



CITY OF COOPER CITY CITY COMMISSION SPECIAL MEETING

Tuesday, August 02, 2022 at 5:00 PM
City Hall Auditorium | 9090 SW 50th Place

MINUTES

PLEDGE OF ALLEGIANCE

Mayor Ross opened the meeting at 5:00 PM and led the assembly in the Pledge of Allegiance.

ROLL CALL

Present were Commissioners Shrouder, Meltzer Pulcini, Green and Mayor Ross. *Commissioner Green was present via Zoom.*

PUBLIC COMMENTS (4 MINUTES)

Josh Giancarlo, 10909 Nashville Dr, thanked the commission for convening the meeting. He advised Mayor Ross did offer him a chance to speak at the end of the previous commission meeting. He does not believe costs will be nominal for an appeal however there is a chance a special election could be held and that would occur costs to the City. He advised he would fight the appeal and he would argue the basis of the appeal. He said that the residents can decide and chose not to vote for him. He advised the Charter should be updated and eliminate future issues.

David Nall, said the City has spent \$6,000 on less important matters. The Charter is our constitution and we need a court decision to determine the answer on a definite basis.

TOPIC FOR DISCUSSION

1. Discussion and Possible Action to ratify the City Commission's prior direction to appeal the Circuit Court Order in *Cooper City v. Giancarlo* (Case No. Cace 22-CA-009785)

Mayor Ross made a motion to reconsider the City's prior direction to appeal the Circuit Court Order in *Cooper City v. Giancarlo* (Case No. Cace 22-CA-009785). Commissioner Pulcini seconded the vote.

Mayor Ross said he still feels this is a case of first impression and it would be beneficial to receive an appellate court discussion however, he still needs to take costs into consideration. He also stated updating the code is what the residents need. Living by the Charter is difficult as he personally believes an unqualified individual qualified. But the residents should have the right to choose on Election Day.

Commissioner Pulcini advised he spoke at length to the City Attorney and the City Manager and he does not like the uncertainty and risk he is placing the residents in. We already received the answer that there is an issue with the process and we will fix it moving forward

Commissioner Meltzer said he also had extensive conversations with the City Manager and City Attorney. This issue should have been addressed beforehand and we will fix it moving forward.

City Attorney Horowitz spoke on the possible outcomes of an appeal. The court could issue a PCA that would reaffirm the trial court's decision without rendering an opinion, the court could issue a more substantial opinion consistent with the circuit court's opinion, and the court could determine only the individuals that reside within the geographic boundaries of what is currently district one for at least one year prior to qualifying are eligible to run, which is consistent with the legal opinion. The court could also determine only those individuals who reside in what is currently district one for at least one year prior to qualifying would be eligible which would impact both

district one candidates. The court could also remand the issue back to the circuit court with further direction. Depending on what action the appellate court decides would not necessarily put an end to the issue. He advised he spoke to legal counsel at the Broward County Supervisor of Elections Office to walk through several scenarios. Any number of the outcomes could lead to the City filing an additional court action to either invalidate the results of the election or compel the Supervisor of Elections or the Broward County Canvassing Board to either canvas or not canvas certain votes.

Commissioner Meltzer said what concerns him is having a special election which could cost the City upwards of \$100,000 and if the issue lasts until November both candidates would essentially establish the one year residency requirement. City Attorney Horowitz answered if there would be a special election held in January qualifying for that election who nullify the issue.

Commissioner Shrouder said when looking at election law you do not look at the ramifications or the cost of Democracy. You have to receive a ruling on what is right or wrong. The issue to him is whether or not the Charter is valid or not valid. He wished the Judge would have cited case law with her decision. He personally was opposed to the one year requirement on the Charter Review Board but it was adopted by the electors. Following through with the appeal is a part of the process. He said he brought up this issue several months ago. He asked for the City Attorney's opinion for another candidate not Mr. Giancarlo. At the end of the day the City needs a court decision to address the issue. The City should have followed through with the issue before qualifying.

Commissioner Green said the City perused the declaratory action and the Judge rendered a decision. There are a number of outcomes that can happen and he is of the opinion those are not the expectations of the residents. He believes the residents can vote and the commission should afford them that opportunity. The conflict in the ordinance does however need to be rectified.

Mayor Ross said his decision is not based on costs alone but for the democratic process and the residents can choose via the voting process.

City Attorney Horowitz advised reconsidering the Commissions prior direction would place the item back on the table at square one. The commission could take no action or then direct the appeal. If the item is not reconsidered the prior action will stand.

MOTION: Mayor Ross moved to reconsider the City's prior direction to appeal the Circuit Court Order in *Cooper City v. Giancarlo* (Case No. Cace 22-CA-009785). Commissioner Pulcini seconded the motion which prevailed by the following roll call vote. (4-1)

NO: Commissioner Shrouder

YES: Commissioners Meltzer, Pulcini, Green and Mayor Ross.

City attorney advised in absence of further direction the City Attorney's Office will redraw the appeal.

Commissioner Shrouder moved to ratify the City's prior direction to appeal the Circuit Court Order in *Cooper City v. Giancarlo* (Case No. Cace 22-CA-009785). No second the motion died.

2. Discussion and possible action on a Pierce Custom Enforcer PUC Pumper – 39114 Fire Apparatus if the apparatus remains available for purchase

City Manager Napoli advised last week he was informed that there is a Pierce Custom Enforcer available that would be built now and would be available late January of next year. He believes it was prudent to bring this

forth as we would obtain an apparatus 2-2.5 years in advance of ordering one and it has a potential savings of \$150,000- \$125,000 depending on equipment purchased. There are some minor differences that Chief Harrington can speak on. He advised if we pay in full we can obtain a discount.

Commissioner Pulcini asked if this purchase is in between the City's procurement guidelines. City Attorney Horowitz answered yes, there is a provision in the procurement code that allows the Commission based on a recommendation from the City Manager to make a purchase and waive the competitive process when it is in the City's best interest. Based on the City Managers research would confirm that recommendation. Commissioner Pulcini asked Chief Harrington if this apparatus is what the City needs. Fire Chief Harrington answered yes this engine meets the needs of Cooper City. He advised he would tweak the specs but it is a perfect fit for Cooper City.

Commissioner Pulcini made a motion to approve a purchase of a Pierce Custom Enforcer PUC Pumper finding that it is in the City's best interest based on the City Managers recommendation to make the purchase. Mayor Ross seconded the motion.

Commissioner Pulcini supports the item as it is well within the City's budget.

Mayor Ross asked if we received an E-1 proposal. Chief Harrington advised we received an E-1 proposal in April but he has not received an updated one.

Commissioner Meltzer said the proposal on the pumper from the January 25, 2022 meeting was \$916,297 the cost for this apparatus is \$840,000. Chief Harrington advised the most recent proposal from Pierce was \$990,000. Commissioner Meltzer would have preferred to have the most recent proposal from Pierce provided to the Commission in the backup of the item. Commissioner Meltzer asked about the different body style. Chief Harrington answered the apparatus is a little bit of a smaller engine and cab but has the same speed and is efficient for the City. This apparatus also pumps more water per minute compared to the E-1.

Commissioner Green advised he spoke to the City Manager, City Attorney and Chief Harrington and is okay with the item.

Commissioner Shrouder asked how we have the opportunity to buy a cheaper apparatus a year sooner when Battalion Chief Mike Bufalo voiced on social media that it would cost an extra \$250,000 per vehicle and take additional time. Chief Harrington advised he cannot speak on behalf of Battalion Chief Bufalo. Commissioner Shrouder said he does not believe someone who is spreading misinformation to the community should service our area. Commissioner Shrouder asked if the contract allows the City to request that certain individuals not work in the City. Commissioner Shrouder said when you're a high ranking individual of the Broward Sheriff's Office residents take comments seriously.

Commissioner Meltzer asked why the Broward Sheriff's Office allows for the spread of misinformation by staff.

Mayor Ross would like the issue to be addressed by the Sheriff and address what will be done about the issue.

Chief Harrington advised he will speak to the Sheriff about the Commissions concern but tonight he would like to discuss the purchase of an apparatus that is a great choose for the City.

Commissioner Shrouder said he appreciates the opportunity to purchase a vehicle that is great fit for the community.

Commissioner Meltzer also appreciates the opportunity and with the Commission waiting to receive more than one quote they can now make the best choice for the residents.

Commissioner Shrouder said the size of the vehicles matter and he prefers an apparatus tailored to the needs of the residents.

Chief Harrington reviewed the specs and advised it is a great fit for the community.

Mayor Ross thanked his colleagues for waiting on the process.

Mayor Ross asked for a timeline on when the Commission can receive a response from the Sheriff on the misinformation matter from the Battalion Chief.

Commissioner Shrouder respectfully requests that pursuant to the contract we ask the Broward Sheriff's Office not to have Mr. Bufalo supervise our City as he does not share the same policy and opinions as the City does.

Mayor Ross opened public comments.

Andrew Gross, 5010 Regency Isles Way, said this apparatus is a great option for the City.

