



CITY OF COCONUT CREEK CITY COMMISSION MINUTES

Government Center
4800 W. Copans Road
Coconut Creek, Florida

Date: January 28, 2021
Time: 7:00 p.m.
Regular Meeting No. 2021-0128R

CALL TO ORDER

Mayor Sarbone called the meeting to order at 7:05 p.m.

PRESENT UPON ROLL CALL:

Mayor Lou Sarbone
Vice Mayor Joshua Rydell
Commissioner Rebecca A. Tooley
Commissioner Mikkie Belvedere (virtually)
Commissioner Sandra L. Welch
City Manager Karen M. Brooks
City Attorney Terrill C. Pyburn
City Clerk Leslie Wallace May

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

Mayor Sarbone explained that Governor Ron DeSantis' Executive Order 20-52, as continuously extended, and Section 252.38, Florida Statutes, authorized all local governments to waive procedures and formalities otherwise required by both state and local law as necessary to allow local governments to continue to perform public work and take whatever prudent action is necessary to ensure the health, safety, and welfare of the community. He noted that the meeting was being conducted live with a quorum physically present and participation by one (1) Commissioner using communications media technology consistent with the Governor's Order and State law. City Attorney Pyburn explained the procedures for public participation and comment for the meeting.

PRESENTATIONS

1. **21-003** A PRESENTATION BY THE AMERICAN HEART ASSOCIATION RECOGNIZING THE CITY WITH A WORKPLACE HEALTH ACHIEVEMENT AWARD.

Pam Kershaw, Human Resources Director, provided a brief introduction, lauding the staff members who had worked to operate the City's wellness programs. She noted the group had managed to keep the program going through a difficult year.

Robert Hill, Vice President of Health Strategies with the American Heart Association, made a presentation via video recognizing the City of Coconut Creek with the Workplace Health Achievement Award.

INPUT FROM THE PUBLIC

Susi Glatt, 3960 B Cocoplum Circle, Coconut Creek, spoke to the Commission regarding an initiative to reduce single-use plastics. She stated the use had become increasingly prevalent, and without changes by 2050, the ocean would contain more plastic than fish. She asserted it was up to citizens to refuse,

reduce, and recycle single-use plastics and offered tips for alternatives. She asked that the City take on educating the community regarding the issue and shared information on a program from the League of Women Voters.

Irene Espinosa, 4242 NW 66 Drive, Coconut Creek spoke to the importance of addressing mental health issues and a documentary to review regarding the importance of supporting young people. She continued speaking about plastics, noting an eight (8) minute educational video clip she would like to see shared, regarding the importance of reducing plastic use. She spoke about issues with wild birds dying in the Indigo Lakes neighborhood and asked the City to look into water testing in the area. She highlighted the difficulty in getting a COVID-19 vaccine and shared information about the State's new registration system.

Mayor Sarbone explained that City staff was working multiple angles to bring a vaccine site to the City. City Manager Brooks addressed the concern regarding wild birds and shared a link to report the issue to the County. She thanked Ms. Espinosa for making staff aware and stated they would take the issue further with the County.

Jackie Railey, 4801 Martinique Place, Coconut Creek, stated she was proud to be a resident of Coconut Creek and thanked City staff and the first responders for their efforts to get residents vaccinated.

CITY MANAGER REPORT

City Manager Brooks invited State Representative Christine Hunschofsky to speak. Representative Hunschofsky thanked the City for the warm welcome to the office space in City Hall and informed the Commission of the committees she would be serving on in Tallahassee, including:

- Early Learning and Elementary Education Subcommittee
- Education and Employment Committee
- Environment, Agricultural and Flooding Subcommittee
- Finance and Facilities Subcommittee
- State Administration and Technology Appropriations Subcommittee

Representative Hunschofsky stated her staff had been busy putting together presentations and was sending out regular updates. She noted if there was anything she could do, to please let her know. She added that staff was working hard on constituent issues such as the COVID-19 vaccine and unemployment. She stated it had been an honor to introduce House Bill 217 to rename the Southeast Coral Reef Conservation area after the late State Representative Kristin Jacobs. Mayor Sarbone asked if there was anything the Commission could do to support the bill, and Representative Hunschofsky explained where to send letters of support.

