



## **CITY OF COCONUT CREEK CITY COMMISSION MINUTES**

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

**Date: November 10, 2016  
Time: 6:00 p.m.  
Commission Workshop**

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### **CALL TO ORDER**

Mayor Belvedere called the meeting to order at 6:09 p.m.

### **PRESENT UPON ROLL CALL:**

Mayor Mikkie Belvedere  
Commissioner Lou Sarbone  
Commissioner Rebecca A. Tooley  
Commissioner Sandra L. Welch  
City Manager Mary C. Blasi  
City Attorney Terrill C. Pyburn  
City Clerk Leslie Wallace May

Commissioner Tooley made a motion to excuse Vice Mayor Rydell from the meeting, seconded by Commissioner Welch. All were in favor, and the motion carried.

### **STATE LEGISLATIVE AGENDA**

City Manager Blasi introduced State Lobby Consultants Dave Ericks, Candice Ericks, and Lauren Jackson with Ericks Consultants, Inc. She stated that Assistant to the City Manager Bernadette Hughes worked with Ericks Consultants to develop the Legislative Agenda and would summarize the items for the City Commission.

Mr. Ericks first gave a brief overview of the 2017 Legislative Session and noted that the incoming House Speaker, Richard Corcoran, introduced House rule changes including increased reporting requirements for lobbyists. He stated that the session was starting earlier than usual and spoke about budgetary process changes, including funding for local projects being filed as stand-alone legislative bills. Ms. Ericks added that the changes are to provide more transparency in the budget process. Discussion ensued.

Ms. Ericks commented that there were many newly-elected Legislators that would be participating in an orientation in November and spoke about the meeting schedule for the 2017 Session. Discussion ensued about the number of Committee Chairs from South Florida. Mr. Ericks spoke about the current issues with the Seminole Tribe of Florida and noted that no decisions had been made on the compact monies. Discussion ensued regarding regulations for horse racing.

Ms. Hughes reiterated that the Legislative Agenda was prepared earlier this year because committee meetings were scheduled to begin in December. She noted that many of items were

the same as the previous year's agenda and a few new items were added based on discussions with the City's Department Directors. She reviewed the following Legislative Agenda items:

- *Home Rule* – The City supports the preservation of Home Rule and opposes any legislation that seeks to diminish powers granted to local government.
- *Unfunded Mandates* – The City opposes unfunded mandates from any level of government.
- *Required Public Notice Advertising in Newspapers* – The City supports legislation authorizing local governments the option of using their publicly accessible websites for legally required public notices and advertisements in lieu of newspapers.
- *Gaming Compact with the Seminole Tribe* – The City supports renewal of the Gaming Compact between the Tribe and State with no less than the same percentage of revenue sharing as is in the current agreement.
- *Allowing Price in the Consultants Competitive Negotiations Act* – The City supports legislation that would permit price to be considered in the selection of these services.
- *Uniform Chart of Accounts (UCOA)* – The City opposes implementation of the currently proposed UCOA. The City supports alternative legislation which would accomplish the Legislature's goal of increasing transparency in reporting without imposing a significant financial burden on local governments.
- *Municipal Revenues* – The City opposes any reduction to local government allocations or tax base reduction due to ad valorem exemptions which would result in a loss of municipal revenue that would directly affect the level of services the City is able to provide its residents and the City's ability to properly plan for the future.
- *Communications Services Tax Protection* – The City opposes legislation that restricts, reduces or eliminates municipal revenues generated under the Communications Services Tax.
- *Local Business Tax Protection* – The City opposes legislation that restricts, reduces or eliminates municipal revenues generated under the Local Business Tax.
- *Impact Fees Protection* – This was a new item. The City opposes legislation that restricts a municipality's Home Rule authority to set impact fees or transportation concurrency.
- *Housing* – The City supports full funding of the SHIP (State Housing Initiatives Partnership) program and the distribution of documentary stamp tax revenue in a way that maximizes funding for SHIP and the Sadowski Housing Trust Fund.
- *Environmental Regulations* – The City opposes any legislation that lessens environmental protection at the local level, including preemption of local authority such as through statewide or uniform rules, and statewide standards on issues related to environmental

regulations and enforcement. The City also opposes any efforts that would negatively impact the County's ability to regulate air and water quality and the wetlands resources of Broward County, including through its delegated authority to implement the State's Environmental Resource Permit.

- *Water Quality* – The City supports legislation which recognizes that diminished water quality and quantity affect existing business, future economic development, local and state government budgets, and public health and safety. The City supports legislation that establishes reasonable environmental, technical and scientific criteria for the protection and recovery of water resources and also assists municipalities' economic development efforts.

Ms. Hughes mentioned that the City was sending a letter from the Mayor to the Environmental Protection Agency regarding recent statewide rulemaking which would lessen water quality standards in Florida, copies of which the City Manager would give to each Commissioner at the Commission Meeting following the workshop.

- *Water Quantity* – This was a new item. The City supports funding of alternative water supply projects such as the C-51 Reservoir to assure adequate future water supply for urban areas in South Florida.

Mr. Ericks noted that Senate President Joe Negron is an advocate of water quality and education issues. Ms. Jackson noted that Senate President Negron has taken a strong position on Everglades protection and a land purchase agreement for an area south of Lake Okeechobee for storm water run-off.

- *Hydraulic Fracturing* – The City opposes any State Legislative or Administrative action that would permit fracking in Florida, and opposes State preemption of local regulations on fracking.

Ms. Jackson stated that there has been discussion that there will be no legislation on fracking this session, but it could mean that regulations may be approved administratively.

