



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, April 7, 2021

6:30 PM

Zoom Virtual Meeting
Webinar ID: 813 4366 8263

<https://us02web.zoom.us/j/81343668263>

CALL TO ORDER

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 in person

Commissioner Simone attended in person

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

MOMENT OF SILENCE - INVOCATION

PLEDGE OF ALLEGIANCE

1) PRESENTATION(S)

A. [ID 2021-135](#) PRESENTATION BY BROWARD COUNTY SUPERVISOR OF ELECTIONS JOE SCOTT

BROWARD COUNTY SUPERVISOR OF ELECTIONS, JOE SCOTT, explained that they would hold a special initiative of their annual event of a High School Voter Registration drive from April 21st – 30th, 2021. He said that their goal was to have maximum

engagement from their citizens in Broward County so that everybody's input was valued which would allow them to become part of the overall voice of the electorate. He questioned if the City would be willing to help them spread the word about their High School Voter Registration drive.

A question and answer session continued with the City Commission and discussion ensued including using the City's Facebook page and other social media platforms, issuing new voter cards, absentee ballots, drop boxes, March vs. November elections and the cost of the same.

B. [ID 2021-141](#) RECOGNITION OF CITY VOLUNTEER TOM SAVOCA AND K9 CITY VOLUNTEER THERAPY DOG COCO

TOM SAVOCA detailed some of the events that both he and K9 City therapy dog Coco had participated in on behalf of the City.

Discussion ensued including a Special Events grant.

CITY MANAGER CALE CURTIS highlighted a Special Events donation program.

Discussion ensued.

STUDENTS AND TEACHERS OF THE MONTH

C. [ID 2021-112](#) ABUNDANT LIFE CHRISTIAN ACADEMY: ISABELLE JARVIS (Student); SARAH HENNEBERY (Teacher), (Mrs. Stacy Angier, Principal and/or Mrs. Renate Ramirez, Assistant Principal)

ATLANTIC WEST ELEMENTARY: ANAYA WALTERS (Student); CARYN CAMPBELL (Teacher), (Mrs. Shereen R. Reynolds, Principal and Dr. Latonya Cooper, Assistant Principal)

LIBERTY ELEMENTARY: OLIVIA NORTH (Student); ALISON SHAPANKA (Teacher), (Mr. Matthew Whaley, Principal and/or Ms. Donna Styles, Assistant Principal)

MARGATE ELEMENTARY: MAYA GALIANO (Student); PAULETTE SCHLUTER-PARIS (Teacher), (Mr. Thomas Schroeder, Principal and/or Ms. Vicki Flournoy, Assistant Principal)

MARGATE MIDDLE: MICHAEL CERESTE (Student); BARBARA KPASSOU (Teacher), (Mrs. Sabine Phillips, Principal and/or Assistant Principal)

PHYL'S ACADEMY PREPARATORY SCHOOL: MARVIN WILLIAMS (Student); CLAUDIA LAWERENCE-JUNIOR (Teacher), (Dr. Jan Codling, Principal)

RISE ACADEMY SCHOOL OF SCIENCE AND TECHNOLOGY: JOANA RUFINO-DELIMA (Student); JASMIN RAHMAN (Teacher), (Dr. Adriana Guerra, Principal)

WEST BROWARD ACADEMY: ZACH LASSO (Student); WILLAZNARD

HARPER (Teacher), (Mr. Derrick Hugue, Principal and/or Assistant Principal Ms. Rossana Padron)

PROCLAMATION(S)

- D. [ID 2021-083](#) PARALYZED VETERANS OF AMERICA AWARENESS MONTH - APRIL, 2021 (presented to Juan Perez, President of the Paralyzed Veterans Of America Florida Chapter)
- E. [ID 2021-084](#) NATIONAL CHILD ABUSE PREVENTION MONTH - APRIL 2021 (presented to Kerry-Ann Brown, Chair Child Abuse & Neglect Committee and Megan Turetsky, Government Affairs Manager - Children's Services Council of Broward County)
- F. [ID 2021-113](#) NATIONAL CRIME VICTIMS' RIGHTS WEEK - APRIL 18-24, 2021 (presented to Tara Arena, Victims Advocate, City of Margate)
- G. [ID 2021-114](#) ARBOR DAY - APRIL 30, 2021 (presented to Mike Jones, Parks & Recreation Director, City of Margate)
- H. [ID 2021-136](#) WATER CONSERVATION MONTH - APRIL, 2021 (presented to Curt Keyser, Department of Environmental and Engineering Services Director, City of Margate)

