



CITY OF COCONUT CREEK CITY COMMISSION MINUTES

Government Center
4800 W. Copans Road
Coconut Creek, Florida

Date: October 27, 2022
Time: 7:00 p.m.
Meeting No. 2022-1027R

CALL TO ORDER

Mayor Joshua Rydell called the meeting to order at 7:05 p.m.

PRESENT UPON ROLL CALL:

Mayor Joshua Rydell
Vice Mayor Sandra L. Welch
Commissioner Rebecca A. Tooley
Commissioner Jacqueline Railey
Commissioner John A. Brodie
City Manager Karen M. Brooks
City Attorney Terrill C. Pyburn
City Clerk Joseph J. Kavanagh

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

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

Mayor Rydell commented that a number of members of the Commission and City staff had attended a meeting of the Broward County Planning Council; and for the first time, the County's advisory board had rejected a plan for Waste Management to expand the size of the landfill. He encouraged continued activism on the matter in the future.

PRESENTATIONS

- 22-199** A PRESENTATION OF THE COCONUT CREEK MAYOR'S AWARDS FOR YOUTH FLAG FOOTBALL, RECREATIONAL CHEERLEADING, CO-ED INSTRUCTIONAL BASKETBALL, AND GIRLS BASKETBALL LEAGUES.

Senior Recreation Programmer Antonio Palmer and Mayor Rydell recognized the following Youth Flag Football, Recreational Cheerleading, Co-Ed Instructional Basketball, and Girls Basketball league participants for their outstanding sportsmanship during the season:

2022 Youth Flag Football League Mayor's Award Recipients

- 6 and under Flag Football League - Joshua Creary (Seahawks team)
- 8 and under Flag Football League - Krissyann Johnson (Seahawks team)
- 10 and under Flag Football League - Jacob Rawls (Cowboys team)
- 13 and under Flag Football League - Ryder Kaplan (Chiefs team)
- 16 and under Flag Football League - Isabella Gongora (Seahawks team)

2022 Recreational Cheerleading League Mayor's Award Recipients

6 and under Cheerleading - Addyson Whittenberg
8 and under Cheerleading - Ava Web
10 and under Cheerleading - Arielle Marinho
Middle/High School Division Cheerleading - Kaylyn Goderre

2022 Co-ed Instructional and Girls Basketball Leagues Mayor's Award Recipients

Co-ed Instructional Basketball League - Kaylee Cost (Green team)
10 and under Girls Basketball League - Penny Gomes (Green Clovers team)
15 and under Girls Basketball League - Sade Robinson (Purple Panthers team)

2. 22-190 A PRESENTATION RECOGNIZING FOURTH QUARTER EMPLOYEE MILESTONE ANNIVERSARIES FOR FISCAL YEAR 2022.

Human Resources Director Pamela Kershaw recognized the following employees, who had reached a milestone anniversary during the fourth quarter of Fiscal Year 2022:

Five (5) Year Anniversary

Billy Davidson, Creative Services Technician, Community Relations
Ester Mann, Group Exercise Instructor, Parks & Recreation
Bennae Robinson, Bus Driver, Public Works
Luke Zimmerman, Bus Driver, Public Works
Luis Montano-Garcia, Code Compliance Officer I, Sustainable Development
Taylor Douglas, Utility Service Worker II, Utilities & Engineering

Ten (10) Year Anniversary

Pablo Santiago, Senior I.T. Specialist, Information Technology
Sal Magliarisi, HVAC Mechanic, Public Works

Fifteen (15) Year Anniversary

Sean Flanagan, Deputy Building Official, Sustainable Development

Twenty (20) Year Anniversary

Shana Conley, Police Officer, Police Department

Twenty-five (25) Year Anniversary

Fred Hofer, Police Captain, Police Department
Jenna Kriplean, Police Captain, Police Department
Ryan Marken, Police Lieutenant, Police Department

3. 22-210 A PRESENTATION OF A DONATION TO CITY OF COCONUT CREEK POET LAUREATE LAURA MCDERMOTT MATHERIC.

