

**CITY OF COOPER CITY
CITY COMMISSION MEETING
JULY 19, 2011**

1. PLEDGE OF ALLEGIANCE

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

2. ROLL CALL

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

3. CHANGES TO AGENDA/EMERGENCY MATTERS

None

4. ANNOUNCEMENTS/PRESENTATIONS

Mayor Eisinger made the following announcements:

- Broward Sheriff's Office will hold its 28th Annual National Night Out Against Crime on Tuesday, August 2nd at 10580 Stirling Road from 7:00 p.m. to 9:00 p.m.
- The upcoming Commission Meeting schedule is as follows:
 - Wednesday, July 20th at 3:00 p.m. Commission Meeting
 - Monday, July 25th at 6:00 p.m. Budget Workshop
 - Tuesday, July 26th at 6:00 p.m. Budget Workshop
 - Thursday, July 28th at 6:00 p.m. Special Budget Meeting
 - Tuesday, August 16th at 6:00 p.m. Commission Meeting

Commissioner Sims made the following announcement:

His next Town Hall Meeting will be held in the auditorium of City Hall on August 8th at 7:00 p.m.

Commissioner Curran made the following announcement:

The Optimist Basketball League appreciates the participation of Sergeant Cates and BSO Deputies spending time at the games in the evenings.

The following presentations were made:

C. Proclamation - Bringing Adam Home – Joe Matthews

The Commission presented a proclamation to Detective Joe Matthews who solved the Adam Walsh case, recognizing July 27th as the 30th Anniversary of the Abduction of Adam Walsh. Mark Weber, Richard Browdy and several members of the Temple Beth Ahm Israel congregation joined Detective and Mrs. Matthews at the podium for the presentation.

A. Senator Eleanor Sobel – Legislative Update

Senator Sobel presented information regarding redistricting meetings, recent bills, local community budgets, revenue shortfalls, future enforcement of sales tax on internet purchases, various funding cuts, merit pay, charter schools, Medicaid reform and many other current issues.

- B. Vernon Bailey – Greater Fort Lauderdale Broward Alliance
Vernon Bailey described the function and programs of the Greater Fort Lauderdale Broward Alliance as Director of Workforce Development. He explained that several businesses have received training grants to expand their operations in Broward County and discussed business-friendly city initiatives and the permitting process.

5. AGENDA CONCERNS

Gladys Wilson, 5155 SW 90th Avenue, spoke regarding the economy, urged donations to the local EASE Foundation and announced the Cooper City Civic Group would hold a luncheon at the Tin Cup restaurant on Wednesday, August 10th from 11:30 a.m. to 2:00 p.m.

6. CONSENT AGENDA

A. Minutes

June 21, 2011 – Regular Meeting

B. Home Local Business Tax Receipts

1. Land Design/Research 2, LLC, Michael Jarvis, 2500 Kimmie Drive, Landscape Architecture
2. C & C, Isabel C. Montoya, 9454 Southwest 51 Street, Import/Export

C. Resolutions

1. Authorizing the Mayor and City Clerk to execute a Water and Sewer Developer's Agreement with The Ranches at Southwest 106th Avenue and Southwest 50th Street – **Res. No. 11-7-1**
2. Authorizing the Mayor and City Clerk to execute the First Amendment to the Reciprocal Use Agreement with the School Board of Broward County – **Res. No. 11-7-2**

D. Financial Matters

1. Approval of a one-year contract with A&A Drainage and Vac Services, Inc. to provide storm drain cleaning services.
2. Award of RFP #2011-1-PW for Debris Management and Recovery Services.
3. Award of RFP #2011-3 for Property and Casualty Insurance Coverage.

E. Proclamation

Bringing Adam Home (Recognition of the 30 Year Anniversary of Adam Walsh's Abduction and Murder)

MOTION: To approve the Consent Agenda with the exception of Items 6C2, 6D1 and 6D2.

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

Item 6C2 Authorizing the Mayor and City Clerk to execute the First Amendment to the Reciprocal Use Agreement with the School Board of Broward County – **Res. No. 11-7-2**

City Atty. Wolpin read, "A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE FIRST AMENDMENT TO THE RECIPROCAL USE AGREEMENT WITH THE SCHOOL BOARD OF BROWARD COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE," by title only.

