



## CITY OF COCONUT CREEK CITY COMMISSION MINUTES

Government Center  
4800 W. Copans Road  
Coconut Creek, Florida

Date: April 27, 2023  
Time: 7:00 p.m.  
Meeting No. 2023-0427R

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### CALL TO ORDER

Mayor Joshua Rydell called the meeting to order at 7:11 p.m.

### PRESENT UPON ROLL CALL:

Mayor Joshua Rydell  
Vice Mayor Sandra L. Welch  
Commissioner Jacqueline Railey  
Commissioner John A. Brodie  
Commissioner Jeffrey R. Wasserman  
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, City Attorney Terrill C. Pyburn explained the procedures for public participation and comment for the meeting.

Mayor Rydell stated Agenda Items 21, 22, and 23 would be heard prior to Agenda Item 15.

### PRESENTATIONS

- 23-038** A PRESENTATION OF THE COCONUT CREEK MAYOR'S AWARDS FOR THE 2022-2023 YOUTH SOCCER LEAGUE.

Parks and Recreation Director Wayne Tobey recognized the following eight (8) players, who exemplified outstanding sportsmanship and promoted a positive experience for all participants during league play:

- U6 Coed Division - Mallory Molchany (Spiders team)
- U8 Boys Division - Damian Jefferson (Spartans team)
- U9 Girls Division - Emmie Sullivan (Big Blue Wave team)
- U10 Boys Division - Kobe Forman (Cobra Kai team)
- U11 Girls Division - Lia Ortega (United Tigers team)
- U12 Boys Division - Lazaro Riba (Red Bulls team)
- U15 Girls Division - Hind Alhindi (Blue Angels team)
- U16 Boys Division - Brody Klebenoff (Tornado F.C. team)

- 23-056** A PRESENTATION OF THE COCONUT CREEK MAYOR'S AWARDS FOR THE 2023 BOYS BASKETBALL LEAGUE.

Parks and Recreation Director Wayne Tobey recognized the following three (3) players, who exemplified outstanding sportsmanship and promoted a positive experience for all participants during league play:

- 7U Division - Cristiano Marc (Heat team)
- 9U Division - Micah Sejour (Pacers team)
- 11U Division - Carltin Gordon (Pacers team)

**3. 23-080 A PRESENTATION RECOGNIZING THE 2023 CITIZEN'S ACADEMY GRADUATES.**

Community Relations Director Yvonne Lopez recognized the following graduates from the 2023 Citizen's Academy:

Jaymie Alvarez	Claudia Castano	Michael DiBonifazio
Nancy Francis	Esther Jean	Diana Klinghagen
Bo Phillips	Andre Richards	Bonnie Serle
Co Banh	Karen Cosimano	Nancy Ferreira
Liliana Gallego	Margaret Jenkins	Charles Nistico
Liliia Phillips	Ellen Robbins	Leni Smith
David Behr	Lawrence Cosimano	Chris Ferreira
Joanne Gruber	Joseph Kavanagh	Jane Palmer
Mohammed Razib	Rene Rutherford	Kalina Tran
Myra Brahms	Adrienne Cosner	Sandra Vikstroem
Maritza Guzman	Katie Keally	
Franklin Renwick	Heather Schwartz	

**4. 23-071 A SWEARING-IN CEREMONY FOR NEW POLICE OFFICER CHADWICK STEWART.**

Police Chief Albert A. "Butch" Arenal introduced new Police Officer Chadwick Stewart, providing a brief overview of his background. City Clerk Kavanagh administered the Oath of Office, followed by the badge pinning ceremony.

**5. 23-046 A PROCLAMATION RECOGNIZING APRIL 27, 2023, AS "ARBOR DAY 2023."**

Commissioner Wasserman read the proclamation into the record and presented it to Monarch High School Principal James Cecil.

**6. 23-047 A PROCLAMATION RECOGNIZING APRIL 30 – MAY 6, 2023, AS "PROFESSIONAL MUNICIPAL CLERKS WEEK."**

Vice Mayor Welch read the proclamation into the record and presented it to City Clerk Kavanagh, who received it on behalf the City Clerk Department.

**INPUT FROM THE PUBLIC**

City Clerk Kavanagh read two (2) advanced public comments received by email into the record, copies of which are attached hereto as Exhibit "1," as follows:

Shelly Soffer addressed the rate of unintentional drowning in the United States and Florida and suggested the City should develop a City-run aquatic center. She noted the Coconut Creek swimming

program recently had to relocate out of the City due to a lack of available facilities.

Joseph Torracco, 5551 NW 49 Way, Coconut Creek, wrote to thank the Commission for their assistance with a permit request related to his driveway.

Following advanced public comments, Susan Steinhauser, 5842 Eagle Cay Circle, Coconut Creek, spoke on behalf of the Broward County League of Women Voters in support of the proposed Solid Waste Interlocal Agreement. She highlighted portions of a letter from the League, which was provided to the Commission. She added her support to Ms. Soffer's request for an aquatic center.

Mayor Rydell invited Ms. Steinhauser to make a video about reducing single-use plastics.

### **CONSENT AGENDA (Items 7, 8, 9, 11, 12, 13, and 14)**

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

*Agenda Item 10 was pulled from the Consent Agenda by Vice Mayor Welch and heard before the Regular Agenda.*

7.     **23-048**     A MOTION APPROVING THE MINUTES FROM PREVIOUS CITY COMMISSION MEETING(S). (2023-0323SP AND 2023-0323R)
  
8.     **RES  
2023-029**     A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE SHERIFF OF BROWARD COUNTY (BSO), PROVIDING FOR COOPERATIVE EMERGENCY SERVICES THROUGH MUTUAL ASSISTANCE AND AUTOMATIC AID FOR FIRE-RESCUE SERVICES.
  
