

**CITY OF COOPER CITY
CITY COMMISSION MEETING
MARCH 12, 2013**

1. PLEDGE OF ALLEGIANCE

Mayor Ross called the meeting to order at 6:25 p.m. with the Pledge of Allegiance led by two young residents of Cooper City.

2. ROLL CALL

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

3. CHANGES TO AGENDA/EMERGENCY MATTERS

City Manager Loucks announced that the previously scheduled Commission Meeting of March 26, 2013 falls on Passover, and therefore, the Commission may wish to cancel this meeting in recognition of Passover.

Unanimous Consensus was reached by roll call vote to cancel the Commission Meeting of March 26, 2013.

MOTION: To remove Item 8A from the Agenda.

Moved by Commissioner Curran. Seconded by Commissioner Sims.

Roll Call Vote

Commissioner Green:	No
Commissioner Curran:	Yes
Commissioner Sims:	Yes
Commissioner Mallozzi:	No
Mayor Ross:	Yes

Motion passed.

4. ANNOUNCEMENTS/PRESENTATIONS

Mayor Ross made the following announcements:

- BSO District 16 will host a Fraud Awareness Presentation on Tuesday, March 19th at 7:00 p.m. in the Cooper City District Station.
- The "Teen Twilight Egg Hunt" will take place Thursday, March 28th between 7:00 p.m. and 9:00 p.m. at the Community Center. Pre-register and bring a flashlight.
- The "Egg-citing Egg Hunt" for toddlers and children in 5th grade and under will be held at the Sports Complex on Saturday, March 30th at 10:00 a.m. Bring your own basket.

- The Arbor Day Tree Planting Ceremony will take place at Griffin Elementary School on April 24th at 2:00 p.m.
- Cooper City's 54th Annual Founders' Day Celebration will kick off on Saturday, April 27th.
- Cooper City, in conjunction with Waste Management, Inc., has developed the Cooper City Academic Scholarship Program which will be available to Cooper City Seniors pursuing education in Public and/or Civic endeavors. Applications are available through the City Commission office.
- The next City Commission Meeting will be held at 6:30 p.m. on Tuesday, April 9th.

Brandon Morrissey gave an oral presentation of his book report on "How States Make Laws," a book he obtained at the recent Cooper City Book Swap.

Commissioner Mallozzi made the following announcements:

- The BSO Fraud Awareness Presentation previously announced, will include a presentation by an accounting firm who will explain how to guard against potential fraudulent income tax filings as well as a bank fraud presentation by a local bank.
- 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 Sims shared and/or commented on the following highlights from the ongoing Florida Legislative Session:

- The Governor announced that the State Unemployment Rate dropped to 7.9% from 11.1%
- The Governor is recommending an increase to the salaries of all public school teachers of at least \$2,500.00 per year.
- The Governor is recommending an increase in education funding of \$1.2 billion, a \$288 million improvement for seaport infrastructure and a repeal of sales tax on manufacturing.
- The Florida Senate has unanimously approved an Ethics and Election Reform bill.
- The Pension Reform bill (SB 458) passed the Committee on Community Affairs.
- Employment benefits not required by state and federal law (HB655).
- Finance and Taxation Issues (HB 4013 and SB 236).

Commissioner Curran complimented Public Works regarding field maintenance and thanked Temple Beth Emet for hosting their "Nosh Festival."

Commissioner Green thanked Principal Doll for allowing the Kerala Samajam cultural event to be held at Cooper City High School on the previous Sunday evening.

Mayor Ross thanked the community of Embassy Lakes for allowing their streets to be used for the Richardson 5K run last weekend. He complimented the Temple Beth Emet "Nosh Fest," and the Kerala Samajam celebration.

Recognition of Teachers of the Year and Non-Instructional Staff Members of the Year

Mayor Ross and the Commission were joined by officials from each Cooper City public school to present Certificates of Recognition to Teachers of the Year and Non-Instructional Staff Members of the Year.

5. AGENDA CONCERNS

Ed Wooley, 10038 Nashville Drive, spoke about the City's storage lots.

Susan Kerns, 12105 Paseo Way, spoke about the stretch of Stirling Road behind her home and asked that the City place a wall, in lieu of a guardrail, along this area.

David McKennan, 12205 Paseo Way, petitioned the Commission to stop left hand turns onto Stirling Road from Countryside Shops and to install a wall along the area behind his home.

