



CITY OF COCONUT CREEK CITY COMMISSION MINUTES

Government Center
4800 W. Copans Road
Coconut Creek, Florida

Date: April 25, 2019
Time: 7:00 p.m.
Regular Commission Meeting

CALL TO ORDER

Mayor Welch called the meeting to order at 7:02 p.m.

PRESENT UPON ROLL CALL:

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

Mayor Welch asked all to rise for the Pledge of Allegiance led by Coconut Creek resident and long-serving board member Morris "Chick" Chase.

PRESENTATIONS

1. **19-106** A PROCLAMATION RECOGNIZING APRIL 25, 2019, AS "CHICK CHASE DAY."

Commissioner Belvedere read the proclamation into the record. Assistant City Manager / Sustainable Development Director Sheila Rose presented Mr. Chase with a clock in recognition of his service to the City, followed by a presentation of the Florida Panthers' "Heroes Among Us," video honoring Mr. Chase for his military service. Mr. Chase addressed the Commission and the audience.

2. **19-099** A PROCLAMATION RECOGNIZING APRIL 25, 2019, AS "ARBOR DAY 2019."

Commissioner Tooley read the proclamation into the record. Assistant City Manager / Sustainable Development Director Sheila Rose recognized the Coconut Creek Chamber Council for their support of the annual Arbor Day tree planting ceremony at the Government Center. Cindy Brief, Robert Friedman, and Karen Matroni accepted the proclamation on behalf of the Coconut Creek Chamber Council.

3. **19-093** A PROCLAMATION RECOGNIZING APRIL 21-27, 2019, AS "CITY GREEN WEEK 2019" IN THE CITY OF COCONUT CREEK.

Commissioner Rydell read the proclamation into the record, and Senior Planner Linda Whitman accepted the proclamation on behalf of the City.

Following the presentation of proclamations, Norm Baker and Peter Caspari of the Employer Support for the Guard and Reserve (ESGR) presented Police Chief Albert “Butch” Arenal with the Patriot Award for his support of veterans and service members employed by the City. Chief Arenal was nominated by Coconut Creek Police Officer Jason Thomas, who is currently serving as a major in the U.S. Army Reserves. Chief Arenal addressed the Commission and the audience.

Mayor Welch implemented the Time-Certain. Input from Residents of Coconut Creek, City Manager Report, City Attorney Report, and Commission Communications were heard after the Regular Agenda.

INPUT FROM RESIDENTS OF COCONUT CREEK

There was no input from the residents.

CITY MANAGER REPORT

Deputy City Manager Brooks reminded the Commission of two upcoming meetings: a joint workshop hosted by the City of Margate City Commission on April 29, 2019, to discuss fire and dispatch services, and the FY2020 budget workshop on April 30, 2019. She noted that no residents attended the public input meeting on the FY2020 budget that was held on April 23, 2019, and commented that additional social media outreach was conducted to invite anyone who was unable to attend the public input meeting to attend the April 30 Commission Workshop. She mentioned that staff would be contacting the Commission regarding the cancellation of meetings during the summer months.

CITY ATTORNEY REPORT

City Attorney Pyburn had no report.

COMMISSION COMMUNICATIONS

Commissioner Rydell had no report.

Commissioner Tooley mentioned that the Broward League of Cities forwarded an email urging cities to oppose House Bill 1299. She attended Coconut Creek Elementary School’s reading program, and she mentioned that the school was looking for judges for the Living Legends program on May 22, 2019. She attended the Fire Explorers competition and spoke about the success of the local team.

Commissioner Belvedere attended the Drug Abuse Resistance Education (D.A.R.E.) program graduation and the 69th Street Greenway ribbon-cutting ceremony. She thanked Fire Marshall Jeff Gary for attending a recent Wynmoor community meeting and spoke about emergency response times and calls to the Wynmoor community.

Vice Mayor Sarbone spoke about the recent Tip-A-Cop fundraising event for the Special Olympics and reminded everyone that the Arbor Day Free Tree Giveaway event was being held on Saturday, April 27, 2019.

Mayor Welch spoke about the upcoming Coconut Creek Teen Political Forum and thanked everyone for their attendance and support of the event.

