



CITY OF COCONUT CREEK CITY COMMISSION MINUTES

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

**Date: August 10, 2017
Time: 7:00 p.m.**

CALL TO ORDER

Mayor Tooley called the meeting to order at 7:04 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. 17-118** A PRESENTATION RECOGNIZING COCONUT CREEK RESIDENTS MR. AND MRS. STEPHEN LUCHS WITH A POLICE DEPARTMENT COMMENDATION.

Police Chief Albert "Butch" Arenal presented a Police Department Commendation Certificate to Mr. and Mrs. Stephen Luchs for their assistance during an incident in the Karanda Village V neighborhood on April 14, 2017.

INPUT FROM RESIDENTS OF COCONUT CREEK

Margaret Hurley, 4030 NW 54 Court, Coconut Creek, thanked the Commission for their efforts to make the City a great place to live and distributed thank you cards to each of them. She spoke about a group of volunteers from Real Life Church and stated that they were available to help with various service projects.

CITY MANAGER REPORT

City Manager Blasi spoke about a proposed amendment to the Broward County Land Use Plan to expand the electrical generation facilities land use category and noted that staff would be submitting a letter of opposition for the proposed amendment to the Broward County Planning Council.

CITY ATTORNEY REPORT

City Attorney Pyburn had no report.

COMMISSION COMMUNICATIONS

Commissioner Belvedere spoke about several community meetings that Wynmoor had with the Turnpike Authority regarding the replacement of trees and the noise barrier wall adjacent to the Wynmoor community. She spoke about potential traffic disruptions during construction. Sustainable Development Director Sheila Rose noted that staff reached out to the consulting firm coordinating the project for the Florida Department of Transportation to express the City's concerns with the project. The City is awaiting a formal response.

Commissioner Welch attended the BayView Homeowners' Association meeting to share information from the Budget Workshop and noted that she received a positive response from the residents for increased public safety funding. She asked for increased traffic enforcement at the four-way stop located at the Coral Tree Circle and NW 42 Avenue intersection.

Commissioner Sarbone spoke about the proposed increase in funding for the FY18 Budget and noted that the City's taxes are only a small portion of a resident's total tax bill. He announced that the Coconut Creek Football leagues were starting this weekend. He spoke about Waste Management and the proposed amendment to the Broward County Land Use Plan. He commended staff for staying informed on the proposed changes.

Vice Mayor Rydell spoke about reckless driving along Johnson Road and asked for increased traffic enforcement in the area. He spoke about the *World of Beer 4K Run* that was held on August 6, 2017, and asked that the City make a commitment to provide increased coverage of local events hosted by businesses within the City.

Mayor Tooley spoke at the Democratic Club meeting where she discussed the Proposed FY18 Budget and new construction. She attended an Eagle Scout meeting and thanked the Police Department for increased traffic enforcement in South Creek.

CONSENT AGENDA (Item 3)

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

Consent Agenda Item 2 was pulled by Vice Mayor Rydell and heard during the Regular Agenda.

- 3. RES 2017-177** A RESOLUTION AUTHORIZING THE MAYOR AND THE CITY MANAGER, OR DESIGNEE, TO EXECUTE A MULTI-AGENCY INTERLOCAL AGREEMENT TO SHARE THE RESOURCE BURDENS OF THE SYSTEM-WIDE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PERMIT AND AUTHORIZING BROWARD COUNTY TO CONDUCT SPECIFIC TECHNICAL ACTIVITIES REQUIRED BY THE FOURTH FIVE-YEAR PERMIT.

MOTION: Welch/Sarbone – To approve Consent Agenda Item No. 3.

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

REGULAR AGENDA

Parks and Recreation

2. **RES** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR
 2017-215 DESIGNEE, TO EXECUTE AN AGREEMENT WITH SUPERSPORTS
 OF BROWARD COUNTY, INC. FOR SPORTS OFFICIATING
 SERVICES PURSUANT TO RFP NO. 05-03-17-11.