6. CONSENT AGENDA

A. Minutes

1. February 21, 2013 – Commission Workshop - Monterra Commercial Development
2. February 26, 2013 – Commission Meeting

B. Home Local Business Tax Receipts

1. Freelance Dance, Inc., Sarah Meneguzzi, 8339 NW 26 Court, Dance Instructor
2. G&S Construction of South Florida, Inc., dba Alliance Construction SFL, Glenn LaStella, 9441 SW 52 Place, General Contractor
3. Instrument Panel Solution, Orlando Marrero, 8962 SW 52 Court, Car Repair

C. Proclamations

1. National Public Works Week – May 19-25, 2013
2. Water Conservation Month – April, 2013

D. Financial Matters

1. Approving an agreement with Public Resources Management Group, Inc. for water and sewer utility rate consulting services.

2. Approving an emergency purchase of Caustic Soda Bulk Storage Tank from Plas-Tanks Industries, Inc. in the amount of \$52,850.

E. Resolution

Approving the 38th Year CDBG Funding Agreement for Residential Rehabilitation – Minor Home Repair – **Res. No. 13-3-1**

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

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

- Item D** 1. Approving an agreement with Public Resources Management Group, Inc. for water and sewer utility rate consulting services.

MOTION: To table the approval of the agreement until the April 9th Commission Meeting.

Moved by Commissioner Sims.

Motion died for lack of a second.

Approval accepted by unanimous roll call vote.

- Item D** 2. Approving an emergency purchase of Caustic Soda Bulk Storage Tank from Plas-Tanks Industries, Inc. in the amount of \$52,850.

MOTION: To approve the purchase of Caustic Soda Bulk Storage Tank from Plas-Tanks Industries, Inc.

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

Motion passed.

Item E Resolution

Approving the 38th Year CDBG Funding Agreement for Residential Rehabilitation – Minor Home Repair – **Res. No. 13-3-1**

MOTION: To approve the CDBG Funding Agreement for Residential Rehabilitation – Minor Home Repair.

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

Motion passed.

7. FINANCIAL MATTER

Approval to purchase roll-out carts to be distributed for residential recycling materials disposal

MOTION: To approve the purchase of roll-out carts for residential recycling, as recommended by staff.

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

8. DISCUSSION AND/OR ACTION

A. Item Previously Stricken

B. Discussion regarding a guardrail along Paseo Way – Commissioner Green

Commissioner Green explained that he has been working to ensure safety for the area in question by supporting the installation of a guardrail. He clarified that a wall, as the residents have requested, would not ensure the safety that a guardrail is proven to provide.

MOTION: To designate funding for the installation of a guardrail along the area in question.

Moved by Commissioner Green. Seconded by Commissioner Curran.

SECONDARY MOTION: To supply the funding to build a wall along the area in question.

Moved by Commissioner Sims.

All aye on roll call vote to original motion. Motion passed.

C. Discussion regarding position vacancies – Commissioner Curran

Commissioner Curran explained that, as the economy has been recovering, administration should be given the freedom to fill any positions that have become vacant over the past three years.

City Manager Loucks explained that the current vacancies of previously filled positions have constituted little hardship to City departments, the workloads have been absorbed efficiently and those positions have been deleted. He thanked the Commission for their confidence in his administration of the City. He explained that if he sees a need to replace any future positions, he will advise the Commission of his intent.

MOTION: To allow the City Manager full discretion regarding the filling of any vacant positions.

Moved by Commissioner Curran. Seconded by Commissioner Green.

Roll Call Vote

Commissioner Green: Yes

Commissioner Curran: Yes

Commissioner Sims: No

Commissioner Mallozzi: No

Mayor Ross: Yes

Motion passed.

12. OPEN PUBLIC MEETING

Ed Wooley, 11038 Nashville Drive, advised that the Commission should empower the City Manager to hire employees using any mechanism he sees fit, including the use of contract employees. He additionally complimented the Commission regarding the passing of the guardrail installation.

Gladys Wilson, 5155 SW 90th Avenue, complimented the Commission for their presentation of the Pledge of Allegiance and the teacher recognition presentation. She commented regarding the CDBG funds and suggested that the Commission attend the mandatory public meeting that is held each year as part of the program.

Walt Jolliff, 11095 Bismarck Place, criticized the Florida League of Cities and the Commission for their lack of support for HB 23 and SB 50 regarding public input during public meetings. He requested that the transcription and publication of minutes from Planning and Zoning Board meetings be made a priority. He complimented Chief Sievers regarding response times.

