



City of Margate

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

Meeting Minutes Regular City Commission Meeting

Mayor Arlene R. Schwartz
Vice Mayor Antonio V. Arserio
Commissioners:
Anthony N. Caggiano, Tommy Ruzzano, Joanne Simone

City Manager Cale Curtis
City Attorney Janette M. Smith
City Clerk Joseph J. Kavanagh

Wednesday, December 9, 2020

5:00 PM

Virtual Meeting
<https://us02web.zoom.us/j/89920259602>
Webinar ID: 899 2025 9602

CALL TO ORDER

MOMENT OF SILENCE - INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Commissioner Caggiano attended via Zoom

Commissioner Simone attended via Zoom

Commissioner Ruzzano attended in person

Vice Mayor Arserio attended via Zoom

Mayor Schwartz attended in person

City Manager Curtis attended in person

City Attorney Smith attended in person

City Clerk Kavanagh attended in person

1) PRESENTATION(S)

A. [ID 2020-452](#) DIVISION A T-BALL CYCLONES TEAM RECOGNITION

STEVEN A. GIBELL, MANAGER
CHARLIE COSTANZO, COACH
JASON TENEYCK, COACH
VANESSA PARKER, COACH

GINA GIBELL, MOM
DAXTON PARKER
JAYCE TENEYCK
GRAYSON BERESOVOY
ELOY RODRIGUEZ
AUTUMN WATERS
ANTHONY GIBELL
TROY MORALES
ACE MILLER
JAMES TUMBARELLO
MAKO SERRA

B. [ID 2020-440](#) LAURA PASTORE, RISK MANAGER - HUMAN RESOURCES - 30 YEARS

MICHAEL PALMA, POLICE CAPTAIN - POLICE DEPARTMENT - 25 YEARS

LEONARDO ALBIZU, POLICE OFFICER - POLICE DEPARTMENT - 5 YEARS

MAYOR ARLENE R. SCHWARTZ hoped that when the Coronavirus disease (COVID-19) pandemic was over, that they could have everyone together to thank staff for all their years of service.

CITY CLERK JOSEPH J. KAVANAGH read a statement pertaining to the virtual public meeting pursuant to the City's Emergency Ordinance 2020-6 and Governor DeSantis' Executive Order.

2) PUBLIC DISCUSSION

CITY CLERK JOSEPH J. KAVANAGH explained the protocol for submitting a Public Discussion.

There was no Public Discussion.

3) COMMISSION COMMENTS

COMMISSIONER ANTHONY N. CAGGIANO wished everyone a happy holiday and a safe and healthy New Year. He pleaded for people to wear masks in public, to social distance and he discussed the COVID-19 pandemic.

COMMISSIONER JOANNE SIMONE congratulated those listed on the Employees Years of Service and she greatly appreciated the time and dedication they gave to the City. She wished everyone a Happy Hanukkah, Happy Kwanzaa, a very Merry Christmas with good health and blessings for the New Year.

COMMISSIONER TOMMY RUZZANO wished everyone a Happy Hanukkah, a Merry Christmas, a Happy New Year and requested that they stay safe and to enjoy the holiday season. He complimented the City staff and City Manager for their work throughout the year and referenced a post from a resident commenting on a street sign that had fallen down.

VICE MAYOR ANTONIO V. ARSERIO echoed previous sentiments by wishing everyone a Merry Christmas, Happy Hanukkah, Happy Kwanzaa, Happy New Year and a Happy Holiday. He asked everyone to continue to be safe and to wear masks. He thanked the

City staff for all what they did throughout the year.

MAYOR ARLENE R. SCHWARTZ thanked the City Clerk's Office and those staff who were responsible for decorating the City Hall's lobby. She wished everyone a Happy Holiday and New Year. She informed of the changes to Santa Clause's Drive-Thru in Margate. She wished everyone to stay well and thanked the staff, the residents and the businesses that had experienced the COVID-19 pandemic.

CITY CLERK KAVANAGH wished everyone a Happy Holiday and credited Public Works Steve McCullough with decorating the lobby.

CITY ATTORNEY JANETTE M. SMITH wished everyone a Happy Holidays and a Happy New Year and echoed all of the sentiments previously made. She hoped that everyone was happy and safe and enjoyed their family.

4) CITY MANAGER'S REPORT

CITY MANAGER CALE CURTIS reiterated some of the events that had already been highlighted such as the Santa Clause Drive-Thru streets of Margate and Winter events and recommended that people should check the City's Facebook page for further information. He also advised that the City would be doing their annual Holiday Decorating contest. He wished everyone a Merry Christmas, a Happy Holiday and a Happy New Year.

