

COMMUNITY REDEVELOPMENT AGENCY BOARD

REGULAR MEETING

September 9, 2020

MINUTES

Present:

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

Also Present:

Cale Curtis, Executive Director
David Tolces, Weiss Serota Helfman Cole & Bierman

The regular meeting of the Margate Community Redevelopment Agency having been properly noticed was called to order at 5:05 p.m., on Wednesday, September 9, 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, Executive Director; Joseph Kavanagh, City Clerk; and Rita Rodi, CRA Coordinator.

1A. MINUTES FOR APPROVAL - (8/18/2020 Regular)

After David Tolces, Board Attorney, read the item title, Mr. Arserio 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.

2. PUBLIC DISCUSSION

No one from the public requested to speak.

3A. RESOLUTION 641: APPROVING FISCAL YEAR 2020-2021 ANNUAL BUDGET AND AUTHORIZING THAT ANY FUNDS REMAINING FROM FISCAL YEAR 2019-2020 WHICH ARE ENCUMBERED AND UNEXPENDED AS OF THE LAST DAY OF THE FISCAL YEAR SHALL BE REAPPROPRIATED FOR THE SAME PURPOSE OR PROJECT OR REALLOCATED PURSUANT TO EXHIBIT A

After David Tolces, Board Attorney, read the resolution title, Mr. Arserio made the following motion, seconded by Vice Chair Caggiano:

MOTION: SO MOVE TO APPROVE

Ms. Schwartz referenced page 3 of the budget and asked to have the names of the personnel associated with the various job positions. Cale Curtis, Executive Director, identified the personnel; he noted that the positions of Project Specialist, Assistant Executive Director, and Multi-media Specialist were vacant, and the Code Enforcement Officer position had been eliminated. Mr. Curtis commented on the roles of the Multi-media Specialist and Project Specialist.

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

3B. RESOLUTION 642: APPROVING THE FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF MARGATE AND THE MARGATE COMMUNITY REDEVELOPMENT AGENCY FOR FUNDING CONTRIBUTION, SERVICES, AND COMPENSATION

After David Tolces, Board Attorney, read the resolution title, Vice Chair Caggiano made the following motion, seconded by Mr. Arserio:

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.

4. EXECUTIVE DIRECTOR'S REPORT

Cale Curtis, Executive Director, provided the following capital project updates:

Atlantic Boulevard Wall - Commented that the project was moving along nicely and the hedge along the wall had been installed following the painting of the wall. He said some additional plants would be installed to balance the open spaces. The plan was to pressure wash the entire sidewalk area once mulching was completed.

David Park Construction - Commented that there a few change orders due to soil conditions and the project was moving along.

Chevy Chase Plaza Improvements - Commented that Jim Nardi and Mark Collins, Public Works, were working together to investigate the underground drainage to determine the improvements that were needed.

Winfield Boulevard Entry Sign - Commented that work on the sign started the previous week and that it should take approximately 30 days to complete the project.

4A. TENANT UPDATES

Mr. Arserio commented about an email that had been sent to the Board members from a tenant [Sharkey Liquors] seeking additional rent abatement for the month of September because they were converting to a restaurant. He said he was in favor of the abatement contingent upon their diligent attempt to open as a restaurant and that there was no government intervention.

David Tolces, Board Attorney, said it was not clear where the tenant was in the permitting process and whether they could get it done within the month.

Ms. Simone commended the tenant for trying to change their business model and said she supported giving them another month's free rent.

Cale Curtis, Executive Director, commented that it was difficult to monitor their process of opening as a restaurant and rather than place a contingency on it, he suggested taking the approach that the tenant continue their efforts to change their business model during September so they could open for October, however, September's rent abatement would be the last. Chair Ruzzano expressed concern about September being the last month of abatement because there were hurdles with getting a change of use that might affect their ability to open and Mr. Arserio agreed. The Chair asked Mr. Nardi about the tenant's plans.

James Nardi, Advanced Asset Management, said that the tenant had a restaurant license and they had a maximum capacity of 12, based on 50 percent occupancy. He said he spoke to the tenant and they had a plan that would require they bring in tables and set up some type of food warming system, and that they should be fine with the Board's proposal. Ms. Schwartz commented that it was unfortunate that they could not partner with another tenant that sold food, and Mr. Nardi commented that it might not be legal to do so and food may need to be prepared on site.

Chair Ruzzano asked whether the tenant could offer outdoor dining. Mr. Nardi said it was his understanding that a special café permit might be needed which required a certain amount of available space on the sidewalk as well as the need for them to lease that space, and none of that was in place. Mr. Arserio made the following motion, seconded by Ms. Schwartz:

MOTION: TO ABATE SEPTEMBER'S RENT CONTINGENT UPON THE TENANT OPENING AS A RESTAURANT SOME TIME IN SEPTEMBER

Attorney Tolces advised that Mr. Nardi would hold the rent payment until it was confirmed that they were open and operating as a restaurant at which time the rent check could be returned to them.

