

**CITY OF COOPER CITY
CITY COMMISSION MEETING
DECEMBER 15, 2015 at 6:30 PM**

1. PLEDGE OF ALLEGIANCE

Mayor Ross opened the meeting at 6:30 PM and led the assembly in the Pledge of Allegiance.

2. ROLL CALL

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

3. CHANGES TO AGENDA/EMERGENCY MATTERS

City Manager announced that the meeting would recess at approximately 7:00 PM to allow the Commission to go to present the Cooper City High School Sound of Pride Band with the check as described in Item 4B.

4. ANNOUNCEMENTS/PRESENTATIONS

Mayor Ross made the following announcements:

- The Cooper City Pool and Tennis Center will host "Mayor's Open Play Chess Challenge" on Saturday, December 19th and February 27th from 9:00 AM to 11:00 AM at the Pool & Tennis Center.
- Broward Sheriff's Office Fire Rescue District 28 will run the Annual Cooper City Holiday Santa Program on Saturday, December 19th and Sunday, December 20th and all spots have been filled.
- Passport Services will be closed beginning January 4, 2016 while the City Hall lobby undergoes a scheduled remodeling. Utility Billing and other City Clerk functions will be relocated to the City Hall Auditorium.
- The Senior Citizens' Advisory Board will host a Senior Expo to showcase services and programs for seniors on Saturday, January 16th from 9:30 AM until 1:30 PM at the Community Center.
- Father/Son Adventure Night will be held on Friday, January 22nd at the Community Center. Advance sale tickets only.
- Mayors' Chess Challenge will be held in Coral Springs on January 23rd from 9:00 AM until 11:00 AM in the Mullins Hall at Mullins Park, 10000 NW 29th Street.
- Say "I Do" Again will take place at the Pool and Tennis Center on Thursday, February 11th at 6:30 PM.
- Cooper City's Got Talent will showcase local performers on Friday, February 19th at 6:30 PM in the Community Center. Auditions begin in January.
- The City Commission/City Hall Notable dates are as follows:
 - City offices will be closed on Thursday, December 24th and Friday, December 25th for Christmas Eve and Christmas Day.
 - City offices will be closed on Thursday, December 31st and Friday, January 1st for New Year's Eve and New Year's Day.
 - January Commission Meetings will be held on Tuesday, January 12th and Tuesday, January 26th at 6:30 PM.

Commissioner Mallozzi made the following announcements:

- o Please support military personnel stationed overseas through www.forgottensoldiers.org
- o Broward MPO is requesting input at info@browardmpo.org

Commission Curran announced that Two Rivers Church will host a "Free Gift Shopping Day" for single moms and dads in the gym at Cooper City High School.

- A.** Proclamation: Brent Ginsburg, 10 Years of Community Service
The Mayor and Commission presented Brent Ginsburg with a Proclamation declaring December 18, 2015 as "Brent Ginsburg Day" in Cooper City.

5. PUBLIC SPEAKING

A. Open Public Meeting

Skip Klauber, 10241 Guatemala Street, spoke on Item 12 and stated that the resolution speaks in contrast to the current Charter and disputed Commissioner Mallozzi's interpretation of the State Attorney General's opinion during the vote to create this resolution.

B. Agenda Concerns

There were no speakers.

6. POLICE CHIEF'S REPORT

Chief Cates announced that Deputy Elmer Rivera was honored as Deputy of the Year at the Broward County Crime Commission. He thanked the City Manager, the Mayor and Commissioners Curran and Green for attending the ceremony.

He reported the following:

- o There were several unlocked vehicle related thefts throughout the City.
- o An armed robbery took place at the Smoothie King, which is currently under investigation.
- o Several residents or businesses have recently received "hate mail" which is under Federal investigation.
- o There was a graffiti crime committed at Nur-UI-Islam.
 - o He read a letter written by the Principal of Nur-UI-Islam commending BSO and the Mayor for their support during this time.
- o He shared a letter from a resident commending the service of BSO deputies in Cooper City, as well as his reply to the resident.
- o He shared holiday safety tips.

7. FIRE CHIEF'S REPORT

Chief Caruso announced that the Car Fit event on Thursday, December 10th was a tremendous success and thanked Lynda Good and Linda Victor for their participation with the event, reported that the Santa Program will consist of 50 stops and provided safety tips for the public from the BSO Holiday Info-Graphic flyer.

