



CITY OF COCONUT CREEK CITY COMMISSION MINUTES

Government Center
4800 W. Copans Road
Coconut Creek, Florida

Date: August 8, 2024
Time: 7:00 p.m.
Meeting No. 2024-0808R

CALL TO ORDER

Mayor Sandra L. Welch called the meeting to order at 7:06 p.m.

PRESENT UPON ROLL CALL:

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

Mayor Welch asked all to rise for the Pledge of Allegiance led by Chief of Police Fred Hofer's mother.

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. 24-138 A SWEARING IN CEREMONY FOR CHIEF OF POLICE FRED HOFER.

City Manager Sheila Rose recognized the internal promotion of Chief of Police Fred Hofer, sharing his background and experience briefly. City Clerk Joseph Kavanagh administered the Oath of Office, followed by the badge pinning ceremony.

Chief Hofer recognized guests, retired City employees, family members, and members of the Police Department present, and shared brief comments. The Commissioners made brief remarks, congratulating Chief Hofer on his promotion.

2. 24-123 A SWEARING IN CEREMONY FOR NEW POLICE OFFICER NICOLE C. KLINE.

Chief Hofer introduced new Police Officer Nicole C. Kline, providing a brief overview of her background. City Clerk Kavanagh administered the Oath of Office, followed by the badge pinning ceremony.

3. 24-119 A PROCLAMATION RECOGNIZING LYONS CREEK MIDDLE SCHOOL PRINCIPAL VERNICCA WYNTER FOR YEARS OF SERVICE TO THE COCONUT CREEK COMMUNITY.

Commissioner Wasserman read the proclamation into the record and presented it to Vernicca Wynter.

The Commission took a brief recess at 7:47 p.m., and the meeting reconvened at 7:56 p.m.

INPUT FROM THE PUBLIC

Tammy Lettieri, 3302 Carambola Circle South, Coconut Creek, spoke regarding the landfill and incinerators planned by Broward and Miami-Dade Counties. She commented that the next meeting of the Solid Waste Authority was scheduled for August 19 and stated it would behoove the City to organize for a public showing at the Broward County Commission offices in downtown Broward County in the days before the meeting. She noted Broward Clean Air was the contact and asked that the Commission support the effort.

Mery Lopez-Palma, 5301 SW Ranches, Southwest Ranches, shared details regarding the 917 Society, noting she was a Florida founder of the non-profit organization. She stated the group would be delivering pocket Constitutions to local students, and recognized Commissioner Brodie for his assistance. She highlighted the importance of Constitutional education.

Syndia Bontemps, 4687 NW 22 Street, Coconut Creek, commented that the Commission meetings had previously been live streamed on YouTube and no longer were, and asked why there was a delay on the City website livestream. City Clerk Kavanagh responded and explained the transition in platforms briefly. Commissioner Wasserman commented that YouTube had provided an ease in access to residents, and asked if it was possible to livestream on both the City website and YouTube. Commissioner Rydell agreed and sought consensus to stream on YouTube. City Manager Rose advised that staff would report back at the next meeting with options.

CONSENT AGENDA (*Items 4, 6, and 7*)

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

Agenda Item 5 was pulled from the Consent Agenda by Commissioner Rydell, and Agenda Item 8 was pulled from the Consent Agenda by Mayor Welch. The items were heard before the Regular Agenda.

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| 4. | 24-124 | A MOTION APPROVING THE MINUTES FROM PREVIOUS CITY COMMISSION MEETING(S). (2024-0711R) |
| 6. | RES
2024-105 | A RESOLUTION ACCEPTING THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) IN THE AMOUNT OF SEVEN THOUSAND SEVEN HUNDRED AND FORTY-ONE DOLLARS (\$7,741) AND AUTHORIZING THE MAYOR, OR DESIGNEE, TO EXECUTE THE AGREEMENT WITH THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT (FDLE) FOR INDIVIDUAL FIRST AID KITS. |
| 7. | RES
2024-117 | A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE UNITED STATES SECRET SERVICE TO PROVIDE REIMBURSEMENT OF OVERTIME COSTS AND OTHER EXPENSES RELATED TO THE CYBER FRAUD TASK FORCES. |

MOTION: Rydell/Railey – To approve Consent Agenda Items 4, 6, and 7.