Mayor Rydell discussed the appointment of Coconut Creek Poet Laureate Laura McDermott Matheric and presented her with a donation and journal. He noted the donation was made by private donations from the individual Commissioners and did not come from municipal funds.

4. 22-202 A SWEARING-IN CEREMONY FOR NEW POLICE OFFICERS TERRA JOHNSON AND SALVADOR SOLIS.

Police Captain Fred Shelton briefly introduced new Police Officers Terra Johnson and Salvador Solis. City Clerk Kavanagh administered the Oath of Office to the new Police Officers, followed by the badge

pinning ceremony.

- 5. 22-205** A PRESENTATION RECOGNIZING THE COCONUT CREEK POLICE DEPARTMENT'S TRAFFIC SERVICES UNIT FOR THEIR EXEMPLARY PERFORMANCE IN THE FLORIDA LAW ENFORCEMENT TRAFFIC SAFETY CHALLENGE.

Police Captain Shelton presented the item and congratulated the members of the Traffic Services Unit on their accomplishment.

- 6. 22-206** A PRESENTATION RECOGNIZING THE COCONUT CREEK POLICE EXPLORERS FOR THEIR EXEMPLARY PERFORMANCE IN THE STATE EXPLORER COMPETITION.

Police Captain Shelton presented the item and congratulated the Police Explorer Team, Associate Advisor Police Officer Gavin Henry, and retired Advisor Michael Zombek on their success.

- 7. 22-203** A PROCLAMATION RECOGNIZING THE MONTH OF OCTOBER 2022 AS "DOMESTIC VIOLENCE AWARENESS MONTH."

Commissioner Brodie read the proclamation into the record and presented it to Victim Advocate Tara Arena.

- 8. 22-212** A PROCLAMATION RECOGNIZING THE MONTH OF OCTOBER 2022 AS "NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH."

Vice Mayor Welch read the proclamation into the record and presented it to Julliana Carranza Escobar and her son Gabriel Escobar, a student at Monarch High School.

- 9. 22-189** A PROCLAMATION RECOGNIZING NOVEMBER 1, 2022, AS "EXTRA MILE DAY."

Commissioner Railey read the proclamation into the record.

INPUT FROM THE PUBLIC

City Clerk Kavanagh read an advanced public comment received by email into the record, a copy of which is attached hereto as Exhibit "1," from Nancy Fry thanking City staff and the Commission for the hard work leading up to the Broward County Planning Council Meeting held earlier in the day regarding a land use plan amendment application by Waste Management to expand the Monarch Hill landfill and for the comments made at the meeting.

Cheryl Blair, 3863 NW 67 Street, Coconut Creek, commented on the Women's Club desire to organize a holiday event in north Coconut Creek similar to that held in South Creek where Santa Claus visits the children in the neighborhood. Mayor Rydell stated the item would be addressed later in the meeting during Commission Comments.

Laura Matheric, 3906 NW 56 Street, Coconut Creek, added her support for the proposed holiday event that Ms. Blair discussed. She noted she was the president of the Women's Club and the group wanted to be a part of keeping history alive in the community as the City grows. She encouraged an inclusive decision.

CONSENT AGENDA (Items 10, 11, 12, 13, and 14)