9.     **RES  
2023-030**     A RESOLUTION AUTHORIZING THE MAYOR AND THE CITY MANAGER, OR THEIR DESIGNEES, TO EXECUTE AN INTERLOCAL AGREEMENT WITH PALM BEACH COUNTY PROVIDING FOR COOPERATIVE EMERGENCY SERVICES THROUGH MUTUAL ASSISTANCE AND AUTOMATIC AID FOR FIRE-RESCUE SERVICES.
  
11.    **RES  
2023-067**     A RESOLUTION ACCEPTING THE CITIZEN ENGAGEMENT AND FEEDBACK GRANT AWARD; AND AUTHORIZING THE MAYOR, OR DESIGNEE, TO EXECUTE THE AGREEMENT WITH THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT (FDLE) FOR THE USE OF THE GRANT.
  
12.    **RES  
2023-068**     A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED LAW ENFORCEMENT MUTUAL AID AGREEMENT FOR TRAFFIC ENFORCEMENT AMONG THE CITY OF COCONUT CREEK AND OTHER BROWARD COUNTY LAW ENFORCEMENT AGENCIES.
  
13.    **RES  
2023-071**     A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AN INTERAGENCY AGREEMENT WITH THE PANAMA CITY BEACH POLICE DEPARTMENT (PCBPD) FOR INFORMATION EXCHANGE AND USE OF LICENSE PLATE READER (LPR) EXTRACT FILES.
  
14.    **RES  
2023-080**     A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED LAW ENFORCEMENT MUTUAL AID AGREEMENT FOR THE CITY'S PARTICIPATION IN A BURGLARY/PROPERTY CRIME APPREHENSION TASK FORCE WITH OTHER BROWARD COUNTY LAW

ENFORCEMENT AGENCIES.

**MOTION:** Railey/Wasserman – To approve Consent Agenda Items 7, 8, 9, 11, 12, 13, and 14.

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

**Police Department**

10. **RES** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE,  
**2023-066** TO EXECUTE AMENDMENT NO. 1 TO THE AGREEMENT WITH THE BUTLER GROUP OF SOUTH FLORIDA, LLC D/B/A NEXTAFF FOR SCHOOL CROSSING GUARD SERVICES PURSUANT TO RFP NO. 06-10-20-09 TO ALLOW FOR A TEN PERCENT (10%) PRICE INCREASE DURING THE REMAINDER OF THE INITIAL CONTRACT PERIOD.

**MOTION:** Welch/Railey – To approve Resolution No. 2023-066.

Vice Mayor Welch commented that she had pulled the item because the request was for the increase to be applied to an active contract back to September 30, 2022. She noted she agreed with the increase, but wanted to bring to the Commission's attention what the crossing guards actually received. She noted the importance of the job and stated it was important that the Commissioners thank the crossing guards if they see them.

Commissioner Wasserman agreed with the importance of the crossing guards in protecting the safety of students and building important relationships. He stated he would support an additional increase in the future.

Buffy Butler, The Butler Group of South Florida doing business as Nextaff, stated the organization would love the opportunity to pay the school crossing guards more. She noted the request was the first in eight (8) years and was intended to be modest. She added that their staff would be willing to work with the Police Department to come up with a reasonable amount to recommend.

Mayor Rydell inquired as to whether there was a shortage of crossing guards in Coconut Creek. Ms. Butler responded that all positions were currently filled and commented on hiring challenges briefly. She discussed the demands of the job. Discussion ensued regarding reviewing the agreement against existing contracts in other Broward County communities.

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

**REGULAR AGENDA**

*Agenda Items 21, 22, and 23 were heard before Agenda Item 15.*

**Public Works Department**

15. **ORD** AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES BY  
**2023-003** AMENDING CHAPTER 12, "GARBAGE AND REFUSE," ARTICLE II, "COLLECTION AND DISPOSAL," AND ARTICLE III, "RECYCLABLE WASTE," TO UPDATE SAME TO REFLECT CHANGES IN RECYCLING PROCESSES AND STATE LAW. (SECOND READING)(PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

**MOTION:** Welch/Railey – To adopt Ordinance No. 2023-003 on second reading.

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

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

### **Sustainable Development**

City Attorney Pyburn explained the City's quasi-judicial procedures that would be applied to Agenda Items 16, 17, 18, 19, and 20. City Clerk Kavanagh confirmed the public notice requirements for Agenda Items 16, 17, 18, 19, and 20 had been met and swore in the witnesses.

Mayor Rydell stated the City was currently in the process of reviewing its quasi-judicial procedures in light of changes made during the COVID-19 pandemic. He asked whether the applicant understood this and waived the right to cross-examine any residents who had submitted public comments received in advance of the meeting that would be read into the record.

Attorney Dwayne Dickerson, Dunay, Miskel, and Backman, LLP, representing Evan Mouhalis, Strada CC Development, LLC, the agent/applicant on behalf of Hamsa Hand Holding LLC, stated the applicant understood the procedures were being reviewed and accepted the current process. He noted he had submitted written documentation to reflect this understanding.

Mayor Rydell stated if there were no objections, Agenda Items 16, 17, 18, 19, and 20 would be heard together, as they were related. There were no objections. City Attorney Pyburn read the Ordinance titles into the record, and Mayor Rydell read the Resolution title into the record.