- *Oil Exploration and Everglades Protection* – The City supports legislation which would ban or tighten restrictions on any oil drilling – exploratory or otherwise – within the geographical region that constitutes the Florida Everglades. The City opposes any legislation that would ease zoning restrictions or permit requirements imposed upon oil drilling, particularly within the Florida Everglades.
- *Growth Management and Transportation* – This item was updated with information received from the Broward Metropolitan Planning Organization regarding their priorities for the upcoming year. The City supports legislation that provides increased support to municipalities for transportation choices and allows flexibility in the use of those funds. The City also supports legislation that addresses the following Broward County Metropolitan Planning Organization priorities:

- The creation of a federal infrastructure bank and ensuring that funds are eligible for direct allocation to MPOs.
  - Ensuring the long term sustainability of the Transportation Investment Generating Economic Recovery (TIGER) Grant program by increasing yearly allocations above the current \$500 million.
  - Securing funding levels through the appropriations process for the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) that are consistent with funding levels allocated by the FAST Act.
  - Promoting passage of the Metropolitan Planning Enhancement Act, sponsored by Rep. Lois Frankel, which would reward high performing MPOs like the Broward MPO with additional funding.
  - Establishing a revolving fund to be utilized by metropolitan planning organizations to advance the use of federal funds prior to reimbursement from USDOT.
- *Public Right-of-Way and Utilities Easements Management* – The City supports legislation that would require providers of telecommunications, telephone, telegraph, cable television, broadband, internet, and other communications services to timely transfer their facilities onto strengthened utility poles or underground conduits whenever such facilities are available and to timely remove older poles and stub poles.
  - *Multimodal Opportunities* – This was a new item. The City supports an amendment to Chapter 316, State Uniform Traffic Control, Florida Statutes, to expand multimodal opportunities within these rights-of-way.

Ms. Hughes noted that there was a pilot program in three urban areas throughout the State for multimodal uses in rights-of-way and support of this legislation encourages the pilot program to be expanded beyond the three urban areas.

- *Economic Development* – The City supports legislation that dedicates to small businesses state economic development resources emphasizing access to capital and public infrastructure.
- *Recovery Residences* – This item was updated from the 2015 Legislative Agenda. The City supports legislation that defines and establishes statewide minimum regulatory standards for “recovery residences” as well as legislation that prohibits deceptive marketing practices related to recovery residences.

City Attorney Pyburn noted she had been contacted by Congresswoman Lois Frankel's Office that the U.S. Department of Justice and the U.S. Department of Housing and Urban Development released a joint statement providing guidance to local governments as it relates to responding to requests for recovery residences. She noted that, at the State level, legislation continues to be developed as it relates to deceptive marketing practices.

- *Firearms* – The City supports legislation that addresses the following:
  - Repeals the 2011 amendment that eliminated local governments' ability to

- regulate firearms;
  - Legislation that requires the purchase and ownership of a gun be registered and licensed;
  - Legislation that would ban assault weapons, automatic weapons, and large external magazine weapons and ammunition;
  - Legislation that would prohibit any person, other than law enforcement officers, to carry a weapon or firearm into any government facility or park.
- *Text Messaging/Cell Phone Use While Driving* – The City supports strengthening the legislation prohibiting text-messaging while driving from a secondary offense to a primary offense, or otherwise restricting the use of non-handsfree wireless communications devices while operating a motor vehicle.
  - *Smoking in Municipal Playground Areas and Ballfields* – The City supports revising Section 386.209, F.S, authorizing a municipality or county to restrict smoking in playground areas and ballfields that are owned by the municipality or county if the area where smoking is restricted is clearly delineated by “No Smoking” signs.
  - *Electronic Smoking Devices* – The City supports legislation permitting local regulation regarding the smoking of electronic smoking devices.
  - *Controlled Substances* – The City supports legislation adding newly configured chemical compounds intended to be sold as synthetic drugs, including Kratom, to the Schedule 1 list of the Florida controlled substance schedule.

Discussion ensued regarding types of synthetic drugs and a recent national Drug Enforcement Administration notice rescinding its intention to add Kratom to the Schedule 1 list.

- *Advance Notification to Municipalities of Charter School Sitings* – The City supports revisions to Section 1002.33, F.S., to require that charter schools identify the proposed location of their facility in their charter school application, and present evidence from the municipality or county with land use and zoning jurisdiction that the proposed facility meets all applicable local comprehensive plans and land development regulations. The City also supports clarification that charter schools are subject to local land development regulations and are not covered by the partial exemption from such regulation for school board operated public schools in Section 1013.33(10)-(15), F.S.
- *Graduation Rates* – The City supports state funding for initiatives and other innovative programs to increase graduation rates.
- *Legislative Watch List* – Ms. Hughes noted that a watch list was added to the Legislative Agenda this year so that the City’s lobbyists and legislators would be aware of the City’s interest in these areas, and send updates if bills regarding any of the items were introduced. This would ensure the City would have the opportunity to review and comment on any legislation that could potentially impact the City in these areas. The items on the Watch List include:

- Public Records Legislation (including legislation affecting personnel records)
- Building Codes
- Workers Compensation (Chapter 440)
- Heart/Lung Bill (112.18)
- Florida Retirement System
- Relocation of Public Utilities out of the Right of Way
- Municipal Elections
- Complete Streets
- Opioids/Fentanyl

Vice Mayor Rydell arrived at 6:53 p.m.

Ms. Hughes stated that the final Legislative Agenda would be presented to the Commission at the December 8, 2016, Commission Meeting for approval. Discussion ensued regarding the process for Commissioners to make modifications to the Legislative Agenda.

#### **ADJOURNMENT**

The meeting was adjourned at 6:55 p.m.

Transcribed by Marianne Bowers

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Leslie Wallace May, MMC  
City Clerk

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Dated