



CITY OF COCONUT CREEK CITY COMMISSION MINUTES

Government Center
4800 W. Copans Road
Coconut Creek, Florida

Date: April 25, 2024
Time: 7:00 p.m.
Meeting No. 2024-0425R

CALL TO ORDER

Mayor Sandra L. Welch called the meeting to order at 7:02 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

Commissioner Rydell introduced his daughters and shared that they were on the dais for "Take Your Daughter to Work Day."

Mayor Welch asked all to rise for the Pledge of Allegiance led by Commissioner Rydell's daughters.

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

PRESENTATION(S)

- 24-070** A PRESENTATION RECOGNIZING THE 2024 CITIZEN'S ACADEMY GRADUATES.

Community Relations Director Yvonne Lopez recognized the following graduates from the 2024 Citizen's Academy:

Ana Arvelo	Linda Jeffries	Jamie Redmond
Faye Bennett	Harold Kahn	Linda Rondinone
John Brodie	Valeria Loreda	Julio Sosa
Stefania Cajal	Marco Machado	Jorja Sullivan Tutwiler
Sarah Caron	Koren McKenzie-John	Dory Vega Rodrigue
Karen Cosimano	Lourdes Mederos	Anne Weidler
Lawrence Cosimano	Ruth Mezistrano	Michael Weisbord
Anthony Colao	Alan Minikes	
Sharon Curtis	Nicholas Nardelli	
Paolo Del Carpio	Deborah Newman	
Patricia Duaybes	Jeremy Perkins	
Bill Greenfield	Nina Phelan	

2. **24-072** A PROCLAMATION RECOGNIZING COCONUT CREEK STUDENT ZOFIA CHMIELEWSKA FOR HER FIRST PLACE AWARD IN THE SIERRA CLUB BROWARD GROUP EARTH DAY ART CONTEST.

Mayor Welch read the proclamation into the record and presented it to Zofia Chmielewska, who displayed her butterfly art project made from recycled materials.

3. **24-042** A PROCLAMATION RECOGNIZING APRIL 25, 2024, AS “ARBOR DAY 2024.”

Commissioner Rydell’s daughters read the proclamation into the record and presented it to staff and students from North Broward Preparatory School.

4. **24-059** A PROCLAMATION RECOGNIZING APRIL 21-28, 2024, AS “CITY SUSTAINABILITY WEEK 2024” IN THE CITY OF COCONUT CREEK.

Commissioner Wasserman read the proclamation into the record and presented it to Sustainability Manager Linda Whitman.

5. **24-071** A PROCLAMATION RECOGNIZING MAY 2024 AS “MENTAL HEALTH AWARENESS MONTH.”

Vice Mayor Railey read the proclamation into the record and presented it to Dr. Joe Oravec, CEO, National Alliance for Mental Illness (NAMI) Broward County. Dr. Oravec spoke briefly regarding the mission of NAMI Broward County.

6. **24-081** A PROCLAMATION RECOGNIZING MAY 5 – MAY 11, 2024, AS INTERNATIONAL COMPOST AWARENESS WEEK.”

Mayor Welch read the proclamation into the record and presented it to Dustin DuBois, Filthy Organics, and Jairo Gonzalez, Organics Foundation.

7. **24-067** A PROCLAMATION RECOGNIZING MAY 5 – MAY 11, 2024, AS “PROFESSIONAL MUNICIPAL CLERKS WEEK.”

Mayor Welch read the proclamation into the record and presented it to City Clerk Joseph J. Kavanagh and staff.

Mayor Welch called for a recess at 7:40 p.m., at which time Commissioner Rydell’s daughters left the dais. The meeting reconvened at 7:48 p.m.

INPUT FROM THE PUBLIC

Lucinda Sutton, 4030 NW 4 Street, Coconut Creek, thanked the Commissioners for responding to her email outlining her concerns with the ordinance related to chickens. She commented on farm animals as pets and stated chickens were also farm animals. She stated the chickens were a nuisance and noted her neighbor recently acquired chickens and roosters for a few days. She asserted residents were taking advantage of the South Creek neighborhood not having a Homeowners Association (HOA) and urged the City to set restrictions.

