

# COMMUNITY REDEVELOPMENT AGENCY BOARD

## SPECIAL MEETING November 20, 2018

### MINUTES

#### Present:

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

#### Also Present:

Samuel A. May, Executive Director  
David Tolces, Goren, Cherof, Doody & Ezrol, P.A.  
Robert Massarelli, Assistant Executive Director  
Cotter Christian, CRA Project Manager  
Nick Cucunato, Public Works Superintendent  
Eric Mills, Virtual Design Group  
Joseph Kavanagh, City Clerk as CRA clerk

The Special meeting of the Margate Community Redevelopment Agency having been properly noticed was called to order at 7:03 p.m., on Tuesday, November 20, 2018, by Chair Tommy Ruzzano. Roll call was taken followed by a moment of silence and the Pledge of Allegiance.

Chair Ruzzano introduced and welcomed the new MCRA Board member, Antonio Arserio.

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#### 1. MINUTES FOR APPROVAL (9/12/18)

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

**MOTION:** SO MOVE TO APPROVE

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

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#### 2. PUBLIC DISCUSSION

No one came forward during Public Discussion.

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Chair Ruzzano asked the Board for consensus to move Item 5 Executive Director's Report prior to Item 3A. Board members gave general consent.

#### 5. EXECUTIVE DIRECTOR'S REPORT

Sam May, Executive Director, said Nick Cucunato, Public Works, would provide an update of the wall along Atlantic Boulevard and the color concepts for Ace Plaza would be provided as well.

Nick Cucunato, Public Works Superintendent, presented samples of color combinations of stone that could be used for the wall.

Eric Mills, Virtual Design Group, showed an image of the wall with the placement of stone and a lighter paint color on the Mondopad.

Discussion ensued about stone color preferences. Mr. Cucunato explained that the colors on the stone appeared in repeating patterns and the panels that came either two-feet by four-feet or three-feet by four-feet in size and were hand painted. He said the panels cost \$90.00 per square foot, and they would be stacked two high. He said a ledger was available at an additional cost. Ms. Schwartz said her preference was Mojave with the larger stone. Mr. Arserio said he was colorblind and that he would be agreement with the general consensus but his preference was a darker stone color for maintenance. Ms. Simone said she also preferred Mojave. Mr. Caggiano said he liked a different one which he pointed out to Mr. Cucunato. Chair Ruzzano said he could go with either one. He said he preferred the dark one but

they were close. He said the direction was to go with the one that was in Mr. Cucunato's left hand with a ledger and having it sealed to prevent mold. Mr. Cucunato said the stone was actually urethane foam that was very tough and easy to install. Chair Ruzzano said he preferred using mortar with concrete. He asked Mr. Mills whether he had used the product previously. Mr. Mills responded that he had used it only for interiors in the past. Mr. Cucunato said it had been used at the Toscana development. There was a brief discussion about the cost and Mr. May calculated that the cost was \$11.25 per square foot. Chair Ruzzano said real stone could be purchased at Floor and Décor for \$5.00 to \$6.00 per square foot. He said he preferred the use of stone and mortar as opposed to Styrofoam. He asked Mr. Cucunato to obtain samples of real stone that had the same appearance as what had been presented. Mr. Cucunato said the layers of real stone would be smaller, one and one-half inches versus three inches. He said with mud and installation, the cost of real stone would likely come out the same. Mr. May said the color was what they were choosing that day versus the materials.

Chair Ruzzano asked Mr. Mills the color of the stone that had been used in the wall image. Mr. Mills said it was called Terra Cotta stone and the image shown was in the darker version but it also was available in a lighter version. Ms. Simone said she did not like the dark brown trim and she asked Mr. Mills if he was familiar with the wall on Commercial Boulevard. Mr. Mills said the trim used on that wall was lighter. He said he tried to stay within the same color family as the cap and banding to avoid additional expense but the trim could certainly be changed.

Discussion ensued about the paint color for the wall and the trim. Mr. Cucunato explained that the wall was originally painted a lighter color and it required much more maintenance, and once it was changed to the current color, there had been little maintenance since it hid the dirt. Ms. Schwartz said she was fine with the current trim for the time being, and she suggested getting stone that had multiple colors so that eventually the paint could be changed for a fresh look. Chair Ruzzano asked the Board members if they were in agreement with getting rid of the green paint and going with the cream color. The Board gave general consent.

