



City of Margate

5790 Margate Boulevard
Margate, FL 33063
954-972-6454
www.margatefl.com

Meeting Minutes Regular City Commission Meeting

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

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

Wednesday, January 24, 2024

6:30 PM

Commission Chambers and Zoom.us

Webinar ID: 843 3197 6094

<https://us02web.zoom.us/j/84331976094>

CALL TO ORDER

ROLL CALL

Present: 4 - Commissioner Anthony N. Caggiano, Commissioner Joanne Simone, Vice Mayor Arlene R. Schwartz and Mayor Tommy Ruzzano

Not Present: 1 - Commissioner Antonio V. Arserio

MOMENT OF SILENCE - INVOCATION

PLEDGE OF ALLEGIANCE

1) PRESENTATION(S)

Commissioner Arserio arrived at 7:00 pm

A. [ID 2024-023](#) 2023 HOLIDAY DECORATING CONTEST WINNERS

1ST PLACE- The Eacker Family, 7665 NW 22nd St. (\$100 VISA GIFT CARD)

2ND PLACE- The Ovil Family, 2656 NW 69th Ave. (\$50 VISA GIFT CARD)

3RD PLACE- The VandeLinde Family, 5801 NW 20th St. (\$25 VISA GIFT CARD)

B. [ID 2023-425](#) ABUNDANT LIFE CHRISTIAN ACADEMY: NICOLE DOS SANTOS (Student), DANIELLE MALLORY (Teacher), (Ms. Latoya Dean, Principal and/or Ms. Renate Ramirez, Middle School Assistant Principal)

ATLANTIC WEST ELEMENTARY: EUGENIE LARA (Student), ADRIENNE HILLS (Teacher), (Mrs. Shereen Reynolds, Principal and Ms. Yahira Tamayo, Assistant Principal)

BROWARD MATH AND SCIENCE SCHOOLS: ALAN NUNEZ (Student), KENESHA BESWICK (Teacher), (Mr. Hasan Kose, Principal and/or Assistant Principal Ms. Fabricia Santos Maraclo)

LIBERTY ELEMENTARY: JOLEEN RICHARDS (Student), ANNETTE FERNANDEZ (Teacher), (Ms. Vicki Flournoy, Principal and/or Ms. Donna Styles, Assistant Principal)

MARGATE ELEMENTARY: ALIANA DUNKLEY(Student), APOLLYON JAMES (Teacher), (Mr. Thomas Schroeder, Principal and/or Ms. Donna Rucker, Assistant Principal)

MARGATE MIDDLE: SABREENAH MENELAS (Student), KIM SHEFFIELD (Teacher), (Mrs. Sabine Phillips, Principal and/or Mr. Roderick Daniel, Assistant Principal)

PHYL'S ACADEMY PREPARATORY SCHOOL: TAMIRA WRIGHT (Student), MARCELLA CARRENO (Teacher), (Ms. Afua Baptiste, Principal and/or Ms. Jalaja Cooke, Elementary Director)

WEST BROWARD ACADEMY: ADRIANA FAUST (Student), KARLENE GAYLE-BROWN (Teacher), (Mr. Derrick Hugue, Principal and/or Assistant Principal Ms. Rossana Padron)

COMMISSIONER ANTONIO V. ARSERIO read out a list of the City's social events and referenced palms that were planted at the Margate's Sports Complex which were donated by the Fields family.

Meeting went into Recess.

Meeting Reconvened.

2) PUBLIC DISCUSSION

TRACY VAN WINKLE, 1020 SW 61ST AVENUE, read a statement to the City Commission pertaining to the treatment of staff.

NINA CULVER read a statement making allegations against Commissioner Caggiano.

COREY SHEARER addressed comments made against Commissioner Caggiano.

JULIE JONES discussed Commissioner Caggiano. She thanked Chief of Police Galaska and referenced feeding homeless people. She presented a gift to a long life resident and also discussed the care project that she had in conjunction with Mayor Ruzzano.

LAUREN BERACHA, 6950 NW 14TH PLACE, discussed the behavior of a representative of the City.