Susan Kerns, 12105 Paseo Way, chastised the Commission for not funding half of the wall that the residents along Paseo Way requested when they have partially funded the installation of at least one other wall along a major road in Cooper City.

David McKennan, 12205 Paseo Way, explained that a guardrail will not address the noise issue, and while it will increase security, will not curtail the occurrence of accidents. He criticized the City for not eliminating the left-hand turn exit from Countryside Shops onto east-bound Stirling Road.

William Thompson, address exempt, thanked Commissioner Sims for his support, disputed Commissioner Green's explanation of the history of the group's request and Commissioner Curran's assessment of Commissioner Sims' support and of the wall's proposed function.

D. Schedule a workshop for Thursday, April 18th or April 25th, 2013 at 6:30 p.m. regarding the parking/storage lots – **Follow-up Issue**
MOTION: To schedule the workshop for Thursday, April 25, 2013 at 6:30 p.m.

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

E. Discussion on position statements/resolution(s) and/or City Commission position(s) on individual/relevant issues for

representation by Commission Members while in Tallahassee during the 2013 Legislative Session – **Commissioner Sims**

MOTION: To allow surplus funds budgeted for the Mayor’s participation in “Fast Fly-In” to rollover into the travel budget for Commissioner Mallozzi.

Moved by Commissioner Mallozzi. Seconded by Commissioner Green.

Roll Call Vote

Commissioner Green:	No
Commissioner Curran:	No
Commissioner Sims:	No
Commissioner Mallozzi:	Yes
Mayor Ross:	No

Motion failed.

9. POLICE CHIEF’S REPORT

Chief Cates announced that an “Active Shooter” training class is currently being conducted at Embassy Lakes Elementary School until 11:00 p.m., which may alarm residents in the area. He announced that Sergeant Beckmann was promoted to Lieutenant by BSO and will be serving in Pompano and Sergeant Jake Seretti will assume the responsibilities of that position. Sergeant Schroeder, who is new to Cooper City, will fill the vacancy.

10. FIRE CHIEF’S REPORT

Chief Sievers announced that CPR training for the CERT team and employees will begin in the near future. He mentioned Founders’ Day and explained that the Autism Awareness event will be co-hosted by the Town of Davie and held at the Bergeron Arena.

11. CITY MANAGER REPORT

City Manager Loucks described the progress of the planning and design phase of the Flamingo Road Soccer Park. He described the proposition that some cities have adopted of required homeowners to register utility accounts when leasing their properties to avoid unpaid utility bills left behind by renters.

13. COMMISSIONERS’ CONCERNS/REPORTS

Commissioner Sims inquired about the CDBG process and commented on the response time of the Fire Department. He apologized to the residents of Paseo Way for the Commission Meeting procedures.

MOTION: To add an Item to each Agenda for Commissioners’ reports regarding meetings they have attended.

Moved by Commissioner Mallozzi. Seconded by Commissioner Sims.

MOTION: To extend the meeting beyond the 9:30 p.m. time limit.
Moved by Commissioner Sims. Seconded by Commissioner Green. All aye on roll call vote. Motion passed.

Roll Call Vote to Commissioner Mallozzi's Motion

Commissioner Green:	No
Commissioner Curran:	No
Commissioner Sims:	No
Commissioner Mallozzi:	Yes
Mayor Ross:	No

Motion failed.

Commissioner Curran commented regarding the authority of City Administration and the role of the Commission as it relates to administrative functions. He detailed the circumstances surrounding a privacy screen that was temporarily erected by the construction company while they worked along the canal bank behind the high school. He complimented Commissioner Green on placing the Paseo Way safety issue on the Agenda, which resulted in the upcoming installation of a guardrail behind their homes for safety and clarified his position regarding the installation of the guardrail for safety.

Commissioner Green clarified his position regarding the safety guardrail and described the process he had participated in with the residents of Paseo Way.

Mayor Ross explained that during the March 27th workshop, the Commission will discuss open dialogue during Open Public Meeting. He complimented Commissioner Green for bringing the Paseo Way safety issue back to the Commission on this Agenda. He reported on his attendance at the "Fast Fly-In" in Washington, DC.

14. ADJOURNMENT

Mayor Ross adjourned the meeting at 9:45 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.