



CITY OF COCONUT CREEK VIRTUAL REGULAR MEETING CITY COMMISSION MINUTES

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

**Date: May 28, 2020
Time: 7:00 p.m.
Regular Meeting No. 2020-0528R**

CALL TO ORDER

Mayor Sarbone called the meeting to order at 7:00 p.m.

PRESENT UPON ROLL CALL:

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

Mayor Sarbone explained that the City Commission was conducting this meeting using communications media technology pursuant to Governor Ron DeSantis' Executive Order 20-69, as extended by Executive Order 20-112, which provided that local governments may conduct meetings without the requirement to have a quorum physically present or to hold the meeting at a physical location in response to the emergency circumstances resulting from the COVID-19 pandemic.

He further explained that the Governor's Executive Order 20-52, as extended by Executive Order 20-114, 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 would be conducted consistent with the virtual meeting procedures adopted by the Commission April 15, 2020. City Attorney Pyburn explained the procedures for public participation and comment for the virtual statement.

PRESENTATION(S)

- ~~1. **20-068** A PROCLAMATION RECOGNIZING MAY 2020 AS "SAFE STORAGE MONTH."~~

Mayor Sarbone noted that Agenda Item 1 was postponed by requestor and would not be heard on tonight's agenda.

- 2. 20-127 A PRESENTATION AND STATUS UPDATE ON THE PROGRESS OF THE BROWARD COUNTY SOLID WASTE WORKING GROUP.**

Alex Tergis, Assistant Director of Public Works, gave an overview of the Broward County Solid Waste Working Group. He explained the findings of the Technical Advisory Committee's (TAC) evaluation of

different modes of governance structures for a regional solid waste system that were presented to the group during a Zoom meeting on May 11, 2020. Mr. Tergis stated that the three (3) structures presented included an Interlocal Agreement (ILA), Dependent Special District, and Independent Special District. He explained the pros and cons of each, including taxing authority, providing services outside the boundaries of the district, flexibility to opt out, and flow control. He reviewed the key features of each option related to the purpose and the requirements to create each entity.

Commissioner Welch noted the Independent Special District was her preference of the options. Commissioner Tooley, stated that the Independent Special District was the best option, as long as the district keeps the County and individual cities out of its control. Commissioner Belvedere agreed the Independent Special District would do well for the City. Vice Mayor Rydell stated he had been following the issue, and thanked Mr. Tergis for the update. Mayor Sarbone clarified that the original Resource Recovery Board was established by an Interlocal Agreement. He noted there were issues when cities opted out early in the process. Jim Berkman, Public Works Director, agreed that the ability to opt out was an issue in the Dependent Special District option. He noted flow control was an issue with the previous Interlocal Agreement because it only applied to those cities which had opted in. He explained the importance of flow control. Mr. Berkman discussed how the board would be established for an Independent Special District and confirmed that the Working Group would make the recommendation to the State Legislature as part of the package by type of member, not name.

Commissioner Tooley commented that the Working Group was leaning toward the Independent Special District because they did not want to make the same mistakes again. Mayor Sarbone asked for an estimated timeline of the next steps. Mr. Tergis stated that he expected the next step following the TAC's meeting to review the questions presented by the Working Group would be a formal response package, approximately one (1) month later.

INPUT FROM THE PUBLIC

City Clerk Leslie May stated there were no voicemails or email public comments received for the meeting.

Mayor Sarbone implemented the Time Certain, and the City Manager Report, City Attorney Report, and Commission Communications were heard following Agenda Item 9.

CITY MANAGER REPORT

City Manager Brooks stated that a graduation ceremony for high school seniors would be held June 6 at Broward College. She reported that 21 checks had been sent out for the Emergency Business Assistance Program, and another 19 were expected to go out early next week. She stated the program would be extended to include non-profits with substantially the same requirements. She provided an update regarding surtax funding.

City Manager Brooks shared updates regarding the relaxation of parks and recreation rules related to COVID-19 closures. She explained staff was currently able to provide most services online or by telephone, except for fingerprinting and residential permit inspection. She stated that the FY21 Budget process had begun, acknowledging uncertainties in the future due to the pandemic. She noted the impact of reduced assessments would not be felt until the 2022 Budget. She reminded the Commissioners to submit their budget input forms.

City Manager Brooks noted that the City had 79 confirmed COVID-19 cases, and said she was proud of

the community for their cooperation in adhering to protocols. She explained that staff had been lobbying the state regarding CARES Act funding.

CITY ATTORNEY REPORT

City Attorney Pyburn informed the Commission about a call with the County Attorney's Office, stating that the County was expecting to put out an emergency order related to expanded use of the beaches and clarifying other issues related to COVID-19 phased re-opening plans.

