



CITY OF COCONUT CREEK CITY COMMISSION MINUTES

Government Center
4800 W. Copans Road
Coconut Creek, Florida

Date: August 8, 2019
Time: 7:00 p.m.
Regular Meeting No. 2019-0808R

CALL TO ORDER

Mayor Welch called the meeting to order at 7:01 p.m.

PRESENT UPON ROLL CALL:

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

EXCUSED:

Commissioner Mikkie Belvedere

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

PRESENTATION(S)

1. **19-120** A PRESENTATION RECOGNIZING THIRD QUARTER EMPLOYEE MILESTONE ANNIVERSARIES FOR FISCAL YEAR 2019.

Human Resources Director Pam Kershaw recognized the employees who had reached a milestone anniversary with the City during the third quarter of Fiscal Year 2019.

Five (5) Year Anniversary

Kisha Bolden, Budget/Grants Manager, Finance & Administrative Services
O'Meil Molyneaux, Police Officer, Police Department
Linda Whitman, Senior Planner, Sustainable Development

Ten (10) Year Anniversary

Peta-Gay Lake, Deputy Director, Finance & Administrative Services
Steven James, Police Officer, Police Department

Fifteen (15) Year Anniversary

Kathy Navatta, Administrative Assistant, Police Department

Twenty (20) Year Anniversary

Ken Brown, GIS Coordinator, Information Technology

Danielle DeBarros, Assistant Director, Parks & Recreation
Sheila Rose, Assistant City Manager/Director, Sustainable Development

2. 19-144 A PRESENTATION OF THE COCONUT CREEK YOUTH BASKETBALL & YOUTH VOLLEYBALL MAYOR’S AWARDS.

Parks and Recreation Supervisor Enrique Castro presented certificates to the following 2019 Youth Basketball and Volleyball Mayor’s Award recipients:

Youth Basketball

6-8 Age Division - Joshua Pierre
9-10 Age Division - Silvio Basillio
11-12 Age Division - Jalen Daniel
13-14 Age Division - Maxwell Young
15-17 Age Division - Joshua Antonacci

Youth Volleyball

9-12 Age Division - Madisyn Young
13-15 Age Division - Anthony Lauro

3. 19-163 A PROCLAMATION RECOGNIZING AUGUST 8, 2019, AS “POLICE WIVES OF COCONUT CREEK DAY 2019.”

Police Chief Albert “Butch” Arenal gave a brief overview of the Police Wives of Coconut Creek organization and thanked the women for their support of the Police Department. Mayor Welch read the proclamation into the record, and several members of the Police Wives of Coconut Creek organization were present to accept the proclamation.

INPUT FROM THE PUBLIC

Ken Harden, 605 Washington Avenue, Cape Canaveral, Florida, spoke about budget services that his company, ESG, provides. City Manager Blasi commented that Deputy City Manager / CFO Karen Brooks would contact him to discuss his request.

CITY MANAGER REPORT

City Manager Blasi stated that Commissioner Belvedere would not be able to attend and serve as the voting delegate at the Florida League of Cities Conference. There was consensus for Commissioner Rydell to serve as the voting delegate at the conference.

She commented that the interlocal agreement with the City of Coral Springs for E911 communication services would be scheduled for consideration at the September 12 City Commission Meeting.

CITY ATTORNEY REPORT

City Attorney Pyburn had no report.

COMMISSION COMMUNICATIONS

Commissioner Rydell spoke highly about the City of Margate’s *National Night Out* and the Coconut Creek Police Department’s participation in the event. He inquired about rebranding the City’s police vehicles. City Manager Blasi noted that Police Chief Arenal and his team were working on a design that would come before the Commission when it was completed. Commissioner Rydell spoke about a

recent occurrence where Coconut Creek resident and Pembroke Pines Firefighter Sean Darnell helped shoppers at a local *Publix* to their cars during a heavy rainstorm. He asked Margate-Coconut Creek Fire Chief Roberto Lorenzo to assist in getting contact information for Mr. Darnell so that he could be recognized for his service. Commissioner Rydell recognized a Boy Scout named Andrew, who was in the audience, and commended him for the work he was doing on a recycling project.

