



City of Margate

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

Summary Agenda Regular City Commission Meeting

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

City Manager Cale Curtis
City Attorney Janette M. Smith
City Clerk Joseph J. Kavanagh

Wednesday, May 5, 2021

6:30 PM

Virtual Meeting
Webinar ID: 832 2189 7496

<https://us02web.zoom.us/j/83221897496>

CALL TO ORDER

ROLL CALL

MOMENT OF SILENCE - INVOCATION

PLEDGE OF ALLEGIANCE

1) PRESENTATION(S)

A. [ID 2021-179](#) PRESENTATION TO CITY OF MARGATE'S 2021 DROP SAVERS CONTEST WINNERS

AJAY PAWAR - RISE ACADEMY SCHOOL OF SCIENCE AND TECHNOLOGY - DIVISION 1 CITY WINNER

EMMITT GARBERINO- MARGATE ELEMENTARY SCHOOL - DIVISION 1 SCHOOL WINNER

OBED JOSEPH - WEST BROWARD ACADEMY - DIVISION 1 SCHOOL WINNER

DOVBER LEVY - LUBAVITCH HEBREW ACADEMY - DIVISION 1 SCHOOL WINNER

CHANA CROITURO - LUBAVITCH HEBREW ACADEMY - DIVISION 2 CITY WINNER

KARYSSA M. GABRIEL - ABUNDANT LIFE CHRISTIAN ACADEMY -

DIVISION 2 SCHOOL WINNER

ANDRES MARTINEZ - WEST BROWARD ACADEMY - DIVISION 2 SCHOOL WINNER

CALVIN MILLER - MARGATE ELEMENTARY SCHOOL - DIVISION 2 SCHOOL WINNER

KAIDEN T. SKEEN - PHYL'S ACADEMY PREPARATORY SCHOOL - DIVISION 2 SCHOOL WINNER

FAIGY GLASSMAN - LUBAVITCH HEBREW ACADEMY - DIVISION 3 CITY WINNER

ELIF OZDENCANLI - RISE ACADEMY SCHOOL OF SCIENCE AND TECHNOLOGY - DIVISION 3 SCHOOL WINNER

JOELLYN MENDOZA - MARGATE ELEMENTARY SCHOOL - DIVISION 3 SCHOOL WINNER

LAUREN WILSON -- ABUNDANT LIFE CHRISTIAN ACADEMY - DIVISION 3 SCHOOL WINNER

SAYYID ZABAR - WEST BROWARD ACADEMY - DIVISION 3 SCHOOL WINNER

JAHNIA JACOBS - MARGATE MIDDLE SCHOOL - DIVISION 4 CITY WINNER

JUSTAN CAMPBELL - WEST BROWARD ACADEMY - DIVISION 4 SCHOOL WINNER

MICHAEL LAWRENCE - PHYL'S ACADEMY PREPARATORY SCHOOL - DIVISION 4 SCHOOL WINNER

DEVORAH LEAH - LUBAVITCH HEBREW ACADEMY - DIVISION 4 SCHOOL WINNER

JOCELYN PEREZ - RISE ACADEMY SCHOOL OF SCIENCE AND TECHNOLOGY - DIVISION 4 SCHOOL WINNER

SAMANTHA SILVA - ABUNDANT LIFE CHRISTIAN ACADEMY - DIVISION 4 SCHOOL WINNER

ABIGAIL DIAZ - MARGATE ELEMENTARY SCHOOL - DIVISION 5 CITY WINNER

STUDENTS AND TEACHERS OF THE MONTH

- B. [ID 2021-174](#)** ABUNDANT LIFE CHRISTIAN ACADEMY: BIANCA VERLY (Student); GIAVANTE GRIFFIN (Teacher), (Mrs. Stacy Angier, Principal and/or Mrs. Renate Ramirez, Assistant Principal)
- ATLANTIC WEST ELEMENTARY: NADYELIS ORTIZ (Student); FELECIA LOPEZ (Teacher), (Mrs. Shereen R. Reynolds, Principal and Dr. Latonya Cooper, Assistant Principal)
- LIBERTY ELEMENTARY: LOGAN SASSER (Student); SUSAN COCCIA (Teacher), (Mr. Matthew Whaley, Principal and/or Ms. Donna Styles, Assistant Principal)