2) PUBLIC DISCUSSION

CITY CLERK KAVANAGH explained the protocol for submitting a Public Discussion. He read a letter from a concerned resident regarding hate crimes on Facebook. He also read a letter from Tracy Van Winkle pertaining to various matters in the City.

JULI VAN DER MEULEN, 2913 NW 68 LN. said that the rapid cutting down of old trees in Margate needed to be addressed and read a statement on the same.

MAYOR SCHWARTZ responded to Ms. Van Der Meulen's comments.

LAURIEANNE M. MINOFF 8362 SHADOW WOOD BLVD. wanted to discuss Agenda Items.

MAYOR SCHWARTZ advised Ms.Minoff to wait until the Agenda Items were heard before making comment.

MARY DUNCAN, 6500 NW 9TH STREET discussed a noisy neighbor.

DEROLE DUNCAN continued from his wife's complaint about a noisy neighbor.

MAYOR SCHWARTZ addressed the complaint made by Mr. and Mrs. Duncan.

Discussion ensued.

LAUREN BERACHA, 6950 NW 14TH PLACE requested if the City could address speeding cars on Margate Blvd., especially by NW 66th Ave.

Discussion ensued.

3) COMMISSION COMMENTS

COMMISSIONER CAGGIANO discussed being present at the Egg Hunt. He highlighted the importance of using the Police Department's Outreach programs. He discussed the recent religious holidays. He wished former Information Technology (IT) Director, Jim Wilbur, a long and happy retirement. He highlighted that the Coronavirus disease 2019 (COVID-19) cases were spiking again and spoke of the importance of wearing a mask and scheduling a vaccine shot.

COMMISSIONER JOANNE SIMONE received positive feedback about the Police Department's non-emergency telephone line. She suggested that they should consider installing plexiglass dividers on the dais. She wished former IT Director Wilbur all the best in his retirement and said that he had been a great asset to the City.

COMMISSIONER RUZZANO asked if they could pull 5B from the Consent Agenda.

MAYOR SCHWARTZ said yes.

COMMISSIONER RUZZANO congratulated a friend who received a good doctor's report today. He referenced Norman Grad, who had a friend who needed the COVID-19 vaccination and thanked North West Focal Point Senior Center (NWFPSC) Project Director Karin Diaz and everyone else who was involved. He referenced baseball and informed that next Thursday was Jackie Robinson Day.

MAYOR SCHWARTZ advised that they also moved the deadline for filing taxes to May.

COMMISSIONER RUZZANO said that the groundbreaking for Fire Station 58 was a great success. He referenced Calypso Cove where they had a recent discussion about staff researching to either outsource or consider some sort of beer/wine to the park. He indicated that there was a good presentation from another city doing a similar initiative. He spoke about the possibility of marijuana being legalized.

Discussion ensued on medical marijuana dispensaries and the Police force.

COMMISSIONER RUZZANO referenced the Firehouse and said that the City's negotiations with Broward County should include all of their firefighters.

Discussion ensued on the Firefighter's contract with Coconut Creek.

VICE MAYOR ANTONIO V. ARSERIO questioned City Manager Curtis about seniority provisions in the current Firefighter's agreement with Coconut Creek.

CITY MANAGER CURTIS explained the Coconut Creek agreement pertaining to ranking and the probationary period.

Discussion ensued.

VICE MAYOR ARSERIO referenced COVID-19 and advised that people should continue to social distance. He highlighted Coconut Creek's Broward College for COVID-19 vaccinations. He said that he would return to City Hall for meetings once fully vaccinated.

Discussion ensued on vaccinations and transportation for people over the age of 50 at the NWFPSC.

