



CITY OF COCONUT CREEK CITY COMMISSION MINUTES

Government Center
4800 W. Copans Road
Coconut Creek, Florida

Date: April 10, 2025
Time: 7:00 p.m.
Meeting No. 2025-0410R

CALL TO ORDER

Mayor Jacqueline Railey called the meeting to order at 7:04 p.m.

PRESENT UPON ROLL CALL:

Mayor Jacqueline Railey
Vice Mayor Jeffrey R. Wasserman
Commissioner Sandra L. Welch
Commissioner Joshua Rydell
Commissioner John A. Brodie
City Manager Sheila N. Rose
City Attorney Terrill C. Pyburn
City Clerk Joseph J. Kavanagh

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

City Attorney Pyburn noted that the meeting was being conducted live with a quorum physically present and explained the procedures for the meeting.

PRESENTATION(S)

- 1. 25-071** A PRESENTATION RECOGNIZING THE MEMBERS OF THE CIVIL SERVICE BOARD, PARKS AND RECREATION ADVISORY BOARD, AND PLANNING AND ZONING ADVISORY BOARD FOR THEIR SERVICE DURING THE 2024-2025 YEAR.

City Manager Rose thanked the following members of the City's advisory boards for their dedicated service to the City during the past year:

Civil Service Board: Nik Anderson, Cindy Brief, Patricia Duaybes, Valencia Massey, Melissa See, Alene Smith, and Nikki-Ann Thomson-Parkinson.

Parks and Recreation Advisory Board: Kenneth Forbes, Michael Guardino, Theresa Nadassy, Benjamin Nazario, Joel VanHemel, and Sheldon Voss.

Planning and Zoning Advisory Board: Jeffrey Barker, Solomon Briks, Alex Escoriza, Nancy Fry, Colleen LaPlant, and Jeffrey Light.

- 2. 25-047** A PRESENTATION RECOGNIZING SECOND QUARTER EMPLOYEE MILESTONE ANNIVERSARIES FOR FISCAL YEAR 2025.

Human Resources Director Pamela Kershaw recognized the following employees, who reached a milestone anniversary during the second quarter of Fiscal Year 2025:

Five (5) Year Anniversary

Jason Ramdewar, Multimedia Specialist, Community Relations Division
Karin Lu, Assistant Director, Finance & Administrative Services Department
Ruby Reynolds, Contracts Analyst, Finance & Administrative Services Department
Joshua Salter, Recreation Programmer, Parks & Recreation Department
David Weaver, Park Ranger, Parks & Recreation Department
Paul Adamson, Police Officer, Police Department
Michael Baker, Police Officer, Police Department
Jessica Cannon, Transportation Supervisor, Public Works Department
Lloyd Campbell, Electrician, Utilities & Engineering Department
Willie Robinson, Utility Service Worker II, Utilities & Engineering Department

Ten (10) Year Anniversary

Keat Ooi, I.T. Applications Manager, Information Technology Department
Enrique Castro, Parks & Recreation Supervisor, Parks & Recreation Department
John Lovecchio, Park Ranger, Parks & Recreation Department
Justin Capaldi, Police Officer, Police Department
Dawn Kahn, Staff Assistant, Public Works Department
Michael Beck, Chief Mechanical Inspector, Sustainable Development Department
Chad Delarionda, Electrical Plans Examiner, Sustainable Development Department

Fifteen (15) Year Anniversary

Frank Fuentes, Police Captain, Police Department
Michael Giuttari, Police Officer, Police Department
Lana Karabaza, Crime Scene Investigator, Police Department
Jennifer Lara, Police Officer, Police Department
Marilyn Perez, Police Officer, Police Department

Twenty (20) Year Anniversary

Marianne Bowers, Deputy City Clerk, City Clerk Department
Anthony Mancuso, Police Officer, Police Department
Gregory Branker, Utility Service Worker III, Utilities & Engineering Department
Samora Hooke, Leadworker, Utilities & Engineering Department
Angel Rodriguez, Utility Service Worker III, Utilities & Engineering Department

Twenty-five (25) Year Anniversary

Pamela Kershaw, Director, Human Resources & Risk Management Department
Joseph Jahrsdoerfer, Police Lieutenant, Police Department
Nik Anderson, Senior Electrician, Utilities & Engineering Department
Christopher Clark, Wastewater Supervisor, Utilities & Engineering Department

Thirty (30) Year Anniversary

Fred Shelton, Police Captain, Police Department

- 3. 25-049** A PRESENTATION OF THE DISTINGUISHED BUDGET PRESENTATION AWARD FOR THE CITY'S FISCAL YEAR 2025 ANNUAL BUDGET AND FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM, THE CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING FOR THE CITY'S ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR), AND THE AWARD FOR OUTSTANDING ACHIEVEMENT IN POPULAR ANNUAL FINANCIAL REPORTING FOR THE CITY'S POPULAR ANNUAL FINANCIAL REPORT (PAFR) FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2023.

Finance and Administrative Services Director Peta-Gay Lake announced that the City was proud to have received the Distinguished Budget Presentation Award for the 2025 Budget Document for the 25th consecutive year. She shared that the City had also been awarded the Certificate of Achievement in Financial Reporting for Fiscal Year 2023 Annual Comprehensive Financial Report, noting it marked the 41st year the City had received the award. She stated that the City had also received the award for Popular Annual Financial Reporting for Fiscal Year 2023, marking the 17th consecutive year the City had been recognized, and presented the awards to members of the Finance and Administrative Services Department.