CONSENT AGENDA (Items 4 through 9)

Agenda Item 10 was pulled by Commissioner Rydell and heard during the Regular Agenda.

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

4. **19-095** A MOTION APPROVING THE MINUTES FROM PREVIOUS CITY COMMISSION MEETING(S). (2019-0328R)

5. **19-101** A MOTION TO ESTABLISH AN AUDITOR SELECTION COMMITTEE CONSISTING OF THE DEPUTY CITY MANAGER/CHIEF FINANCIAL OFFICER, DEPUTY DIRECTOR OF FINANCE AND ADMINISTRATIVE SERVICES, ENGINEER II, AND A FINANCE DIRECTOR OR ASSISTANT FINANCE DIRECTOR FROM ANOTHER CITY.

6. **RES
2019-108** A RESOLUTION RESCINDING RESOLUTION NO. 2018-247; AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AN INTERLOCAL AGREEMENT (ILA) WITH THE CITY OF POMPANO BEACH, THE CITY OF MARGATE, THE CITY OF NORTH LAUDERDALE, AND THE CITY OF CORAL SPRINGS FOR SHARING THE COST OF THE DEVELOPMENT OF A BACTERIAL POLLUTION CONTROL PLAN (BPCP).

7. **RES
2019-067** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE A WORK AUTHORIZATION FOR PROFESSIONAL SERVICES WITH REISS ENGINEERING, INC. TO PERFORM CONSTRUCTION PROJECT MANAGEMENT SERVICES FOR A REPLACEMENT PUMP BUILDING, INCLUDING ALL INTERNAL UTILITIES AND CONTROLS, AT THE HILTON WATER STORAGE/REPUMP FACILITY IN ACCORDANCE WITH RFQ NO. 11-19-14-10.

8. **RES
2019-109** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AN AGREEMENT WITH R.J. SULLIVAN CORP. TO PERFORM CONSTRUCTION SERVICES TO BUILD A REPLACEMENT PUMP BUILDING, INCLUDING ALL INTERNAL UTILITIES AND CONTROLS, AT THE HILTON ROAD WATER STORAGE/REPUMP FACILITY PURSUANT TO BID NO. 01-16-19-11.

9. **RES
2019-119** A RESOLUTION SUPPORTING H.R. 530, THE ACCELERATING WIRELESS BROADBAND DEVELOPMENT BY EMPOWERING LOCAL COMMUNITIES ACT OF 2019, LEGISLATION THAT WOULD OVERTURN FEDERAL COMMUNICATIONS COMMISSION (FCC) REGULATIONS LIMITING THE ABILITY OF LOCAL GOVERNMENTS TO REGULATE THE DEPLOYMENT OF 5G WIRELESS INFRASTRUCTURE.

MOTION: Tooley/Rydell – To approve Consent Agenda Item Nos. 4 through 9.

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

REGULAR AGENDA

City Manager

10. **RES 2019-120** A RESOLUTION OPPOSING PROPOSED STATE LEGISLATION ON COMMUNICATIONS SERVICES FILED UNDER FLORIDA SENATE BILL 1000, AND ITS COMPANION FLORIDA HOUSE BILL 693, THAT SEEK, IN ALL RESPECTS, TO PREEMPT LOCAL REGULATION OF COMMUNICATIONS FACILITIES IN PUBLIC STREETS, PUBLIC RIGHTS-OF-WAY, AND UPON PUBLIC ASSETS THEREIN.

Mayor Welch read the Resolution title into the record.

MOTION: Tooley/Belvedere – To approve Resolution No. 2019-120.

AMENDMENT: Rydell/Sarbone – To add Governor Ron DeSantis to the distribution list in Section 2 of the resolution.

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

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

Finance Department

11. **19-096** A MOTION TO ACCEPT FOR FILING WITH THE CITY CLERK THE COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) AND THE OTHER INDEPENDENT AUDITOR'S REPORTS FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2018.

Mayor Welch read the Motion into the record.

MOTION: Sarbone/Tooley – To accept the CAFR and other independent auditor's reports for the fiscal year ended September 30, 2018, for filing with the City Clerk.

