



City of Margate

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Meeting Minutes Regular City Commission Meeting

Mayor Tommy Ruzzano
Vice Mayor Arlene R. Schwartz
Commissioners:
Anthony N. Caggiano, Lesa Peerman, Joanne Simone

Interim City Manager Samuel A. May
City Attorney Douglas R. Gonzales
City Clerk Joseph J. Kavanagh

Wednesday, March 15, 2017

7:00 PM

Commission Chambers

CALL TO ORDER

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

In Attendance:

Interim City Manager Samuel A. May
City Attorney Douglas R. Gonzales
City Clerk Joseph J. Kavanagh

PLEDGE OF ALLEGIANCE

A. [ID 2017-072](#) REGAN HENDERSON, 5TH GRADE, MARGATE ELEMENTARY

1) PRESENTATION(S)

- A. [ID 2017-160](#) AGING AND DISABILITY RESOURCE CENTER OF BROWARD COUNTY (ADRC) - 30 YEARS OF FAIR SHARE FOR CITY OF MARGATE (Presented by Edith Lederberg, Executive Director of ADRC)
- B. [ID 2017-180](#) HOME OF THE MONTH - MARCH 2017
- C. [ID 2017-168](#) STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM (FRDAP) UNIQUE ABILITIES CHECK PRESENTATION.
- D. [ID 2017-176](#) OFFICER OF THE YEAR - MASTER POLICE OFFICER GEORGE W. WOOLLEY.
- E. [ID 2017-177](#) 2016 CIVILIAN OF THE YEAR - ADMINISTRATIVE COORDINATOR KAREN ALLRED

ATHLETES OF THE MONTH

- F. [ID 2017-158](#) BASEBALL: BRADY PORTER
(Margate Pony Elite Baseball and Softball, Mustang Giants)

BASKETBALL: STEVENSON BORGELLA
(Margate Basketball League, Broward Heat)

- G. [ID 2017-185](#) MARGATE TRAVEL SOCCER TEAM - 3RD PLACE (Margate United FC U9 - Sabers)

EMPLOYEE RECOGNITION FOR YEARS OF SERVICE

- H. [ID 2017-159](#) LYNN M. BURNSIDE, COMMUNICATIONS COORDINATOR - POLICE DEPARTMENT - 35 YEARS

FRANCES ANN CONDON, OFFICE SPECIALIST II - DEPARTMENT OF ENVIRONMENTAL AND ENGINEERING SERVICES - 15 YEARS

MARY RUTH CRABTREE, POLICE OFFICER - POLICE DEPARTMENT - 10 YEARS

PROCLAMATION(S)

- I. [ID 2017-161](#) WOMEN'S HISTORY MONTH - MARCH 2017 (presented to Carole Tolomeo, Office Manager, Police Department)

THE MEETING RECONVENED FOLLOWING A BRIEF RECESS.

2) COMMISSION COMMENTS

COMMISSIONER CAGGIANO said that he attended a Junior Achievement at Biztown Broward College last night. He explained that Abundant Life was the school present and the event was for teaching children how to manage a checkbook and how to manage a business. He noted that it was a multi-month event for practicing in advance for a one day event. He mentioned the many businesses involved in the event, which he felt was a great example for the children to learn of the work their parents did and what it took to pay bills. He stated that the Margate Spring Cleanup and Garage Sale was being held this Saturday at Oriole Park from 7:00 AM to 12:00 Noon. He added that also on Saturday, from 1:45 PM to 3:45 PM, the Margate Library was having Milk and Cookies with a Cop, which was a great opportunity.

COMMISSIONER SIMONE asked that Item I and Item J be pulled from the Consent Agenda. She welcomed the new Interim Building Director Richard Nixon. She thanked the Parks and Recreation Director and his Staff for the improvements made to the park facilities. She mentioned that a Grant was received for the Sports Complex. She noted that Parks and Recreation Director and his Staff were always open to new suggestions and ideas. She again thanked Parks and Recreation for its dedication and commitment. She mentioned the Little Library at Firefighters Park, which was ordered and on its way. She stated that the wall at Calypso Cove was repainted and looked great. She asked the City Manager whether the City could look into putting up a marquee at Calypso Cove to advertise pool events. She felt that it would be a great idea for welcoming the Challenger Softball children.

INTERIM CITY MANAGER SAM MAY stated that he would look into putting a temporary sign up now with a more permanent structure for the future.

COMMISSIONER SIMONE thanked the Police Chief and the Police Department for the

several recent arrests made. She provided a Metropolitan Planning Organization (MPO) update regarding the illegal posters being placed on utility boxes and mast arms. She noted that Hollywood was the first City that found the violators and brought them to the Special Magistrate. She noted that there was a resolution on tonight's Agenda to make it a violation countywide. She added that there was support from the County Commissioners, and that if a resolution was received from all the Cities, it would be put on the priority list. She asked the City Manager for an update for the utility art wrap.

INTERIM CITY MANAGER MAY asked Adam Reichbach to speak about the art wrap.

ADAM REICHBACH, Assistant to the City Manager, stated that the CRA would be taking the lead on this project. He explained that currently a call to artists was being prepared to solicit the designs for the utility boxes. He said that he expected to have this out in two to three weeks. He noted that the priority was to do it on the utility boxes for the County roadways because it was easier for the approval process. He noted that the State approval process would take about a year; however, the County was significantly less than that. He added that the CRA indicated that Atlantic Boulevard, Coconut Creek Parkway and Copans Road would be targeted.

COMMISSIONER SIMONE stated that the MPO was having an Executive Committee meeting on March 28th to discuss the Greenway, which affected Margate, Tamarac and North Lauderdale. She said that it would be on the south side of the C-14 Canal for upgrading and possibly putting a Bicycle Program. She noted that the Florida Department of Transportation (FDOT) had plans for improving the crossing over of major roads along that pathway. She said that she was on the MPO Member Committee for that project and will provide updates. She announced that the 4th Annual Lets Go Biking Event was being held on Sunday, March 19th at 9:00 AM at the Pompano Community Park. She noted that there would be bicycle safety activities, giveaways, music, free food and more. Commissioner Simone explained that the City moved up on the Multimodal Transportation priority list for reconstruction at the intersection of Rock Island Road and Royal Palm Boulevard. She noted that the project was approved by FDOT on the November 29th meeting and the City was recommending to FDOT to have additional travel lanes, turn lanes and signal timing optimization. She said that FDOT realized that additional lanes might not be possible; therefore, FDOT was considering repurposing lanes to allow through and turning movements and the signalization to facilitate more opportunities for turning left movements. She stated that the City was recommending pedestrian improvements for the area, overhead wire traffic signals with mast arms, improvement of the tightening of the intersection by having the transit stops closer to the intersection and exploring the sidewalk and bicycle connections to the transit stops. Commissioner Simone mentioned that at the last Commission meeting, a car allowance for Commissioners was discussed. She understood that this did not have to come before the Commission for a vote. She said that she believed in open government and transparency and felt that a motion with public discussion and a vote should have been done. She felt that it was resident's money being spent on the allowances. She noted that she requested this item be put on the Agenda but was denied and was informed that she could discuss it during Commission Comments.

A motion was made by Commissioner Simone, seconded by Commissioner Peerman, that the Commissioners not receive a car allowance.

COMMISSIONER PEERMAN said that certain things were done administratively and

other things should go before the people. She stated that the car allowance was not an administrative item. She disagreed with the City Attorney and felt the Commission should have advised to put it before the people before the vote. She mentioned a prior incident in 2004 or 2005, where Commissioner Bross wanted to put longevity bonuses for Commissioners the same as employees. She noted that City Commissioners were not regular employees but were policy makers. She disagreed with having the car allowance and said that she would leave it to the residents to decide whether she would take the car allowance; therefore, she put out opinion polls on Facebook and the Nextdoor app. She noted that out of 112 people, there were 109 against the allowance, 3 in agreement. She said that those not in favor, felt that if one should receive it, all should receive it. She noted that if this did not pass, she would make an administrative phone call to the City Manager to take the allowance. She stated that she hoped it would not pass.

MAYOR RUZZANO stated that this item did not have to come up; however, he brought it up. He felt that the Commission deserved it. He mentioned being a hypocrite by being against the allowance, but being willing to take it.

COMMISSIONER PEERMAN felt that none of the Commissioners were better than any of the rest of the Commission. She reiterated that she did not feel the Commissioners should get it, and asked the City Attorney why this was different than anything else. She mentioned receiving a phone call asking whether she wanted a desktop computer, for which she said no. She added that she received a phone call about having her office refurbished, and she said no. She noted that she had not received a phone call asking whether or not she wanted the allowance.

COMMISSIONER CAGGIANO stated that two Commissioners were bringing something back that was already publicly discussed at a City Workshop that was televised two weeks ago. He felt that Commissioner Peerman was trying to distract the public from her policy decisions. He stated that the car allowance was reasonable and customary in many other Cities. He noted that the City's business was publicly conducted correctly, because it was discussed in a televised Workshop. He mentioned Facebook and Nextdoor.

COMMISSIONER PEERMAN noted that her Facebook was made private due to the public censuring. She clarified that this discussion pertained to whether or not the allowance should be discussed in public as a vote being brought before the Commission. She questioned why the Commission did not want to have the allowance as a public vote.

MAYOR RUZZANO said that it was discussed and if she wanted it she could have it.

COMMISSIONER PEERMAN reiterated that if the Commission did not want her to take it they should vote it down.

MAYOR RUZZANO said that Commissioner Peerman was insinuating that the Commission was greedy.

COMMISSIONER PEERMAN said that she was not doing that, but taking a \$400 car allowance had never come up in the City.