Patricia Snyder, 4140 NW 9 Court, Coconut Creek, stated the neighbor behind her house brought eight

(8) chickens to her yard in Spring 2020, and she had called the City to determine the rules. She commented that emails had been sent to the Commissioners from several residents in opposition to chickens on properties less than one (1) acre, and her neighbor's lot was less than one-fifth of an acre. She discussed the close relationship between her neighbors and stated they were not unkind or complainers but followed the rules and expected others to do the same.

Bonnie Hatfield, 4341 NW 4 Street, Coconut Creek, added that property values had gone down because of the chickens, and residents wanted to keep their property looking decent, without dirty backyards or animals in the streets causing chaos.

Commissioner Rydell asked Mayor Welch to consider polling the Commission to provide staff direction regarding moving forward with the issue of backyard chickens. Discussion ensued as to the current ordinance, proposed ordinance, and enforcement. City Attorney Pyburn thanked the Commission for the direction related to parcels less than one (1) acre not being permitted to have chickens and stated staff would bring forward the ordinance based on what was provided at a future meeting.

CONSENT AGENDA (Items 8, 11, and 12)

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

Agenda Items 9 and 10 were pulled from the Consent Agenda by Commissioner Rydell and heard before the Regular Agenda.

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| 8. | 24-061 | A MOTION APPROVING THE MINUTES FROM PREVIOUS CITY COMMISSION MEETING(S). (2024-0328R) |
| 11. | 24-069 | A MOTION TO APPROVE A SINGLE SOURCE PURCHASE OF IRRIGATION PUMP STATIONS FROM HOOVER PUMPING SYSTEMS, INC. FOR A FIVE (5) YEAR PERIOD. |
| 12. | RES
2024-072 | A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE THIRD AMENDMENT TO THE AGREEMENT WITH BROWARD COUNTY FOR THE INSTALLATION AND MAINTENANCE OF BUS SHELTERS TO PROVIDE FOR THE ADDITION OF THREE (3) NEW BUS SHELTERS AND REMOVAL OF ONE (1) BUS SHELTER. |

MOTION: Rydell/Wasserman – To approve Consent Agenda Items 8, 11, and 12.

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

City Manager

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| 9. | 24-075 | A MOTION AUTHORIZING CITY MANAGER SHEILA N. ROSE TO MAINTAIN RESIDENCY OUTSIDE THE MUNICIPAL BOUNDARIES OF THE CITY OF COCONUT CREEK. |
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Mayor Welch read the Motion title into the record.

Commissioner Rydell stated that he supported the waiver but thought it should not be handled as a Consent Agenda item. He noted City Manager Rose had been a vital employee for decades.

MOTION: Railey/Brodie – To approve the Motion.

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

Public Works Department

10. **24-068** A MOTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO APPROVE THE PURCHASE AND INSTALLATION OF A NEW HEATING, VENTILATION, AND AIR CONDITIONING (HVAC) AIR HANDLING UNIT TO REPLACE THE EXISTING UNIT IN THE POLICE DEPARTMENT BUILDING WITH MASTER MECHANICAL SERVICES, INC. PURSUANT TO RFP NO. 02-23-22-10.

Mayor Welch read the Motion title into the record.

Commissioner Rydell commented on the amount of the expenditure and stated the vendor was present to answer any questions.

Mayor Welch stated she had asked questions regarding the state of the current HVAC air handling unit and whether it would last until the replacement was put in place. Public Works Director Harry Mautte explained the new air handling unit had a lead time of approximately 30 weeks for delivery. He noted the existing unit was the last of the original units in the building to be replaced, and staff would continue to maintain it until the new unit was installed.

MOTION: Brodie/Wasserman – To approve the Motion.

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

REGULAR AGENDA

City Commission

13. **RES 2024-067** A RESOLUTION APPOINTING FIVE (5) REGULAR MEMBERS AND ONE (1) ALTERNATE MEMBER TO THE PLANNING AND ZONING ADVISORY BOARD FOR A TERM ENDING WITH THE NEXT APPOINTMENT IN 2025.

Mayor Welch read the Resolution title into the record.

Commissioner Rydell moved the item for discussion, seconded by Commissioner Brodie.

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

- Commissioner Rydell nominated Colleen LaPlant.
- Commissioner Wasserman nominated Solomon Briks.
- Commissioner Brodie nominated Alex Escoriza.
- Vice Mayor Railey nominated Jeffrey Light.
- After passing the gavel to Vice Mayor Railey, Mayor Welch nominated Jeffrey Barker as regular member and Nancy Fry as alternate.

