

MINUTES OF REGULAR MEETING
DANIA BEACH CITY COMMISSION
TUESDAY, APRIL 8, 2008 – 7:00 P.M.

1. Call to Order

Mayor Jones called the meeting to order at 7:00 p.m.

2. Invocation and Pledge of Allegiance

Bishop Howard Rolle, Dania Church of God, gave the invocation followed by the Pledge of Allegiance to the United States Flag.

3. Roll Call

Present:

Mayor:	Albert Jones
Vice-Mayor:	Anne Castro
Commissioners:	Bob Anton
	John Bertino
	Patricia Flury
City Manager:	Ivan Pato
City Attorney:	Thomas Ansbro
City Clerk:	Louise Stilson

4. Presentations and Special Event Approvals

There were no presentations at this meeting.

5. Proclamations

5.1 Poppy Day – American Legion Auxiliary Unit 304

Mayor Jones presented a proclamation to Joann Pace, Auxiliary President, American Legion Auxiliary Unit 304, which proclaims May 24, 2008 as Poppy Day.

5.2 Library Appreciation Month – Friends of the Library

Mayor Jones presented a proclamation to Sandy Mitzel, Friends of the Library, which proclaims the month of April as Library Appreciation Month.

6. Citizen Comments

Barry Murdock, Barry's Hess Gas Station, 4155 Griffin Road, noted that the Pentecostal Church of God has been holding a carwash at his location for years, but was recently told they could no longer have them. He asked the City to re-consider this citation, since the proceeds are used to help people with drug and alcohol problems.

City Manager Pato advised this is due to the water restrictions imposed by the South Florida Water Management District. He offered to meet with Mr. Murdock to discuss the situation in detail.

Leon Mermelstein, 1055 SE 6th Avenue, thanked the Commission and City staff for their assistance in resolving his water meter issue.

George Jason, 4549 SW 37th Avenue, spoke regarding the CERT Program and was pleased to report that more residents have joined their team. He noted he heard of some issues with the Fire Department Union and added that we should support our firefighters.

John Williamson, 4000 SW 76th Avenue, Davie, Firefighter/Paramedic, and Union representative for the Dania Beach Fire Department, spoke regarding an adversarial situation that has arisen due to some comments made by City Manager Pato. The City and the Union have not notified PERC of position changes since 1976. He asked the Commission for assistance in giving the City Manager guidance, and to file the necessary papers with PERC in a timely manner.

City Manager Pato responded that he and the City Commission have decided to work with the Union to solve this problem with PERC. He hoped to have these outstanding matters resolved in due course.

Mayor Jones noted we hold our firefighters and the Fire Department very highly. He said that this issue will be worked out by the City and the Union together.

Commissioner Anton noted they discussed the Fire Department Union at the 6:00 p.m. Executive Session. He said he was disappointed that the Union did not have confidence in the City Commission and did not give them an opportunity to resolve the issue before bringing such a large group to the meeting. Commissioner Anton re-assured the Fire Department that the City Commission is committed to working with the Union to make sure that the PERC decision is rectified and that no one is affected by the final results.

Commissioner Bertino noted the Commission has stood behind the firefighters 100%. He reiterated that both the City and the residents of Dania Beach deeply appreciate their job.

Bobbie Grace, 110 NW 8th Avenue, thanked the City Manager for attending the Purple Tea and enlightening them on the upcoming 2009 budget. She said that she thinks of the firefighters and

law enforcement officers as family. Ms. Grace stated how important it is to support the firefighters because they save people's lives.

Roxane Knight, 707 NE 9th Avenue, and Patricia Fuccils, 306 SE 6th Street, noted they are here in support of the Fire Department. They asked the City not to take any benefits away from our firefighters and noted we should all be grateful for what they do for the citizens of Dania Beach.

Dan Reynolds, 1700 NW 66th Avenue, Plantation, President of Broward County AFL-CIO, and President of the Federation of Public Employees Union noted this is not an unusual event. He advised that if the positions are in the contract, PERC will generally agree providing both parties file a joint petition. Mr. Reynolds did not think this was a difficult issue and hoped it would soon be resolved.

Charles McElyea, 229 SE 2nd Terrace, noted he has supported the Fire Department for many years. He recognized their professionalism and asked the City to support their request.

Commissioner Flury noted the Commission met earlier to discuss this issue and made a decision. The City Manager will meet with the Union to prepare the appropriate documentation and get this resolved. We all know that we have an outstanding Fire Department. She thanked everyone for coming and for expressing their support for our Firefighters.

Vice-Mayor Castro explained that sometimes people see things differently, but we need to work together and leave the baggage at the door. She asked the Union and City staff to meet tomorrow to try to resolve the PERC issue with a positive attitude.

John Williamson thanked the Commission for listening.

Yolanda Gernant, 2740 SW 46th Court, expressed her gratitude to our Firefighters.

