



**CITY OF COOPER CITY  
CITY COMMISSION MEETING MINUTES  
JULY 16, 2019 at 6:30 PM**

**1. PLEDGE OF ALLEGIANCE**

Mayor Ross opened the meeting at 6:30 PM and Annette Neice and the COP team lead the assembly in the Pledge of Allegiance.

**2. ROLL CALL**

Present were Commissioners Pulcini, Meltzer, Green, Curran and Mayor Ross.

**3. CHANGES TO AGENDA/EMERGENCY MATTERS**

Interim City Manager Sims pulled Item 10-d.

**4. ANNOUNCEMENTS/PRESENTATIONS**

The Commission made the following announcements:

- Cooper City Open Play Chess continues each Saturday from 9:00 AM to 11:00 AM at the Pool & Tennis Center with the Mayors Chess Challenge on each third Saturday. Instruction is available. For more information, call 954-434-7300.
- The Household Hazardous Waste Drop-Off will take place on Saturday August 10, 2019 from 8:00 AM to 4:00 PM at the Wheelabrator located at 4400 S. State Rd 7, Davie, FL 33314.
- The Department of Writing and Communication of the College of Arts, Humanities, and Social Sciences at NOVA Southeastern University is offering an Ice Cream Entrepreneur Program from August 5, 2019 through the August 9, 2019. Visit [nova.edu/icecream](http://nova.edu/icecream) for more information.
- Help with Homestead will take place at the Community Center on Tuesday August 13, 2019 from 12:00 PM to 2:00 PM.  
Visit the Cooper City event calendar at [www.coopercityfl.org](http://www.coopercityfl.org) or the Property Appraiser's website at [www.bcpa.net](http://www.bcpa.net) for more information.
- Paws at the Park will take place on Saturday August 24, 2019 from 9:00 AM to 12:00 PM AT Forest Lake Park. We will be accepting dog food donations on behalf of the Broward County Animal Care and Adoption Center.
- Tickets for the annual Mom and Son Night of Fun will go on sale Wednesday August 28, 2019. The vent is scheduled for Saturday

September 27, 2019 at 6:30 PM at the Community Center. For more information, contact Brandon at 954-434-4300 Ext. 272.

- BUILD Magazine has awarded Ranches at Cooper City the title of "Ones to Watch in the USA" in their 2019 Design & Build Awards.
- Hurricane Preparedness should be in full swing this season. Please be sure to check your shutters and panels.
- Swim safety is priority. Be sure to secure pools with a fence and locked doors. For more information on drowning prevention courses and life-saving education opportunities throughout the county call Swim Central at 954-357-SWIM. The Florida Department of Health/Drowning Prevention Task Force of Broward County at 954-467-4700, extension 5807, Water Smart Broward, at 211 Broward (dial 2-1-1) or the Children's Service Council of Broward County at 954-377-1000. Contact the Cooper City Pool & Tennis Center for more information regarding our swimming and water safety sessions available to you, at 954-436-7300.
- Upcoming Commission Meetings: Regular Commission Meeting August 20, 2019. First Budget Hearing on Thursday September 12, 2019. Second and Final Budget Hearing on September 25, 2019. Commission meetings are scheduled at 6:30 PM in the City Hall Auditorium located at 9090 SW 50 Place.

**a.** Yard of the Month was presented to Paul and Cheryl Golden

**b.** Cooper City COP team were recognized for their dedication and heroism

**c.** Public Works employee Greg Butler was recognized upon his retirement from the City-

**d.** Michael Carey from Kimley-Horn presented on the rehabilitation of North Airfield at FLL Airport

## **5. PUBLIC SPEAKING**

### **a. Open Public Meeting**

Ellen Higginbotham, Ms. Cooper City invited the Commission and the residents to a pageant in August.

Evid Freidman, 2535 Camelot Court spoke on her concerns with Waste Management and missed pick up in Camelot Gardens.

Mayor Ross said he will contact Waste Management.

Commissioner Pulcini said we need to have a better process in logging complaints.

Andrew Gross, 2010 Regency Isles Way, spoke on the budget meetings and concerns with potential cuts to Fire Rescue.

Mayor Ross said that the largest part of the budget is BSO. He asked BSO to offer suggestions we all need to sit down for discussion.

Jason Tocci, 5320 SW 115 Ave, a small business owner spoke on his support of item 11-b on second reading.

Jennifer Goldfarb, 11869 SW 55 St, thanked staff for the budget meeting. She also thanked Recreation for adding the FAB recommendation for fees. She would like permit fees to be added. She suggests the resolution for the optimist be on the agenda. She believes that fees should be increased yearly. She also had concerns with the microphones and social media rumors.

Steve Thompson, 4992 SW 95 Ave, spoke on the optimist program and his volunteer hours. He spoke on his support for the program.

Commissioner Pulcini said no one wants to get rid of the Optimist program.

Commissioner Meltzer said the facts will rear themselves.

Mayor Ross said no one stated they wanted to get rid of Optimist, but having the program run better is a goal.

Mike Russo, 2510 Ambassador Avenue, spoke on the budget meeting and Mr. Romano's comments. His number one concern is safety of the children. He also said he is willing to sit down and discuss any issues. He also spoke on the City of Plantations budget and comparing his program to theirs.

Commissioner Meltzer thanked Mr. Russo for his comments. He said that he gave his business card to Mr. Russo but has not received a call. His question is how he is responsible for the tackle football program that plays at Pioneer.

Commissioner Green thanked Mr. Thompson and said communication needs open between Optimist and the City. He said he hears nothing but good comments surrounding the Optimist program.

Commissioner Pulcini thanked Ms. Kezar and her family for being one of the founders of the Optimist program.

