



City of Margate

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Meeting Minutes Regular City Commission Meeting

Mayor Anthony N. Caggiano

Vice Mayor Tommy Ruzzano

Commissioners:

Antonio V. Arserio, Arlene R. Schwartz, Joanne Simone

City Manager Samuel A. May

Interim City Attorney Goren, Cherof, Doody & Ezrol, P.A.

City Clerk Joseph J. Kavanagh

Wednesday, February 20, 2019

7:00 PM

Commission Chambers

CALL TO ORDER

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

In Attendance:

City Manager Samuel A. May
Interim City Attorney James A. Cherof
City Clerk Joseph J. Kavanagh

PLEDGE OF ALLEGIANCE

[ID 2019-057](#) BRIAN ADAMS II, KINDERGARTEN, TRADEWINDS ELEMENTARY

1) PRESENTATION(S)

- A. [ID 2019-034](#) HOME OF THE MONTH - FEBRUARY 2019
(Meredith and Karl Artner, 6631 NW 22nd Court)
- B. [ID 2019-063](#) 2018 CIVILIAN OF THE YEAR - ANIMAL CONTROL OFFICER KELLY SLADE
- C. [ID 2019-060](#) NFPA STANDARD 1851 RECOGNITION (Presented by Bill Banks, retired Battalion Chief from Fort Lauderdale Fire Rescue & President of Fire Tech of Margate, Florida)

ATHLETES OF THE MONTH

- D. [ID 2019-048](#) ANTHONY ADAMS - BRAVES - TRIPLE A DIVISION - MARGATE LITTLE LEAGUE

EMPLOYEE RECOGNITION FOR YEARS OF SERVICE

- E. [ID 2019-039](#) RALPH SCAPERROTTA, POLICE OFFICER - POLICE DEPARTMENT - 25 YEARS

STEVE MCCULLOUGH, MAINTENANCE SUPERVISOR - PUBLIC
WORKS/BUILDING DEPARTMENT - 20 YEARS

1) PRESENTATION(S) - Continued

- A. [ID 2018-746](#) BROWARD METROPOLITAN PLANNING ORGANIZATION (Presented by Peter Gies, Strategic Planning Manager, Broward MPO)

THE METROPOLITAN PLANNING ORGANIZATION (MPO) EXECUTIVE DIRECTOR GREG STEWART introduced himself.

THE METROPOLITAN PLANNING ORGANIZATION (MPO) STRATEGIC PLANNING MANAGER PETER GIES introduced himself.

MPO EXECUTIVE DIRECTOR STEWART gave a PowerPoint presentation and discussed MPO's mission statement and said that they were responsible for both state and federal funding. He explained that in the most recent past, what they had been exposed to was not the bulk of what they did. He referenced their regional coordination and listed the organizations they worked with which included Fort Lauderdale Hollywood International Airport and Florida Department of Transport (FDOT) and indicated that it was one of the larger organizations. He explained the federal government set up that included 38 elected officials that were his Board of Directors and advised that consensus on approving projects was one of the big things they needed to look at.

VICE MAYOR TOMMY RUZZANO asked if they had a vote at the table.

MPO EXECUTIVE DIRECTOR STEWART explained that previously, they did not have a seat but did now due to the statutory limitation set by the state of Florida that limits the voting members at 25.

Discussion ensued on the representation by other cities, projects, the rotation of members and voting.

MPO EXECUTIVE DIRECTOR STEWART explained that from the budget, they were funding road way expansions, intersection improvements and indicated that this was the largest part of their budget. He also explained other funding which included transportation, system management and operations, safety improvements, building projects, bicycle and pedestrian improvements, coordinated rail, airports and seaports improvements. He advised that there was very specific mandate by the federal government which was the MPO, multi-modal priorities list and the transportation improvement program which he encouraged people to look online which laid out projects five years prior to when they go to design and construction. He said that under that mandate, they have a unified planning work program which he was very proud of as ten percent of their administrative budget went on salaries and benefits and that they should recognize the efficiency of the organization. He said that there was also a strategic business plan where the Board meets every January as a retreat and provides direction of what they want them to achieve. He indicated that project delivery was one of the highest achievements followed by cancellation of projects. He said that their final step was public participation. He advised that their total funding in transportation and five year capital program was \$5.2 billion dollars and the entire budget for the state of FDOT was \$14 billion.

