



City of Margate

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Meeting Minutes Regular City Commission Meeting

Mayor Antonio V. Arserio
Vice Mayor Anthony N. Caggiano
Commissioners:
Tommy Ruzzano, Arlene R. Schwartz, Joanne Simone

City Manager Cale Curtis
City Attorney Weiss Serota Helfman Cole & Bierman
City Clerk Jennifer M. Johnson

Wednesday, April 15, 2026

7:00 PM

Commission Chambers and Zoom.us

Webinar ID: 852 5877 1799

<https://us02web.zoom.us/j/85258771799>

CALL TO ORDER

ROLL CALL

Present: 5 - Commissioner Arlene R. Schwartz, Commissioner Joanne Simone, Commissioner Tommy Ruzzano, Vice Mayor Anthony N. Caggiano and Mayor Antonio V. Arserio

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

A motion was made by Vice Mayor Caggiano, seconded by Mayor Arserio, to more Item 9) A after 2) Public Discussion.

A motion to amend was made by Vice Mayor Caggiano, seconded by Mayor Arserio, to more Item 9) A after 3) Commission Comments. This carried as follows:

Yes: 5 - Commissioner Schwartz, Commissioner Simone, Commissioner Ruzzano, Vice Mayor Caggiano and Mayor Arserio

1) PRESENTATION(S)

EMPLOYEE RECOGNITION FOR YEARS OF SERVICE

A. [ID 2026-057](#) KELLY A. KANDIBOVICH, ANIMAL CONTROL OFFICER - POLICE DEPARTMENT - 30 YEARS

MICHAEL P. DUNBAR, FIREFIGHTER/PARAMEDIC - FIRE DEPARTMENT - 25 YEARS

DANIEL RODRIGUEZ, DEPUTY CHIEF - FIRE DEPARTMENT - 25 YEARS

JONATHAN C. VALENTI, FIRE LIEUTENANT - FIRE DEPARTMENT - 25 YEARS

ANGEL J. MALDONADO, POLICE OFFICER - POLICE DEPARTMENT - 20 YEARS

MARTIN ANDERSON, SERVICE WORKER II - PARKS AND RECREATION - 10 YEARS

JOHN M. DELALEU, SERVICE WORKER I - ENVIRONMENTAL AND ENGINEERING SERVICES - 10 YEARS

JOSHUA MARTE, POLICE OFFICER - POLICE DEPARTMENT - 5 YEARS

PROCLAMATION(S)

B. [ID 2026-064](#) ARBOR DAY - APRIL 24, 2026 (presented to Michael A. Jones, Director of Parks and Recreation)

MAYOR, ANTONIO V. ARSERIO, highlighted the Margate Tree Giveaway event.

PARKS AND RECREATION DIRECTOR, MICHAEL A. JONES, spoke on this Item.

2) PUBLIC DISCUSSION

MAYOR ARSERIO, provided instructions on how to submit a Public Discussion.

COMMISSIONER, TOMMY RUZZANO, explained the process for Item ID2026-069.

MARGATE RESIDENT, NINA CULVER, explained that the American Legion Post 157 wanted to pay for a picture of the memorial wall in Washington DC to be erected over a Missing Man Table in one of the City's buildings in respect of the United States' 250th year anniversary.

MARGATE RESIDENT, ELSA J. SANCHEZ, was here in support of Ace Hardware and read a statement on the same which referenced the purchase or build on the land.

MARGATE RESIDENT, TRACY VAN WINKLE, commented about Ace Hardware and questioned whether the City owned the land.

MARGATE RESIDENT, GRANT R. O'DONNELL, complained that the residents at the Golfside development were requested by Code to clean their roofs and place mulch around their trees. He referenced a contract and said that he did not agree with them selling and for allegedly giving \$35,000,000 to a builder and said that the City deserved better.

MARGATE RESIDENT, CYNTHIA DOMINIQUE, questioned if she could discuss Centennial Park.

MARGATE RESIDENT, LAUREN BERACHA, questioned the procedure on how the City

Commission voted at meetings.

MARGATE RESIDENT, MICHAEL M. MARQUEZ, piggy backed on Ms. Culver's request and read an extract which defined a Missing Man Table.

3) COMMISSION COMMENTS

COMMISSIONER, ARLENE R. SCHWARTZ, stated she would hold back from what she was going to read about the egregious letter that the City received from The School Board of Broward County (SBBC) as she said that the SRO would be coming up later.

