



# City of Margate

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

## Summary Agenda 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*  
*Interim City Attorney Weiss Serota Helfman Cole & Bierman*  
*City Clerk Jennifer M. Johnson*

---

Wednesday, May 4, 2022

6:30 PM

Commission Chambers and Zoom.us  
Webinar ID: 846 5983 3087

---

<https://us02web.zoom.us/j/84659833087>

### CALL TO ORDER

### ROLL CALL

### MOMENT OF SILENCE - INVOCATION

### PLEDGE OF ALLEGIANCE

### 1) PRESENTATION(S)

A. [ID 2022-179](#) PRESENTATION TO CITY OF MARGATE'S 2022 DROP SAVERS CONTEST WINNERS

NATALIA BROWN - MARGATE ELEMENTARY SCHOOL - DIVISION 1 CITY WINNER

CHARLOTTE SKUZA - MARGATE ELEMENTARY SCHOOL - DIVISION 2 CITY WINNER

AJAY PAWAR - RISE ACADEMY SCHOOL OF SCIENCE AND TECHNOLOGY - DIVISION 2 SCHOOL WINNER

JESSICA HO - MARGATE ELEMENTARY SCHOOL - DIVISION 3 CITY WINNER

CHELSEA RANDOLPH - MARGATE MIDDLE SCHOOL - DIVISION 4 CITY WINNER

AIDEN WILLIAMS - PHYL'S ACADEMY PREPARATORY SCHOOL -

## DIVISION 4 SCHOOL WINNER

EMMA RAMIREZ - MARGATE ELEMENTARY SCHOOL - DIVISION 5 CITY WINNER

- B. [ID 2022-224](#) BROWARD COUNTY PBA OFFICER OF THE YEAR FROM MARGATE POLICE DEPARTMENT - OFFICER T'KEYAH TINDALL

**STUDENTS AND TEACHERS OF THE MONTH**

- C. [ID 2022-205](#) ABUNDANT LIFE CHRISTIAN ACADEMY: KATTEREEN MENDEZ HERNANDEZ (Student); LAURA HENNEBERY (Teacher), (Mrs. Stacy Angier, Principal and/or Mrs. Renate Ramirez, Assistant Principal)
- ATLANTIC WEST ELEMENTARY: JOSEPH BULLA (Student); AMY OPPY (Teacher), (Mrs. Shereen R. Reynolds, Principal and Dr. Latonya Cooper, Assistant Principal)
- BROWARD MATH AND SCIENCE SCHOOLS: TAVARIS GRAHAM (Student); FERNANDA VALDIVIA (Teacher), (Mr. Metin Gunes, Principal and/or Assistant Principal Mrs. Shahna Schultz)
- LIBERTY ELEMENTARY: CATHELYN PALACIOS-CARRION (Student); MARJORIE RODRIGUEZ (Teacher), (Mr. Matthew Whaley, Principal and/or Ms. Donna Styles, Assistant Principal)
- MARGATE ELEMENTARY: DEBORAH METAYER (Student); MICHAEL DI GREGORIO (Teacher), (Mr. Thomas Schroeder, Principal and/or Ms. Vicki Flournoy, Assistant Principal)
- MARGATE MIDDLE: KARL MICHEL (Student); STACEY JOHNSON (Teacher), (Mrs. Sabine Phillips, Principal and/or Assistant Principal)
- PHYL'S ACADEMY PREPARATORY SCHOOL: JOSHUA EDWARDS (Student); MARCELLA CARRENA (Teacher), (Dr. Jan Codling, Principal)
- RISE ACADEMY SCHOOL OF SCIENCE AND TECHNOLOGY: EDUARDO MALDONADO (Student); DOREEN BRYCE (Teacher), (Dr. Adriana Guerra, Principal)
- WEST BROWARD ACADEMY: LUKENDRA GRANT (Student); GOLDA FAIRWEATHER (Teacher), (Mr. Derrick Hugue, Principal and/or Assistant Principal Ms. Rossana Padron)

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

**PROCLAMATION(S)**

- D. [ID 2022-169](#) MENTAL HEALTH AWARENESS MONTH - MAY, 2022 (presented to Donna Linn, NAMI Broward Advocacy Group - Chair)

**Attachments:**      [BACKGROUND](#)

- E. [ID 2022-173](#)      NATIONAL PUBLIC WORKS WEEK - MAY 15-21, 2022 (presented to Giovanni Batista, Public Works Director)

**Attachments:**      [BACKGROUND](#)

- F. [ID 2022-182](#)      NATIONAL LAW ENFORCEMENT APPRECIATION WEEK - MAY 11-17, 2022 (presented to Crime Prevention Officer Philip Horne)

**Attachments:**      [BACKGROUND](#)

- G. [ID 2022-185](#)      MUNICIPAL CLERKS WEEK- MAY 1-7, 2022 (presented to Jennifer M. Johnson, City Clerk)

**Attachments:**      [BACKGROUND](#)

## 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 2022-199](#)      MOTION - APPROVAL OF CITY COMMISSION MINUTES: FEBRUARY 23, 2022 CITY COMMISSION WORKSHOP AND MARCH 16, 2022 REGULAR CITY COMMISSION MEETING.

