



CITY OF COCONUT CREEK CITY COMMISSION MINUTES

Government Center
4800 W. Copans Road
Coconut Creek, Florida

Date: February 27, 2025
Time: 7:00 p.m.
Meeting No. 2025-0227R

CALL TO ORDER

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

PRESENT UPON ROLL CALL:

Mayor Sandra L. Welch
Vice Mayor Jacqueline Railey
Commissioner Joshua Rydell
Commissioner John A. Brodie
Commissioner Jeffrey R. Wasserman
City Manager Sheila N. Rose
City Attorney Terrill C. Pyburn
City Clerk Joseph J. Kavanagh

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

City Attorney Pyburn noted that the meeting was being conducted live with a quorum physically present and explained the procedures for the meeting.

PRESENTATION(S)

- 1. 25-044** A PROCLAMATION RECOGNIZING MARCH 2025, AS "PROCUREMENT MONTH" AND MARCH 12, 2025, AS "PROCUREMENT PROFESSIONALS' DAY."

Commissioner Wasserman highlighted the receipt of the 2025 Award of Excellence in Public Procurement awarded by the Florida Association of Public Procurement Officials. He read the proclamation into the record and presented it to the Procurement Division staff.

Mayor Welch requested a point of privilege before hearing Input from the Public, explaining that she had attended a meeting in South Creek the previous evening and had agreed to follow up regarding resident concerns presented. She asked that City Manager Rose provide a report. City Manager Rose stated between May 2024 and two (2) weeks ago, there had been six (6) emergency and non-emergency calls related to 4130 NW 9th Court, including animal and parking complaints, a report of a suspicious incident, and an injury report. She noted she had followed up on Code Enforcement activities and provided a brief update on each. She stated three (3) violations were scheduled to be heard by the Special Magistrate in March, and an ongoing investigation was underway. She discussed the process briefly and shared contact information for the Code Enforcement Officer assigned to the area. She stated there had also been a narcotics arrest, and a law enforcement investigation was ongoing. She advised that staff would follow up to provide updates as they were available.

INPUT FROM THE PUBLIC

Philippa Sklaar, 4401 Martinique Court, Coconut Creek, stated she had expressed concerns regarding the investigation into Vice Mayor Railey from the outset, including whether there was an association between involved parties. She asserted there were problems with the investigation identified in responses to questions from the Sun-Sentinel. She sought an email response outlining how the investigation had been initiated and stated the investigation could not be impartial because only staff was included in the interviews, and her evidence was excluded. She asked that Tom Lynch step down and return any fees paid.

Felicia Shuman Newkirk, 5520 Lyons Road, Coconut Creek, spoke regarding Consent Agenda Item 5. She stated implementing efforts to enhance affordable housing for citizens and seniors through the adoption of programs was vital to address the community's housing crisis and ensure sustainable development. She noted Resolution 2025-013 was a significant step toward implementing the Broward County 10-year Affordable Housing Master Plan. She discussed challenges and strategies briefly and emphasized the importance of municipal participation and collaboration.

CONSENT AGENDA (*Items 2 through 5*)

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

Agenda Item 6 was pulled from the Consent Agenda by Commissioner Wasserman and heard before the Regular Agenda.