Deputy Director of Finance and Administrative Services Peta-Gay Lake presented the item and introduced Brandon Lopez of Marcum LLP, the City's external auditing firm, who briefly discussed the audit report and CAFR highlights, noting there were no findings or compliance issues.

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

Utilities and Engineering

12. **ORD 2019-008** AN ORDINANCE AMENDING CHAPTER 6 OF THE CITY'S CODE OF ORDINANCES, "BUILDINGS AND BUILDING REGULATIONS," BY AMENDING ARTICLE IV, "BACKFLOW PREVENTION REGULATIONS," BY AMENDING SECTION 6-52, "FEES," IN ORDER TO PROVIDE FOR INCREASED FEES FOR RECERTIFICATION OF BACKFLOW PREVENTERS. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Tooley/Rydell – To approve Ordinance No. 2019-008 on first reading.

Utilities and Engineering Director Osama Elshami presented the item.

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

Sustainable Development

13. **RES 2019-085** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED INTERLOCAL AGREEMENT AMONG BROWARD COUNTY, THE CITY OF COCONUT CREEK, AND ALLEY FARMS, LLC PROVIDING FOR THE CITY TO PERFORM BUILDING, PLANNING, ENGINEERING, AND INSPECTION SERVICES.

Mayor Welch read the Resolution title into the record.

MOTION: Sarbone/Tooley – To approve Resolution No. 2019-085.

Assistant City Manager / Sustainable Development Director Sheila Rose presented the item, and noted that Attorney Dick Coker was present to answer any questions. Mr. Coker, on behalf of the property owner, Alley Farms, and the developer, Klemow, Inc., explained that while the property moves through the annexation process, the City would have authority to review development plans in accordance with the City's Code. Discussion ensued regarding the land use and future development process and the annexation process.

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

14. **ORD 2019-002** 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 PROVIDE DEFINITIONS FOR PERSONAL SERVICE ESTABLISHMENTS, TATTOOING, AND TATTOO ARTIST; AND DIVISION 4, "ACCESSORY USES AND STRUCTURES," SUBDIVISION I, "IN GENERAL," SECTION 13-371, "ACCESSORY USES GENERALLY," TO ALLOW LICENSED TATTOOING AS AN ACCESSORY USE SUBJECT TO CERTAIN REQUIREMENTS. (FIRST PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Rydell/Belvedere – To approve Ordinance No. 2019-002 on first reading.

City Attorney Pyburn presented the item. Discussion ensued regarding the uses included in personal service establishments and the accessory use provisions. In response to a question from the Commission, City Attorney Pyburn noted the Department of Health was the licensing agency for the tattooing use.

Mayor Welch opened the public hearing. Ligia Moreno and Ednilson Da Silva, 4411 W. Hillsboro Boulevard, owners of Invictus Barber Salon, spoke in favor of the ordinance. There were no further questions or comments from the public, and the public hearing was closed.

Upon roll call, the Ordinance passed on first reading by a 4-1 vote, with Commissioner Tooley voting nay.

City Commission

City Attorney Pyburn explained the procedures for board nominations.

- 15. RES 2019-104** A RESOLUTION APPOINTING FIVE (5) REGULAR MEMBERS AND ONE (1) ALTERNATE MEMBER TO THE EDUCATION ADVISORY BOARD FOR A ONE-YEAR TERM.

Mayor Welch read the Resolution title into the record.

Commissioner Tooley made a motion to move the item, seconded by Commissioner Belvedere.

- Commissioner Rydell appointed Brian Kenney.
- Commissioner Tooley appointed Patricia Trick.
- Commissioner Belvedere appointed Janice Jacobs.
- Vice Mayor Sarbone appointed Colleen LaPlant.
- Mayor Welch appointed Robert Hurley.
- Mayor Welch appointed Susan Sargis, Alternate.

MOTION: Sarbone/Tooley – To approve Resolution No. 2019-104.

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

Following the reconsideration of Agenda Item 15, the Commission discussed student involvement in the Education Advisory Board. There was consensus for staff to draft a policy for the Commission's consideration to involve high school students in the City's Education Advisory Board.

