



CITY OF COCONUT CREEK CITY COMMISSION MINUTES

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

**Date: February 8, 2024
Time: 7:00 p.m.
Meeting No. 2024-0208R**

CALL TO ORDER

Mayor Joshua Rydell called the meeting to order at 7:04 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 led by Commissioner Brodie's wife and daughter.

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

PRESENTATIONS

- 1. 24-016** A SWEARING-IN CEREMONY FOR NEW POLICE OFFICERS HANNIE E. GIL AND SIDNEY F. BALLESTEROS.

Police Chief Albert A. "Butch" Arenal introduced new Police Officers Hannie E. Gil and Sidney F. Ballesteros, providing a brief overview of each officer's background. City Clerk Joseph J. Kavanagh administered the Oath of Office to the two (2) new Police Officers, followed by the badge-pinning ceremony.

- 2. 24-013** A PRESENTATION OF 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, 2022.

Finance and Administrative Services Director Peta-Gay Lake noted this marked the 40th consecutive year the City had received Certificate of Achievement for Excellence in Financial Reporting for the Fiscal Year 2022 Annual Comprehensive Financial Report and the 16th consecutive year the City had received the award for Popular Annual Financial Reporting for Fiscal Year 2022. She presented the awards to Assistant Finance Director Karin Lu, in recognition of the team involved in creating the reports. Mayor

Rydell stated he spoke for the entire Commission in appreciating the financial excellence of the Coconut Creek staff.

3. **24-021** A PROCLAMATION RECOGNIZING FEBRUARY 2024 AS “AMERICAN HEART MONTH.”

Commissioner Wasserman read the proclamation into the record.

4. **24-017** A PROCLAMATION RECOGNIZING FEBRUARY 14, 2024, AS A “DAY OF SERVICE AND LOVE” HONORING THE VICTIMS, SURVIVORS, AND FIRST RESPONDERS OF THE MARJORY STONEMAN DOUGLAS HIGH SCHOOL TRAGEDY ON FEBRUARY 14, 2018.

Mayor Rydell advised that the proclamation had been presented to Broward County Public Schools Deputy Superintendent and Chief of Staff Dr. Valerie Wanza during a ceremony held earlier in the evening.

INPUT FROM THE PUBLIC

Leni Smith, 2465 Ginger Avenue, Coconut Creek, commented how much she loved the Hometown Market and asked that signage be improved to help people know the event was going on. She suggested the City have a booth at the market to promote its various programs and engage with the community.

Theresa Nadassy, 3682 Coco Lakes Drive, Coconut Creek, spoke on behalf of the Coco Lakes Homeowners Association (HOA), regarding an outbreak of an airborne fungus in the neighborhood. She stated the HOA had 225 palm trees that were dead, infected, or not yet showing signs of infection, and they all needed to be removed and replaced with indigenous hardwood trees that were less susceptible to these types of diseases. She advised this was affecting the appearance of the neighborhood and would only continue to worsen with time. She requested financial assistance from the City, and suggested funding through the City’s Tree Preservation Trust Fund.

Dustin Dubois, 4920 NW 74 Place, Coconut Creek, introduced his company, Filthy Organics, which was a food waste composting company. He stated they serve public and private clients in Broward County. He discussed grant-funded pilot programs in Deerfield Beach and Coral Springs briefly.

Susan Steinhauser, 5842 Eagle Cay Circle, Coconut Creek, stated she had attended the Solid Waste Authority Executive Committee meeting earlier in the day, and she was thrilled to see an agenda item regarding composting. She asked when Coconut Creek would be joining its neighbors to the east and west in having composting in the City. She highlighted Food Waste Prevention Week as an opportunity to reduce emissions and curb hunger at the same time. She asked that the Commission consider a proclamation for the April event.

