

**CITY OF COOPER CITY
CITY COMMISSION MEETING
August 21, 2012**

1. PLEDGE OF ALLEGIANCE

Mayor Eisinger opened the Meeting at 6:03 p.m. and the BSO Explorers led the assembly in the Pledge of Allegiance.

2. ROLL CALL

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

3. CHANGES TO AGENDA/EMERGENCY MATTERS

None.

4. ANNOUNCEMENTS/PRESENTATIONS

Mayor Eisinger made the following announcements:

- City Hall will be closed on Monday, September 3rd in observance of Labor Day.
- A community Flag Retirement Ceremony will be held by the local Boy Scout troops at the Community Center on Saturday, September 8th from 5:00 p.m. to 7:00 p.m.
- On Sunday, September 9th from 2:00 p.m. to 4:00 p.m. the Pool and Tennis Center will host a Grandparents Day celebration for children 4 and up and their grandparents.
- The annual Mom and Son Night of Fun will be held on September 14th from 6:30 to 9:00 p.m. at the Community Center.
- Budget Hearings/Commission Meetings will be held on September 12th and September 19th at 6:00 p.m.

Commissioner Mallozzi asked for 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.forgottensoldiers.org.

Commissioner Curran requested that the community be aware of the increased traffic due to the beginning of the new school year. He advised that the congestion will ease as the weeks go on and asked for patience during these early days of the school year. He invited all parents to attend the Cooper City High School Open House on Tuesday, August 28th and advised that there will be shuttle service available for those parking at Pioneer Middle School and at the Sports Complex.

A. Employee Recognition

Employees Joanne Hooks, Cheryl Berke and Erika Cooper were each awarded the distinction of "Employee of the Month" for their efforts in assisting an elderly resident who had fallen and was cut, bleeding and

disoriented. The employees tended to the woman until paramedics arrived and then accompanied her to her home.

- B. Employee Recognition**
25-year Employee Patti Williams was awarded a commemorative clock in recognition of her years of dedicated service to the City.
- C. Employee Recognition**
25-year Employee Jeff Roberson was awarded a commemorative clock in recognition of his years of dedicated service to the City.
- D. Recognition – Explorer Competition**
Members of the Cooper City BSO Explorers, under the guidance of Deputies Darren Holewinski, Rodney Bell, Robert Wallace and Debra Robinson were recognized for their success in the Florida association of Police Explorers State Competition.
- E. Proclamation – Green Day in Cooper City**
Green Advisory Board Chair Diana Guidry was accompanied by Vice-Chair Gary Hines and members Debra Athas, Gladys DeGirolamo, Didier Dupuy, Jerlyn Habenict and Patti Webster to receive the “Green Day” proclamation.
- F. Presentation on the Upcoming General Election**
George Lipp of the Supervisor of Elections Office provided an overview of the election process in Broward County, exhibited the results of voter turn-out based on election schedules and demonstrated voting procedures.
- G. Presentation on Cooper City High School Construction**
School Board Member Patricia Good; Principal Doll and Mike Ramirez from Cooper City High School; representatives from Skanska USA Building, Inc.; representatives from Song & Associates, Inc. and School Board Facility & Construction Management Department representative Frank Girardi provided an overview of the ongoing construction, timelines and expectations for completion of the project and responded to questions from the Commission.

5. AGENDA CONCERNS

Marguerite Venezia, 9390 SW 56th Street, expressed concerns regarding the erosion of the canal bank behind the high school since the removal of the greenery. She asked if there is a plan to restore the banks and to maintain any new growth that occurs.

Robert Morales, 9360 SW 56th Street, expressed concern over removal of the trees behind the school and along the canal bank and the erosion of the bank. He stated that the noise from the school band and sports practice is unbearable.

Gabriel Pener, 9340 SW 56th Street, reiterated previous statements regarding noise as well as many concerns over the tree removal and lack of maintenance of the landscaping that has been planted behind school cafeteria.

Margaret Henriquez, 9240 SW 56th Street, concurred with previous speakers regarding landscaping along the canal bank and expressed additional concerns.

Joan Rigsbee, 9140 SW 56th Street, complained that some days construction begins at 3:00 a.m. and this should not be permitted in the residential area.

Skip Klauber, 10241 Guatemala Street, suggested that the community come together and protest any store that carries synthetic drugs as described in Item 8.

