

**CITY OF COOPER CITY  
CITY COMMISSION MEETING  
July 17, 2012**

**1. PLEDGE OF ALLEGIANCE**

Mayor Eisinger called the meeting to order at 6:02 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**

City Manager Loucks announced that Item 10B (Additional Fire/Rescue Vehicle) would be pulled from the Agenda as the necessary information regarding the grant has not been received.

**MOTION:** To remove Item 10B from the Agenda.

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

**4. ANNOUNCEMENTS/PRESENTATIONS**

Mayor Eisinger made the following announcements:

- The Sports Complex will host a Food Truck Rally on Friday, July 20, 2012 from 5:30 p.m. to 9:30 p.m.
- There is a Budget Workshop scheduled for Wednesday, July 18<sup>th</sup> at 5:00 p.m. and another, if necessary, on Thursday, July 19<sup>th</sup> at 5:00 p.m.
- There will be a Special Commission Meeting for Budget Items on Monday, July 30<sup>th</sup> at 6:00 p.m.
- The August Commission Meeting will be held on August 21<sup>st</sup> at 6:00 p.m.
- The next Regular Commission Meeting is scheduled for Tuesday, August 21<sup>st</sup> at 6:00 p.m.

Commissioner Mallozzi asked for support for Girl Scout Troop #10765 as they gather items for the Humane Society of Broward County by contacting Collette at 305-970-8284, and for military personnel stationed overseas by way of [www.forgottensoldiers.org](http://www.forgottensoldiers.org).

**A. Home Rule HERO Award – Presentation to Mayor Eisinger**

Commissioner Mallozzi introduced David Cruz and Ryan Padgett, Legislative Advocates for the Florida League of Cities, who presented Mayor Eisinger with the Home Rule HERO Award in recognition of her exemplary advocacy for the protection of home rule rights.

**B.** Presentation by Melanie Hellenbrand, Community Foundation of Broward, "Re-engage for Good" Program

Ms. Hellenbrand presented the initiative offered by the Community Foundation of Broward which offers the opportunity for municipalities to apply for grants to hire retired "baby boomers" and provide them with opportunities to serve in key positions within the cities to tackle specific issues, based on their experience and expertise.

**5. AGENDA CONCERNS**

Ed Wooley, 10038 Nashville Drive, commented that the 27-acre park proposed in Item 6D should not be developed as the population of the City is growing in the 65 and older demographic and not in the demographic that would utilize this type of facility.

Gladys Wilson, 5155 SW 90<sup>th</sup> Avenue, commented regarding Item 10, suggested that the City's storage lots should not be sold and that 911 consolidation is not necessary as this service has been paid for through the remainder of the current BSO contract. She suggested that Special Magistrate services have come at an increased cost to the residents.

**6. CONSENT AGENDA**

**A. Minutes**

June 19, 2012 – Regular Commission Meeting

**B. Home Local Business Tax Receipts**

1. Destinies Helping Hand, Inc., Jeff Solomon, 5186 SW 122 Terrace, Property Management Consulting
2. Tempt Me Not Gourmet Cupcakes & Popcakes, Jane Schneeman, 9472 SW 52 Court, Cottage Food
3. Able Auto Appraisal, Inc., Timothy Curran, 3296 NW 83 Way, Auto Appraisals
4. Lion Services, Inc., Sheila Vanessa Ledesma, 10401 SW 54 Street, Sales of Security Cameras and Services
5. Erika Mello, 4992 SW 123 Terrace, Cleaning/Janitorial
6. REZ Consulting Services, LLC, Rafael Forrilla, 11671 SW 51 Court, Consulting
7. SNR Meetings and Events, Inc., Santosh Nair, 9161 SW 55 Court, Event Planning
8. Workplace U.S. Citizenship Tutor, Marilyn Kaplan Spalter, 9260 SW 54 Street, Off-site Tutoring
9. SAR Electrician Contractors, Inc., Santos Rodriguez, Jr., 8969 SW 52 Place, Electricians
10. Rachel Lym Swimwear, Inc., Rachel Lym, 8486 NW 27 Street, Online Sales

**C. Resolutions**

Adopting the "Someplace Green Sustainability Plan" – **Res. No. 12-7-1**

**D. Financial Matters**

Approval of Task Order #2012-2 to C3TS, PA for professional services associated with the development of the City's 27-acre park property.