Lesa Peerman, 6291 N.W. 4<sup>th</sup> Place, commented that she thought the columns would be done in stone as well. Chair Ruzzano responded that it had been discussed but it was costly. Mr. Cucunato responded that the columns were separated from the wall and everything floated and moved with temperature changes. He said if stone were placed on the columns and the wall, when they moved, it would crack and need to be repaired.

Richard Zucchini, 380 Lakewood Circle, asked if the stone product would stand up long term to the sun and pressure cleaning. Mr. Cucunato said it had ultra-violet protection and could be pressure cleaned. Mr. Zucchini said he would prefer the real stone and he suggested painting the banded edges first and in a lighter color.

Chair Ruzzano summarized that the choice was to go with real stone, mortared, and in the Mojave colorway.

Chair Ruzzano stated that there were four telephone poles that were leaning badly that needed to be addressed before the concrete work was done. Mr. Cucunato said the poles were the responsibility of Florida Power and Light (FPL). Mr. May said FPL would be contacted.

Mr. Arserio asked if an estimate to do the trim could be obtained. Chair Ruzzano said he liked the option on Commercial Boulevard with the dark stone. There was back and forth discussion about whether it was done in real stone and the colors used. Mr. May said changing the trim would be a fairly significant cost. Chair Ruzzano confirmed that the trim color would remain and could be changed at some time in the future.

Mr. Cucunato stated that he would get a price for real stone applied by mortar half way up the wall using the larger format stone.

David Tolces, Board Attorney, commented that once a design and scope of work was done, depending on the price, it might need to go out to bid and then a contract would be done and approved by the Board. He suggested that the CRA Executive Director and staff bring back stone samples with the cost estimates for the Board to review.

Mr. Cucunato showed slides done by Virtual Design Group that showed different color combinations for the Ace Plaza improvements. One slide showed the awning with two different color options for the stone columns. Chair Ruzzano asked the Board members if they liked any of the colors, and if not, what colors they would be interested in. Mr. Cucunato explained that the images did not depict the precise colors.

Mr. May suggested having a mock-up done of one column using the paint and stone colors that the Board members select so they could get a better idea of how it would look.

Discussion ensued about the color of the roof. Mr. May said a section of the roof could also be done in the sample color as a mock-up.

Chair Ruzzano commented that he did not want to see the stone cuts on the corners of the columns. He recommended using the stone like Orion, Cumberland Farms, and Wawa used. Mr. May said staff would take a look at their construction technique.

Mr. Cucunato suggested that the Board members follow the advice of the individuals that had experience in the field even though they might not agree 100 per cent so that the project could move forward. He said creams and beiges were popular colors. Mr. Arserio commented that there was no pop. Mr. Cucunato commented that the plaza was built in 1955 and it had four different facades for the roof. He said there were limited changes that could be made without replacing the roof and façade. He said changing the paint color and the columns was the best that could be done.

Richard Zucchini, 380 Lakewood Circle East, said he took pictures of the current plaza as well as a plaza on Atlantic Boulevard and compared the lighting. He said the lighting at Ace Plaza was horrible in comparison. He said the signs should be made a condition of the tenant lease. Chair Ruzzano said that new signs for each store would give the plaza the pop it needed. Mr. Cucunato said lighting was being changed for the entire plaza and signs could be added as new tenants came in.

Ms. Schwartz asked Charles Michelson, who was in the audience, for his architectural opinion.

Charles Michelson, Principal, Saltz Michelson Architects, explained a decision on colors and materials could not be made in the Commission Chambers for several reasons including lighting (outdoors differed from indoor), difficulty comparing photos, and screen resolution. He said his firm's approach was to paint swatches on certain area and bring out paint samples and look at the color tones (warm or cool). He said his recommendation was to select a single column, paint a piece of the wall, and paint an area of the roof. He suggested having the Board members visit the site individually and decide on the samples.

Chair Ruzzano agreed but said it would only prolong the project. He asked Mr. May if the two architects that were present that night could come up with something and do a Design/Build on it. Mr. Arserio asked if the intent of the Board was to spruce up the plaza or to make it a brand new shopping center. Chair Ruzzano said if there was a new asphalted parking lot, bronze painted window frames, correct stone and roof colors, and a beautiful plaza sign, the plaza would pop and it would look great. Mr. Arserio asked if landscaping such as planters could be added to the parking lot. Mr. May said there were very limited parking spaces and possibly some planters could be added but they would require irrigation. Mr. May said the focus was on the building right now and parking lot improvements could be done later.