Mr. Russo said he will contact all the Commissioners.

Mayor Ross said we learn from asking questions. Everyone is entitled to his or her opinion. Mayor Ross said the Commission needs to listen to everyone. He said he never heard anyone say there was a misuse of funds, he just wants verification.

Robert Goltz, spoke on the business partnership of Davie Cooper City Organization. He is looking to be an alternative source to the business community.

David Nall, asked if there's an answer for his retirement question.

City Attorney Horowitz said he spoke with Pension council and council is not overly concerned with comments made by Mr. Nall.

Mr. Nall made a recommendation on the budget and line item budgeting. He also said that recommendations from the FAB need to be acted upon. He suggests to sunset the board until October and have them start the net budget. He also spoke on his opinion that the banning plastic straws is not needed.

Commissioner Meltzer said the budget process is not over and he takes the FAB recommendations seriously.

Commissioner Curran said the FAB has a sunset date of September. He appreciates the Board and their recommendations.

Jim Romano, 4601 Harding St, spoke on his concerns with his son not given notice for not being able to Coach anymore. He wants Optimist to be accountable.

Commissioner Pulcini would like a meeting with Mr. Schlang.

Mayor Ross said he wants a process on the agenda or if staff is having meeting with Optimist lets address the process.

Ryan Shrouder spoke on paper straws and the optimist program and rumors about himself being anti optimist. He would like optimist and the City to work better.

Commissioner Curran spoke on the optimist liaison position and said it was never designed to have all communication go through the position. He also spoke on a post from social media.

Mayor Ross read a statement where the individual who wrote the post retracted the post. Mayor Ross said that communication is key and that's why we need great PIO help. He also disagrees with having a Commissioner as a liaison.

Commissioner Curran said his position as a liaison has never been one of him making decisions. He was appointed to hear the information on both sides.

Mayor Ross would like the liaison position to be on the agenda.

Commissioner Meltzer said all 5 Commission members need to be heard and the liaison should be the City Manager and Recreation Director. He also spoke on social media and said that he was a member of groups so he can address concerns that he is tagged in. He also said he will now remove himself from these groups.

Commissioner Pulcini said that when there is issues with Optimist he is not allowed to speak to other Commissioner due to Sunshine Law. He wants a liaison that all Commissioners can speak to. He also said it helps the Commission as a whole when they all work together.

Commissioner Green spoke on the liaison position and stated the 9 years that he has been here we have had liaisons. He said he has no issue with anyone serving as a liaison. He spoke on social media sites and the misinformation on the sites. He wants to continue to do what is right for the City.

#### **b. Agenda Concerns**

### **6. BOARD AND ADMINISTRATIVE REPORTS**

#### **a. Public Safety Advisory Board Update – Administration**

#### **b. Finance Review Board Update – Finance**

Jennifer Goldfarb said there is a meeting scheduled for next week.

#### **c. Optimist Club Monthly Update – Administration/Commissioner Curran**

Basketball has started with 900 participants. Sand Volleyball, 350 players. Currently registering baseball, softball, flag football, tackle football and cheerleading. Basketball is registering for fall mini season. Soccer registrations will start in mid-august. Currently Optimist is cleaning and painting concession stand at the Sports Complex. They also recently opened a stand at Flamingo west. He also spoke on rumors that are brought up at meetings. He also spoke on the Optimists dedications to the City.

Mayor Ross said he has asked for dates and information but everyone wants the organization to succeed.

#### **d. Monthly Financial Report – Finance**

Finance Director Sherry Walker said the June monthly financials the revenue throughout the City funds are strong and should exceed the budget revenue over all. All Department s are coming in at or below budget except legal and the parking lot. The Capital Projects fund is currently negative but the positive will change after the grant money is applied.

Commissioner Pulcini asked how much of the 1.5 net receivables is EMS?

Mrs. Walker said at least 1.1 she will look into it.

Commissioner Meltzer asked about the General Fund budget to actual for state pension revenue

Mrs. Walker said the moneys come from the state in the next couple of months.

Commissioner Meltzer said the water and sewer revenue forecast is higher than last year.

Utilities Director Bailey answered it is due to water that is more accurate meters and the increase.

Commissioner Meltzer asked to see how much revenue we will receive due to new meters. He also believes we should install as many new meters as possible.

## **7. POLICE CHIEF'S REPORT**

Chief Cates said we currently have three vacancies, 2 cadets in the academy that will be assigned in the near future. We received new equipment 2 radar signs similar to the ones on 90<sup>th</sup>. Some communities have reached out to BSO purchase similar equipment themselves. On July 8, 2019, the command put together a critical incident training for staff. Lastly, he thanked the COP program for helping keep the city safe and displacing crime. There has been a 30% reduction in crime as compared to last year.

## **8. FIRE CHIEF'S REPORT**

Chief Caruso advised CERT and DLE was present at Eat to the Beat. With concerns about propane, it's a BSO fire policy to have the food trucks inspected for the protection of everyone. A gas leak was reported in embassy an above ground gas line, it was reported quickly and taken care of within minutes. Also invoices have started going on for the non-transport lift assists.

Mayor Ross asked about the helicopter that's is not in service.

Deputy Chief Holness spoke about the helicopter. It is not out of service we are moving now to a single mission shift. This provides more access to medicine. They went out of service due to FFA.

Mayor Ross asked why we are not informed and if service was cut, will we be provided a credit.

Chief Holness said he informed the regional health providers but he can provide that information in the future and would like to extend an offer to the Mayor to look at all the services they provide.

Mayor Ross wants to be informed when service is lost or not provided.

Chief Holness said everyone in BSO wants to be our premier service provider.

