



City of Margate

5790 Margate Boulevard
Margate, FL 33063
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Meeting Minutes Regular City Commission Meeting

Mayor Joanne Simone

Vice Mayor Tommy Ruzzano

Commissioners:

Joyce W. Bryan, Lesa Peerman, Frank B. Talerico

City Manager Douglas E. Smith

City Attorney Eugene M. Steinfeld

City Clerk Joseph J. Kavanagh

Wednesday, May 6, 2015

7:00 PM

Commission Chambers

CALL TO ORDER

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

In Attendance:

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

PLEDGE OF ALLEGIANCE

ID 14-1035 ELIZABETH STREET, 6TH GRADE, PARKWAY MIDDLE SCHOOL

1) PRESENTATION(S)

A. ID 14-1094 PRESENTATION TO CITY OF MARGATE'S 2015 DROP SAVERS CONTEST WINNERS

ISABELLA SANTOS - ABUNDANT LIFE CHRISTIAN ACADEMY - DIVISION 1 CITY WINNER

CHERLANTA CEDIEU - LIBERTY ELEMENTARY - DIVISION 1 SCHOOL WINNER

ALINAH TORIBIO - MARGATE ELEMENTARY - DIVISION 1 SCHOOL WINNER

ISABEL KURZWEIL - ABUNDANT LIFE CHRISTIAN ACADEMY - DIVISION 2 CITY WINNER

LINA TRUONG - LIBERTY ELEMENTARY - DIVISION 2 SCHOOL WINNER

BRYCE GUARINO - MARGATE ELEMENTARY - DIVISION 2 SCHOOL WINNER

ALANNA PAUL - ABUNDANT LIFE CHRISTIAN ACADEMY - DIVISION 3
CITY WINNER

AMYA SICARD - LIBERTY ELEMENTARY - DIVISION 3 SCHOOL WINNER

PHILLIP SERANO - MARGATE ELEMENTARY - DIVISION 3 SCHOOL
WINNER

SARAH RIBEIRO - ABUNDANT LIFE CHRISTIAN ACADEMY - DIVISION 4
CITY WINNER

SUNITA LEWIS - MARGATE MIDDLE SCHOOL - DIVISION 4 SCHOOL
WINNER

ANTONIO JORDAN - LIBERTY ELEMENTARY - DIVISION 6 GENERAL
WINNER

STUDENTS OF THE MONTH

B. **ID 14-1100** ABUNDANT LIFE CHRISTIAN ACADEMY: STUDENT, CHRISTIAN TAYLOR;
TEACHER, PATRICIA MCNEIL
(Mrs. Stacy Angier, Principal)

ATLANTIC WEST ELEMENTARY: STUDENT, BRYAN CHERELUS;
TEACHER, THERESA CARLO
(Ms. Janette Hameister, Principal and/or Ms. Jounice Lewis, Assistant Principal)

HEBREW ACADEMY: STUDENT, ORLY GOLDENHOLZ
(Mrs. Rivka Denburg, Head of School)

HEBREW ACADEMY: STUDENT, YISROEL YEHUDA SIROTA; TEACHER,
MORAH CHAYA MINSKY
(Mrs. Rivka Denburg, Head of School)

LIBERTY ELEMENTARY: STUDENT, KEYSHAWN CLERISIER; TEACHER,
SUSAN COCCIA
(Donna Styles, Assistant Principal)

LIBERTY ELEMENTARY: STUDENT, VALERIE JEAN; TEACHER,
NATHANIEL LAUAR
(David Levine, Principal and/or Donna Styles, Assistant Principal)

MARGATE ELEMENTARY: STUDENT, MAHEEN KHADIYWALA; TEACHER,
CAROLYN QUINTAL
(Thomas Schroeder, Principal and/or Tara Pasteur, Assistant Principal)

MARGATE MIDDLE: STUDENT, GENESIS CINTRON; TEACHER, MICHELLE VERO
(Mrs. Cara Coletti, 7th Grade Assistant Principal)

RISE ACADEMY SCHOOL OF SCIENCE AND TECHNOLOGY: STUDENT, JAYLEE NELSON; TEACHER, JADE DEAL
(Ms. Smith, Principal)

PROCLAMATION(S)

- C. ID 14-941 KIDS TO PARKS DAY - MAY 16, 2015 (presented to Mike Jones, Parks and Recreation Director)
- D. ID 14-1088 NATIONAL DAY OF PRAYER - MAY 7, 2015 (presented to MICAH)

THE MEETING RECONVENED FOLLOWING A BRIEF RECESS.

2) COMMISSION COMMENTS

COMMISSIONER PEERMAN thanked everyone for their condolences for the loss of Jan's mother who passed away on Monday.

A motion was made by Commissioner Lesa 'Le' Peerman, seconded by Commissioner Frank B. Talerico, to take \$1,000 from the Resident Project Fund to put toward the repair or purchase of the Veteran statue. The motion carried by the following vote:

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

COMMISSIONER PEERMAN mentioned receiving phone calls from residents asking to make the destruction of a military or Veteran type monument more strenuous than what it was under the law and bring it to Tallahassee.

