



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 Joyce W. Bryan
Commissioners:
Lesa Peerman, Joanne Simone, Frank B. Talerico

City Manager Douglas E. Smith
City Attorney Eugene M. Steinfeld
City Clerk Joseph J. Kavanagh

Wednesday, January 20, 2016

7:00 PM

Commission Chambers

CALL TO ORDER

Present: 5 - Commissioner Joanne Simone, Commissioner Lesa Peerman, Commissioner Frank B. Talerico, Vice Mayor Joyce W. Bryan and Mayor Tommy Ruzzano

In Attendance:

City Manager Douglas E. Smith
City Attorney Eugene M. Steinfeld
City Clerk Joseph J. Kavanagh

PLEDGE OF ALLEGIANCE

- A.** [ID 14-1627](#) JIMMY PEPE, 6TH GRADE, MARGATE MIDDLE; GABBY PEPE, 3RD GRADE, MARGATE ELEMENTARY; SARENE DENCY PAYSENO, 5TH GRADE, MARGATE ELEMENTARY

1) PRESENTATION(S)

JIM MOYER, Salvation Army, was presented with a Special Recognition plaque for outstanding leadership and service to the community by the Mayor and the City Commission.

STUDENTS AND TEACHERS OF THE MONTH

ABUNDANT LIFE CHRISTIAN ACADEMY: TEACHER, LORETTA CAMACHO was not present.

- A.** [ID 14-1630](#) ABUNDANT LIFE CHRISTIAN ACADEMY: TEACHER, LORETTA CAMACHO (Mrs. Stacy Angier, Principal and/or Mrs. Renate Ramirez, Assistant Principal)

ABUNDANT LIFE CHRISTIAN ACADEMY: STUDENT, CAROLINE RIBEIRO;
TEACHER, RENATE RAMIREZ
(Mrs. Stacy Angier, Principal and/or Mrs. Renate Ramirez, Assistant Principal)

ATLANTIC WEST ELEMENTARY: STUDENT, ADRIANA GARCIA;
TEACHER, LOUISE SMITH
(Ms. Janette Hameister, Principal and/or Ms. Jounice Lewis, Assistant Principal)

HEBREW ACADEMY: STUDENT, YONI GREENBLATT; TEACHER, RABBI
MOSHE YARUS
(Mrs. Rivka Denberg, Head of School)

LIBERTY ELEMENTARY: STUDENT, JERRANCE ADRIEN; TEACHER,
NATASHA GARCIA
(Mr. David J. Levine, Principal and/or Donna Styles, Assistant Principal)

MARGATE ELEMENTARY: STUDENT, ANA DECAMPOS VIEIRA; TEACHER,
RICK CIOTTI
(Mr. Thomas Schroeder, Principal and/or Ms. Vicki Flourney, Assistant Principal)

MARGATE MIDDLE: STUDENT, CARL MEHU; TEACHER, DANIEL SINGER
(Mrs. Lezondra Harris, Assistant Principal)

The meeting reconvened following a brief recess.

2) COMMISSION COMMENTS

COMMISSIONER SIMONE wished the City Manager a Happy Birthday. She said that the Dr. Martin Luther King Jr. Day of Service initiated by Vice Mayor Bryan took place this past week, which was a wonderful project and the park looked wonderful. She thanked Parks and Recreation, the City Manager's office and the City Clerk's office for helping with the project. She also thanked Vice Mayor Bryan and commented on what could be accomplished when you put your minds to it, as well as what a great City everyone was making Margate. She reminded everyone about the Movies in the Park this Saturday. She mentioned the color of the walls on Atlantic Boulevard and asked that the City Manager, with the Commissioner's agreement, to look into repainting those walls to brighten things up. She noted that it would cost \$6,500 for the supplies plus the cost of labor for a two man crew. She stated that a couple of months ago she requested the financials for the baseball team the City supported; however, she had not heard anything back.

CITY MANAGER DOUGLAS E. SMITH said that he had not seen a response yet; however, he would confirm what the response was going to be.