COMMISSIONER SIMONE said that the Commission should not be individuals against each other, but rather a team working together to make team decisions. She stated that apparently what happened at that meeting was not clear, because she received a verbatim of what was said at the meeting. She noted that the City Attorney then gave his opinion, which she disagreed with because the verbatim clearly stated that all

Commissioners would receive the allowance.

MAYOR RUZZANO said that it was not what was asked of each Commissioner.

COMMISSIONER PEERMAN stated that if this did not pass and the Commission received the \$400 car allowance; however, she would not take it.

VICE MAYOR SCHWARTZ understood that an individual poll was taken for the question, "Would you accept or decline?" She noted that each Commissioner answered and 15 minutes later the City Attorney asked for clarification, because he understood that if three people voted yes it was a Commission decision; however, it was not. She noted that it was an individual decision and clarified with the City Attorney that everyone gets the allowance, even if they voted no. She said that the City Attorney responded yes. She stated that if the Commission voted individually nobody would have the opportunity to accept it, because the entire Commission did not vote yes. She said that if three people voted yes as a total Commission, the other people did not have to publicly say no. She stated that it was a mincing of words, and it made a difference as to how it came across to the public. She said that she questioned why people received a car allowance that did not drive around for the City. She clarified that there was a difference if she voted yes as an individual and Commissioner Peerman voted no, or if she voted yes as a City Commissioner and that carried and Commissioner Peerman received it without having to tell the public that you voted yes.

KEITH RAVELLO, 7458 NW 21st Street, stated that he thought he had respect for the Commission; however, this evening the Commission was fighting over \$400, which was ridiculous. He noted that the \$400 was taxpayer money and the whole situation should be dropped. He suggested putting the \$400 into bathrooms in parks that had none. He stated that if the Commissioners wanted to use their car to go to a City event in North Lauderdale, it would be doing their job for Margate. He said that it was a shame to come to the meeting with all the bickering. He stated that the Mayor was in charge and he should pull the City together, as in "Together We Make It Great."

MAYOR RUZZANO explained that the Commission could not discuss things amongst themselves; therefore, at the meeting was the first time things could be discussed. He noted that they were trying to move the City forward.

JULIE LORE-JONES, 7871 NW 1st Street, said that she checked into other Cities. She noted that Tamarac made more money than the Mayor and the Commissioners. She noted that they received a \$700 a month car allowance. She added that Parkland received a \$3,600 a year car allowance. She stated that Lauderhill's Mayor made \$43,842 and the Commissioners made \$36,478 and they did not receive a car allowance but received an expense account.

COMMISSIONER PEERMAN noted that Parkland just got a raise by going out on the ballot to ask for the residents to give them a raise. She stated that the Mayor was in the process of trying to lower the car allowance, because they were making much lower than they were now.

COMMISSIONER SIMONE stated that last year Margate took out \$5 million dollars from the Reserve Fund to balance the Budget and was not as well off as some of the other Cities giving the allowance.

COMMISSIONER CAGGIANO noted that \$5 million dollars was taken out; however, \$2.6 million dollars was put back in.

INTERIM CITY MANAGER MAY said that was correct.

THE FOLLOWING WAS A VERBATIM TRANSCRIPT:

ELSA SANCHEZ: Good evening. My name is Elsa Sanchez, 6930 NW 15th Street, I'm here tonight because I am very concerned over what is happening in our City. My first Commissioner's meeting attendance was back in November. Some of the Commissioners went on an attack to another Commissioner because she had done something wrong. I understand and I agree that she should not have done it, but the way she was attacked by the Mayor and by Commissioner Caggiano specifically, I consider it mean, unprofessional and unacceptable. Then I came back and I attended the meeting of February 14th. Again, I was at rage about the way Mr. Ben Ziskal was harassed by Mayor Ruzzano, to the point that Mr. Ziskal had to say to the Mayor, "I cannot lie, what you're asking me to do is not legal and I will not do it." Still the Mayor argued. The Mayor behavior was again unprofessional and unacceptable. Then, at the last meeting last Wednesday, March 1st, everything went okay, or so I thought. A couple of days later somebody asked me what I thought of the Commissioner's \$400 increase in car allowance. I told them I had no idea. He said yes, they voted on it at the last meeting. I said no, I was there and I did not hear that. Well, it happened in some way at the beginning of the meeting, and I was there and I did not even realize it. There was nothing on the Agenda and I feel it was done in an underhanded way, not transparent and most of the people in Margate I know are aware of that. I am outraged by that. The three Commissioners that voted yes on it and pushed it through are the three newly elected Commissioners. Didn't you know what was involved with your position? You have just started. You have not proven yourself enough to deserve or be entitled to an increase and \$400? Margate is 11 miles long. Did you drive 8 hours a day back and forth in the City? I don't think so. You accepted your position knowing what was involved. That increase is outrageous, undeserving and unacceptable. I wanted to say this at a meeting because I do not want this letter to be forgotten, go in a drawer or in the garbage, or be, or without being acknowledged and being on record. The behavior of some of the Commission is unprofessional and unacceptable. I will continue to come to, to attend to these meetings because I live in Margate and I have to know what's going on. I am asking the Commissioners, specifically Mayor Ruzzano and Commissioner Caggiano, to look back and consider how they are behaving. In my opinion they harass and are disrespectful to other members of the Commission and the employees of the City. I want them to realize the people in this town are not stupid. They hear what you say and they see what you do. Respect your position and the City of Margate. Thank you.

THE VERBATIM TRANSCRIPT ENDED.

JOHN HALL, 6421 French Angel Terrace, said that he hated to hear the bickering and also hated hearing Commissioners blaming another prior Commissioner for the City's problems when the Commissioner was deceased and could not defend himself. He said that Commissioners spoke about resident's money; however, they were not worried when they did the Alzheimer's Family Center deal. He suggested that the Commission worry about the resident's money all of the time.

CHARLIE ARTNER, 6631 NW 26th Court, asked whether all contracts and payments were public record.

MAYOR RUZZANO said yes.

MR. ARTNER asked whether it was true that the City Attorney had a car paid for by the City.

MAYOR RUZZANO said yes.

MR. ARTNER asked whether the City Attorney received gas money.

MAYOR RUZZANO said yes.

MR. ARTNER said that the Commission should start worrying about resident's money regarding that. He noted that nobody received a car and gas money to go to and from work. He stated that if someone did drive for the job, a travel report would be given and mileage money would be received. He did not care what the car cost, but felt that it was a waste of money. He felt that if someone had to drive 2 hours to their job, it was their responsibility. He did not agree with taking the car home.

COMMISSIONER CAGGIANO responded to Ms. Sanchez's letter and stated that the City had a City Attorney who was paid a nice salary and if he thought the Mayor was asking someone to do something illegal, it was his job to step in and defend the Mayor and the City. He noted that at no time did the City Attorney get up and say anything, because the Mayor did not ask Mr. Ziskal to do anything illegal.

COMMISSIONER PEERMAN replied to Mr. Hall that he could verify information by calling Joseph Varsallone or David McLean who were still alive.

TODD ANGIER, 1913 NW 79th Terrace, did not think it was unreasonable to ask for a formal vote. He said that a consensus question at a Workshop did not take the place of a formal vote. He stated that when discussing \$400 per month and \$4,800 a year on each Commissioner, it should be brought up to the public for public discussion. He said that it did not matter whether other Cities received it or whether Charter Officers received it, but if the Commission wanted the allowance it should be placed on the Agenda for a vote. He understood that Commissioner Peerman was stating that two people voting no did not make a difference because they would also receive the allowance.

MAYOR RUZZANO clarified that if voted no, every Commissioner would still receive it. He felt that it needed to be made clear to the public because the perception was to vote no but then receive it, which he felt was misleading the public.

COMMISSIONER PEERMAN noted that she said no, the Commission should not get the allowance, at the Workshop.

MR. ANGIER explained that at the Workshop a consensus was requested about having the \$400 car allowance. He believed there were three people who were in agreement with having the allowance, but two people who did not want it to happen. He noted that was not a vote, but was a consensus.

MAYOR RUZZANO said that it did not have to be a vote, and if the Commissioners wanted it, they should just say they want it.

MR. ANGIER said that when spending the taxpayer's money, the car allowance should have been brought before the people and a vote should have been taken.

JESSICA ZELLER, 1500 Cathedral Drive, said that as a taxpayer who worked hard for her money, she felt that it was inappropriate to spend money when other things need to be done in the City.

BERTHA SMITH, 569 Banks Road, said that she respected the Commission; however, it was embarrassing to watch what was happening. She stated that the \$400 was fine; however, the Commission needed to be transparent about it and have it voted upon.

CITY CLERK JOSEPH J. KAVANAGH clarified that the motion was that the City Commission do not receive a car allowance, and he questioned whether it should be changed to an affirmative motion.

CITY ATTORNEY GONZALES said that would have to be permitted by the person who made the original motion.

A restated motion was made by Commissioner Simone, seconded by Commissioner Peerman, that the City Commissioners receive a \$400 a month car allowance.:

VICE MAYOR SCHWARTZ wanted to amend the motion for transparency because she did not care whether everyone wanted it or not; however, if voting no, she wanted an amendment stating that if this passed, the Commissioners intend to accept it.

MAYOR RUZZANO clarified that the Vice Mayor was proposing that the way the Commission voted was the way they chose to accept it or not.

COMMISSIONER PEERMAN questioned whether that was legal.

MAYOR RUZZANO felt that a vote was not needed.