CITY ATTORNEY EUGENE STEINFELD questioned whether Commissioner Peerman was referring to criminal law.

COMMISSIONER PEERMAN clarified that whatever the City had in its power to be able to add to whatever restrictions currently existed.

VICE MAYOR RUZZANO agreed with stiffening the law on Veteran property.

CITY ATTORNEY STEINFELD said that he would look into the matter. He noted that the City could have a specific violation.

COMMISSIONER PEERMAN agreed and asked that the City Attorney bring something back to the Commission, and CITY ATTORNEY STEINFELD agreed.

COMMISSIONER TALERICO said that he recently spoke with ASSISTANT TO THE

CITY MANAGER ADAM REICHBACH regarding a prior Workshop pertaining to truck signs. He stated that the trucks were parking continuously and receiving warnings. He mentioned the truck parking on Winfield Boulevard and U.S. 441 which was a mobile sign. He explained that the owner would receive a Notice of Violation with 10 days to respond according to the Sign Code, the violation would then proceed to the Special Magistrate. He asked whether there was anything the City could do to prevent.

CITY ATTORNEY STEINFELD said that the owner of the property could be cited criminally.

COMMISSIONER TALERICO asked whether that would include Snipe signs and CITY ATTORNEY STEINFELD agreed that could be done.

COMMISSIONER TALERICO questioned how the Sign Code Workshop planning was coming along and when it would be coming before the Commission.

DIRECTOR OF ECONOMIC DEVELOPMENT BEN ZISKAL said that the draft of the Sign Code was scheduled to appear before the Development Review Committee (DRC) on May 26, 2015, before the Planning and Zoning (P&Z) Board in June and to the City Commission in late June or July to be adopted and effective prior to the Commission's summer recess.

COMMISSIONER BRYAN offered condolences to Associate Planner of Economic Development Andrew Pinney for the loss of his Father. She also sent condolences to the family of a former City employee, Dominick Bello, who passed away. She mentioned attending an Advanced Institute for Elected Municipal Officials and noted that there were only 14 members in the class, which allowed for her to obtain a lot of information.

VICE MAYOR RUZZANO asked whether the money the City was to get back from the Resource Recovery Board was earmarked.

CITY ATTORNEY STEINFELD said that it was his contention that it must be used for solid waste purposes. He clarified that it had to be related to management of solid waste.

VICE MAYOR RUZZANO said that when money came back to the City it always went into the General Fund and then was disbursed to where it needed to be. He stated that it was about \$1 million dollars and he said that he wanted to see the residents get the money back.

CITY ATTORNEY STEINFELD explained that if money was paid under solid waste it could be returned to the individuals or rate payers who paid for solid waste.

VICE MAYOR RUZZANO mentioned a prior meeting when there were discussions about fixing up homes in Margate to bring in more revenue to Margate. He felt that the \$1 million dollars could be a great avenue to use for fixing up homes. He noted that previously cell phone tower money that was to be used toward the parks; however, he never saw it used for the parks.

CITY ATTORNEY STEINFELD said that giving the money back to the residents there needed to be some formula based upon the manner in which it was paid for solid waste.

VICE MAYOR RUZZANO asked whether everyone would get a check back, and CITY ATTORNEY STEINFELD said that could be.

VICE MAYOR RUZZANO mentioned the incident at Veteran's Park regarding the statue. He thanked everyone who helped such as, MargateNews.net, Channel 4 and Channel 7. He noted that the Police recovered the other half of the statue. He stated that he received many phone calls from residents who wanted to contribute to pay for the statue. He stated that he recently attended Volunteer Day at the Northwest Focal Point Senior Center (NWFPSC) and had a great day.

MAYOR SIMONE offered condolences to Andrew Pinney's family. She complimented the City Planner's office, Ben Ziskal, Andrew Pinney and Courtney O'Neill for attending the Grand Openings and Ribbon Cutting Ceremonies for new businesses coming to the City. She commended the department for being professional and informative and thanked them all. She reminded everyone that tomorrow was the National Day of Prayer at 6:30 p.m. She wished the City Attorney a Happy Birthday.

3) PUBLIC DISCUSSION

ANTHONY CAGGIANO, 7856 NW 1st Street, asked how discussions were going to get back the \$500,000 in taxpayer money from the Alzheimer Family Center. He said that he recently read that Joyce Carney, Executive Director for the Alzheimer Family Center, believed that she was a victim and that the City may have breached its contract in abandoning its fiduciary responsibility. He stated that did not sound good for the residents getting money back. He said that he heard that the current City Manager knew about the disaster at \$300,000; however, he did not alert anybody to the situation. He said that the overage was four times the maximum limit, but the City Manager did not bring it to the Commission's attention. He asked at what point the previous City Manager knew of this problem and why did he not bring it up. He stated that the residents were getting the shaft due to criminality and incompetence. He questioned why nobody heard from the person who cut the checks, that person's Supervisor, the Commissioner who voted for this disaster. He noted that it was the resident's money and should have been safeguarded from the beginning. He wanted to have setup community forums where the City Attorney and Commissioners could answer the questions.

