



CITY OF COCONUT CREEK CITY COMMISSION MINUTES

Government Center
4800 W. Copans Road
Coconut Creek, Florida

Date: February 23, 2023
Time: 7:00 p.m.
Meeting No. 2023-0223R

CALL TO ORDER

Mayor Joshua Rydell called the meeting to order at 7:02 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 City Attorney Terrill C. Pyburn explained the procedures for public participation and comment for the meeting.

PRESENTATIONS

1. **23-021** A PROCLAMATION RECOGNIZING MARCH 2023 AS "PROCUREMENT MONTH" AND MARCH 8, 2023, AS "PROCUREMENT PROFESSIONALS' DAY."

Vice Mayor Welch read the proclamation into the record, and Procurement Manager Linda Jeethan accepted the proclamation on behalf of the Procurement Division.

2. **23-025** A PROCLAMATION RECOGNIZING MARCH 20-24, 2023, AS "GOVERNMENT FINANCE PROFESSIONALS' WEEK."

Commissioner Railey read the proclamation into the record, and Finance and Administrative Services Director Peta-Gay Lake accepted the proclamation on behalf of the Department.

INPUT FROM THE PUBLIC

City Clerk Kavanagh stated that no advanced public comments were received for Non-agenda or Consent Agenda items.

Wayne Bellando, 6300 NW 44 Avenue, Coconut Creek, suggested that the City have an annual parade to bring the community together for the Fourth of July holiday. Mayor Rydell stated the Commission and staff would discuss the idea.

CONSENT AGENDA (Items 3, 4, and 5)

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

3. **23-023** A MOTION APPROVING THE MINUTES FROM PREVIOUS CITY COMMISSION MEETING(S). (2023-0126R)

4. **RES
2023-007** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED STATE AND LOCAL TASK FORCE AGREEMENTS WITH THE UNITED STATES DEPARTMENT OF JUSTICE, DRUG ENFORCEMENT ADMINISTRATION (DEA) TO ALLOW THE CITY TO CONTINUE TO PARTICIPATE IN THE SOUTHEAST REGIONAL TASK FORCE GROUPS 10 AND 16.

5. **RES
2023-032** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE A CONTRACTOR SERVICES WORK AUTHORIZATION WITH IMPERIAL ELECTRIC, INC. TO PURCHASE AND INSTALL NINETEEN (19) REPLACEMENT PEDESTRIAN LIGHTS ALONG THE HILTON ROAD GREENWAY.

MOTION: Tooley/Welch – To approve the Consent Agenda Items 3, 4, and 5.

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

REGULAR AGENDA

Finance Department

6. **RES
2023-033** A RESOLUTION WAIVING 7.4 PERCENT OF THE 9.9 PERCENT AUTOMATIC ANNUAL RATE INCREASE FOR WATER AND WASTEWATER CHARGES FOR FISCAL YEAR 2023 EFFECTIVE ON APRIL 1, 2023.

Mayor Rydell read the Resolution title into the record.

MOTION: Tooley/Welch – To approve Resolution No. 2023-033.

Finance and Administrative Services Director Peta-Gay Lake presented the item.

Commissioner Brodie thanked staff for their diligence in keeping the annual rate increase down.

Vice Mayor Welch asked whether the reduction in increase took into account supply chain issues, and Ms. Lake stated it did.

Mayor Rydell clarified that the annual increase was required to be 2.5 percent or the Consumer Price Index (CPI), whichever was higher, and staff recommended that the lowest permissible increase would be utilized. Ms. Lake confirmed that was correct.

City Clerk Kavanagh stated that no advanced public comments were received on the item and one (1) member of the public wished to speak on the item.

Sherri McGlynn, 854 Banks Road, Coconut Creek, asked whether the rate adjustment applied to residents in south Coconut Creek with Margate water. Mayor Rydell explained that residents who receive water service from the City of Margate were subject to rates set by the City of

Margate and the resolution would not apply to those areas in south Coconut Creek. Commissioner Tooley provided additional history.

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

Sustainable Development

7. **RES 2023-027** A RESOLUTION APPROVING THE WYNMOOR COMMUNITY COUNCIL, INC. APPLICATION FOR MATCHING GRANT FUNDS FROM THE NEIGHBORHOOD ENHANCEMENT GRANT PROGRAM FOR SECURITY ENHANCEMENTS.

Mayor Rydell read the Resolution title into the record.

MOTION: Welch/Brodie – To approve Resolution No. 2023-027.

Commissioner Railey stated she had a conflict of interest as the President of the Wynmoor Community Council and recused herself from the item.

Sustainable Development Director Scott Stoudenmire presented the item, noting it was the first Neighborhood Enhancement Grant of the year, and because of the security nature of the request, the backup information was confidential and exempt under State law.

