



November 15, 2018

Florida Department of Economic Opportunity  
Division of Community Planning  
Plan Processing Team  
107 E. Madison Street  
Tallahassee, Florida 32399-4120  
Attention: D. Ray Eubanks

**Re: Evaluation and Appraisal Based Amendments to the City of Margate Comprehensive Plan.**

**City Commission**

Mayor Arlene R. Schwartz  
Vice Mayor Anthony N. Caggiano  
Lesa Peerman  
Tommy Ruzzano  
Joanne Simone

**City Manager**

Samuel A. May

**Interim City Attorney**

Goren, Cherof,  
Doody & Ezrol, P.A.

**City Clerk**

Joseph J. Kavanagh

Dear Mr. Eubanks,

This letter constitutes transmittal of the Evaluation and Appraisal based amendments in accordance with Sec. 163.3190, F.S. The City has conducted a thorough analysis of the changes made to Ch. 163, Part II, F.S. subsequent to the City's last EAR and determined that the Evaluation and Appraisal Letter transmitted to the Department on December 29, 2016 overstated the number of elements that needed to be amended pursuant to F.S. 163.3190. The City hereby revises the list of affected elements to the following:

- Capital Improvements
- Transportation
- Intergovernmental Coordination

The City Commission voted on November 7, 2018 to transmit the proposed amendments to the State Land Planning Agency with additional (optional) amendments to the Capital Improvements Element and Public School Facilities Element that are not related to changes in Florida Statutes. These minor updates, relative to adoption of the Third Amended and Restated Interlocal Agreement for Public School Facility Planning (TRILA) within the Public School Facilities Element, are also included in the ordinance.

The Planning and Zoning Board, sitting as the Local Planning Agency, recommended transmittal of the proposed amendments at its duly advertised public hearing on October 2, 2018.

The required and optional amendments identified above are enclosed herewith. This transmittal includes all required documentation pursuant to Section 163.3184(4), F.S., in the form of one hardcopy and two electronic copies in PDF format of the following documents, copies of which were also sent to each review agency copied below, on the same date that this letter was transmitted to the State Land Planning Agency.

- Ordinance with text amendments in strike-through/underline format
- Staff report

**Development Services Department**

901 NW 66<sup>th</sup> Avenue, Suite C, Margate, FL 33063 • Phone: (954) 979-6213  
www.margatefl.com • dsd@margatefl.com

The proposed amendments do not relate to an area of critical state concern, rural land stewardship area, sector plan, F.S.380.06(24)(x) development, or new plan for a newly incorporated municipality.

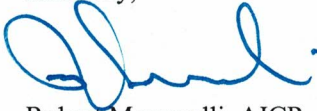
The City anticipates adopting the amendments in January, 2019. Should you have any questions or require additional information regarding this submittal package, please contact Althea Jefferson, AICP, our consulting planner for these amendments. She may be reached at any of the following:

Phone: (954) 475-3070

Email: [Althea@FloridaPlanning.net](mailto:Althea@FloridaPlanning.net)

Address: 3350 NW 53rd Street, Suite 101, Fort Lauderdale, FL 33309

Sincerely,



Robert Massarelli, AICP  
Development Services Director

cc: Tracy D. Suber, Liaison, Florida Department of Education  
Plan Review, Florida Department of Environmental Protection  
Deena Woodward, Historic Preservation Planner, Florida Department of State  
Stacy Miller-Novello, P.E., Florida Department of Transportation  
Isabel Cosio Carballo, Executive Director, South Florida Regional Planning Council  
Terry Manning, Policy Analyst, South Florida Water Management District  
Cynthia Chambers, Director, Broward County Environmental Protection  
Barbara Blake Boy, Director, Broward County Planning Council

CERTIFICATION  
I CERTIFY THIS TO BE A TRUE & CORRECT COPY  
OF THE DOCUMENT ON FILE AT CITY HALL  
WITNESS BY HAND AND OFFICIAL SEAL OF  
THE CITY OF MARGATE THIS 15 DAY  
OF November 2018  
CITY CLERK JOSEPH J. KAVANAGH

