



## CITY OF COCONUT CREEK CITY COMMISSION MINUTES

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

**Date: February 28, 2019  
Time: 7:00 p.m.**

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### **CALL TO ORDER**

Mayor Rydell called the meeting to order at 7:01 p.m. He commented that the evening's song selection was Billy Joel's "We Didn't Start the Fire," and announced that Vice Mayor Welch would make the song selection for the March 14, 2019, Commission meeting.

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

Mayor Joshua Rydell  
Vice Mayor Sandra L. Welch  
Commissioner Rebecca A. Tooley  
Commissioner Lou Sarbone  
Commissioner Mikkie Belvedere  
City Manager Mary C. Blasi  
Assistant City Attorney Eve M. Lewis  
City Clerk Leslie Wallace May

Mayor Rydell asked all to rise for the Pledge of Allegiance led by fourth grade student Ava McDonald.

### **PRESENTATIONS**

1. **19-043** A PRESENTATION BY THE BROWARD COUNTY SUPERVISOR OF ELECTIONS OFFICE REGARDING THE MARCH 12, 2019, ELECTION.

McEddy Mason, Broward County Supervisor of Elections Office staff member, provided a brief overview of the election process for the March 12, 2019, municipal election.

### **INPUT FROM RESIDENTS OF COCONUT CREEK**

Beth Gastineau, 2170 NW 40 Terrace, Coconut Creek, spoke about speeding issues in the Township Estates neighborhood and requested traffic calming devices in the area to help. Assistant City Manager / Sustainable Development Director Sheila Rose spoke about the traffic calming device review process for public streets. The Commission directed staff to forward the traffic analysis completed for the Township Estates neighborhood to each Commissioner for review.

### **CITY MANAGER REPORT**

City Manager Blasi had no report.

### **CITY ATTORNEY REPORT**

Assistant City Attorney Lewis had no report.

## COMMISSION COMMUNICATIONS

Commissioner Sarbone spoke about the Butterfly Festival and commended staff for their work. He suggested that staff track attendance for next year's festival.

Commissioner Tooley attended the "Ice Cream with a Cop" event hosted by the Police Department. She recognized City staff for their work on the Butterfly Festival.

Commissioner Belvedere also thanked City staff for their work on the Butterfly Festival and commented on the pleasant atmosphere at the event. She recognized Police Officer Michael Zombek and Fire Marshal Jeff Gary for attending a Wynmoor community meeting. She attended the Metropolitan Planning Organization (MPO) Safe Streets Summit.

Vice Mayor Welch spoke about the City of Lake Worth's transition from single stream recycling to dual stream recycling and requested that City staff contact the City of Lake Worth to obtain further information from their staff. She noted that she was reappointed to the County Climate Change Task Force and spoke about recently-filed federal legislation by Congressman Ted Deutch related to a Carbon Dividend Trust Fund. She asked staff to follow up with the City's Federal Lobbyist on the issue. She spoke favorably about the new laundromat that opened in Coconut Creek Plaza and noted that the business owner was looking forward to being a community partner. She discussed promotional signage and flags for new businesses, and Ms. Rose explained the City's Promotional Event Permit provisions. Staff was directed to analyze an expansion of the existing permitting provisions.

Mayor Rydell commented on the success of the Butterfly Festival. He commended Assistant City Manager / Sustainable Development Director Sheila Rose, Public Works Director Jim Berkman, and Public Works Program Manager Mike Heimbach for responding promptly to recent resident concerns. He mentioned Broward County Mayor Mark Bogen's audio message at the Fort Lauderdale International Airport promoting Butterfly World.

## REGULAR AGENDA

### City Clerk

2. **19-033** A MOTION APPROVING THE MINUTES FROM PREVIOUS CITY COMMISSION MEETING(S). (2019-0124WS AND 2019-0124R)

Mayor Rydell read the Motion into the record.

**MOTION:** Tooley/Belvedere – To approve the minutes of the January 24, 2019, Workshop and Regular Commission Meetings.

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

### Police Department

3. **RES 2019-042** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED MUTUAL AID AGREEMENT FOR LAW ENFORCEMENT SERVICES WITH THE SEMINOLE TRIBE OF FLORIDA.

Mayor Rydell read the Resolution title into the record.

**MOTION:** Sarbone/Welch – To approve Resolution No. 2019-042.

Police Captain Fred Hofer presented the item.

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

### **Sustainable Development**

4. **ORD 2018-026** AN ORDINANCE APPROVING THE REZONING REQUEST OF RPT REALTY, L.P. TO REZONE FROM B-2 (CONVENIENCE SHOPPING) AND B-3 (COMMUNITY SHOPPING) TO PLANNED COMMERCE DISTRICT (PCD) FOR THE PROPERTY GENERALLY LOCATED ON THE SOUTHEAST CORNER OF JOHNSON ROAD AND STATE ROAD 7 (US 441) WITHIN THE SAWGRASS PARK OF COMMERCE PLAT. (QUASI-JUDICIAL)(FIRST PUBLIC HEARING)

Assistant City Attorney Lewis read aloud the City's quasi-judicial procedures that would be applied to Agenda Items 4 through 7. City Clerk May confirmed that the public notice requirements were met for Agenda Items 4 through 7 and swore in the witnesses. Mayor Rydell asked if there were any objections by the Commission, staff, or the applicant to hear Agenda Items 4 through 7 together as they were all related, and there were none.

