



CITY OF COCONUT CREEK CITY COMMISSION MINUTES

Government Center
4800 W. Copans Road
Coconut Creek, Florida

Date: November 12, 2020
Time: 7:00 p.m.
Regular Meeting No. 2020-1112R

CALL TO ORDER

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

PRESENT UPON ROLL CALL:

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

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

Mayor Sarbone explained that Governor Ron DeSantis' Executive Order 20-52, as continuously extended, and Section 252.38, Florida Statutes, authorized all local governments to waive procedures and formalities otherwise required by both state and local law as necessary to allow local governments to continue to perform public work and take whatever prudent action is necessary to ensure the health, safety, and welfare of the community. He noted that the meeting was being conducted live with a quorum physically present and participation by one (1) Commissioner using communications media technology consistent with the Governor's Order and State law. City Attorney Terrill C. Pyburn explained the procedures for public participation and comment for the meeting.

PRESENTATIONS

1. **20-201** A PRESENTATION BY DO THE RIGHT THING OF COCONUT CREEK TO THE CITY FOR ITS CONTINUED SUPPORT AND SPONSORSHIP OF THE DO THE RIGHT THING PROGRAM.

Police Chief Albert "Butch" Arenal, who serves in the capacity of President of Do the Right Thing Coconut Creek, presented a plaque to the City of Coconut Creek in recognition of its sponsorship and support.

2. **20-205** A PROCLAMATION RECOGNIZING NOVEMBER 28, 2020, AS "SMALL BUSINESS SATURDAY."

Vice Mayor Joshua Rydell read the proclamation into the record.

INPUT FROM THE PUBLIC

City Clerk Leslie May stated there was no one present who had signed-in to speak nor advanced public

comments received for non-agenda or consent agenda items.

CITY MANAGER REPORT

City Manager Brooks introduced Susan Whiting, newly-hired Education Foundation Administrator, and Ms. Whiting provided a brief statement on her efforts with the foundation. She commented that the foundation recently awarded scholarships to the top ten graduating seniors from Coconut Creek high schools in 2020 and provided SOS Children's Village with a donation to assist with remote learning resources.

CITY ATTORNEY REPORT

City Attorney Pyburn thanked Deputy City Attorney Kathy Mehaffey for the ethics training she led prior to the meeting.

COMMISSION COMMUNICATIONS

Commissioner Belvedere provided an update on the Northwest Council of Elected Officials Meeting and Women's Club Meeting, where there was a visit from the City's Gun Safety Dog, Taylor. She commended City Marketing Specialist Jason Ramdewar on a job well done on the Veterans Day video. Commissioner Belvedere noted she attends twice weekly meetings in Wynmoor, and the most common resident questions are on the topics of recycling, the Fire Department, and Lyons Road. She welcomed Ms. Whiting to the Education Foundation.

Commissioner Welch stated she had attended the Education Advisory Board meeting to provide an update on the City's Gun Safety Dog, Taylor, and ask for their support. She commented on stories and suicide statistics shared at the presentation of the First Responder Award to School Resource Officer Joseph Fitzpatrick by Fort Lauderdale Chamber Healthcare Perspective. Commissioner Welch added that she had attended the Monarch High School Advisory Council (SAC) meeting and there was discussion regarding the Pre-SAT preparation sessions being held in December because there were not enough proctors to cover social distancing measures. She noted the Education Advisory Board was proactively exploring solutions to the issue. Commissioner Welch added that she had attended the Faith Leaders' Roundtable to discuss strategic planning, COVID-19 response, and the Fire Department. She thanked the Coconut Creek Honor Guard for an uplifting Veterans Day recognition.

Commissioner Tooley thanked Mr. Ramdewar for a job well done on the Veterans Day video and past videos. She thanked staff for their efforts responding to her questions. She commented on COVID-19 numbers and encouraged residents to wear masks and practice other safety measures.

Vice Mayor Rydell stated he was disappointed to not have the opportunity for an in-person Veterans Day program in 2020 and added the video was exceptional. He thanked staff for preparations in advance of the recent weather event from Tropical Storm Eta and a prompt response afterward. Vice Mayor Rydell urged his colleagues to be vigilant in informing neighbors of oddly aggressive behavior from two (2) coyotes documented in his district. He noted staff had rolled out a response.