1 CITY OF MARGATE, FLORIDA  
2 ORDINANCE NO. 2019 - \_\_\_\_\_  
3

4 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF MARGATE,  
5 FLORIDA, AMENDING THE CITY OF MARGATE COMPREHENSIVE PLAN  
6 TO ADOPT THE EVALUATION AND APPRAISAL REPORT (EAR) BASED  
7 AMENDMENTS TO INCLUDE UPDATES TO POLICIES IN THE CAPITAL  
8 IMPROVEMENTS ELEMENT, TRANSPORTATION ELEMENT,  
9 INTERGOVERNMENTAL COORDINATION ELEMENT, AND PUBLIC SCHOOLS  
10 FACILITIES ELEMENT; CREATING POLICY 1.5 IN THE CAPITAL  
11 IMPROVEMENTS ELEMENT; PROVIDING FOR CONFLICT; PROVIDING  
12 FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND  
13 PROVIDING AN EFFECTIVE DATE.  
14

15 **WHEREAS**, the Florida Legislature intends that local planning be  
16 a continuous and ongoing process; and  
17

18 **WHEREAS**, Florida Statutes §163.3191 directs local governments  
19 to assess the success or failure of the adopted Comprehensive Plan  
20 to adequately address changing conditions and state policies and  
21 rules every seven (7) years; and  
22

23 **WHEREAS**, Florida Statutes §163.3191 directs local governments  
24 to adopt needed amendments to ensure that the Comprehensive Plan  
25 provides appropriate policy guidance for growth and development;  
26 and  
27

28 **WHEREAS**, the City has completed its proposed EAR-based review  
29 of amendments consistent with the requirements of the Community  
30 Planning Act pursuant to Chapter 163, Part II, Florida Statutes;  
31 and  
32

33 **WHEREAS**, the City has determined that minor amendments are  
34 required to maintain the Comprehensive Plan's consistency with  
35 Chapter 163, Part II, Florida Statutes, and has prepared the

36 attached amendments ("Exhibit 1-A") for transmittal to the  
37 Department of Economic Opportunity ("DEO") for review; and

38

39 **WHEREAS**, on October 2, 2018, the Planning and Zoning Board,  
40 serving as the Local Planning Agency, considered the Comprehensive  
41 Plan Amendments and afforded all interested persons an opportunity  
42 to be heard; and

43

44 **WHEREAS**, the Mayor and City Commission have conducted duly  
45 noticed public hearings on the EAR-based amendments to the City's  
46 Comprehensive Plan, as required by Chapter 163, Florida Statutes;  
47 and

48

49 **WHEREAS**, the Mayor and City Commission have determined that the  
50 proposed amendments are in the best interest of the City of Margate  
51 and its residents.

52

53 **WHEREAS**, Florida Statutes §166.041(3)(c)(2) requires that the  
54 local governing body shall hold two advertised public hearings on  
55 the proposed ordinance and at least one hearing shall be held after  
56 5:00 PM, unless the local governing body, by a majority plus one  
57 vote, elects to conduct that hearing at another time of day.

58

59 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF**  
60 **THE CITY OF MARGATE, FLORIDA THAT:**

61

62 **SECTION 1: Approval of EAR-Based Amendments.** The Mayor and  
63 City Commission of Margate, Florida hereby approve the City of  
64 Margate EAR-based amendments, as incorporated herein as "Exhibit  
65 1-A", to reflect amendments to policies in the Capital Improvements  
66 Element, Transportation Element, Intergovernmental Coordination  
67 Element, and Public Schools Facilities Element; and, creating

68 Policy 1.5 in the Capital Improvements Element to remain consistent  
69 with Chapter 163, Part II, Florida Statutes.

70

71 **SECTION 2: Transmittal.** The City of Margate, Florida  
72 Comprehensive Plan, as hereby amended, shall be transmitted to all  
73 appropriate reviewing agencies as provided in Florida Statutes  
74 §163.3184.

75

76 **SECTION 3: Conflict.** All ordinances or parts of Ordinances,  
77 Resolutions or parts of resolutions in conflict with the provisions  
78 of this Ordinance shall be repealed to the extent of such conflict.

79

80 **SECTION 4: Severability.** If any clause, section, or other part  
81 or application of this Ordinance shall be held by any court of  
82 competent jurisdiction to be unconstitutional or invalid, such  
83 unconstitutional or invalid part or application shall be  
84 considered as eliminated and so not affecting the validity of the  
85 remaining portions or applications remaining in full force and  
86 effect.