MOTION: Commissioner Pulcini moved to approve a purchase of a Pierce Custom Enforcer PUC Pumper finding that it is in the City's best interest based on the City Managers recommendation to make the purchase. Mayor Ross seconded the motion which prevailed by a unanimous roll call vote (5-0)

ADDITIONAL PUBLIC COMMENTS (2 MINUTES)

David Nall, believes the Commission missed a great opportunity to make a decision on the Charter.

Mayor Ross advised the decision was not based on politics but what is best for the residents.

Josh Giancarlo, 10909 Nashville Dr, thanked the Commission for approving the fire apparatus.

ADJOURNMENT

The meeting was adjourned at 5:57 PM.

ADA 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.

DECORUM

Members of the Commission, staff members, citizens, and others are required to use civil and appropriate language when addressing the Commission or anyone present at the meeting and must refrain from using

profanity, cursing, or exhibiting aggressive or threatening behavior. All comments should generally be directed to the presiding officer and not to individual members of the Commission, staff, or the audience. No personal verbal attacks toward any individual by either the Commission, staff, citizens, or others shall be allowed during any meeting of the Commission.

Any persons making impertinent or slanderous remarks or personal attacks or who becomes boisterous while addressing the Commission or who otherwise violates the decorum rules set forth herein shall be barred from further audience before the Commission by the Mayor, or by request of any member of the Commission unless permission to continue or again address the Commission be granted by a majority vote of the Commission members present.

WEBVTT

1

00:00:02.909 --> 00:00:10.710

Cooper City Hall: Good evening, ladies and gentlemen, welcome to the city Commission special meeting and it's now August 2 five o'clock and i'll ask you all to please join me in the pledge of allegiance I.

2

00:00:13.500 --> 00:00:24.840

Cooper City Hall: pledge allegiance to the flag of the United States of America and to the Republic for which it stands one nation under God indivisible with liberty and justice for all thank you ever call police.

3

00:00:28.770 --> 00:00:34.560

Cooper City Hall: commissioner's router year Commissioner Meltzer your Commission and puccini their Commission or green.

4

00:00:35.370 --> 00:00:50.940

Cooper City Hall: Here near us, and I am here we have public comments, I have one person signed up and if it is to speak on the agenda item i'd appreciate just wait until the agenda item is called anyone else, listening to speak on a non agenda item.

5

00:00:52.650 --> 00:01:06.240

Cooper City Hall: Anyone on virtual Thank you and i'm going to go ahead and move the topic for discussion and possible action it says to ratify the city's Commission pride direction to appeal the circuit court order.

6

00:01:06.630 --> 00:01:19.260

Cooper City Hall: And Cooper city verse Giancarlo case number CAC 22 deaths CA O 975 and Commission agreeing, if you would i'm going to pass the gavel to you.

7

00:01:20.130 --> 00:01:36.990

Cooper City Hall: so that I can make a motion to reconsider the city's Commission pride direction to the appeal of the circuit court order and Cooper city verse Giancarlo case number CAC 22 CA or 9785 second.

8

00:01:38.400 --> 00:01:45.360

Commissioner Green: Okay, so there was mostly by mayor Ross to reconsider a second by mission rippled keening mayor Ross.

9

00:01:46.230 --> 00:01:46.680

Cooper City Hall: Thank you.

10

00:01:47.760 --> 00:02:02.010

Cooper City Hall: Sometimes when you're up here and you wear two hats and I always look at things as a mayor and, as a lawyer, it can be a little confusing, or at least a mess.

11

00:02:03.810 --> 00:02:11.850

Cooper City Hall: I still feel that this is a case of first impression which I know it is, I still feel that it would be.

12

00:02:12.210 --> 00:02:16.380

Cooper City Hall: a wonderful thing to get the appellate court.

13

00:02:17.400 --> 00:02:23.310

Cooper City Hall: To have a decision on this, but I also have to look at a.

14

00:02:24.720 --> 00:02:36.840

Cooper City Hall: cost involved, regardless of any politics, looking at the cost it's somewhat nominal, if you will, and I say that tongue in cheek because you never know.

15

00:02:38.550 --> 00:02:48.210

Cooper City Hall: And then, if I can get to where I want to be without having an appeal by changing the Charter and by changing the ordinance.

16

00:02:49.350 --> 00:02:49.920

Cooper City Hall: By.

17

00:02:53.640 --> 00:03:04.890

Cooper City Hall: A reasonable period of time, not in time for this election, but for the future elections, then that's what the people want and that's what two people should have.

18

00:03:05.970 --> 00:03:13.320

Cooper City Hall: A fear of of what this looks like politically i'm not worried at all because i'm not running.

19

00:03:16.290 --> 00:03:16.770

Cooper City Hall: at all.

20

00:03:18.750 --> 00:03:21.060

Cooper City Hall: However, if you look at this and Commissioner.

21

00:03:22.170 --> 00:03:37.470

Cooper City Hall: Shriver was correct, the last time we spoke about this, and that is the way the Court interpreted it as well, it doesn't really matter if it's 12 months, well, I guess it doesn't really matter that i'm limited to three terms i'll run for a fourth.

22

00:03:39.630 --> 00:03:51.420

Cooper City Hall: i've said it out loud oh my God it can happen the way she interpreted it that's why i'd like to have the appellate court rule on it, because that's not the intent.

23

00:03:52.770 --> 00:03:56.130

Cooper City Hall: of our Charter, and I will live by the intent to the Charter.

24

00:03:59.730 --> 00:04:04.350

Cooper City Hall: Living by, it is difficult because I believe.

25

00:04:06.060 --> 00:04:10.230

Cooper City Hall: I personally believe an unqualified person was qualified.

26

00:04:11.610 --> 00:04:24.750

Cooper City Hall: But it doesn't matter what I believe matters what the judge says, now I think she's wrong and that's why we have pillar courts, but is it that important to the residents to appeal.

27

00:04:25.920 --> 00:04:30.000

Cooper City Hall: When the residents have a right to say no.

28

00:04:31.230 --> 00:04:44.070

Cooper City Hall: he's not qualified he shouldn't be voted in, and he isn't voted in that's their way of doing it, so I don't want to take anything away from the residents and their right to vote.

29

00:04:46.410 --> 00:04:56.940

Cooper City Hall: So this really is a lawyer Mare mess of a question, but in the best light that I can.

30

00:04:58.170 --> 00:05:01.170

Cooper City Hall: fathom it would be to go ahead.

31

00:05:02.520 --> 00:05:06.900

Cooper City Hall: Essentially, start from the beginning and that's why I do emotion, to reconsider.

32

00:05:07.950 --> 00:05:22.380

Cooper City Hall: And i'll ask Oh well, i'm sorry commission to green is going to run it, but obviously everyone will get an opportunity, and then the Jeff Commissioner, please don't forget then to open the meeting for public comments, if you will be only one person.

33

00:05:23.820 --> 00:05:35.880

Commissioner Green: Okay, thank you mayor Ross and and at this time before we I know that commissionable cine has secondary emotion i'd like to open this up for public comments if there's anybody, then this is Alan.

34

00:05:42.240 --> 00:05:42.750

Commissioner Green: Okay.

35

00:05:46.680 --> 00:05:51.930

Commissioner Green: Very well, so, and please forgive me, I don't have I don't have it in front of me, but the salad.

36

00:05:53.370 --> 00:05:54.690

Cooper City Hall: Greens joshing Carla.

37

00:05:55.680 --> 00:05:57.810

Commissioner Green: Thank you, thank you, my Ross this gigantic Carlos.

38

00:06:00.540 --> 00:06:02.490

over here josh it's the order.

39

00:06:03.540 --> 00:06:08.340

To complete the last having an injunction and your motion of redemption you know.

40

00:06:09.630 --> 00:06:10.680

Basically savings.

41

00:06:20.520 --> 00:06:23.670

Cooper City Hall: First off, thank you, Commission for convening this meeting.

42

00:06:25.440 --> 00:06:32.700

Cooper City Hall: I included sure everyone on the records a copy of the last page of the complaint has been called a wherefore clause all address that briefly but.

43

00:06:33.030 --> 00:06:40.320

Cooper City Hall: Also, I do know the median to the abrupt the ending met Ross actually consider trying to get me back up a minute I didn't think that was relevant.

44

00:06:40.710 --> 00:06:46.590

Cooper City Hall: With the boat was already made, I didn't think that would have affected this, but I do want it on the record marathi trying to me a chance to speak at the end of the meeting.

45

00:06:47.730 --> 00:06:52.770

Cooper City Hall: which I do appreciate I just if I thought that would negate this I would have taken it, but I didn't think it would affect it because, if it was remade.

46

00:06:53.790 --> 00:07:04.020

Cooper City Hall: um so like I said, I think the cost isn't going to be nominal if it just resolved itself on the first appeal, maybe you're looking at six to 8000, which is what was incurred, the first time.

47

00:07:04.350 --> 00:07:07.020

Cooper City Hall: But, like, I mentioned the letter, if a special election happens because.

