



City of Margate

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

Meeting Minutes Regular City Commission Meeting

Mayor Anthony N. Caggiano

Vice Mayor Tommy Ruzzano

Commissioners:

Antonio V. Arserio, Arlene R. Schwartz, Joanne Simone

City Manager Cale Curtis

Interim City Attorney Weiss Serota Helfman Cole & Bierman

City Clerk Jennifer M. Johnson

Wednesday, February 15, 2023

7:00 PM

Commission Chambers and Zoom.us

Webinar ID: 849 5378 2178

<https://us02web.zoom.us/j/84953782178>

CALL TO ORDER

ROLL CALL

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

MOMENT OF SILENCE - INVOCATION

PLEDGE OF ALLEGIANCE

1) PRESENTATION(S)

- A. [ID 2023-012](#) PRESENTATION - GOVERNMENT FINANCE OFFICERS ASSOCIATION CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING PROGRAM (COA) AND THE DISTINGUISHED BUDGET AWARD

FINANCE DIRECTOR ISMAEL DIAZ read a statement on this Item.

EMPLOYEE RECOGNITION FOR YEARS OF SERVICE

- B. [ID 2023-004](#) FIONA THERESE CHRISTMAS, PERMIT SPECIALIST II - BUILDING DEPARTMENT - 5 YEARS

2) PUBLIC COMMENTS

MAYOR ANTHONY N. CAGGIANO, explained the protocol for speaking under Public Comments and the Consent Agenda.

MICHAEL FIMIANI, 1501 COCOANUT RD, BOCA RATON, highlighted the Broward County Waterway Cleanup event on March 4th and discussed the Waterway Foundation. He requested if one of the City Commission or staff could attend this event and make an announcement to help cleanup the waterway.

MITCH PELLECCCHIA, 6890 NW 9TH STREET, discussed the Broward County Waterway Cleanup event and asked if the City Commission could help announce it to the community via their Facebook page. He complimented Public Works' assistance in cleaning up the waterways.

COMMISSIONER ARLENE R. SCHWARTZ questioned whether the Broward County Waterway Cleanup went down the C-14.

Discussion ensued.

COMMISSIONER ANTONIO V. ARSERIO thanked Mr. Fimiani and Mr. Pellecchia for running the Waterway Foundation and discussed his previous time in assisting at these events and also the financial donation he had made.

MR. PELLECCCHIA said that they were looking for highly qualified board members.

VICE MAYOR TOMMY RUZZANO discussed Margate's accumulation of approximately 25 miles of canals. He said that the Waterway Foundation did a good job. He questioned why the City of Margate's logo was not on the t-shirt.

Discussion ensued.

LOUIS RAYMOND, 7897 GOLF CIRCLE DRIVE, #209 said that Oriole Golf and Tennis Club had approximately 432 owners and discussed the history of this large community. He discussed that the City was not going to clean the catch basins and referenced that the Oriole Golf and Tennis Club residents paid a lot of taxes and that they wanted the City services to be allotted to them.

JONATHAN A. KRALJIC, 7357 FLORES WAY, read a statement on talking points that he had raised at past City Commission meetings and suggested a number of improvements to be made in Margate.

JULIE JONES thanked City Manager Curtis and highlighted the non-attendance of Margate's board members at the City Commission meetings.

RICHARD IRWIN, 7787 GOLF CIRCLE DR, explained that he discussed flood insurance at a previous City Commission meeting, questioned why he was put in a flood zone and referenced a request for a letter with that stipulation. He said that he was seeking an update on the flood zone query and questioned why he could not be removed from the same.

MAYOR CAGGIANO said that he would have City Manager Curtis look into it.

3) COMMISSION COMMENTS

VICE MAYOR RUZZANO requested City Manager Curtis to look into the storm drainage and flood zone issues. He discussed the devastation in Turkey and Syria and sent a special remembrance to actress, Raquel Welch, who sadly passed away.

CITY MANAGER CURTIS confirmed that he would look into those two issues and revert back to the City Commission.

Discussion ensued on the flood zone and revamping the maps.

MAYOR CAGGIANO advised that people should try and be nice to everyone. He highlighted the Sounds at Sundown concert event and hoped everyone had a good Valentine's Day.

COMMISSIONER SCHWARTZ visited the Northwest Focal Point Senior Center (NWFPSC) on Valentine's Day. She said that it was American Heart Month and advised that people should have some form of screening or a medical screening. She highlighted a ribbon cutting at the Community Medical Group of Margate. She said that nobody had it in for Oriole Golf and Tennis and referenced the catch basins.