- 16. RES 2019-105** A RESOLUTION APPOINTING FIVE (5) REGULAR MEMBERS AND ONE (1) ALTERNATE MEMBER TO THE PUBLIC SAFETY ADVISORY BOARD FOR A ONE-YEAR TERM.

Mayor Welch read the Resolution title into the record.

Commissioner Tooley made a motion to move the item, seconded by Commissioner Rydell.

- Commissioner Rydell appointed Larry Horak.
- Commissioner Tooley appointed Robert Flood.
- Commissioner Belvedere appointed Benjamin Nazario.
- Vice Mayor Sarbone appointed Debra Voorhees (this appointment was changed later).
- Mayor Welch appointed Lauren Linville.
- Mayor Welch appointed Kevin Sattler, Alternate.

MOTION: Tooley/Belvedere – To approve Resolution No. 2019-105.

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

Following the consideration of Agenda Item 20, Resolution No. 2019-100, Vice Mayor Sarbone made a motion to reconsider Agenda Item 16, seconded by Commissioner Tooley. Upon roll call, the Motion to reconsider Agenda Item 16 passed by a 5-0 vote. Vice Mayor Sarbone made a motion to move Agenda Item 16, seconded by Commissioner Rydell.

The Commission took a five-minute recess and reconvened at 9 p.m.

- Vice Mayor Sarbone nominated Michel Chamberlain.

MOTION: Sarbone/Rydell – to substitute Vice Mayor Sarbone’s appointment from Debra Voorhees to Michel Chamberlain.

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

17. **RES 2019-103** A RESOLUTION APPOINTING FIVE (5) REGULAR MEMBERS AND ONE (1) ALTERNATE MEMBER TO THE COMMUNITY OUTREACH ADVISORY BOARD FOR A ONE-YEAR TERM.

Mayor Welch read the Resolution title into the record.

Commissioner Rydell made a motion to move the item, seconded by Commissioner Belvedere.

- Commissioner Rydell appointed Amanda Fishman.
- Commissioner Tooley appointed Alfred Delgado.
- Commissioner Belvedere appointed Jackie Railey.
- Vice Mayor Sarbone appointed Connie Finley.
- Mayor Welch appointed Margaret Hurley.
- Mayor Welch appointed Gloria Shibuya, Alternate.

MOTION: Tooley/Belvedere – To approve Resolution No. 2019-103.

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

18. **RES 2019-098** A RESOLUTION APPOINTING FIVE (5) REGULAR MEMBERS AND ONE (1) ALTERNATE MEMBER TO THE PARKS AND RECREATION ADVISORY BOARD FOR A ONE-YEAR TERM.

Mayor Welch read the Resolution title into the record.

Commissioner Rydell made a motion to move the item, seconded by Commissioner Belvedere.

- Commissioner Rydell appointed Kenneth Forbes.
- Commissioner Tooley appointed David Anderson.
- Commissioner Belvedere appointed Paul Gajus.
- Vice Mayor Sarbone appointed Randy Johnson.
- Mayor Welch appointed Joel VanHemel.
- Mayor Welch appointed Jeffrey Lutchman, Alternate.

MOTION: Sarbone/Belvedere – To approve Resolution No. 2019-098.

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

19. **RES 2019-099** A RESOLUTION APPOINTING FIVE (5) REGULAR MEMBERS AND ONE (1) ALTERNATE MEMBER TO THE ENVIRONMENTAL ADVISORY BOARD FOR A ONE-YEAR TERM.

Mayor Welch read the Resolution title into the record.

Commissioner Tooley made a motion to move the item, seconded by Commissioner Belvedere.

- Commissioner Rydell appointed Susi Glatt.
- Commissioner Tooley appointed Jack Vesey.
- Commissioner Belvedere appointed Doreen Chamberlain.
- Vice Mayor Sarbone appointed Dan Mackey.
- Mayor Welch appointed Irene Espinosa.
- Mayor Welch appointed Daniel Gallagher, Alternate.

MOTION: Belvedere/Rydell – To approve Resolution No. 2019-099.

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

20. **RES 2019-100** A RESOLUTION APPOINTING FIVE (5) REGULAR MEMBERS AND ONE (1) ALTERNATE MEMBER TO THE PLANNING AND ZONING BOARD FOR A ONE-YEAR TERM.

