



CITY OF COCONUT CREEK CITY COMMISSION MINUTES

**Government Center
4800 W. Copans Road
Coconut Creek, Florida**

**Date: May 23, 2024
Time: 7:00 p.m.
Meeting No. 2024-0523R**

CALL TO ORDER

Mayor Sandra L. Welch called the meeting to order at 7:03 p.m.

PRESENT UPON ROLL CALL:

Mayor Sandra L. Welch
Vice Mayor Jacqueline Railey
Commissioner Joshua Rydell
Commissioner John A. Brodie
Commissioner Jeffrey R. Wasserman
City Manager Sheila N. Rose
City Attorney Terrill C. Pyburn
City Clerk Joseph J. Kavanagh

Mayor Welch asked all to rise for the Pledge of Allegiance led by Assistant City Attorney Eve Lewis.

City Attorney Pyburn noted that the meeting was being conducted live with a quorum physically present and explained the procedures for the meeting.

PRESENTATION(S)

- 24-108** A PROCLAMATION RECOGNIZING JUNE 7, 2024, AS "NATIONAL GUN VIOLENCE AWARENESS DAY."

Mayor Welch read the proclamation into the record and presented it to Nancy Fry, Moms Demand Action for Gun Sense in America. Ms. Fry and Commissioner Rydell made brief comments.

INPUT FROM THE PUBLIC

Jorge Mederos, 921 NW 42 Avenue, Coconut Creek, shared that, in October 1973, the City's Utilities Department was formed, and that was where the City first failed South Creek by staying with Margate sewer and water. He stated residents were subject to taxation without representation and highlighted recent increases to rates, suggesting Coconut Creek needed a bond to purchase the system. He commented on issues with approvals from the City of Margate for the Sprouts development in South Creek and highlighted the goals of the City's Vision 2030 Plan. He commented that the Margate water system did not meet the defined goals of Vision 2030 and asked the City to come to a consensus to switch the water and sewer system over to Coconut Creek.

Commissioner Wasserman sought commitment from staff to attend a Margate City Commission meeting to establish a relationship. City Manager Rose advised that staff continually coordinates with the City of Margate and was at somewhat of a disadvantage on the issue. Discussion ensued, and City Manager Rose agreed to reach out to the Margate City Manager before the next Commission meeting to begin

the conversation.

CONSENT AGENDA (Items 2 and 3)

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

2. **24-080** A MOTION APPROVING THE MINUTES FROM PREVIOUS CITY COMMISSION MEETING(S). (2024-0425R AND 2024-0501WS)

3. **RES**
 2024-083 A RESOLUTION RATIFYING THE TEMPORARY USE AGREEMENT FOR FIRE TRUCK WITH THE CITY OF CORAL SPRINGS PROVIDING THE CITY OF COCONUT CREEK TEMPORARY USE OF A CORAL SPRINGS-PARKLAND FIRE DEPARTMENT TRUCK FROM APRIL 24, 2024, UNTIL APRIL 26, 2024.

MOTION: Rydell/Railey – To approve Consent Agenda Items 2 and 3.

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

REGULAR AGENDA

Utilities and Engineering

4. **RES**
 2024-077 A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AN AGREEMENT WITH MACEDA CONTRACTORS, LLC TO PROVIDE CONSTRUCTION SERVICES TO BUILD AN ADDITION TO THE SABAL PINES PARK MAINTENANCE BUILDING PURSUANT TO IFB NO. 02-13-24-11. (TABLED FROM MAY 9, 2024 COMMISSION MEETING)

MOTION: Rydell/Wasserman – To approve Resolution No. 2024-077.

Utilities and Engineering Director Osama Elshami advised the proposed Sabal Pines Park maintenance yard retrofit had been tabled at the May 9 Commission meeting with direction to investigate the cost of materials and equipment that would be kept in the bays. He stated he had spoken with the departments that would use the storage and determined there would be a rolling total value of approximately \$1 million to \$1.5 million. He noted the bays would be used not only for storage, but also for operations to allow staff to work on equipment out of the elements.