COMMISSIONER PEERMAN questioned whether Mr. Caggiano had contacted the City Manager to ask about the money owed to the City from the Alzheimer Family Center.

MR. CAGGIANO said that the City Manager was aware of his opinion and had the ability to contact him anytime about his questions.

COMMISSIONER PEERMAN questioned whether Mr. Caggiano contacted Mary Beazley in the Finance Department about the money owed to the City.

MR. CAGGIANO said that he was asking his elected officials because it was their job to supervise the employees.

COMMISSIONER PEERMAN stated that Mr. Caggiano had not contacted the Commissioners what discussions took place with the City Manager or what was done. She asked if he did a public records request for the 2013 Alzheimer Family Center audit that was recently received. She suggested making an appointment to speak with the City Manager; however, if the City Manager did not provide the answer, Mr. Caggiano would then speak to the Commission. She explained that in the Agreement, it was stated that the City "may" stop paying the payments, but it did not say "will" stop paying the payments. She expressed concern about getting the money owed to the City that the Alzheimer Family Center did not want to pay. She said that they were not victims and that they owed the City the money. She suggested that Mr. Caggiano contact the City Manager's office and Mary Beazley to obtain all of the information that they had.

MR. CAGGIANO thanked Commissioner Peerman for her answer; however, he still did not know why nothing was said at four times the limit. He agreed that the word "may" was important; however, he felt that enough was enough. He said that his limit was when it went over \$75,000.

COMMISSIONER PEERMAN stated that the document that was signed in 2007 was created to put a cap on it. She said that before 2007, there was no document, no cap and the City was paying the bills. She said that Jack Tobin and Frank Porcella with David McLean came up with the contract to protect the City and to say that at the \$75,000 mark, the City would stop paying. She noted that Jack Tobin was a great fundraiser, but he died and the Alzheimer Family Center no longer had the ability to fundraise and had nobody telling them to pay the City.

ANTHONY CAGGIANO asked whether it did protect the City at \$500,000.

COMMISSIONER PEERMAN stated that it protected the City up until Jack Tobin's death.

COMMISSIONER TALERICO stated that it was difficult to prove criminality.

CITY ATTORNEY STEINFELD agreed that there was no criminality involved.

COMMISSIONER TALERICO said that the City had every right to obtain a Judgment against the Alzheimer Family Center, and he asked whether the City was going to pursue that.

CITY ATTORNEY STEINFELD stated that the City was in discussions with the Alzheimer Family Center regarding certain proposals. He said that the City was not ready to file a suit yet. He noted that it was drawn up but had not been filed yet.

COMMISSIONER TALERICO asked whether there was a deadline, and CITY ATTORNEY STEINFELD said that there was no deadline yet.

VICE MAYOR RUZZANO felt what Mr. Caggiano was saying and that it was not a matter of who was right or wrong. He said that the problem was that \$500,000 was missing. He stated that as a small business owner he felt that if it happened at his business, heads would roll. He agreed with Mr. Caggiano that the City needed to find out who was in charge of it and something needed to be done about it. He suggested determining the market value of the property. He said if the property is worth \$1,000,000, we'll buy it for \$500,000 since they owe us \$500,000. He said it is in the CRA property and to get it done. He said that everyone agreed something needed to be done and he asked who was watching the money and writing the checks, which was what everyone wanted to know, because it was missing for seven years.

COMMISSIONER PEERMAN said that it was not missing, it was owed. She felt that the City Managers probably felt it would have been a political nightmare for the Commissioners had they foreclosed on the Alzheimer Family Center, because they did a lot for Margate residents.

VICE MAYOR RUZZANO agreed; however, now that he was on the Commission, he felt he looked like the bad guy that dropped the ball on this.

COMMISSIONER PEERMAN said that the fact was that the Family Alzheimer Center

owed the City money.

VICE MAYOR RUZZANO agreed, but asked who was watching the money when the City gave it to them. He noted that this Commission would close down the Alzheimer Family Center and look bad.

COMMISSIONER PEERMAN she stated that the City was trying to get the money back. She said that the Alzheimer Family Center offered the City \$75,000.

VICE MAYOR RUZZANO agreed with Commissioner Peerman; however, he felt that the City needed to determine who let the Alzheimer Family Center get away with this so it did not happen again. He questioned why he could not call for a Florida Department of Law Enforcement (FDLE) investigation.

COMMISSIONER PEERMAN said that no law was broken.

CITY ATTORNEY STEINFELD said that Vice Mayor Ruzzano could ask anybody he wanted.

VICE MAYOR RUZZANO asked for the phone number so he could call for a Florida Department of Law Enforcement (FDLE) investigation.

CITY ATTORNEY STEINFELD said that the City Manager would provide him with the number.

COMMISSIONER PEERMAN said that if it came back that no law was broken according to the contract, how much would it cost for the FDLE investigation.

VICE MAYOR RUZZANO felt certain that the residents would be able to find out the answers they were looking for and who was in charge and accountable for the money.

