

COMMUNITY REDEVELOPMENT AGENCY BOARD

REGULAR MEETING

May 13, 2020

MINUTES

Present:

Arlene Schwartz
Antonio V. Arserio
Joanne Simone
Anthony Caggiano, Vice Chair
Tommy Ruzzano, Chair

Also Present:

Cale Curtis, Interim Executive Director
David Tolces, Weiss Serota Helfman Cole & Bierman
Steven Fett, Steven Fett Architecture, Inc.

The regular meeting of the Margate Community Redevelopment Agency having been properly noticed was called to order at 4:22 p.m., on Wednesday, May 13, 2020, by Chair Tommy Ruzzano. Roll call was taken. There was a moment of silence followed by the Pledge of Allegiance.

This was a virtual public meeting held via Zoom. Board Attorney David Tolces read the Findings and Procedure for a Virtual Public Meeting. Those physically present in the Commission Chambers were: Chair Tommy Ruzzano; Cale Curtis, Interim Executive Director; Joseph Kavanagh, City Clerk; and, Rita Rodi, CRA Coordinator.

Chair Ruzzano commented that the County would be sending a letter to the Governor about moving to Phase One which would allow for businesses to open at 50 percent capacity. Mr. Arserio suggested the City and MCRA send a letter to the Governor rather than wait for the County to do so.

1A. MINUTES FOR APPROVAL - (3/11/2020 Regular)

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

MOTION: SO MOVE TO APPROVE

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

1B. MINUTES FOR APPROVAL - (3/26/2020 Special)

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

MOTION: SO MOVE TO APPROVE

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

1C. MINUTES FOR APPROVAL - (4/21/2020 Special)

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

MOTION: SO MOVE TO APPROVE

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

2. PUBLIC DISCUSSION

Charlie Artner, resident, complimented everyone on the use of technology to hold public meetings.

3A. RESOLUTION 638: AMENDING THE FISCAL YEAR 2019-2020 BUDGET BY TRANSFERRING \$100,000 FROM THE CONTINGENCY ACCOUNT TO THE EMERGENCY BUSINESS GRANT ACCOUNT FOR THE 2020 EMERGENCY REIMBURSEMENT GRANT FOR SMALL BUSINESSES IMPACTED BY COVID-19

After David Tolces, Board Attorney, read the resolution title, Mr. Caggiano made the following motion and asked to amend the amount to \$150,000; it was seconded by Mr. Arserio for discussion:

MOTION: TO APPROVE AND TO AMEND TO THE AMOUNT TO \$150,000

Cale Curtis, Interim Executive Director, clarified that the funding had been previously approved from the Contingency account and this resolution was before them because the MCRA Bylaws required budget amendments be approved by the Board. Attorney Tolces said the motion as amended authorized the transfer of funds of \$150,000.

Chair Ruzzano asked how to best handle it if additional funds were needed. Attorney Tolces suggested the Board use the current resolution to increase the amount rather than bring back another resolution at another time.

Mr. Curtis stated that the initial wave of grant funds requested was \$142,000 based on the 76 applications received through the previous day which was almost \$50,000 over the initial funding amount. Hearing this, Mr. Arserio retracted his second to the motion and made the following motion which died for the lack of a second:

MOTION: TO AMEND AND INCREASE THE AMOUNT TO \$175,000

Ms. Schwartz suggested amending the motion as follows, seconded by Mr. Caggiano:

MOTION: TO AMEND AND INCREASE THE AMOUNT NOT TO EXCEED \$200,000

Mr. Curtis said the ending date to submit applications was May 29, 2020, and he advised the Board that the Development Services Director had just updated him that the application total had increased to 92 for grant funds of approximately \$175,000.

Chari Ruzzano commented that the Board should first consider expanding the list of eligible businesses to include some on the non-conforming list that had 15 or fewer employees such as body shops.

Ms. Simone said she was not opposed to increasing the amount but she wanted to know where the funding would come from and she recommended using monies from other projects that had not been done. Mr. Curtis agreed with looking at other projects. He explained that the Contingency account was budgeted for unforeseen and unanticipated projects and it had a current balance of \$481,000.