Mayor Welch re-stated the slate of nominees for the Planning and Zoning Advisory Board.

MOTION: Rydell/Wasserman – To approve Resolution No. 2024-067.

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

Mayor Welch announced that the next meeting of the Planning and Zoning Advisory Board was scheduled for May 8, 2024, at 7 p.m.

14. **RES 2024-068** A RESOLUTION APPOINTING FIVE (5) REGULAR MEMBERS AND ONE (1) ALTERNATE MEMBER TO THE PARKS AND RECREATION ADVISORY BOARD FOR A TERM ENDING WITH THE NEXT APPOINTMENT IN 2025.

Mayor Welch read the Resolution title into the record.

Commissioner Rydell moved the item for discussion, seconded by Vice Mayor Railey.

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

- Commissioner Rydell nominated Kenneth Forbes.
- Commissioner Wasserman nominated Joel VanHemel.
- Commissioner Brodie nominated Michael Guardino.
- Vice Mayor Railey nominated Benjamin Nazario.
- After passing the gavel to Vice Mayor Railey, Mayor Welch nominated Sheldon Voss as regular member and Theresa Nadassy as alternate.

Mayor Welch re-stated the slate of nominees for the Parks and Recreation Advisory Board.

MOTION: Wasserman/Rydell – To approve Resolution No. 2024-068.

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

Mayor Welch announced that the next meeting of the Parks and Recreation Advisory Board was scheduled for May 15, 2024, at 6:30 p.m.

Public Works Department

15. **RES 2024-066** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE SECOND AMENDMENT TO THE INTERLOCAL AGREEMENT WITH BROWARD COUNTY FOR COMMUNITY SHUTTLE SERVICE.

MOTION: Rydell/Wasserman – To approve Resolution No. 2024-066.

Public Works Director Harry Mautte presented the item, noting the agreement reduced the rate Broward County would reimburse the City to operate the Community Shuttle based on Fiscal Year 2023 financial statements. He reviewed factors contributing to the change and advised that staff continued to work with the consultant on the Transit Master Plan, which included options to improve the shuttle service, incorporate micro transit, and integrate with the County's Premium Mobility Plan (PREMO).

City Manager Rose spoke about the status of the County PREMO Study and their operation and maintenance plan, which the County expected to radically improve transit service in and around Coconut Creek. She stated the City anticipated maintaining the shuttle service until staff had a firm handle on what the County was proposing, because for the most part, the shuttle provided

last mile transportation to the County transit service. She noted staff would keep the Commission apprised of the situation.

Mayor Welch asked if there were plans to adjust the lesser used shuttle route. Mr. Mautte advised staff was working with the consultant on what could be done to make improvements.

Commissioner Rydell commented that the community shuttle was underutilized and asked if there would be an opportunity for the City to say it did not want to adhere to the County plan if the Commission were to decide to move toward ride-on-demand options during its budget workshops. City Manager Rose stated the County had precluded micro transit from the Transportation Surtax program, but there was advocacy for that to change. Commissioner Wasserman highlighted his support of ride-on-demand transportation options. Discussion continued.

City Attorney Pyburn reviewed the termination provision in the agreement briefly, noting it provided only for termination with 10 days' notice in the case of a breach, otherwise it required the County to provide 180 days' notice of a termination for convenience.

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

Finance and Administrative Services

16. **ORD 2024-010** AN ORDINANCE REPEALING ORDINANCE NO. 2017-040 AND RESCINDING THE INVESTMENT POLICY FOR THE CITY THAT WAS ATTACHED THERETO; AND ADOPTING A NEW INVESTMENT POLICY IN ITS PLACE, ATTACHED TO ORDINANCE NO. 2024-010 AS EXHIBIT "A." (SECOND READING) (PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Rydell/Railey – To adopt Ordinance No. 2024-010.

Finance and Administrative Services Director Peta-Gay Lake explained the ordinance provided for an update to the City's current investment policy necessary to comply with State Statutes, provide for diversification of investments and internal control procedures, limit the maximum allocation for certain types of investments, and set individual issuer limits, all with the underlying objective of safeguarding public funds.

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.

