



# City of Margate

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

## Meeting Minutes

### Special 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 Douglas R. Gonzales**  
**City Clerk Joseph J. Kavanagh**

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Thursday, June 23, 2016

6:00 PM

Commission Chambers

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#### CALL TO ORDER

COMMISSIONER TALERICO WAS PRESENT VIA CONFERENCE CALL UNTIL 6:15 P.M.

**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 Douglas R. Gonzales  
City Clerk Joseph J. Kavanagh

#### 1) DISCUSSION AND POSSIBLE ACTION

**A.** [ID 2016-406](#) MOTION FOR RECONSIDERATION OF APPROVAL FOR JULY 4TH FUNDRAISER EVENT

**A motion was made by Commissioner Talerico, seconded by Commissioner Simone, to put this item back on the Agenda.**

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

COMMISSIONER TALERICO stated that he received the email about the Baseball. He noted that he put it back up on the Agenda for transparency.

MAYOR RUZZANO clarified that when the item previously was discussed, the permit that was going to be pulled was going to be by the league. He stated that the League said that this year they did not want to be in charge of any fundraising for the Baseball Teams. He said that there was a paperwork glitch going back and forth with the City and the Tournament participant. He noted that the Margate Waterfront Foundation stepped up and said they would pull the permit with all the proceeds going to the Baseball League; therefore, they would be in charge of getting the insurance certificate and the permit and basically doing what the League did last year.

COMMISSIONER PEERMAN said that it did not change her vote, but she was glad to know the information was available because she said everyone assumed it was the Baseball League.

**A motion was made by Mayor Ruzzano to proceed with this, which died for lack of a second.**

COMMISSIONER TALERICO said that he was upset that the Baseball League was not behind the fundraiser, which would play a big role in his vote because last year the League was behind it.

MAYOR RUZZANO stated that this was the major portion of fundraising and he did not think it was about who was pulling the permit or doing the work, but that money was going to the children.

COMMISSIONER TALERICO asked whether 100 percent was going to baseball.

MAYOR RUZZANO said yes.

SABRINA SEGAL, 6890 NW 9th Street, stated that the entire board of the Margate Waterfront Foundation was here, and that 100 percent of the money was going to baseball.

COMMISSIONER SIMONE said that she personally believed this was not a City issue, but was a League issue. She stated that if the League did not want to sponsor any fundraising, the City should abide by those wishes and not get involved. She questioned whether there was any paperwork in now.

COMMISSIONER TALERICO left the conference call at 6:15 PM.

MAYOR RUZZANO stated that the League did not want to be responsible for this. He asked whether Commissioner Simone would be in favor of the Margate Waterfront Foundation doing this and giving 100 percent of the proceeds to the League.

COMMISSIONER SIMONE reiterated that she did not feel it was a City issue.

MAYOR RUZZANO believed that it was not a City issue and that this could have all been done by the City Manager. He noted that when it came to the Commission last year, it passed 5-0.

COMMISSIONER SIMONE said that it did not.

COMMISSIONER PEERMAN stated that she voted no because she did not believe beer should be used to raise money for children.

COMMISSIONER SIMONE thought that she voted no as well.

CITY ATTORNEY DOUGLAS R. GONZALES noted that the vote was 4 yes with 1 abstention by Vice Mayor Ruzzano.

MAYOR RUZZANO reiterated that everyone voted for it.

COMMISSIONER PEERMAN stated that she would not vote for it, because she still did

*not believe that selling beer to raise money for kids was the right thing to do. She felt that it was not a good example to show.*

*MAYOR RUZZANO asked if it was not appropriate for Budweiser to fundraise for a College Baseball Team.*

*COMMISSIONER PEERMAN said that was different.*

*MAYOR RUZZANO felt that this was being personal, and said that whoever wanted to speak on this item could do so.*

*COMMISSIONER PEERMAN said that she had no personal gain to vote no. She agreed she voted yes last year; however, she was uncomfortable and stated that she did not like it. She noted that a child asked her about beer at the Sounds at Sundown, which made up her mind to vote no.*

*MAYOR RUZZANO mentioned having free beer at the Margate Under The Moon event.*

*COMMISSIONER PEERMAN noted that she had complained about that.*

*MAYOR RUZZANO felt that because MargateNews.net was pulling the permit, the Commission decided to say no, which he felt was totally unfair. He questioned whether he as the Mayor had to allow this item to come back, because he was told he did have to.*

*CITY ATTORNEY DOUGLAS R. GONZALES explained that under the City's procedures with a special meeting like this and a motion for reconsideration, the procedures did not address how those are called to order. He noted that Robert's Rules stated that a motion for reconsideration comes back.*