Brian Tobias, 3526 Coco Lakes Drive, Coconut Creek, stated he was the Vice President of the Coco Lakes HOA and commented that the outbreak of ganoderma there was turning into a natural disaster. He advised this was much different from what the Neighborhood Enhancement Grant program and the Tree Preservation program were meant for. He stated Ms. Nadassy had provided the background, and he asked that the Commission consider a higher dollar value grant based on this being a catastrophic event. He asked that the Commission entertain sharing the approximately \$200,000 cost equally with Coco Lakes. He discussed the benefits of reforestation all at once.

CONSENT AGENDA (Items 5, 6, 7, and 9)

Mayor Rydell read each of the titles of the Consent Agenda Items into the record.
Agenda Item 8 was pulled from the Consent Agenda by Vice Mayor Welch and heard before the Regular Agenda.

- 5. **24-018** A MOTION APPROVING THE MINUTES FROM PREVIOUS CITY COMMISSION MEETING(S). (2024-0111R)

- 6. **RES**
 2024-021 A RESOLUTION DECLARING CERTAIN CITY-OWNED PROPERTY AS SURPLUS AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO DISPOSE OF SAID PROPERTY AS DESCRIBED ON THE ATTACHED LIST.

- 7. **RES**
 2024-014 A RESOLUTION APPROVING THE CITY OF COCONUT CREEK’S 2024 FEDERAL LEGISLATIVE AGENDA.

- 9. **RES**
 2024-025 A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE FIRST AMENDMENT TO THE SCHOOL SURVEILLANCE CAMERA SYSTEM ACCESS AGREEMENT WITH THE SCHOOL BOARD OF BROWARD COUNTY.

MOTION: Railey/Wasserman – To approve Consent Agenda Items 5, 6, 7, and 9.

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

REGULAR AGENDA

City Manager

- 8. **RES**
 2024-024 A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE A TEMPORARY USE AGREEMENT FOR ECONOMIC DEVELOPMENT WITH TT OF SAMPLE, INC. AND TT OF BROWARD, INC. TO PROVIDE FOR TEMPORARY PARKING USE OF CITY PROPERTY.

Mayor Rydell read the Resolution title into the record.

Vice Mayor Welch asked about security for the vehicles parked in the south end of the Butterfly Lot during Parks and Recreation events. City Manager Brooks stated there was no intent to fence the area, but there were plans to have trackers in the cars and security guards.

MOTION: Welch/Wasserman – To approve Resolution No. 2024-024.

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

Finance and Administrative Services

- 10. **24-007** A MOTION TO ESTABLISH AN AUDITOR SELECTION COMMITTEE CONSISTING OF A MEMBER OF THE CITY COMMISSION AND VARIOUS GOVERNMENT FINANCE PROFESSIONALS FROM OTHER CITIES.

Mayor Rydell read the Motion title into the record.

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

Finance and Administrative Services Director Peta-Gay-Lake presented the item, explaining the Auditor Selection Committee's primary purpose was to assist in selecting an auditor to conduct the City's annual external audit as required by State Statute and City Charter. She summarized the statutory requirements for the make-up of the committee, noting one (1) member was required to be from the governing body, to serve as Chair, and that staff could no longer serve on the committee. She commented that staff recommended the appointment of five (5) members and two (2) alternates.

Mayor Rydell asked which Coconut Creek staff members had served on other Auditor Selection Committees. Ms. Lake advised that she had served on three (3) committees, and City Manager Brooks stated she had also served on the Auditor Selection Committee for Southwest Ranches. Discussion continued regarding the time commitment.

Vice Mayor Welch stated this would be the first time a member of the Commission would be part of the Auditor Selection Committee, as that had not always been the requirement. She commented on the new Statute and noted that the Request for Proposals (RFP) should not have been published prior to creation of the committee. Ms. Lake responded that publishing the RFP had been an oversight and was in the process of being pulled. She noted it would be republished once the committee had met to review and finalize the RFP. Vice Mayor Welch asked the Commission if they wanted to consider the addition of committee members aside from finance directors from other cities. Commissioner Railey commented that she believed city situations were unique, and they should have committee members who were experienced in municipal financials. Vice Mayor Welch agreed there should be at least one (1) member with this experience.

