



CITY OF COCONUT CREEK CITY COMMISSION MEETING MINUTES

Government Center
4800 W. Copans Road
Coconut Creek, Florida

Date: August 26, 2021
Time: 7:00 p.m.
Regular Meeting No. 2021-0826R

CALL TO ORDER

Vice Mayor Rydell called the meeting to order at 7:05 p.m.

PRESENT UPON ROLL CALL:

Mayor Rebecca A. Tooley (virtually)
Vice Mayor Joshua Rydell
Commissioner Lou Sarbone
Commissioner Sandra L. Welch
Commissioner Jacqueline Railey
City Manager Karen M. Brooks
City Attorney Terrill C. Pyburn
Interim City Clerk Marianne Bowers

Vice Mayor Rydell asked all to rise for the Pledge of Allegiance. Following the Pledge, he recognized Mayor Tooley's birthday.

Vice Mayor Rydell noted that the meeting was being conducted live with a quorum physically present, and participation by one Commissioner using communications media technology. He explained that, in light of the pandemic, accommodations were made to allow the public to provide advanced comments without the need to attend the meeting. City Attorney Terrill Pyburn explained the procedures for public participation and comment for the meeting.

Vice Mayor Rydell noted for the record that Agenda Item #8, Resolution No. 2021-162, had been removed from the agenda and would not be heard.

PRESENTATIONS

1. **21-147** A PROCLAMATION RECOGNIZING LORI AND KEITH SHATTUCK AS BEAUTIFUL HOME AWARD WINNERS.

Vice Mayor Rydell read the proclamation for the record, and Senior Planner Linda Whitman accepted the proclamation on behalf of the residents.

2. **21-189** A PRESENTATION TO HONOR COCONUT CREEK EMPLOYEE PHIL RANDAZZO.

Director of Parks and Recreation Wayne Tobey gave a presentation recognizing Phil Randazzo upon his retirement from the City after 24 years of service. Mr. Randazzo briefly addressed staff and the Commission.

INPUT FROM THE PUBLIC

Interim City Clerk Bowers stated there were no advanced public comments received for non-agenda or Consent Agenda items.

CONSENT AGENDA (*Agenda Items 3-5*)

3. **21-187** A MOTION APPROVING THE MINUTES FROM PREVIOUS CITY COMMISSION MEETING(S). (2021-0805WS)

4. **RES**
 2021-158 A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) DISTRICT FOUR LICENSE AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) AND THE CITY OF COCONUT CREEK TO ALLOW FOR FDOT AND/OR THEIR CONTRACTOR TO ACCESS CITY-OWNED LAND TO COMPLETE SIDEWALK IMPROVEMENTS ASSOCIATED WITH THE COPANS ROAD MOBILITY PROJECT.

5. **RES**
 2021-168 A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED STATE PLAN OF OPERATION (SPO) BETWEEN THE DEPARTMENT OF DEFENSE (DOD) AND THE CITY OF COCONUT CREEK (POLICE DEPARTMENT) TO SET FORTH THE TERMS AND CONDITIONS WHICH WILL BE BINDING ON THE PARTIES WITH RESPECT TO PURCHASING SURPLUS EQUIPMENT FROM THE DEPARTMENT OF DEFENSE (DOD).

MOTION: Sarbone/Railey – To approve the Consent Agenda Items 3 through 5, as presented.

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

REGULAR AGENDA

City Attorney

6. **RES**
 2021-182 A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED FOURTH AMENDMENT TO THE PRE-ANNEXATION AGREEMENT BETWEEN THE CITY, NORTH BROWARD PREPARATORY SCHOOLS, LLC, A FLORIDA LIMITED LIABILITY COMPANY AND BMOC-MIA (FL) LLC, A DELAWARE LIMITED LIABILITY COMPANY TO CLARIFY THE LANGUAGE IN THE PRIOR AGREEMENTS AND TO PROVIDE THE CITY WITH INCREASED PAYMENTS FOR FIRE-RESCUE SERVICES BASED ON THE SCHOOL'S RECENT EXPANSION; AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED SETTLEMENT AGREEMENT BETWEEN THE CITY, NORTH BROWARD PREPARATORY SCHOOLS, LLC, A FLORIDA LIMITED LIABILITY COMPANY AND BMOC-MIA (FL) LLC, A DELAWARE LIMITED LIABILITY COMPANY. (ADDENDUM)

Vice Mayor Rydell read the Resolution title into the record.

MOTION: Welch/Tooley – To approve Resolution No. 2021-182.

City Attorney Pyburn apologized for placing the item on the agenda late and explained that this item includes a Settlement Agreement and that an offer for settlement of the pending lawsuit filed by North Broward Preparatory School against the City was presented to staff a couple of weeks ago after the Commission directed staff to meet with the applicant to try to resolve the matter. The deadline to make a decision on the offer was today. The parties had been working to reach an agreement for weeks and the draft of the agreements were finalized earlier in the day. She provided an overview of the Fourth Amendment to the Pre-annexation Agreement, stating the agreement included \$299,306.33 to be paid as a Fire-Rescue Services fee due December 31, 2021, to cover FY22 and an annual payment of a Fire-Rescue Services fee with allowance for annual adjustments at the same rate as the annual adjustments for the Fire-Rescue Services Fee assessed to all other benefitted properties, but with caps. She discussed the caps on the increases, the square footage of the school property, and the terms of a separate Settlement Agreement regarding the lawsuit pending between the parties.

Commissioner Welch asked that City Attorney Pyburn review the amount and how it was arrived at. City Attorney Pyburn outlined the history of agreements between the parties and how the amount was determined. She explained the school had also generously offered to cover the Fire Assessment Fees of the other private schools in the City which are currently exempt from Ad Valorem taxes, and that amount was also included in the total.

Commissioner Welch asked for clarification on adjustments to be made if the school expands and the term of the agreement. City Attorney Pyburn explained.