*MAYOR RUZZANO said that the City did not always abide by Robert's Rules. He was always informed that everything that went on the Agenda had to go through the Mayor, but this did not. He questioned why things were now going on the Agenda when he did not approve them.*

*CITY ATTORNEY GONZALES read the City's rules as follows: "The City Commission procedures and conduct resolution shall supersede Robert's Rules of Order on any subject specifically addressed herein. However, on matters not specifically addressed by this resolution, Robert's Rules of Order shall prevail to the extent possible." He stated that there were no procedures about special meetings.*

*MAYOR RUZZANO asked whether everything had to go through the Agenda for as long as he was here. He remembered wanting things on the Agenda, but the Mayor would not allow it. He questioned why this was different. He noted that this item was voted on twice and this was the third time.*

*ARLENE SCHWARTZ, 7800 NW 1st Street, former Mayor and City Commissioner, stated that the Mayor made the Agenda. She said that the Mayor could put on or keep off whatever the Mayor chose. She said that the only time she saw something like that change was if someone on the prevailing side asked for something to come back, but if it was over and done with, the Mayor had control of the meeting.*

*COMMISSIONER PEERMAN noted that Commissioner Talerico asked for it to be put on the Agenda and he was on the prevailing side.*

MS. SCHWARTZ said that it was up to the Mayor to decide to do that.

MAYOR RUZZANO said that he was told he had to put on.

COMMISSIONER PEERMAN said that she did not remember anything coming back since she was in the audience and on the dais.

MS. SCHARTZ said that happened many times.

MAYOR RUZZANO noted that two things came back within the last month. He asked whether Commissioner Peerman would vote for it if the League was pulling the permit.

COMMISSIONER PEERMAN said no.

MAYOR RUZZANO asked whether Commissioner Talerico would.

COMMISSIONER PEERMAN noted that Commissioner Talerico did not say he was not voting for it now.

MAYOR RUZZANO said that Commissioner Talerico should have checked the paperwork to find out who was pulling the permit and not cause a third vote on this.

COMMISSIONER PEERMAN asked Mayor Ruzzano, at the last meeting before this vote was taken, if he told the Commission that the Baseball League was not going to sponsor it.

MAYOR RUZZANO said that he did not.

COMMISSIONER PEERMAN asked whether he thought the information might have been important for the Commission.

MAYOR RUZZANO said that if it was not the Margate Waterfront Foundation, it would not have made a difference. He did not agree with how Commissioner Talerico called for the item, but then hung up and did not remain for the whole meeting.

COMMISSIONER PEERMAN asked whether the Mayor had the right to not put it on the Agenda.

CITY ATTORNEY GONZALES said that based on his reading of the City's Rules of Conduct of the public meetings, as well as the Rules of Procedures at Commission Meetings, he believed that it was appropriate to have the motion for reconsideration heard at a special meeting. He noted that in terms of the special meetings, no.

COMMISSIONER PEERMAN asked City Attorney Gonzales to report whether it was in Robert's Rules of Order.

MAYOR RUZZANO said that Robert's Rules of Order was different, and everyone knew that since he was here, everything had to go through the Mayor to be put on the Agenda. He noted that he previously asked to have items put on the Agenda and was told no. He said that he allowed this on when he did not have to.

COMMISSIONER PEERMAN asked whether he wanted it on or not.

MAYOR RUZZANO said that he would not have put it on.

COMMISSIONER PEERMAN thought there might be a conflict because the Mayor received misinformation; therefore, she asked him whether he wanted to pull it off.

MAYOR RUZZANO agreed he wanted it pulled off.

COMMISSIONER PEERMAN said that based on the fact that she believed the Mayor was given misinformation about the fact that he could keep this off of the Agenda, she would make a motion to pull it off of the Agenda.

**A motion was made by Commissioner Peerman, seconded by Mayor Ruzzano, to pull this item off of the Agenda.**

MAYOR RUZZANO noted that in the future, he would allow the Commission to put anything on the Agenda.

COMMISSIONER SIMONE said that she believed Mayor Ruzzano was making a big mistake because for transparency he would want this item to come back. She stated that without it, it looked like he may have been trying to hide something.

MAYOR RUZZANO stated that he let the City Manager, City Attorney and the City Clerk know who was pulling the permit. He said that if it was not in the backup, it was not his fault. He said that he did not mention it; however, someone could have questioned who it was in the backup.

COMMISSIONER SIMONE stated that there was nothing in the backup and she understood that the paperwork was in. She said that she now found out that there was no paperwork.

MAYOR RUZZANO said that he understood that the paperwork was supposed to be before the last meeting. He stated that the City Manager then told them it could not be signed until it went to the last meeting when it got approved.

CITY ATTORNEY GONZALES clarified that if passed, there would be no reconsideration of the item; therefore, the prior approval would stand.