87

88 **SECTION 5: Codification.** It is the intention of the City  
89 Commission that the provisions of this ordinance shall become and  
90 be made a part of the City of Margate Code, and that the sections  
91 of this ordinance may be renumbered or relettered and the word  
92 "ordinance" may be changed to "section", "article" or such other  
93 appropriate word or phrase in order to accomplish such intentions.

94

95 **SECTION 6: Effective date.** This Ordinance shall become  
96 effective pursuant to Florida Statutes §163.3184.

97

98 PASSED upon first reading this \_\_\_\_ day of \_\_\_\_\_, 2018.

99 PASSED AND ADOPTED upon second reading this \_\_\_\_ day of  
100 \_\_\_\_\_, 2019.

101

102 *ATTEST:*

103

104

105 \_\_\_\_\_  
JOSEPH J. KAVANAGH

106 CITY CLERK

107

108

109 *RECORD OF VOTE - 1<sup>st</sup> READING*

110 Peerman YES

111 Simone YES

112 Ruzzano YES

113 Caggiano YES

114 Schwartz YES

\_\_\_\_\_  
MAYOR ARLENE R. SCHWARTZ

*RECORD OF VOTE - 2<sup>nd</sup> READING*

Peerman \_\_\_\_\_

Simone \_\_\_\_\_

Ruzzano \_\_\_\_\_

Caggiano \_\_\_\_\_

Schwartz \_\_\_\_\_

## EXHIBIT 1-A

### 115 **Capital Improvements Element**

116 Policy 1.5. Annually adopt a schedule of capital improvements that includes any publicly  
117 funded projects of federal, state, or local government, and that may include privately funded  
118 projects for which the local government has no fiscal responsibility. Projects necessary to  
119 ensure that any adopted level-of-service standards are achieved and maintained for the 5-  
120 year period must be identified as either funded or unfunded and given a level of priority for  
121 funding.

122  
123 Policy 5.4. The City's concurrency management system will ensure that the necessary  
124 facilities and services are available concurrent with the impacts of development. The City of  
125 Margate will conduct its concurrency review ~~for local facilities at the time of plat prior to~~  
126 issuance of a development order. The City of Margate shall review all City plats and continue  
127 to participate in the countywide development review committee plat review and approval  
128 process.

129  
130 The City ~~and County plat approval process~~ will require that necessary regional and local  
131 facilities and services be available concurrent with the impacts of development through any  
132 of the following situations:

- 133 • The necessary facilities are in place at the time a plat approval the development  
134 order is issued, or a plat approval the development order is issued subject to the  
135 condition that the necessary facilities will be in place when the impacts of the  
136 development occur.
- 137 • The necessary facilities are under construction at the time a plat approval the  
138 development order is issued.
- 139 • The necessary facilities are the subject of a binding contract executed for the  
140 construction of those necessary facilities at the time the development order a  
141 plat approval is issued.
- 142 • The necessary facilities have been included in the 5-year schedule of capital  
143 improvements Broward County or City of Margate's annual budget at the time a  
144 plat approval the development order is issued although the facilities are not yet  
145 the subject of a binding contract for their construction. The City of Margate shall  
146 make a determination that it will not remove the budgetary provision for the  
147 necessary facilities from the budget.
- 148 • The applicant in good faith offers to enter into a binding agreement to pay for or  
149 construct its proportionate share of required transportation improvements in a  
150 manner consistent with F.S. §163.3180(5), and that the proportionate-share  
151 contribution or construction is sufficient to accomplish one or more mobility  
152 improvements that will benefit a regionally significant transportation facility,  
153 pursuant to F.S. 163.3180.
- 154 • The applicant enters into a binding agreement to pay for or construct its  
155 proportionate share of the school facilities necessary to serve the proposed  
156 development pursuant to Objective 1.3.0 of the Public Schools Facilities  
157 Element, or adequate school facilities will be in place or under actual construction  
158 within 3 years after approval of final plat, site plan or functional equivalent.

