



**CITY OF COOPER CITY
CITY COMMISSION MEETING MINUTES
MAY 28, 2019 at 6:30 PM**

1. PLEDGE OF ALLEGIANCE

Mayor Ross opened the meeting at 6:30 PM and Kyle Schlosser and Olivia Morgan from Cooper City Elementary led the assembly in the Pledge of Allegiance.

2. ROLL CALL

Present were Commissioners Pulcini, Green, Curran and Mayor Ross. Commissioner Meltzer was absent.

3. CHANGES TO AGENDA/EMERGENCY MATTERS

The Commission made the following announcements:

- Cooper City Open Play Chess continues each Saturday from 9:00 AM to 11:00 AM at the Pool & Tennis Center with the Mayors Chess Challenge on each third Saturday. Instruction is available. For more information, call 954-434-7300.
- Touch-A-Truck will be held on Saturday June 1, 2019 at the Cooper City Sports Complex located at 10300 Stirling Road.
- The Father & Son Adventure will take place on Friday June 14 at 6:30 PM at the Community Center located at 9000 SW 50 Place for \$25.00 per couple. Please call the Cooper City Recreation Department at 954-434-4300 Ext. 233 for more information.
- The Household Hazardous Waste Drop off will be held on Saturday June 15, 2019 from 8:00 AM at the Wheelabrator located at 4400 S. State Rd 7, Davie, FL 33314.
- Dive-In-Movie Night at the Pool will be held on Saturday June 22, 2019 the pool opens at 7:00 PM and the movie starts at 8:00 PM at the Pool and Tennis Center located at 11600 Stonebridge Parkway. Please call the Cooper City Recreation Department at 954-434-4300 Ext. 233 for more information.
- Cooper City residents are now able to receive their utility bills via email. Call Utility Billing 954-434-4300 Ext. 239 or email utilitybilling@coopercityfl.org to sign up.
- Upcoming Commission Meetings: Regular Commission Meetings June 18, 2019, July 16, 2019 and August 20, 2019. Budget Workshops on July 9, 2019 and July 11, 2019. A Special City Commission Meeting will be held

on June 4, 2019 at 5:30 PM and a School Traffic Workshop will be held at 7:00 PM. Commission meetings are scheduled at 6:30 PM in the City Hall Auditorium located at 9090 SW 50 Place.

4. ANNOUNCEMENTS/PRESENTATIONS

- a.** A Proclamation was presented for Relay For Life
- b.** A Proclamation was presented to Taniel Koushakijan and Arsine Kaloustian for Armenian Genocide Remembrance Day
- c.** A Proclamation was presented to Anabelle Andon for National Gun Violence Awareness Day
- d.** A Proclamation was presented to Commissioner Pulcini for Cities Connect/Cooper City and Arsoli, Italy
- e.** Yard of the Month was presented to Carlos Delgado.
- f.** Greg Stuart, James Cromar and Assistant County Administrator Gretchen Cassini have an update and presentation on the Broward Metropolitan Planning Organization MPO

James Cromar spoke on MPO and how they provide funding for County projects. He also spoke on projects in or around Cooper City and CSLIP a program for the city to apply for smaller projects. The

Gretchen Cassini spoke on interlocal agreements between the county and municipalities. She spoke on having plans prioritized in a 5 year plan. She said Cooper City submitted 6 mobility projects.

Commissioner Green asked about projects submitted in 2016 based on the Surtax.

Ms. Cassini said there was opportunity to update the list after 2016.

Commissioner Green said we had submitted 6 projects and asked if there is an expectation that we will receive the funding and when?

Mr. Stuart said they are looking for projects that are ready to go and it will be a part of an analysis.

Commissioner Green asked if it's safe to say that we are 3-5 years away from receiving funds?

That could not be answered.

Commissioner Pulcini said that surtax is available sooner than CSLIP.

Ms. Cassini said she cannot promise anything but it their expectation that of the 120 million a substantial amount of money will go to rehab and maintenance projects.

