



CITY OF COCONUT CREEK CITY COMMISSION MINUTES

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

**Date: February 25, 2021
Time: 7:00 p.m.
Regular Meeting No. 2021-0225R**

CALL TO ORDER

Mayor Sarbone called the meeting to order at 7:06 p.m.

PRESENT UPON ROLL CALL:

Mayor Lou Sarbone
Vice Mayor Joshua Rydell
Commissioner Rebecca A. Tooley
Commissioner Mikkie Belvedere
Commissioner Sandra L. Welch
City Manager Karen M. Brooks
City Attorney Terrill C. Pyburn
City Clerk Leslie Wallace May

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

Mayor Sarbone explained that Governor Ron DeSantis' Executive Order 20-52, as continuously extended, and Section 252.38, Florida Statutes, authorized all local governments to waive procedures and formalities otherwise required by both state and local law as necessary to allow local governments to continue to perform public work and take whatever prudent action is necessary to ensure the health, safety, and welfare of the community. He noted that the meeting was being conducted live with a quorum physically present consistent with the Governor's Order and State law. City Attorney Pyburn explained the procedures for public participation and comment for the meeting.

PRESENTATIONS

- 1. 21-032** A PROCLAMATION RECOGNIZING THE WEEK OF MARCH 15-19, 2021, AS "GOVERNMENT FINANCE PROFESSIONALS WEEK."

Vice Mayor Rydell read the proclamation into the record. Director of Finance and Administrative Services, Peta-Gay Lake, briefly addressed the Commission and introduced Assistant Finance Director Karen Lu, who accepted the proclamation on behalf of the Finance Department.

- 2. 21-043** A PROCLAMATION RECOGNIZING MARCH 2021 AS "PROCUREMENT MONTH" AND MARCH 10, 2021, AS "PROFESSIONAL BUYER'S DAY."

Commissioner Welch read the proclamation into the record and presented it to Procurement Manager Linda Jeethan, who accepted on behalf of the Procurement Division.

INPUT FROM THE PUBLIC

Maria Bachir, 3650 Coco Lake Drive, Coconut Creek, spoke on concerns with the Monarch Hill Landfill. She said she had previously spoken with Commissioners and staff regarding the issue and was happy with the City's position but believed the information should be made more public. She mentioned that Tampa and Orlando had outreach programs to teach residents about recycling and other environmental topics and wished Coconut Creek would do something similar. Mayor Sarbone suggested for staff to investigate the outreach programs. He noted they City's annual Arbor Day event and its educational component, but added that once a year was perhaps not enough. City Manager Brooks stated staff was aware of Ms. Bachir's concerns and was working on a historical paper to address the public regarding the long history of the landfill.

Sherri McGlynn, 854 Banks Road, Coconut Creek, asked questions regarding the Copans Road project, which was discussed at the Commission Workshop prior to the regular meeting. She asked if the roadwork would affect traffic cutting through the Township neighborhood and whether there would be any adjustment to the timing of the traffic lights. Deputy City Manager Sheila Rose explained that the traffic cutting through the Township was part of the rationale for the intersection improvement. She added that the signal would be redone with a mast arm and all of the timing would be evaluated. Mayor Sarbone added that there would be a public input session on March 4 and asked Deputy City Manager Rose to supply Ms. McGlynn with the details.

City Clerk May stated there were no advanced public comments received for non-agenda or consent agenda items.

CITY MANAGER REPORT

City Manager Brooks shared details of the newly-opened vaccination site at the Broward College North Campus. She stated the City was able to access 25 doses per day to assist residents with transportation needs and explained a bus would start assisting with the vaccination of those residents on Tuesday, March 2. She outlined efforts to coordinate residents to receive the allotted vaccines and added that Publix would also be offering the vaccines shortly.

CITY ATTORNEY REPORT

City Attorney Pyburn had no report.

COMMISSION COMMUNICATIONS

Commissioner Welch thanked staff for the effort to get communications out regarding the boil water alert. She stated she and Deputy City Manager Rose had met with *Food for All Broward* and explained ideas discussed to ensure food security for the community, including the Farmer's Market at Township Plaza, partnering with businesses in the plaza, and potential programs at Veterans Park. Commissioner Welch met a new business owner, who was struggling to get assistance through the *Paycheck Protection Program* and other COVID-19 issues. She shared that the business owner was able to get assistance from a bank through the Regional Chamber of Commerce. Commissioner Welch mentioned that she had been able to connect a local restaurant owner with information about promoting their business on a turnpike exit ramp sign. She asked about having a sign informing the public about the Lyons Road project and its funding partners. City Manager Brooks responded that FDOT used to require signs be to be installed explaining where the funding was coming from but eliminated the policy due to safety concerns. She stated that staff would look into appropriate signage.