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

**Yes:** 3 - Commissioner Peerman, Vice Mayor Bryan and Mayor Ruzzano

**No:** 1 - Commissioner Simone

**Absent:** 1 - Commissioner Talerico

**B.**     [ID 2016-409](#)     MOTION FOR RECONSIDERATION OF THE VOTE ON JUNE 15, 2016  
PERTAINING TO DISPOSITION OF THE ALPHA 250 PROPERTY

**A motion was made by Commissioner Simone, seconded by Vice Mayor Bryan, to reconsider the motion.**

COMMISSIONER SIMONE explained that following the vote, she received information from one of the six Mayors on the small committee involved in the Alpha 250. She said

that the conversation was do you have any idea what you just did. She noted that the City disenfranchised itself from 25 other Cities and also disrespected 25 other Cities. She stated that she did not want to be the City to stop the process from going forward, when it was the wish of 25 other Cities that we not stop the process. She said that the Cities, not the County, asked for more time and who wanted the study. She believed it was told to the Commission in the reverse, which was why she wanted to bring it back for reconsideration.

MAYOR RUZZANO said that when County Commissioner Beam Furr came to a meeting, he was selling it to the Cities. He noted that the County did not have play in this, but wanted play in this. He explained that the County wanted to do the study and said that they would fully pay for it for \$100,000. He stated that it then went back and the County decided not to pay for it. He said that this was another case of the County telling the Cities what to do when they should not be involved. He noted that he was told by others that the County wanted this property. He stated that if the other 26 Cities want to pay for the study he was in agreement; however, he did not want the County in control of the study or having any say in the study. He felt that they would evaluate the property, purchase it, pay each City a small portion of money, when they were supposed to be advertising it and selling it for the Cities and getting the Cities the most money. He noted that there currently was no sign or realtor on the property. He believed they were keeping it hidden because they did not want anyone to know about the property, which they wanted. He said that following their study, they would tell the Cities it was only worth a small amount of money. He stated that when the County made the deal with the garbage company, the Cities would be paying to use that property in an Inter-local Agreement (ILA) with the County. He felt that the County should not be involved with this.

COMMISSIONER SIMONE said that the President of the Broward League of Cities (BLOC) was also very upset with Margate. She also understood that the Mayors that were on the committee did not ask the Cities to bring it back to a vote as of yet; therefore, it should not have even come to the City in the form of a vote.

MAYOR RUZZANO said that emails the Commission was receiving indicated that five or six Cities had already voted on this.

COMMISSIONER PEERMAN said that she was receiving emails about the surtax.

MAYOR RUZZANO said that the emails were about the surtax and this resolution. He wanted to tell the County "no" to see how they reacted, rather than saying yes, which he felt was jumping the gun. He felt that the Cities should stick together on this, and that maybe they were not receiving the information.

COMMISSIONER PEERMAN clarified that some of the Cities already entered into an ILA with Broward County; therefore, the 21 Cities owned the Alpha 250. She stated that the Alpha 250 property was part of the settlement agreement when the Cities sued the County to get the Resource Recovery Board (RRB) money and assets that were owed to the Cities. She said that there was a representative from every City involved with a core group of Mayors who went to the negotiations. She noted that the Mayors went to the negotiations, came back and informed the Cities what they needed to ask for. She read aloud an email dated June 15th, when the board passed not to go with the study, as follows: "The County Commission last night unanimously approved the attached proposed amendment." She noted that the Cities needed an amendment to stop the County from selling the property. She continued, "The amendment was not effective unless all of the plaintiff Cities approve it, and the other consenting Cities also consent. We will be preparing a form resolution for Cities to consider. We would like to move

quickly to get it approved so the study can commence." She noted that this was dated June 15th, the night Margate voted. She explained that the Margate Commission voted on an amendment they did not read, because on Tuesday, June 21st, the following email was received: "As indicated in my email, attached is a form resolution for the Cities to use to approve the attached first amendment to settlement agreement, and a copy of the agreement, which shall be included as Exhibit A to the resolution. Please let me know when your Cities are gonna ...As you know, it needs to be approved by all settling and consenting Cities in order for it to take effect." She stated that the amendment to the settlement was not in front of a single voting Commissioner. She noted that she repeatedly stated that the Commission did not have enough information; however, they voted on something that none of the Commissioners had seen. She stated that it was voted on last Wednesday, without the Commission reading it. She added that the impression was given that the 100 percent would come back as 80 percent. She noted that the County was requiring the 100 percent agreement. She stated that the Commission voted on information that was provided by the Mayor.