ROB REINER, 110 EAST PALM DRIVE, alleged that Commissioner Caggiano abused

his seat and should be censored and removed from office. He questioned whether Vice Mayor Schwartz would condemn Commissioner Caggiano.

JILL R. CERCHIONE, 6188 SEMINOLE TER., alleged that Commissioner Caggiano made a poor judgement, that he should be censored and that a new policy should be put in place.

3) COMMISSION COMMENTS

COMMISSIONER ANTHONY N. CAGGIANO presented a PowerPoint presentation and addressed/read a statement about the alleged allegations being made against him.

MAYOR TOMMY RUZZANO questioned Commissioner Caggiano whether the organization that was sponsoring that event was antisemitic/pro-Hamas.

COMMISSIONER CAGGIANO replied to Mayor Ruzzano's comments and explained that he did not have the knowledge of all the 40 sponsors or what they all represented.

MAYOR RUZZANO suggested that it could have been the perception of what that group was supporting and may not have been one of Commissioner Caggiano's better decisions.

Discussion ensued.

COMMISSIONER JOANNE SIMONE congratulated the residents who won the holiday decorating contest and said that they did an awesome job and she also congratulated Development Services and the City Clerk's Office who tied first place for the City Door Decorating Contest (DDC). She requested that Item 5) E. ID 2023-432 be pulled from the Consent Agenda.

COMMISSIONER ARSERIO said that Margate was a destination city that people paid top dollar to live in and thanked staff for maintaining its beauty.

VICE MAYOR ARLENE R. SCHWARTZ wished everybody a Happy New Year. She said that initially, she was going to make a speech pertaining to the allegations made but explained that she had dealt with this matter on a personal basis with the individual. She congratulated the City Clerk's Office and Development Services with their joint first place for the DDC.

MAYOR RUZZANO said that there was going to be a kick-ball game between the Police vs the Firefighters. He said that both he and Vice Mayor Schwartz attended the Paradise Gardens IV meeting and said that their development looked great and that he was impressed with their new board.

CITY ATTORNEY DAVID N. TOLCES wished everyone a Happy New Year and also wished his Father a Happy 90th birthday. He informed that his Father was the first manager of the Palm Lakes Plaza when it was originally constructed.

4) CITY MANAGER'S REPORT

CITY MANAGER CALE CURTIS wished everybody a Happy New Year. He congratulated the City Clerk's Office and Development Services for tying first place for the DDC and he also sent good wishes to the runner up, Human Resources and all the departments that participated. He provided an update on the Property Improvement Grant Program (PIP) which had reopened and said that they received over 400 applications. He advised that

they have since closed the portal and that they were processing the applications as quickly as possible and had committed \$318,000 to those residents. He provided an update on the school zone radar detection cameras that was discussed at a previous City Commission meeting and explained that they had met with different companies that provided the technology. He informed that both these companies and the Police Department had undertaken some speed studies and it was established that the number of speeders during the school zone hours were not as high as they initially thought. He explained that the law also provided that you could enforce the regular speed limit when school was in session. He advised that the state law would be a \$100 citation and it was broken down as follows:

- \$60 – to the City;
- \$ 3 - Crossing guard program;
- \$13 – School Board; and
- The company and state would receive their share of the balance respectively.

His recommendation was to continue looking into this as there was enough speeding in Margate. He sought direction from the City Commission for doing some form of a Request for Proposals/information to obtain a short list of qualified companies and provide a solution.

COMMISSIONER ARSERIO confirmed that he had met with two companies and discussed the same at length. He advised the residents that it was not a “gotcha” in comparison to the red light cameras and in terms of the law, the driver would have to exceed at least 10 miles per hour over the speed limit where he believed that the offender should receive a citation. He suggested how the mileage should be set in the school zones during the day and that the cameras could not be used for surveillance, only in certain circumstances. He informed that the City had a flock License Plate Recognition (LPR) system. He agreed with City Manager Curtis in continuing to move forward with this initiative and on obtaining a short list of reputable companies and invite the top three organizations to a future workshop.

