

**CITY OF COOPER CITY
CITY COMMISSION MEETING
FEBRUARY 28, 2012**

1. PLEDGE OF ALLEGIANCE

Mayor Eisinger 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 Eisinger.

3. CHANGES TO AGENDA/EMERGENCY MATTERS

Mayor Eisinger proposed that the Agenda be expedited and any items that require extensive discussion be tabled until the next Commission Meeting. This would allow the Commission to join the Charter School Meeting which is taking place in the Community Center concurrently.

MOTION: To expedite the Commission Meeting and table any items which require extensive discussion until the next Commission Meeting.

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

4. ANNOUNCEMENTS

Mayor Eisinger made the following announcements:

- The Spring Garage Sale will be held on Saturday, March 3rd from 7:00 a.m. until noon at the Sports Complex.
- Richardson 5K Run/Walk – 8:00 a.m. at the Sports Complex.
- The Community Book Swap will be held in the Community Center on Friday, March 9th from 6:00 p.m. to 7:30 p.m.
- The next Commission Meeting is Tuesday, March 13th at 6:00 p.m.

Commissioner Mallozzi complimented the “Say ‘I Do’ Again” event that was held on Valentine’s Day and requested support for military personnel stationed overseas by way of www.forgottensoldier.org and for Girl Scout Troop #10765 as they gather items for the Humane Society of Broward County; contact Collette at 305-970-8284.

PRESENTATIONS

Humanitarian Recognition Awards

Honorees Laurie Samet, Tamarac Firefighter Daniel Mariano, Commissioner Jeff Green and Cooper City Employee Patti Williams were recognized for their humanitarian efforts in responding to an urgent medical incident at the Cooper City Pool and Tennis Center prior to the emergency rescue crew arriving.

The BSO Station 28 Fire/Rescue crew that responded to the incident was also recognized for their efforts.

5. AGENDA CONCERNS

Sean Loscalzo, A Superior Towing, stated that his company is deserving of the Towing Services Agreement and that it should not be awarded to A&B Towing as recommended by RFP 2012-1.

David McKennan, 12205 Paseo Way, informed the Commission that he had received two estimates for the construction of a wall along the backside of his property and 7 other homes, each under \$50,000. He insisted that the City is required to pay 50% of this wall by precedent and that a guard rail is not required in front of a precast wall as previously suggested by the traffic engineers. He additionally asserted that the City's position was incorrect regarding speed bumps from the previous workshop.

Diane Sori, 3794 Bimini Avenue, spoke out against awarding the Towing Service Agreement to A&B Towing.

6. CONSENT AGENDA

A. Minutes

1. January 24, 2012 – Regular Commission Meeting
2. February 9, 2012 – Workshop Meeting

B. Home Local Business Tax Receipts

Laurie B. Little & Company Residential Real Estate Appraisals, Inc.,
5010 SW 90 Avenue, Residential Real Estate Appraisals

C. Resolutions

1. Authorizing the Mayor and City Clerk to execute a Water and Sewer Developer's Agreement with Paul Arthur Corbiere – **Res. No. 12-2-1**
2. Supporting HB 355 providing the opportunity for public speaking at commission or board meetings – **Res. No. 12-2-2**
3. Supporting Medical Screening of Infants for and Early Detection of Congenital Heart Disease – **Res. No. 12-2-3**

D. Financial Matters

1. Approval of the release of Maintenance Bond for CVS Pharmacy – Store No. 3109, Sheridan Street and Palm Avenue.
2. Approval to renew the contract with Superior Landscaping & Lawn Service.
3. Approval to renew the contract with Phil's Expert Tree Service.
4. Approval to renew the contract with CJ's Landscaping for landscape maintenance.
5. Approval to renew the contract with CJ's Landscaping for mowing of specified City parks, building grounds and roadways.

6. Approval to contract with USSI, LLC to test for sources of storm water inflow into the City's gravity sewer system and remediate where needed.

E. Proclamations

1. Family Central, Inc. – 40th Anniversary
2. National Public Works Week

MOTION: To approve the Consent Agenda with the exception of Items 6C2 and 6D2 through 6D5.

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

6C2 Supporting HB 355 providing the opportunity for public speaking at commission or board meetings – **Res. No. 12-2-2** City Atty. Wolpin read, "A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA EXPRESSING SUPPORT FOR THE ADOPTION OF FLORIDA H.B. 355, CONCERNING THE OPPORTUNITY OF THE PUBLIC TO BE HEARD AT PUBLIC MEETINGS OF GOVERNMENTAL BODIES; PROVIDING FOR DISTRIBUTION OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE," by title only.

MOTION: To approve the resolution supporting the House Bill.
Moved by Commissioner Curran, seconded by Commissioner Mallozzi. All aye on roll call vote. Motion passed.