Ms. Simone clarified that the tenant's letter stated that they would try to open by October 1, 2020 and September would be used by them to prepare for opening by October 1st. After a short discussion amongst the Board members, Mr. Arserio clarified the motion:

MOTION: TO ABATE SEPTEMBER'S RENT CONTINGENT UPON THE TENANT OPENING AS A RESTAURANT IN OCTOBER

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

5. BOARD MEMBER COMMENTS

Ms. Simone: Commented that part of the role of a CRA Board member and Commissioner included professionalism and respect of the quorum. She said a statement had been made by a fellow Board member to the public at the Culver's grand opening ribbon cutting that she had not voted for the Culver's project and for Culver's to come to Margate. She said she wished to set the record straight. She said she had voted for Culver's to come to Margate and she publicly welcomed them, but she did not vote to award them a grant for \$150,000. She said the grant incentive was to attract new businesses to come to the City but Culver's had already done its due diligence and was committed to coming to Margate regardless of whether they received the grant which she said disqualified them from receiving the grant. She said she was happy Culver's was in Margate and wished them continued success, and that she would continue to be supportive of them.

She thanked the businesses and residents for doing their part to help with the continued downward trend of the virus.

Mr. Arserio: Commented, for the record, that he never mentioned Ms. Simone's name. He said the audio tape posted on the City's website showed that he professionally thanked the MCRA Board members who approved the Culver's project. He commented that the grant helped the business tremendously and the grand opening was a homerun for Margate. He thanked the Board members that had voted for the grant. He also gave special thanks to KOMIM (Keeping Our Money In Margate) run by Rob Reiner who he said was a tremendous asset to the City.

He commented that the new podocarpus along the Atlantic wall were a good size and looked great.

He asked whether the restriction on outdoor seating at Sharkey's had been imposed by the MCRA or by the City. If the City, he asked if the restriction could be relaxed as had been done with temporary sign usage; if the MCRA, he would be willing to waive the leasing requirement. Chair Ruzzano asked the Executive Director to look into the restrictions for outdoor dining since it affected the amount of people that restaurants could serve.

Ms. Schwartz: Commented that a former tenant at Chevy Chase plaza had been previously approved for outdoor seating. James Nardi, Advanced Asset Management, commented about the legal liability associated with leasing the outdoor space, and that he would work with the Executive Director on the outdoor seating request.

She commented on the great success of Culver's, and Margate was proud to be home to their only location in Broward County. She mentioned that much had been learned about the grant process.

Mr. Caggiano: He agreed with the other Board member's comments about outdoor seating. He commented that Culver's success would bring more quality businesses to the City. He thanked KOMIM for coming out to support Culver's.

Mr. Ruzzano: He commented that the new lighting in the City looked great. He said Culver's had a great grand opening and thanked everyone who had come out. He also mentioned that Margate would be doing a fruit tree giveaway later in the month possibly on MCRA property, followed by a shade tree giveaway shortly thereafter.

Chair Ruzzano commented that when he ran for office eight years ago, he wanted to develop the former Swap Shop property into a place for all Margate residents to enjoy. He said the waterways needed to be connected with the five neighboring cities, i.e., Margate, Coconut Creek, Tamarac, Coral Springs, and Pompano, which would increase the property values. He said he had also spoken about the City being the landlord. He said if the MCRA were to buildout 100,000 square foot of retail space, it could result in \$3 million to \$4 million in rent. He said he was looking for consensus from the Board to have the Executive Director work with an architect/engineer to develop a plan/rendering or analysis so that when the lawsuit was over, there would be a plan to share with others. He suggested starting to work with the County on water retention matters.

Mr. Arserio strongly agreed about the need to work on a tangible plan now so that the MCRA would be ready when the lawsuit was over.

Vice Chair Caggiano agreed on the need for a plan once the lawsuit ended, and he commented on the need to have a gathering place for the residents.

Ms. Schwartz spoke about concept plans she had seen at an ICSC (International Council of Shopping Centers) conference and their value. She suggested the Board visit other communities outside the tri-county area, such as Gatlinburg, to see what others have done with pedestrian-friendly business areas. She said the MCRA had a unique opportunity to do something special.

Chair Ruzzano commented that he was not going to settle for whatever a developer wanted and that the downtown development could ruin the whole city if it were not put in the right way. He said it needed to be something that would make the residents happy. He mentioned he had done a drawing of a plan years ago but had been unable to locate it.

Vice Chair Caggiano agreed that it needed to be done right because it would serve the City for many generations to come.

Ms. Schwartz said it was an opportunity to rebrand and reinvent the 65-year old City of Margate, and to settle would be a great disservice to the City.

Chair Ruzzano commented that the property was accessible by water and noted there were probably several hundred homes on Lemon Tree Lake. He said connecting the cities would require work including the installation of a small bridge by Banks Road, but it would increase property values. He said the County would be willing to work with the MCRA on a project that raised property values.

He commented that The Gem, a Margate family-owned restaurant located in the Chevy Chase plaza, was a hidden gem that served great breakfast and lunch. Also, he said the Latin Café had incredible food, and he suggested checking out two other new places as well: Manny's Bakery in Chevy Chase plaza and Valencia's restaurant in the Ace plaza.

He mentioned that there were ribbon-cutting ceremonies coming up for Alex's Sausages and Miracle Leaf.

There being no additional business, the meeting adjourned at 6:01p.m.

Respectfully submitted,

Transcribed by Rita Rodi, CRA Coordinator



Tommy Ruzzano, Chair

