



# CITY OF COCONUT CREEK CITY COMMISSION MINUTES

Government Center  
4800 W. Copans Road  
Coconut Creek, Florida

Date: February 22, 2024  
Time: 7:00 p.m.  
Meeting No. 2024-0222R

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## CALL TO ORDER

Mayor Joshua Rydell called the meeting to order at 7:33 p.m.

## 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.

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

## PRESENTATIONS

- 1. 24-028** A PRESENTATION OF THE CITY STAR AWARD BY THE LANDSCAPE INSPECTORS ASSOCIATION OF FLORIDA (LIAF).

William Byrnes, LIAF Executive Director, presented the City Star Award to Sustainable Development Director Scott Stoudenmire, Urban Forester Sharon Vollmer, and Landscape Inspector Mark Torok. Mayor Rydell recognized the extensive work by staff on environmental and sustainability issues. He stated the City looks as good as it does because of this team.

- 2. 24-013** A PROCLAMATION RECOGNIZING MARCH 2024 AS "PROCUREMENT MONTH" AND MARCH 13, 2024, AS "PROCUREMENT PROFESSIONALS' DAY."

City Manager Brooks read the proclamation into the record and presented it to Finance and Administrative Services Director Peta-Gay Lake, Procurement Analyst Randolph Merchant, and Contracts Analyst Ruby Reynolds.

## INPUT FROM THE PUBLIC

Leah Weisburd, 7050 NW 44 Street, Lauderhill, shared details of the Broward Sierra Group and their upcoming events, including the annual Earth Day event on March 23 at Anne Kolb Nature Center in Hollywood and an art contest for high school students. She noted students in the art contest would be

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making art out of found plastic waste and writing an accompanying essay. She discussed the judging and prizes and invited Coconut Creek students to participate.

Anagha Iyer, Chair of the Broward Sierra Group Junior Team, shared about their program for high school students who are passionate about preserving the environment through advocacy, outreach, and education. She discussed the team's activities and highlighted an upcoming environmental jeopardy game they were hosting in May for all ages. She invited people to visit the team's website for more details. Continuing, she discussed the team's legislative outreach and shared a member's experiences on their visit to the State Capitol in Tallahassee. She closed by asking the Commission to commit to a Zero Waste Program in Coconut Creek.

Abigail Khol, Broward Sierra Group Junior Team, discussed her experience visiting the State Capitol and speaking with State Representatives regarding House Bill 945, the Heat Illness Prevention bill. She outlined the protections included in the bill. She shared the story of a classmate who lost their life due to heat while running and asked the City to commit to support the protections in the bill.

Audrey Duenas, Broward Sierra Group Junior Team, spoke regarding the Mangrove Replanting and Restoration bill. She shared that mangroves improve coastal resiliency by acting as a natural defense for coastal communities and can play an important role in reducing hurricane speed, resulting in a reduction in insurance rates. She outlined the items included in the bill and shared her experience advocating for the bill at the State Capitol. She asked the City to commit to a composting program.

Susan Steinhauser, 5842 Eagle Cay Circle, Coconut Creek, stated she was present to support the three (3) amazing women speaking on behalf of the Broward Sierra Group Junior Team and highlighted the request for a composting program. She commented on the impact of the dark sky on people, animals, and organisms, and stated improperly managed light was wasted energy. She shared that April 2024 was Everglades Dark Sky Month and asked the City to issue a proclamation in support. She thanked the City for participating in Water Matters Day and congratulated them on the City Star Award. Mayor Rydell shared that Coconut Creek was among the first cities in Broward County to adopt a dark sky ordinance. He noted the City continued to maintain and enforce the ordinance. He asked staff to provide Ms. Steinhauser with a copy of the ordinance.

Resident Lourdes Mederos shared details of a free composting conference being held for policy makers, sustainability officers, and solid waste directors to work toward building a standard in Florida for composting. She submitted a flyer with registration details to the City Clerk for distribution.

Ralph Rapa, 4800 W. Hillsboro Boulevard, Coconut Creek, invited the community to the grand opening of Rule G Brewing. He shared details of the business, noting it was the first microbrewery in the City.