COMMISSIONER PEERMAN stated that the wall on Atlantic Boulevard was not painted too long ago, and the prior City Manager provided four different colors to choose from. She said that it did not matter to her if it was repainted or not. She wished the City Manager a Happy Birthday. She agreed that the Dr. Martin Luther King Jr. event was great, and she saw the caterpillars eating the milkweeds, which was awesome. She felt it would be a nice park and it looked good. She thanked Vice Mayor Bryan and everyone involved.

COMMISSIONER TALERICO mentioned that the Teacher of the Month for Abundant Life Christian Academy and the Student and Teacher from the Hebrew Academy were absent.

VICE MAYOR BRYAN wished the City Manager a Happy Birthday. She noted that the Art Teacher from Ramblewood Middle School was a resident of Margate and she expressed interest in doing a painting or mural on the wall as a piece of public art. She thanked everyone who worked on the Dr. Martin Luther King Jr. Celebration Day. She spoke about the support from people and other Cities that attended. She stated that the Parks and Recreation crew, Chad, Gabriel, Frank and Gary did a phenomenal job. She said that pictures would be shown during the presentation at the next City Commission meeting. She noted that her 96 year old cousin Monte Irvin, who was a former Hall of Fame Baseball player, passed away. She announced that she was not going to run for office in 2016, because she needed to pursue other personal endeavors. She said that she loved the job and working with the many Directors and employees, but family had to come first. She noted that she started running for office in 2004, which was half of her married life. She stated that she still had nine months to go to work on projects, etc., and she loved working for the people of Margate.

MAYOR RUZZANO stated that he was going to miss the Vice Mayor and he wished her the best. He commented on Monte Irvin, who could have been another Jackie Robinson.

COMMISSIONER PEERMAN said that she adored how much the Vice Mayor worked, and the way she represented the Commission at so many events. She noted that she would miss the Vice Mayor and wished her well.

COMMISSIONER SIMONE stated that they had another nine months to work on projects so this was not good bye. She thanked the Vice Mayor for everything she did in the short time that she was Commissioner. She added that the Vice Mayor did a phenomenal job, and she thanked her and looked forward to the nine months.

COMMISSIONER TALERICO said that the Vice Mayor did a great job and could always change her mind. He added that she would be missed.

MAYOR RUZZANO said that next month there would be a Workshop for the 911 System. He noted that there was a Workshop tonight on Broward County passing an Ordinance on Cannabis/Marijuana. He explained that the City decided to opt out of the program, because the City Police Department had its own system.

CITY ATTORNEY EUGENE STEINFELD explained that even if the City opted out, an Ordinance could be passed at a later time that would mirror the County Ordinance or change it. He stated that opting out provided the City more flexibility.

MAYOR RUZZANO said that Margatenews.net did an article about something he said about WalMart. He stated that he lived across the street from WalMart and once a month there were helicopters over the house due to the robberies. He stated that half the crime in the City was coming from WalMart. He said that he was meeting today with the Police Chief and the City Attorney to determine whether there was a way WalMart could bump up its security by working with the City.

CITY ATTORNEY STEINFELD wished the City Manager a Happy Birthday. He noted that he would not be here for the whole nine months; therefore, he wanted to express his concerns about the Vice Mayor not running. He stated that the Vice Mayor added something to Margate that the City did not have in the 38 years he was here, which was

diversity, a new outlook and a more inclusiveness to the City. He stated that there was no guile in the Vice Mayor and her word could always be counted on.

CITY CLERK JOSEPH J. KAVANAGH wished the City Manager a Happy Birthday. He said that he met the Vice Mayor three years ago while working with the Relay for Life. He felt that they had a working relationship and friendship that he knew would continue in the future. He wished her the best.