48

00:07:07.440 --> 00:07:16.470

Cooper City Hall: I am on the ballot and then I win and then the Court decides it can't run, then a special election occurs with \$100,000 in addition i'd be allowed to run on a special election, we have.

49

00:07:16.890 --> 00:07:27.510

Cooper City Hall: If we were to redo the qualifying now I would qualify now um I do can see that is the issue of first impression, and it was an issue where.

50

00:07:28.800 --> 00:07:32.970

Cooper City Hall: Intelligent minds to be educated and differ, which is why it didn't fight the deck action in the first place.

51

00:07:33.390 --> 00:07:41.490

Cooper City Hall: I would fight the appeal, so I think the appeal costs would go up and more important that he gave you shows everything they say you had requested and their complaint, the city got.

52

00:07:42.690 --> 00:07:50.550

Cooper City Hall: Not necessarily decision they agreed with, but what city as an impartial party got its determination by the Court, it was granted his jurisdiction.

53

00:07:51.660 --> 00:07:55.260

Cooper City Hall: It then that they got me they wanted what's the basis for appeal.

54

00:07:57.480 --> 00:08:11.550

Cooper City Hall: and finish router no appellate courts generally, the first time, all that was done by the city originally was facts were presented, which clearly outlined, I did not live in what is now district, one on June 13 or 20 1313 and.

55

00:08:12.480 --> 00:08:19.770

Cooper City Hall: So those facts are in the record and did the order doesn't really allude to whether that was considered or not and.

56

00:08:20.400 --> 00:08:27.480

Cooper City Hall: The city didn't ask for any determination, otherwise even the city's proposed order for the judge had a circle, whether qualified or not qualify.

57

00:08:27.870 --> 00:08:33.840

Cooper City Hall: So I don't know what the city would appeal I don't think the cost of necessarily be nominal and I don't know like like merah said.

58

00:08:34.830 --> 00:08:42.540

Cooper City Hall: People can vote against me because they don't feel like qualify that, but the people decide save everyone time and money, and I think that's the best way to go.

59

00:08:42.930 --> 00:08:53.190

Cooper City Hall: Obviously, other people can defer it would be nice if we had a court records on it, but doesn't matter first impression I don't know why we should pay for all the other cities to get the problem solved.

60

00:08:53.670 --> 00:09:01.110

Cooper City Hall: i'm like I mentioned my letter like mayor Ross alluded to simply changing the ordinance to require proof of residency.

61

00:09:01.620 --> 00:09:09.120

Cooper City Hall: Of 12 months would then put the onus on someone in my situation to then sue the city for a deck action, as opposed to the other way around.

62

00:09:09.600 --> 00:09:20.430

Cooper City Hall: And even the Charter we can change it to say geographical region which weather districts are not passed this one I can't imagine anyone would bite it saying geographical area of the district.

63

00:09:21.210 --> 00:09:28.290

Cooper City Hall: When your prior to running versus anything else I think it's a matter that we can resolve cheaply and another manner, and while i'd be the only one to.

64

00:09:28.860 --> 00:09:38.430

Cooper City Hall: benefit from that way now because I can run it also saves me money and they can just not vote for me so hopefully we can just resolve this now, and let the people decide, thank you very much.

65

00:09:40.200 --> 00:09:42.060

Cooper City Hall: i'm sorry, Commissioner, green you're running it.

66

00:09:43.710 --> 00:09:44.100

Commissioner Green: May.

67

00:09:45.660 --> 00:09:49.590

Commissioner Green: Sound Is there anyone else that wishes to speak on this item.

68

00:09:58.500 --> 00:09:59.010

Commissioner Green: As Ellen.

69

00:09:59.940 --> 00:10:02.070

Cooper City Hall: i'm we're checking we're checking.

70

00:10:02.730 --> 00:10:03.540

Commissioner Green: Oh okay i'm sorry.

71

00:10:19.470 --> 00:10:24.360

Cooper City Hall: No Sir i'm sorry sorry one a hand just went up online we have David no.

72

00:10:25.950 --> 00:10:29.100

Commissioner Green: Okay, Mr know we may proceed.

73

00:10:30.390 --> 00:10:31.110

unmute him.

74

00:10:34.230 --> 00:10:34.950

David Nall: Can you hear me.

75

00:10:36.270 --> 00:10:38.010

Cooper City Hall: Yes, Sir okay.

76

00:10:39.120 --> 00:10:41.820

David Nall: No response to the cost.

77

00:10:43.560 --> 00:10:48.480

David Nall: You know there's been a lot of things that this city spent money on that.

78

00:10:49.830 --> 00:10:54.420

David Nall: I feel hasn't been real important and it's been a heck of a lot more than \$6,000.

79

00:10:55.440 --> 00:11:02.910

David Nall: You know I look at it this way our charters our Constitution, it is our laws that we have to live by.

80

00:11:04.020 --> 00:11:09.870

David Nall: And I believe we need to get a definitive answer from the core.

81

00:11:10.890 --> 00:11:23.040

David Nall: of whether our Charter in the language within our Charter is valid or it's not valid if we're going to say well anytime something doesn't look.

82

00:11:23.910 --> 00:11:31.230

David Nall: Like it is you know, in accordance with our Charter well we're not going to do can't do anything about it because.

83

00:11:31.680 --> 00:11:42.180

David Nall: it's going to cost the city money or cost the residents money well then, like i've said before, then why do we even have a chart if that's going to be the case that's the case.

84

00:11:42.660 --> 00:11:57.780

David Nall: And you know, Mr Jim Carla request you know, maybe we re qualify what we're going to go down that route well why don't I just qualify to run in this election to after the fact, during after the qualifying period.

85

00:11:58.470 --> 00:12:08.340

David Nall: So you know there's a lot of innuendos being thrown out, but I believe the bottom line is, we need to have our Charter and forced or at least determined.

86

00:12:09.270 --> 00:12:26.970

David Nall: On a definite basis and a legal opinion, since the opinion that the judge put down in the first place, really didn't you know site any type of law, but we need to have a decision based on law and that's that those are my comments.

87

00:12:30.300 --> 00:12:33.180

Commissioner Green: Thank you, Mr all miss Allen Is there anyone else.

88

00:12:36.720 --> 00:12:37.200

Cooper City Hall: No, sir.

89

00:12:38.970 --> 00:12:47.790

Commissioner Green: Okay, so i'm going to close this portion for the oakland public comments and I want to go back to the mission of God, he wants to sell me something this motion.

90

00:12:54.330 --> 00:12:55.950

Cooper City Hall: is going to change.

91

00:12:57.960 --> 00:13:01.590

Cooper City Hall: Christian agree and I think if you mute it might be better we're hearing some background.

92

00:13:04.350 --> 00:13:06.480

Cooper City Hall: Christian coaching okay um.

93

00:13:08.580 --> 00:13:20.010

Cooper City Hall: i'm not sure what position you expressed, but I have spoken at length with both the city manager and city attorney after our last meeting and.

94

00:13:21.120 --> 00:13:25.770

Cooper City Hall: I don't like the uncertainty of outcome that we're facing.

95

00:13:28.080 --> 00:13:42.150

Cooper City Hall: I don't like to risk that we're putting a residence at and that's why I will support them, considering I i'd like to give them a resident certainty, especially when it comes to elections.

96

00:13:45.150 --> 00:13:51.630

Cooper City Hall: We really got the answer that there was something wrong with the process, so the course already gave us that answer.

97

00:13:52.500 --> 00:14:02.760

Cooper City Hall: We know that something is wrong with the process and we need to fix it so after this election go back and fix it pass an ordinance or whatever you need to do fix the process.

98

00:14:03.480 --> 00:14:10.290

Cooper City Hall: So that this will not happen again in the future, so it needs to be fixed we don't have the time to fix it now it's too late.

99

00:14:12.660 --> 00:14:23.970

Cooper City Hall: So that's that's where I think this needs to be done to to like down, we were told by a judge that the process was was not done right.

100

00:14:25.410 --> 00:14:25.770

Cooper City Hall: Thank you.

101

00:14:26.670 --> 00:14:29.400

Commissioner Green: Thank you, Michelle bottini Commissioner sure.

102

00:14:31.020 --> 00:14:33.210

Cooper City Hall: Sure, no it's actually Commissioner Meltzer.

103

00:14:36.870 --> 00:14:37.590

Commissioner Green: When.

104

00:14:38.760 --> 00:14:40.020

Cooper City Hall: We go into Nordic.

105

00:14:41.940 --> 00:14:42.810

Cooper City Hall: region multiple.

106

00:14:43.680 --> 00:14:43.980

Okay.

107

00:14:55.530 --> 00:14:57.090

Cooper City Hall: Thank you, Commissioner, green.

108

00:14:58.260 --> 00:14:58.980

Cooper City Hall: And again.

109

00:15:01.440 --> 00:15:11.400

Cooper City Hall: I also had extensive conversations with our city manager and city attorney, and this is all about an ambiguity, a conflict between the ordinance and the Charter.

110

00:15:12.120 --> 00:15:21.750

Cooper City Hall: and frankly it's something we should have caught before before last week and it hasn't been an eye darn sure that we're going to rectify it in the near future.

