



## CITY OF COCONUT CREEK CITY COMMISSION MINUTES

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

**Date: October 10, 2019  
Time: 7:00 p.m.  
Regular Meeting No. 2019-1010R**

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### **CALL TO ORDER**

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

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

Mayor Sandra L. Welch  
Vice Mayor Lou Sarbone  
Commissioner Rebecca A. Tooley  
Commissioner Mikkie Belvedere  
Commissioner Joshua Rydell  
City Manager Karen M. Brooks  
City Attorney Terrill C. Pyburn  
City Clerk Leslie Wallace May

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

### **PRESENTATION(S)**

- 1. 19-204** A PROCLAMATION RECOGNIZING OCTOBER 2019 AS "DOMESTIC VIOLENCE AWARENESS MONTH."

Vice Mayor Sarbone read the proclamation into the record. Thelma Lopez, Women in Distress of Broward County, accepted the proclamation and briefly spoke about the services provided by Women in Distress.

- 2. 19-203** A PROCLAMATION RECOGNIZING OCTOBER 14-18, 2019, AS "NATIONAL SCHOOL LUNCH WEEK."

Commissioner Belvedere read the proclamation into the record. Zoraida Faulkner, Broward County Public Schools Cafeteria Manager, accepted the proclamation.

- 3. 19-177** A PRESENTATION RECOGNIZING THE COCONUT CREEK POLICE EXPLORERS FOR THEIR EXEMPLARY PERFORMANCE IN THE STATE EXPLORER COMPETITION.

Police Officer Michael Zombek gave a brief overview of the Police Explorer Program, training, and the state competition. He noted that the Coconut Creek Police Explorers had the best finish in the history of the City's Police Explorer Program, finishing third overall. Officer Zombek recognized Raphael Macido for his first place finish in the physical agility test. He commended all of the Coconut Creek Police Explorers who participated in the competition for their success and presented each of them with a certificate of recognition for their performance.

4. **19-213** A PROCLAMATION RECOGNIZING OCTOBER 10, 2019, AS “ATLANTIC TECHNICAL COLLEGE AND TECHNICAL HIGH SCHOOL DAY” FOR THEIR DESIGNATION AS A NATIONAL BLUE RIBBON SCHOOL FOR 2019.

Mayor Welch read the proclamation into the record. Atlantic Technical College and High School Director Robert Crawford and Assistant Director Vicky LaPorte accepted the proclamation. Mr. Crawford briefly addressed the Commission and thanked them and City staff for their support.

#### **INPUT FROM THE PUBLIC**

Sherri McGlynn, 854 Banks Road, Coconut Creek, asked about City proclamations, and City Clerk May explained that proclamations are ceremonial recognitions of a particular event or person that are developed in collaboration with City staff and organizations that may request a special recognition.

*Mayor Welch implemented the Time Certain, and the City Manager Report, City Attorney Report, and Commission Communications were heard after the Consent and Regular Agendas.*

#### **CITY MANAGER REPORT**

City Manager Brooks thanked the City Commission and commented that she was happy to serve in her new position.

#### **CITY ATTORNEY REPORT**

City Attorney Pyburn welcomed Ms. Brooks as the new City Manager. She thanked the City Commission for approving her amended agreement and for attending the training held earlier in the evening regarding ethics, sunshine and public records laws, and social media.

#### **COMMISSION COMMUNICATIONS**

Commissioner Rydell thanked Ms. Pyburn for the training. He welcomed Ms. Brooks and commented that he looked forward to working with her. He mentioned a recent article that inferred Coconut Creek was leaving the partnership with the City of Margate for fire services. He commented that the City was interested in negotiating with Coral Springs for dispatch services and hoped that Margate would join in that interlocal agreement. He noted that the consultant would analyze the fire services to ensure the terms of the fire services agreement are equitable.

Commissioner Tooley spoke about phone calls she received regarding the article about fire services. She commented that the first priority was improved dispatch services for the safety of the public and first responders. She welcomed City Manager Brooks.

Commissioner Belvedere welcomed City Manager Brooks.