MAYOR RUZZANO said that he went to a meeting with the City Manager and City Attorney. He said County Commissioner Furr informed that the County was doing a study and paying a certain amount of money. He stated that he was then informed that for \$100,000, the County was paying for the whole study, after which that amount went to \$200,000 with the Cities paying \$100,000 of it. He explained that was why he was not voting for this. He said that he wanted to know what the County could find out with their study.

COMMISSIONER PEERMAN reiterated that the Cities wanted a feasibility study to see if they could make it into a recycling compound, which was what they got together about. She said that the purpose was to keep it within the Cities, create a new ILA within the Cities and open it up as a recycling center. She stated that she was on the RRB and the RRB Mediation Board and she knew the Cities owned the property, but the County was supposed to sell it. She noted that the Cities were asking the County to wait because they wanted a study.

MAYOR RUZZANO said that only came up when County Commissioner Furr came to the meeting to explain that the County gave him leeway to speak to them to work out a deal where we could do a study on it. He believed that he was referring to was to have the County wind up with the property and enter into an ILA with the Cities.

COMMISSIONER PEERMAN disagreed and clarified that County Commissioner Furr was a City Commissioner first, as well as being on the RRB before being County Commissioner. She noted that he came to the Cities at the Northwest Council of Elected Officials and the BLOC with an idea he was asking if the Cities were interested in.

CITY ATTORNEY DOUGLAS R. GONZALES clarified that the Commission was still discussing the reconsideration motion.

COMMISSIONER PEERMAN agreed because she was stating they voted on something they did not have in front of them. She reiterated that the amendment agreement that the Commission voted against, they had not seen.

MAYOR RUZZANO said that they did not vote against any agreement.

COMMISSIONER PEERMAN said that they did, because that was the study.

MAYOR RUZZANO clarified that the vote was not to go ahead with the study for

\$200,000.

COMMISSIONER PEERMAN said that was in the amendment agreement up to \$200,000.

MAYOR RUZZANO stated that he was still against it.

CITY MANAGER DOUGLAS E. SMITH explained that the document for the amendment to the settlement agreement was up to \$200,000, paid up front by the County and then the County could recover 50 percent of the cost of the study under certain conditions. He stated that what was listed as the evaluation and recommendations for the study were how a 75 percent countywide recycling goal may be reached, whether public ownership of Alpha 250 would facilitate meeting the recycling goal and general solid waste disposal issues as it was determined by the working group and so on.

MAYOR RUZZANO agreed with that; however, he questioned why the County had to be involved.

COMMISSIONER PEERMAN stated that it was part of the settlement agreement that the County was holding the property and was involved.

MAYOR RUZZANO asked what would happen if one City said no.

CITY ATTORNEY GONZALES said that the property would not be sold and the Cities would still own the property.

MAYOR RUZZANO questioned what the County could find out during the study to give the Cities more money.

COMMISSIONER PEERMAN said that it was for the Cities' information, because the Cities wanted to know if they could put a recycling station could be placed there.

MAYOR RUZZANO noted that depended on Pompano.

COMMISSIONER PEERMAN noted that Pompano and the Cities had an agreement and the Cities wanted to know whether a recycling center such as the one in Palm Beach was feasible on this property.

MAYOR RUZZANO said that he spoke with former City Attorney Eugene Steinfeld who informed him nothing could be done with the property until it was rezoned by Pompano; therefore, he wanted to know what the study would tell the Cities.

COMMISSIONER PEERMAN said that it would inform the Cities that Pompano was more interested in a recycling transfer station than a Waste Management garbage mountain. She reiterated that the issue was that the Commission voted on June 15th without reading the information.

MAYOR RUZZANO stated that whatever the settlement was, he did not want to make a deal with the County.

COMMISSIONER PEERMAN said that she wanted to pass the settlement agreement to have the study and hold off on the sale of the County to find out if all the Cities could do this. She noted that she also read the amendment that created this. She asked Vice Mayor Bryan and Commissioner Simone if they read the amendment last week when they



*voted and they both said they had not seen it.*

*MAYOR RUZZANO said that the Commissioner's vote was their opinion, but he did not want to get involved with the County and pay to have the property evaluated and studied. He did not feel Broward County should be involved with it. He felt that it would look very silly when the County wound up with the property and Margate residents were paying taxes to use that property that the City used to own.*

*COMMISSIONER PEERMAN stated that the only thing currently being discussed was why to reconsider.*

*CITY ATTORNEY GONZALES clarified that there was a motion and a second for the reconsideration of the vote on the June 15th, 2016, Alpha 250 property item.*

*COMMISSIONER PEERMAN said that she was appealing to the people who voted yes to reconsider that vote based on the fact that they did not have any information on what they voted on.*

*MAYOR RUZZANO said that depended on Commissioner Peerman's opinion.*

*COMMISSIONER PEERMAN said that she did not vote on her opinion, but what was in front of her. She stated that she would read what was in front of her and then make a decision from that. She explained that she would not just listen to what was said on something that affects Margate and 20 other Cities.*