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

10. **22-193** A MOTION APPROVING THE MINUTES FROM PREVIOUS CITY COMMISSION MEETING(S). (2022-0922SP AND 2022-0922R)
11. **RES 2022-225** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED FIRST AMENDMENT TO THE GRANICUS SERVICE AGREEMENT WITH GRANICUS, LLC FOR THE PURCHASE OF A WOWZA LIVE CAST ENCODER APPLIANCE AND SUPPORTING SOFTWARE.
12. **RES 2022-208** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT WITH BROWARD COUNTY FOR SURTAX-FUNDED MUNICIPAL TRANSPORTATION PROJECT: MILLING, PAVING, AND RESURFACING OF PUBLIC ROADS, BC-CCREEK-FY2020-00001, FOR THE CONSTRUCTION OF THE COMPREHENSIVE STREET IMPROVEMENT PROGRAM PHASE II.
13. **RES 2022-224** A RESOLUTION ADOPTING THE CITY’S UPDATED COMMUNITY TRANSPORTATION TITLE VI PROGRAM TO ENSURE COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 MANDATING THAT NO PERSON BASED ON RACE, COLOR, OR NATIONAL ORIGIN, SHALL BE DISCRIMINATED AGAINST IN THE ACCESS OR EQUAL OPPORTUNITY TO PARTICIPATE IN THE CITY’S PUBLIC TRANSPORTATION SYSTEM; AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE TITLE VI/NONDISCRIMINATION POLICY STATEMENT AND MANAGEMENT COMMITMENT TO THE TITLE VI PROGRAM.
14. **RES 2022-214** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED CONSENT TO ASSIGNMENT IN ORDER TO PROVIDE CONSENT FOR THE ASSIGNMENT OF THE AGREEMENT WITH PRESTIGE PROPERTY MAINTENANCE, INC. FOR LANDSCAPE MAINTENANCE SERVICES PURSUANT TO RFP NO. 09-04-19-09 TO JUNIPER LANDSCAPING OF FLORIDA, LLC.

MOTION: Tooley/Welch – To approve Consent Agenda Items 10, 11, 12, 13, and 14.

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

REGULAR AGENDA

Parks and Recreation

15. **RES 2022-216** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AN AGREEMENT WITH TEAM SERVICES FLORIDA, LLC FOR SPORTS OFFICIATING SERVICES PURSUANT TO IFB NO. 09-07-22-12.

Mayor Rydell read the Resolution title into the record.

MOTION: Tooley/Railey – To approve Resolution No. 2022-216.

Parks and Recreation Superintendent Lenore Thomas presented the item, outlining the bid process and the contract terms briefly. Mayor Rydell asked for clarification on the revenues and expenditures shown in the backup. Ms. Thomas explained that the estimates were based on past participation in league sports.

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

Sustainable Development

Mayor Rydell noted that Items 16, 17, and 18 were related, and there were no objections for the items to be heard together.

City Attorney Pyburn explained the City's quasi-judicial procedures that would be applied to Agenda Items 16 through 18. City Clerk Kavanagh confirmed the public notice requirements had been met for Items 16 through 18 and swore in the witnesses.

- 16. ORD 2022-016** AN ORDINANCE APPROVING THE REZONING REQUEST SUBMITTED BY 4161 HILLSBORO, LLC AND LEDER HILLSBORO, LLC, TO REZONE 4161 WEST HILLSBORO BOULEVARD FROM CF (COMMUNITY FACILITY) TO PCD (PLANNED COMMERCE DISTRICT), ALLOCATING 2.915 ACRES OF COMMERCIAL FLEXIBILITY ACREAGE TO BE REDESIGNATED FROM RESIDENTIAL TO COMMERCIAL FOR THE PROPERTY LOCATED AT 4161 HILLSBORO BOULEVARD AND LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND MADE A PART HEREOF; AND BY AMENDING THE EXISTING LEDER HILLSBORO PCD GENERALLY LOCATED AT 4161-4191 WEST HILLSBORO BOULEVARD AND LEGALLY DESCRIBED IN EXHIBIT "B," ATTACHED HERETO AND MADE A PART HEREOF, TO INCLUDE THE REZONED CF ZONED PARCEL AND REVISE THE LEDER HILLSBORO PCD DEVELOPMENT REGULATIONS AS PROVIDED IN EXHIBIT "C," ATTACHED HERETO AND MADE A PART HEREOF. (QUASI-JUDICIAL)(SECOND PUBLIC HEARING)
- 17. ORD 2022-017** AN ORDINANCE APPROVING THE SPECIAL LAND USE APPLICATION SUBMITTED BY 4161 HILLSBORO, LLC TO ALLOW A SELF-STORAGE FACILITY, LOCATED AT 4161 WEST HILLSBORO BOULEVARD, AS LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND MADE A PART HEREOF. (QUASI-JUDICIAL)(SECOND PUBLIC HEARING)
- 18. RES 2022-165** A RESOLUTION APPROVING THE SITE PLAN REQUEST SUBMITTED BY 4161 HILLSBORO, LLC FOR THE PROPERTY LOCATED AT 4161 HILLSBORO BOULEVARD LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND MADE A PART HEREOF. (PUBLIC HEARING)