City Manager Brooks provided an update on the efforts of the Florida Wildlife Commission (FWC) regarding misinformation regarding coyotes. She stated a roundtable was scheduled regarding messaging between City staff and the FWC to ensure correct information was being put out to teach the public to get along with the local wildlife.

Mayor Sarbone added to Vice Mayor Rydell's comments regarding the recent storm. He stated staff's advanced efforts to upgrade and maintain the drains had resulted in Coconut Creek being one of the few cities not dealing with flooding as a result of the storm. Mayor Sarbone asked residents to be careful regarding COVID-19 and practice safe practices.

CONSENT AGENDA (Item 3)

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

Agenda Item 4 was pulled by Commissioner Tooley and was heard prior to the Regular Agenda.

3. **20-200** A MOTION APPROVING THE MINUTES FROM PREVIOUS CITY COMMISSION MEETING(S). (2020-0827R, 2020-0910R, 2020-0914SP, 2020-0924SP, 2020-0924R, AND 2020-1008R)

MOTION: Tooley/Rydell – To approve Consent Agenda Item No. 3.

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

The following item was pulled from the Consent Agenda for discussion:

Police Department

4. **RES** A RESOLUTION ACCEPTING THE FLORIDA INCIDENT-BASED REPORTING
 2020-213 SYSTEM (FIBRS) GRANT AND AUTHORIZING THE CITY MANAGER, OR
 DESIGNEE, TO EXECUTE THE AGREEMENT WITH FLORIDA DEPARTMENT
 OF LAW ENFORCEMENT (FDLE) FOR USE OF THE GRANT.

MOTION: Rydell/Tooley – To approve Resolution No. 2020-213.

Commissioner Tooley asked Police Chief Arenal to explain what the grant was for.

Chief Arenal explained the grant was procured from FDLE to assist the City in following the nation's transition from uniform crime reporting to FIBRS. He stated the grant would fund the installation of software and related training and that the grant was anticipated to cover the cost in full.

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

REGULAR AGENDA

Public Works Department

5. **RES** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO
 2020-225 EXECUTE AN AGREEMENT WITH GREEN ENGINEERING &
 CONSTRUCTION, INC. FOR CONSTRUCTION OF A NEW RESTROOM
 BUILDING AT THE SABAL PINES PARK BASEBALL FIELDS PURSUANT TO
 BID NO. 10-13-20-02.

Mayor Sarbone read the Resolution title into the record.

MOTION: Tooley/Rydell – To approve Resolution No. 2020-225.

Alex Tergis, Assistant Director of Public Works, presented the item. He stated this was the second attempt at bidding the project and noted there were 13 responsive bids, with Green Engineering & Constructing being the lowest. He briefly reviewed the company's experience.

Vice Mayor Rydell asked for clarification on the 10 percent contingency in the request. City Manager Brooks stated most construction-related CIP projects included a built-in contingency, but in this case, it was identified separately.

Vice Mayor Rydell noted a large range in the amounts of the received bids. Mr. Tergis stated staff was comfortable due to the scope of work and the respondent's experience with similar work.

Commissioner Tooley asserted she had been trying to get this project done for a number of years due to concerns of parents utilizing the park for baseball and softball. She added it would be safer for the families.

Commissioner Welch asked if the construction would encumber any use of the fields. Mr. Tergis asserted the impact would be mostly between the fields, but directional bore underneath field one (1), the smallest field, would be required at some point and may result in a brief closure.

Mayor Sarbone called for public comment.

Fred Lorenzo, 2900 NW 42nd Ave, asked for clarification regarding the remodel of the playground at Sable Pines. City Manager Brooks stated the City had been replacing all its playgrounds as part of an annual replacement program. She noted Sable Pines was on the list, but the two projects would not be done at the same time.

City Clerk May stated there were no advanced public comments received on the item, and there were no further questions or comments from the public.

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

Finance Department

6. **ORD 2020-040** AN ORDINANCE REPEALING ORDINANCE NO. 2018-019; AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED FIRST AMENDED AND RESTATED AGREEMENT WITH EMERALD TRANSPORTATION CORPORATION TO PROVIDE CITY-WIDE WRECKER TOWING SERVICES. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Welch/Tooley – To approve Ordinance No. 2020-040 on first reading.