4. **25-033** A PROCLAMATION RECOGNIZING APRIL 2025 AS “CHILD ABUSE PREVENTION MONTH.”

Mayor Railey read the proclamation into the record and presented it to Ken King, Director of Communications and Public Affairs, Children’s Services Council of Broward County.

5. **25-031** A PROCLAMATION RECOGNIZING APRIL 6-12, 2025, AS “NATIONAL CRIME VICTIMS’ RIGHTS WEEK.”

Commissioner Rydell read the proclamation into the record and presented it to Victim Advocate Kate Pipota.

6. **25-087** A PROCLAMATION RECOGNIZING APRIL 7-13, 2025, AS “FOOD WASTE PREVENTION WEEK.”

Commissioner Welch read the proclamation into the record and presented it to Public Works Director Harry Mautte.

7. **25-073** A PROCLAMATION RECOGNIZING APRIL 21-28, 2025, AS “CITY SUSTAINABILITY WEEK 2025” IN THE CITY OF COCONUT CREEK.

Vice Mayor Wasserman read the proclamation into the record and presented it to Sustainability Manager Linda Whitman.

INPUT FROM THE PUBLIC

City Clerk Kavanagh advised that no one had signed in to speak on Non-agenda or Consent Agenda Items.

CONSENT AGENDA (Items 8, 10, 11 and 12)

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

Agenda Item 9 was pulled by Commissioner Rydell and heard before the Regular Agenda.

8. **25-070** A MOTION APPROVING THE MINUTES FROM PREVIOUS CITY COMMISSION MEETING(S). (2025-0313R)
10. **25-065** A MOTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO APPROVE THE PURCHASE AND INSTALLATION OF NEW HEATING, VENTILATION, AND AIR CONDITIONING (HVAC) UNITS TO REPLACE THE EXISTING UNITS AT THE UTILITIES AND ENGINEERING BUILDING WITH MASTER MECHANICAL SERVICES, INC. PURSUANT TO RFP NO. 02-23-22-10.

11. **RES 2025-059** A RESOLUTION IN SUPPORT OF THE CITY’S REQUEST FOR COMMUNITY PROJECT FUNDING FOR A REDUNDANT FIBER OPTIC RING AND THE ADVANCED METERING INFRASTRUCTURE PROJECT, WHICH SUPPORT THE CITY’S STRATEGIC GOALS OF SAFETY AND QUALITY OF LIFE AND HIGH PERFORMANCE GOVERNMENT.
12. **RES 2025-047** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE A CONSULTING SERVICES WORK AUTHORIZATION FOR GENERAL PROFESSIONAL ENGINEERING SERVICES WITH CPH, LLC TO PROVIDE DESIGN, PERMITTING, AND BIDDING SERVICES FOR THE UPGRADE OF A WASTEWATER FORCEMAIN PRIMARILY ALONG NW 39 AVENUE AND NW 74 STREET, NORTH OF HILLSBORO BOULEVARD, IN ACCORDANCE WITH RFQ NO. 03-25-20-02.

MOTION: Rydell/Wasserman – To approve Consent Agenda Items 8, 10, 11, and 12.

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

City Commission

9. **25-074** A MOTION TO CANCEL THE JUNE 26 AND JULY 24, 2025, REGULAR CITY COMMISSION MEETINGS.

Commissioner Rydell stated he had no issue with canceling the noted meetings, but wanted to suggest that the August 14, 2025, Regular City Commission meeting be moved to August 7, as it conflicted with the Florida League of Cities conference.

AMENDMENT: Rydell/Welch – To amend the motion to also move the August 14, 2025, Regular City Commission meeting to August 7, 2025.

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

MOTION: Rydell/Wasserman – To approve Agenda Item 9, as amended.

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

REGULAR AGENDA

Finance and Administrative Services

13. **25-066** A MOTION TO ACCEPT FOR FILING AS THE RECORD COPY WITH THE CITY CLERK THE ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR), WHICH ALSO INCLUDES THE OTHER INDEPENDENT AUDITOR’S REPORTS, FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2024.

Mayor Railey read the Motion title into the record.

MOTION: Welch/Rydell – To approve Agenda Item 13.

Finance and Administrative Services Director Peta-Gay Lake advised that the City had completed a successful audit, with no recommendations for changes or improvements and no issues or concerns raised by the auditors. She stated the City ended Fiscal Year 2024 financially

strong with approximately five (5) months of operating expenditures in the General Fund. She discussed strategic financial planning, including the proactive efforts to leverage grant funding and institute departmental savings, allowing the City to navigate challenges while also planning for future capital investments. She recognized the Finance Department for making the audit a success.

Stephen Emery, Auditing Partner, Citrin Cooperman, provided a brief overview of the Annual Comprehensive Financial Report (ACFR) and its scope. He highlighted the State requirements for and purpose of the audit, as well as the process and assessments conducted. He advised that the audit resulted in an unmodified opinion with no issues identified and no journal entries required.

Commissioner Brodie highlighted the work of the Finance Department and asserted he had never seen more conscientious workers.

Commissioner Welch thanked Mr. Emery for taking the time to reach out to the Commissioners and review the process and results.

Commissioner Rydell disclosed that, in his role on the Solid Waste Authority Executive Committee, Citrin Cooperman had also been selected to conduct an audit on their behalf.

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

Mayor Railey sought and received consensus to hear Agenda Item 21 prior to Agenda Item 14.