City Attorney Pyburn read the Ordinance titles into the record and Mayor Rydell read the Resolution title into the record.

Vice Mayor Welch made a motion to move Item 16 for discussion, seconded by Commissioner Railey.

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

Commissioner Railey made a motion to move Item 18 for discussion, seconded by Commissioner Brodie.

City Attorney Pyburn asked that the Commissioners make any applicable ex-parte disclosures for Items 16, 17, and 18 that had taken place since the first public hearing on August 25. Mayor Rydell stated he had a conversation with the applicant's Attorney, Dennis Mele, as well as having conducted a site visit and spoken with neighbors of the project. Vice Mayor Welch stated she had driven by the location.

Sustainable Development Director Scott Stoudenmire presented the items, noting the project was a self-storage facility on Hillsboro Boulevard. He noted there had been extensive discussion at the August 25 meeting regarding the elevations, specifically the heights of the building, and the applicant had been directed to come forward with creative design alternatives to address the originally proposed four (4) story/three (3) story design. He stated elevations had been submitted and the applicant would make a brief presentation. Mr. Stoudenmire stated staff had reviewed the two (2) alternatives, a five (5) story/one (1) story option and a four (4) story/two (2) story option, and staff was comfortable with either scenario. He explained the building footprint, landscaping, and parking remained the same, with changes only to the architecture. He discussed the resident meetings held by the applicant and by City staff, noting he understood the residents preferred the five (5) story/one (1) story proposal.

Attorney Dennis Mele, Greenspoon Marder LLP, on behalf of the applicant, shared a *PowerPoint* presentation, outlining the proposed elevation changes as well as a brief overview of the project. He stated the applicant concurred with the staff report.

Mayor Rydell opened the public hearing. City Clerk Kavanagh read two (2) advanced public comments received by email into the record, copies of which are attached hereto as Exhibit "2," as follows:

Philip Simeone, 4221 NW 71 Street, Coconut Creek, wrote in support of the project, commenting that quality improvements to the property had benefited the community of Coconut Creek in the past and would continue to do so. He supported the five (5) story/one (1) story proposal.

Katherine Jackson, 7097 Crescent Creek Lane, Coconut Creek, wrote in support of the five (5) story/one (1) story proposal, noting the design had taken the neighbor's comments into consideration.

Gary Lobban, 7087 Crescent Creek Lane, Coconut Creek, stated he had met with staff and representatives of the project and agreed with the five (5) story/one (1) story proposal. He expressed appreciation that the applicant had been willing to accommodate the requests of the neighbors.

Cecile Lobban, 7087 Crescent Creek Lane, Coconut Creek, thanked the Commission in advance for approving the five (5) story/one (1) story plan.

Charmaine Buchanan, 7093 Crescent Creek Lane, Coconut Creek, stated she and her husband would also be comfortable with the five (5) story/one (1) story plan as it would be less intrusive for the community. She thanked the developer and City for hearing the residents.

Willie Jones, 7124 Crescent Creek Lane, Coconut Creek, thanked the Commission for pushing the project back so that everyone could be heard. He expressed appreciation for the time taken to meet and understand the citizens of Coconut Creek.

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

Attorney Mele thanked the Commission and residents for delivering a clear message.

The Commissioners added their appreciation for the give and take involved in the process and the participation of residents.

Vice Mayor Welch thanked the applicant for providing photos that showed what the actual trees would look like in shielding the development.