111

00:15:26.610 --> 00:15:34.140

Cooper City Hall: And that's that's the crux of the whole thing that's what's driving this whole thing is the ambiguity now getting to the cost the cost me a secondary but.

112

00:15:34.590 --> 00:15:44.010

Cooper City Hall: One of the five against Jacob, I want, let me ask you, what are the five real outcomes that that we could be looking at if we do appeal this Thank you Commissioner and good evening in their Commission.

113

00:15:45.870 --> 00:15:55.920

Cooper City Hall: We had an opportunity to look at this issue from several different angles, over the course of the past several days and and I have been asked by several of you what the potential outcomes on appeal would be, and there are several.

114

00:15:56.820 --> 00:16:08.040

Cooper City Hall: theoretical options that the appellate court could determine the Court issue what's called a PCA per curium affirmed, which essentially would affirm the trial court's decision without rendering and opinion.

115

00:16:08.820 --> 00:16:12.150

Cooper City Hall: which would result in judge mccarthy's order standing.

116

00:16:13.140 --> 00:16:24.000

Cooper City Hall: The Court could issue a more substantive formal opinion consistent with judge mccarthy's decision as, as we know, and as was indicated earlier this evening we know the opinion of the circuit court.

117

00:16:24.660 --> 00:16:33.780

Cooper City Hall: did not see any case law, and there was no legal basis embraced within that opinion to support the conclusion so that the appellate court could render a more detailed.

118

00:16:34.050 --> 00:16:41.580

Cooper City Hall: more substantive opinion consistent with that that circuit Court Opinion which would result in Mr john carnell obviously remaining qualified.

119

00:16:42.960 --> 00:16:52.260

Cooper City Hall: The Court could determine that only those individuals who resided within the geographic boundaries of what is currently district one for at least one year prior to qualifying are eligible to run.

120

00:16:52.950 --> 00:17:06.450

Cooper City Hall: which, as you may recall, was consistent with the legal opinion that our office had previously provided to the city clerk about six or eight weeks ago, when asked not about Mr john Carlo or any other particular individual, but on the impacts of redistricting on qualification in general.

121

00:17:07.770 --> 00:17:15.690

Cooper City Hall: The Court can also determine that only those individuals who have resided within what is currently district one for at least one year prior to qualifying would be eligible.

122

00:17:16.080 --> 00:17:26.430

Cooper City Hall: which would impact not only Mr John Carlo but also the other candidate who's been qualified in the race, the Court can also remain the issue back to the circuit court with further direction.

123

00:17:28.380 --> 00:17:36.000

Cooper City Hall: Depending on what outcome, the appellate court ultimately were to decide in this matter would not necessarily put an end to the issue.

124

00:17:36.390 --> 00:17:40.620

Cooper City Hall: And just as a little predicate we have, and I have had the opportunity to speak.

125

00:17:41.100 --> 00:17:50.700

Cooper City Hall: With the general counsel's office for the supervisor of elections to walk through several of these potential scenarios, to see how that might ultimately play out, depending on what the appellate Court decided to do.

126

00:17:52.440 --> 00:17:59.370

Cooper City Hall: any number of those potential options may result in the need for the city to file an additional court action.

127

00:17:59.700 --> 00:18:08.430

Cooper City Hall: Either man Davis or what's called cool Warren toe depending on when the election was ultimately decided or when the decision was ultimately decided in the context of when the election was.

128

00:18:08.910 --> 00:18:12.270

Cooper City Hall: To either invalidate the results of an election.

129

00:18:12.930 --> 00:18:17.070

Cooper City Hall: Or to compel the supervisor of election or the broward county canvassing board.

130

00:18:17.310 --> 00:18:26.220

Cooper City Hall: To either canvas or not canvas certain votes, but again they're all hypothetical is depending on what the appellate court might ultimately do so, there are a number of different scenarios that could play out.

131

00:18:26.550 --> 00:18:31.590

Cooper City Hall: Depending on the decision to develop court Thank you Jacob and what concerns me.

132

00:18:33.390 --> 00:18:34.290

Cooper City Hall: Is options for.

133

00:18:35.820 --> 00:18:38.940

Cooper City Hall: If both candidates are precluded from running then.

134

00:18:40.140 --> 00:18:47.040

Cooper City Hall: We have to have a special election, which would cost us i'm guessing or a bit i've been told the neighborhood of \$100,000 out of the city's pocket.

135

00:18:49.080 --> 00:19:00.360

Cooper City Hall: Well, actually the residents pockets and at that time, if this goes on past November that at that point, is it true that both of the candidates would qualify under the under either scenario.

136

00:19:00.960 --> 00:19:11.370

Cooper City Hall: If they're running or the ordinance yeah well remember that the qualifications would ultimately be under the Charter, the one year requirement right, and if there were to be a special election.

137

00:19:11.820 --> 00:19:24.630

Cooper City Hall: In this district in SAVE January we're in February qualifying for that special election would essentially nullify the issue both candidates would have satisfied the one year residency requirement at the time of that qualifies.

138

00:19:25.380 --> 00:19:28.200

Cooper City Hall: Okay, thank you Jacob that's all I have right now, thank you, Commissioner, green.

139

00:19:29.610 --> 00:19:31.230

Commissioner Green: Okay, Commissioner for otter.

140

00:19:33.780 --> 00:19:34.860

Cooper City Hall: Yes, um.

141

00:19:36.390 --> 00:19:37.740

Cooper City Hall: My first question would be.

142

00:19:38.970 --> 00:19:49.770

Cooper City Hall: If if this is essentially if you read this as being there being an issue, and this is open, I think that it was encouraging Carlos point that it's kind of open because.

143

00:19:50.280 --> 00:20:03.360

Cooper City Hall: The timing on it, what about other other potential candidates that could could have ran or you know may have wanted to run but didn't because they weren't comfortable signing of stating that they lived there for one year.

144

00:20:05.670 --> 00:20:08.310

Cooper City Hall: So you know I look at this a little bit different because i'm.

145

00:20:09.930 --> 00:20:20.100

Cooper City Hall: i'm probably the only person in the room who hasn't any involvement in election litigation i'm not sure if the mayor has or if Mr Horowitz has.

146

00:20:21.480 --> 00:20:31.590

Cooper City Hall: And when you look at election law you don't look at the ramifications of the cost of democracy, you have to basically.

147

00:20:33.090 --> 00:20:48.600

Cooper City Hall: get an or ruling on what's right and wrong and then you know the the cost unfortunately sometimes democracy costs money, just like the transparency and all these other things we have to do so that that's really not an issue for me.

148

00:20:50.040 --> 00:21:02.940

Cooper City Hall: To me it's whether or not the Charter is valid or not valid it's, not that I I wish that the either Mr Jim Carlo the city attorney's office or the judge provided some case law.

149

00:21:04.260 --> 00:21:14.940

Cooper City Hall: I think in one of the memorandums the city attorney's Office did provide some case law, but I do not have any case law backing up this open theory where it's open.

150

00:21:16.500 --> 00:21:17.610

Cooper City Hall: Because of the.

151

00:21:19.050 --> 00:21:32.820

Cooper City Hall: The the one year time period, we know that traditionally courts have upheld one year residency requirements as being legal and constitutional I also know personally I was opposed to it, but.

152

00:21:33.840 --> 00:21:39.270

Cooper City Hall: I was out voted on the you know charter review board and ultimately the residents adopted that.

153

00:21:40.980 --> 00:21:42.570

Cooper City Hall: That that length so.

154

00:21:45.030 --> 00:21:45.360

Cooper City Hall: You know.

155

00:21:46.530 --> 00:21:51.390

Cooper City Hall: To me it's we're treating this like it's a separate thing the city.

156

00:21:52.380 --> 00:22:03.000

Cooper City Hall: found a deck action and following through on the appeal is usually the process, even under State law when when redistricting challenge there's an automatic appeal on automatic stay and you know it's kind of.

157

00:22:03.420 --> 00:22:14.400

Cooper City Hall: par for the course these things are almost never decided at the at the trial court level because issues a law not facts it's just very hard for me to go back and forth because.

158

00:22:16.260 --> 00:22:17.220

Cooper City Hall: it's kind of a.

159

00:22:18.720 --> 00:22:28.080

Cooper City Hall: From a legal standpoint it's a no brainer who who's supposed to interpret the Charter, what is the Charter mean is it valid or is it not valid if it if it is valid.

160

00:22:28.500 --> 00:22:39.840

Cooper City Hall: Then, in this case Mr John Carlos precluded potentially Mr katzman is precluded if it's invalid, then we should take it off the books and everybody should be allowed to run.

161

00:22:41.250 --> 00:22:48.210

Cooper City Hall: One of the comments from Commissioner Meltzer was that we shouldn't have just found out about this now.

162

00:22:48.780 --> 00:22:58.620

Cooper City Hall: And my response to that is we didn't find out about this now I brought this issue up long time ago it wasn't Mr John Carlo I brought up I brought up Mr katzman so right now, we have two candidates.