Public Works Department

14. **RES 2025-046** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE A CONSULTING SERVICES WORK AUTHORIZATION WITH MILLER LEGG & ASSOCIATES, INC. TO PROVIDE DESIGN SERVICES FOR THE RENOVATION OF THE GOVERNMENT CENTER COURTYARD AND PARKING LOT IN ACCORDANCE WITH RFQ NO. 10-06-21-11.

Mayor Railey read the Resolution title into the record.

MOTION: Brodie/Rydell – To approve Resolution No. 2025-046.

Public Works Director Harry Mautte presented the item, explaining that the agreement provided for the redesign of the courtyard and parking lot at the Government Center to create a sense of place and a more functional space to be used for public events. He stated the effort would also address current drainage issues and tie in with the Art Walk initiative. He reviewed the scope of work briefly.

Commissioner Rydell highlighted that updates to the Commission Chambers and offices had been separated out to be addressed later and commented that the concept of this renovation was great, as it would create a true event space and benefit the residents.

Commissioner Welch commented that she liked the signage and connection of the entire campus, along with the utilization of the grassy area. She highlighted the cornerstone at Copans and Lyons Roads and stated she hoped for signage so the Government Center was not hidden. Mayor Railey agreed that City Hall needed to be more visible from the road.

Vice Mayor Wasserman asked where staff would be parking during the construction. City Manager Rose advised that parking, traffic flow, and staging would be worked out as part of the design process. Vice Mayor Wasserman reiterated a previous request for additional handicapped parking closer to the Commission Chambers, and Mr. Mautte stated that it would be evaluated as part of the project.

Mayor Railey stated she had heard from residents that they preferred events in this space rather than the parks, and noted she was thrilled with the improvements.

There were no questions or comments from the public on the item.

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

Utilities and Engineering

15. **RES 2025-035** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE A CONSULTING SERVICES WORK AUTHORIZATION WITH KIMLEY-HORN AND ASSOCIATES, INC. TO PROVIDE GENERAL PROFESSIONAL ENGINEERING SERVICES FOR A CITYWIDE CANAL AND LAKE BANK RESTORATION MASTER PLAN IN ACCORDANCE WITH RFQ NO. 03-25-20-02.

Mayor Railey read the Resolution title into the record.

MOTION: Wasserman/Welch – To approve Resolution No. 2025-035.

Utilities and Engineering Director Osama Elshami presented the item, noting the project included a comprehensive assessment of the conditions of the lakes and canals owned and maintained by the City, as well as a limited number that were not owned and maintained by the City but could affect City infrastructure. He shared that the assessment would provide a long-term plan to address any erosion, along with design of the lake bank on Lyons Road between Coconut Creek Parkway and NW 15 Street at Coconut Creek High School. He explained the proposal was to jump to design on that project because the erosion was more pronounced and was close to the roadway. He noted this would also require approval by the School Board.

Commissioner Welch asked for clarification on the scope of the assessment. Mr. Elshami explained there would be an assessment of the full system and design only of the specific area referenced. City Manager Rose added that the work would only be done if the School Board approved it and noted that conversation had been initiated.

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

16. **RES 2025-053** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AN AGREEMENT WITH FG CONSTRUCTION, LLC FOR THE CONSTRUCTION OF THE HILLSBORO CORRIDOR REDEVELOPMENT AREA PROJECT PURSUANT TO IFB NO. 12-10-24-11.

Mayor Railey read the Resolution title into the record.

MOTION: Brodie/Wasserman – To approve Resolution No. 2025-053.

Mr. Elshami presented the item, noting the project provided for improvements along the Hillsboro

Corridor from Lyons Road to NW 51 Terrace, including improved pedestrian access, bus stops, and compatible landscaping for the area adjacent to the preserve. City Manager Rose pointed out that the majority of the project was funded through the Broward Redevelopment Grant. She thanked staff for their work in moving permits through the Florida Department of Transportation (FDOT) to get the project underway.

Commissioner Rydell noted that there had been one (1) responsive bidder and asked staff to explain the process followed. Mr. Elshami reviewed the process briefly and noted the project was niche due to its size and market conditions. He noted that the vendor's references had been vetted.

There were no questions or comments from the public on the item.

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

Finance and Administrative Services

17. **ORD 2025-007** AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES, BY AMENDING CHAPTER 20, "UTILITIES," ARTICLE V, "RATES AND CHARGES," SECTION 20-82, "SCHEDULE OF RATES, FEES AND CHARGES," SUBSECTION 20-82(9), "AUTOMATIC ANNUAL RATE ADJUSTMENT," IN ORDER TO ALLOW FOR ANNUAL RATE ADJUSTMENTS EFFECTIVE JUNE 1 OF EACH YEAR BASED ON THE HIGHER OF TWO AND ONE-HALF PERCENT (2.5%), THE CONSUMER PRICE INDEX (CPI), OR BROWARD COUNTY WATER AND WASTEWATER SERVICES FEE ADJUSTMENTS AND TO PROVIDE THE CITY COMMISSION WITH THE ABILITY TO WAIVE SAID FEES IN WHOLE OR IN PART. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Welch/Rydell – To approve Ordinance No. 2025-007 on first reading.