She updated the Commission on the appropriation for the Coconut Creek Hillsboro Water Storage Tank project, explaining it had been submitted into drafting and she would be pushing hard for it but cautioned it was going to be a difficult budget year due to the impacts of COVID-19. She responded to Ms. Glatt's public comments regarding plastics, noting the State of Florida had preempted local governments from banning single-use plastics, but she had cosigned House Bill 6027 to remove the preemption and return local control on the issue. In response to Ms. Espinosa's comments regarding mental health in schools, Representative Hunschofsky advised that the Governor's new budget added \$10 million for a total of \$110 million allocated for mental health in schools.

The Commissioners shared appreciation for Representative Hunschofsky and her staff and thanked her for always being open and available.

City Manager Brooks explained that the February 25 Commission meeting fell on the Jewish holiday of Purim and asked the Commission if there was any sentiment about cancelling the meeting and rescheduling it for March 4. Discussion ensued, and the Commission opted to keep the meeting as scheduled.

CITY ATTORNEY REPORT

City Attorney Pyburn had no report.

COMMISSION COMMUNICATIONS

Commissioner Welch echoed the comments in support of bringing a COVID-19 vaccination site to Coconut Creek. She shared an update on the Metropolitan Planning Organization (MPO) meeting held earlier in the day, explaining Sustainable Development staff had assisted her with comments regarding the Sawgrass Expressway and the Turnpike in order to note opposition to the expansion of the lanes. She commented on the Broward League of Cities Coffee with the President the previous week, where the Administrator of Memorial Hospital and a Vice President from Broward Health had spoken and shared insightful comments regarding COVID-19. She stated they field a variety of interesting questions and shared contact information for their Governmental Affairs officers. Commissioner Welch asked if the City had anything planned for February 14 in remembrance of the school shooting at Marjory Stoneman Douglas in 2018. City Manager Brooks stated staff was preparing a proclamation for the next Commission meeting.

Commissioner Tooley thanked staff for the work they do, and the great job during COVID-19. She noted everyone would get through it thanks to the hard work of staff. She provided an update on the Broward League of Cities Solid Waste Working Group meeting, noting Mayor Greg Ross from Cooper City had been named to fill an opening on the middle size cities group, and the next steps were to name a chair and start answering the list of questions. She shared information regarding a meeting with Broward County Public Schools Superintendent Dr. Robert Runcie, noting in-person school attendance at Broward County Schools had increased from 20 percent to 30 percent, but 5,900 students were struggling. She outlined planned efforts to assist those students. She stated cities were being asked to write letters to the State to encourage getting teachers vaccinated.

Commissioner Belvedere thanked Commissioner Welch for the terrific questions she had asked during the MPO meeting regarding the Turnpike, and for putting on record that Coconut Creek does not agree with any expansion. She stated she had attended the Complete Streets Program meeting for the Miami Transportation Planning Organization regarding aging road users and noted a developing vision for safety surrounding senior communities. She explained she would like to see the City and MPO looking at countermeasures to make it safer for seniors to cross the street.

Vice Mayor Rydell thanked his colleagues for bringing up the memorial previously held on February 14 and stated he would like to see something similar this year. City Manager Brooks noted February 14 falls on a Sunday so staff was working to bring forth a proclamation at the February 11 meeting. She explained staff was also working with Representative Hunschofsky's staff to plan an event for Saturday, February 13. Vice Mayor Rydell asked for and received consensus to have Mayor Sarbone sign the letter circulating amongst municipalities to ask for vaccination of teachers and staff. He noted teachers had been ordered to return to school even if immunocompromised and voiced his concern regarding the issue. He stated he had attended two (2) of the four (4) community conversations where students, staff, and parents had expressed concern regarding school safety in the COVID-19 environment. He recognized the Parks and Recreation Department for the creative programming they had rolled out to reenergize the community

while maintaining social distancing and other safety protocols. He commented on conversations with local business owners regarding additional signage to promote their businesses during COVID-19, explaining he had heard they were being told by their landlords that the signs were breaking City Code. He asked that Sustainable Development Director Scott Stoudenmire let landlords know that signage regulations would not be enforced in the current climate because he wanted businesses to be creative in drawing people in and letting customers know they are still open. Vice Mayor Rydell addressed the public comments from Ms. Glatt, regarding single-use plastics, stating the Commission had an agenda item on the issue last year in support of reducing single-use plastics. He noted the issue had been preempted by the State Legislature, but State Representative Hunschofsky was working on a bill to remove the preemption.