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

City Attorney

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| 5. | RES
2024-104 | A RESOLUTION PROVIDING THAT THE CITY COMMISSION MAY CONTINUE TO ATTEND THE NORTHWEST COUNCIL OF ELECTED OFFICIALS MEETINGS, WHICH ARE JOINT MEETINGS TO DISCUSS MATTERS OF MUTUAL INTEREST AMONG CITIES IN THE NORTHWEST REGION OF BROWARD COUNTY WITH SAID MEETINGS TO TAKE PLACE OUTSIDE OF THE BOUNDARIES OF THE CITY OF COCONUT CREEK, BUT WITHIN BROWARD COUNTY. |
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MOTION: Wasserman/Railey – To approve Resolution No. 2024-104.

Commissioner Rydell asked whether it was the position of City Attorney Pyburn that the Northwest Council of Elected Officials meetings were held in the sunshine, and agenda items could not be discussed with other officials. City Attorney Pyburn advised the resolution was presented in the interest of transparency, and clarified the meetings were already publicly noticed. Commissioner Rydell highlighted concerns related to the discussion of regional topics, such as those before the Northwest Council of Elected Officials and the Broward County Solid Waste Authority. City Attorney Pyburn clarified briefly. Discussion continued regarding Sunshine Law.

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

Human Resources

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| 8. | RES
2024-097 | A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO RENEW THE SOLE SOURCE SOFTWARE SUBSCRIPTION AGREEMENT WITH GOVERNMENTJOBS.COM, INC. DBA NEOGOV FOR ONLINE EMPLOYMENT APPLICATION SERVICES. |
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MOTION: Brodie/Wasserman – To approve Resolution No. 2024-097.

Mayor Welch asked for clarification on communication with applicants not selected to move forward in the application process. Human Resources Director Pam Kershaw explained that the process varies with position and noted example response timelines.

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

REGULAR AGENDA

Human Resources

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| <p>9.</p> <p>RES</p> <p>2024-108</p> | <p>A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AGREEMENTS WITH CIGNA HEALTH AND LIFE INSURANCE COMPANY, CIGNA DENTAL HEALTH OF FLORIDA, INC., CIGNA DENTAL HEALTH PLAN OF ARIZONA, INC., AND CIGNA VISION (COLLECTIVELY “THE CIGNA GROUP”) TO PROVIDE MEDICAL (WITH PRESCRIPTION DRUG, LIMITED VISION, AND HEALTH SAVINGS ACCOUNT), DENTAL, AND VISION INSURANCE SERVICES, AND EVERNORTH CARE SOLUTIONS, INC. TO PROVIDE EMPLOYEE ASSISTANCE PROGRAM INSURANCE SERVICES PURSUANT TO RFP NO. 06-05-24-11.</p> |
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Mayor Welch read the Resolution title into the record.

MOTION: Railey/Brodie – To approve Resolution No. 2024-108.

Ms. Kershaw outlined the Request for Proposals (RFP) selection process for employee health insurance plans and noted integration of feedback from employee surveys. She advised that the selection committee had included employees from multiple departments and recognized their efforts to select the best plans.

Mayor Welch asked how comments related to employee dental insurance had been addressed in the RFP process. Ms. Kershaw discussed concerns related to orthodontia, cleaning more than two (2) times per year, premiums, and size of network doctors. She stated the selection committee looked at the concerns very closely in making its recommendation.

Commissioner Rydell asked if the City had ever contributed \$1,000 to employee Health Savings Accounts (HSA) in the past. Ms. Kershaw stated they had not.

Commissioner Wasserman noted improving employee healthcare had been identified as a priority by the Commission and stated he was proud of the step in the right direction.

Commissioner Brodie asked if the goal of providing better insurance had been achieved. Ms. Kershaw stated she believed the goal had been achieved.

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

Public Works Department

10. **ORD 2024-032** AN ORDINANCE AUTHORIZING THE MAYOR, OR DESIGNEE, TO EXECUTE THE THIRD AMENDMENT TO THE LEASE AGREEMENT WITH METROPCS FLORIDA, LLC, WHICH PROVIDES FOR THE CONTINUED LEASING OF CITY LAND FOR A COMMUNICATIONS TOWER AND MODIFICATION OF THE LOCATION OF EQUIPMENT ON THE TOWER AT SABAL PINES PARK. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Rydell/Wasserman – To approve Ordinance No. 2024-032 on first reading.