COMMISSIONER JOANNE SIMONE thanked the City for inserting the telephone number for the water bill's automated system on the drop off box. She reminded the residents that every vote by mail request expired at the end of 2022 and it would have to be re-requested. She suggested if his could be highlighted in the newsletter and on the City's website.

MAYOR CAGGIANO continued to discuss the voting by mail process.

COMMISSIONER SIMONE discussed three forthcoming City events.

COMMISSIONER SCHWARTZ requested a live-link on the City's website through to the Supervisor of Elections (SOE).

INTERIM CITY ATTORNEY, DAVID N. TOLCES, greeted everyone and said it was great to be here in the City of Margate.

4) CITY MANAGER'S REPORT

CITY MANAGER CURTIS explained that the City had recently received two grants for an energy efficient block grant for \$116,000 and one for the resiliency planning for flood vulnerability assessment in the amount of \$236,000. He thanked Parks and Recreation Director, Jones and Public Works Director, Baptista, for working with their Grants Consultant in bringing in additional funds to the City. He thanked IT Director, Garmon, for removing the Mondopad and replacing it with a new camera which he advised was providing much better quality and clarity on the TV monitor.

COMMISSIONER SCHWARTZ advised that the Building Department received a great compliment from the Community Medical Group of Margate.

Discussion ensued including the Scouts being present at the City Commission meeting as a requirement for their Citizenship in the Community.

5) 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 2023-015](#) MOTION - APPROVAL OF CITY COMMISSION MINUTES: JANUARY 18, 2023
REGULAR CITY COMMISSION MEETING AT 7:00 PM AND FEBRUARY 1,
2023 REGULAR CITY COMMISSION MEETING

APPROVED

- B. [ID 2023-021](#) RESOLUTION - A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING THE INTERLOCAL AGREEMENTS REGARDING REESTABLISHING AND PROVIDING FOR DIVISION AND DISTRIBUTION OF THE THREE-CENT (\$0.03) AND ONE-CENT (\$0.01) LOCAL OPTION GAS TAXES ON EVERY GALLON OF MOTOR FUEL SOLD IN BROWARD COUNTY; PROVIDING FOR FUTURE ANNUAL DISTRIBUTIONS BASED UPON UPDATED POPULATION FIGURES; PROVIDING FOR EFFECTIVE DATE.

APPROVED

- C. [ID 2023-023](#) RESOLUTION - APPROVING THE PURCHASE OF EQUIPMENT TO COMPLETE THE EXPANSION OF THE SPECIAL RESPONSE TEAM (SRT); AUTHORIZING WAIVING OF BIDDING FOR SOLE SOURCE ACQUISITIONS AND FOR COMPETITIVELY PRICED NON-SOLE-SOURCE ACQUISITIONS OF EQUIPMENT AS LISTED TO BE FUNDED FROM POLICE DEPARTMENT IMPACT FEES AT A TOTAL COST NOT TO EXCEED \$175,000; PROVIDING FOR AN EFFECTIVE DATE.

APPROVED

- D. [ID 2023-024](#) 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 \$63,447.00 FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022, THROUGH SEPTEMBER 30, 2023, TO FUND THE CITY OF MARGATE POLICE DEPARTMENT'S FULL-TIME VICTIM ADVOCATE POSITION; AND PROVIDING FOR AN EFFECTIVE DATE.

APPROVED

- E. [ID 2023-026](#) CONSENT RESOLUTION ACCEPTING AN EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT IN THE AMOUNT OF \$7,311.00 FROM THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT TO FUND EQUIPMENT ITEMS TO INCLUDE BODY WORN CAMERA ACCESSORIES AND MOBILE PRINTERS FOR THE MARGATE POLICE DEPARTMENT.

APPROVED

Approval of the Consent Agenda

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

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

6) RESOLUTION(S)

- A. [ID 2022-509](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA TO AUTHORIZE A CHANGE ORDER FOR BID NO. 2020-014 - FIRE STATION NO. 58 DEMOLITION AND NEW CONSTRUCTION IN THE AMOUNT OF \$277,525.00 FOR INCREASES IN THE COST OF CONSTRUCTION MATERIALS

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

CITY MANAGER CURTIS gave a synopsis of this Item and explained that the general contractor for Fire Station 58 was seeking some monetary relief from the City due to historical inflationary construction conditions. He indicated that although it was a change order that the contractor was seeking, there was no solid basis in the contract to award or approve this request.