3) PUBLIC DISCUSSION

RICH ALIANIELLO, 7631 NW 23rd Street, welcomed everyone back from the holidays. He wished the City Manager a Happy Birthday. He mentioned an advertisement in the Sun Sentinel called, "In Satan We Trust", which was a plaque that they were trying to convince Hallandale Beach Boulevard to accept. He noted that it would probably try to go the Supreme Court and to other Cities. He stated that he was upset about the ad, because it had an upside down Crucifix, which he felt was a disgrace. He stated that Vice Mayor Bryan would be missed, because she was an outstanding person.

COMMISSIONER PEERMAN clarified that the Supreme Court decided that prayer could be had at government meetings, and that it was not just one type of prayer. She said that Mr. Chaz Stevens believed in the separation of Church and State. She stated that his upside down cross was allowed in Hallandale for a week. She explained that Mr. Stevens went to Hallandale because the words, "In God We Trust" were behind the dais. She noted that there would be no Church of Satan if one City in South Florida had not decided to require anybody saying a prayer before the Commission meetings, have a Church in the City with a tax free base being a 501-C3. She stated that because that City made that as an Ordinance, the Church of Satan was born. She noted that she was a big believer in separation of Church and State, as well as Freedom of Speech. She explained that Mr. Stevens went through the proper channels and Hallandale decided it had to be allowed.

MAYOR RUZZANO noted that currency said, "In God We Trust", and he questioned whether it did not apply to money.

CITY ATTORNEY EUGENE STEINFELD noted that there was a prior issue about the 10 Commandments being placed in government buildings. He explained that the Supreme Court said that if the 10 Commandments had a history of being in a place, it could remain; however, if it was new, it would be considered promoting religion. He said that there was a City in New Mexico that had a cross as part of the City Seal from its inception, and the Supreme Court said that it was historical and could be kept because it was not a promotion of a religion. He noted that was the same situation with the coins. He explained that the coins historically from the beginning of our republic being recognized as a part of the nation and was not a promotion of God, but was a part of the republic, which was allowed. He believed the City of Hallandale wanted to put up, "In God We Trust" promoting God as opposed to being non-sectarian. He noted that Mr. Stevens said that if promoting religion with public money, he would promote anti-religion. He stated that the City had been careful not to promote the holidays as a religious situation.

COMMISSIONER PEERMAN noted that there was a group fighting, "In God We Trust" on the dollar bill.

CITY ATTORNEY STEINFELD stated that the City of Las Cruces, which meant The Cross in Spanish, had a cross in their City Seal; however, the Supreme Court said that was historical and part of its identity.

NORMAN GRAD, 7460 NW 18th Street, said that he did not know that there was a park in the south area. He commended the City and everyone involved with the Dr. Martin Luther King Jr. project, which he was very impressed with. He said that he was aware of tree planting, but did not know about the butterflies. He reminded the City that he was at the Coral Springs dedication of the Dr. Martin Luther King Jr. Memorial Plaque, which was a major event. He noted that the City of Margate was also commended for being part of that event. He stated that there were two universal levelers in life, which were health and the right to vote. He urged everyone to realize we were all the same. He stated that Vice Mayor Bryan would be missed.

VICE MAYOR BRYAN noted that she did attend the statue dedication in Coral Springs, and that the City Manager Douglas E. Smith and Mayor Tommy Ruzzano were recognized. She urged everyone to visit the statue.

RICK RICCARDI, 4829 South Hemingway Circle, thanked Vice Mayor Bryan for her service. He gave an updated report from the Broward Sheriff's office regarding Flakka. He stated that amount of Flakka hospital cases in Broward from June 1st to December 27th was 1,872. He said that the hospitals were taking in Flakka cases approximately 340 to 360 per month. He noted that as of December there were 54 cases; therefore, the amount was down significantly. He said that the numbers went from 11 Flakka cases a day to 2. He stated that China had now made it illegal to manufacture. He mentioned the Broward County Marijuana Ordinance and said that he would like to be involved with that.