Lisa Henrie, 4800 W Hillsboro Boulevard, Coconut Creek, added additional details of the grand opening at Rule G Brewing and the food and drink served at the brewery. She announced a new beer, the Rydell Limited, to be served beginning the following afternoon. She thanked staff and the Commission for their support through the process of starting a new business in Coconut Creek.

Resident Jorge Mederos discussed Community Development Districts (CDDs). He commented that the Commission would have no say over what was being done in a CDD and asked whether the developer would provide a discount for the bond to pay for the infrastructure based on square footage. He stated the only thing he agreed with was mandatory disclosure, and noted he wished there was mandatory disclosure when he moved into South Creek that the City of Margate was the water and sewer provider. He outlined his issues with the arrangement with Margate.

**CONSENT AGENDA (Items 3, 4, 5, 6, and 7)**

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

3.     **24-024**         A MOTION APPROVING THE MINUTES FROM PREVIOUS CITY COMMISSION MEETING(S). (2024-0125R)
  
4.     **24-027**         A MOTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO APPROVE THE PURCHASE AND INSTALLATION OF A NEW HEATING, VENTILATION, AND AIR CONDITIONING (HVAC) MIXED AIR UNIT AND A LIEBERT UNIT IN THE PUBLIC WORKS BUILDING WITH MASTER MECHANICAL SERVICES, INC. PURSUANT TO RFP NO. 02-23-22-10.
  
5.     **RES  
2024-031**         A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED EQUIPMENT TRANSFER AGREEMENT AND AUTHORIZING THE MAYOR TO EXECUTE THE TERMINATION OF MEMORANDUM OF AGREEMENT WITH SPRINT SPECTRUM REALTY COMPANY, LLC TO FACILITATE TENANT’S EFFORTS TO VACATE THE PREMISES AND TERMINATE ANY AND ALL OF TENANT’S LEGAL INTERESTS IN THE LAND.
  
6.     **RES  
2024-028**         A RESOLUTION SUPPORTING AND ADOPTING THE BROWARD COUNTY JULY 2023 REVISION OF THE MULTI-JURISDICTIONAL LOCAL MITIGATION STRATEGY (LMS).
  
7.     **RES  
2024-030**         A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED STATEWIDE MUTUAL AID AGREEMENT WITH THE STATE OF FLORIDA, DIVISION OF EMERGENCY MANAGEMENT FOR EMERGENCY MUTUAL ASSISTANCE DURING AN EMERGENCY OR DISASTER.

**MOTION:** Welch/Railey – To approve Consent Agenda Items 3 through 7.

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

**REGULAR AGENDA**

**Utilities and Engineering**

8.     **RES  
2024-008**         A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES WITH JACOBS ENGINEERING GROUP, INC. TO PROVIDE FOR THE DEVELOPMENT, MANAGEMENT, AND IMPLEMENTATION OF A PROGRAM TO BRING THE CITY INTO COMPLIANCE WITH THE FEDERALLY-MANDATED LEAD AND COPPER RULE REVISIONS FOR CLEAN DRINKING WATER IN ACCORDANCE WITH RFQ NO. 09-27-23-11; AND APPROVING WORK AUTHORIZATION NO. 1 TO DEVELOP A LEAD SERVICE LINE INVENTORY AND LEAD SERVICE LINE REPLACEMENT PLAN.

Mayor Rydell read the Resolution title into the record.

**MOTION:** Welch/Wasserman – To approve Resolution No. 2024-008.

Utilities and Engineering Director Osama Elshami presented the item, noting the agreement would provide for engineering services to assist the City with meeting the new Environmental Protection Agency (EPA)-issued regulations for lead testing and mitigation.

Mayor Rydell read an email into the record he had received from a resident, regarding lead testing. Mr. Elshami stated he had spoken with the resident and explained that lead and copper were tested every three (3) years and nuclides were tested every nine (9) years, with results from 2023 tests due in 2024. He stated the results would be in the same report. Mayor Rydell asked whether this was standard testing that all water providers do, and Mr. Elshami confirmed it was.