2. **25-039** A MOTION APPROVING THE MINUTES FROM PREVIOUS CITY COMMISSION MEETING(S). (2025-0123R)
3. **RES
2025-029** A RESOLUTION IN SUPPORT OF HOUSE BILL 517 AND SENATE BILL 840, URGING THE FLORIDA STATE LEGISLATURE TO ENACT LEGISLATION TO PROVIDE A PUBLIC RECORDS EXEMPTION FOR MUNICIPAL CLERKS AND EMPLOYEES WHO PERFORM MUNICIPAL ELECTIONS WORK OR HAVE ANY PART IN CODE ENFORCEMENT FUNCTIONS OF A CITY.
4. **RES
2025-022** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED ADMINISTRATIVE SERVICES AGREEMENT WITH THE INTERNATIONAL CITY MANAGEMENT ASSOCIATION RETIREMENT CORPORATION DOING BUSINESS AS MISSIONSQUARE RETIREMENT FOR SECTION 457 AND 401 PLAN NUMBERS 300490, 109337, 109336, 109335, 107812, AND 106098.
5. **RES
2025-013** A RESOLUTION AUTHORIZING THE MAYOR AND THE CITY MANAGER, OR THEIR DESIGNEES, TO EXECUTE THE ATTACHED INTERLOCAL AGREEMENT WITH BROWARD COUNTY FOR THE PREPARATION, IMPLEMENTATION, AND ADMINISTRATION OF THE CITY'S STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM FOR FISCAL YEARS 2025-2026, 2026-2027, AND 2027-2028.

MOTION: Rydell/Railey – To approve Consent Agenda Items 2, 3, 4, and 5.

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

City Manager

6. **RES** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO
 2025-031 EXECUTE A TEMPORARY USE AGREEMENT FOR ECONOMIC
 DEVELOPMENT WITH TT OF SAMPLE, INC. AND TT OF BROWARD, INC. TO
 PROVIDE FOR TEMPORARY PARKING USE OF CITY PROPERTY.

Mayor Welch read the Resolution title into the record.

MOTION: Wasserman/Rydell – To approve Resolution No. 2025-031.

Commissioner Wasserman asked for an update on the agreement and the reasons for extending. City Manager Rose explained that the Infinity and Lincoln car dealerships were cohabitating the location, and as the construction of the Lincoln dealership had been delayed through no fault of the City, the contractor asked for a continuation of the agreement to the end of September, at which time the vehicles would be moved back to the property. She noted they had moved the vehicles to temporary storage as needed, such as for the Butterfly Festival.

Commissioner Rydell stated historically the City had utilized City property to assist businesses in their redevelopment to be a good partner with the business community and commented that he supported economic development activities to support businesses making an investment in the community.

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

REGULAR AGENDA

Police Department

7. **RES** A RESOLUTION AUTHORIZING THE USE OF STATE LAW ENFORCEMENT
 2025-030 TRUST FUNDS IN THE AMOUNT OF FIVE THOUSAND DOLLARS (\$5,000)
 FROM THE STATE FORFEITURE FUND FOR A DONATION TO THE POLICE
 EXPLORER POST.

Mayor Welch read the Resolution title into the record.

MOTION: Brodie/Rydell – To approve Resolution No. 2025-030.

Chief of Police Fred Hofer provided a brief overview of the Police Explorer program, designed for youth ages 14-19 to learn about and participate in law enforcement activities. He stated this resolution would help fund the program.

Mayor Welch stated it was an excellent program that helped to develop students into early adulthood.

Commissioner Wasserman asked what the funds would cover. Chief Hofer explained that expenses included competitions, equipment, travel, and advisors. Commissioner Wasserman inquired as to other sources of funds, and Chief Hofer noted that, in addition to State Law Enforcement Trust Funds (LETF), fundraisers were held as needed, such as the North Creek Explorer 5K Run/Walk. Discussion ensued.

Commissioner Rydell commented that a number of Coconut Creek Police Officers had been hired out of the Explorer program, highlighting current long-time officers who were part of the program decades ago.

Commissioner Brodie highlighted the success of the program in competition. He stated the City was putting quality kids into the program and producing quality adults out. He pointed out participants were also feeding into other police departments.

Vice Mayor Railey pointed out that the private sector was also hiring the City's Explorers as security, commenting on the value of the program for youth participants.

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

City Attorney

8. **RES** A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO
 2025-032 PURSUE THE CITY'S LEGAL RIGHTS AND REMEDIES BY FILING A LAWSUIT
 IN OPPOSITION TO ANDREW CODY AND MICHELLE PATTON, OWNERS OF
 REDSTONE RANCH, LLC.

Mayor Welch read the Resolution title into the record.