CITY ATTORNEY GONZALES stated that there was a motion and a second on the motion. He clarified that the original motion was whether the Commission should not get the car allowance; however, that had been amended to ask whether the City Commission should get the car allowance.

MAYOR RUZZANO questioned whether the people who accepted the car allowance would not get it if the motion passed.

CITY ATTORNEY GONZALES stated that everyone would receive it if the motion passed, and if it did not pass nobody would receive it.

COMMISSIONER CAGGIANO said that discussion already took place two weeks ago.

CITY ATTORNEY GONZALES stated that it was never voted on in this manner.

COMMISSIONER CAGGIANO questioned who asked for the vote.

COMMISSIONER PEERMAN said that Commissioner Simone made a motion, which was seconded.

MAYOR RUZZANO asked whether the Commission could be asked individually whether they wanted the car allowance if this motion failed.

CITY ATTORNEY GONZALES clarified that if this motion failed, nobody would receive the car allowance.

MAYOR RUZZANO and COMMISSIONER CAGGIANO both asked how this superseded what happened two weeks ago.

CITY ATTORNEY GONZALES noted that the question on the record at the last meeting was, "Will you take the car allowance" and the answers were accept or decline. He stated that it was now brought up as a motion with a second, as to whether there should even be a car allowance.

COMMISSIONER PEERMAN said that whether there should be a car allowance was never brought up.

COMMISSIONER CAGGIANO said that was an administrative move; therefore, there should not be a vote at all.

CITY ATTORNEY GONZALES reiterated that there was a motion and a second. He explained that he provided the opinion that this could have been done administratively because the Charter already allowed benefits that would be permitted by Law. He stated that under the Tax Code, just like receiving the reimbursement for the mileage, the Tax Code also provided for the ability to get a car allowance under certain circumstances, which this Commission would meet those circumstances. He said that since the Charter already provided, as provided by Law, it was his opinion that it could be done administratively.

MAYOR RUZZANO asked whether it could be taken away by a vote, now that it was done administratively.

CITY ATTORNEY GONZALES said that if there was a motion, a second and a discussion, so there would be a vote on it. He explained that if the vote was no, there would be no car allowance.

COMMISSIONER PEERMAN stated that she was not taking the car allowance whether the vote passed or failed.

MAYOR RUZZANO wanted clarification as to how something could be administered and then the following week take a vote on it when a vote was not needed.

CITY ATTORNEY GONZALES said that administratively, it did not have to be done this way.

COMMISSIONER CAGGIANO suggested tabling it for an indefinite period of time, the administrative decision would stand.

CITY ATTORNEY GONZALES said that if there was no vote on this motion, the administrative decision would stand.

COMMISSIONER PEERMAN noted that would keep it administratively; therefore, she could change her mind each week as to whether she wanted it or not.

CITY ATTORNEY GONZALES agreed.

COMMISSIONER PEERMAN said that if she voted no, it was because she believed the Commission as a whole should not get it. She stated that the issue would have to come back as a Resolution to determine what to do with the \$4,800.

COMMISSIONER SIMONE explained that she wanted to have a vote on this for open government, and she did not know how it got blown out of proportion. She felt that the Commission needed to work together and did not know why it bothered some as to whether someone did not want to take it. She said that it was insignificant.

MAYOR RUZZANO said that it was not insignificant, but voting against the allowance when it was known it would be received anyway was not a good perception to the people.

COMMISSIONER SIMONE said that she did not know what other individuals would say.

MAYOR RUZZANO stated that it did not have to come to a vote, because administratively, if you want it you can get it, and if you did not want it, you did not have to take it. He said that voting no, knowing you were getting it anyway was misleading the people.

COMMISSIONER PEERMAN said that it was transparency to show how the people's money was being spent.

COMMISSIONER CAGGIANO said that transparency was saying no when you mean no.

COMMISSIONER PEERMAN stated that she was not taking it, no matter how the vote went.

COMMISSIONER CAGGIANO pointed out that Commissioner Peerman earlier stated that she would take the allowance.

COMMISSIONER PEERMAN said that she was going by what the resident's said, which was that if it was good for one it was good for all.

MAYOR RUZZANO said that all the Commissioners were trying to do what the residents wanted. He spoke about priorities and things getting pushed aside and being neglected and why the City had no money or was going in a specific direction.

COMMISSIONER CAGGIANO stated that the point of this conversation was clarity. He said that if you say no, then you do not take the allowance. He said that was hypocrisy.

COMMISSIONER PEERMAN said that it was doing what the residents she spoke to told her to do.

THE MEETING RECONVENED FOLLOWING A BRIEF RECESS.

A motion was made by Commissioner Caggiano, seconded by Vice Mayor Schwartz, that this item be tabled. The motion carried by the following vote:

Yes: 3 - Commissioner Caggiano, Vice Mayor Schwartz and Mayor Ruzzano

No: 2 - Commissioner Simone and Commissioner Peerman

COMMISSIONER PEERMAN stated that for transparency sake, she would be calling the City Administration tomorrow on what she chooses to do with the \$400, since she was not called and asked in the first place. She said that she would then bring her decision during Commission Comments at the next meeting.

VICE MAYOR SCHWARTZ congratulated the Interim City Manager for his first meeting tonight. She asked that everyone send their prayers to Margate Fire Battalion Chief

Hector Corona and his son who recently went through four major brain surgeries.

MAYOR RUZZANO congratulated the Interim City Manager on his first meeting. He also congratulated Richard Nixon for his new job title. He noted that Calypso Cove was opening on March 18th. He noted that Item I and J would be pulled from the Consent Agenda.

3) PUBLIC DISCUSSION

JOHN HALL, 6421 French Angel Terrace, said that he was on the Board of Supervisors for Coral Bay Community Development District (CBCDD). He stated that Coral Bay had three issues he was asking help with. He asked what the City's agenda was for protecting property and residents by putting in speed humps in the community. He noted that Coral Bay applied twice and had to do a traffic study, which cost the residents money. He added that fees had to be paid and the item had to go before the Development Review Committee (DRC). He noted that the DRC turned Coral Bay down. He said that a few years later Coral Bay tried again, but this time another traffic study was needed. He stated that the City would not allow the speed humps where Coral Bay wanted them; however, they would allow them at the gated freeways. He stated that at his meeting last week, he authorized a \$22,000 check to fix the wall that a driver drove through. He reminded the Commission that Coral Bay owned the roads and recently paid to have them resurfaced. He stated that over \$100,000 was spent on repairs of the property from speeding cars. He said that he had a customer from Cypress Cove, which was the other Community Development District (CDD) but was much smaller; however, they had 31 speed bumps in the community of eight streets. He noted that he contacted the Mayor who contacted the City Manager to ask if the City permitted those speed bumps. He said that if the City did, he wanted to know why. He stated that he was tired of spending thousands of dollars and figured the City must have a reason for not allowing the CBCDD to protect its community. He noted that the speed limit was 25 mph on Perimeter Road with a 20 mph speed limit in the community. He explained that the traffic study showed excess speeds in excess of 55 mph.

COMMISSIONER PEERMAN noted that in the past, the Commission overrode what the Police Department decided about speed bumps at Winfield Boulevard; therefore, she asked whether this could be overridden.

INTERIM CITY MANAGER SAM MAY questioned whether Mr. Hall was asking for permission to put in speed humps, or was he asking the City to put the speed humps in.

MR. HALL said that Coral Bay would put them in and pay for them. He stated that all the City had to do was approve it.

INTERIM CITY MANAGER MAY noted that he would get back with Mr. Hall on the matter after getting with the Police Department and the Engineering Department.

COMMISSIONER PEERMAN suggested making a motion to bypass it as it was done in the past.

MR. HALL said that the second issue in Coral Bay was that there was the Renaissance Charter School was next to his development, though the school was in Coral Springs at the old Target building. He noted that Coral Springs refused to speak with Coral Bay about this issue. He said that twice a day every day when the school opened and let the students out, there was a Coral Springs Police Officer taking NW 62nd Avenue, a public street, and blocking off the right hand lane forcing everyone to the left. He noted that there was no school zone there. He stated that the 3,500 residents in Coral Bay could not get in and out of the community in the morning or afternoon. He did not know that it was legal for a Police Department to block off a road for a private enterprise. He said

that the Charter School was a business. He wanted the City to speak with the right people at Coral Springs to inform them they have a business with a traffic problem affecting residents of Margate.

VICE MAYOR SCHWARTZ attested to the problem.

MR. HALL added that Coral Bay was paying for off duty Margate patrol to inform the people that the entrance of Coral Bay was not a drop off or pick up location for the Renaissance Charter School.

COMMISSIONER PEERMAN was aware that the Police Officers were there; however, she did not know that they were being paid for.

MR. HALL said that they were hired most recently last week and they did the job well. He added that the third issue was that he wanted the City to contact the community around the area where there were new buildings or development taking place. He mentioned Coral Landings II and Toscana and the Stormwater drainage dumping into the Coral Bay water system. He noted that an agreement was finally reached without going to court after 18 months and thousands of dollars. He added that the City did not check with the impact from Sable Chase or the new apartments in Celebration Pointe. He felt that the City needed to have courtesy and concern for the existing long-time residents.

VICE MAYOR SCHWARTZ asked whether no parking signs could be placed on the swale, with a fine attached.

INTERIM CITY MANAGER MAY said that a sign could be placed; however, he would consult with the City Attorney and the Police Chief with regard to the fine.

VICE MAYOR SCHWARTZ added that it took multiple lights in 20 minutes to get past there when the Coral Springs Police Officer stopped traffic. She felt that there had to be other ways out of the shopping center, other than straight onto that road.