Mayor Sarbone stated in place of the annual Butterfly Festival, which had to be cancelled due to COVID-19, Coconut Creek would be having *Creek Palooza* with a drive-in movie every Friday night in February, and a mini concert each Saturday. He explained additional information was on the City website.

REGULAR AGENDA

City Manager

2. **RES** A RESOLUTION APPROVING THE CITY OF COCONUT CREEK'S 2021
 2021-016 FEDERAL LEGISLATIVE AGENDA.

Mayor Sarbone read the Resolution title into the record.

MOTION: Welch/Tooley – To approve Resolution No. 2021-016.

Mayor Sarbone asked Vice Mayor Rydell to offer an amendment to include the items discussed during the City Commission Workshop prior to the Regular meeting.

AMENDMENT: Rydell/Welch – To amend Resolution No. 2021-016 to add the Project Safe Neighborhood grant funding to the Federal Legislative Agenda.

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

City Clerk May stated there were no advanced public comments received on the item.

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

Fire Rescue Administration

3. **RES** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO
 2021-012 EXECUTE AN AGREEMENT WITH CRAIG B. KUSHNIR D.O., LLC TO
 PROVIDE MEDICAL DIRECTOR SERVICES FOR COCONUT CREEK FIRE
 RESCUE AND THE CITY OF COCONUT CREEK.

Mayor Sarbone read the Resolution title into the record.

MOTION: Tooley/Rydell – To approve Resolution No. 2021-012.

Fire Chief Jeffrey Gary presented the item, explaining the Medical Director was required in order

to apply for the Advanced Life Support (ALS) license, order medical supplies, renew paramedical licenses, and to authorize the performance of medical procedures by the Coconut Creek paramedics and Emergency Medical Technicians (EMTs). He stated the Medical Director would advise in the creation of policy for Coconut Creek Fire Rescue and provide consultation for the City. He provided details on Dr. Kushnir's education and background.

Chief Gary stated the agreement would also include an Associate Medical Director, Dr. Peter Antevy, and provided details on Dr. Antevy's accomplishments and background. He explained the Backup Medical Director in case of emergency would be Dr. Matthew Lickerman and outlined Dr. Lickerman's experience.

Chief Gary noted Dr. Kushnir was present to answer any questions. Dr. Kushnir stated he was excited to be embarking on the creation of the Coconut Creek Fire Rescue and explained he comes to the City with a lot of experience in the position. He asserted he is a very hands-on Medical Director and reviewed his work in Delray Beach.

The Commissioners spoke highly of Dr. Kushnir's qualifications, experience, and highly-regarded reputation.

City Clerk May stated there were no advanced public comments received on the item.

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

Police Department

4. **RES 2021-017** A RESOLUTION AUTHORIZING THE USE OF FEDERAL LAW ENFORCEMENT TRUST FUNDS IN THE AMOUNT OF ONE HUNDRED THOUSAND DOLLARS (\$100,000) TOWARD SCHOOL RESOURCE OFFICERS' SALARIES FOR FISCAL YEAR 2021.

Mayor Sarbone read the Resolution title into the record.

MOTION: Tooley/Welch – To approve Resolution No. 2021-017.

City Manager Brooks explained the item was budgeted for during the budget process and approval was a formality to expend the funds.

Vice Mayor asked Police Chief Albert "Butch" Arenal if the grant just added to the Federal Legislative Agenda would qualify for adding Coconut Creek Police Officers into schools, and Chief Arenal confirmed.

City Clerk May stated there were no advanced public comments received on the item.

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

Sustainable Development

City Attorney Pyburn read aloud the City's quasi-judicial procedures that would be applied to item 5. City Clerk May confirmed public notice requirements had been met for the Quasi-Judicial item 5 and swore in the witnesses.

5. **ORD 2021-002** AN ORDINANCE VACATING, RELEASING, AND ABANDONING A PORTION OF A 12-FOOT-WIDE UTILITY EASEMENT FOR THE PROJECT KNOWN AS WILLIS LEASE, GENERALLY LOCATED AT 4700 LYONS TECHNOLOGY PARKWAY WITH SAID EASEMENT LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED HERETO AND MADE A PART HEREOF. (QUASI-JUDICIAL) (SECOND PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

Commissioner Tooley made a motion to hear Agenda Item 5, seconded by Commissioner Welch.