COMMISSIONER, JOANNE SIMONE, sent her sincere condolences to the family of Coral Springs' former Mayor, Vince Boccard, pertaining to the loss of his son. She read a list of the City's events. She questioned whether City Manager Curtis was comfortable addressing the property in the development agreement.

CITY MANAGER, CALE CURTIS, explained that the out of parcel that Ace Plaza had submitted a proposal on, all of the Community Redevelopment Agency (CRA)'s own land along State Road 7 in the City Center realm was included in their initial Request for Proposal (RFP) for solicitation of a public/private partner to develop the property. His intention was to work with the developer to look at all of their properties in a holistic way. He conversed with Brookfield Properties who were not opposed to Ace Plaza's proposal but the developer's focus was primarily in this core right now. He did not foresee it being an issue but it was part of that development agreement which either they would have to amend the agreement or obtain some sort of release from them to move forward with that transaction. He advised that the land had not been sold which they still owned and repeated that it was included in the developer's agreement.

Discussion ensued.

COMMISSIONER RUZZANO, thanked Ms. Angier and Ms. Morst for their attendance. He advised Ms. Sanchez that any kind of property which was involved with a developer's agreement, they would have to obtain consent from them and he explained the process. He also responded to Ms. Beracha's comments on voting. He congratulated the Employees for their Years of Service and complimented Fire Chief Lorenzo. He gave a shout out to Mr. O'Donnell and referenced him obtaining trees from Home Depot. He asked to pull Item 5B and 5E.

CONSENSUS was provided by the City Commission to pull ITEMS 5B and 5E.

COMMISSIONER RUZZANO discussed the golf course and referenced also voting against another developer's agreement. He said that the Item would be returning to be approved where he hoped that they could inform them that they wanted the building in the front which he believed was salvageable.

VICE MAYOR ANTHONY N. CAGGIANO congratulated the Employees for their Years of Service. He announced that there would be a memorial service for Coral Springs' former Vice Mayor, Nancy Metayer, this Friday and he paid tribute to her. He described his time at Temple Beth Am in recognition of Holocaust Remembrance Day.

MAYOR ARSERIO referenced golf courses and not amending the live local and advised that a bill was passed which was awaiting the State Governor's signature.

Discussion ensued on contaminated land.

MAYOR ARSERIO said that the City had been doing a good job with sidewalks but highlighted some issues on the property around Cokesbury United Methodist Church and 66th Avenue. He also highlighted the weeds and the wild growth on the roundabouts and requested if they could be cleaned up. He spoke about the longevity of City staff and referred to the Employee Recognition for Years of Service. He suggested that the City should go out to bid for tow companies and asked for CONSENSUS from the City Commission and consider a secondary or rotational vendor.

Discussion ensued.

COMMISSIONER RUZZANO recommended a Committee to discuss issues with the Police Department before it returned to the City Commission and that J & J Towing Inc. had been with the City for a long time.

Discussion ensued.

CONSENSUS was given from the City Commission to go out to bid for the tow companies.

9) DISCUSSION AND POSSIBLE ACTION

A. [ID 2026-069](#) DISCUSSION AND POSSIBLE ACTION - BALLOT QUESTION RELATED TO CITY CENTER DEVELOPMENT

Item ID 2026-069 was heard before 4) City Manager's Report.

MAYOR ARSERIO explained why he asked for this Item to be placed on the Agenda which was previously discussed at a CRA meeting. He preferred to see either no apartments in the downtown or let the residents vote on a range. He asked the City Commission if there was CONSENSUS to place a ballot question and if so, he wanted to work at a quick pace on obtaining the same.

COMMISSIONER RUZZANO thanked Mayor Arserio for placing this Item on the Agenda but thought that there was actually going to be a ballot question. He indicated that it would be difficult to devise or suggest a ballot question but said that they needed CONSENSUS to move forward with entertaining the same.

CITY ATTORNEY, DAVID N. TOLCES, explained that the City Commission would have to go through a two step process at this meeting which was whether they wanted a ballot question and if so, the next step would be the question of costs. He advised that he provided details in his memorandum.

CITY MANAGER CURTIS advised that to put the question on with the Supervisor of Election was approximately \$106,000.

COMMISSIONER RUZZANO assessed that there was a large number of people that did not want the apartments which he also was not a fan of. He explained the voting results at the Community Redevelopment Agency (CRA) meeting and commented that the City Commission should honor the public and vote on it and suggest a question to place on the ballot.