Director of Finance and Administrative Services Peta Gay Lake presented the item. She explained the amendment allowed for new restrictions imposed by State Law, which dictates how and what fees the City can impose. She stated the revenue from the contract was expected to remain about the same.

City Clerk May stated there were no advanced public comments received on the item, and there were no further questions or comments from the public.

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

City Attorney Pyburn read aloud the City's quasi-judicial procedures that would be applied to Items 7-9. City Clerk May confirmed that public notice requirements had been met for the Quasi-Judicial items 7-9 and swore in the witnesses.

Sustainable Development

7. **RES** A RESOLUTION APPROVING THE VARIANCE REQUEST OF RANDOLPH AND
 2020-210 GINA NELSON FROM SECTION 13-379 (1) OF THE CITY OF COCONUT
 CREEK LAND DEVELOPMENT CODE TO PERMIT A FENCE WITHIN A
 REQUIRED FRONT YARD FOR THE PROPERTY LEGALLY DESCRIBED
 HEREIN, BEING GENERALLY LOCATED AT 3920 NW 23 PLACE. (QUASI-
 JUDICIAL) (PUBLIC HEARING)

Mayor Sarbone read the Resolution title into the record.

Commissioner Tooley made a motion to hear Agenda Item 7, seconded by Commissioner Welch.

City Attorney Pyburn asked if there were any disclosures on behalf of the Commission for the item, and there were none.

Sustainable Development Director Scott Stoudenmire presented the item. He explained the request was to permit a fence in a front yard, which was not permitted under Code. He stated variances were rare because a special situation must occur in order to be eligible. Mr. Stoudenmire asserted the applicant had an oddly shaped lot, creating a unique situation. He explained the applicant had demonstrated a hardship, and staff and the Planning and Zoning Board had recommended approval. He added that the aerial views in Mr. Nelson's presentation would help to make the uniqueness of the situation clearer.

Vice Mayor Rydell asked if the applicant wanted a chain link or shadow box fence. Mr. Stoudenmire stated the request was simply to allow a fence in a front yard, but the request was for a shadow box fence in the front yard, and that had been approved by the Homeowners Association (HOA). Vice Mayor Rydell noted he had reviewed the Planning & Zoning Board meeting minutes and it seemed there was some discontent amongst the neighbors regarding the type of fence.

Mr. Stoudenmire asserted the City Commission would only be allowing a fence, typically staff would defer to the HOA on the type. He noted it was within the purview of the Commission to stipulate the type of fence, and asked City Attorney Pyburn to comment. City Attorney Pyburn stated she would need more information to answer the question specifically.

Mayor Sarbone stated he was not sure they wanted to get into the type of fence, and clarified they were voting on the variance to allow a fence in the front yard, and the approval would need to come from the HOA as to what type.

Applicant Randolph Nelson, 3920 NW 23 Place, Coconut Creek, gave a brief *PowerPoint* presentation, showing images of the front of his home facing the side of the neighbor's home. He

stated he would like to utilize the fence to designate a front yard on his oddly shaped lot. He explained the HOA requires chain link along the canal side of the yard, and he was requesting shadow box in the front and side yard. He stated his proposal included a gate to allow City access to the canal as needed, but he wanted to attempt to dissuade public access through his yard for safety purposes.

Mayor Sarbone opened the public hearing. City Clerk May stated there were no advanced public comments received on the item. There were no further questions or comments from the public, and Mayor Sarbone closed the public hearing.

Neither staff, nor the applicant, had any closing remarks.

MOTION: Tooley/Rydell – To approve Resolution No. 2020-210 based on the findings in the resolution.

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

8. **ORD 2020-036** AN ORDINANCE VACATING, RELEASING, AND ABANDONING A UTILITY EASEMENT FOR THE PROJECT KNOWN AS LYONS EXCHANGE CENTER GENERALLY LOCATED AT 6301 LYONS ROAD WITH SAID EASEMENT LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO. (QUASI-JUDICIAL) (FIRST PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

Vice Mayor Rydell made a motion to hear Agenda Item 8, seconded by Commissioner Welch.

City Attorney Pyburn asked if there were any disclosures on behalf of the Commission for the item, and there were none.