- 16. ORD  
2023-006** AN ORDINANCE APPROVING THE REZONING REQUEST MADE BY HAMSA HOLDINGS, LLC TO AMEND THE EXISTING HALE PLANNED COMMERCIAL DISTRICT (PCD) TO REVISE DEVELOPMENT STANDARDS AND THE LIST OF PERMITTED AND SPECIAL LAND USES IN ORDER TO CONSTRUCT A GROCERY STORE, SELF-STORAGE FACILITY, AND FAST FOOD COFFEE SHOP WITH DRIVE-THRU FOR THE PROPERTY GENERALLY LOCATED AT 4808-4888 COCONUT CREEK PARKWAY, 1019 LYONS ROAD, AND 1049 LYONS ROAD, LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND MADE A PART HEREOF. (QUASI-JUDICIAL) (FIRST READING) (FIRST PUBLIC HEARING)
- 17. ORD  
2023-005** AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES, BY AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE," ARTICLE III, "ZONING REGULATIONS," DIVISION 8, "MASTER BUSINESS LIST," TO CREATE SECTION 13-624, "MASTER BUSINESS LIST - PLANNED COMMERCE DISTRICT" AND ADOPT A LIST OF PERMITTED AND SPECIAL LAND USES FOR THE HALE PLANNED COMMERCE DISTRICT (PCD) GENERALLY LOCATED AT THE SOUTHWEST CORNER OF COCONUT CREEK PARKWAY AND LYONS ROAD IN THE CITY OF COCONUT CREEK. (QUASI-JUDICIAL)(FIRST READING)(FIRST PUBLIC HEARING)
- 18. ORD  
2023-007** AN ORDINANCE APPROVING THE SPECIAL LAND USE APPLICATION SUBMITTED BY HAMSA HOLDINGS, LLC TO ALLOW A SELF-STORAGE

FACILITY, GENERALLY LOCATED AT THE SOUTHWEST CORNER OF COCONUT CREEK PARKWAY AND LYONS ROAD, AS LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND MADE A PART HEREOF. (QUASI-JUDICIAL)(FIRST READING)(FIRST PUBLIC HEARING)

19. **ORD 2023-008** AN ORDINANCE APPROVING THE SPECIAL LAND USE APPLICATION SUBMITTED BY HAMSA HAND HOLDINGS, LLC TO PERMIT A DRIVE-THRU FOR A CALI COFFEE RESTAURANT FOR THE PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF COCONUT CREEK PARKWAY AND LYONS ROAD, AS LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND MADE A PART HEREOF. (QUASI-JUDICIAL)(FIRST READING)(FIRST PUBLIC HEARING)
20. **RES 2023-070** A RESOLUTION APPROVING THE SITE PLAN REQUEST FOR HAMSA HAND HOLDINGS, LLC, FOR THE PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF COCONUT CREEK PARKWAY AND LYONS ROAD, AS LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND MADE A PART HEREOF. (QUASI-JUDICIAL)(PUBLIC HEARING)

Vice Mayor Welch made a motion to move Agenda Item 16, seconded by Commissioner Wasserman.

Commissioner Railey made a motion to move Agenda Item 17, seconded by Commissioner Brodie.

Commissioner Wasserman made a motion to move Agenda Item 18, seconded by Commissioner Brodie.

Vice Mayor Welch made a motion to move Agenda Item 19, seconded by Commissioner Brodie.

Commissioner Brodie made a motion to move Agenda Item 20, seconded by Commissioner Wasserman.

City Attorney Pyburn asked if there were any applicable ex-parte disclosures from the Commission for Agenda Items 16, 17, 18, 19, and 20, and the following disclosures were made:

- Commissioner Wasserman stated he attended the recent community meeting and had spoken with Mr. Dickerson by phone.
- Commissioner Railey stated she had a phone conversation with Mr. Dickerson.
- Vice Mayor Welch stated that she had attended the first community meeting, met with Mr. Dickerson, made a site visit with Sustainable Development Assistant Director Justin Proffitt and Principal Planner Liz Aguiar, and had a telephone call with Mr. Dickerson.
- Mayor Rydell stated he had spoken with Mr. Dickerson by phone and made a site visit.

Sustainable Development Assistant Director Justin Proffitt presented the item, explaining the applicant sought to build out and complete the 7.96-acre Strada Shopping Center, to include a Sprouts grocery store, Cali Coffee, and self-storage facility. He provided a brief history of the shopping center and the Hale Planned Commercial District (PCD) and summarized each of the applications.

Mr. Proffitt stated a series of meetings of the City's Development Review Committee (DRC) were held to review the separate applications, the Planning and Zoning Board had reviewed the

applications on March 8 and April 12, and the applicant held two (2) neighborhood outreach meetings. He stated staff found the applications complied with the PCD regulations in the Land Development Code, development aesthetic design criteria, the City's sustainability and green building construction requirements, site plan review procedures, special land use standards, rezoning criteria, and Comprehensive Plan. He noted staff recommended approval subject to conditions as outlined in the staff reports.

Mr. Dickerson began a *PowerPoint* presentation, providing an overview of the existing site and proposed development, including a previously-approved medical office building. He reviewed the individual changes included in the rezoning application, including the addition of self-storage use into the PCD, removal of hotel use, addition of parking standards, and updated development standards consistent with the proposed development. He reviewed the site plan and the special land use requests to provide for a drive-thru at Cali Coffee and the self-storage use.