## **9. CONSENT AGENDA**

**Commissioner Pulcini pulled the Consent Agenda in its entirety.**

### **a. Minutes**

#### **1. Regular Commission Meeting Minutes of March 19, 2019**

Commissioner Pulcini asked about the delay in Minutes.

Interim City Manager Sims advised the minutes are completed but the review of minutes were delayed but will be worked on.

**MOTION:** To approve Item 9-a-1

Moved by Commissioner Green. Seconded by Commissioner Meltzer.

**All eye on roll call vote. Motion passed.**

### **b. Financial Matters**

#### **1. Motion to approve agreement with Cummins, Inc. through the Sourcewell contract for the Community Center Generator Installation – Public Works**

Commissioner Pulcini asked about receiving less than we had planned from the grant.

Public Works Director Yoezle said yes, the months go by and contract that was quoted expired. The new contract is with Cummins and the increase is a part of the budget amendment. This is also a federal contract that requires specific FEMA language and that took time as well.

Commissioner Pulcini is not happy with the circumstances.

Commissioner Meltzer said this should have been a regular agenda item. This is something that is not necessarily a priority. He also asked if there is another place in the City to accommodate people in a case of a hurricane.

Mrs. Yoezle answered no there is not any shelters in the City. She also said another reason this is important is currently staff has to go outside the building and flip a switch to turn the generator on. This is a great option that will last 30-40 years.

Commissioner Pulcini asked who drafted the contract.

Mrs. Yoezle said this contract was approved by the state.  
City Attorney Horowitz said in order to be eligible for reimbursements certain language needs to be written in.

**MOTION:** To approve Item 9-b-2

Moved by Commissioner Green. Seconded by Commissioner Curran.

**All aye on roll call vote. Commissioner Pulcini, no. Commisisoners Meltzer, Green, Curran and Mayor Ross, Yes.**

**2. Motion to reject all proposals received for ITB # 2019-7-PW Asphalt and Concrete Bid – Public Works**

Commissioner Curran asked Mrs. Yoezle the amount of the original bid.

Mrs. Yoezle said it was a piggyback originally, but staff was instructed to put out a bid with the City. In April the bid went out. In this instance it was not in city's best interest to use a City bid but to use a newly rewarded County contract.

Commissioner Curran asked what was in the budget at the time and did the amount change.

Mrs. Yoezle said the same amount of money is in that expected from the piggyback. No resurfacing was done this year. In fiscal year 20, \$450,000 is budgeted.

Commissioner Pulcini said we are rejecting the bids because 2 vendors submitted bids that we more competitive and some were not responsive. In this case one did not reply to emails for reference.

Kerri Ann Fischer said that they contacted the vendor due to references not responding and then the vendor themselves did not respond.

Mayor Ross asked if we are looking towards the original piggyback or is this new and if so what is different.

Mrs. Yoezle answered the first one expired this is a new County bid and this is slightly better to our advantage.

**MOTION:** To approve Item 9-b-2

Moved by Commissioner Curran. Seconded by Commissioner Meltzer.

**All aye on roll call vote. Motion passed.**

**3. Motion to approve a reduction in the Performance Bond for Waste Management – Administration**

Commissioner Pulcini said he does not agree in lowering the amount.

Mayor Ross said it is in the contract.

**MOTION:** To approve Item 9-b-3

Moved by Commissioner Curran. Seconded by Commissioner Green.

**All eye on roll call vote. Commissioners Pulcini and Meltzer, No. Commissioners Green, Curran and Mayor Ross, Yes. Motion passed.**

**4. Motion to approve one-year agreement with Concrete Works & Paving, Inc. for asphalt and concrete patching restoration – Utilities**

Commissioner Curran asked Mike Bailey if this item is necessary, was bid out, and do we have the money.

Mr. Bailey answered yes, bid by Broward County and yes.

Commissioner Green asked do we need it.

Mr. Bailey answered yes.

Commissioner Meltzer said he couldn't find the costs.

Mr. Bailey said there is a table of values for unit prices. The price depends on the size of the patch. The budget is in the area of \$70,000.

Commissioner Meltzer also said this should have been on the regular agenda.

Commissioner Pulcini said that we have been hearing for months that Weekly is the best company but we are approving a bid for another company for Utilities.

Mr. Bailey answered the work for Utilities is different than the work for Public Works. Public Works has large jobs, mass volumes. Utilities is small patches that is needed immediately. The proposed contract is better than our previous contract.

Mayor Ross said that he would in the future like to have the budget amount included in the backup.

**MOTION:** To approve Item 9-b-4

Moved by Commissioner Curran. Seconded by Commissioner Green.

**Commissioner Meltzer, No. Commissioners Pulcini, Green, Curran and Mayor Ross, Yes. Motion passed.**

**c. Resolutions**

**1. Resolution 19-7-1 – Utilities**

A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE A WATER AND SEWER DEVELOPER'S AGREEMENT WITH PRIMROSE COOPER CITY AT NORTHWEST CORNER OF SHERIDAN STREET AND NORTHWEST 84 AVENUE, COOPER CITY AND PROVIDING FOR AN EFFECTIVE DATE.

**MOTION:** To approve Item 9-c-1

Moved by Commissioner Curran. Seconded by Commissioner Curran.

**All aye on roll call vote. Motion passed.**

**d. Motion to approve**

**1.** Motion to approve Memorandum of Understanding regarding the Collaborative Study and Subsequent Development of an Integrated Solid Waste and Recycling System – **Mayor Ross**

Mayor Ross spoke on the item. The county is trying to get recycling up to 70%.

**MOTION:** To approve Item 9-d-1

Moved by Commissioner Curran. Seconded by Commissioner Pulcini.

