



# City of Margate

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## 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*

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Wednesday, December 6, 2023

7:00 PM

Commission Chambers and Zoom.us

Webinar ID: 869 3302 2047

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<https://us02web.zoom.us/j/86933022047>

### CALL TO ORDER

### ROLL CALL

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

### MOMENT OF SILENCE - INVOCATION BY PASTOR GAYLORD BUSS

### PLEDGE OF ALLEGIANCE

### 1) PUBLIC DISCUSSION

There was no Public Discussion.

MAYOR TOMMY RUZZANO indicated that CONSENSUS was sought to bring Items 6) A. and 6) B. before Public Discussion.

VICE MAYOR ARLENE R. SCHWARTZ said Happy Hanukah and highlighted Margate's Winter Festival and Shop with a Hero events.

**A motion was made by Commissioner Arserio, seconded by Vice Mayor Schwartz, to move Items 6) A. ID 2023-391 and 6) B. ID 2023-392 up to now (before Public Discussion). This carried as follows:**

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

### 6) ORDINANCE(S) - FIRST READING

Items 6) A. ID 2023-391 and 6) B. ID 2023-392 were moved up after Public Discussion.

INTERIM CITY ATTORNEY DAVID N. TOLCES explained that they were going to combine Items 6) A. ID 2023-391 and 6) B. ID 2023-392 as they both relate to the same development.

- A. [ID 2023-391](#) AN ORDINANCE AMENDING THE CODE OF THE CITY OF MARGATE, FLORIDA; PROVIDING FOR A LAND USE PLAN AMENDMENT TO THE CITY OF MARGATE COMPREHENSIVE PLAN, APPENDIX B, TO PERMIT A CHANGE OF LAND USE FROM “COMMERCIAL RECREATION AND R(7) RESIDENTIAL” TO “R(7) RESIDENTIAL AND PARK”; PROVIDING FOR AN INCREASE OF THE AVERAGE DENSITY OF AN IRREGULAR DENSITY DASHED-LINE AREA FROM 7.6 TO 8.4 DWELLING UNITS PER ACRE; PROVIDING FOR A TEXT AMENDMENT TO THE CITY OF MARGATE COMPREHENSIVE PLAN ELEMENT I. FUTURE LAND USE ELEMENT; RECOMMENDING APPROVAL OF THE AMENDMENT TO THE BROWARD COUNTY LAND USE PLAN; PROVIDING FOR TRANSMITTAL TO THE BROWARD COUNTY PLANNING COUNCIL TO OBTAIN RECERTIFICATION OF ELEMENT I. FUTURE LAND USE OF THE MARGATE COMPREHENSIVE PLAN FOR PROPERTY LOCATED AT 7870 MARGATE BOULEVARD; PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF COMMERCE; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE

**A motion was made by Commissioner Arserio, seconded by Commissioner Caggiano, that this Ordinance - First Reading, should be discussed.**

INTERIM CITY ATTORNEY TOLCES Read the Quasi-Judicial statement, explained the procedure and asked the City Commission if there were any disclosures regarding this Item.

COMMISSIONER ANTHONY N. CAGGIANO explained that it was on record that he met with them at the site.

COMMISSIONER JOANNE SIMONE met with Mr. Fimiani at the site and she also confirmed that she spoke with Mr. Scott over the telephone and discussed this Item with City Manager Curtis.

COMMISSIONER ANTONIO V. ARSERIO said that he had spoken to practically everyone and communicated through social media which included the petitioner, his Attorney, City staff and residents/affected parties.

VICE MAYOR SCHWARTZ met with Mr. Fimiani, his attorney and spoke to residents.

MAYOR RUZZANO spoke to staff and to the other party.

Discussion ensued with Interim City Attorney Tolces on the next course of action on these two Items.

MOTION TO APPROVE ITEM 6) A. and B.

INTERIM CITY ATTORNEY TOLCES explained the protocol for the City Clerk to swear in anyone who was going to be testifying on these Items.

Discussion ensued.