Mr. Dickerson provided a brief history of the PCD and discussed the current and proposed allowable uses. He discussed language to ensure drive-thrus in the PCD have appropriate stacking and function properly. He reviewed the Cali Coffee proposal, explaining the proposal was for a drive-thru and walk-up restaurant only, with no inside seating, and shared elevations and drawings for the outparcel. He discussed the self-storage facility proposal and associated renderings. He stated the building was setback from the road and shielded from view by other buildings on the parcel in order to minimize impacts. He reviewed the setbacks, loading areas, and traffic patterns, and shared images.

Continuing, Mr. Dickerson discussed the site plan application. He stated access was proposed to remain the same, with no new access points. He shared the landscape plan, noting the applicant was providing approximately 54 new trees, in addition to 31 new palms and a variety of shrubs. He stated existing landscaping would be maintained where possible. He shared elevations for the Sprouts store and explained changes that had been made to minimize impacts. He discussed the traffic analysis and stated the application reduced uses and intensity over the previously approved development. He noted that as a result of concerns from a member of the public, additional research had been done regarding the increase in traffic over the existing site.

Mr. Dickerson highlighted the community meetings held. He stated City Code required notice within a 500-foot radius, but due to right-of-way work, a 600-foot radius was utilized. He stated for the second meeting, an additional 1500-foot radius into South Creek had also been noticed, along with posted signage for tenants in the shopping center. He briefly discussed the topics addressed at the two (2) meetings and stated he spoke with the Principal at Dave Thomas Education Center to review his concerns and outline plans to mitigate them.

Mayor Rydell opened the public hearing. City Clerk Kavanagh reiterated that the applicant had signed a waiver of cross-examination and read one (1) advanced public comment received by email into the record, a copy of which is attached hereto as Exhibit "2," as follows:

Jeff Marder, 4501 Cedarhill Road, Coconut Creek, wrote that there was not enough reason to approve the project, citing redundancies. He commented the storage facility was not needed.

Following advanced public comments, Mr. Marder provided in-person public comment, stating Coconut Creek had a lot to offer and did not need to compromise on a storage facility. He asserted that planning and zoning decisions should result in maximum benefit to the residents and synergy between businesses, and commented that there were better opportunities available.

There were no further questions or comments from the public, and Mayor Rydell closed the

public hearing.

Commissioner Wasserman stated he had spoken with the applicant about a traffic light on the east side of the property. He inquired as to whether the color of the storage building could be changed and stated there were residents unhappy with how it would stick out. Mr. Dickerson explained the color had been discussed internally as the project went through multiple changes. He stated the team in charge of the self-storage facility felt the color was a trade-off for being located as far as possible from the right-of-way, as visibility was important for their business. He noted the coloring and architectural elements were true to the company's branding.

Mayor Rydell provided Mr. Dickerson with an opportunity to ask questions of Mr. Marder, and Mr. Dickerson asked Mr. Marder whether he was affiliated with Tarrazu Coffee Company. Mr. Marder confirmed that he was affiliated with the company, and that it was a sit-down coffee shop located at 4863 Coconut Creek Parkway in the Publix Shopping Center. Mr. Dickerson stated this shopping center was directly adjacent to the applicant shopping center. He noted he thought it was appropriate that these facts be on the record.

Mayor Rydell provided staff and the Commission an opportunity to ask questions of Mr. Marder. Vice Mayor Welch asserted she believed it was irrelevant if Mr. Marder was affiliated with the coffee company, as he was a resident of the neighborhood.

Commissioner Wasserman returned to his comments regarding the color. He asked whether there was statistical data to show that a change would decrease the facility's business. Mr. Dickerson showed the image and stated the project architect had explained the overall percentage of red on all four (4) sides of the building was less than six (6) percent of the total color scheme of the building.

Alex Rosemurgy, Rosemurgy Properties, provided additional detail regarding the color scheme and its tie to his company's branding. He stated he was sensitive to everyone's concerns about it, but he believed that the best self-storage architect in the country had designed the project. He noted Sprouts had green all over their design as a part of their branding and noted he could not provide statistics but felt the team had done a tremendous job of trying to limit exactly where the red branding was featured. He asserted the location was struggling for visibility due to the concessions made. He discussed considerations of appealing to different generations in retail.

Commissioner Brodie commented that Homeowners' Associations (HOAs) dictate the colors of houses, and that the City should be able to dictate the colors of projects built within the City. He asserted if he wanted a storage unit, he would look it up online and would not be concerned with the color, but he was concerned with the color of a building residents had to look at. He stated it did not fit. Mr. Dickerson stated the comments were heard and that the time between first and second reading would allow for time to regroup and address the concerns.

Commissioner Railey commented that she did not oppose the color, but the design of the entire building. She stated the proposed project did not blend at all with the existing buildings, and the height was too much for the area. She added that she thought a storage facility was more appealing than a hotel or gas station, but it should have a design that would fit with the area and the City's standards.

Vice Mayor Welch recognized that the developers had listened and held a second community meeting with outreach much further into the community, and stated she was disappointed only six (6) people had attended. She stated she also appreciated that the applicant's counsel had reached out to the principal at the neighboring school to get his feedback. Continuing, Vice



Mayor Welch stated she understood the red was branding for the self-storage facility and could live with that, but noted that the Deerfield Beach location had alternating tones of paint, which could be more harmonious with the other buildings planned on the neighboring parcels. She asserted other facilities were built to blend in and not look like storage, but people still find them. She noted she also wanted changes to the windows, as she did not want people to be able to look in and see storage units. Vice Mayor Welch stated she appreciated the modifications to the loading zone for Sprouts to move the impact away from the residential neighborhood. She noted the number of vehicles that could stack in the Cali Coffee drive-thru and stated the accommodations made would make the development a more palatable place for people to go.