- MARGATE ELEMENTARY: MARIAH DEMEO (Student); CARRIE PAGLEY (Teacher), (Mr. Thomas Schroeder, Principal and/or Ms. Vicki Flournoy, Assistant Principal)
- MARGATE MIDDLE: TREYVAUN SWANN (Student); JORGE MEJIA (Teacher), (Mrs. Sabine Phillips, Principal and/or Assistant Principal)
- PHYL'S ACADEMY PREPARATORY SCHOOL: JOSHUA BUSH (Student); FRANCO COLEMAN (Teacher), (Dr. Jan Codling, Principal)
- RISE ACADEMY SCHOOL OF SCIENCE AND TECHNOLOGY: JENITHA JEROME (Student); CINDY GUISHARD-BALDWIN (Teacher), (Dr. Adriana Guerra, Principal)
- WEST BROWARD ACADEMY: ARIADNA CAMILO PENA (Student); CLAUDIA ALVARADO (Teacher), (Mr. Derrick Hugue, Principal and/or Assistant Principal Ms. Rossana Padron)

Attachments: [BACKGROUND](#)
[BACKGROUND](#)

PROCLAMATION(S)

- C. [ID 2021-175](#)** KIDS TO PARKS DAY - MAY 15, 2021 (presented to Mike Jones, Director - Parks and Recreation)
- Attachments:** [BACKGROUND](#)
- D. [ID 2021-176](#)** MENTAL HEALTH AWARENESS MONTH - MAY, 2021 (presented to Laura De Arce Diaz, NAMI Broward Advocate)
- Attachments:** [BACKGROUND](#)
- E. [ID 2021-177](#)** MUNICIPAL CLERKS WEEK - MAY 2 - 8, 2021 (presented to Joseph J. Kavanagh, City Clerk)
- Attachments:** [BACKGROUND](#)
- F. [ID 2021-178](#)** NATIONAL PUBLIC WORKS WEEK - May 16 - 22, 2021 (presented to Giovanni Batista, Assistant Director - Public Works)

Attachments: [BACKGROUND](#)

- G. [ID 2021-192](#) NATIONAL LAW ENFORCEMENT APPRECIATION WEEK - MAY 9- 16, 2021
(presented to Chief Jonathan Shaw - Police Department)

Attachments: [BACKGROUND](#)

PRESENTATION

- H. **ID 2021-198** FAREWELL TO FORMER IT DIRECTOR JAMES "JIM" WILBUR

2) PUBLIC DISCUSSION

3) COMMISSION COMMENTS

4) CITY MANAGER'S REPORT

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. Anyone wishing to comment on any item on the Consent Agenda should approach the podium now. Each speaker is limited to three (3) minutes.

- A. [ID 2021-188](#) MOTION - WAIVING OF RENTAL AND LABOR FEES FOR THE USE OF FIREFIGHTERS PARK PICKLEBALL COURTS, IN AN AMOUNT NOT TO EXCEED \$1,200. FEE WAIVER REQUESTED BY BROWARD COUNTY FIREFIGHTER BENEVOLENT.

Attachments: [BACKGROUND - FEE WAIVER REQUEST](#)

- B. [ID 2021-190](#) MOTION - WAIVING OF RENTAL AND LABOR FEES FOR THE USE OF MARGATE SPORTS COMPLEX FIELD 1, IN AN AMOUNT NOT TO EXCEED \$375. FEE WAIVER REQUESTED BY MARGATE LEGACY BASEBALL 8U.

Attachments: [BACKGROUND - FEE WAIVER REQUEST](#)

- C. [ID 2021-193](#) RESOLUTION - APPROVING PIGGYBACKING THE CITY OF PEMBROKE PINES CONTRACT WITH PENN CREDIT FOR DEBT COLLECTION SERVICES; PROVIDING FOR EFFECTIVE DATE.