Commissioner Sarbone thanked the City Attorney's office and the team at North Broward Preparatory School for the diligent effort between meetings to come to an agreement acceptable to both parties. He asked for and received clarification on the structure of future increases to the amount of the agreement.

Commissioner Sarbone noted the agreement was contingent upon how the Commission voted on item seven (7) and asked for confirmation that the agreement covered the Fire Assessments for all the private schools in the City. City Manager Brooks confirmed.

Mayor Tooley stated she was happy staff could work the agreement out. She asked whether a change to the agreement could be made if there was a need in the future. City Attorney Pyburn asserted the City always has the ability to speak with North Broward Preparatory School and try to negotiate any changes if needed. She stated beyond that, changes to the Fire Assessment could be made independent of the agreement.

The Commissioners thanked the administration at North Broward Preparatory School and City staff for their efforts.

Vice Mayor Rydell thanked the teams for the resolution and provided additional explanation for those who had not followed the process. He asked City Manager Brooks to confirm that if this agreement was accepted, her recommendation would be to exempt private schools from the Fire Assessment. City Manager Brooks responded that was correct.

Vice Mayor Rydell invited public comment on the item, and there was none.

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

Finance and Administrative Services

7. **ORD 2021-019** AN ORDINANCE RELATING TO THE FUNDING AND PROVISION OF FIRE RESCUE PROTECTION SERVICES, FACILITIES, AND PROGRAMS IN THE CITY OF COCONUT CREEK, FLORIDA; DESCRIBING THE METHOD OF ANNUALLY ASSESSING PROPERTY LOCATED WITHIN THE CITY OF COCONUT CREEK; PROVIDING AN ASSESSMENT FOR FISCAL YEAR 2021/2022; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; PROVIDING FOR THE ANNUAL ESTABLISHMENT OF A MAXIMUM ASSESSMENT; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF. (SECOND READING)(PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Welch/Sarbone – To adopt Ordinance No. 2021-019.

City Manager Brooks presented the item, explaining the Ordinance authorized the Fire Assessment and set the rate for Fiscal Year 2021-22 based on the fire study completed and incorporating the increased service levels. She noted the increased cost would have been accrued even if the City had remained with Margate for its Fire Rescue services. She outlined the process for advertising the rates and discussed the rates recommended by staff. She stated staff had responded to all inquiries to explain the fee and that once the details were explained, most property owners were comfortable with the explanation. Approximately 15 property owners still disagreed with the Fire Assessment.

City Manager Brooks explained that staff recognized the situation of COVID-19 and worked diligently to minimize any increases to property owners during the budget process. She stated staff was able to prepare a balanced budget with a property tax decrease and a solid waste decrease, and with a lower increase to the Fire Assessment than advertised. City Manager Brooks stated the staff recommendation was to set the rate at \$234 for single family, \$210.60 for multi-family, and \$117 for mobile homes. She noted the increase to commercial properties was reduced to a nine (9) percent increase and industrial warehouse properties would see an overall decrease of 19 percent. She stated with the agreement approved in item six (6), the recommendation was to exempt private schools from the Fire Assessment.

Commissioner Sarbone asked if full recovery was being recommended, and City Manager Brooks stated the recommendation was 83 percent cost recovery, while the advertisement was for 87 percent. She added that in the current environment and considering COVID-19, the 83 percent was sufficient for FY22 and staff would work to get to the 100 percent over time.

Commissioner Welch stated most of the questions and misinformation she had seen were related to the trim notice and the proposed rate. She noted it was better understood when people understood this was not the first time the Fire Assessment was to be assessed and that the increase of \$4 per month for three fire stations and a full-time staff was a significant value. Discussion ensued regarding the balance of the Fire Rescue costs being made up by revenue from the Seminole agreement and other General Fund dollars.

Commissioner Welch asked that City Manager Brooks confirm for the record that the City had not deleted any programs or services in FY22 as a result of taking the lower cost recovery rate or exempting the private schools. City Manager Brooks stated that was correct.

Vice Mayor Rydell stated there had been a lot of misinformation circulating, and asked City Manager Brooks to confirm the City had actually reduced taxes. City Manager Brooks explained the Millage Rate was reduced in the proposed budget.

Vice Mayor Rydell asserted none of the neighboring cities were reducing the Millage Rate, and stated the majority had millage increases in their proposals for COVID-19 recovery. City Manager Brooks responded that a survey had shown many had tax rate increases and many kept their rate the same.

Vice Mayor Rydell stated the City had to build the new fire station even if fire services remained in partnership with Margate. He explained traditionally due to the agreement with Margate, Coconut Creek had also been responsible for purchasing its own equipment. He noted the increases for building Fire Station 113 were costs anticipated regardless of what happened between the cities.

City Manager Brooks stated the last Fire Assessment study had looked for a 25 percent increase in FY22 to cover costs.

Vice Mayor Rydell asserted there was also no control over decisions of the Margate City Commission if they wanted to increase administrative fees and surcharges in the contract between the cities, so ultimately the required increase could have been much higher if Coconut Creek had maintained the agreement.

City Manager Brooks agreed, and stated she thought it would have been much higher. She noted the contract had been increasing at an unsustainable rate, and staff felt they could control costs better. Vice Mayor Rydell expressed frustration at the misinformation circulating. He stated he was looking forward to the public comments.

Mayor Tooley stated Coconut Creek had purchased its own equipment for Fire Station 94 and Fire Station 50, and she was glad because they got what they wanted and got better equipment. She noted the biggest thing would be when they were able to switch to Coral Springs dispatch despite Margate not wanting to. She asserted that change would be a 100 percent improvement.

Vice Mayor Rydell opened the public hearing on the item. He invited comments first from those present.

Baila Gansburg, South Florida Jewish Academy, thanked everyone for going above and beyond in coming to the agreement with North Broward Preparatory School. She led a round of applause for the efforts.

Vice Mayor Rydell stated he spoke for the entire Commission in saying South Florida Jewish Academy was an asset to the community.