MAYOR CAGGIANO understood that the cost of materials had exploded over the last two years whilst they were doing this project and questioned whether City Manager Curtis had received any information for those increases.

CITY MANAGER CURTIS responded to Mayor Caggiano's comments.

Discussion ensued.

INTERIM CITY ATTORNEY TOLCES explained that although the agreement did provide a process where the contractor could ask for additional funds, it did not necessarily mandate that the City had to agree to it.

Discussion ensued.

COMMISSIONER SCHWARTZ compared the contractor's request to someone who would ask for additional funding from a property owner which they would not have budgeted for. She explained her concerns with the increase and indicated that some of the items could have been ordered in advance.

Discussion ensued on purchasing items in advance and drywall.

SISCA CONSTRUCTION, 5589 OKEECHOBEE BLVD SUITE 201, WEST PALM BEACH, FLORIDA 33417, CHARLIE SISCA, explained that he had been in business since 1999 and expressed that he had never undergone anything close to what they had experienced in the last two and a half years. He discussed the recent price increase.

Discussion ensued between the City Commission and Mr. Sisca.

COMMISSIONER SIMONE explained that she had a problem with the increase and questioned what good a contract was if the prices set were not going to be honored. She informed that she would not be voting for this Item and she did not believe it was in the best interest of their residents.

MR. SISCA responded to Commissioner Simone's comments.

INTERIM CITY ATTORNEY TOLCES discussed a force majeure clause and change orders.

COMMISSIONER ARSERIO questioned if the City Commission could approve up to a certain amount but not the full amount. He also spoke about his concerns on this Item and sought further information and research from the City Attorney.

INTERIM CITY ATTORNEY TOLCES advised that it was the City Commission's prerogative pertaining to making a partial payment.

VICE MAYOR RUZZANO was empathetic about the price increase but said that he would never return to a homeowner to charge them more. He said that he could not vote for this Item.

Discussion ensued.

A motion was made by Commissioner Arserio, to table this Resolution to the next City Commission meeting on March 1, 2023.

COMMISSIONER SCHWARTZ suggested to Commissioner Arserio to wait until everyone had spoken before tabling this Item.

Discussion ensued.

INTERIM CITY ATTORNEY TOLCES advised that he was more than happy to do the necessary research to provide the City Commission with the additional legal information to help them make a decision.

Discussion ensued.

A motion was made by Commissioner Arserio, seconded by Commissioner Schwartz, to table this Resolution to the next City Commission meeting on March 1, 2023. The motion carried as follows:

Yes: 3 - Commissioner Arserio, Mayor Caggiano and Commissioner Schwartz

No: 2 - Vice Mayor Ruzzano and Commissioner Simone

7) ORDINANCE(S) - SECOND READING

- A.** [ID 2023-020](#) ORDINANCE - AMENDING CHAPTER 30 PERSONNEL, ARTICLE II. - CIVIL SERVICE, DIVISION 3. - PROCEDURES FOR PROMOTIONAL POSITIONS; SECTIONS 30-42 EXAMINATION PROCEDURE, 30-43 EXAMINATION, 30-44 DISQUALIFICATION OF APPLICANTS, 30-45 ELIGIBILITY LISTS, 30-48 PROMOTIONAL OPPORTUNITIES; SENIORITY CREDITS; ELIGIBILITY, 30-49 ADDITIONAL REQUIREMENTS FOR POLICE; PROMOTION; AND 30-50 ADDITIONAL REQUIREMENTS FOR FIREFIGHTERS; PROMOTION;

PROVIDING FOR CONSISTENT LANGUAGE; PROVIDING FOR CONVENING AND COMPOSITION OF ORAL BOARD AND PERSONNEL REVIEW PANEL; PROVIDING FOR EXAMINATION AND RATINGS; PROVIDING FOR DISQUALIFICATION; PROVIDING FOR ELIGIBILITY LISTS; PROVIDING FOR PROMOTIONAL OPPORTUNITIES, SENIORITY CREDITS, AND ELIGIBILITY; PROVIDING FOR ADDITIONAL REQUIREMENTS FOR POLICE AND FIREFIGHTERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

ADJOURNMENT

There being no further business, the meeting adjourned at 8:15pm.

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: 849 5378 2178 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.

THROUGH THE CITY'S WEBSITE:

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