Mayor Rydell gave Mr. Dickerson credit for the completeness of the product being brought forward instead of just a concept. He stated that 16 months ago, the Commission had approved upgrades to the Hillsboro Marketplace, including a Cali Coffee. He explained he had not seen anything since that time, and asked staff for an update. Mr. Proffitt explained that Hillsboro Marketplace was in the permitting process, and Cali Coffee was supposed to be a part of the first phase of the project. He reviewed that project's phasing briefly and stated it was slow due to logistics, but they continue to meet with staff.

Mayor Rydell commented that these developments were a package deal, and the unique specialty grocer was a tradeoff for other things. He noted that a self-storage facility was a low impact use. He noted he would like a firm timeframe for construction. Mr. Dickerson stated the entire project should be looked at in its totality, noting the self-storage building would not be in a field by itself. He explained construction was already in process on one (1) of the buildings, and the applicant was ready to apply for engineering permits for the project as one (1) phase as soon as these applications were approved.

Mayor Rydell asked staff whether it was possible that the South Coconut Creek Cali Coffee would come before the North Coconut Creek Cali Coffee. Mr. Proffitt responded that was possible. Mayor Rydell reiterated that the lack of movement on the previously approved Cali Coffee was his only source of trepidation on this project. Mr. Dickerson stated the developer was excited and this project would move forward as quickly as possible.

Mayor Rydell commented on the Cali Coffee product offering, and stated he sees coffeehouse culture as different from a drive-thru. He discussed what was presented to the Commission previously regarding Cali Coffee, and asked whether the concept was the same in this location. Mr. Dickerson stated it was, with a walk-up window offered, but the primary business being through the drive-thru. Mr. Dickerson pointed out that Mr. Marder's comments were well valued by the developer, and stated it was important that he had taken the time to be present.

Mr. Marder responded to Mr. Dickerson's comments and stated he felt his business and Cali Coffee were, for the most part, chasing different customers. He asserted he was not worried about the coffee shop across the street, he did not want a storage unit across the street.

Commissioner Wasserman stated his experience during the campaign told him that bringing a high-end grocer to South Coconut Creek would elevate the neighborhood and bring people in.

Vice Mayor Welch asked whether Sprouts would have outside seating. Mr. Dickerson responded that, to his knowledge, they would not; but he would follow up with the answer. Vice Mayor Welch inquired regarding the solar bench mentioned, and Mr. Dickerson stated it would be located on the east side of the property fronting Lyons Road. Vice Mayor Welch asked for additional detail on the two (2) bus shelters, noting all of the City's bus shelters were on hold currently because of County issues. Mr. Dickerson stated they were not aware of a hold but had

been working with staff at the City and County because there were areas adjacent to the property that had already been earmarked for bus shelters. He explained the developer would be moving forward with those locations. Mr. Proffitt stated he was not sure of the status of the County, but the main point was that the bus shelters would be built as a condition of approval of this project. Vice Mayor Welch stated the bus shelters were definitely needed, and the addition would be a plus. She asked Mr. Proffitt whether he could highlight the fee amounts for Affordable Housing, Police and Fire, and Public Art that would come as a result of the project being approved. Mr. Proffitt outlined the impact fees, noting they were included in the staff report for the site plan and were as follows:

- Affordable Housing Impact Fee - \$77,330
- Police Impact Fee - \$123,545
- Fire Impact Fee - \$41,829
- Public Art Impact Fee - \$56,504

Vice Mayor Welch stated staff had done an amazing job of providing an overlay of the existing and proposed projects, making it easy to see what could happen on the site. She noted that, with the modifications discussed, she felt comfortable with the project.

Commissioner Railey asked about the hours of operation of the storage facility. Mr. Rosemurgy stated the facility would follow regular business hours from 9 a.m. to 6 p.m. on weekdays and Saturday, with occasional opening on Sunday for a couple of hours a day. Commissioner Railey inquired as to whether she could look forward to changes to the design of the building. Mr. Dickerson stated he would give it his best effort but did not feel it would be fair to the design team if he committed to changes without giving them an opportunity to listen to the comments and respond.

Commissioner Railey discussed the events held across the street from the site and asserted whatever was built needed to blend into the area. Mr. Dickerson stated with the changes already made to the massing of the project, buffering, and landscaping, the applicant felt the visual impacts would not harm any adjacent properties.

Mayor Rydell provided the direction that he would not be able to support the project if storage lockers were visible, as that did not meet the standards of the surrounding area.

Mr. Dickerson provided brief closing comments, thanking staff and the public for their input.

Mayor Rydell noted there were second readings for Agenda Items 16, 17, 18, and 19, but not of item 20. City Attorney Pyburn confirmed this was correct, but there was language within the site plan resolution, which stated it only becomes effective upon the second and final reading of the other items. She noted if the Commission were uncomfortable with that, the site plan could be deferred to the time of second reading.

**MOTION:** Wasserman/Welch – To approve Ordinance No. 2023-006 on first reading.

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

**MOTION:** Welch/Brodie – To approve Ordinance No. 2023-005 on first reading.

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

**MOTION:** Wasserman/Brodie – To approve Ordinance No. 2023-007 on first reading.

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

**MOTION:** Welch/Brodie – To approve Ordinance No. 2023-008 on first reading.

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

**MOTION:** Welch/Railey – To table Resolution No. 2023-070 to such time as the second reading of Agenda Items 16, 17, 18, and 19.

