

**CITY OF COOPER CITY
CITY COMMISSION MEETING
MAY 7, 2012**

1. PLEDGE OF ALLEGIANCE

Mayor Eisinger called the meeting to order at 6:03 p.m. and led the assembly in the pledge of allegiance.

2. ROLL CALL

Present were Commissioners Green, Curran, Sims, Mallozzi and Mayor Eisinger.

3. CHANGES TO AGENDA/EMERGENCY MATTERS

4. ANNOUNCEMENTS/PRESENTATIONS

Mayor Eisinger made the following announcements:

- NatureScape Broward Environmental Series concludes on May 12th at Pioneer Middle School with the following presentation:
 - ❖ "Super Science Saturday" from 9:00 a.m. until noon - Science projects will be showcased and there will be a tree giveaway for Cooper City residents.
- The Annual Mother & Daughter Tea will be held on Saturday, May 12th at 11 a.m. sharp in the Community Center.
- Tour de Cooper Family Bike Ride has been cancelled. A similar event will be announced at a later date.
- The Pool & Tennis Center will host "Family Float Night" on Friday, June 1st.
- On Saturday, June 9th the Pool & Tennis Center will host an end of the school year poolside event from 11:00 a.m. until 3:00 p.m.
- On Saturday, June 16th the Annual Touch-A-Truck event will be held at the Sports Complex from 9:00 a.m. until noon.
- On Father's Day, June 17th, the Pool will open for a free day of swimming for dads.
- The next Commission Meeting is scheduled for Tuesday, May 22nd at 6:00 p.m. and the summer schedule will begin on Tuesday, June 19th, followed by Tuesday, July 17th and Tuesday, August 21st. Budget Workshops will be scheduled and announced respectively.
- Monday, May 14th at 6:30 p.m. in the Pioneer Middle School cafeteria, join the Cooper City school principals for an informational gathering spotlighting local community schools.

Commissioner Mallozzi requested support for Girl Scout Troop #10765 as they gather items for the Humane Society of Broward County by contacting Collette at 305-970-8284, and for military personnel stationed overseas by way of www.forgottensoldier.org and announced the Fraud Awareness

seminar which will be offered by BSO on Thursday, May 10th at 7:00 p.m. at the police station. RSVP at (954)432-9000 ext 249.

Commissioner Curran thanked City and BSO staff for the success of Autism Awareness Day. He congratulated the Cooper City High School Girls Softball Team, who won the Regional Title and will continue to compete toward the State Title.

The following presentations were made:

- A. Raz Aloni – Recognition of Eagle Scout
In recognition of receiving the highest Boy Scouts honor, Eagle Scout Raz Meir Aloni, received a Certificate of Recognition and City of Cooper City pin from the Mayor and Commission.

- B. Recognition of Cooper City Kiwanis Club’s 5th Anniversary A Proclamation, recognizing the 5 years of service in Cooper City, by the Cooper City Kiwanis was presented to President Lydia Kruger, Treasurer Lynda Good and members Bruce Blitman, Greg Ross, Ray Levinson, James Curran, David Fenwick and Steve Cummings.

5. AGENDA CONCERNS

Skip Klauber, 10241 Guatemala Street, addressed Item 8 and asserted that the majority of the items contained within the draft were not discussed during Charter Review Board Meetings.

Walt Jolliff, 11095 Bismarck Place, addressed Item 8 and claimed that the charter revisions as drafted were done so under false pretenses and do not represent the consensus of the Charter Review Board.

Stan Neumann, 31 Chestnut Circle, implored the Commission to not commit to funding a retaining wall with so many budgetary restraints currently in effect.

Susan M Kerns, 12105 Paseo Way, addressed Item 9 and expressed her desire to have a wall built along Stirling Road behind Paseo Way.

Gladys Wilson, 5155 SW 90 Avenue, addressed Item 8 and stated that the details of the Charter changes are hidden and the average citizen would not be able to understand or find them within the Charter.

David McKennan, 12205 Paseo Way, addressed Item 9 and implored the Commission to approve the expenditure for half the cost of a wall on Stirling Road behind Paseo Way.