Ms. Simone said the MCRA had good experience working with Mr. Michelson and she was open to going with his recommendations for the colors and the stonework. Ms. Schwartz said she would like to see a sample panel in the daylight. Ms. Simone asked if she would go with Mr. Michelson's recommendation and Ms. Schwartz agreed. Chair Ruzzano said he was not in agreement because by the time a color had been agreed to, it would be back at stage one again. Mr. May suggested having Mr. Michelson select the colors. Chair Ruzzano suggested allowing the two architects design something and bring it back to the Board. Mr. May said the problem had been getting past the color selection point, unless the Board allowed them to pick the colors based on current design trends. Chair Ruzzano asked to have it put out for Design/Build. Mr. May said he preferred to not go with Design/Build since cost estimates had already been obtained on most of the components and it was ready to go; however, a decision was still needed on the colors. Chair Ruzzano suggested that Mr. May work with the two architects and have them come back and present colors at the next meeting. Mr. May questioned the need for them to come back and present. He suggested that the MCRA Board let the professionals make the color choices. Chair Ruzzano suggested that they do a presentation with their color choices and include any other design options they choose. Mr. May agreed to work with both architects and come back with their design at the next CRA meeting on December 11, 2018.

In reference to the wall, Chair Ruzzano asked about next steps. Mr. May said he would look at whether it needed to go out to bid which depended on the percentage of materials versus service, but several bids would be obtained nonetheless. Mr. Cucunato said the wall was close to 3,000 square feet. Mr. May said he estimated it would cost about \$100,000 with \$45,000 of it in materials, not including the painting. Mr. May said the grass removal would be done in-house.

Ms. Simone suggested have the two architects select the stone for the wall.

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- 3A. **RESOLUTION:** APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE MARGATE COMMUNITY REDEVELOPMENT AGENCY AND THE CITY OF MARGATE FOR LANDSCAPE, IRRIGATION SERVICES AND BRICK PAVER MAINTENANCE.

After David Tolces, Board Attorney, read the resolution title, Ms. Schwartz made the following motion, seconded by Ms. Simone:

**MOTION:** SO MOVE TO APPROVE

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

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- 3B. **RESOLUTION:** APPROVING EXTENSION REQUEST FROM NND CAPITAL FOR LANDSCAPING IMPROVEMENT GRANT LOCATED AT 2333 NORTH STATE ROAD 7.

After David Tolces, Board Attorney, read the resolution title, Ms. Simone made the following motion, seconded by Ms. Schwartz for discussion:

**MOTION:** SO MOVE TO APPROVE

Ms. Schwartz questioned why the improvements had not been completed within the 545 days required in the agreement.

David Shopen, property manager, said it was due to a building violation by one of the tenants who had started renovation work without a permit. He said a permit was applied for in January, 2018 and the permit was received ten days ago.

Sam May, Executive Director, explained that a stipulation of the grant was that there could not be any open violations in order for payout on the grant. The property owner requested an extension to allow time to get the violations remediated and the permit closed out.

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

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- 3C. **RESOLUTION:** AMENDING FISCAL YEAR 2017-2018 AND FISCAL YEAR 2018-2019 ANNUAL BUDGETS

After David Tolces, Board Attorney, read the resolution title, Mr. Caggiano made the following motion, seconded by Ms. Schwartz:

**MOTION:** SO MOVE TO APPROVE

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

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- 4A. **DISCUSSION & POSSIBLE ACTION:** CONSIDERATION OF WAYFINDING SIGNAGE PROGRAM

David Tolces, Board Attorney, read the item title.

Charles Michelson, Saltz Michelson Architects, gave a PowerPoint presentation on the status of the Wayfinding sign program that his firm had been working on over the past few months. He said the signage package was being created for the entire City of Margate and it included gateway, facility, informational, and directional signs, etc. He said the signage would be incorporated over a period of time in a variety of locations. He said they worked with staff on the appropriate heights for the signage with the gateway signs be the highest at 12 feet. He said he and Cotter Christian met with the Florida Department of Transportation (FDOT) to understand the criteria and requirements of placing signs in transportation ways. In addition to the design, he said they had been working on the sign's dimensions and materials, as well as a signage color palette which included the stone and stone options, and colors of the paint, metal, and curved bands. Mr. Michelson showed a map of the city which identified the streets with the gateway signs at the entrances to the city. Based on his conversations with FDOT, he said it might be better to locate some of the gateway signs away from the property line if there were other areas close by that were more appropriate.

