

**CITY OF COOPER CITY
CITY COMMISSION MEETING
JANUARY 8, 2013**

1. PLEDGE OF ALLEGIANCE

Mayor Ross called the meeting to order at 6:00 p.m. and led the assembly in the pledge of allegiance.

2. ROLL CALL

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

3. CHANGES TO AGENDA/EMERGENCY MATTERS

None.

4. ANNOUNCEMENTS/PRESENTATIONS

Mayor Ross made the following announcements:

- Father/Son Adventure Night will be held in the Community Center on Friday, January 25th from 6:30 to 9:00 p.m.
- The "Say 'I do' Again" vow renewal ceremony will take place on February 14th at 6:30 p.m.
- The Cooper City Community Cabaret will be held in the Community Center on Friday, February 22nd at 6:30 p.m. Audition request forms are available in the Community Center.
- Cooper City and the Community Foundation of Broward is seeking City residents who are retired or approaching retirement to participate in a Planning Meeting to identify innovative service projects and service solutions to existing challenges within Cooper City. Contact Robert Kirschbaum at (954) 434-4300 ext. 233.
- City offices will be closed on Monday, January 21st in observance of Martin Luther King, Jr. Day.
- The next Commission Meeting will be January 22, 2013 at 6:00 p.m.
- The City Storage Facilities Workshop will be held on Thursday, January 24th at 6:00 p.m.

Commissioner Mallozzi made the following announcements:

- Girl Scout Troop #10765 continues to collect household linens and bedding materials for the Humane Society of Broward County. Contact Collette at 305-970-8284.
- Support military personnel stationed overseas through www.forgottensoldier.org
- A fund called "Kicking Cancer for Calvin" has been established to assist with medical expenses for a young Cooper City resident. Please visit www.giveforward.com/Calvincooper.com

Commissioner Curran made the following announcements:

- Scott Israel was sworn in this afternoon as the new Broward County Sheriff and the event was attended by the Mayor and 3 members of the Commission.

5. AGENDA CONCERNS

Gladys Wilson, 5155 SW 90th Avenue, commented on the seating designations of the dais and on election districting.

6. CONSENT AGENDA

A. Minutes

1. December 11, 2012 – Commission Workshop
2. December 18, 2012 – Commission Meeting

B. Home Local Business Tax Receipts

1. Xelint Ideas, Inc., Elisabeta Capota, 4976 SW 95 Avenue, Accounting
2. Agri Lawn Care, Erick Dannerberg, 10153 SW 51 Street, Lawn & Agriculture

C. Proclamations

Human Trafficking Awareness Day

D. Financial Matters

1. Approval to purchase a Caterpillar Hydraulic Mini Excavator using the Florida Sheriff's Association Contract
2. Approval of an agreement with Florida Atlantic University to perform the Election Redistricting Project
3. Approval of the release of Maintenance Bond No. 105381288 for Wal-Mart Store, 4700 S. Flamingo Road

E. Resolutions

Authorizing the Mayor and City Clerk to execute an Interlocal Agreement with Broward County for Solid Waste Disposal Services –

Res. No. 13-1-1

MOTION: To approve the Consent Agenda with the exception of Item 6D2.

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

Item 6D2: Approval of an agreement with Florida Atlantic University to perform the Election Redistricting Project

MOTION: To approve the agreement with Florida Atlantic University to perform the Election Redistricting Project.

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

7. RESOLUTION

Renewing and extending the effectiveness of the list of City sponsored charities and fundraising events for a one (1) year period from and after December 13, 2012, as provided in Section 2(G) of the original Resolution No. 11-12-6 – **Res. No. 13-1-2**

City Atty. Wolpin read, "A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, RENEWING AND EXTENDING THE EFFECTIVENESS OF THE LIST OF CHARITIES AND FUNDRAISING EVENTS SPONSORED BY THE CITY OF COOPER CITY AS AUTHORIZED BY THE BROWARD COUNTY CODE OF ETHICS FOR ELECTED OFFICIALS; PROVIDING FOR RESTRICTIONS; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE," by title only.

MOTION: To approve the Resolution extending the list of City sponsored charities and fundraising events.

Moved by Commissioner Sims. Seconded by Commissioner Mallozzi.

MOTION: To amend the resolution to add Calvin Cooper and Todd Selvaggio as sponsored charitable activities.

Moved by Commissioner Mallozzi. Seconded by Commissioner Green.

Roll Call Vote

Commissioner Green: No
Commissioner Curran: No
Commissioner Sims: No
Commissioner Mallozzi: Yes
Mayor Ross: No
Motion failed.