Finance and Administrative Services Director Peta-Gay Lake presented the item, explaining that the ordinance proposed an update to the City's method for adjusting the Water and Wastewater Utility Rates on an annual basis to account for increases from Broward County as the City's provider for water and wastewater services for treatment and transmission. She stated that the ordinance proposed to revise the adjustment date to June 1 and update the formula to provide for the greater of 2.5 percent, CPI, or the actual average annual rate increase from Broward County for the prior fiscal year, along with a discretionary waiver. Ms. Lake stated that in recent years, rising costs had posed challenges in maintaining water and wastewater systems. She reviewed notable increases in City and County costs and highlighted the need for proactive investment to avoid costly failures in the future. She noted the Utility Fund was a self-sustaining enterprise fund, with rates set to recover the full cost of operations. She stated staff was working with the Community Relations division to create an outreach plan for customers to keep them informed of future increases, including automated calls, website updates, and social media posts.

Commissioner Rydell recounted that he had spoken against this ordinance at the recent Commission Strategic Planning Workshop and had since met with Broward County staff, Ms. Lake, the City Manager, and Deputy City Manager, and found the numbers troubling. He asked Ms. Lake to review the deficit the City would be left with at various lower levels of increase. Ms. Lake discussed the numbers briefly. She stated with an increase in 2025 of nine percent (9%)

and a six percent (6%) increase thereafter, the Utility Fund would have a deficit of approximately \$1 million in 2029. Commissioner Rydell stated he was adamantly opposed to the increase until he did the research. He explained that he would be supporting the nine percent (9%) increase to avoid a multi-million-dollar deficit, but water infrastructure needed to be addressed. He shared data on average water bills and the impact of the increase on payers. He discussed potential future changes on the County and State level. Commissioner Rydell asked whether the City would be able to adjust immediately if the Florida Department of Environmental Protection (FDEP) and Environmental Protection Agency (EPA) rolled back standards and Broward County accepted the rollback. City Attorney Pyburn confirmed the rate could be adjusted annually.

Commissioner Welch asked for clarification on what was required to cover the costs. Ms. Lake stated staff had been working with a number for a lower increase in 2025, but when looking a year or two (2) ahead, there would be a significant deficit in future years. She explained the proposed rate stabilization plan to smooth the increases over several years.

Commissioner Rydell suggested that, between first and second reading of the ordinance, calculations be shared with the full Commission.

Mayor Railey asked whether approving an increase of six percent (6%) would sustain the costs of just this year, as the rate would come before the Commission again in 2026. Ms. Lake confirmed. She noted the rate for next year would depend on costs passed on by the County. She stated the strategy of a higher increase this year would help to alleviate increases in future years.

Vice Mayor Wasserman asked for clarification on the County rate increases. Discussion ensued on cost increases expected over the next five (5) years and the language of the proposed ordinance.

Commissioner Brodie stated he agreed with Commissioner Rydell and the increasing costs could not be kicked down the road. He stated residents needed to be protected from assessment through smart budgeting. Discussion ensued. City Attorney Pyburn clarified that the ordinance provided for the Code amendment to consider the County's rate increases and was not setting forth the actual amount of annual increase.

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

Sustainable Development

- 18. ORD 2025-008** AN ORDINANCE ESTABLISHING THE MAINSTREET AT COCONUT CREEK COMMUNITY DEVELOPMENT DISTRICT; MAKING CERTAIN FINDINGS OF FACT; DESCRIBING THE EXTERNAL BOUNDARIES OF THE DISTRICT; NAMING FIVE (5) PERSONS DESIGNATED TO BE THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS; PROVIDING FOR CONSENT FOR THE EXERCISE OF CERTAIN POWERS; AND PROVIDING FOR CONDITIONS OF APPROVAL. (SECOND READING)(PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Welch/Wasserman – To adopt Ordinance No. 2025-008.

Sustainable Development Director Justin Proffitt presented the item, noting first reading took place on March 13, 2025, and the only change between first and second reading was minor edits

to the legal description to align with the Development Review Committee (DRC) comments included in the package. He stated that staff recommended approval of the ordinance.

Vice Mayor Wasserman asked about financial assistance programs for people to live in the MainStreet development. Scott Backman, Dunay, Miskel, and Backman, LLP, representing Johns Family Partners, LLLP, spoke on behalf of the applicant. He stated that the Development Agreement continued to be refined, but two (2) components were being worked on, including a first-time homebuyers' program. Vice Mayor Wasserman inquired as to limits on the first-time homebuyers' program. City Manager Rose stated the details were not fully worked out, but the expectation was that there would be approximately \$1.2 million available, with approximately \$50-70,000 in down payment assistance provided for those in the Workforce Housing income qualification, depending on guidance from Broward County. Discussion ensued regarding the qualifications briefly and the need to continue working out the details of the program. Mr. Backman explained the other program being discussed would identify approximately fifteen percent (15%) of rental units as Workforce Housing. He stated details had not been worked out, but there was likely a way to prioritize Coconut Creek residents. Vice Mayor Wasserman stated he was very attuned to trying to help residents with affordable housing and asked that something to assist residents be included in the Development Agreement.

Commissioner Rydell asserted that Agenda Items 18, 19, and 20 on the agenda were all subject to the Development Agreement, and Mr. Backman confirmed. Commissioner Rydell asked Mr. Backman if Vice Mayor Wasserman's comments were something that could be addressed in the Development Agreement, and Mr. Backman said no. Commissioner Rydell asked if the developer would be amenable to a lottery-based system among the for-purchase properties, prioritizing a number of units to Coconut Creek residents. Mr. Backman stated he would need to understand the details through further discussion, but did not see why not. Commissioner Rydell stated he was not initially a fan of the CDD until he did additional exploration and learned about the expectation for higher levels of service that go along with the higher rates. He agreed there was a way to prioritize Coconut Creek residents in the Development Agreement.