Commissioner Welch inquired about live video streaming of the City Commission meetings and asked if there was capacity through Creek TV. City Manager Brooks stated that staff had been evaluating the issue and were working to proceed through the Granicus system currently in place. She explained that an upgrade to high definition was necessary.

Commissioner Tooley provided an update on the Solid Waste and Recycle Working Group meeting, explaining that Mayor Greg Ross of Cooper City was elected to take over leadership of the group. She noted she would come back to the Commission for additional input prior to the next vote regarding the group's direction. She spoke about the City's recycling drop off site at the Government Center and stated it was nice to see that she had to wait in line in order to drop off her recycling. She commented that Parks and Recreation was doing a great job with the Creek Palooza events, including managing COVID-19 safety protocols. She pointed to additional programming scheduled for March and encouraged residents to check the website for details. Commissioner Tooley stated she had received many complaints regarding young people riding their bicycles in the middle of Lyons Road through traffic. She asked that patrol in the area be increased, especially at night, and also asked that the Police Department continue to monitor speeding on Johnson Road. Commissioner Tooley thanked the vaccine committee, noting that some members of staff were doing two and three jobs to get things done.

Commissioner Belvedere thanked City staff for all of the work they are doing, noting she had kept in contact while working from home over the past few months. She stated she had been working with former State Representative Hazelle Rogers to get the COVID-19 vaccination into Coconut Creek, and thanked City Manager Brooks and her staff for their quick work to get that done.

Vice Mayor Rydell piggybacked on Commissioner Belvedere's comments, asserting it was amazing to be able to organize the vaccine site at Broward College. He thanked Fire Chief Jeff Gary for being instrumental regarding the coordination of transportation for non-mobile residents to receive the vaccine. He commended the Parks and Recreation Department on their programming to re-engage young families and thanked Community Relations Director Yvonne Lopez for being on top of issues on social media. Vice Mayor Rydell suggested that the Police Department consider a shift to night-time traffic operations as had been done in the past to address issues with speeding. He stated it was a matter of great public safety concern. Vice Mayor Rydell addressed Ms. Bachir's public comment regarding recycling and noted he had met with City Manager Brooks on the topic and there were some innovative things to be implemented in the City over the next six months.

Mayor Sarbone provided an update on the meeting of the Broward County Mayors earlier in the day. He stated there was concern regarding enforcement of the COVID-19 orders during Spring Break and noted Code Enforcement and Sheriff's Deputies would be partnering on the issue. He shared details regarding discussion of a curfew during Spring Break and noted a compromise had been agreed upon. He stated there was concern the old days of Spring Break in Florida would come back to soon. He shared that Florida would be receiving 450,000 doses of the vaccine in the next week, which was double the number received in February. He stated 236,000 Broward County residents and half of all seniors statewide had received their first dose. He explained the theory was that enough doses would be in place to vaccinate anyone in Broward County who wanted the vaccination by June. He added that the prediction is that only 55 percent of residents will want the vaccine, and asserted community outreach would be necessary to increase that number. He shared statistics regarding new cases and hospitalizations. Mayor Sarbone stated an Executive Order was expected in early March from the Governor's office making teachers and Police Officers over 50 eligible for the vaccine.

CONSENT AGENDA (*Items 3-5*)

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

Agenda Items 4 and 5 were pulled by Commissioner Welch and, as a result, each Consent Agenda Item was heard individually prior to the Regular Agenda.

City Clerk

3. **21-040** A MOTION APPROVING THE MINUTES FROM PREVIOUS CITY COMMISSION MEETING(S). (2021-0128WS AND 2021-0128R)

MOTION: Rydell/Welch – To approve the minutes from previous City Commission meetings 2021-0128WS and 2021-0128R.

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

Sustainable Development

4. **RES**
 2021-021 A RESOLUTION APPROVING THE GOLDEN RAIN TREE III HOMEOWNERS ASSOCIATION, INC. APPLICATION FOR MATCHING FUNDS FROM THE NEIGHBORHOOD ENHANCEMENT GRANT PROGRAM FOR A LIGHTING PROJECT TO INSTALL LED POST TOP FIXTURES THROUGHOUT THE NEIGHBORHOOD.

