



## CITY OF COCONUT CREEK CITY COMMISSION MINUTES

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

**Date: December 14, 2017  
Time: 7:00 p.m.**

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### **CALL TO ORDER**

Mayor Tooley called the meeting to order at 7:09 p.m.

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

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

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

### **PRESENTATIONS**

**1. 17-185 COCONUT CREEK GIRLS BASKETBALL MAYOR'S AWARD.**

Parks and Recreation Superintendent Janet Hull presented certificates to each of the following 2017 Girls Basketball Mayor's Award recipients:

8-10 Age Division     Jaynae Gilbert  
11-14 Age Division     Milana Vittoria

**2. 17-198 A SWEARING-IN CEREMONY FOR NEW POLICE OFFICERS JOHN BESADA, ANDREA CALDERON, SCOTT HYSELL, AND DORIAN PUMALO.**

Police Chief Albert "Butch" Arenal welcomed four new Police Officers. He also recognized retired Coconut Creek Police Personnel who were in attendance. He introduced each Officer and invited them and their families to come forward for the swearing-in. The Oath of Office was administered by City Clerk May followed by the badge pinning.

**3. 17-196 A PRESENTATION OF THE CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING FOR THE CITY'S COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) 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, 2016.

Finance and Administrative Services Deputy Director Peta-Gay Lake presented the Commission with the CAFR and PAFR awards for the Fiscal Year ending September 30, 2016. She noted the City's longstanding recognition of excellence in financial reporting. She thanked Senior Accountant Elise Adler-Hogan and the Finance Department for their hard work on the reports.

*Mayor Tooley implemented the Time-Certain; and the Input from Residents, City Manager Report, City Attorney Report, and Commission Communications were heard after the Consent and Regular Agenda.*

**INPUT FROM RESIDENTS OF COCONUT CREEK**

There was no input from the residents.

**CITY MANAGER REPORT**

City Manager Blasi wished the Commission Happy Holidays.

**CITY ATTORNEY REPORT**

City Attorney Pyburn wished the Commission Happy Holidays.

**COMMISSION COMMUNICATIONS**

Commissioner Belvedere had no report.

Commissioner Welch commended staff for their work on the Employee Wellness Fair and the Special Needs Art Show.

Commissioner Sarbone wished everyone Happy Holidays.

Vice Mayor Rydell thanked the Commissioners for their hard work and commented that they each were a benefit to the community.

Mayor Tooley noted that there would be a ribbon cutting for Big Dog Construction on December 15, 2017, and stated that she received a letter from the Wynmoor community commending the City for its efforts after Hurricane Irma. She wished everyone a great holiday.

**CONSENT AGENDA (Items 4 through 13)**

Mayor Tooley read each of the titles of the Consent Agenda items into the record.

- 4.     **17-184**           A MOTION APPROVING THE MINUTES FROM PREVIOUS CITY COMMISSION MEETING(S). (2017-1026WS, 2017-1026R, AND 2017-1109R)
  
- 5.     **RES**  
       **2017-298**         A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH SUNGARD

PUBLIC SECTOR, LLC FOR ONESOLUTION PUBLIC SAFETY AND JUSTICE/OSSI SOFTWARE LICENSE AND MAINTENANCE SERVICES.

6. **RES 2017-299** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH SUNGARD PUBLIC SECTOR, LLC FOR PENTAMATION SOFTWARE LICENSE AND MAINTENANCE SERVICES.
7. **RES 2017-306** A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE FIRST AMENDMENT TO THE SCHOOL RESOURCE OFFICER (SRO) AGREEMENT WITH THE SCHOOL BOARD OF BROWARD COUNTY TO PROVIDE FUNDING FOR ONE (1) ADDITIONAL SRO FOR A PERIOD COMMENCING ON NOVEMBER 1, 2017, AND ENDING JUNE 7, 2018.
8. **RES 2017-303** A RESOLUTION APPROVING THE CITY OF COCONUT CREEK'S STATE LEGISLATIVE AGENDA FOR THE 2018 LEGISLATIVE SESSION.
9. **RES 2017-312** A RESOLUTION URGING ALL MEMBERS OF THE FLORIDA LEGISLATURE TO OPPOSE HOUSE BILL 7003, WHICH WOULD REQUIRE MUNICIPAL ELECTED OFFICIALS AND CANDIDATES FOR ELECTED MUNICIPAL OFFICE TO FILE AN ANNUAL FORM 6.
10. **RES 2017-325** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE THIRD AMENDED AND RESTATED INTERLOCAL AGREEMENT FOR PUBLIC SCHOOL FACILITY PLANNING WITH THE SCHOOL BOARD OF BROWARD COUNTY, BROWARD COUNTY, AND AFFECTED BROWARD COUNTY MUNICIPALITIES.
11. **RES 2017-284** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE A SOLE SOURCE AGREEMENT WITH THOMSON REUTERS TO PROVIDE FOR THE CONTINUED USE OF THE CONSOLIDATED LEAD EVALUATION AND REPORTING (CLEAR) SERVICE AND A THREE-YEAR RECURRING SUBSCRIPTION FEE.
12. **RES 2017-328** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AN AGREEMENT WITH OPTUMHEALTH CARE SOLUTIONS, LLC FOR THE USE OF COCONUT CREEK FITNESS FACILITIES FOR OPTUM FITNESS PASSPORT PROGRAM CLIENTS.
13. **RES 2017-304** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AN AGREEMENT WITH HEALTHY CONTRIBUTIONS, LLC TO PROVIDE FOR THE REIMBURSEMENT OF FITNESS MEMBERSHIP FEES FOR OPTUM FITNESS ADVANTAGE PROGRAM MEMBERS UNDER THE UNITED HEALTHCARE MEDICARE ADVANTAGE PLAN.