He said the report he provided divided the city into eight parcels and identified the type and location of each sign. He said he worked with staff and local professionals and was able to put together a realistic budget taking into account the need for water and power at some locations.

Mr. Michelson said their report included a description and summary of work that could be used to go out to bid on the package. He said it was up to the city to select the initial sign package it wanted, but the design package included every conceivable type of sign the city might want now or in the future. He said the most impact initially would be by identifying the city through gateway signage and some key facilities such as City Hall or certain parks. The other signs could be staged as development occurred.

Discussion ensued about some of the different types of signs and their applicability. Chair Ruzzano commented that the entranceway signs should be done first. He asked about the type of stone he was proposing. Mr. Michelson said it was a thin veneer stone that he had used in the past. Chair Ruzzano asked about the construction of the signs. Mr. Michelson explained that there would be a concrete base poured into the ground and the sign would be fabricated around it. He said signs in the FDOT right-of-way would need to be breakaway signs if less than four feet from a curb adjacent to where a car was traveling.

There was discussion about the cost of the signs. Sam May, Executive Director, said there was \$355,000 budgeted. He suggested starting the project with 15 signs which included the Gateway and Parks and Facility signs within the MCRA. He reviewed the location of the gateway signs.

Chair Ruzzano asked Mr. Michelson if he recommended one bid for all the signs and Mr. Michelson agreed that it should be one bid noting that there were several local sign companies that had the capability and could easily handle the project, and the MCRA would realize an economy of scale.

Chair Ruzzano asked if the prices reflected the water features and Mr. Michelson said they did. Mr. Ruzzano asked if the signs would be illuminated and Mr. Michelson said they would be internally illuminated either with solar or electrically. He explained that the vehicular signs would likely be used in a business district or to identify the location of a post office or hospital. Mr. May said one might be appropriate at Margate Boulevard and N.W. 66<sup>th</sup> Avenue because the sign that provided direction to the Building and Engineering departments had been damaged. Chair Ruzzano asked if the Paradise Gardens sign was on City property. Mr. May said that it was on City property and he would address doing something with it with Mr. Michelson.

Mr. Arserio asked Mr. Michelson if their firm would design landscaping around the signs. Mr. Michelson said they would not do the landscaping but they could work with the sign company so the landscaping would complement the signs.

Chair Ruzzano asked about the next steps to which Mr. May responded that the MCRA would move forward with the Request For Proposal.

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#### 4B. **DISCUSSION & POSSIBLE ACTION:** DISPOSITION OF 891 NORTH STATE ROAD 7

David Tolces, Board Attorney, read the item title.

James Nardi, Advanced Asset Management, explained that the Board previously discussed the possibility of leasing the property. He said the initial intention for purchasing the property was for land value. He said a cursory review of the property was done to determine what work would be needed to make it leasable. He said he estimated repairs totaling between \$50,000-\$70,000 would be needed which included roofing, air conditioning, work associated with the Americans with Disabilities Act to correct elevation issues, and plate glass replacement. He said making the repairs would result in over improvement of the small 1,800 square foot space and it was unlikely the MCRA would realize a return on its investment, unless the perfect use for the space were found. He said the cost to demolish the building was about \$12,000.

Ms. Schwartz questioned previous comments that had been made about improvements of one million dollars. Mr. Nardi said the previous owner purchased the property for about \$800,000 and he maybe put some money into it but it was not a million dollar renovation.

Chair Ruzzano asked if there were any abutting properties that might be of interest to the MCRA. Mr. Nardi described the surrounding properties and area. There was discussion about the street to the south which Sam May, Executive

Director, said was a city street. Mr. Nardi said that the property adjoining the MCRA's property was for sale and the property south of that would be going up for sale. Chair Ruzzano asked about the possibility of purchasing both properties and closing off the street. Mr. May said he would need to look into whether closing off the street could be done.

Mr. Caggiano asked Mr. Nardi if he recommended demolition to which Mr. Nardi responded affirmatively. Ms. Schwartz suggested contacting the Fire Department to see if they had methods to take down the building. Mr. May said he would look into it, and he noted that the building had plate glass which posed a safety issue for using the building for police or fire training exercises. Ms. Schwartz asked whether it had been tested for asbestos. Mr. Nardi said a sample was done during due diligence and no asbestos was found.