MOTION: Rydell/Welch – To approve Resolution No. 2021-021.

Commissioner Welch asked for an explanation of the neighborhood enhancement grant and how much was left in the fund. Sustainable Development Director Scott Stoudenmire explained that the grant application was for a lighting enhancement project and a representative of the community, Aileen Goldhirsch Wolfe, was present in case of questions. He stated that approximately \$40,000 remained in the fund. Discussion ensued regarding the matching funds required for the grant and the eligible expenses under the program.

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

Finance Department

5. **RES**
 2021-027 A RESOLUTION WAIVING THE AUTOMATIC ANNUAL INCREASE FOR WATER AND WASTEWATER CHARGES FOR FISCAL YEAR 2021 EFFECTIVE ON APRIL 1, 2021.

MOTION: Tooley/Rydell – To approve Resolution No. 2021-027.

Mayor Sarbone commented that the City has a team that evaluates what it should cost residents for water and wastewater service, and explained that, through conservation, expense control, and proactive repair of the system, there was not a requirement for the annual increase included within City Code.

Commissioner Welch asked Director Lake to share the history of increases to the rates. Director Lake stated that when the rate study was done in 2008, it called for an automatic five percent increase. She explained that when the team revisited and revised the study in 2017, they were able to reduce it to an automatic 2.5 percent increase, or inflation. Director Lake confirmed that the City had been able to waive the increase through cost containment measures.

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

REGULAR AGENDA

Finance and Administrative Services

6. **ORD 2021-006** AN ORDINANCE AUTHORIZING THE ISSUANCE OF A CAPITAL IMPROVEMENT REFUNDING REVENUE NOTE OF THE CITY AND THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT IN AN AMOUNT NOT TO EXCEED \$8,500,000 TO REFUND THE CITY'S OUTSTANDING CAPITAL IMPROVEMENT REVENUE NOTE, SERIES 2018; ACCEPTING THE PROPOSAL OF LENDER; APPROVING THE FORMS OF LOAN AGREEMENT AND NOTE; AND PROVIDING FOR THE PAYMENT OF SUCH NOTE FROM THE NON-AD VALOREM FUNDS OF THE CITY. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Welch/Tooley – To approve Ordinance No. 2021-006 on first reading.

Finance and Administrative Services Director Lake presented the item, explaining that the ordinance would authorize the issuance of the 2021 Capital Improvement Revenue note to refinance the outstanding 2018 Series note. She outlined how the note would be managed and stated payment would come from funds received from the Seminole Tribe of Florida as part of a municipal services agreement. Discussion ensued regarding equity rates and market stability.

City Clerk May stated there were no advanced public comments received on the item, and no one who had signed in to speak.

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

Item 12 was heard prior to Item 7.

Police Department

7. **RES 2021-023** A RESOLUTION AUTHORIZING THE USE OF FEDERAL LAW ENFORCEMENT TRUST FUNDS IN THE AMOUNT OF FIFTY-NINE THOUSAND, THREE HUNDRED DOLLARS (\$59,300) FOR THE PURCHASE OF SPECIAL WEAPONS AND TACTICAL GEAR; AND AUTHORIZING THE USE OF STATE LAW ENFORCEMENT TRUST FUNDS IN THE AMOUNT OF TEN THOUSAND DOLLARS (\$10,000) TO PROVIDE A DONATION TO THE POLICE EXPLORER POST.

Mayor Sarbone read the Resolution title into the record.

MOTION: Rydell/Tooley – To approve Resolution No. 2021-023.

Police Captain Hofer presented the item.

City Clerk May stated there were no advanced public comments received on the item and no one who signed in to speak.

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

8. **RES 2021-031** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE A SOLE SOURCE AGREEMENT AND MEMORANDUM OF UNDERSTANDING (MOU) WITH LEADSONLINE, LLC FOR A THREE-YEAR SUBSCRIPTION WITH AN OPTION TO RENEW THE FOURTH YEAR, COMMENCING MARCH 1, 2021.

Mayor Sarbone read the Resolution title into the record.

MOTION: Tooley/Belvedere – To approve Resolution No. 2021-031.

Police Captain Hofer presented the item, explaining that LeadsOnline was a nationwide search program that pulls directly from police reports.

City Clerk May stated there were no advanced public comments received on the item and no one who sign in to speak.

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

Sustainable Development

9. **ORD 2021-005** AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES, CHAPTER 13, "LAND DEVELOPMENT CODE," BY REPEALING SECTION 13-522, "NOISE LIMITATIONS," IN ITS ENTIRETY. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Tooley/Rydell – To approve Ordinance No. 2021-005 on first reading.