Public Works Director Harry Mautte provided a brief history of the lease with MetroPCS for use of the City-owned communications tower in Sabal Pines Park and advised the company wished to amend the agreement to modify equipment on the tower and add a generator for emergency power. He noted the modifications were within the existing lease space and would not require an increased load on the tower. He stated the easement and terms were also clarified within the revised language.

Commissioner Brodie asked about the specifications of the generator, and Mr. Mautte provided additional detail on the specifications. Commissioner Brodie recommended that staff review the building code to ensure the generator location was appropriate. Discussion continued. Kay Miles, Vice President and Business Manager, CityScape Consultants, Inc., stated the plans would be going through the Building Department to ensure compliance. City Manager Rose clarified that as the generator was being placed on City property, the City would be sure to verify that it met all applicable codes.

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

Sustainable Development

11. **RES** A RESOLUTION APPROVING THE LUCAYA II CONDOMINIUM
 2024-110 ASSOCIATION APPLICATION FOR MATCHING GRANT FUNDS FROM THE
 NEIGHBORHOOD ENHANCEMENT GRANT PROGRAM FOR SECURITY
 ENHANCEMENTS.

Mayor Welch read the Resolution title into the record.

MOTION: Rydell/Wasserman – To approve Resolution No. 2024-110.

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

Commissioner Rydell recognized the members of the Condominium Association who were present. There were no questions or comment from the City Commission or the public on the item.

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

12. **RES** A RESOLUTION ESTABLISHING A NEW TREE CANOPY REPLACEMENT
 2024-035 GRANT PROGRAM AND ADOPTING THE TREE CANOPY REPLACEMENT
 GRANT PROGRAM GUIDELINES, ATTACHED HERETO AND MADE A PART
 HEREOF AS EXHIBIT "A;" AND AUTHORIZING FUNDING FROM THE TREE
 PRESERVATION TRUST FUND FOR PROGRAM IMPLEMENTATION. *(TABLED*
 FROM MARCH 14, 2024 COMMISSION MEETING)

Mayor Welch read the Resolution title into the record.

MOTION: Railey/Wasserman – To approve Resolution No. 2024-035.

Sustainability Manager Linda Whitman made a presentation outlining the proposal for a tree canopy replacement grant program and associated guidelines. She noted that research associated with previous Commission comments on the proposed program was included in the meeting backup materials and reviewed changes to the program since its first presentation, along with eligible projects.

Commissioner Rydell asked that a workshop be set to discuss the issue further, noting he had been approached by three (3) communities in his district, and the concerns were significant. Commissioner Wasserman expressed concern that the parameters of the program did not offer assistance to the Homeowners Associations (HOA). Ms. Whitman commented that the calculation of canopy within the code contributed to confusion. Commissioner Rydell added that the City followed the Broward County Tree Ordinance, but had never had a workshop with the County to discuss.

MOTION: Brodie/Rydell – To table Resolution No. 2024-035 to a future workshop.

Mayor Welch highlighted the urgency of putting the program in place for the new fiscal year and asked for a time certain. City Manager Rose suggested staff should reach out to Broward County

for availability and then set a workshop date.

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

Mayor Welch opened the item to public comment for those who signed up to speak on the item.

Tammy Lettieri, 3302 Carambola Circle South, Coconut Creek, thanked the Commission for tabling the item and asking the County to participate. She noted financial relief was needed due to the extensive costs and asked that the funds be retroactive for open permits, that permits within a 12 month period be combinable, and that flexibility in the canopy replacement be considered.

Lisa Aronson, 5163 NW 74 Court, Coconut Creek, thanked staff and the Commission for recognizing the need to provide financial assistance to those communities in need of tree replacement. She stated her community had a major need to replace street trees, which were not accommodated by the swale.

There were no further questions or comments from the public.

City Attorney Pyburn explained the City's quasi-judicial procedures that would be applied to Agenda Items 13 and 14 as follows (verbatim):

Florida courts have determined that there are certain types of matters, including Items 13 and 14 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.

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.

City Clerk Kavanagh confirmed the public notice requirements for Items 13 and 14 had been met and swore in the witnesses.

Mayor Welch asked if there were any objections to hearing Items 13 and 14 together, as they were related, and there were no objections.

