



CITY OF COCONUT CREEK CITY COMMISSION MINUTES

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

**Date: October 12, 2023
Time: 7:00 p.m.
Meeting No. 2023-1012R**

CALL TO ORDER

Mayor Joshua Rydell called the meeting to order at 7:03 p.m. He advised that Agenda Item 13 had been removed at the request of staff and would not be heard on the agenda.

PRESENT UPON ROLL CALL:

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

Mayor Rydell asked all to rise for the Pledge of Allegiance followed by a moment of silence. The Commissioners each commented on the Israeli-Hamas conflict and encouraged residents to continue to reflect and think about the innocent civilian lives on both sides of the conflict.

Mayor Rydell noted that the meeting was being conducted live with a quorum physically present, and City Attorney Terrill C. Pyburn explained the procedures for public participation and comment for the meeting.

PRESENTATIONS

- 1. 23-184** A PRESENTATION RECOGNIZING FOURTH QUARTER EMPLOYEE MILESTONE ANNIVERSARIES FOR FISCAL YEAR 2023.

Human Resources Director Pamela Kershaw recognized the following employees who had reached a milestone anniversary during the fourth quarter of Fiscal Year 2023.

Five (5) Year Anniversary

Nicole Samsel, Senior Recreation Programmer, Parks & Recreation
Amanda Cummings, Police Officer, Police Department
Kelly Leach, Police Records Technician, Police Department
Jimmy Laurent, Bus Driver, Public Works Department
Pam Raboin, Permit Technician, Sustainable Development Department
Daniella Thomas, Senior Staff Assistant, Sustainable Development Department
Louis Kubasek, Utility Service Worker II, Utilities & Engineering Department

Ten (10) Year Anniversary

Bryan Smith, Park Ranger, Parks & Recreation Department

George Jarboe, School Resource Officer, Police Department
Dwayne Vanek, Chief Electrical Inspector, Sustainable Development Department

Fifteen (15) Year Anniversary

Rafael Marin, Police Sergeant, Police Department
Adam Marts, Police Sergeant, Police Department

Twenty-five (25) Year Anniversary

Lenore Thomas, Parks & Recreation Superintendent, Parks & Recreation

Thirty (30) Year Anniversary

Sharon Read, Senior Utility Billing Technician, Finance & Administrative Services
Virginia Korstjens, Administrative Assistant, Information Technology Department

2. 23-197 A PROCLAMATION RECOGNIZING OCTOBER 2023 AS “BREAST CANCER AWARENESS MONTH.”

Mayor Rydell read the proclamation into the record and presented it to Tracy Milgram, Coconut Creek resident and founder of BRACASTRONG. He briefly highlighted breast cancer awareness month events planned for Saturday, October 14. Ms. Milgram shared details of the event for underinsured and uninsured women and thanked the City for their ongoing support of her organization and breast cancer awareness.

3. 23-190 A PROCLAMATION RECOGNIZING OCTOBER 2023 AS “NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH.”

Mayor Rydell read the proclamation into the record and presented it to Julianna and Gabriel Escobar. Mr. Escobar, Monarch High School student, spoke briefly, highlighting the importance of National Disability Employment Awareness Month.

4. 23-200 A PROCLAMATION RECOGNIZING OCTOBER 14, 2023, AS “COCONUT CREEK E-WASTE DAY.”

Commissioner Railey read the proclamation into the record and presented it to 12-year-old environmental activist Anya Gupta of Boca Raton. Ms. Gupta spoke briefly regarding the importance of battling e-waste.

5. 23-188 A PROCLAMATION RECOGNIZING OCTOBER 23-31, 2023, AS “RED RIBBON WEEK.”

Vice Mayor Welch read the proclamation into the record and presented it to Melissa Saur, representative from the South Florida Unit of the Young Marines organization for their efforts in drug prevention.

INPUT FROM THE PUBLIC

City Clerk Kavanagh stated that no advanced public comments were received for Non-agenda or Consent Agenda items.