Mr. Arserio said he was in favor of adding more eligible businesses such as certain non-profits or excluded businesses, and he asked Attorney Tolces if changes to the program needed to be on an agenda. Attorney Tolces said he preferred there be a specific agenda item for changes to eligible program participants so that interested parties that wanted to speak on the item could do so. He said his understanding was that non-profits were excluded from the program because their property was exempt and they did not pay ad valorem taxes.

There was a short back and forth discussion about finding funding for the program in the budget. Ms. Simone suggested leaving the amount at \$100,000 and having Mr. Curtis go through the budget and come back with a list of projects that could fund the program. Mr. Arserio said he was in favor of moving forward with \$200,000 and getting money to the business owners, and additional changes could be discussed at another meeting. Chair Ruzzano agreed that Mr. Curtis should go through the budget and come back to them with suggestions. Mr. Arserio agreed but he did not want to hold up the funding until then.

Chair Ruzzano suggested that the Board members also go through the budget and send their recommendations to Mr. Curtis.

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

3B. RESOLUTION 639: AMENDING THE FISCAL YEAR 2019-2020 BUDGET BY TRANSFERRING \$40,000 FROM THE CONTINGENCY ACCOUNT TO THE WINFIELD BOULEVARD IMPROVEMENTS ACCOUNT FOR MEDIAN CONSTRUCTION AND LANDSCAPING AND IRRIGATION ON WINFIELD BOULEVARD

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

MOTION: SO MOVE TO APPROVE

Ms. Schwartz asked for additional information. Cale Curtis, Interim Executive Director, explained there was additional work needed in preparation for the sign being installed. He said the median needed to be widened because a four-foot clearance was required on each side of the median. He said the funds would cover the construction and landscaping work and it would likely be negotiated for less.

Ms. Schwartz asked the impact of reducing the driving lanes by two foot on each side. Mr. Curtis said there were two lanes on the south side of the median that were at least 12-foot wide so traffic should not be impacted.

Ms. Simone commented that she was not in favor of spending the additional \$40,000 for the sign and she asked why it was not part of the initial project approval. She suggested the sign be scaled down. Mr. Curtis agreed with her frustration and he said he was not sure what happened as it was before his involvement with the MCRA. He said a reduction in the sign's size was considered but it would have to go from being four-foot wide to two-foot wide and it would not likely meet the Board's expectations. She said the sign should be re-addressed.

Mr. Arserio said he wanted to see this project move ahead since it had been promised to the residents some time ago, and he suggested that landscape plans be requested from sign contractors on future projects.

Vice Chair Caggiano suggested reducing the cost by eliminating irrigation and using AstroTurf instead of landscaping. Mr. Arserio pointed out that water would still be needed for the fountain.

Chair Ruzzano spoke about the history of the project and said he would like to see it move forward being that it was nearing completion.

Discussion ensued about the overall cost of the sign and whether it was the right location for a water feature. Chair Ruzzano commented that the sign had been discussed for some time and it would be a nice enhancement to the neighborhood. He said discussions had also been held with the Metropolitan Planning Organization (MPO) about possibly fixing Winfield Boulevard.

Vice Chair Caggiano agreed with moving forward, noting that it could end up costing more money in design costs to change it. Mr. Arserio commented that the neighborhood sign would increase property values and there would be a return on the MCRA 's investment.

Ms. Simone said the Board should have been known about all the costs at the onset of the project. She said she did not think it was the right area for a fountain or that it would increase home values. She recommended going back to the drawing board to find something less expensive that would look nice on that street.

Charlie Artner, resident, commented that some residents on Winfield Boulevard preferred greater police presence to help slow speeding traffic rather than have a fountain. He agreed with Ms. Simone that curb appeal created by the appearance of an individual's home was more important than a fountain. He said he would like to see a fountain on Margate Boulevard.