13. **RES** A RESOLUTION APPROVING THE SITE PLAN REQUEST OF DAVID AULD
 2024-107 OF JOHNS FAMILY PARTNERS, LLLP TO PERMIT A RETAIL BUILDING AND
 FREESTANDING RESTAURANT, TOTALING 13,217 SQUARE FEET, WITH
 ANCILLARY PARKING FOR THE PROPERTY LEGALLY DESCRIBED IN
 EXHIBIT "A", ATTACHED HERETO AND MADE A PART HEREOF, GENERALLY
 DESCRIBED AS BLOCK 2 OF THE MAINSTREET AT COCONUT CREEK
 DEVELOPMENT. (QUASI-JUDICIAL)(PUBLIC HEARING)
14. **RES** A RESOLUTION APPROVING THE SITE PLAN REQUEST OF DAVID AULD
 2024-109 OF JOHNS FAMILY PARTNERS, LLLP TO CONSTRUCT EIGHT (8)
 INDIVIDUAL COMMERCIAL BUILDINGS, TOTALING 67,366 SQUARE FEET,
 FOR THE PROPERTY LEGALLY DESCRIBED IN EXHIBIT "A," ATTACHED
 HERETO AND MADE A PART HEREOF, GENERALLY DESCRIBED AS BLOCK
 3 OF THE MAINSTREET AT COCONUT CREEK DEVELOPMENT. (QUASI-
 JUDICIAL)(PUBLIC HEARING)

Mayor Welch read the Resolution titles into the record.

Commissioner Rydell made a motion to move Item 13 for discussion, seconded by Commissioner Wasserman.

Commissioner Rydell made a motion to move Item 14 for discussion, seconded by Vice Mayor Railey.

City Attorney Pyburn asked if there were any disclosures or ex-parte communications on behalf of the Commission for Items 13 and 14, and the following disclosures were made:

- Commissioner Rydell advised that he had met earlier in the week with Attorney Scott Backman and members of the development team.
- Commissioner Wasserman, Commissioner Brodie, Vice Mayor Railey, and Mayor Welch each disclosed a telephone conversation with Mr. Backman.
- City Attorney Pyburn advised that she had attended separate meetings with Mr. Backman and members of the development team with Mayor Welch, Commissioner Brodie, and Commissioner Wasserman, as well as a meeting with Vice Mayor Railey, Attorney Christina Bilenki, and members of the development team.

Sustainable Development Director Justin Proffitt presented the items, summarizing the commercial development proposed in Blocks 2 and 3 of the MainStreet at Coconut Creek development. He noted that the applicant was proposing to develop a retail building and freestanding restaurant on Block 2 and eight (8) individual commercial buildings on Block 3 of the

MainStreet Master Plan. He noted this request was also contingent upon final adoption of the MainStreet at Coconut Creek Development Agreement by the City Commission. He advised that staff found the site plan to be in compliance with the site plan application review standards, the Planned MainStreet Development District (PMDD), MainStreet Master Plan, MainStreet Design Standards, the City's Land Development Code, and the City's Comprehensive Plan, and recommend approval subject to the conditions outlined in the staff memorandum.

Scott Backman, Miskel Backman, LLP, representing Johns Family Partners, LLLP, presented on behalf of the applicant. He shared a *PowerPoint* presentation, including an overview of the MainStreet area. He highlighted the allowable and proposed densities and the intent to focus on neighborhood design, as well as concepts for improved connectivity. He discussed the relationship of the commercial Blocks 2 and 3 with the rest of the regional activity center and summarized the proposed site plan elements.

Brian Schmier, Schmier Property Group, discussed factors in successful retail, including access, visibility, and distribution of parking, along with architecture, hardscape, and customer experience, and highlighted projects which had inspired the design. He noted the intent for a mix of national, regional, and local tenants and shared examples.

Mr. Backman shared elevations and renderings and commented on features of the buildings briefly. He reviewed the anticipated approval schedule and outstanding approvals required.

Mayor Welch opened the public hearing on the items.

Nathalia Davis, 3758 Coco Lake Drive, Coconut Creek, a recent graduate of Monarch High School, stated she thought the MainStreet project had a lot of potential and offered suggestions to enhance its appeal and success, including retail that caters to a family demographic by focusing on businesses appealing to middle class families, a safe place for teenagers to spend time on weekends, and a dog park. She discussed pedestrian safety measures and green elements briefly.

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

Neither staff nor the applicant had closing remarks.