TODD ANGIER, 1913 NW 79th Terrace, announced the Abundant Life West Church on Royal Palm Boulevard was having its dedication service on Sunday evening at 7:00 PM. He invited everyone to come and said that if it was not for the Commission, it would not be there. He explained that Mayor Ruzzano and all of the Commissioners stood strong against the Lennar project. He felt that God was involved every step of the way and he believed God wanted that property to remain a Church and not Townhouses. He said that the Commission previously spoke about having a focal point in the City, and he stated that the Church on the hill was a focal point and was something to be proud of. He stated that the property and building were awesome and would be an awesome representation for Margate. He said that it was one of the most recognizable landmarks in Margate, and that the improvements were fantastic.

MAYOR RUZZANO said that he heard Coral Springs would be attending with a presentation.

MR. ANGIER said that Coral Springs was invited, but he did not know how many residents would participate. He noted that the Church was on the borderline, but Coral Springs was not the reason it was staying a Church. He said that he expected it would impact the entire community; however, it was Margate who was responsible.

MAYOR RUZZANO asked that Mr. Angier determine what Coral Springs was planning.

STACEY ANGIER, 1913 NW 79th Terrace, said that Coral Springs was bringing a Proclamation. She thanked Vice Mayor Bryan and everyone involved for the Dr. Martin Luther King Jr. project for the work they did. She stated that Coral Springs was involved in doing Dr. Martin Luther King Jr. events, and that Abundant Life Christian Academy sponsored their events for 16 years that she was Principal. She noted that it was an educational opportunity for the students to help promote the values of Dr. King in the students. She mentioned all the traveling the students did. She said that the school was very diverse and Coral Springs was part of the community of people that there was a good relationship with. She thanked everyone for allowing her students to participate in the

event and she appreciated the diversity. She stated that she was sorry to hear Vice Mayor Bryan was only going to serve one term. She said that she looked forward to working on the project and she wanted to work on something that would be an educational day for students next year. She noted that Fire Chief Dan Booker was graduating some Firefighters at Abundant Life on the 28th. She was proud of Abundant Life for recognizing the first responders. She noted that the church was there to be a community partner and school. She thanked Margate for preserving the opportunity for the beautiful facility to be preserved and allowing it to be partners with the community.

4) CONSENT AGENDA

No items on Consent Agenda.

5) CITY MANAGER'S REPORT

CITY MANAGER DOUGLAS E. SMITH thanked the Vice Mayor for her dedication and service to the community and the Commission, and that it was great working with her. He noted that she made a difference and thanked her for the Dr. Martin Luther King Jr. event.

VICE MAYOR BRYAN thanked the City Manager for his team.

CITY MANAGER SMITH mentioned all of the Staff that was present, and thanked everyone who helped with the event, including the Commission. He said that the roll out of the new containers for the solid waste with Waste Management was underway. He noted that approximately 60 percent of the carts were delivered as of January 16th. He said that he was working on answering some requests and comments received, which he would continue to do. He stated that there was an opportunity for individuals to request different size carts, and that the information was located in the brochure on the website. He mentioned a prior discussion at a Commission meeting regarding the cost for installing Wi-Fi in the parks. He noted that the cost estimate received from the IT Department for setting up the Wi-Fi for Firefighters Park was \$6,000 to install with a \$122 monthly cost. He said that the City could work towards starting that park and then potentially budgeting additional phases in the future for other parks that it might be expanded to.

6) RESOLUTION(S)

- A. [ID 16-0012](#) APPROVING APPOINTMENT OF _____ TO THE CIVIL SERVICE BOARD FOR THE TERM COMMENCING FEBRUARY 1, 2016, THROUGH JANUARY 31, 2018.

Resolution 16-158

A motion was made by Commissioner Talerico, seconded by Vice Mayor Bryan, to appoint Anthony Romano to the Civil Service Board. The motion carried by the following vote:

Yes: 5 - Commissioner Simone, Commissioner Peerman, Commissioner Talerico, Vice Mayor Bryan and Mayor Ruzzano

- B. [ID 16-0037](#) APPROVAL OF THE PARKS AND RECREATION MASTER PLAN.