Mayor Ross said that the County is collecting the penny sales tax and we will not see the majority of money that will be focused on mobility. He asked if there will be an audit comparing how much of the penny sales tax Cooper City has given compared to what we will receive.

Ms. Cassini said they intend to do and would like to do that as soon as possible. She said that Cooper would do well in a project-based plan.

Mayor Ross asked about a video listed on a presentation.

Tony Huey said that this is a project is an advanced maintenance.

Mayor Ross asked if we can have this device for areas in our City.

Mr. Huey said that we can improve this and appreciate the ability to have this technology.

Mayor Ross and the Commission thanked MPO for their presentation.

g. Mauldin & Jenkins presented the Comprehensive Annual Financial Report (CAFR)

Trey Scott and Mr. Sansbury presented the result of the audits of the City's 2018 financial statements. He said that a Mauldin & Jenkins issued an unmodified opinion, which means that our financial statements presented fairly as of September 30, 2018. He spoke on CAFR and the information received and then determined. He spoke on General Fund Fund Balance and the drop between 2017/2018. In 2018 expenditures, increases due to debris hurricane clean up.

Commissioner Pulcini asked about the financial indicators.

Mr. Scott said you want to bring up your favorable above 50%.

Commissioner Pulcini asked if there were any changes in the yellow book standards.

Mr. Scott answered no.

Commissioner Pulcini asked in your opinion is it best to credit EMS receivables to deferred inflows rather to revenues?

Mr. Scott answered if they are uncollectable you book an allowance. You would credit revenue.

Commissioner Pulcini spoke on a memo sent by Management and spoke on an allowance that misstated.

Commissioner Pulcini asked if he recommends encumbrances be credited to Fund balance

Finance Director Sherry Walker said they are rolled forward.

Mr. Scott answered that is correct.

Commissioner Pulcini asked if there should be note explaining negative unassigned or unrestricted fund balance

Mr. Scott answered only in total.

Commissioner Pulcini asked if we carefully monitor our overall financial position.

Mr. Scott said yes.

Commissioner Pulcini asked if there has been a significant decrease in Fund Balance of the General Fund that warrants monitoring.

Mr. Scott answered yes.

Commissioner Pulcini asked if the does the Government Finance Office Association recommend general fund unassigned fund balance equal 3 months or general fund expenditures.

Mr. Scott said yes.

Commissioner Pulcini said our fund balance should be around 10.5

Mr. Scott answered that is recommended and FEMA reimbursements were factor in as the date of this report.

Mayor Ross said that Mr. Scott stated there were misstatements that have been corrected. What were the misstatements and who brought the misstatements to your attention.

Mr. Scott answered there were no misstatements. There were audit adjustments.

Mayor Ross asked if Mr. Scott is he could explain the financial condition assessment. There are 12 items. Could you explain why in 2017 we did not have this information and 2018 we do.

Mr. Scott answered the significant increase in expenditures and it is over a 5-year period. He said the increase was due to hurricane debris cleanup.

Commissioner Curran said that is not uncommon to build a fund balance up and then use it.

Mr. Scott answered it's not uncommon to see a decrease, no.

Commissioner Pulcini asked if it healthy have a negative Fund Balance

Mr. Scott answered no. The negative unassigned fund balance is negative.

Commissioner Pulcini asked about the restricted Governmental.

Mr. Scott answered governmental is a credit of \$4.9 million and this is for September 2018.

- h.** A certificate of appreciation was presented to Robert Martin upon his retirement.

5. PUBLIC SPEAKING

a. Open Public Meeting

Fernando Nunez gave the Commission information on the Special Olympics Florida- Broward County in which the Mayor read is held at Nova Southeastern University located at 3301 College Avenue, Fort Lauderdale, FL 33314. They are looking for involvement.

Lisa Magaro, 11650 Strand Way is the owner of Lisa's Closet located in Countryside Shop's spoke on bringing forth the Ordinance on sidewalk signs allowing a-frame signs.

Mayor Ross asked Ms. Magaro if she had been in contact with the owner of Vienna Café because he did hear from him in regards to the same matter.

Ms. Magaro answered yes and it would be nice for the businesses there to have the easel signs.

