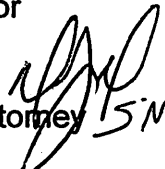
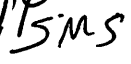


MEMORANDUM 2018-02

TO: Sam May, Executive Director

CC: Adam Reichbach, Assistant Director

FROM: Donald J. Doody, CRA Attorney 
Sean M. Swartz, Assistant CRA Attorney 

RE: Margate Community Redevelopment Agency (CRA)/ Seawall Repair

DATE: April 19, 2018

Question

Can the Margate CRA fund in part or in whole the canal bank retaining wall restoration project at 1225 and 1229 East River Drive?

Answer

Yes. The Margate CRA can fund in whole the retaining wall restoration project at 1225 and 1229 East River Drive based on the language set forth in Part III, Section 1, Paragraph B, Goal 1, Subsection E (page 20) of the Margate Community Redevelopment Plan.

Discussion

The above referenced provision of the Margate CRA Plan states, "eliminating conditions identified from the Finding of Necessity listed: (e) open drainage canals have steep slopes and poor water quality creating unsafe conditions." Accordingly, the Margate CRA will be able to fund this project in whole or in part as long as the wall restoration aims to correct the unsafe conditions dealing with the steep slopes of the drainage canal, or aims to remove the unsafe conditions of poor water quality from the canals (i.e. improving the canal bank drainage walls will prevent unwanted materials from leaking into the canals and causing poor water quality). In this case, the project must ensure it is narrowly tailored to the provision above regarding unsafe conditions. This is because the wall restoration will likely make the slopes even more steep. That being said, as long as this project is associated with eliminating the unsafe conditions associated with the drainage canals and water quality the project can be funded in whole or in part by the Margate CRA.