CITY CLERK JENNIFER M. JOHNSON conducted the swearing-in ceremony.

INTERIM CITY ATTORNEY TOLCES continued to explain the protocols to the City Commission.

MAYOR TOMMY RUZZANO questioned if the City Commission wanted to start or refer to the staff or the petitioner.

Discussion ensued.

GREENSPOON MARDER, PARTNER, MATTHEW H. SCOTT, 200 E BROWARD BLVD #1800, FORT LAUDERDALE, FL 33301 gave a PowerPoint presentation which he believed were the facts of the NOVE of Margate project. He said that the area was approximately 21 acres and that the existing use was a permanently closed golf course. His client advised him that the golf course was losing money and they explored a variety of redeveloped options. He informed that the current zoning was S1 and understood that the community had a concern that it would always stay green but emphasized that the current zoning allowed for commercial recreation development such as a trampoline park, soccer fields or an athletic training facility. He forewarned that it was not as simple as voting for or against this project and that it remained green forever and advised there was no deed restriction put on this property for it to have a continuing public purpose. He said that they were proposing to replace the shuttered golf-course with a site plan and a redevelopment of the property to repurpose it as a 132 unit townhome development together with a dedicated public park space on Margate Boulevard which would restrict it to be anything other than a public park. He explained that in perpetuity, his client or the future owners of the property would be required to maintain it which would be no financial obligation to the City but it would be something that was publicly accessible to all members of the community. He said that in addition for the future residence of this project, they were going to have two amenity areas including a clubhouse, fitness center, swimming pool, multi-sport court and a top lock dog walk area. He emphasized the facts of his presentation which included that all canals and lakes on the property were going to be expanded and improved and all renderings seen were based on their actual plans. He sought an amendment to change the future land use from commercial recreation to residential and parks and that there was a text amendment with that to the comprehensive plan and then rezoning from recreational to S1 district and multiple dwelling R3A to planning and development. He said that originally, discussions were made at doing 200 – 250 multi-family units and they were unable to meet with residents but changed the project to a more context sensitive and considerate from a density and intensity prospective to 132 townhome units. He referenced a traffic study and found that the proposed traffic from the project would not cause a degradation of the levels of service to the roadways in the area. He continued to discuss the benefits of adding this development as well as explaining the Economic Impact Study.

COMMISSIONER CAGGIANO referenced Mr. Scott's comments made in his PowerPoint presentation and questioned whether they had met every requirement based on the Land Use Plan Amendment (LUPA) criteria, the review process and the Planned Unit Development (PUD) standards.

GREENSPOON MARDER, PARTNER, SCOTT confirmed yes and said that there would

be few conditions of approval that would be required if they moved forward.

DEVELOPMENT SERVICES (DS) SENIOR PLANNER ANDREW PINNEY gave a PowerPoint presentation where he explained that it was a two-part application being a map designation and to amend Policy 1.2.6. of the Margate Future Land Use element of the Margate Comprehensive plan which was in order to redevelop the Executive Golf Course and to 132 townhouse development known as NOVA of Margate. He said that they were looking at a maximum development potential of 792 dwelling units and currently, it was developed for 742 which meant that there were 50 undeveloped units credited on the map which he emphasized was important when looking at the backup for both applications. He read the policy that the applicant was looking to amend with this application and explained the requirements that the Development Review Committee looked for. He highlighted the Traf Tech LUPA Traffic Evaluation and population projections into the future and forewarned that there could be a deficiency of park space as they estimated that they would have 68,000 people in 2045. He said that before they could approve any kind of LUPA, they would have to offset the new people coming in. He said that to offset the 82 new dwelling units being requested with this application, they would need an additional .615 acres to hit the level of service to provide those new 82 units. He also discussed the natural resources, gave a quick overview of the LUPA process and explained the next steps if those items were approved. He discussed the parking calculations and said that the requirement was 456 parking spaces but the applicant was providing 458 which was above the City's policy.

VICE MAYOR SCHWARTZ informed that at the last City Commission meeting, they decided not to count a garage as a parking space.