Mayor Welch stated the retail site plans had been long awaited and there were many things she liked about them. She commented on the previously-approved left turn off Cullum Road onto Lyons Road without a signal at the Promenade and asserted the ramifications had been significant over time, noting the same condition was planned for NW 40 Street, with a left out between Block 2 and Block 3. She stated there needed to be a signal at Cullum Road or NW 40 Street due to increased traffic.

Commissioner Rydell asked staff whether the master transportation plan would be coming before the Commission as a separate item. City Manager Rose confirmed the internal roadway network would be coming before the Commission in the future. She stated the traffic had been reviewed and the expectation was for a proposed signal at both Cullum Road and NW 40 Street.

Commissioner Rydell stated these blocks created a downtown commercial node to City's downtown area, and he was sold on the business model and history. He commented that he was not sold on the amenities or development agreements, and cautioned he was not sold on the cost of improved infrastructure in the MainStreet area.

Vice Mayor Railey asked that the Master Site Plan be updated to show which blocks had been previously approved. Mr. Backman agreed. Vice Mayor Railey inquired as to whether root barrier systems would be integrated to protect the sidewalks and infrastructure. Mr. Backman stated there would be systems in place.

Commissioner Wasserman commented that the commercial and retail on these blocks provided existing residents of the City a place to go, and he had been excited to see it. He noted there were worries in the community that residents were footing the bill for the MainStreet infrastructure. He stated his position was that the developer should be footing that bill. He expressed concern there were not letters of intent in place for tenants and the result may be vacant buildings.

Mayor Welch suggested a condition of approval that NW 40 Street be right turn only until such time as a signal was constructed at either NW 40 Street or Cullum Road. Mr. Backman advised that the applicant would be unable to accept the condition due to the impact on the development. Mayor Welch stated she had made a promise to the residents that she would do all she could to ensure traffic was minimized and addressed as much as possible. She asserted there were too many unknowns related to the signal. Mr. Backman stated the signal was not a decision the developer or the City had any control over, but there was already a signal bonded at the intersection and the applicant would continue to have conversations with Broward County regarding the timing of that signal. He advised the goal was to have the signal approved prior to Certificate of Occupancy.

Commissioner Brodie stated the issue was that the City did not own the road and could make the decision related to a signal. He asserted asking for a commitment from the developer was unrealistic.

Mayor Welch asked if the left turn onto Lyons Road from NW 40 Street had to be approved. City Manager Rose advised approval by both the City and County was required, but the County had jurisdiction over the road and access to it.

Commissioner Rydell stated the developer had made the decision to move forward with other blocks pending approval of the development agreement, and there was a forum to discuss traffic, which was not before the Commission at this time. Mr. Backman stated the roadway master plan was expected to be reviewed by the Planning and Zoning Board in September or October. He stated there would be more information available at that time to inform the decision.

Vice Mayor Railey asked why the development agreement was not complete. Mr. Backman stated the agreement process was ongoing, but everything was moving forward concurrently in order to keep to the timeline necessary to make the project financially viable. Discussion continued. City Attorney Pyburn confirmed the development agreement process was complex and required the input of different disciplines and a large number of exhibits. She stated the land swap agreement, cost sharing, and site plans would also be a part of the agreement.

Commissioner Wasserman asked about the City's budgeted financial commitment for the infrastructure of the MainStreet project. City Manager Rose stated it was estimated at just over \$2 million, along with proposed construction dollars for a parking structure, and a two (2) acre park. Commissioner Wasserman stated that funding for the project beyond the Fire Station should come from the developer, not the residents.

MOTION: Rydell/Railey – To approve Resolution No. 2024-107.

Upon roll call, the Resolution passed by a 4-1 vote, with Mayor Welch voting nay.

MOTION: Brodie/Rydell – To approve Resolution No. 2024-109.

Upon roll call, the Resolution passed by a 4-1 vote, with Mayor Welch voting nay.

CITY MANAGER REPORT

City Manager Rose provided an update on the hub interconnectivity project with Coral Springs, Parkland, and Coconut Creek, advising progress was slow but the City continued to follow up with Broward County. She stated the plastics ordinance was proposed to be moved to a September agenda due to lackluster response to the business survey and noted the Commissioners had been added to the everyone email list to keep them informed of staff issues.