Vice Mayor Welch asked how the information was gathered on private service lines. Mr. Elshami outlined the process. Vice Mayor Welch inquired as to whether there was an additional filter a resident could add at their home. Mr. Elshami advised that he did not think that was a necessity, but filtering would be a private choice. Mayor Rydell noted County Commissioner Mark Bogen suggested reverse osmosis systems for single-family residents with concerns about water quality. Mr. Elshami agreed that would be one of the most efficient systems.

Commissioner Wasserman asked how long the process was expected to take. Mr. Elshami stated phase two (2) would provide the City with a replacement plan, and then they would have to hire a contractor. He advised it would be a two (2) to three (3) year project, and noted the regulations were new and the EPA continued to make adjustments.

Commissioner Brodie asked whether Jacobs Engineering also built cell towers. Raul Alfaro, P.E., South Florida Water Group Leader, Jacobs Engineering Group, Inc. confirmed. Commissioner Brodie noted the City had a quality firm on the task.

Commissioner Railey stated she understood new construction would not have lead and asked if there was a timeframe for when lead pipes were no longer used so they know where to concentrate. Mr. Elshami responded that in his knowledge and experience with the City, he has not seen lead pipes, including in the older sections of Wynmoor.

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

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

### **Public Works Department**

9. **ORD 2024-005** AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A LEASE AGREEMENT WITH DISH WIRELESS L.L.C., A COLORADO LIMITED LIABILITY COMPANY, TO LEASE CERTAIN SPACE WITHIN THE CITY'S WINSTON PARK FOR AN INITIAL TERM OF TEN (10) YEARS WITH THE TENANT'S RIGHT TO EXTEND FOR THREE (3) SUCCESSIVE FIVE (5) YEAR PERIODS UNDER SPECIFIC TERMS AND CONDITIONS. (SECOND READING) (PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

**MOTION:** Welch/Railey – To adopt Ordinance No. 2024-005.

Mayor Rydell noted he had heard from some residents on this matter and clarified that the tower currently exists. Public Works Director Harry Mautte confirmed. Mayor Rydell asked if there would be an aesthetic difference to the tower, and Mr. Mautte stated there would be some change as the equipment was added on the tower.

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

Commissioner Brodie asked who owned the tower, and Mr. Mautte advised that the City owned the tower. Commissioner Brodie inquired as to whether the City was responsible for making sure the branches were in place. He explained the tower was a fake tree; and when work was done, the branches had a tendency to be knocked down. Mr. Mautte stated staff would look at the tower before and after to make sure conditions were met.

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

### **Sustainable Development**

10. **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 UPDATE LANGUAGE TO BE CONSISTENT WITH STATE LAW. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

**MOTION:** Welch/Railey – To approve Ordinance No. 2023-026 on first reading.

Sustainable Development Director Scott Stoudenmire explained the item would amend the Code of Ordinances, which was intended to remove impediments to processing Code Enforcement cases related to water fowl and ducks. He advised that the amendment addressed those impediments by providing more discretion to both Code Enforcement and the City's Animal Services Officer, streamlining the investigation process and penalty provisions. Mr. Stoudenmire reviewed additional items included in the amendment package, including definitions and regulations related to the keeping of agricultural and farm animals, cleaning up language related to cruelty to animals, and updates to maintain consistency with the County Code. He added that any reference to a dog's breed, weight, or size had also been removed, as required by State law.

Mayor Rydell asked how many chickens a resident could have with a family home on a quarter acre. Mr. Stoudenmire advised the resident would be allowed one (1) chicken. Mayor Rydell expressed concern because it was becoming more common to have home gardens and chickens. He noted someone had said roosters could be a nuisance animal and commented that a distinction could be made. Assistant City Attorney Eve Lewis commented that any animal could become a nuisance. Mayor Rydell asked if the ordinance could be modified to allow for a larger number of chickens on a property. Mr. Stoudenmire confirmed that it could be changed if that were the will of the Commission. He noted the Code amendment did not change that standard,

as it existed. Mayor Rydell suggested a limit of four (4) chickens on a residential property. Commissioner Wasserman agreed. He asked whether a chicken was defined as an agricultural farm animal. Assistant City Attorney Lewis explained the definitions of domestic animals as amended and noted the limitation was one (1) outdoor domestic animal per quarter acre of property that was owned or rented. She discussed the definition of a chicken as an agricultural farm animal and the best practices of the State Department of Agriculture briefly. Commissioner Wasserman asked for additional information regarding the number of chickens allowed under the existing Code. Assistant City Attorney Lewis clarified that it was more appropriate to treat a chicken in a residential neighborhood as a domesticated animal rather than as a farm animal.