All aye on roll call vote as to the original motion. Motion passed.

8. SELECTION OF THREE APPLICANTS TO INTERVIEW FOR PRIMARY SPECIAL MAGISTRATE POSITION

The selected process resulted short-listing of the following applicants:

M. Scott Kleiman
Bradley Hartman
Frank Anzelone

The candidates will be scheduled for interviews and a new Special Magistrate will be voted upon by the Commission at a future meeting.

9. LAND DEVELOPMENT MATTERS

First Baptist Church of Southwest Broward, located at 9741 Berechah Drive

City Atty. Wolpin read the following titles:

A. Ord. No. P12-5

"AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, APPROVING A REZONING FROM BROWARD COUNTY A-1, AGRICULTURAL ZONING DISTRICT, TO COOPER CITY X-1, CIVIC ZONING DISTRICT, OF THE FOLLOWING LANDS: A PORTION OF TRACT 49 AND 50, SECTION 5, "THE EVERGLADES SUGAR & LAND CO. SUBDIVISION OF SECTIONS 4, 5, 8, 9, 16, 17, 20, 21, 28, 29, 32 AND 33 TWP 51 SO. RANGE 41 EAST"

ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 75, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA (NOW CONSTITUTING A PORTION OF BROWARD COUNTY, FLORIDA); PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AMENDMENT OF THE CITY'S OFFICIAL ZONING MAP; AND PROVIDING FOR AN EFFECTIVE DATE."

B. Res. No. 13-1-3

"A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, ISSUING DEVELOPMENT ORDER NO. 13-1 TO FIRST BAPTIST CHURCH OF SOUTHWEST BROWARD, FOR SITE PLAN #SP 8-1-11, SUBJECT TO THE STIPULATIONS CONTAINED WITHIN THE STAFF REPORT; AND PROVIDING FOR AN EFFECTIVE DATE."

C. Res. No. 13-1-4

"A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, ISSUING DEVELOPMENT ORDER NO. 13-2R TO FIRST BAPTIST CHURCH OF SOUTHWEST BROWARD, FOR PLAT AMENDMENT #PA 8-1-11, SUBJECT TO THE STIPULATIONS CONTAINED WITHIN THE STAFF REPORT; AND PROVIDING FOR AN EFFECTIVE DATE."

Mayor Ross opened the Quasi-judicial Hearing and administered an oath to anyone wishing to speak on Item 9 A, B, or C.

Oath administered to the following attendees:

| | |
|--------------|-------------------|
| Matt Wood | City Staff |
| Hope Calhoun | for the applicant |
| Mike Gai | for the applicant |
| Chad Warhaft | for the applicant |
| George Villa | for the applicant |

Ex Parte Disclosure (Non-staff members of the public or the petitioner)

| | |
|-----------------------|---------------------------------------|
| Commissioner Mallozzi | Hope Calhoun |
| Commissioner Sims | Previously disclosed at first reading |
| Commissioner Curran | Hope Calhoun |
| Commissioner Green | Hope Calhoun |
| Mayor Ross | Messaged Hope Calhoun |

Matt Wood read the staff report relevant to the rezoning petition, including recommendations for approval from staff and the Planning & Zoning Board.

Matt Wood read the staff report relevant to the site plan petition including recommendations for approval from DRC, staff and the Planning and the Zoning Board.

Hope Calhoun, Attorney for the applicant, presented the petitions.

Mayor Ross closed the Quasi-judicial portion of the hearing.

- A. Quasi-Judicial Hearing on Final Reading of an Ordinance Rezoning the property from A-1, Agricultural (County) to X-1, Civic District (City) - Petition #Z 8-1-11 – **Ord. No. P12-5**
MOTION: To approve the Ordinance rezoning the First Baptist Church of Southwest Broward property from A-1 to X-1.
Moved by Commissioner Green. Seconded by Commissioner Sims. All aye on roll call vote. Motion passed.

- B. **Quasi-Judicial Hearing for Site Plan #SP 8-1-11 – Res. No. 13-1-3**
MOTION: To approve the Resolution granting Development Order No. 13-1 to First Baptist Church of Southwest Broward, pursuant to the stipulations contained in the staff report.
Moved by Commissioner Sims. Seconded by Commissioner Curran. All aye on roll call vote. Motion passed.

- C. **Quasi-Judicial Hearing for Plat Amendment #PA 8-1-11 – Res. No. 13-1-4**
MOTION: To approve the Resolution granting Development Order No. 13-2R to First Baptist Church of Southwest Broward, pursuant to the stipulations contained in the staff report.
Moved by Commissioner Curran. Seconded by Commissioner Sims. All aye on roll call vote. Motion passed.