JOHN CRISATELLI, 1145 NW 72nd Terrace, said that he was the President of Paradise Gardens IV Maintenance Corporation. He noted that there were 385 single family homes in the development. He thanked Mayor Ruzzano and his wife, Vice Mayor Schwartz and Commissioner Caggiano for attending the January Board meeting to swear in the newly elected directors, while acknowledging the directors that were leaving from the previous year. He stated that he was going to attend more of the Commission meetings. He said that he was concerned about a Beautification Program. He noted that Mr. Doug Kemp was a concerned homeowner in the community and he would be the liaison for the Commission meetings. He added that the First Vice President, Financial Secretary and the Treasurer would also be attending the meetings.

DOUG KEMP, 795 NW 73rd Avenue, said that he was a resident of Paradise Gardens IV. He said that he would be the communicator here to observe and take notes back to the board. He invited all to his Board meetings that were held on the first Tuesday of the month, at 11:30 AM. He stated that Margate was on an upswing and he wanted to beautify the community, but did not know who to work with in Code Compliance and Zoning. He felt that if things were made neater, other people would notice and clean up their places too.

MAYOR RUZZANO suggested that Mr. Kemp get with the Economic Development Department regarding Grants.

INTERIM CITY MANAGER MAY explained that the Community Development Block

Grant (CDBG) Program was currently for homes in general.

VICE MAYOR SCHWARTZ noted that there used to be Grants available for partnerships between Cities and developments to go 50/50 on outside beautification. She suggested leaving his name with the City Clerk so the City Manager could speak with him.

RICK RICCARDI, 4829 South Hemingway Circle, said that he was in the Margate and Pompano Chamber of Commerce. He reminded everyone that the first joint Chamber of Commerce meeting would be next Thursday at the Carolina Club at 7:30 AM. He welcomed everyone to come meet the people from Pompano. He clarified that he was the Margate representative on the Board of the Pompano Chamber of Commerce. He noted that the Board had its own Council.

VICE MAYOR RUZZANO stated that the Commission would be in Tallahassee.

COMMISSIONER SIMONE asked whether the name had been changed, because the announcement indicated the Pompano Beach Chamber and the Margate Business Council.

MR. RICCARDI agreed that the Margate Chamber of Commerce was now the Margate Business Council, which was part of the Pompano Chamber of Commerce. He felt that bigger business would be brought into Margate because the Chamber was involved with the State and the County.

SIDNEY KING, 2111 NW 76th Avenue, said that he was President of the Lion's Club. He mentioned the good people of Margate who provided help. He said that Engineers looked at the building and determined that the concrete walls were okay; however, the roof and the electric were not. He noted that some roofing people were contacted; however, he did not know where to go for the electric. He asked for any recommendations of someone who could do the electric. He said that business was continuing as always and nothing was stopping. He thanked the Commission, Police Chief and the Fire Department, as well as the former City Manager Douglas E. Smith. He also commended City Clerk Joseph J. Kavanagh for his humanity and assistance. He noted that two of his officers were in the hospital and were not well. He thanked everybody for supporting the Lion's Club, because the Lion's Club supported Margate.

RESOLUTIONS 7A AND 7B HEARD PRIOR TO CONSENT AGENDA.

MAYOR RUZZANO EXPLAINED THAT EACH COMMISSIONER WOULD APPOINT SOMEBODY TO THE BOARD OF ADJUSTMENT, WHICH WOULD BE FOLLOWED BY A VOTE.

CITY ATTORNEY DOUGLAS R. GONZALES NOTED THAT THIS ITEM WAS TO BE SPLIT INTO FIVE SEPARATE RESOLUTIONS.

- A. [ID 2017-166](#)** APPROVING APPOINTMENT(S) OF _____, _____, _____, _____ AND _____ TO THE FIVE MEMBER MARGATE BOARD OF ADJUSTMENT FOR THE VACATED POSITION(S) FOR A TERM COMMENCING MARCH 19, 2017 - MARCH 21, 2018.

RESOLUTION 17-031

COMMISSIONER CAGGIANO inserted the name Karl Artner. The name of Karl Artner carried by the following vote:

Yes: 4 - Commissioner Caggiano, Commissioner Peerman, Vice Mayor Schwartz and Mayor Ruzzano

No: 1 - Commissioner Simone

RESOLUTION 17-032

COMMISSIONER SIMONE made no selection as she did not feel Commissioners should vote for these boards.

The Commission chose to insert the name of Chad Dangervil. The name of Chad Dangervil carried by the following vote:

Yes: 4 - Commissioner Caggiano, Commissioner Peerman, Vice Mayor Schwartz and Mayor Ruzzano

No: 1 - Commissioner Simone

RESOLUTION 17-033

COMMISSIONER PEERMAN inserted the name of Paul Barasch. The name of Paul Barasch carried by the following vote:

Yes: 4 - Commissioner Caggiano, Commissioner Peerman, Vice Mayor Schwartz and Mayor Ruzzano

No: 1 - Commissioner Simone

RESOLUTION 17-034

VICE MAYOR SCHWARTZ inserted the name of Julianne Lore. The name of Julianne Lore carried by the following vote:

Yes: 4 - Commissioner Caggiano, Commissioner Peerman, Vice Mayor Schwartz and Mayor Ruzzano

No: 1 - Commissioner Simone

RESOLUTION 17-035

MAYOR RUZZANO inserted the name of Antonio Arserio. The name of Antonio Arserio carried by the following vote: (name insertion was changed under 7B to Ruben F. Rivadeneira)

Yes: 4 - Commissioner Caggiano, Commissioner Peerman, Vice Mayor Schwartz and Mayor Ruzzano

No: 1 - Commissioner Simone

A NEW MOTION WAS MADE UNDER ITEM 7B TO CHANGE MAYOR RUZZANO'S APPOINTMENT TO THE BOARD OF ADJUSTMENT FROM ANTONIO ARSERIO TO RUBEN F. RIVADIENEIRA.

THE MOTION CARRIED BY A 4-1 VOTE.

CITY CLERK JOSEPH J. KAVANAGH read aloud the 5 names inserted for the Board of Adjustment as follows:

ANTONIO ARSERIO
KARL ARTNER
PAUL BARASCH
CHAD DANGERVIL
JULIANNE LORE

- B. [ID 2017-167](#) APPROVING APPOINTMENT(S) OF _____, _____ AND _____ TO THE FIVE MEMBER MARGATE PLANNING AND ZONING BOARD FOR THE VACATED POSITION(S) FOR A TERM COMMENCING MARCH 19, 2017 - MARCH 21, 2018.

RESOLUTION 17-036

THE FOLLOWING NAMES WERE INSERTED FOR THE PLANNING AND ZONING BOARD:

COMMISSIONER CAGGIANO inserted the name Richard Zucchini.
COMMISSIONER SIMONE made no selection. The Commission inserted the name of Todd E. Angier.
COMMISSIONER PEERMAN inserted the name Phil Hylander.
VICE MAYOR SCHWARTZ inserted the name August Mangeney.

MAYOR RUZZANO questioned whether he could withdraw his insertion of Antonio Arserio from the Board of Adjustment and insert him for the Planning and Zoning Board, while inserting Ruben F. Rivadeneira for the Board of Adjustment.

CITY ATTORNEY DOUGLAS R. GONZALES said that the motion pertaining to the apointment would need to be revisited and reconsidered while inserting the name and voting on that. He said that this motion would be suspended and a motion would be made to change the nominee for that particular Board, and then this motion would be gone back to.

MAYOR RUZZANO stated that he was changing his appointment of Antonio Arserio to the Board of Adjustment, and replacing him with Ruben F. Rivadeneira for Item 7A Board of Adjustment.

FOR ITEM 7A - A motion was made by Mayor Ruzzano to change his appointment of Antonio Arserio to the Board of Adjustment, and replacing him with Ruben F. Rivadeneira for Item 7A Board of Adjustment. The motion carried by the following

vote:

Yes: 4 - Commissioner Caggiano, Commissioner Peerman, Vice Mayor Schwartz and Mayor Ruzzano

No: 1 - Commissioner Simone

FOLLOWING THE NEW MOTION AND VOTE TO CHANGE ITEM 7A TO APPOINT RUBEN F. RIVADENEIRA TO THE BOARD OF ADJUSTMENT, MAYOR RUZZANO PROVIDED HIS NAME SELECTION FOR PLANNING AND ZONING.

MAYOR RUZZANO inserted the name of Antonio Arserio to the Planning and Zoning Board.

CITY CLERK JOSEPH J. KAVANAGH read aloud the 5 names inserted for the Planning and Zoning Board as follows:

*TODD E. ANGIER
ANTONIO ARSERIO
PHIL HYLANDER
AUGUST MANGENEY
RICHARD ZUCCHINI*

A motion was made by Commissioner Peerman, seconded by Vice Mayor Schwartz, to approve the insertion of the following names to the Planning and Zoning Board:

**TODD E. ANGIER
ANTONIO ARSERIO
PHIL HYLANDER
AUGUST MANGENEY
RICHARD ZUCCHINI**

The motion carried by the following vote:

Yes: 4 - Commissioner Caggiano, Commissioner Peerman, Vice Mayor Schwartz and Mayor Ruzzano

No: 1 - Commissioner Simone

4) 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 2017-143](#) MOTION - APPROVAL OF CITY COMMISSION MINUTES.

APPROVED

B. [ID 2017-134](#) MOTION - ACCEPTING THE COMPREHENSIVE ANNUAL FINANCIAL

REPORT FOR FISCAL YEAR ENDED SEPTEMBER 30, 2016.