**Upon roll call, the Resolution was tabled to a date certain by a 5-0 vote.**

Mr. Dickerson clarified that the site plan only requires one (1) reading, so essentially the Commission had tabled that reading so that if all goes well, the entire project would be approved at the same time. City Attorney Pyburn confirmed this was correct.

### **City Commission**

*Agenda Items 21, 22, and 23 were heard prior to Agenda Item 15.*

- 21. RES 2023-052** A RESOLUTION APPOINTING TWO (2) REGULAR MEMBERS AND ONE (1) ALTERNATE MEMBER TO THE CIVIL SERVICE BOARD FOR A TWO-YEAR TERM.

Mayor Rydell read the Resolution title into the record.

Vice Mayor Welch make a motion to move the item, seconded by Commissioner Railey.

City Attorney Pyburn explained the City's procedures for nomination to its advisory boards.

Mayor Rydell asked the names of the existing members of the Civil Service Board. City Attorney Pyburn stated the members were Nikki-Ann Thomson-Parkinson and Doreen Chamberlain, and the alternate member was Steven Valentine. Mayor Rydell asked how many times the Civil Service Board had met during their term. City Attorney Pyburn responded that they had met one (1) time.

Mayor Rydell opened the item to public comment, and there were no advanced or in-person questions or comments from the public.

- Mayor Rydell passed the gavel and nominated Nikki-Ann Thomson-Parkinson, seconded by Vice Mayor Welch.
- Commissioner Brodie nominated Alene Smith, seconded by Vice Mayor Welch.
- Commissioner Wasserman nominated Patricia Duaybes as Alternate, seconded by Commissioner Railey.

Mayor Rydell re-stated the slate for the Civil Service Board.

**MOTION:** Welch/Railey – To approve Resolution No. 2023-052.

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

- 22. RES 2023-053** A RESOLUTION APPOINTING FIVE (5) REGULAR MEMBERS AND ONE (1) ALTERNATE MEMBER TO THE PLANNING AND ZONING ADVISORY BOARD FOR A TERM ENDING WITH THE NEXT APPOINTMENT IN 2024.

Mayor Rydell read the Resolution title into the record.

Vice Mayor Welch made a motion to move the item, seconded by Commissioner Brodie.

Mayor Rydell opened the item to public comment, and there were no advanced or in-person questions or comments from the public.

- Commissioner Wasserman nominated Mikkie Belvedere.
- Commissioner Brodie nominated Alfred Delgado.
- Commissioner Railey nominated Jeffrey Light.
- Vice Mayor Welch nominated Jeffrey Barker.
- After passing the gavel to Vice Mayor Welch, Mayor Rydell nominated Colleen LaPlant as regular member and Nancy Fry as alternate.

Mayor Rydell re-stated the slate for the Planning and Zoning Advisory Board.

**MOTION:** Welch/Brodie – To approve Resolution No. 2023-053.

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

- 23. RES 2023-054** A RESOLUTION APPOINTING FIVE (5) REGULAR MEMBERS AND ONE (1) ALTERNATE MEMBER TO THE PARKS AND RECREATION ADVISORY BOARD FOR A TERM ENDING WITH THE NEXT APPOINTMENT IN 2024.

Mayor Rydell read the Resolution title into the record.

Commissioner Railey moved the item, seconded by Vice Mayor Welch.

Mayor Rydell opened the item to public comment, and there were no advanced or in-person questions or comments from the public.

- Commissioner Wasserman nominated Joel VanHemel.
- Commissioner Brodie nominated Randy Johnson.
- Commissioner Railey nominated Benjamin Nazario.
- Vice Mayor Welch nominated Steven LaMay.
- After passing the gavel to Vice Mayor Welch, Mayor Rydell nominated Kenneth Forbes as regular member and Robens Decius as alternate.

Mayor Rydell re-stated the slate for the Parks and Recreation Advisory Board.

**MOTION:** Railey/Welch – To approve Resolution No. 2023-054.

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

## **CITY MANAGER REPORT**

City Manager Brooks shared that the City's Free Tree Giveaway was scheduled for Saturday, April 29,

from 8 a.m. to noon, and all residents were welcome to come out to receive a free tree, a shrub, and a butterfly plant.

## **CITY ATTORNEY REPORT**

City Attorney Pyburn stated at the last meeting, she had been asked to look into a consultant to advise regarding the possibility of moving elections from March to November and the possibility of having a Mayor elected by the public. She explained she had gotten a rough estimate from Ron Schultz, Professor Emeritus with Florida Atlantic University, who had assisted the City previously with redistricting. She noted she had just received the estimate earlier in the day and had forwarded it to the Commission by email. She reviewed those estimates briefly and asked for direction from the Commission.

Mayor Rydell commented the estimates were shockingly high and received consensus not to move forward with pursuing a consultant for the project. He pointed out that regardless of how the Commission chose to move forward with this project, Charter review was scheduled for 2025 and redistricting was scheduled for 2026. He noted the Commission could consider directing staff to write ballot language that would not go into effect until after those events. Discussion ensued. Mayor Rydell received consensus to direct the City Manager and City Attorney to schedule a workshop in August to discuss potential ballot language.