**All aye on roll call vote. Motion passed.**

**10. REGULAR AGENDA**

**a.** Motion to approve appointments to Audit Selection Committee – **Finance/Administration**

**MOTION:** To appoint Commissioner Pulcini as Chair. **Moved by Commissioner Curran . Seconded by Commissioner Meltzer. All aye on roll call vote. Motion passed.**

City Attorney Horowitz asked if we can issue Commissioner Pulcini a safe harbor opinion under the county's ethics code to provide sufficient installation under the county code and state law.

The Commission agreed.

**MOTION:** To appoint Jennifer Goldfarb and Marty Sherwood. **Moved by Commissioner Curran. Seconded by Commissioner Meltzer. All aye on roll call vote. Motion passed.**

**b. Discussion on naming rights of public facilities – Commissioner Curran**

Commissioner Curran brought this back because last time Commissioner Meltzer was absent.

Commissioner Green said residents came forth at a previous meeting hoping that the park will be named after former Mayor Sueellen Fardlemann.

Commissioner Meltzer supports the change but will not support a background check.

Commissioner Pulcini agrees with not doing background check and believes HOA's may need more time to discuss due to their meeting schedules.

Mayor Ross does believe there are two sides to the issues and background checks. The issue is after the current request of Mrs. Fardelmann, how will we move forward.

Commissioner Curran said there is no bigger fan of Mrs. Fardlemann than him. His point is she will pass the test but its future applicants. He was hoping there will be a process or criteria.

Commissioner Green said he supports the Mrs. Fardlemann naming but he wants to be able to verify applicants.

Commissioner Meltzer said this high honor is to be taken very seriously. The purpose tonight is to look at the requirements.

Commissioner Pulcini said we can add to the requirements that a vote of yes by 5 be required.

Mayor Ross said that we could possibly make an exception.

**Direction was given to bring back the Ordinance on 1<sup>st</sup> reading as drafted in the backup.**

**c. Discussion on funding for a key card access system – Commissioner Curran**

**d.**

Interim City Manager Sims believes the key card access system that was deferred to the 2020 budget is needed currently.

Commissioner Curran said safety is number one priority. The key access system is needed.

Commissioner Green asked Mrs. Sims do we have any systems in place currently.

Mrs. Sims said yes. The City Hall has key access but the Pool and Tennis Center and the Community Center do not. He said we need to look into at least a minimal level of protection.

Commissioner Meltzer asked what the new system will do that the current one does not.

Mrs. Yoezle answered the current system is functional, but the new system will be more remote, faster and easier. With an internet based system it can be done in minutes over the phone. The current locks are also \$300.00 apiece.

Commissioner Meltzer asked if cameras are included and how old are the current locks.

Mrs. Yoezle answered yes and the locks differ in age.

Commissioner Pulcini said the building department was just built so those locks are new. Also, remote access leaves us vulnerable to cyber-attacks. The convenience could come at a price of being unsafe.

Mrs. Walker said that IT has been working at protecting against cyber-attacks.

Mayor Ross said he is not comfortable speaking about the City's vulnerabilities in the open and would rather speak in a shade session.

City Attorney Horowitz said that there is an exception to allow the Commission to meet in the shade session.

Commissioner Curran said he just wanted the item added back to the budget.

Mayor Ross said the league set up ransomware classes and he believes it is a good idea to see where the need is before adding it back to the budget.

Commissioner Green would like to schedule the shade meeting and then come back and talk about it on the dais.

Mrs. Waker said it is an option to include it in the 2019 or the 2020 budget.

Mayor Ross asked to schedule the Shade sessions.

- e. Discussion on the Commission's Compensation package and city wide health insurance benefits – **Mayor Ross**

f. Motion to approve the engagement of Conceptual Communications, LLC for public relations and marketing services - **Administration**

Laurie Menekou from Conception Communications spoke on the firm. The firm is 9 years old, and the billing is based on work completed. They provide monthly reports and they do represent many cities in the public sector. There is a full in-house team of nine that work with the clients. They provide sponsorship help, advancing the brand and media pitching. One benefit is access to software that cities do not carry.

Commissioner Green asked what does she feel she can bring to Cooper City.

Mrs. Menekou answered that content is drafted 3 months in advance. The proactive approach is important to being proactive, on social media and the website. In addition, all of staff time is detailed in what they provided.

Commissioner Meltzer asked about sponsorship for events.

Mrs. Menekou said she can help create materials to reach out to sponsors is a core offering.

Commissioner Meltzer asked if there is any data from other cities, we can look at.

Mrs. Menekou answered yes from Wilton Manors.

Commissioner Meltzer asked if this an al la carte option.

Mrs. Menekou answered she can meet with staff and the Commission and make a plan for priorities.

Commissioner Pulcini asked if we could regain our money on sponsorship it maybe worth it.

Mrs. Menekou said that she can look into sponsorship increases. She also said facility rentals are an income gainer.

Commissioner Pulcini said he prefers revenue increases and not social media hits.

Commissioner Curran asked if this could potentially be neutral cost revenue.

Mrs. Menekou answered it is the goal.

Commissioner Curran asked who the point of contact will be.

Interim City Manager Sims said she would be the point of contact.

Commissioner Curran also spoke on our City's social media numbers.

Commissioner Pulcini said he like the service but he does not believe it is the right time.

Mayor Ross said that there will not be a large cost to the City due to personnel changes. He said he is familiar with Lori with her work with the Broward League of Cities. He said we need to respond and correct information on social media. He said he has no difficulty in saying it will be well worth it.

Commissioner Green said he knows we do respond on our City social media accounts. He said the question comes when our current PIO leaves. We need to communicate the question is who is going to do that.

