, Project Manager
Cotter Christian, Project Engineer/Manager
Danielle Sabat, Marketing Coordinator
Sarah Blake, Marketing Manager
Chris Brown, RMA Principle

The regular meeting of the Margate Community Redevelopment Agency having been properly noticed was called to order at 7:15 P.M. on Monday, August 21, 2017 by Chair Tommy Ruzzano. There was a moment of silence followed by the Pledge of Allegiance, Roll call was taken.

1. PUBLIC DISCUSSION

Rich Popovich, 6066 Winfield Boulevard, said now that the Board wants to remove the MPO and TOC zoning plans, what is the long-term plan.

Manny Lugo, 1129 E River Drive, stated at the July CRA meeting, Commissioner Schwartz requested an item be placed on the next CRA agenda for consideration to end or amend the contract with New Urban Communities. discussion was to center on negotiating a financial settlement, reduction in cost for the property, reduction in units or to go to court. Chair Ruzzano directed the Executive Director to negotiate on four points which consist of return of the property on the east side of 441, return of the 911 State Rd 7, reduction of units and purchase the property at fair market value and build no more than four – five hundred units. Mr. May, responded we have been meeting with the attorneys on both sides and due to scheduling conflicts with commission calendars there has been no opportunity to meet one-on-one to discuss what has transpired in those meetings.

2. PRESENTATIONS

PRESENTATION OF MCRA MARKETING PLAN FOR FY 16/17 AND FY 17/18

Sarah Blake, Marketing Manager provided an evaluation of the past years initiatives, goals and objectives which included positioning the district, business attraction, retention and communication efforts, customer base cross attraction, advertising events and public relations, special projects and marketing management. Ms. Blake provided an overview for FY2018 including the continuation of the current marketing initiatives and the introduction of a Neighborhood Ambassadors Program, digital print ads, business marketing assistance, reestablish a green market and develop business incentives and programs in target areas. Chris Brown, Principle of RMA provided information on a case study of a shopping center incentive program from Pompano Beach. He said this program could be initiated within the City of Margate.

Ms. Schwartz asked why this is the first time she is hearing of some of these marketing initiatives and why they were not implemented in the past. She stated the marketing goals and objectives need to be measurable.

Ms. Blake responded staff evaluates the programs annually to see what is working, what can be improved upon and as well as implement new programs and initiatives such as digital ad placement versus print ads.

Mr. May said over the past three years the primary focus of the CRA was activity in and around the downtown area. In discussions with CRA staff, he said we are regrouping and looking at what other initiatives can be implemented including different incentive programs focusing on the shopping centers and warehouse areas.

3A. AMENDING RESOLUTION NO. 438 AND DESIGNATING SAMUEL A. MAY, AS THE EXECUTIVE DIRECTOR AND ADAM REICHBACH AS ASSISTANT EXECUTIVE DIRECTOR AND DESIGNEE; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Tolces, Board Attorney read the item title.

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

MOTION: TO APPROVE THE RESOLUTION DESIGNATING SAMUEL A. MAY, AS THE EXECUTIVE DIRECTOR AND ADAM REICHBACH AS ASSISTANT EXECUTIVE DIRECTOR AND DESIGNEE

ROLL CALL: Ms. Schwartz, Yes; Ms. Peerman, No; Ms. Simone, No; Mr. Caggiano, Yes; Mr. Ruzzano, Yes. The motion passed 3-2.

3B. EXTEND THE CONTRACT AS AMENDED WITH REDEVELOPMENT MANAGEMENT ASSOCIATES UNTIL SEPTEMBER 30, 2017.

Mr. Tolces, Board Attorney read the item title.

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

MOTION: TO APPROVE EXTENDING THE CONTRACT AS AMENDED WITH REDEVELOPMENT MANAGEMENT ASSOCIATES UNTIL SEPTEMBER 30, 2017.

Ms. Peerman questioned if this is going to be a monthly item. She stated this unfair to the employees working for the CRA. She questioned whether a six-month extension would be more suitable.

Ms. Schwartz asked what is the end plan and exit strategy.

Mr. Caggiano stated the Executive Director needs the opportunity to plan an exit strategy and he does not object to a month-to-month with RMA until a plan is in place.