*COMMISSIONER SIMONE noted that many of the other Cities listened to the tape of Margate's Commission meeting and were very, very upset.*

*MAYOR RUZZANO said that he had not heard from any of the Cities. He noted that he did hear from some that wanted to partner with Margate to buy the property.*

*COMMISSIONER SIMONE added that she also heard that there was premature talk of wanting to buy the land from under the rest of the Cities that own a piece of the property, and that Margate now wanted it all.*

*MAYOR RUZZANO clarified that he did not say all, but if the other Cities did not want it, Margate could buy it along with other Cities and make the money on it.*

*COMMISSIONER SIMONE clarified that the City was going to buy it and offer it to the other Cities that wanted to come in with us; however, the Cities were very upset that Margate even made the suggestion.*

*MAYOR RUZZANO stated that Margate was smarter than the other Cities.*

*COMMISSIONER SIMONE mentioned going to events and networking and that Margate now did something like this and disrespected the other City's wishes.*

*MAYOR RUZZANO told Commissioner Simone to have the Cities call him.*

*VICE MAYOR BRYAN stated that she did not have the information. She said that she had not heard anything about this whether pro or con, but the intelligent thing to do now was to read the information and reconsider it.*

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

**Yes:** 3 - Commissioner Simone, Commissioner Peerman and Vice Mayor Bryan

**No:** 1 - Mayor Ruzzano

**Absent:** 1 - Commissioner Talerico

**A motion was made by Commissioner Simone, seconded by Commissioner Peerman, to rescind last week's action item regarding the RRB litigation and further move that the City await further action as recommended by the participating Cities.**

*MAYOR RUZZANO felt that the Commission should stick with what they were doing, because he spoke with people who thought it was a great idea.*

*ANTHONY CAGGIANO, 7856 NW 1st Street, said that if this played out as the Mayor suggested, the City would look like utter fools.*

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

**Yes:** 3 - Commissioner Simone, Commissioner Peerman and Vice Mayor Bryan

**No:** 1 - Mayor Ruzzano

**Absent:** 1 - Commissioner Talerico

**C. ID 2016-410 PLAQUE PRESENTED IN RECOGNITION OF ASSISTANCE PROVIDED AT CALYPSO COVE AQUATIC FACILITY**

*MAYOR RUZZANO explained that he brought this item up because of what happened at Calypso Cove over the weekend. He noted that he received a phone call on Father's Day about an interview that was going to happen with the little girl who saved a child's life. He said that he had about ½ an hour to go to her house, and that he was appreciated with gratitude to be able to go there to thank her for what she did. He explained that he gave her a plaque stating that the City of Margate recognized her. He noted that the girl's Grandmother was present. He stated that the girl saved the life of the child, and that the little girl explained the story to him. He said that he put this item on the Agenda because as of Monday, there were some records requests done. He wanted to ask the Commission if there were any records requests, and if they think he did anything wrong or acted inappropriately.*

*CITY ATTORNEY DOUGLAS R. GONZALES asked that discussion be limited to plaque presentation, because nothing else had been noticed for discussion.*

*COMMISSIONER PEERMAN explained that she did the public records request, requesting any conversation between the Mayor and the City Clerk's office about a plaque, because it was a Sunday. She said that if someone asked the City Clerk how they could get a plaque, the City Clerk would have replied that he would go to City Hall and make a plaque. She did not expect the Mayor to make his own plaque to present. She stated that she did not know that Mayors and/or Commissioners could make plaques. She said that she did not know what office the plaque was presented under, on behalf of the Margate Mayor's office. She expressed concern that the Mayor made the*

*plaque and did not go through the City Clerk's office, which she felt he should have done.*

*MAYOR RUZZANO stated that the Commission nominated him as Mayor, and that certain things happen on the spur of the moment and he hoped that he would receive the Commission's respect to act as the Mayor of the City. He said that he did not try to do something wrong, and that when he presented the plaque, the girl cried because she was able to meet the Mayor. He said that he was not promoting anything for himself, but he did it because he was called on Father's Day, and was told that the girl was leaving for Jupiter. He stated that he would do it again, and he did it from his heart. He said that if he did anything wrong, he apologized, but he would do it again. He did not understand the intent of the records request.*

*COMMISSIONER PEERMAN said that the intent was for her to find out if the Mayor went through the City Clerk's office. She noted that she would have had no problem if the Mayor went through that office, because they did the plaques.*

*MAYOR RUZZANO questioned whether Commissioner Peerman was stating that if this ever happened again he should call the City Clerk.*