Commissioner Tooley attended the *Are you Smarter than a Student* program hosted by the Parks and Recreation Department and suggested that staff continue the program in the future. She spoke about support for the Thin Blue Line federal legislation.

Vice Mayor Sarbone spoke about a charity basketball game that the Police Department participated in to benefit an independent living facility. He spoke about the budget workshop held on August 7 and commended the Finance Department and City staff for their work on the FY20 budget.

Mayor Welch received consensus to send letters to Governor Ron DeSantis and Attorney General Ashley Moody to reconsider an appeal that was filed in a lawsuit regarding gun legislation. She spoke briefly about the Police Department's Vacation Watch Program and suggested the registration form include a departure and return time in addition to the date. She spoke about the new City Commission High School Intern Program and commented that the first intern from the program worked with the Information Technology (IT) Department. Mayor Welch mentioned that she spoke with the organization HandsOn Broward, who worked on the memorial project at the Recreation Complex honoring Marjory Stoneman Douglas High School shooting victim Jaime Guttenberg, and noted that the organization had established a partnership with Coconut Creek Elementary School for several projects at the school.

Commissioner Tooley recognized Public Works Program Manager Mike Heimbach for his service to the City and wished him well in his new position, and Mayor Welch commended him on his service as well.

CONSENT AGENDA (*Items 4 through 6 and 8 through 10*)

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

Commissioner Rydell pulled Agenda Item 7, which was heard during the Regular Agenda.

4. **19-154** A MOTION APPROVING THE MINUTES FROM PREVIOUS CITY COMMISSION MEETING(S). (2019-0627R AND 2019-0711R)

5. **RES**
 2019-186 A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AN ENGAGEMENT LETTER FOR AUDITING SERVICES WITH KEEFE MCCULLOUGH & CO. LLP PURSUANT TO RFP NO. 06-12-19-10.

6. **RES**
 2019-201 A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED STATE AND LOCAL TASK FORCE AGREEMENTS WITH THE UNITED STATES DEPARTMENT OF JUSTICE AND THE DRUG ENFORCEMENT ADMINISTRATION (DEA) TO ALLOW THE CITY TO PARTICIPATE IN THE SOUTHEAST REGIONAL TASK FORCE.

8. **RES**
 2019-184 A RESOLUTION AUTHORIZING THE MAYOR AND THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AN ILLUMINATION AGREEMENT WITH BROWARD COUNTY FOR THE INSTALLATION AND MAINTENANCE OF PEDESTRIAN LIGHTING ALONG COCONUT CREEK PARKWAY BETWEEN LYONS ROAD AND COCONUT CREEK BOULEVARD.

9. **RES** A RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER, OR
 2019-166 DESIGNEE, TO EXECUTE THE ATTACHED INTERLOCAL AGREEMENT
 WITH BROWARD COUNTY FOR THE DISBURSEMENT OF HOME
 PROGRAM FUNDS FOR FISCAL YEAR (FY) 2018.
10. **RES** A RESOLUTION OF SUPPORT FOR THE CITY’S BUTTERFLY EXPRESS
 2019-190 PROGRAM AND SPECIFICALLY REQUESTING FUNDING FOR THE
 BUTTERFLY EXPRESS AS PART OF THE COMMUNITY SHUTTLE
 PROGRAM.

MOTION: Tooley/Sarbone – To approve Consent Agenda Item Nos. 4 through 6 and 8 through 10.

Upon roll call, the Motion passed by a 4-0 vote.

REGULAR AGENDA

Public Works

7. **RES** A RESOLUTION AUTHORIZING THE MAYOR AND THE CITY MANAGER,
 2019-156 OR DESIGNEE, TO EXECUTE A MEMORANDUM OF UNDERSTANDING (MOU)
 WITH BROWARD COUNTY PROVIDING FOR A COLLABORATIVE AND
 COOPERATIVE EFFORT TOWARDS THE DEVELOPMENT OF A REGIONAL
 INTEGRATED SOLID WASTE AND RECYCLING SYSTEM.