VICE MAYOR SCHWARTZ indicated that this initiative could assist with endangered individuals who wandered off such as those suffering from Alzheimer's or missing children.

MAYOR RUZZANO raised a couple of questions pertaining to the contract length, whether there was an immediate out-clause just in case the program was non-effective and if the school had to be in the Margate area.

Discussion ensued.

CITY MANAGER CURTIS confirmed that it would be in the school zone.

Discussion ensued on the school zone and whether Margate could do something coordinated with a neighboring City.

CITY MANAGER CURTIS explained the functionalities on how the camera and process worked. He said that depending on the citations they received would determine whether or not they have adequate staff to be able to review that. He forewarned that they would have to be very careful pertaining to the contracts.

COMMISSIONER ARSERIO indicated that it could bring in a significant amount of revenue to the City which could pay for the employee(s) that would have to review it.

Discussion ensued including setting thresholds for speed limits.

MAYOR RUZZANO confirmed to City Manager Curtis that he thought he had direction to move forward but to ensure that there was an easy termination contract clause.

Discussion ensued.

5) CONSENT AGENDA

Item 5) E. ID 2023-432 was pulled from the Consent Agenda.

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 2023-419](#) MOTION - APPROVAL OF CITY COMMISSION MINUTES: NOVEMBER 1, 2023 REGULAR CITY COMMISSION MEETING, NOVEMBER 15, 2023 REGULAR CITY COMMISSION MEETING, NOVEMBER 27, 2023 SPECIAL CITY COMMISSION MEETING AND DECEMBER 4, 2023 SPECIAL CITY COMMISSION MEETING

APPROVED

- B. [ID 2022-486](#) RESOLUTION - APPROVING AN AGREEMENT WITH BROWARD COUNTY SUPERVISOR OF ELECTIONS FOR THE MUNICIPAL ELECTION SCHEDULED FOR NOVEMBER 5, 2024

APPROVED

- C. [ID 2023-417](#) RESOLUTION - APPROVING WORKER'S COMPENSATION SETTLEMENT WITH DENNIS HORRIGAN IN THE TOTAL AMOUNT OF \$200,000 WITHOUT ADMISSION OF COMPENSABILITY; PROVIDING FOR \$125,000 FROM THE CITY AND \$75,000 FROM THE FLORIDA LEAGUE OF CITIES; PROVIDING FOR RESOLUTION OF ALL PAST AND FUTURE MEDICAL AND INDEMNITY BENEFITS; PROVIDING FOR AN EFFECTIVE DATE

APPROVED

- D. [ID 2023-428](#) RESOLUTION - APPROVING SETTLEMENT OF THE CLAIM OF VANESSA LOZANO AGAINST THE CITY OF MARGATE FOR \$40,000 WITHOUT ADMISSION OF LIABILITY

APPROVED

- F. [ID 2024-013](#) RESOLUTION - APPROVING AND ACCEPTING AN AGREEMENT AND FUNDING FROM THE OFFICE OF THE ATTORNEY GENERAL, BUREAU OF ADVOCACY AND GRANTS MANAGEMENT, VICTIMS OF CRIME ACT (VOCA) GRANT IN THE AMOUNT OF \$51,530.00 FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023, THROUGH SEPTEMBER 30, 2024, TO FUND THE CITY OF MARGATE POLICE DEPARTMENT'S FULL-TIME VICTIM ADVOCATE POSITION; AND PROVIDING FOR AN EFFECTIVE DATE

APPROVED

- G. [ID 2024-016](#) RESOLUTION - APPROVING SETTLEMENT OF THE CLAIM OF JON SHAW AGAINST THE CITY OF MARGATE AS IT RELATES TO THE INTERPRETATION OF THE EMPLOYMENT AGREEMENT BETWEEN THE CITY OF MARGATE AND JON SHAW IN THE AMOUNT OF \$35,895.71 WITHOUT ADMISSION OF LIABILITY; PROVIDING FOR AN EFFECTIVE DATE

APPROVED

- H. [ID 2024-017](#) RESOLUTION - APPROVING INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND CITY OF MARGATE FOR FILM PERMITTING SERVICES; PROVIDING FOR EFFECTIVE DATE