*COMMISSIONER PEERMAN said that she would have called the City Clerk anyway.*

*MAYOR RUZZANO asked the other Commissioners if they had a problem with him making a plaque on the spur of the moment.*

*COMMISSIONER PEERMAN asked for clarification as to whether the Mayor was asking about making a plaque himself.*

*MAYOR RUZZANO explained that he was going to present the girl a gift card, because he did not know what to do; therefore, he wanted to know what to do in the future and whether it would be a problem for him to do a plaque.*

*COMMISSIONER PEERMAN questioned why the Mayor did not call the City Clerk if he did not know what to do.*

*MAYOR RUZZANO said that it was Father's Day Sunday and he did not want to bother the City Clerk. He felt that he did not need to check every move for giving someone a plaque with the City Clerk or the City Manager. He questioned what would happen if the City Clerk was not there.*

*COMMISSIONER PEERMAN noted that the City had a City Clerk and an Assistant City Clerk.*

*MAYOR RUZZANO questioned whether the other Commissioners had a problem with what he did.*

*COMMISSIONER SIMONE said that she did have a problem with it, because the Commission was a team and he should have let the Commission know this was happening. She stated that she had no idea that any of this went on, and she understood her name and signature was on the plaque; however, she did not know what the plaque even said.*

*MAYOR RUZZANO stated that from now on, when something like this occurred, he would do a personal plaque from Mayor Tommy Ruzzano, City of Margate.*

COMMISSIONER PEERMAN was not sure he could do that.

MAYOR RUZZANO questioned whether he could do that.

CITY ATTORNEY DOUGLAS R. GONZALES said that he had not found anything that would prohibit the Mayor from doing that.

VICE MAYOR BRYAN said that she could appreciate what the Mayor did in the heat of emotion and what was going on and she thanked him for it; however, in the future she would want him to do it differently. She stated that her name was on it and it could not be taken back. She said that something honorable was done, the little girl appreciated it and she would not want to take it back. She stated that she would want him to contact the City Clerk, City Manager or the Commission.

COMMISSIONER PEERMAN said that she did not understand a Mayor making a plaque, and she asked why he did not text the Commissioners. She noted that she sent the information received from the Grandmother to the City Manager, who being government and law had to find out the facts before doing anything. She questioned why it had to happen so fast.

MAYOR RUZZANO said that he could not answer that question, because he was just called regarding an interview and he went.

COMMISSIONER PEERMAN reiterated that she would not have had a problem with that, but the Mayor presented a plaque on behalf of the Margate Mayor's office.

MAYOR RUZZANO said that the plaque was presented by the Mayor of the City of Margate, and he asked whether Commissioner Peerman wanted him to take it back.

COMMISSIONER PEERMAN noted that she had no intention of bringing this up, and that the Mayor put this item on. She explained that the reason for her records request was to know the truth.

MAYOR RUZZANO asked why Commissioner Peerman did not text her to ask why he did it and he would have told her that it was Margate News that called him.

COMMISSIONER PEERMAN said that Mayor Ruzzano kept making decisions for her, and she added that the City had a Public Relations person that was paid a salary. She said that he might have called her to take some pictures to send to her.

MAYOR RUZZANO said that he did the Mayor's Challenge and went there the next day to give out trophies; however, there was no one from the City there.

COMMISSIONER PEERMAN noted that she worked midnights. She added that the money was taken from the Resident Project Fund to help pay for the trophies. She stated that as the Mayor, Mayor Ruzzano represented the Commissioners. She said that when you do something, it was for all of us. She felt that the City would probably do something for the little girl, the lifeguards and for the other girl who did not get a homemade plaque.

MAYOR RUZZANO noted that he was unaware of the second girl involved.

COMMISSIONER PEERMAN stated that she felt that as a Mayor representing the Commission, Mayor Ruzzano did not represent the Commission in this instance.

MAYOR RUZZANO felt that making the plaque was the right thing to do in his heart and he would do it again.

SABRINA SEGAL, 6890 NW 9th Street, stated that under the City Charter, Section 3.07, the Mayor was recognized as a head for ceremonial purposes. She said that a plaque was considered ceremonial; therefore, under the Charter, she asked the City Attorney whether this was a ceremonial purpose.

COMMISSIONER PEERMAN asked the City Attorney whose responsibility it was in the City to make the plaques.

CITY ATTORNEY GONZALES stated that he did not know whose responsibility it was.

COMMISSIONER PEERMAN asked the City Clerk whose responsibility it was to make the plaques.

CITY CLERK JOSEPH J. KAVANAGH said that at the direction of the City Commission, the City Clerk's office typically made the plaques.