Commissioner Wasserman inquired as to whether Vice Mayor Welch had specific committee members in mind. Vice Mayor Welch stated other cities that had taken that route had advertised in the community that there was an opening on a committee. Commissioner Wasserman asked how time sensitive the creation of the committee was. Ms. Lake stated the auditor needed to be selected and in place by September so there was time to implement a process if that was the direction of the Commission. Commissioner Wasserman stated he trusted what staff had put together and was comfortable approving the committee, as recommended.

Mayor Rydell commented that he had fought for years to have professional standards on the City's boards, but that had never been successful. He agreed that he was fine with the committee as presented and asked where the Board would meet. Ms. Lake stated they could meet via Zoom or in-person at City Hall, depending on what worked best for the members. Mayor Rydell stated he would like live meetings, easily accessible to the public at City Hall.

Mayor Rydell opened the floor for public comment, and City Clerk Kavanagh stated no one had signed in to speak on the item.

City Manager Brooks advised that staff had asked Commissioner Railey if she would be willing to serve on the committee, and she was amenable.

MOTION: Welch/Brodie – To nominate Commissioner Railey to serve on the Audit Selection Committee.

There were no other nominations on the floor, and Commissioner Railey was selected to represent the City Commission on the Auditor Selection Committee.

Mayor Rydell reviewed the slate as nominated, to include:

- Commissioner Jacqueline Railey, Chair, City of Coconut Creek
- Chelsie Wilson, Controller, Town of Davie
- Christine Cajuste, Director of Finance Services, City of Tamarac
- Ismael Diaz, Finance Director, City of Margate
- Kelly Schwartz, Finance Director, City of North Lauderdale
- Alternate – Kim Moskowitz, Director of Finance, City of Coral Springs
- Alternate – Susan Nabors, Director of Finance and Administrative Services, City of Sunrise

MOTION: Wasserman/Brodie – To approve the slate of candidates to serve on the Auditor Selection Committee.

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

Sustainable Development

11. 24-020 A REPORT BY STAFF TO THE CITY COMMISSION REGARDING THE CITY'S GREENHOUSE GAS INVENTORY.

Sustainability Manager Linda Whitman presented the item. She provided an overview of greenhouse gases (GHG), what was included in the GHG inventory, and why the inventory was important. Ms. Whitman reviewed the City's results and key takeaways, then discussed current and potential future efforts to combat GHG.

Commissioner Wasserman stated he appreciated the mention of expanding electric vehicle (EV) charging stations, which had been brought up previously on the dais. He noted bringing in FreeBee would be another great way to keep people from driving in the City and make positive steps in the right direction.

Commissioner Railey thanked staff for their efforts and stated she hoped the suggestions were viable solutions that the City could move forward on. She commented on the potential benefits of starting a composting program and noted additional EV charging stations may help to encourage people to purchase electric vehicles. She stated the Turnpike expansion was a direct contradiction to the goals.

Vice Mayor Welch agreed that the pollution from two (2) additional lanes of traffic on the Turnpike, if not four (4) additional lanes, would directly affect the City. She commented on heat islands and the importance of the tree canopy. She noted that in addition to transportation options in the MainStreet project area, they also needed to be aware of placement of the right trees. Vice Mayor Welch asked about grant funding. Ms. Whitman advised that with the completion of both the GHG inventory and the Vulnerability Assessment, there would be opportunity to seek grants. She stated it would be important in the next few years to undertake a tree inventory to help with the effort.

12. 24-019 A REPORT BY WGI, INC. TO THE CITY REGARDING THE DRAFT FINDINGS OF THE VULNERABILITY ASSESSMENT.