Commissioner Curran said these signs were allowed in 2009 and he is in full support of allowing signs if they do not obstruct the sidewalks.

A consensus was reached to bring the sign Ordinance forward.

David Nall, 3620 NW 89th Way, spoke about the \$8 million in expenses over revenue and the whole \$8 million not being attributed to hurricane expenses alone. He asked about the expense differential.

Commissioner Pulcini answered that is from the Capital Improvement Fund.

David Nall asked what those were.

Commissioner Pulcini answered the Community Center and the park.

David Nall said he believes \$4.2 was spent on the park and wants to know why do we attribute the over budgeting to the hurricane alone and do not mention the projects. He wants everyone to speak on all areas we spent money on.

Commissioner Pulcini said we received the warning in time from the Auditor the situation is not desperate. The park is built and paid for and we will not have the expense next year.

Commissioner Curran said the park was planned, all the capital projects were planned. There is no way to possibly plan for a hurricane when you run a City on 28% of the budget. The plan of the park has been a 14-year wait. There was \$4 million in the bank that could not be used for anything but a new park. The Commission has heard everyone's concerns and will address those concerns in the budget.

Commissioner Green said he does not view the park as a mistake and what he heard during the campaign last year was to improve the cities infrastructure. The capital improvements preformed on the Community Center, Building Department have not been improved in 20 or so years. For a community that continues to be a desire placed to live we must spend money to improve.

Bob Sands, 10582 Grove Place, said the issue is fiscal irresponsibility. He said for 2 or 3 of the Commissioners sitting on the dais it has been several issues, including raises and \$100,000 given to the schools. He also spoke on Commission benefits and money spent on the bond. He then mentioned shirts previously worn by some members of the Commission.

Commissioner Curran said that five Commissioners voted on the money given to the schools. He said he benefits nothing from anything that is given to the schools. He said that if we cut or diminish salaries we will not see anyone willing to serve. He said he does not use any of the Cities money besides salary and benefits. Commissioner Curran said he is transparent and would like all votes by all members of the Commission to be addressed when brought up.

Commissioner Green said that he did support the raise and in complete transparency Cooper City was the first or second lowest paid Commission in the county and they continue to be one of the lowest paid Commissions in the county. A city comparable in size to Cooper City, Dania Beach is earning \$3500 plus expense accounts and the City is contributing to FRS for their retirement. The current Commission earns \$1000 a month and Commissioner Green said he does take the stipend in lue of insurance. He

said also any time he has traveled outside the City he never has asked for mileage reimbursement. He believes activities in relation to his job, as a Commissioner is taxing and time consuming, which he knows is what he signed up for and he if he is here for four more years he will continue to do graciously. He will not take advantage of the City and never has done so, he also said he serves on the PTA for his son's high school because there is a need to serve the children of Cooper City High School and has also donated money from his own pocket.

Jen Goldfarb, 11869 SW 55 St, thanked the Commission for their service and not asking for reimbursements. She asked about the t-shirts made by three commissioners.

Commissioner Curran said he represents 20 cents of the vote and it meant he is 20% of the Commission; the shirts had nothing to do with how he would be voting.

b. Agenda Concerns

Richard Power, 3705 Beach Way spoke on item 11-a and his concerns with cross walks being needed on Stonebridge Pkwy.

Tiffany Mosca, 3601 Bridge Rd, spoke on item 11-a and her support of the passing of the Ordinance. She said there was a traffic study completed in the past either by the County or the City.

Public Works Director Yoezle said she did not find anything that the City conducted. However, we will follow up with the County.

Alfonso Tello, 3302 West Island Road, spoke on his support of item 11-a but would like criteria to be more lenient so that the City Engineer can waive conditions for specific needs.

Mayor Ross asked City Attorney if he reviewed the Ordinances and if it properly addresses concerns between a straight roadway and a curved.

City Attorney Horowitz said he did work with the City Engineer and deferred to the City Engineer for the substance.

Utilities Director Mike Bailey answered he did author the changes based on compassions from our neighboring municipalities. He said the Ordinance does give the City Commission flexibility.