ANTHONY CAGGIANO, 7856 NW 1st Street, noted that tragedy was averted by a 7 year old at Calypso Cove. He stated that in a world where most people did not want to make waves and turned a blind eye, the 7 year old saved the 6 year old, with the assistance of a teenage girl who reacted until a lifeguard reacted. He said that those involved should be commended, praised and recognized. He said that the Mayor presented a plaque to the 7 year old before she returned to Jupiter. He stated that Mayor Ruzzano representing the City marked the girl forever with a plaque of appreciation presented to her. He noted that the teenager who helped should also receive a plaque, as both the girls were heroes. He commended the Mayor for his fast action in recognizing the importance of the children's actions.

COMMISSIONER PEERMAN noted that the discussion was regarding the plaque. She did not want to be perceived as someone who was not appreciative of what the girl did. She noted that the Commission went to the pool today to thank the lifeguards and told the girl how much the Commission appreciated what she did.

PENNY STONE, 5766 NW 26th Street, said that she worked at Motorola for 20 years and was on Six Sigma Teams. She explained that they worked together, but also had separate projects to do. She said that when something like this happened, you could not always get the team together to do something. She explained that when the Mayor arrived at the house to present the plaque, he did not say it was from him. She noted that he did say it was presented by the City of Margate, which represented the City Commission. She said that whoever made the plaque was trivial and who cared. She stated that with four children of his own, the Mayor came to the house on Father's Day to deliver the plaque to the little girl who did not know who made the plaque or how it was made or who was presenting it to her. She noted that her Granddaughter was leaving for Port Saint Lucie and not Jupiter within a few hours. She said that she was sorry the Commission was not invited, but there was no time to spare, which Mayor Ruzzano knew. She noted that the Commission was recognized through that plaque, because her Granddaughter knew she got a plaque from the City of Margate.

COMMISSIONER PEERMAN stated that the Commission was sorry, because she would have been there.

MS. STONE said that Commissioner Peerman was able to meet her today and was

welcome to come visit her during the week. She stated that if the Commission felt bad about the plaque, she could get the plaque back and it could be redone the correct way. She mentioned that this was about recognition.

COMMISSIONER SIMONE explained that it was not about recognition, but that it was done without anybody's knowledge of it being done. She questioned what the urgency was. She noted that the City was going to recognize her for this; therefore, she questioned what the urgency was for the Mayor to go out on his own to present this without going through proper channels. She would have never done this as Mayor.

MS. STONE said that the Commissioners were supposed to be a team, but it happened on Father's Day and the urgency was that the Mayor was caught up in the moment. She stated that he did not do it for himself.

COMMISSIONER PEERMAN noted that the Commission had a really good working relationship with the City Clerk, who would bend over backwards for any of us. She said that she would have called the City Clerk, who she guaranteed would have driven the five minutes to City Hall to make the plaque.

MS. STONE asked whether if the plaque was made by the City Clerk it would have been more special or different.

COMMISSIONER PEERMAN disagreed and explained that it would have made it official.

VICE MAYOR BRYAN felt that this was not being resolved and she apologized for not being able to attend today. She thanked Ms. Stone.

MS. STONE thanked all of the Commissioners for presenting the plaque.

COMMISSIONER PEERMAN said that the City wanted to thank Ms. Stone's Granddaughter, which would be done in City Hall.

ARLENE SCHWARTZ, 7800 NW 1st Street, former Mayor of the City of Margate, stated that there were times when she was embarrassed with what went on in the City, and this was one of those times. She said that if the Commissioners had a problem with the Mayor doing the plaque, would it not have been in the public interest to have an individual conversation with the Mayor.

COMMISSIONER PEERMAN noted that Mayor Ruzzano put this item on the Agenda.

MS. SCHWARTZ noted that nobody forced the Commission to have this continued conversation with the bickering over whoever made the plaque. She noted that in past years she was never texted, called or had any idea how many plaques were given out. She stated that the ceremonial head of the City of Margate was not obligated to text the Commissioners if giving a plaque on behalf of the City of Margate. She mentioned Commission Certificates that could be given out on behalf of individual Commissioners, but only the Mayor could give something out on behalf of the City, and he was under no obligation to inform the rest of the Commission. She also did not feel that the City Clerk should be expected to drop everything because the Mayor wanted to give something to someone. She stated that the Mayor did what he thought was right at the time and did it with no malice or forethought. She hoped this conversation would end because it was uncomfortable for everyone and was not what the City was about and was not making Margate great.