Assistant City Attorney Lewis read the titles for Ordinance No. 2018-026 and Ordinance No. 2018-027 into the record.

Mayor Rydell read the titles for Resolution No. 2018-225 and Resolution No. 2018-227 into the record.

Commissioner Tooley made a motion to hear Agenda Item 4, seconded by Commissioner Belvedere.

Vice Mayor Welch made a motion to hear Agenda Item 5, seconded by Commissioner Belvedere.

Commissioner Belvedere made a motion to hear Agenda Item 6, seconded by Commissioner Tooley.

Vice Mayor Welch made a motion to hear Agenda Item 7, seconded by Commissioner Belvedere.

Assistant City Attorney Lewis asked if there were any disclosures or ex parte communications for Agenda Items 4 through 7, and the following disclosures were made:

- Commissioner Tooley met with the applicant and the applicant's attorney, Janna Lhota.
- Commissioner Belvedere met with the applicant and the applicant's attorney, Janna Lhota, and visited the site.
- Vice Mayor Welch met with the applicant and the applicant's attorney, Janna Lhota, and visited the site.
- Mayor Rydell emailed the applicant's attorney, Janna Lhota.

Assistant City Manager / Sustainable Development Director Sheila Rose presented the items, explaining the mixed zoning of the site and the proposed development applications for the Wendy's restaurant.

Janna Lhota, Holland & Knight, 515 East Las Olas Boulevard, Fort Lauderdale, introduced herself, noting that she was present on behalf of RPT Realty, L.P., formerly known as Ramco-Gershenson Properties L.P. She introduced representatives of RPT Realty, L.P. and Wendy's who were in attendance. Ms. Lhota shared a *PowerPoint* presentation of the project details with Architect Eduardo Carcache, CKE Group Inc., also presenting. Traffic Engineer Karl Peterson, KBP Consulting, explained the traffic study that was conducted at the request of the City Commission at the October 25, 2019, Commission Meeting and the methodology used to study the traffic impacts from the use. Ms. Lhota noted that the applicant provided notice to the plaza tenants in accordance with the City's recently-adopted ordinance requiring the additional public notice. She summarized the following commitments for the project:

- Wendy's participation in the Broward Education Foundation's Partners in Education program with Tradewind's Elementary School;
- Modification of benches to include seat separators;
- Additional pedestrian crossing sign for the pedestrian crosswalk from Wendy's to the existing in-line shops within the plaza;
- Upgrade to the main plaza signage along State Road 7/US 441 and Johnson Road to provide for tenant panels; and
- Plaza ownership would participate and support the tenant's participation in the City's promotional event banner program.

Discussion ensued regarding traffic signal optimization coordination with Broward County upon project completion.

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

Discussion ensued regarding traffic level of service (LOS) standards and peak-hour volumes. Ms. Lhota explained the ingress/egress pattern for the Wendy's site. Discussion ensued regarding tenant signage on the main plaza monument sign. Mr. Peterson explained the mix of parking space orientation within the plaza. Discussion ensued.

Mayor Rydell read an email into the record from a resident regarding the plaza parking lot. Discussion ensued regarding the backup distance between the Wendy's site parking spaces and the drive thru stacking area. Mr. Peterson spoke about existing traffic to the plaza in comparison to estimated new traffic and traffic signal optimization. Ms. Rose responded to a question from the Commission regarding traffic projections in the Comprehensive Plan. Discussion ensued. Ms. Rose suggested that the applicant be responsible for the physical work associated with the traffic signal optimization. Ms. Lhota noted that Broward County Traffic Engineering is responsible for maintenance of the traffic signal equipment and that the applicant would coordinate with the County when the project was complete to facilitate the optimization of the traffic signal.

**MOTION:** Tooley/Belvedere - To approve Ordinance No. 2018-026 on first reading.

**Upon roll call, the Ordinance passed on first reading by a 4-1 vote, with Mayor Rydell voting nay.**

5. **ORD 2018-027** AN ORDINANCE APPROVING THE SPECIAL LAND USE APPLICATION OF RPT REALTY, L.P., TO PERMIT A DRIVE-THRU FOR THE PROPOSED WENDY'S RESTAURANT LOCATED AT THE SOUTHEAST CORNER OF JOHNSON ROAD AND STATE ROAD 7 (US 441) PURSUANT TO SECTION 13-35, "SPECIAL LAND USE," OF THE CITY'S CODE OF ORDINANCES. (QUASI-JUDICIAL)(FIRST PUBLIC HEARING)

**MOTION:** Welch/Belvedere - To approve Ordinance No. 2018-027 on first reading.

**Upon roll call, the Ordinance passed on first reading by a 4-1 vote, with Mayor Rydell voting nay.**

6. **RES 2018-225** A RESOLUTION APPROVING THE SITE PLAN REQUEST OF RPT REALTY, L.P. TO MODIFY THE EXISTING CORAL CREEK SHOPS SHOPPING PLAZA MASTER SITE PLAN GENERALLY LOCATED ON THE SOUTHEAST CORNER OF JOHNSON ROAD AND STATE ROAD 7 (US 441). (QUASI-JUDICIAL)(PUBLIC HEARING)

**MOTION:** Belvedere/Tooley– To approve Resolution No. 2018-225.

**AMENDMENT:** Welch/Sarbone – To amend Resolution No. 2018-225 to require RPT Realty, L.P. to submit and receive all necessary approvals from City staff for ground identification signs and/or designer directional signs visible from the street and compliant with City Code prior to issuance of the Certificate of Occupancy for the Wendy's development.