MAYOR SCHWARTZ congratulated former IT Director Wilbur for his service and thanked Parks and Recreation for the Easter Egg Hunt, which she attended. She said that Code Red was replaced with Margate Cares. She thanked the Legacy Closet who received chocolate from the cruise lines. She thanked those who had attended today. She explained that it was the decision of the Homeowners Association (HOA) or the Condominium Association's respective boards to keep community pools closed and advised that the City's pools would be opening soon. She wished Commissioner Caggiano a Happy Birthday. She thanked Public Works and referenced cleaning catch basins.

4) CITY MANAGER'S REPORT

CITY MANAGER CURTIS provided an update on Vinson Park, referenced lighting improvements and advised that they would be scheduling a ribbon cutting for Southgate Park, which was almost complete. He said that they were excited to reopen Calypso Cove this weekend. He evaluated options for serving alcohol and outsourcing the concessions and referenced Cape Coral and said that they would present this at a future City Commission meeting. He referenced installing plexiglass on the dais in the City Chambers and requested feedback from the City Commission.

Discussion ensued including looking into the renovation of City Chambers.

CITY MANAGER CURTIS said that he would research options with Public Works for non-permanent plexiglass dividers and wished Commissioner Caggiano a Happy Birthday.

CITY CLERK KAVANAGH wished Commissioner Caggiano a Happy Birthday.

CITY ATTORNEY JANETTE M. SMITH wished Commissioner Caggiano a Happy Birthday.

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 2021-131](#) RESOLUTION - OPPOSING HOUSE BILL 1129 AND SENATE BILL 1678, INCREASING THE STATUTORY LIMITS ON LIABILITY FOR TORT CLAIMS AGAINST LOCAL GOVERNMENTS; PROVIDING FOR EFFECTIVE DATE.

RESOLUTION 21-021

APPROVED

- C. [ID 2021-109](#) RESOLUTION - APPROVING PAYMENT TO FPL AND VIKING UTILITY SERVICES, INC. IN THE RESPECTIVE AMOUNTS OF \$60,099.17 AND \$16,750.00 FOR MATERIALS AND LABOR RELATED TO UNDERGROUNDING OVERHEAD DISTRIBUTION LINES IN THE VICINITY OF FIRE STATION # 58 LOCATED AT 600 NORTH ROCK ISLAND ROAD.

RESOLUTION 21-022

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

- B. [ID 2021-110](#)** RESOLUTION - APPROVING THE SCHEDULE OF FEES AND CHARGES FOR PARKS AND RECREATION FACILITIES, PROGRAMS, SERVICES, AND EQUIPMENT PURSUANT TO SECTION 27-7 OF THE MARGATE CITY CODE; PROVIDING FOR AN EFFECTIVE DATE.

Item 5B was pulled from the Consent Agenda.

A motion was made by Commissioner Caggiano, seconded by Commissioner Ruzzano, that this Resolution, should be discussed.

COMMISSIONER RUZZANO recommended that the residents of Margate should not pay the increased rate.

PARKS AND RECREATION DIRECTOR JONES spoke on this Item.

Discussion ensued regarding modified fees that would keep resident fees the same and increase non-resident fees to cover all proposed fee changes, including keeping all Calypso Cove fees the same for all attendees, and having the City Manager and Parks & Recreation Director re-evaluate the other fees.

A motion was made by Commissioner Caggiano, seconded by Vice Mayor Arserio, to table this Item to the April 21, 2021, Regular City Commission meeting.

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

6) RESOLUTION(S)

- A. [ID 2021-124](#)** APPROVING APPOINTMENT(S) OF:

TO THE FIVE MEMBER MARGATE PLANNING AND ZONING BOARD FOR A TERM COMMENCING APRIL 8, 2021 - MARCH 24, 2022.

RESOLUTION 21-023

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

MAYOR SCHWARTZ asked if the City Commission wanted to approve the applicants as a slate or individually.

Discussion ensued and this was voted upon by the City Commission as follows:

COMMISSIONER SIMONE - Slate
COMMISSIONER RUZZANO - Individual
COMMISSIONER CAGGIANO - Slate
VICE MAYOR ARSERIO - Individual
MAYOR SCHWARTZ - Slate

Discussion ensued.