MPO STRATEGIC PLANNING MANAGER GIES said that Greg explained what the role of the MPO was in the region when it came to the types of projects that they funded. He

said that the main guided document that set out funding for the region in transportation was the MPO which gave a 25 year outlook. He also advised that they received input from both their partners and the public. He explained that they met with each and every city and that they met with City staff in May 2018 who provided them with projects.

MPO EXECUTIVE DIRECTOR STEWART explained that they had been meeting with the City of Pembroke Pines and indicated that Pines and Flamingo was one of the nation's most dangerous and congested intersections to drive through. He said that Atlantic Boulevard and State Road 7 was also one of the worst intersections they had in the County and wanted support in allowing them to review and study where they could utilize a type of transport improvement. He discussed the benefits of changes they could implement and by playing a video. He discussed in length the proposals they had for Pembroke Pines, Sunrise Boulevard and Fort Lauderdale and repeated that they had to work years in advance to obtain funding.

MPO STRATEGIC PLANNING MANAGER GIES said that the number one way the City could be involved was to coordinate with their MPO member, Commissioner Simone, who was an excellent resource and asset. He also indicated that Margate had a Technical Advisory Committee member, Andrew Pinney, who should be reporting back to the Commission with updates. He said that they also had MPO events, some meeting and outreach events, their Mayor's and elected officials transportation round table and also the MPO discretionary funding and grants programs.

MPO EXECUTIVE DIRECTOR STEWART advised them not to submit projects that they did not want.

MAYOR ANTHONY N. CAGGIANO asked for examples on the center turn overpass.

VICE MAYOR RUZZANO said that he had been there for seven years and asked when the last time any MPO money came to Margate.

MPO EXECUTIVE DIRECTOR STEWART explained it was probably the bike project that they did not want and indicated that the City did not ask for a lot.

Discussion ensued on funding for projects, traffic on 441, buses holding up traffic, autonomous-vehicle system and bicycles.

VICE MAYOR RUZZANO said that he would like a small bridge down by Banks Road and Atlantic to interconnect all their waterways and four cities.

MPO EXECUTIVE DIRECTOR STEWART advised that was something outside of what they would typically fund.

MPO STRATEGIC PLANNING MANAGER GIES said it was something that they could look at but it would also involve coordination with South Florida Water Management District (SFWMD) and the flood control district.

VICE MAYOR RUZZANO said that he had spoken to Parkland, Coral Springs, Pompano and Tamarac about doing a bike trail from the County line road which was Loxahatchee Road, going through to the C-14 Canal which would take them out to the Everglades and the beach.

MPO EXECUTIVE DIRECTOR STEWART advised that the discretionary funding could be available and recommended that they could apply in conjunction with other cities which

would be a viable project.

Discussion ensued on bike lanes with barriers.

COMMISSIONER ARLENE R. SCHWARTZ said that she appreciated them doing this presentation. She referenced the number of problems that Pembroke Pines and Fort Lauderdale had but identified Margate as having two, Rock Island Road and 441. She forewarned that businesses would be overlooked if they put a flyover in that particular area. She asked what projects were submitted to them in May 2018.

MPO STRATEGIC PLANNING MANAGER GIES said that he was meant to print the list of projects but highlighted these from the slides in his presentation which included bicycle pedestrian improvements and roundabouts on local roads. He said that he met with City staff on May 16th.

Discussion ensued on City staff liaising with the Commission on projects.

COMMISSIONER SCHWARTZ advised that they should advise the Commission once per year on those projects. She discussed a project that allowed mixed use of a bike and driving lane on 31st and West Sample Road.

MPO EXECUTIVE DIRECTOR STEWART said that his commitment to the City was that a representative from MPO would return to the City once per year. He indicated that Margate had a good, solid team lead by the City Manager.

COMMISSIONER SCHWARTZ referenced the Rock Island Road and Royal Palm Boulevard intersection.

MPO EXECUTIVE DIRECTOR STEWART said that he had discussed this with the City Manager and that it was a good concept. He said that one of the things with the Penny Sales Tax was that money would be available in 2020 and if they identified that as one of their top projects, they should go in and find out if they have the right of way for the turn lanes. He recommended that they should obtain a long range estimate to engineer and construct that project.

Discussion ensued on City projects.

