



## CITY OF COCONUT CREEK CITY COMMISSION MINUTES

Government Center  
4800 W. Copans Road  
Coconut Creek, Florida

Date: July 27, 2017  
Time: 7:00 p.m.

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### CALL TO ORDER

Mayor Tooley called the meeting to order at 7:06 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 led by the Coconut Creek Honor Guard.

### PRESENTATIONS

1. 17-129 A PRESENTATION TO HONOR SERGEANT KIRK CARLSON.

Police Chief Albert "Butch" Arenal presented Police Sergeant Kirk Carlson with his retiree credentials, and Mayor Tooley presented him with a Waterford crystal eagle to thank him for his dedicated service to the City. Sergeant Carlson addressed the Commission, his colleagues, and the audience.

2. 17-124 A CEREMONY RECOGNIZING THE PROMOTION OF OFFICER DANIEL R. EBERLY TO SERGEANT.

Police Chief Arenal spoke about the accomplishments of Police Sergeant Daniel R. Eberly and invited him and his family to come forward for the badge pinning ceremony. Sergeant Eberly addressed the Commission, his colleagues, and the audience.

### INPUT FROM RESIDENTS OF COCONUT CREEK

Sandra Kraus, 5157 Heron Place, Coconut Creek, spoke about speeding, reckless driving, and noise pollution along Johnson Road, between Lyons Road and State Road 7/US 441, and requested that speed bumps be installed to slow the traffic. City Manager Blasi stated that a traffic study was underway to determine if speed bumps were needed along Johnson Road. Sustainable Development Director Sheila Rose added that the Homeowners' Association removed deteriorating landscape material buffering the residential neighborhood from Johnson Road and noted it was being replaced. Commissioner Sarbone spoke about security issues at *The Promenade* and stated that the Police

Department was increasing patrols of the area. Ms. Rose explained that the owners of *The Promenade* were working with the Police Department to address the concerns. Police Chief Arenal discussed several initiatives to improve security, including a Crime Prevention Through Environmental Design (CPTED) survey, the possibility of security camera system, and police details. Discussion ensued regarding employee parking.

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

### **CITY MANAGER REPORT**

City Manager Blasi reported that the City's proposed FY18 Budget had been distributed to the City Commission and announced that a City Commission Workshop was being held on August 2, 2017, beginning at 9 a.m., to discuss the proposed budget. She asked for consensus to provide the Broward County Property Appraiser's Office with a proposed millage rate of 6.5378 mills, and consensus was given.

### **CITY ATTORNEY REPORT**

City Attorney Pyburn had no report. She distributed to the Commission the certification confirming that the two required public meetings were held as required by Ordinance No. 2017-024 (Agenda Item 6), and reminded them that it needed to be signed by the end of the meeting.

### **COMMISSION COMMUNICATIONS**

Commissioner Belvedere asked for an update on the Coconut Creek Chamber of Commerce, and Ms. Rose reported that the Board of Directors had met to discuss the possibility of integrating with the Coral Springs Chamber of Commerce, and the two Chambers entered into a confidential integration agreement on a one-year trial basis, beginning August 1, 2017. Commissioner Belvedere suggested that a workshop be held on the topic. City Manager Blasi gave a brief history of the Coconut Creek Chamber, and consensus was given to have a workshop.

Commissioner Welch spoke about parking enforcement issues and asked staff to share the process with property managers and homeowners' associations. She announced that there would be a community volunteer day at Coconut Creek High School on August 5, 2017, from 8 a.m. to 1 p.m., to work on painting and landscaping projects. She spoke about the SMART Program funding scheduled for Coconut Creek High School and discussed several of the improvement projects that would be going out to bid.

Commissioner Sarbone had no report.

Vice Mayor Rydell participated in a ride-a-long with Police Lieutenant Fred Shelton and commended him for his dedicated service to the Police Department. He spoke about his experience and commented about issues at *The Promenade* and the E-911 dispatch system.

Mayor Tooley spoke about speeding issues at *The Promenade*. She also spoke about the parking issues in South Creek and asked for increased enforcement in the area.