APPROVED**Approval of the Consent Agenda**

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

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

- E. [ID 2023-432](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, AWARDED RFP 2023-016 - STRATEGIC PLAN CONSULTING SERVICES TO BERRY, DUNN, MCNEIL & PARKER, LLC; PROVIDING FOR TOTAL COMPENSATION NOT TO EXCEED \$78,600; PROVIDING FOR AN EFFECTIVE DATE

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

COMMISSIONER SIMONE explained that she was unsure how these strategic events have been effective in the past. She said that although she realized the importance of long term plans and setting goals for the future, she believed that they did not have tremendous success with past consultants for their strategic planning but hoped that this Consultant would be better. She contacted the Mayors and several Commissioners of Cooper City and Lauderhill respectively for feedback as she understood that the Consultants had worked with those municipalities but to date, a response had only been received from Cooper City's Mayor Ross who reportedly was pleased with their work. She questioned whether there was an alternative of doing strategic planning without hiring a consulting service or whether to go forward with this company and hoped that it would be more effective than in years past.

COMMISSIONER ARSERIO said that there was not a track record of strategic planning and indicated that this did not really take place prior to him being an elected official. He said that historically for the City to have a \$100,000,000+ budget and not have a plan was mind blowing. He concurred that he was not particularly impressed with a previous consultant and believed at some point that they could reverse engineer it. He suggested that they should combine the strategic planning with a survey together. He hoped they

were consistent in conducting these annually and that he would be voting for this Item. He continued to discuss the highlights of a previous survey.

VICE MAYOR SCHWARTZ advised that the strategic planning took place in the school system on an annual basis. She explained previous strategic planning sessions prior to Commissioner Arserio being elected and recommended that there should be action steps, benchmarks and accountability followed by regular reports from the City Manager. She voiced her concerns on the price in comparison to prior consultants but believed that a survey should be conducted. She confirmed that she would go with this company due to the good feedback received from Cooper City and said that it would have to be customized.

COMMISSIONER CAGGIANO believed that the plan was of critical importance, agreed that they had to have accountability and he had no problem with voting for this Item.

MAYOR RUZZANO said that while he was all for plans, the City was not like a business and said that one item such as a hurricane could diminish this. He spoke about a previous occasion where the City Commission was evaluated and expressed that he was all for the surveys. He questioned whether the cost was good money being spent and if it was utilized in a different way, it would be much more efficient and productive.

Discussion ensued including the company being interviewed prior to appointment and whether it should be tabled to the next meeting.

A motion was made by Vice Mayor Schwartz, seconded by Commissioner Arserio, that this Item should be tabled to the City Commission meeting scheduled for February 7th, 2024.

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

6) RESOLUTION(S)

- A. [ID 2023-433](#)** A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING PARKS BOND IMPROVEMENT PROJECT - CALYPSO COVE IMPROVEMENT PROJECT PHASE II - ACTIVITY CENTER AT A COST OF \$109,326.93; WHICH IS INCLUSIVE OF ENGINEERING FEES, INSTALLATION FEES AND A CONTINGENCY OF \$20,000 FOR COST ASSOCIATED WITH UNFORESEEN FUTURE NEEDS OF PHASE II OF THIS PROJECT; UTILIZING A PIGGYBACK OF NATIONAL PURCHASING PARTNERS (NPPGOV) RFP 2060- PARK, PLAYGROUND, AND RECREATION EQUIPMENT FOR ALL MATERIALS; PROVIDING FOR AN EFFECTIVE DATE

A motion was made by Vice Mayor Schwartz, seconded by Commissioner Caggiano, that this Resolution, should be approved. The motion carried by the following vote:

MAYOR RUZZANO questioned whether there was a date on this Item.

CITY MANAGER CURTIS informed that they did not have a completion date but planned

to have it available in the Summer for reopening.

Discussion ensued including bond money.

COMMISSIONER ARSERIO highlighted the positive feedback that he received from those buying property in the community.