Sustainable Development

City Attorney Pyburn explained the City's quasi-judicial procedures that would be applied to Agenda Items 17 and 18 as follows (verbatim):

Florida courts have determined that there are certain types of matters, including Items 17 and 18 on tonight's agenda, that are to be treated differently than other items considered by the Commission. In these quasi-judicial applications, the Commission is applying existing rules and policies to a factual situation and is therefore acting like a Judge and Jury do in a trial held in the courtroom. In such cases,

the courts have decided that due process and fundamental fairness require that more formal procedures be followed.

The City Commission's decision must be based on the evidence and information that is presented at the public hearing including the agenda materials, Planning and Zoning Board recommendation, testimony presented at the public hearing, and the deliberations of the City Commission. The quasi-judicial procedures require that the Commission consider the evidence presented to it and base their decision on the applicable law and primarily on credible evidence presented whether by staff, the applicant, or members of the public.

In a quasi-judicial proceeding, the City Commission is not allowed to take into consideration public sentiment or the popularity of a particular development proposal or application. The City Commission may only consider competent substantial evidence. This means testimony or other evidence that a reasonable mind would accept as credible and adequate to support a conclusion. Florida courts have made it clear that mere generalized statements of opposition are to be disregarded, but fact-based testimony can be considered competent and substantial evidence. This can include eyewitness observation testimony about relevant facts and documentary evidence, including photographs, aerials, and maps. Citizens who want to participate in a quasi-judicial hearing can testify as to factual matters and any element of the case that would not require specialized training or specific academic degrees. Their testimony will be considered provided their testimony is backed up by established facts, studies, or evidence that is not conjecture or just based on a feeling. The quasi-judicial hearing process is not a popularity contest. The strict rules of evidence do not apply during the public hearing, but any comments must be relevant to the agenda item.

Everyone who seeks to speak on an item will be given an opportunity to speak. If you intend to provide testimony as to any of the applications to be considered tonight, you will be sworn in before your testimony is taken. Please know if you speak, you may be subject to cross examination; the City Commission may comment or ask questions of persons addressing the Commission at any time. If you refuse to either be cross-examined or to be sworn, your testimony will be considered in that context and given its due weight. The general public will not be permitted to cross examine witnesses but may request that the Commission direct questions on their behalf to the applicant or staff.

City Clerk Kavanagh confirmed the public notice requirements had been met for Agenda Items 17 and 18 and swore in the witnesses.

- 17. RES 2024-070** A RESOLUTION APPROVING THE "MAINSTREET AT COCONUT CREEK PLAT," FOR THE PROPERTY LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND MADE A PARK HEREOF, BEING GENERALLY LOCATED NORTH OF SAMPLE ROAD, WEST OF LYONS ROAD, SOUTH OF WILES ROAD, AND EAST OF STATE ROAD 7/US 441, PURSUANT TO THE REQUIREMENTS OF SECTION 13-166, "FINAL PLAT ACCEPTANCE," OF THE CITY OF COCONUT CREEK CODE OF ORDINANCES; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO TAKE ANY NECESSARY ACTIONS TO EFFECTUATE SAID APPROVAL. (QUASI-JUDICIAL)(PUBLIC HEARING)
- 18. RES 2024-069** A RESOLUTION APPROVING THE SITE PLAN REQUEST OF DAVID AULD OF JOHNS FAMILY PARTNERS, LLLP TO PERMIT A MAXIMUM OF 104 SINGLE FAMILY TOWNHOMES AND VILLAS FOR THE PROPERTY LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND GENERALLY DESCRIBED AS BLOCK 1 OF THE MAINSTREET AT COCONUT CREEK DEVELOPMENT. (QUASI-JUDICIAL)(PUBLIC HEARING)

Mayor Welch asked if there were any objections to hear Items 17 and 18 together, as they were related, and there were no objections. Mayor Welch read the Resolution titles into the record.

Commissioner Rydell moved Item 17 for discussion, seconded by Commissioner Wasserman.

Vice Mayor Railey moved Item 18 for discussion, seconded by Commissioner Rydell.