Attachments: [RESOLUTION](#)
[AGREEMENT](#)
[BACKGROUND](#)
[BACKGROUND](#)

6) RESOLUTION(S)

- A. [ID 2021-183](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, AUTHORIZING THE SALE OF BEER, WINE, AND WINE SMOOTHIES AT CALYPSO COVE AQUATIC FACILITY AQUATIC FACILITY LOCATED AT 6200 ROYAL

PALM BOULEVARD; PROVIDING FOR LICENSE; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Attachments:

[RESOLUTION](#)

[BACKGROUND - SUMMARY OVERVIEW](#)

- B. [ID 2021-185](#)** A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING THE 2021 AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF MARGATE PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL ORDINANCE AND THE 2021 AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND MARGATE PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIFTH CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT; PROVIDING FOR UPDATED POPULATION FIGURES; PROVIDING FOR EFFECTIVE DATE.

Attachments:

[RESOLUTION](#)

[CORRESPONDENCE](#)

[AGREEMENT - AMENDMENT EXHIBIT 1](#)

[AGREEMENT - EXHIBIT 2](#)

[BACKGROUND - BEBR POPULATION](#)

7) ORDINANCE(S) - FIRST READING

- A. ID 2021-203** EMERGENCY ORDINANCE - AUTHORIZING THE CITY MANAGER TO MAKE PROVISIONS FOR PUBLIC MEETINGS BY USE OF COMMUNICATION MEDIA TECHNOLOGY AND FOR ATTENDANCE BY USE OF SUCH TECHNOLOGY BY ELECTED, APPOINTED OFFICIALS, STAFF, AND PUBLIC DURING PERIODS WHEN THE CITY MANAGER DETERMINES AND DECLARES A LOCAL PUBLIC HEALTH EMERGENCY OR OTHER CIRCUMSTANCES IN WHICH THE CITY COMMISSION DETERMINES IT IS NECESSARY TO PROTECT THE HEALTH AND SAFETY OF CITY OFFICIALS, CITY STAFF, AND THE PUBLIC, FOR A 60 DAY PERIOD; PROVIDING FOR TWO-THIRDS AFFIRMATIVE VOTE REQUIRED FOR ADOPTION PURSUANT TO SECTION 3.19 - EMERGENCY ORDINANCES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Attachments:

ORDINANCE

8) ORDINANCE(S) - SECOND READING

- A. [ID 2021-120](#)** AN ORDINANCE AMENDING THE CODE OF THE CITY OF MARGATE, FLORIDA, AMENDING CHAPTER 9, ADDING NEW ARTICLE V, ENTITLED "RESIDENTIAL RENTAL UNIT INSPECTION PROGRAM"; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR APPLICATION; PROVIDING FOR INSPECTION; PROVIDING FOR FEES;

PROVIDING FOR ENFORCEMENT; PROVIDING FOR PENALTIES; PROVIDING FOR DISPUTE; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Attachments:

[ORDINANCE](#)

[BACKGROUND 1 - Checklist](#)

[BACKGROUND 2 - POWERPOINT](#)

- B. [ID 2021-121](#)** AN ORDINANCE AMENDING CHAPTER 9- BUILDINGS, ADDING NEW SECTION 9-6. CONSTRUCTION HOURS OF OPERATION; AMENDING CHAPTER 33 - POLICE AND LAW ENFORCEMENT; OFFENSES AND MISCELLANEOUS PROVISIONS, ARTICLE VIII - NOISE CONTROL CODE, SECTION 33-79 - SPECIFIC PROHIBITIONS, SUBSECTION (g)CONSTRUCTION NOISE; AMENDING CHAPTER 35- ARTICLE I - IN GENERAL, ADDING NEW SECTION 35-0.6 CONSTRUCTION HOURS OF OPERATION IN RIGHT-OF-WAY; PROVIDING FOR CONSTRUCTION OPERATING HOURS; PROVIDING FOR SPECIAL PERMIT; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

Attachments:

[ORDINANCE](#)

- C. [ID 2021-134](#)** AN ORDINANCE AMENDING THE CODE OF THE CITY OF MARGATE, FLORIDA, AMENDING APPENDIX A ZONING, ARTICLE XL - PROPERTY MAINTENANCE STANDARDS, SECTION 40.16- ABANDONED REAL AND PERSONAL PROPERTY; PROVIDING FOR AMENDING PROGRAM FOR REGISTRATION OF PROPERTIES IN FORECLOSURE; PROVIDING FOR ENFORCEMENT.