APPROVED

- C. [ID 2017-147](#) RESOLUTION - SUPPORTING THE COMBINED EFFORTS OF THE UNITED STATES CENTER FOR DISEASE CONTROL AND PREVENTION ("CDC") AND THE DEPARTMENT OF JUSTICE ("DOJ") TO CURTAIL THE OVERPRESCRIBING OF OPIOIDS BY PHYSICIANS AND SUPPORTING ENSURING SAFE DRUG DISPOSAL.

RESOLUTION 17-037

MAUREEN KELLY, 1419 NE 57th Street, Fort Lauderdale, stated that she was a previous member of the Broward County Substance Abuse Advisory Board and was currently on the Dade/Broward Sober Home Tasks Force. She added that she also worked with Rick Riccardi at Fellowship. She added that she was the leader of a southeast Florida Recovery Advocate that was asking the Cities in Miami/Dade, Broward and Palm Beach County to issue this resolution in the height of the epidemic in the Cities, Counties, State and Nation. She noted that she was also a mother of a young adult son who suffered from addiction to legally prescribed Opioids. She noted that he was in recovery and she thanked the City for overcoming the horrific stigma associated with addiction. She said that to curb this epidemic, the City, County and State must take action, first by prevention. She noted that the root of the Opioid epidemic was the legally prescribed pain killers. She stated that there was an epidemic now of Heroin, Fentanyl, Carfentanyl. She said that the problem will never be controlled without taking control of controlled substances in the State. She stated that the tools cited in the Resolution by the National League of Cities and Counties, and issue a letter to the Governor and by the Department of Justice to use the tools, which include the Prescription Drug Monitoring Program (PDMP), which Florida had; however, the physicians did not use it. She added that the Center for Disease Control (CDC) issued Opioid Prescribing Guidelines must also be used, which physicians had not yet adopted. She explained that the epidemic must be curbed by adopting those guidelines and preventing new cases of addiction. She noted that legally prescribed, taken as prescribed addition created high risk and abuse was not required. She added that there was additional supporting documentation from the United States Surgeon General, who issued a historic report about mental health and substance use in the Country. She said that everyone must work together to alleviate the burden of this public health crisis on the Cities, Counties and States. She noted that this worked towards the life sparing and life saving goal and she reminded everyone of the stigma of a young person on the streets, unkept and homeless, as well as Medicare patients who were overdosing at twice the rate of what was being addressed. She added that the hospitals were overwhelmed. She thanked Margate for joining with other Cities to take the first step with the resolution.

APPROVED

- D. [ID 2017-186](#) RESOLUTION - URGING THE BROWARD COUNTY COMMISSION TO ADOPT A COUNTYWIDE ORDINANCE WHICH HOLDS VENUES, BUSINESSES, AND OTHER RESPONSIBLE PARTIES ACCOUNTABLE FOR SNIPES SIGNS AND POSTERS UNLAWFULLY PLACED ON UTILITY POLES, UTILITY BOXES, TRAFFIC CONTROL BOXES, BUS SHELTERS, BENCHES, TREES, OR ANY OTHER PUBLIC PROPERTY; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO BROWARD COUNTY, THE BROWARD LEAGUE OF CITIES, AND EACH MUNICIPALITY WITHIN BROWARD COUNTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS;

AND PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 17-038

APPROVED

- E. [ID 2017-146](#) RESOLUTION - REAFFIRMING THE CITY'S SUPPORT OF HOUSE BILL 3811 PERTAINING TO AN APPROPRIATIONS REQUEST TO THE FLORIDA LEGISLATURE FOR THE LEMON TREE LAKE WATER QUALITY IMPROVEMENT PROJECT AND HOUSE BILL 3813 PERTAINING TO AN APPROPRIATIONS REQUEST TO THE FLORIDA LEGISLATURE FOR THE MARGATE SEWER PIPING REHABILITATION PHASE II PROJECT.

RESOLUTION 17-039

APPROVED

- F. [ID 2017-150](#) RESOLUTION - URGING ALL MEMBERS OF THE FLORIDA LEGISLATURE TO OPPOSE HOUSE BILL 17 AND SENATE BILL 1158 WHICH PREEMPTS LOCAL BUSINESS REGULATIONS AND PROHIBITS LOCAL GOVERNMENTS FROM IMPOSING OR ADOPTING ANY NEW REGULATIONS ON BUSINESSES UNLESS EXPRESSLY AUTHORIZED BY THE LEGISLATURE.

RESOLUTION 17-040

APPROVED

- G. [ID 2017-169](#) RESOLUTION - URGING ALL MEMBERS OF THE FLORIDA LEGISLATURE TO OPPOSE HOUSE BILL 687 AND SENATE BILL 596 WHICH PREEMPTS LOCAL GOVERNMENT CONTROL OF TAXPAYER-OWNED RIGHTS OF WAY FOR "SMALL" OR "MICRO" WIRELESS ANTENNAS AND EQUIPMENT.

RESOLUTION 17-041

APPROVED

- H. [ID 2017-183](#) RESOLUTION - URGING THE LEGISLATURE TO VOTE AGAINST HB 13, AND SB 1770 THAT WOULD AMEND PART III, CHAPTER 163, FLORIDA STATUTES, AS SUCH ACTS WOULD REDUCE THE ABILITY AND FLEXIBILITY OF COMMUNITY REDEVELOPMENT AGENCIES IN ACCOMPLISHING THEIR REDEVELOPMENT TASKS.

RESOLUTION 17-042

APPROVED

- K. [ID 2017-172](#) RESOLUTION - AWARD OF BID NO. 2017-008 FURNISH AND DELIVER SODIUM HYDROXIDE 50% BY WEIGHT AT A COST OF \$1.69/GALLON FOR TRUCKLOAD DELIVERY AND \$2.03/GALLON FOR LESS THAN TRUCKLOAD DELIVERY; WITH THE CITY OF MARGATE ACTING AS LEAD AGENCY FOR THE SOUTHEAST FLORIDA GOVERNMENTAL PURCHASING COOPERATIVE GROUP.

RESOLUTION 17-043

APPROVED**Approval of the Consent Agenda**

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

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

ITEMS I AND J PULLED FROM CONSENT AGENDA WERE HEARD FOLLOWING THE CONSENT AGENDA.

- I. [ID 2017-171](#) RESOLUTION - ADOPTING PRICING STRUCTURE OF CITY OF OVIEDO RFP# 16-15 AWARDED TO CIVICPLUS, INC. FOR WEBSITE DESIGN SERVICES.

RESOLUTION 17-045

A motion was made by Commissioner Peerman, seconded by Commissioner Caggiano, that this Consent - Resolution be approved.

COMMISSIONER SIMONE said that she spoke with the City Manager and Assistant to the City Manager regarding her concerns and received much clarification. She noted that she viewed the Hollywood, Hallandale Beach and the Oviedo websites. She said that she was not thrilled with them, however, she then determined that Oviedo was not the current website that was just redesigned. She asked that the Assistant City Manager explain about the website, which she agreed needed an overhaul as it was very confusing now. She noted that she liked that the City had input regarding how to design the website with this company, and that the City could change things that were not liked.

ADAM REICHBACH, Assistant to the City Manager, explained that Staff was looking for a vendor that would meet the expectations of the residents, businesses, future residents and visitors. He said that several vendors were looked into, but CivicPlus Inc. operated a fully customizable website with a mobile app feature as part of the same package. He stated that it completed integration between the social media, website and the mobile app, which were currently fragmented systems. He noted that State of the Art security was included with 24/7 customer service. He showed a 2 minute video to provide insight as to what CivicPlus Inc. offered. He showed the four examples of websites. He noted that Boca went live 2 weeks ago and he also showed Lake Wales, Hollywood and Greenville, South Carolina. He stated that the website was going to be designed with the residents in mind with a two click philosophy; everything should be found within two clicks.

VICE MAYOR SCHWARTZ asked whether residents would be able to submit questions on the website.

ASSISTANT TO THE CITY MANAGER REICHBACH agreed that there would be some type of contact to the webmaster.

The motion carried by the following vote:

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

- J. [ID 2017-173](#) RESOLUTION - APPROVING WAIVING OF BIDDING FOR THE PURCHASE OF CIVIC-HR SUBSCRIPTION FROM CIVICPLUS, INC. FOR AN APPLICANT TRACKING SYSTEM.

RESOLUTION 17-046

A motion was made by Commissioner Peerman, seconded by Vice Mayor Schwartz, that this Consent - Resolution be approved.

COMMISSIONER SIMONE understood that this would tie everything together so Our Margate would not be needed. She said that it would be integrated and would actually save money.

ASSISTANT TO THE CITY MANAGER ADAM REICHBACH clarified that this was the HR piece and that the mobile app with Our Margate would be under the prior item. He also clarified that this HR piece would allow for job applications online, as well as the tracking of the applications, contact with the applicant alignment for the Staff side. He explained that Staff would be able to review the applications electronically versus having paper copies.