MOTION: Brodie/Wasserman – To approve Resolution No. 2025-032.

City Attorney Pyburn advised that on January 29, 2025, the City of Coconut Creek posted the Redstone Ranch property at 4551 NW 39 Avenue as unsafe by the Building and Fire Department for having an educational use on the property after having performed construction work without permits. She stated to date, Redstone had relocated the educational use and applied for building permits. She explained, through this resolution, the City desired to give direction to the City Attorney to engage the legal services of Matthew Mandel of Weiss Serota to file for injunctive relief if Redstone resumed using the property for educational use.

Commissioner Brodie stated due to the circumstances and number of violations the City needed to put this issue on the forefront. He noted this was about the life safety of children, animals, and others.

Commissioner Rydell commented that there were conflict resolution parameters which could be employed prior to litigating. He asked if there had been any pre-suit mediations regarding the current agenda item. City Attorney Pyburn advised there had not been. Commissioner Rydell asked for confirmation that a previous filing by an attorney representing Redstone Ranch had been withdrawn. City Attorney Pyburn stated this was correct. Commissioner Rydell suggested a modification to the item that prior to the filing of any lawsuit, a mediation should occur.

Mayor Welch asked City Attorney Pyburn to address what pre-suit mediation would mean in terms of length of time, and how the situation of the children would be handled in the meantime. City Attorney Pyburn clarified that there were currently two (2) lawsuits pending involving the owners of Redstone Ranch, Andy Cody and Michelle Patton, against the City of Coconut Creek, including an appeal of building permit citations from Code Enforcement and the associated Special Magistrate ruling, as well as a complaint for declaratory relief. She asked whether the request for pre-suit mediation referenced proceedings initiated by the City separate and apart from what was currently pending. Discussion continued regarding dispute resolution, cost to the taxpayers, and timeline. Mayor Welch asked if mediation had informally already been taking

place between the City and the parties. City Attorney Pyburn stated staff had met with Mr. Cody and Ms. Patton, as well as with their counsel, Ejola Cook. She advised that it should be clear the City was not planning to file a lawsuit at this time and were encouraged by the fact that the educational use was no longer on the property that they would not need to do so.

Commissioner Rydell asked for an explanation what mediation would entail. City Attorney Pyburn explained the process of meeting with a neutral third party to hear both sides and come to resolution that both sides agreed to. Discussion continued. Commissioner Wasserman commented that he would like to hear from the attorney for the owners. Vice Mayor Railey stated she was not opposed to mediation, but there were still safety issues and Code still needed to be complied with, which was not negotiable.

Mayor Welch opened the item to public comment.

Attorney Ejola Cook, 4201 Vinkemulder Road, Coconut Creek, representing Andy Cody and Michelle Patton, stated she agreed with the comments that children's safety was an important issue, as was the safety of the animals. She asserted part of the issue was Code Enforcement was not following the laws for agriculture, which had led to delays. She stated there was also misapplication of State laws related to homeschool and educational occupancy. She commented that it was easy to come out in passionate defense of life safety of the children, but the laws were being followed as drafted, and the parties were willing to continue to work with the City. She explained that the appeal of building permit citations was filed in the hope these cases would help to clarify the law.

Commissioner Rydell asked if Ms. Cook was amenable to mediating the global issues prior to entering further litigation with the City. Ms. Cook confirmed that she was.

Commissioner Brodie asserted that Ms. Cook's comments made it sound as though these were relatively new issues, but the timeline started in 2024. He stated neighbors in the area had shared their concerns related to the property. He advised he would support mediation, as well as litigation should mediation fail, because of the safety issue.

Ms. Cook stated the applications were in for permits to bring the property up to Building Code and the children were off the property. She added that even though they believed a challenge would be successful, they were doing everything the City was asking. Commissioner Brodie asked when the barn on the property burned down. Ms. Cook stated the fire was in September 2024 and permit applications were submitted in October and November.