Vice Mayor Welch noted the Code did not specify hen or rooster. Assistant City Attorney Lewis confirmed this was correct. Vice Mayor Welch asked whether there was a difference between chickens roaming free and cooped, and how chickens could be separated from other types of outdoor domestic animals. Assistant City Attorney Lewis advised that the determination by staff had been that animals intended to live outdoors the majority of the time had the potential to have a collateral impact to adjacent properties, so the intent was to provide enforcement and regulatory capabilities to limit or monitor the outdoor impacts. She noted the City was not regulating the number of pets that a resident has within the dwelling. She stated that in respect to roaming in the yard, there were other sections of Code that require tethering or fenced yards of animals living outdoors. Vice Mayor Welch asked if there was a concession that could be made regarding confinement. Assistant City Attorney Lewis stated there was as long as it met the other restrictions related to space and other factors.

Animal Services Officer Jennifer Shoffner shared that when it came to keeping animals outside, the concern was the manner of keeping within the regulations, which included the amount of space. She stated if there were chickens in a coop, the question would be whether there was enough space. She noted the ordinance required enough space to exercise, and pointed out the amount of nuisance caused, including smell and noise was also considered.

Commissioner Railey asserted that they had to differentiate between domestic and farm animals, and chickens were farm animals. She stated the City could not selectively enforce who could have what agricultural animal, and you could not have chickens in the middle of the City on a quarter acre. She commented that people might want cows, as well. Discussion ensued regarding defining chickens separately within the ordinance.

Commissioner Wasserman stated having four (4) chickens outside was a lot different from having four (4) dogs outside. He asked how the restrictions were being enforced. Mr. Stoudenmire advised that most instances were complaint driven. Commissioner Wasserman asserted the City needed to protect animals from abusive owners and stated they should make sure the ordinance would not need to be adjusted again in a few years. He asked about whether the term “sound construction” in the amendment was too subjective. Ms. Shoffner explained the language was adopted directly from the Broward County ordinance. She reviewed examples.

Mayor Rydell opened the floor to public comment.

Diane Smith, Coconut Creek, stated she had chickens, goats, and sheep over the last 30 years, and the nuisance was the rooster. She asserted without the rooster, chickens were amazing animals that provide fresh eggs and were great pets. She commented that she lived next door to dogs that were in cages 24 hours a day, and she heard them cry with the weather; but the neighbors insisted they were fine.

Resident Jorge Mederos stated there were chicken issues in the community of South Creek. He

advised that roosters were not needed for the production of eggs so they should not be allowed if they can be restricted under State law. He noted chickens were social animals and should not be restricted to one (1). He added that keeping chickens was a good way for children to know where their food comes from, and pointed out there was guidance on keeping chickens through UF/IFAS, including coop size.

Mayor Rydell shared an image of a chicken coop and noted it was meant for housing eight (8) chickens. He stated there was no noise or smell, and it was easy to clean. He sought and received consensus to direct staff to draft separate language for chickens between first and second reading of the ordinance.

Commissioner Wasserman stated he would like to address dogs in kennels outside to include verbiage, outlining mandatory time inside the house or hours dogs could not be outside. He commented that barking dogs in the middle of the night was a problem. Discussion ensued regarding the noise ordinance. Ms. Shoffner explained that she gets more barking dog complaints during the daytime than at night, and most were related to dogs that were already indoors versus dogs that were outdoors. Commissioner Wasserman expressed concern with heat and weather and stated it was a problem for him for dogs to be outside all day, every day. Ms. Shoffner agreed and noted there were specific changes in the amendment, requiring cooling units, shade, and clean water when temperatures were above 85 degrees.

