

COMMUNITY REDEVELOPMENT AGENCY

SPECIAL MEETING

Thursday, September 28, 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, Assistant Executive Director
Kim Vazquez, Project Manager

The special meeting of the Margate Community Redevelopment Agency having been properly noticed was called to order at 6:09 p.m., Thursday, September 28, 2017 by Chair Tommy Ruzzano. There was a moment of silence followed by the Pledge of Allegiance, Roll call was taken.

1. DISCUSSION AND POSSIBLE ACTION

APPROVAL OF TEMPORARY USE AGREEMENT BETWEEN THE MARGATE COMMUNITY REDEVELOPMENT AGENCY AND ST. VINCENT CATHOLIC CHURCH

Mr. Tolces, Board Attorney read the item title.

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

MOTION: APPROVE THE TEMPORARY USE AGREEMENT BETWEEN THE MARGATE COMMUNITY REDEVELOPMENT AGENCY AND ST. VINCENT CATHOLIC CHURCH

Ms. Schwartz asked if the site will be cleared by the date needed for St. Vincent to set up and hold the carnival.

Mr. May said efforts are being made to have the property cleared but there is no guarantee it will be free of the hurricane debris by the date needed for the setup of the carnival.

Dennis Phenix - 6955 NW 18th Street, representative for St. Vincent Catholic Church said historically the rides and the parking take up the entire site. The dates they originally requested maybe insignificant at this time as Hildebrand, the ride provider, may potentially have a conflict as they have bid on another job when informed the property may not be available for use.

Mr. Ruzzano asked if Hildebrand paid the outstanding police detail services from prior carnivals.

Mr. May said the police detail fees of approximately \$11,000 is still owed by Hildebrand, for past carnivals hosted by Fraternal Order of Police, Fireman's Benevolent Association and Waterfront Foundation.

Mr. Ruzzano asked the Board Attorney, if the temporary use agreement is approved, is the CRA protected if the property is not available and there have been cost incurred by St Vincent prior to set up. He said he would also like to recommend waiving of any use fees since this will potentially be the last carnival on that site.

Mr. Tolces responded additional language can be added into the temporary use agreement that states the "CRA shall not be responsible for any damages, cost or expenses incurred by St. Vincent Church because of any debris or other city activity in response to any natural disaster that exist on the property."

The previous motion was amended and made by Ms. Schwartz, seconded by Mr. Caggiano:

MOTION AS AMENDED: APPROVE THE TEMPORARY USE AGREEMENT BETWEEN THE MARGATE COMMUNITY REDEVELOPMENT AGENCY AND ST. VINCENT CATHOLIC CHURCH WITH THE ADDITION OF LANGUAGE THAT THE CRA SHALL NOT BE RESPONSIBLE FOR ANY DAMAGES, COST OR EXPENSES INCURRED BY ST. VINCENT CHURCH BECAUSE OF ANY DEBRIS OR OTHER CITY ACTIVITY IN RESPONSE TO ANY NATURAL DISASTER THAT EXIST ON THE PROPERTY AND WAIVE THE FEE FOR THE USE OF THE PROPERTY OF \$5,000.00.

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

PUBLIC COMMENT

Manny Lugo, 1129 E River Drive, said he felt the City Center negotiations with New Urban, Board Attorney and the Executive Director is in violation of the Sunshine Law. He quoted from the Florida Municipal Officials manual and made mention that Mr. Tolces firm negotiated the development agreement on behalf of the CRA. Mr. Lugo continued he thinks the Board should obtain an independent outside counsel. Mr. Tolces responded his firm did not negotiate the development agreement. He continued he is very familiar with sunshine law, and it has been with the advice of counsel, that they continue to comply with the terms of the development agreement and work with the Executive Director and staff on negotiations. At the appropriate time a recommendation will be brought before this Board.

Rob Hannan – 3168 Bayberry Way, said he thought the meeting tonight was to provide status on the City Center project. He stated he was disappointed that there is nothing to report at this time.

BOARD COMMENTS

Ms. Schwartz – no comments

Ms. Peerman – no comments

Mr. Caggiano – no comments

Ms. Simone – no comments

Mr. Ruzzano asked for clarification as to who sets the agenda for the CRA meetings.

Mr. Tolces responded the Executive Director sets the agenda. If the Board so chooses, the By Laws can be amended to add the Chair must review and approve the agenda prior to release.

Having no other business, the meeting ended at 7:05 P.M.

Respectfully submitted

Transcribed by Kimberly Vazquez

Tommy Ruzzano, Chair