Sustainable Development Director Stoudenmire presented the item. He explained the ordinance vacated a portion of a 12-foot utility easement for the Lyons Exchange project due to a conflict found during the County permitting process for the turn lane. He noted a new easement would be required, and the utilities located within the easement had submitted letters of no objection. Attorney Deena Gray, 200 E Broward Boulevard, Fort Lauderdale, was present on behalf of the applicant to answer any questions.

Mayor Sarbone opened the public hearing. City Clerk May stated there were no advanced public comments received on the item. There were no further questions or comments from the public, and Mayor Sarbone closed the public hearing.

Neither staff, nor the applicant, had any closing remarks.

MOTION: Rydell/Tooley – To approve Ordinance No. 2020-036 on first reading.

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

9. **ORD 2020-037** AN ORDINANCE VACATING, RELEASING, AND ABANDONING A WATER EASEMENT FOR THE PROJECT KNOWN AS RESIDENCE INN GENERALLY LOCATED AT 5730 STATE ROAD 7 WITH SAID EASEMENT LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO. (QUASI-JUDICIAL) (FIRST

PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

Commissioner Tooley made a motion to hear Agenda Item 9, seconded by Vice Mayor Rydell.

City Attorney Pyburn asked if there were any disclosures on behalf of the Commission for the items, and there were none.

Sustainable Development Director Stoudenmire presented the item. He explained the ordinance vacated a portion of a 12-foot utility easement for the Residence Inn by Marriott project as the water easement was deemed no longer necessary upon completion of the project. He stated the City's Engineering Department had requested the item for clean-up purposes. Elizabeth Tsouroukdissian, 5381 Nob Hill Road, Sunrise, was present on behalf of the applicant to answer any questions.

Mayor Sarbone opened the public hearing. City Clerk May stated there were no advanced public comments received on the item. There were no further questions or comments from the public, and Mayor Sarbone closed the public hearing.

Neither staff, nor the applicant, had any closing remarks.

MOTION: Rydell/Tooley – To approve Ordinance No. 2020-037 on first reading.

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

10. **ORD 2020-041** 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 GOVERNMENT CENTER 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. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Welch/Tooley – To approve Ordinance No. 2020-041 on first reading.

Sustainable Development Director Stoudenmire presented the item. He explained the ordinance authorized execution of a lease agreement with AT&T to co-locate on the communications tower located at City Hall. He noted this would be the fourth tenant on the tower and would fill a gap in AT&T service that the City receives frequent complaints about.

City Clerk May stated there were no advanced public comments received on the item, and there were no further questions or comments from the public.

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

11. **ORD 2020-021** AN ORDINANCE AMENDING CHAPTER 13, CODE OF ORDINANCES, ENTITLED "LAND DEVELOPMENT CODE," BY AMENDING ARTICLE 1 THEREOF, ENTITLED "ADMINISTRATION, REGULATIONS AND

PROCEDURES,” BY AMENDING DIVISION 4 THEREOF, ENTITLED “FEE SCHEDULES,” WHICH AMENDS SECTIONS 13-83, 13-84, AND 13-86 BY AMENDING THE FEES FOR VARIOUS DEVELOPMENT ACTIVITIES. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Tooley/Welch – To approve Ordinance No. 2020-021 on first reading.

Sustainable Development Director Stoudenmire presented the item. He explained the ordinance amended the building fee schedule of the Land Development Code. He noted they were not evaluating major changes but were incorporating statutory increases at the State and County level and removing references that were no longer consistent with those statutes.

City Clerk May stated there were no advanced public comments received on the item, and there were no further questions or comments from the public.

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

12. **RES 2020-230** A RESOLUTION APPROVING THE RAINFOREST ESTATES HOMEOWNERS ASSOCIATION, INC. APPLICATION FOR MATCHING FUNDS FROM THE NEIGHBORHOOD ENHANCEMENT GRANT PROGRAM FOR SECURITY ENHANCEMENTS.

Mayor Sarbone read the Resolution title into the record.

MOTION: Tooley/Welch – To approve Resolution No. 2020-230.

City Attorney Pyburn noted that Vice Mayor Rydell lives in the community being discussed and had spoken with him ahead of time regarding the matter. She stated it was her recommendation that he abstain from voting on the matter due to a potential voting conflict.