Sustainable Development Director Stoudenmire presented the item, explaining that noise was already regulated through Chapter 14 of the City's Code, and it was recommended that the antiquated section in Chapter 13 be repealed in its entirety.

City Clerk May stated there were no advanced public comments received on the item and no one who signed in to speak.

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

10. **ORD 2021-007** AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES, BY AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE," ARTICLE I, "ADMINISTRATION, REGULATIONS AND PROCEDURES," DIVISION 3, "IMPLEMENTATION PROCEDURES," BY REPEALING SECTIONS 13-36.1 AND 13-36.2, CONTAINING OUTDATED PROCEDURES FOR TRANSFERRING RIGHTS-OF-WAY AND EASEMENTS TO AND FROM THE CITY, AND ENACTING A NEW SECTION 13-42, "TRANSACTIONS INVOLVING THE CITY'S INTERESTS IN REAL PROPERTY," TO PROVIDE CONSISTENCY WITH THE CITY'S NEWLY AMENDED CHARTER SECTION 310, "ACTION REQUIRING AN ORDINANCE," AND PROVIDE UPDATED PROCEDURES FOR PROPERTY TRANSACTION SITE ASSESSMENTS; AND BY AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE,"

ARTICLE II, "SUBDIVISION REGULATIONS," DIVISION 2, "SUBDIVISION PLAT REQUIREMENTS," SECTION 13-165, "FINAL PLAT SUBMISSION," TO PROVIDE FOR PROPERTY TRANSACTION SITE ASSESSMENTS FOR CERTAIN PROPERTY DEDICATIONS GIVEN BY PLAT; AND BY AMENDING ARTICLE IV, "ENVIRONMENTAL REGULATIONS," BY REPEALING IN ITS ENTIRETY DIVISION 2, "PROPERTY TRANSACTION SITE ASSESSMENT," TO REMOVE OUTDATED PROCEDURES THEREIN. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Tooley/Welch – To approve Ordinance No. 2021-007 on first reading.

Mayor Sarbone clarified that the action was ensuring implementation of the Charter amendments voted on by the public in the November 2020 election, and Deputy City Attorney Kathryn Mehaffey confirmed this was correct.

City Clerk May stated there were no advanced public comments received on the item and no one who signed in to speak.

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

Addenda

11. **RES 2021-043** A RESOLUTION OPPOSING PROPOSED SENATE BILL 522 AND HOUSE BILL 219, PREEMPTING THE REGULATION OF VACATION RENTALS TO THE STATE; PROVIDING FOR DISTRIBUTION. (ADDENDUM)

Mayor Sarbone read the Resolution title into the record.

MOTION: Belvedere/Rydell – To approve Resolution No. 2021-043.

Deputy City Attorney Mehaffey presented the item, explaining the City had adopted a Vacation Rental Ordinance in January, which tied into a preemption the State had passed in 2011. She noted amendments made in 2014 had allowed some additional regulation, and it was under those amendments that the City had adopted its ordinance. She noted two bills recently filed that would preempt all regulations all the way back to 2011.

City Attorney Pyburn added that the item had been added to the agenda because the legislative session started the following week and staff was urged within the last two days by Representative Daley to file as soon as possible. Discussion ensued.

Mayor Sarbone asked for public comment on the item, and there was none.

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

Item 12 was heard prior to Item 7 on the Regular Agenda.

12. **RES 2021-044** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED FORWARD FIXED RATE LOCK LETTER BETWEEN PNC BANK, NATIONAL ASSOCIATION AND THE CITY OF COCONUT CREEK TO SET AND LOCK THE INTERST RATE FOR THE CITY'S CAPITAL IMPROVEMENT REFUNDING REVENUE NOTE SERIES

2021, REFINANCING THE CITY'S CAPITAL IMPROVEMENT REVENUE
NOTE, SERIES 2018. (ADDENDUM)

Mayor Sarbone read the Resolution title into the record.

MOTION: Rydell/Welch – To approve Resolution No. 2021-044.

The Commission spoke in favor of the item, reiterating Finance and Administrative Services Director Lake's comments that the refinance represented a savings of \$400,000.

City Clerk May stated no one signed in to speak on the item.

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

ADJOURNMENT

The meeting was adjourned at 8:15 p.m.

Leslie Wallace May, MMC
City Clerk

Date