**CONSENT AGENDA (Items 3 and 4)**

*Consent Agenda Item 5 was pulled by Vice Mayor Rydell and heard during the Regular Agenda.*

- 3.     **17-119**           A MOTION APPROVING THE MINUTES FROM PREVIOUS CITY COMMISSION MEETING(S). (2017-0608R, 2017-0622WS, AND 2017-0622R)
  
- 4.     **RES**  
       **2017-205**         A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO ENTER INTO THE GRANT AGREEMENT REQUIRED TO RECEIVE FUNDING FROM THE COMMUNITY FOUNDATION OF BROWARD FOR THE ART OF COMMUNITY GRANT PROGRAM.

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

**MOTION:**     Welch/Sarbone – To approve Consent Agenda Item Nos. 3 and 4.

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

**REGULAR AGENDA**

**Police Department**

- 5.     **RES**  
       **2017-202**         A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED STATE AND LOCAL TASK FORCE AGREEMENTS WITH THE UNITED STATES DEPARTMENT OF JUSTICE, DRUG ENFORCEMENT ADMINISTRATION (DEA) TO ALLOW THE CITY TO PARTICIPATE IN THREE GROUPS OF THE SOUTHEAST REGIONAL TASK FORCE FOR A ONE-YEAR PERIOD.

Mayor Tooley read the Resolution title into the record.

**MOTION:**     Welch/Rydell – To approve Resolution No. 2017-202.

Discussion ensued regarding participating in more than three groups of the Task Force. Deputy Police Chief Gregory Lees stated that the Police Department would look into the possibility of increased participation.

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

**Finance Department**

- 6.     **ORD**  
       **2017-024**         AN ORDINANCE AUTHORIZING THE ISSUANCE OF A CAPITAL IMPROVEMENT REVENUE NOTE, SERIES 2017A AND 2017B OF THE CITY, AND EXECUTION AND DELIVERY OF THE LOAN AGREEMENT IN AN AMOUNT NOT TO EXCEED \$16,766,300 TO  
  
REFINANCE THE CITY’S OUTSTANDING CAPITAL IMPROVEMENT REVENUE NOTE, SERIES 2009, AND TO FINANCE VARIOUS CAPITAL IMPROVEMENTS; ACCEPTING THE PROPOSAL OF

LENDER; APPROVING THE FORM OF LOAN AGREEMENT AND NOTES EVIDENCING SUCH FINANCING; PROVIDING FOR THE PAYMENT OF SUCH NOTE FROM THE NON-AD VALOREM FUNDS OF THE CITY. (SECOND READING)(PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

**MOTION:** Sarbone/Rydell – To adopt Ordinance No. 2017-024.

Assistant City Manager/Finance and Administrative Services Director Karen Brooks presented the item.

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.**

### Sustainable Development

7. **ORD 2017-025** AN ORDINANCE APPROVING THE REZONING REQUEST OF CRYSTALIS INC. AND CLARITY POINTE DEVELOPMENT PARTNERS, LLC, TO REZONE FROM A-1 (AGRICULTURAL DISTRICT) TO O-2 (LOCAL OFFICE) FOR THE PROPERTY LOCATED AT 5461 JOHNSON ROAD. (QUASI-JUDICIAL)(SECOND PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

She read aloud the City's quasi-judicial procedures that would be applied to Agenda Items 7 and 8. City Clerk May confirmed that the public notice requirements were met for Agenda Items 7 and 8 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 understand the rules of the proceedings.

City Attorney Pyburn asked if there were any disclosures or ex parte communications on Agenda Item 7, and the following disclosures were made:

- Mayor Tooley spoke with the Applicant's representative, Attorney Scott Backman.
- Commissioner Belvedere spoke with Attorney Scott Backman when the item first came before the Commission.
- Commissioner Welch spoke with the property broker, Ted Mitchell.

**MOTION:** Welch/Belvedere – To adopt Ordinance No. 2017-025.

Sustainable Development Director Sheila Rose presented the item and explained that the item first came before the Commission last year for first reading, but was not heard for second reading because of a difference of opinion between the owner and lenders. She noted that there were no changes to the project during that time.