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

**Upon roll call, the Resolution as amended passed by a 4-1 vote, with Mayor Rydell voting nay.**

7. **RES 2018-227** A RESOLUTION APPROVING THE SITE PLAN REQUEST OF RPT REALTY, L.P. FOR THE DEVELOPMENT OF A WENDY'S FAST FOOD RESTAURANT WITH A DRIVE-THRU AND OUTDOOR DINING AREA GENERALLY LOCATED AT THE SOUTHEAST CORNER OF JOHNSON ROAD AND STATE ROAD 7 (US 441). (QUASI-JUDICIAL)(PUBLIC HEARING)

**MOTION:** Welch/Belvedere – To approve Resolution No. 2018-227.

**Upon roll call, the Resolution passed by a 4-1 vote, with Mayor Rydell voting nay.**

8. **ORD 2019-004** AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES TO PROVIDE FOR THE CREATION OF AN EDUCATION ADVISORY BOARD. (FIRST READING)

Assistant City Attorney Lewis read the Ordinance title into the record.

**MOTION:** Tooley/Welch – To approve Ordinance No. 2019-004 on first reading.

City Manager Blasi presented the item. The Commission discussed student input on the boards

and the board appointment process.

Mayor Rydell invited comments from the public. Steve Hall, 6214 NW 45 Terrace, Coconut Creek, thanked the Commission for creating new boards to engage the community and spoke about the role of board members.

Discussion ensued.

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

9. **ORD 2019-005** AN ORDINANCE AMENDING THE CITY'S CODE OR ORDINANCES TO PROVIDE FOR THE CREATION OF A COMMUNITY OUTREACH ADVISORY BOARD. (FIRST READING)

Assistant City Attorney Lewis read the Ordinance title into the record.

**MOTION:** Tooley/Belvedere – To approve Ordinance No. 2019-005 on first reading.

City Manager Blasi presented the item. Discussion ensued regarding including a description of the boards when distributing the board application.

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

10. **ORD 2019-006** AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES TO PROVIDE FOR THE CREATION OF A PUBLIC SAFETY ADVISORY BOARD. (FIRST READING)

Assistant City Attorney Lewis read the Ordinance title into the record.

**MOTION:** Tooley/Welch – To approve Ordinance No. 2019-006 on first reading.

City Manager Blasi presented the item.

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

11. **ORD 2019-003** AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES, BY AMENDING CHAPTER 2, "ADMINISTRATION," ARTICLE II, "CITY COMMISSION," SECTION 2-25, "DECLARATION OF CITY-WIDE STATE OF EMERGENCY," TO AUTHORIZE THE MAYOR TO DELINEATE MANDATORY EVACUATION ZONES AND SET CURFEWS DURING A DECLARED CITY-WIDE STATE OF EMERGENCY; BY AMENDING CHAPTER 6, "BUILDINGS AND BUILDING REGULATIONS," ARTICLE V, "EMERGENCY TEMPORARY HOUSING," SECTION 6-55, "HOUSING EMERGENCY DECLARATION," TO REMOVE INCONSISTENT PROVISIONS AS TO THE ENACTMENT OF EMERGENCY ORDINANCES; BY AMENDING CHAPTER 12, "GARBAGE AND REFUSE," ARTICLE II, "COLLECTIONS AND DISPOSAL," SECTION 12-42, "PUBLIC SERVICES ON PRIVATE ROADWAYS," TO CLARIFY THE MAYOR'S AUTHORITY TO DECLARE A CITY-WIDE STATE OF EMERGENCY; BY AMENDING CHAPTER 21, "PERSONNEL ADMINISTRATION," ARTICLE 1, "CIVIL SERVICE CODE," SECTION

21-10, "ATTENDANCE AND LEAVE," SUBSECTION 21-10.1, "HOURS OF WORK," TO CLARIFY THE MAYOR'S AUTHORITY TO DECLARE A CITY-WIDE STATE OF EMERGENCY. (FIRST READING)

Assistant City Attorney Lewis read the Ordinance title into the record.

**MOTION:** Tooley/Belvedere – To approve Ordinance No. 2019-003 on first reading.

Assistant City Attorney Lewis presented the item. Discussion ensued regarding enactment of emergency ordinances.

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

**ADJOURNMENT**

The meeting was adjourned at 10:03 p.m.

Transcribed by: Marianne Bowers

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Leslie Wallace May, MMC  
City Clerk

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Date