CITY ATTORNEY REPORT

City Attorney Pyburn recognized the two (2) law school interns that her office had the pleasure of hosting over the summer. She stated they had been extremely helpful and thanked the Commission for the opportunity, as it had been mutually beneficial. City Attorney Pyburn also introduced one of the law school interns, Laura Vargas Gallardo, who was in the audience.

COMMISSION COMMUNICATIONS

Commissioner Rydell thanked City Manager Rose for agreeing to provide ongoing updates on progress toward the Fire Station and Police Station improvements. He stated he had attended the Solid Waste Authority working group meeting on July 26 and found there was shock that the County was moving forward with a Land Use Plan Amendment for the Monarch Hill landfill without conferring with the group. He suggested staff request that they be included on communication between Waste Management and Broward County regarding active negotiations related to the landfill expansion. Commissioner Rydell commented on the three (3) tiers of compostable waste and suggested marine biodegradable be used in the City's plastic ordinance to support the gold standard. He highlighted Mayor Welch's recognition by the Sierra Club as an environmental champion.

Commissioner Wasserman asked for an update on the mail delivery issues in the South Creek area. City Manager Rose advised that Government Affairs Manager Bernadette Hughes had reached out to Teresa Brier with Congressman Jared Moskowitz's office, and Ms. Brier had agreed to champion the issue and committed to getting it fixed. Commissioner Wasserman inquired as to whether there were any new updates on Coconut Creek Plaza. Deputy City Manager Scott Stoudenmire stated he was working to set up a meeting with the plaza ownership and noted that Big Lots was closing its store. He noted Fifth Third Bank was moving forward with redeveloping the former Lorenzo's restaurant outparcel.

Commissioner Brodie shared two (2) Facebook memories with his children being involved in Coconut Creek youth events and highlighted the ongoing impact of the City on its youth.

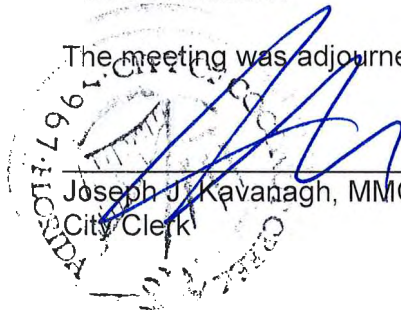
Vice Mayor Railey recognized the Finance Department, department heads, and staff for an amazing budget workshop and the work that goes into developing the budget. She noted there was a hazardous household waste collection event scheduled for August 10 at 9 a.m. at City Hall.

Mayor Welch sought consensus to share a video on the City's proposed FY25 Budget over the next week. Discussion ensued and consensus was not reached to share the video, as no formal action had

yet been taken by the Commission related to the budget. Mayor Welch recognized Nathalia Davis, who spoke during public input on the MainStreet Blocks 2 and 3 Agenda Items. She noted Ms. Davis had been a Women's Club scholarship winner and would be attending Nova Southeastern University, adding she was interested in getting more informed on City business. She stated she and Vice Mayor Railey had visited SOS Children's Village earlier in the week to film a Creek Cares video and would be visiting Lyons Creek Middle School to meet the new principal, Leena Itty. She stated she had asked about a limitation on producible waste going into the Monarch Hill landfill and learned the limit did not apply as there was a declaration of emergency in place. City Manager Rose confirmed the agreement with Waste Management has a specific caveat that any time there was a declaration of emergency, they were not restricted.

ADJOURNMENT

The meeting was adjourned at 10:45 p.m.



Joseph J. Kavanagh, MMC
City Clerk

8/12/2024
Date

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Railey, Jacqueline		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE City of Coconut Creek City Commission	
MAILING ADDRESS 4800 W. Copans Road		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Coconut Creek		COUNTY Broward	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED August 8, 2024		NAME OF POLITICAL SUBDIVISION: City of Coconut Creek MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Jacqueline Railey, hereby disclose that on August 8, 20 24 :

(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____ ;
- ☐ inured to the special gain or loss of my relative, _____ ;
- ☒ inured to the special gain or loss of Wynmoor Community Council, Inc., by
whom I am retained; or
- ☐ inured to the special gain or loss of _____ , which
is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Resolution No. 2024-110 approves matching grant funds from the Neighborhood Enhancement Grant Program for the Lucaya II Condominium Association, which is located within the Wynmoor Community, to complete security enhancements. I am the President of the Master Association, Wynmoor Community Council.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

8-8-2024
Date Filed

Jacqueline Railey
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.