Cooper City CERT Team Coordinator Greg Ross advised hurricane preparedness as there is a tropical storm approaching. He invited any elderly residents to contact the fire department if they need assistance with hurricane shutters.

6. CONSENT AGENDA

A. Minutes

1. July 12, 2012 – Special Meeting, Renaissance Charter School
2. July 17, 2012 – Regular Commission Meeting
3. July 18, 2012 – Budget Workshop
4. July 19, 2012 – Budget Workshop
5. July 30, 2012 – Special Budget Meeting

B. Proclamations

1. Scott Danberg Day
2. Hunger Action Month
3. Green Day

C. Home Local Business Tax Receipts

1. Genesis Home Inspections, LLC, Fabian Wojcicchon, 5320 SW 86 Avenue, Home Inspections
2. Cannelle, LLC, Melissa Jean Rocher, 3970 Tree Tops Road, Party Supplies and Equipment Rental Company

D. Resolutions

1. Approving a Water and Sewer Developer's Agreement for Parviz Saniei, 10612 Indian Trail – **Res. No. 12-8-1**
2. Approving a Water and Sewer Developer's Agreement for Ms. Eraina Benson, 3600 NW 91 Avenue – **Res. No. 12-8-2**
3. Approving an Interlocal Agreement with Broward County for the National Municipal Separate Storm Sewer System Permit Program – **Res. No. 12-8-3**
4. Designating and Appointing Sandi Rogacki to the Business Advisory Board – **Res. No. 12-8-4**

E. Financial Matters

1. Approval of Task Order #10 to AECOM for engineering services associated with installation of a sand strainer.
2. Approval to reduce the Letter of Credit for the Ranches at Cooper City, LLC to a 25% Maintenance Bond of \$88,205.79.

MOTION: To approve the Consent Agenda.

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

7. DISCUSSION AND APPROVAL

Approving the Interlocal Agreement with Broward County for Recyclable Materials Recovery – **Res. No. 12-8-5**

City Atty. Wolpin read, "A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN INTERLOCAL AGREEMENT WITH BROWARD COUNTY FOR RECYCLABLE MATERIALS RECOVERY; AND PROVIDING FOR AN EFFECTIVE DATE," by title only.

MOTION: To approve the Resolution approving the Interlocal Agreement.

Moved by Commissioner Curran. Seconded by Commissioner Green.

MOTION: To table this Item until the October 9 Commission Meeting to allow for a workshop in between.

Moved by Commissioner Sims. Seconded by Commissioner Curran.

All aye on roll call vote. Motion passed.

8. ORDINANCE FOR FINAL READING AND PUBLIC HEARING

Public Hearing on Amending Chapter 11 "Offenses" of the Municipal Code of Ordinances by creating Sections 11-12 and 11-13 regulating Synthetic Cannabinoid Herbal Incense and Synthetic Stimulant Bath Salts, Synthetic Cathinones, Synthetic Amphetamines and other Synthetic Stimulants that Mimic Illegal Drugs – **Ord. No. P12-3**

City Atty. Wolpin read, "AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING CHAPTER 11 "OFFENSES" OF THE CITY CODE OF THE CITY OF COOPER CITY, FLORIDA, BY CREATING SECTION 11-12 "PROHIBITING THE SALE, OFFER FOR SALE, PURCHASE WITH INTENT TO SELL OR PUBLIC DISPLAY FOR SALE OF SYNTHETIC CANNABINOID HERBAL INCENSE"; AND BY THE CREATING SECTION 11-13 "PROHIBITING THE SALE, OFFER FOR SALE, PURCHASE WITH INTENT TO SELL OR PUBLIC DISPLAY FOR SALE OF SYNTHETIC STIMULANT BATH SALTS, SYNTHETIC CATHINONES, SYNTHETIC AMPHETAMINES AND OTHER SYNTHETIC STIMULANTS THAT MIMIC ILLEGAL DRUGS" PROVIDING DEFINITIONS; PROVIDING FOR SEIZURE AND INJUNCTIVE RELIEF; PROVIDING PENALTIES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE," by title only.

Mayor Eisinger opened the Public Hearing and invited anyone wishing to speak to come forward. Seeing none, she closed the Public Hearing.

MOTION: To approve the Ordinance creating Sections 11-12 and 11-13 of the Municipal Code of Ordinances.

Moved by Commissioner Sims. Seconded by Commissioner Green.

All aye on roll call vote. Motion passed.