8. CONSENT AGENDA

A. Minutes

November 17, 2015 – Regular Meeting

B. Proclamations

1. Frank V. Sacco, Memorial Healthcare System, Retirement
2. Rick Case Bikes for Kids - December 13, 2015
3. Brent Ginsburg, December 18, 2015

C. Resolutions

1. A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE YEAR 42 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION FOR THE RESIDENTIAL REHABILITATION PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE - **Res. No. 15-12-1**
2. A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE YEAR 42 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION FOR SENIOR TRANSPORTATION PROGRAM; AND PROVIDING FOR AN EFFECTIVE DATE - **Res. No. 15-12-2**
3. A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, DESIGNATING AND APPOINTING A MEMBER TO THE SENIOR CITIZENS ADVISORY BOARD OF THE CITY OF COOPER CITY, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE - **Res. No. 15-12-8**

D. Financial Matters

Approving a Letter of Agreement with Lauren's Kids.

MOTION: To approve the Consent Agenda.

Moved by Commissioner Mallozzi. Seconded by Commissioner Green.

All aye on roll call vote. Motion passed.

- 4B.** Meeting Intermission for approximately one-half hour pending school band schedule - Commission Members will be transported to the Cooper City High School to present a \$25,000 check to the Sound of Pride Band during their concert.

MOTION: To recess to move to the high school to make the presentation to the band.

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

9. LAND DEVELOPMENT MATTERS

- ### **A. Marin Estates, generally located on the East Side of SW 106 Avenue Quasi-Judicial Hearing on First Reading of an Ordinance Rezoning the Marin Estates Property - Petition #Z 6-1-15 – Ord. No. P15-8**

Mayor Ross opened the hearing and asked all those in attendance intending to give testimony on any Land Development Matters to come forward and be sworn.

City Atty. Wolpin read, "AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, APPROVING REZONING PETITION #Z 6-1-15 FOR MARIN ESTATES, FROM BROWARD COUNTY A-1, AGRICULTURAL ZONING DISTRICT, TO COOPER CITY R-1-B, SINGLE-FAMILY ZONING DISTRICT, FOR THE PROPERTY DESCRIBED IN SECTION 2 OF THIS ORDINANCE, AND GENERALLY LOCATED ON THE EAST SIDE OF SOUTHWEST 106 AVENUE, ACROSS FROM INDIAN TRAIL; PROVIDING FOR AMENDMENT OF THE CITY'S OFFICIAL ZONING MAP; PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE," by title.

Ex-parte' Disclosure

Commissioner Mallozzi	Hope Calhoun
Commissioner Sims	Hope Calhoun
Commissioner Curran	Hope Calhoun
Commissioner Green	Hope Calhoun and Scott Bachman
Mayor Ross	Hope Calhoun

MOTION: To approve Ordinance P15-8.

Moved by Commissioner Sims. Seconded by Commissioner Curran.

Matt Wood read the staff and Planning & Zoning Board recommendations portion of the staff report and admitted the report into the record.

**Mayor Ross closed the public hearing.
All aye on roll call vote. Motion passed.**

- B. Sienna, located at 8701 Sheridan Street**
 - 1. Quasi-Judicial Hearing on First Reading of an Ordinance Rezoning the Sienna Property - Petition #Z 5-1-15 – Ord. No. P15-9**

Mayor Ross opened the hearing.

City Atty. Wolpin read, "AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, APPROVING REZONING PETITION #Z 5-1-15 FOR SIENNA, FROM BROWARD COUNTY A-1, AGRICULTURAL ZONING DISTRICT, TO COOPER CITY R-1-D, SINGLE-FAMILY ZONING DISTRICT, FOR THE PROPERTY DESCRIBED IN SECTION 2 OF THIS ORDINANCE, AND GENERALLY LOCATED AT 8701 SHERIDAN STREET,

APPROXIMATELY 1,300 FEET EAST OF PINE ISLAND ROAD; PROVIDING FOR AMENDMENT OF THE CITY'S OFFICIAL ZONING MAP; PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: To approve Ordinance P15-9," by title.

Moved by Commissioner Sims. Seconded by Commissioner Green.

Matt Wood read the staff and Planning & Zoning Board recommendations portion of the staff report and admitted the report into the record, with a stipulation that the motion to approve have a time certain second reading of Tuesday, January 12, 2016 to be properly noticed.