City Manager Rose clarified that the first-time homebuyers' program was being funded in concept by the City's linkage fee, which impact fees were assessed on non-residential development. She stated there would be a separate agreement linked with the Development Agreement where those logistics would be worked out. She advised that the benefit of it being City funds rather than State or Federal was that the City writes the rules on how the money is distributed.

Commissioner Brodie stated he believed no resident tax dollars should go to help someone buy a home. He asserted if funds were to come from linkage fees, there needed to be restrictions requiring a commitment to remain a resident for a certain length of time or pay back the funds. He highlighted the sacrifices required to purchase a home. Commissioner Rydell asked if Commissioner Brodie supported a lottery-based system for Coconut Creek residents. Commissioner Brodie stated he did, but the money needed to stay in Coconut Creek.

Mayor Railey asserted the conversation was important, but not relevant to the CDD. She agreed that residents who sell their unit before ten (10) years should have to pay back any down payment assistance received, but this was among the details to be ironed out.

Commissioner Welch stated she was not initially a fan of the CDD, but had since learned that the amenities for those who want to live in that type of development could most fruitfully be provided through a CDD. She expressed appreciation for the education that had taken place and stated she was in favor of the stipulations previously made regarding transparency in marketing

materials.

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

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

City Attorney Pyburn explained the City's quasi-judicial procedures that would be applied to Agenda Items 19 and 20 as follows (verbatim):

First, I want to remind everyone to silence your mobile devices. Florida courts have determined that there are certain types of matters, including Agenda Items 19 and 20 on tonight's agenda, that are to be treated differently than other items considered by the Commission. In these quasi-judicial applications, the Commission is applying existing rules and policies to a factual situation and is therefore acting like a Judge and Jury do in a trial held in the courtroom. In such cases, the courts have decided that due process and fundamental fairness require that more formal procedures be followed.

The City Commission's decision must be based on the evidence and information that is presented at the public hearing including the agenda materials, Planning and Zoning Board recommendation, testimony presented at the public hearing, and the deliberations of the City Commission. The quasi-judicial procedures require that the Commission consider the evidence presented to it and base their decision on the applicable law and primarily on credible evidence presented whether by staff, the applicant, or members of the public.

In a quasi-judicial proceeding, the City Commission is not allowed to take into consideration public sentiment or the popularity of a particular development proposal or application. The City Commission may only consider competent substantial evidence. This means testimony or other evidence that a reasonable mind would accept as credible and adequate to support a conclusion. Florida courts have made it clear that mere generalized statements of opposition are to be disregarded, but fact-based testimony can be considered competent and substantial evidence. This can include eyewitness observation testimony about relevant facts and documentary evidence, including photographs, aerials, and maps. Citizens who want to participate in a quasi-judicial hearing can testify as to factual matters and any element of the case that would not require specialized training or specific academic degrees. Their testimony will be considered provided their testimony is backed up by established facts, studies, or evidence that is not conjecture or just based on a feeling. The quasi-judicial hearing process is not a popularity contest. The strict rules of evidence do not apply during the public hearing, but any comments must be relevant to the agenda item. Proper decorum is required and will be maintained at all times. Please refrain from vocal outbursts, jeering, cheering, or applause.

Everyone who seeks to speak on an item will be given an opportunity to speak. If you intend to provide testimony as to any of the applications to be considered tonight, you will be sworn in before your testimony is taken. Please know if you speak, you may be subject to cross examination; the City Commission may comment or ask questions of persons addressing the Commission at any time. If you refuse to either be cross-examined or to be sworn, your testimony will be considered in that context and given its due weight. The general public will not be permitted to cross examine witnesses, but may request that the Commission direct questions on their behalf to the applicant or staff. Will the Clerk please confirm compliance with the notice requirements?

City Clerk Kavanagh confirmed that the public notice requirements had been met for Agenda Items 19 and 20 and swore in the witnesses.

19. **RES 2025-040** A RESOLUTION APPROVING THE SITE PLAN REQUEST OF DAVID AULD OF JOHNS FAMILY PARTNERS, LLLP TO CONSTRUCT A MAXIMUM OF UP TO ONE HUNDRED AND FIFTY-TWO (152) TOWNHOMES AND VILLAS ON THE PROPERTY LEGALLY DESCRIBED IN EXHIBIT “A,” ATTACHED HERETO AND MADE A PART HEREOF, GENERALLY DESCRIBED AS BLOCK 8 OF THE MAINSTREET AT COCONUT CREEK DEVELOPMENT. (QUASI-JUDICIAL)(PUBLIC HEARING)
20. **RES 2025-041** A RESOLUTION APPROVING THE SITE PLAN REQUEST OF DAVID AULD OF JOHNS FAMILY PARTNERS, LLLP FOR THE DEVELOPMENT OF PUBLIC AND PRIVATE PARKS, OPEN SPACES, AND OTHER HARDSCAPE FEATURES ON THE PROPERTY LEGALLY DESCRIBED IN EXHIBIT “A,” ATTACHED HERETO AND MADE A PART HEREOF, GENERALLY LOCATED WITHIN THE MAINSTREET AT COCONUT CREEK DEVELOPMENT. (QUASI-JUDICIAL)(PUBLIC HEARING)

Mayor Railey asked if there were any objections to hearing Agenda Items 19 and 20 together, as they were related, and there were no objections. She read the Resolution titles into the record.