City Attorney Pyburn asked if there were any disclosures or ex-parte communications on behalf of the Commission for Items 17 and 18, and the following disclosures were made:

- Commissioner Rydell stated he had several phone calls with Attorney Scott Backman.
- Commissioner Wasserman disclosed a phone call with Mr. Backman.
- Commissioner Brodie disclosed a phone call with Mr. Backman.
- Vice Mayor Railey disclosed Mr. Backman had called her, but she had not been able to connect prior to the meeting.
- Mayor Welch also disclosed Mr. Backman had called her, but they did not connect at that time and that she placed a call to Mr. Backman earlier in the day.

Assistant City Manager and Sustainable Development Director Scott Stoudenmire presented the items, explaining the first item was a plat, which was required prior to development and established formal boundaries, rights-of-way, dedication of park space, access, and the maximum development densities for a parcel of land. He stated the maximum densities for the MainStreet Plat matched those in the Planned MainStreet Development District (PMDD), which was previously approved. He advised the plat would also require Broward County Commission approval. Commissioner Rydell asked if the application would go before the Broward County Planning Council, and Mr. Stoudenmire stated the plat application would go directly to the County Commission.

Mr. Stoudenmire explained the second item was the next in a series of Site Plan applications. He briefly summarized the phase one (1) approvals for the MainStreet project to date. He noted that the applicant was proposing to develop 104 rear-loaded townhomes and two-story villas on Block 1 of the MainStreet Master Plan, generally located at the southwest corner of Cullum Road and Lyons Road, with access via a new roadway, NW 48 Avenue, to the west of the parcel. He noted the Planning and Zoning Advisory Board had recommended approval of both items at their March 13 meeting. He advised that the staff found the site plan to be in compliance with the site plan application review standards, the MainStreet PMDD Master Plan, MainStreet Design Standards, the City's Land Development Code, and the City's Comprehensive Plan, and recommended approval subject to the conditions outlined in the staff memorandum.

Scott Backman, Dunay, Miskel, and Backman, LLP, representing Johns Family Partners, LLLP, presented on behalf of the applicant. He provided a *PowerPoint* presentation, including an overview of the MainStreet area. He highlighted the allowable and proposed densities and the intent to focus on neighborhood design. He discussed features designed to encourage and promote pedestrian connectivity and highlighted the restored wetland preserve area and entry. He shared elevations and renderings and commented on features of the block briefly. Continuing, Mr. Backman shared an image of the proposed plat boundary, noting a small segment of the existing lake which belonged to Home Depot and was separate and apart and would not be part of the plat. He reviewed the three (3) existing plats within the overall MainStreet boundaries and the proposed plat. He reviewed an updated version of the anticipated approval schedule and outstanding approvals required. Mr. Backman highlighted the need for a discussion regarding street names and park names. Mayor Welch asked City Manager Rose for

her recommendation. City Manager Rose and Mr. Backman shared feedback and agreed to place the discussion item on the May 23 agenda.

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

Commissioner Rydell echoed previous comments that amenity packages should be prioritized and stated the mail facility needed to be double secured rather than stand-alone kiosks due to concerns with mail theft and identity theft. Mike Nunziata, 13th Floor Homes, committed to work with the postal service and staff to find a way to make access a two (2) step process.

Commissioner Wasserman expressed concern with the amount of buffering between the villas and Lyons Road. He noted sound walls on nearby communities and asked for more effort to disguise the property from the major road. Mayor Welch pointed to Paloma Lakes north of the project, noting it was also close to Lyons Road and to the sidewalk, but it was fenced. Discussion continued regarding walls and fences along Lyons Road, buffer options, and resident safety.

Mr. Backman asserted MainStreet was very different from Paloma Lakes and stated there had been a lot of discussion about establishing pedestrian corridors in and through the project with an intention of connectivity and stated the applicant was comfortable with the buffer as presented, but would consider an aluminum fence to provide continuity with Paloma Lakes, with breaks for pedestrian access points.

Mr. Stoudenmire commented on the comparison to Paloma Lakes, noting these units as proposed were approximately twice as far setback from Lyons Road. He advised there was a lot of landscaping, an access road, and a greenway between these units and the edge of pavement. He stated staff had worked with the applicant and very much discouraged any type of wall. Discussion continued regarding desire for a wall or fence. Commissioner Brodie advised that he had brought the issue of a fence up during his conversations with Mr. Backman. He noted it would provide visual continuity with Paloma Lakes as well as keep people from walking through the hedges. Vice Mayor Railey stated she thought they were going for an open MainStreet, and building a fence around it would change the concept. She noted a fence or wall would give residents a false sense of security, referencing issues within the Wynmoor community despite those things being in place. Mayor Welch asked for clarification of the setback distance. Mr. Backman explained it was 125 feet from Lyons Road to the villas.

