

**CITY OF COOPER CITY
CITY COMMISSION MEETING
MAY 14, 2013**

1. PLEDGE OF ALLEGIANCE

Mayor Ross called the meeting to order at 6:30 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:

- The "Trikes and Bikes Bicycle Rodeo" will be held on Sunday, May 19th at 9:00 a.m. at the Pool and Tennis Center.
- "Family Pool Fun Days" will be on June 8th and August 17th from 11:00 a.m. to 3:00 p.m. at the Pool and Tennis Center.
- Cooper City "Touch-A-Truck" will take place on Saturday, June 15th from 9:00 a.m. until noon at the Cooper City Sports Complex.
- Father's Day "Swim Free Day" for dads will be held at the Pool and Tennis Center on June 16th.
- The City Commission Meeting schedule is as follows:
 - Redistricting Workshop on Tuesday, May 21st at 6:30 p.m.
 - City offices will be closed in observance of Memorial Day on Monday, May 27th.
 - Regular Commission Meeting on Tuesday, May 28th at 6:30 p.m.
- Cooper City High School's Band Parents' Association will host a "Golf Classic" fundraiser at the Inverrary Country Club. Call 954-663-3135 for to register or donate.

Commissioner Mallozzi made the following announcements:

- Compliments to Lynda Good and the Recreation Department on the execution of the Mother and Daughter Tea.
- 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

Commissioner Green announced that Cooper City's Muzzillo family received a yard and landscape makeover by the Davie District "Team Depot" community volunteers. The Muzzillos were recommended to the Home

Depot sponsored project by Fred and Jane Walker of Cooper's Pointe. He recognized all of the parties involved in this project, including Home Depot employees Pablo Fernandes, John Kinder and Jerry Guilbreth.

5. AGENDA CONCERNS

None

6. CONSENT AGENDA

A. Minutes

1. April 16, 2013 – Workshop (Redistricting)
2. April 23, 2013 – Regular Meeting
3. April 25, 2013 – Workshop (Storage Facilities)

B. Proclamation

National Salvation Army Week – May 13 thru May 19, 2013

C. Financial Matters

Acceptance of a Grant Agreement with the Community Foundation of Broward.

D. Resolutions

Approving the 2013 Amendments to the Interlocal Agreements with Broward County for Local Option Gas Tax – **Res. No. 13-5-1**

MOTION: To approve the Consent Agenda.

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

7. TRAFFIC CALMING DEVICES

Purchase and installation of traffic calming devices (speed tables) in the areas of SW 88th Terrace and SW 49th Street.

MOTION: To approve the purchase and installation of traffic calming devices on SW 88th Terrace and SW 49th Street.

Moved by Commissioner Sims. Seconded by Commissioner Curran.

MOTION: To conduct a workshop relative to the Traffic Calming Device Ordinance.

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

MOTION: To schedule the Traffic Calming Device Ordinance Workshop for Tuesday, June 4th.

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

At this time Mayor Ross recognized Agenda Concerns which were not heard during the previously scheduled Agenda Item.

Dave, (resident – no other information given), explained that his home is on the corner of the street in question and has been hit in a traffic accident.

Roll Call Vote to Original Motion

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

8. APPRAISAL OF PINE ISLAND PROPERTY

Discussion and direction regarding status of City-owned property on Pine Island Road.

Roger Reyes, (resident – no address given), suggested that this property was originally intended for a fire station and asked what the City's intention is for this property.

City Manager Loucks explained that the property was appraised using criteria for commercial, government and multi-family residential uses. He summarized the history of the property and explained that the Commission is at liberty to decide how they would like to utilize this property at this time. He informed them that the median cuts are scheduled to be made by the developer, and they may direct that they proceed with this project or that the City Manager request monetary compensation in lieu of the cut(s).

MOTION: To keep the property "as-is" at this time.

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

City Manager Loucks explained that he still needs direction regarding the median cut(s) as part of the developer's original agreement.

Consensus was reached to direct the City manager to have the developer proceed with the median cut at this time.

9. LAND DEVELOPMENT MATTERS

Mayor Ross opened a quasi-judicial hearing relative to the following items and administered an oath to anyone wishing to speak on any land development matters.

- A. Rock Creek Home Owner's Association – Rock Creek, Inc. Entrance Features, located at seven locations in Rock Creek**
 - 1. Sign Waiver Petition #SW 4-1-13**

Ex-parte' Disclosure

Commissioner Green: Mr. Heggy

No other Commission members had any communication to disclose.

Matt Wood read a staff report relative to the sign waiver petition, including a recommendation for approval from the Planning and Zoning Board.

Mayor Ross closed the quasi-judicial hearing to accept the following motions.

MOTION: To approve the Sign Waiver Petition for Rock Creek Entrance Features, pursuant to the stipulations contained in the staff report.

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

2. Quasi-Judicial Hearing for Site Plan Amendment #SPA 1-1-13 – Res. No. 13-5-2

MOTION: To approve the Resolution granting Development Order No. 13-4R for Rock Creek Entrance Features, pursuant to the stipulations contained in the staff report.

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

B. Quasi-Judicial Hearing on First Reading of an Ordinance Rezoning Mill Creek at Cooper City, located at SW 106th Avenue and SW 55th Street – Petition #Z 9-1-12 – Ord. No. P13-3

Mayor Ross opened the quasi-judicial hearing.