Commissioner Rydell made a motion to move Agenda Item 19 for discussion, seconded by Commissioner Welch.

Commissioner Brodie made a motion to move Agenda Item 20 for discussion, seconded by Commissioner Rydell.

City Attorney Pyburn asked for any disclosures or ex-parte communications on behalf of the Commission for Agenda Items 19 and 20, and the following disclosures were made:

- Commissioner Brodie stated he met with Attorney Scott Backman.
- Mayor Railey stated she had a Zoom meeting with Mr. Backman, along with Rick Stephano and Landon Massel.
- Commissioner Rydell stated he met with Mr. Backman virtually.
- Commissioner Welch stated she met with Mr. Backman virtually.
- Vice Mayor Wasserman stated he had a virtual meeting and phone call with Mr. Backman.

Sustainable Development Director Justin Proffitt presented the item, noting that the applicant was seeking site plan approval to construct 152 townhomes and villas on Block 8 of the MainStreet Master Plan. He stated, additionally, the applicant sought approval of the Parks and Open Space Site Plan for the MainStreet Development Area. He noted the two (2) requests were also contingent upon final approval of the MainStreet at Coconut Creek Development Agreement by the City Commission. He advised that staff found the site plans to be in compliance with the site plan application review standards, the Planned MainStreet Development District (PMDD), MainStreet Master Plan, MainStreet Design Standards, the City’s Land Development Code, and the City’s Comprehensive Plan, and recommend approval subject to the conditions outlined in the staff memorandum.

Scott Backman, Dunay, Miskel, and Backman, LLP, representing Johns Family Partners, LLLP, presented on behalf of the applicant. He provided a *PowerPoint* presentation, including an overview of the MainStreet area. He highlighted the allowable and proposed densities and the intent to focus on neighborhood design, as well as concepts for improved connectivity. He shared elevations and renderings and commented on features of the buildings briefly. Continuing, Mr. Backman shared the Parks and Open Space Site Plan. He reviewed green

technology, public art focal features, streetscape furniture, family amenities, seating, lighting, bus shelters, and then discussed each park and plaza individually. He noted the Florida Power and Light (FP&L) easement area was subject to approval by FP&L under an established shared use agreement.

Commissioner Rydell discussed the public art features, noting over his time on the Commission, he heard opposition to public art. He commented that he supported functional public art, and highlighted examples. He spoke to the project density and parking spaces and gave the developer credit for its efforts. He stated that he supported the gated neighborhood, as well as the greenspace around the units. In reference to the Parks and Open Space Site Plan, Commissioner Rydell asked whether the specific amenities would be included in the Development Agreement and highlighted the developer's willingness to be flexible to the community's needs. Discussion ensued regarding approval of specific amenities such as a splash pad.

Commissioner Brodie commented on the list of park and road names and suggested corporate names should be avoided. Mr. Backman stated the names were subject to change. Commissioner Brodie recommended installing aluminum nodules to deter skateboarders from damaging the concrete surfaces and planters.

Commissioner Welch commented that the Parks and Open Spaces Site Plan gave the full picture of what MainStreet would look like, and noted she was pleased with the plan. She asked that playgrounds have shade. Mr. Backman stated the team was exploring shade for the playgrounds.

Vice Mayor Wasserman highlighted a previous discussion on adding a cultural piece along the trail such as a walking history and suggested it would be great for the FP&L easement. Mr. Backman stated the team had discussed the idea, and explained the intention was to utilize QR codes. He noted they would coordinate with staff on details and historical knowledge. Discussion ensued regarding concern with QR codes and potential alternatives. Vice Mayor Wasserman asked how many playgrounds were planned for all of MainStreet. Mr. Backman stated that in addition to the playground at Village Green, there were two (2) others planned, one (1) of which would be exclusive to the apartment community in Block 4 and one (1) east of Block 11. He stated Block 10 was not yet designed. Vice Mayor Wasserman asked if there would be an opportunity later to add playgrounds. Mr. Proffitt stated with such a large development and a large set of plans, there were likely to be modifications. Discussion continued regarding the possibility of further amendment and the number of places for children to play.

Mayor Railey stated that when adding playgrounds and sports to green areas, it was necessary to be cognizant of how the amenity was placed and the proximity to residences due to issues with noise and traffic.

Commissioner Rydell asked for clarification on whether future modifications would be prevented based on approving the Parks and Open Space Site Plan at this time. Mr. Backman stated he believed so. He commented that what was being approved was what was being built, aside from the Village Green where it was subject to Commission decisions. Commissioner Rydell stated his understanding had been that there were certain amenities that the Commission would have input on through the Development Agreement. City Manager Rose stated parks were always changing and suggested a clause in the Development Agreement that there would be the ability to add or change amenities based on what was popular over time. Discussion continued regarding cost and flexibility.

Vice Mayor Wasserman suggested a motion to require the addition of a third playground. Mr. Backman asserted all of the open areas were designed to be child-friendly and to encourage children and families to be outside and playing. He highlighted budget concerns and commented that another play structure or two (2) could be added administratively. City Manager Rose stated she would review plans with the Commissioners individually.

MOTION: Wasserman/Rydell – To amend Resolution No. 2025-041 to direct the developer to add two (2) child-friendly play structures into the MainStreet property with the specific details to be worked out administratively through the Department of Sustainable Development and the City Manager’s Office.

