



CITY OF COCONUT CREEK CITY COMMISSION MINUTES

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

**Date: August 7, 2025
Time: 7:00 p.m.
Meeting No. 2025-0807R**

CALL TO ORDER

Mayor Jacqueline Railey called the meeting to order at 7:03 p.m.

PRESENT UPON ROLL CALL:

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

Mayor Railey asked all to rise for the Pledge of Allegiance, followed by a moment of silence in remembrance of former Commissioner and Mayor Marilyn Gerber.

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

PRESENTATION(S)

- 1. 25-143** A PRESENTATION HONORING K-9 OFFICER BRIAN J. VALENTI ON HIS RETIREMENT.

Police Chief Fred Hofer recognized K-9 Officer Brian J. Valenti on his retirement. He acknowledged and thanked the Coconut Creek Police Alumni for attending to welcome Officer Valenti into their group, and reviewed highlights of his career and legacy.

- 2. 25-148** A PRESENTATION BY STATE SENATOR TINA POLSKY REGARDING THE 2025 STATE LEGISLATIVE SESSION.

Senator Tina Polsky highlighted several bills she worked to pass during the 2025 State Legislative Session. These included hospital fentanyl testing, naming August 21 as Fentanyl Awareness Day, notary public fraud protections for immigrants, a background check website, and providing input on other bills including the publication of information on legal contracts between private law firms and the Attorney General's office, and restricting advertising spent for or against amendments. Senator Polsky discussed the budget bill, noting two (2) projects for Coconut Creek were in the final budget but were vetoed by Governor DeSantis. She commented on anti-Diversity Equity and Inclusion legislation, which did not pass and noted related language in the budget. She stated no action was taken on property insurance during the session and described impacts of the Citizen Initiative Bill brought forward during

the session. She reviewed preemptions, including a fluoride ban in drinking water included in the broader agriculture bill, and touched on city emergency response and condominium reforms. She shared that she and Representative Christine Hunschofsky had a meeting scheduled to help Coconut Creek in advocacy efforts related to Florida's Turnpike expansion, and noted committees would start to meet in October 2025. She reminded residents to renew their vote-by-mail requests.

Mayor Railey thanked Senator Polsky for her continued support and highlighted the continued importance of Home Rule.

Commissioner Welch asked if it would be valuable for members of the Commission to visit during committee weeks. Senator Polsky commented that it may be an opportunity for face-to-face meetings, but specific bills and legislation would not yet be prepared.

Senator Polsky closed by highlighting the Bill that would rename the State Road 7 Bridge over Sample Road in honor of fallen soldier Specialist Daniel J. Agami, who was a Coconut Creek resident.

INPUT FROM THE PUBLIC

Christopher Washofsky, 6800 NW 39 Avenue, Coconut Creek, thanked the Commission for assistance in connecting him with staff to address an issue with the lift station at Country Lakes Mobile Home Community, noting a reduction in the odor by approximately 30 percent. He sought direction as to where to go for additional help on the issue. He asked the Commission to consider a ban on herbicide use in the City, on businesses with dumpsters physically attached to the business, and on gas-powered lawn equipment.

Laura Matheric, 3906 NW 56 Street, Coconut Creek, spoke as the President of the Women's Club of Coconut Creek, a 55-year-old volunteer organization. She discussed a recent donation request and advocated on behalf of the four (4) nonprofits based in the City that operate without paid staff.

CONSENT AGENDA (*Items 3, 4, and 5*)

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

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| 3. | 25-149 | A MOTION APPROVING THE MINUTES FROM PREVIOUS CITY COMMISSION MEETING(S). (2025-0710R) |
| 4. | RES
2025-108 | A RESOLUTION DECLARING CERTAIN CITY-OWNED PROPERTY AS SURPLUS AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO DISPOSE OF SAID PROPERTY AS DESCRIBED IN THE ATTACHED LIST. |
| 5. | RES
2025-117 | A RESOLUTION SUPPORTING THE DESIGNATION OF THE BRIDGE ON STATE ROAD 7 OVER SAMPLE ROAD AS THE "SPC DANIEL J. AGAMI BRIDGE," AS PROVIDED IN FLORIDA HOUSE BILL 987 APPROVED BY GOVERNOR RON DESANTIS ON JUNE 13, 2025, AND ENROLLED AS PART OF CHAPTER NO. 2025-214, LAWS OF FLORIDA, ON JULY 8, 2025. |

MOTION: Welch/Brodie – To approve Consent Agenda Items 3, 4, and 5.