Commissioner Pulcini asked if traffic studies are needed.

Utilities Director Mike Bailey answered there is liability involved and studies are needed.

6. LAND DEVELOPMENT MATTERS

(Florida court rulings now require all land development matters to be considered by the City Commission in a quasi-judicial process. All persons who wish to give testimony or present evidence must be sworn in. Copies of the complete procedures are available in the Office of the City Clerk).

a. Variance Petition

1. Resolution No. 19-5-7

City Attorney Horowitz read "A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, GRANTING THE REQUEST FOR VARIANCE PETITION #V 2-3-19 FROM JAMIE JAVORSKY FOR THE PROPERTY GENERALLY LOCATED AT 10653 ZURICH STREET, COOPER CITY, FLORIDA; PROVIDING FOR CONDITIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE" by title.

Mayor Ross opened the public hearing.

Commissioner Curran stated he spoke with Mr. Javorsky previously.

Petitioner Jamie Javorsky spoke on his request for the Variance.

Commissioner Pulcini disclosed he was present at the Planning and Zoning Meeting Mr. Javorsky presented at.

Growth Management Director Matt Wood read the staff report.

Mayor Ross closed the public hearing.

MOTION: To approve Resolution 19-5-7. Moved by Commissioner Curran. Seconded by Commissioner Pulcini. **All aye on roll call vote. Motion passed.**

b. Site Plan Amendment for McDonalds

2. Resolution No. 19-5-8

City Attorney Horowitz read "A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, APPROVING THE SITE PLAN AMENDMENT PETITION #SPA 1-1-19 FOR MCDONALD'S RESTAURANT AT PINE LAKE PLAZA LOCATED AT 10260 GRIFFIN ROAD IN COOPER CITY, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE" by title.

Growth Management Director Matt Wood read the staff report.

Commissioner Pulcini said that he was present at the Planning and Zoning Meeting this was presented at.

Mayor Ross opened the public hearing with no one wishing to speak. He closed the hearing.

Commissioner Curran is in full support of this item.

MOTION: To approve Resolution 19-5-8. Moved by Commissioner Green. Seconded by Commissioner Pulcini. **All aye on roll call vote. Motion passed.**

c. Sign Waiver for McDonalds

3. Resolution No. 19-5-9

City Attorney Horowitz read "A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, APPROVING A SIGN WAIVER REQUEST (#SW 1-1-19) FOR THE MCDONALD'S RESTAURANT AT PINE LAKE PLAZA GENERALLY LOCATED AT 10260 GRIFFIN ROAD IN COOPER CITY, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE" by title.

Growth Management Director Matt Wood read the staff report.

The applicant Jason James from CPH Incorporated had a visual sign to show to the Commission.

Mayor Ross opened the public hearing.

Fernando Nunez, said the McDonalds need to be updated.

Mayor Ross closed the public hearing.

MOTION: To approve Resolution 19-5-9. Moved by Commissioner Green. Seconded by Commissioner Curran **All aye on roll call vote. Motion passed.**

7. POLICE CHIEF'S REPORT

Chief Cates advised there is a new transfer that is coming back into the district. And there is also a cadet assigned to our district he will start the academy next month. A Memorial Day aggressive driving plan was assigned for the holiday weekend on the main corridors of the cities, there was 1 narcotics arrest and 100 tickets were issued. On May 21, 2019, the Broward County Benevolent Association hosted their Officer of the Year Awards; out of 1500 deputies, two Cooper City deputies were chosen. On May 24, 2019,

an individual with Alzheimer's was reported missing and with the help of the Cooper City COP's the individual was found safely.

Mayor Ross asked them to be brought to the Commission for acknowledgement and to also keep me in mind CERT is available as well.

Commissioner Pulcini asked Chief if there are any updates with him receiving budgets.

Chief Cates answered the Finance Director was on vacation last week but she is back in the office and he will contact her.

Commissioner Pulcini asked if there is a way to have the lobby open longer hours.

Chief Cates answered not with his current staffing.

Commissioner Pulcini asked the City Manager to look into that issue with negotiations.