Resident Lourdes Mederos spoke regarding decorum and citizen engagement. She thanked Mayor Rydell for bringing up the subject at the September 28 Commission meeting and stated she was opposed to a restriction of time and representation. She asserted a decorum policy should preserve the right for those present to speak.

CONSENT AGENDA (Items 6 and 7)

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

- 6. **23-189** A MOTION APPROVING THE MINUTES FROM PREVIOUS CITY COMMISSION MEETING(S). (2023-0913WS, 2023-0914SP, AND 2023-0914R)

- 7. **RES**
 2023-175 A RESOLUTION ACCEPTING THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) IN THE AMOUNT OF SEVEN THOUSAND EIGHTY DOLLARS (\$7,080) AND AUTHORIZING THE MAYOR, OR DESIGNEE, TO EXECUTE THE AGREEMENT WITH THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT (FDLE) FOR SIMULATOR-TRAINING EQUIPMENT.

MOTION: Wasserman/Railey – To approve Consent Agenda Items 6 and 7.

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

REGULAR AGENDA

Public Works Department

- 8. **RES**
 2023-122 A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE TWO (2) CONSULTING SERVICES WORK AUTHORIZATIONS WITH WALTERS ZACKRIA ASSOCIATES, PLLC TO PROVIDE: 1) PROGRAMMING AND SCHEMATIC DESIGN SERVICES FOR THE FUTURE FIRE STATION #113 AND FIRE ADMINISTRATION OFFICES, AND 2) THE RENOVATION AND EXPANSION OF THE EXISTING POLICE DEPARTMENT BUILDING. THE TWO (2) WORK AUTHORIZATIONS TOTAL \$142,660.00, AND THE SELECTION IS PURSUANT TO RFQ NO. 10-06-21-11.

Mayor Rydell read the Resolution title into the record.

MOTION: Welch/Wasserman – To approve Resolution No. 2023-122.

Public Works Director Harry Mautte presented the item, explaining the Fire Administration Offices were currently located in a leased building, but the growth of the Coconut Creek Fire Rescue Department resulted in the need for more resilient and permanent facilities. He noted that, additionally, the Coconut Creek Police Department had outgrown its current facility, and based on the direction of the Commission, staff was evaluating the option to expand the facility at the Government Center. He reviewed the two (2) proposed work authorizations with Walters Zackria Associates, PLLC, which would develop concept plans to address the needs of the Fire and Police Departments.

Vice Mayor Welch asked for clarification on the project timeline and asked what would be planned for the acreage of the site which was not taken up by these facilities. Mr. Mautte stated the budget would be based on construction beginning in Fiscal Year 2025 and explained that the use of the remainder of the site was not part of the scope of this project at this time, but the use would be minimized as much as possible. Vice Mayor Welch asked about designation of reclaimed water for MainStreet, and whether the City was planning to accept responsibility for the reclaimed water line. Deputy City Manager Sheila Rose stated the developer of the MainStreet project was responsible for installation of the reclaim services.

Mayor Rydell advised that he did not believe there had been clear direction from the Commission as how to move forward with the Fire Station and executive offices. Vice Mayor Welch stated she thought that because there was no consensus to go for a General Obligation Bond for a Public Safety Complex that they were moving forward with the construction of Fire Administration Offices only. City Manager Brooks stated she believed there had been consensus, as the City was leasing space for the Fire Administration at this time, and there was no other place to put them aside from with the permanent Fire Station.

Mr. Mautte explained the work authorizations would provide the data and cost estimate for a combined facility. He stated if the Commission later decided not to include that component, when design goes forward the consultant would be given that direction.

Mayor Rydell asked for clarification on the cost, and Mr. Mautte detailed the scope of work.

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

Sustainable Development

9. **RES 2023-174** A RESOLUTION APPROVING THE ANDROS VILLAGE NEIGHBORHOOD ASSOCIATION APPLICATION FOR MATCHING GRANT FUNDS FROM THE NEIGHBORHOOD ENHANCEMENT GRANT PROGRAM FOR SECURITY ENHANCEMENTS.

Mayor Rydell read the Resolution title into the record.

MOTION: Welch/Brodie – To approve Resolution No. 2023-174.