COMMISSIONER PEERMAN stated that it was the last Commission.

VICE MAYOR RUZZANO asked who and said that when he found out about this issue he made a statement at the meeting.

COMMISSIONER PEERMAN said that the past Commission would have to be held accountable. She said that the whole Commission just found out about it and made a statement also.

VICE MAYOR RUZZANO said that he still wanted to find out who was in charge of the issue.

COMMISSIONER PEERMAN told the Vice Mayor to find out who was in charge; however, the rest of the Commission would be working on getting the money back.

RICK RICCARDI, 4829 South Hemingway Circle, stated that there would be a Golf Outing on Monday, and he asked whether the City could sponsor a foursome as they did each year.

A motion was made by Vice Mayor Tommy Ruzzano, seconded by Commissioner Joyce W. Bryan, to sponsor a foursome in the Fellowship Living Golf Outing.

MAYOR SIMONE stated that she was not in favor. She felt that the Fellowship Living did a good job, but the City was not a bank and should not contribute to charities. She said she had no problem with people from the City doing things on their own.

MR. RICCARDI noted that the money received from the outing would be given back to the City via the DARE Program and was used to give back where it could.

RICH POPOVIC, 6066 Winfield Boulevard, agreed with the Mayor though he felt \$800 was not a lot of money. He mentioned the City Manager previously purchasing something. He said that the Commission made enough money if they wanted to contribute. He felt it was not good going into the taxpayer's money.

An amendment was made by Commissioner Lesa 'Le' Peerman, seconded by Commissioner Frank B. Talerico, to take \$800 from the Resident Project Fund to sponsor a golf foursome.

The amendment carried by the following vote:

Yes: 4 - Commissioner Peerman, Commissioner Bryan, Commissioner Talerico and Vice Mayor Ruzzano
No: 1 - Mayor Simone

The motion as amended carried by the following vote:

Yes: 4 - Commissioner Peerman, Commissioner Bryan, Commissioner Talerico and Vice Mayor Ruzzano
No: 1 - Mayor Simone

RICH ALIANIELLO, 7631 NW 23rd Street, said that he was a resident for 24 years and he wanted his garbage cost be taken off the water bill, and off the tax roll. He stated that he contributed \$23.81, which was the regular rate for two people with one garbage can; however, the neighbor down the street had a whole family and paid the same amount. He suggested taking it off the bill and charge fees like the airlines or Florida Power and Light (FPL). He said that together we can make it great.

COMMISSIONER TALERICO stated that it was a fee and not a tax. He noted that some Cities put it on the tax bill and it was paid right away to guarantee payment, because some people did not pay their water bill. He said that the City was currently trying to negotiate the best contract possible.

RICH POPOVIC, 6066 Winfield Boulevard, spoke about scrap metal places that require a receipt so the individual that took the statue would have to sign. He did not understand

why the City Attorney was being asked about the Resource Recovery Board money. He mentioned the Resource Recovery money that was in a trust fund that nobody knew about, which was only supposed to be for recreation stuff. He mentioned another fund for the Police Department of \$80,000, which the City spent and the Police Department had to go back and get the money. He commented on the way the meetings were run.

4) CONSENT AGENDA

A. ID 14-1096 MOTION - APPROVAL OF CITY COMMISSION MINUTES

Approval of the Consent Agenda

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

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

5) CITY MANAGER'S REPORT

CITY MANAGER DOUGLAS E. SMITH provided the following updates and reminders:

- The Memorial Day Ceremony is on May 25th at 9:00 a.m. at Veteran's Park
- The Celebrate 60th Anniversary Celebration is on May 30th at 5:00 p.m. at the Sports Complex.
- A new statue was ordered for Veteran's Park and that donations would be accepted from anyone wishing to donate. He said that the new statue would be installed prior to Memorial Day. He explained that the Parks and Recreation Director Mike Jones suggested repairing the old statue by welding and then donate it to a local military organization. He questioned whether there was support amongst the Commission to do that and he would then identify which group. The City Commission was in agreement 5-0.
- The Southgate Boulevard major emergency sewer repair was completed.
- The new session of the Margate Community College started with over 20 students enrolled.
- Fire Chief Franklin Edwards resigned and Division Chief Dan Booker was appointed the Interim Fire Chief starting May 21st and he will assume Acting Fire Chief prior to that while Chief Edwards was on vacation.
- Said that the City was continuing discussions with the Alzheimer Family Center and any information would be brought back to the Commission for formal action.

VICE MAYOR RUZZANO questioned whether the City was going to hire a new Fire Chief.

CITY MANAGER SMITH said that he would be initiating a search process, which would be open for anyone who wanted to submit internally as well as externally.

VICE MAYOR RUZZANO asked whether that had to be done, because Dan Booker was here a long time.

MAYOR SIMONE ASKED THAT ITEM 8B BE HEARD AT THIS TIME, PRIOR TO THE RESOLUTIONS.