Vice Mayor Railey stated she was confused that this was being called an agricultural property, yet there were multiple children and families on the property. She stated that the most stringent Code had to be followed to protect the families. Ms. Cook commented this was the reason the court had been asked for clarification, because the owners were following the rules for a homeschool co-op. Discussion ensued.

Mayor Welch asked for further clarification on the willingness to participate in mediation. Ms. Cook expressed her concern that settling through mediation would not ultimately result in answers to the legal questions posed. City Attorney Pyburn stated she agreed that these issues could use further clarification by the courts.

Commissioner Rydell stated that if the parties wanted the courts to rule on the issue, there was no point to mediation, but if they were looking at a future in Coconut Creek, mediation made sense. Ms. Cook confirmed her clients were open to mediation.

Andrew Cody, 4551 NW 39 Avenue, Coconut Creek, commented that he did not believe Redstone Ranch was in disagreement or dispute with the City. He discussed State Statute related to bona fide agriculture fences and good faith bona fide agriculture. He addressed old buildings on the property, which had been destroyed by an act of God, and stated he had secured engineers to obtain building permits despite his belief the property would be deemed bona fide agricultural in the coming weeks, and commented that Code Enforcement did not act in good faith.

Michelle Patton, 4551 NW 39 Avenue, Coconut Creek, stated they had started a homeschool co-op because her son did not get into the programs she applied for, and she was terrified of school shootings. She asserted she had gotten together with other parents she knew to create a social network. She stated they play with the animals, collect eggs, milk cows, and enjoy the outdoors. She noted there was inherent risk in riding horses, but they had parent-led animal safety lessons monthly and she would never put her children into a life safety situation. She added that they had done nothing but improve the space.

There were no further questions or comments from the public.

AMENDMENT: Rydell/Wasserman – To amend Resolution No. 2025-032 to require pre-suit mediation.

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

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

CITY MANAGER REPORT

City Manager Rose acknowledged a spectacular Butterfly Festival the prior weekend. She recognized staff for all the work they did and thanked the Commission for attending and supporting their efforts. She shared that thirteen (13) proposals had been received for design services for the fire station, noting that Procurement was reviewing the proposals to create a short list for vendor presentations. She stated Government Affairs Manager Bernadette Hughes had hosted a meeting with the Broward School District Superintendent related to traffic circulation at Lyons Creek Middle School, and staff believed they had reached an agreement. She noted the School Board was expected to have a related agenda item as a staff-led initiative at their March meeting.

CITY ATTORNEY REPORT

City Attorney Pyburn provided an update on the Henry Hage vs. City of Coconut Creek and Greystar matter, advising that the Fourth District Court of Appeals had denied the petitioner's motion for written opinion and had already denied the petition and appeal, so the matter should be complete. She stated the City had been scheduled to have a Conflict Resolution meeting, pursuant to Chapter 164, Florida Statutes, with Broward County regarding the landfill on Monday, March 3, but due to a conflict with the outside attorney beyond their control and County notice requirements, the meeting would be rescheduled to Wednesday, March 12 from 3 p.m. to 5 p.m. She shared that Assistant City Attorney Cassandra Harvey followed up with the independent investigator for the investigation related to Vice Mayor Railey, and a report was expected early next week.

COMMISSION COMMUNICATIONS

Commissioner Rydell commended City staff on the Butterfly Festival. He noted residents were extremely happy and the event was better every year. He commented that he would love to find a way to prioritize Coconut Creek residents in some capacity. Continuing, he asked that the City Manager direct a robust public outreach on social media related to how to contact the City or file complaints through the Citizen Request Management (CRM) system. Commissioner Rydell inquired as to whether the City Commission meeting on March 13 was a post-election meeting under the updated election regulations for certification. City Clerk Kavanagh stated that the election results certification timeline was now 10 days, and the Reorganization Meeting would be held on March 27. Commissioner Rydell commended City Clerk Kavanagh on his effective response to election questions from residents. He stated this was a testament to the City Clerk Department making an effort to educate all of the residents on City elections, and they had gone above and beyond. He shared that a resident had brought forward comments regarding the recycling drop off that City Manager Rose was looking into, including recycling parameters, additional drop off sites, and increased promotion for recycling. He shared his disappointment in Broward County regarding approval of the landfill expansion and commented that the City needed to reevaluate its participation in the Solid Waste Authority. He commented on the hours put in and noted it was extremely disappointing to see that they were heading in a direction that did not align with the goals of Coconut Creek. He advised that two (2) workshops were scheduled for March, and he would continue to provide the Commission with updates. He commented that the Broward League of Cities had also disappointed the City and noted there were other cities that opted out.