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

REGULAR AGENDA

City Commission

6. **RES** A RESOLUTION APPOINTING AN ALTERNATE MEMBER TO THE PLANNING
 2025-098 & ZONING ADVISORY BOARD TO FILL THE REMAINDER OF THE VACANT
 TERM ENDING WITH THE NEXT APPOINTMENT IN 2026.

Mayor Railey read the Resolution title into the record.

Vice Mayor Wasserman moved the item for discussion, seconded by Commissioner Brodie.

Mayor Railey advised that at the April 24, 2025, City Commission meeting, she had nominated Nikki-Ann Thomson to the position of alternate for the Planning & Zoning Advisory Board. She stated since that time, Ms. Thomson was no longer able to serve, creating a vacancy. As such, Mayor Railey nominated Corinne Lajoie to fill the remainder of the vacant term.

There were no questions or comments from the public on the item.

MOTION: Welch/Wasserman – To approve Resolution No. 2025-098

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

Public Works Department

7. **ORD** AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE THE SECOND
 2025-032 AMENDMENT TO THE LEASE AGREEMENT WITH NEW CINGULAR
 WIRELESS PCS, LLC, A WHOLLY OWNED SUBSIDIARY OF AT&T MOBILITY
 CORPORATION, WHICH PROVIDES FOR MODIFICATION OF THE
 EQUIPMENT ON THE TELECOMMUNICATIONS TOWER AT WINSTON PARK
 NATURE CENTER. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Welch/Brodie – To approve Ordinance No. 2025-032 on first reading.

Public Works Director Harry Mautte presented the item, noting the amendment would allow New Cingular Wireless to modify the equipment on the tower at Winston Park Nature Center, which would include an increase in rent due to an increase in the loading factor on the tower.

There were no questions or comments from the public on the item.

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

City Attorney Pyburn explained the City's quasi-judicial procedures that would be applied to Agenda Item 8 as follows (verbatim):

First, I want to remind everyone to silence your mobile devices. Florida courts have determined that there are certain types of matters, including Agenda Item 8 on tonight's agenda, that are to be treated differently than other items considered by the Commission. In these quasi-judicial applications, the Commission is applying existing rules and policies to a factual situation and is therefore acting like a Judge and Jury do in a trial held in the courtroom. In such cases, the courts have decided that due

process and fundamental fairness require that more formal procedures be followed.

The City Commission's decision must be based on the evidence and information that is presented at the public hearing including the agenda materials, Planning and Zoning Board recommendation, testimony presented at the public hearing, and the deliberations of the City Commission. The quasi-judicial procedures require that the Commission consider the evidence presented to it and base their decision on the applicable law and primarily on credible evidence presented whether by staff, the applicant, or members of the public.

In a quasi-judicial proceeding, the City Commission is not allowed to take into consideration public sentiment or the popularity of a particular development proposal or application. The City Commission may only consider competent substantial evidence. This means testimony or other evidence that a reasonable mind would accept as credible and adequate to support a conclusion. Florida courts have made it clear that mere generalized statements of opposition are to be disregarded, but fact-based testimony can be considered competent and substantial evidence. This can include eyewitness observation testimony about relevant facts and documentary evidence, including photographs, aerials, and maps. Citizens who want to participate in a quasi-judicial hearing can testify as to factual matters and any element of the case that would not require specialized training or specific academic degrees. Their testimony will be considered provided their testimony is backed up by established facts, studies, or evidence that is not conjecture or just based on a feeling. The quasi-judicial hearing process is not a popularity contest. The strict rules of evidence do not apply during the public hearing, but any comments must be relevant to the agenda item. Proper decorum is required and will be maintained at all times. Please refrain from vocal outbursts, jeering, cheering, or applause.

Everyone who seeks to speak on an item will be given an opportunity to speak. If you intend to provide testimony as to any of the applications to be considered tonight, you will be sworn in before your testimony is taken. Please know if you speak, you may be subject to cross examination; the City Commission may comment or ask questions of persons addressing the Commission at any time. If you refuse to either be cross-examined or to be sworn, your testimony will be considered in that context and given its due weight. The general public will not be permitted to cross examine witnesses, but may request that the Commission direct questions on their behalf to the applicant or staff. Will the Clerk please confirm compliance with the notice requirements?