Mayor Tooley read the Resolution title into the record.

MOTION: Sarbone/Rydell – To approve Resolution No. 2017-215.

Parks and Recreation Director Wayne Tobey presented the item.

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

Police Department

4. **ORD** AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXTEND
 2017-035 THE FRANCHISE AGREEMENT WITH EMERALD TRANSPORTATION
 CORPORATION FOR A PERIOD OF ONE YEAR. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Rydell/Welch – To adopt Ordinance No. 2017-035.

City Manager Blasi presented the item. Discussion ensued regarding the quality of service. The Commission requested a representative from Emerald Transportation Corporation be present for second reading of the Ordinance.

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

Utilities and Engineering

5. **RES** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR
 2017-223 DESIGNEE, TO EXECUTE AN AGREEMENT WITH MBR
 CONSTRUCTION, INC. TO PROVIDE CONSTRUCTION SERVICES
 FOR THE UTILITIES AND ENGINEERING DEPARTMENT BUILDING
 EXPANSION PURSUANT TO BID NO. 07-05-17-11.

Mayor Tooley read the Resolution title into the record.

MOTION: Welch/Belvedere – To approve Resolution No. 2017-223.

Utilities and Engineering Director Osama Elshami presented the item and showed renderings of the proposed building façade and floor plans. Discussion ensued.

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

6. **RES 2017-224** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE A WORK AUTHORIZATION FOR CONSTRUCTION MANAGEMENT SERVICES WITH WALTERS ZACKRIA ASSOCIATES FOR THE CONSTRUCTION OF THE UTILITIES AND ENGINEERING DEPARTMENT BUILDING EXPANSION.

Mayor Tooley read the Resolution title into the record.

MOTION: Welch/Rydell – To approve Resolution No. 2017-224.

Utilities and Engineering Director Osama Elshami presented the item and explained the need for the services.

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

7. **RES 2017-227** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE A WORK AUTHORIZATION WITH ATKINS NORTH AMERICA, INC. FOR PROFESSIONAL SERVICES TO MODIFY THE DESIGN PLANS AND SPECIFICATIONS FOR THE TRAFFIC SIGNAL ON LYONS ROAD AT THE WINSTON PARK PLAZA AND ST. ANDREWS ENTRANCES.

Mayor Tooley read the Resolution title into the record.

MOTION: Belvedere/Rydell – To approve Resolution No. 2017-227.

Utilities and Engineering Director Osama Elshami presented the item and commented that the target project completion was December 2017.

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

Sustainable Development

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 read aloud the City's quasi-judicial procedures that would be applied to Agenda Item 8. City Clerk May confirmed that the public notice requirements were met for Agenda Item 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 8, and the following disclosures were made:

- Mayor Tooley visited the site.
- Vice Mayor Rydell spoke with the Applicant's representative, Attorney Dennis Mele.
- Commissioner Belvedere spoke with Attorney Dennis Mele and visited the site.
- Commissioner Welch spoke with Attorney Dennis Mele and Chris Ballapiatt, Property Manager for the multi-family development, *Solaire*, and she visited the site.

Sustainable Development Director Sheila Rose presented the item and gave a brief overview of the Bel Lago Villas Planned Unit Development (PUD). She introduced Attorney Dennis Mele of Greenspoon Marder, on behalf of the Applicant, who was available to answer questions.

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

Mr. Mele answered questions from the Commission regarding the turning radius for vehicles and building height. Discussion ensued regarding the site plan approval process.

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

9. **ORD 2017-030** AN ORDINANCE ENACTING A TEMPORARY MORATORIUM ON THE SUBMITTAL AND PROCESSING OF APPLICATIONS, AND ISSUANCE OF ANY PERMITS PERTAINING TO COLOCATION 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. (SECOND READING)(PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

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

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

Discussion ensued regarding the duration of the moratorium.