Commissioner Railey recused herself from the item and abstained from the vote due to her position on the Wynmoor Community Council.

Sustainable Development Director Scott Stoudenmire presented the item, explaining the grant was for a security project consistent with the project guidelines, and noted this was the first Neighborhood Enhancement Grant of the new fiscal year.

Vice Mayor Welch asked for clarification on the total amount of grant funds available. Mr. Stoudenmire advised that the total budget for this fiscal year was \$195,000, and clarified that the funds did not roll over from year to year.

Upon roll call, the Resolution passed by a 4-0 vote, with Commissioner Railey abstaining, a copy of which Form 8B is attached hereto and incorporated herein.

10. **RES 2023-155** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE A CONSULTING SERVICES WORK AUTHORIZATION WITH CARNAHAN PROCTOR AND CROSS, INC. FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO THE HILLSBORO BOULEVARD REDEVELOPMENT SHARED-USE PATHWAY, IN ACCORDANCE WITH RFQ NO. 03-25-20-02, AS PART OF THE HILLSBORO CORRIDOR REDEVELOPMENT AREA PHASE 1 PUBLIC IMPROVEMENTS.

Mayor Rydell read the Resolution title into the record.

MOTION: Railey/Wasserman – To approve Resolution No. 2023-155.

Mr. Stoudenmire presented the item, noting the work authorization was for engineering services related to the Hillsboro Corridor, a project previously approved as part of the Broward Redevelopment Grant. He explained the pedestrian enhancement had met some complications with the Florida Department of Transportation (FDOT), which led to a delay, but had since been worked out.

Mayor Rydell asked whether the work authorization was part of the grant, and Mr. Stoudenmire confirmed that it was.

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

11. **ORD 2023-029** AN ORDINANCE ACCEPTING THE CONVEYANCE OF TITLE FROM 4211 SP, LLC TO FORM PORTIONS OF THE RIGHT-OF-WAY FOR NW 74TH STREET. (SECOND READING)(PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Wasserman/Brodie – To adopt Ordinance No. 2023-029.

Mr. Stoudenmire briefly presented the item, noting it was second reading of the ordinance, and he was present to answer any questions.

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

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

12. **ORD 2023-031** AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE THE FIRST AMENDMENT TO THE LEASE AGREEMENT WITH T-MOBILE SOUTH, LLC, TO UPGRADE EQUIPMENT WITHIN THE EXISTING LEASED SPACE AND WITHIN CONCEALED CANISTERS ON THE CITY'S TELECOMMUNICATIONS TOWER LOCATED AT THE COMMUNITY CENTER, SUBJECT TO ALL OTHER TERMS AND CONDITIONS PROVIDED THEREIN. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Wasserman/Brodie – To approve Ordinance No. 2023-031 on first reading.

Mr. Stoudenmire presented the item, explaining the amendment included swapping out equipment on the Community Center telecommunications tower and did not include additional load on the tower so there would be no increase in rent.

Commissioner Brodie expressed concern with the oversight of the project due to recent layoffs at T-Mobile. He asserted he wanted to make sure they understood the scope of work and wanted the construction manager on site during the project. Mr. Stoudenmire noted that staff would make those assurances. Elizabeth Smith, Cityscape Consultants, the wireless telecommunication consultant for the City, stated that her team had worked with Assistant City Attorney Eve Lewis on the lease and confirmed they would be overseeing the construction. Commissioner Brodie asked for clarification whether Cityscape Consultants would be the project manager, or if it would be done by T-Mobile. Ms. Smith explained it would be a contractor, but the permit had not been submitted, so she could not identify who it would be at this time.

Mayor Rydell asked staff to confirm that the City's in-house legal expert had reviewed the lease, and City Attorney Pyburn reiterated that Assistant City Attorney Lewis reviewed and approved the lease.

