



# City of Margate

5790 Margate Boulevard  
Margate, FL 33063  
954-972-6454  
[www.margatefl.com](http://www.margatefl.com)

## Meeting Minutes Special City Commission Meeting

*Mayor Tommy Ruzzano*

*Vice Mayor Arlene R. Schwartz*

*Commissioners:*

*Antonio V. Arserio, Anthony N. Caggiano, Joanne Simone*

*City Manager Cale Curtis*

*City Attorney Janette M. Smith*

*City Clerk Joseph J. Kavanagh*

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Wednesday, July 22, 2020

3:00 PM

Virtual Meeting

<https://us02web.zoom.us/j/84286584982>

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### CALL TO ORDER

### ROLL CALL

**Present:** 5 - Commissioner Anthony N. Caggiano, Commissioner Joanne Simone, Commissioner Antonio V. Arserio, Vice Mayor Arlene R. Schwartz and Mayor Tommy Ruzzano

Commissioner Caggiano attended via Zoom

Commissioner Simone attended via Zoom

Commissioner Arserio attended via Zoom

Vice Mayor Schwartz attended via Zoom

Mayor Ruzzano attended in person

City Manager Cale Curtis attended in person

City Attorney Janette M. Smith attended via Zoom

City Clerk Joseph J. Kavanagh attended in person

### PLEDGE OF ALLEGIANCE

#### 1) SHADE SESSION OPENING (Location: Zoom Virtual Meeting)

CITY ATTORNEY JANETTE M. SMITH read a statement regarding a virtual Attorney-Client session pursuant to Session 286.011 of the Florida Statutes.

CITY CLERK JOSEPH J. KAVANAGH read a statement pertaining to the City's virtual public meeting pursuant to the Sunshine Law and Governor DeSantis' Executive Order.

CITY ATTORNEY JANETTE M. SMITH read a further statement pursuant to the Florida Statutes.

Meeting went into Recess.

**2) SHADE SESSION FOR NEW URBAN COMMUNITIES, L.L.C., a Florida Limited Liability Company, Plaintiff vs. MARGATE COMMUNITY REDEVELOPMENT AGENCY, a dependent district of the City of Margate, Florida, and CITY OF MARGATE, FLORIDA, Defendants (Location: Zoom Virtual Meeting)**

**3) SHADE SESSION CLOSING (Location: Zoom Virtual Meeting)**

Meeting Reconvened.

## **ADJOURNMENT**

There being no further business, the meeting adjourned at 3:43pm.

Respectfully submitted,

Transcribed by Salene E. Edwards

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

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

### **PLEASE NOTE:**

If a person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting, the person will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Anyone desiring a verbatim transcript shall have the responsibility, at his/her own expense, to arrange for the transcript.

[Appendix A – Zoning – Section 3.3] Any representation made before any City Board, any Administrative Board, or the City Commission in the application for a variance, special exception, conditional use or request for any other permit shall be deemed a condition of the granting of the permit. Should any representation be false or should said representation not be continued as represented, same shall be deemed a violation of the permit and a violation of this section.

Any person with a disability requiring auxiliary aids and services for this meeting may call the City Clerk's office at (954) 972-6454 with their request at least two business days prior to the meeting date.

One or more members of the City of Margate advisory boards may be in attendance and may participate at the meeting.

CITY OF MARGATE SPECIAL CITY COMMISSION MEETING  
FINDINGS AND PROCEDURE FOR VIRTUAL ATTORNEY-CLIENT SESSION

The City of Margate is holding a virtual Attorney-Client session on July 22, 2020, at 3 p.m.

This statement explains the City of Margate's findings related to the need to hold the virtual public meeting, and the ability of the public to access the virtual public meeting.

As provided by F.S. Section 286.011, the Attorney-Client will open to the public via Zoom virtual meeting, then move to a closed session via Zoom virtual meeting. Following the closed session, the meeting will reopen and be adjourned via Zoom virtual meeting. The public is not allowed to attend the closed session.