8) DISCUSSION AND POSSIBLE ACTION

B. ID 14-1106 MOTION TO APPROVE ADVERTISING REQUEST FOR PROPOSAL (RFP)
2015-010 - GARBAGE AND RECYCLING COLLECTION SERVICES.

COMMISSIONER PEERMAN said that she was thrilled to be doing an RFP. She noted that she sent some options to the City Manager and asked whether discussion was needed.

CITY MANAGER DOUGLAS E. SMITH said that the comments Commissioner Peerman had could be addressed now.

COMMISSIONER PEERMAN stated that in Section 2.6, she suggested adding the wording that "no contract was awarded unless approved by the City Commission, and that the City Commission reserved the right to accept, reject or modify Staff's recommendations."

CITY MANAGER SMITH said that he was in support of making a revision in that Section. He explained that Section 2.6 was the City's acceptance or rejection of proposal. He said that the City would propose that the second sentence of the first section be revised to read that "the City Commission reserved the right based on its deliberations and in its opinion to accept or reject any or all proposals or the Selection Committee's recommendation." All of the Commission agreed.

COMMISSIONER PEERMAN referred to Section 2.2, Section 3A, which she wanted to add "the proposers or its key personnel assigned to the contract must have two years." She felt that it was important to know what type of experience a company had.

CITY MANAGER SMITH said that fell under Section 2.3.3 Firm Qualifications. He pointed out some sections in the proposals for Commission consideration. He said that there was a Form 3 for Staffing, which asked for an organization chart for the professional or management Staff that would be used to provide services for our project. He added that they were to provide narrative descriptions of their duties and qualifications for those positions. He noted that there was a specific listing that would be providing the service at the professional and management level. He added that in Chapter 1 of the submission, a Letter of Interest would also be provided with a Statement of Organization. He explained that as part of that, there was another form that they completed regarding organizational structure. He said that any additional information that would help the City understand their organization. He noted that both sections, the Firm Qualifications and Chapter 1, the Letter of Interest and Statement of Organization, were what was referred to when getting to the scoring criteria under one Section with a maximum of 20 points. He said that there were Firm Qualifications and experience and specifically noted Chapter 1 and 3. He noted that the Commission could make additional adjustments if wanted.

COMMISSIONER PEERMAN asked whether the City Manager felt the experience was covered well enough, because she wanted to know any experience somebody had in running a garbage company.

CITY MANAGER SMITH said that if the Commission wanted any additional information it could be requested. He noted that the companies had the opportunity to provide up to 10 different locations they were serving, which would provide references to contact to see what the quality of the work was. He added that the reference checking would also be part of the City's process as well.

COMMISSIONER PEERMAN said that she wanted to make sure the City was covered.

COMMISSIONER BRYAN felt that with the documentation in the backup, the City should be able to cover itself.

VICE MAYOR RUZZANO asked whether the garbage companies were bonded.

CITY ATTORNEY EUGENE STEINFELD said that the City required a \$1 million dollar bond.

VICE MAYOR RUZZANO asked why it was only for \$1 million dollars when they could leave after one month with a five year contract.

CITY ATTORNEY STEINFELD said that the City would then call the bond and get another company to do it for a similar price.

COMMISSIONER TALERICO mentioned the 75 percent goal and having a mechanism to measure that.

DIRECTOR OF ENVIRONMENTAL AND ENGINEERING SERVICES (DEES)
DIRECTOR REDDY CHITEPU explained that on the 75 percent goal, the intent of the RFP was for separating the yard waste, bulk waste and recycling and garbage. He said that Staff would be looking at the goal and the percentages and tracking them. He stated that based on how it was done policies could be implemented from the Staff end. He stated that it was not in the RFP because the contractor would have to be told about the goal. He mentioned the 10 bonus points at the end for proposing something creative, but to have it in the RFP a clearly defined program was needed for pricing. He said that Staff currently did not have the data; however, going through the RFP and looking at the different composition, the Staff could track it and develop policies to track it till 2020. He noted that it was mandated by the State at the County level.

COMMISSIONER TALERICO asked whether there were penalties involved.

DIRECTOR CHITEPU said that it was just a goal with no penalties.

MAYOR SIMONE mentioned curbside residential collection discussed at the last meeting and that manual pickups were taken out; however, she wanted to add manual pickups back in as a possible option. She wanted to see what type of prices would be received.

COMMISSIONER PEERMAN and COMMISSIONER TALERICO felt that it would cost more money; however, they and all of the Commission agreed to add the manual pickups back in.

COMMISSIONER TALERICO questioned how many Cities currently had manual pickups, and CITY MANAGER SMITH said that there were a couple of Cities on the list.

MAYOR SIMONE expressed concern regarding weekly bulk pickup. She noted that she expressed concern at the past Commission meeting with regard to the appearance in the City. She said that she recently received an e-mail from a resident who felt that weekly bulk pickup would create an eyesore in the City. She said that people would put out garbage for bulk pickup, and leave it out all week for the next week. She noted that Margate did not have Code Compliance to monitor that as well as it should be monitored. She mentioned trash collectors roaming the neighborhood to rummage through trash. She also spoke about the extra wear and tear on the streets from having the trucks every week. She said that she wanted to remove the weekly bulk and keep it with monthly bulk.