DS SENIOR PLANNER PINNEY said that the Code that Vice Mayor Schwartz referred to did not go into effect until December 20th and this application had been pending and an ongoing review since November 2021 which would meet the 2018 residential parking requirement.

Discussion ensued.

DS SENIOR PLANNER PINNEY continued with his PowerPoint presentation, highlighted the vehicle stacking area and also explained the traffic study. He discussed the fiscal impact analysis and said it was important to note that the projected ad valorem taxes that the Environmental Impact Statement (EIS) prepared were only coming from the value of the building and did not include the land value. He estimated that the fire fee would be approximately \$30,000. He concluded that the Development Review Committee (DRC) recommended approval of both applications and the P&Z gave a unanimous recommendation of approval.

A question-and-answer session ensued between the City Commission, City staff and Greenspoon Marder, Partner, Scott.

COMMISSIONER ARSERIO questioned the approval from DRC and P&Z.

DS SENIOR PLANNER PINNEY confirmed that some of the DRC members lived in the City and repeated that it was a unanimous approval from the P&Z board.

MAYOR RUZZANO thanked DS Senior Planner Pinney for the presentation and highlighted previous projects that he was unhappy with.

Discussion ensued.

COMMISSIONER ARSERIO referenced burrowing owls pertaining to Lennar Homes and questioned what would happen to them in the new development. He said that his understanding was that if these items failed, the applicant could potentially apply for a permit to start building a sports complex with little to no City Commission approval.

APPLICANT, MIKE FIMIANI, said that the owls come and go but in the last 12 months, he had visited the site consistently and they were not present. He explained that he had significant discussions with Florida Fish and Wildlife Conservation (FWC) and if approved, the process would be to wait until they were ready to start construction on the property when they would call out the environmental specialists and FWC who would certify that there were not any owls present at that time.

Discussion ensued on the potential of the site being made into a sports complex.

DS SENIOR PLANNER PINNEY confirmed that the applicant could start the process of building a sports complex as all the uses were detailed in the S1 district.

Discussion ensued.

VICE MAYOR SCHWARTZ referenced shutters and questioned whether the development would contain impact windows. She also questioned whether there would be any age restriction on the complex. She raised questions pertaining to the units permissible, park space, toxic chemicals, recouping tax funds and how long it would take to mitigate the property.

Discussion ensued.

DS SENIOR PLANNER PINNEY confirmed that there would not be any age restriction to residents living in that development. He said that 8.4 was the average density within the dash line area.

Discussion ensued.

GREENSPOON MARDER, PARTNER, SCOTT, explained that it was difficult to assess the taxes as construction had not started but estimated it as mid \$200,000 and indicated that the environmental mitigation was actually easier than one would think.

Discussion ensued.

MAYOR RUZZANO questioned if they were supposed to base their decision about substantial competent evidence. He also questioned whether the matter pertaining to a privately owned park or recreational facility could still be considered to be a park. He explained that he would have preferred for these items to have been prolonged rather than a fixed date at the City Commission meeting.

INTERIM CITY ATTORNEY TOLCES advised in the Ordinance that they did designate that land in perpetuity, as a park.

Discussion ensued including applicants allegedly not meeting with the residents and the future of the golf course.

COMMISSIONER CAGGIANO explained that as this was a Quasi-Judicial hearing, the City Commission had to determine the outcome on the facts of the case and indicated

that the applicants did everything that they were asked to.

MAYOR RUZZANO opened Public Comments and reminded the residents that the Ordinance was a First Reading.

Discussion ensued on the procedure of the Ordinance.

MARILYN A. KNEELAND, 7955 NW 5TH CT, APT 108, said that she was also a part of Keep Margate Green, discussed the facts and corrected some errors that she believed were stated.

LISA HARVEY, 600 NW 80 TERRACE #105, explained why she was 100% in favor of the townhouses.

KENNETH R. COREY, 7920 NW 6 CT., provided his opinion on this project which he was 100% in favor of and also believed that this would also increase the property value.