159  
160 Policy 6.2. The Level of Service standard shall be ~~110% of the permanent Florida Inventory~~  
161 of School Housing (FISH) capacity for each public elementary, middle and high school the  
162 higher of 100% gross capacity (including relocatables) or 110% permanent Florida Inventory

163 of School Housing (FISH) capacity for the purpose of establishing uniform, districtwide level-  
164 of-service standards for public schools, as outlined in the adopted Third Amended Interlocal  
165 Agreement.  
166

### 167 **Transportation Element**

168 Policy 2.2.1. The City of Margate shall ~~adopt and implement~~ adopted in 1994 and since  
169 then maintains a concurrency management system that assures substantial conformity with  
170 both the Margate and Broward County Comprehensive Plans when assessing all  
171 development activities. ~~provides that~~ Further, a development order may be issued within  
172 ~~when~~ an impacted roadway exceeds its adopted LOS standard only if one or more of the  
173 following mitigation measures apply:  
174

- 175 1. The proposed development does not place any trips on, or create any,  
176 overcapacity links within the impact area. The impact area consists of all  
177 property within the impact distance of the boundary of the proposed  
178 development site, where the impact distance is defined below:  
179

Proposed Use:	Impact Distance (miles):
Church	1
Commercial, less than 200,000 square feet GFA	1
Commercial, between 200,000 & 1 million square feet GFA	2
Commercial, greater than 1 million square feet GFA	3
Commercial Recreation	1
Community Facility	1
Day Care	1
Hotel	1
Industrial/Warehouse	2
Office	2
Park (local)	1
Park (regional)	2
Regional Cultural/Tourism Facility	3
Residential	1.5
School	1

180  
181 Proposed development with mixed use will be assigned the impact distance  
182 from the above table that is closest to the weighted average of impact distances  
183 of the individual uses in the proposed development, with the weights based on  
184 trips generated. Traffic studies submitted by an applicant shall be considered  
185 in reaching this decision.  
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2. The proposed development places trips on, or creates, overcapacity links within the impact area, but one of the following conditions applies:
    - a. There is an approved action plan to accommodate the traffic impact of the development; or
    - b. The necessary improvements to provide the applicable level of service are either under construction or are the subject of an executed contract for the immediate implementation of the improvements at the time the permit is issued; or
    - c. The necessary improvements to provide the applicable level of service have been included for the first two (2) years of the adopted municipal, state or county schedule of transportation improvements and the applicable government entity makes a determination that a binding contract for the implementation of said improvements will be executed no later than the final day of the second fiscal year of the original schedule; provided, however, that for an improvement to a FIHS facility, inclusion in the third year of the adopted state program may also be acceptable; or
    - d. The necessary improvements for the applicable LOS are provided for in an enforceable development agreement and will be available prior to certificates of occupancy that require those facilities. An enforceable development agreement may include, but is not limited to, development agreements pursuant to section 163.3220, Florida Statutes; or
    - e. The development permit will be issued in accordance with, and as authorized by, an approved Florida Quality Development (FQD) or Development of Regional Impact (DRI) development order which development order was either issued prior to the adoption of the 1989 Broward County Comprehensive Plan or was issued after being reviewed for concurrency; or
    - f. The proposed development is found to have vested rights with regard to any affected road segment in accordance with the provisions of Chapter 163, Part II, Florida Statutes, or a common law vested rights determination made as to that road segment in accordance with Section 5-181(l) of this Article. The proposed development must meet concurrency for any road segment for which a vested rights determination has not been made; or
    - ~~g. The proposed development meets all of the de minimis criteria~~
    - hg. The proposed development would promote public transportation. Specifically, the proposed development is either:
      - i. A public transit capital facility, including transit terminals, lines, shelters and stations; or
      - ii. An office building or office project that includes fixed-rail or transit terminals as part of the building
    - ih. The applicant in good faith offers to enter into a binding agreement to pay for or construct its proportionate share of required transportation improvements in a manner consistent with F.S. §163.3180(5), and that the proportionate-share contribution or construction is sufficient to accomplish one or more mobility improvements that will benefit a regionally significant transportation facility, pursuant to F.S. §163.3180. The Margate development review and approval process will ensure that necessary facilities and services will be available concurrent with the

237 impacts of development consistent with ~~Rule 9J-5.005(3)(c) F.A.C.~~ F.S.  
238 §163.3180 through any of the following situations. Development Action  
239 includes any land use change, site plan approval, building permit, zoning  
240 permit, subdivision approval, rezoning, special exception, variance, or  
241 any other official action of the City Commission or other appropriate City  
242 official or agency.

243 (a) The necessary transportation facilities are in place at the time a  
244 Development Action is approved by the City Commission or other  
245 appropriate City officials or the Development Action is approved subject  
246 to the condition that the necessary transportation facilities will be in place  
247 concurrent with the impacts of the development;

248 (b) The necessary transportation facilities are under construction at the  
249 time a Development Action is approved by the City Commission, or other  
250 appropriate City officials.