Mayor Welch read the Resolution title into the record.

MOTION: Sarbone/Rydell – To approve Resolution No. 2019-156.

City Manager Blasi presented the item, noting that the MOU was the first step in a multi-year process to address solid waste and recycling as a regional, county-wide system necessary to obtain commitments from interested municipalities within the County. Discussion ensued regarding the operation of a regional system and recycling conditions.

Upon roll call, the Resolution passed by a 4-0 vote.

Human Resources

11. **RES** A RESOLUTION RATIFYING AND AUTHORIZING THE CITY MANAGER,
 2019-178 OR DESIGNEE, TO EXECUTE THE ATTACHED COLLECTIVE BARGAINING
 AGREEMENT WITH THE BROWARD COUNTY POLICE BENEVOLENT
 ASSOCIATION, OFFICERS’ AND CORPORALS’ UNIT.

Mayor Welch read the Resolution title into the record.

MOTION: Tooley/Rydell – To approve Resolution No. 2019-178.

Human Resources Director Pam Kershaw recognized the negotiating teams for their work on each of the bargaining unit agreements included in Agenda Items 11-13 and noted that each bargaining unit voted and ratified the agreements during the prior week. Discussion ensued.

Upon roll call, the Resolution passed by a 4-0 vote.

12. **RES 2019-179** A RESOLUTION RATIFYING AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED COLLECTIVE BARGAINING AGREEMENT WITH THE BROWARD COUNTY POLICE BENEVOLENT ASSOCIATION, SERGEANTS' UNIT.

Mayor Welch read the Resolution title into the record.

MOTION: Sarbone/Rydell – To approve Resolution No. 2019-179.

Human Resources Director Pam Kershaw presented the item.

Upon roll call, the Resolution passed by a 4-0 vote.

13. **RES 2019-181** A RESOLUTION RATIFYING AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED COLLECTIVE BARGAINING AGREEMENT WITH THE BROWARD COUNTY POLICE BENEVOLENT ASSOCIATION, LIEUTENANTS' UNIT.

Mayor Welch read the Resolution title into the record.

MOTION: Tooley/Rydell – To approve Resolution No. 2019-181.

Human Resources Director Pam Kershaw presented the item.

Upon roll call, the Resolution passed by a 4-0 vote.

Information Technology

14. **RES 2019-188** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AN AGREEMENT WITH INTRALOGIC SOLUTIONS, LLC TO PROVIDE CITYWIDE SURVEILLANCE CAMERA INSTALLATION SERVICES PURSUANT TO RFP NO. 03-06-19-10.

Mayor Welch read the Resolution title into the record.

MOTION: Tooley/Rydell – To approve Resolution No. 2019-188.

IT Chief Information Officer Francisco Porras presented the item and introduced IntraLogic Solutions CEO Lee Mandel and Design Engineer / Project Manager Joey Amodio. Mr. Mandel began a brief *PowerPoint* presentation, explaining the surveillance camera services and system capabilities, the placement of cameras, and the retention guidelines for the video data. Discussion ensued regarding delineated warranty provisions in the agreement, and Mr. Mandel stated that the company would provide a three-year warranty on parts and labor and a lifetime warranty on the installation. .

AMENDMENT: Rydell/Tooley – To amend the agreement to include a delineated warranty clause that provides for a three-year parts and labor warranty and a lifetime installation warranty, including the Video Management System (VMS).

Upon roll call, the Amendment passed by a 4-0 vote.

Upon roll call, the Resolution, as amended, passed by a 4-0 vote.

Public Works Department

15. **RES 2019-183** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AN AGREEMENT WITH POWERCORE, INC. FOR THE INSTALLATION OF PEDESTRIAN LIGHTING ON COCONUT CREEK PARKWAY PURSUANT TO BID NO. 06-19-19-11.