COMMISSIONER PEERMAN questioned whether Mayor Simone wanted to at least get a

price.

MAYOR SIMONE said that she did not, because she did not feel it would be helpful to the City to have weekly bulk.

COMMISSIONER PEERMAN said that there were Cities where when garbage was put out the bulk was put out and it was taken, which she believed was weekly bulk pickup. She mentioned a past petitioner started 10 years ago because surrounding Cities had bulk pickup every week and paid less money.

MAYOR SIMONE did not believe it would work like that. She thought there would be a certain day for pickup, just like with monthly bulk.

COMMISSIONER PEERMAN said that in North Lauderdale, they picked up both the same day.

CITY MANAGER SMITH asked Director Chitepu whether the scheduling for bulk pickup would typically be on one of the other collection days.

DIRECTOR CHITEPU explained that the bulk pickup would be on one of the resident's pickup days; however, there would be a separate truck. He agreed that there would be extra trucks.

COMMISSIONER PEERMAN said that she only wanted to see the price. She said that one option was to pick up bulk and tree stuff together, but she wanted the yard waste picked up weekly. She felt that there was more yard waste in the bulk.

DIRECTOR CHITEPU noted that the third option in the RFP was to have the yard waste picked up weekly with the bulk waste picked up monthly.

COMMISSIONER PEERMAN said that there was also the option of picking them up together, and she reiterated that she just wanted pricing.

COMMISSIONER TALERICO stated that people put stuff out on the first of the month for bulk pickup and left it out, which was an eyesore. He said that if picking it up once a week, at least it would be off the streets. He stated that people were going to drive through the neighborhoods to pick up the bulk, which could not be stopped. He felt that it should be picked up once a week. He said that some people would possibly abuse the privilege; however, he felt that the citizens needed to be retrained. He stated that the weekly bulk pickup should remain in the RFP.

MAYOR SIMONE said that better Code Compliance was needed.

COMMISSIONER BRYAN felt that it should be left in the proposal to allow the options of getting the information and making a decision.

COMMISSIONER PEERMAN said that Code Compliance would give a 10 day notice. She stated that when the Code Review Committee previously discussed the Codes, they suggested that 48 hours be given rather than 24 hours to put out the bulk. She said after that, Code Compliance would automatically, without the 10 day notice, be allowed to give a citation. She said that the Commission, at that time, did nothing with the suggestion. She stated that her concern was more with yard waste. She mentioned hitting the recycling goal and that the City wanted their waste burnt and not going to a landfill. She felt that 10 points was not a lot for the extras. She asked what was being done to help

the City reach that goal. She noted that all of the garbage companies know about the 75 percent goal.

DIRECTOR CHITEPU said that it currently gets burnt at the Wheelabrator plant; therefore, the City was getting the credit for the energy portion. He noted that the City had the option to pick up another contract that will allow the separation of the landscaping part if a guarantee was received that they would recycle 100 percent of the lawn waste. He explained that if the City decided to change the disposal vendor there was a 30 mile radius in the contract. He stated that the City could track the collection tonnages and see if the credit received from the incinerator was lower than what we can achieve so the yard waste portion could be directed to a different location. He noted that the disposal was until 2018, for the Wheelabrator, with a five year option from the County, which would bring it to 2023.

VICE MAYOR RUZZANO asked whether the City was getting two prices for tonnage; one for single-families and one if the 75 percent was met with the multi-families.

DIRECTOR CHITEPU agreed and clarified that at the end of the RFP document there were rate sheets with two columns; one column was without adding the condominiums; the second column was if the condominiums and the 75 percent was reached.

COMMISSIONER BRYAN felt that part of the problem was education for the residents about the value of recycling.

DIRECTOR CHITEPU said that there was a complete section on education in the contract, and the contractor was being asked to reduce the generation rate and increase the recycling rate. He added that the Contractor Incentive Program was also incorporated in the RFP allowing the incentive of sharing in the recycling revenue.

RICH POPOVIC, 6066 Winfield Boulevard, agreed with Mayor Simone that the manual pickup should remain in the contract. He mentioned the Franchise Fee and said that it would go up substantially if the condominiums met the 75 percent. He said that the Franchise Fee was a tax that the trash department collects from the citizens, and he asked why the City was taxing.

RICH ALIANIELLO, 7631 NW 23rd Street, agreed with the Commissioners about educating the public. He felt that the weekly bulk pickup might work out eventually. He said that he liked the manual pickup, but that would be gone due to the injuries. He said that the new system was supposed to be more efficiently. He noted that his daughter lived in Palm Beach and it worked great. He saluted Waste Management for knowing what they are doing.

COMMISSIONER TALERICO said that people learned over a period of time when to put their trash out, which he felt would happen with the bulk pickup. He asked whether there was anything included that encouraged or provided incentive to the companies for hiring people that live in Margate. He asked whether that could be included.

CITY ATTORNEY STEINFELD said that there were ways to add it; however, it would be difficult at this late date and would need an ordinance enacted.