Maria Calderon and her son spoke in support of South Florida Jewish Academy and shared his story of nine years of attendance at the school. She thanked the Commission.

Eliezer Jones, 5851 SW 32 Terrace, Fort Lauderdale, stated he was a high school principal and was a parent of a new student at South Florida Jewish Academy. He noted the school was a source of pride and discussed how the academy teaches children and not subjects.

Larry Teich, 4210 NW 55 Drive, Coconut Creek, submitted a written comment to the City Clerk and stated on behalf of the residents of Winston Park he was asking the Commission not to

approve the assessment. He asserted special assessments were a form of tax avoidance and stated the City needed to manage the budget properly.

Suzanne Horowitz, 1503 Cayman Way, Coconut Creek, spoke in support of South Florida Jewish Academy.

Gerald Linker, Bru's Room Sports Grill, 5460 W. Hillsboro Boulevard, stated the Fire Assessment puts an unfair burden on his type of business. He noted the government mandated reduction in business due to COVID-19 and asked the Commission to consider what it is like to run a business when fixed costs continue to go up.

Bob Brudzinski, Bru's Room Sports Grill, 5460 W Hillsboro Boulevard, echoed Mr. Linker's comments and stated they were all for fire safety, but the cost to run a business was going up.

Vice Mayor Rydell pointed out that commercial businesses were significantly less than the residential increases. He noted staff had reviewed the issue painstakingly and thanked Mr. Linker and Mr. Brudzinski for their comments.

There being no further comments from those present, Interim City Clerk Bowers read the following written advanced public comments for the record, copies of which are attached hereto as Exhibit 1, and made a part hereof these minutes:

Ana C. Villamil, 4400 NW 30 Street, Coconut Creek, wrote to request an exception to the payment of the Fire Assessment in consideration of her disability. Interim City Clerk Bowers stated Ms. Villamil had also sent two (2) additional emails with the same sentiment on different dates.

Howard Wasserman, 3301 Aruba Way, Coconut Creek, wrote in opposition to the Fire Assessment. He stated residents were not getting any relief from government agencies, and questioned the total amount collected.

Phoebe Nguyen, 3535 NW 35 Street, Coconut Creek, wrote to object to the Fire Assessment. She stated in the COVID-19 era, everyone was trying to make ends meet and costs are rising. She questioned the mobile home rate being lower and stated the assessment targeted multi-family dwellings.

Emile and Susan Baladi, 1803 Eleuthera Point, Apt. A1, Coconut Creek, wrote to state their rate for the Fire Assessment should be \$0, not \$220.64.

Christie Voss, 2908 Carambola Circle S, Apt. 206, Coconut Creek, wrote that she had no interest in giving any more money to the government and stated they should tighten their belts and find another way.

Berge H. and Meline A. Markarian, 6500 Flamingo Way, Coconut Creek, wrote to say they live in Coconut Creek seven (7) months out of the year, and in 26 years, had never used Fire Rescue services for their property. They stated they were against an increase in the Fire Assessment.

Lenore Greller wrote to object to assessments being imposed. She stated multi-family should be charged more than single family dwellings.

Esther Yadin, 3404 Bimini Lane, Apt. A4, Coconut Creek, wrote she did not understand why the City could not remain in its budget. She stated if an increase was needed the public should be

given the opportunity to vote on it, and asked why the City's meetings are not on Zoom.

Jimmy L. Johnson, 4838 NW 21 Street, Coconut Creek, wrote in opposition to the Fire Assessment. He stated this was not the appropriate time for such a thing. He referenced the Delta variant of COVID-19 and asserted things were extremely difficult for a lot of people.

Cornelio Lopes wrote that the streets and public areas were being neglected. He stated residents pay a considerable amount in taxes, and said he was in opposition to the Fire Assessment.

Nikki Yeandle, on behalf of Correct Construction Co Ltd., Tax Parcel # 484220GG0160, wrote with objections to the Fire Assessment. She stated units of different sizes should be different, and seasonally used properties should be assessed proportionately.

Allan Dennis and Carolyn Joy Kalish, Tax Parcel # 484229DG0150, wrote to ask whether the Fire Assessment fee would replace the previous Fire Assessment fee or be billed separately.

Ellen Hossain, wrote on behalf of the estate of Mohammed R. Hossain, 6410 Mallards Lane, Coconut Creek, to object to the Fire Assessment. She stated the assessment was not in the interest of the citizens and was an undue hardship. She asked that the Fire Assessment and proposed budget be withdrawn.

Tamah Lettieri, 3302 Carambola Circle S, Coconut Creek, wrote in opposition to the plan to sever ties with Margate Fire Rescue and Broward Sheriff's Office and start an independent Fire Rescue department in the middle of a pandemic. She stated seniors were facing an undue hardship of increased expenses and could not absorb the costs on a Social Security income.

Hien Nguyen wrote it would have been prudent to explain the reason for the increase in the letter. He asked when was the Fire Assessment last increased, what was the total cost of the new fire station, that a copy of the study be provided, and asked if the City's insurance rating would improve.

Atarah, no last name or address given, wrote that the City did not decrease anything for those who had lost their jobs during the pandemic, and stated they did not understand why an assessment was needed.

Lisa Meade Romero, 5420 NW 49 Avenue, Coconut Creek, wrote that it was a shame that City Commissioners had stated the fire department would be fully funded, and then ask for a larger Fire Assessment. She stated it should have been disclosed to the public more transparently, and noted she was not in favor of the increase.

Gail Hamaty-Bird, general counsel for Food for the Poor, wrote that the organization's Fire Assessment was calculated incorrectly and stated the time should be taken to make sure each entity was properly assessed.

Maria Costa, 4126 Carambola Circle S, Coconut Creek, wrote that she was a single mother working two (2) jobs and could not afford the Fire Assessment.