**MOTION:** Rydell/Belvedere – To approve Consent Agenda Item Nos. 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13.

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

**REGULAR AGENDA**

**Finance Department**

14. **ORD 2017-040** AN ORDINANCE REPEALING ORDINANCE NO. 2010-010, AND RESCINDING AN INVESTMENT POLICY FOR THE CITY THAT WAS ATTACHED THERETO, AND APPROVING AND ADOPTING A NEW INVESTMENT POLICY IN ITS PLACE AS ATTACHED TO ORDINANCE NO. 2017-040 AS EXHIBIT "A." (SECOND READING)(PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

**MOTION:** Welch/Rydell – To adopt Ordinance No. 2017-040.

Mayor Tooley 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.**

**Public Works Department**

15. **RES 2017-315** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE A WORK AUTHORIZATION WITH ABACO ENGINEERING, INC. FOR PROFESSIONAL ENGINEERING DESIGN SERVICES RELATED TO THE LAKESIDE PARK EXPANSION.

Mayor Tooley read the Resolution title into the record.

**MOTION:** Welch/Belvedere – To approve Resolution No. 2017-315.

Public Works Director Jim Berkman presented the item and noted that Azita Behmardi from Abaco Engineering, Inc. was present to answer questions. Parks and Recreation Director Wayne Tobey commented that the new design would provide additional athletic fields and that the design process would include public input.

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

**Fire Rescue Administration**

16. **RES 2017-322** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AN AGREEMENT WITH MATRIX CONSULTING GROUP, LTD TO PROVIDE A COMPREHENSIVE ANALYSIS OF FIRE SERVICES PURSUANT TO RFP NO. 10-11-17-10.

Mayor Tooley read the Resolution title into the record.

**MOTION:** Belvedere/Rydell – To approve Resolution No. 2017-322.

Fire Marshal Jeff Gary presented the item and noted that Robert Finn from Matrix Consulting Group, LTD was present to answer questions. City Manager Blasi commented that the

comprehensive analysis of fire services was included in the terms of the City's Interlocal Agreement with the City of Margate upon the completion of Fire Station 50.

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

17. **ORD 2017-054** AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES, BY AMENDING CHAPTER 9, "FIRE PREVENTION AND PROTECTION," TO PROVIDE FOR UPDATED REGULATIONS AND FEES. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

**MOTION:** Sarbone/Belvedere – To adopt Ordinance No. 2017-054.

Discussion ensued regarding regulations for grills, Knox keys, and annual inspections.

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

#### City Attorney

18. **RES 2017-314** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE A USE AGREEMENT WITH SEMINOLE PROPERTIES II, INC. IN ORDER TO PROVIDE FOR TEMPORARY AND NONEXCLUSIVE OVERFLOW PARKING USE OF CITY PROPERTY.

Mayor Tooley read the Resolution title into the record.

**MOTION:** Rydell/Welch – To approve Resolution No. 2017-314.

City Attorney Pyburn presented the item and noted that Julie Jennison and Steve Bonner were present on behalf of Seminole Properties II, Inc.