City Clerk Kavanagh confirmed the notice requirements had been met for Agenda Item 8 and swore in the witnesses.

Sustainable Development

8. **ORD 2025-026** AN ORDINANCE ADOPTING THE "VINKEMULDER NEIGHBORHOOD MASTER PLAN" PREPARED BY BERMELLO AJAMIL; AMENDING THE CITY'S CODE OF ORDINANCES, BY AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE," ARTICLE III, "ZONING REGULATIONS," DIVISION 1, "GENERALLY," SECTION 13-295, "DEFINITIONS," PROVIDING FOR NEW DEFINITIONS, AND DIVISION 2, "ZONING CLASSIFICATIONS AND GENERAL REQUIREMENTS," SECTION 13-319, "ZONING OVERLAY AREAS," BY ENACTING SUBSECTION 13-319(C)(4), "VINKEMULDER EQUESTRIAN NEIGHBORHOOD OVERLAY AREA," ADOPTING A ZONING OVERLAY AREA FOR THE AREA GENERALLY LOCATED SOUTH OF WILES ROAD, WEST OF TRADEWINDS PARK, NORTH OF THE FLORIDA POWER AND LIGHT EASEMENT, AND EAST OF LYONS ROAD, AND EXCLUDING THE SAN MELLINA AND COQUINA SUBDIVISIONS, AND IMPLEMENTING THE STANDARDS AND POLICIES THAT GUIDE DEVELOPMENT WITHIN THE PROPERTY LEGALLY DESCRIBED IN THE

ENACTING LANGUAGE. (QUASI-JUDICIAL)(SECOND READING)(SECOND PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

Commissioner Welch made a motion to move the item for discussion, seconded by Commissioner Rydell.

City Attorney Pyburn asked the Commissioners for any disclosures or ex-parte communications on Agenda Item 8, and the following disclosure was made:

- Commissioner Welch stated she had spoken with some of the residents in the proposed overlay district.

Sustainable Development Director Justin Proffitt presented the item, advising that it was mentioned during first reading of the ordinance that there were some inconsistencies with the definition of non-residential farm buildings as compared to the State Statute, and minor adjustments had been made to the language of the definition between readings to address the inconsistency.

Mayor Railey opened the public hearing on the item.

Drew Phillips, 4320 Vinkemulder Road, Coconut Creek, noted backed up traffic as a result of turn restrictions at the intersection of NW 39 Avenue and Wiles Road, leaving the Vinkemulder neighborhood. He suggested a modification to the traffic pattern moving the thru lane to the left lane, freeing the right lane for right turn only traffic. City Manager Rose stated she would have the City Engineer work with Broward County to evaluate the intersection.

Ejola Cook, 4201 Vinkemulder Road, Coconut Creek, thanked the City for caring about its green space and commented on preservation of the space and equestrian activities. She asked for clarification on the Future Land Use Map exhibit.

Andy Cody, 4554 NW 39th Street, Coconut Creek, agreed with Mr. Phillips' comments regarding the right turn lane and stated he thought that was a brilliant idea.

There were no further questions or comments from the public, and Mayor Railey closed the public hearing.

Mr. Proffitt clarified the land use designations shown on the Future Land Use Map referenced by Ms. Cook. He explained the zoning was more restrictive and would guide development, and the overlay would enshrine this further for the future.

The Commissioners commented on the collaboration between the residents and staff to meet the needs of the neighborhood and commended all for engaging in the process.

MOTION: Brodie/Wasserman – To adopt Ordinance No. 2025-026.

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

9. **ORD 2025-036** AN ORDINANCE ACCEPTING THE CONVEYANCE OF TITLE FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION TO PROPERTIES AND EASEMENTS FOR PORTIONS OF DRAINAGE FACILITIES AND ROAD RIGHT-OF-WAY, SUCH PROPERTIES GENERALLY LOCATED WITHIN THE

MAINSTREET PROJECT AREA AND BEING IDENTIFIED IN THE LEGAL
DESCRIPTIONS AND SKETCHES ATTACHED HERETO AS EXHIBIT "A."
(FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Welch/Rydell – To approve Ordinance No. 2025-036 on first reading.