**Attachments:**      [022322 MINUTES](#)  
                                 [031622 MINUTES](#)

- B. [ID 2022-203](#)      RESOLUTION - APPROVING THE 2022 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 2022 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 - Gas Tax Memo to Cities\\_2022.pdf](#)  
[GASTAX3\\_2022 Amendment ex 1.docx](#)  
[GASTAX5\\_2022 Amendment ex 2.docx](#)  
[BACKGROUND - BEBR CENSUS](#)

- C. [ID 2022-222](#)      RESOLUTION OF THE CITY OF MARGATE, FLORIDA APPROVING THE WAIVER OF BIDDING REQUIREMENTS FOR THE SOLE SOURCE PURCHASE OF (3) LABORATORY FUME HOODS, INCLUDING MATERIALS AND INSTALLATION, FROM THE SCOTT LABORATORY SOLUTIONS, LLC FOR THE DEPARTMENT OF ENVIRONMENTAL AND ENGINEERING SERVICES (DEES) WATER AND WASTEWATER LABORATORY, FOR THE AMOUNT OF \$288,071.00; PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:**      [RESOLUTION](#)  
[BACKGROUND-PROPOSAL](#)  
[BACKGROUND - SOLE SOURCE](#)  
[BACKGROUND-NELAP CERT.](#)  
[OTHER-WARRANTY](#)  
[OTHER-BROCHURE](#)

## 6) RESOLUTION(S)

- A. [ID 2022-207](#)      APPROVE AND ACCEPT STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION GRANT AGREEMENT No. LPA0186, IN THE AMOUNT OF \$500,000.00 FOR THE CITY OF MARGATE DEPARTMENT OF ENVIRONMENTAL AND ENGINEERING SERVICES (DEES) UTILITIES SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) SYSTEM UPGRADES.

**Attachments:**      [RESOLUTION](#)  
[AGREEMENT](#)  
[CORRESPONDENCE](#)

- B. [ID 2022-209](#)      RESOLUTION - APPROVING SALARY AND BENEFITS FOR NON-BARGAINING APPOINTED POSITION OF POLICE DEPARTMENT MAJOR; PROVIDING FOR EFFECTIVE DATE

**Attachments:**      [RESOLUTION](#)

## 7) RESOLUTION(S) - QUASI-JUDICIAL HEARING

- A. [ID 2022-202](#)      A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING WITH CONDITIONS A SPECIAL EXCEPTION USE FOR A PHARMACY WITH DRIVE THROUGH LANE WITHIN THE B-2 COMMUNITY BUSINESS ZONING DISTRICT FOR PUBLIX SUPER MARKETS, INC., LOCATED AT 7230 WEST ATLANTIC BOULEVARD, SUBJECT TO THE FINDINGS OF THE

DEVELOPMENT REVIEW COMMITTEE; PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:**

[RESOLUTION](#)

[APPLICATION](#)

[SPECIAL EXCEPTION NARRATIVE](#)

[CONCURRENCY NARRATIVE](#)

[BROKER EMAIL](#)

[TRIP GENERATION STATEMENT](#)

[RESPONSE TO TRAFFIC COMMENT](#)

[PUBLIX PHARAMCY DRIVE-THRU TRAFFIC ANALYSIS](#)

[PARKING STATEMENT](#)

[DRIVE-THROUGH \(COLOR\)](#)

[SITE PLAN](#)

[APPLICANT RESPONSE TO SPECIAL EXCEPTION COMMENTS](#)

[APPLICANT RESPONSE TO SITE PLAN COMMENTS](#)

[APPLICANT PRESENTATION](#)

[MINUTES: 2022-0405 PZ Draft](#)

[STAFF REPORT](#)

[STAFF PRESENTATION](#)

[MINUTES: 2022-0308 DRC - Draft](#)