Consultant Angela Biagi, WGI, Inc., presented the City's draft Climate Change Vulnerability Assessment. She explained the report could be seen as the first step in the due diligence process, and noted the study was fully-funded by the State. She provided an overview of the purpose of a vulnerability assessment and explained the resiliency areas studied. She reviewed

City-wide assets, data sources, and outreach conducted as part of the assessment. Consultant Tyler Tornese, WGI, Inc., reviewed the high-level findings of the assessment and modeling for each of the areas studied, including storm surge and sea-level rise, rainfall-induced (compound) flooding, groundwater inundation, and extreme heat.

Ms. Biagi discussed priorities and strategies in each of the identified focus areas, and adaptation strategies to address the priorities. She closed with a summary of the next steps to finalize the report, submit it to the State, and publish it to a website for community distribution.

Vice Mayor Welch stated the City had identified in its legislative agenda the need to assist seniors and others not eligible for grant funding to bring their homes up to the highest resiliency standards. She asked for clarification on the suggested audit of the Land Development Code. Ms. Biagi explained it would include a review of the Code in consideration of the findings of this report to see if there was anything that needed to be adjusted or improvements that could be made to provide for long term resiliency efforts.

Mayor Rydell commented that he understood the reasons for the report and was supportive of the idea for a resiliency fund on future development. He suggested that presentations and community outreach should focus more on preparation for the future. Ms. Biagi noted there would be a component of the website focused on homeowner resources and tools. Mayor Rydell asserted that he believed the City was more prepared than its neighbors and noted the report would serve the City well in staying ahead of the curve.

Commissioner Brodie shared his experience with hardening switches against worst case scenarios and stated there was a tremendous cost involved and it was nearly impossible. Ms. Biagi noted that part of the report established priorities and identified places for additional study. She stated the City was doing a good job, and that was reflected in the data. Mr. Tornese added that the State had requirements for worst case scenarios because the standard was the same for the entire State and some communities would be subject to worse case scenarios. Mayor Rydell stated that WGI had a track record of helping cities to maintain their eligibility for grant funding, but he wanted to make sure the right information was disseminated to the residents.

Commissioner Wasserman asked how often a vulnerability assessment was conducted. Sustainable Development Director Scott Stoudenmire advised that this was the first assessment, and it was undertaken because it was a requirement for future grant funding. Discussion ensued regarding prioritization of resiliency efforts.

Commissioner Railey asked if there would be Code changes as this process moved forward, and Mr. Stoudenmire advised that could potentially be part of a mitigation strategy.

Mayor Rydell opened the floor for public comment.

Susan Steinhauser, 5842 Eagle Cay Circle, Coconut Creek, shared that the term vulnerability came from the United Nations and was a global effort. She stated this was the first of many steps and noted her number one concern, and the low hanging fruit to address, was the heat. She commented on the need to go after Federal and State funding for energy efficiency, protecting vulnerable people with shade at bus stops, and the impacts of flooding.

Ms. Whitman stated staff would share the report with neighboring communities and work closely with them as they develop their own vulnerability assessments. She noted she saw a benefit in highlighting the information to the HOAs to help them plan for the future and see what the City was doing. She noted community outreach would be important moving forward, as well as

additional work with Broward County. She reiterated that this was a planning product and was the first step in the process towards resiliency efforts in the City.

Mr. Stoudenmire commented that there had been a lot of discussion about tree canopy recently, and staff was listening. He stated balancing the issue was difficult, but important, and staff was working on a retooling of the tree canopy replacement program to bring it to a smaller scale that would allow the City to address situations like those brought to the Commission.

Public Works Department

13. **ORD 2024-005** AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A LEASE AGREEMENT WITH DISH WIRELESS L.L.C., A COLORADO LIMITED LIABILITY COMPANY, TO LEASE CERTAIN SPACE WITHIN THE CITY'S WINSTON PARK FOR AN INITIAL TERM OF TEN (10) YEARS WITH THE TENANT'S RIGHT TO EXTEND FOR THREE (3) SUCCESSIVE FIVE (5) YEAR PERIODS UNDER SPECIFIC TERMS AND CONDITIONS. (FIRST READING)

City Attorney Pyburn read the title into the record.