COMMISSION COMMUNICATIONS

Commissioner Welch asked for additional information regarding park openings, asking if it would be restricted to groups of no more than six (6). City Manager Brooks stated the rules would be the same as those established at Sabal Pines Park. Commissioner Welch asked if the re-opening of the fitness center would include fitness classes, and City Manager Brooks responded that she believed it was the gym only, with limitations to be compliant with County protocols. Commissioner Welch commended the Parks and Recreation Department, particularly Marketing Specialist Jason Ramdewar, for orchestrating the Memorial Day video. She noted the students participating in the graduation parade would be very happy and recognized Sergeant Frank McManus for volunteering to DJ the event. Commissioner Welch stated that the Women's Club had worked with Sonata Assisted Living Facility to do a drive-by event and thanked staff for the police involvement. She thanked Public Works Director Jim Berkman for putting out the paper recycling information, and Community Relations Director Yvonne Lopez for the social media post regarding being kind.

Commissioner Tooley stated she has been walking through the parks twice a day and received a number of comments regarding the Memorial Day ceremony. She said she was proud of it, and thanked Police Chief Albert "Butch" Arenal for including the police officers.

Commissioner Belvedere asked City Manager Brooks for clarification about the gym at the Recreation Complex, noting she had received several calls on the re-opening. She asked how hurricane preparation was impacted by COVID-19, and City Manager Brooks stated that the Fire Division had been working on the emergency preparedness plan, including how to integrate social distancing. Commissioner Belvedere thanked Police Chief Arenal for his leadership through a difficult time and the residents for following the COVID-19 related rules and regulations. She said she was happy to see businesses starting to re-open. She stated she had received complaints of poor mail delivery and asked if it was an issue in other neighborhoods. The other Commissioners said they had not heard of any issues.

Vice Mayor Rydell spoke about the reclaimed water project in the north end of the City, and commented that a resident had sent out an email asking if speed bumps could be added to the road when it was re-paved. City Manager Brooks commented that staff was working with the resident to move through the traffic calming process and determine if it was possible. Vice Mayor Rydell stated he agreed with the resident and felt it would help to fill in gaps in the community related to traffic control. He asked City Manager Brooks to send the Commission a listing of businesses that had received assistance through the emergency grant program. He thanked staff for helping to organize the Farm Share and confirmed the Commission's meeting schedule for June. City Manager Brooks stated she would reach out to the Commissioners regarding summer vacation schedules.

Mayor Sarbone stated he was proud the City was able to provide the small business grants and said he wanted to make a budget suggestion that the project continue moving forward. He said the mayors throughout the County were discussing a more robust assistance program for residents, not just businesses, and commented that he would like to look at the possibility of waiving recreation league fees for residents to assist families who may be struggling as a result of the pandemic.

REGULAR AGENDA

Police Department

3. **RES** A RESOLUTION ACCEPTING A SCHOOL SAFETY GRANT IN THE AMOUNT
 2020-111 OF \$40,000; AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO
 EXECUTE THE END USER LICENSE AGREEMENT WITH SCHOOL SAFETY
 GRANT, LLC FOR THE USE OF SCHOOL SAFETY GRANT SOFTWARE.

Mayor Sarbone read the Resolution title into the record.

MOTION: Welch/Tooley – To approve Resolution No. 2020-111.

Police Chief Albert “Butch” Arenal presented the item, explaining the grant was in partnership with Interlogix, the City’s security camera provider, for the use of alert system software for the real-time crime center. He outlined ways in which the software could be used in an emergency situation. Discussion ensued.

City Clerk May stated there were no questions or comments submitted by the public on the matter.

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

Public Works Department

4. **RES** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO
 2020-119 EXECUTE AN AGREEMENT WITH IMPERIAL ELECTRICAL, INC. FOR SABAL
 PINES PARK SPORTS LIGHTING REPLACEMENT PURSUANT TO BID NO. 04-
 15-20-11.

Mayor Sarbone read the Resolution title into the record.

MOTION: Welch/Belvedere – To approve Resolution No. 2020-119.

Brian Rosen, Public Works Project Manager, presented the item and explained that the agreement was for a reoccurring capital improvement program upgrading the lighting in the City’s parks. He noted this phase was for fields one (1) and three (3) at Sabal Pines Park, and grant funding had been secured to assist with the purchase. Discussion ensued.

City Clerk Leslie May stated there were no questions or comments submitted by the public on the matter.