Commissioner Rydell stated his opposition to the item was not based on the nature of the item, but due to the need to prioritize expenditures. He noted after meeting with staff, restricted funds had been set aside for the project beginning in 2021, and he would support it moving forward. He asked that infrastructure priorities be aligned toward the priority of a permanent fire station.

Mayor Welch stated she supported the expenditure due to the critical equipment and parts that needed to be maintained and kept in good working order.

Vice Mayor Railey advised that the protection of staff from the sun and weather while assembling items and making repairs was important.

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

5. **ORD 2024-022** AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES BY AMENDING CHAPTER 10, "FLOOD PREVENTION AND PROTECTION," ARTICLE II, "APPLICABILITY," SECTION 10-9, "BASIS FOR ESTABLISHING FLOOD HAZARD AREAS," TO UPDATE THE DATE OF THE FLOOD INSURANCE STUDY AND FLOOD INSURANCE RATE MAP; AND BY AMENDING ARTICLE IV, "DEFINITIONS," SECTION 10-63, "DEFINITIONS," TO UPDATE THE MEANING OF MARKET VALUE. (SECOND READING)(PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Railey/Wasserman – To adopt Ordinance No. 2024-022.

Mr. Elshami presented the item, advising that the Federal Emergency Management Agency (FEMA) required the adoption of new flood maps to remain in the Community Rating System, a program that provides residents with discounts on flood insurance. He noted that there were no City-level changes.

Mayor Welch opened the public hearing. There were no questions or comments from the public, and Mayor Welch closed the public hearing.

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

Public Works Department

6. **24-094** A REPORT BY MILLER LEGG & ASSOCIATES, INC. TO THE CITY COMMISSION REGARDING THE OAK TRAILS PARK EXPANSION PROJECT.

Public Works Assistant Director Brian Rosen provided a brief history of Oak Trails Park, the Parks and Recreation Master Plan, and public feedback in support of a passive park on the site. He stated the project received a grant of \$1.1 million from the Florida Communities Trust to offset some of the cost of acquiring the properties, and outlined the park elements required under the grant, noting the grant requirements were addressed with this first phase.

Brian Shore, Miller Legg & Associates, Inc., made a brief presentation reviewing the proposed schematic design of the expanded Oak Trails Park. City Manager Rose added that staff had worked hard to limit the improvements to what was necessary to accommodate the grant improvements and to make it possible for the entire fifteen (15) acres to be open to the public and safe.

Commissioner Rydell commented that this was a major City expenditure, which was reduced by being in compliance with the requirements of the grant. Mr. Rosen stated the Phase 1 budget was \$2.5 million, in addition to the purchase of the property. Discussion continued regarding the purchase price.

Commissioner Wasserman inquired as to whether there would be direct access to the property from the Crescent Creek neighborhood, and Mr. Rosen advised access would be through the main entrance on NW 74 Street.

Mayor Welch stated she had previously expressed concern with the sewer being at the south end of the property and asked staff to explain the reasons behind that plan. Mr. Rosen explained the existing conditions that impacted the location. Mayor Welch commented that she loved the project, and hoped the residents were pleased with the way their input had been incorporated into the design.

Mr. Rosen outlined the next steps, including an updated presentation and an application for site plan approval that would take place between 60 and 90 percent design. Consensus was to proceed with the development of Phase 1.