COMMISSIONER SCHWARTZ asked if they ever envisioned a public transportation that rivalled large cities that could get them from east to west. She spoke about her experience using a public bus.

MPO EXECUTIVE DIRECTOR STEWART advised that they were working with Broward County, Miami Dade, Palm Beach and Tri-Rail on a future system. He also indicated that the Penny Sales Tax more than buses gave the ability for the County to come in with a better view on what transportation could be. He said that he tried to use the bus system once per month for the experience.

MPO STRATEGIC PLANNING MANAGER GIES discussed Vision 2100 and said that they were trying to envisage what type of system would operate in Broward County beyond 2045 which would not be cars due to congestion.

Discussion ensued.

COMMISSIONER SCHWARTZ asked how they were distributing the money.

MPO STRATEGIC PLANNING MANAGER GIES advised that Broward County were responsible for distributing the Penny Sales Tax but they were working with them. He explained that projects were ranked on merit pertaining to money spent in the Metropolitan Transportation Plan which was measured by safety, accessibility, mobility and economic vitality. He said that the draft list would come before the Board in May 2019 where there would be an opportunity to comment on the same.

COMMISSIONER ANTONIO V. ARSERIO recommended having a quarterly meeting, workshop or receiving monthly reports pertaining to the MPO. He discussed the proposed overpass for Margate and repeated his suggestion for a bike path connecting the cities on Rock Island. He asked if there was a citizen input on the MPO.

MPO STRATEGIC PLANNING MANAGER GIES confirmed that they had a Citizen's Advisory Committee.

Discussion ensued on vacancies and process for the Citizen's Advisory Committee.

COMMISSIONER ARSERIO requested the City Manager to get with staff and put on the next Agenda to appoint that position.

RICHARD ZUCCHINI, 380 LAKEWOOD CIRCLE E, #B discussed bicycle infrastructure for east to west traffic on the C-14 Canal. He said that he liked the idea of a flyover and referenced the left turning traffic.

Discussion ensued on whether the City of Margate wanted the Broward MPO to move forward on the 441 and Atlantic Boulevard Overpass Project research and what impact it would have on local businesses.

MPO EXECUTIVE DIRECTOR STEWART said that they did not want to do something if they did not want them to look at it.

MAYOR CAGGIANO said that they could look at it.

VICE MAYOR RUZZANO said that he did not want them to go any further with the flyover project.

COMMISSIONER ARSERIO said no and that he would prefer the money to be divided into other traffic improvement projects in the City.

Discussion ensued on road safety.

COMMISSIONER SCHWARTZ said no. She also discussed bicycle lanes on Atlantic Boulevard and Royal Palm Boulevard.

CONSENSUS was given not to move forward.

Discussion ensued on bicycle lanes and buffers.

RICHARD A. EDDINS, 3043 NW 72ND AVENUE referenced the Penny Sales Tax and made suggested road improvements.

MAYOR CAGGIANO recommended that suggestions could be sent to the City Manager's office.

SUSAN RICCARDI 4829 SOUTH HEMINGWAY CIRCLE said that she was proud that there was a Broward MPO. She discussed traffic congestion on Atlantic Boulevard and said that some were not thinking about the future.

MANNY LUGO, 1129 EAST RIVER DRIVE said that he agreed with Commissioner Arserio's suggestion about a workshop. He also discussed the Comprehensive Plan, congested areas in Margate, medians and turning lanes. He did not approve of the flyover.

MPO STRATEGIC PLANNING MANAGER GIES referenced an article published in The Sun Sentinel on "Make Them Suffer" and clarified that it was Ann Castro who made that statement who was the Chair of the Broward County Planning Council. He said that it was not the Board's intention.

Discussion ensued.

TONY SPAVENTO, 3194 W. BUENA VISTA DRIVE discussed the future of 5G and virtual reality and believed with that technology, there could be less traffic.

RICH ALIANIELLO, 7631 NW 23RD STREET said that he came to Florida in 1967 and said at that time, there was talk of I-95 having a flyover. He indicated that Atlantic Boulevard was terrible and that someone could be killed. He recommended a cut-in for bus stops.

Discussion ensued on planning for the future.

MPO EXECUTIVE DIRECTOR STEWART advised that his staff could participate in any planned workshops. He said that they would be hosting a Safe Streets Summit in Fort Lauderdale in 2020 which they could all participate.

