



CITY OF COCONUT CREEK CITY COMMISSION MINUTES

Government Center
4800 W. Copans Road
Coconut Creek, Florida

Date: January 13, 2022
Time: 7:00 p.m.
Regular Meeting No. 2022-0113R

CALL TO ORDER

Mayor Rebecca A. Tooley called the meeting to order at 7:01 p.m.

PRESENT UPON ROLL CALL:

Mayor Rebecca A. Tooley
Vice Mayor Joshua Rydell
Commissioner Lou Sarbone
Commissioner Sandra L. Welch
Commissioner Jacqueline Railey
City Manager Karen M. Brooks
City Attorney Terrill C. Pyburn
Interim City Clerk Marianne Bowers

Mayor Tooley asked all to rise for the Pledge of Allegiance.

Mayor Tooley noted that the meeting was being conducted live with a quorum physically present, and explained that, in light of the pandemic, accommodations were made to allow the public to provide advanced comments without the need to attend the meeting. City Attorney Terrill Pyburn explained the procedures for public participation and comment for the meeting.

PRESENTATIONS

- ~~1. 22-011~~ A PROCLAMATION RECOGNIZING JANUARY 13, 2022, AS "ROBERT B. CRAWFORD DAY."

Mayor Tooley noted that Agenda Item 1 was postponed to the January 27, 2022, Commission meeting.

2. 22-014 A PROCLAMATION RECOGNIZING JANUARY 23-29, 2022, AS "SCHOOL CHOICE WEEK."

Vice Mayor Rydell read the proclamation into the record.

3. 22-001 A PRESENTATION RECOGNIZING FIRST QUARTER EMPLOYEE MILESTONE ANNIVERSARIES FOR FISCAL YEAR 2022.

Risk Manager Sanjeev Bissessar recognized the following employees who had reached a milestone anniversary during the first quarter of Fiscal Year 2022.

Five (5) Year Anniversary:

Tim McPherson, Human Resources Manager, Human Resources
Jean Simonis, Human Resources Generalist, Human Resources

Victor Blackwood, Police Officer, Police Department
Alexis Dorta, Police Officer, Police Department
Tyler Morehouse, Maintenance Service Worker III, Public Works
Dominick Toresco, Structural Plans Examiner, Sustainable Development

Ten (10) Year Anniversary:

Jeannette Camacho-Hernandez, Police Legal Advisor, Police Department
Ryan Banyas, Fire Marshal, Fire Rescue Department
Melissa Lefevere, Administrative Assistant, Human Resources
Debra Bradley, Senior Recreation Programmer, Parks & Recreation

Fifteen (15) Year Anniversary:

Michael Riccio, Public Works Lead Worker, Public Works
Steve Seegobin, Construction Supervisor, Utilities & Engineering

Twenty (20) Year Anniversary:

Curtis Gelsey, Maintenance Service Worker II, Public Works
Catherine Touhsant, Engineering Permit Specialist, Utilities & Engineering

Twenty-five (25) Year Anniversary:

Lou Italice, Public Works Project Manager, Public Works

- 4. 22-002** A PRESENTATION BY THE AMERICAN HEART ASSOCIATION RECOGNIZING THE CITY WITH A WORKPLACE HEALTH ACHIEVEMENT AWARD.

Sabine Delouche, Community Impact Director at American Heart Association, made a presentation recognizing the City for achieving gold status on the workplace health index. She read a proclamation into the record and presented a plaque to Human Resources Generalist Katelyn DiCintio.

- 5. 22-003** A SWEARING-IN CEREMONY FOR NEW POLICE OFFICER BRYANT DE LA CAMPA.

Police Chief Albert “Butch” Arenal introduced new Police Officer Bryant De La Campa. Interim City Clerk Marianne Bowers administered the oath of office, followed by the badge-pinning ceremony.

INPUT FROM THE PUBLIC

Interim City Clerk Bowers stated that there were no advanced public comments received for Non-agenda or Consent Agenda items, and no one had signed in to speak.