The motion carried by the following vote:

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

5) CITY MANAGER'S REPORT

INTERIM CITY MANAGER SAM MAY introduced Richard Nixon, Interim Building Director. He added that a new Structural Plans Examiner would be joining the Building Department, as well as a new Chief Structural Inspector. He noted that starting in March, the City Manager's office will be preparing and distributing a monthly report to the Commission detailing and recapping the projects and initiatives of all City Departments that took place that month. He explained that the March report would be distributed the first week in April. He stated that Camp Canine had a tentative opening date of May 6th in Penn Dutch Plaza; Burger King would be getting permits tomorrow; Miami Grille received a temporary Certificate of Occupancy on March 17th and 45 positions would be hired; Rising Tide Car Wash was currently under construction; King Auto Prep was under construction; and Floribbean Wholesale Warehouse was currently under construction. He noted that Calypso Cove had the wall repainted and had ongoing maintenance, but was scheduled to open on March 18th through June 4th for weekends only. He added that the pool would be open for Spring Break the week of April 10th through April 14th. He explained that the Rock Island Fitness Park would reopen in early April with a chilled water fountain. He stated that Summer Camp Registration was open and campers must be between 6 and 12 years old. He said that early registration received a \$50 discount per session or a \$25 discount per half session. He noted that camp registration information was on the City's website. He explained that there would be six new hires starting with the Fire Department. He mentioned the issue with street lights on Royal Palm Boulevard, which was resolved with Florida Power and Light (FPL). He noted that the Sounds of Sundown was on April

1st from 5:00 PM to 10:00 PM at the northwest corner of Margate Boulevard and U.S. 441.

MAYOR RUZZANO asked for an update of what was going in the old Winn Dixie Plaza across from Winfield Boulevard.

INTERIM BUILDING DIRECTOR RICHARD NIXON said that the backflow preventers were being worked on in the rear of the building, but no permits had been issued for the front.

MAYOR RUZZANO said that the whole façade was being removed from the front of the building.

INTERIM BUILDING DIRECTOR NIXON said that a Demolition Permit had been issued, no construction permits. He explained that it would be Bealls and Presidente Grocery Store. He noted that the old Winn Dixie was being divided with the south side being Bealls Department Store with the grocery on the north side.

MAYOR RUZZANO asked that he be informed of any new projects coming up.

INTERIM CITY MANAGER MAY said that he would provide that information in the monthly City Commission reports.

MAYOR RUZZANO asked whether the Margate Community College was planned.

INTERIM CITY MANAGER MAY stated that the Community College would be starting in May.

ASSISTANT TO THE CITY MANAGER ADAM REICHBACH explained that it would be starting in May; however, a date had not yet been set. He noted that it would be included in April Newsletter and on the website. He added that it would be renamed to the Margate Citizen's Academy, due to people thinking they would be obtaining college credits.

VICE MAYOR SCHWARTZ said that she liked the new name. She mentioned Oriole Gardens III requesting strips in front of and near the speed humps because nobody could see them at night.

DIRECTOR OF ENVIRONMENTAL AND ENGINEERING SERVICES (DEES) REDDY CHITEPU explained that a standard detail was being looked into to use the flashing raised pavement markers with a flashing LED light in it.

COMMISSIONER PEERMAN asked about the BeBe's Chicken and Waffles inspection.

INTERIM BUILDING DIRECTOR NIXON said that he would look into that.

6) PUBLIC HEARING(S)

- A. [ID 2017-181](#) RESOLUTION - DESIGNATING REAL PROPERTY, IDENTIFIED BY FOLIO NUMBERS 4842-1934-0010 AND 4842-1934-0011 AND SHOWN IN EXHIBIT "A", AS A BROWNFIELD AREA FOR THE PURPOSE OF ENVIRONMENTAL REMEDIATION, REHABILITATION AND ECONOMIC REDEVELOPMENT; PROVIDING FOR AN EFFECTIVE DATE.

No number assigned on First Reading.

A motion was made by Commissioner Peerman, seconded by Commissioner Simone, that this Resolution be approved.

MICHAEL GOLDSTEIN, Attorney, 1 SE 3rd Avenue, Miami, Florida, 33131, stated that he was present on behalf of the applicant.

VICE MAYOR SCHWARTZ said that the City was asked to designate the area as a Brownfield, which years ago came with funding from the State or County to mitigate any issues. She stated that she questioned the development because she was told there was a possibility of contamination in the area. She mentioned being concerned with people moving there with possible arsenic poisoning. She said that based on Attorney Goldstein's letter, there was a mere conception of contamination that was allowed by the Florida Brownfield Redevelopment Act, and that though Attorney Goldstein would not hold the City liable, Vice Mayor Schwartz said she would hold him liable. She noted that she would not approve this with the possibility of contamination, though the petitioner wanted to get the tax incentives without doing any boring of contamination or mitigating the possibility of the problem. She felt it was disingenious to say there was no problem if the testing was never done.

ATTORNEY GOLDSTEIN said that he was involved in the drafting of the Statute 20 years ago and had designated sites as Brownfields throughout the State. He noted that this was his 71st time before a local government seeking designation of a site as a Brownfield area. He noted that there was a successful history of this type of activity, which Margate had participated in. He explained that the City had done the same thing that he was asking the City to approve. He said that in January 2011, Margate passed a Resolution designating 1,300 acres as a Brownfield area for the purpose of stimulating economic redevelopment on sites that had perceived contamination. He noted that there was no finding in the Resolution stating that any contamination existed, which was how the legislature intended the Statute to work. He said that in 1997, the application of State, Federal and local environmental rules were having counter intuitive effects. He stated that not only where there was actual contamination, but the mere hint or perception of contamination caused all kinds of market dysfunction and led to disinvestment, lenders not approving financing and caused developers to turn away from sites that were otherwise developable, because an issue could arise in the future. He noted that the possibility or mere perception forced developers to spend money to underwrite the evaluation of risk and hire consultants, such as lawyers, engineers and planners, to put in place expensive contingency plans in the event future development uncovered contamination. He clarified that the Statute adopted by the Florida Legislature allowed for this type of designation, not only when there was actual contamination, but when there was a mere conception of contamination because the market reacted the same. He noted that this created a large inventory of developable sites that can create jobs and income remaining on the sideline. Mr. Goldstein explained that from a legal perspective, the issue of actual or conceived contamination was only the gateway. He said that legislation set up five objective criteria for the developer requesting the designation. He stated that if and when the applicant demonstrated compliance with the criteria, the legislature required the local government to approve the designation. He clarified that the legislation language was written in terms of shall; if the five criteria were met, the local government shall provide notice and adopt a resolution approving a Brownfield designation.

VICE MAYOR SCHWARTZ asked whether the five contingencies were received.

ATTORNEY GOLDSTEIN said yes. He explained that not only was the application detailed when submitted to Staff on January 13th, 2017, but Staff reviewed the five

criteria and agreed with the applicant that the criteria was met; therefore, the recommendation was for approval. He stated that from a policy perspective, this was a good thing because the Statute encouraged developers to explore sites that were challenging and risky even when there was contamination, because the market place worked the same with a mere perception of contamination, which might turn into actual contamination and require more. He said that from a Staff perspective, Staff agreed that the objective criteria were met; therefore, he respectfully submitted that from a legal perspective, the Commission was obligated to approve the application. He noted that he was asking of the City was nothing more than what the City had already done for itself in January 2011, when it adopted its own Brownfield designation for this very purpose. He said that the City understood that there were a lot of environmental questions that would be at issue along the corridor. He added that the City wanted the various incentives to be readily applicable; therefore, the developer would not need to hire a lawyer to request the designation, and those incentives would already be available. He noted that the applicant's site was outside the southern boundary of the existing City Brownfield designation. He stated that the economic incentive that the applicant was applying for operated 100 percent to the City's benefit, because it captured the sales tax rebate on construction materials that would otherwise disappear into the State's General Revenue Fund and be gone forever. He clarified that the sales tax dollars were being pulled back into the City, which would be put back into the project to make it better.

VICE MAYOR SCHWARTZ asked how that would be done.

ATTORNEY GOLDSTEIN explained that the applicant would provide for better physical amenities for the project, as well as underwriting the debt on the project so it stood on firmer financial ground that it already was on. He stated that the dollars would not disappear into the developer's pocketbook, but would go right back into the project.

VICE MAYOR SCHWARTZ said that she did not understand how it was better for the City to designate something blighted, rather than just having the thought that it might be blighted. She stated that while the applicant would get the designation, he would no doubt at some point sell the development; therefore, she did not understand how that would help 40 years from now when people do or do not get sick. She did not know how expensive soil boring tests were, but she did not understand why it was not done to take away the perception.

ATTORNEY GOLDSTEIN stated that the applicant did not intend to sell the project. He noted that the applicant was a world class affordable housing developer and needed to keep the project for at least 30 years. He added that there were some soil data provided with geotechnical testing that looked at the quality, condition and physical composition of soils to determine not only constructability, but whether the soils contained any detrimental material, such as construction and demolition debris or stained soils indicative of a discharge of contamination. He stated that the applicant followed the industry standard protocols for proceeding or not proceeding to invasive testing for chemical contamination of the soil and ground water. He said that the initial scope of testing that was conducted was referred to an ASTM, or the American Society for Testing Material, 1527 E Standard for Phase I environmental due diligence. He stated that based on going through that protocol, there were licensed professional engineers and geologists who concluded that no invasive testing was required. He said that finding was reviewed and approved by the Broward County Environmental Protection and Growth Management Department, which was operating on its own behalf, as well as the agent for the Florida Department of Environmental Protection, which was authorized to do so by Statute and contract under the Florida Brownfields Program. He further explained that the licenses of the engineers and geologists would be at risk if they rendered a conclusion that was not supported by the industry standard. He stated

that if soils for groundwater reflecting the presence of actual contamination was found during the development activities, the law required that it be reported to both the County and the State, as well as conducting testing of the entire site until reaching the outer perimeter of any contaminated area both vertically and horizontally. He stated that to impose a rule that a private or public developer needed to conduct Phase II testing within a designated Brownfield area without the result of the initial industry standard indicating that such testing was required, meant that the City would have to impose that by Code on the property owners within the 1,300 acre area designated by the City in 2011. He noted that it was not currently required by Code of the City's ordinance, by industry standard protocol, County Law or State Law, and was not practical because there were so many other safeguards in place to protect human health and the environment.

