



CITY OF COCONUT CREEK CITY COMMISSION MINUTES

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

**Date: October 24, 2024
Time: 7:00 p.m.
Meeting No. 2024-1024R**

CALL TO ORDER

Mayor Sandra L. Welch called the meeting to order at 7:00 p.m. She announced that Agenda Items 3 and 11 were postponed and would not be heard on the agenda.

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.

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)

- 24-154** A PRESENTATION RECOGNIZING FOURTH QUARTER EMPLOYEE MILESTONE ANNIVERSARIES FOR FISCAL YEAR 2024.

Human Resources Director Pam Kershaw recognized the following employees who had reached a milestone anniversary during the fourth quarter of Fiscal Year 2024:

Five (5) Year Anniversary

Katie DiCintio, Safety & Wellness Program Manager, HR & Risk Mgmt. Department
Heather Schwartz, HR Generalist, HR & Risk Mgmt. Department
Anthony Bell, Park Ranger, Parks & Recreation Department
Kristin Gregory, Telecommunications Specialist, Police Department
Lauren Johnson, Police Service Aide, Police Department
Brittany Torres-Kobrin, Telecommunications Operator, Police Department
Erick Jean-Baptiste, Code Compliance Officer I, Sustainable Development Department

Ten (10) Year Anniversary

Terrill Pyburn, City Attorney, City Attorney's Office
Lorie Messer, Procurement Analyst, Finance & Administrative Services Department
Ryan Wilmoth, IT Specialist, Information Technology Department
Alex Cabrera, Police Officer, Police Department

Louis Exume, Maintenance Service Worker II, Public Works Department
Dominick D’Giff, Utility Service Worker III, Utilities & Engineering Department

Thirty (30) Year Anniversary

Henry Cabrera, Police Lieutenant, Police Department

Forty (40) Year Anniversary

Eric Rupert, Director, Information Technology Department

2. **24-171** A PRESENTATION OF THE LIFESAVING COMMENDATION AWARD FOR POLICE OFFICER TERRA JOHNSON.

Chief of Police Fred Hofer recognized Police Officer Terra Johnson with the Lifesaving Commendation Award in honor of her response to a missing person check.

Agenda Item 3 was postponed and not heard on the agenda.

- ~~3. **24-178** A PRESENTATION BY JUNIOR ACHIEVEMENT OF SOUTH FLORIDA REGARDING THEIR WORKFORCE EDUCATION, ENTREPRENEURSHIP, AND FINANCIAL LITERACY PROGRAMS.~~

INPUT FROM THE PUBLIC

Ilene Busey, 7382 NW 45 Avenue, Coconut Creek, shared information regarding her business, Sunset Strings Academy, an after-school program offering music classes for young children. She highlighted the benefits of music education and the Academy’s community involvement, emphasizing the need for support to ensure all children have access to music education opportunities.

REGULAR AGENDA

City Clerk

4. **24-172** A MOTION APPROVING THE MINUTES FROM PREVIOUS CITY COMMISSION MEETING(S). (2024-0926SP AND 2024-0926R)

MOTION: Railey/Rydell – To approve the Minutes of the September 26, 2024, Special and Regular Commission Meetings.

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

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

Utilities and Engineering

5. **ORD 2024-038** AN ORDINANCE AMENDING THE CITY’S CODE OF ORDINANCES, BY AMENDING CHAPTER 6, “BUILDINGS AND BUILDING REGULATIONS,” ARTICLE IV, “BACKFLOW PREVENTION REGULATIONS,” SECTION 6-52, “FEES,” TO PROVIDE FOR INCREASED FEES FOR RECERTIFICATION OF BACKFLOW PREVENTERS. (SECOND READING)(PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Rydell/Wasserman – To adopt Ordinance No. 2024-038.

Utilities and Engineering Director Osama Elshami noted there were no changes since first reading of the Ordinance.