Resolution 16-159

A motion was made by Commissioner Talerico, seconded for discussion by Commissioner Peerman, that this Resolution be approved.

CITY MANAGER DOUGLAS E. SMITH noted that the Plan was updated in the Capital Projects section and that the first project was the Outdoor Fitness Area.

DIRECTOR OF PARKS AND RECREATION MIKE JONES explained that in the documentation provided was the final recommended Parks and Recreation Master Plan, which was a year in process. He thanked the Consultants that were hired for doing an excellent job. He also thanked the public for providing input on numerous occasions. He stated that the final Master Plan would guide the Parks and Recreation Department in future projects, programs and services moving forward. He stated that it mapped out and identified deficiencies, as well as where the services were satisfactory.

MAYOR RUZZANO noted that he would like to see the proposed bathroom at the Marina installed prior to the next event at that location. He questioned whether there was a way to get rid of the sand and use turf in the parks where there was currently a sand area.

DIRECTOR JONES stated that it was in the Master Plan to be addressed, but it was not in the Plan to be addressed as a large scale project, versus a repair and maintenance in the regular General Fund of the Parks and Recreation Department. He explained that repair and maintenance funds were swapping out bit by bit until mapped out, unless it was decided to do all at once on a larger scale. He clarified that the guidelines of the Plan included the addressing of the sand surfacing. He noted that there were currently components within each playground that included turf; however, most of the playgrounds contained a hybrid of sand and poured in place (PIP), some had just sand and some had a component of both. He stated that in the future, they would be designed case by case based on what was most effective and efficient.

COMMISSIONER TALERICO questioned the cost of the turf on the Southeast Soccer Field.

DIRECTOR JONES said that it was approximately \$500,000 for one field. He noted that the City of Tamarac just did one and it cost \$600,000 from start to finish.

COMMISSIONER TALERICO questioned what was to be done with the vacant land in front of the Sports Complex.

DIRECTOR JONES stated that it was owned by the Community Redevelopment Agency (CRA). He noted that the CRA was discussing potential projects. He said that once the Plan was adopted, recommendations would be given and the decision on what the best project for the location was would be made between the City and the CRA. He stated that the City was currently deficient in its level of service with park acreage to the population; therefore, utilizing the area adjacent to a current park for recreational services would be recommended from the Parks and Recreation Department. He said what would be done would have to be mapped out at a later date.

COMMISSIONER TALERICO asked whether the pedestrian bridge was included in the Plan.

DIRECTOR JONES stated that the pedestrian bridge was recommended for this year and was approved in the Budget for \$1.5 million for the Winfield Boulevard pedestrian bridge

connecting to Firefighters Park. He noted that the project would not move forward without the final design and approval, and what was being discussed were proposals, estimations and projects that the City would hopefully be able to complete.

COMMISSIONER TALERICO asked what the first project would be.

DIRECTOR JONES said that the first project currently being designed was the Dog Park, which was a high priority project before the Master Plan started. He stated that Chen Moore, the City's contracted Engineering Services, would be meeting with the adjacent property owners at Paradise Gardens III, as well as the immediate homes that would be adjacent to the Dog Park. He explained that Chen Moore would provide them a conceptual drawing and ask for their input. He noted that the City wanted to enhance the neighborhood and not bring any nuisances, such as loud dogs barking, to the area. He said that the goal was to bring the potential design to the residents first for their public input before drafting another rendering to bring back to the Commission for a Workshop to thoroughly discuss the project.

COMMISSIONER TALERICO asked whether it would be a sunrise to sunset facility.

DIRECTOR JONES replied that it was currently his intention; however, it could change depending on the meetings and the Workshop.

CITY MANAGER SMITH asked that Director Jones provide an update on the Outdoor Fitness Area.