COMMISSIONER CAGGIANO appointed Gail DeAngelis
COMMISSIONER SIMONE appointed Todd Angier
COMMISSIONER RUZZANO appointed Richard Zucchini
VICE MAYOR ARSERIO appointed Rob Reiner
MAYOR SCHWARTZ appointed Juli Van Der Meulen

Discussion ensued.

Ms. Van Winkle wanted to make comment pertaining to Public Discussion.

Discussion ensued.

The motion carried by the following vote:

Yes: 4 - Commissioner Caggiano, Commissioner Simone, Commissioner Ruzzano and Mayor Schwartz

Abstain: 1 - Vice Mayor Arserio

B. [ID 2021-125](#) APPROVING APPOINTMENT(S) OF:

TO THE FIVE MEMBER MARGATE BOARD OF ADJUSTMENT FOR A TERM COMMENCING APRIL 8, 2021 - MARCH 24, 2022.

RESOLUTION 21-024

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

COMMISSIONER CAGGIANO appointed Charles Presser
COMMISSIONER SIMONE appointed Howard Burke
COMMISSIONER RUZZANO appointed Joao Brandeo
VICE MAYOR ARSERIO appointed Elsa Sanchez
MAYOR SCHWARTZ appointed Julie Jones

The motion carried as follows:

- Yes:** 4 - Commissioner Simone, Commissioner Ruzzano, Vice Mayor Arserio and Mayor Schwartz
No: 1 - Commissioner Caggiano

- C.** [ID 2021-126](#) APPROVING APPOINTMENT OF CITY OF MARGATE DIRECTOR, FIRST ALTERNATE, AND SECOND ALTERNATE TO THE BROWARD LEAGUE OF CITIES BOARD OF DIRECTORS FOR 2021-2022.

RESOLUTION 21-025

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

Discussion ensued.

Primary: Mayor Schwartz
First Alternate: Commissioner Caggiano
Second Alternate: Commissioner Ruzzano

The motion carried as follows:

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

Meeting went into Recess.

Meeting Reconvened.

7) ORDINANCE(S) - FIRST READING

- A.** [ID 2021-115](#) AN ORDINANCE AMENDING THE CODE OF THE CITY OF MARGATE, FLORIDA, CHAPTER 9- BUILDINGS, ARTICLE III.-FEES, SECTION 9-21. - SCHEDULE OF PERMIT FEES; PROVIDING FOR FEES AND PENALTIES TO BE SET BY RESOLUTION OF THE CITY COMMISSION; PROVIDING FOR

REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

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

VICE MAYOR ARSERIO explained that he received a letter today from the Board of Realtors who suggested that the City should table the Item so that they could work with staff and the City Commissioners to enhance the Ordinance while at the same time, protecting the rights of property owners. He also referenced discussing this request with Adam Sanders.

CITY MANAGER CURTIS clarified this Item.

Discussion ensued.

CITY CLERK KAVANAGH read an email from Sr. Vice President of Public Policy & External Affairs, Adam Sanders, pertaining to the Realtor Association concerns on this Agenda Item.

Discussion ensued.

MS. MINOFF read a statement asking for this Item to be tabled.

Discussion ensued.

The motion carried as follows:

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

6) RESOLUTION(S) - CONTINUED

A. [ID 2021-124](#) APPROVING APPOINTMENT(S) OF:

TO THE FIVE MEMBER MARGATE PLANNING AND ZONING BOARD FOR A TERM COMMENCING APRIL 8, 2021 - MARCH 24, 2022.

VICE MAYOR ARSERIO explained that there was a business association between himself and Mr. Richard Zucchini and that was the reason why he abstained from voting on this Item. He referenced ethics and said that he took City Attorney Smith's advice and would complete form 8B.

7) ORDINANCE(S) - FIRST READING (CONTINUED)

- B. [ID 2021-117](#) AN ORDINANCE AMENDING THE CODE OF THE CITY OF MARGATE, FLORIDA, AMENDING CHAPTER 9, ADDING NEW ARTICLE V, ENTITLED "RESIDENTIAL RENTAL UNIT INSPECTION PROGRAM"; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR APPLICATION; PROVIDING FOR INSPECTION; PROVIDING FOR FEES; PROVIDING FOR ENFORCEMENT; PROVIDING FOR PENALTIES; PROVIDING FOR DISPUTE; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

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

VICE MAYOR ARSERIO recapped what he said before on Agenda Item ID 2021-115 and advised that he would like to table this Item for no longer than one month while they received input from the Board of Realtors.