VICE MAYOR SCHWARTZ stated that she had a problem allowing the designation to go forth on mere perception.

ATTORNEY GOLDSTEIN stated that the site was surrounded by land that was formerly used for agricultural purposes. He said that the site was topographically down gradient from the other lands; therefore, any surface water flow from those adjacent topographically up gradient properties would naturally flow towards the applicant's property. He stated that the application of agrichemicals to the surrounding properties had historically been demonstrated all over the Country to migrate vertically downward into ground water, as well as being transported vertically over surface land via surface water flow. He said that it was a legitimate and reasonable conclusion to believe there could have been impacts in the past from surface water runoff from the adjacent properties creating the legitimate perception of contamination. He pointed out that from a legal perspective, the Statute was very clear in that if the applicant demonstrated that the five objective criteria were met, the local government was obligated to approve the designation. He summarized the criteria as follows:

1. The owner owns or controls the property and agreed to rehabilitate and redevelop the property.

ATTORNEY GOLDSTEIN said that the applicant owned it and provided evidence of such, and had agreed to redevelop the site and rehabilitate it. He noted that the process already started.

2. Need to demonstrate that the project would result in economic productivity.

ATTORNEY GOLDSTEIN noted that there was \$27 million dollars in capital investment and 200 temporary construction jobs with a myriad of local benefits provided by affordable housing using empirical industry data.

3. The applicant must be consistent with the local Comprehensive Plan and permit able under the local Land Development Regulations.

ATTORNEY GOLDSTEIN said that was demonstrated as the construction was started, and with all of the development approvals needed.

4. Public Notice was required to be provided.

ATTORNEY GOLDSTEIN said that the applicant satisfied all of the public notification comments and went above and beyond what the Statute required, such as holding a community meeting.

5. Reasonably demonstrate that the applicant had the financial capacity to complete

the cleanup.

ATTORNEY GOLDSTEIN stated that significance evidence had been provided of the equity and debt associated with the project. He added that the fact it was already under construction provided evidence that the applicant had the necessary financial resources. He noted that the five criteria were satisfied, and that showing of actual or perceived contamination was not criteria. He stated that on January 13th, 2017, the applicant submitted the request for the designation with everything documented.

MAYOR RUZZANO said that he never saw the application and asked whose signature was on it.

ATTORNEY GOLDSTEIN clarified that it went to Director of Economic Development Ben Ziskal. He added that the engineer then contacted the applicant asking for additional information regarding the environmental questions, which were responded to with a detailed writing on March 8th, last week.

MAYOR RUZZANO asked whether it would be advisable to fix or address the problem rather than going into the problem in the future.

CITY ATTORNEY DOUGLAS R. GONZALES explained that under the Brownfield process that was established in the Statute, the procedures to be followed were provided. He said that from the City's perspective, it would be nice to not have potential contamination or to know if it was real. He noted that the City was considering taking over the Palm Lakes property, but had issues with the County with that property as well. He stated that it would be good to know there was no contamination; however, the Statute provided a process whereby, the applicant could proceed with the development in light of the perceived or possible contamination providing the criteria were met.

MAYOR RUZZANO noted that the first criteria were rehabilitation and redevelopment; therefore, he questioned how the problem could be rehabilitated later if contamination was found.

ATTORNEY GOLDSTEIN replied that the criteria were rehabilitation and redevelopment; however, rehabilitation was not defined in the Statute; however, it was commonly construed as taking from an existing use and creating an enhanced use taking into account the applicable environmental issues and considerations. He stated that as part of the redevelopment, the applicant would be capping the entire site. He said that any legacy chemical contamination in soils that had not been identified or documented would be safely encapsulated beneath engineering controls or impervious surfaces such as concrete, asphalt and a soil cap with an acceptable thickness.

VICE MAYOR SCHWARTZ clarified that there would be paving over certain parts for parking, as well as putting concrete for buildings.

MAYOR RUZZANO asked whether remediation was needed.

ATTORNEY GOLDSTEIN said that pursuant to the remediation regulations in Chapter 62.780, no remediation was needed, because actual contamination had not been discovered. He added that formal remediation was not required with respect to the 1,300 acres the City designated in 2011. He noted that the Economic Development Statute was designed to ameliorate the hurdles and obstacles to development and financing that came into existence when the mere perception of contamination was invoked.

MAYOR RUZZANO appreciated tonight's information, because he was previously

informed that some City owned properties were contaminated and could not be built on without the right remediation; however, he now learned there was no remediation process.

ATTORNEY GOLDSTEIN said that the designation of a Brownfield site did not mean there was actual contamination. He stated that if contamination was accidentally discovered there would be an issue. He explained that if soil was dug up during development that had a chemical odor or was visually stained, the applicant would then be on notice per Statute, that there was a chemical contamination problem that required testing. He noted that if the results of the testing reflected an exceedance of a ground water standard or a soil standard, there was an immediate reporting obligation to the County and the State. He said that an expensive time consuming cleanup process would be needed. He explained that was why having the designation in place allowed the applicant to take advantage of other incentives that apply when actual contamination was discovered.

MAYOR RUZZANO said that he understood; however, he thought that prior to building, the soil samples would be done to determine if there was contamination.

ATTORNEY GOLDSTEIN noted that there was no requirement for the City or anyone else to do invasive contamination testing unless there was actual notice that actual contamination existed or that the initial due diligence suggested that there was a problem warranted testing. He stated that the applicant did not have that.

COMMISSIONER CAGGIANO said that because the contamination could be vertical or horizontal, why not state that the whole City was contaminated.

ATTORNEY GOLDSTEIN stated that the City did that to some extent when designating a very broad economic development corridor of 1,300 acres for the reason that there was a perception that there could be environmental issues in an area where economic development was warranted.

COMMISSIONER CAGGIANO referred to the Attorney's letter stating, "There was no documented contamination at the subject property nor is there any evidence of actual contamination at the subject property." He noted that the applicant was asking the Commission to designate part of the City, which the Attorney stated had no actual contamination.

ATTORNEY GOLDSTEIN clarified that he did write the letter, which was consistent with the underlying application that stated there was no actual contamination. He noted that the applicant was asking the City to grant the same right and privilege that the City granted itself on a much broader scale. He reiterated that the City found no actual contamination when it designated 1,300 acres across the street from the property the applicant was seeking to have a site designated. He reminded the Commission that the legal burden had been met with regard to what was required by Statute, rendering the approval mandatory and not discretionary. He said that he would love for the Commission to approve it because they realized it was good public policy, rather than being compelled to approve it.

COMMISSIONER CAGGIANO pointed out that the Attorney was asking the Commission to make the site a Brownfield, though the letter stated that there was no contamination at the site.

ATTORNEY GOLDSTEIN clarified that under the definition of Brownfield, Chapter 376.79.4, stated that a Brownfield site was defined as any real property where actual or perceived contamination complicated redevelopment, reuse or expansion. He stated

that the definition encompassed both actual contamination and perceived contamination. He noted that the mere perception of contamination was sufficient to create market dysfunction and compel lenders to not lend and encourage developers not to develop.

VICE MAYOR SCHWARTZ asked how expensive it was to do a stage two test.

DIRECTOR OF ENVIRONMENTAL AND ENGINEERING SERVICES (DEES) REDDY CHITEPU explained that when a property went to development, the banks required the developer to perform phase 1 environmental assessment. He said that it was a review of prior records of what businesses were previously on the site to determine if there was contamination, such as if there was a gas station located on the site. He noted that when the phase I assessment was done on this site, nothing was found, which was the applicant was stating that there was perceived contamination because it was not known what was there before.

VICE MAYOR SCHWARTZ asked why it would not be stated that there was no perception of contamination if phase I came back okay, rather than stating there was perceived contamination.

DIRECTOR CHITEPU said that once phase I was done, Broward County was the jurisdiction and issued the license, after which the City issued a construction permit for the license.

VICE MAYOR SCHWARTZ noted that the other adjacent properties, such as Merrick Preserve and Fiesta did not perceive they were on that type of soil and did not request a Brownfield.

ATTORNEY GOLDSTEIN noted that the legislation was in 1997.

VICE MAYOR SCHWARTZ said that Merrick Preserve was built after 2001 and Fiesta was built and occupied by 1997.

DIRECTOR CHITEPU said that he was not sure about Fiesta; however, Merrick Preserve was built after 2001.

The motion failed by the following vote:

Yes: 2 - Commissioner Simone and Commissioner Peerman

No: 3 - Commissioner Caggiano, Vice Mayor Schwartz and Mayor Ruzzano

COMMISSIONER PEERMAN noted that a prior Commission did the same and voted against something that was required to be passed regarding a cell tower, after which the City was sued for. She questioned whether the applicant could now sue the City.

ATTORNEY GOLDSTEIN said yes.

VICE MAYOR SCHWARTZ said that she saw contradictions in the language; however, she asked whether the applicant was asking as a formality.

CITY ATTORNEY GONZALES said that it was not a formality, and that the Statute

required a Resolution from the City. He clarified that the language in the Statute stated that in order for the applicant to proceed, the City shall adopt a resolution.

ATTORNEY GOLDSTEIN noted that there was ample case law stating that shall meant must. He stated that this was a very serious incentive with seven figures. He noted that the developer had a legitimate economic expectation based on the way the Statute was drafted.

COMMISSIONER CAGGIANO said that he felt the Commission was being bullied.

ATTORNEY GOLDSTEIN said that he was just advising.

VICE MAYOR SCHWARTZ asked that the Statute be read.

CITY ATTORNEY GONZALES read the Statute aloud.