6. CONSENT AGENDA

A. Minutes

April 24, 2012 – Regular Commission Meeting

B. Home Local Business Tax Receipts

1. Elyn B. Insurance Agency, Inc., Brittany Rodgers, 9340 SW 54 Street, Insurance Agency
2. Carmen Mesa Weddings and Events, Inc., Carmen Mesa, 5087 Country Brook Drive, Event Planning
3. Fusion Builders, Inc., Chris Tavormina, 5541 SW 97 Terrace, General Contractor-Construction
4. Lang Rentals, LLC, Ingo Lang, 5561 SW 94 Avenue, Rental Agency

C. Resolutions

1. Approving the 2012 Amendments to the Interlocal Agreements with Broward County for Local Option Gas Tax – **Res. No. 12-5-1**
2. Designating and appointing Debra Athas to the Green Advisory Board – **Res. No. 12-5-2**

D. Proclamations

1. Civility Month
2. Cooper City Kiwanis – 5th Anniversary

E. Budget Workshop/Special Meeting Schedule

1. Approval to schedule a Budget Workshop for Wednesday, July 18th and a second Budget Workshop (if needed) for Thursday, July 19th at 5:00 p.m.
2. Approval to schedule the Special Meeting to set the proposed Millage Rate, adopt the Initial Assessment Resolution, establish the Debt Levy, set the date, time and place for the First Public Hearing on Budget, Taxes, and Debt Levy and set the date for the Final Hearing for Special Assessment for Monday, July 30th at 6:00 p.m.

MOTION: To approve the Consent Agenda

Moved by Commissioner Green. Seconded by Commissioner Curran. All aye on roll call vote. Motion passed.

7. COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR)

Tony Grau and Raquel McIntosh of Grau and Associates presented results of the 2011 audit and the Comprehensive Annual Financial Report.

8. ORDINANCE FOR FIRST READING – Ord. No. P12-2

Calling a Special Election for Charter Update

City Atty. Wolpin read, "AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF PROPOSED AMENDMENTS TO THE CITY CHARTER, PURSUANT TO SECTION 166.031, FLORIDA STATUTES, FOLLOWING CITY COMMISSION REVIEW AND CONSIDERATION OF CHARTER AMENDMENTS RECOMMENDED BY THE CHARTER REVIEW BOARD IN ACCORDANCE WITH SECTION 7.02 OF THE CITY CHARTER; SUBMITTING PROPOSED CHARTER AMENDMENTS CONCERNING AMENDMENT OF SECTIONS 3.01 "CITY COMMISSION, POWERS AND COMPOSITION", 3.02 "QUALIFICATIONS, ELECTIONS AND TERMS", 3.03 "ELECTION DISTRICTS", 3.06 "COMPENSATION: EXPENSES", 3.07 "FILING FEES AND NOTICE OF

CANDIDACY", 3.10 "VACANCIES, FORFEITURES OF OFFICE, FILLING OF VACANCIES", 3.12 "PROCEDURE AND MEETINGS", 4.01 "CITY MANAGER", REPEAL OF SECTION 5.06 "COMMISSION ACTION ON CAPITAL PROGRAM", AMENDING SECTIONS 5.09 "SIGNATURE TO BONDS, CHECKS, CONTRACTS, ETC.," AND 7.02 "CHARTER REVIEW BOARD"; CALLING A SPECIAL ELECTION ON THE PROPOSED CHARTER AMENDMENTS TO BE HELD ON TUESDAY, THE 6TH DAY OF NOVEMBER 2012, IN CONJUNCTION WITH THE GENERAL ELECTION BEING HELD ON SAID DATE; PROVIDING FOR VOTING AT THE POLLS; PROVIDING FOR NOTICE OF ELECTION; PROVIDING FOR REQUISITE BALLOT LANGUAGE; PROVIDING FOR INCLUSION IN THE CHARTER; PROVIDING FOR SEVERABILITY; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE," by title only.

MOTION: To approve the Ordinance amending the Charter to base election districts on population and to provide adjustment procedure, convene Charter Review Boards every four years, provide general updates and clarifications based on State law, provide residency requirements for candidates, provide procedures related to notice of forfeitures of office and to successors in office, clarify treatment of time served in relation to incomplete terms, allow for adoption of specific motions at workshop meetings, increase candidate filing fees, revise Commission authority concerning the City Manager, allow for a cost of living increase for Commission and call a special election to present such charter amendments to the electors on November 6, 2012, pursuant to the recommendations of the Charter Review Board.