COMMISSIONER TALERICO noted that you were not permitted to pump your own gas in Portland, Oregon, which probably provided for more jobs.

RICK RICCARDI, 4829 South Hemingway Circle, asked what the Franchise Fee was

used for. He mentioned an additional \$100,000 job and an additional \$25,000 a year, which he said was confusing. He felt that there was a buildup of more expense internally, which will then obviously be passed on to the residents. He questioned what the money was used for.

CITY ATTORNEY STEINFELD explained that a Franchise fee was traditional when a utility or private company was doing a governmental function. He said that historically, collecting sanitation was done by municipal forces. He stated that when a private company did it, State Statute specifically allowed and provided for Franchise Fees for private companies doing municipal functions, using roads, easements, rights-of-way. He mentioned the curb damage a garbage truck could do, which would be hard to prove. He said that these were the types of things that were built into the Franchise Fees. He said that Nancy would be involved with calling people and getting involved with complaints, etc., which will cost money and traditionally, that was what Franchise Fees did.

COMMISSIONER PEERMAN stated that most Cities did not have a guaranteed Franchise Fee, which was done previously and was good for the City, but was not good for the residents, because the rates were high. She said that going out to bid and keeping the guaranteed Franchise Fee would allow for lower rates than what we are paying now. She said that after 25 years without going for bid, this was a great thing. She noted that the \$100,000 for City Staff was because Staff would be handling the solid waste and trying to figure out the recycling, etc.

MITCH PELLECHHIA, 6890 NW 9th Street, said that twice it was mentioned to hire people from Margate. He felt that it was great news to have two Commissioners say that at a meeting and should be an ongoing conversation. He understood that the goal was to capture as much garbage as possible to drop the price. He mentioned a huge component of recycling that was not addressed in the City, which was the commercial recycling. He said that restaurants, bars and grocers that were all throwing their cans, bottles, plastic and cardboard in with the regular garbage. He felt that having more recycling would make it easier to achieve the 75 percent goal. He stated that marketing the recycling to the businesses was important and to make it easy for them. He added that the marketing to the condominiums must be strong with a convincing message that it is in their best interest to go with the City. He mentioned that there were many needles and lancets in the home trash, which was going to landfill. He said that it was biomedical waste that impacted the aquifers in South Florida.

COMMISSIONER TALERICO questioned whether the City's trash was sent to the Waste Energy and was burned.

CITY ATTORNEY STEINFELD said that biomedical garbage surrounded by garbage that was burnable, it would burn.

COMMISSIONER TALERICO asked about recycling with commercial properties.

CITY ATTORNEY STEINFELD explained that the City added that the Franchisee of the City had to offer commercial recycling and could not offer a price that was more than the cost of solid waste collection so that the City could not make commercial enterprises use the City's Franchisee for recycling; however, the City wanted to make sure it was cheaper to throw things and have recycling collected than it was to put them in waste. He said that it was clear in the RFP that they had to offer commercial recycling.

COMMISSIONER TALERICO noted that the City could not dictate that they must go through one provided.

CITY ATTORNEY STEINFELD agreed that the City could not require that they use the City's Franchisee for their recycling.

CITY MANAGER SMITH noted that in Section 2.3.3, the City recommended removing the two references to "exclusive." He added that in Section 3.8, recommended implementing the language pertaining to the cone of silence from when the RFP was advertised. He said that there was a period of time that was the number of days regarding a proposal withdrawal, it must be submitted to the City for a certain number of days, and he said it would be changed from 120 days versus 90 days. He added that Section 11 regarding criminal convictions, the language could be carried over that refers to parent companies and subsidiaries.

COMMISSIONER TALERICO thanked everybody for all their work and effort on a good job.

VICE MAYOR RUZZANO mentioned language on Page 21 of 66, Conflict of Interest, and asked whether an officer having someone that worked for the City would prevent him from bidding on the RFP.

DIRECTOR CHITEPU clarified that it was not the relative of the City, but the employee of the City.

COMMISSIONER PEERMAN clarified that the individual would have to work for the City and the garbage company.

An amendment was made by Commissioner Peerman, seconded by Vice Mayor Ruzzano, that this Discussion and Possible Action be amended. The amendment carried by the following vote:

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

A motion was made by Commissioner Peerman, seconded by Vice Mayor Ruzzano, that this motion be approved as amended. The motion as amended carried by the following vote:

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

6) RESOLUTION(S)

- A. ID 14-1064 APPROVING AMENDMENTS TO INTERLOCAL AGREEMENTS WITH BROWARD COUNTY, FOR DISTRIBUTION OF LOCAL OPTION AND TRANSIT GAS TAX PROCEEDS, ADJUSTED FOR UPDATED POPULATION FIGURES.