## 2) RESOLUTION(S)

- A. [ID 2016-405](#) RESCINDING RESOLUTION NO. 16-213 RELATING TO THE IMPOSITION OF A ONE CENT INFRASTRUCTURE SALES SURTAX UPON VOTER APPROVAL; APPROVING A COMPROMISE SALES SURTAXES PROPOSAL BETWEEN THE PARTICIPATING BROWARD MUNICIPALITIES AND BROWARD COUNTY; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE TRANSPORTATION SYSTEM AND INFRASTRUCTURE SURTAXES INTERLOCAL AGREEMENT, ATTACHED AS EXHIBIT "A" AND INCORPORATED HEREIN; SUPPORTING THE COUNTY'S PLACEMENT OF A 30 YEAR ONE HALF-CENT INFRASTRUCTURE SALES SURTAX AND A 30 YEAR ONE-HALF CENT COUNTYWIDE TRANSPORTATION SYSTEM SALES SURTAX ON THE NOVEMBER 8, 2016 GENERAL ELECTION BALLOT IN ACCORDANCE WITH THE SURTAXES INTERLOCAL AGREEMENT AND SECTION 212.055, FLORIDA STATUTES; PROVIDING FOR DISTRIBUTION OF THIS RESOLUTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 16-238

**A motion was made by Commissioner Peerman, seconded by Vice Mayor Bryan, that this Resolution be approved.**

*CITY MANAGER DOUGLAS E. SMITH explained that the resolution would cover the rescinding of the previous, as well as the approval of the compromise.*

*MAYOR RUZZANO explained that this was pertaining to the ½ cent tax that would go to the County with ½ cent to the Cities.*

*CITY MANAGER SMITH clarified that the City would get theirs over 20 years and the share would change to 60/40 starting in year 21 for the infrastructure with the unincorporated County getting a piece as a City.*

*MAYOR RUZZANO stated that if it was up to him, he would not go for it; however, every other City was going for it because they want it on the ballot. He said that it was another way for the County Commission playing hardball. He stated that this was to get it on the ballot.*

*CITY MANAGER SMITH noted that the City Attorney's version had the correct resolution number for the one being repealed. He added that the one referenced in the Agenda backup was the incorrect one. He stated that the resolution would reflect the correct number of the resolution rescinding. He explained that the percentage of the other Cities that already adopted this was over 60 percent. He said that a compromise came forth with enough support amongst the County Commissioners to bring this compromise forward, which would put it on the ballot for a vote by the citizens. He recommended that the Commission take positive action.*

*VICE MAYOR BRYAN asked what the County Commission vote was.*

*CITY MANAGER SMITH said they had a series of votes on this item, but a 5-3 vote was*

*the swing vote.*

*MAYOR RUZZANO mentioned the statement that government moved slowly, but he felt that he never saw government move so quickly.*

*COMMISSIONER PEERMAN said that was because it was a ballot issue that had to be in by the same date as qualifying.*

*MAYOR RUZZANO added that this year for something to pass on the ballot, it had to be 50 percent plus 1, and next year it would probably move to 60 percent. He thanked Commissioner Simone for bringing this up a couple of months ago.*

*COMMISSIONER PEERMAN requested that the City put together the possible projects that the money would be used for and have it displayed in the hallway for people to see where the money was going. She noted that the City could not lobby for or against it; however, the citizens could be educated with what it could go for.*

*CITY MANAGER SMITH said that he would provide that, and he noted that the other Cities might be getting together to come up with a plan for the marketing piece. He noted that it needed to stay in the realm of educating and not advocating for the position.*

*COMMISSIONER SIMONE stated that in the final 10 years, the tax would be shared and the County would get 40 percent, but the County would get 70 percent of the full penny in the later years.*

*CITY MANAGER SMITH clarified that the County would have the full ½ penny for the transportation, which was 50 percent, and they would have 40 percent of the other ½ penny, which was another 20 percent for the infrastructure; therefore, if combining County's transportation and infrastructure, it would be 70 percent. He stated that the items were joined together; therefore, they either both pass or both fail.*

*MAYOR RUZZANO asked whether the City had to get projects approved.*

*CITY MANAGER SMITH stated that there was an Oversight Board for approval, which was called the Transportation and Infrastructure Oversight Board that had 9 members and was appointed by an Appointing Board.*

*MAYOR RUZZANO asked how much the ½ cent meant for the County per year.*

*CITY MANAGER SMITH stated that it might be \$120 million.*

*MAYOR RUZZANO wanted to see how much will come west of I-95.*

*VICE MAYOR BRYAN suggested educating friends on the topic. She asked that everyone vote.*

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

**Yes:** 4 - Commissioner Simone, Commissioner Peerman, Vice Mayor Bryan and Mayor Ruzzano

**Absent:** 1 - Commissioner Talerico

## ADJOURNMENT

*There being no further business, the meeting adjourned at 7:28 PM.*



*Respectfully submitted,*

*Transcribed by Carol DiLorenzo*

\_\_\_\_\_  
*Joseph J. Kavanagh, City Clerk*

*Date:* \_\_\_\_\_

DRAFT