163

00:22:59.400 --> 00:23:09.000

Cooper City Hall: And I know that you know, Mr John Carlo might think I favorite one candidate, but I was the one who asked for an opinion on, on the other candidate, whether or not he was he was able to run or not.

164

00:23:10.560 --> 00:23:12.420

Cooper City Hall: So it doesn't really matter to me.

165

00:23:13.710 --> 00:23:22.380

Cooper City Hall: Who the individual person is this question was even asked, not only in Mr katzman situation where he lived in in the geographical boundaries.

166

00:23:24.120 --> 00:23:31.080

Cooper City Hall: i'll say that the city attorney's interpretation was you look at the geographical boundaries today and have you lived in one year.

167

00:23:31.560 --> 00:23:37.770

Cooper City Hall: And I can't say I agree with that I really can't and but I don't have any case law.

168

00:23:38.310 --> 00:23:46.560

Cooper City Hall: To to dispute that the other, the other situation I gave the city attorney which is more like Mr John Carlos but not the same as what if somebody.

169

00:23:47.070 --> 00:23:52.500

Cooper City Hall: Like former Commissioner sims it lived in district one and timberlake decided, he was going to now move.

170

00:23:52.890 --> 00:23:58.680

Cooper City Hall: To the new district one an embassy, would he still because he resided one the old district one and the new district one.

171

00:23:59.310 --> 00:24:10.920

Cooper City Hall: And the city attorney's position on that was no I don't think you would be qualified, I thought well yeah he wouldn't be qualified you never leave one, so the end of the day we have something on the on the books that needs to be resolved.

172

00:24:13.080 --> 00:24:14.790

Cooper City Hall: It needs to be resolved by.

173

00:24:16.050 --> 00:24:23.460

Cooper City Hall: You know the court system and, regardless of how they do it, we need to stick by that I disagree that we're finding out about elite.

174

00:24:23.910 --> 00:24:32.640

Cooper City Hall: think we got a late jump on it, because this is not, no one wants to to rush into these type of things, but I asked about this before Mr john Carlo ever even registered to vote.

175

00:24:33.360 --> 00:24:38.100

Cooper City Hall: or RON I asked about that boy area and and that's how we got the legal opinion and.

176

00:24:38.940 --> 00:24:49.020

Cooper City Hall: So I mean This just goes what happens when you don't follow through on things we should have follow through on it, then we should have had it clear and then before qualifying everybody would have that opinion up there.

177

00:24:49.980 --> 00:24:56.910

Cooper City Hall: And just another another example, I think, while we have to try to get ahead of things I know i'm rambling but.

178

00:25:00.150 --> 00:25:19.380

Commissioner Green: Like anything else that mission from outer, no, no, Sir okay and i'll i'll weigh in on this and my position hasn't changed since the war, when this when this body or windy city went to pursue a deck that.

179

00:25:20.430 --> 00:25:39.150

Commissioner Green: We did that comments roommate was like send us to a judge, so that that judge can render a decision, the judge render the decision, and she found, although from what i'm hearing and what i'm understanding there was no case law provided or that she.

180

00:25:40.200 --> 00:25:48.000

Commissioner Green: Included in her decision, but she remembered the decision that said there must have been in parallel was qualified to run.

181

00:25:50.040 --> 00:25:53.280

Commissioner Green: My position again is not going to change.

182

00:25:54.750 --> 00:26:01.920

Commissioner Green: And as we talked about the decision that the majority of the Commission may need to.

183

00:26:03.240 --> 00:26:11.850

Commissioner Green: appeal, this decision, there are a number of outcomes scenarios that we've heard from Mr Horowitz today that potentially could happen.

184

00:26:12.990 --> 00:26:13.500

Commissioner Green: and

185

00:26:15.060 --> 00:26:21.780

Commissioner Green: I think I would be of the above, the opinion that I don't believe that that's the tent.

186

00:26:22.980 --> 00:26:33.150

Commissioner Green: which our residents are I don't believe that their expectation, I believe that our residents are expecting to vote.

187

00:26:34.410 --> 00:26:35.160

Commissioner Green: For.

188

00:26:36.300 --> 00:26:46.290

Commissioner Green: Someone to represent their interests in district one industry to they want to have that opportunity and I believe that the submissions to the fourth and that opportunity.

189

00:26:47.490 --> 00:26:48.720

Commissioner Green: For them to decide.

190

00:26:49.740 --> 00:26:54.300

Commissioner Green: Who, they want to represent them, I agree that this.

191

00:26:56.460 --> 00:27:13.410

Commissioner Green: The conflict between the Charter and the ordinance needs to be rectified I don't believe that this is the time you choose to do it that's all I have right now, is there any further, there are no awesome to go back, can you.

192

00:27:16.230 --> 00:27:34.590

Cooper City Hall: Just to clarify, I was not doing it based on cost alone i'm doing it as Commissioners sure I said really for the democratic process that I don't want to take away the vote from the people and the people will find out whether or not in their mind.

193

00:27:35.730 --> 00:27:43.200

Cooper City Hall: Mr Giancarlo was qualified or not and it's up to them to vote him in or not to vote for her at all.

194

00:27:44.940 --> 00:27:45.960

Cooper City Hall: I also.

195

00:27:51.000 --> 00:27:53.070

Cooper City Hall: I think y'all just reserved it that Thank you.

196

00:27:57.600 --> 00:27:59.370

Commissioner Green: You mentioned changing anything further.

197

00:28:01.800 --> 00:28:02.460

Cooper City Hall: No, thank you.

198

00:28:06.480 --> 00:28:07.950

Cooper City Hall: No nothing Commissioner green Thank you.

199

00:28:09.150 --> 00:28:10.050

Commissioner Green: Commissioners router.

200

00:28:10.800 --> 00:28:11.280

Cooper City Hall: Yes, sure.

201

00:28:12.300 --> 00:28:27.240

Commissioner Green: Okay, so, Madam, when we have a motion on the that was made by mayor Ross seconded by Commissioner cine to reconsider the appeal that move forward in the last meeting Is that correct.

202

00:28:29.370 --> 00:28:29.850

Cooper City Hall: Yes, sir.

203

00:28:31.140 --> 00:28:32.580

Commissioner Green: Okay, all about police.

204

00:28:33.390 --> 00:28:34.260

Cooper City Hall: Commissioner shouter.

205

00:28:35.550 --> 00:28:37.950

Cooper City Hall: What is the operative action to.

206

00:28:39.030 --> 00:28:49.800

Cooper City Hall: consider it gratifying Well, the answer is, it depends what the commission's intention is the mayor's motion was to reconsider which replace the item back on the table, essentially at square one.

207

00:28:50.340 --> 00:29:00.660

Cooper City Hall: The Commission could then direct the appeal or the Commission could take no action, but by reconsidering it to be essentially resetting the clock on the action that condition to on Tuesday night.

208

00:29:01.890 --> 00:29:09.690

Cooper City Hall: Was the other option, but if you don't worry if you don't reconsider it if you know if there's no reconsideration, then the action will stand that associated amount so ratification.

209

00:29:14.790 --> 00:29:19.080

Cooper City Hall: Commissioners router no Commission amounts that yes, commissioning puccini.

210

00:29:20.160 --> 00:29:21.600

Cooper City Hall: Yes, Commission Green.

211

00:29:23.220 --> 00:29:23.760

Commissioner Green: Yes.

212

00:29:24.900 --> 00:29:25.260

Cooper City Hall: Ross.

213

00:29:27.600 --> 00:29:29.460

Cooper City Hall: And, if I may just procedurally mayor.

214

00:29:29.850 --> 00:29:40.770

Cooper City Hall: Yet the item is before the Commission, in the absence of any further direction our office will take no further action we have filed a notice of appeal and the absence of further direction we will withdraw that notice.

215

00:29:41.190 --> 00:29:56.250

Cooper City Hall: And there was no cost to that file, we have, we have not paid the filing fee we reserved paying that fee, pending the outcome of this evening's meeting, thank you for that Thank you Commissioner for taking that over do I hear anything else, as far as topic for discussion on number one.

216

00:29:58.260 --> 00:30:12.420

Cooper City Hall: What happens now i'm confused if we don't take any action, then the Court ruling stands cry through the answers we need direction the item for the Commission is is i'll move to ratify the.

217

00:30:13.500 --> 00:30:19.740

Cooper City Hall: The prior decision to to found those and feel okay we've got emotional ratified, to have a second.

218

00:30:21.570 --> 00:30:22.410

Cooper City Hall: You will have a second.

219

00:30:24.210 --> 00:30:25.560

Cooper City Hall: I hear no second guys.

220

00:30:27.600 --> 00:30:31.500

Cooper City Hall: Do I have anything else on the item for discussion number one.

221

00:30:33.240 --> 00:30:45.540

Cooper City Hall: Hearing none we're moving on to Item number two discussion and possible action on piers customer force a PC pumper 39 114 fire apparatus if the apparatus remains available for purchase.