Vice Mayor Rydell asked staff to respond to the email from Gail Hamaty-Bird before proceeding with the advanced voicemail comments. City Manager Brooks explained Food for the Poor did have a combination assessment because they are part warehouse and part commercial. She noted staff had discussed the range of square footage with the organization and the attorney would be explaining it to the client.

Commissioner Welch confirmed the Commissioners would be receiving copies of the written comments.

Commissioner Railey asked if the comments had been received before the Fire Assessment was properly explained and whether the property owners understood it was not a new assessment. City Manager Brooks responded that staff had responded to each property owner who submitted advanced public comments.

Interim City Clerk Bowers played the advanced voicemail comments, as follows:

Anthony Marshal spoke in opposition to the Fire Assessment.

Clementina Debourgh stated she did not understand the notice and asked that someone call to explain.

Sandra Bond spoke in opposition to the increase in Fire Assessment.

Marta Dixon called to request an explanation of the notice in Spanish.

James Erickson asked for further explanation of the notice.

I Ashkenazi asked for further explanation of the Fire Assessment notice.

Kathy Grande spoke in opposition to the Fire Assessment and stated the issue should be put to a public vote.

Felicia Jaffee asked for an explanation of the Fire Assessment.

Mauricio Gomes stated he was in opposition to an increase to the Fire Assessment and commented on department budgeting.

Sandra Villiers stated she believed the Fire Assessment was exorbitant and not well explained. She asked that someone explain the percentage of increase.

Maria Costa stated she was a single mother and did not have extra money to pay a Fire Assessment.

Liliana Morais called to question the calculations on her notice regarding the Fire Assessment.

Priya Nanchoo stated she did not agree to the Fire Assessment and asserted she pays enough taxes as a retired person.

Claritz Turcios asked for an explanation of the Fire Assessment in Spanish.

Following the advanced voicemail comments, Vice Mayor Rydell asked if there was anyone else present who wished to speak.

Ralph Ito, Banyan Trails, stated he agreed with the Fire Department being created on its own, and asserted the City deserves its own department. He noted there was a public information issue and hoped the City could address that. He stated Coconut Creek should have its own dispatch rather than working with Coral Springs, and questioned fire departments being in school

zones. He congratulated Fire Chief Jeffery Gary and City staff for making Coconut Creek a better place to live.

There were no further comments, and Vice Mayor Rydell closed the public hearing.

Commissioner Sarbone commended staff for addressing each of the letters and phone calls received in a professional way to make sure the public understood. He stated the increase in the assessment would have been there whether or not the department stayed with Margate, and they would not have had control or adequate reporting. Commissioner Sarbone responded to the dispatch comment and stated they had done a thorough vetting of Coral Springs. He shared details of the training to help the dispatchers learn the area.

Commissioner Welch agreed the education component needed to be something considered in the future and thanked staff for responding with information. She stated the Commission did not take spending tax payer dollars lightly, especially in the safety of the residents.

Commissioner Railey stated she would like residents to understand that Coconut Creek is among the lowest communities in Fire Assessment.

Vice Mayor Rydell echoed that he also did not take lightly spending money. He thanked Scott Backman for paying the Fire Assessment fees and stated South Florida Jewish Academy was an asset to the community and the region. He thanked staff for the consistent messaging.

Mayor Tooley stated she agreed with the Fire Assessment and encouraged additional publication of the annual meetings to discuss taxes and budget. She responded to the comment that Broward Sheriff's Office dispatch was free, and explained it was not free. She shared issues with BSO dispatch and stated Coral Springs would be a positive move.

AMENDMENT: Welch/Railey – To amend Ordinance No. 2021-019 to exempt private schools from the Fire Assessment.

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

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

Staff was directed to attach an addendum to the Ordinance reflecting the 83 percent cost recovery rate selected by the Commission and exempting private schools from the Fire Assessment.

Public Works Department

- ~~8. **RES** 2021-162 A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE A CONSULTING SERVICES WORK AUTHORIZATION WITH CPZ ARCHITECTS, INC. TO PROVIDE DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE LAKESIDE PARK IMPROVEMENTS.~~

Agenda Item #8 was removed from the agenda.

9. **ORD** 2021-001 AN ORDINANCE AMENDING THE FRANCHISE AGREEMENT BETWEEN THE CITY AND REPUBLIC SERVICES OF FLORIDA, L.P. D/B/A ALL SERVICE REFUSE DATED SEPTEMBER 10, 2019, TO PROVIDE FOR AMENDMENTS

RELATED TO RECYCLING, INCLUDING A WAIVER TO PERMIT SOURCE SEPARATED RECYCLING TO BE COLLECTED AND TRANSPORTED WITH GARBAGE AND RUBBISH TO THE TRANSFER STATION AT THE WHEELABRATOR NORTH BROWARD RESOURCE RECOVERY FACILITY AND PROVIDING FOR A RATE ADJUSTMENT DUE TO CHANGES IN THE RECYCLING PROGRAM AS WELL AS A TEMPORARY RATE ADJUSTMENT DUE TO THE FORCE MAJEURE EVENT COST ASSOCIATED WITH THE COVID-19 PANDEMIC. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Sarbone/Railey – To approve Ordinance No. 2021-001 on first reading.

Public Works Director Jim Berkman presented the item, explaining the Ordinance cleaned up language based on the changes made to the recycling program, provided for a study of the routes to determine any changes needed, and addressed COVID-19 relief.

Vice Mayor Rydell asked Republic Services staff to walk him through the provision in the contract which allows the City to reinstitute cardboard pickup. Joanne Stanley stated the contract signed in 2019 provided for cardboard pickup twice per year. She asserted they would be willing to work with the City to do weekly cardboard pickup at the curb. Vice Mayor Rydell stated he believed the community would benefit from that service and asked staff to start looking at the issue.

Commissioner Welch added that education was an issue, as people needed to know cardboard had to be broken down. Discussion ensued regarding education on recycling, cardboard, and bulk pickup. Mr. Berkman stated staff would review and determine the best way to approach cardboard pickup.

The Commissioners thanked Republic Services for their responsiveness.