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.**

8. **ORD 2017-029** AN ORDINANCE AMENDING ORDINANCE NO. 2010-013, AS AMENDED BY ORDINANCE NO. 2012-005, WHICH APPROVED THE BEL LAGO VILLAS PLANNED UNIT DEVELOPMENT (PUD), AND HEREBY APPROVING THE MODIFICATION REQUEST OF CSS BUILDING AND DESIGN, INC. TO PERMIT A SELF-STORAGE FACILITY USE ON PARCEL “C” OF THE BEL LAGO VILLAS PLAT AND TO PROVIDE FOR SITE DESIGN STANDARDS FOR THE PROJECT GENERALLY LOCATED ON THE NORTH SIDE OF WILES ROAD, EAST OF STATE ROAD 7. (QUASI-JUDICIAL)(FIRST PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

**MOTION:** Welch/Belvedere – To adopt Ordinance No. 2017-029.

City Attorney Pyburn asked if there were any disclosures or ex parte communications on Agenda Item 8, and the following disclosures were made:

- Mayor Tooley spoke with the Applicant’s representative, Attorney Dennis Mele.
- Vice Mayor Rydell spoke with Attorney Dennis Mele.
- Commissioner Belvedere spoke with Attorney Dennis Mele.
- Commissioner Welch spoke with Attorney Dennis Mele; Meril Stumberger, who represents the owner; and Chris Ballapiatt, Property Manager for the multi-family development, *Solaire*.

Sustainable Development Director Sheila Rose presented the item and gave a brief overview of the Bel Lago Villas Planned Unit Development (PUD). She noted that the Applicant was working with the adjacent property owner of *Solaire* to address parking and dumpster security. Attorney Dennis Mele of Greenspoon Marder, on behalf of the Applicant, introduced himself and began a *PowerPoint* presentation. He discussed the location of the project and noted that the neighboring residential communities, Indigo Lakes Homeowners’ Association and Evergreen Lakes Condominium Association, provided letters in support of the project. He spoke about shared parking agreements in place for the parcels within the PUD and explained that a parking study was done to ensure adequate parking. He further explained the Applicant’s public outreach efforts with *Solaire* and noted that the Applicant agreed to lock the dumpster enclosure at the request of the *Solaire* property owner. Discussion continued with the site design elements.

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

Engineer Antonio Quevedo of HSQ Group answered questions regarding site access and the dumpster location. Mr. Mele further discussed the traffic circulation and request of the *Solaire* community to lock the dumpster location. Discussion ensued.

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

9. **RES 2017-192** A RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER, OR DESIGNEE, TO EXECUTE THE FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT WITH BROWARD COUNTY FOR THE

DISBURSEMENT OF HOME PROGRAM FUNDS FOR HOUSING  
REHABILITATION FOR FY 2015-2016 TO PROVIDE FOR A  
ONE-YEAR EXTENSION.

Mayor Tooley read the Resolution title into the record.

**MOTION:** Belvedere/Rydell – To approve Resolution No. 2017-192.

Sustainable Development Director Sheila Rose presented the item.

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

10. **ORD 2017-030** AN ORDINANCE ENACTING A TEMPORARY MORATORIUM ON THE SUBMITTAL AND PROCESSING OF APPLICATIONS, AND ISSUANCE OF ANY PERMITS PERTAINING TO COLLOCATION ON EXISTING, OR THE CREATION OF, NEW UTILITY POLES IN THE RIGHT-OF-WAY TO SUPPORT SMALL WIRELESS FACILITIES OR MICRO WIRELESS FACILITIES FOR A PERIOD OF 180 DAYS IN ORDER TO ALLOW AN OPPORTUNITY FOR THE CITY TO DEVELOP REGULATIONS CONSISTENT WITH CHAPTER 2017-136, LAWS OF FLORIDA, WHICH BECAME EFFECTIVE JULY 1, 2017. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

**MOTION:** Welch/Belvedere – To adopt Ordinance No. 2017-030.

City Attorney Pyburn presented the item.