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

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

Commissioner Welch pointed out that the City had complete discretion in the Village Green and could make that area as age-diverse as possible. Mayor Railey agreed the Village Green was likely the appropriate location if the Commission determined more playgrounds were needed. She asked if Mr. Backman was amenable to the amended motion. Mr. Backman confirmed. He clarified that his understanding was that minor changes would be made to accommodate two (2) additional play structures.

MOTION: Wasserman/Welch – To approve Resolution No. 2025-040.

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

MOTION: Rydell/Welch – To approve Resolution No. 2025-041, as amended.

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

Agenda Item 21 was heard prior to Agenda Item 14.

City Manager

21. **RES 2025-057** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED LYONS CREEK MIDDLE SCHOOL TRAFFIC IMPROVEMENT AGREEMENT WITH THE SCHOOL BOARD OF BROWARD COUNTY.

Mayor Railey read the Resolution title into the record.

MOTION: Welch/Brodie – To approve Resolution No. 2025-057.

City Manager Rose recognized representatives of Broward County Public Schools present and thanked them for the work that had gone into the agreement. She stated the item would be on the School Board agenda the following week.

Government Affairs Manager Bernadette Hughes provided a brief background on issues with the traffic configuration in and around the school and those impacted. She shared examples of safety concerns and City resources utilized through the Coconut Creek Police Department Traffic Unit to minimize impacts. City Manager Rose added that the School Board would take on

engineering of the design, and the City had committed to modify two (2) driveways.

The Commission expressed appreciation for the school representatives present and reiterated the City's long-term advocacy to address the traffic concerns, as well as the history of working in partnership with the City's local schools to resolve problems. Discussion ensued regarding funding commitments and completion timelines. City Manager Rose advised the goal was to accomplish the work over the summer so the improvements would be substantially complete at the beginning of the next school year. She noted that information sharing and education with parents would come from the School Board, and the City would design and construct the two (2) driveway modifications.

Mayor Railey opened the item to public comment.

Dr. Jermaine Fleming, Regional Superintendent for Broward County Public Schools, stated the Commission was echoing the School Board's sentiments. He noted he had also been on this journey for four (4) years and asserted keeping the students safe was the responsibility of all in the community. He stated the partnership between the City of Coconut Creek and the School Board was a model partnership. He shared that the renaming of Coconut Creek Elementary School was also on the agenda for the School Board meeting on April 15.

Colleen LaPlant, 6153 NW 45 Avenue, Coconut Creek, thanked everyone for their dedication and commitment. She stated she spoke on behalf of herself and her neighbors, and there had been many incidents related to traffic and speeding in the area. She commented on the proposed bus routes and asked that they not use Serko Boulevard. She proposed that only Sol Press Boulevard be used for operations and that bus drivers be restricted from cutting through residential areas.

Nancy Fry, 5341 Flamingo Place, Coconut Creek, spoke as School Advisory Council (SAC) Chair and Parent Teacher Student Association (PTSA) First Vice President of Lyons Creek Middle School. She thanked staff on behalf of the parents for their work on this issue and stated they looked forward to resolution. She pointed out that this issue impacted the ability to attract and retain students, and stated Lyons Creek Middle School was a gem in the County, with the highest level of Acceleration Credits attained by students in the District.

Irene Espinosa, Parkwood 6, Coconut Creek, shared that she had been a resident near the school since 1990 and had seen the traffic problems throughout this time. She stated her community was one (1) way in and one (1) way out, and it became very congested and difficult to navigate. She commented that this change would be great for the community, including the students and residents. She supported Ms. LaPlant's comments regarding the bus routes being limited to a single street.

There were no further questions or comments from the public.

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

City Commission

- 22. 25-072** A MOTION TO APPOINT A DIRECTOR, ALTERNATE, AND SECOND ALTERNATE TO ATTEND AND VOTE AT ANY 2025-2026 BROWARD LEAGUE OF CITIES BOARD OF DIRECTORS OR GENERAL MEMBERSHIP MEETINGS.

Mayor Railey read the Motion into the record.

Commissioner Brodie made a motion to move Agenda Item 22 for discussion, seconded by Commissioner Welch.

There were no questions or comments from the public.

Mayor Railey opened the floor to nominations for Director. Commissioner Brodie nominated himself, seconded by Commissioner Rydell.

Mayor Railey opened the floor to nominations for Alternate. Commissioner Rydell nominated Mayor Railey, seconded by Commissioner Brodie.

Mayor Railey opened the floor to nominations for Second Alternate. Commissioner Rydell nominated Vice Mayor Wasserman, seconded by Commissioner Welch.

MOTION: Rydell/Welch – To move the slate of nominees for approval.

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

23. **RES 2025-058** A RESOLUTION APPOINTING MARY C. BLASI AS A REGULAR MEMBER OF THE BOARD OF DIRECTORS FOR THE SEMINOLE COCONUT CREEK EDUCATION FOUNDATION, INC., PURSUANT TO THE COCONUT CREEK FEE TO TRUST LANDS MITIGATION AGREEMENT AND THE BYLAWS OF THE SEMINOLE COCONUT CREEK EDUCATION FOUNDATION.

Mayor Railey read the Resolution title into the record.

MOTION: Rydell/Welch – To approve Resolution No. 2025-058.

There were no questions or comments from the Commission, nor the public.