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

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

6. **ORD 2024-048** AN ORDINANCE AMENDING THE CITY’S CODE OF ORDINANCES, BY AMENDING CHAPTER 13, “LAND DEVELOPMENT CODE,” ARTICLE II, “SUBDIVISION REGULATIONS,” DIVISION 2, “SUBDIVISION PLAT REQUIREMENTS,” SECTION 13-169, “WATER AND WASTEWATER EXTENSION REGULATIONS,” IN ORDER TO PROVIDE FOR FUTURE CONNECTIONS TO ADJACENT LOT(S) AND OR TRACT(S). (SECOND READING)(PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Rydell/Brodie – To adopt Ordinance No. 2024-048.

Mr. Elshami noted there were no changes since first reading of the Ordinance.

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

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

Public Works

7. **RES 2024-156** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AN AGREEMENT WITH TOP LINE RECREATION, INC. FOR THE REPLACEMENT OF THE PLAYGROUND AT THE RECREATION COMPLEX PURSUANT TO RFP NO. 08-14-24-11.

Mayor Welch read the Resolution title into the record.

MOTION: Rydell/Wasserman – To approve Resolution No. 2024-156.

Public Works Assistant Director Brian Rosen shared excitement about the City’s first all-inclusive playground, featuring ramp access for individuals with disabilities to enjoy all areas. He noted that the project would be fully-funded by Community Development Block Grant (CDBG) funding and introduced representatives from Top Line Recreation, Terry Perkins and Viviana Figueroa, who were available for questions.

Commissioner Rydell expressed enthusiasm for the ADA compliance aspect of the playground, highlighting its importance for programming at the Recreation Complex. He requested details about the ground material, noting past challenges with artificial turf replacement that disrupted playground use. Mr. Rosen explained that the old turf with a short shag was problematic and replaced with a pour-in-place rubber surface. He noted that issues had occurred with the underlying substrate, but the upcoming project would involve a full reinforcement to ensure

safety. He confirmed the new surface would be comparable to that at Sabal Pines Park, providing reliable fall protection. Commissioner Rydell appreciated the new theme and praised the efforts of staff in the Utilities and Parks and Recreation departments in executing the project.

Mayor Welch expressed pride in the City's recent certification for accommodating special needs programming and its alignment with the new all-inclusive playground. She inquired about the playground surface, mentioning a contractor at the Florida League of Cities annual conference, who discussed a sealant to prolong its condition. Mr. Rosen replied that staff would look into the sealant to evaluate its feasibility for use on the project. Mayor Welch noted the importance of maintaining quality and commended the department for their excellent work in ongoing maintenance.

Vice Mayor Railey asked if swings for younger children, toddlers, and ADA-accessible users would be separated from regular swings. Mr. Rosen confirmed all swings would be in the same area but with possible separation. Vice Mayor Railey suggested distancing teenage swings for added comfort.

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

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

8. **RES 2024-163** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AN AGREEMENT WITH K.E.R. CONSTRUCTION, LLC FOR SUNSHINE DRIVE AND DONALDSON PARKS IMPROVEMENTS PURSUANT TO IFB NO. 09-17-24-11.

Mayor Welch read the Resolution title into the record.

MOTION: Rydell/Railey – To approve Resolution No. 2024-163.

Mr. Rosen outlined the bundling of two (2) Capital Improvement Projects (CIP) for better pricing, given the parks' proximity of half a mile to each other. He noted that Sunshine Drive Park improvements included a new playground with pour-in-place surface, a half basketball court, a recycled rubber walking path, and outdoor exercise equipment. He noted Donaldson Park would feature a kayak/canoe launch, outdoor exercise equipment, and a shaded canopy with activity tables. Representatives from K.E.R. Construction, including President Essah Rahaman and Project Manager Sam Joseph, were present to answer any questions.

Commissioner Rydell expressed concern about the thirty percent (30%) lower bid from K.E.R. Construction compared to the other four (4) bids and requested clarity on the discrepancy. Mr. Rosen explained that K.E.R. Construction's pricing had aligned with the consultant's estimate and staff expectations, while the other bids had come in significantly higher. He shared similar concerns and confirmed that procurement had verified K.E.R. Construction's understanding of the project scope, with the vendor assuring their bid was accurate and feasible.