MOTION: To amend the motion to include a time certain final hearing date of January 12, 2016.

Moved by Commissioner Sims. Seconded by Commissioner Green.

All eye on roll call vote. Motion passed.

2. **Quasi-judicial Hearing on Variance Petition #V 5-1-15 for Sienna - Res. No. 15-12-4**

City Atty. Wolpin read, "A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, GRANTING THE REQUEST FOR VARIANCE PETITION #V 5-1-15 FROM METROPOLITAN BAPTIST CHURCH OF MIAMI, FLORIDA, INC. FOR SIENNA WITH CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE," by title.

MOTION: To approve Resolution No. 15-12-4

Moved by Commissioner Sims. Seconded by Commissioner Green.

Matt Wood read the staff and Planning & Zoning Board recommendations portion of the staff report and admitted the report into the record.

MOTION: To amend the motion to include a time certain final hearing date of January 12, 2016 with a stipulation that the motion to approve have a time certain second reading of Tuesday, January 12, 2016 to be properly noticed.

Moved by Commissioner Sims. Seconded by Commissioner Green.

All eye on roll call vote. Motion passed.

3. **Quasi-judicial Hearing on Preliminary Site Plan Petition #SP 5-1-15 for the Sienna - Res. No. 15-12-5**

City Atty. Wolpin read, "A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, ISSUING DEVELOPMENT ORDER NO. 15-1 TO

METROPOLITAN BAPTIST CHURCH OF MIAMI, FLORIDA, INC., FOR PRELIMINARY SITE PLAN PETITION #SP 5-1-15 FOR SIENNA, SUBJECT TO STIPULATIONS AND CONDITIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE," by title.

Mayor Ross closed the quasi-judicial hearing.

MOTION: To approve Resolution No. 15-12-5

Moved by Commissioner Curran. Seconded by Commissioner Sims.

All aye on roll call vote. Motion passed.

C. Quasi-judicial Hearing on Site Plan Amendment Petition #SPA 4-2-15 for Temple Beth Emet, located at 4807 South Flamingo Road - Res. No. 15-12-6

City Atty. Wolpin read, "A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, ISSUING DEVELOPMENT ORDER NO. 15-2R TO TEMPLE BETH EMET, FOR SITE PLAN AMENDMENT PETITION #SPA 4-2-15 FOR MODULAR CLASSROOMS, SUBJECT TO STIPULATIONS AND CONDITIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE, by title.

Matt Wood read the DRC, staff and Planning & Zoning Board recommendations portion of the staff report and admitted the report into the record.

MOTION: To approve Resolution No. 15-12-6

Moved by Commissioner Sims. Seconded by Commissioner Curran.

Ex-parte' Disclosure

Commissioner Mallozzi	None
Commissioner Sims	None
Commissioner Curran	None
Commissioner Green	Mr. Cutler
Mayor Ross	Mr. Cutler

All aye on roll call vote. Motion passed.

D. Quasi- Judicial Hearing for Sign Waiver Petition #SW 10-1-15 for Retro Fitness located at 9900 Griffin Road (Cooper City Plaza)

MOTION: To approve Sign Waiver Petition #SW 10-1-15

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

E. Quasi-judicial Hearing on Site Plan Amendment Petition #SPA 2-1-15 for Nur-UI-Islam located at 10600 Southwest 59th Avenue - Res. No. 15-12-7

City Atty. Wolpin read, "A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, ISSUING DEVELOPMENT ORDER NO. 15-3R TO NUR-UL-ISLAM, FOR SITE PLAN AMENDMENT PETITION #SPA 2-1-15, FOR A PERMANENT SCHOOL AND MOSQUE BUILDING, SUBJECT TO STIPULATIONS AND CONDITIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE," by title.

MOTION: To approve Resolution No. 15-12-7
Moved by Commissioner Curran. Seconded by Commissioner Sims.

Allan Baksh, 10600 SW 59th Street, spoke on behalf of the petitioner and asked that the Commission approve the Site Plan Amendment.

Matt Wood read the staff report relevant to the petition, including recommendations from the DRC and the P&Z Board.

Mayor Ross closed the public hearing.
All aye on roll call vote. Motion passed.