Vice Mayor Rydell stated he does not sit on the HOA Board and did not make application for the request but would be abstaining from the vote regardless.

Sustainable Development Director Stoudenmire presented the item. He explained the Rainforest Estates HOA had applied for matching grant funds for a surveillance system, including three (3) cameras and one (1) license plate reader camera along with recording devices and monitoring. He stated the request was for \$4,720 in matching grant funds, and consistent with the program guidelines, reimbursement would be requested upon installation and inspection. Sustainable Development Director Stoudenmire noted this was the first Neighborhood Enhancement Grant of Fiscal Year 2021. He stated staff was recommending approval.

Commissioner Welch asked if this license plate reader was expected to be in conjunction with the Coconut Creek Police program. Sustainable Development Director Stoudenmire responded that there were conversations with the Police Department and Information Technology Department, and right now the systems would be independent of each other.

City Clerk May stated there were no advanced public comments received on the item, and there were no further questions or comments from the public.

Upon roll call, the Resolution passed by a 4-0 vote, with Vice Mayor Rydell abstaining.

City Commission

13. **RES** A RESOLUTION APPOINTING ONE REGULAR MEMBER AND ONE
2020-234 ALTERNATE MEMBER TO THE COMMUNITY OUTREACH ADVISORY BOARD
TO FILL THE REMAINDER OF THE TERM ENDING WITH THE NEXT
APPOINTMENT IN 2021.

Mayor Sarbone read the Resolution title into the record.

Commissioner Tooley made a motion to hear Agenda Item 13, seconded by Commissioner Welch.

City Clerk May stated there were no advanced public comments received on the item and there were no further questions or comments from the public.

Mayor Sarbone explained that at the July 23 meeting, Commissioner Welch nominated Whitney Larmond to the Community Outreach Advisory Board and that nomination was approved, but Ms. Larmond was no longer able to serve. He explained Commissioner Welch wished to nominate the alternate, Cheryl Higgins, for the seat, and he would nominate Omar Glenn to fill the alternate seat.

MOTION: Rydell/Tooley – To approve Cheryl Higgins and Omar Glenn to the Community Outreach Advisory Board.

Mayor Sarbone pointed out that if approved, the new members would be sworn in at the next meeting of the Community Outreach Advisory Board on December 16 at 6 p.m.

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

City Attorney

14. **ORD** AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO
2020-034 EXECUTE A LEASE AGREEMENT WITH CHRISTINE HUNSCHOFSKY, STATE
REPRESENTATIVE OF THE FLORIDA HOUSE OF REPRESENTATIVES;
PROVIDING FOR A TWO (2) YEAR TERM FOR THE LEASE OF OFFICE
SPACE WITHIN THE COCONUT CREEK GOVERNMENT CENTER. (SECOND
READING) (PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Tooley/Welch – To adopt Ordinance No. 2020-034.

City Attorney Pyburn presented the item. She explained the lease agreement would commence on November 4 and provided for monthly rent of \$500.

Mayor Sarbone opened the public hearing. City Clerk May stated there were no advanced public comments received on the item. There were no further questions or comments from the public, and Mayor Sarbone closed the public hearing.

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

15. **ORD** AN ORDINANCE AMENDING THE CITY’S CODE OF ORDINANCES, BY
2020-033 AMENDING CHAPTER 1, “GENERAL PROVISIONS,” SECTION 1-15,
“OFFICIAL CITY SEAL AND OFFICIAL CITY LOGO,” TO DESIGNATE A CITY
LOGO AND ALLOW THE CCITY MANAGER THE AUTHORITY TO APPROVE
THE MANUFACTURE, USE, DISPLAY, OR OTHER EMPLOYMENT OF ANY
FACSIMILE OR REPRODUCTION OF ANY CITY TRADEMARKED ITEM
EXCLUDING THE CITY SEAL. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Tooley/Welch – To approve Ordinance No. 2020-033 on first reading.

City Attorney Pyburn presented the item. She explained the purpose of the ordinance was to clarify and clean up the City Code regarding the City logo, slogan, and seal.

City Clerk May stated there were no advanced public comments received on the item, and there were no further questions or comments from the public.