251 (c) The necessary transportation facilities are the subject of a binding  
252 contract executed for the construction of those necessary transportation  
253 facilities at the time a Development Action is approved by the City  
254 Commission, or other appropriate City officials.

255 (d) The necessary transportation facilities have been included in the  
256 Municipal, County or State annual budget at the time a Development  
257 Action is approved by the City Commission, or other appropriate City  
258 officials although the facilities are not yet the subject of a binding contract  
259 for their construction; and/or,

260 (e) At the time a Development Action is approved by the City  
261 Commission, or other appropriate City officials, the City is able to assure  
262 that the necessary transportation facilities will be in place within a  
263 reasonable period of time consistent with ~~the Rule 9J-5.0055(3)(c), F.A.C~~  
264 F.S. §163.3180. At a minimum, the necessary transportation facilities are  
265 to be included within a financially feasible Capital Improvements Element  
266 or an alternative implementation plan which is determined by the ~~Florida~~  
267 ~~Department of Community Affairs~~ State Land Planning Agency to be in  
268 compliance with ~~Rule 9J-5 of the Florida Administrative Code~~ F.S.  
269 §163.3180 and supported by all necessary implementing land  
270 development regulations and a concurrency monitoring system; and/or-

271 (f) The applicant in good faith offers to enter into a binding agreement  
272 to pay for or construct its proportionate share of required transportation  
273 improvements in a manner consistent with F.S. §163.3180(5), and that  
274 the proportionate-share contribution or construction is sufficient to  
275 accomplish one or more mobility improvements that will benefit a  
276 regionally significant transportation facility, pursuant to F.S. §163.3180.  
277

## 278 Intergovernmental Coordination Element

279 Policy 2.4. Utilize the SFRPC ~~informal~~-dispute resolution program to resolve  
280 intergovernmental disputes, ~~when agreed to by all affected parties. [9J-5(3)(c)2] as~~  
281 required by F.S. §163.3177.

## 282 283 Public Schools Facilities Element

284 Objective 1.1.0. Pursuant to Chapters 163.3177 and 163.3180 F.S. and the Third  
285 Amended and Restated Interlocal Agreement for Public School Facility Planning (TRILA),

286 the City shall provide comments to the School Board during its annual preparation, update  
287 and adoption of the Five-Year District Educational Facilities Plan (DEFP). The School  
288 Board shall also ensure that school facilities are planned to meet the long-term planning  
289 period of the Public School Facility Element (PSFE) of the City of Margate Comprehensive  
290 Plan, consistent with the provisions of the TRILA.

291

292 **Policy 1.1.1.** The City hereby adopts the most current Broward County School Board  
293 DEFP ~~(Broward County School Board annually adopted district educational facilities~~  
294 ~~plan (DEFP) dated September 7, 2010, as amended, for fiscal years 2010-11 to 2014-~~  
295 ~~15, including the 5-year schedule of capital improvements)~~ is hereby adopted into the  
296 CIE.

297

298 **Policy 1.1.2.** The ~~financially feasible~~ schedule of capital improvements of the DEFP  
299 shall be annually adopted into the City of Margate Comprehensive Plan Capital  
300 Improvements Element (CIE) schedule of capital improvements by reference.

301

302 **Policy \_\_\_\_\_ 1.1.3.** The Level of Service (LOS) standard shall be the higher of: 100%  
303 of the gross capacity ~~(with including relocatable classrooms) for each CSA until the end~~  
304 ~~of the 2018-2019 school year; and commencing at the 2019-20 school year, the LOS~~  
305 ~~for each CSA shall be 100% or 110% of the permanent Florida Inventory of School~~  
306 Housing (FISH) capacity for each public elementary, middle and high school.