MOTION: To approve the Resolution as written.

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

Item 6D1 Approval of a one-year contract with A&A Drainage and Vac Services, Inc. to provide storm drain cleaning services.

MOTION: To approve the contract as recommended.

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

Item 6D2 Award of RFP #2011-1-PW for Debris Management and Recovery Services.

MOTION: To approve the RFP award as recommended.

Moved by Commissioner Curran. Seconded by Commissioner Mallozzi.

MOTION: To amend the RFP award, approving Ashbritt as the primary Service provider and D&J and Phillips & Jordan as secondary providers.

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

7. PRESENTATION REGARDING GROWTH MANAGEMENT LEGISLATION CHANGES – Matt Wood, Growth Management Director

Matt Wood briefed the Commission regarding the Community Planning Act and changes to Florida's Growth Management system, removing the state as the oversight and compliance review agency of local comprehensive planning. He explained that Local Home Rule will dominate local Comprehensive Plans and read through the Act, highlighting key points that directly affect Cooper City.

8. LAND DEVELOPMENT MATTERS

Monterra/CC Broward Property (I thru VII), LLC

- A.** Public Hearing on Final Reading of Ordinance Rezoning the Monterra Development (located between Sheridan Street, Stirling Road, University Drive, FPL easement and lakes adjacent thereto) to Amend

- B. Quasi-Judicial Hearing for Site Plan Amendment #SPA 2-1-11, Vista Del Sol (Pod 2d), Solano Avenue, Tarama Avenue, and Landscape Buffers – Res. No. 11-7-3**

City Atty. Wolpin read, "A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, ISSUING DEVELOPMENT ORDER NO. 11-9R TO CC BROWARD PROPERTY I THRU VII, LLC, FOR SITE PLAN AMENDMENT #SPA 2-1-11 FOR PHASE 2D, VISTA DEL SOL, SUBJECT TO THE STIPULATIONS CONTAINED WITHIN THE STAFF REPORT; AND PROVIDING FOR AN EFFECTIVE DATE," by title only.

Matt Wood read the staff report relative to the petition, including recommendations for approval from staff as well as the Planning & Zoning Board.

Ms. Calhoun gave a brief overview of the petition.

Mayor Eisinger closed the quasi-judicial portion and entertained a motion for approval.

MOTION: To approve the Resolution granting Development Order No. 11-9R to Monterra/CC Broward Property (I thru VII), LLC, pursuant to the stipulations contained in the staff report.

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

9. ORDINANCE FOR FIRST READING

Amending Chapter 21, Section 8 and Chapter 23, Section 117 of the Municipal Code of Ordinances Relative Restaurant Aspects – Ord. No. P11-6

City Atty. Wolpin read, "AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 21 "UNIFIED LAND DEVELOPMENT CODE", SECTION 21-8 "DEFINITIONS"; AMENDING ARTICLE V "SUPPLEMENTARY REGULATIONS" OF CHAPTER 23 "ZONING DISTRICTS", SECTION 23-117 "RESTAURANTS, OUTDOOR SEATING" AND SECTION 23-117.1 "RESTAURANTS, ALCOHOL SERVICE"; PROVIDING FOR SEVERABILITY, PROVIDING FOR INCLUSION IN THE CODE, AND PROVIDING FOR AN EFFECTIVE DATE," by title only.

Mayor Eisinger welcomed resident Ed Wooley, who requested to speak regarding this item.

Ed Wooley, 11038 Nashville Drive, stated that the Business Advisory Board made sure that no unjust preferences exist within this ordinance as presented and that the Planning and Zoning Board further refined its contents.

Matt Wood read the staff report relative to the proposed ordinance and clarified the intent of the ordinance and the process used to establish and complete it.

MOTION: To approve the Ordinance amending Chapter 21, Section 8 and Chapter 23, Section 117, of the Municipal Code of Ordinances.

Moved by Commissioner Sims. Seconded by Commissioner Curran.

MOTION: To strike the words on page 2 Section 21-8 "may not necessarily" and insert the words "does not."

Moved by Commissioner Sims. Seconded by Commissioner Curran.

Upon recommendation by the City Attorney and acceptance from the maker and second to the motion, the Motion is amended to replace the words "may not necessarily" with "does not necessarily"

All aye on roll call vote.