Resolution 15-036

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

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

B. ID 14-1079 APPROVING A PLAT NOTE AMENDMENT FOR PEPPERTREE PLAZA.

Resolution 15-037

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

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

C. ID 14-1092 CONSIDERATION OF A RESOLUTION TO APPROVE AN EXTENSION OF A DEVELOPER'S AGREEMENT FOR CELEBRATION POINTE.

Resolution 15-038

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

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

D. ID 14-1095 APPROVING COLLECTIVE BARGAINING AGREEMENT WITH THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL #3080 FOR THE PERIOD FROM OCTOBER 1, 2013, THROUGH SEPTEMBER 30, 2016.

Resolution 15-039

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

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

E. ID 14-1098 APPROVING EXTENSION OF THE UNIFORM RENTAL AGREEMENT WITH ARAMARK UNIFORM SERVICES, AT THE SAME TERMS AND CONDITIONS AS THE CURRENT AGREEMENT, THROUGH SEPTEMBER 30, 2015, OR UNTIL A NEW AGREEMENT IS AWARDED; WHICHEVER DATE IS FIRST.

Resolution 15-040

A motion was made by Commissioner Bryan, seconded by Vice Mayor Ruzzano, that this Resolution be approved. The motion carried by the following vote:

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

F. ID 14-1103 APPROVING WAIVING OF BIDDING FOR THE PURCHASE OF AN SCM EDGE BANDER FOR THE DEPARTMENT OF PUBLIC WORKS DIRECT FROM THE MANUFACTURER SCM GROUP NORTH AMERICA, IN AN AMOUNT NOT TO EXCEED \$11,000.00.

Resolution 15-041

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

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

- G. ID 14-1110** AUTHORIZING THE RECLASSIFICATION OF TWO (2) PART-TIME RECREATION PROGRAMMER POSITIONS TO ONE (1) FULL-TIME RECREATION PROGRAMMER POSITION WITHIN THE PARKS AND RECREATION DEPARTMENT.

Resolution 15-042

A motion was made by Vice Mayor Ruzzano, seconded by Commissioner Bryan, that this Resolution be approved. The motion carried by the following vote:

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

- H. ID 14-1111** REJECTING BID FROM LANDSCAPE SERVICE PROFESSIONALS, INC. FOR BID NO. 2015-012 OPEN SPACE 75, PHASE II IN THE AMOUNT OF \$247,995.00 FOR BEING OVER BUDGET, APPROVING WAIVING OF BIDDING AND AUTHORIZING THE ADMINISTRATION TO OBTAIN AND AWARD COMPETITIVE QUOTES FOR THE PURCHASE OF THE MATERIALS AND LABOR NECESSARY TO COMPLETE PHASE II OF THE OPEN SPACE PROJECT IN AN AMOUNT NOT TO EXCEED \$50,000.00; PROVIDING FOR COMPLETION OF THE PROJECT PRIOR TO THE BROWARD COUNTY GRANT DEADLINE.

Resolution 15-043

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

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

7) ORDINANCE(S) - FIRST READING

- A. ID 14-1090** CONSIDERATION OF THE REVISION OF THE COMPREHENSIVE PLAN OF THE CITY OF MARGATE, APPENDIX B, AMENDING ELEMENT III: PART 1 - POTABLE WATER.

A motion was made by Commissioner Peerman, seconded by Commissioner Bryan, that this Ordinance - 1st Reading be approved on first reading. The motion carried by the following vote:

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

8) DISCUSSION AND POSSIBLE ACTION

A. ID 14-1104 CONSIDERATION TO PARTICIPATE IN THE PET SAFE "BARK FOR YOUR PARK" CONTEST FOR DOG PARK FUNDING.

MAYOR SIMONE stated that Margate participated last year and did extremely well for a short period of time. She wanted the City to participate again this year and hype it up with more advertising and possibly putting up a banner on Main Street, as well as utilizing media to get the word out.

COMMISSIONER TALERICO agreed, but expressed concern with offsetting larger Cities having more of a vote.

COMMISSIONER PEERMAN mentioned size.

CITY MANAGER DOUGLAS E. SMITH mentioned that there might be population size categories.

COMMISSIONER TALERICO said that now that the City had a Public Information Officer, we should get \$100,000.

MAYOR SIMONE noted that the residents could vote once a day starting May 13th.

COMMISSIONER PEERMAN noted that a letter of Civic Support needed to be sent out from the Commissioners.

CITY MANAGER SMITH agreed that there was Verification from Land Owner and Letters of Support.

COMMISSIONER PEERMAN said that it was a good time last year and felt the word would get out this year with Facebook and Twitter.

A motion was made by Commissioner Peerman, seconded by Commissioner Talerico, to participate in the Bark for your Park Contest. The motion carried by the following vote:

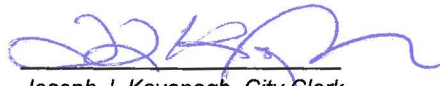
Yes: 5 - Commissioner Peerman, Commissioner Bryan, Commissioner Talerico, Vice Mayor Ruzzano and Mayor Simone

ADJOURNMENT

There being no further business, the meeting adjourned at 10:08 p.m.

Respectfully submitted,

Transcribed by Carol DiLorenzo


Joseph J. Kavanagh, City Clerk

Date: 7/6/15