Discussion ensued including the terms of a Special Exception.

COMMISSIONER SCHWARTZ responded to Commissioner Ruzzano's comments.

Discussion ensued.

CITY ATTORNEY TOLCES read an extract from the Section 163.3167(8) of the Florida Statutes and advised that it greatly limited the ability for citizens to vote on developments within a municipality or the County and advised that if there was an amendment to the code that the public wanted to see, it may not be able to be voted upon. He advised that this matter was valid and binding as both the CRA and the developer had signed the agreement. He informed that if the City was unable to reach an agreement or CONSENSUS with respect to the conceptual plan, then he believed that the CRA and the developer would be able to terminate the relationship.

Discussion ensued.

COMMISSIONER SCHWARTZ wanted clarification that the City Attorney just informed them that there was absolutely nothing the City could place on the ballot.

Discussion ensued including public development.

A motion was made by Commissioner Ruzzano, seconded by Mayor Arserio, that the City look into a ballot question

MAYOR ARSERIO opened this Item up for the public to discuss.

MS. DOMINIQUE questioned if the residents could read the Developer's Agreement. She also suggested a town hall in a conceptual phase where the public could provide input. She requested resident feedback on this particular project such as a survey.

COMMISSIONER SCHWARTZ responded to Ms. Dominique's comments.

MS. CULVER questioned how could you title a ballot question without calling it this project.

Discussion ensued.

MS. VAN WINKLE, questioned what would happen if the City did not like the plan. She asked if they could put a ballot question pertaining to Brookfield.

CITY MANAGER CURTIS explained that there were partners with the developers and that they would work with them in good faith and inform them if the plans did not meet their expectations.

CITY ATTORNEY TOLCES informed Ms. Winkle that she could review the initiative petition process in the City's Charter. He advised that the Attorney General had opined that once a decision had been made with respect to who sat on the CRA board, it could not change.

Discussion ensued.

MR. O'DONNELL repeated that he was against giving them \$135,000,000 and provided

alternative suggestions on how he believed it could have been implemented.

COMMISSIONER SCHWARTZ responded to Mr. O'Donnell's comments.

CITY ATTORNEY TOLCES read an extract from the Agreement, Section 1.5.

MATTHEW H. SCOTT, addressed some of the comments as he said that there appeared to be a lot of confusion. His client intended to continue to meet with the community and that the Development Agreement specifically required that they return to the CRA and present their plans for their feedback and recommendations. He repeated that the CRA group was completely distinct from the City Commission.

RICHARD ZUCCHINI, LAKEWOOD ON THE GREEN, said that people were all emotionally invested in the wrong narrative and referenced apartments and that they should develop a cohesively designed City Center.

MS. SANCHEZ, expressed confusion with the back and forth. She did anticipate some apartments and said that it was important to grow with the times.

MS. BERACHA recapped on this Item's viewpoints to which she found compelling on both sides and requested more information on what could and could not be placed on a ballot question. She was in favor of placing it on the ballot.

MR. MARQUEZ questioned when was the vote for the next CRA Chair and Vice Chair. He explained that he was the originator of the petition pertaining to apartments.

STACY L. ANGIER expressed her concern that they did not have a formalized design plan but received an approval that they may not be able to walk away and questioned how they got into that position which she compared to Broward Health's two new medical office builds.

VINCENT DEMAYO explained that he was unhappy about the development and preferred the old city.

COMMISSIONER SCHWARTZ responded to Mr. Demayo's comments.

MAYOR ARSERIO agreed with Mr. Marquez and Ms. Beracha. He said that there was a motion on whether they wanted a ballot question and whether it was worth the time to research that.

COMMISSIONER SCHWARTZ indicated that her interpretation was different to Mayor Arserio.

Discussion ensued.

COMMISSIONER SIMONE understood from City Attorney Tolces was that the question could not be about this development.

Discussion ensued.

CITY ATTORNEY TOLCES said that with respect to this development agreement, it was his opinion that you could not put a ballot question on. He advised that the CRA had a valid binding agreement.

Discussion ensued.

The motion failed as follows:

Yes: 2 - Commissioner Ruzzano and Mayor Arserio

No: 3 - Commissioner Schwartz, Commissioner Simone and Vice Mayor Caggiano

5) CONSENT AGENDA

- E.** [ID 2026-119](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF MARGATE, FLORIDA, FORMALLY OBJECTING TO THE SCHOOL BOARD OF BROWARD COUNTY'S DECISION TO NON-RENEW SCHOOL RESOURCE OFFICER (SRO) SERVICES FOR BROWARD COUNTY PUBLIC SCHOOLS LOCATED IN THE CITY OF MARGATE FOR THE 2026-2027 SCHOOL YEAR

5) E was heard before 4) City Manager's Report.