CONSENT AGENDA (Items 6, 7, 8, 9, and 10)

Mayor Tooley read each of the titles of the Consent Agenda Items into the record.

- 6. 22-004** A MOTION APPROVING THE MINUTES FROM PREVIOUS CITY COMMISSION MEETING(S). (2021-1118WS, 2021-1118SP, AND 2021-1209R)
- 7. 22-005** A MOTION TO GRANT AN EXTENSION FOR THE FISCAL YEAR 2021 SAWGRASS VILLAGE I NEIGHBORHOOD ENHANCEMENT MULTI-PHASE LANDSCAPE DESIGN PROJECT.

8. **RES 2022-007** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AGREEMENTS WITH THE FOLLOWING TEN SHORT-LISTED FIRMS FOR ARCHITECTURE, LANDSCAPE ARCHITECTURE, PLANNING, AND URBAN DESIGN SERVICES PURSUANT TO RFQ NO. 10-06-21-11: (1) BERMELLO AJAMIL & PARTNERS, (2) CPZ ARCHITECTS, INC., (3) CRAVEN THOMPSON & ASSOCIATES, INC., (4) KIMLEY-HORN AND ASSOCIATES, INC., (5) MARLIN ENGINEERING, INC., (6) MILLER LEGG AND ASSOCIATES, INC., (7) SYNALOVSKI ROMANIK SAYE, LLC, (8) THE CORRADINO GROUP, (9) WALTERS ZACKRIA ASSOCIATES, AND (10) WGI, INC.
9. **RES 2022-001** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED AMENDED MAINTENANCE AGREEMENT WITH BROWARD COUNTY TO ADD THE COPANS ROAD INTERSECTION TO THE MAINTENANCE OF PATTERNED PAVEMENT CROSSWALKS ALONG VARIOUS INTERSECTIONS OF LYONS ROAD IN CONJUNCTION WITH THE LYONS ROAD MOBILITY PROJECT.
10. **RES 2022-009** A RESOLUTION APPOINTING TWO (2) SPECIAL MAGISTRATES FOR CITY CODE ENFORCEMENT MATTERS; AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE INDEPENDENT CONTRACTOR AGREEMENTS WITH RICHARD L. DOODY, ESQ. AND TOM ANSBRO, ESQ.

MOTION: Rydell/Sarbone – To approve Consent Agenda Items 6, 7, 8, 9, and 10.

Upon roll call, the Motion passed by a 5-0 vote.

REGULAR AGENDA

City Clerk

11. **RES 2022-003** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE A SOLE SOURCE CONSULTANT AGREEMENT WITH STEVE M. LEWIS, INC. D/B/A SML, INC. TO PROVIDE RECORDS MANAGEMENT IMPLEMENTATION SERVICES.

Mayor Tooley read the Resolution title into the record.

MOTION: Welch/Rydell – To approve Resolution No. 2022-003.

Commissioner Welch asked for clarification on the indemnity and auto insurance provisions included in the agreement. City Attorney Pyburn explained.

Upon roll call, the Resolution passed by a 5-0 vote.

12. **ORD 2022-002** AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES, BY AMENDING CHAPTER 2, "ADMINISTRATION," ARTICLE III, "DEPARTMENTS," DIVISION 3, "FIRE RESCUE DEPARTMENT," TO ENACT NEW SECTION 2-82, "USE OF OFF-DUTY FIREFIGHTER/PARAMEDICS OR FIRE INSPECTORS FOR UNOFFICIAL FUNCTIONS," TO PROVIDE FOR OFF-DUTY DETAIL RATES FOR FIREFIGHTERS/PARAMEDICS OR FIRE INSPECTORS. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Welch/Railey – To approve Ordinance No. 2022-002 on first reading.

Fire Chief Jeffery Gary presented the item, noting it was similar to the ordinance in place for the Police Department Off-duty detail requirements and set the rate for Fire Rescue details.