Mr. May said he would like to potentially see the contract extended to November 30, 2017, to allow opportunity to put a transition plan in place.

Ms. Peerman amended her prior motion, Seconded by Ms. Simone:

AMENDED MOTION: TO EXTEND THE CONTRACT UNTIL NOVEMBER 30, 2017

ROLL CALL: Ms. Schwartz, Yes; Ms. Peerman, Yes; Ms. Simone, Yes; Mr. Caggiano, No; Mr. Ruzzano, No. The motion passed 3-2.

3C. AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN STONE CONCEPT MIAMI, INC. AND THE MARGATE COMMUNITY REDEVELOPMENT AGENCY FOR THE COPANS ROAD MEDIAN IMPROVEMENT PROJECT.

Mr. Tolces, Board Attorney read the item title.

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

MOTION: TO AUTHORIZE THE EXECUTION OF AN AGREEMENT BETWEEN STONE CONCEPT MIAMI, INC. AND THE MARGATE COMMUNITY REDEVELOPMENT AGENCY FOR THE COPANS ROAD MEDIAN IMPROVEMENT PROJECT.

Mr. Caggiano asked for explanation of the tab sheet provided. He said although the bottom line is not that different between the bidders, the individual line items show large discrepancies in cost.

Cotter Christian, Project Manager, explained in reviewing the line item cost, you may see some of the contractors making their upfront cost top heavy for larger payouts in the beginning of the project. In this case, we have checked the references and their will oversight from the CRA engineer, DEE's, CRA Project on certification of the payment request to make sure the work is completed as bid.

Mr. Ruzzano explained contractors may go top heavy on the front end of a job to get larger payouts in the beginning. He said you need to compare the bottom line numbers as what is written in the bid are assumptions of cost. It is important to check that they are a qualified contractor for the job.

Ms. Schwartz asked about the construction timeline. Mr. Christian responded the contract provides for 180 days but he anticipates once all the permits are received construction will take about half that time.

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

3D. AMENDING THE FY 2017 BUDGET BY TRANSFERRING \$40,871.00 FROM THE "CIP PROJECTS CONTINGENCY" ACCOUNT TO THE "COPANS ROAD MEDIAN IMPROVEMENT" ACCOUNT TO PROVIDE FOR DESIGN AND CONSTRUCTION OF THE COPANS ROAD MEDIAN IMPROVEMENT PROJECT.

Mr. Tolces, Board Attorney read the item title.

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

MOTION: APPROVE AMENDING THE FY 2017 BUDGET TRANSFERRING \$40,871.00 FROM THE "CIP PROEJECTS CONTINGENCY" ACCOUNT TO THE "COPANS ROAD MEDIAN IMPROVEMENT" ACCOUNT TO PROVIDE FOR DESIGN AND CONSTRUCTION OF THE COPANS ROAD MEDIAN IMPROVEMENT PROJECT.

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

3E. ADOPTING THE CITY OF MARGATE'S PROCUREMENT POLICY AS PROVIDED IN CITY OF MARGATE ORDINANCE NO. 2017-12 AS MAY BE AMENDED FROM TIME TO TIME; PROVIDING FOR THE REPEAL OF THE EXISTING MARGATE COMMUNITY REDEVELOPMENT AGENCY'S PROCUREMENT POLICIES AND PROCEDURES PROVIDING FOR AN EFFECTIVE DATE.

Mr. Tolces, Board Attorney read the item title.

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

MOTION: TO ADOPT THE CITY OF MARGATE'S PROCUREMENT POLICY AS PROVIDED IN CITY OF MARGATE ORDINANCE NO. 2017-12 AS MAY BE AMENDED FROM TIME TO TIME; PROVIDING FOR THE REPEAL OF THE EXISTING MARGATE COMMUNITY REDEVELOPMENT AGENCY'S PROCUREMENT POLICIES AND PROCEDURES.

Ms. Peerman said the Speaker of the House is trying to push legislation through for CRA's to follow the City's procurement policies. She stated she likes separation of City and CRA's, but this is going to be the momentum going forward if future legislation passes.

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

3F. ADOPTING AMENDED GUIDELINES FOR THE COMMERCIAL FACADE GRANT PROGRAM AND THE COMMERCIAL PROPERTY LANDSCAPE IMPROVEMENT PROGRAM AS PROVIDED IN EXHIBITS "A" AND "B" WHICH ARE ATTACHED HERETO; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Tolces, Board Attorney read the item title.