City Attorney Pyburn sought direction regarding how the Commission would like to handle public comment procedures post-COVID-19. Vice Mayor Welch asked for clarification as to whether the question was if emails should be read into the record during the meeting. Commissioner Railey asked what the procedure was prior to COVID-19. Mayor Rydell explained it was a legal issue related to quasi-judicial hearings, as the applicant had the right to cross-examine witnesses. He stated that the City was now taking comments and not giving the applicant an opportunity to cross-examine or respond. City Attorney Pyburn stated that before COVID-19, email comments and voicemails were accepted and made part of the record but were not read during the meeting. Mayor Rydell stated that if the procedure were to be changed, the procedures needed to continue for projects already in the public hearing process. Discussion continued and consensus was to make the change, with the exception of those applications that had begun the process under COVID-19 guidelines continuing under those procedures unless the applicant chose not to waive the right to cross-examine witnesses.

City Attorney Pyburn asked whether this direction applied to items that were not quasi-judicial. Consensus was to be consistent across all types of items. Discussion continued regarding how public comment was handled prior to COVID-19, and consensus was to return to the prior procedure, as well as to educate residents on the change. City Attorney Pyburn clarified that residents could still email public comment to the Commission, but it would not be read during the meeting.

## **COMMISSION COMMUNICATIONS**

Commissioner Wasserman had no report.

Commissioner Brodie shared comments regarding the City Manager, noting that after sitting on the Commission for a year, he felt he had a good handle on what was going on. He discussed recent issues that had been brought to him and had slipped between the cracks, including a requested recognition, Code violation follow-up, and upgrades to the memorials in Veterans Park. He commented that, in his opinion, when he shared action items in private meetings with the City Manager, they died on the vine. Commissioner Brodie stated he had recently learned the pavilion at the Winston Park Nature Center had

been closed since the beginning of COVID-19 and could not be used for a barbecue, and when he brought the matter to City Manager Brooks, she did not know it was closed. He discussed turnover in the Commission administrative position and expectations laid out during the City Manager's evaluation in October and asked that an anonymous 360 review be conducted.

Commissioner Railey stated she has a good relationship with City Manager Brooks and had not had the same experience regarding requests. She noted Wynmoor had been experiencing the same issues with staff retention and hiring. Commissioner Railey read a letter from resident Barry Summer, which was sent to her in February when he had to call emergency services for his wife following a fall. He thanked the EMTs and dispatchers for a fast and caring response.

Mayor Rydell brought forward a discussion item regarding the City's policy on utilizing fire hydrants. He noted two (2) years ago a policy change had limited who could use the hydrants for pressure washing. He commented this had created a tremendous increase in the cost of power washing for HOAs and noted three (3) different groups had reached out to him about the policy.

Vice Mayor Welch stated she did not believe the issue was across the board with all the HOAs. She noted she would like to see statistical data to support the request. Mayor Rydell explained he believed the issue was with smaller communities in the north part of the City. He stated he was not a fan of City policies that increased costs to the public. City Manager Brooks stated she had spoken with Utilities and Engineering Director Osama Elshami about the concern, and he was prepared to respond. Mr. Elshami summarized the issue, noting it started with theft, contractors utilizing fake meters, and damage caused by using the wrong tools. He discussed how the 26 designated hydrants were selected in the City to limit risk to public safety and shared testing procedures and improvements made. Vice Mayor Welch reiterated that if the issue was widespread enough that a policy change was needed, other Commissioners would have also received complaints. Commissioner Brodie shared his experience in a job that used hydrants. He noted he had worked with cities where you paid a fee and a City employee placed the meter and opened the hydrant. He stated he did not have an issue with expanding access, but maybe they should look at requiring a member of the Utilities Department to do the installation to limit the liability and potential for damage. Commissioner Wasserman asked for clarification on the process, and Mr. Elshami responded. He shared a report from the past three (3) months, noting the City's inspection process and stating one (1) hydrant had been damaged during that time. Discussion continued.

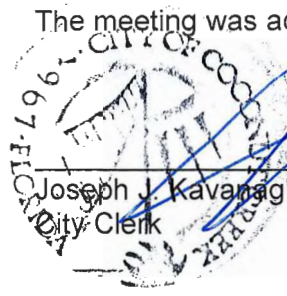
Mayor Rydell stated the Winston Park Foundation was attempting to put on a Fourth of July Parade, and noted there may be a need for supplemental services from the City. Vice Mayor Welch stated she had previously relayed to the organizers that the first step was to complete an application for a special event, but that had not yet happened. She asserted that she supported the event and the organizers, but they had not moved forward with the initial step. Mayor Rydell responded that he believed the organizers were checking for interest before moving forward with the process. Commissioner Brodie agreed and provided additional detail from his conversations with the organizer. Commissioner Wasserman asked if there were costs associated with the special event application for City resources, and City Manager Brooks confirmed there were associated costs. Commissioner Wasserman asserted he supported the event as long as the organizers pay for the use of City resources. City Manager Brooks noted there also was a special event grant program offered twice a year that the organizers could consider. She asked that organizers be directed to reach out to her for next steps.

Mayor Rydell commented on a recent mailing, and stated he believed no mailing should go to the residents of Coconut Creek without all members of the Commission first seeing it or having input. Vice Mayor Welch stated she had received an email copy of the mailing from Assistant Finance Director Karin Lu on March 30, and the email noted it would be mailed to the residents in May. Discussion ensued, and consensus was that communication should come from upper-level staff prior to a mailing

going to the community.

**ADJOURNMENT**

The meeting was adjourned at 11:02 p.m.