A motion was made by Vice Mayor Caggiano, seconded by Commissioner Schwartz, that this Resolution, should be discussed.

COMMISSIONER SIMONE announced that she had to leave the City Commission meeting (at 9:18pm).

COMMISSIONER SCHWARTZ briefly left the City Commission meeting.

MAYOR ARSERIO explained that the SBBC had created their own successful Police Department and said that on short notice and with very few details, sent a letter to the City Manager and the Chief of Police informing them that they were not renewing the contract which was due to expire the first week of school. He indicated that little information was provided as to whether they were going to have replacements. He voiced his concerns by writing a letter which was published in some of the local publications. He referenced a history of SBBC problems in the past and said that there was no plan for transition and his preference would be for a Margate Police Officer to stay. He said that the City's School Resource Officers (SRO) were more than just Police Officers that showed up at schools as they were mentors to the students, sometimes providing financial assistance and he highlighted that he had participated in toy drives for them. He voiced his concerns about SBBC's new SROs which would be replacing Margate Police Officers. He also highlighted that in general, recruitment for Police Officers had fallen in recent years. He wished that the SBBC would reconsider this and referenced safety. He believed that Margate was being singled out and claimed that only three out of 31 municipalities had their funding pulled.

Discussion ensued.

COMMISSIONER RUZZANO explained that a letter was received last Friday that contained errors in their letterhead pertaining to the current personnel and that they did not respond to his phone calls and that he had spoken to both the Federal and State level

on this issue. He said that there appeared to be some mistrusts on Broward County or SBBC. He said that the City's Police Officers were great and that they were more than SROs who also have a good rapport with the children. He conversed with SBBC members who said they were doing this due to budget cuts. He expressed his concerns on public safety and also referenced double dipping. He said that the Property Tax protects the SBBC as they devised a voucher program. He spoke about the condition of Margate schools. He said that the SBBC members he spoke to were unaware that Coconut Creek received a letter but said it was the Superintendent's call. He tried to talk to them where they could provide an option to allow Margate to choose and give them the salary and would have no problem funding the rest of the money for their SRO. He said that the SROs were awesome and he would endeavor to fight tooth and nail to keep them in their schools. He indicated that Margate would have no control over what took place in the schools if they had no City SROs in place.

Discussion ensued.

COMMISSIONER SCHWARTZ expressed her concerns on this matter and read the first two paragraphs of the letter received from SBBC addressed to the Chief of Police pertaining to the changes in personnel to the SROs. She also read a statement which she intended to read at tomorrow's meeting and also referenced Dr. Allen R. Zeman who she anticipated would be in attendance. She said that at yesterday's workshop, the Superintendent apologized for not speaking to the them. She indicated that the SBBC did not vote on this and alleged that they were going to let the City's contract terminate. She sent some correspondence to the SBBC members who never saw it.

MAYOR ARSERIO said that although Commissioner Simone physically left the City Chambers, she was also available on Zoom.

VICE MAYOR CAGGIANO spoke highly of Margate's SRO's and how they made an impression on the school children and were respected in the community. He expressed that this initiative to change made no sense.

Discussion ensued.

MAYOR ARSERIO said that the City would lose approximately \$120,000 per officer and discussed the possibility of losing the revenue if property taxes were also withdrawn.

PARKLAND RESIDENT read a statement on behalf of another pertaining to the SROs. She explained that she worked with the SROs weekly and that it had been very emotional and referenced SRO Careccia.

MR. ZUCCHINI spoke in support of the SROs and said that the SBBC was making decisions made on dollars and cents. He said that although he heard great sentiments they needed to get active, loud and make a presence and referenced that organized chartered buses from the City.

COMMISSIONER SCHWARTZ confirmed that they did vote to hold workshops and she invited anyone to attend tomorrow's meeting.

Discussion ensued.

MS. CULVER said that there were many people at this meeting that she had worked with and advocated across many boards. She spoke about her concerns pertaining to the change in the SRO contract and referenced leadership.

MAYOR ARSERIO explained that there was a lack of leadership with their SBBC representatives and said that he wanted to see action.