222

00:30:46.200 --> 00:31:05.370

Cooper City Hall: Yes, Mr Mayor and the as of now, though the apparatuses is still available, and I just want to bring the like what led us here, we found out late last week it was Thursday that there would be a stock peers custom enforcer available.

223

00:31:07.140 --> 00:31:17.250

Cooper City Hall: That would be built now and would be available and Janet late January of next year, so that's about a two to two and a half year.

224

00:31:18.360 --> 00:31:32.430

Cooper City Hall: Before any if we went ahead and ordered when now it saves about two to two and a half, two years of getting the apparatus on hand and now a stock vehicle is essentially a spec vehicle and when if there's.

225

00:31:33.000 --> 00:31:45.120

Cooper City Hall: A gap in the production than they build a stock vehicle just to keep the production, going so that no one right now has purchased this that no one has ordered it but they're building it to keep the production open.

226

00:31:45.750 --> 00:31:49.980

Cooper City Hall: And so that's why this became available last year, I thought it was prudent.

227

00:31:50.580 --> 00:32:00.180

Cooper City Hall: To bring this to the commission's attention because number one, it gives us an opportunity to get an apparatus about two to two and a half years in advance of one if we order one.

228

00:32:00.540 --> 00:32:10.920

Cooper City Hall: And then also it has a potential savings between 150,220 \$5,000 depending on what equipment, we buy.

229

00:32:11.490 --> 00:32:27.060

Cooper City Hall: And so I thought it would be prudent, like, I said to bring into the commission's attention i'll let the chief described, there is a some minor differences between this apparatus than the one we would purchase if we went went with peers um i'll let him describe that.

230

00:32:28.380 --> 00:32:37.470

Cooper City Hall: But that's where we are now in that so i'm just asking commissioning direction if we get commissioned direction tonight to purchase them we would commit to purchasing the vehicle.

231

00:32:38.430 --> 00:32:47.340

Cooper City Hall: I was asked to see if we could get any further discount on this, I spoke to the manufacturer we if we pay in full, we.

232

00:32:48.090 --> 00:32:59.310

Cooper City Hall: will probably get some discomfort paying in full up front, it wouldn't be as large as if we had a two and a half year period, but for a six month period, they would calculate and we can get some but I don't know what that figures.

233

00:33:00.060 --> 00:33:12.000

Cooper City Hall: Right right now off of the 840,000 that it has and that's a question how much is this, as it stands right now it's 840,000 and then up to probably depending on what.

234

00:33:12.420 --> 00:33:25.500

Cooper City Hall: equipment, we purchase up to an additional 25,000 more that that would depend on what we purchase and what we can use off the current you can that can ask a question, yes for directors, you were Mr Horowitz does this.

235

00:33:27.780 --> 00:33:38.070

Cooper City Hall: Would this be within our procurement guidelines, thank you, Michelle, the answer is yes, and the manager and I have had several conversations on this specific topic.

236

00:33:38.340 --> 00:33:45.270

Cooper City Hall: We have a provision in our procurement code that allows this Commission based on a recommendation of the city manager.

237

00:33:45.540 --> 00:33:52.290

Cooper City Hall: to authorize a purchase and waive the competitive process when there's a determination that it's in the city's best interests to do so.

238

00:33:52.740 --> 00:34:04.590

Cooper City Hall: This acquisition, based on what you heard from the manager and his research would confirm that recommendation, if the Commission were to support that purchase, it would be allowable into our procurement code Okay, and this is exactly what we need to achieve fountain.

239

00:34:06.960 --> 00:34:16.980

Cooper City Hall: Yes, this this engine does meet the needs for Cooper city so vso recommends this engine, this is exactly what we need.

240

00:34:17.940 --> 00:34:36.210

Cooper City Hall: Yes, we would go ahead and we would tweak it a little bit while it's still on the production line just to get a little bit closer to our specs that we want, but as far as the operation of the vehicle itself, it would be a perfect fit for copacetic perfect fit okay.

241

00:34:37.650 --> 00:34:39.720

Cooper City Hall: I mean, I make a motion to approve.

242

00:34:41.400 --> 00:34:54.330

Cooper City Hall: i'll second that but for discussion as well, if I may just within that motion if we could just embrace the language from procurement code of finding that it is in fact in the city's best interest space on the matters recommendation to make that acquisition okay.

243

00:34:56.670 --> 00:35:01.020

Cooper City Hall: Add whatever he said, thank you for the motions and i'll second that as well.

244

00:35:03.000 --> 00:35:05.730

Cooper City Hall: Do you have anything further condition know that.

245

00:35:08.370 --> 00:35:10.500

Cooper City Hall: Mr Horowitz gave his blessing.

246

00:35:11.610 --> 00:35:12.060

Cooper City Hall: Our.

247

00:35:13.110 --> 00:35:21.600

Cooper City Hall: firefighters gave the blessing i'm i'm okay with it it's well within a budget we're saving money on it, I couldn't be.

248

00:35:22.440 --> 00:35:43.260

Cooper City Hall: couldn't be happier with amazing what happens when you are told by pierce by bso by person llp so you got to do it now otherwise you're going to lose money you're going to pay more mason what happens when you stand up, as this Commission did and say nope.

249

00:35:44.280 --> 00:35:50.520

Cooper City Hall: want to get anyone want to see what they have to offer now have we gotten that as yet.

250

00:35:52.110 --> 00:36:12.120

Cooper City Hall: We did get a proposal back in April, and we have not gotten a recent proposal, although we have requested it multiple times what was the one proposal which is comparable as far as specs goes to this unit back in April, yes.

251

00:36:13.140 --> 00:36:14.760

Cooper City Hall: 820 6000.

252

00:36:16.380 --> 00:36:23.910

Cooper City Hall: And we need to invest approximately 25 to bring it up to where you believe we need it to be correct.

253

00:36:24.990 --> 00:36:25.770

Cooper City Hall: and

254

00:36:28.020 --> 00:36:37.740

Cooper City Hall: What was If you recall what was the message from peers if we didn't do it, I think it was what a year ago, how much additional it would be.

255

00:36:38.850 --> 00:36:50.520

Cooper City Hall: I don't have the piers figures with me, but if you don't my Commissioner, does it does increase it was five and a half points on the on the truck and then another two and a half, on certain equipment.

256

00:36:52.800 --> 00:37:00.090

Cooper City Hall: So we are in no uncertain terms saving a bundle of money now please all right look i'm looking back at the.

257

00:37:01.590 --> 00:37:03.720

Cooper City Hall: backup from the January.

258

00:37:04.920 --> 00:37:11.310

Cooper City Hall: I think it was a January 11 meeting where this came up in the first place, the January 25 meeting I stand corrected.

259

00:37:12.540 --> 00:37:16.380

Cooper City Hall: And i'm looking at the proposal on the pumper, and this is, with all the options.

260

00:37:17.850 --> 00:37:27.030

Cooper City Hall: doesn't appear we're saving \$150,000 It appears that we're saving \$76,000 no small chunk of change, but I just want to make sure the facts are clear, looking at the invoice.

261

00:37:28.140 --> 00:37:29.310

Cooper City Hall: i'm assuming this is the.

262

00:37:31.710 --> 00:37:47.550

Cooper City Hall: Address msrp if you will bottom line 916,000 297 and we're looking at a quote now on this other vehicle at 849 16 is that what what manufacturers that that was.

263

00:37:48.300 --> 00:37:56.310

Cooper City Hall: That was whatever we got in January, which was pierced ears Okay, the pure so you have in front of me here, the reason the proposal from peers was 990.

264

00:37:57.480 --> 00:38:14.760

Cooper City Hall: The recent proposal, yes, so they updated so okay so so the so it's probably 916 plus the five and a half percent right they may proposal which I don't I don't have that 990 in front of me here and not have it back from January 20 that was July of this year Okay, so it is saving.

265

00:38:15.960 --> 00:38:25.170

Cooper City Hall: That 150 well okay saving 150 did we receive that because I don't I don't see that I have that i've received that updated proposal Commission no.

266

00:38:26.880 --> 00:38:32.970

Cooper City Hall: joke, that the no we didn't we did not move we're waiting for the one, and they were in a premium both of those.

267

00:38:33.150 --> 00:38:41.070

Cooper City Hall: Okay, well, I wouldn't but but for tonight's purposes of tonight's meeting, it would have been it would have been nice to have that I agree, you know, because now i'm looking at a misinformation and um.

268

00:38:41.640 --> 00:38:49.290

Cooper City Hall: I I can I could have saved this five minutes of time if I knew that I had the facts beforehand it's understand okay.

269

00:38:53.310 --> 00:38:56.370

Cooper City Hall: And he won, we have not heard from yet as quick since April.

270

00:38:58.470 --> 00:39:01.260

Cooper City Hall: You snooze you lose maybe.

271

00:39:04.290 --> 00:39:11.460

Cooper City Hall: Now I understand that this vehicle it's a slightly smaller chassis slightly smaller engine than what we were pitched in January.

272

00:39:12.360 --> 00:39:27.210

Cooper City Hall: Compared at the different body style right compared to the one that we were looking at possibly purchasing originally right it's a little smaller engine and a little bit smaller cab, but it still is fine for the for the residential community.