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

16. **RES** A RESOLUTION AUTHORIZING THE CITY MANATER, OR DESIGNEE, TO
2020-235 EXECUTE A USE AGREEMENT WITH SEMINOLE PROPERTIES II, INC. IN
ORDER TO PROVIDE FOR CONTINUED TEMPORARY AND NON-EXCLUSIVE
OVERFLOW PARKING USE OF CITY PROPERTY.

Mayor Sarbone read the Resolution title into the record.

MOTION: Welch/Belvedere – To approve Resolution No. 2020-235.

City Attorney Pyburn presented the item. She explained the agreement allowed for nonexclusive use of City property for overflow parking from December 31 to April 30 on nights and weekends and four (4) other dates, except the last Saturday of February and one (1) other time. She outlined the terms of the agreement, including restriping the existing parking lot, and noted a similar agreement had been in place for several years, which had expired.

City Clerk May stated there were no advanced public comments received on the item, and there were no further questions or comments from the public.

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

17. **RES** A RESOLUTION IMPLORING THE U.S. CONGRESS TO ALLOCATE FUNDS
2020-226 AND DIRECT A CROSS-DISCIPLINE FEDERAL AGENCY STUDY OF THE
EFFECTS CAUSED BY EXPOSURE TO CURRENT AND PROPOSED
ELECTROMAGETIC SPECTRUM AND RADIOFREQUENCY EMISSIONS ON
HUMAN HEALTH AND ON THE ENVIRONMENT IN LIGHT OF THE RECENT
IMPLEMENTATION OF FIFTH GENERATION (5G) TECHNOLOGY; AND TO
USE THOSE FINDINGS TO CREATE SCIENCE-BASED LAWS OR RULES
REGARDING LIMITING HUMAN AND ENVIRONMENTAL EXPOSURE TO
SAME; PROVIDING FOR A PUBLIC PURPOSE; PROVIDING FOR
DISTRIBUTION TO THE PRESIDENT, ALL MEMBERS OF THE U.S.
CONGRESS, AND OTHER LAWMAKERS THAT HAVE EXPRESSED INTEREST
IN SUCH A STUDY.

Mayor Sarbone read the Resolution title into the record.

MOTION: Rydell/Tooley – To approve Resolution No. 2020-226.

Assistant City Attorney Eve Lewis presented the item. She explained the crux of the matter was achieving a balance between conservation and economic growth. She submitted it was not only a local issue, but a global issue to learn more about the technology and put resources together in a bipartisan effort to understand the health and environmental impacts.

Vice Mayor Rydell encouraged Assistant City Attorney Lewis to reach out to the Broward League of Cities and Florida League of Cities with the issue.

City Clerk May stated there were no advanced public comments received on the item, and there were no further questions or comments from the public.

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

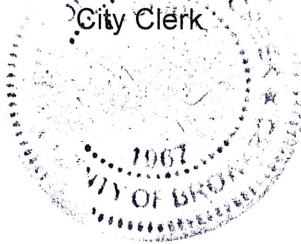
ADJOURNMENT

The meeting was adjourned at 8:32 p.m.

Transcribed by: C. Parkinson, Prototype

Leslie Wallace May
Leslie Wallace May, MMC
City Clerk

1/14/2021
Date



FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Rydell, Joshua	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Coconut Creek City Commission
MAILING ADDRESS 4800 W. Copans Road	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY Coconut Creek	COUNTY Broward
DATE ON WHICH VOTE OCCURRED 11/12/2020	NAME OF POLITICAL SUBDIVISION: City of Coconut Creek
	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Joshua Rydell, hereby disclose that on November 12, 20 20 :

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____ ;
- inured to the special gain or loss of my relative, spouse ;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Resolution 2020-230 approves \$4,720 in matching grant funds from the Neighborhood Enhancement Grant Program. The Neighborhood Enhancement Grant Program is designed to provide funding assistance for projects that promote a stronger, safer, and more sustainable community. The applicant, Rainforest Estates Homeowners Association, Inc., is proposing to use the grant funds to enhance community safety with the addition of a security system at the neighborhood entrance that includes four security cameras and one network recorder.

My personal residence is part of the Rainforest Estates Homeowners Association.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

11-12-20
Date Filed

[Signature]
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.