AMENDMENT: Rydell/Sarbone – To amend Ordinance No. 2017-030 to provide for a 150-day moratorium with the option to extend the moratorium up to 90 days.

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

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

10. **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. (SECOND READING)(PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

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

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

Sustainable Development Director Sheila Rose presented the item.

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

11. **RES 2017-199** A RESOLUTION FINDING THAT CONDITIONS WITHIN THE HILLSBORO CORRIDOR AREA IN THE CITY, AS DEPICTED IN EXHIBIT "A," MEET THE CRITERIA SET FORTH IN SECTION 163.340, FLORIDA STATUTES, FOR A BLIGHTED AREA; FINDING AND DECLARING THAT THE REDEVELOPMENT OF THE HILLSBORO CORRIDOR IS NECESSARY AND IN THE BEST INTEREST OF THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE RESIDENTS OF THE CITY.

Mayor Tooley read the Resolution title into the record.

MOTION: Welch/Belvedere - To approve Resolution No. 2017-199.

Sustainable Development Director Sheila Rose noted that Agenda Items 11 and 12 were companion items and requested to present the items together. There were no objections. Ms. Rose explained that as part of the Broward Redevelopment Program (BRP) Grant application, the Commission must make a finding of blight to be considered for the funding. She spoke about the visioning process for developing a comprehensive plan to redevelop the Hillsboro Boulevard Corridor. She noted that if the City's grant proposal was accepted by the County, the City and County would negotiate an InterLocal Agreement to receive funding, which would come back before the Commission for approval. Discussion ensued regarding the grant proposal and approval process.

Upon roll call, the Resolution passed by a 3-2 vote, with Vice Mayor Rydell and Commissioner Sarbone voting nay.

12. **RES 2017-200** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO PREPARE AND SUBMIT A GRANT APPLICATION TO THE BROWARD COUNTY HOUSING FINANCE AND COMMUNITY REDEVELOPMENT DIVISION FOR THE FISCAL YEAR (FY) 2018 BROWARD REDEVELOPMENT PROGRAM (BRP) FUNDING CYCLE

FOR THE HILLSBORO CORRIDOR REDEVELOPMENT AREA
PUBLIC IMPROVEMENTS AND AUTHORIZING THE CITY MANAGER,
OR DESIGNEE, TO ENTER INTO THE APPROPRIATE
AGREEMENTS REQUIRED TO RECEIVE FUNDING.

Mayor Tooley read the Resolution title into the record.

MOTION: Belvedere/Rydell - To approve Resolution No. 2017-200.

Sustainable Development Director Sheila Rose presented the item and clarified that the total private investment for both phases of the project was \$15 million.

Upon roll call, the Resolution passed by a 3-2 vote, with Vice Mayor Rydell and Commissioner Sarbone voting nay.

City Manager

13. **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. (SECOND READING)(PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

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

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.

14. **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. (SECOND READING)(PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

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

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.

15. **17-134** A MOTION TO AUTHORIZE A BUDGET TRANSFER IN THE AMOUNT OF \$2,865,000.00 FOR THE PURCHASE OF LAND FROM GENERAL FUND ACCOUNT 0199-9903 - FUND BALANCE RESERVE TO ACCOUNT 0198-6100 - LAND ACQUISITION.

Mayor Tooley read the Motion into the record.

MOTION: Belvedere/Welch – To approve a budget transfer in the amount of \$2,865,000.00 for the purchase of land from General Fund Account 0199-9903 - Fund Balance Reserve to Account 0198-6100 – Land Acquisition.

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

City Attorney

16. **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. (SECOND READING)(PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

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

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

Discussion ensued regarding penalties.

AMENDMENT: Rydell/Sarbone – To amend Ordinance No. 2017-026 to provide for a \$500 fine per day per violation.

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

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

ADJOURNMENT

The meeting was adjourned at 8:29 p.m.

Transcribed by: Marianne Bowers

Leslie Wallace May, MMC
City Clerk

Date