Commissioner Wasserman agreed with Commissioner Rydell's comments regarding participation with the Broward League of Cities. He shared disappointment that the City of Margate did not show up to the Broward County Commission meetings regarding the landfill expansion. Commissioner Rydell stated that Margate's member had voted for expansion of the landfill at the Solid Waste Authority meeting. Commissioner Wasserman asked for clarification on the update provided by the City Manager and Mayor at the beginning of the meeting regarding concerns in the South Creek neighborhood, and Mayor Welch shared brief comments about the Q&A portion of the South Creek meeting the previous evening that warranted follow up to address resident concerns. Commissioner Wasserman agreed the Butterfly Festival was awesome and suggested a fast pass for Coconut Creek residents. He recognized City Clerk Kavanagh for the enhanced election outreach to educate the residents about the March 11 election.

Commissioner Brodie stated he had come back from the recent Broward League of Cities meeting disappointed about what they represented. He reviewed the conversation regarding the Waste Management issue and stated the City should consider whether they want to continue as members.

Vice Mayor Railey spoke about the Broward County Commission's decision to approve the landfill expansion and commented that they had disregarded the recommendations of the advisory boards. She asserted that the City had been fighting for years and would not be giving up. Vice Mayor Railey commented on the success of the Butterfly Festival. She commended staff for their work with the Atlantic Technical College and High School (ATC) Teen Political Forum Club.

Mayor Welch commented on ATC's Teen Political Forum Club visit to City Hall, recognizing the Police Chief, Fire Chief, and the City Clerk Department for their contributions, and the students' robust participation. Mayor Welch commented on recycling and composting at the Butterfly Festival and stated it showed what could be done when people work together. She stated the South Creek meeting was a robust conversation with residents, and commented that she would be suggesting an additional Code Enforcement Officer for the area south of Coconut Creek Parkway at the upcoming strategic planning session. She shared that she had received a letter from Broward County regarding a new landlord registration and inspection program for residential rental properties in unincorporated areas of the

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County and had passed it to staff to investigate a database in Coconut Creek.

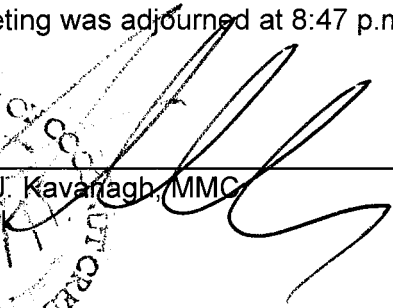
Commissioner Brodie added that, on March 14 at 6 p.m., the Foundation for Independent Living would be hosting a basketball game against the Coconut Creek Police Department and encouraged residents to attend the event.

Mayor Welch stated there was a water cleanup scheduled for March 1, from 9 a.m. to 1 p.m. at Donaldson Park and the Community Center.

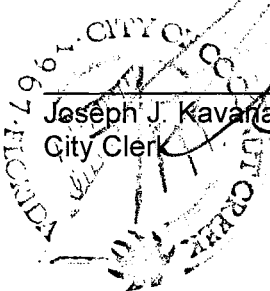
Vice Mayor Railey reminded residents to vote on March 11.

ADJOURNMENT

The meeting was adjourned at 8:47 p.m.



Joseph J. Kavanagh, MMC
City Clerk



3/27/2025
Date