Mayor Welch read the Resolution title into the record.

MOTION: Rydell/Tooley – To approve Resolution No. 2019-183.

Public Works Project Manager Brian Rosen presented the item and explained the sidewalk and lane closures required for project completion.

Upon roll call, the Resolution passed by a 4-0 vote.

16. **ORD 2019-014** AN ORDINANCE GRANTING AN EXCLUSIVE FRANCHISE TO REPUBLIC SERVICES OF FLORIDA, L.P. TO PROVIDE SOLID WASTE DISPOSAL SERVICE AND RECYCLING SERVICE WITHIN THE CITY OF COCONUT CREEK; AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED FRANCHISE AGREEMENT WITH REPUBLIC SERVICES OF FLORIDA, L.P. PURSUANT TO RFP NO. 04-17-19-10. (SECOND READING)(PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Tooley/Rydell – To adopt Ordinance No. 2019-014.

Public Works Director Jim Berkman presented the item and noted that, as requested at first reading, pricing was added to the contract for additional cart cleaning services. Peta-Gay Lake, Deputy Director of Finance and Administrative Services, read into the record a list of changes made to the exhibits of the agreement relating to some discrepancies that were identified. Discussion ensued regarding exploring alternatives to recycling glass.

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

Upon roll call, the Ordinance passed by a 4-0 vote.

Sustainable Development

City Attorney Pyburn read aloud the City's quasi-judicial procedures that would be applied to Agenda Items 17 through 22. City Clerk May confirmed that the public notice requirements were met for Agenda Items 17 through 22 and swore in the witnesses.

Mayor Welch asked if there were any objections by the Commission, staff, or the applicant to hear Agenda Items 17 and 18 together as they were related, and there were none.

17. **ORD 2019-016** AN ORDINANCE PROPOSING TO CHANGE THE LIST OF PERMITTED, SPECIAL AND PROHIBITED USES AND TO MODIFY SITE DESIGN STANDARDS WITHIN THE VILLAGE SHOPPES OF COCONUT CREEK PLANNED COMMERCE DISTRICT (PCD) BY AMENDING ORDINANCE NO. 2007-011, WHICH APPROVED THE VILLAGE SHOPPES OF COCONUT CREEK PLANNED COMMERCE DISTRICT (PCD) GENERALLY LOCATED AT 4670 STATE ROAD 7 (441), AT THE NORTHEAST CORNER OF WILES AND STATE ROAD 7 PURSUANT TO THE PROVISIONS OF SECTIONS 13-36, 13-355, AND 13-356, COCONUT CREEK CODE OF ORDINANCES. (QUASI-JUDICIAL)(SECOND PUBLIC HEARING)
18. **ORD 2019-017** AN ORDINANCE APPROVING THE SPECIAL LAND USE APPLICATION SUBMITTED BY VILLAGE SHOPPES OF COCONUT CREEK INVESTMENTS, LLC TO PERMIT A CHICK-FIL-A RESTAURANT WITH A DUAL DRIVE-THRU LANE FOR THE PROPERTY GENERALLY LOCATED AT 4670 STATE ROAD 7 (441), AT THE NORTHEAST CORNER OF WILES AND STATE ROAD 7, PURSUANT TO THE PROVISIONS OF SECTION 13-35, "SPECIAL LAND USE," OF THE CITY OF COCONUT CREEK CODE OF ORDINANCES. (QUASI-JUDICIAL) (SECOND PUBLIC HEARING)

City Attorney Pyburn read the titles for Ordinance No. 2019-016 and Ordinance No. 2019-017 into the record.

Commissioner Rydell made a motion to move Agenda Item 17 for discussion, seconded by Commissioner Tooley.

Commissioner Rydell made a motion to move Agenda Item 18 for discussion, seconded by Commissioner Tooley.

City Attorney Pyburn asked if there were any disclosures or ex parte communications for Agenda Items 17 or 18 other than those disclosed at the July 11, 2019, meeting, and there were none.