Mr. Proffitt presented the item, explaining the Commission had adopted a resolution in 2024 requesting that the Florida Department of Transportation (FDOT) convey drainage easements and portions of rights-of-way associated with the MainStreet project area, which the City had been maintaining for some time. He noted this ordinance represented FDOT's acceptance of the request.

There were no questions or comments from the Commission or the public.

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

City Attorney

10. **ORD 2025-035** AN ORDINANCE APPROVING THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF COCONUT CREEK AND GSR RE PARTNERS, LLC AND AUTHORIZING THE MAYOR AND CITY MANAGER, OR THEIR DESIGNEES, TO EXECUTE SAME TO PROVIDE FOR A LONG TERM DEVELOPMENT CONTRACT TO GOVERN THE DEVELOPMENT OF THE APPROXIMATELY 200 ACRES LOCATED WEST OF LYONS ROAD AND EAST OF STATE ROAD 7/US 441, BETWEEN WILES ROAD AND SAMPLE ROAD TO BE KNOWN AS THE MAINSTREET @ COCONUT CREEK DEVELOPMENT. (FIRST READING)(FIRST PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Rydell/Welch – To approve Ordinance No. 2025-035 on first reading.

City Attorney Pyburn provided a brief overview of the development agreement between the City and GSR RE Partners, LLC. She advised that the Community Development District (CDD) would join through consent and joinder, which was included as an exhibit to the agreement. She reviewed the terms of the agreement and associated State Statutes.

City Manager Rose recognized the staff that had spent months working on the development agreement and highlighted the level of detail in the agreement, phasing plan, public amenities, development incentives, and investments.

Denny St. Romain, CBRE, provided additional details related to affordable and workforce housing programs included in the agreement, summarizing benefits available to renters for the long term.

City Attorney Pyburn reviewed terms in the agreement related to maintenance and ownership, noting the responsibilities of the City, developer, and the CDD, and discussed the attachments to the agreement. She outlined benefits of the agreement to the City and advised that staff recommended approval.

Vice Mayor Wasserman commented on evolving markets and asked what safeguards were in place to ensure the project moves forward as planned and approved. City Manager Rose reviewed the principal safeguards in the development agreement and pointed out there were approved Site Plans for most of the project. Vice Mayor Wasserman asked staff to discuss interest rate benefits to the City. City Manager Rose explained the CDD would be eligible for low-interest rate loans and discussed the benefits to the City partnering with the CDD. Vice Mayor Wasserman stated the rental program was a great incentive, and noted it was a benefit that was not funded by the taxpayers.

Commissioner Welch expressed her excitement at seeing this agreement before the Commission and at being a part of the process. She highlighted features of the development, including major parks and utilization of City property.

Commissioner Brodie agreed that it was exciting to see this plan coming to fruition and stated the staff had done an amazing job on the development agreement.

Commissioner Rydell highlighted items he saw as significant benefits to the City, including phasing starting with the commercial node first, building well below the entitlements for density, and revenue impacts. He noted the project had been the impetus for creation of the City's concierge permit program and commended the development team and staff for coming to the table in a collaborative fashion.

Mayor Railey thanked everyone involved and commented on the impressive sense of compromise represented by the development team. She stated she could not wait for shovels in the ground.

Scott Backman, Miskel Backman, LLP, representing Johns Family Partners, LLLP, expressed his gratitude to staff and the Commission, and called the project the most complicated thing he had ever worked on and the crowning jewel of his career.

Alex Rosemurgy, GSR RE Partners, LLC, shared that he had worked on the project with City Manager Rose for 20 years. He stated the best was yet to come, and thanked staff for continuing to drive the quality of development. He recognized the hundreds of consultants that had worked on the project and highlighted the talents of Mr. Backman.