9. LAND DEVELOPMENT MATTERS

A. Monterra/CC Broward Property, LLC, Located South of Stirling Road, North of Sheridan Street, West of University Drive and East of Pine Island Road

Quasi-Judicial Hearing on Final Reading of Ordinance Rezoning the Monterra Development to Amend the PMUD Master Plan and Design Guidelines - Petition #Z 3-1-12 – **Ord. No. P12-4**

City Atty. Wolpin read, "AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, APPROVING A REZONING TO AMEND THE MONTERRA PMUD MASTER PLAN AS APPROVED BY ORDINANCE 2006-06-01 AND AMENDED BY ORDINANCES 2010-1-1, 2011-7-1 AND 2011-10-5; PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE," by title only.

There was no ex-parte communication between any member of the Commission and anyone not previously disclosed.

Mayor Eisinger opened the quasi-judicial portion of the Item and administered an oath relative to Items 9A, B and C to the following participants:

Matt Wood; City Staff
James Wright; CC Devco
Hope Calhoun; Attorney for the applicant
Jose' Acosta; Agent for the applicant

Matt Wood read a staff report relative to the application, including a unanimous recommendation for approval from the P&Z Board.

Mayor Eisinger closed the quasi-judicial portion of this Item.

MOTION: To approve the Ordinance rezoning the Monterra Development to amend the PMUD Master Plan and Design Guidelines.
Moved by Commissioner Curran. Seconded by Commissioner Mallozzi.

MOTION: To table this Item until the next Commission Meeting.
Moved by Commissioner Mallozzi. Seconded by Commissioner Sims.

Second to the motion is withdrawn. Motion dies for lack of a second.

Unanimous consensus was reached by roll call vote to allow the petitioner to address the Commission regarding the petition outside of the quasi-judicial portion of the discussion.

MOTION: To defer this item per the petitioner's request.

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

B. Monterra/CC Broward Property, LLC, for Monterra Pod 2G – Vista Del Prado, Located Between Sheridan Street on the South, Stirling Road on the North, and University Drive on the North
Quasi-Judicial Hearing for Site Plan Amendment #SPA 3-1-12 – **Res. No. 12-8-6**

C. Monterra/CC Broward Property, LLC, for Monterra Commercial Parcel C2-A, Located Between Stirling Road and Sheridan Street West of University Drive.
Quasi-Judicial Hearing for Plat Amendment #PA 5-1-12 – **Res. No. 12-8-7**

MOTION: To defer items 9B and 9C as Item 9A was deferred.

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

14. OPEN PUBLIC MEETING

Skip Klauber, 10241 Guatemala Street, criticized the most recent Charter Review Board, the role of the City Attorney and the current method of taking minutes.

10. DISCUSSION

Discussion of the Broward Office of the Inspector General's Memorandum regarding the City's Invitation to Bid No. 2010-5 for Asphalt/Concrete Patching and Restoration.

City Manager Loucks briefed the Commission regarding the recommendations contained within the letter from the Inspector General which was dated July 20, 2012 and distributed to all City officials. He confirmed that procedure adjustments had been made and implemented during the time of the BID in question and that the recommendations made by the Inspector General's office have been in place since that time for succeeding requests for solicitation.

11. POLICE CHIEF'S REPORT

Chief Hale explained that traffic is always a challenge during the first two weeks of any school year. He advised that traffic patterns and pick up processes are being adjusted and continue to improve as parents learn the procedures. He reported that residential burglary operations are in force and a City Employee Observation Training will be conducted to aid in spotting potential crimes as the historical trend dictates that there is an increase in break-in occurrences during this time of year.

12. FIRE CHIEF'S REPORT

Chief Sievers announced that BSO Fire received their official accreditation on August 1, 2012 and is the only Sheriff's Agency that has earned this accreditation.

13. CITY MANAGER REPORT

Mr. Loucks asked for Commission input regarding sending out an educational flyer to the public regarding the City's ballot questions for the November Election. He offered to present a sample of such a mailing with an estimate of the cost for a future decision.

MOTION: To extend the meeting as scheduled adjournment time of 9:30 p.m. had passed.

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

MOTION: To adjourn the meeting.

Moved by Commissioner Curran. Seconded by Commissioner Sims.

15. COMMISSIONERS' CONCERNS/REPORTS

16. ADJOURNMENT

The meeting was adjourned at 9:39 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.