2) COMMISSION COMMENTS

COMMISSIONER SIMONE asked if a picture of a banner from the NFPA presentation could be uploaded onto the City's website. She thanked the employees for their service.

COMMISSIONER ARSERIO provided his contact details for residents to discuss City concerns.

COMMISSIONER SCHWARTZ highlighted the Bond Workshop to discuss the Parks on February 21st. She also discussed three projects that were discussed at her recent visit to Tallahassee.

VICE MAYOR RUZZANO explained that he had one-on-ones with the Fire Chief, Police Chief, City Manager and representatives from Coral Springs about going into a joint 911 system with Coconut Creek. He indicated that it would average about \$2,000,000 per year to share the 911 service with Coral Springs. He advised that Coral Springs service was far superior to the County's and that it was a great way to go.

CITY MANAGER SAMUEL A. MAY said that the next step would be to have a workshop of all four cities.

VICE MAYOR RUZZANO continued with the discussion on the 911 system. He advised that the Commission would be choosing a new Fire Chief.

CITY MANAGER SAMUEL A. MAY said that they were advertising in-house for a new Fire Chief and would bring the candidates forward to the Commission and thereafter, they would schedule a workshop.

Discussion ensued on the hiring procedure for the new Fire Chief.

MAYOR CAGGIANO discussed Margate's remembrance for Marjory Stoneman Douglas High School. He asked for Items 4B and 4C to be removed from the Consent Agenda pending more research.

A motion was made by Mayor Caggiano to remove Items 4B and 4C from the Consent Agenda pending more research.

VICE MAYOR RUZZANO asked to pull Items 4B and 4C from the Consent Agenda.

MAYOR CAGGIANO asked for Item 4E to be pulled from the Consent Agenda.

3) PUBLIC DISCUSSION

RICHARD A. EDDINS, 3043 NW 72ND AVENUE discussed the 13th Floor's new proposal and said that he was still not convinced and was unsupportive of that business. He highlighted McDivot's Restaurant and said that the food was great.

MR. ALIANIELLO spoke about McDivot's Restaurant. He discussed a water pressure issue. He questioned the downtown development project and discussed Ace Hardware. He requested Code Compliance to patrol the Royal Springs North area.

VICE MAYOR RUZZANO discussed the downtown issue and also explained that the City was only allowed to let them build 503 units and referenced the litigation case pertaining to the Community Redevelopment Agency (CRA). He advised that the Ace Plaza and the Chevy Chase Plaza were going ahead with improvements that were being funded by the CRA.

COMMISSIONER SCHWARTZ explained that a suggestion was made to rotate the Code Compliance Officers as some saw things different to others. She recommended a workshop.

SYDNEY KING, 2111 NW 76TH AVENUE AND PRESIDENT OF MARGATE LIONS discussed a recent King Solomon's feast and thanked Michael Jones and his staff.

JULIE JONES, 7871 NW 1ST STREET discussed and thanked City staff in assisting with a possible future Agenda Item. She said that she liked Commissioner Arserio's video. She highlighted an upcoming School Safety meeting at JP Taravella High School.

TONY SPAVENTO, 3194 W. BUENA VISTA DRIVE apologized to the City Manager and staff when he spoke at the last Commission meeting about the canals not being storm ready and said that he should have referred to the seawalls.

4) CONSENT AGENDA

Items 4B, 4C and 4E were pulled from the 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 2019-059](#) MOTION - APPROVAL OF CITY COMMISSION MINUTES: JANUARY 22, 2019 - CITY COMMISSION WORKSHOP; JANUARY 23, 2019 - REGULAR CITY COMMISSION MEETING.

A motion was made by Commissioner Schwartz, seconded by Commissioner Arserio, that this Motion, be approved. This carried by the following vote:

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

- D. [ID 2019-005](#) RESOLUTION - APPROVING A LIMITED PURPOSE PARTY MEMBERSHIP AGREEMENT BETWEEN THE FLORIDA RESILIENCY AND ENERGY DISTRICT, AND CITY OF MARGATE.

RESOLUTION 19-013

Item 4D was heard after Item 4A.