Mayor Rydell asserted that animal cruelty in Florida was extremely comprehensive, and someone leaving their dog outside in extreme heat with no water could be arrested. Discussion continued. Mayor Rydell sought and received consensus to strengthen the restrictions related to leaving dogs outside.

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

11. **ORD 2024-008** AN ORDINANCE ACCEPTING A QUITCLAIM DEED CONVEYING TITLE TO A PORTION OF THE RIGHT-OF-WAY FOR CULLUM ROAD FROM BROWARD COUNTY TO THE CITY OF COCONUT CREEK. (FIRST READING)

City Attorney Pyburn read the Ordinance title into the record.

**MOTION:** Railey/Brodie – To approve Ordinance No. 2024-008 on first reading.

Mr. Stoudenmire presented the item, explaining the subject property was Broward County right-of-way in name only, and this ordinance was a cleanup item, which had been identified while researching for a development project.

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 12 as follows (verbatim):

Florida courts have determined that there are certain types of matters, including Item 12 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 Item 12 had been met and swore in the witnesses.

- 12. ORD 2024-007** AN ORDINANCE APPROVING THE SITE PLAN REQUEST OF DAVID AULD OF JOHNS FAMILY PARTNERS, LLLP TO PERMIT A MAXIMUM OF 472 MULTI-FAMILY RESIDENTIAL UNITS FOR THE PROPERTIES LEGALLY DESCRIBED IN EXHIBIT “A,” AND GENERALLY DESCRIBED AS BLOCK 4 OF THE MAINSTREET @ COCONUT CREEK DEVELOPMENT. (QUASI-JUDICIAL)(FIRST READING)(FIRST PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

Vice Mayor Welch made a motion to move Item 12 for discussion, seconded by Commissioner Brodie.

City Attorney Pyburn asked if there were any ex-parte communications or disclosures, and there were none.

Mr. Stoudenmire presented the item, noting that this application was the first of many site plan applications to be presented for the MainStreet project this year. He stated the plans before the Commission were for Block Four (4) of the master plan, a multi-family development consisting of



five (5), five-story buildings, a total of 472 units on approximately 11.8 acres. He noted the project consisted of one (1), two (2), three (3), and four (4) bedroom units, ranging from 676 square feet to 1,700 square feet, along with a five (5)-story parking garage, two (2) one (1)-story garages, surface parking, and a variety of amenities. He reported that the application had been heard before the Planning and Zoning Board at its January meeting, and the Board had unanimously recommended approval. He stated staff recommended approval subject to the conditions outlined in the staff report.

Scott Backman, Dunay, Miskel, and Backman, LLP, representing Johns Family Partners, LLP, briefly reviewed past approvals and the extensive discussions regarding the Master Plan, as well as an overview of the development team and past multi-family projects they developed. He provided a history of the project and the changes made as Coconut Creek has changed over time. Mr. Backman shared a map and site plan of the MainStreet project with Block Four (4) highlighted and reviewed the maximum densities and heights. He reviewed a series of renderings and elevations of each of the buildings. He discussed the sustainability elements in the block and stated that the applicant accepted the staff conditions.

Mayor Rydell asked if it was a true statement that the developer was committed to delivering the aesthetic and design standards represented by the renderings being presented. Mr. Backman confirmed this was a true statement. He stated as the project moved into the site plan level, those renderings were becoming more detailed than the Master Plan. Mayor Rydell asserted it was important to not lose sight of the magnitude of the project and its importance to the City.

Mayor Rydell commented on the name of the MainStreet development and shared that Parks and Recreation Director Wayne Tobey had suggested The Roots of Coconut Creek. He noted the connections between the name and the Johns family and stated the Commission needed to think about branding as they consider street names.

Mayor Rydell asked the developer to discuss rents in the proposed apartments. Rick Giles, GSR Partners, stated it was early to set rents, but they anticipated the rents would be comparable to Monarch Station and similar communities in the area at around \$2,300 for a one (1) bedroom and \$4,000 for four (4) bedrooms.