Interim City Clerk Bowers stated there were no advanced public comments received for the item, and no one had signed in to speak.

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

City Clerk

10. **ORD 2021-018** AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES, CHAPTER 8, "ELECTIONS," SECTION 8-51, "OATH: CAMPAIGN FINANCE REPORTS; STATEMENTS OF FINANCIAL INTERESTS; FEE," TO PROVIDE FOR THE ELECTRONIC FILING AND POSTING OF CAMPAIGN TREASURER'S REPORTS. (SECOND READING)(PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Welch/Railey – To adopt Ordinance No. 2021-018.

Vice Mayor Rydell opened the public hearing on the item. Interim City Clerk Bowers stated there were no advanced public comments received for the item, and no one had signed in to speak. Vice Mayor Rydell closed the public hearing.

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

CITY MANAGER REPORT

City Manager Brooks explained conflicts with the November and December Regular Commission meetings and asked for and received consensus to place an item on the next agenda to move the meeting on November 11 to November 18 and cancel the second meeting in November, as well as to cancel the December 23 meeting. She wished Mayor Tooley a happy birthday.

CITY ATTORNEY REPORT

City Attorney Pyburn wished Mayor Tooley a happy birthday.

COMMISSION COMMUNICATIONS

Commissioner Sarbone reiterated a happy retirement to Phil Randazzo and thanked him for representing the City well. He echoed wishes of a happy birthday to Mayor Tooley and congratulated the Police Department on their pending recertification.

Commissioner Welch shared a note she had received from Fred Lorenzo, a middle school student who regularly came to the Commission meetings prior to COVID-19. She commended Deputy City Manager Sheila Rose and Commissioner Railey for their active participation at the Broward County Commission meeting in the discussion regarding Waste Management's land use plan amendment. She congratulated the Police Department on a successful reaccreditation assessment.


Commissioner Railey wished Mayor Tooley a happy birthday and congratulated the Police Department and Phil Randazzo. She stated Deputy City Manager Rose was a wealth of information and an asset to the City. She discussed the waste issue briefly. She visited Tomorrow's Rainbow, the South Florida Jewish Academy, and North Broward Preparatory School to learn of the services they provide.


Vice Mayor Rydell shared details of an investigation into Monarch Hill landfill expanding to accept asbestos from other countries. He commended staff from the Transportation & Stormwater Division that had done a professional job of work in his neighborhood.

Mayor Tooley discussed the recent Florida League of Cities annual conference and shared details of a crisis management session she had attended. She stated she was honored with a group of others as a Home Rule Hero and she and Commissioner Sarbone were recognized for 20 years on the Commission. She thanked staff for their hard work and wished Phil Randazzo well on his retirement.

ADJOURNMENT

The meeting was adjourned at 9:20 p.m.


Marianne Bowers, CMC
Interim City Clerk



9/23/21
Date

EXHIBIT "1"

From: [diego de la torre](#)
To: [CommissionComments](#)
Subject: I Request An Exception To The Payment Of Said Tax For Disability Reasons for Tax Parcel Number 484219EB0300 Public Hearing on Annual Fire Rescue Assessment
Date: Monday, August 9, 2021 2:29:12 PM

To: Coconut Creek City Clerk
4800 West Copans Road
Coconut Creek FL 33063-3879

On August 5 I received a mail from you (post office) with Reference: Notice of Public Hearing (AUGUST 26, 2021) on Annual Fire Rescue Assessment for Tax Parcel Number 484219EB0300 4400 NW 30 ST CK 330662141426.

I am a disabled person who respectfully Today August 9th, 2021 Request an Exception to the Payment of said Tax in consideration of my Disability.

I look forward to your Prompt favorable response and your understanding of my case.
Thank you!!

Cordially,

Ana C. Villamil
August 9th, 2021

From: [diego de la torre](#)
To: [CommissionComments](#)
Subject: Request an Exception to the Payment for Tax Parcel Number 484219EB0300 for Disability Reasons (Public Hearing August 26,2021)
Date: Wednesday, August 11, 2021 8:08:59 PM

To: Coconut Creek City Clerk
4800 West Copans Road
Coconut Creek FL 33063-3879

On August 5 I received a mail from you (post office) with Reference: Notice of Public Hearing (AUGUST 26, 2021) on Annual Fire Rescue Assessment for Tax Parcel Number 484219EB0300 4400 NW 30 ST CK 330662141426.

I am a disabled person who respectfully Today August 11th, 2021 Request an Exception to the Payment of said Tax in consideration of my Disability. Is no possible for me receive phone calls because I can not speak (speech paralysis problems, hearing problems), also I only understand Spanish in conversations and I can not participate in person in the Public Hearing.

I can only communicate with you or other people in writing. This is why I am writing to you again by email.

So please, I kindly ask you to give me your response and comments here in the email written.

Thank you for your prompt response to my request and for your understanding with my case.

I look forward to your Prompt favorable response and your understanding of my case.
Thank you!!

Cordially,

Ana C. Villamil
8/11/2021

From: [diego de la torre](#)
To: [CommissionComments](#)
Subject: I Request An Exception To The Payment Of Said Tax For Disability Reasons for Tax Parcel Number 484219EB0300 Public Hearing on Annual Fire Rescue Assessment
Date: Wednesday, August 11, 2021 8:14:43 PM

Good day again!!

To:

To: Coconut Creek City Clerk

4800 West Copans Road

Coconut Creek FL 33063-3879

On August 5 I received a mail from you (post office) with Reference: Notice of Public Hearing (AUGUST 26, 2021) on Annual Fire Rescue Assessment for Tax Parcel Number 484219EB0300 4400 NW 30 ST CK 330662141426.

I am a disabled person who respectfully again Today August 11th, 2021 Request an Exception to the Payment of said Tax in consideration of my Disability.

Is no possible for me receive phone calls because I can not speak (speech paralysis problems, hearing problems), also I only understand Spanish in conversations and I can not participate in person in the Public Hearing.