273

00:39:28.560 --> 00:39:50.580

Cooper City Hall: Is you're going to get to the place any slower now same speed all these vehicles have limiters placed on them so they Max out at approximately 65 miles an hour the desert pump more water this one does this one is 2000 gallons per minute as opposed to the one which was 1350.

274

00:39:53.610 --> 00:39:56.370

Cooper City Hall: lost my train of thought it was my turn to talk, my apologies.

275

00:40:00.690 --> 00:40:02.490

Cooper City Hall: me one second take to.

276

00:40:10.140 --> 00:40:10.950

Your turn.

277

00:40:14.220 --> 00:40:16.680

Cooper City Hall: Somebody want to sing in the meantime, no I well I lost my.

278

00:40:18.210 --> 00:40:22.230

Cooper City Hall: Welcome back I chime in if yeah I wouldn't say welcome back we're not a problem, thank you.

279

00:40:23.610 --> 00:40:25.140

Cooper City Hall: Commissioner, green.

280

00:40:27.000 --> 00:40:31.230

Commissioner Green: No Sir i'm good I spoke to do, naturally, and also.

281

00:40:32.520 --> 00:40:38.610

Commissioner Green: The chief and also Mr Horowitz and they satisfied the questions and I had a lot of good I had nothing.

282

00:40:40.860 --> 00:40:41.190

Cooper City Hall: crazy.

283

00:40:42.480 --> 00:40:48.000

Cooper City Hall: So I don't understand how we now have an option to buy.

284

00:40:49.560 --> 00:40:57.450

Cooper City Hall: A truck for cheaper and get it a year earlier when Italian chief who follow told everybody.

285

00:41:00.270 --> 00:41:09.360

Cooper City Hall: on social media that it was going to cost an extra 250,000 per vehicle and take longer how what's going on here I don't know, maybe be so can answer.

286

00:41:10.890 --> 00:41:19.590

Cooper City Hall: I can answer for Mr blue follow he's your battalion chief isn't I do he's a battalion chief does he ever service our area.

287

00:41:20.280 --> 00:41:36.060

Cooper City Hall: Because I don't think I don't think somebody out there, spreading misinformation like that should be servicing our area, so now we're looking at getting a vehicle faster cheaper and from what i'm told because it's a smaller chassis it's able to get in to the to the communities easier.

288

00:41:37.530 --> 00:41:47.880

Cooper City Hall: it'd be better for the residential roads that we currently have, which is also why I mentioned, reducing the size of our ladder truck when we do purchase a ladder truck.

289

00:41:49.350 --> 00:42:00.720

Cooper City Hall: And I appreciate you breaking with the ranks, or what you know the corporation or whatever the company to tell us your honest opinion so now we're finding out that we're going to get a.

290

00:42:01.170 --> 00:42:15.420

Cooper City Hall: More efficient vehicle for cheaper and faster, but the broward sheriff's office has battalion chiefs out there, telling the public that that it's going to cost us all this extra money, how do How does that does it make any sense that we allow.

291

00:42:16.560 --> 00:42:20.370

Cooper City Hall: Your battalion chief to come and I don't have any confidence in him.

292

00:42:21.060 --> 00:42:33.090

Cooper City Hall: Working in our area if he continues to go online and spread misinformation, I mean, how are we assured that this isn't going to continue to happen, and if that keeps happening I don't have any confidence and bsl there's our contract allow us to prohibit.

293

00:42:33.720 --> 00:42:37.260

Cooper City Hall: Certain people or request a certain people not work in our city.

294

00:42:39.000 --> 00:42:44.700

Cooper City Hall: Does it but might say, these are these are personal comments from what from one individual.

295

00:42:45.180 --> 00:42:50.430

Cooper City Hall: i'm dealing strictly with the spec sheet well I think it's time I talked to her for this Community, I think.

296

00:42:50.790 --> 00:42:56.520

Cooper City Hall: you're right you're just taking off too you're just taking the heat, because you know you're the person, and you know if you're the messenger it's difficult I.

297

00:42:56.880 --> 00:42:59.070

Cooper City Hall: You got to be in a difficult position, but the problem is.

298

00:42:59.520 --> 00:43:07.320

Cooper City Hall: Although it may be a personal comment, the reality is the reason why the sheriff's office has a social media policy is because people when you're high ranking Member.

299

00:43:07.650 --> 00:43:17.040

Cooper City Hall: Of the broward sheriff's office they take what you have to say with you know actually some value, you know so when someone is a battalion chief, which I consider a high ranking Member.

300

00:43:18.210 --> 00:43:23.550

Cooper City Hall: And they're out there, telling people misinformation and every time it comes back that it's different you know.

301

00:43:23.880 --> 00:43:30.270

Cooper City Hall: First it was that we have we're operating 20 year old vehicles, and then we speak with you and you say that there's no vehicles that are 20 years old over there.

302

00:43:30.690 --> 00:43:39.900

Cooper City Hall: Then it's that we're it's going to cost us 250 more per vehicle and it's going to take an extra year and it's unsafe and the wheels are falling off and when your house burns down blame the Commission.

303

00:43:40.200 --> 00:43:47.580

Cooper City Hall: And now turns out we're going to get the vehicle a year quicker \$107,000 cheaper and you're telling us in your expert advice this this.

304

00:43:47.940 --> 00:43:56.940

Cooper City Hall: chassis is better for our Community, because of the residential aspects of getting in and out of areas and i'm thinking, how do we allow this, you know.

305

00:43:57.660 --> 00:44:11.640

Cooper City Hall: I don't it's not how we allow it know if I can interject status broward sheriff's office allow it, they may not know well, they I believe they do know I think they now know, and I think they didn't they now know, and I want to know what action will be taken.

306

00:44:12.780 --> 00:44:14.130

Cooper City Hall: Well, I mean well oh parents.

307

00:44:15.210 --> 00:44:17.640

Cooper City Hall: Parents I want us to get the action to be taken its.

308

00:44:18.150 --> 00:44:26.040

Cooper City Hall: Commissioners, I will go and speak to the Sheriff and come back with the Sheriff and have those questions answered, but I know he's caught I know the way.

309

00:44:26.370 --> 00:44:33.720

Cooper City Hall: He has to go up the chain of command and that the I can I can address that issue with the Sheriff yeah for tonight, though, I would like to.

310

00:44:34.380 --> 00:44:45.360

Cooper City Hall: address this truck, which is a great opportunity for this city that we just found out, we had the opportunity for this stock truck that we can tweak to our specifications.

311

00:44:45.870 --> 00:44:56.160

Cooper City Hall: And the thing to just to clarify this isn't us going out to pierce asking him to give us an inferior vehicle I saw an email from the broward sheriff's office fleet manager director victor.

312

00:44:56.490 --> 00:45:02.070

Cooper City Hall: Saying hey this this opportunities come forward for you and it's going to work for your community and for us and it's.

313

00:45:02.610 --> 00:45:05.280

Cooper City Hall: it's a savings, and this is what we asked from the beginning.

314

00:45:05.670 --> 00:45:12.300

Cooper City Hall: hey can we have something that works for our Community that's correct and and you know it took seven months and.

315

00:45:12.570 --> 00:45:20.010

Cooper City Hall: And a lot of aggravation to get to something where we're just asking what's best for our Community and appreciate your and we didn't know this truck was available until.

316

00:45:20.190 --> 00:45:33.240

Cooper City Hall: Approximately a week ago, and I appreciate it as well, because what we're here to do is what's right for the residents, we don't want to sacrifice their safety one iota but by the same token, back in January, we are presented with one option.

317

00:45:35.040 --> 00:45:40.860

Cooper City Hall: yeah you know we didn't have we didn't have any other option was no there was no there was no other option and.

318

00:45:42.480 --> 00:45:51.900

Cooper City Hall: With if there was anything else in the city that was that was up for grabs that we had to purchase and we only had one option and we went ahead and did something like that it would be the end of the world for us.

319

00:45:52.980 --> 00:46:00.150

Cooper City Hall: All right, which I would never do with anything, including the fire truck, and for that for for people out there for Mr Bill follow.

320

00:46:01.080 --> 00:46:06.690

Cooper City Hall: For him to go ahead and think that we were going to just go ahead and take the only option that was available without looking at.

321

00:46:07.350 --> 00:46:09.720

Cooper City Hall: Other possibilities two weeks notice or something yeah.

322

00:46:10.230 --> 00:46:21.270

Cooper City Hall: No two weeks, nothing, I think we had eight days to make a decision, otherwise we're going to jack the price five and a half percent and in two and a half, on the on the parts and I think it's some certain materials that's not right that's not fair, you know.

323

00:46:22.740 --> 00:46:32.220

Cooper City Hall: And I agree it's it's something that we don't have any control of as far as curtailing it but i'm hopeful that a conversation will ensue with.

324

00:46:33.570 --> 00:46:44.370

Cooper City Hall: With you know with somebody up at the so because candidly if we keep listening to Mr boot follow, we would have been in a heck of a lot of trouble, and a lot of costs for no reason at all.