COMMISSIONER SCHWARTZ discussed her interactions with representatives from the SBBC and expressed her disappointment with members of the board over the years.

Discussion ensued.

A MARGATE RESIDENT was a SBBC employee for 17 years and spoke positively of SRO Careccia and wanted him to retain his position at Margate Elementary. She also highlighted the special bond between the children and SROs.

MS. BERACHA said that she was a 20 year retiree from Douglas High School and highlighted the importance of retaining the City's SROs in Margate's schools.

MS. SANCHEZ highlighted the special bond she saw between Margate's SROs and the children during the award ceremony at a recent City Commission meeting and discussed the importance of retaining their services.

MS. DOMINIQUE was not pleased to learn the news via social media and said that she was going to fight that decision to retain Margate's SROs.

NICOLE MORRIS OF CORAL SPRINGS chaired the North Area Advisory which represented the City's schools. She explained that two years ago, the district had brought an Item to expand the Broward County Schools Police Department (BCPS Police) which would replace, over a time, the City's SROs which was voted down. She invited the public to attend a meeting pertaining to this matter.

MAYOR ARSERIO responded to Ms. Morris' comments.

COMMISSIONER SCHWARTZ discussed a previous problem with an empty school bus seat program.

Discussion ensued.

The motion carried as follows:

Yes: 5 - Commissioner Schwartz, Commissioner Simone, Commissioner Ruzzano, Vice Mayor Caggiano and Mayor Arserio

- B.** [ID 2026-080](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING A PROPOSAL FROM GIANNETTI CONTRACTING CORPORATION FOR DESIGN-BUILD SERVICES RELATED TO THE SOUTH CREEK SERVICE AREA EAST SIDE WATER MAIN REPLACEMENT PROJECT, PURSUANT TO THE CITY'S CONTINUING SERVICES CONTRACT AND IN ACCORDANCE WITH CCNA; PROVIDING CONSISTENCY WITH THE INTERLOCAL AGREEMENT WITH THE CITY OF COCONUT CREEK; PROVIDING FOR AN EFFECTIVE DATE

5) B was heard before Item 4) City Manager's Report.

COMMISSIONER RUZZANO thanked DEES Director Keyser who worked on this \$8,000,000 project which was not in Margate. He contacted Coconut Creek Commissioners to inform them that it was an Agenda Item and referenced shared medians and the possibility of partnering with them.

Discussion ensued including Coconut Creek's road re-paving project.

A motion was made by Commissioner Ruzzano, seconded by Vice Mayor Caggiano, that this Resolution, should be approved. This carried as follows:

Yes: 5 - Commissioner Schwartz, Commissioner Simone, Commissioner Ruzzano, Vice Mayor Caggiano and Mayor Arserio

Following a brief recess, the meeting reconvened.

4) CITY MANAGER'S REPORT

CITY MANAGER, CALE CURTIS, said that they fixed the squeak on the door mid-meeting.

5) CONSENT AGENDA (Continued)

Items listed under Consent Agenda are viewed to be routine and the recommendation will be enacted by one motion in the form listed below. If discussion is desired by the Commission, the item(s) will be removed from the Consent Agenda and will be considered separately.

- A.** [ID 2026-078](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, AWARDED AN AGREEMENT PURSUANT TO BID NO. 2026-003 FOR BASKETBALL AND SOCCER YOUTH SPORTS OFFICIATING SERVICES TO SUPERSPORTS OF BROWARD COUNTY, INC.; PROVIDING FOR AN INITIAL THREE-YEAR TERM AND TWO ADDITIONAL THREE-YEAR ADMINISTRATIVELY APPROVED RENEWAL OPTIONS; PROVIDING FOR AN EFFECTIVE DATE.

APPROVED

- C.** [ID 2026-092](#) MOTION - ACCEPTING THE ANNUAL COMPREHENSIVE FINANCIAL REPORT FOR FISCAL YEAR ENDING SEPTEMBER 30, 2025

APPROVED

- D.** [ID 2026-102](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING ACQUISITION OF A 2026 WHEELED COACH FREIGHTLINER TYPE 1 RESCUE ON 2026 FREIGHTLINER M2 FOR THE FIRE DEPARTMENT FROM MATHENY MOTOR TRUCK COMPANY, WITH PRICING PER THE FLORIDA SHERIFF'S ASSOCIATION BID NO. FSA25-VEF19.0; PROVIDING FOR WAIVING OF BIDDING FOR CUSTOM BUILD-OUT AS STANDARDIZATION TO MATCH EXISTING UNITS; NOT TO EXCEED \$464,472.27; PROVIDING FOR AN EFFECTIVE DATE.