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

3C. RESOLUTION 640: APPROVING A LICENSING AGREEMENT WITH THE CITY OF MARGATE FOR THE USE OF THE PROPERTY LOCATED ADJACENT TO U.S. 441 AS MORE PARTICULARLY DESCRIBED IN THE LICENSE AGREEMENT FOR DEBRIS STAGING

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

MOTION: SO MOVE TO APPROVE

There was a short discussion about which properties would be used for debris staging. Cale Curtis, Interim Executive Director, explained that the Licensing Agreement included the properties on the east and west sides of U.S. 441 with the west side being the primary site and the east side being secondary. Ms. Schwartz asked that the primary site be the property on the east side as it had been in the past because there was more room for trucks to load and unload.

David Tolces, Board Attorney, commented that the decision was made with the Developer Agreement in mind. Ms. Schwartz disagreed and said that the MCRA was entitled to use the property since it owned it and maintained it. Mr. Arserio agreed and commented that the lis pendens had expired. Attorney Tolces said emergencies and emergency debris staging carried some weight with regards to the Developer Agreement.

Mr. Curtis commented that it was the former Executive Director's preference to not want to materially and adversely impact the condition of the property by putting construction and demolition debris on it. He said the agreement was drafted to use the grass area on the west side U.S. 441 for vegetation and to use the asphalt pad to stage construction and demolition debris, consistent with the requirements of the Developer Agreement. The east side could be used for vegetation but efforts should be made to try to keep the construction and debris material on the asphalt to avoid any type of liability. He said if the Board preferred to use the east side, he would defer to the Board Attorney for review of the Developer Agreement.

Ms. Schwartz disagreed that the MCRA should be told how to use its property in the case of an emergency; she said she did not want to use the west side of the street. Both Vice Chair Caggiano and Mr. Arserio agreed with using the east side of U.S. 441. Mr. Arserio said the agreement with the company used for hauling the materials would likely have liability for improperly disposing of contaminated materials.

Attorney Tolces suggested approving the resolution and having the agreement revised to identify parcel one as the primary parcel. He said if there was a hurricane and the site was going to be needed for debris staging, it could be reviewed at that time to make sure the contractor ensured there would be strictly landscape debris and no contamination. Also, he would follow-up with the MCRA legal counsel in regards to the lis pendens and current status. Ms. Schwartz agreed to amend the motion to provide for parcel one to be the primary parcel, seconded by Ms. Simone:

MOTION: SO MOVE TO PROVIDE FOR PARCEL ONE TO BE THE PRIMARY PARCEL

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

4A. DISCUSSION AND POSSIBLE ACTION: EXTENSION OF RENT ABATEMENTS FOR MCRA TENANTS FOR AN ADDITIONAL MONTH

After David Tolces, Board Attorney, read the item title, Chair Ruzzano explained that the MCRA had abated two months' rent which was set to expire at the end of May, 2020.

Mr. Arserio referenced previous conversations the Board had about re-evaluating the rent situation and the grant for a possible phase two since it was unknown how long the current situation would last. He said he had been asked why the tenants had not been included in the grant and it was his opinion that the abatement was a better option. He was in agreement with extending the rent abatement another month. He said he was disappointed that the former Executive Director did not have a profit and loss analysis on the plazas and that he would want to see that before considering future rent abatements.

Mr. Arserio made the following motion, seconded by Mr. Caggiano:

MOTION: TO APPROVE RENT ABATEMENT ANOTHER MONTH

Ms. Schwartz said if the MCRA were to look at further rent abatements, she would want to see some financial disclosure because there were some businesses that had remained opened and not suffered while others were in need. Chair Ruzzano said all businesses were suffering because they had not been operating at 100 percent capacity. Mr. Arserio spoke about insightful comments made at the previous night's City Commission Workshop by Jared at Wawa who pointed out how and why their profits were down considerably.

Chair Ruzzano clarified that those tenants that had previously been given a rent concession for June would also have their June rent abated. Mr. Curtis said there were two tenants: Manny's Bakery and Ace Hardware.