Sustainable Development

7. **ORD 2023-026** AN ORDINANCE AMENDING THE CITY’S CODE OF ORDINANCES BY AMENDING CHAPTER 5, “ANIMALS,” SPECIFICALLY SECTIONS 5-2, “DEFINITIONS,” 5-3, “ADOPTION OF COUNTY ANIMAL CONTROL ORDINANCE,” 5-5, “KEEPING AGRICULTURAL AND FARM ANIMALS,” 5-6, “PROHIBITION ON NUISANCES; RUNNING AT LARGE, VICIOUS DOGS, DOGS HAVING BITTEN OR ATTACKED,” 5-7, “PROHIBITION OF CRUELTY TO ANIMALS,” 5-8, “WILD ANIMALS, WATERFOWL, AND RELATED NUISANCES,” AND 5-9, “IMPOUNDING, DISPOSITION OF ANIMALS,” TO CLARIFY DEFINITIONS, PROHIBIT PUBLIC NUISANCES CAUSED BY UNNATURAL CONGREGATIONS OF WILDLIFE, AND UPDATE LANGUAGE TO BE CONSISTENT WITH STATE LAW. (SECOND READING)(PUBLIC HEARING)(TABLED FROM MARCH 14, 2024 COMMISSION MEETING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Wasserman/Rydell – To adopt Ordinance No. 2023-026.

Assistant City Attorney Eve Lewis presented the item, reviewing the changes to the ordinance between first and second reading, which included a limited exception to allow no more than four (4) chickens on a parcel that measures a minimum of one (1) acre or more, and general cleanup items.

Mayor Welch asked about the effective date of the ordinance. Assistant City Attorney Lewis advised the ordinance had sixty (60) days built in to provide time for notice of the changes.

Commissioner Wasserman asked what would happen next if someone had a chicken on day 63 following the adoption of the ordinance. Assistant City Attorney Lewis explained the Code Enforcement process, beginning with a written warning. She stated if the resident failed to come into compliance during the period provided in the warning, the next step was a citation to go before the Special Magistrate. Discussion ensued regarding accrual of fines and the potential for a lien as a result. Commissioner Wasserman highlighted concerns with dogs outdoors and barking dogs. Animal Services Officer Jennifer Shoffner explained the application of the noise ordinance to barking dogs and discussed complaint response.

Commissioner Rydell clarified this had been a staff-driven initiative to clean up Code issues, and City Attorney Pyburn confirmed there had been changes to State law and other cleanup needs. Commissioner Rydell asked about past difficulty with enforcement of the ordinance. Assistant City Attorney Lewis stated the changes included in the ordinance provided further clarity and specific language for enforcement. Commissioner Rydell added that if this ordinance was not serving the intent of the Commission, it could be clarified in the future. He stated this was the first step in achieving the end goal.

Mayor Welch opened the public hearing.

Patricia Snyder, 4140 NW 9 Court, Coconut Creek, commented she had been dealing with the problem of backyard chickens for more than four (4) years. She thanked the Commission for

understanding that the backyards in South Creek were residential areas, not agricultural. She urged that the next step be taken to enforce the ordinance and relocate the chickens in South Creek.

Jorge Mederos, 921 NW 42 Avenue, Coconut Creek, asked whether the one (1) acre had to be owned by one (1) person, or if two (2) or more parties could join to create an acre.

There were no further questions or comments from the public, and Mayor Welch closed the public hearing.

Assistant City Attorney Lewis addressed Mr. Mederos' question, advising that the ordinance language did not allow for aggregating someone else's parcels for the purpose of meeting the minimum one (1) acre requirement. Further, she reviewed the Code Enforcement process briefly and discussed restrictions on seizure of property in response to Ms. Snyder's comments.

Commissioner Brodie thanked the residents for their input throughout the process and for staff's expertise shared through the process.

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

8. **ORD 2023-015** AN ORDINANCE AMENDING THE CITY OF COCONUT CREEK COMPREHENSIVE PLAN TO ADOPT A PROPERTY RIGHTS ELEMENT, ATTACHED HERETO AS EXHIBIT "A." (SECOND READING)(SECOND PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Wasserman/Railey – To adopt Ordinance No. 2023-015.