## **8) ORDINANCE(S) - FIRST READING**

- A. [ID 2022-220](#) ORDINANCE - SUBMITTING TO REFERENDUM AMENDMENTS TO THE CHARTER OF THE CITY OF MARGATE AT ARTICLE III, ENTITLED "LEGISLATIVE," AND IN PARTICULAR AMENDING SECTIONS 3.01, 3.02, 3.03, 3.04, 3.06, 3.07, 3.10, 3.11, 3.17, 4.02, 4.05, AND 4.15 OF THE CITY OF MARGATE CHARTER; FURTHER AMENDING ARTICLE VI, ENTITLED "ELECTIONS," AND IN PARTICULAR SECTIONS 6.01, 6.05, AND 6.06 OF THE CITY OF MARGATE CHARTER TO PROVIDE FOR THE ELECTION IN NOVEMBER, 2028, OF A MAYOR AND FOUR (4) COMMISSIONERS WHO SHALL BE ELECTED AT LARGE BY THE QUALIFIED ELECTORS OF THE CITY; PROVIDING FOR THE CREATION OF AN ELECTED MAYOR EFFECTIVE NOVEMBER, 2028, TERM OF OFFICE FOR THE MAYOR, TERM LIMITS FOR THE MAYOR, REDUCTION OF NUMBER OF COMMISSIONERS FROM FIVE (5) TO FOUR (4); FURTHER AMENDING CITY CODE SECTIONS 1-2, 2-2, 2-4, 2-5, 2-8, 2-15, 2-70.3, 2-70.6, 2-70.14, 2-86, 13-8, AND 33-69.52 TO PROVIDE FOR CONSISTENCY WITH THE AMENDED CITY CHARTER, PROVIDING FOR A NOTICE OF AN ADVERTISEMENT OF THE REFERENDUM ELECTION TO BE PUBLISHED IN ACCORDANCE WITH THE CODE OF ORDINANCES AND THE CHARTER OF THE CITY OF MARGATE, FLORIDA, AS WELL AS THE STATE OF FLORIDA ELECTION CODE; PROVIDING THAT THIS ORDINANCE, WHEN ADOPTED, SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE CITY OF MARGATE,

ON THE NOVEMBER, 2022 GENERAL ELECTION BALLOT AND IT SHALL BECOME EFFECTIVE AS PROVIDED BY LAW; PROVIDING FOR THE PLACE AND PLACES WHERE SAID ELECTION IS TO BE HELD; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY'S CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:**      [ORDINANCE](#)

## 9) ORDINANCE(S) - SECOND READING

- A. [ID 2022-201](#) AN ORDINANCE AMENDING THE CODE OF THE CITY OF MARGATE, FLORIDA; PROVIDING FOR REVISION TO THE COMPREHENSIVE PLAN OF THE CITY OF MARGATE, APPENDIX B, AMENDING ELEMENT I. FUTURE LAND USE ELEMENT; AMENDING ELEMENT II. TRANSPORTATION ELEMENT; AMENDING ELEMENT IV. RECREATION AND OPEN SPACE ELEMENT; AMENDING ELEMENT VII. CONSERVATION ELEMENT; CREATING ELEMENT X. PROPERTY RIGHTS ELEMENT; PROVIDING FOR AMENDMENTS ADDRESSING THE PROVISIONAL RECERTIFICATION OF ELEMENT I. FUTURE LAND USE ELEMENT BY THE BROWARD COUNTY PLANNING COUNCIL; CLARIFYING POLICIES AND OBJECTIVES CONTAINED IN THE FUTURE LAND USE ELEMENT; PROVIDING FOR COMPLIANCE WITH FLORIDA STATUTE 163.3177(6)(i) BY ADOPTING A PROPERTY RIGHTS ELEMENT INTO THE COMPREHENSIVE PLAN; PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING FOR RECERTIFICATION OF ELEMENT I. FUTURE LAND USE OF THE MARGATE COMPREHENSIVE PLAN WITH THE BROWARD COUNTY PLANNING COUNCIL; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:**      [ORDINANCE](#)

[BACKGROUND: BCPC PROVISIONAL REPORT](#)

[BACKGROUND: CITY COMMITMENT](#)

[CORRESPONDENCE: DEO](#)

[MINUTES: 2022-0201 PZ Draft](#)

[MINUTES: 2022-0216 CC](#)

## 10) DISCUSSION AND POSSIBLE ACTION

- A. [ID 2022-188](#) ~~SPECIAL EVENTS FUNDING/DONATION REQUEST PROGRAM — GOODMAN FAMILY SERVICES OF BROWARD COUNTY~~

**Attachments:**      [BACKGROUND 1 - REQUEST](#)

[BACKGROUND 2 - Charity Navigator](#)

[BACKGROUND 3 - Sunbiz](#)

[BACKGROUND 4 - Check-A-Charity.pdf](#)

## 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.

Members of the public are invited to view this meeting through Zoom using Webinar ID: 846 5983 3087 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.

### THROUGH THE CITY'S WEBSITE:

Go to [www.margatefl.com](http://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 information

### ALTERNATE OPTION FOR VIEWING AND LISTENING TO THE MEETING THROUGH ZOOM.US

#### Instructions:

Topic: "Margate Regular City Commission Meeting"

Enter the following link to join the webinar: <https://us02web.zoom.us/j/84659833087>

#### Telephone:

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

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