Attachments:

[ORDINANCE](#)

[BACKGROUND - POWERPOINT](#)

- D. [ID 2021-191](#)** AN ORDINANCE AMENDING CHAPTER 33 - POLICE AND LAW ENFORCEMENT; OFFENSES AND MISCELLANEOUS PROVISIONS, ARTICLE VI - TRAFFIC CONTROL, SECTION 33-69.50 REGULATING TOWING OF VEHICLES FROM PRIVATE PROPERTY; PROVIDING FOR DEFINITIONS; PROVIDING FOR ADOPTION OF TOWING COMPANY LICENSING AND REGULATING ORDINANCE OF BROWARD COUNTY; PROVIDING FOR UPDATED RATES; PROVIDING FOR RETRIEVAL OF VEHICLES; PROVIDING FOR DECEPTIVE AND UNFAIR TRADE PRACTICES; PROVIDING FOR ADDITIONAL NONCONSENT TOWING REQUIREMENTS; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

Attachments:

[ORDINANCE](#)

9) RESOLUTION(S)

- A. [ID 2021-119](#)** A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING THE

SCHEDULE OF FEES FOR THE RESIDENTIAL RENTAL UNIT INSPECTION PROGRAM; PROVIDING FOR AN EFFECTIVE DATE.

Attachments: [RESOLUTION](#)

10) DISCUSSION AND POSSIBLE ACTION

- A. [ID 2021-184](#) ADDITIONAL PERSONNEL IN THE CITY ATTORNEY'S OFFICE

ADJOURNMENT

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.

Per the unanimous approval of Emergency Ordinance 2021-2 on March 17, 2021, the City Commission authorized the City Manager to provide for the City Commission, members of the various Boards, Committees, Magistrate, staff, and the public to be able to attend meetings electronically during a declared public health emergency, pursuant to the City's Charter, Chapter 252, Florida Statutes, Section 4 D of Governor DeSantis' Executive Order 20-52, and the City's home rule authority, including that set forth in Article VIII, Section 2(b), Florida Constitution, and Section 166.021, Florida Statutes.

Consistent with the authority contained in the Emergency Ordinance, and in order to ensure the health, safety, and welfare of the City of Margate's residents and employees, the City of Margate finds that it is in their best interests to hold this virtual public meeting.

- Therefore, the City of Margate will be holding this virtual meeting through the use of electronic communication. Members of the public are invited to join the City of Margate meeting by accessing the meeting through Zoom using Webinar ID: 832 2189 7496 or can call in 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 Virtual Meeting is posted on www.MargateFL.com and on the main bulletin board outside City Hall located at 5790 Margate Blvd, Margate, FL 33063.
- Any comments related to any item on the agenda can be submitted to the City of Margate via the following e-mail address: JJKAVANAGH@margatefl.com.

THROUGH THE CITY'S WEBSITE:

Go to www.margatefl.com

Go to "Agendas & Minutes" > Find the respective meeting date and click "Agenda Summary" to view the agenda items and see the Zoom meeting website address

PRIOR to the start of the meeting, email Public Comments to JJKAVANAGH@margatefl.com (all public comments that are three (3) minutes or less will be read into the record.)

ALTERNATE OPTION FOR VIEWING AND PARTICIPATING IN THE MEETING:

THROUGH ZOOM TECHNOLOGY:

Instructions for Attendees\Participants:

Topic: "Virtual Meeting - Margate Regular City Commission"

Enter the following link to join the webinar: <https://us02web.zoom.us/j/83221897496>

Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 929 205 6099

Webinar ID: 832 2189 7496

To virtually raise hand and be acknowledged to speak:

1. Users who call in can dial *9 to raise their hand and dial *6 to toggle mute/unmute
2. If going through mobile (phone\tablet) app, to raise hand select "Participants", then see option to raise hand.
3. On the computer users should click "Participants" then see option to raise hand
4. Once you have been selected to speak, you will be prompted to unmute your device or stay muted.