Commissioner Rydell asked Mr. Rahaman to confirm that his company was comfortable capping the project cost at \$723,418.80. Mr. Rahaman affirmed, explaining that their lower bid resulted from self-performing much of the work and maintaining lower profit margins. He mentioned that some team members lived locally in Coconut Creek and were eager to contribute to a community project. Commissioner Rydell appreciated the commitment and emphasized the importance of avoiding unexpected cost overruns. Mr. Rahaman requested an expedited start, noting discounts on materials that needed to be secured by month's end.

Commissioner Wasserman expressed support for the project but raised concerns about the proximity of the walkway trail to the adjacent Turnpike. He emphasized the potential impact of the Turnpike on the trail's effectiveness and hoped it would remain a pleasant and functional space for the community despite nearby traffic.

Mayor Welch inquired about the walkway's location, noting that plans included additional landscaping to enhance the road's appearance. She shared that the placement was determined through substantial resident feedback, particularly gathered during a community outreach event where residents voiced their preferences.

Mr. Rosen added that staff had secured \$315,000 in Department of Commerce funding to partially cover the costs for Sunshine Drive Park.

Vice Mayor Railey expressed excitement for the project, hoping it would instill pride among Sunshine Drive residents and foster a renewed sense of community. She also voiced concern about nearby areas needing repairs and cleanup, suggesting further efforts to secure and enhance the surroundings to match the park's standards.

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

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

Police Department

9. **RES 2024-167** A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE A SOLE SOURCE AGREEMENT WITH AXON ENTERPRISE, INC. TO PROVIDE FOR THE PURCHASE OF OFFICER SAFETY AND INTEGRATED DIGITAL EVIDENCE MANAGEMENT TECHNOLOGIES, INCLUDING BODY-WORN CAMERAS.

Mayor Welch read the Resolution title into the record.

MOTION: Railey/Wasserman – To approve Resolution No. 2024-167.

Chief of Police Fred Hofer presented the item, noting that the sole source agreement with Axon Enterprise allowed the department to start purchasing items for the officer safety plan, including body-worn cameras, retrofitting in-car cameras, and upgrading the interview room with new cameras and software.

Commissioner Rydell raised concerns about the long-term financial implications of the police camera upgrades. He acknowledged the necessity but urged colleagues to consider the \$8 million expenditure over ten (10) years, especially given the City's upcoming major projects like the Police Department renovations and a new Fire Station. He emphasized the importance of being fiscally conservative while supporting essential upgrades.

Mayor Welch clarified that the ten (10) year contract offered a fiscal advantage compared to piecemealing the purchases. She highlighted that this approach provided savings, effectively preserving funds that would have otherwise been used or redirected from renovation projects if an à la carte method had been chosen.

Vice Mayor Railey acknowledged the significant cost but emphasized it was spread over ten (10) years, with approximately one million dollars in grant funding that should not be wasted. She

clarified the investment covered more than just body cameras, encompassing essential equipment for officers to operate effectively. While stressing the importance of fiscal responsibility, she was against cutting costs in areas affecting safety, and emphasized the ultimate benefit to residents and the Police Department.

Commissioner Brodie supported spending the funds now to avoid higher future costs, given economic uncertainties. He agreed with the Vice Mayor on prioritizing safety and emphasized that body cameras often confirmed police actions were justified, reducing litigation risks. He shared insights from his ride-alongs, highlighting the dangers officers faced, especially at night, and stressed the protective benefits of body cameras.

Commissioner Wasserman clarified the ten (10) year agreement would lock in pricing and highlighted the inclusion of warranties, ensuring broken equipment would be replaced at no cost, emphasizing the financial benefits. Chief Hofer confirmed the terms and reiterated that pricing would remain fixed for the length of the contract.

Commissioner Rydell clarified that he supported the body cameras and safety measures but expressed caution regarding the expenditure as a capital investment. He emphasized the importance of carefully considering Police Department funding, given the financial figures provided.

