

MARGATE COMMUNITY REDEVELOPMENT AGENCY BOARD

SPECIAL MEETING

August 9, 2021

MINUTES

Present:

Joanne Simone
Antonio V. Arserio (virtual)
Arlene Schwartz
Anthony Caggiano, Vice Chair (via phone)
Tommy Ruzzano, Chair

Also Present:

Cale Curtis, Executive Director
David Tolces, Weiss Serota Helfman Cole & Bierman
Larry Vignola, Assistant Executive Director
Joshua D. Rydell, P.A.,
Peter G. DePrimo, Esq., The DePrimo Law Firm
Harlan Bast, Broward County Fair, Inc.
David Faber, iHeart Media

The special meeting of the Margate Community Redevelopment Agency having been properly noticed was called to order at 4:05 p.m., on Monday, August 9, 2021, by Chair Tommy Ruzzano. Roll call was taken. There was a moment of silence followed by the Pledge of Allegiance.

The meeting was held in the City Commission Chambers and also accessible virtually through Zoom technology.

1A. **DISCUSSION & POSSIBLE ACTION:** CONSIDERATION TO HOLD THE 2021 BROWARD COUNTY FAIR ON MCRA PROPERTY

After Chair Ruzzano read the item title, he commented that he had received a phone call about hosting the 2021 Broward Fair and the purpose of the meeting was to discuss the matter with the Board.

Joshua Rydell, 633 Southeast Third Avenue, Suite 203, said he and Peter DePrimo, were representing Harlan Bast with the Broward County Fair. He thanked Chair Ruzzano for calling the Special meeting. He commented that the MCRA had successfully hosted other fairs in the past. He said the initial discussion that day was to address several issues that the Board members had been mentioned to him.

- **Safety and security** -- Mr. Rydell advised that he had a client that he believed could benefit the City of Margate that was prepared to use its own security force and to contract with the Margate police and fire departments to engage in any needed detail work needed to ensure safety and security. He said his client, a purveyor in the area amusement and entertainment in other capacities, indicated that changes to those being admitted to the event could make a difference. If the event were approved to move forward, he said the Broward County Fair was prepared to require that attendees be 18 years of age or older or be accompanied by a parent or guardian, which would be a significant impediment for potential troublemakers. He said an operational security plan could also be instituted.
- **COVID-19 concerns** -- Mr. Rydell advised he had a client that had sanitation and cleanliness measures in place that had been utilized elsewhere that included foggers, cleaners, hand sanitizing stations, hand washing stations, and optional masks. He commented about other outdoor concerts, sporting events, etc., that had been taking place and he indicated that they could ensure the safety and security of any pandemic-type issues by putting proper measures in place.
- **Pending litigation** -- Mr. Rydell said he and his partner conducted an analysis to determine if, through negotiations with the MCRA's attorney and staff, there would be a creative way to move forward if the MCRA Board wished to do so. He said he had a client that was committed to ensuring that every aspect of the law would be followed and any pending litigation and existing contracts.

He spoke about the positive aspects of the event including additional local jobs and he said iHeart radio was interested in a partnership to promote the event.

Mr. Rydell said he was available to answer any questions. He said if the Board was interested in moving forward with the event, he requested they provide consensus to move the item forward with a negotiation to be had by staff and the applicant to provide the necessary documentation that addressed the referenced issues. He said a successful agreement could be reached within two weeks.

Chair Ruzzano thanked Mr. Rydell for his presentation. He explained his reasons for putting the item on the agenda. He said he really wanted to see the event happen in Margate and he commented on the exposure it would receive with iHeart radio's involvement and the potential financial gain for the MCRA. He said he would like to see both legal teams work together and the Executive Director to bring back something to the Board soon with more specific details. He asked the Board members for any concerns or comments.

Chair Ruzzano mentioned the use of fencing in the past and he asked if that would be done. Mr. Rydell said he observed a nod from his client. He said security was paramount to his client. Chair Ruzzano said he had spoken to police chief in Coconut Creek and Parkland's mayor and he received their support.

Ms. Schwartz asked the overall number of anticipated vendors. Harlan Bast, speaking from the audience, said there would be 200 to 250 vendors. She commented on some past problems and she said there were less problems when there was a one-way entrance and exit. She asked the cost of admission. Mr. Rydell said conceptually it would be \$10.00 for gate entry and rides would be extra. Ms. Schwartz commented about next steps as it pertained to the litigation.

David Tolces, Board Attorney, said it would be the Board's decision to direct him to enter into discussions with Mr. Rydell to see how they could work under the existing Developer Agreement. Mr. Rydell said his client had spent months on a game plan for the event and was willing to move mountains to get it done in a professional and beneficial way for the community. He said he was looking for consensus to move forward with the Broward County Fair and to direct Attorney Tolces to enter into negotiations with him, and he should be able to come back before the Board in about two weeks with something more comprehensive to obtain approval to move forward or not.

Ms. Simone asked about flexibility in the language in the Developers Agreement. Attorney Tolces stated that the language in the Agreement read "Specifically, and without limitation, the CRA will not utilize the site for carnivals or fairs after May 1, 2017." The questions were whether the other party would enforce the provision and, if so, what potential enforcement would be taken. He said he could not recommend going against the language in the Agreement, but if there was a way to minimize the potential liability for the MCRA while still holding the event, and the Board was willing to take the risk, they could authorize him to have discussions with Mr. Rydell about it; however, the Board would need to make the decision. She expressed her concerns about the request not being in compliance with City Code for the extended length of the event and the longer hours of operation. Mr. Rydell acknowledged the Code's limitations and said it would be subject to MCRA approval to seek exceptions. He said they might be able to shorten the number of days for set-up and takedown.

Vice Chair Caggiano commented that the event would bring life to Margate and he agreed with Chair Ruzzano about looking into the possibility of doing the event.

Mr. Arserio said he was excited about the event and he supported there being additional discussions to obtain more information.

David Faber, iHeart Media, said he had worked with iHeart Media for ten years and he worked with many of the big names in town. He said he had worked with Harlan Bast for about five years and he was a nice and caring client. He said Mr. Bast would bring a lot of attention to the community and that the media buy would be significant and would include radio, television, OTT campaigns, and Facebook.

Ms. Schwartz asked Mr. Rydell if this event was the actual, original Broward County Fair. Mr. Rydell responded, "yes." She said she liked the exposure but she was concerned about the safety and parking aspects. She said it would be a celebration of returning to a sort of normalcy, if the attorneys could work out something that did not have a negative effect on the pending litigation.

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

MOTION: TO DIRECT THE MCRA ATTORNEY AND THE EXECUTIVE DIRECTOR TO SPEAK WITH THE REPRESENTATIVES OF BROWARD COUNTY FAIR TO SEE IF THERE WAS ANY POSSIBILITY FOR ALLOWING THE FAIR TO OPERATE ON THE MCRA PROPERTY

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

There being no additional business, the meeting adjourned at 4:33 p.m.

Respectfully submitted,

Transcribed by Rita Rodi, CRA Coordinator

Tommy Ruzzano, Chair