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

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

- B. [ID 2018-645](#) RESOLUTION - APPROVING AMENDMENT NO. 2 TO CELL PHONE TOWER (VINSON FIELDS) LEASE AGREEMENT (BU 828746) EXTENDING TERMS OF THE AGREEMENT FROM JANUARY 31, 2021, THROUGH JANUARY 31, 2051; PROVIDING FOR AN EFFECTIVE DATE.

Item 4B was removed from the Consent Agenda.

VICE MAYOR RUZZANO explained that they want to extend this contract for an additional 30 years and that every year, there would be an addition of five percent which the City would be receiving. He advised that one of the providers was Sprint and said that he wanted to contact them as he was a proponent of making Margate a Wi-Fi community.

MAYOR CAGGIANO indicated that the numbers in the back-up were incorrect and wanted the correct numbers on both items before they voted.

Discussion ensued on the numbers, Margate's Wi-Fi, negotiating with Sprint for a better package and benefits for City employees and putting a spot on the tower.

A motion was made by Vice Mayor Ruzzano, seconded by Commissioner Simone, to table Consent Agenda Items 4B and 4C to April 3, 2019, Regular City

Commission meeting. This carried by the following vote:

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

- C.** [ID 2018-650](#) RESOLUTION - APPROVING AMENDMENT NO. 2 TO CELL PHONE TOWER (CORAL GATE PARK) LEASE AGREEMENT (BU 823435) EXTENDING TERMS OF THE AGREEMENT FROM SEPTEMBER 30, 2033, THROUGH SEPTEMBER 30, 2063; PROVIDING FOR AN EFFECTIVE DATE.

Item 4C was pulled from the Consent Agenda.

- E.** [ID 2019-052](#) RESOLUTION - AWARDED BID NO. 2019-004 - SUPPLY AND DELIVER DELL OPTIPLEX 7060 SFF DESKTOP PCS TO ADVANTAGE NETWORKING, INC. IN AN AMOUNT NOT TO EXCEED \$130,796.40; PROVIDING FOR EFFECTIVE DATE.

RESOLUTION 19-014

A motion was made by Vice Mayor Ruzzano, seconded by Commissioner Schwartz, that this Resolution, be discussed.

PURCHASING MANAGER SPENCER SHAMBRAY advised that the firm]they were seeking to award this bid was unable to honor the original price and he sought permission to withdraw their bid. He indicated that this was the second incident that they have experienced with that particular bid.

Discussion ensued on honoring bids and pursuing other cost effective options.

RICK RICCARDI, 4829 SOUTH HEMINGWAY CIRCLE questioned whether the second bid was close to the first bid that was withdrawn.

Discussion ensued.

An amendment was made by Commissioner Caggiano, seconded by Commissioner Simone, to reject all bids recommended by City staff. This carried by the following vote:

Yes: 3 - Commissioner Simone, Commissioner Schwartz and Mayor Caggiano

No: 2 - Commissioner Arserio and Vice Mayor Ruzzano

5) CITY MANAGER'S REPORT

CITY MANAGER MAY was pleased to report that Public Works Director, Mark Collins, had been selected to serve as a member on the Broward Water Advisory Board's Technical Advisory Committee.

6) RESOLUTION(S)

- A. [ID 2019-077](#) APPROVING THE COSTS ASSOCIATED WITH THE REBRANDING OF MARGATE POLICE DEPARTMENT PATROL VEHICLES, AND WAIVING OF BIDDING TO MAINTAIN STANDARDIZATION WITH THE ENTIRE ACQUISITION BEING FUNDED FROM THE LAW ENFORCEMENT TRUST FUND (FEDERAL); NOT TO EXCEED \$60,000.00.

RESOLUTION 19-015

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

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

- B. [ID 2019-042](#) APPROVING FUNDING OF BODY ARMOR FOR THE SPECIAL RESPONSE TEAM (SRT), PER RFP #15-D-064, AND WAIVING OF BIDDING FOR ACQUISITION OF ANCILLARY EQUIPMENT NECESSARY TO MAINTAIN STANDARDIZATION, WITH THE ENTIRE ACQUISITION BEING FUNDED FROM THE LAW ENFORCEMENT TRUST FUND (FEDERAL), NOT TO EXCEED \$62,000.00.