Commissioner Meltzer said he has been trying to get sponsorships for the Senior Expo for years. He said while it sounds like a great program it's just not the right time and if this item does not pass let's look into sponsorships. He also asked Mrs. Yoezle for information on sponsorships used so far.

Mayor Ross advised it is absolutely the right time. We need better communication. He believes from references he received this is the right option to take.

**MOTION:** To approve the engagement with Conceptual Communications.  
**Moved by Mayor Ross. Seconded by Commissioner Green. Commissioners Pulcini, Meltzer and Curran, No. Commissioner Green and Mayor Ross, Yes. Motion failed.**

**f.** Discussion on legislative efforts to address the proliferation of single-use plastic bags and plastic straws –**Commissioner Pulcini**

Commissioner Pulcini said other cities are supporting the issue and he would like to start the discussion and gather information.

Mayor Ross said as he is particularly environmentally sensitive he believes its best to have the business's run themselves. Another way to avoid using plastics is to not use them.

## **11. ORDINANCES ON SECOND READING**

### **a. Ordinance 19-6-1 – Growth Management**

City Attorney Horowitz read "AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES BY AMENDING CHAPTER 23, ENTITLED "ZONING DISTRICTS," SECTION 23-90 ENTITLED, "FENCES, WALLS AND HEDGES," BY SPECIFICALLY AMENDING SECTION 23-90(f), ENTITLED "HEIGHT AND LOCATION ON LOT," AND AMENDING SECTION 23-90(j) ENTITLED "MISCELLANEOUS PROVISIONS," BY PROVIDING FOR A TEXT CHANGE REGARDING HOW WALL OR FENCE HEIGHTS ARE MEASURED; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE" by title.

**MOTION:** To approve Ordinance 19-6-1. **Moved by Commissioner Green. Seconded by Commissioner Pulcini. All aye on roll call vote. Motion passed.**

Mayor Ross opened the public meeting with no one wishing to speak. Mayor Ross closed the public hearing

**b. Ordinance 19-6-2 – Growth Management**

City Attorney Horowitz read "AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES BY AMENDING CHAPTER 25, ENTITLED "DEVELOPMENT STANDARDS," SECTION 25-3 ENTITLED, "OFF-STREET PARKING REQUIRED," AND AMENDING SECTION 25-4 ENTITLED "AMOUNT OF OFF STREET PARKING," BY PROVIDING FOR REDUCED PARKING REQUIREMENTS FOR PERIODS OF USE OF BUILDINGS THAT WILL NOT OVERLAP OR BE CONCURRENT WITH EACH OTHER; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE" by title.

Commissioner Curran said he does fully support the item but he would like the City to reach back out to business's how may now benefit from the Ordinance.

City Attorney Horowitz said uses are limited to education, recreational, religious, and social centers intended to serve the community.

Commissioner Curran asked if Fit for Life falls into that category. He would like staff to reach out to the shopping centers.

Consensus was reached to bring the item to Planning and Zoning.

Mayor Ross opened the public hearing with no one wishing to speak. Mayor Ross closed the public hearing.

**MOTION:** To approve Ordinance 19-6-2. **Moved by Commissioner Curran, Moved by Commissioner Green. All aye on roll call vote. Motion passed.**

**c. Ordinance 19-6-3 – Finance**

City Attorney Horowitz read "AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, REPEALING ORDINANCE NO. 79-4-1, ADOPTED MARCH 6, 1979; AMENDING CHAPTER 2 OF THE CITY'S CODE OF ORDINANCES, ENTITLED "ADMINISTRATION;" CREATING ARTICLE X, TO BE ENTITLED "COOPER CITY PROCUREMENT CODE;" PROVIDING FOR THE ESTABLISHMENT OF A COMPREHENSIVE PROCUREMENT CODE FOR THE CITY OF COOPER CITY, AS DETAILED IN EXHIBIT "A," ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE" by title.

Mayor Ross opened the public hearing with no one wishing to speak. Mayor Ross closed the public hearing.

Commissioner Green thanked Mrs. Walker and Mrs. Fischer.

Commissioner Meltzer asked about the procurement cards how much in rebates can we expect annually.

Mrs. Fischer answered it based on which program works the best for us. It varies by bank.

Commissioner Meltzer asked for a change to section 2-258 Exclusions and Exceptions. In B-3 to change may be approved to shall be changed to City Commission.

**Consensus was reached to revise to revise may to shall in Section 2-258, B-3.**

**MOTION:** To approve Ordinance 19-6-3. Moved by Commissioner Curran, Seconded by Commissioner Green. **All eye on roll call vote. Motion passed.**

## **12. ORDINANCES ON FIRST READING**

### **a. Ordinance 19-7-1 – Public Works**

City Attorney Horowitz read "AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES BY AMENDING CHAPTER 18, ENTITLED "TREE PRESERVATION CODE;" SPECIFICALLY AMENDING SECTION 18-4, ENTITLED, "TREE REMOVAL;" PROVIDING ADDITIONAL REGULATIONS RELATED TO THE REMOVAL OF SWALE TREES; AMENDING SECTION 18-5, ENTITLED "TREE RELOCATION;" AMENDING SECTION 18-9, ENTITLED "TREE SERVICES/ARBORISTS;" AMENDING SECTION 18-11, ENTITLED "TREE REPLACEMENTS;" AMENDING SECTION 18-13, ENTITLED "TABLE OF TREE VALUATION;" PROVIDING FOR THE REMOVAL OF ANTIQUATED LANGUAGE AND PROVIDING FOR CONSISTENCY THROUGHOUT THE CITY'S CODE OF ORDINANCES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE" by title.