  
\_\_\_\_\_  
Joseph J. Kavanagh, MMC  
City Clerk

5/25/2023  
\_\_\_\_\_  
Date

## EXHIBIT "1"

**From:** [Shelly Soffer](#)  
**To:** [CommissionComments](#)  
**Subject:** City Parks & Recreation  
**Date:** Wednesday, April 26, 2023 2:02:03 PM

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Dear Commissioners,

For many years our family has enjoyed the various activities offered by the city's Parks and Recreations department. From sports to camps and art activities during the Covid pandemic, the city has risen to the top to care for the needs of residents. There is, however, one area in which we pale in comparison to our neighboring municipalities, and that is specifically the lack of a community aquatic center.

According to the department of health, "From 2018 to 2020 combined, Florida was ranked the highest in the U.S. for unintentional drowning death rate among children ages 1 to 4 years (6.24 per 100,000 population). Florida had the highest unintentional drowning death rate of 3.19 per 100,000 population among children 0 to 9 years of age compared to other states (CDC national injury data). Annually there are enough children under the age of 5 lost to drowning (50 in 2019, 60 in 2020, and 75 in 2021) to fill three or four preschool classrooms (Florida CHARTS)."

If this isn't rational enough for the commission to seriously undertake a study and subsequent plan to develop a city run aquatic center, it should be known and put into public record that we have had a well run swim team in the city that has recently had to relocate due to growth and change in direction of the location at which activities took place. Imagine, if we had a traditional city run pool, how many of our youth could be instructed how to swim, for both survival and pleasure. The creation of a municipal pool would allow residents a greater opportunity to invest in our resources while (potentially) tapping into our county run Water Smart Broward program for swim instruction (and drowning prevention).

My request is simple - we need a city run pool. This isn't a request to build anything extravagant such as Calypso Cove, Splash Adventure, or Coconut Cove, but a simple pool built to allow for instruction and possibly recreation to service our community needs.

Many thanks for your time and attention.

Rochelle Soffer



## EXHIBIT "1"

**From:** [Joseph Torracco](#)  
**To:** [CommissionComments](#)  
**Subject:** Permit 23000512  
**Date:** Wednesday, April 26, 2023 2:53:09 PM

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We just wanted to thank the Commisioners for their assistance with our permit request.

While we are still not yet fully approved as Engineering still needs to see a final revised plan for the driveway, landscaping is no longer a hold up. Mark Turok of the Landscaping Department has granted conditional approval. The missing "street tree" will not impede progress. Mark has been very helpful to us.

Thanks also to Vice Mayor Welch for her assistance.

But most important - thanks to the Commissioners for listening to us and responding.

Joseph and Linda Torracco  
5551 NW 49th Way  
Coconut Creek 33073  
Cypress Lake - Lot 139

## EXHIBIT "2"

**From:** Jeff Marder <[jeffmarder@fastmail.com](mailto:jeffmarder@fastmail.com)>

**Sent:** Thursday, April 27, 2023 9:27:47 AM

**To:** [jrydell@coconutcreek.net](mailto:jrydell@coconutcreek.net) <[jrydell@coconutcreek.net](mailto:jrydell@coconutcreek.net)>; [swelch@coconutcreek.net](mailto:swelch@coconutcreek.net) <[swelch@coconutcreek.net](mailto:swelch@coconutcreek.net)>; [jrailey@coconutcreek.net](mailto:jrailey@coconutcreek.net) <[jrailey@coconutcreek.net](mailto:jrailey@coconutcreek.net)>; [jbrodie@coconutcreek.net](mailto:jbrodie@coconutcreek.net) <[jbrodie@coconutcreek.net](mailto:jbrodie@coconutcreek.net)>; [jwasserman@coconutcreek.net](mailto:jwasserman@coconutcreek.net) <[jwasserman@coconutcreek.net](mailto:jwasserman@coconutcreek.net)>

**Subject:** concerned resident re: Hale PCD proposed storage project

Dear Commissioners,

I am writing to urge you not to approve the proposed storage unit project at the southwest corner of Coconut Creek Parkway and Lyons Rd. While the developer has tried to make the project more appealing by adding a grocery store and a coffee shop, this is not a good enough reason to approve it.

It is important that we have businesses that serve the residents, particularly ones we do not already have nearby. A storage unit is not something that our community needs more of, especially given that there are several others within a 1-mile radius, including one that is only a few hundred feet away across the street from the proposed site. In fact, all of the proposed businesses already exist across the street, which only adds to the redundancy of the project.

Nearly every business on Coconut Creek Parkway will come and go over the years, but the storage units will be with us for the next 30+ years. In the long term, if passed, all we will have to show for this is rundown warehouses in the middle of our community. Regardless of what else the developer is proposing, we should never be willing to accept an undesirable business as a condition of getting good ones.

I am not anti-business or anti-development by any means. Rather, I am for positive development that provides maximum benefit to residents. I would love for South Creek to be the place we do not have to drive away from for anything other than a trip to the grocery store or to find a storage unit. For example, sit-down restaurants, professional services, nice retail, or entertainment would all be welcome developments - truly commercial development without twisting the definition to include warehouses.

Approving this project would not be in the best interest of our community. Instead, we should focus on attracting truly needed businesses that will benefit our community as a whole. We deserve better, we can do better, and I am confident that we have the leadership in the city commission to stand up to projects like this. I urge you to reject storage units and warehouses and instead work towards more positive development for our community.

Thank you for considering my perspective on this matter.

Sincerely,

Jeff Marder