DIRECTOR JONES explained that the Commission previously approved the purchase of the Outdoor Fitness Area equipment, which was another priority project. He said that he was currently working on the design and permitting for installing the pavement at the old Fire Administration building. He stated that a concrete sidewalk would be installed to connect to the existing sidewalk along Rock Island Road, which would connect to the slab that would hold the equipment. He noted that the intention was to overlay the slab with a poured in place (PIP) rubber surface similar to what was discussed for the playground. He stated that would also allow for testing of the surface to determine if that type of surfacing was liked for other projects. He said that the purchase should be delivered in a few weeks, and that the project would be available for the public to use very soon.

COMMISSIONER TALERICO asked whether the placement of the restrooms at the Marina was addressed with regard to drainage and sewers.

DIRECTOR JONES said that it was being considered in the design and he was currently working with the Department of Environmental and Engineering Services (DEES) to determine what needs to be done. He noted that nothing would be finalized without final approval. He said that with new technology and design there were a lot of creative ways to make things happen. He explained that the City would need to procure an architectural firm to design the building customized to the needs. He mentioned a similar architectural standard for all of the buildings to look the same and have the same feel.

COMMISSIONER PEERMAN asked whether this would come back to the Commission with top priorities after approving this Plan.

DIRECTOR JONES replied that this would be the roadmap and guide for Budget time. He said that this Plan would be utilized to justify the recommendations and requests for funding for projects every Budget. He noted that the Commission already approved the

\$1.5 million for the current Fiscal Year 2016 projects. He hoped to be able to have the projects completed; however, he reminded everyone that construction sometimes had delays. He stated that the Plan would be annually updated at Budget time with any modifications and changes.

COMMISSIONER PEERMAN questioned whether the projects indicated for 2016 with the \$1.5 million would be done, or would the Director have to come back to the Commission for additional costs.

DIRECTOR JONES said that the game plan was to bring back the designs that were budgeted. He stated that he did not plan on going over Budget on a project; however, should the design change, might not meet the Budget and would have to be decided upon at that time. He reiterated that the goal was to move forward with the projects with the existing approved funding. He said that upgrading the size or the quality of a product would be done during Workshops and during Site Plan approvals. He stated that he planned to have all of the projects indicated initiated and started.

COMMISSIONER PEERMAN clarified that in 2016, the Dog Park, the Outdoor Fitness Park, the Pedestrian Bridge, Firefighters Park parking lot expansion, Southeast Park concession, Sports Complex facility renovation, Margate Marina restroom facility and the Community Garden were all to be done in 2016, all with the \$1.5 million.

CITY MANAGER SMITH noted that there was additional funding for the Dog Park.

COMMISSIONER PEERMAN noted that there was also a grant for the Outdoor Fitness Park.

CITY MANAGER SMITH stated that the plan was to have all of those projects initiated and all that could be completed this year will be. He said that if some would take a little longer, he would inform the Commissioner as the process was being worked through.

COMMISSIONER PEERMAN asked about the Pedestrian Bridge from Firefighters Park to the No Name Park.

DIRECTOR JONES said that was not specifically mentioned in the Plan; however, it was part of the connectivity portion of the Plan depending on the final approval for the Dog Park Site Plan approval. He stated that a utilization or purpose would be found for the 2.7 acres of land the City owned. He noted that a lot of grant funds were put into it from the County with \$150,000 of green money for environmentally friendly components and amenities. He said that moving forward with an environmental education area and quiet passive bird watching was something to be considered. He stated that the City needed to connect into that area to utilize for future funding.

COMMISSIONER SIMONE thanked Director Jones. She understood that the timelines were just a guide with what could be done. She noted that it would be updated every year. She said that she liked that the City was first going to determine whether there was a need for some of these projects by talking to the public and checking with other communities.

VICE MAYOR BRYAN stated that as a resident of Paradise Gardens III, she was glad the City was going to discuss the projects with the residents. She thanked Director Jones and the consultants for doing a great job and she was excited to get things going.

MAYOR RUZZANO asked whether the Toscana Villa little parks were public parks.

DIRECTOR JONES believed that it was a gated community and not a public park.

MAYOR RUZZANO asked about builders having to supply funding for future parks.