10. DISCUSSION AND/OR ACTION ITEMS

- A. Approval of revised dais seating arrangement for the City Commission members, the City Attorney, the City Manager and the City Clerk
MOTION: To approve the seating locations.
Moved by Mayor Ross after passing the gavel to Commissioner Mallozzi. Seconded by Commissioner Mallozzi.

Roll Call Vote

| | |
|------------------------------|------------|
| Commissioner Green | Yes |
| Commissioner Curran | Yes |
| Commissioner Sims | No |
| Commissioner Mallozzi | No |
| Mayor Ross | Yes |

Motion passed.

- B. Discussion and selection of board and committee appointments for the Commission members for FY 13
 Commissioner Curran explained that he could no longer fulfill his position on the Broward League of Cities Scholarship Committee, but wished to remain in all of his other previously appointed positions. Commissioner Mallozzi agreed to serve on the Broward League of Cities Scholarship Committee. There were no other changes to the previous appointments.

MOTION: To require each member of the Commission who attends a public meeting as a representative of the City to report on that activity, including disclosure of their votes on issues and actions when those issues or actions impact Cooper City

Moved by Commissioner Sims. Seconded by Commissioner Green.

FRIENDLY AMENDMENT TO PREVIOUS MOTION: To require Commission Members who attend out of the county meetings as representatives of the City at a cost to the City to report on that activity.

Moved by Commissioner Curran. Accepted by Commissioner Sims. All aye on roll call vote. Motion passed

MOTION: To approve the board and committee appointments as assigned.

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

- C. Approval to schedule a one-day Goal Setting Workshop/Retreat for either Thursday, March 21st or Thursday, March 28th.

MOTION: To schedule a Goal Setting Workshop for Wednesday, March 27th.

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

11. POLICE CHIEF'S REPORT

Lieutenant Cates thanked the City Manager, Mayor Ross and Commissioners Sims, Curran and Green for their attendance at the Swearing In Ceremony for Sheriff Israel and reported on the following:

- The retail surveillance operation that was implemented throughout the holiday season was successful.
- Five burglaries were cleared in Rock Creek with the apprehension of a young man who was found breaking into cars.
- Residential burglaries were limited to three in the month of December.
- A residential burglary that occurred today in Rock Creek will soon result in the apprehension of the perpetrator.
- Cooper City's Alexandra Holinski has been elected as Vice President of a Florida post for the Florida Association of Police Explorers.

12. FIRE CHIEF'S REPORT

Chief Sievers reported that regional trainings for technical rescue will be conducted in Cooper City on Griffin Road west of Palm Avenue.

13. CITY MANAGER REPORT

City Manager Loucks made the following announcements:

- The vegetative brush area behind Pioneer Middle School, which was largely overgrown, received necessary pruning and clearing to allow for access to the canal for maintenance.
- There has been a request for a City Attorney Report to be added to the Agenda at the will of the Commission. It was agreed that the City Manager's monthly report, which includes the City Attorney's report, will be posted to the City's website for public retrieval.
- Chief Hale is being considered for a promotion in the City of Pompano. He described the process that will go into effect to hire a new Chief if Chief Hale opts to leave Cooper City.

14. OPEN PUBLIC MEETING

Gladys Wilson, 5155 SW 90th Avenue, advised that posting written information on the City's website does not negate the need for verbal reports to be given at Commission Meetings as there are many residents without internet access. She recommended that the Charter be restored to its former state, various water lines throughout the City need to be replaced and the BSO contract should be reviewed and renegotiated.

15. COMMISSIONERS' CONCERNS/REPORTS

Commissioner Mallozzi requested that the City Manager meet with local business owner, Hector Guerra to address his concerns.

Commissioner Sims reiterated Commissioner Mallozzi's request.

Commissioner Curran offered clarification regarding a recent newspaper story involving the ejection of an Optimist coach during a soccer game. He explained that his position as Public Safety Liaison will not gain him access to the interview process for a Cooper City Police Chief, should the position open up.

Commissioner Green extended well wishes for the New Year and complimented Commissioner Mallozzi on her sharing of information received through various committees and meeting attendances. He commented on the installation of the new BSO Sheriff.

Mayor Ross explained that he met with the new BSO Sheriff and the City Manager to quell rumors that had been reported. He commented regarding meeting procedures and newly adopted seating arrangements at the dais.

16. ADJOURNMENT

Mayor Ross adjourned the meeting at 8:34 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.