Commissioner Brodie asked whether the system would be tied into the City to be monitored by the Police Department, and Mr. Stoudenmire responded that was not the intent at this time. He stated there was a representative of Wynmoor's security team present to answer any questions.

City Clerk Kavanagh stated that no advanced public comments were received on the item and no one had signed in to speak.

Upon roll call, the Resolution passed by a 4-0 vote, with Commissioner Railey abstaining.

CITY MANAGER REPORT

City Manager Brooks shared details of the Butterfly Festival scheduled for Saturday, February 25, at Sabal Pines Park.

CITY ATTORNEY REPORT

City Attorney Pyburn followed up on a previous request to investigate whether deed restrictions on the Vista Gardens Ballroom property could be removed. She stated Ordinance No. 2020-027 had provided some restrictions on the property and reviewed those briefly. She outlined the process to be followed if the Commission wanted to amend the ordinance. The Commission discussed amending the deed restrictions and the potential need to further discuss the matter at a workshop.

Sustainable Development Director Stoudenmire stated that City staff had received numerous inquiries since the property was placed on the market, and none of the inquiries related to the restricted uses in the ordinance. Discussion ensued regarding the lengthy community input process for the Vista Garden's development project and the abutting neighborhoods' desire for the restrictions.

Deputy City Manager Sheila Rose stated the Commission's discussion should be enough to communicate to a prospective developer that the City was open to alternate projects. She reiterated Mayor Rydell's comments that a new project would have to go through the approval process with final

action by the City Commission and suggested that may be the appropriate time to amend the ordinance if needed. Consensus was to leave the ordinance as adopted at this time.

COMMISSION COMMUNICATIONS

Commissioner Tooley commented on the Margate water infrastructure project in south Coconut Creek, noting there were three (3) phases of redoing the pipes in that area, and she recently learned they were only working on the first phase in South Creek, and then they were going back to Margate to complete three (3) additional phases there before finishing the improvements in South Creek. She asserted this was not fair to Coconut Creek residents who pay 25 percent more for water and asked that staff speak to Margate staff to communicate that they want the project completed all at once, not piecemealed. Commissioner Tooley commented that the fountain lights were working at Windmill Park and thanked staff for repairing the fountain, as well as the gates at the dog park. She shared her experience visiting Coconut Creek Elementary School for “A Day of Love and Peace.”

Commissioner Brodie stated he had earlier in the day attended the employee chili cook-off and noted it was an enjoyable event. He shared that, on March 10, the Foundation for Independent Living would be playing a basketball game against the Police Department at the Community Center and invited the public to attend and support the Foundation. He commented that he was excited to attend the Butterfly Festival on Saturday.

Commissioner Railey shared that she had attended the Student Advisory Council (SAC) meeting at Coconut Creek High School and complimented the inspirational work of Principal Nicole Nearor. She stated residents were appreciative of the events the City was putting on to keep the community entertained and engaged. She thanked staff for their hard work and ideas.

Vice Mayor Welch applauded the results of the Biased Policy Training the Police Department had just undergone as part of their accreditation process. She highlighted an article in the Sun–Sentinel, regarding House Bill 543 and school safety, and stated she was glad to have K-9 Taylor in Coconut Creek schools. She shared positive feedback from teachers and parents about the recent college preparatory courses offered in partnership with the Seminole Coconut Creek Education Foundation. She asked that additional courses be offered, and that they be held sooner in the school year. City Manager Brooks responded that the Education Foundation had budgeted to continue the program next year and would offer more classes earlier in the school year. Vice Mayor Welch noted the Women’s Club of Coconut Creek was hosting the inaugural Butterfly Garden Tour on March 4, which would feature 12 secret gardens throughout the City. She stated the event would provide scholarship funds for high school seniors in the City.

Mayor Rydell stated he had attended the Kids Heart Challenge at the North Broward Preparatory School, and they had broken all national records, raising more than \$250,000 for the American Heart Association. He mentioned the Lyons Creek Middle School Health Expo was a well-attended event and commented briefly on recreation programs, noting soccer had wrapped up and softball season had kicked off.

ADJOURNMENT

The meeting was adjourned at 7:47 p.m.



Joseph J. Kavanagh, MMC
City Clerk

3/6/2023

Date

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

LAST NAME—FIRST NAME—MIDDLE NAME Railey, Jacqueline	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 February 23, 2023	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, Jacqueline Railey, hereby disclose that on February 23, 20 23 :

(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, _____ ;
- inured to the special gain or loss of Wynmoor Community Council, Inc., 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 No. 2023-027 approves matching grant funding from the Neighborhood Enhancement Grant Program for the Wynmoor Community Council to complete security enhancements within the residential neighborhood. I am the President of the Wynmoor Community Council.

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.

March 6, 2023
Date Filed

Jacqueline Railey
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.