

**CITY OF COOPER CITY
CITY COMMISSION MEETING
OCTOBER 28, 2014
6:30 PM**

1. PLEDGE OF ALLEGIANCE

Mayor Ross opened the meeting at 6:30 PM 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

City Manager Loucks announced that there would be a brief presentation provided by Vanessa Santos Garza from RecycleBank and Item 6D on the Consent Agenda will become Item 7C on the Regular Agenda.

MOTION: To accept the changes to the Agenda.

Moved by Commissioner Curran. Seconded by Commissioner Mallozzi. All aye. Motion passed.

4. ANNOUNCEMENTS/PRESENTATIONS

Mayor Ross made the following announcements:

- The Daddy & Daughter Dinner/Dance will be held at Pioneer Middle School on Friday, November 14th from 6:30 PM until 9:30 PM.
- Light Up Cooper City will take place on Friday, December 5th in Memorial Park from 6:00 PM until 9:00 PM.
- The Broward Sheriff's Office Fire/Rescue Annual Holiday Program will be conducted on Saturday, December 13th and on Sunday, December 14th beginning at 4:00 PM until all visits are complete. Schedule through Santa's hotline at (954)-436-7310
- City Hall/Commission schedule:
 - Tuesday, November 11th – City Offices will be closed in observance of Veterans' Day
 - Tuesday, November 18th at 6:30 PM - Regular Commission Meeting
 - Tuesday, November 25th at 6:00 PM - Swearing in Ceremony
 - Thursday, November 27th and Friday, November 28th – City Hall will be closed for Thanksgiving weekend.

Commissioner Mallozzi reiterated the recommendation to attend the Daddy/Daughter Dance and made the following announcement:

- Support military personnel stationed overseas through www.forgottensoldier.org

Vanessa Santos Garza presented information regarding the community outreach aspects of the RecycleBank program and asked for continued staff participation with the project.

Consensus was reached to have the City partner with RecycleBank in co-authoring an introductory and promotional letter to residents and local businesses signifying the City's endorsement.

5. AGENDA CONCERNS

None.

6. CONSENT AGENDA

A. Minutes

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B. Home Local Business Tax Receipts

1. DSA Enterprises, Inc., dba Action Bag Mfg., David Abelow, 5722 S. Flamingo Road, Bay 258, Sales, Ad Specialties
2. Alvarez Brothers General Contractors, Inc., Al Alvarez, 3001 Bogota Avenue, General Contractor Business Office
3. Catabella Express, LLC, Jesus D. Imbachi, 8559 NW 38 Street, Recreation/Train Rental/Party Events

C. Financial Matters

1. Approving Task Order #2014-02 to CH2M Hill, Inc. for design of a replacement process control system for the City's Water Treatment Plant.
2. Approving Task Order #2014-05 to Calvin, Giordano & Associates, Inc. to provide engineering services associated with improvements to the storm drain network that serves both the Natalie's Cove and Flamingo Gardens/Townhomes neighborhoods.

D. Resolution - Previously removed from the Consent Agenda.

MOTION: To approve the consent agenda.

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

7. RESOLUTIONS

A. City Atty. Wolpin read, "A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, APPOINTING SUBSTITUTE CODE ENFORCEMENT SPECIAL MAGISTRATE AND A PROSECUTING ATTORNEY FOR CODE ENFORCEMENT CASES 04649 AND EEN14-0072 ONLY; SETTING COMPENSATION; AND PROVIDING FOR IMPLEMENTATION," by title only.

MOTION: To approve Resolution No. 14-10-2.

Moved by Commissioner Green. Seconded by Commissioner

Curran. Motion passed 4-1 with Commissioner Sims dissenting.