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

4B. DISCUSSION AND POSSIBLE ACTION: ARCHITECTURAL DESIGN GUIDELINES FOR THE MARGATE COMMUNITY REDEVELOPMENT DISTRICT

After David Tolces, Board Attorney, read the item title, Cale Curtis, Interim Executive Director, introduced Steven Fett, Steven Fett Architecture. He explained that Jeff Oris, former Executive Director, had engaged Mr. Fett to assist in the development of business design guidelines and regulations for the MCRA. He said the goal would be to have the design regulations integrated into the MCRA's façade improvement grant program and incorporated in the City's Code of Ordinances. He referenced the meeting back-up and noted that the agreement called for a three step process: site analysis, mapping and establishing a district plan; regulation booklet; and an executive summary. He said Mr. Fett would be presenting the first draft of the plan to ensure it was in line with the Board's vision.

Steven Fett introduced his colleague, Andrea Hernandez and said he had met with MCRA and City staff to discuss the guidelines and there were a few areas where the Board's feedback was needed in the process. He proceeded with a PowerPoint presentation. Some key points:

- An analysis was done of the building types in the MCRA which included the strip malls, standalone retailers, outparcels such as a gas station, warehouses, offices, medical facilities, schools, and future retrofit; he showed images of each. He showed a boundary map of the MCRA with the building types color coded
- Explained that the intent was not to try to invent a new urban pattern for the City; rather, it was to take a closer look at what currently existed and consider how to make improvements if some of the building stock were to be retrofit or replaced, including making improvements to utilize land more efficiently.

He reviewed General Requirements for all buildings and he pointed out those areas where Board direction was desired, which included:

- **Pedestrian and Vehicular Connections and Access** - asked whether the Board would want to incentivize connections or to require them between properties because it was currently challenging for people to move between two strip centers without going back onto an arterial highway.
 - **Parking Location** - discussed the possibility of requiring some parking near the rear of the property. Advantage was that buildings would be closer to the street and allow businesses to have better visibility and if connections between parcels could be built out, it might present further proximity to the businesses. A downside would be that parking would need to be in the rear of the building; mentioned pedestrian passageways through the building as a way to link them.
 - Solar, Wind, EV Charging Stations and other Green Technologies** - asked if they had an appetite for incentivizing those type of features and, if so, what the incentive and/or requirement would be.
- Mr. Curtis commented about how those elements also brought an artistic feel to a development, and he mentioned a wind turbine at the Promenade in Coconut Creek as an example.
- Designated Ride Share Parking Locations**- asked if they wanted to consider putting in requirements for loading zones or drop off/pick up areas to accommodate ride sharing services such as Uber, Lyft, etc.

Mr. Fett commented that the document was intended to be useful and it needed to be easy to understand for everyone. He explained how the document was laid out and that it included visual comparisons of good and bad examples to illustrate the specific Design Elements that would be required.

He explained that the first chapter they studied looked at was the strip mall and that they were looking for the Board's feedback prior to moving ahead with the other business types. He pointed out that their design was based on the acceptance of the existing building type rather than dramatically changing it. He noted that the good example included the desired Design Elements that would be required for a new strip mall or one that would be significantly renovated which included parking in the rear, a pedestrian passageway, solar on the roof, etc.

He showed a slide that illustrated good and bad examples of an arcade/colonnade, noting that the good example featured increased depth to allow for pedestrians and outdoor seating/dining.

He showed good and bad examples that showed the impact that changes in signage, use of different materials for facades, making bay spacing more vertical, etc., had on a strip center. He showed good examples of a pedestrian pass-through to parking in the rear or to other parcels, and design ideas for a corner building with rear parking. He explained ways to avoid having blank walls.

He proceeded with a series of photographic images that depicted more examples of the use of good and bad design elements and architectural features of strip centers. He said the guidelines discouraged signage with general block lettering and suggested more thoughtful sign designs such as Lester's diner. He showed examples of cantilevered overhangs and suggested they be ten foot. He shared images of outdoor plazas and suggested requiring a certain number of parking spaces that could be used for outdoor dining, landscaping, etc.

He said the other pending chapters of building types that they would analyze included standalones, outparcels, warehouses, office building, medical facilities, special cases such as a school retrofit to an existing strip mall, future retrofits to explore the possibility of infill in the future, and lastly, residential. He said the full gamut of residential types could be found in the MCRA and they would look at types other than single family. He asked the Board to what extent they wanted them to go with residential.

Chair Ruzzano thanked Mr. Fett for the presentation of the first draft of the plan, and he asked the Board members to briefly provide feedback on their key points.