RESOLUTION 19-016

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

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

- C. [ID 2019-064](#) URGING THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS TO AMEND THE TRANSPORTATION SYSTEM SURTAX INTERLOCAL AGREEMENT AMONG BROWARD COUNTY AND MUNICIPALITIES IN BROWARD COUNTY, TO PROVIDE THAT THE MUNICIPALITIES' ALLOCATED SHARE OF NO LESS THAN TEN PERCENT OF THE PROCEEDS OF THE TRANSPORTATION SURTAX WILL BE DISTRIBUTED TO THE MUNICIPALITIES PRO RATA BASED UPON POPULATION; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 19-017

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

VICE MAYOR RUZZANO referenced the Penny Sales Tax and suggested that the cities should have come together to discuss this prior to it going out to vote.

Discussion ensued.

This motion carried by the following vote:

Yes: 3 - Commissioner Simone, Commissioner Arserio and Commissioner Schwartz

No: 2 - Vice Mayor Ruzzano and Mayor Caggiano

- D.** [ID 2019-045](#) CONFIRMING THE APPOINTMENT OF JONATHAN SHAW AS POLICE CHIEF; PROVIDING FOR TERMS AND CONDITIONS OF EMPLOYMENT; PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 19-018

A motion was made by Vice Mayor Ruzzano, seconded by Commissioner Schwartz, that this Resolution, be discussed.

A motion was made by Mayor Caggiano, seconded by Commissioner Simone, to table this Item to August 21, 2019, Regular City Commission meeting, including Items 6E and 6F. This motion failed by the following vote:

Yes: 2 - Commissioner Simone and Mayor Caggiano

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

COMMISSIONER SCHWARTZ asked if the Commission had a one-on-one with the three employees and also questioned whether they requested for their respective contracts to be added to the Agenda.

Discussion ensued on contracts, severance, benefits and tabling this Item.

A motion was made by Mayor Caggiano, seconded by Commissioner Simone, to table this Item to August 21, 2019, Regular City Commission meeting, including Items 6E and 6F.

Discussion ensued on the date to table of August 21, 2019.

Commissioner Simone removed her second.

A motion was made by Mayor Caggiano, to table this Item to July 3, 2019, Regular City Commission meeting, including Items 6E and 6F. This failed for a lack of second.

A motion was made by Commissioner Schwartz, to table this Item to March 20, 2019, Regular City Commission meeting, including Items 6E and 6F. This died for

a lack of second.

A motion was made by Commissioner Simone, seconded by Commissioner Schwartz, for Items 6D, 6E and 6F to be heard at a City Commission Workshop at a future date, deferring these contracts until the next available City Commission meeting after the City Commission Workshop on these items.

Discussion ensued.

COMMISSIONER SIMONE said that her request for a Workshop was that there should not be a set standard. She advised that many other cities had a scale based on the years of experience and that she would like to have a discussion on implementing that.

Discussion ensued.

CHIEF OF POLICE, JON SHAW compared Sunrise's Chief of Police's contract to his current contract. He explained that three votes could terminate his position. He identified the vacation payout at the end of the year as being important to him and explained that it was difficult for him to take time off in his current position. He also discussed sick leave.

CITY MANAGER MAY explained the sick leave hours and annual leave cap policies.

Discussion ensued.

An amendment was made by Commissioner Simone, seconded by Mayor Caggiano, to amend Chief Shaw's employment agreement to have the Sick Leave payout at 60 percent, to keep the 100 percent value of the Annual Time payout as stated in the contract and include eight weeks of severance pay.

MR. ALIANIELLO explained that he did a similar negotiation of contracts when he used to work for an airline and that the Commission should do what they could to retain their services.

MR. RICCARDI said that he was glad that they came to a conclusion to finalize the contract negotiations.

ELSA J. SANCHEZ, 6930 NW 15TH STREET said it was a shame that the Charter Amendment went through and that it was publically discussed. She said that she was very upset that it had to happen this way.

The motion carried as follows:

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

- E.** [ID 2019-043](#) CONFIRMING THE APPOINTMENT OF CALE CURTIS AS ASSISTANT CITY MANAGER; PROVIDING FOR TERMS AND CONDITIONS OF EMPLOYMENT; PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 19-019

A motion was made by Vice Mayor Ruzzano, seconded by Commissioner Simone, to discuss this Resolution.

ASSISTANT CITY MANAGER, CALE CURTIS indicated that all benefits were significant but identified additional vacation being one of the most important.

Discussion ensued.