A MARGATE RESIDENT was in favor of building a sports center but was against the townhomes.

THEA CAMPELL had concerns of not having an over 55 community and the moving of the owls and the wildlife.

COMMISSIONER ARSERIO responded to Ms. Campell's concerns over the wildlife.

DARRIN PENHARLOW, 895 NW 80 TER, questioned whether the Homeowners Association would be allowing commercial vehicles in their community and would prefer to see a park.

VICE MAYOR SCHWARTZ responded to Mr. Penharlow's question on parking and commercial vehicles.

COMMISSIONER ARSERIO said that the City was looking at the parking in that community and referenced the Code.

Discussion ensued on parking.

GRANT R. O'DONNELL, 3011 HOLIDAY SPRINGS BOULEVARD, #205, congratulated the new Mayor and Vice Mayor and had concerns if the plans were changed once the applicants received the zoning.

INTERIM CITY ATTORNEY TOLCES addressed Mr. O'Donnell's concerns on the rezoning Ordinance.

Discussion ensued.

ANDREW D'ALESSANDRO, 7830 MARGATE BLVD., preferred the building of townhomes to a sports facility.

THERESA C. GERARDI, 7970 NW 9 ST, was concerned about the congestion and recommended that they rethink the traffic study.

ELSA J. SANCHEZ, 6930 NW 15TH STREET, discussed traffic and parking concerns on this project.

MAYOR RUZZANO requested the applicant's attorney, Mr. Scott, to address the traffic situation if it was going to be a sports complex.

JULI VAN DER MEULEN, 2913 NW 68 LN., referenced remediation and arsenic.

WILLIAM J. ALBRECHT, 7905 NW 5TH COURT, ORIOLE GARDENS II AND CHAIR OF MARGATE GREEN COMMITTEE highlighted having to pay extra for their condos due to the view to the golf course and was concerned about the cleaning of the grounds.

MELODIE K. SAVOCA, 7708 MARGATE BLVD #C11U6 said that she wanted to retain the comprehensive plan and preferred to keep it as an S1 and commercial recreation.

MICHAEL PEAKE, 7490 NW 6 CT., had a few questions and concerns pertaining to this development.

RONALD B. ROBERTS, 7340 LAKE CIRCLE DR #104, referenced an article in the Sun Sentinel pertaining to environmental issues and wildlife.

ALEXZANDRIA A. KELLY, 1605 NW 80TH AVENUE, #G, concurred about that sea level rise and flooding but said that she would prefer the home town community to a sports complex.

MAYOR RUZZANO addressed concerns pertaining to flooding.

Discussion ensued on the C-14 canal and flooding issues.

PETA ZUNE, 7700 NW 5TH COURT, ORIOLE GARDENS II, congratulated the Mayor and Vice Mayor on their respective new positions. She questioned whether the Development Review Committee (DRC) were knowledgeable and also read a statement.

SUSAN HOFFMANN, ORIOLE GOLF & TENNIS PHASE II, 1030 COUNTRY CLUB DRIVE, #106 read extracts from the email which she sent to the City.

DOUGLAS R. KEMP, 795 NW 73RD AVENUE, suggested marketing the development of 'luxury 55+ townhomes' and that he would prefer to see two bedrooms instead of three.

RICHARD ZUCCHINI, 380 LAKEWOOD CIRCLE E, #B, complimented the City staff and developer for the beautiful plan, discussed tax revenues and environmental issues pertaining to the golf course.

MITCHELL D. WILKINS, ORIOLE GARDENS, ORIOLE GOLF OF TENNIS, PHASE II, indicated that traffic was not a problem in his community.

MR. DONOHOO, PRESIDENT OF PARADISE GARDENS IV, had concerns over the validity of the numbers which he saw and traffic.

VICE MAYOR SCHWARTZ advised that the City had no authority over the traffic signals.

TRACY VAN WINKLE, 1020 SW 61ST AVENUE, thought that there would not be any school buses operating in that community and believed that the development would make Margate better.