Vice Mayor Sarbone summarized the history of negotiations with the City of Margate for fire services. He commented that the goal was to have a fair contract with a fair price for the service. He spoke about the reasons for hiring a consultant to analyze fire services and remarked that the intent was to ensure the City is prepared for any contingency. He wished City Manager Brooks well in her new position.

Mayor Welch commented that addressing dispatch services was the first priority and that the consultant study was a strategic plan to find the most efficient and best way to proceed with fire service. She spoke about negotiating a fair contract. Mayor Welch thanked City Manager Brooks and the staff members who attended the Search Inside Yourself Leadership Institute training. She reported that the Bi-directional Amplifiers (BDA) at Atlantic Technical College and the Dave Thomas Education Center were recently found to be deficient. Fire Marshal Jeff Gary explained the findings and noted that the Broward County School Board budgeted funds to address issues with BDAs throughout the County, but the funding was not sufficient to fix all of the deficient BDAs. He commented that the Fire Chief's Association was working with the School Board on solutions.

City Manager Brooks stated that she would be meeting with the Margate City Manager and staff to discuss financial and operational considerations for fire services. She commented that the temporary fire station in the central part of the City would not be completed this year because Margate did not agree to pay for half of the operating costs. Commissioner Rydell offered to help in communicating with Margate to improve services. Commissioner Tooley noted that the local Fire Explorer program would now be recognized as the Coconut Creek/Margate Fire Explorer Program, and that a Coconut Creek resident would be offering a fire scholarship to the program for high school graduates.

Mayor Welch received consensus to attend the 11<sup>th</sup> Annual Climate Leadership Summit being held in December in Key West, Florida.

#### **CONSENT AGENDA (*Items 5, 7, and 8*)**

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

*Agenda Item 6 was pulled by Commissioner Rydell and heard during the Regular Agenda.*

5.     **19-191**           A MOTION APPROVING THE MINUTES FROM PREVIOUS CITY COMMISSION MEETING(S). (2019-0912SP, 2019-0912R, AND 2019-0917WS)
  
7.     **RES**  
       **2019-243**         A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AN AGREEMENT WITH R.P. UTILITY & EXCAVATION CORP. TO PERFORM CONSTRUCTION SERVICES FOR THE COPANS ROAD WASTEWATER TRANSMISSION SYSTEM PROJECT PURSUANT TO BID NO. 09-12-19-11.
  
8.     **RES**  
       **2019-246**         A RESOLUTION ADOPTING THE PARKS AND RECREATION MASTER PLAN FINAL REPORT PREPARED BY BARTH ASSOCIATES, LLC PURSUANT TO RFP NO. 02-28-18-11.

**MOTION:** Tooley/Rydell – To approve Consent Agenda Item Nos. 5, 7, and 8.

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

#### **REGULAR AGENDA**

**Police Department**

6. **RES 2019-241** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AN AGREEMENT WITH BIG BROTHERS BIG SISTERS OF BROWARD TO ESTABLISH A BIGS IN BLUE MENTORING PROGRAM IN COCONUT CREEK.

Mayor Welch read the Resolution title into the record.

**MOTION:** Tooley/Rydell – To approve Resolution No. 2019-241.

Commissioner Rydell noted that Coconut Creek was the first city in Broward County to participate in the Bigs in Blue Mentoring Program and thanked Police Chief Albert “Butch” Arenal and his staff for spearheading the effort. Police Chief Arenal briefly explained the program and noted that 13 members of the Coconut Creek Police Department were registered to mentor.

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

#### **Parks and Recreation**

9. **RES 2019-244** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AN AGREEMENT WITH CENTURY INDUSTRIES, LLC TO PURCHASE A PORTABLE STAGE PURSUANT TO RFP NO. 08-14-19-11.

Mayor Welch read the Resolution title into the record.

**MOTION:** Tooley/Belvedere – To approve Resolution No. 2019-244.

Parks and Recreation Special Events Planner Leo Moleiro presented the item. Discussion ensued regarding the features of the portable stage.