CITY MANAGER SMITH said that if there were applicable Impact Fees related to the project.

MAYOR RUZZANO asked whether there was something in place for the future regarding Impact Fees.

DIRECTOR OF ECONOMIC DEVELOPMENT BEN ZISKAL explained that for any new development in the Transit Oriented Corridor (TOC) there was a certain amount of open space and design components that each private development must incorporate into their private development. He added that there was also the possibility of Impact Fees to be paid if they did not provide the correct amount of open space. He noted that there was no requirement that a private development dedicate a specific portion of land to the public; however, they did have to provide recreational features. He clarified that there were different Impact Fees depending on the amount of open space provided and the amount of landscaping provided. He stated that if the development was not able to physically provide the space, there was a way to offset that with fees so that same amenity could be provided elsewhere in the TOC.

MAYOR RUZZANO said that he spoke with Coconut Creek and determined that they had an Impact Fee that was called an Underground Utility Fee. He explained that Coconut Creek wanted to eventually go to Underground Utilities; therefore, their policy was that the developer would pay it now or do it now. He noted that all of the current building taking place was being charged an Impact Fee called the Underground Utility Fee.

DIRECTOR ZISKAL noted that Margate had a number of different Impact Fees and eventually, based on the Workshops, there could be some sort of Impact Fees associated with public parks. He stated that currently it depended on the size and design; therefore, there was no strict requirement indicating that everyone must provide an Impact Fee.

MAYOR RUZZANO felt that it was a great way to bring money in without having the residents pay.

COMMISSIONER TALERICO mentioned that the City previously sold a City park outside of Coral Bay to Coral Bay when they decided to have a gated community. He asked whether it was now a private park now because it was gated.

CITY ATTORNEY STEINFELD said that it was not a private park. He clarified that technically, that was another government. He explained that when the park was sold and was included in the gated area it would still count towards the City's parks, but it became essentially unavailable for the general public.

COMMISSIONER SIMONE thanked Director Jones for the Expressive Swings that were being installed in the parks, which she felt was well received by the residents.

ARLENE SCHWARTZ, resident and former Mayor, said that more than 10 years ago there were discussions about developing Linear Park on Rock Island Road. She asked whether it was now part of the Master Plan, because fitness stations and a garden were also discussed. She added that previously, developers were told to set aside land for a

park within the development or pay Impact Fees, which probably went to the Education Committee if it did not go to the park.

DIRECTOR JONES explained that the actual plans for a Linear Park never left the conceptual phase. He noted that in the Parks and Recreation Master Plan a lot of the facilities and new developments were going on undeveloped land. He stated that the Master Plan was looking to utilize the Florida Power and Light (FPL) easement to implement new parks and facilities with new activities and new recreational use. He said that part of the Master Plan was to find areas and methods of how to acquire new land, but currently the FPL Greenway, referenced as Linear Park, was to be utilized for the projects located in the Master Plan.

COMMISSIONER PEERMAN mentioned a large billboard that was displayed in City Hall showing the Linear Park plan, which was huge and gorgeous and up the street from her home. She felt that it was a great concept and that Rock Island Road would be used more than it had been used in the last 10 years. She said that she was looking forward to the exercise equipment for outdoor use.

COMMISSIONER TALERICO questioned whether the City was allowed to do anything on the East/West C14 area.

DIRECTOR JONES said that was the Broward County Cypress Trail C-14 Canal, which was funded by Broward County and maintained by the City. He noted that if the City wished to add public amenities throughout the area, it would have to be done with the City's funding as there was no longer County funding available.

COMMISSIONER PEERMAN said that in 2004, the Commission did not want anything there. She noted that Margate was the only stretch without benches or anything. She said that if the City wanted to add things they would have to discuss it at Budget time.