Mayor Rydell stated he wanted to address concerns that were brought up at the August meeting related to construction of the project, including vibrations of the ground, as well as construction at night and early in the morning. Attorney Mele assured that the applicant would follow the City's construction regulations and would submit a plan for review by the Engineering Department and Police Department, regarding routing of trucks. He stated they would keep a close eye on potential impacts such as vibration and respond as needed.

Mayor Rydell thanked the applicants for going above and beyond in community outreach and asked that continue through the development process. Attorney Mele stated they would make sure residents knew who to contact and how to reach them, and that the team was responsive in answering concerns.

MOTION: Tooley/Welch – To adopt Ordinance No. 2022-016.

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

MOTION: Welch/Brodie – To adopt Ordinance No. 2022-017.

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

AMENDMENT: Welch/Tooley – To amend Resolution No. 2022-165 to approve the site plan request with a five (5) story/one (1) story design plan.

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

MOTION: Tooley/Brodie – To approve Resolution No. 2022-165, as amended.

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

The Commission took a ten minute recess, and the meeting reconvened at 8:47 p.m.

CITY MANAGER REPORT

City Manager Brooks shared plans for commemoration of Veterans Day, including the annual ceremony, banners along Lyons Road, and a virtual Veterans wall on the City's website. She stated there would be an online registration process to identify Veterans to recognize.

City Manager Brooks commented on the requested Santa event, which originally included a request to utilize the Coconut Creek Fire Rescue Department to drive through the community in cooperation with the Women's Club. She stated the Fire Department had resource and asset shortages related to the fire trucks, and the City was unable to commit the trucks. She explained she had proposed an alternative

event at City Hall for all residents to attend that would include the Women’s Club participation. She noted other holiday events were being planned by Parks and Recreation.

CITY ATTORNEY REPORT

City Attorney Pyburn shared that she had received a request from the Broward County Attorney’s Office to join in requesting an Attorney General’s opinion regarding certain statutes and the ability to use surtax funding for roads and bridges not intended for vehicle traffic. Consensus was given to sign on to the County’s request for an Attorney General’s opinion on the matter.

COMMISSION COMMUNICATIONS

Mayor Rydell led a Commission discussion regarding the Women’s Club request to put on a Santa event. Discussion ensued regarding the history of the South Creek event, other holiday events in the community, details of the request, and potential solutions. Consensus was to create an event that would renew the family tradition of Santa traveling through the community using City vehicles with a predetermined route throughout the City.

Commissioner Tooley stated she wished she had been able to attend the Broward County Planning Council meeting and thanked Mayor Rydell for speaking on her behalf. She shared comments from the Solid Waste Working Group meeting the previous day and stated the County needed to update their comprehensive plan, as they were responsible for solid waste. Continuing, she thanked everyone for their phone calls and emails while she was recovering recently.

Commissioner Brodie stated he was honored to be able to participate in the Breast Cancer Walk over the weekend. He discussed the Monster Mash event at the Community Center, stating children in the community were lucky to have such an impressive, top-notch event. Continuing, he stated the Concert in the Park was well done and people had a good time. He thanked the residents and staff who had spoken at the Broward County Planning Council meeting.

Commissioner Railey stated she wanted to echo Commissioner Brodie’s comments regarding the Broward County Planning Council meeting. She noted appreciation for the way Coconut Creek presented itself.

Vice Mayor Welch agreed the meeting had been a success and stated she did not believe Waste Management had ever been denied in the past. She shared highlights from school visits during Government Week and stated the students were extremely engaged. She discussed the Hoops for Harmony event at Lyons Creek Middle School and thanked City Manager Brooks for joining her. She noted planning for the Teen Political Forum event had started and was going well.

Mayor Rydell welcomed Commissioner Tooley back, noting she was missed. He complimented each of the members of the Commission for their dedication, contribution, and leadership. He closed by stating Dan Laurie with the Parks and Recreation Department was an asset to the City.

ADJOURNMENT

The meeting was adjourned at 9:34 p.m.

Joseph J. Kavanagh, MMC
City Clerk

Date