The motion carried by the following vote:

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

- B.** [ID 2024-001](#) RESOLUTION - OPPOSING HOUSE BILL 267 WHICH SEEKS TO SIGNIFICANTLY ERODE HOME RULE POWERS AND IMPOSES UNREASONABLE TIME FRAMES FOR BUILDING PERMIT REVIEW; AUTHORIZING AND DIRECTING THE CITY CLERK TO TRANSMIT THIS RESOLUTION TO THE APPROPRIATE PARTIES; PROVIDING FOR AN EFFECTIVE DATE

A motion was made by Vice Mayor Schwartz, seconded by Commissioner Caggiano, that this Resolution, should be approved. The motion carried by the following vote:

The motion carried as follows:

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

- C.** [ID 2024-009](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING THE UTILITY WORK BY HIGHWAY CONTRACTOR AGREEMENT (UWHCA) BETWEEN THE CITY AND FDOT TO ALLOW FDOT TO PERFORM WORK AT THE SR-7/ US-441 AT ROYAL PALM BLVD/COPANS ROAD INTERSECTION ON BEHALF OF THE CITY, AT THE COST OF \$16,128.00

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

CITY MANAGER CURTIS provided an update on the intersection improvement project between Broward County and Florida Department of Transportation (FDOT) that was in design stage for State Road 7/441 and Royal Palm Boulevard. He advised that the City had some utility conflicts in that area such as water valves, sewers and manholes that they had to commit the funding for it to be relocated out of the right of way.

COMMISSIONER ARSERIO discussed future roadwork improvements in the near future and explained the position of the forthcoming Landscape Supervisor and how it would coincide with these types of site plans due to past problems. He said that there should be accountability and consistency needed to be applied throughout the cities that were implemented and suggested that if there was something that the City could do to

enhance the project outside of their scope, this would be the time to do it and to work with the Community Redevelopment Agency (CRA) on some of these projects.

COMMISSIONER CAGGIANO concurred with Commissioner Arserio's comments and said that this was a very important project that needed to be completed which would speed up traffic and make the flow better.

CITY MANAGER CURTIS advised that there was a separate Metropolitan Planning Organization (MPO) construction work being performed east on Royal Palm Boulevard which would be extending into Margate up to State Road 7/441 in the first quarter of the year.

Discussion ensued on timelines on these types of projects.

The motion carried by the following vote:

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

- D.** [ID 2024-018](#) RESOLUTION - AUTHORIZING PARTICIPATION IN A LAWSUIT SEEKING A DECLARATION THAT THE PROVISIONS OF SECTION 112.144(1)(d), FLORIDA STATUTES, THAT REQUIRE MUNICIPAL ELECTED OFFICIALS TO FILE FORM 6 FINANCIAL DISCLOSURE FORMS IS UNCONSTITUTIONAL AND INVALID, AND PROVIDING FOR AN EFFECTIVE DATE

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

COMMISSIONER ARSERIO provided his concerns on the introduction to Form 6 which he said was beyond invasion of privacy and highlighted that some elected officials were leaving office. He said that he did not want people thinking that they had something to hide but indicated that this required document was too intrusive.

COMMISSIONER CAGGIANO discussed security concerns pertaining to Form 6.

MAYOR RUZZANO said that he was all for transparency but did not know how the State Representatives passed this. He could not understand why an elected official would resign over Form 6.

Discussion ensued on Form 6.

MS. VAN WINKLE indicated that personal information should not be in the public's domain.

The motion carried as follows:

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

ADJOURNMENT

There being no further business, the meeting adjourned at 9:24pm.

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.

[Appendix A – Zoning – Section 3.3] 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 advisory boards may be in attendance and may participate at the meeting.

Members of the public are invited to view this meeting through Zoom using Webinar ID: 843 3197 6094 or can listen via telephone by calling one of the following phone numbers: US: +1 312 626 6799 or +1 929 205 6099.

- A copy of the Agenda for this Meeting is posted on www.MargateFL.com and on the main bulletin board outside City Hall located at 5790 Margate Blvd, Margate, FL 33063.

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