307



# 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 Anthony N. Caggiano*  
*Commissioners:*  
*Lesa Peerman, Tommy Ruzzano, Joanne Simone*

*City Manager Samuel A. May*  
*Interim City Attorney Goren, Cherof, Doody & Ezrol, P.A.*  
*City Clerk Joseph J. Kavanagh*

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Wednesday, November 7, 2018

6:30 PM

Commission Chambers

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### CALL TO ORDER

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

### In Attendance:

City Manager Samuel A. May  
Interim City Attorney Jacob G. Horowitz  
City Clerk Joseph J. Kavanagh

### PLEDGE OF ALLEGIANCE

[ID 2018-589](#) GIRL SCOUT TROOP 10269 AND CUB SCOUT PACK 836

### 1) PRESENTATION(S)

A. [ID 2018-617](#) RECOGNITION OF OUTGOING COMMISSIONER LESA PEERMAN.

### STUDENTS AND TEACHERS OF THE MONTH

B. [ID 2018-580](#) ABUNDANT LIFE CHRISTIAN ACADEMY: JESSICA GEORGE (Student), ; JOSIE SANTOS (Teacher),  
(Mrs. Stacy Angier, Principal and/or Mrs. Renate Ramirez, Assistant Principal)

ATLANTIC WEST ELEMENTARY: GABRIEL ROCA (Student), ; JEFFREY GARFIELD (Teacher),  
(Mrs. Diane Eagan, Principal and/or Ms. Jounice Lewis, Assistant Principal)

LIBERTY ELEMENTARY: MANUEL MONTEJO-PEREZ (Student), ; MARJORIE RODRIGUEZ (Teacher),  
(Mr. David J. Levine, Principal and/or Ms. Donna Styles, Assistant Principal)

MARGATE ELEMENTARY: MASON ALLDAY (Student), ; MONIQUE WILTON (Teacher),  
(Mr. Thomas Schroeder, Principal and/or Ms. Vicki Flournoy, Assistant Principal)

MARGATE MIDDLE: SHYLA HALL (Student), ; NOEL CAMPBELL (Teacher),  
(Mr. Earnest Toliver, Principal and/or Assistant Principal)

RISE ACADEMY SCHOOL OF SCIENCE AND TECHNOLOGY: DAYANA  
GUANDIQUE (Student), ; JASMINE RAHMAN (Teacher),  
(Ms. Adriana Guerra, Principal)

WEST BROWARD ACADEMY: JESSICA SMITH (Teacher),  
(Ms. Donna Baggs, Principal)

### **PROCLAMATION(S)**

- C. [ID 2018-613](#) ALZHEIMER'S AWARENESS MONTH - NOVEMBER, 2018 (presented to Karin Diaz, Project Director, Northwest Focal Point Senior Center)

### **2) COMMISSION COMMENTS**

Mayor Schwartz pulled item 4E from the agenda and it was not heard.

### **3) PUBLIC DISCUSSION**

### **4) 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 2018-540](#) RESOLUTION - APPROVING INTENT TO FUND AGREEMENT BETWEEN DEPARTMENT OF FINANCIAL SERVICES AND CITY OF MARGATE AND ACCEPTING \$1,000,000 IN FUNDING PURSUANT TO THE GENERAL APPROPRIATIONS ACT FOR THE 2018-2019 FISCAL YEAR FOR THE CONSTRUCTION OF A NEW FIRE STATION; PROVIDING FOR EFFECTIVE DATE.
- B. [ID 2018-566](#) RESOLUTION - ADOPTING THE CITY OF MARGATE TITLE VI PROGRAM AS PART OF THE CITY OF MARGATE INNER-CITY TRANSIT PROGRAM; PROVIDING FOR ASSURANCE OF NON-DISCRIMINATION OR RETALIATION UNDER ANY PROGRAM OR ACTIVITY UNDERTAKEN BY THE CITY OF MARGATE; PROVIDING FOR EFFECTIVE DATE.
- C. [ID 2018-569](#) RESOLUTION - APPROVING AN AMENDMENT TO AN INTERLOCAL AGREEMENT WITH THE CITY OF CORAL SPRINGS FOR POLICE MOTORCYCLE REPAIR AND MAINTENANCE SERVICES; PROVIDING FOR INITIAL TWO (2) YEAR TERM; PROVIDING FOR A RENEWAL OPTION OF TWO (2) ADDITIONAL TWO (2) YEAR PERIODS; AUTHORIZING ADMINISTRATION TO RENEW OR EXTEND THIS AGREEMENT UNDER THE SAME TERMS WITHOUT FURTHER CITY COMMISSION ACTION.