Sustainable Development Assistant Director Justin Proffitt made a presentation, outlining Agenda Items 8, 9, and 10 on second reading. He advised the Florida Department of Commerce and other state agencies had reviewed the comprehensive plan amendments, as well as a review by the Broward County School Board for the Public School Facilities Element, and there were no changes recommended. He noted the approval letter from the State had recommended additional Comprehensive Plan amendments for staff to evaluate for the future.

Mayor Welch opened the public hearing on Agenda Item 8. There were no questions or comments from the public, and Mayor Welch closed the public hearing.

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

9. **ORD 2024-001** AN ORDINANCE AMENDING THE PUBLIC SCHOOL FACILITIES ELEMENT OF THE CITY OF COCONUT CREEK COMPREHENSIVE PLAN TO UPDATE SCHOOL CONCURRENCY STANDARDS IN ACCORDANCE WITH THE THIRD AMENDED AND RESTATED INTERLOCAL AGREEMENT FOR PUBLIC SCHOOL FACILITY PLANNING OF BROWARD COUNTY, FLORIDA. (SECOND READING)(SECOND PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Wasserman/Railey – To adopt Ordinance No. 2024-001.

Mayor Welch asked staff to address how the future development of MainStreet was figured into the school concurrency requirements. Mr. Proffitt advised the school capacity for MainStreet was included, and the developer had also received public school concurrency analysis from the School Board and would pay the fee as appropriate.

Mayor Welch opened the public hearing. There were no questions or comments from the public, and Mayor Welch closed the public hearing.

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

10. **ORD 2024-002** AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES, BY AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE," ARTICLE II, "SUBDIVISION REGULATIONS," DIVISION 1, "GENERALLY," TO AMEND SECTION 13-147, "PUBLIC SCHOOL CONCURRENCY," IN ACCORDANCE WITH THE THIRD AMENDED AND RESTATED INTERLOCAL AGREEMENT FOR PUBLIC SCHOOL FACILITY PLANNING OF BROWARD COUNTY, FLORIDA AND THE CITY'S COMPREHENSIVE PLAN. (SECOND READING) (PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Wasserman/Brodie – To adopt Ordinance No. 2024-002.

Mayor Welch opened the public hearing. There were no questions or comments from the public, and Mayor Welch closed the public hearing.

Upon roll call, the Ordinance passed by a 4-0 vote, with Commissioner Rydell not on the dais at the time of the vote.

City Clerk Kavanagh noted Commissioner Rydell was not available to vote as he had left the dais at 8:24 p.m.

Police Department

11. **ORD 2024-028** AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES BY AMENDING CHAPTER 2, "ADMINISTRATION," ARTICLE V, "BOARDS, COMMISSIONS AND COMMITTEES," BY ENACTING A NEW DIVISION 4, ENTITLED "SPEED DETECTION SYSTEMS IN SCHOOL ZONES," AND BY ENACTING NEW SECTIONS 2-240, "PURPOSE AND INTENT," 2-241, "DEFINITIONS," 2-242, "AUTHORIZING USE OF SCHOOL SPEED LIMIT DETECTION SYSTEMS," 2-243, "DETERMINATION OF SAFETY NEED," AND 2-244, "IMPLEMENTATION OF SPEED LIMIT DETECTION SYSTEMS IN SCHOOL ZONES," TO PROVIDE FOR THE USE AND IMPLEMENTATION OF SCHOOL ZONES SPEED LIMIT DETECTION SYSTEMS; PROVIDING FOR A LOCAL HEARING OFFICER TO HEAR APPEALS. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

Commissioner Rydell returned to the dais at 8:27 p.m.

MOTION: Railey/Brodie – To approve Ordinance No. 2024-028 on first reading.

Police Legal Advisor Jeannette Camacho presented the item, advising the City of Plantation was scheduled to award the bid for school zone speed detection enforcement and adopt the agreement with the vendor, RedSpeed, on June 12. She noted between first and second reading of the ordinance staff would provide data analysis and a recommendation to the Commission where to locate the speed detection systems.