I can only communicate with you or other people in writing. This is why I am writing to you again by email.

So please, I kindly ask you to give me your response and comments here in the email written.

Thank you for your prompt response to my request and for your understanding with my case.

I look forward to your Prompt favorable response and your understanding of my case.
Thank you!!

Cordially,

Ana C. Villamil
8/11/2021

From: [Howard W](#)
To: [CommissionComments](#)
Subject: Public hearing on fire rescue assessment
Date: Tuesday, August 10, 2021 9:47:26 AM

Commissioner

Regarding the annual special assessment for fiscal year 2021. I totally object to this assessment

of \$68.62 for my condo. Every year my taxes go up, and now an assessment .

We are not getting any relief from any government agency. In my community we have approx 5200. If all the units are assessed the same for this annual fire assessment you will be collecting from one community approx. \$300,000 (THREE HUNDRED THOUSAND DOLLARS). that is not including the approx. FIVE HUNDRED THOUSAND OR MORE already collected from our annual tax bill. How much money does the fire rescue unit really need to operate?

Thanks for taking the time to read my letter

Howard Wasserman
3301 Aruba Way
Coconut Creek Fl 3306

From: [Epn](#)
To: [CommissionComments](#)
Subject: Public hearing on annual fire rescue assessment
Date: Tuesday, August 10, 2021 1:54:29 PM

Property owner of parcel 484220BH0090
Phoebe nguyen
3535 nw 35th st #1609
Coconut Creek, fl 33066

I am writing to object the new assessment for the fiscal year 2021-2022.
In the CoVid era, everyone is trying to make ends meet. Everything is rising in cost. The new assessment will certainly put more burdens on the residents of the city, and in turn, on businesses.

Multifamily dwelling unit rate is almost double mobile home rate when mobile home is more likely to catch fire based on building materials. Yet, multifamily dwelling unit rate is almost equal to single home family but half in property value. This assessment is clearly target multifamily unit dwellings since Coconut Creek is made up of the Township and Windmore.

I will write official objection to this assessment.

Property owner in Coconut Creek City

--

Sent from my Android device with K-9 Mail. Please excuse my brevity.

From: [Emile Baladi](#)
To: [CommissionComments](#)
Subject: Annual Fire Rescue Assessment
Date: Tuesday, August 10, 2021 2:53:11 PM

Parcel Number 484229KD0010

My wife and I live at 1803 Eleuthera Pt. Apt. A1 in a 1400 sq. Feet SINGLE FAMILY Dwelling apartment. Our rate should be \$0.00 not \$220.64.

Baladi Emile & Susan
1803 Eleuthera Point, Apt. A1
Coconut Creek, FL 33066
954/586-4750

From: [ChristieV.](#)
To: [CommissionComments](#)
Subject: public comment annual special assessment
Date: Wednesday, August 11, 2021 8:05:20 AM

I have no interest in giving any more money to the government.
Tighten your belt and find another way.

Sincerely,

Christie Voss
2908 Carambola Cir S., Apt 206
Coconut Creek, FL 33066

954-531-5978

From: [Berge Markarian](#)
To: [CommissionComments](#)
Subject: annual fire rescue assessment
Date: Wednesday, August 11, 2021 12:00:16 PM

**we reside in coconut creek 7 months out of the year in a 2000 square ft home and pay \$3000.00 in taxes .
in 26 years there we have never used Fire rescue for our property, therefore we are against any increase commencing October 2021**

We ask kindly you consider our request

Thank you

Markarian Berge H. & Meline A.

Meline & Berge Markarian Rev Trust

6500 Flamingo way

Coconut Creek, Fl 33073-4516

From: [Leonore Greller](#)
To: [CommissionComments](#)
Subject: RE: Objection Comment
Date: Wednesday, August 11, 2021 1:12:12 PM

Comments:

I object to assessments being imposed as our insurance rates have been greatly increased here in Broward, as has everything else, and the assessment is being imposed ONLY for single family homes for both 2021-2022. This is not consistent with costs proposed based on the "fire rescue incident reports, property size, and property value". Also, multi-dwelling units should be charged MORE than single family homes, not less, as more people and homes need to be "rescued" when an event occurs.

From: tillie712@aol.com
To: [CommissionComments](#)
Subject: Public Hearing Notice re Annual Fire Rescue Assessment for Tax Parcel 484229JJ0430
Date: Thursday, August 12, 2021 10:43:44 AM

These are my comments to your letter dated August 3, 2021 re above mentioned subject matter:

1. Can't imagine why you cannot stay within your budget, like the rest of us do. You did not mention inflation, so I'm guessing your request for additional funding does not have to do with inflation.
2. If you need more money, let the public vote on it, in the manner it is done with other requests for tax increases. The public should have a voting say in these matters.
3. Why are your meetings not zoomed?

Thank you.

Esther Yadin
3404 Bimini Lane/A4, C.C. FL 33066

From: [jj](#)
To: [CommissionComments](#)
Subject: Annual Fire Rescue Assessment
Date: Thursday, August 12, 2021 12:29:16 PM

Hello, I Jimmy L. Johnson at 4838 NW 21st Coconut Creek, FL 33063 and I wanted to voice my opinion of this matter by simply saying that I DISAGREE WITH A ASSESSMENT. This is not the appropriate time for such a thing, given the fact that we are now in delta variant period of corona virus. Many people are currently being evicted, things are extremely difficult for a lot of people. So with that being said it is just not the right time. And also you have to consider due to the increase of the variant, a lot of people prefer not to attend in person to voice their opinion as well. A lot of people are struggling financially during this time, and by assigning a assessment to their financial struggle and burden is just not good. Many cannot afford to pay, and with that extra obligation people may just end up losing everything. I just think IT SHOULD BE POSTPONED! DUE TO THE CURRENT CLIMATE WE ARE IN NOW. THANKS, jimmy

From: [Nelio Lopes](#)
To: [CommissionComments](#)
Subject: Notice of Public Hearing on Annual Rescue Assessment
Date: Friday, August 13, 2021 8:38:49 PM

Hi, my name is Cornelio Lopes, I have been living in Coconut Creek for more than 20 years and enjoy living here. During the last few years, I have been noticing the care with the area is being a bit neglected, especially concerned to streets and public areas, e.g. the work being done in Lyons Rd.