Vice Mayor Railey asked about the Electric Vehicle (EV)-ready designation on the townhouse garages. Mr. Backman confirmed the garages would have EV-ready wiring installed.

Mayor Welch stated she would have preferred the villa units were smaller with space in between rather than having seven (7) or eight (8) in a row. Mr. Backman provided additional detail regarding the vision and concept for the block. Discussion continued. Mayor Welch added that she agreed with Commissioner Rydell's comments regarding the amenities offered. She asked what was planned for the pocket park. Mr. Backman advised the park would be a small place to gather and noted a more substantial amenities package was in process and would be ready for discussion in June.

Mayor Welch asked about the backyard fences on the villas and the dumpster shown at the southeast corner of the plan. Mr. Backman outlined the path the fence would take and explained the dumpster was fully screened and would be for the villa units, as they did not have garages to store trash receptacles. He advised that the manner of collecting waste throughout the project had been confirmed with the solid waste hauler as consistent with how they would like to service

the project.

Mayor Welch asked if there were covered entrances at the front and rear of the villas. Mr. Backman explained the covered entry features and stated only the townhomes had covered rear terraces. He confirmed residents would be able to put up awnings under the PMDD standards.

Commissioner Rydell shared images of a townhouse unit currently for sale in Coconut Creek and expressed concern the spaces were too small in projects previously approved by the Commission. He asked how the MainStreet townhouses compare in spacing and architecture and stated he would be willing to allow more density for better livability.

Mr. Nunziata advised that he did not know anything about the project referenced or its dimensions, but thought the comments were valid. He discussed the product that the team planned to construct and stated they could provide images of similarly-sized projects, adding that they believed they were proposing very livable homes that would confidently sell at the price point. Mayor Welch suggested a 3-D simulation according to the measurements in the drawings. Discussion ensued regarding the appropriate comparison model to address the Commission's questions. Commissioner Wasserman discussed the option to table Resolution No. 2024-069 to May. Mr. Nunziata advised that the applicant could provide the comparison images at this time.

The Commission took a brief recess to allow the applicant time to provide additional clarification on the unit sizes.

Mr. Stoudenmire noted he had floor plans and dimensions for the In the Pines project available as a comparison to the proposed townhouses and gave Mr. Backman the floor to address the Commission. Mr. Nunziata then shared images from other residential projects developed by 13th Floor to show comparable unit sizes. Discussion continued regarding tabling the item.

MOTION: Wasserman/Brodie – To table Resolution No. 2024-069 to the May 9, 2024, Commission meeting.

Upon roll call, the Motion to table Resolution No. 2024-069 passed by a 5-0 vote.

MOTION: Rydell/Brodie – To approve Resolution No. 2024-070.

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

City Attorney

19. **ORD 2024-019** AN ORDINANCE AMENDING THE CHARTER OF THE CITY OF COCONUT CREEK BY AMENDING ARTICLE III, "CITY COMMISSION," SECTIONS 301, "COMPOSITION; ELIGIBILITY; ELECTIONS AND TERMS OF OFFICE," 302, "THE MAYOR AND VICE MAYOR," 303, "GENERAL POWERS AND DUTIES; COMPENSATION," 304, "PROHIBITIONS," AND 305, "VACANCIES; FORFEITURE OF OFFICE; FILLING OF VACANCIES;" AND BY AMENDING ARTICLE V, "ESTABLISHMENT OF REQUIRED BOARDS AND COMMITTEES," SECTION 501, "ORGANIZATION OF BOARDS AND COMMITTEES;" AND BY AMENDING ARTICLE VII, "REGISTRATION AND ELECTIONS," SECTIONS 709, "RECEIPT OF RETURN-CERTIFICATES OF ELECTION," AND 710, "FILING FEES FOR CANDIDATES;" AND LAST BY AMENDING ARTICLE IX, "GENERAL PROVISIONS," SECTIONS 907, "CHARTER REVIEW; CHARTER REVIEW BOARD," AND 908, "AUTHORITY OF COMMISSION TO DIVIDE CITY INTO

VOTING DISTRICTS; (RE-DISTRICTING BOARD)," TO REORGANIZE THE COMPOSITION OF THE CITY COMMISSION FROM FIVE (5) DISTRICT COMMISSIONERS TO ONE (1) ELECTED MAYOR AND FOUR (4) DISTRICT COMMISSIONERS AND THE COMPLETE REVISION OF THE CHARTER TO ACCOMPLISH SAME. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Rydell/Wasserman – To approve Ordinance No. 2024-019 on first reading.