Mayor Welch asked if the City had conducted its own study in advance of the agreement. Ms. Camacho stated RedSpeed had done a study, and the City was working on putting data together to present along with those results at second reading of the ordinance. City Attorney Pyburn added that staff planned the second reading for July 11 to ensure all of the information was aggregated.

Commissioner Rydell commented that the ordinance was the first step in making it possible for the City to have speed detection systems in school zones, and did not include a vendor decision or implementation plan, and Ms. Camacho confirmed.

Commissioner Wasserman stated he supported the cameras in school zones but would not support traffic cameras all over the City.

Commissioner Brodie noted critical timelines associated with the implementation, including the required training to write the citations. He stated he was sensitive to the goal of having the system in place for the new school year.

Vice Mayor Railey asked if the cameras would be in all school zones in Coconut Creek, or if designated locations had been identified as priority. Ms. Camacho stated RedSpeed would provide recommendations on where to start implementing the program. City Attorney Pyburn clarified that all public schools were listed in the ordinance to provide flexibility in determining the appropriate locations.

Discussion ensued regarding program costs and staffing, and City Manager Rose stated the budget was being prepared, but the expectation was the program would require one (1) additional Police Service Aide (PSA), and that there would be more program revenue than cost. Commissioner Rydell asserted his understanding was that this would not be a cost to the taxpayers and asked for clarification. Deputy Police Chief Fred Hofer advised that based on the conversations with Sunrise, where there was an existing red light camera program, that this program would be revenue generating for the City, and they expected it to cover the salary for the additional PSA. Commissioner Rydell stated he supported a pilot program but would not support it being rolled out at every City school zone initially. He noted the program would free up resources in hot zones. Vice Mayor Railey commented that the City would have upfront costs, and eventually revenue would subsidize the program. Deputy Chief Hofer confirmed he would be requesting a full-time position during the budget process, and noted some of the answers to questions posed by the Commission were dependent on the vendor.

Mayor Welch opened the item to public comment.

Nancy Fry, 5341 Flamingo Place, Coconut Creek, asked the Commission to also take a look at Lyons Road in front of the Recreation Center. She stated the majority of the area where students were walking to Lyons Creek Middle School were not actually within the school zone.

Becky Tooley, 4411 Coconut Creek Boulevard, Coconut Creek, stated the biggest speeding adjacent to Coconut Creek Elementary occurred along Coconut Creek Boulevard, and asked that the street be added to the list of locations.

Jorge Mederos, 921 NW 42 Avenue, Coconut Creek, asked that the City follow the data and installs cameras in areas identified by the data first, but asked that the South Creek neighborhood not be left out when the time comes. He stated the program would expand the ability of the Police Department to be in many places at once.

There were no more questions or comments from the public on the item.

Commissioner Brodie asked about the data gathered. Deputy Chief Hofer shared that study data from RedSpeed would be coupled with citation information from the Police Department and feedback of the Traffic Unit to make recommendations to prioritize the school zones. Deputy Chief Hofer noted staff would be recommending a phased approach to implementation to allow for evaluation. Discussion ensued.

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

City Commission

- 12. 24-078** A MOTION TO APPOINT A VOTING DELEGATE TO ATTEND AND VOTE AT THE FLORIDA LEAGUE OF CITIES (FLC) ANNUAL BUSINESS SESSION TO BE HELD DURING THE ANNUAL CONFERENCE ON AUGUST 15-17, 2024.

Commissioner Rydell moved Item 12 for discussion, seconded by Commissioner Wasserman.

There were no questions or comments from the public on the item.

MOTION: Rydell/Railey – To appoint Commissioner John Brodie as voting delegate for the Florida League of Cities annual business session.