A question and answer session ensued between the City Commission, staff and the

developer and topics included drainage and flooding,

DS SENIOR PLANNER PINNEY confirmed that they had no cross examination need for the applicant but if the City Commission was looking for a specific condition other than what was in the staff report, he recommended that they should clarify those when the motion was made.

COMMISSIONER ARSERIO thanked the City staff and petitioner and expressed his thoughts on this development. He recommended that the City Commission approve this Ordinance tonight on the provision of the outcome of Broward County's decision where it could be revisited thereafter.

COMMISSIONER CAGGIANO concurred with Commissioner Arserio's comments and indicated that the City's alternative would be to raise taxes or increase the size of the pie. He said that everyone wanted services and he was in favor of moving this forward.

COMMISSIONER SIMONE said that she had listened very intently tonight, read every email and had given this considerable consideration to hearing all sides. She said that the area had been neglected but thought that this development would maintain a family-friendly City. She said that it appeared that Mr. Fimiani was a good partner for the City and that he met all the required processes. She heard the feelings of the residents but said that to turn this down would not be in the best interest to Margate. She indicated that the townhomes would be more appropriate than a sports complex which she thought would bring in more traffic and believed that the residents would not be happy with that decision.

Discussion ensued.

GM PARTNER, SCOTT, closed his rebuttal by talking about the City staff's requirements pertaining to drainage and the traffic study. He thanked the City for allowing them to do the presentation. He referenced the 21,000 acres and said that if you compared areas that were built on verses areas that were either lake or non-building, it would be 60%.

MAYOR RUZZANO appreciated everyone's dialogue and indicated that it was a big decision and that everyone should be respectful.

INTERIM CITY ATTORNEY TOLCES read and explained the instructions for the next steps and the motion that was pending.

Discussion ensued.

**The motion carried by the following vote:**

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

**No:** 1 - Mayor Ruzzano

- B.** [ID 2023-392](#) AN ORDINANCE OF THE CITY OF MARGATE, FLORIDA AMENDING SECTION 5.2 OF APPENDIX "A," THE OFFICIAL ZONING MAP OF THE CITY OF MARGATE, FLORIDA, OF THE CITY OF MARGATE CODE OF ORDINANCES, TO PROVIDE FOR THE REZONING OF 21.3 ACRES OF REAL



PROPERTY LOCATED AT 7870 MARGATE BOULEVARD, MARGATE, FLORIDA, AS MORE PARTICULARLY DESCRIBED HEREIN, AND REFERRED TO AS “NOVE OF MARGATE,” FROM RECREATIONAL S-1 DISTRICT AND MULTIPLE DWELLING R-3A TO PLANNED UNIT DEVELOPMENT (“PUD”); PROVIDING FOR REPEAL; PROVIDING FOR AN EFFECTIVE DATE

**A motion was made by Commissioner Arserio, seconded by Commissioner Caggiano, that this Ordinance - First Reading, should be discussed.**

INTERIM CITY ATTORNEY TOLCES advised that based upon the representation made by the Applicant, they would add an additional condition under Section 1 of the Ordinance, paragraph D, which would be that the rezoning was conditioned on the contribution of an amount of \$50,000 by the applicant to the City of Margate which funds should be used for the improvement of the medians in the vicinity of the development along Margate Boulevard.

MAYOR RUZZANO suggested having another City Commission Workshop to discuss this Item.

Discussion ensued on conditions or conducting a City Commission Workshop, a 55+ community and the next steps.

COMMISSIONER ARSERIO suggested a Workshop after a decision had been made from Broward County.

**A motion to amend by Commissioner Arserio, seconded by Commissioner Caggiano of Section 1 of the Ordinance Paragraph D with respect to the fact that the applicant would provide a contribution of funds in the amount of \$50,000 to the City of Margate. Such funds should be used for the improvement of the medians along Margate Boulevard in the vicinity of the NOVE of Margate Planned Unit Development (and the funds should be paid to the City prior to the issuance of the first building permit).**

**The motion as amended carried as follows:**

**Yes:** 3 - Commissioner Caggiano, Commissioner Simone and Commissioner Arserio

**No:** 2 - Vice Mayor Schwartz and Mayor Ruzzano

Meeting went into Recess.