Assistant City Manager / Sustainable Development Director Sheila Rose presented the item and noted that staff had been working with the applicant to make the necessary changes to the Chick-Fil-A site design to reflect the recommended changes requested during first reading of the ordinances.

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

MOTION: Tooley/Rydell – To adopt Ordinance No. 2019-016.

Upon roll call, the Ordinance passed by a 3-1 vote, with Vice Mayor Sarbone voting nay.

MOTION: Rydell/Tooley – To adopt Ordinance No. 2019-017.

Upon roll call, the Ordinance passed by a 3-1 vote, with Vice Mayor Sarbone voting nay.

Mayor Welch asked if there were any objections by the Commission, staff, or the applicant to hear Agenda Items 19 and 20 together as they were related, and there were none.

19. **ORD 2019-025** AN ORDINANCE VACATING, RELEASING, AND ABANDONING A PORTION OF A SEWER UTILITY EASEMENT FOR THE PROJECT KNOWN AS BJ'S GAS PARKLAND LOCATED AT 5801 WEST HILLSBORO BOULEVARD, PARKLAND, FLORIDA, 33067 WITH SAID EASEMENT VACATION LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO. (QUASI-JUDICIAL)(FIRST PUBLIC HEARING)
20. **ORD 2019-026** AN ORDINANCE VACATING, RELEASING, AND ABANDONING A PORTION OF A WATER UTILITY EASEMENT FOR THE PROJECT KNOWN AS BJ'S GAS PARKLAND LOCATED AT 5801 WEST HILLSBORO BOULEVARD, PARKLAND, FLORIDA, 33067 WITH SAID EASEMENT VACATION LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO. (QUASI-JUDICIAL)(FIRST PUBLIC HEARING)

City Attorney Pyburn read the titles for Ordinance No. 2019-025 and Ordinance No. 2019-026 into the record.

Commissioner Tooley made a motion to move Agenda Item 19 for discussion, seconded by Commissioner Rydell.

Vice Mayor Sarbone made a motion to move Agenda Item 20 for discussion, seconded by Commissioner Rydell.

City Attorney Pyburn asked if there were any disclosures or ex parte communications for Agenda Items 19 or 20, and there were none.

Assistant City Manager / Sustainable Development Director Sheila Rose presented the item, noting that the City provides water and sewer service for the eastern portion of Parkland where the subject project is located. She stated that the utility lines that were in conflict with the BJ's gas station development would be relocated and that all utility holders had provided letters of no objection.

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

MOTION: Tooley/Rydell – To approve Ordinance No. 2019-025 on first reading.

Upon roll call, the Ordinance passed on first reading by a 4-0 vote.

MOTION: Sarbone/Tooley – To approve Ordinance No. 2019-026 on first reading.

Upon roll call, the Ordinance passed on first reading by a 4-0 vote.

Mayor Welch asked if there were any objections by the Commission, staff, or the applicant to hear Agenda Items 21 and 22 together as they were related, and there were none.

- 21. **ORD 2019-018** AN ORDINANCE VACATING, RELEASING, AND ABANDONING A UTILITY EASEMENT FOR THE PROJECT KNOWN AS LYONS EXCHANGE CENTER, GENERALLY LOCATED ON THE WEST SIDE OF LYONS ROAD AND NORTH OF THE SAWGRASS EXPRESSWAY, WITH SAID EASEMENT LEGALLY DESCRIBED IN EXHIBIT “A,” ATTACHED HERETO. (QUASI-JUDICIAL)(SECOND PUBLIC HEARING)

- 22. **ORD 2019-019** AN ORDINANCE VACATING, RELEASING, AND ABANDONING A UTILITY EASEMENT FOR THE PROJECT KNOWN AS LYONS EXCHANGE CENTER, GENERALLY LOCATED ON THE WEST SIDE OF LYONS ROAD AND NORTH OF THE SAWGRASS EXPRESSWAY, WITH SAID EASEMENT LEGALLY DESCRIBED IN EXHIBIT “A,” ATTACHED HERETO. (QUASI-JUDICIAL) (SECOND PUBLIC HEARING)

City Attorney Pyburn read the titles for Ordinance No. 2019-018 and Ordinance No. 2019-019 into the record.