Mayor Rydell noted he was in support of the project but would like to see more physical amenities like a living wall on the parking garage to make it not look like a parking garage. Mr. Backman stated there was a condition of approval to ensure the garage was appropriately screened, and the architect had been working on concepts.

Vice Mayor Welch shared that she thought the four (4) corner concept with a center where amenities were located was forward thinking and noted all ages may be attracted to lease in the community. She asked for a breakdown of the parking and whether it relied on adjoining blocks. Mr. Backman explained that the parking was self-contained within the block, including the parking garage, surface parking, tuck-under parking, and fifteen (15) individual garage spaces.

Vice Mayor Welch commented on the commitment to recycling and noted she hoped recycling would also be considered for construction and demolition materials being disposed. Mr. Backman stated they would explore the options. Vice Mayor Welch asked about environmental factors, including water collection and reclaimed water, and whether environmental site study had identified any areas to be addressed. Mr. Backman responded in turn. Mr. Stoudenmire clarified that not all items on the green checklist applied to this project. Vice Mayor Welch commented on flooding in parking lots and asked whether there were plans that could be considered to use pervious surfaces for parking lots to be proactive in mitigating flood events.

Mike Troxell, Thomas Engineering Group, provided background on how rain was managed in high intensity storms. He noted there were retention durations set by South Florida Water Management. Mr. Stoudenmire stated this was a great opportunity with a raw piece of land being developed under far more stringent codes than in the past and permitting agencies had upgraded their standards tremendously. He noted he believed the issues would be addressed with this new construction and the standard it was built to. Discussion continued regarding site drainage. Mr. Troxell explained the drainage and retention system, as well as drainage analysis and calculations utilized. Rick Stephano, GSR Partners, provided additional details of the larger drainage design for the entire area.

Vice Mayor Welch asked about accessible units, non-smoking apartments, and impact windows. Mr. Stephano advised that accessible units would be throughout, all apartments would be non-smoking, and impact windows would be used, including sliding doors. Vice Mayor Welch asked whether there were backup generators in the common areas and asked about varying corridor widths in the different buildings. Mr. Stephano advised that there were no backup generators in the project and discussed efforts to vary interiors.

Vice Mayor Welch asked if any of the trees in this Block would be relocated trees. Mr. Stephano indicated there were extensive trees on the property, and a tree survey had been conducted. He noted the plan was to relocate healthy trees from the property throughout the MainStreet areas.

Vice Mayor Welch asked about pedestrian lighting and lighting in the parking garage. Mr. Stephano reviewed lighting plans, noting they would provide safe lighting and shielding in compliance with the dark sky ordinance. Mr. Stoudenmire provided additional clarification on reviews of proposed lighting.

Commissioner Wasserman referenced the Workshop held earlier in the evening and asked whether not having a CDD would kill the project. Mr. Backman stated it was a hard question to answer. He noted it would not necessarily kill the project, but it was a massive project that required a lot of resources. Discussion continued regarding CDDs.

Commissioner Wasserman asked if the buildings would have finished rooftops with amenities for residents. Mr. Backman stated there were no finished, active roof spaces in the way the buildings were designed. Mayor Rydell inquired as to whether the team had discussed rooftop amenities, such as meeting space. Mr. Backman stated there was discussion of rooftop use in the commercial sections, and noted the roofs were white as a sustainability feature. Commissioner Wasserman suggested the addition of rooftop amenities. Sustainable Development Assistant Director Justin Proffitt pointed to an amenity area on the fifth floor of the third building. Discussion continued. Commissioner Brodie stated he thought it was a bad idea, as people pay for penthouse views and do not want noise and other issues on the roof. He noted the request would require a change in construction materials and added that he did not think the Commission should be designing from the dais. Commissioner Railey stated she did not think this was a good idea at this point in time or for these buildings. She asserted that if taller buildings were considered, that would be the time for a conversation about rooftop amenities. Vice Mayor Welch agreed the tallest building would be the best place for utilization of the view. Discussion continued. Mayor Rydell commented on other projects and stated rooftop amenities were the trend and the standard in new developments. He urged the other Commissioners to investigate the downtown development of Fort Lauderdale and Hollywood.