We pay a considerable amount of money in taxes, federal and local, we are facing a difficult situation, and do not agree to have an additional charge to be assessed.

I understand everyone is facing difficulties but we need to review our expenses without lacking quality, we need to be inventive and creative, same as I am trying to do with my personal finance life.

Best regards.

From: [Nikki](#)
To: [CommissionComments](#)
Subject: Notice of Public Hearing - Fire Rescue Assessment Tax Parcel # 484220GG0160
Date: Friday, August 13, 2021 10:46:04 AM

Good Morning,

We have received your letter with respect to a possible levy against our property commencing October 1 2021 and each year after to pay for a portion of Fire Protection Services incurred by the City.

Herein are the objections from our standpoint;

1. From the information that you have provided, it is evident that the fees are the same for this two (2) bedroom as it would be for a three (3) bedroom or family sized unit.
2. This unit, like many others are seasonally used. Therefore, the risk to fire is lower and the payments should not be the same. It should be proportionate to the risk and is not a - one size fits all situation.

This new Assessment and fee should not be allowed as this is a "Money Grab", This is what we pay Taxes and Condo Fees for.

We await your response.

Thanks and Regards
Nikki Yeandle
per
Correct Construction Co Ltd
1-29 Strathearn Ave
Brampton ON Canada
L6T 4V6

From: [Dennis Kalish](#)
To: [CommissionComments](#)
Subject: Annual Fire Rescue Assessment for Tax Parcel # 484229DG0150
Date: Monday, August 16, 2021 1:09:23 PM

To whom it may concern,

We are in receipt of your August 3, 2021 letter in which we are notified that a special assessment may be levied against our property by the City of Coconut Creek.

Please advise - If adopted, will this special assessment replace the Fire Rescue protection levy as shown on our Broward County Property assessment, or will the fire rescue protection levy be billed separately by the City of Coconut Creek?

Yours truly,

Allan Dennis Kalish Carolyn Joy Seetner Kalish

From: [E.L](#)
To: [CommissionComments](#)
Subject: Objection to proposed annual fire rescue assesment
Date: Thursday, August 19, 2021 6:57:26 AM

Estate of Mohammed R Hossain
6410 Mallards Lane
Coconut Creek, FL 33073

Dear Sir/Madam,

I am writing this letter to object to the annual fire rescue assesment for Coconut Creek for my property, tax parcel 484206220430. I believe that the proposition is not in full interest of the citizens and would like to urge you to take into consideration the facts that are provided here. Please feel free to use my comment on during the 8/26/21 meeting.

This increase in budget would propose an undue hardship to the residents of Coconut Creek. I believe that our city's fire rescue is already well funded and we'll equipped and there is no need for any new assessments.

I hope that you would withdraw the proposed annual fire rescue assesment and new budget.

Sincerely,

Ellin Hossain for the Estate of Mohammed R Hossain

From: [Tammy Lettieri](#)
To: [CommissionComments](#)
Subject: Fire -Rescue Property Tax Increase
Date: Thursday, August 19, 2021 10:52:05 AM

I strongly oppose the entire plan to sever ties with Margate Fire-Rescue and Broward Sheriff's Office and start an independent fire-rescue dept and in the middle of the pandemic no less. Once again the increase in taxes is higher than expected and seniors are facing an undue burden. We have already had to deal with escalating costs of: homeowners insurance (\$500/year), internet service (pandemic related), FPL rate increases, and HOA maintenance fees, to name just a few. How much more can one absorb on a small monthly SS benefit? How much suffering do you expect seniors living in single family homes to endure?

The Commissioners who voted for this drastic change to fire -rescue services were shortsighted and bullheaded refusing to even acknowledge the concerns of citizens who asked that they defer the vote on this in May, 2020 Had they at least maintained the free 911 dispatch service provided by Broward Sheriff's Office the costs would have been contained and the annual tax increase less severe. Instead they persevered with not only building a 3rd fire station, which I acknowledge we need, but severing ties with Margate to build our own dept and severing ties with BSO which offered free dispatch service, to contract with an extremely expensive 911 dispatch service from CS PD. Not only is the contract for 911 dispatch services from CS PD prohibitive but it has major gaps in service and will not be able to handle all the calls we receive and will outsource the calls to Sunrise! Furthermore you will be leaving us with inexperienced, younger paramedics without the guidance of senior paramedics which puts everyone's wellbeing in jeopardy. And your planned designated shifts for them are proven to be less safe than shorter shifts with longer breaks, again risking their safety and well being.

Your plans are costly, reckless and shortsighted and should be rescinded with the exception of building the 3rd fire-rescue station.

Regards,

Tamah Lettieri
3302 Carambola Circle S
CC FL 33066
561-302-0686

From: [Hien Nguyen](#)
To: [CommissionComments](#)
Subject: Fire rescue assessment
Date: Sunday, August 22, 2021 5:48:34 PM

We are unable to attend the commission meeting on Thursday, August 26. We live in the District E of Vice Mayor Rydell. We received the notice regarding the fire rescue assessment. We have several questions/concerns. It would have been prudent to include in the notice as to WHY the assessment was increasing significantly. We are fortunate to be close by and serviced by FS 94. In our case, a rise from \$196.13 to \$245.16, an increase of \$49.03 (almost 25%). We had to look for the fact that there was a new station in District D (FS 113) opening in October 2021. We love that fire rescue will be even more readily available to our community with the addition of FS 113. We were surprised when we received the notice and had to do some research.