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

Sustainable Development

5. **RES 2020-126** A RESOLUTION WAIVING THE PERMIT REQUIREMENTS OF SECTION 13-380(E) OF THE CITY OF COCONUT CREEK CODE OF ORDINANCES RELATING TO OUTDOOR DINING AND OUTDOOR CAFES THROUGH PHASE 1, PHASE 2, AND THE FIRST THIRTY (30) DAYS OF IMPLEMENTATION OF PHASE 3 OF RE-OPENING, AS APPLICABLE WITHIN THE CITY OF COCONUT CREEK, TO ADDRESS IMPACTS ON THE RESTAURANT INDUSTRY RELATED TO THE COVID-19 VIRUS; ENCOURAGING CITY OF COCONUT CREEK RESTAURANTS AND CAFES TO UTILIZE OUTDOOR AREAS IMMEDIATELY ADJACENT TO AN ENTRANCE OF A RESTAURANT FOR OUTDOOR DINING.

Mayor Sarbone read the Resolution title into the record.

MOTION: Tooley/Belvedere – To approve Resolution No. 2020-126.

Scott Stoudenmire, Director of Sustainable Development, presented the item. Discussion ensued regarding enforcement, and Mr. Stoudenmire stated that the burden would initially fall on Code Enforcement, noting their involvement would be largely guidance. Discussion ensued.

City Clerk Leslie May stated there were no questions or comments submitted by the public on the matter.

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

City Commission

6. **20-128** A MOTION TO EXTEND THE POSTPONEMENT, CANCELLATION, OR SUSPENSION OF ALL CITY OF COCONUT CREEK ADVISORY BOARD MEETINGS AND CITY WORKING GROUPS WITH THE EXCEPTION OF THE DEVELOPMENT REVIEW COMMITTEE AND THE CODE ENFORCEMENT FINE REDUCTION COMMITTEE.

Mayor Sarbone read the Motion into the record.

MOTION: Belvedere/Rydell – To approve the Motion.

City Manager Brooks presented the item.

City Clerk May stated there were no questions or comments submitted on the matter.

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

7. **RES 2020-123** A RESOLUTION AFFIRMING THE CITY'S COMMITMENT TO PROVIDING FOR THE SAFETY AND WELL-BEING OF ALL COMMUNITY MEMBERS AND TO COMBATING HATE CRIMES PARTICULARLY DURING THE HEIGHTENED SENSITIVITY, AWARENESS, AND STRESS OF THE COVID-19 PANDEMIC CRISIS.

Mayor Sarbone read the Resolution title into the record.

MOTION: Tooley/Belvedere – To approve Resolution No. 2020-123.

City Manager Brooks presented the item.

Vice Mayor Rydell read an email from Eric Ross of the Anti-Defamation League into the record, stating that adoption of the resolution would tell the country that the City of Coconut Creek was opposed to using COVID-19 to victimize or discriminate against any member of any community. Vice Mayor Rydell noted that he would forward the email to City Clerk May for addition to the public record. A copy of the email is attached hereto, as Exhibit 1, and made part hereof these minutes.

City Clerk May stated there were no additional questions or comments submitted by the public on the matter.

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

City Commission

8. **ORD 2020-015** AN ORDINANCE PROPOSING AMENDMENTS TO THE CITY CHARTER AS SUBMITTED BY THE 2020 CHARTER REVIEW BOARD AND ADOPTED BY THEM ON APRIL 28, 2020; PROVIDING THAT A MAJORITY OF ELECTORS VOTING IN THE NOVEMBER 3, 2020, GENERAL ELECTION APPROVE SUCH CHANGES. (SECOND READING) (PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Tooley/Rydell – To adopt Ordinance No. 2020-015.

City Attorney Pyburn presented the item.

Mayor Sarbone opened a public hearing. City Clerk May stated there were no questions or comments submitted by the public on the matter, and Mayor Sarbone closed the public hearing.

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

9. **ORD 2020-016** AN ORDINANCE ACCEPTING TWO (2) QUITCLAIM DEEDS CONVEYING TITLE TO A PORTION OF THE RIGHT-OF-WAY OF NW 45 AVENUE FROM BROWARD COUNTY TO THE CITY OF COCONUT CREEK. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Tooley/Belvedere – To approve Ordinance No. 2020-016 on first reading.

City Attorney Pyburn presented the item, explaining that the item was accepting two (2) quit claim deeds provided by Broward County at the request of the City to correct an error with right-of-way ownership. She noted the City had been maintaining the right-of-way.

City Clerk May stated there were no questions or comments submitted by the public on the matter.

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

ADJOURNMENT

The meeting was adjourned at 8:49 p.m.

Transcribed by: C. Parkinson, Prototype

Leslie Wallace May, MMC
City Clerk

Date