All aye on roll call vote as to the motion as amended.

10. DISCUSSION AND DIRECTION RELATIVE TO PENSION OPTIONS – City Manager

City Manager Loucks emphasized that this discussion is a follow up to the meeting held in April relative to pension options for future employees only.

Mr. Loucks explained the newly adopted changes to the FRS system which include the following:

- A 3% employee contribution
- The interest rate for their DROP program was lowered from 6.5% to 1.3%
- The increase in the vesting period from 6 to 8 years
- Changes to the final compensation formula from the highest rate for 5 years to the highest rate for 8 years of employment
- Increase in the retirement age from age 62 to age 65 without penalty

He presented the 401 option explaining that Commission could determine, on an annual basis, what level of funding to provide.

A 3-2 consensus was reached to direct staff to draft an ordinance amending the existing pension ordinance provision to include the FRS pension provision and to have presentations from both FRS and the City's actuary at the time the Agenda item is discussed for action.

16. OPEN PUBLIC MEETING

Diane Sori, 3294 Bimini Avenue, criticized residents for filing a frivolous law suit against the City which will result in higher taxes.

Gladys Wilson, 5155 SW 90th Avenue, offered her support to the three residents who recently filed a law suit against the City and testified as to their integrity.

Ed Wooley, 11038 Nashville Drive, stated that during his campaign for Mayor, he stated the need for 2 additional deputies, 5 paramedics and a second rescue vehicle. He questioned whether those needs had been met.

11. DISCUSSION AND DIRECTION – Commissioner Sims

A. City Attorney

Commissioner Sims asked to have a City Attorney Report added to each Agenda.

B. New Business

Commissioner Sims asked for a New Business Item to be added each Agenda in which Items discussed, could result in Commission action.

C. Business Friendly Permitting Notification and Transparency Resolution

Mr. Bailey reiterated the previous explanation from his presentation and asked that Cooper City adopt an ordinance or resolution regarding its expeditious and transparent permitting process.

Consensus was reached to allow the Broward Alliance to advertise Cooper City as a Platinum City based on the streamlined and transparent permitting process currently in place and to draft a resolution recognizing this.

MOTION: To extend the meeting by an additional 15 minutes to cover the next item.

Moved by Commissioner Mallozzi. Seconded by Commissioner Sims. Consensus was received.

12. DISCUSSION AND DIRECTION REGARDING ASSISTING PHYSICIANS RESPONDING TO EMERGENCIES

City Manager Loucks explained the initiative whereby a physician responding to an emergency would inform law enforcement of the need for their vehicle to proceed through traffic, unobstructed.

Consensus was reached to allow BSO District 16 to enter an agreement of this type, at their discretion with local healthcare agencies.

13. POLICE CHIEF'S REPORT

Sergeant Cates announced that the stars from K-9 Unleashed will be in attendance for National Night Out as well as a CyberVisor presentation. He further mentioned the newly established Seniors Vs. Crime program. He described the recent apprehension of a criminal with the use of the BSO

helicopter and reminded all vehicle owners to remove their personal belongings from their cars when unattended.

14. FIRE CHIEF'S REPORT

Chief Sievers invited the community to attend the Fire Rescue Workshop on Wednesday, July 20th and the Fire Rescue Open House on Saturday, August 6th from 11:00 a.m. 2:00 p.m.

15. CITY MANAGER REPORT

Mr. Loucks announced that the ZOM portion of Monterra will begin construction in August and that the Pine Island Pump Station project is underway.

17. COMMISSIONERS' CONCERNS/REPORTS

Commissioner Curran announced that the "Basketball Blowout" will take place on August 6th at Cooper City High School at 6:00 p.m. He also cautioned to observe speed limits in the residential areas and against leaving personal items in unattended automobiles.

Commissioner Sims announced that he is waiting for a Shade meeting regarding the recent lawsuit.

Commission Mallozzi encouraged swimming lessons for all children and adults who do not know how to swim.

Mayor Eisinger asked the Police and Fire departments to coordinate with the City on public events so that all residents have the opportunity to participate in each public event.

18. ADJOURNMENT

Mayor Eisinger adjourned the meeting at 9:46 p.m.