Mr. Arserio commented on three things he really liked: outdoor dining, especially in light of the current virus situation and the new normal; the modern look; and, reduced signage on the windows.

Vice Chair Caggiano agreed with Mr. Arserio's comments and added that he would like to incentivize green technologies.

Ms. Simone said she liked a lot of the plan and the idea of Margate being an age friendly city. She also liked the wider sidewalks, outdoor seating, overhangs for shade, minimal columns, and changing the block lettering for signage. She also liked having connectivity between shopping plazas.

Vice Chair Caggiano commented that the City had changed the Code to require unified signage except for corporate businesses. He said he preferred businesses being able to have their own unique signs.

Ms. Schwartz commented that she liked all of the plan. In reference to Mr. Caggiano's comments, she said the height and color of the signs had been regulated; the lettering was made uniform in the MCRA district except for corporate logos. She liked the idea of retrofitting shopping plazas rather than rebuilding them and the use of pass-throughs. She said she also really liked pedestrian malls and having interior roadways that connected the plazas. She agreed with incentives for solar, wind, and charging stations. She said she very much liked Mr. Fett's comments about less signage on store windows.

Chair Ruzzano commented that he agreed with the future of green technologies and he was in favor of having incentives for plug-ins for electric cars. He loved outdoor dining. He said he did not like having the overflow parking in the back as it were at The Walk, but he liked the two-stories for businesses. He agreed with Ms. Simone about the signage and he said businesses should be able to have the kind of sign they wanted. He said he also liked having inviting parking lots.

He thanked Mr. Fett and told him it was a great starting point.

Mr. Fett said that it appeared there was consensus on incentivizing green technologies and the charging stations, as well as connectivity between plazas. He said the most obvious time to implement changes would be when the project came up for redevelopment. He said the document could include a couple of methods to determine the number of charging stations, ride share spaces, etc., such as per linear feet of frontage or per number of parking spaces, etc., and it could either go in as a requirement or as a negotiated incentive; he offered to draft up some language that could be discussed at a future workshop. In regards to Chair Ruzzano's comment about rear parking, Mr. Fett clarified that parking in the back would not be required; rather, if the building was being redeveloped and there was already parking in the back, then they would need to do a pass-through depending on the building length.

Mr. Arserio commented that nowadays people went to Google rather than rely on window signage, and he was in favor of businesses having their unique signage. He said he was not in favor of parking in the back for security reasons and because it encouraged building close up to the road. He said there needed to be a balance with having the parking spread out to avoid having a concrete jungle, and he mentioned the parking balance at the Promenade.

Chair Ruzzano also mentioned the need for good lighting in parking lots. He told Mr. Fett that Mr. Curtis would follow-up with him on the recommendations brought forth and next steps.

5. **EXECUTIVE DIRECTOR'S REPORT**

Cale Curtis, Interim Executive Director, had no additional updates.

6. **BOARD MEMBER COMMENTS**

Ms. Simone: none

Mr. Arserio: Commented that the media had been misleading citing where the Sun-Sentinel had implied that a proposal about reopening had been sent by Broward County to the Governor. He asked the Executive Director to ask the City Manager whether a proposal had been sent and, if not, then the City needed to send one asking to open Margate.

Ms. Schwartz: Commented that she had just looked at the broward.org website and there was nothing there about it.

Mr. Caggiano: Commented that the virus was not going away soon, and he encouraged everyone to wear face coverings when they went out. He commented that front line workers were some of the most vulnerable and it was important that they had the protection they needed.

Mr. Ruzzano: He said he had asked Bertha Henry that day whether a letter had been sent to the Governor and he was told one had not been sent yet. He questioned why Broward County was following Miami-Dade's orders instead of Palm Beach's. He hoped the letter would be coming out soon.

He asked the Executive Director to review the budget to locate additional funds that could be used towards the emergency grant and report back at the next meeting. He said he was fine with using the Contingency fund.

There being no additional business, the meeting adjourned at 6:46 p.m.

Respectfully submitted,



Tommy Ruzzano, Chair

Transcribed by Rita Rodi, CRA Coordinator