Moved by Commissioner Green. Seconded by Commissioner Mallozzi.

MOTION: To suspend procedure during discussion of this motion.

Moved by Commissioner Sims. Motion died for lack of a second.

MOTION: To table this item until an outside independent counsel may review these changes as well as the last charter amendment.

Moved by Commissioner Sims. Motion died for lack of a second.

MOTION: To remove proposed ballot question #7 pertaining to Commission Workshops and therefore remove Part F from the proposed ordinance containing suggested changes to Section 3.12 (4).

Moved by Commissioner Green. Seconded by Commissioner Mallozzi. Motion passed 3-2 with Commissioners Curran and Sims dissenting.

MOTION: To remove proposed ballot question #9 pertaining to The City Commission Authority concerning the City Manager and therefore remove Part G from the proposed ordinance containing suggested changes to Section 4.01 (1) (B).

Moved by Commissioner Curran. Seconded by Commissioner Mallozzi.

Motion passed 4-1 with Commissioner Green dissenting.

MOTION: To remove proposed ballot question #10 pertaining to Commission Compensation and Expenses and therefore remove Part C from the proposed ordinance containing suggested changes to Section 3.06 (1).

Moved by Commissioner Curran. Seconded by Commissioner Green. All aye on roll call vote. Motion passed.

MOTION: To change the title of proposed ballot question #3 to read GENERAL UPDATE AND CLARIFICATION OF CHARTER and to clarify the actual changes that will be made to particular sections, whether redundant or in conflict.

Moved by Commissioner Green. Seconded by Commissioner Curran. All aye on roll call vote. Motion passed.

Unanimous consensus was reached to allow for a third round of Commission comments on the motion to approve the ordinance.

MOTION: To suspend the OPEN PUBLIC MEETING portion of the meeting, generally heard at 8:30 p.m. until the current item has been finalized.

Moved by Commissioner Mallozzi. Seconded by Commissioner Curran. Motion passed 4-1 with Commissioner Sims dissenting.

Unanimous consensus was reached to allow for a fourth round of Commission comments on the motion to approve the ordinance.

Unanimous consensus was reached to allow for a fifth round of Commission comments on the motion to approve the ordinance.

Roll Call Vote to Approve the Ordinance as amended

Commissioner Green: Yes

Commissioner Curran: Yes

Commissioner Sims: No

Commissioner Mallozzi: Yes

Mayor Eisinger: Yes

Motion passed.

13. OPEN PUBLIC MEETING

Walt Jolliff, 11095 Bismarck Place, suggested that the current charter is flawed and therefore any changes made to it could not correct it.

Gladys Wilson, 5155 SW 90 Avenue, explained that Commissioner Sims is the only member of the Commission in which she has confidence.

David McKennan, 12205 Paseo Way, further implored the Commission to agree to finance a wall along the road behind his home at 50% of the total

cost. And asked that Item 9 be tabled as he is the party responsible for having Commissioner Sims place the item on the Agenda.

Skip Klauber, 10241 Guatemala Street, criticized the District Map as it was revised in 2006 and suggested that the Charter Review Board of 2001 was responsible for drawing the District Map of 2002.

9. STIRLING ROAD WALL

Review the request to share funding of the cost to build a privacy wall behind the nine homes on Paseo Way.

MOTION: To accept the proposal to provide shared funding for the privacy wall project.

10. POLICE CHIEF'S REPORT

11. FIRE CHIEF'S REPORT

12. CITY MANAGER REPORT

14. COMMISSIONERS' CONCERNS/REPORTS

15. ADJOURNMENT

The meeting was adjourned at 9:19 p.m.

NOTICE: This meeting is open to the public. In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact the Office of the City Clerk, 954-434-4300 ext. 220, not later than two days prior to such proceeding. One or more members of the City of Cooper City Advisory Boards may be in attendance and may participate at the meeting. Anyone wishing to appeal any decision made by the Cooper City Commission with respect to any matter considered at such meeting or hearing will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Agenda items may be viewed online at www.coopercityfl.org or at the Office of the City Clerk, City of Cooper City, 9090 SW 50 Place, Cooper City, Florida, 33328, 954-434-4300.