COMMISSIONER SIMONE indicated that she wanted a response to her emails in a timely manner and referenced the MPO.

An amendment was made by Mayor Caggiano, seconded by Commissioner Schwartz, that Assistant City Manager Curtis's employment agreement to include eight weeks of severance pay, 120 hours of Annual Time payout each year, have the Sick Leave payout at 60 percent and remove the vehicle allowance.

Discussion ensued on reducing the Annual Time.

The motion carried as follows:

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

No: 1 - Commissioner Simone

- F.** [ID 2019-044](#) CONFIRMING THE APPOINTMENT OF DANIEL BOOKER AS FIRE CHIEF; PROVIDING FOR TERMS AND CONDITIONS OF EMPLOYMENT; PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 19-020

A motion was made by Commissioner Arserio, seconded by Vice Mayor Ruzzano,

that this Resolution, be approved.

MAYOR CAGGIANO said that he could not justify giving someone a golden parachute when they walked out the door.

FIRE CHIEF DANIEL W. BOOKER explained that he had been at the City for 30 years and had accumulated 1,600 hours of Sick Time and asked for the same package as what the Charter Officers were receiving. He highlighted his accomplishments of bringing the City over \$2,000,000 in federal funding and that he saved over \$300,000 in overtime and over performed in his budget.

Discussion ensued.

COMMISSIONER SCHWARTZ referenced the Referendum Amendment and explained that she thought they were getting Charter Officers. She questioned the intent of what she voted for.

INTERIM CITY ATTORNEY JAMES A. CHEROF advised that the language of the Charter was exceedingly clear as was the summary that the citizen saw that was written on the ballot question.

Discussion ensued.

MS. SANCHEZ said that she agreed that Chief Booker deserved to be given this package after 30 years of service. She said that the Assistant City Manager should be appreciated and deserved the 120 hours.

MR. RICCARDI agreed with Ms. Sanchez and praised Chief Booker's accumulation of 1,600 of sick leave. He said that Chief Booker deserved everything he asked for.

COMMISSIONER SCHWARTZ suggested changing it to 75%.

Discussion ensued.

The motion carried as follows:

Yes: 4 - Commissioner Simone, Commissioner Arserio, Commissioner Schwartz and Vice Mayor Ruzzano

No: 1 - Mayor Caggiano

7) ORDINANCE(S) - FIRST READING

- A. [ID 2019-038](#) AMENDING CHAPTER 30 PERSONNEL, ARTICLE II-CIVIL SERVICE, DIVISION 2-INITIAL APPOINTMENT PROCEDURES, SECTION 30-39 - HIRING POLICY, (5) HIRING PROCESS, SECTION 30-45 DISQUALIFICATION OF APPLICANTS, AND SECTION 30-56 - IN-HOUSE APPOINTMENTS; PROVIDING FOR DRUG SCREENING AND CVSA IF REQUIRED; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING

FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Commissioner Simone, seconded by Commissioner Arserio, that this Ordinance, First Reading, be approved. This carried by the following vote:

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

8) ORDINANCE(S) - SECOND READING

- A. [ID 2019-026](#) AMENDING CHAPTER 33 OF THE CITY CODE, "POLICE AND LAW ENFORCEMENT; OFFENSES AND MISCELLANEOUS PROVISIONS", ARTICLE VI, "TRAFFIC CONTROL"; SECTION 33-69.50 - REGULATING TOWING OF VEHICLES FROM PRIVATE PROPERTY; PROVIDING FOR NOTICE.

ORDINANCE 2019-1

A motion was made by Commissioner Schwartz, seconded by Commissioner Simone, that this Ordinance, Second Reading, be approved. This carried by the following vote:

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

- B. [ID 2019-047](#) AMENDING APPENDIX A ZONING, ARTICLE XXXIX SIGN CODE, SECTION 39.7 TEMPORARY SIGNS (GRAND OPENING SIGNS).

ORDINANCE 2019-1500.646

A motion was made by Commissioner Simone, seconded by Commissioner Arserio, that this Ordinance, Second Reading, be approved. This carried by the following vote:

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

ADJOURNMENT

There being no further business, the meeting adjourned at 12:03am.

Respectfully submitted,

Transcribed by Salene E. Edwards


Joseph J. Kavanagh, City Clerk

Date: 3/21/19

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.