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

11. **ORD 2017-032** AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE THE SECOND AMENDMENT TO THE LEASE AGREEMENT DATED AUGUST 10, 2006, WITH SPRINT SPECTRUM REALTY COMPANY, LLC, SUCCESSOR-IN-INTEREST TO SPRINT SPECTRUM L.P., PROVIDING FOR THE CONTINUED LEASING OF CITY LAND FOR A COMMUNICATIONS TOWER AND A MINOR MODIFICATION OF THE AMOUNT OF THE RELATED EQUIPMENT ON THE TOWER. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

**MOTION:** Belvedere/Welch – To adopt Ordinance No. 2017-032.

City Attorney Pyburn presented the item.

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

**Public Works Department**

12. **17-113** A MOTION AUTHORIZING A SOLE SOURCE PURCHASE OF BUS SHELTERS FROM LANDSCAPE FORMS, INC., USING THE CITY'S

P-CARD, FOR A TOTAL COST OF \$89,340.

Mayor Tooley read the Motion into the record.

**MOTION:** Belvedere/Welch – To approve a sole source purchase of bus shelters from Landscape Forms, Inc., using the City’s P-Card, for a total cost of \$89,340.

Public Works Director Jim Berkman presented the item. Discussion ensued regarding bus stop locations on Copans Road.

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

**Police Department**

13. **RES 2017-206** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AN AGREEMENT WITH CENTER FOR PUBLIC SAFETY MANAGEMENT, LLC FOR COMPREHENSIVE ANALYSIS OF POLICE SERVICES PURSUANT TO RFP NO. 05-10-17-10.

Mayor Tooley read the Resolution title into the record.

**MOTION:** Belvedere/Welch – To approve Resolution No. 2017-206.

Police Chief Arenal presented the item.

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

14. **RES 2017-190** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE A SOLE SOURCE AGREEMENT WITH TRITECH SOFTWARE SYSTEMS, PROVIDING FOR THE PURCHASE OF IQ SUBSCRIPTION SERVICE LICENSE FOR CRIMEVIEW DASHBOARD AND CRIMEMAPPING SOFTWARE AND A TWO-YEAR RECURRING SUBSCRIPTION FEE, UTILIZING FEDERAL LAW ENFORCEMENT TRUST FUNDS.

Mayor Tooley read the Resolution title into the record.

**MOTION:** Belvedere/Welch – To approve Resolution No. 2017-190.

Deputy Police Chief Lees presented the item and discussed the software capabilities.

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

15. **RES 2017-189** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED INTERAGENCY AGREEMENT WITH THE BROWARD SHERIFF’S OFFICE (BSO) TO SHARE LAW ENFORCEMENT DATABASE INFORMATION THROUGH THE CRIMEVIEW DASHBOARD SOFTWARE.

Mayor Tooley read the Resolution title into the record.

**MOTION:** Belvedere/Welch – To approve Resolution No. 2017-189.

Deputy Police Chief Lees presented the item.

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

**City Clerk**

16. **ORD 2017-023** AN ORDINANCE AMENDING THE CITY’S CODE OF ORDINANCES, SECTION 2-468, “COPYING AND REPRODUCTION CHARGES,” SECTION 13-83, “APPLICATION FEES, MISCELLANEOUS SERVICE CHARGES,” SECTION 13-88, “ENGINEERING,” SECTION 13-236, “PURPOSE; ADOPTION OF UTILITIES AND ENGINEERING STANDARDS MANUAL,” AND SECTION 13-293, “OFFICIAL ZONING MAP,” IN ORDER TO UPDATE SAME AND PROVIDE FOR CONSISTENCY WITH FLORIDA LAWS PERTAINING TO CHARGES AUTHORIZED FOR PUBLIC RECORDS REPRODUCTION. (SECOND READING)(PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

**MOTION:** Sarbone/Belvedere – To adopt Ordinance No. 2017-023.

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

City Attorney Pyburn presented the item.