Commissioner Wasserman asked about making changes based on consensus at second reading. City Attorney Pyburn advised that it would require delaying the vote on second reading to allow the applicant and staff to work out changes to the site plan.

Mr. Backman noted that the fifth-floor amenity space Mr. Proffitt referenced was proposed to have a large outdoor patio. He reiterated that it was not the intention to provide rooftop spaces in this development and asserted that downtown Fort Lauderdale was a different place and market.

Mr. Backman asked for clarification on whether a site plan required a second reading. City Attorney Pyburn advised that as the Code currently reads, site plans located within the MainStreet area require two (2) readings.

Commissioner Brodie asked why they were starting with Block Four (4). Mr. Backman advised that the project was broken into phasing, and this Block was the first ready to go as a whole.

Commissioner Brodie commented that runoff management of this Block was a part of the larger runoff management consideration in the MainStreet Master Plan and was a small piece in the greater puzzle. He noted he was concerned that the light was managed to the newest standards because neighbors were not used to their being light in the area. Mr. Stoudenmire agreed and provided additional clarification on the review process.

Commissioner Railey noted the demand for more than one (1) parking spot for larger apartments and asked whether units were deeded parking spots. Mr. Giles explained when leasing an apartment, the renter would get one (1) spot for their unit and additional space could be purchased. He noted there would be restrictions and discussed garage management through a third party.

Vice Mayor Welch stated she appreciated the ideas from the Commission for additional progressive amenities for the space, but she believed it would be more appropriate to let the developers plan that for a future site plan.

Commissioner Wasserman asked if the rooftop amenities were something the developer would consider between first and second reading. Mr. Backman advised that it was not. Discussion continued regarding the request for rooftop amenities.

Mayor Rydell asked if the intent was to have no assigned parking. Mr. Giles explained the surface parking would be first come, first served, and the garage would be managed. He noted approximately one (1) space per bedroom was being provided and discussed the distribution of parking throughout. Mayor Rydell discussed traffic patterns and parking in other developments and suggested a plan to coordinate parking within the plan. He stated this was a resident issue that comes to the Commission.

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

Neither staff nor the applicant had closing remarks.

**MOTION:** Welch/Railey – To approve Ordinance No. 2024-007 on first reading.

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

## **CITY ATTORNEY REPORT**

City Attorney Pyburn updated the Commission on the lawsuit filed by Weiss Sirota on behalf of twenty-six (26) municipalities and twenty-four (24) municipal elected officials as it related to the Form 6

requirements. She advised that the lawsuit had been filed in Federal and State court, and the option remained to add additional interested individuals or cities. Commissioner Brodie stated he believed the Commission should revisit the issue. Mayor Rydell expressed concern with using taxpayer dollars to fund the lawsuit. He advised that he did not support joining the suit. Commissioner Railey asked for further clarification, and City Attorney Pyburn explained that for the City to join the lawsuit, it would be \$10,000, or elected officials could join the lawsuit individually for \$2,000 per elected official. Discussion continued. Consensus was to direct the City Attorney to meet with staff to determine if other options exist. Mayor Rydell was opposed. Vice Mayor Welch advised that she was in support as long as the option did not use any taxpayer funds.

## **CITY MANAGER REPORT**

City Manager Brooks advised that the Commission had requested an update on Hillsboro Marketplace and Coconut Creek Plaza, and Mr. Stoudenmire would provide details. Mr. Stoudenmire shared that on January 3, he and Commissioner Wasserman met with the property managers of Coconut Creek Plaza and discussed numerous issues, including parking lot drainage and the homeless issue at the plaza. He stated staff continued to stay in touch with the property managers since that meeting, and he was informed they had met with a project engineer and paving contractor on site on February 9 and expected a quote for the work next week. He noted there was not yet dialogue with the City Engineering Department. Continuing, Mr. Stoudenmire shared staff had been in contact with Fifth Third Bank regarding the redevelopment of the vacant Lorenzo's Pizza. He commented that a conceptual plan was being developed. He shared that the Code Enforcement cases related to the exterior of the Lorenzo's Pizza building were outstanding. He stated the owners have been in communication with Code Enforcement, and they were working to achieve compliance. Mr. Stoudenmire shared that the Wells Fargo Bank and Wellmax had closed, but there was interest in the Wells Fargo site. He stated Police Chief Butch Arenal was working to schedule a meeting with the property owner and was well aware of the concerns raised, regarding homelessness in the plaza.