- D. ID 2018-571 RESOLUTION - APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF POMPANO BEACH, FLORIDA, THE CITY OF MARGATE, FLORIDA, THE CITY OF NORTH LAUDERDALE, FLORIDA, THE CITY OF CORAL SPRINGS, FLORIDA, AND THE CITY OF COCONUT CREEK, FLORIDA, FOR SHARING THE COST OF THE DEVELOPMENT OF A BACTERIA POLLUTION CONTROL PLAN; PROVIDING FOR REQUIREMENT OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MUNICIPAL STORM SEWER PERMIT; PROVIDING FOR PAYMENT OF \$8,938.90 FOR THE CITY OF MARGATE'S FAIR SHARE.
- E. ID 2018-576 RESOLUTION - APPROVING LAW ENFORCEMENT MUTUAL AID AGREEMENT FOR VOLUNTARY COOPERATION AND OPERATIONAL ASSISTANCE FROM JANUARY 1, 2019 THROUGH DECEMBER 31, 2028, PURSUANT TO SECTION 23.1255(1) (2) OF THE FLORIDA STATUTES, KNOWN AS THE FLORIDA MUTUAL AID ACT.
- F. ID 2018-611 RESOLUTION - APPROVING A STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION STANDARD GRANT AGREEMENT AND ACCEPTING \$500,000 IN FUNDING PURSUANT TO THE GENERAL APPROPRIATIONS ACT FOR THE 2018-2019 FISCAL YEAR FOR THE MARGATE SEWER PIPING REHABILITATION PROJECT; PROVIDING FOR EFFECTIVE DATE.
- G. ID 2018-616 RESOLUTION - APPROVING THE THIRD AMENDMENT TO THE NARCOTICS INTERDICTION TASK FORCE MEMORANDUM OF UNDERSTANDING. AUTHORIZING ADMINISTRATION TO RENEW OR EXTEND THIS AGREEMENT UNDER THE SAME TERMS, FOR COMPLIANCE WITH FEDERAL REGULATIONS OR FOR AN INCREASE IN FUNDING, WITHOUT FURTHER COMMISSION ACTION; PROVIDING FOR EFFECTIVE DATE.

FIRST - Commissioner Peerman

SECOND - Vice Mayor Caggiano

CONSENT AGENDA APPROVED 5-0 (minus item 4E).

## 5) CITY MANAGER'S REPORT

## 6) RESOLUTION(S)

- A. ID 2018-532 APPROVING THE WAIVING OF BIDDING FOR ACQUISITION FROM THE FEDERAL JUSTICE LAW ENFORCEMENT TRUST FUND ACCOUNT TO ENHANCE THE POLICE DEPARTMENT'S K-9 UNIT TO INCLUDE THE PURCHASE OF TWO (2) REPLACEMENT CANINES, VEHICLE EQUIPMENT, MISCELLANEOUS K-9 EQUIPMENT, AND TRAINING, AT A COST NOT TO EXCEED \$50,000.00.

FIRST - Commissioner Simone

SECOND - Commissioner Peerman

APPROVED 5-0.

- B. [ID 2018-590](#) AWARDING BID NO. 2018-005 - SOUTHGATE BOULEVARD AND ROCK ISLAND ROAD FORCE MAIN PROJECT TO R.P. UTILITY & EXCAVATION CORP., IN AN AMOUNT NOT TO EXCEED \$949,999.98; PROVIDING FOR AN EFFECTIVE DATE.

FIRST - Commissioner Peerman

SECOND - Commissioner Ruzzano

APPROVED 5-0.

- C. [ID 2018-599](#) APPROVING CHANGE ORDER FOR THE CONTRACT WITH ALL FLORIDA CONTRACTING SERVICES AWARDED UNDER RESOLUTION 18-092 FOR BID NO. 2018-015 - GENERATOR ENCLOSURE REPLACEMENT (CORAL GATE) PROVIDING FOR AN INCREASE IN THE AMOUNT OF \$32,000; PROVIDING FOR AN EFFECTIVE DATE.

FIRST - Commissioner Simone

SECOND - Commissioner Peerman

APPROVED 5-0.

- D. [ID 2018-609](#) AUTHORIZING THE ADMINISTRATION TO NEGOTIATE CONTINUING SERVICES AGREEMENTS WITH THE TOP TWO RANKED ENGINEERING FIRMS, (1) CARNAHAN, PROCTOR AND CROSS, INC., (2) CHEN MOORE & ASSOCIATES, INC., AND ADDITIONALLY AUTHORIZING THE ADMINISTRATION TO NEGOTIATE A CONTINUING SERVICES AGREEMENT WITH THE THIRD FIRM, LAKDAS/YOHALEM ENGINEERING, INC., FOR REQUEST FOR QUALIFICATIONS (RFQ) 2018-012 - CIVIL ENGINEERING SERVICES; PROVIDING FOR AN EFFECTIVE DATE.