Assistant City Attorney Eve Lewis provided a brief overview of the legislative referendum before the Commission. She stated it contemplated a move from five (5) elected Commission seats to one (1) elected Mayor and four (4) District Commission seats. She stated workshops had been held in September and December 2023 to review the options and select ballot language. She advised the language provided for the cancellation of the March 9, 2027, Municipal Election to line up candidates in March 2029, and restart terms. Ms. Lewis explained next steps. She stated because this was a ballot item, following first and second readings by the Commission, it would go before the electors of the City of Coconut Creek. She noted staff would need direction from the Commission on the election date.

Mayor Welch highlighted the citizen-driven ballot initiative, which offered a second option for the Commission to consider taking to the voters.

Mayor Welch opened the floor to public input.

Robert Ayen, 2002 Granada Drive, Coconut Creek, spoke in support of changing to November elections, asserting it would increase voter turnout.

Kenneth Vespa, 2002 Granada Drive, Coconut Creek, echoed the support for moving to November elections to increase voter turnout.

Felicia Newkirk, 5520 Lyons Road, Coconut Creek, commented on the authority of the Commission to divide the City into voting districts and to reorganize the City Commission. She referenced the City of Fort Lauderdale and the City of Lauderhill, noting they have the Mayor on the ballot and it was her opinion that it was more logical and allowed the Mayor to serve a four (4) year term for consistency, more time to learn the job, and to develop relationships.

Liliana Gallego, 4913 NW 50 Court, Coconut Creek, spoke in support of moving the Municipal Election from March to November. She stated this supported the City's Vision 2030 goal of increasing inclusion. She noted in speaking with her neighbors, she found they did not realize there were March elections, and this change would allow them to have more knowledge of the process. She highlighted early voting and vote-by-mail in November.

Jamie Redmond, 4320 NW 12 Street, Coconut Creek, spoke in support of moving the Municipal Election to November to increase voter turnout. She reviewed turnout numbers and the margins in recent elections and stated the move would increase the residents' voice in selecting its leaders.

MOTION: Rydell/Railey – To extend the meeting to complete the agenda.

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

Nancy Fry, 5341 Flamingo Place, Coconut Creek, asked the Commission to consider her citizen-led Charter Amendment in place of that currently proposed. She discussed the ballot language and expressed concern it was misleading and did not mention the cancellation of the 2027

Election. She highlighted the importance of November elections and the impact to the voters, including extended time for vote-by-mail ballot requests, early voting, and drop boxes. She commented on the impact on school operations of holding a third election, as schools serve as polling places.

Jessica Veltri, 3000 NW 42 Avenue, Apartment B504, Coconut Creek, spoke in support of November elections. She stated there was more public engagement, publicity, and time to register for mail-in voting.

Tiffani Wenig, 4022 Crescent Creek Place, Coconut Creek, spoke in support of a move to November elections to increase voter turnout. She stated she also supported an elected Mayor but did not want to give up the right to vote in 2027. She asked the Commission to consider the citizen-led Charter Amendment instead.

There were no further questions or comments from the public.

Commissioner Rydell commented that the Commission had reached a consensus and should move forward with the proposal as presented by Ms. Lewis. He commented on the issues of an elected Mayor and November elections and noted the role of money in November.

Commissioner Wasserman commented that he also liked the language as previously discussed, and noted concerns that a November election could contribute to party politics, while candidates for Commission would be competing with State and National candidates through the election cycle. He stated it was the City's responsibility to educate and inform the residents about the Municipal Election.

Commissioner Brodie commented that the Commission had discussed these issues extensively and a lot of work had gone into it prior to the Commission consensus. He advised that he did not support November elections, and that change was not on the agenda.