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

CITY MANAGER REPORT

City Manager Rose thanked the Commission for the opportunity to attend the Greater Fort Lauderdale Alliance Mission Trip to Boston, where she learned a tremendous amount on the small business team. She stated she would be emailing a summary of the proposed surtax third amendment terms sheet, which had been slow in negotiations and would be a topic of conversation at the Broward League of Cities. She noted the draft employee survey had been sent out and asked that any comments be shared as it would be distributed to the employees in the coming weeks. She explained an independent consultant was being utilized for the survey. She shared that the Budget Public Input meeting was scheduled for April 22, and the Broward County School Board meeting would be held on Tuesday, April 15, to consider the Lyons Creek Traffic Improvement Agreement. She highlighted the four-part sustainability lecture series, and asked the Commissioners to share the event with their constituents.

CITY ATTORNEY REPORT

City Attorney Pyburn provided an update on the Chapter 164 Intergovernmental Dispute process filed against Broward County. She stated staff was working to schedule the next meeting and noted that the Deerfield Beach City Commission had voted the previous week to join in the City's Chapter 120 petition and Section 163 complaint. She advised that they would be filing a Motion to Intervene in the next week.

COMMISSION COMMUNICATIONS

Commissioner Rydell recognized Mayor Railey for running a seamless meeting with a difficult agenda. He shared that his daughter had been accepted to the Page Program at the Florida House of Representatives, so he had spent the previous week in Tallahassee. He thanked Ms. Hughes and City Manager Rose for setting up a number of meetings during this time to follow up on meetings previously held by Commissioner Brodie and Vice Mayor Wasserman during Broward Days. He reviewed a selection of topics discussed briefly, including legislation regulating artificial turf, a summer working group related to 911 dispatch services, which the City's lobbyist would be a part of. He agreed with previous comments that the City had a powerhouse lobbyist in Candice Ericks and shared updates on appropriations and grant funding. Commissioner Rydell thanked his colleagues for their attendance at Relay for Life and shared his pride in his wife for sharing her cancer journey at the event. He noted there was a desire to hold the event in Coconut Creek. He added that based on his conversations in Tallahassee, he believed that municipal elections would be moved to November in the next legislative session. He discussed the Solid Waste Working Group and stated there had been a focus at the recent meeting on the largest vendors, including the Florida Panthers. He stated he believed the Solid Waste Authority was trending in the right direction and sought and received consensus to authorize Mayor Railey to send a letter to Broward County Vice Mayor Mark Bogen to petition the County Commission to put an agenda item on for Broward County to purchase the 26 acres of re-designated land at the Monarch Hill Landfill.

Commissioner Welch stated she had gone to the new Filthy Organics site in Parkland and had heard positive things about the program at North Broward Preparatory School. She shared an update from the Metropolitan Planning Organization (MPO) meeting, noting discussion of the renaming of the Complete Streets and other Localized Initiatives Program (CSLIP) to Roads for Economic Vitality (REV), the revised USDOT grant standards, and a presentation regarding the new Florida's Turnpike interchange at Sheridan Street. Commissioner Welch shared that she had learned that one of the Coral Springs school's DECCA Program was planning to bring the Holocaust cattle car exhibit back to the area as a school project.

Commissioner Brodie announced the birth of his first grandson on April 2.

Vice Mayor Wasserman shared that the City of Coral Springs had been inspired by the City to host their own Holocaust night and commended City staff for their efforts. He asked for an update on sod and swings at Gerber Park. City Manager Rose stated Gerber Park would be closed for six (6) to eight (8) weeks to be re-sodded, and the play equipment at the park would be refurbished to include a baby/toddler swing over the summer. Vice Mayor Wasserman acknowledged that the Commission had received several emails earlier in the day about pickleball and he had spoken with staff on the phone. City Manager Rose stated she had followed up regarding the potential to transition tennis courts to pickleball and noted there was a resurfacing project at Windmill Park that could be paused to have public outreach if this was the desire of the Commission. Mayor Railey expressed concern with the added expense of fencing pickleball courts and with noise impacts. Commissioner Brodie stated he would like to see permit numbers for tennis versus pickleball to gauge usage. Commissioner Rydell commented on the City's Parks and Recreation Master Plan and noted that there were systems in place to look at the competing interests in public spaces. He suggested allowing staff time to look into the metrics. Continuing, Vice Mayor Wasserman stated he had been seeing advertisements for spring egg hunts in other communities and noted it might be nice to do an event in Coconut Creek. City Manager Rose stated she would provide a list of spring events. Vice Mayor Wasserman asked City Manager Rose if taxpayer money had ever gone to homeowner assistance in Coconut Creek. City Manager Rose explained that down payment assistance had been funded through the Federal Community Redevelopment Block Grant, the State Housing Initiative Partnership Grant, or affordable housing linkage fees.

Mayor Railey commented on the Relay for Life event, and shared that she was very proud of the Wynmoor residents for raising \$94,000 for the American Cancer Society through the event. She shared that she had attended an event at Coral Springs High School organized by a student involved in student government. She discussed her experience with an impaired driving simulator and suggested the vehicle could be part of the law enforcement pre-prom events. She shared that Saul Dreier, a Wynmoor resident who participated in the City's Holocaust remembrance event, would be celebrating his 100th birthday on April 29 and the Commission was invited.

ADJOURNMENT

The meeting was adjourned at 11:15 p.m.

Joseph J. Kavanagh, MMC
City Clerk

Date