The City of Margate's findings and procedure for the virtual public meeting are as follows:

- Pursuant to Governor DeSantis' Executive Orders 20-51 and 20-52, in which the Governor declared a public health emergency and a state of emergency, there is a recommendation to limit public gatherings.
- On March 20, 2020, Governor DeSantis issued Executive Order 20-69, suspending the quorum requirements for public meetings held by a local government body, and the requirement that a local government body must meet at a specific public place.
- On June 23, 2020, Governor DeSantis issued Executive Order 20-150, extending Executive Order 20-69 regarding local government public meetings until 12:01 a.m. on August 1, 2020.
- Consistent with the authority contained in the Governor's Executive Orders, and in order to ensure the health, safety, and welfare of the City of Margate's clients and employees, the City of Margate finds that it is in the best interest of the City of Margate to hold this virtual public meeting.
- Therefore, the City of Margate will be holding this virtual public meeting through the use of electronic communication. Members of the public are invited to join the public portion of the City of Margate meeting by accessing the meeting through this link: <https://us02web.zoom.us/j/84286584982>

or can listen in via telephone by calling one of the following phone numbers: US: +1 312 626 6799 or +1 929 205 6099 - Webinar ID: 842-8658-4982

- A copy of the Agenda for this Virtual Meeting is posted on [www.MargateFL.com](http://www.MargateFL.com) and on the main bulletin board outside City Hall located at 5790 Margate Blvd, Margate, FL 33063.
- Any comments related to any item on the agenda can be submitted to the City of Margate via the following e-mail address: [JJKAVANAGH@MARGATEFL.COM](mailto:JJKAVANAGH@MARGATEFL.COM)

**INSTRUCTIONS FOR PARTICIPATING IN THE SPECIAL CITY COMMISSION MEETING**

WEDNESDAY, JULY 22, 2020, AT 3 P.M.

**THROUGH THE CITY'S WEBSITE:**

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

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

**THROUGH COMCAST CHANNEL 78:**

If you are a Comcast/Xfinity customer, please go to Channel 78 to view the meeting.

PRIOR to the start of the meeting, email Public Comments to [JJKAVANAGH@MARGATEFL.COM](mailto:JJKAVANAGH@MARGATEFL.COM) (all public comments that are three (3) minutes or less will be read into the record.)

**ALTERNATE OPTION FOR VIEWING AND PARTICIPATING IN THE MEETING:****THROUGH ZOOM TECHNOLOGY:**

Instructions for Attendees\Participants:

Topic: "Virtual Meeting - Special City Commission Meeting"

Enter the following link to join the webinar: <https://us02web.zoom.us/j/84286584982>

Telephone:

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

US: 1-669-900-6833 or 1-929-205-6099

Webinar ID: 842 8658 4982

To virtually raise hand and be acknowledged to speak:

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

**NOTICE OF A SPECIAL CITY COMMISSION MEETING  
(ATTORNEY-CLIENT SESSION)**

**Wednesday, July 22, 2020, at 3:00 p.m.**

This is a public notice of an attorney-client session to be held pursuant to Section 286.011 of the Florida Statutes. The session shall be held between the Margate City Commission, the Margate City Attorney, the Margate City Manager and Special Counsel to discuss the lawsuit presently pending in the 17<sup>th</sup> Judicial Circuit in and for Broward County, Florida captioned as:

CASE NO: CACE 18-004869 (13)  
NEW URBAN COMMUNITIES, LLC,  
a Florida Limited Liability Company,  
Plaintiff,

Vs.

MARGATE COMMUNITY REDEVELOPMENT AGENCY,  
a dependent district of the City of Margate, Florida,  
and CITY OF MARGATE, FLORIDA  
Defendants,

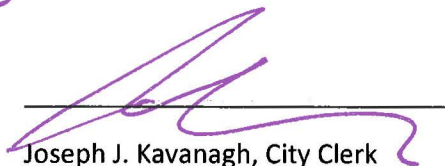
Attending the session will be each member of the Margate City Commission, Mayor Tommy Ruzzano, Vice Mayor Arlene R. Schwartz, Commissioner Antonio V. Arserio, Commissioner Anthony N. Caggiano, Commissioner Joanne Simone, Margate City Attorney Janette M. Smith, Special Counsel Lyman H. Reynolds, Jr., Margate City Manager Cale Curtis and a Certified Court Reporter.

As provided for in F.S. Section 286.011, the Attorney-Client Session will open to the public via Zoom Virtual Meeting ID: 842-8658-4982, then move to a Closed Session. Following the Closed Session, the meeting will reopen and be adjourned via Zoom Virtual Meeting, in accordance with Section 286.011(8) of the Florida Statutes.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Margate City Commission is a true and correct copy of said Notice and that I posted a true and correct copy of said notice on the bulletin board in City Hall and in the wall outside the City Hall entrance, a place convenient and readily accessible to the general public, and on the City's website and said notice was posted on

July 17, 2020 at 1:35pm.

By:

  
Joseph J. Kavanagh, City Clerk