The motion carried by the following vote:

Yes: 5 - Commissioner Simone, Commissioner Peerman, Commissioner Talerico, Vice Mayor Bryan and Mayor Ruzzano

- C.** [ID 16-0040](#) RESOLUTION APPROVING THE AWARD OF REQUEST FOR QUALIFICATIONS (RFQ) 2015-016 DESIGN/BUILD 24-INCH FORCE MAIN AND 30-INCH WATER MAIN CANAL CROSSING TO SOUTHERN UNDERGROUND INDUSTRIES, INC., IN AN AMOUNT NOT TO EXCEED \$896,562.00, FOR THE DEPARTMENT OF ENVIRONMENTAL AND ENGINEERING SERVICES; PROVIDING FOR APPROVAL OF NEGOTIATED AGREEMENT.

Resolution 16-160

A motion was made by Commissioner Talerico, seconded by Commissioner Peerman, that this Resolution be approved. The motion carried by the following vote:

Yes: 5 - Commissioner Simone, Commissioner Peerman, Commissioner Talerico, Vice Mayor Bryan and Mayor Ruzzano

- D.** [ID 16-0042](#) APPROVING AN AGREEMENT WITH CIGNA FOR PROVISION OF LONG TERM DISABILITY, AND BASIC & VOLUNTARY TERM LIFE INSURANCE

TO CITY OF MARGATE EMPLOYEES, ELECTED OFFICIALS, AND RETIREES; PROVIDING FOR NO REDUCTION OF BENEFITS FOR EMPLOYEES 70 YEARS OF AGE OR OLDER FOR LIFE INSURANCE.

Resolution 16-161

A motion was made by Commissioner Talerico, seconded for discussion by Vice Mayor Bryan, that this Resolution be approved.

VICE MAYOR BRYAN stated that she would abstain from the vote because the item directly affected her Life Insurance Benefit coverage with Cigna. She noted that she would fill out the appropriate paperwork in the City Clerk's office.

COMMISSIONER PEERMAN asked whether she could opt out of this program.

CITY MANAGER DOUGLAS E. SMITH explained that though the long term disability component was added into the paper work received from Cigna, the intent was to modify full-time employees working over 30 hours a week would not have a reduction in their Life Insurance Benefit coverage when they reached age 70. He noted that in the past, the program had a reduced amount of the \$35,000 Life Insurance Benefit coverage provided for full-time employees. He stated that it would be reduced by a 65 percent factor; however, this agreement would keep the level the same. He believed that the Commission could opt out of the program.

MAYOR RUZZANO asked whether this was a benefit for the Commission.

CITY MANAGER SMITH agreed that it was for Commissioners that did not opt out of the coverage.

CITY ATTORNEY EUGENE STEINFELD explained that this would be a benefit to all City employees.

The motion carried by the following vote:

Yes: 4 - Commissioner Simone, Commissioner Peerman, Commissioner Talerico and Mayor Ruzzano

Abstain: 1 - Vice Mayor Bryan

ADJOURNMENT

There being no further business, the meeting adjourned at 9:03 PM.

Respectfully submitted,

Transcribed by Carol DiLorenzo

Joseph J. Kavanagh, City Clerk

Date: _____

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME BRYAN, JOYCE W	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE MARGATE CITY COMMISSION
MAILING ADDRESS 5790 MARGATE BOULEVARD	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY MARGATE BROWARD	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED JANUARY 20, 2016	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, JOYCE W. BRYAN, hereby disclose that on JANUARY 20, 20 16:

(a) A measure came or will come before my agency which (check one)

- ☒ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

RESOLUTION 7D: APPROVING AN AGREEMENT WITH CIGNA FOR PROVISION OF LONG TERM DISABILITY, AND BASIC & VOLUNTARY TERM LIFE INSURANCE TO CITY OF MARGATE EMPLOYEES, ELECTED OFFICIALS, AND RETIREES; PROVIDING FOR NO REDUCTION OF BENEFITS FOR EMPLOYEES 70 YEARS OF AGE OR OLDER FOR LIFE INSURANCE.

As advised by the City Attorney, I abstained from this vote because it would directly benefit myself based on the criteria provided in the Resolution.

Date Filed

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.