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

CITY MANAGER REPORT

City Manager Rose shared an update on Lyons Creek Middle School traffic patterns, stating the School District had tested moving the school buses to the front of the school and the car loop to the back. She noted Deputy Chief Hofer was notified after the testing was done, but it looked like a positive sign that the City's concerns were being considered. City Manager Rose advised applications were being solicited for a new Poet Laureate. She stated a revision to the Unified Sign Code developed by a staff committee was available for the Commissioners input.

CITY ATTORNEY REPORT

City Attorney Pyburn highlighted that this was the last meeting for Assistant City Attorney Lewis and wished her well as she moved on to an opportunity in Monroe County. She stated two (2) law school interns had started in the office this week and advised that they would be working part-time through the summer. Commissioner Rydell commented on the hiring process to fill Ms. Lewis' position and noted that he would support the addition of part-time staff, as needed.

COMMISSION COMMUNICATIONS

Commissioner Rydell recognized Assistant City Attorney Lewis and thanked her for her service. He

stated he thought if there was steady leadership at the School District, the change to the pick-up lanes at Lyons Creek Middle School would have been moved through, as there had been support. He advised that he had forwarded an email to staff regarding the landfill, and stated he believed the Commission needed to reevaluate the City's representation on the Solid Waste Authority for advocacy. He commented on the overall narrative regarding Waste Management and the need to change minds.

Commissioner Wasserman welcomed Principal James Cecil and staff back to Monarch High School. He asked if there were updates from Coconut Creek Plaza in regard to engineering bids. Assistant City Manager and Sustainable Development Director Scott Stoudenmire stated he would provide a report at the next meeting. Commissioner Wasserman commented that the Jewish American Heritage Night was a great success and recognized Holocaust survivor and resident Saul Dreier for sharing his story. He asked about work behind Coco Palms while litigation on the Greystar Cocomar site was pending. City Manager Rose stated invasive, exotic vegetation was being removed along the property line and throughout the property. Commissioner Wasserman asked if there was an update on the parking study in Lakewood East. Mr. Stoudenmire advised that a contract was being negotiated with an engineer on the City's rotating list for professional services, and the study should be underway in June. Commissioner Wasserman shared that he would be flying with his 93-year-old grandfather on an Honor Flight to Washington, D.C. on June 1.

Commissioner Brodie stated he would miss Assistant City Attorney Lewis and her ability to engage with difficult subject matters. He congratulated Monarch High School on getting its principal back and stated the school was lucky to have him. He highlighted the Memorial Day event scheduled for May 27 at 9 a.m. at Veterans Park and invited the community to join him in honoring those who had given their lives.

Vice Mayor Railey wished Assistant City Attorney Lewis well on her new endeavors and thanked her for service to Coconut Creek. She congratulated the high school graduates and noted the City had exceptional youths. She stated Wynmoor would be holding a meeting with updates on legislation that impacts Homeowners Associations (HOA) and Condominium Associations (COA). Vice Mayor Railey asserted Waste Management had stepped up a propaganda campaign, and the City needed to get very proactive in what was needed for Coconut Creek. She stated the Turnpike was another issue that residents would need do their part, especially in South Creek. She commented that all families who had lost someone in service to our Country were in her prayers and thanked them for their service.

Mayor Welch shared she would be attending her granddaughter's graduation over the weekend and thanked the Commission for filling in for the Memorial Day ceremony. She agreed with previous comments regarding the return of Principal Cecil and shared that he received a standing ovation at the Principals' Meeting. She shared that North Broward Preparatory School had a composting and recycling program and stated she hoped this model could be used in other schools. Mayor Welch advised that she had been at Coconut Creek High School for their School Advisory Council (SAC) meeting, and there was a vote on getting 21st Century Tutoring back in the school. She commented on the importance of that grant to the school and noted Dave Thomas Education Center was also applying for the grant.

ADJOURNMENT

The meeting was adjourned at 9:14 p.m.



Joseph J. Kavanagh, MMC
City Clerk

Date

Handwritten signature