FIRST - Commissioner Peerman

SECOND - Vice Mayor Caggiano

APPROVED 5-0.

- E. [ID 2018-610](#) REVISING THE CITY OF MARGATE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ACTION PLAN FOR FISCAL YEAR 2018; PROVIDING FOR ALLOCATING THE BALANCE OF FISCAL YEARS 2014 AND 2015 TO FISCAL YEAR 2018 TO BE USED FOR ESTABLISHED PROGRAM ACTIVITIES OF PURCHASE ASSISTANCE, HOUSING REHABILITATION AND ADMINISTRATION AND AMENDING THE 2015-2019 CONSOLIDATED PLAN TO PROVIDE CONSISTENCY WITH ACTION PLAN REVISIONS AND PRIORITY GOALS; PROVIDING FOR EFFECTIVE DATE.

FIRST - Commissioner Simone

SECOND - Vice Mayor Caggiano

APPROVED 5-0.

- F. ID 2018-604 APPROVING A TWO PERCENT (2.0%) COST OF LIVING (COLA) FOR THE PERIOD FROM OCTOBER 1, 2018 THROUGH SEPTEMBER 30, 2019, FOR SENIOR MANAGEMENT PERSONNEL; PROVIDING FOR EFFECTIVE DATE.

FIRST - Commissioner Peerman

SECOND - Commissioner Simone

APPROVED 5-0.

- G. ID 2018-621 AUTHORIZING ELECTED OFFICIALS TO RECEIVE COMPENSATION IN AN AMOUNT EQUAL TO THE LOWEST LEVEL OF SINGLE COVERAGE OF EMPLOYER PAID PREMIUM IN LIEU OF RECEIVING HEALTH INSURANCE BENEFITS AND PROVIDING FOR AN EFFECTIVE DATE.

FIRST - Vice Mayor Caggiano

SECOND - Commissioner Ruzzano

APPROVED 3-2.

Commissioner Peerman NO  
 Commissioner Simone NO  
 Commissioner Ruzzano YES  
 Vice Mayor Caggiano YES  
 Mayor Schwartz YES

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

- A. ID 2018-601 AMENDING FISCAL YEAR 2018 BUDGET (ORDINANCE NUMBERS 2017-16 AND 2017-22) AND FISCAL YEAR 2019 BUDGET (ORDINANCE NUMBER 2018-5); PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

FIRST - Vice Mayor Caggiano

SECOND - Commissioner Peerman

Commissioner Peerman made a MOTION TO AMEND to remove the \$4,782 from the City Commission Personal Services account for the 2% COLA increase.

SECOND - Commissioner Simone

AMENDMENT FAILED 2-3.

Commissioner Peerman YES  
 Commissioner Simone YES  
 Commissioner Ruzzano NO



Vice Mayor Caggiano NO  
Mayor Schwartz NO

ORIGINAL MOTION APPROVED 5-0.

- B.** ID 2018-591 EVALUATION AND APPRAISAL REPORT (EAR) BASED AMENDMENTS TO THE COMPREHENSIVE PLAN.

FIRST - Commissioner Peerman

SECOND - Vice Mayor Caggiano

APPROVED 5-0.

## 8) ORDINANCE(S) - SECOND READING

- A.** ID 2018-577 AMENDING CHAPTER 37 - TAXATION, ARTICLE III. ADDITIONAL HOMESTEAD EXEMPTION; PROVIDING FOR ALTERNATE ADDITIONAL HOMESTEAD EXEMPTION FOR LOW-INCOME SENIOR CITIZENS WHO ARE LONG-TERM RESIDENTS; PROVIDING FOR AN EFFECTIVE DATE.

FIRST - Vice Mayor Caggiano

SECOND - Commissioner Peerman

APPROVED 5-0.

## 9) DISCUSSION AND POSSIBLE ACTION

- A.** ID 2018-579 UTILITY BOX ART PROJECT.

Mayor Schwartz made a MOTION TO TABLE.

SECOND - Commissioner Simone

APPROVED 4-1.

Commissioner Peerman YES  
Commissioner Simone YES  
Commissioner Ruzzano YES  
Vice Mayor Caggiano NO  
Mayor Schwartz YES

## ADJOURNMENT

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.

DRAFT