Meeting Reconvened.

## 2) COMMISSION COMMENTS

COMMISSIONER CAGGIANO wished everybody a Happy Hanukkah, Happy Kwanzaa and Merry Christmas. He firmly believed that when the audience asked questions, it was important that the City established the facts and that they would also be provided with the correct answer.

CITY MANAGER CALE CURTIS advised that Commissioner Simone sent her apologies for not rejoining the City Commission meeting.

COMMISSIONER ARSERIO referenced the Community Redevelopment Agency (CRA) and announced that the Fields family, who previously donated the 700+ shrubs, a number of small trees and the live oaks had made another donation to the City of approximately 30 Phoenix sylvestris. He said that these trees were installed at Margate Sports Complex and suggested if the CRA could put a plaque by one of the palms. He wished everybody a Happy Hanukkah, Happy Kwanzaa, Merry Christmas and a Happy New Year and to stay safe during the holidays.

VICE MAYOR SCHWARTZ repeated her Season's Greetings to everyone and highlighted the forthcoming City and social events.

MAYOR RUZZANO explained why the Agenda had been changed from Public Comments to Public Discussion. He highlighted that it was Pearl Harbor Remembrance Day. He wished everybody a Merry Christmas and Happy Hanukkah. He also wished everybody to be safe and welcomed everyone to Margate's Winter Festival and his party.

### 3) CITY MANAGER'S REPORT

CITY MANAGER CURTIS highlighted that the Property Improvement Grant Program (PIP) would be reopening next January and that the bridgework would commence on the One Mile Canal on Atlantic Boulevard.

VICE MAYOR SCHWARTZ commented on the forthcoming roadworks.

Discussion ensued.

### 7) ORDINANCE(S) - SECOND READING

- A. [ID 2023-395](#) ORDINANCE - AMENDING CHAPTER 39, "WATER AND SEWERS, DEPARTMENT OF ENVIRONMENTAL AND ENGINEERING SERVICES," ARTICLE III, "REGULATION OF SEWER USE," SECTION 39-28, "VIOLATIONS OF ARTICLE; PENALTIES; LIABILITY FOR RESULTING DAMAGE," ARTICLE VII - "UTILITY RULES, REGULATIONS AND RATES," SECTION 39-70, "RULES AND REGULATIONS," SECTION 39-71 "RATES ESTABLISHED," SECTION 39-72, "SERVICE AVAILABILITY CHARGE MANDATORY; WATER SHUTOFF NOT SEPARATION FROM SYSTEM; PROCEDURE FOR EXCUSE FROM SERVICE AVAILABILITY CHARGE; RECONNECTION TO SYSTEM," SECTION 39-73, "CONNECTION CHARGES," SECTION 39-74, "IMPLEMENTATION OF WATER AND SEWER CONNECTION CHARGES" OF THE CODE OF ORDINANCES OF THE CITY OF MARGATE, FLORIDA; PROVIDING FOR WATER AND WASTEWATER UTILITY RATES OUTSIDE OF MARGATE MUNICIPAL BOUNDARIES; PROVIDING FOR RATES, FEES, AND CHARGES TO BE APPROVED BY RESOLUTION OF THE CITY COMMISSION; PROVIDING FOR

PROSECUTION, ENFORCEMENT, PENALTY, AND RECOVERY OF COSTS; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE

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

**The motion carried by the following vote:**

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

**Absent:** 1 - Commissioner Simone

## 5) RESOLUTION(S)

- F. [ID 2023-331](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING THE SCHEDULE OF FEES AND CHARGES FOR WATER AND WASTEWATER SERVICES PURSUANT TO CHAPTER 39 - WATER AND SEWERS - DEPARTMENT OF ENVIRONMENTAL AND ENGINEERING SERVICES, PROVIDING FOR AN EFFECTIVE DATE

**A motion was made by Vice Mayor Schwartz, seconded by Commissioner Arserio, that this Resolution, should be discussed. This carried as follows:**

COMMISSIONER ARSERIO questioned whether Margate was still the third or fourth lowest out of 31 cities.