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

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

11. **ORD 2025-034** AN ORDINANCE APPROVING THE EXCHANGE OF REAL PROPERTY AGREEMENT AND APPROVING THE PURCHASE AND SALE OF REAL PROPERTY DESCRIBED THEREIN BY AND BETWEEN THE CITY OF COCONUT CREEK AND GSR RE PARTNERS, LLC, FOR REAL PROPERTY DESCRIBED AS BLOCK 15A OF THE MAINSTREET @ COCONUT CREEK DEVELOPMENT, AS FURTHER DESCRIBED IN EXHIBIT "1" TO EXHIBIT "N," ATTACHED HERETO, WHICH IS COMPRISED OF APPROXIMATELY 6.1355 ACRES TO BE CONVEYED BY CITY TO GSR AND BLOCKS 12A, 12B, 13, AND CIVIC NODE CIRCULATION OF THE MAINSTREET @ COCONUT CREEK DEVELOPMENT, AS FURTHER DESCRIBED IN EXHIBIT "3" TO EXHIBIT "N," ATTACHED HERETO, WHICH IS COMPRISED OF APPROXIMATELY 5.732 ACRES TO BE CONVEYED BY GSR TO CITY AND AUTHORIZING THE

MAYOR TO EXECUTE THE AGREEMENT. (FIRST READING)(FIRST PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Rydell/Welch – To approve Ordinance No. 2025-034 on first reading.

City Attorney Pyburn provided a brief overview of the exchange of real property agreement for an area within the MainStreet at Coconut Creek development. She advised the CDD was also part of the agreement by joinder and consent. She explained the agreement would allow for the establishment of the Village Green. She reviewed the terms of the agreement, including maps, consideration, key dates, remedies, and termination.

Commissioner Rydell asked for confirmation that the appraisals and the modules used to appraise the land would not have any effect on other City-owned parcels in the event of future potential public/private partnerships. City Manager Rose and City Attorney Pyburn confirmed.

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

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

12. **ORD 2025-023** AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES BY AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE," SECTION 13-16, "PLANNING AND ZONING BOARD," TO ADD QUALIFICATIONS IN THE FIELD OF ECONOMIC DEVELOPMENT TO THE BOARD MEMBER COMPOSITION. (SECOND READING)(PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Welch/Brodie – To adopt Ordinance No. 2025-023.

The Commission had no questions or comments.

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

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

CITY MANAGER REPORT

City Manager Rose thanked the Commission for their patience in getting the development agreement across the finish line. She noted that a Special City Commission Meeting was scheduled for August 18. She provided a brief update on the Lyons Creek Middle School traffic changes, noting the bus loop and car line switch would be implemented for the first day of school on August 11.

CITY ATTORNEY REPORT

City Attorney Pyburn agreed with previous comments that this had been an epic evening seeing the MainStreet development to fruition. She noted, as Senator Polsky had referenced, Senate Bill 180 had passed during the most recent legislative session. She advised that the firm of Weiss Serota was putting

together a list of cities to challenge the bill and stated she would provide a resolution if the Commission was interested in joining the challenge.

COMMISSION COMMUNICATIONS

Commissioner Rydell stated he did not support joining a lawsuit challenging Senate Bill 180. He commented that the City could choose to file on their own behalf should they determine it necessary. He requested a change in time for the August 18 Special City Commission Meeting. Consensus was to hold the meeting at 7:30 p.m. Commissioner Rydell provided a brief update on the Solid Waste Authority, highlighting his frustration that the City's comments were not incorporated and that the August meeting was not canceled as directed by the Executive Committee. He stated he would provide additional updates as they became available.

Commissioner Welch shared that she had received a request from a resident for a week of music for peace and passed the request on to the Parks and Recreation Department. She stated she had received comments from the families with memorial benches that they could not be more grateful for the product and how it was presented. She highlighted a local engineering business looking for high school and college interns.

Commissioner Brodie stated he did not believe joining the challenge to Senate Bill 180 would be worth the investment. He commented on the recent Groove and Grub event, noting the aesthetics of the area were phenomenal and the event was almost flawless.

Vice Mayor Wasserman agreed the Groove and Grub was a great night. He noted it was nice to have the music tuned to a younger audience. He commented on the event advertisement and asked if the band could be highlighted more. He welcomed the teachers and students back to school.

Mayor Railey thanked everyone for a phenomenal job on MainStreet and said they should all be proud. She noted celebrations at the schools to welcome the students back. She stated a showing of Moana 2 would be held at the Butterfly Lot on Saturday.

ADJOURNMENT

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

Joseph J. Kavanagh, MMC
City Clerk

Date