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

- ~~13. **ORD** **2023-026** AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES BY AMENDING CHAPTER 5, "ANIMALS," SPECIFICALLY SECTIONS 5-2, "DEFINITIONS," 5-3, "ADOPTION OF COUNTY ANIMAL CONTROL ORDINANCE," 5-5, "KEEPING AGRICULTURAL AND FARM ANIMALS," 5-6, "PROHIBITION ON NUISANCES; RUNNING AT LARGE, VICIOUS DOGS, DOGS HAVING BITTEN OR ATTACKED," 5-7, "PROHIBITION OF CRUELTY TO ANIMALS," 5-8, "WILD ANIMALS, WATERFOWL, AND RELATED NUISANCES," AND 5-9, "IMPOUNDING, DISPOSITION OF ANIMALS," TO CLARIFY DEFINITIONS, PROHIBIT PUBLIC NUISANCES CAUSED BY UNNATURAL CONGREGATIONS OF WILDLIFE, AND UPDATING LANGUAGE TO BE CONSISTENT WITH STATE LAW. (THIS ITEM HAS BEEN POSTPONED AND WAS NOT HEARD.)~~

Agenda Item 13 was postponed at the request of staff and not heard on the agenda.

CITY MANAGER REPORT

City Manager Brooks shared that Governor Ron DeSantis had issued an order that activated the National Guard and State Guard for sixty (60) days in light of the Israeli-Hamas conflict. She stated the order provided for the Florida Division of Emergency Management to bring Floridians home from Israel and transport supplies to Israel. She shared that a demonstration was expected to be held on October 13 at Freedom Tower in Miami, and Miami-Dade County was partially activating its emergency response team, while Broward County was standing by. City Manager Brooks stated that the public hearing for Waste Management's land use plan amendment to expand the land fill would be heard on the January 16, 2024, Broward County Commission Agenda. She wished Vice Mayor Welch and Commissioner Brodie each a happy birthday.

CITY ATTORNEY REPORT

City Attorney Pyburn wished Vice Mayor Welch and Commissioner Brodie each a happy birthday. She stated she had emailed an update on the West Flagler versus the Department of the Interior case having to do with the Seminole Compact. She explained the stay granted by the Supreme Court meant the Seminole Tribe could not engage in online sports betting until the appeal was heard. City Attorney Pyburn shared that she and Assistant City Attorney Lewis had spoken at the Florida Association of Police Attorneys Conference the previous week in Daytona Beach.

COMMISSION COMMUNICATIONS

Commissioner Wasserman commented there was a building parcel on Coconut Creek Parkway within Coconut Creek Plaza that had become an eyesore and asked that it be looked into. City Manager Brooks responded that Code Enforcement could investigate. Commissioner Wasserman shared that he was able to go to Chabad on Tuesday and it was nice to be with people who needed to be together. He highlighted the dedication of Jaime's Room at the Recreation Complex, which took place on October 11, in memory of Jaime Guttenberg, who tragically lost her life in the Marjory Stoneman Douglas High

School shooting in 2018. He commented that it was a special time and recognized Parks and Recreation Director Wayne Tobey. He offered his thoughts and prayers to former Commissioner Becky Tooley in her recovery from surgery. Commissioner Wasserman commented on his first six (6) months on the dais, recognizing City staff and Commissioners, and stated he was grateful to be a part of the City.

Commissioner Brodie stated he had the opportunity to participate in several ride-alongs with the Coconut Creek Police Department. He commented that the City had an amazing group of officers in the field and discussed his experience briefly. Commissioner Brodie shared that the Foundation for Independent Living (FIL) basketball game against the Coconut Creek Police Department was planned for October 13 at the same location as Fluffy's Foodie Food Truck Friday event at the Community Center and invited everyone to attend. He noted the Pony Jail and Bail fundraiser for Tomorrow's Rainbow was set for Sunday, October 15, and invited the community to support the event.

Commissioner Railey wished Vice Mayor Welch and Commissioner Brodie a happy birthday. She highlighted the Broward Heart Project and its efforts to get people to participate in free heart testing. She stated it had saved lives and encouraged residents to participate by visiting takeheartest.com. She thanked the Coconut Creek Police Department for providing traffic enforcement in Wynmoor and stated she had seen a change in the traffic patterns already. Commissioner Railey stated she had witnessed Coconut Creek Emergency Medical Services (EMS) come in and save a resident and commended their fast response time. She commented on the Jaime's Room dedication, and spoke about the positive impact of the community coming together through tragedy. She noted the upcoming opening of the Cheesecake Factory in the Promenade.