City Attorney Horowitz advised his office is looking at recent law passed that may affect the Ordinance.

Commissioner Curran asked if the residents are responsible for the trees.

Arborist Wolford said that is Ordinance 19-7-2.

Commissioner Meltzer asked how often we receive requests to have trees removed and replaced.

Mrs. Wolford answered 4 or 5 a month.

Commissioner Meltzer asked how much we have in the tree canopy trust fund and how is it spent.

Mrs. Walker will send that information tomorrow and the funds are used exclusively for tree canopies.

Commissioner Pulcini asked if we require a bond or deposit.

Mrs. Wolford answered a deposit.

**MOTION:** To approve Ordinance 19-7-1. **Moved by Commissioner Curran. Seconded by Commissioner Green. All aye on roll call vote. Motion passed.**

**b. Ordinance 19-7-2 – Public Works**

City attorney Horowitz read "AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES BY AMENDING CHAPTER 25, ENTITLED "DEVELOPMENT STANDARDS," AMENDING ARTICLE III ENTITLED, "LANDSCAPING," BY SPECIFICALLY AMENDING SECTION 25-44, ENTITLED "LANDSCAPED STREET BUFFERS;" AMENDING SECTION 25-48, ENTITLED "LANDSCAPE INSTALLATION AND MAINTENANCE;" PERMITTING ADDITIONAL FLORIDA-FRIENDLY PLANT SPECIES IN THE CITY; AMENDING SECTION 25-49, ENTITLED "PLANT AND LANDSCAPE MATERIAL STANDARDS"; PROVIDING FOR ADDITIONAL REGULATIONS RELATED TO PERMITTED SWALE TREES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE" by title.

Commissioner Curran asked if the property owner is responsible.

Mrs. Wolford answered yes.

Commissioner Meltzer asked why ficus is listed in section 25-48 when they due damage. He would like to prohibit them moving forward. Second Section 25-49, he does not believe 10 feet is wide enough for a live oak. He would like to increase the minimum for the oak. He also asked about clusters of 3's for Palms. He also asked about canary palms and asked to add them to the list of acceptable trees in the swales.

Mrs. Wolford said the Commission can certainly recommend that she just recommends due to the thorns she does think that's in our best interests.

Commissioner Meltzer asked if there has been any instances of someone being injured.

Mrs. Wolford answered no.

Commissioner Curran said canary Dade palms milk twice a year and the thorns become poisonous.

Commissioner Meltzer would like support to add them to the list of swale plantings.

Commissioner Pulcini said we should have a list of what is forbidden not what is allowed.

Mrs. Wolford answered a list is problematic and new trees do arise.

**MOTION:** To extend. **Moved by Commissioner Green. Seconded by Commissioner Meltzer. All aye on roll call vote. Motion passed.**

Mayor Ross answered asked where the poisonous part is located.

Mrs. Wolford said it's located on the pedial the portion beyond the trunk.

Mayor Ross suggested this item is not ready for 2<sup>nd</sup> reading.

Commissioner Curran said this may be case by case with certain canopies.

Commissioner Meltzer said in Section 25-49 he would like to see ficus benjamina on that list.

**MOTION:** To approve Ordinance 19-7-2 adding the canary palm to the list of the acceptable list with a minimum of 10 foot of clear trunk; and to prohibit ficus. **Moved by Commissioner Curran. Seconded by Commissioner Green. All aye on roll call vote. Motion passed.**

**c. Ordinance -19-7-3 - Growth Management**

City Attorney Horowitz read 'AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES BY AMENDING CHAPTER 25, ENTITLED "DEVELOPMENT STANDARDS," AMENDING ARTICLE II ENTITLED, "SIGNS," BY SPECIFICALLY AMENDING SECTION 25-22, ENTITLED "PROHIBITED SIGNS;" AND AMENDING SECTION 25-24, ENTITLED "TEMPORARY SIGNS;" PERMITTING THE PLACEMENT OF SIDEWALK OR SANDWICH SIGNS IN THE CITY, SUBJECT TO CERTAIN CONDITIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE" by title.

Commissioner Curran said there's certain areas in the business district to look and see if there is room between the store and café. We need to support local businesses.

**MOTION:** To approve Ordinance 19-7-3. **Moved by Commissioner Curran. Seconded by Commissioner Meltzer. All aye on roll call vote. Motion passed.**

**d. Ordinance -19-7-4 - Finance**

City Attorney Horowitz read "AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING ORDINANCE NO. 18-9-2, ADOPTED ON SEPTEMBER 20, 2018; PROVIDING FOR AN AMENDED BUDGET FOR FISCAL YEAR 2018-2019 FOR THE CITY; PROVIDING FOR AN INTERFUND LOAN IN THE AMOUNT OF \$1,860,000 FROM THE WATER AND SEWER OPERATING FUND TO THE GENERAL CAPITAL PROJECTS FUND, CONSISTENT WITH THE INTERFUND CAPITAL FINANCING POLICY, ADOPTED ON DECEMBER 18, 2018; DIRECTING THE CITY ADMINISTRATION TO TAKE ANY AND ALL ACTION NECESSARY TO EFFECTUATE THE INTENT OF THIS ORDINANCE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE" by title.