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

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

10. **ORD 2024-041** AN ORDINANCE AMENDING THE CITY'S CODE OF ORDINANCES BY AMENDING CHAPTER 6, "BUILDINGS AND BUILDING REGULATIONS," ARTICLE III, "MINIMUM BUILDING PREMISES STANDARDS," SECTION 6-39, "ABANDONED REAL AND PERSONAL PROPERTY;" AND BY AMENDING CHAPTER 14, "OFFENSES," ARTICLE I, "IN GENERAL," TO CREATE SECTION 14-5, "TRESPASS APPEALS;" AND BY AMENDING CHAPTER 15, "PARKS AND RECREATION," ARTICLE II, "RULES AND REGULATIONS," SECTION 15-24, "RECREATIONAL ACTIVITIES;" AND BY AMENDING CHAPTER 17, "STREETS, SIDEWALKS, WATERWAYS AND OTHER PUBLIC PLACES," TO CREATE ARTICLE V, "PUBLIC CAMPING OR SLEEPING," TO PROHIBIT PUBLIC CAMPING AND SLEEPING ON PUBLIC PROPERTY AND PROVIDE FOR TRESPASS FOR VIOLATIONS. (SECOND READING)(PUBLIC HEARING)

City Attorney Pyburn read the Ordinance title into the record.

MOTION: Rydell/Wasserman – To adopt Ordinance No. 2024-041.

Police Legal Advisor Jeannette Camacho provided an update since first reading of the Ordinance on September 26, noting that a new section entitled "Public Camping or Sleeping Complaints" was added and explained the complaint procedures outlined in the new Code section. She also highlighted, in response to Commissioner Rydell's request, that staff provided a comparative chart showing ordinances in Broward County and Fort Lauderdale with others in the first reading stage. Ms. Camacho emphasized that officers would first offer assistance and resources, and only if individuals refused help and declined to leave would trespassing enforcement be considered.

Mayor Welch mentioned inquiring about cities leaning toward a disorderly conduct approach rather than trespassing and asked for insights on its advantages or disadvantages. City Attorney Pyburn noted that only one city on the list opted for disorderly conduct, and after evaluation, staff concluded that trespassing was more appropriate. Ms. Camacho further explained the trespass process, and discussion ensued.

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

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

Sustainable Development

Agenda Item 11 was postponed at the request of the applicant to the November 14, 2024, City Commission Meeting and not heard on the agenda.

- ~~11. **RES** A RESOLUTION APPROVING THE SITE PLAN REQUEST OF DAVID AULD OF
2024-164 JOHNS FAMILY PARTNERS, LLLP TO CONSTRUCT ROADWAYS,
INFRASTRUCTURE, ON STREET PARKING, AND OTHER HARDSCAPE AND
STREETSCAPE ELEMENTS FOR THE PROPERTY LEGALLY DESCRIBED IN
EXHIBIT "A," ATTACHED HERETO AND MADE A PART HEREOF, GENERALLY
DESCRIBED AS THE MAINSTREET AT COCONUT CREEK DEVELOPMENT.
(QUASI-JUDICIAL)(PUBLIC HEARING)~~

CITY MANAGER REPORT

City Manager Rose noted that Broward County held a meeting on Tuesday and scheduled public hearings for November 12 on four (4) solid waste items related to the expansion of the Monarch Hill Landfill. She mentioned the Solid Waste Executive Committee meeting set for October 25, with Commissioner Rydell and staff attending. Waste Management planned to present on the Land Use Plan amendment and likely the proposed A-6 zoning amendment, though the presentation had not yet been shared. City Manager Rose also discussed ongoing organizational improvements in the Police Department, including adding a third captain and creating a development plan for civilian employees. Lastly, she announced that the Florida Fish and Wildlife Commission offered to host a coyote and alligator educational meeting, potentially on December 9 or 16 at the Community Center.

CITY ATTORNEY REPORT

City Attorney Pyburn informed the Commission that the court had not yet ruled on the Greystar appeal. She mentioned discovering a related case filed by Coolidge, Inc., the property owners, against four (4) residents, who were petitioning against the Greystar development. City Attorney Pyburn speculated that the court might be awaiting the outcome of this case, given its connection to the same property, and assured she would continue monitoring both cases and provide updates as new information became available.