Commissioner Tooley made a motion to move Agenda Item 21 for discussion, seconded by Vice Mayor Sarbone.

Vice Mayor Sarbone made a motion to move Agenda Item 22 for discussion, seconded by Commissioner Rydell.

City Attorney Pyburn asked if there were any disclosures or ex parte communications for Agenda Items 21 and 22, and Commissioner Tooley noted that she spoke with the applicant, Malcom Butters, regarding the project.

Assistant City Manager / Sustainable Development Director Sheila Rose presented the item, noting that the Commission previously approved the site plan for the proposed project and the vacation of the easements was necessary to accommodate the site plan.

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

MOTION: Sarbone/Tooley – To adopt Ordinance No. 2019-018.

Upon roll call, the Ordinance passed by a 4-0 vote.

MOTION: Sarbone/Tooley – To adopt Ordinance No. 2019-019.

Upon roll call, the Ordinance passed by a 4-0 vote.

- 23. **ORD 2019-021** AN ORDINANCE APPROVING AND ACCEPTING A MAINTENANCE MAP FOR LANDSCAPE AREAS, SIDEWALKS, AND FACILITIES IMMEDIATELY ADJACENT TO LYONS ROAD RIGHT-OF-WAY PURSUANT TO FLORIDA STATUTES SECTION 95.361 GENERALLY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF LYONS ROAD AND HAMMOCK BOULEVARD, MORE PARTICULARLY DESCRIBED IN THE MAINTENANCE MAP, ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT “A;” AND AUTHORIZING EXECUTION. (SECOND READING)(PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Tooley/Sarbone – To adopt Ordinance No. 2019-021.

Assistant City Manager / Sustainable Development Director Sheila Rose presented the item.

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

Upon roll call, the Ordinance passed by a 4-0 vote.

24. **ORD 2019-022** AN ORDINANCE APPROVING AND ACCEPTING A MAINTENANCE MAP FOR LANDSCAPE AREAS, SIDEWALKS AND FACILITIES IMMEDIATELY ADJACENT TO LYONS ROAD RIGHT-OF-WAY PURSUANT TO FLORIDA STATUTES SECTION 95.361 GENERALLY LOCATED AT THREE LOCATIONS BETWEEN COCONUT CREEK PARKWAY AND COPANS ROAD, MORE PARTICULARLY DESCRIBED IN THE MAINTENANCE MAP, ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "A;" AUTHORIZING EXECUTION. (SECOND READING)(PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Sarbone/Rydell – To adopt Ordinance No. 2019-022.

Assistant City Manager / Sustainable Development Director Sheila Rose presented the item. Discussion ensued regarding the City's long-term maintenance of the right-of-way and notice to adjacent property owners.

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

Upon roll call, the Ordinance passed by a 4-0 vote.

25. **ORD 2019-023** AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES, BY AMENDING CHAPTER 2, "ADMINISTRATION," ARTICLE II, "CITY COMMISSION," SECTION 2-25, "DECLARATION OF CITY-WIDE STATE OF EMERGENCY," TO PROVIDE DEFINITIONS, CLARIFY THE AUTHORIZATION FOR THE CITY MANAGER TO IMPLEMENT THE EMERGENCY RESPONSIBILITIES PROVIDED UNDER FLORIDA LAW, AUTHORIZE THE MAYOR TO ORDER EMERGENCY MEASURES PROVIDED UNDER FLORIDA LAW AS NEEDED, REVISE THE DURATION FOR LOCAL EMERGENCY DECLARATIONS FROM SIXTY (60) DAYS TO SEVEN (7) DAYS FOR MAN-MADE, TECHNOLOGICAL AND NATURAL EMERGENCIES AND FROM SIXTY (60) DAYS TO SEVENTY-TWO (72) HOURS DURING LOCAL THREATS OF VIOLENCE PURSUANT TO STATE LAW. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Tooley/Rydell – To approve Ordinance No. 2019-023 on first reading.