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

**MOTION:** TO KNOCK DOWN THE BUILDING

Lesa Peerman, 6921 N.W. 4<sup>th</sup> Place, said that it was the owner of the Player's Club that put one million dollars into the property to convert it from a gas station. She said knocking down the building was the best choice because it would give the MCRA an attractive piece of property and more businesses were looking to put up smaller buildings.

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

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4C. **DISCUSSION & POSSIBLE ACTION:** TEMPORARY USE AGREEMENT FOR USE OF PATIO AREA FOR HOLIDAY CELEBRATION BY TRI-COUNTY DISCOUNT LIQUOR AND BEVERAGE

David Tolces, Board Attorney, read the item title. Ms. Simone made the following motion, seconded by Mr. Caggiano:

**MOTION:** SO MOVE TO APPROVE

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

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5. **EXECUTIVE DIRECTOR'S REPORT**

(This is a continuation of Item 5 that was moved after Item 2.)

Sam May, Executive Director, gave the following updates:

**Naming for Music Event.** Mr. May requested direction on the naming of the monthly music event. He said in the past it had been called Margate Under the Moon during the current time period and now it was being called Sounds at Sundown. He asked for consensus on which name to use. The Board members gave consensus to keep the name as Sounds at Sundown.

**Vendors at Sounds at Sundown.** Mr. May asked whether to have vendors at the Sounds at Sundown. He said previously it had been discussed to keep the event very simple with music and food trucks, but some of the public had requested vendors. He said there was no cost to the MCRA for the vendors. The Board gave consensus to add vendors.

Chair Ruzzano asked who would run the event. Mr. May said there were two vendors that the MCRA had been using and he said the MCRA would get proposals from both vendors for the monthly event. Chair Ruzzano asked that water bowls for dogs be available at the event.

**Property Insurance.** Mr. May advised that he had authorized the expenditure of \$130,000 for the property insurance premium for fiscal year 2018-19 for MCRA owned properties.

**Budget Transfers.** Mr. May advised of two budget transfers: \$3,000 to Property Taxes to increase the budget from \$130,000 to \$133,000 to cover the cost of property taxes of \$132,986 for Chevy and Ace Plazas; and, \$2,500 to Holiday Lighting to cover the cost of a Christmas tree outside City Hall. Both transfers were from the Contingency line.

**5A. TENANT UPDATES**

Jim Nardi, Advanced Asset Management, advised that Margate Cleaners and Sweet Spot were given three-day notices. He said the next step would be to turn it over to the attorney's office, but he anticipated that monies would be received by that Friday from one or both of the tenants.

Chair Ruzzano asked about the vacant restaurant space. Mr. Nardi said he had two people interested, one of whom he had met with in August, and they now submitted a Letter of Intent. Mr. Nardi said he had someone interested in opening a photo studio at the former Ballet Elite space. He said the new owner of the barbeque restaurant was preparing to open. He said he also had an Italian ice vendor looking at the former Mugshots space. He said he was working with an architect and he hoped to have a design in the next 30 days and to be able to move in the next few months.

Ms. Schwartz commented Singapore Wraps, a Green and Groove vendor, had expressed an interest in a restaurant space and Mr. Nardi said he spoke with her but the MCRA did not have a suitable space available. Ms. Schwartz commented that the Chamber of Commerce space was only being used occasionally.

Chair Ruzzano commented that the plazas were bringing in almost \$50,000 in rent and he asked how much more would be realized if all the spaces in both plazas were rented. Mr. Nardi said the MCRA looked for \$12 per square feet, and if all the available spaces were rented, it would amount to an additional \$8,000-\$10,000.

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**6. BOARD MEMBER COMMENTS**

Ms. Schwartz read an email she had sent to the law offices of Goren, Cherof, Doody, and Ezrol, P.A., concerning use of CRA owned properties. In the email, she questioned how the developer determined what could and could not take place on each of the properties since they had never gone to closing. She specifically asked how it was that a tent was allowed on parcel two, but not on parcels one and three for public purpose use; and, how staging of debris removal after Hurricane Irma on parcel one was allowed. She also asked whether the MCRA should be charging for property maintenance. She read the response received from Attorney Doody which, in summary, said that MCRA could not take any action that would materially or adversely affect the physical condition of or the status of title to the MCRA property. It said that the developer agreement stated that the MCRA could not utilize the sites for carnivals or fairs after May 1, 2017; however, it could use the sites for food truck events and music festivals but with no carnival type rides. It read that the MCRA had contractually agreed to limit the use of the property and the utilization of the property was not contingent upon the developer closing on the three phases of the property. Ms. Schwartz said she responded that day asking if the agreement precluded the use of site one for a voluntary, informational community event held by the Community Emergency Response Team (CERT) that did not include carnival rides. She said the interpretation was that the sites could be utilized for a CERT event, for parking, and anything that was not a carnival such as for the Christmas tree sales.