**MOTION:** To approve the Consent Agenda with the exception of Items 6C and 6D.

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

### **Item 6C**

Adopting the "Someplace Green Sustainability Plan" – **Res. No. 12-7-1**

City Atty. Wolpin read, "A RESOLUTION OF THE CITY OF COOPER CITY FLORIDA, ADOPTING THE COOPER CITY "SOMEPLACE GREEN" SUSTAINABILITY PLAN, AND COMMITTING TO IMPLEMENT LOW COST/NO COST RECOMMENDATIONS OF THE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE," by title only.

**MOTION:** To approve the adoption of the resolution and implementation of the plan as described within the resolution.

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

**Unanimous consensus was reached to allow Mayor Eisinger to submit a letter on behalf of the Commission to the National Wildlife Federation, recognizing Cooper City as a wildlife habitat.**

### **Item 6D**

Approval of Task Order #2012-2 to C3TS, PA for professional services associated with the development of the City's 27-acre park property.

**MOTION:** To approve Task Order #2012-2 to C3TS.

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

## **7. RESOLUTION**

Discussion and approval of a Proposed Recycling Plan and Grant Application – **Res. No. 12-7-2**

City Atty. Wolpin read, "A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT AND GRANT APPLICATION WITH THE RESOURCE RECOVERY BOARD FOR SINGLE-STREAM RECYCLING GRANT FUNDS; AND PROVIDING FOR AN EFFECTIVE DATE," by title only.

**MOTION:** To approve the Resolution approving the recycling plan and grant application.

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

## **8. ORDINANCES FOR FIRST READING**

Amending Chapter 11 "Offenses" of the Municipal Code of Ordinances by creating Sections 11-12 and 11-13 regulating Synthetic Cannabinoid Herbal Incense and Synthetic Stimulant Bath Salts, Synthetic Cathinones, Synthetic Amphetamines and other Synthetic Stimulants that Mimic Illegal Drugs – **Ord. No. P12-3**

City Atty. Wolpin read, "AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, AMENDING CHAPTER 11 "OFFENSES" OF THE CITY CODE OF THE CITY OF COOPER CITY, FLORIDA, BY CREATING SECTION 11-12 "PROHIBITING THE SALE, OFFER FOR SALE, PURCHASE WITH INTENT TO SELL OR PUBLIC DISPLAY FOR SALE OF SYNTHETIC CANNABINOID HERBAL INCENSE"; AND BY CREATING SECTION 11-13 "PROHIBITING THE SALE, OFFER FOR SALE, PURCHASE WITH INTENT TO SELL OR PUBLIC DISPLAY FOR SALE OF SYNTHETIC STIMULANT BATH SALTS, SYNTHETIC CATHINONES, SYNTHETIC AMPHETAMINES AND OTHER SYNTHETIC STIMULANTS THAT MIMIC ILLEGAL DRUGS" PROVIDING DEFINITIONS; PROVIDING FOR SEIZURE AND INJUNCTIVE RELIEF; PROVIDING PENALTIES; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE," by title only.

**MOTION:** To approve the Ordinance creating Sections 11-12 and 11-13 of the Municipal Code of Ordinances.

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

## **9. LAND DEVELOPMENT MATTERS**

### **A. Regions Bank Canopy, Located at 9100 Griffin Road**

Quasi-Judicial Hearing for Site Plan Amendment #SPA 5-1-12 – **Res. No. 12-7-3**

Mayor Eisinger opened the Public Hearing and administered an oath to the following people wishing to speak:

**Jason Chockley:** City Staff

**Jack Marshall:** PKA Architects

City Atty. Wolpin read, "A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, ISSUING DEVELOPMENT ORDER NO. 12-5R TO REGIONS BANK, FOR THE SITE PLAN AMENDMENT #SPA 5-1-12, SUBJECT TO THE STIPULATIONS CONTAINED WITHIN THE STAFF REPORT; AND PROVIDING FOR AN EFFECTIVE DATE," by title only.