VICE MAYOR SCHWARTZ noted that the Statute had the word rehabilitation in it, which she said that was open to definition.

ATTORNEY GOLDSTEIN agreed.

MAYOR RUZZANO mentioned the cost involved.

ATTORNEY GOLDSTEIN said that information had been submitted on January 13th, 2013, and that Staff reviewed and recommended approval after concluding that criteria were met.

COMMISSIONER PEERMAN asked for clarification about rehabilitation.

ATTORNEY GOLDSTEIN explained that the term site rehabilitation was a defined term under the Florida Statute. He added that site rehabilitation meant environmental assessment and/or remediation. He clarified that when putting down the concrete and soil cap was a form of rehabilitation.

VICE MAYOR SCHWARTZ said that the applicant satisfied the criteria for what she considered to be less than perfect legislation.

A motion was made by Vice Mayor Schwartz, seconded by Commissioner Peerman, for reconsideration at the same meeting.

CITY ATTORNEY GONZALES asked Attorney Goldstein whether notice had been provided to the neighboring residents and posted on the property as required by the State.

ATTORNEY GOLDSTEIN said absolutely and explained that all notices were provided and evidence was provided to Staff as well.

CITY ATTORNEY GONZALES asked whether any residents approached the developer with concerns or complaints.

ATTORNEY GOLDSTEIN said no.

The motion carried by the following vote:

Yes: 3 - Commissioner Caggiano, Commissioner Peerman and Vice Mayor Schwartz

No: 2 - Commissioner Simone and Mayor Ruzzano

A motion was made by Commissioner Peerman, seconded by Commissioner Simone, to approve Item 6A.

THE MEETING RECONVENED FOLLOWING A BRIEF RECESS.

VICE MAYOR SCHWARTZ said that she would only change her vote because based on the criteria, the petitioner fulfilled it. She stated that she did not want to give the perception that everything done in the City was difficult to do. She did not think anything would be found in the soil; however, she felt that all obligations were filled under the law.

MAYOR RUZZANO disagreed, because he felt he was being told he had to do this. He felt that now everyone else was going to want to be a Brownfield.

COMMISSIONER PEERMAN felt that it was being requested because the Walgreens property was designated a Brownfield area.

MAYOR RUZZANO said that he would like a sample showing it as possible contamination rather than a perception, which he did not believe and would not vote for it. He felt it was a bad perception for the City to think that the City would be sued whenever they voted.

COMMISSIONER CAGGIANO agreed.

VICE MAYOR SCHWARTZ asked what a stage II boring would cost.

ATTORNEY GOLDSTEIN replied it would be de minimis, and explained that soil borings for arsenic would probably cost less than \$5,000.

VICE MAYOR SCHWARTZ asked why that could not be done to make everyone happy.

ATTORNEY GOLDSTEIN said that he would provide additional data for the second hearing, if this item was approved tonight.

VICE MAYOR SCHWARTZ noted that the vote to deny this could be replicated at the second hearing.

CITY ATTORNEY GONZALES agreed that it would be another hearing with the exact application and Attorney letter and facts.

ATTORNEY GOLDSTEIN said that he would be happy to supplement the record with the results of the phase II testing.

CITY ATTORNEY GONZALES noted that the Statute stated actual contamination or perceived; therefore, it would still be perceived and they would not know what to look for besides arsenic.

ATTORNEY GOLDSTEIN reiterated that the definition of a Brownfield site contemplated both actual contamination and perceived contamination. He appreciated the struggle of the Commission pertaining to the definition, which he would come back and provide a workshop to improve the program for the future by advocating different policy in Tallahassee. He implored the Commission to apply the criteria as it existed.

MAYOR RUZZANO asked what dollar value was involved for the client.

ATTORNEY GOLDSTEIN said that the only incentive in play at this time was a State Sales Tax Refund on the State Sales Tax on construction materials that was only available for affordable housing development in Brownfield areas. He noted that legislature created this incentive to allow for additional financial encouragement to promote affordable housing, which was a huge State need. He said that was done by creating this program that did not actually require contamination. He noted that separate from the criteria for designation, in order to be eligible for the refund, the applicant did not need to demonstrate the presence of actual contamination and cleanup did not need to be conducted. He said that a separate incentive was created for cleanup, which was a State Corporate Income Tax Credit that was received when spending money on eligible cleanup activities. He said that this was the second recognition by the legislature that in this instance for affordable housing, actual contamination was not required.

MAYOR RUZZANO said that he did not like the whole situation.

ATTORNEY GOLDSTEIN noted that the magnitude of the incentive was likely to be between \$750,000 dollars to \$1 million dollars.

VICE MAYOR SCHWARTZ noted that historic data was reviewed for the area, and she asked what the assumption was.

ATTORNEY GOLDSTEIN said that under the National Protocol Industry Standard that was incorporated into Federal Law as a different defense to liability in the Federal Register, the ASTM 1527 Standard, stated that the review was to go back to at least 1940 to conduct a historical survey of what may have existed at the subject property and adjacent properties within a certain search distance. He noted that there were different types of inquiries done to satisfy the standard, and based on the inquiry, the diameter or scope of the search expanded. He noted that the concern related to the significant use of topographically upgradient property than the site for agricultural purposes or citrus cultivation. He clarified that citrus cultivation involved agrichemical use, which could result in contamination of soil and ground water with chemicals like arsenic.

VICE MAYOR SCHWARTZ asked whether the assumption was that arsenic was used in 1940.

ATTORNEY GOLDSTEIN said that his assumption was that this type of agrichemical use at the topographically upgradient property resulted in the release at that property of arsenic at the very least, and likely other chemicals probably or possibly consisting of copper and other chemicals. He said that they were heavy metals that bound in the soil and did not move, or they would percolate into ground water and travel via surface water flow surficially.

VICE MAYOR SCHWARTZ asked whether the property could be tested for those chemicals, and that a stipulation be made. She understood that the City was held harmless.

ATTORNEY GOLDSTEIN agreed that the City was held harmless regardless and that the City had no liability by Statute whatsoever in connection with approval of a designation.

CITY ATTORNEY GONZALES understood that the Attorney indicated that he would be willing to go back and do one of the borings discussed; however, regardless of the findings that would occur, there would still remain under the Statute under the definition of a Brownfield, there would still be no actual contamination, but would still be the perception of contamination. he stated that no matter how many borings were made, unless made for a vast majority or variety of the potential contaminants, the City would not actually know whether it was contaminated or not. He clarified that he did not know what could be done to remove the perception of contamination.

ATTORNEY GOLDSTEIN agreed that it was not possible because of the proximity to the other sites.

The motion carried by the following vote:

Yes: 3 - Commissioner Simone, Commissioner Peerman and Vice Mayor Schwartz

No: 2 - Commissioner Caggiano and Mayor Ruzzano

7) RESOLUTION(S)

RESOLUTIONS 7A AND 7B WERE PREVIOUSLY HEARD FOLLOWING PUBLIC DISCUSSION.

- C. [ID 2017-085](#) APPROVING WAIVING OF BIDDING FOR THE ACQUISITION OF A TEMPORARY FIRE STATION FROM THE CITY OF CORAL SPRINGS; INCLUSIVE OF MOVING AND SET UP.

RESOLUTION 17-047

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

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

- D. [ID 2017-130](#) APPROVING THE ACQUISITION OF VIGILANT SOLUTIONS LEARN LICENSE PLATE RECOGNITION (LPR) SOFTWARE, FROM VETTED SECURITY SOLUTIONS, WHICH IS A SOLE SOURCE PROVIDER; FOR THE MARGATE POLICE DEPARTMENT WITH FUNDING FROM THE LAW ENFORCEMENT TRUST FUND IN AN AMOUNT NOT TO EXCEED \$11,000.00;

RESOLUTION 17-048

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

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

- E.** [ID 2017-138](#) APPROVING THE ACQUISITION OF IAPRO PROFESSIONAL STANDARDS SOFTWARE TO INCLUDE BLUE TEAM FIELD SUPPORT SERVICES SOFTWARE, AS A SOLE SOURCE DISTRIBUTOR AND PROVIDER; FOR THE MARGATE POLICE DEPARTMENT WITH FUNDING FROM THE LAW ENFORCEMENT TRUST FUND IN AN AMOUNT NOT TO EXCEED \$11,500.00.

RESOLUTION 17-049

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

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

8) ORDINANCE(S) - SECOND READING

- A.** [ID 2017-164](#) APPROVAL OF AN ORDINANCE AMENDING CHAPTER 14 FIRE HYDRANTS AND DELETING SECTION 39.4.1 ENFORCEMENT OF FIRE HYDRANT REQUIREMENTS OF THE CODE OF ORDINANCES.

ORDINANCE 2017-5

A motion was made by Commissioner Simone, seconded by Commissioner Caggiano, that this Ordinance - 2nd Reading be approved. The motion carried by the following vote:

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

- B.** [ID 2017-165](#) APPROVAL OF AN ORDINANCE TO AMEND THE EXPEDITED REVIEW TIME LIMITS AND FEES FOR OUTDOOR EVENTS AND DEVELOPMENT PROPOSALS SUBMITTED TO DEVELOPMENT REVIEW COMMITTEE.

ORDINANCE 2017-1500.630

A motion was made by Commissioner Simone, seconded by Commissioner Caggiano, that this Ordinance - 2nd Reading be approved. The motion carried by the following vote:

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

ADJOURNMENT

There being no further business, the meeting adjourned at 12:00 AM.

Respectfully submitted,

Transcribed by Carol DiLorenzo

Joseph J. Kavanagh, City Clerk

*Date:*_____

DRAFT