APPROVED**Approval of the Consent Agenda**

A motion was made by Commissioner Schwartz, seconded by Vice Mayor Caggiano, to approve the Consent Agenda. The motion carried by the following vote:

Yes: 5 - Commissioner Schwartz, Commissioner Simone, Commissioner Ruzzano, Vice Mayor Caggiano and Mayor Arserio

6) RESOLUTION(S)

- A.** [ID 2026-081](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, AWARDING AN AGREEMENT PURSUANT TO REQUEST FOR QUALIFICATIONS (RFQ) 2025-010 - DESIGN/BUILD FOR CENTENNIAL PARK REDEVELOPMENT TO MBR CONSTRUCTION, INC.; PROVIDING FOR AN EFFECTIVE DATE

A motion was made by Commissioner Schwartz, seconded by Mayor Arserio, that this Resolution, should be approved.

MAYOR ARSERIO questioned whether this site was located off Royal Palm Boulevard. He explained that it had been utilized more as a neighborhood park and that they listened to the residents feedback.

COMMISSIONER RUZZANO explained that this Item dated back to the bond project. He expressed that placing a bond question on the ballot was the best thing that occurred in this City and said that it passed overwhelmingly. He praised Parks and Recreation Director Jones for that initiative and was proud of the City's parks.

Discussion ensued on how they spent on the bond money.

MARGATE RESIDENT, JONATHAN KRALJIC, questioned the reason behind the demolition of the full basketball court which was replaced by a pickleball and tennis court instead.

COMMISSIONER SCHWARTZ confirmed that the neighborhood did not want basketball.

The motion carried as follows:

Yes: 5 - Commissioner Schwartz, Commissioner Simone, Commissioner Ruzzano, Vice Mayor Caggiano and Mayor Arserio

- B.** [ID 2026-083](#) APPROVE A SURTAX FUNDING AGREEMENT FOR CITY ELIGIBLE MUNICIPAL REHABILITATION AND MAINTENANCE PROJECTS WITH BROWARD COUNTY IN THE AMOUNT OF \$722,605; PROVIDING FOR A FORMULA-BASED FUNDING MODEL FOR R&M PROJECTS AND ON-DEMAND TRANSPORTATION PROJECTS; PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Commissioner Schwartz, seconded by Vice Mayor Caggiano, that this Resolution, should be approved.

Yes: 5 - Commissioner Schwartz, Commissioner Simone, Commissioner Ruzzano, Vice Mayor Caggiano and Mayor Arserio

7) ORDINANCE(S) - FIRST READING

- A. [ID 2026-101](#) AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA, AMENDING CHAPTER 40 "LAND DEVELOPMENT CODE," ARTICLE II, "DEFINITIONS," SECTION 40.201 "DEFINITIONS" TO INCLUDE THE DEFINITIONS FOR "CERTIFIED RECOVERY RESIDENCE"; AND ALSO AMENDING CHAPTER 40 "LAND DEVELOPMENT CODE," ARTICLE III, "ADMINISTRATION," DIVISION 2 "APPLICATIONS, REVIEW PROCEDURES AND PUBLIC NOTICE" SECTION 40.312 "REASONABLE ACCOMMODATION PROCEDURES" OF THE CITY OF MARGATE'S CODE OF ORDINANCES TO ESTABLISH PROCEDURES FOR THE REVIEW AND APPROVAL OF, AND REASONABLE ACCOMMODATION FOR CERTIFIED RECOVERY RESIDENCES IN ACCORDANCE WITH STATE LAW; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Vice Mayor Caggiano, seconded by Commissioner Schwartz, that this Ordinance, First Reading, should be discussed.

COMMISSIONER SCHWARTZ questioned if this Item was to put them in accordance with the State or Broward County.

CITY ATTORNEY TOLCES advised that it was a statutory change that took place last year and that the City's code needed to be amended to comply.

Discussion ensued.