City Attorney Pyburn presented the item, noting that the amendment provided consistency with state law. Discussion ensued regarding eligibility for federal funding in the event of a state of emergency and the authority of the Vice Mayor to make the declaration in the absence of the Mayor.

Upon roll call, the Ordinance passed on first reading by a 4-0 vote.

26. **ORD 2019-029** AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES, BY AMENDING CHAPTER 5, "ANIMALS," SECTIONS 5-1, "PURPOSE," 5-2, "DEFINITIONS," 5-7, "PROHIBITION OF CRUELTY TO ANIMALS," AND AMENDING SECTION 5-8, "WILD ANIMALS," TO AMEND THE TITLE TO READ "WILD ANIMALS, WATERFOWL, AND RELATED NUISANCES," AND TO ACCOUNT FOR ADDITIONAL PROVISIONS PERTAINING TO NUISANCE WILDLIFE, SPECIFICALLY TO PROHIBIT THE KEEPING OR FEEDING OF WILDLIFE AND WATERFOWL, IDENTIFY NUISANCE CONDITIONS, PROVIDE FOR ENFORCEMENT AND PRESUMPTION OF VIOLATIONS, TRESPASS AND PENALTIES FOR VIOLATION, UPDATE RELATED DEFINITIONS. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Sarbone/Rydell – To approve Ordinance No. 2019-029 on first reading.

Discussion ensued regarding the condition of fields at Sabal Pines Park from the proliferation of Egyptian Geese. City Manager Blasi explained the various measures the City had taken to humanely deter the geese from congregating at the park. Unfortunately, the efforts were not working. She announced that there would be a meeting on August 12 at Sabal Pines Park for the public to provide input on a resolution. Discussion ensued.

City Attorney Pyburn clarified the differences between this proposed ordinance and Ordinance No. 2019-020, Agenda Item 27, that was passed on first reading at the July 11, 2019, Commission meeting, noting that it included trespass provisions as suggested by the City Commission and that the fines for violating the ordinance were per incident instead of per animal. She added that the ordinance would apply to all nuisance wildlife. Discussion ensued.

Mayor Welch opened the floor for public comment.

Sherri McGlynn, 854 Banks Road, Coconut Creek, spoke about the removal the geese from the park and suggested removal methods.

Susan Sargis, 4677 Waycross Drive, Coconut Creek, commended the City for its efforts to humanely remove the geese. She commented about residents who were still feeding the geese. She suggested possible removal methods and asked that the City bring forward a final decision to stop the proliferation of geese.

Michelle Shortino, 3843 Woodfield Drive, Coconut Creek, spoke about the amount of feces at Sabal Pines Park from the waterfowl and the danger it poses to people using the park.

Upon roll call, the Ordinance passed on first reading by a 4-0 vote.

27. **ORD 2019-020** AN ORDINANCE AMENDING THE CITY’S CODE OF ORDINANCES, BY AMENDING CHAPTER 5, “ANIMALS,” SECTIONS 5-1, “PURPOSE,” 5-2, “DEFINITIONS,” AND 5-7, “PROHIBITION OF CRUELTY TO ANIMALS,” AND CREATING SECTION 5-8.1, “WATERFOWL,” TO PROHIBIT THE FEEDING OF WATERFOWL, PROVIDE FOR ENFORCEMENT AND PRESUMPTION OF VIOLATIONS, PROVIDE PENALTIES FOR VIOLATION, AND UPDATE RELATED DEFINITIONS. (SECOND READING)(PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Sarbone/Tooley – To adopt Ordinance No. 2019-020.

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

Upon roll call, the Ordinance failed by a 0-4 vote.

ADJOURNMENT

The meeting was adjourned at 9:49 p.m.

Transcribed by: Marianne Bowers

Leslie Wallace May, MMC
City Clerk

Date