### **Ex-parte' Disclosure**

Commissioner Green: None

Commissioner Curran: None

Commissioner Mallozzi: None

Commissioner Sims: Dan Grossman

Mayor Eisinger: None

Jason Chockley read the staff report relative to the Site Plan Amendment, including recommendations for approval from the DRC and a unanimous recommendation for approval from the Planning & Zoning Board.

**MOTION:** To approve the Resolution granting Development Order No. 12-5R to Regions Bank, pursuant to the stipulations contained in the staff report.

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

**B. Monterra/CC Broward Property, LLC, Located South of Stirling Road, North of Sheridan Street, West of University Drive and East of Pine Island Road**

Quasi-Judicial Hearing on First Reading of Ordinance Rezoning the Monterra Development to Amend the PMUD Master Plan and Design Guidelines - Petition #Z 3-1-12 – **Ord. No. P12-4**

City Atty. Wolpin read, "AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, APPROVING A REZONING TO AMEND THE MONTERRA PMUD MASTER PLAN AND DESIGN GUIDELINES OF THE MONTERRA DEVELOPMENT, AS APPROVED BY ORDINANCE 2006-03-01 AND AMENDED BY ORDINANCES 2010-1-1, 2011-7-1 AND 2011-10-5; PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE," by title only.

**Ex-parte' Disclosure**

|                        |              |
|------------------------|--------------|
| Commissioner Mallozzi: | Hope Calhoun |
| Commissioner Curran:   | Hope Calhoun |
| Commissioner Sims:     | Hope Calhoun |
| Mayor Eisinger:        | Hope Calhoun |
| Commissioner Green:    | Hope Calhoun |

Mayor Eisinger opened the Public Hearing and administered an oath to the following people wishing to speak:

**Jason Chockley:** City Staff  
**Hope Calhoun:** for the applicant  
**James Wright:** CC Broward Property, LLC  
**Jose Acosta:** for the applicant

Mayor Eisinger closed the public hearing.

**MOTION:** To approve the Ordinance rezoning the Monterra Development to amend the PMUD Master Plan and Design Guidelines.  
**Moved by Commissioner Sims. Seconded by Commissioner Green.**

Jason Chockley read the staff report relative to the Rezoning Request and Master Design Guidelines Change, including a recommendation for approval from the Planning & Zoning Board.

Hope Calhoun described the modifications for which the applicant requests approval and responded to questions of the Commission.

Mayor Eisinger closed the public hearing.

**Roll Call Vote:**

|                        |     |
|------------------------|-----|
| Commissioner Green:    | Yes |
| Commissioner Curran:   | No  |
| Commissioner Mallozzi: | No  |
| Commissioner Sims:     | Yes |
| Mayor Eisinger:        | Yes |

**Motion passed.**

**10. DISCUSSION AND REVIEW**

**A. Storage/Parking Lot Facilities**

City Manager Loucks received guidance to return to the Commission with a rate projection based on market standards for city services.

**14. OPEN PUBLIC MEETING**

This Item was moved up as meeting time reached 8:30 p.m.

State Representative Elaine Schwartz introduced herself as Representative for District 99 in the State Legislature.

Ed Wooley, 11038 Nashville Drive, suggested that the City has a surplus of available funds that should negate any need for future tax increases, or increases in any of the City services when the 2012/2013 Budget is reviewed and adopted.

Susan Kerns, 12105 Paseo Way, expressed her disappointment regarding the Commission's decision to not approve the wall behind her home at a shared cost with the residents. She asked that this be a future consideration within the upcoming budget.

**[10]B. Previously Removed**

**C. Consolidated Dispatching**

City Manager Loucks explained that the Implementation Board, created through the Broward League of Cities, has conducted extensive research regarding the funding, governance and operation of the proposed consolidated dispatching initiative. He reviewed the cost and some possible funding options.

**D. Special Magistrate**

Commissioner Sims introduced this subject as the Item requestor and suggested that the Special Magistrate system, originally implemented as a means to reduce the cost of Code Enforcement hearings, has been at an excess cost to the City.

**11. POLICE CHIEF'S REPORT**

**12. FIRE CHIEF'S REPORT**

**13. CITY MANAGER REPORT**

**15. COMMISSIONERS' CONCERNS/REPORTS**

**16. ADJOURNMENT**

The meeting was adjourned at 9:28 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](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.