Mayor Welch read the Resolution title into the record.

Commissioner Tooley made a motion to move the item, seconded by Commissioner Rydell.

- Commissioner Rydell appointed Steve Hall.
- Commissioner Tooley appointed Doug Young.
- Commissioner Belvedere appointed Thomas Casey.
- Vice Mayor Sarbone appointed Sajan Kurian.
- Mayor Welch appointed Jerry Poole.
- Mayor Welch appointed Jeffrey Barker, Alternate.

Commissioner Belvedere made a motion to consider the appointments individually, seconded by Commissioner Tooley.

There was no discussion on the appointment of Steve Hall.

Upon roll call, the appointment of Steve Hall passed by a 5-0 vote.

There was no discussion on the appointment of Doug Young.

Upon roll call, the appointment of Doug Young passed by a 5-0 vote.

There was no discussion on the appointment of Thomas Casey.

Upon roll call, the appointment of Thomas Casey passed by a 5-0 vote.

There was discussion on the appointment of Sajan Kurian.

Upon roll call, the appointment of Sajan Kurian failed by a 2-3 vote, with Commissioner Rydell, Commissioner Tooley, and Commissioner Belvedere voting nay.

Vice Mayor Sarbone passed on his appointment until the appointments to the Public Safety Advisory Board could be reconsidered.

There was no discussion on the appointment of Jerry Poole.

Upon roll call, the appointment of Jerry Poole passed by a 5-0 vote.

There was no discussion on the appointment of Jeffrey Barker, Alternate.

Upon roll call, the appointment of Jeffrey Barker, Alternate, passed by a 5-0 vote.

Upon roll call, the Resolution, without Vice Mayor Sarbone's appointment, passed by a 5-0 vote.

Following the reconsideration of Agenda Item 16, Vice Mayor Sarbone made a motion to consider his appointment to the Planning and Zoning Board, seconded by Commissioner Belvedere.

- Vice Mayor Sarbone nominated Debra Voorhees.

MOTION: Sarbone/Belvedere – to approve Resolution No. 2019-11-00, as amended.

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

21. **RES 2019-101** A RESOLUTION APPOINTING TWO (2) REGULAR MEMBERS AND ONE (1) ALTERNATE MEMBER TO THE CIVIL SERVICE BOARD FOR A TWO-YEAR TERM.

Mayor Welch read the Resolution title into the record.

Commissioner Tooley made a motion to move the item, seconded by Vice Mayor Sarbone.

- Commissioner Tooley nominated Bette Abrams, seconded by Vice Mayor Sarbone.
- Mayor Welch passed the gavel and nominated Nikki-Ann Thomson-Parkinson, seconded by Vice Mayor Sarbone.
- Mayor Welch passed the gavel and nominated Frederick Steinlein as Alternate, seconded by Vice Mayor Sarbone.

MOTION: Sarbone/Tooley – To approve Resolution No. 2019-101.

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

22. **19-105** A MOTION TO APPOINT REBECCA A. TOOLEY AS DIRECTOR, JOSHUA RYDELL AS ALTERNATE, AND SANDRA L. WELCH AS SECOND ALTERNATE TO ATTEND AND VOTE AT ANY 2019-2020 BROWARD LEAGUE OF CITIES BOARD OF DIRECTORS OR GENERAL MEMBERSHIP MEETINGS.

Mayor Welch read the Motion into the record.

MOTION: Sarbone/Rydell – To rescind the Motion of April 11, 2019, appointing a Joshua Rydell as Director, Rebecca A. Tooley as Alternate, and Sandra L. Welch as Second Alternate to attend and vote at any 2019-2020 Broward League of Cities Board of Directors or general membership meetings.

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

MOTION: Sarbone/Belvedere – To approve the Motion, appointing Rebecca A. Tooley as Director, Joshua Rydell as Alternate, and Sandra L. Welch as Second Alternate to attend and vote at any 2019-2020 Broward League of Cities Board of Directors or general membership meetings.

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

ADJOURNMENT

The meeting was adjourned at 9:24 p.m.

Transcribed by: Marianne Bowers

Leslie Wallace May, MMC
City Clerk

Date