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

19. **ORD 2017-052** AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE THE THIRD AMENDMENT TO THE LEASE AGREEMENT WITH T-MOBILE SOUTH, LLC, WHICH PROVIDES FOR THE CONTINUED LEASING OF CITY LAND FOR A COMMUNICATIONS TOWER AND A MODIFICATION AND INCREASE IN THE AMOUNT OF T-MOBILE'S EQUIPMENT ON THE TOWER. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

**MOTION:** Welch/Rydell – To adopt Ordinance No. 2017-052.

City Attorney Pyburn presented the item and noted that Kay Miles from Cityscape Consultants was present to answer questions. Discussion ensued.

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

20. **ORD 2017-055** AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE THE LEASE AGREEMENT WITH VERIZON WIRELESS PERSONAL COMMUNICATIONS LP D/B/A VERIZON WIRELESS COMMUNICATIONS (“VERIZON”) TO PROVIDE FOR THE LEASING OF CITY LAND AND A TELECOMMUNICATIONS TOWER AT SABAL PINES PARK. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

**MOTION:** Sarbone/Belvedere – To adopt Ordinance No. 2017-055.

City Attorney Pyburn presented the item and noted that Kay Miles from Cityscape Consultants was present to answer questions. Assistant City Manager/Sustainable Development Director Sheila Rose commented that there was an existing shed within the compound that would be used and maintained by the City for Parks and Recreation Department storage purposes.

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

21. **ORD 2017-053** AN ORDINANCE AMENDING CHAPTER 16, “OUTDOOR SALES AND ACTIVITIES,” ARTICLE I, “IN GENERAL,” SECTION 16-1, “PURPOSE AND INTENT,” TO PROVIDE FOR AN UPDATED PURPOSE AND INTENT; AMENDING SECTION 16-2, DEFINITIONS,” TO PROVIDE FOR UPDATED TERMINOLOGY; AMENDING ARTICLE IV, “SOLICITOR REGULATIONS,” SECTION 16-5, “SOLICITOR REGULATIONS,” TO PROVIDE FOR UPDATED REGULATIONS; ENACTING A NEW SECTION 16-6, “PROHIBITED ACTS” IN ORDER TO PROVIDE FOR SAME; ENACTING A NEW SECTION 16-7, “RIGHT-OF-WAY CANVASSERS AND SOLICITORS” IN ORDER TO PROVIDE FOR REGULATIONS REGARDING CANVASSING AND SOLICITING IN THE TEN MOST DANGEROUS INTERSECTIONS IN THE CITY; AND ENACTING A NEW SECTION 16-8, ENFORCEMENT AND PENALTIES. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

**MOTION:** Welch/Belvedere – To adopt Ordinance No. 2017-053.

Police Department Legal Advisor Jeannette Camacho presented the item. Discussion ensued regarding public education, enforcement provisions, and distance requirements for solicitors at dangerous intersections.

**AMENDMENT:** Sarbone/Belvedere – To remove the Ordinance sections related to dangerous intersection soliciting and the 500-foot requirement.

Upon roll call, the Motion failed by a 2-3 vote, with Commissioner Welch, Vice Mayor Rydell, and Mayor Tooley voting nay.

The Commission provided direction to staff to review the distance requirements for solicitors at dangerous intersections with the traffic study consultant and to provide specific information regarding notification and education of the public before second reading of the Ordinance.

**Upon roll call, the original Ordinance passed by a 4-1 vote, with Commissioner Sarbone voting nay.**

## Sustainable Development

22. **RES 2017-320** A RESOLUTION ACCEPTING THE ACTION PLAN PROGRAM YEAR (PY) 2016 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) FOR COMMUNITY PLANNING AND DEVELOPMENT PROGRAMS. (PUBLIC HEARING)

Mayor Tooley read the Resolution title into the record.

**MOTION:** Welch/Belvedere – To approve Resolution No. 2017-320.

Assistant City Manager/Sustainable Development Director Sheila Rose presented the item and noted that Andrew Azebeokhai and Alex Goldstein from the City's housing consultant firm, Community Redevelopment Associates of Florida, Inc., were present to answer questions.

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

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

23. **RES 2017-318** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AMENDMENT NO. 1 TO THE AGREEMENT WITH SEXTON ENGINEERING ASSOCIATES, INC. AS AN EXPERT ENGINEERING CONSULTANT IN RELATION TO FLORIDA'S TURNPIKE EXPANSION.

Mayor Tooley read the Resolution title into the record.

**MOTION:** Belvedere/Welch – To approve Resolution No. 2017-318.

Assistant City Manager/Sustainable Development Director Sheila Rose presented the item. Discussion ensued regarding the Project Development and Environment (PD&E) studies.