COMMISSION COMMUNICATIONS

Commissioner Rydell commended the Commissioners for their participation in the "Read for the Record" event at the local schools and community facilities. He commended the Parks and Recreation Department for their creativity and hard work in putting together the Monster Mash event. He suggested

re-evaluating the event next year to increase participation. He apologized for missing the upcoming Veteran's Day Culture Series event due to travel, but noted he would return for the Veteran's Day ceremony on November 11. He provided updates from the recent Solid Waste Authority meeting, emphasizing the critical need to engage elected officials from municipalities in the south of the County to address landfill and waste-to-energy issues. Commissioner Rydell expressed concern regarding the opposition from cities in south Broward County to new burners and outlined his strategy for engaging those cities at the upcoming Solid Waste Authority meeting, stressing the importance of a united municipal approach at the November 12 County Commission Meeting.

Commissioner Wasserman expressed appreciation for City Government Week and praised the communications team for their excellent work. He shared his experience visiting Atlantic Technical College and engaging with students, noting the importance of technical education. He suggested having set times for teenagers to use the gymnasium at the Community Center after school without needing to call ahead. City Manager Rose explained there were already open playtimes at the gym, but they required supervision and waivers. Commissioner Wasserman also raised a concern about utility boxes obstructing fences and asked for a solution. City Manager Rose clarified that utility boxes were typically in easements, and the City would work with residents if conflicts arose. Commissioner Wasserman wished all a happy Halloween, sharing his excitement for his daughter's first Halloween. He closed by noting several schools he was fortunate to tour in the City and highlighted the valuable programs available at Atlantic Technical High School and College.

Commissioner Brodie shared his experience attending the Trunk-or-Treat at Winston Park Elementary. He highlighted the positive impact that School Resource Officer George Jarboe had on the students and staff and praised his community outreach efforts. Commissioner Brodie recounted visiting schools during Government Week, where students asked thoughtful questions about public service. He expressed enthusiasm for the upcoming Veteran's Day event, detailing plans for military displays and speakers from various wars and emphasizing the significance of camaraderie among veterans. Commissioner Brodie concluded with a heartfelt reflection on the honor of serving as a commissioner.

Vice Mayor Railey commended Commissioner Rydell for his efforts at the County level regarding solid waste disposal and the Monarch Hill landfill and expressed disappointment that only Commissioner Bogan voted no to set the public hearing. She asked about the involvement of neighboring cities and was disheartened to hear none participated, despite assurances from Deerfield Beach. Commissioner Rydell confirmed the absence of Deerfield Beach's upper-level staff and mentioned that no other cities were present. Vice Mayor Railey announced plans for buses to transport attendees to the County Commission Meeting on November 12, aiming to gather community support and encourage neighboring cities to join. Vice Mayor Railey praised Representative Christine Hunschofsky's teenage mental health seminar, highlighting Dr. Poland's impactful lecture and hoped for future sessions. She enjoyed participating in the "Read for the Record" event at several locations, including Butterfly World and the Recreation Complex, where she had engaging one-on-one interactions with children. She admired the work at the Equestrian Therapy Center at Tradewinds Park and was impressed by the large turnout at the Trunk-or-Treat event at Winston Park Elementary, with nearly 1,000 attendees. Vice Mayor Railey closed by commending staff and volunteers for their work on the Monster Mash event.

Mayor Welch echoed the sentiments on Commissioner Rydell's efforts at the County Commission and noted Senator Geller's surprising stance, as well as Deerfield Beach's absence from the meeting. She highlighted the announcement of the Fire Rescue Department's ambulance services accreditation and the success of the BolaWrap tool by the Police Department. She shared community interest from staff and parents at Tradewinds Elementary in recognizing their School Resource Officer. She raised concerns about car batteries at the recycle drop-off, welcomed new businesses, and addressed code violations along Lyons and Sample Roads, emphasizing safety issues for pedestrians. City Manager Rose explained the nuisance declaration process, and Mayor Welch offered to assist with calls. She

concluded by celebrating the success of the Monster Mash event.

ADJOURNMENT

The meeting was adjourned at 8:38 p.m.

Joseph J. Kavanagh, MMC
City Clerk

Date