Discussion occurred to have the Second Reading come back no later than the May 5, 2021, Regular City Commission meeting.

The motion carried as follows:

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

- C. [ID 2021-133](#) AN ORDINANCE AMENDING THE CODE OF THE CITY OF MARGATE, FLORIDA, AMENDING APPENDIX A ZONING, ARTICLE XL - PROPERTY MAINTENANCE STANDARDS, SECTION 40.16 - ABANDONED REAL AND PERSONAL PROPERTY; PROVIDING FOR AMENDING PROGRAM FOR REGISTRATION OF PROPERTIES IN FORECLOSURE; PROVIDING FOR ENFORCEMENT.

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

VICE MAYOR ARSERIO repeated what he said on Agenda ID 2021-117 and advised that if this Item passed, he would like to have the Second Reading no later than the first meeting in May.

Discussion occurred to have the Second Reading come back no later than the May 5, 2021, Regular City Commission meeting.

The motion carried as follows:

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

8) DISCUSSION AND POSSIBLE ACTION

A. [ID 2021-146](#) DISCUSSION AND POSSIBLE ACTION - LENGTH OF TIME BULK PICKUP CAN BE PLACED AT THE CURB PRIOR TO PICKUP

MAYOR SCHWARTZ explained her reasons why this Item was on the Agenda. She asked City Clerk Kavanagh to display five weeks of photos from the same house.

Discussion occurred to look into options to limit outside waste and/or limit the amount of waste at one or multiple times throughout the year.

CITY MANAGER CURTIS said there was no consensus to change the length of time for bulk to be placed at the curb and he would look into options to report to the City Commission.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:28pm.

Respectfully submitted,

Transcribed by Salene E. Edwards



Joseph J. Kavanagh, City Clerk

Date: 5/20/2021

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 2021-2 on March 17, 2021, 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 Zoom using Webinar ID: 813 4366 8263 or can call in via telephone by calling one of the following phone numbers: US: +1 312 626 6799 or +1 929 205 6099.

- 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: JKKAVANAGH@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 JKKAVANAGH@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/81343668263>

Telephone:

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

US: +1 312 626 6799 or +1 929 205 6099

Webinar ID: 813 4366 8263

To virtually raise hand and be acknowledged to speak:

1. Users who call in can dial *9 to raise their hand and dial *6 to toggle mute/unmute
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.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Arserio, Antonio V,		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Margate City Commission	
MAILING ADDRESS 5790 Margate Boulevard		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Margate	COUNTY Broward	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED April 7, 2021		NAME OF POLITICAL SUBDIVISION: City of Margate	
		MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Antonio V. Arserio, hereby disclose that on April 7, 20 21 :

(a) A measure came or will come before my agency which (check one or more)

- ☒ inured to my special private gain or loss; (PLEASE SEE COMMENT BELOW)
- ☐ inured to the special gain or loss of my business associate, _____ ;
- ☐ inured to the special gain or loss of my relative, _____ ;
- ☐ inured to the special gain or loss of _____ , by
whom I am retained; or
- ☐ inured to the special gain or loss of _____ , which
is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

APRIL 7, 2021 - REGULAR CITY COMMISSION MEETING


RESOLUTION 21-023

APPROVING APPOINTMENT(S) OF: GAIL DE ANGELIS, TODD ANGIER, RICHARD ZUCCHINI, JULI VAN DER MEULEN AND ROBERT REINER TO THE FIVE MEMBER MARGATE PLANNING AND ZONING BOARD FOR A TERM COMMENCING APRIL 8, 2021 - MARCH 24, 2022.

Per City Attorney Janette Smith, there is a business association between Commissioner Arserio and Mr. Zucchini. She said there is no benefit inured directly to Commissioner Arserio. After speaking with the Commission on Ethics, she recommended that Commissioner Arserio should not vote and fill out Form 8B.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

04/14/2021
Date Filed


Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.