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

MOTION: TO AMENED GUIDELINES FOR THE COMMERCIAL FACAE GRANT PROGRAM AND THE COMMERCIAL PROPERTY LANDSCAPE IMPROVEMENT PROGRAM AS PROVIDED IN EXHIBITS “A” AND “B”.

Ms. Peerman asked why are we removing “cash payment cannot be reimbursed if CRA staff cannot conclusively verify payment was made.”

Mr. May explained that it puts the burden of proof on staff that cash payments were made.

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

3G. AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR AMENDMENT TO NONVEHICULAR ACCESS LINES AND AN AGREEMENT FOR AMENDMENT OF NOTATION ON PLAT, BOTH AGREEMENTS BETWEEN BROWARD COUNTY AND THE MARGATE COMMUNITY REDEVELOPMENT AGENCY FOR MODIFICATIONS TO THE HAIG & DUKE PLAT RELATED OT THE COVERED SPORTS FIELD

Mr. Tolces, Board Attorney read the item title.

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

MOTION: TO AUTHORIZE THE EXECUTION OF AN AGREEMENT FOR AMENDMENT TO NONVEHICULAR ACCESS LINES AND AN AGREEMENT FOR AMENDMENT OF NOTATION ON PLAT, BOTH AGREEMENTS BETWEEN BROWARD COUNTY AND THE MARGATE COMMUNITY REDEVELOPMENT AGENCY FOR MODIFICATIONS TO THE HAIG & DUKE PLAT RELATED OT THE COVERED SPORTS FIELD

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

4A. PUBLIC ART UTILITY BOX PROJECT ART SELECTIONS

Danielle Sabat, Marketing Coordinator presented art selections chosen by the Art Committee for Phase 1 for input and recommendations from the Board.

Joanne Simone said there are quite a few of selections she did not care for. Discussion ensued by the Board and it was decided to go out for another “Call to Artist” being more specific on the artwork, allow the Board to jury the art and have a workshop to discuss later.

4B. WINFIELD BOULEVARD TRAFFIC CALMINIG STREESCAPE IMRPOVEMENTS

Kim Vazquez, Project Manager, introduced the item and explained at the last meeting the Board wanted one of the roundabouts, traffic tables and sable palms removed. She said there will still be a small landscaped median just west of 57th Terrace.

Mr. Mark Crompton, Keith and Associates, provided a final design plan for Winfield Boulevard. He explained that the trees planned cannot contain a large root base as these are small median and a roundabout area.

Mr. Ruzzano when the bid goes out can an extra item for stamped concrete or asphalt.

The Board requested looking at an art piece, fountain or some form of feature with lighting in the roundabout and potentially statues in the medians as well.

4C. ACE HARDWARE – DISCUSSION OF LEASE TERMS

Jim Nardi, Advanced Asset Management said through a sale and transfer, the owner of Ace Hardware is requesting his current lease interest be transferred to the new owner prior to the sale. The current lease is for a 5-year term with option to renew for 5 years.

David Tolces explained there are two motions requiring Board action first is to assign the lease to the new owner and a landlord waiver required by the lender representing the new owner.

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

MOTION: TO APPROVE ASSIGNMENT OF THE LEASE TO MARGATE BOULEVARD HARDWARE STORE INC.

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

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

MOTION: AUTHORIZE THE EXECUTION OF THE LANDLORD WAIVER SUBJECT TO REVIEW AND APPROVAL BY LEGAL COUNSEL

Mr. Tolces explained the lender wants the CRA to take secondary position for interior improvements and agree to stall eviction proceedings for up to 60 days to allow opportunity to cure if necessary.

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

4D. SHOES2GO (d.b.a. BEAUTYLAND) – FIVE YEAR LEASE OPTION

Mr. Nardi said at a prior meeting the Board agreed to 3-year lease with 1-month rebate of rent at the end of each year of his lease. He is requesting consideration by the Board for a 5-year lease, 60-day out clause and a rebate of 1 month of rent at the end of the each of the first 3 years of his lease.