- B. City Atty. Wolpin read, "A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA APPROVING AGREEMENTS PERTAINING TO THE PUBLIC PARCEL AND THE FLAMINGO ROAD PARK PROPERTY AT MONTERRA; AUTHORIZING THE CONVEYANCE BY RIGHT-OF-WAY DEED TO BROWARD COUNTY FOR ADDITIONAL RIGHT-OF-WAY FOR PINE ISLAND ROAD; PROVIDING ASSURANCES TO BROWARD COUNTY FOR THE COMPLETION OF ROAD IMPROVEMENTS TO PINE ISLAND ROAD; AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE THE AGREEMENTS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE," by title only.**

MOTION: To approve Resolution No. 14-10-3.

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

- C. City Atty. Wolpin read, "A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE FIFTH ADDENDUM TO THE LAW ENFORCEMENT AND FIRE RESCUE SERVICE AGREEMENT WITH THE SHERIFF OF BROWARD COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE, by Title," by title only.**

MOTION: To approve the Fifth Amendment to the Law Enforcement and Fire Rescue Service Agreement with the Sheriff of Broward County.

Moved by Commissioner Curran. Seconded by Commissioner Mallozzi. Motion failed unanimously.

MOTION: To separate the two issues covered in the previously proposed amendment and direct the City Manager to continue to attempt to recover the funds that BSO is retaining which was formerly used to offset the cost of SRD officers in Cooper City Schools.

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

MOTION: To place the hiring of two additional deputies on hold until the contract can be fully audited and the SRD funding issue is resolved.

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

MOTION: To conduct a search for a firm to perform an in-depth audit of the entire BSO and Fire contract.

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

8. ORDINANCES FOR FINAL READING AND PUBLIC HEARING

- A.** Voluntary Annexation of Metropolitan Baptist Church Property, located at 8701 Sheridan Street – Ord. No. P14-12

City Atty. Wolpin read, "AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, ANNEXING TO THE CITY OF COOPER CITY A PARCEL OF LAND GENERALLY LOCATED ON THE NORTH SIDE OF SHERIDAN STREET, EAST OF PINE ISLAND ROAD, DESCRIBED AS A PORTION OF TRACT 53, OF THE EVERGLADES SUGAR AND LAND CO. SUBDIVISION OF SECTION 4, TOWNSHIP 51 SOUTH, 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 WITHIN BROWARD COUNTY, FLORIDA); AND PROVIDING FOR AN EFFECTIVE DATE," by title only.

MOTION: To approve Ordinance No. P14-12.

Moved by Commissioner Curran. Seconded by Commissioner Green.

Mayor Ross opened the Public Hearing and invited any speakers to present their petitions. Seeing none, he closed the public hearing.

Motion passed unanimously.

- B.** Creating Section 2-24 of Chapter 2 of the Code of Ordinances – Ord. No. 14-13

City Atty. Wolpin read, "AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING THE CODE OF ORDINANCES BY CREATING SECTION 2-24 "MAYOR AND COMMISSIONERS' SALARIES" OF CHAPTER 2 "ADMINISTRATION"; IN ORDER TO CHANGE THE MONTHLY SALARY OF THE MAYOR AND COMMISSIONERS AS ALLOWED BY CITY CHARTER SECTION 3.06; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE," by title only.

MOTION: To approve Ordinance No. P14-13.

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

C. Amending Chapter 9 of the Code of Ordinances – Ord. No. 14-14

City Atty. Wolpin read, "AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 9, "BUSINESS TAXES", ARTICLE I, SECTION 9-7, "BUSINESS OCCUPATIONAL USES OF RESIDENCES", IN ORDER TO AMEND THE CITY'S BUSINESS TAX REGULATIONS, REGARDING THE PERMITTING AND REVOCATION PROCESS; AMENDING SECTION 9-14 "DELINQUENCY" AUTHORIZING ENFORCEMENT ACTION PURSUANT TO ARTICLE VI "CODE ENFORCEMENT" OF CHAPTER 13 "PUBLIC SAFETY" OF THE CITY CODE FOR ANY VIOLATION OF SECTION 9-7; REPEALING ARTICLE III, SECTION 9-28, "OUTDOOR SALES" IN ITS ENTIRETY; ESTABLISHING A NEW ARTICLE III, CONSISTING OF SECTION 9-28, "SPECIAL EVENTS; REGULATIONS; ENFORCEMENT" AND SECTION 9-29, "OUTDOOR SALES; REGULATIONS; ENFORCEMENT", CONCERNING SPECIAL EVENTS AND OUTDOOR SALES; AUTHORIZING ENFORCEMENT ACTION PURSUANT TO ARTICLE VI "CODE ENFORCEMENT" OF CHAPTER 13 "PUBLIC SAFETY" OF THE CITY CODE FOR ANY VIOLATION OF ARTICLE III OF CHAPTER 9; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE," by title only.