Board Attorney David Tolces responded that the issue with the use of the property for Christmas tree sales depended on whether it was considered a music festival or a food truck event. He said the decision was made to use another available property rather than have a potential issue with the developer agreement. He said CERT would be able to use the property since it was for an educational, municipal related purpose and it was not a fair or a carnival and it was not adversely affecting the physical condition or status or title to the property.

Chair Ruzzano said he had spoken with Attorney Doody and he understood the reasoning for his recommendation to change the location for the Christmas tree sales. Ms. Schwartz questioned why it would not have been allowed based on Mr. Doody's email and the fact that there would not been any carnival rides. Attorney Tolces said their firm had been operating conservatively to protect the interests of the MCRA in light of the pending litigation.

Sam May, Executive Director, said he had spoken with Attorney Tolces and it was the responsibility of the MCRA to maintain the property.

Ms. Schwartz wished everyone a happy Thanksgiving.

Mr. Arserio said it was a pleasure and an honor to serve the community and he also wished everyone happy Thanksgiving.

Ms. Simone welcomed Board Member Arserio and she also wished everyone a happy Thanksgiving.

Mr. Caggiano said he would be open to having a MCRA meeting weekly if it helped move projects along. He wished everyone a safe and happy Thanksgiving.

Chair Ruzzano said he also would be open to meeting weekly if there were agenda items. He wished everyone a happy Thanksgiving. He commented that the seawall project looked very good. He asked about the road closures at the roundabout for the upcoming Winter Festival. Lieutenant Joe Galaska explained the plans for closing the roads.

Chair Ruzzano said he had received a request from the Challenger's program asking if what was done last year could be repeated. Mr. May said it would be brought up at the City Commission meeting the next night.

Board Attorney David Tolces welcomed Mr. Arserio to the Board, congratulated Ms. Simone on her re-election, and wished all a happy Thanksgiving.

Chair Ruzzano asked the status of the Copans Road project.

Cotter Christian, Project Manager, explained that the project had been problematic from the start due to difficulties with the general contractor. He said the MCRA had engaged Attorney Doody to help resolve the issues. He said the job was about 75 percent complete and the MCRA had paid about 30 percent of the job and additional payments were being held until the MCRA felt satisfied that the job could be completed successfully. He said the objective was to get the job done while avoiding any litigation between the general contractor and the sub-contractors. Mr. Cotter explained some of the of the issues which included the contractor's poor handling of Maintenance of Transportation (MOT), a delay in getting the electrical hook-up to the pump which was still outstanding, and their decision to install landscaping after the MCRA strongly advised them to wait until the irrigation was fully functional. He said the subcontractor had been truck watering the landscaping to keep it barely alive.

Ms. Schwartz asked whether references were checked when a contractor was selected to do a job. Mr. Christian said this project was a pure bid unlike the Request For Proposal process which weighed various components in addition to price. He said when a prospective contractor was qualified, we were limited in not awarding to the low bidder. He said their references had been checked but perhaps the requirements might need to be tightened in the future because the requirements for this project did not require that they had experience working on Broward County roadways. Ms. Schwartz asked if anyone physically looked at other work they had done and Mr. Christian said they had called the references but had not looked at their work. Ms. Schwartz recommended that requirements be tightened to include site visits on projects the contractor had done.

Chair Ruzzano asked if a bid could be thrown out if only one bid was received. Attorney Tolces said it would be legal as long as the bid documents stated that the Board or City had the right to reject any and all bids which Margate's bid documents did include.

Chair Ruzzano asked the status of David Park. Mr. Christian said it was in Purchasing and it was ready to be issued.

Ms. Schwartz asked Attorney Tolces whether a bid could be tossed because one of the respondent's forgot to include something. Attorney Tolces responded that it would depend but if something were left out of their bid, technically the bidder was not fully responsive. He said the Board could elect to reject all bids and go back out to bid.

Chair Ruzzano asked whether Margate businesses could be given additional points in the evaluation process. Attorney Tolces said their firm would need to look into it.

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There being no additional business, the meeting adjourned at 9:36 p.m.

Respectfully submitted,

Transcribed by Rita Rodi, CRA Coordinator

Tommy Ruzzano, Chair