Discussion ensued regarding a mechanism to waive rates under certain circumstances. Fire Chief Gary stated that he would look into this issue between first and second reading of the Ordinance. City Manager Karen Brooks explained the funds were used to pay the fire personnel covering the unofficial function and pointed out the primary users were the schools for sporting events.

Interim City Clerk Bowers stated that no advanced public comments were received for the item, and no one had signed in to speak.

Upon roll call, the Ordinance passed on first reading by a 5-0 vote.

Utilities and Engineering

13. **RES 2022-008** A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF COCONUT CREEK, FLORIDA FOR THE SURTAX-FUNDED MUNICIPAL TRANSPORTATION PROJECT: COMPREHENSIVE STREET IMPROVEMENT PROJECT (PHASE II), SURTAX PROJECT NUMBER BC-CREEK-FY2020-000001.

Mayor Tooley read the Resolution title into the record.

MOTION: Welch/Rydell – To approve Resolution No. 2022-008.

Utilities & Engineering Director Osama Elshami presented the item. He provided a project timeline, showed maps depicting the project area, and then outlined the bid process to be followed.

Interim City Clerk Bowers stated that no advanced public comments were received, and no one had signed in to speak.

Upon roll call, the Resolution passed by a 5-0 vote.

Sustainable Development

City Attorney Pyburn read aloud the City's Quasi-Judicial procedures that would be applied to Agenda Item 14. Interim City Clerk Bowers confirmed that the public notice requirements had been met for the item and swore in witnesses.

14. **RES 2022-004** A RESOLUTION VACATING AND ABANDONING A 10-FOOT-WIDE UTILITY EASEMENT FOR THE PROJECT KNOWN AS FIRST SAWGRASS COMMERCE CENTER GENERALLY LOCATED AT 6301 LYONS ROAD WITH SAID EASEMENT LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO. (QUASI-JUDICIAL) (PUBLIC HEARING)

Mayor Tooley read the Resolution title into the record.
Commissioner Railey made a motion to hear the item, seconded by Commissioner Sarbone.

City Attorney Pyburn asked if there were any disclosures or ex parte communications on behalf of the Commission, and there were none.

Sustainable Development Director Scott Stoudenmire presented the item. He explained the City Engineering Department had asked the applicant to vacate the easement as a matter of clean-up for the development site. Frank Whitaker, attorney for the applicant, stated he was present to answer any questions.

Mayor Tooley opened the public hearing on the item. Interim City Clerk Bowers stated there were no advanced public comments received for the item, and no one had signed in to speak. Mayor Tooley closed the public hearing.

MOTION: Rydell/Sarbone – To approve Resolution No. 2022-004.

Upon roll call, the Resolution passed by a 5-0 vote.

15. **ORD 2022-001** AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE THE FIRST AMENDMENT TO THE LEASE AGREEMENT BETWEEN THE CITY OF COCONUT CREEK AND NEW CINGULAR WIRELESS PCS, LLC, A WHOLLY OWNED SUBSIDIARY OF AT&T MOBILITY CORPORATION, TO CORRECT THE LEASED GROUND SPACE FROM 108 TO 113 SQUARE FEET WITHIN THE CITY’S GOVERNMENT CENTER TO ACCOUNT FOR AN ELECTRICAL TRANSFORMER REQUIRED WITHIN THE COMPOUND ADJACENT TO THE TELECOMMUNICATIONS TOWER SUBJECT TO ALL OTHER TERMS AND CONDITIONS. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Sarbone/Welch – To approve Ordinance No. 2022-001 on first reading.

Sustainable Development Director Stoudenmire presented the item. He noted it was a minor amendment to accommodate a necessary transformer.

Interim City Clerk Bowers stated that no advanced public comments were received for the item, and no one had signed in to speak.

Upon roll call, the Ordinance passed on first reading by a 5-0 vote.