Mr. Stoudenmire stated he and Mayor Rydell met with the owners of Hillsboro Marketplace on December 13, and the owners had shared that, due to economic conditions, they were no longer planning a full facelift and plaza renovations but wanted to complete the two (2) outparcels. He noted there were complications with conditions in the ordinances that approved the projects, but he identified the three (3) steps necessary to proceed and had communicated those to the plaza owners. He advised that he had been in constant communication with the owners' new land use attorney and, as recently as last week, was told drawings were being finalized. He noted the bond had not yet been paid, and while the building permits were approved, they had not been paid for and picked up at this time. Mayor Rydell asked City Manager Brooks if she was comfortable with him and Mr. Stoudenmire going to Boca Raton for another visit with the owners. City Manager Brooks agreed.

City Manager Brooks shared that, as she stated in her retirement letter, she was committed to a smooth transition of her responsibilities and would be offering her assistance in any way possible to help facilitate the continued success of the City. Mayor Rydell thanked City Manager Brooks for her decades of service to the City of Coconut Creek. He stated that he believed the financial viability was attributable to her, and her leadership fiscally had allowed the City to do all of the things they wanted to accomplish. He encouraged the Commission to have individual meetings with staff to prepare for a future conversation, regarding succession planning.

## **COMMISSION COMMUNICATIONS**

Commissioner Wasserman stated he felt like the Workshop was squeezed into the schedule and rushed, and suggested more time could be given to the topics. He shared his excitement for the

upcoming Butterfly Festival.

Commissioner Brodie stated he was looking forward to the retirement party and to celebrating the many years that City Manager Brooks had given to the City. He noted there were huge projects she had brought to the finish line and commented that she should be very proud of everything she had done with the City. He added that she brought a controlled presence to the dais, and he appreciated it.

Commissioner Railey asserted that City Manager Brooks had been an asset to everyone who had met her, everyone she had helped, and everyone she had led through the hard times. She stated she was going to miss her.

Vice Mayor Welch shared a story of working with City Manager Brooks in the budget process, and how she knew that they would have a partnership. She stated City Manager Brooks did a remarkable job of carrying the importance of fiscal responsibility into her role and thanked her for her service. Vice Mayor Welch stated City Manager Brooks had forwarded an email on her behalf, regarding the investment required to create a composting option at the Recycling Center which would allow subscribers to drop off composting bins, and asked whether there was consensus to offer the option. Mayor Rydell commented that he believed the Commission should move away from directing staff from the dais to do things which ultimately were programs and capital projects administratively. He acknowledged he had been guilty of this in the past, but it made things difficult for staff. Discussion continued regarding creation of a composting program, glass recycling, and use of staff resources. City Manager Brooks asked that the composting program be considered during the Strategic Planning Session so it could be included in a work plan and made an objective for next year. Vice Mayor Welch stated the Special Events Grant would sunset in September, and they needed to address the non-profits that had previously applied and been eligible for their events. City Manager Brooks explained that when the non-profits were notified of the last round of funding, they were informed of the program sun-setting and advised that a process for application for donations through the budget process would be forthcoming. Vice Mayor Welch noted she was pleased to see the bus shelter in front of the Mazda dealership going up. She commented on the County Land Use Plan Amendment application by Waste Management and the potential for an administrative appeal to lead to waste-to-energy. Discussion ensued regarding solid waste solutions in Broward County. Vice Mayor Welch thanked staff for working to get Junior Achievement career-bound interns into the City for summer and noted the students would appreciate it.

Mayor Rydell clarified his previous comments regarding directing staff from the dais, and stated the Commission needed to have a conversation on this issue and create clear direction for moving forward with a commitment to the people who make the City run.

## **ADJOURNMENT**

The meeting was adjourned at 11:14 p.m.

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Joseph J. Kavanagh, MMC  
City Clerk

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Date