CITY MANAGER CURTIS said that they were still below the average in the County.

GOVRATES, INC. PRESIDENT BRYAN A MANTZ, shared the comment that was made that the City would continue to be below the average of the surveyed utilities for the entire 10 year forecast that they were looking at.

**The motion carried as follows:**

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

**Absent:** 1 - Commissioner Simone

## 4) 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 2023-383](#) MOTION - APPROVAL OF CITY COMMISSION MINUTES: OCTOBER 18, 2023 REGULAR CITY COMMISSION MEETING
- APPROVED**
- B. [ID 2023-363](#) RESOLUTION GRANTING DRAINAGE, FLOWAGE AND STORAGE EASEMENTS TO ALLIANCE XVI LLC AND TO TC MC MARGATE APARTMENTS LLC, TO FACILITATE TRANSFER OF MAINTENANCE AND OPERATIONAL RESPONSIBILITIES FROM THE CITY
- APPROVED**
- C. [ID 2023-389](#) RESOLUTION - APPROVING AN AGREEMENT FOR PARTIAL FUNDING OF FOUR (4) SCHOOL RESOURCE OFFICERS IN ATLANTIC WEST ELEMENTARY, MARGATE ELEMENTARY, LIBERTY ELEMENTARY AND MARGATE MIDDLE SCHOOLS FOR AUGUST 16, 2023 THROUGH JUNE 2026; AUTHORIZING ADMINISTRATION TO RENEW THIS THREE (3) YEAR AGREEMENT UNDER THE SAME TERMS WITHOUT FURTHER COMMISSION ACTION; PROVIDING FOR EFFECTIVE DATE
- APPROVED**
- D. [ID 2023-400](#) RESOLUTION - AMENDING RESOLUTION 21-057; APPROVING THE APPOINTMENT OF WEISS SEROTA HELFMAN COLE & BIERMAN, P.L. AS CITY ATTORNEY AND CITY PROSECUTOR; PROVIDING FOR AN EFFECTIVE DATE
- APPROVED**
- E. [ID 2023-401](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, WAIVING BIDDING REQUIREMENTS FOR THE PURCHASE, INSPECTION, MAINTENANCE, AND REPAIR SERVICES OF ELECTRICAL EQUIPMENT AND COMPONENTS MANUFACTURED BY ABB AND GE INDUSTRIAL SOLUTIONS; APPROVING ABB, INC. AS THE SOLE SOURCE PROVIDER FOR THE PURCHASE, INSPECTION, MAINTENANCE, AND REPAIR SERVICES OF ELECTRICAL EQUIPMENT AND COMPONENTS MANUFACTURED BY ABB AND GE INDUSTRIAL SOLUTIONS; PROVIDING FOR EFFECTIVE DATE.

**APPROVED**

## Approval of the Consent Agenda

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

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

**Absent:** 1 - Commissioner Simone

INTERIM CITY ATTORNEY TOLCES thanked the City on behalf of this firm and he looked forward to many years serving at Margate.

### 5) RESOLUTION(S) CONTINUED

The remaining Items in 5) Resolution were heard after the Consent Agenda.

- A. [ID 2023-313](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING REGULAR CITY COMMISSION MEETING DATES FOR CALENDAR YEAR 2024

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

COMMISSIONER ARSERIO thanked Mayor Ruzzano for considering the back-to-back City Commission meetings.

MAYOR RUZZANO responded to Commissioner Arserio's comments.