City Attorney

16. **ORD 2022-003** AN ORDINANCE AMENDING THE CITY’S CODE OF ORDINANCES, BY AMENDING CHAPTER 2, “ADMINISTRATION,” ARTICLE V, “BOARDS, COMMISSIONS AND COMMITTEES,” DIVISION 3, “CODE ENFORCEMENT BOARD,” SECTION 2-239, “FINE REDUCTION PROCEDURES,” TO REFLECT AN UPDATE IN THE COMPOSITION OF THE CITY’S FINE REDUCTION COMMITTEE. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Railey/Welch – To approve Ordinance No. 2022-003 on first reading.

City Attorney Pyburn presented the item, explaining the Ordinance would update staff membership on the City's Fine Reduction Committee to include a representative from the Finance and Administrative Services Department.

Interim City Clerk Bowers stated that no advanced public comments were received, and no one had signed in to speak.

Upon roll call, the Ordinance passed on first reading by a 5-0 vote.

CITY MANAGER REPORT

City Manager Brooks explained three of the City's Boards, the Education Advisory Board, Community Outreach Advisory Board, and Public Safety Advisory Board, were initially established to garner additional participation from the community and as a mechanism for community outreach in those areas and noted that they were set to sunset this April. She discussed the lessons learned through the boards and stated she would seek consensus to provide the same kind of community participation and outreach in these categories, but without the formality of the boards. She explained that the details for an alternative program would be worked out prior to the sunset and noted she would also like to add the Environmental Advisory Board to the sunset provisions.

Discussion ensued regarding fostering robust community involvement and ideas for alternative opportunities to engage the community. Consensus was given for staff to move forward with developing an alternate community involvement program and the sunset of the boards, with City Manager Brooks to provide an update on the progress at the next meeting.

CITY ATTORNEY REPORT

City Attorney Pyburn wished everyone a happy new year.

COMMISSION COMMUNICATIONS

Commissioner Sarbone encouraged everyone to continue wearing masks and get vaccinated in response to the COVID-19 pandemic.

Commissioner Welch commended Victim Advocate Tara Arena for her talk at the Women's Club Meeting, Utilities & Engineering staff for getting the County to adjust the timing at the pedestrian crossing for Monarch High School Students, and Parks and Recreation Fitness Specialist Renee Cohen for the "Fit Creek in the Park" program. She added that she was proud of the number of applicants that had already submitted applications for the Butterfly Small Business Grant Program and shared feedback she had received on the program. Commissioner Welch commented on the metal detectors in the schools, and discussed legislative bills briefly, stating that Coconut Creek was blessed with its representation in the State Legislature.

Commissioner Railey recognized the Fire Rescue and Police Departments for their help within the Wynmoor Community. She shared details of the meeting held on January 4 regarding the Turnpike Expansion Project and stated the community aggressively opposes the expansion but supports the interchanges. She noted there would be buses for the meeting on January 19, and she hoped for a strong showing of residents. Commissioner Railey shared that the swearing in of new Broward County

Commissioner Jared Moskowitz had been very touching. She thanked staff for attention to the red light going south on Lyons Road turning into Wynmoor and discussed the traffic issues on the road.

Vice Mayor Rydell asked consensus for staff to draft letters in opposition to Senate Bill 620/House Bill 569, regarding sovereign immunity issues. City Attorney Pyburn stated that they were calling it Burt Harris for Business and provided brief detail. Vice Mayor Rydell encouraged the entire Commission to mobilize on the issue. He discussed new members on the County Commission. He received consensus to spearhead a small business academy, and shared details regarding his vision for a six (6) or seven (7) part seminar on issues important to Coconut Creek businesses.

Mayor Tooley shared a thank you letter from the President and CEO of 211 Broward and discussed the program's importance during COVID-19. She stated there was a Broward League of Cities dinner scheduled for next Thursday. Continuing, Mayor Tooley addressed some of the bills coming out of the State Legislature, commenting the City would have to stay on top of many of bills. She noted potential issues with redistricting and shared information on the City's upcoming ceremonies in honor of the victims of the Marjory Stoneman Douglas school shooting.

ADJOURNMENT

The meeting was adjourned at 8:22 p.m.

Marianne Bowers, CMC
Interim City Clerk

Date