10. ORDINANCE FOR FIRST READING - MORRIS COOPER AVENUE - ORD. NO. P15-10

City Atty. Wolpin read, "AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA PROVIDING FOR MORRIS COOPER AVENUE AS A CO-DESIGNATION OF SW 90TH AVENUE IN COOPER CITY, FLORIDA; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR SEVERABILITY; SUPERSEDING ORDINANCE NO. 73-10-1 CONCERNING MORRIS COOPER DRIVE TO THE EXTENT OF ANY CONFLICT; PROVIDING FOR AN EFFECTIVE DATE. by title.

MOTION: To approve Ordinance P15-10.
Moved by Commissioner Sims. Seconded by Commissioner Curran.

MOTION: To include the replacement of the larger, lighted signs at the intersections of Griffin Road and SW 90th Avenue and Stirling Road and SW 90th Avenue.

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

11. ORDINANCE FOR FINAL READING AND PUBLIC HEARING

City Atty. Wolpin read, "AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA AMENDING CHAPTER 17 "TRAFFIC AND MOTOR VEHICLES" OF THE CITY CODE OF ORDINANCES BY AMENDING ARTICLE IV "TRAFFIC CALMING DEVICES", BY CREATING PARAGRAPH (D) "WAIVER

dissenting.

Commissioner Green: Marlon Clarke Approved by 4-1 vote -
Commissioner Sims
dissenting.
Lorenzo Calhoun Approved by 4-1 vote -
Commissioner Sims
dissenting.

MOTION: To approve Resolution No. 15-12-3, including the 8 confirmed nominations.

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

13. CITY MANAGER REPORT

City Manager Loucks wished everyone a Merry Christmas and reported that the signage and roadway work at Griffin Elementary will commence as of Monday, December 28th and the Sports Complex will suffer parking restrictions while heavy equipment and materials are stationed there during the re-roofing of the Police Station.

14. COMMISSIONERS' CONCERNS/REPORTS

Commissioner Sims admonished the Commission and the City Attorney for utilizing the process by which the Charter Review Board Resolution was adopted. He spoke against the City Attorney's manner of representing the City to the court and suggested fraudulent activity on behalf of the Mayor and the City attorney. He expressed disappointment with the Commission and staff. He accused Commissioner Mallozzi of making misleading statements to the public regarding an Attorney General opinion and threatened bar action against any attorneys filing motions to strike his letter in the class action law suit against the City. He explained that he would be taking legal action at the City's expense against the City. Commissioner Sims left the meeting at the conclusion of his statements.

Commissioner Mallozzi warned against the dangers of unsupervised children around swimming pools and bodies of water. She thanked Chief Caruso for his efforts to spread the word regarding pool safety and swimming instruction for children. She wished happy holidays to everyone, recommended registering "Father and Son Night of Fun," and complimented staff on "Light Up Cooper City."

Commissioner Curran thanked Chief Caruso, Chief Cates, City Manager Loucks and Denise Lasarte for their participation with the upcoming toy giveaway event to be held at Bill Lips Park. He additionally thanked Linda Victor for her coordinating Citizen Crime Watch programs throughout the City and commended residents for their vigilance. He complimented City efforts toward teaching toddlers and children to swim and teaching pool safety. He apologized to City Attorney Wolpin on behalf of the Commission and complimented him on his ability to maintain his composure while under attack.

Commissioner Green apologized to all residents for comments made by Commissioner Sims, vowed to represent all residents with dignity, civility and respect and asked that the residents forgive those comments and actions. He

expressed his own forgiveness and wished a Merry Christmas and a Happy New Year to Commissioner Sims and his family and expressed his desire to work respectfully with him in the New Year. He acknowledged Cooper City businesses and explained that he does his best to patronize them and to be a visible presence throughout the City, available to the residents. He complimented City Attorney Wolpin for his professionalism and extended his support to him. He wished a Merry Christmas, Happy Hanukkah and Happy New Year to all Cooper City residents.

Mayor Ross concurred with the expressions of regret for the disparaging comments made by Commissioner Sims to the City Attorney. He explained that there is no way to stop a person from speaking, regardless of the content of their words. He complimented the City Attorney on his continued professionalism. He addressed the crimes committed against the Nur-UI-Islam Academy and thanked Chief Cates for his quick action. He wished Happy Holidays and a Happy New Year to everyone.

15. ADJOURNMENT

The meeting was adjourned at 8:58 PM.

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.