5) CONSENT AGENDA

Items listed under Consent Agenda are viewed to be routine and the recommendation will be enacted by one motion in the form listed below. If discussion is desired by the Commission, the item(s) will be removed from the Consent Agenda and will be considered separately. Anyone wishing to comment on any item on the Consent Agenda should approach the podium now. Each speaker is limited to three (3) minutes.

- A. [ID 2020-436](#) MOTION - APPROVAL OF CITY COMMISSION MINUTES: OCTOBER 21, 2020 - REGULAR CITY COMMISSION MEETING.

APPROVED

- B. [ID 2020-451](#) RESOLUTION - APPROVING THE FIRST AMENDMENT TO THE LEASE AGREEMENT WHICH PROVIDES FOR AN ASSIGNMENT BY AND BETWEEN CELEBRATION POINTE NORTH, LLC AS ASSIGNOR AND CELEBRATION POINTE, LLC AS ASSIGNEE FOR A RIGHT-OF-WAY PACEL LOCATED AT THE INTERSECTION OF CELEBRATION POINTE BOULEVARD AND STATE ROAD 7; PROVIDING FOR RECORDING REQUIREMENT; PROVIDING FOR EFFECTIVE DATE.

RESOLUTION 20-105

APPROVED

Approval of the Consent Agenda

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

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

6) RESOLUTION(S)

- A. [ID 2020-434](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING REGULAR CITY COMMISSION MEETING DATES FOR CALENDAR YEAR 2021.

RESOLUTION 20-106

A motion was made by Commissioner Caggiano, seconded by Vice Mayor Arserio, that this Resolution, should be approved. This carried by the following vote:

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

7) ORDINANCE(S) - FIRST READING

- A. [ID 2020-437](#) EMERGENCY ORDINANCE - AUTHORIZING THE CITY MANAGER TO MAKE PROVISIONS FOR PUBLIC MEETINGS BY USE OF COMMUNICATION MEDIA TECHNOLOGY AND FOR ATTENDANCE BY USE OF SUCH TECHNOLOGY BY ELECTED, APPOINTED OFFICIALS, OR STAFF DURING PERIODS WHEN THE CITY MANAGER DETERMINES AND DECLARES A LOCAL PUBLIC HEALTH EMERGENCY OR OTHER CIRCUMSTANCES IN WHICH THE CITY COMMISSION DETERMINES IT IS NECESSARY TO PROTECT THE HEALTH AND SAFETY OF CITY OFFICIALS, CITY STAFF, AND THE PUBLIC, FOR A 60 DAY PERIOD; PROVIDING FOR TWO-THIRDS AFFIRMATIVE VOTE REQUIRED FOR ADOPTION PURSUANT TO SECTION 3.19 - EMERGENCY ORDINANCES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2020-8

A motion was made by Commissioner Caggiano, seconded by Vice Mayor Arserio, that this Ordinance, First Reading, should be approved.

CITY ATTORNEY SMITH confirmed that this Ordinance would extend the Zoom meetings until February 7th, 2021 and said that the City would need to ensure that it was also in conjunction with Governor DeSantis' Orders.

Discussion ensued on the extension date.

This motion carried by the following vote:

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

8) DISCUSSION AND POSSIBLE ACTION

- A. [ID 2020-445](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA, APPROVING THE CITY OF MARGATE'S 2021 STATE LEGISLATIVE PRIORITIES; DIRECTING THE CITY CLERK TO SEND A COPY OF MARGATE'S STATE LEGISLATIVE PRIORITIES FOR THE 2021 LEGISLATIVE SESSION TO THE BROWARD DELEGATION FOR CONSIDERATION.

RESOLUTION 20-107

LOBBYIST RON BOOK provided an update on the State's response to COVID-19 including vaccinations, Executive Orders, the Coronavirus Aid, Relief and Economic Security (CARES) Act Fund and the Sales Tax. He advised that due to the pandemic, the Florida State Capitol in Tallahassee was not open to the public. He explained that it had been their advice to the City staff and City Manager Curtis that they only submit one project of an amount under \$500,000 and of a significant match of not less than 50 percent. He also advised that City Manager Curtis should prepare a second backup project in case the first one failed. He forewarned that if they submitted several projects upfront, they would lose. He also spoke about the possibility of passing the first Tort Reform Bill and discussed the COVID-19 Liability Relief Bill. He recommended that the City's Risk Manager, City Attorney Smith and City Manager Curtis should meet in the near future to see if they had any concerns relating to COVID-19 liability. He also discussed the possible abolishment of sovereign immunity and pension reform. He addressed environmental issues and how it could change under the new administration. Lobbyist Book also highlighted some of the newly elected State representatives.

COMMISSIONER CAGGIANO thanked Lobbyist Book, referenced the COVID-19 pandemic, and questioned him about the number of vaccinations that may be available. He also questioned why there was so much venom against cities by taking away their immunity.