City Attorney Pyburn asked if there were any disclosures on behalf of the Commission for the item, and there were none.

Sustainable Development Director Scott Stoudenmire presented the item. He explained this was the second reading to vacate a portion of a 12-foot utility easement adjacent to the Willis Lease building. He stated this was a small remnant of an easement not being used, and there were no objections to the vacation of the easement from the utilities or staff. He stated he had confirmed with Paul Brewer of Paul Brewer and Associates, representing the applicant, that there were no questions from the applicant.

Mayor Sarbone opened the public hearing. City Clerk May stated there were no advanced public comments received on the item. There were no further questions or comments from the public, and Mayor Sarbone closed the public hearing.

Neither staff, nor the applicant, had any closing remarks.

MOTION: Welch/Tooley – To adopt Ordinance No. 2021-002.

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

6. **ORD 2021-003** AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES BY AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE," ARTICLE III, "ZONING REGULATIONS," DIVISION 1, "GENERALLY," SECTION 13-295, "DEFINITIONS" TO INCLUDE DEFINITIONS OF "TRANSIENT OCCUPANT" AND "VACATION RENTAL" AND AMENDING DIVISION 2, "ZONING CLASSIFICATIONS AND GENERAL REQUIREMENTS," BY CREATING A NEW SECTION 13-322, "VACATION RENTALS," PROVIDING FOR AUTHORITY AND FINDINGS OF FACT, PROVIDING FOR REGISTRATION OF VACATION RENTALS, PROVIDING APPLICATION REQUIREMENTS, DEVELOPMENT CONDITIONS, LIFE SAFETY REQUIREMENTS, ENFORCEMENT, PENALTIES AND PROCEDURES FOR DENIAL AND REVOCATION OF REGISTRATION. (SECOND READING) (PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Tooley/Welch – To adopt Ordinance No. 2021-003.

Sustainable Development Director Stoudenmire presented the item. He explained Items 6 and 7 were companion items, creating the regulations related to vacation rentals and then providing for

the associated fees. He stated he had reached out to Adam Sanders, who had submitted email comments on first reading of the ordinance, and had not heard back.

Commissioner Welch stated she had also reached out to Mr. Sanders and received no response.

Mayor Sarbone opened the public hearing. City Clerk May stated there were no advanced public comments received on the item. There were no further questions or comments from the public, and Mayor Sarbone closed the public hearing.

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

7. **ORD 2021-004** AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES BY AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE," ARTICLE III, "ADMINISTRATION, REGULATION, AND PROCEDURES," DIVISION 4, "FEE SCHEDULES," BY AMENDING SECTION 13-82 TO ADD FEES FOR VACATION RENTAL REGISTRATION AND INSPECTONS AND SECTION 13-83 TO RECOGNIZE THE REQUIRED COUNTY SPECIAL INSPECTORS MINIMUM FEE. (SECOND READING) (PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Welch/Tooley – To adopt Ordinance No. 2021-004.

Sustainable Development Director Stoudenmire stated he had no additional comments.

Mayor Sarbone opened the public hearing. City Clerk May stated there were no advanced public comments received on the item. There were no further questions or comments from the public, and Mayor Sarbone closed the public hearing.

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

City Attorney

8. **RES 2021-007** A RESOLUTION AUTHORIZING THE MAYOR AND THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE SECOND AMENDMENT TO THE TRANSPORTATION SYSTEM SURTAX INTERLOCAL AGREEMENT AMONG BROWARD COUNTY, THE BROWARD METROPOLITAN PLANNING ORGANIZATION (MPO), AND THE CITY OF COCONUT CREEK.

Mayor Sarbone read the Resolution title into the record.

MOTION: Welch/Tooley – To approve Resolution No. 2021-007.

City Attorney Pyburn stated the amendment superseded and replaced the original agreement as well as the first amendment and summarized the amendments outlined in the agreement. She noted the municipal attorneys from around the County worked with the County to address outstanding concerns, including the provision regarding the ability to renegotiate an amendment in the event of the expiration of the agreement to designate an entity responsible for evaluation and ranking at the conclusion of the MPO's service in that role.

City Clerk May stated there were no advanced public comments received on the item.

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

ADJOURNMENT

The meeting was adjourned at 8:25 p.m.

Leslie Wallace May
Leslie Wallace May, MMC
City Clerk

2/05/2021
Date