Vice Mayor Railey commented that a lot of work and effort had gone into this issue, and she had given it a lot of thought. She expressed concern with the lack of qualifications required of an elected Mayor and asserted a Mayor selected from among the Commission was already elected by a vote of the people to be on the dais and would have experience. She stated she was against an elected Mayor but was on the fence regarding a change to a November election.

Mayor Welch commented that she had a difficult time with the suspension of an election for any reason. She asserted the people vote the Commissioners in for a term, and it should not be extended or lessened. She stated she was not in support of the ordinance as written.

Commissioner Rydell advised that he also did not like cancelling an election, but if a government was to be reformed, the path was imperfect. He stated he believed the City needed an elected Mayor. Mayor Welch stated her lack of support was not for changing the format to get the City to where it needed to be, but the cancellation of an election. She noted the citizen-led initiative spread the change out over a longer timeline to avoid this. Discussion continued.

Mayor Welch passed the gavel to Vice Mayor Railey to suggest making a motion to include the ballot question on the November 2024 election, which was seconded by Commissioner

Wasserman. Discussion ensued regarding the motion to amend the ordinance and voting procedures on the item.

AMENDMENT: Rydell/Wasserman – To amend the language of the ordinance to place the ballot question on the November 2024 Election.

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

Assistant City Attorney Eve Lewis read the title of the ordinance, as amended.

Upon roll call, the Ordinance, as amended, passed on first reading by a 3-2 vote, with Vice Mayor Railey and Mayor Welch voting nay.

CITY MANAGER REPORT

City Manager Rose provided a brief update on construction of the self-storage building on Hillsboro Boulevard, controlled burns scheduled by Broward County, an item on the May 23 to discuss the Pass Up Plastics ordinance, the Arbor Day Free Tree Giveaway, and public outreach regarding stopping the landfill expansion. She stated that, in observance of Teacher Appreciation Week, on May 6 the City would be delivering cookie platters to the nine (9) schools in Coconut Creek as a token of appreciation, and thanked Commissioner Wasserman for the suggestion.

CITY ATTORNEY REPORT

City Attorney Pyburn shared that she had presented on the topic of “Zoning Laws, Federal Laws, and Efforts to Regulate Sober Living Homes: A Bi-coastal Perspective” at the International Municipal Lawyers Association (IMLA) Seminar in Washington, D.C. the previous week, and she was informed the paper she drafted would be published in the May issue of the IMLA Municipal Lawyer Magazine. She thanked the Commission for their support.

COMMISSION COMMUNICATIONS

Commissioner Rydell highlighted issues with the County vendor doing work on Lyons Road and commented that it was disappointing. He stated he had attended a community outreach meeting regarding the CVS property on Hillsboro Boulevard. He shared the community input was volatile and commented on the need for the community to be good stewards of its young people. He noted he had received complaints from residents about the Parks and Recreation Department not taking cash for registration fees.

Commissioner Wasserman thanked staff for the speed study and subsequent installation of speed humps on Cocoplum Circle. He stated it was a safer neighborhood as a result.

Commissioner Brodie shared that he had gone through the Community Emergency Response Team (CERT) training and the Citizen’s Academy, and shared highlights briefly. He encouraged residents to participate in the next Citizen’s Academy.

Vice Mayor Railey wished everyone a blessed Passover holiday. She commented on the desire for peace within ourselves and in the world, and stated this was the time we should be embracing the basics of tolerating and being kind to people. Commissioner Railey shared an update from the Broward League of Cities meeting, noting it was encouraging to have an opportunity to speak with some elected

officials regarding Coconut Creek issues. She congratulated Scott Stoudenmire on his appointment as Assistant City Manager.

Mayor Welch thanked those who came to support the Teen Political Forum. She stated she had attended the Lyons Creek Middle School Advisory Council (SAC) meeting earlier in the day, and they discussed their robust tutoring program. She suggested Seminole Coconut Creek Education Foundation as a potential opportunity to grow the program. Mayor Welch advised she had spoken with an elected official from a neighboring community regarding rumors of a height variance for the landfill in anticipation of the Land Use Plan Amendment (LUPA) application before the County Commission. She stated City Manager Rose had assured an application had not been approved.

ADJOURNMENT

The meeting was adjourned at 11:37 p.m.



Joseph J. Kavanagh - MMC
City Clerk

5/23/2024
Date