Vice Mayor Welch read a thank you note, recognizing School Resource Officer Sudman at Tradewinds Elementary School, following a student incident the previous day. She commented on floating solar panels she had recently seen and stated she thought the concept was interesting and might work locally. Vice Mayor Welch noted the Township Public Safety Roundtable had included amazing information, but only about half of those who RSVP'd had attended. She challenged the community to improve attendance if there was a future event. Vice Mayor Welch advised that, at the Solid Waste Disposal and Recyclable Materials Processing Authority Governing Board meeting held earlier in the week, the City had lost its position on the Executive Committee. She expressed her frustration with the process followed. Mayor Rydell asked for additional details on the process, including when the terms were up and when the City could advocate to try to get back on the Executive Committee. Vice Mayor Welch stated the terms were two (2) years. She noted that, as an alternate, she had attended every meeting, and there were people elected who had not been to a meeting previously. She shared that the provider for composting had spoken regarding a pilot project in Deerfield Beach and a drop-off program in Coral Springs. She stated she was hoping there would be consensus by the Commission to move forward with something similar and discussed feedback she had received from a resident. Vice Mayor Welch shared that the first meeting of this year's Teen Political Forum had been held, and it was very robust, with 39 students signed up to take on planning the event. She stated the Metropolitan Planning Organization (MPO) meeting had a short agenda, with items of interest including Rapid Transit systems and fatality rates year over year. Vice Mayor Welch asked Deputy City Manager Sheila Rose if the City would be able to piggyback on the Federal Safe Streets and Roads for All (SS4A) Grant Program. She suggested the Lyons Road improvements north of the Sawgrass as a potential project for funding. Deputy City Manager Rose explained the Lyons Road project north of the Sawgrass was under the County's jurisdiction and had been funded in the County's five-year surtax plan with a commitment to implement it this year.

Mayor Rydell asked City Attorney Pyburn what the process was if an individual on the Solid Waste Executive Committee terms out of their City position or loses an election while serving on the Committee. He noted he would like to be educated on how the City can advocate for that position if it were to come open. City Attorney Pyburn stated she would confirm the process and report back. Mayor

Rydell asked staff when the decorum policy would be brought forward. City Attorney Pyburn stated it would likely be the first meeting in November. Mayor Rydell stated he was disappointed in the Ambassador meeting earlier in the evening and suggested that the topics might need to be merged to be more effective or host the meetings every other month. City Manager Brooks advised that the Ambassador program had been in place for one (1) year, and in that year, the substantial topics had largely been covered. She noted additional topics had emerged, but it may be a project that staff could look at evolving. Discussion continued about using the Ambassadors more interactively. Mayor Rydell advised he would be holding a Mayor's Forum on November 6 at 6 p.m. to talk about homeownership issues. He stated the program would be modeled after the program Commissioner Railey put on at Wynmoor and would be geared toward single-family residences to provide information on how to save money and activate residents to contact their State legislators going into the next legislative session. Mayor Rydell shared details of upcoming Breast Cancer Walks, as well as the girls' basketball playoffs at the Recreation Complex. He stated he would be representing the City at the Realtor's Mayors Breakfast on October 13, and his daughter would be distributing information on the bus tour. He asked Vice Mayor Welch to represent the City at Junior Achievement regarding broadband issues. He noted that he had recently represented Coconut Creek at the PBA Charity Event for the Hope Fund in support of first responders. He shared a business card for the first craft brewery, Rule G, coming to Coconut Creek in Westcreek Plaza. Mayor Rydell wished former Commissioner Becky Tooley a speedy recovery and recognized her efforts on breast cancer awareness issues in the City, including providing support to community members through their battles with breast cancer.

ADJOURNMENT

The meeting was adjourned at 8:40 p.m.

Joseph J. Kavanagh, MMC
City Clerk

Date