6D2 Approval to renew the contract with Superior Landscaping & Lawn Service.

MOTION: To approve the contract with Superior Landscaping & Lawn Service.

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

6D3 Approval to renew the contract with Phil's Expert Tree Service.

MOTION: To approve the contract with Phil's Expert Tree Service.

Moved by Commissioner Sims. Seconded by Commissioner Mallozzi.

Roll Call Vote

Commissioner Green: Yes

Commissioner Curran: No

Commissioner Sims: No

Commissioner Mallozzi: No

Mayor Eisinger: No

Motion failed.

6D4 Approval to renew the contract with CJ's Landscaping for landscape maintenance.
MOTION: To approve the contract with CJ's Landscaping for landscape maintenance.
Moved by Commissioner Sims. Seconded by Commissioner Mallozzi. Motion passed 4-1 with Commissioner Sims dissenting. [Commissioner Curran originally voted no and requested the record reflect a change in his vote to the affirmative]

6D3 **MOTION:** To review Item 6D3 for approval as Commissioner Curran erroneously submitted a vote that was not intended for that item.
Moved by Commissioner Curran. Seconded by Commissioner Green.
Motion passed 4-1 with Commissioner Sims Dissenting

6D5 Approval to renew the contract with CJ's Landscaping for mowing of specified City parks, building grounds and roadways.
MOTION: To approve the contract with CJ's Landscaping for mowing of specified City parks, building grounds and roadways.
Moved by Commissioner Sims. Seconded by Commissioner Mallozzi. Motion failed unanimously.

MOTION: To direct the City Manager to renegotiate the existing contract with CJ's Landscaping for mowing.
Moved by Commissioner Sims. Seconded by Commissioner Mallozzi. All aye on roll call vote.
Motion passed.

7. REVIEW OF COMMISSION DISTRICT BOUNDARIES

Approval to amend the Commission District boundaries when the residential development of Monterra is 90% completed.
MOTION: To table the proposed amendment to the District boundaries upon 90% completion of Monterra.
Moved by Commissioner Curran. Seconded by Commissioner Sims. All aye on roll call vote. Motion passed.

8. FINANCIAL MATTER

Award of a Towing Service Agreement to A&B Towing
MOTION: To table the award of the Towing Contract to A&B Towing.
Moved by Commissioner Sims. Motion died for lack of a second.

MOTION: To approve the award of the Towing Contract to A&B Towing.

Moved by Commissioner Sims. Seconded by Commissioner Curran.

Roll Call Vote

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

MOTION: To direct the City Manager to negotiate with Superior Towing. **Motion failed for lack of a second.**

MOTION: To award the agreement to the next bidder.

Moved by Commissioner Sims. Seconded by Commissioner Green.

Roll Call Vote

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

9. ORDINANCE FOR FINAL READING AND PUBLIC HEARING

Amending Section 19-118 and creating Section 25-65 of the Municipal Code of Ordinances to comply with "Florida Friendly Landscape Guidance Models for Ordinances, Covenants and Restrictions" as required by the South Florida Water Management District – Ord. No. P12-1

City Atty. Wolpin read, "AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING CITY CODE CHAPTER 19 "UTILITIES", BY AMENDING ARTICLE III "WATER AND WASTE WATER SYSTEMS," DIVISION 2 "WASTE WATER DISCHARGE STANDARDS," SECTION 19-118 "RESTRICTED USE OF THE PUBLIC SEWERS" TO INCLUDE YARD WASTE IN THE LIST OF WASTES RESTRICTED FROM PUBLIC SEWERS; AMENDING CHAPTER 25 "DEVELOPMENT STANDARDS" AT VARIOUS SECTIONS OF ARTICLE III "LANDSCAPING" CONCERNING LANDSCAPING AND WATERING, AND CREATING A NEW SECTION 25-65 "PROTECTION OF WATER QUALITY AND QUANTITY," OF ARTICLE IV "ENVIRONMENTAL PROTECTION" TO COMPLY WITH "FLORIDA FRIENDLY LANDSCAPE GUIDANCE MODELS FOR ORDINANCES, COVENANTS AND RESTRICTIONS" AS REQUIRED BY THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE," by title only.

Mayor Eisinger opened the Public Hearing and invited anyone wishing to speak to be sworn in. Seeing none, she closed the Public Hearing.

MOTION: To approve the Ordinance amending Section 19-118 and creating Section 25-65 of the Municipal Code of Ordinances.

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

13. OPEN PUBLIC MEETING

Walt Jolliff, 11095 Bismarck Place, extended his sympathy to Mr. Loucks regarding the passing of his mother and recommended redistricting based on registered voters as provided in the City Charter.

14. COMMISSIONERS' CONCERNS/REPORTS

15. ADJOURNMENT

Mayor Eisinger adjourned the meeting at 7:16 p.m.