**The motion carried as follows:**

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

**Absent:** 1 - Commissioner Simone

- B. [ID 2023-387](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, AUTHORIZING THE ADDITION OF THE POSITION OF ATHLETIC COORDINATOR TO THE PARKS AND RECREATION DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE, THE NEW POSITION WILL BE INCLUDED IN AN UPCOMING CITY BUDGET AMENDMENT

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

COMMISSIONER ARSERIO believed that this Item was appropriate due to the City taking on more sporting activities.

MAYOR RUZZANO advised that the City was taking over the baseball and soccer leagues respectively.

**The motion carried as follows:**

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

**Absent:** 1 - Commissioner Simone

**C. [ID 2023-388](#)** A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, AUTHORIZING THE ADDITION OF THE POSITION OF LANDSCAPE MAINTENANCE SUPERVISOR TO THE PARKS AND RECREATION DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE, THE NEW POSITION WILL BE INCLUDED IN AN UPCOMING CITY BUDGET AMENDMENT

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

COMMISSIONER ARSERIO indicated that he was a strong proponent of this Item and said that the City Manager's Office had spent time driving around Margate looking at the landscape. He informed that they had three different landscapers between the CRA and the City and gave an example of robellini palms at the entrance way of the City that had not been well maintained. He continued to express the importance of employing someone in this position who could play a part in enhancing the City's appearance.

VICE MAYOR SCHWARTZ commented that the Code Officers should have been aware that the landscaping was not up to par. She questioned why Parks and Recreation's Robert Dorband's position was not replaced.

Discussion ensued.

CITY MANAGER CURTIS advised that Mr. Dorband's position was lost and re-classified into something else post-retirement. He informed that this Item was an added cost to the budget but what they paid annually for this position would ultimately save the City money in the long run in terms of replacement for these types of landscape feature.

Discussion ensued.

**This carried by the following vote:**

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

**Absent:** 1 - Commissioner Simone

**D. [ID 2023-390](#)** APPROVING THE WAIVING OF BIDDING FOR ACQUISITION FROM THE FEDERAL LAW ENFORCEMENT TRUST FUND ACCOUNT TO ENHANCE THE POLICE DEPARTMENT'S K-9 UNIT TO INCLUDE THE PURCHASE OF ONE (1) REPLACEMENT CANINE, VEHICLE EQUIPMENT, MISCELLANEOUS K-9 EQUIPMENT, AND TRAINING, AT A COST NOT TO EXCEED \$26,550.00

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

COMMISSIONER ARSERIO advised that the money for this Item was coming from a trust fund which were typically confiscated from criminals.

MAYOR RUZZANO supported this Item and said that he was in favor of the canine.

CITY MANAGER CURTIS said that he just received notification that one of the City's canines just apprehended two subjects.

Discussion ensued on the type of dog.

**This carried by the following vote:**

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

**Absent:** 1 - Commissioner Simone

**E. [ID 2023-402](#)** A RESOLUTION OF THE CITY OF MARGATE, FLORIDA APPROVING THE CITY OF MARGATE STATE LEGISLATIVE PRIORITIES FOR THE 2024 STATE LEGISLATIVE SESSION; DIRECTING THE CITY CLERK TO SEND A COPY OF THE CITY OF MARGATE STATE LEGISLATIVE PRIORITIES FOR THE 2024 STATE LEGISLATIVE SESSION TO THE BROWARD COUNTY DELEGATION FOR CONSIDERATION; PROVIDING FOR THE ADMINISTRATION TO MOVE UP IN PRIORITY LISTED PROJECTS, BASED UPON RECOMMENDATION OF THE CITY’S LOBBYIST, WITHOUT FURTHER COMMISSION ACTION; PROVIDING FOR AN EFFECTIVE DATE

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

COMMISSIONER ARSERIO questioned if this Item included the two appropriations.

CITY MANAGER CURTIS confirmed yes.

**The motion carried as follows:**

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

**Absent:** 1 - Commissioner Simone

**ADJOURNMENT**

There being no further business, the meeting adjourned at 1:10am.

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: 869 3302 2047 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](http://www.MargateFL.com) and on the main bulletin board outside City Hall located at 5790 Margate Blvd, Margate, FL 33063.

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