This carried as follows:

Yes: 5 - Commissioner Schwartz, Commissioner Simone, Commissioner Ruzzano, Vice Mayor Caggiano and Mayor Arserio

8) ORDINANCE(S) - SECOND READING

- A. [ID 2026-108](#) ORDINANCE - AMENDING ORDINANCE 2021-9 AS AMENDED BY ORDINANCE 2022-2, PROVIDING FOR THE SECOND AMENDMENT TO THE EXCLUSIVE FRANCHISE AGREEMENT FOR SOLID WASTE AND RECYCLING COLLECTION SERVICES WITH REPUBLIC SERVICES OF FLORIDA LIMITED PARTNERSHIP D/B/A ALL SERVICE REFUSE TO PROVIDE CLARIFICATION REGARDING THE USE OF SCHOLARSHIP PROGRAM FUNDS; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

A motion was made by Vice Mayor Caggiano, seconded by Commissioner Schwartz, that this Ordinance, Second Reading, should be approved. This carried as follows:

Yes: 5 - Commissioner Schwartz, Commissioner Simone, Commissioner Ruzzano, Vice Mayor Caggiano and Mayor Arserio

- B. [ID 2026-104](#)** AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA, AMENDING ARTICLE 5 - ZONING, DIVISION 3 - BUSINESS DISTRICTS, SECTION 40.520 - NEIGHBORHOOD BUSINESS: B-1, DIVISION 6 PLANNED AND MIXED USED DISTRICTS SECTION 40.552 - CORRIDOR: C AND SECTION 40.553-GATEWAY: G, OF THE CITY OF MARGATE CODE OF ORDINANCES; PROVIDING FOR PET DAYCARE ZONING LIMITATIONS AND REQUIREMENTS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Vice Mayor Caggiano, seconded by Commissioner Schwartz, that this Ordinance, Second Reading, should be discussed.

COMMISSIONER SCHWARTZ questioned if it was only about that particular location or whether it was City-wide.

CITY MANAGER CURTIS advised that it was not just exclusive to that particular location but that the zoning districts were listed in the Ordinance.

This carried as follows:

Yes: 5 - Commissioner Schwartz, Commissioner Simone, Commissioner Ruzzano, Vice Mayor Caggiano and Mayor Arserio

- C. [ID 2026-105](#)** AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA, AMENDING CHAPTER 40 - LAND DEVELOPMENT CODE, ARTICLE III ADMINISTRATION, DIVISION 2- APPLICATIONS, REVIEW PROCEDURES AND PUBLIC NOTICE, SECTION 40.308 - NONCONFORMING USE AND STRUCTURES, OF THE CITY OF MARGATE CODE OF ORDINANCES IN ORDER TO ADD A NEW SUBSECTION (K) TO PROVIDE FOR AN EXCEPTION TO NON-CONFORMING USE LIMITATIONS FOR A ONE-TIME EXPANSION OF AN EXISTING PAWNSHOP; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Vice Mayor Caggiano, seconded by Commissioner Schwartz, that this Ordinance, Second Reading, should be approved.

COMMISSIONER SCHWARTZ questioned if this was a "one and done."

CITY MANAGER CURTIS advised that this Item only applied to existing non-conforming pawn shops and that they have a one-time option to expand.

Discussion ensued on the expansion of the pawn shop and of an alleged illegal expanded unit.

This carried as follows:

Yes: 4 - Commissioner Schwartz, Commissioner Ruzzano, Vice Mayor Caggiano and Mayor Arserio

No: 1 - Commissioner Simone

9) DISCUSSION AND POSSIBLE ACTION (CONTINUED)

B. [ID 2026-107](#) DISCUSSION AND POSSIBLE ACTION - REQUEST TO SELL N STATE ROAD 7, FOLIO ID# 4841 24 01 2280, NORTH MARGATE 50-4 B PORTION PARCEL A

CITY ATTORNEY TOLCES explained that they were looking for direction as to whether to negotiate purchasing the sale agreement with Mr. Scott's client.

A motion was made by Vice Mayor Caggiano, seconded by Mayor Arserio, to allow City Manager Curtis to work with Mr. Scott on the property, should be discussed.

GREENSPOON MARDER (GM), PARTNER, MATTHEW H. SCOTT, explained that their client had a long-time history in the City having owned properties in Margate for 30 years. He informed that when their client was developing this site on State Road 7 in 1987, the City stipulated that they would have to give them 30 feet of frontage right-of-way. He said that as part of the transfer when his client gave it to the City for free, they leased it back to his client who was re-leasing it for 30 years. He said that his client had struggled to make the site work in the past few years as they lost their propane tenant and the restaurants that had been there had struggled and in order to make that property function, he believed that it needed to be redeveloped. He highlighted that there were drainage and asphalt issues and the building was old and he continued to speak on the issues over the years where they tried to sell the property. His request was for the City Commission to ask the City Manager to quitclaim deed this parcel back to his client that would allow for the sale and redevelopment site. He alleged that the City had been holding the title to this property in escrow for someone else and highlighted a similar situation of a nearby property in 2012. He said that currently, they were under contract with Broward Health for a medical office use but they had been trying to sell it for a variety of uses.