**MOTION:** To approve Ordinance 19-7-4. **Moved by Commissioner Green. Seconded by Commissioner Meltzer. Commissioner Pulcini, No. Commissioners Meltzer, Green, Curran and Mayor Ross, Yes. Motion passed.**

### **13. RESOLUTIONS**

#### **a. Resolution 19-7-2 – Growth Management**

City Attorney Horowitz read "A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, SUPPORTING THE METROPOLITAN PLANNING ORGANIZATION'S PROPOSED PROJECT TO ENHANCE BICYCLE AND PEDESTRIAN CONNECTIVITY ALONG SHERIDAN STREET WITHIN PUBLIC RIGHT OF WAY, FROM DOUGLAS ROAD TO N. 72<sup>ND</sup> AVENUE; AND FURTHER EXPRESSING ITS INTENT TO TAKE OVER MAINTENANCE OF THESE BIKE/MOBILITY IMPROVEMENTS WITHIN THE RIGHT OF WAY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE by title.

Commissioner Pulcini said this is the C-Slip project and this is the first step in the project.

**MOTION:** To approve Resolution 19-7-2. **Moved by Commissioner Pulcini. Seconded by Commissioner Curran. All aye on roll call vote. Motion passed.**

#### **b. Resolution 19-7-3 - Recreation**

City Attorney Horowitz read "A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, AMENDING THE FEE SCHEDULE FOR THE RECREATION DEPARTMENT PROGRAMS AND FACILITY RENTALS, AS SET FORTH IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE" by title.

Commissioner Meltzer asked about the \$45,000 budgeted for the weight room.

Interim City Manager Sims said we can bring this item back at the August meeting.

**MOTION:** To table 19-7-3. **Moved by Commissioner Meltzer. Seconded by Commissioner Pulcini. All aye on roll call vote. Motion passed.**

#### **c. Resolution 19-7-4 – Finance**

City Attorney read "A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, ADOPTING A PROPOSED OPERATING MILLAGE RATE OF 6.9258 FOR THE FISCAL YEAR 2019-2020 COMMENCING OCTOBER 1, 2019, THROUGH SEPTEMBER 30, 2020; SETTING A DATE AND TIME FOR THE FIRST PUBLIC HEARING TO CONSIDER THE TENTATIVE MILLAGE RATE AND TENTATIVE BUDGET AND A DATE AND TIME FOR THE FINAL PUBLIC HEARING TO ADOPT THE FINAL MILLAGE RATE AND BUDGET; PROVIDING FOR DIRECTIONS TO THE CITY MANAGER; AND PROVIDING FOR AN EFFECTIVE DATE" by title.

Commissioner Pulcini said he would like the 6.8102 rate.

Interim City Manager Sims said we set above to protect the City in between now and the September meetings in case.

Commissioner Curran said he is not supporting either Resolution 19-7-4 or 19-7-5.

Mayor Ross said he fully understands the wiggle room and he intends to go back to the 6.8102.

**MOTION:** To approve Resolution 19-7-4. **Moved by Commissioner Pulcini. Seconded by Commissioner Curran. Commissioners Pulcini and Commissioner Curran, No. Commissioners Meltzer, Green and Mayor Ross, Yes. Motion passed.**

**d. Resolution 19-7-5 – Finance**

City Attorney Horowitz read "A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, RELATING TO THE PROVISION OF FIRE SERVICES, FACILITIES AND PROGRAMS IN THE CITY OF COOPER CITY, FLORIDA; DESCRIBING THE METHOD OF ANNUALLY ASSESSING FIRE PROTECTION COSTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY OF COOPER CITY; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; PROVIDING FOR THE ESTABLISHMENT OF THE ASSESSED COSTS AND ASSESSMENT RATES FOR FIRE SERVICES FOR FISCAL YEAR 2019-2020; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; AND PROVIDING FOR AN EFFECTIVE DATE" by title.

Commissioner Meltzer said we need to get to a point of recovery for fire fees.

Mayor Ross said that he is bothered by the process. The fire fee needs to be raised after a study is conducted. In addition, he does not believe lowering the millage and raising the fire assessment fee is fair.

Commissioner Green advised he does not support the increase currently.

Commissioner Curran asked if the fire study could have been done earlier this year.

Mrs. Walker said no, notice to the Property Appraiser was May 1.

Commissioner Curran said he does not support the Resolution because it should be more than what it is proposed. We need to have an updated study and then add it all at once.

Commissioner Pulcini said he agrees with Commissioner Curran and Mayor Ross.

Interim City Manager Sims said the Resolution must be passed in some fashion tonight.

Mayor Ross asked if he does not want to increase it at all.

Mrs. Sims says in that case it would be approved at \$161.28.

Commissioner Pulcini advised we should wait until a new study is conducted.

**MOTION:** To approve Resolution 19-7-5. **Moved by Commissioner Meltzer. Seconded by Mayor Ross. Commissioners Pulcini, Curran, Green and Mayor Ross No. Commissioners Meltzer Yes. Motion failed.**

**MOTION:** To approve Resolution 19-7-5 and increase the Fire Assessment to \$191.28. **Moved by Commissioner Green. Seconded by Commissioner Meltzer. Commissioners Meltzer and Green, Yes. Commissioners Pulcini, Curran, and Mayor Ross No. Motion failed.**

**MOTION:** To approve Resolution 19-7-5 and leave the Fire Assessment fee at \$161.28. **Moved by Commissioner Pulcini. Seconded by Commissioner Curran. Commissioners Pulcini, Green, Curran and Mayor Ross, Yes. Commissioner Meltzer, No. Motion passed.**

**e. Resolution 19-7-6 – Finance**

City Attorney Horowitz read "A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, APPROVING AND AUTHORIZING THE EXECUTION OF THE AGREEMENT BETWEEN THE CITY AND ASHBRIIT, INC. FOR EMERGENCY RESPONSE, DEBRIS MANAGEMENT AND RECOVERY SERVICES, ATTACHED HERETO AS EXHIBIT "A" AND INCORPORATED HEREIN; FINDING THAT ENTERING INTO THE AGREEMENT WITH ASHBRIIT IS IN THE BEST INTERESTS OF THE CITY, IN ACCORDANCE WITH SECTION 2-258(I) OF THE CITY'S CODE OF ORDINANCES; DIRECTING THE APPROPRIATE CITY OFFICIALS TO TAKE ANY AND ALL ACTION NECESSRY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE" by title.