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

**City Attorney**

17. **ORD 2017-026** AN ORDINANCE AMENDING THE CITY’S CODE OF ORDINANCES BY AMENDING CHAPTER 14, “OFFENSES,” ARTICLE I, “IN GENERAL,” BY ENACTING SECTION 14-4, “PROHIBITION ON SYNTHETIC CANNABIS AND BATH SALTS,” IN ORDER TO PROHIBIT THE SALE, DISPLAY, DELIVERY, AND POSSESSION OF SYNTHETIC CANNABIS AND BATH SALTS; PROVIDING FOR DEFINITIONS, LABEL REQUIREMENTS ON PACKAGING, AND PENALTIES. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

**MOTION:** Belvedere/Welch – To adopt Ordinance No. 2017-026.

City Attorney Pyburn presented the item. Discussion ensued regarding enforcement of the Ordinance.

**Upon roll call, the Ordinance passed by a 4-1 vote, with Vice Mayor Rydell voting nay.**



**City Manager**

18. **ORD 2017-031** AN ORDINANCE RATIFYING THE AGREEMENT SIGNED BY THE CITY MANAGER AND APPROVING THE PURCHASE OF REAL PROPERTY PURSUANT TO THE ATTACHED SALE AND PURCHASE AGREEMENT BETWEEN THE CITY OF COCONUT CREEK AND JAMES REYNOLDS, AS SELLER, FOR REAL PROPERTY DESCRIBED AS A PORTION OF TRACT 44 IN BLOCK 83 PALM BEACH FARMS, AS RECORDED IN PLAT BOOK 2, PAGE 53 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

**MOTION:** Belvedere/Welch – To adopt Ordinance No. 2017-031.

City Manager Blasi presented the item. Sustainable Development Director Sheila Rose noted that the City was working with Consulting Firm Miller Legg to draft conceptual drawings to incorporate the additional land into Oak Trails Park. City Manager Blasi pointed out that the preliminary sketches were drafted to give the Commission some ideas of how the land could be developed. She added that the City proposed to demolish the existing structures on the land.

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

19. **ORD 2017-038** AN ORDINANCE RATIFYING THE AGREEMENT SIGNED BY THE CITY MANAGER AND APPROVING THE PURCHASE OF REAL PROPERTY PURSUANT TO THE ATTACHED SALE AND PURCHASE AGREEMENT BETWEEN THE CITY OF COCONUT CREEK AND MG LEHIGH ACRES HOLDING, LLC, AS SELLER, FOR REAL PROPERTY DESCRIBED AS TRACT 42, BLOCK 83, PALM BEACH FARMS CO. PLAT NO. 3, RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

**MOTION:** Welch/Rydell – To adopt Ordinance No. 2017-038.

City Manager Blasi presented the item.

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

**City Commission**

*Agenda Item 20 was heard first on the Regular Agenda.*

20. **RES 2017-208** A RESOLUTION APPOINTING ONE REGULAR MEMBER TO THE PLANNING AND ZONING BOARD TO FILL THE REMAINDER OF A VACATED TERM.

Mayor Tooley read the Resolution title into the record.

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

Vice Mayor Rydell nominated Steven Hall to fill the vacated term of Todd Rogers.

**MOTION:** Rydell/Sarbone – To approve Resolution No. 2017-208.

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

21. **RES 2017-170** A RESOLUTION APPOINTING A PLANNING & ZONING BOARD MEMBER TO THE AFFORDABLE HOUSING ADVISORY COMMITTEE, "AHAC," IN ACCORDANCE WITH SECTION 2-255 OF THE CITY'S CODE OF ORDINANCES AND SECTION 420.9076, FLORIDA STATUTES, ALSO KNOWN AS THE SHIP ACT.

Mayor Tooley read the Resolution title into the record.

**MOTION:** Rydell/Welch – To approve Resolution No. 2017-170.

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

#### ADJOURNMENT

The meeting was adjourned at 9:43 p.m.

Transcribed by: Marianne Bowers

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Leslie Wallace May, MMC  
City Clerk

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Date