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

#### **Sustainable Development**

10. **ORD 2019-035** AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A LEASE AGREEMENT WITH NEW CINGULAR WIRELESS PCS, LLC, A WHOLLY OWNED SUBSIDIARY OF AT&T MOBILITY CORPORATION, TO LEASE CERTAIN SPACE WITHIN THE CITY’S WINSTON PARK FOR AN INITIAL TERM OF TEN (10) YEARS WITH THE TENANT’S RIGHT TO EXTEND FOR THREE (3) SUCCESSIVE FIVE (5) YEAR PERIODS UNDER SPECIFIC TERMS AND CONDITIONS. (SECOND READING)(PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

**MOTION:** Tooley/Belvedere – To adopt Ordinance No. 2019-035.

Assistant City Manager/Sustainable Development Director Sheila Rose presented the item. Discussion ensued regarding AT&T wireless service in the area, and it was noted that AT&T service was anticipated to improve with the new tower.

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 5-0 vote.**

**City Attorney**

11. **ORD 2019-034** AN ORDINANCE CONTRACTING THE CORPORATE LIMITS OF THE CITY OF COCONUT CREEK BY APPROXIMATELY FIVE (5) ACRES OF LAND LOCATED AT 4425 NW 71 STREET AND OTHER SURROUNDING LAND, SAID LANDS LYING AND BEING SITUATE IN BROWARD COUNTY, FLORIDA, AND HAVING COMMON OWNERSHIP BY ALLEY FARMS LLC; BEARING PROPERTY ID NUMBERS 474232010260, 474232010250, AND 474232010251 PURSUANT TO THE PROPERTY OWNER'S PETITION FOR CONTRACTION UNDER SECTION 171.051, FLORIDA STATUTES; PROVIDING FOR IMPLEMENTATION AND FILING WITH THE APPROPRIATE GOVERNMENTAL AGENCIES. (SECOND READING)(PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

**MOTION:** Tooley/Rydell – To adopt Ordinance No. 2019-034.

City Attorney Pyburn presented the item and noted that the property would retain its Broward County zoning of A-1, agricultural estate, if the contraction were approved. Attorney Dick Coker, on behalf of Alley Farms, LLC, introduced himself and stated he was present to answer questions. Vice Mayor Sarbone commented on the County's policy to annex unincorporated property into municipal boundaries. Ms. Rose stated that the target dates set in the policy had passed with no affirmative action from the County.

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 4-1 vote, with Vice Mayor Sarbone voting nay.**

12. **RES 2019-251** A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY, ON BEHALF OF THE CITY, TO ENGAGE THE SERVICES OF OUTSIDE COUNSEL TO JOIN IN THE FILING OF A BRIEF AT THE FLORIDA SUPREME COURT, SUPPORTING THE PLACEMENT ON THE BALLOT OF THE INITIATIVE PETITION ENTITLED "PROHIBITS POSSESSION OF DEFINED ASSAULT WEAPONS."

Mayor Welch read the Resolution title into the record.

**MOTION:** Tooley/Sarbone – To approve Resolution No. 2019-251.

City Attorney Pyburn presented the item. Discussion ensued regarding the City's participation.

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

13. **RES**                    A RESOLUTION APPROVING THE AMENDED AND RESTATED  
**2019-250**                    EMPLOYMENT AGREEMENT BETWEEN THE CITY OF COCONUT  
   CREEK AND TERRILL C. PYBURN, AS CITY ATTORNEY.

Mayor Welch read the Resolution title into the record.

**MOTION:**                Rydell/Tooley – To approve Resolution No. 2019-250.

Deputy City Attorney Kathy Mehaffey presented the item and noted that it provided for a waiver of conflict as discussed at the September 26, 2019, City Commission Workshop. She explained the provisions of Section 3.2 of the agreement, noting that if Ms. Pyburn were to receive an increase based on an above average evaluation that exceeded the maximum annual compensation limit applicable to retirement plans pursuant to Internal Revenue Code regulations, Ms. Pyburn would receive any increase above the maximum as a lump sum bonus.

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

#### **ADJOURNMENT**

The meeting was adjourned at 8:24 p.m.

Transcribed by: Marianne Bowers

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Leslie Wallace May, MMC  
City Clerk

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Date