Commissioner Curran said last year we were late with the contract.

Mrs. Yoezle answered we had a contract the whole storm season last year.

Mrs. Walker said that FEMA wanted an actual contract.

Commissioner Curran said he wants a contract with this item.

Commissioner Meltzer deferred to the Interim City Manager.

Mrs. Sims said the last renewal expired in December 2018 and we did not have a current contract. Ashbriit will give a 90-day contract with the same terms as last year and take us through the bid process.

Commissioner Meltzer would like a list of contracts with an expiration dates that can be reviewed.

Mrs. Sims said we do have a list.

Commissioner Pulcini said he has the list and it is not complete.

Commissioner Meltzer would like an update list.

Commissioner Pulcini asked if there is a penalty clause if the vendor goes to the highest bidder.

City Attorney Horowitz said that is liquidated damages. He can look at the past contract.

Commissioner Pulcini would like to add that clause in the future.

Mayor Ross said he had similar concerns as whether we are primary or not. However, Ashbrit showed up and showed up in force. The contract seems fair and he recognizes the help in the past and now with this contract.

Mrs. Sims stated in the future contract it does state a project manager is sent to the City within 24 hours.

**MOTION:** To approve Resolution 19-7-6. **Moved by Commissioner Curran. Seconded by Commissioner Green. All aye on roll call vote. Motion passed.**

#### **14. CITY MANAGER REPORT**

Interim City Manager Sims advised the Mayor did receive a call from Sheriff Tony and since then she has met with the internal negotiations committee. She met with the undersheriff this morning and they said the Finance Department will receive actuals within the next day or so and he looks forward to working with us.

#### **15. CITY ATTORNEY REPORT**

City Attorney Horowitz advised the league is looking to negotiate with the ADA lawsuit. The terms will be the same for all City's at \$8500. The City's litigation team recommends we enter into the lawsuit.

**MOTION:** To approve settlement terms. **Moved By Commissioner Curran. Seconded by Commissioner Meltzer. All aye on roll call vote. Motion passed.**

City Attorney Horowitz asked the Commission to schedule a shade meeting regarding the Joliff lawsuit.

Commissioner Curran asked if we can put it on the agenda.

Mayor Ross recommended doing both shade meetings concurrent.

Commissioner Pulcini asked if the \$8500 is covered by insurance.

City Attorney Horowitz answered that claim is likely excluded but he can look into it.

**16. ITEMS TO BE PLACED ON NEXT AGENDA**

**a.** Request for automatic aid agreements- *As requested by Commissioner Pulcini*

**b.** Discussion on possible amendment to Resolution 19-4-7 (to address Commission comment rotation)- *As requested by Commissioner Pulcini*

Commissioner Pulcini also wants to add accounts receivable policy discussion. Commissioner Meltzer wants to add open dialogue to the agenda.

Commissioner Pulcini said his item covers it.

Commissioner Curran wants to add his item with the Growth Management Director. He also wants to add an item for supporting local businesses.

Consensus was reached to add all items to the next agenda.

**17. COMMISSIONERS' CONCERNS/REPORTS**

Commissioner Meltzer said he has been walking Flamingo West Park and asked why we do not have self locking gates at the playground. We need a secure gate. He also believes we need a fence around the waterway in the nature observe area. Lastly, he received an email from resident Mark Holmes who urges the Commission to use the Harrison assessment with the finalists in the City Manager search. Commissioner Meltzer said he would like to pass this on to Bob Slavin.

Mrs. Yoezle said she is looking at quotes for fences.

Commissioner Curran asked when Mr. Slavin would be back.

Mayor Ross said he has not contacted the City as of yet.

Interim City Manager Sims will have HR reach out to Mr. Slavin.

**18. ADDITIONAL PUBLIC COMMENTS (2 MINUTES)**

Jennifer Lopez was called but not present.

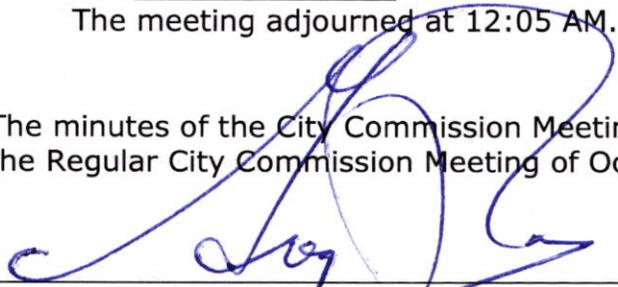
Ryan Shrouder, said the Commission needs to find a way to make the meetings quicker. He also spoke on his concerns with spending money on security.

Jennifer Goldfarb, 11869 SW 55 St, spoke on adding code in-house and is happy the marketing firm was not hired. She also advised the FAB will look at bad debt at their next meeting.

**19. ADJOURNMENT**

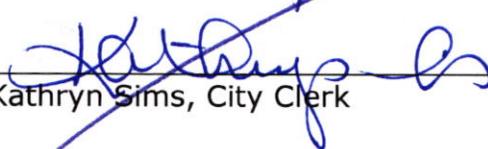
The meeting adjourned at 12:05 AM.

The minutes of the City Commission Meeting of July 16, 2019 were approved during the Regular City Commission Meeting of October 10, 2019.



---

Greg Ross, Mayor



---

Kathryn Sims, City Clerk

**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](http://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