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

MOTION: TO APPROVE A 5-YEAR LEASE WITH SHOES2GO WITH 1 MONTH REBATE OF RENT AT THE END OF EACH OF THE FIRST 3 YEARS OF THE LEASE AND A 60 DAY OUT CLAUSE.

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

5A. EXECUTIVE DIRECTOR'S REPORT

TENANT UPDATES

Mr. Nardi said one tenant is outstanding on rent as their check was returned. Tax Service Express has vacated, and that space is now available for lease. Diane's Country Kitchen has expressed interest in the old Backstreet location. Mr. Nardi said working with the Executive Director as that location has air conditioning issues.

Mr. Ruzzano asked if there is anything that can be done to assist Diane's Kitchen to open a secondary location there.

Ms. Peerman said that at that location, it is a deterrent with the air conditioning units not functioning properly and will be a challenge for any potential tenant interested in that location.

Mr. May responded we need to have an HVAC engineer prepare a report to understand the air conditioning system needed in that location.

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

MOTION: TO HAVE AN HVAC ENGINEER PROVIDE A REPORT AND REPLACE THE AIR CONDITONING UNITS AS REQUIRED

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

Mr. May congratulated Commissioner Peerman on her appointment to the Florida Redevelopment Association Board of Directors.

He asked the Board if there is interest in doing the Paintscaping 3D imaging show again for the 2017 Winter Festival. The same show as last year would be \$24,000, if adding to the existing show it would be additional \$9,000 and a new production would be \$42,000. The Board asked Mr. May to review the previous contract and provide more information. Ms. Schwartz asked that we push for press coverage as last year it was little to none.

Mr. May provided updates on the Atlantic Boulevard west median improvement project, architectural standard design guideline, and upcoming presentation on a planning charrette.

Mr. May stated the Board appointed Mr. Reichbach as the Assistant Executive Director and would like to discuss compensation by the CRA for that position. He recommended a \$12,000 annual salary plus one day per month earned vacation time.

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

MOTION: TO PAY THE ASSISTANT EXECUTIVE DIRECTOR \$12,000 ANNUAL SALARY AND 12 DAYS VACATION TIME.

Mr. Ruzzano no problem with \$12,000 annual salary not in agreement with 1 day per month earned vacation time.

Ms. Schwartz said this conversation should have occurred when the appointment was made. She stated she feels this is premature as a transition plan for the CRA has not come forward.

Mr. May said that Mr. Reichbach will be part of that transition plan for the CRA.

ROLL CALL: Ms. Schwartz, No; Ms. Peerman, Yes; Ms. Simone, Yes; Mr. Caggiano, No; Mr. Ruzzano, No. The motion failed.

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

MOTION: TO PAY THE ASSISTANT EXECUTIVE DIRECTOR \$18,000 ANNUAL SALARY.

The previous motion was amended by Ms. Schwartz as follows, seconded by Mr. Caggiano:

AMENDED MOTION: TO PAY THE ASSISTANT EXECUTIVE DIRECTOR \$12,000 ANNUAL SALARY AND 6 DAYS VACATION TIME.

ROLL CALL: Ms. Schwartz, Yes; Ms. Peerman, No; Ms. Simone, No; Mr. Caggiano, Yes; Mr. Ruzzano, No. The amended motion failed.

ROLL CALL ON THE ORIGINAL MOTION: Ms. Schwartz, Yes; Ms. Peerman, Yes; Ms. Simone, No; Mr. Caggiano, No; Mr. Ruzzano, Yes. The motion passed 3-2.

6. BOARD COMMENTS

Ms. Schwartz – No comments

Ms. Peerman – No Comments

Commissioner Simone asked the Executive Director to explore widening of the left turn lane on Royal Palm at 441. She asked if money in the budget for holiday lighting to consider doing something a little different with the holiday lights on Margate Boulevard and provided an example.

Mr. Caggiano reminded the audience school is back in session and asked everyone to pay attention.

Mr. Ruzzano asked if a determination had been made by the developer on extending the time allowed by 501(c) (3)'s to use the former swap shop property for carnivals. Mr. Tolces said a verbal commitment to extend the timeframe for carnivals has been made but he is waiting for something in writing from the attorney who represents the developer.

Having no other business, the meeting ended at 10:20 P.M.

Respectfully submitted,

Transcribed by Kimberly Vazquez

Tommy Ruzzano, Chair