MOTION: To approve Ordinance No. P14-14.

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

D. Amending Chapter 23 of the Code of Ordinances – Ord. No. 14-15

City Atty. Wolpin read, "AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AFFIRMING THAT THE CITY WILL APPROVE ONLY USES CONSISTENT WITH STATE AND FEDERAL LAW; AMENDING CHAPTER 23 "ZONING DISTRICTS" TO CLARIFY THAT USES AND ACTIVITIES PROHIBITED UNDER STATE OR FEDERAL LAW (INCLUDING, BUT NOT LIMITED TO, STATE OR FEDERAL LAWS PROHIBITING MARIJUANA RELATED BUSINESSES OR ACTIVITIES) ARE PROHIBITED IN THE CITY; PROVIDING FOR A MORATORIUM; PROVIDING FOR MORATORIUM RELIEF; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE," by title only.

MOTION: To approve Ordinance No. P14-15.

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

9. POLICE CHIEF'S REPORT

Chief Cates assured the Commission that the Cooper City vehicle driven by K-9 handler, Deputy Kelli Covet will have the Cooper City designation added to its paint scheme as of tomorrow, announced that District 16 is the first to receive an interactive kiosk in the lobby, which will allow residents to access BSO information and reported on the success of Trick-or-Treat Shop-to-Shop. He described the upcoming operation plans for both Halloween and Election Day.

10. FIRE CHIEF'S REPORT

Chief Caruso made the following announcements:

- District 28 participated in Cooper City High School's SADD program, in conjunction with State Farm Insurance to eliminate texting and driving.
- District 28 was present for Trick-or-Treat Shop-to-Shop.
- The Halloween operation plan will consist of bringing in an additional unit, including apparatus and staff, to allow for the units that they will have dedicated to details at some of the special events.
- The CERT team is participating in a tri-city CERT Drill in Deerfield Beach.

11. CITY MANAGER REPORT

City Manager Loucks announced that City Hall will be undergoing a lobby renovation which will support several changes and improvements, including the addition of a kiosk as described by Chief Cates and explained the end of year financial report that he provided to the Commission. He announced that the Business Advisory Board will be hosting a community business event at the American Legion on Wednesday, the 29th at 5:30 PM and that voting will take place at all City precincts on Tuesday, November 4th.

12. OPEN PUBLIC MEETING

No participants were present.

13. COMMISSIONERS' CONCERNS/REPORTS

Commissioner Green received clarification from City Manager Loucks regarding sidewalk maintenance throughout the City and extended his appreciation to Police and Fire for their services and participation in community events.

Commissioner Curran requested that the Commission consider whether they would entertain either a variance, a conditional use petition or lift any code restriction that would otherwise prevent a tattoo parlor from functioning as a business within Cooper City.

Commissioner Sims thanked his campaign supporters.

Commissioner Mallozzi suggested that the City explore the option of using the Code Enforcement Manager application to save time and effort for the Code Enforcement officers and encouraged voters to vote on or before Tuesday, November 4th.

Mayor Ross expressed his opinion on the concerns raised by the other Commission members and suggested that the lobby kiosks include a function to allow residents to submit information and copy requests.

14. ADJOURNMENT

The meeting was adjourned at 8:04 PM

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.