Ex-parte' Disclosure

Commissioner Mallozzi: Mr. Backman, Mr. Kroningold, Rock Creek HOA members, Mr. Cornfeld, The Ranches HOA member and Maryanne from the property management company.

Commissioner Sims: Mr. Backman and Mr. Keith

Commissioner Curran: Mr. Backman and Mr. Keith

Commissioner Green: Mr. Backman and Mr. Keith

Mayor Ross: Mr. Backman and Mr. Keith

City Atty. Wolpin read, "AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, APPROVING A REZONING FROM BROWARD COUNTY E-1, ONE ACRE ESTATE ZONING DISTRICT, TO COOPER CITY R-1-B, SINGLE FAMILY ZONING DISTRICT, OF THE FOLLOWING LANDS; THE WEST ONE HALF OF TRACT 33, AND ALL OF TRACT 34, OF FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1 OF SECTION 31, TOWNSHIP 50 SOUTH, RANGE 41 EAST, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE(S) 17, PUBLIC RECORDS OF DADE COUNTY, FLORIDA, SAID LAND LYING AND BEING IN BROWARD COUNTY, FLORIDA; PROVIDING FOR THE ALLOCATION OF FLEXIBILITY UNITS; PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AMENDMENT OF THE CITY'S OFFICIAL ZONING MAP; AND PROVIDING FOR AN EFFECTIVE DATE, by title only.

Matt Wood read a staff report relative to the zoning change, including recommendations for approval from staff and the Planning and Zoning Board.

Arlene Ebelhar, 4851 S.W. 106th Avenue, disputed the compatibility of this zoning change with the current surroundings.

Gladys Wilson, 5155 SW 90th Avenue, spoke against the approval of this petition, specific to traffic concerns, parking restrictions and the lack of recreation facilities to accommodate the families who would reside there.

Steve Sellars, 10737 SW 50th Street, suggested that the proposed development would likely increase the value of the current properties within The Ranches subdivision, but also expressed concerns with the developer and with drainage in the already developed area.

Michael Simonson, 10467 SW 53rd Street, expressed his opposition to the approval of the petition. He cited reduction of natural resources, wild life, traffic concerns and the lack of area notifications.

Dave Rouse, 10712 Indian Trail, expressed concerns for traffic safety and landscape preservation. He noted that the developer has given Indian Pond Homeowners' Association assurances that appear to be acceptable.

Mayor Ross closed the quasi-judicial hearing.

MOTION: To approve the Ordinance rezoning the Mill Creek property from Broward County E-1, One Acre Estate Zoning District to Cooper City R-1-B, Single Family Zoning District.

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

14. OPEN PUBLIC MEETING

Gladys Wilson, 5155 SW 90th Avenue. shared that the Cooper City Civic Group will meet on Thursday, May 16th and all residents may attend and share any concerns they have. She suggested that the sidewalk replacement program does not have proper oversight.

Walt Jollilff, 11095 Bismarck Place, suggested that residents, the developer's attorneys and City officials from Cooper City and the Town of Davie may not have fully understood HB 1477 regarding zoning changes requiring a supermajority vote. He requested that Commissioners refrain from suggesting that Cooper City could potentially become bankrupt and from involving themselves with the business of homeowners' associations within the City.

Ann Gensemer, 5451 SW 106th Avenue, expressed concerns for potential drainage problems with the development of Mill Creek.

10. DISCUSSION AND DIRECTION

Feeding non-native species – Commissioner Mallozzi
Commissioner Mallozzi explained that feeding non-domesticated animals causes many problems and dangers and suggested the Commission explore the creation of an ordinance which bans this practice.

There was no action on this item.

11. POLICE CHIEF'S REPORT

Chief Cates reported that code enforcement is continuing their east side code sweep and traffic compliance efforts have also been increased. He explained that residential burglaries are down 24%, vehicle burglaries are down 31% and auto thefts are down 57%.

12. FIRE CHIEF'S REPORT

Chief Sievers cautioned that hurricane season is quickly approaching, and supplies and precautions need to be maintained.

13. CITY MANAGER REPORT

City Manager Loucks advised that distribution of the new recycling carts has begun. He described the features of the carts and the process of exchange. Residents are directed to contact the Public Works Department with questions or requests for exchanges. He additionally announced that redistricting maps will be distributed Friday, May 17th.

15. COMMISSIONERS' CONCERNS/REPORTS

Commissioner Mallozzi pointed out a wall in the City that is in need of maintenance by FDOT. She requested clarification from the City Manager regarding the content of an earlier meeting with members of the Optimist Club.

Commissioner Sims requested a synopsis of an earlier meeting with Mr. Marlo and complimented the Fire Department and the Police Department on their roles in Founders' Day.

Commissioner Curran clarified that the recent meetings with members of the Optimist Club are in the preliminary stages to begin to outline the potential of future park agreements. He announced that on May 20th, the traffic pattern at Cooper City High School will change for the remaining two and one-half weeks of the remaining school year. He commended police and fire personnel for their management of an emergency event involving an autistic student at the high school.

Commissioner Green additionally complimented staff, particularly the recreation department and volunteer staff, who put the Founders' Day event together. He clarified that any suggestion that he had contact with staff from FAU and/or any member of the Visual Planning Technology Lab team were absolutely false.

Mayor Ross invited the community to attend all the upcoming City sponsored events.

16. ADJOURNMENT

The meeting was adjourned at 9:35 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.