325

00:46:44.880 --> 00:46:52.890

Cooper City Hall: And the size of the vehicle matters there's some of our you know going through there's some of our Community where it's it's tight getting through there it's it's not easy, I mean, I can tell you.

326

00:46:53.220 --> 00:46:57.870

Cooper City Hall: there's neighborhoods in rock creek where you know, although you're not supposed to there's double parking and you know.

327

00:46:58.260 --> 00:47:03.930

Cooper City Hall: So I would rather something tailored to my Community then to one size fits all you know broward county.

328

00:47:04.200 --> 00:47:12.480

Cooper City Hall: yep you know well of Cooper cities, making an investment, I want the investment for Cooper city tailored to what we are with the needs of our residents not tailored to the needs of bso.

329

00:47:12.840 --> 00:47:24.330

Cooper City Hall: Will not tailored to the needs of the race and you said, if it happens to work if it happens to work for other communities, and they need to be God bless me i'm all for it, and now, but I also spoke with some some objective third parties that are not.

330

00:47:25.170 --> 00:47:34.830

Cooper City Hall: Related to broward sheriff's office, and they also said that this is a terrific vehicle right that's why I reviewed the specs of V1 and the specs appears.

331

00:47:35.340 --> 00:47:46.740

Cooper City Hall: And the specs of this new stock vehicle and to make sure that it would be a perfect fit for this Community, so I want to commend this Commission for standing up those who did standing up.

332

00:47:47.760 --> 00:48:09.540

Cooper City Hall: To pierce to be so, to Mr Bill follow and doing the right thing we listen to our hearts, we lead as we should, as leaders and we do the right thing that process does work Thank you Jesus Thank you now timeline on you getting back to us on your discussing with the Sheriff.

333

00:48:12.420 --> 00:48:14.190

Cooper City Hall: i'll just invite to share power that's not.

334

00:48:15.420 --> 00:48:18.240

Cooper City Hall: going to be partly on his schedule, but.

335

00:48:19.290 --> 00:48:30.390

Cooper City Hall: Hopefully within within a week I can have an answer for you, I would respectfully request that, pursuant to the contract, we asked sheriff's office, not to have Mr gruffalo.

336

00:48:31.470 --> 00:48:43.920

Cooper City Hall: supervise our city, because, obviously, he does not share the same policy or opinions, as we do until that can be worked out and in the past, this Commission has.

337

00:48:44.490 --> 00:48:50.790

Cooper City Hall: Had the same directive on and on another via so battalion chief and they were not assigned to Gucci and I would ask the same thing happening.

338

00:48:52.020 --> 00:49:00.840

Cooper City Hall: Eric Thank you before I call for a vote Is there anyone in the City Hall or on virtual that wishes to speak on this agenda item.

339

00:49:03.660 --> 00:49:04.140

Cooper City Hall: Come on up.

340

00:49:09.990 --> 00:49:16.710

Cooper City Hall: Andrew gross 5010 regency I was waiting Cooper see Florida, I just want to say it is, I think this is a great option I love it.

341

00:49:17.160 --> 00:49:28.200

Cooper City Hall: I think you guys are doing a great job with this, and hopefully it passes and hope to see it in our Community soon, thank you, thank you very much, anyone else, and you know that's a special day when and your.

342

00:49:29.370 --> 00:49:30.900

Cooper City Hall: purchase of a fire equipment.

343

00:49:32.580 --> 00:49:38.850

Cooper City Hall: No one virtual will close the public hearing anything further from the Commission hearing none callebaut.

344

00:49:40.920 --> 00:49:47.010

Cooper City Hall: Commission trotter Yes, Commissioner Meltzer Yes, Commissioner puccini Yes, Commissioner, green.

345

00:49:47.670 --> 00:49:53.280

Cooper City Hall: Yes, mirror us, yes, moving on to additional public comments anyone sign up.

346

00:49:54.450 --> 00:49:55.770

Cooper City Hall: Anyone here in City Hall.

347

00:49:56.280 --> 00:49:56.910

Cooper City Hall: it's been all.

348

00:49:57.990 --> 00:49:59.280

Cooper City Hall: And then we'll ask for virtual.

349

00:50:03.780 --> 00:50:19.830

Cooper City Hall: My follow up comments to your decision tonight, I think this Commission missed a great opportunity to get clarification on our Charter, because obviously we're going to have to reconvene the Charter review board.

350

00:50:21.450 --> 00:50:22.680

Cooper City Hall: to fix this problem.

351

00:50:23.700 --> 00:50:24.450

Cooper City Hall: In the future.

352

00:50:25.560 --> 00:50:31.590

Cooper City Hall: What better way to have a judicial ruling to guide future crb.

353

00:50:33.720 --> 00:50:44.640

Cooper City Hall: Right now we're going to go back to the crb We may want to tweak something we don't know if it's going to be valid, we have no idea we could put language in there and it may not be valid.

354

00:50:45.930 --> 00:50:50.130

Cooper City Hall: We don't know, so I think you guys missed a really good opportunity.

355

00:50:51.240 --> 00:50:55.140

Cooper City Hall: To have our Charter validated judiciously.

356

00:50:56.160 --> 00:51:01.560

Cooper City Hall: One way or the other, either way it went, at least in the future for car bees.

357

00:51:03.990 --> 00:51:24.600

Cooper City Hall: When they do any type of discussion our city attorney who does advice to crv and gives us advice during our deliberation would have a case that's been site decided now what what's going to happen now, when you reconvene the crb to address this issue and we discussed this one year residency.

358

00:51:26.130 --> 00:51:33.600

Cooper City Hall: We have no clarification, so you know which way do we go put yourself in the crb shoes.

359

00:51:34.950 --> 00:51:44.430

Cooper City Hall: Are you going to discuss it, how you're going to make a sound decision when you don't know if it's valid or not, if it is valid and it's violated you guys just set a precedent.

360

00:51:45.900 --> 00:51:56.520

Cooper City Hall: That you're really not going to go through really trying to force the Charter, so I think you made a a a incorrect decision tonight, not just because of politics.

361

00:51:57.510 --> 00:52:13.650

Cooper City Hall: But based upon what we gonna do with our Charter today and in the future, thank you just one comment on that and i'll speak for myself that decision today was not based on politics, it was based on what is the best.

362

00:52:15.330 --> 00:52:23.250

Cooper City Hall: For the resonance now, having said that, let me go step further what's best for the residents, is not that we are controlled by a judge.

363

00:52:24.150 --> 00:52:33.630

Cooper City Hall: I want to be controlled Home Rule so that's where my charter review will come in and they will look at it and we will address the inconsistency.

364

00:52:34.230 --> 00:52:48.750

Cooper City Hall: That we had learning from this and moving forward that's the best way to do it well The thing is, is the inconsistency between the Charter and our ordinance the Charter supersedes the ordinance I agree with that okay so.

365

00:52:49.470 --> 00:52:56.100

Cooper City Hall: Even in the future here, regardless of the ordinance that one year residency.

366

00:52:57.090 --> 00:53:05.670

Cooper City Hall: There you know there's an ambiguity and that's where that will be addressed as well, where the language will require the geographical.

367

00:53:06.570 --> 00:53:21.630

Cooper City Hall: area within the district for the one year Okay, but when i'm when i'm trying to say to you, oh I get him how we don't have okay is is a judge going to rule if we go geographical and somebody challenges is now we have to have a judicial.

368

00:53:22.680 --> 00:53:30.270

Cooper City Hall: Decision is a geographical is it literal we don't know we could we could go into the same road is we.

369

00:53:31.260 --> 00:53:41.220

Cooper City Hall: Have parties, we can put in our Charter and ordinance anything that is legal, that would be legal so that we can literally show the intent of what we want.

370

00:53:41.850 --> 00:53:54.390

Cooper City Hall: We thought that we had it, we had a judge who didn't agree with showing the intent now, we will be abundantly clear yeah I well I just I still think you know I don't think it's fair to say that jugs integration.

371

00:53:55.290 --> 00:54:01.890

Cooper City Hall: And the judge gave no, no, they didn't I don't think I gave no legal so my opinion and based upon.

372

00:54:02.820 --> 00:54:24.330

Cooper City Hall: Any statutes or anything to base or decision so then to me it's still an ambiguous, so I just you know think we should have at least got a decision, so we can avoid this in the future, I appreciate it, and then also on virtual and when else in City Hall joshua joshua Giancarlo.

373

00:54:26.070 --> 00:54:32.280

Cooper City Hall: I just wanted to thank you guys for adding that fire, the fire I press this if this wasn't just a complete waste of time over this thing.

374

00:54:32.580 --> 00:54:43.650

Cooper City Hall: And it was good use it, I know it's a lot of for you to review is over 100 pages in information on the apparatus so i'm glad we were able make good use of it and get something going for visa fire to get that moving, thank you very much.

375

00:54:46.290 --> 00:54:51.360

Cooper City Hall: Having no further comments you have emotion for a German motion, thank you.