8. FIRE CHIEF'S REPORT

Chief Caruso advised BSO Fire will participate in the upcoming Touch-A-Truck event and looks forward to the occasion. Hurricane season officially starts on July 1 and wants residents to remain vigilant. Chief also answered Mayor Ross's question from a previous meeting about the Quint. In fiscal year 17/18 the quint was out of service for 70 days. In fiscal year 18/19 the Quint has been out of service for 84 days. The reserve apparatus is in place and we are waiting for a ladder truck.

9. CONSENT AGENDA

a. Minutes

1. Regular Commission Meeting Minutes of February 20, 2019

b. Resolutions

1. Resolution 19-5-6 – Administration/Finance

A RESOLUTION OF THE CITY OF COOPER CITY, FLORIDA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE 2018 AMENDMENTS TO THE INTERLOCAL AGREEMENTS WITH BROWARD COUNTY FOR THE DIVISION AND DISTRIBUTION OF THE ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL, AND THE FIFTH CENT ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT; AND PROVIDING FOR AN EFFECTIVE DATE.

c. Motion to Approve

1. Approval of Broward County School Board Lease Agreement for Cooper City Elementary School – **Recreation**

MOTION: To approve consent agenda

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

10. REGULAR AGENDA

a. Approval of a contract with Florida Technical Consultants, LLC (FTC) to update, maintain and improve the City's Geographical Information System (GIS)
– **Utilities**

MOTION: To approve Item 10-a

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

b. Approval of Air Conditioning Maintenance Contract with Master Mechanical Service, Inc. as the Primary Vendor, and to AC Power & Comfort, Inc. as the Secondary Vendor - **Pubic Works**

Commissioner Curran asked the Public Works Director if she has worked with these companies before.

Ms. Yoezle answered she has not worked with them but they have been responsive and excellent.

Mayor Ross asked if it is necessary, budgeted and was it bid out.

Ms. Yoezle answered yes to all questions.

MOTION: To approve Item 10-b

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

c. Agent of Record Request for Qualifications – **Finance Advisory Board/Finance/Administrative Services**

Commissioner Green asked Interim City Manager Sims if we currently have an agent of record.

Mrs. Sims answered that we use Florida Municipal Insurance Trust there are not technically an agent of records but that is who we use.

Mayor Ross said that he attended the Finance Advisory Board Meeting and fully understands the Boards direction and believes they are doing it the right way.

MOTION: To approve Item 10-c

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

11. ORDINANCES ON FIRST READING

a. Ordinance 19-5-3 – Utilities

City Attorney Horowitz read "AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA AMENDING CHAPTER 17 "TRAFFIC AND MOTOR VEHICLES" OF THE CITY CODE OF ORDINANCES BY SPECIFICALLY AMENDING ARTICLE IV, ENTITLED "TRAFFIC CALMING DEVICES"; PROVIDING PROCEDURES FOR THE APPLICATION FOR THE INSTALLATION OF TRAFFIC CALMING DEVICES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE" by title.

Commissioner Curran asked Utilities Director Mike Bailey about the process, traffic studies and criteria.

Mr. Bailey answered some of the criteria was reduced.

Commissioner Curran asked if Mr. Bailey is going to look at all requests and make recommendations.

Mr. Bailey answered yes he will make a recommendation to the Commission.

Commissioner Curran asked if we could use signboards to gather data.

Mr. Bailey said he could look into the signs being used and said that he intends to have Broward County conduct the studies.

Commissioner Curran asked about HOA's and traffic studies.

Mr. Bailey said that the private owners in most cases Home Owners Associations would pay to have a study done and he would then review it.

Commissioner Green asked if HOA's will have the ability to contact Broward County for the study or does it have to be a public road.

Mr. Bailey said he was not sure but the Public Works director said it would need to be a public road.

Commissioner Pulcini asked the liability without traffic studies.

The City Attorney said there is an amount of liability if we issue permits without traffic studys being done.

Commissioner Pulcini asked about reducing the distant from 750.

Mr. Bailey answered he would like to ask the traffic consultant.