LOBBYIST BOOK discussed the vaccinations that may be available on the market in 2021 and the efficiency of the same. He also responded to comments on sovereign immunity.

VICE MAYOR ARSERIO thanked Lobbyist Book, referenced the Florida League of Cities (FLC) and questioned whether cities would receive direct funding pertaining to the CARES Act fund.

LOBBYIST BOOK advised that everyone should contact Senator Marco Rubio and Senator Rick Scott to remind them and spoke about other elected officials who could be influential in this process.

COMMISSIONER RUZZANO discussed the CARES Act funding. He said that he did not understand the theory as to why meetings were still being conducted via Zoom in comparison to children returning to school. He was concerned about the City's damaged sidewalks and questioned if the same could be changed at the State's expense.

LOBBYIST BOOK explained that he had many conversations with Governor DeSantis and his Chief of Staff, Shane Strum and said that their thought process was different. He advised that it would be virtually impossible and would discourage the City from putting forward a sidewalk project to get it funded. He believed that their wastewater and stormwater projects were good and very solid and would recommend legitimate permit

shovel ready projects.

COMMISSIONER RUZZANO said that they had over 20 miles of canals which were used as stormwater basins and explained that they had worked on those problems in the past which were resolved and said that would be a great area to work on.

COMMISSIONER SIMONE thanked Lobbyist Book for his update and for everything he did. She questioned City Manager Curtis that if they were able to submit more than one project, whether the Northwest Focal Point Senior Center (NFPSC) was one of those priorities.

CITY MANAGER CURTIS explained that he would be more inclined to put forward the water infrastructure type of projects that was recommended by Lobbyist Book as they would have a better opportunity of receive funding. He indicated that they could certainly add more alternative projects.

LOBBYIST BOOK suggested that a senior center type project would have a 5% chance of getting through and recommended putting this forward for next year. He said it would have to be a public works project that would put people back in employment. He wished that they had a good transportation project as he would urge them to put that in first and referenced the Metropolitan Planning Organization (MPO) list.

MAYOR ARLENE R. SCHWARTZ suggested that the senior center was a type of hometown project that maybe Broward County would be interested in if they had provided them with the CARES Act money. She spoke about the vaccine for COVID-19, referenced Pfizer and queried the priority list of those who would be inoculated. She also discussed the priority list and referenced stormwater and relining their pipes on an earlier project and asked for Lobbyist Book's opinion on which one he would prioritize.

LOBBYIST BOOK responded to Mayor Schwartz's concerns on the vaccination.

LEGISLATIVE LOBBYIST RANA G. BROWN recommended relining the pipes first before they burst.

Discussion ensued including the storage of the Pfizer vaccine and people experiencing side effects from the same and the process of creating a motion.

A motion was made by Commissioner Caggiano, seconded by Vice Mayor Arserio, to approve the Resolution with the Storm Water Improvements Pipe Lining project as the first priority and the Water/Wastewater System Improvements project as the second priority.

Discussion ensued on the priority of the projects.

The motion carried by the following vote:

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

Discussion ensued including the vaccine, women's suffrage display at Florida's Historic Capitol Museum and how the pandemic was affecting evictions and the homeless.

ADJOURNMENT

There being no further business, the meeting adjourned at 7:06pm.

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.

Per the unanimous approval of Emergency Ordinance 2020-6 on October 30, 2020, the City Commission authorized the City Manager to provide for the City Commission, members of the various Boards, Committees, Magistrate, staff, and the public to be able to attend meetings electronically during a declared public health emergency, pursuant to the City's Charter, Chapter 252, Florida Statutes, Section 4 D of Governor DeSantis' Executive Order 20-52, and the City's home rule authority, including that set forth in Article VIII, Section 2(b), Florida Constitution, and Section 166.021, Florida Statutes.

Consistent with the authority contained in the Emergency Ordinance, and in order to ensure the health, safety, and welfare of the City of Margate's residents and employees, the City of Margate finds that it is in their best interests to hold this virtual public meeting.

Therefore, the City of Margate will be holding this virtual meeting through the use of electronic communication. Members of the public are invited to join the City of Margate meeting by accessing the meeting through www.zoom.us by using Webinar ID: 899 2025 9602 or can call in via telephone by calling one of the following phone numbers: US: 1-669-900-6833 or 1-929-205-6099 and entering Webinar ID: 899 2025 9602

A copy of the Agenda for this Virtual Meeting is posted on 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.

THROUGH THE CITY'S WEBSITE:

Go to 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

PRIOR to the start of the meeting, email Public Comments to 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 - Margate Regular City Commission"

Enter the following link to join the webinar: [https://us02web.zoom.us/j/899 2025 9602](https://us02web.zoom.us/j/89920259602)

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: 899 2025 9602

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.