MOTION: Welch/Wasserman – To approve Ordinance No. 2024-005 on first reading.

Commissioner Brodie asserted that the leasee would be required to follow Florida Building Code. He commented that he wanted to ensure residents were protected from flying debris and that it was a stable installation. Public Works Director Harry Mautte advised that all structural modifications to the tower have to go through the consultant, Kimley-Horn and Associates.

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

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

CITY MANAGER REPORT

City Manager Brooks advised that staff was researching solutions for the previous Commission requests for a white board and equipment to request to speak on the dais. She stated staff had sent an overview to the Commissioners regarding the Sawgrass Expressway expansion and noted progress had been made on the issue. She advised that a virtual public hearing was scheduled for February 27 and an in-person public hearing would be held at the Marriott in Coral Springs on February 28. She stated staff would attend the meetings to hear the public input and asked that the Commissioners share any specific concerns so that comments could be prepared.

CITY ATTORNEY REPORT

City Attorney Pyburn stated outside counsel for the PFAS litigation expected to be able to file a complaint on behalf of the City in the multi-district litigation sometime in the following week. She noted that the West Flagler cases having to do with the Seminole Compact were ongoing and there were no recent updates to report.

COMMISSION COMMUNICATIONS

Commissioner Wasserman asked about the status of the "Pass on Plastics" ordinance related to single-

use plastics with takeout orders. Mayor Rydell stated there had been a resolution circulated, and there didn't seem to be an appetite at the time. He advised that if there was a consensus to move forward, he would be supportive. Commissioner Brodie commented that he did not support a directive for local businesses. He expressed concern that businesses would receive negative reviews online. Discussion ensued regarding enforcement of a potential ordinance. Commissioner Wasserman sought and received consensus to direct staff to draft a "Pass on Plastics" ordinance for discussion. Commissioner Brodie was not in support.

Commissioner Brodie shared that he had done a fitness class at Foundation for Independent Living (FIL) and would now be exercising with the group monthly going forward. He stated he had taken part in the Winston Park Nature Center clean-up event, which had a fantastic turnout. He commented that the previous day had been Signing Day at Monarch High School for the football team, and nine (9) athletes took part. He noted the City would be highlighting those students shortly. Continuing, Commissioner Brodie stated he had joined the Citizen's Academy to learn more about the City from another angle and would be taking part in the Community Emergency Response Team (CERT) training.

Commissioner Railey congratulated the new Police Officers and the Finance Department. She encouraged residents over 70 years of age to sign up for a cardiac scan at takehearttest.com.

Vice Mayor Welch reported on the Metropolitan Planning Organization (MPO) meeting, including a discussion on the concessions for eliminating the Texas U-Turn in the Sawgrass Expressway widening project. She stated the Solid Waste Authority was narrowing down resumes received for the Executive Director position, and the Executive Committee would be meeting to vet the applicants. She noted she had brought up the Alpha 250 site and asked that the Executive Committee not lose sight of that. Vice Mayor Welch thanked City Manager Brooks and the Public Works Department for their work toward recycling glass. City Manager Brooks stated staff hoped to launch the recycling initiative by the end of the month.

Mayor Rydell commented that the Annual 5k Butterfly Run had an alternate route this year, and he liked that it was changing every year. He noted it would be appropriate to increase the number of participants so no one missed out on the event. He stated he would like to see staff updates at the next meeting on the Hillsboro Marketplace Plaza and Coconut Creek Plaza. Mayor Rydell asked the status of implementing school zone cameras. City Manager Brooks advised that City was part of a co-op with the City of Plantation, and the process was moving along. City Attorney Pyburn advised that there was a cone of silence as it related to the school zone cameras and, the Commissioners could not speak with the vendors.

ADJOURNMENT

The meeting was adjourned at 9:27 p.m.

Joseph J. Kavanagh, MMC
City Clerk

Date