MAYOR ARSERIO informed that it would be a benefit to the City to have something like Broward Health. He said that after reading the letter which was part of the offer submitted, there were some statutory requirements which could require the property owner to ask for it back if the City did not use it within specified time.

GM PARTNER SCOTT said that there was a state law that if you did not use it for the

stated purpose in five years, you were supposed to give it back.

Discussion ensued including the right-of-way.

CITY ATTORNEY TOLCES was unsure that the statutory provisions that Mr. Scott provided would necessarily apply in this instance. He repeated that if the City Commission wanted the City to look into conveying the parcel back to the adjacent property owner, that they authorize them an agreement to bring it back as opposed to just authorizing the City Manager to issue a quitclaim deed.

COMMISSIONER SCHWARTZ said that she was not going to authorize him to do that as she questioned why would they do that.

CITY MANAGER CURTIS indicated that currently, he could not provide an answer on why they should retain or give it back.

COMMISSIONER SCHWARTZ indicated that it would be difficult for her to make a decision.

MAYOR ARSERIO said that he based it on how it was currently being used.

GM PARTNER SCOTT said that if the City had no purpose, there was no scenario that they would build something there. He said that his taxpaying client had been a property and small business owner in the City for over 30 years and was calling for help so that he could transfer this property and that it could be redeveloped hence the reason why they should do it.

Discussion ensued including whether Anne Marie's Pizza would be sold.

COMMISSIONER RUZZANO questioned whether there were a number of properties similar to this one. He suggested that if they were selling the properties, they should tell the others involved if they want to buy it and let them make an offer to the City.

CITY MANAGER CURTIS explained that there were a number of similar properties but without much value.

Discussion ensued.

COMMISSIONER SCHWARTZ questioned City Attorney Tolces what he would he suggest.

CITY ATTORNEY TOLCES said it was a policy decision and as far as how they wanted to proceed knowing that they do have other parcels out there. He provided options that they could decide on whether to accept that offer or have someone conduct a short appraisal.

MS. CULVER spoke on this matter which she was trying to understand.

COMMISSIONER SIMONE indicated that it would cost the City more money to conduct an appraisal on the property than probably what it was worth. She confirmed that they should just go ahead and quitclaim it. She said that they did it for someone else a couple of doors down and she did not see an issue and did not want to put the business owner through anymore turmoil.

COMMISSIONER SCHWARTZ said that she made her remarks based on a conversation with the City Manager.

Discussion ensued.

A motion to amend was made by Vice Mayor Caggiano, seconded by Mayor Arserio, to authorize the execution of a quit-claim deed by the Mayor and City Manager.

COMMISSIONER RUZZANO sought further clarification.

MAYOR ARSERIO did not have a problem just giving it back to them but said that they were the ones that came to the City who offered to give the money.

Discussion ensued.

CITY ATTORNEY TOLCES advised that the property was going to be conveyed via a quitclaim deed for no consideration and that they would be responsible for paying any recorded fees or any documents associated with that.

The motion carried as follows:

Yes: 5 - Commissioner Schwartz, Commissioner Simone, Commissioner Ruzzano, Vice Mayor Caggiano and Mayor Arserio

ADJOURNMENT

There being no further business, the meeting adjourned at 11:12pm.

Respectfully submitted,

Transcribed by Salene E. Edwards

Jennifer M. Johnson, City Clerk

Date: _____

PLEASE NOTE:

If a person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting, the person will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Anyone desiring a verbatim transcript shall have the responsibility, at his/her own expense, to arrange for the transcript.

[Unified Land Development Code – Section 40.300(C)] Any representation made before any City Board, any Administrative Board, or the City Commission in the application for a variance, special exception, conditional use or request for any other permit shall be deemed a condition of the granting of the permit. Should any representation be false or should said representation not be continued as represented, same shall be deemed a violation of the permit and a violation of this section.

Any person with a disability requiring auxiliary aids and services for this meeting may call the City Clerk's office at (954) 972-6454 with their request at least two business days prior to the meeting date.

One or more members of the City of Margate Boards may be in attendance and may participate at the meeting.

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