When was the last time the Fire Protection Assessment increased and by how much? Please provide the total cost of the new FS 113 and the 2022 Fire Protection Assessment study. Will this new FS decrease our property insurance cost by increasing our rating? What is our current insurance rating for our City?

Thank you,
Hien Nguyen

From: [tara sam](#)
To: [CommissionComments](#)
Subject: Fire Rescue Assessment
Date: Monday, August 23, 2021 9:17:18 PM

Hi I'm a new owner for a few years of my condo in coconut creek and when the pandemic happened, the city did not reduce anything to accommodate those who lost work and their businesses. The Broward County Appraiser said that the budget for 2020 was already set and any reduction in anything will be the following year. So why in 2021, city of Coconut Creek wants to do a special assessment of \$220.64? That doesn't reduce anything.

We're still in a pandemic and while life goes on I don't understand why a special assessment is needed at this time.

Some residents like me are trying to work and pay our bills to stay on top and this extra cost is just much right now inclusive of rising HOA fees. It's our tax paying money that keep the fire and police and whoever in jobs and this assessment should not be done during a pandemic. Come back with this idea in a few years when the economy is truly stable

Kind Regards,

Atarah

From: [Lisa Meade Romero](#)
To: [CommissionComments](#)
Subject: RE: Notice of Public Hearing on Annual Fire Rescue Assessment - TO BE READ August 26, 2021
Date: Wednesday, August 25, 2021 12:23:08 PM

To the Commission of Coconut Creek-

It is with a heavy heart that I feel compelled to write this message. I think it is a shame for members of the Commission to have publicly stated that the Fire Department would be FULLY FUNDED and then ask for a larger dollar value to replace the normal assessment. This should have been disclosed to the public more transparently than hiding it as a REPLACEMENT of the normal Assessment. I am not in favor of any increase in the Assessment. Since the Commission could not work together with other municipalities to come to a better agreement, with a lower cost, and the Commission CHOSE to vote to separate from Margate knowing the costs to be incurred, the Commission should find the money someplace else in the City's budget. I agree that the City should move toward having control to affect change for better public services, but they must do it in a fiscally responsible manner without jeopardizing the level of service to the public, while being open and honest.

As a resident of Coconut Creek for over 10 years, I am deeply saddened to lose confidence in our Commission. From lack of transparency, to public displays of favoritism and Commissioners not even living in the City, my disappointment has grown. I am a public servant myself, and although it can be easy to get swept up in issues before us, we should ALWAYS remember that it is the PUBLIC that we serve and honesty is paramount. Residents can forgive the Commission for making mistakes, however what residents cannot forgive is that the Commission knows better than the people and that the people's voice is not given the true weighted respect it deserves. I humbly request that the Commission reflects on their oath of public office and the voice of the residents to make the right decision. May we not perpetuate mistakes because we fear admitting poor past decisions and dig down to root ourselves in ego. I pray the residents and the Commission can come together for the betterment of Coconut Creek and its future.

Respectfully,
Lisa Meade Romero
5420 NW 49th Ave Coconut Creek, FL 33073

From: [Gail Hamaty-Bird](#)
To: [CommissionComments](#)
Subject: Food For The Poor
Date: Wednesday, August 25, 2021 2:25:50 PM
Attachments: [image001.png](#)
[image003.png](#)
[image005.png](#)
[image007.png](#)
[image009.png](#)
[image011.png](#)

Good evening;

We would like bring some information to the attention of the commission and request that it be given some consideration.

Food For The Poor, Inc is a non-profit operating in the City located at 6401 Lyons Road, Coconut Creek, Florida 33073. Food For the Poor is committed to serving the needs of the poor in 17 countries in the Caribbean and Latin America.

Food For The Poor's rate is calculated on square footage of both Office and Warehouse space. The office and warehouse spaces are separated by a 10" thick concrete wall and are clearly segregated on all building plans and permits. Theses spaces ought properly to be taxed separately. If this is done Food For The Poor's overall increase would be less as warehouse space is assessed at a lesser rate. The Office spaces are approximately 80,000 square feet for an amount of \$78,849.76 and Warehouse space of approximately 41,100 square feet for an amount of \$4,606.97, giving an total with the new assessment rates of \$83,456.73. It is our position that this how the assessments should be calculated.

If the assessment rates are completed because of the "possible" demand on the Fire Department and the concentration of personnel and potential loss is in commercial/office/institutional spaces rather than industrial warehouse spaces, then our Industrial Office 1 Zoning where Offices and Warehouses are allowed should be separated proportionately especially when they have the required minimum fire resistance rating of 3 hours in between.

The assessment will be significant and the time should be taken to ensure that each entity is being properly assessed according to its true nature.

Thank you

Gail

Gail Hamaty-Bird
EVP/General Counsel



6401 Lyons Road, Coconut Creek, FL 33073

954-426-6845 (direct)

754-423-3791 (cell)

GailHB@FoodForThePoor.Com

www.FoodForThePoor.org



“Whatever you did for one of the least of these brothers and sisters of Mine, you did for Me.”

(Matthew 25:40, NIV)

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HI, MY NAME IS MARIA COSTA, I LIVE
IN 4126 CARAMBOLA CIRCLE SOUTH,
COCONUT CREEK, FL-33066.
MY TELEPHONE NUMBER
(954) 991-8282

I AM A SINGLE MOM WITH
2 BOYS TO RAISE, AND I
WORK 2 JOBS TO KEEP FEEDING
MY BOYS AND PAYING MY BILLS,
I CAN'T AFFORD PAYING
ANYTHING EXTRA SO WITH THAT
BEING SAID I CAN'T PAY
EXTR FIRE RESCUE PROTECTION,
I ONLY CAN AFFORD THE
BILLS I HAVE NOW
SO I DON'T KNOW WHAT
ELSE COULD I SAY FEEL
FREE TO GIVE A CALL OR
EMAIL ME

SandraCostamb05@gmail.com

I HOPE YOU GUYS UNDERSTAND,
MY SITUATION.

I APPRECIATE!