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

24. **ORD 2017-048** AN ORDINANCE APPROVING THE SPECIAL LAND USE APPLICATION OF LAUNDRY CENTER HOLDINGS, INC. FOR A COIN OR CARD OPERATED LAUNDROMAT FOR THE PROPERTY LOCATED AT 4805 COCONUT CREEK PARKWAY, PURSUANT TO SECTION 13-35, CODE OF ORDINANCES. (QUASI-JUDICIAL)(SECOND PUBLIC HEARING)

City Attorney Pyburn read aloud the City's quasi-judicial procedures that would be applied to Agenda Items 24 through 27. City Clerk May confirmed that the public notice requirements were met for Agenda Items 24 through 27 and swore in the witnesses. She instructed the speakers, when they come forward to speak, to state their name and address clearly for the record and whether or not they were sworn-in and understood the rules of the proceedings. City Attorney Pyburn read the Ordinance title into the record.

**MOTION:** Welch/Belvedere – To adopt Ordinance No. 2017-048.

City Attorney Pyburn asked if there were any disclosures or ex parte communications on Agenda Item 24, and there were none.

Assistant City Manager/Sustainable Development Director Sheila Rose presented the item. She noted that the Coconut Creek Plaza Manager, Paul LeMay, and the Applicant, Arthur Lapon, were present for questions. She noted that the Ordinance was amended on first reading to provide opening hours beginning at 5 a.m.

Mayor Tooley 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.**

25. **ORD 2017-049** AN ORDINANCE APPROVING THE REZONING REQUEST OF LEDER HILLSBORO CO. LTD. TO REZONE FROM COMMUNITY SHOPPING (B-3) TO PLANNED COMMERCE DISTRICT (PCD) FOR THE PROPERTY LOCATED AT 4171 AND 4181 WEST HILLSBORO BOULEVARD. (QUASI-JUDICIAL)(SECOND PUBLIC HEARING)

**MOTION:** Welch/Belvedere – To adopt Ordinance No. 2017-049.

Mayor Tooley asked if there were any objections from the Commission, applicant, or staff to hear Agenda Items 25, 26, and 27 together, and there were none. City Attorney Pyburn read the Ordinance titles for each item into the record and asked if there were any disclosures or ex parte communications on Agenda Items 25, 26, and 27, and the following disclosures were made:

- Mayor Tooley met with Attorney Dennis Mele.
- Vice Mayor Rydell met with Attorney Dennis Mele.
- Commissioner Belvedere spoke with Attorney Dennis Mele.
- Commissioner Welch spoke with Attorney Dennis Mele.

Assistant City Manager/Sustainable Development Director Sheila Rose gave a brief overview of the project and noted that the redevelopment project implements some of the improvements included in the vision plan for Hillsboro Boulevard. She stated that the applicant was represented by Attorney Steve Wherry of Greenspoon Marder and Jim Kahn of Keith and Associates.

Mayor Tooley 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.**

26. **ORD 2017-050** AN ORDINANCE APPROVING THE SPECIAL LAND USE APPLICATION OF LEDER HILLSBORO CO LTD. TO ALLOW A SELF-STORAGE FACILITY FOR THE PROPERTY GENERALLY LOCATED AT 4181 WEST HILLSBORO BOULEVARD, PURSUANT TO SECTION 13-35, CODE OF ORDINANCES. (QUASI-JUDICIAL)(SECOND PUBLIC HEARING)

**MOTION:** Welch/Belvedere – To adopt Ordinance No. 2017-050.

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



27. **ORD 2017-051** AN ORDINANCE APPROVING THE SPECIAL LAND USE APPLICATION OF LEDER HILLSBORO CO LTD. TO ALLOW A PET LODGE FOR THE PROPERTY GENERALLY LOCATED AT 4181 WEST HILLSBORO BOULEVARD, PURSUANT TO SECTION 13-35, CODE OF ORDINANCES. (QUASI-JUDICIAL)(SECOND PUBLIC HEARING)

**MOTION:** Welch/Belvedere – To adopt Ordinance No. 2017-051.

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

28. **ORD 2017-008** AN ORDINANCE AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE," IN ORDER TO PROVIDE FOR UPDATED TERMINOLOGY AND PROCEDURES FOR REVIEW AND PROCESSING OF DEVELOPMENT APPLICATIONS. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

**MOTION:** Welch/Sarbone – To adopt Ordinance No. 2017-008.

Assistant City Manager/Sustainable Development Director Sheila Rose presented the item.

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

## ADJOURNMENT

The meeting was adjourned at 9:07 p.m.

Transcribed by: Marianne Bowers

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Leslie Wallace May, MMC  
City Clerk

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Date