John Norbinger, 1405 7th Street, recognized our Firefighters and that we have not had a Fire Chief for almost one year. Mr. Norbinger suggested we hire a Fire Chief in-house, considering we have an outstanding Fire Department.

7. Consent Agenda

Items added to Consent Agenda: #7.2 City Manager Travel Request

Items removed from Consent Agenda: #7.2 City Manager Travel Request, and #7.5;

Item #7.2 Travel Request for Jeremy Earle, CRA Director, was continued until April 22, 2008

7.1 Minutes:

- Approve Minutes from March 15, 2008 City Commission Workshop
- Approve Minutes from March 20, 2008 Abatement Hearing
- Approve Minutes from March 25, 2008 City Commission Meeting

7.2 Travel Requests:

Request of Jeremy Earle, CRA Director, to attend the American Planning Association Annual Conference and Training in Las Vegas, NV, from April 26, 2008 – May 2, 2008 (Estimated cost \$2,455.50) *Continued until April 22, 2008*

Addendum

Request of Ivan Pato, City Manager, to attend the NCLGS Conference in Napa, CA, from June 12-15, 2008 (Estimated cost \$1,272.00, City Manager paying airfare of \$500.00; remaining budget \$5,242.00)

Commissioner Flury noted that Dania Beach is not a gaming City and may not be for several years. She thought this was a waste of time and money.

Commissioner Bertino disagreed with Commissioner Flury. He thought it was important for City administration to be informed of what is happening in the gaming industry.

Commissioner Bertino motioned to approve the travel request of City Manager Ivan Pato; seconded by Vice-Mayor Castro.

City Manager Pato noted he met with representatives of Boyd Gaming last week. He advised they remain committed to moving forward with the Jai Alai Casino project as soon as the issues in Tallahassee are resolved.

Commissioner Anton suggested waiting until the next NCLGS Conference in January, 2009. He said that the outcome on the Tax Reform issue should be known by then.

The motion failed on the following 4-1 Roll Call vote:

Commissioner Anton	No	Vice-Mayor Castro	No
Commissioner Bertino	Yes	Mayor Jones	No
Commissioner Flury	No		

Resolutions

7.3 RESOLUTION #2008-058

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, CONDEMNING THE OCCURRENCE OF HATE CRIMES WITHIN OUR COMMUNITY AND URGING THE PUBLIC TO EMBRACE THE DIVERSITY AMONG DANIA BEACH RESIDENTS; SUPPORTING THE EQUAL PROTECTION OF ALL PEOPLE; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.4 RESOLUTION #2008-060

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA AUTHORIZING THE CITY MANAGER TO PURCHASE PLAYGROUND EQUIPMENT FOR CHARLIE WILL THOMAS PARK IN AN AMOUNT NOT TO EXCEED \$99,000.00 FROM CONTRACT CONNECTIONS INC., UNDER THE CITY OF JACKSONVILLE

CONTRACT BID #SC-0511-06; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.5 RESOLUTION #2008-057

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, PROVIDING FOR FUND TRANSFERS AND APPROPRIATION OF FUNDS FOR FISCAL YEAR 2007-2008 AS A MID-YEAR BUDGET AMENDMENT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2008-057.

Commissioner Flury questioned staff's recommendation to eliminate the Griffin Road Corridor Study in the amount of \$100,000.

Patricia Varney, Director of Finance, noted we would postpone the Griffin Road Study at this time.

Commissioner Flury confirmed with Director Varney that as in previous years, the City will run the Summer Camp Programs for our children, with a \$60,000 savings.

Director Varney clarified for Commissioner Flury that the Reserves for future capital projects would be reduced by \$35,000.

Commissioner Bertino opposed the cancellation of the Griffin Road Corridor Study. He envisioned this Corridor as a major business area in our community.

Vice-Mayor Castro supported Commissioner Bertino, however she questioned current staff resources to move forward with the Griffin Road Corridor Study.

City Manager Pato noted we have been aggressively searching for a new Community Development Director, and will continue looking for a qualified candidate.

The consensus of the Commission was to move forward with the Griffin Road Corridor Study.

Director Varney noted that the Mid-Year Adjustment does not include the budget requested by the CRA Director in the amount of \$261,895.

Commissioner Flury noted that some time ago the City started a Disaster Recovery Fund with \$1.5M. We have since received some insurance payments and that Fund has increased to \$1.8M. She suggested we keep the \$100,000 for the Griffin Road Corridor Study, and transfer the excess money from the Disaster Recovery Fund to the operating fund.

Commissioner Flury motioned to adopt Resolution #2008-057, provided we keep the \$100,000 for the Griffin Road Corridor Study; seconded by Commissioner Anton. The motion carried on the following 5-0 Roll Call vote:

Commissioner Anton	Yes	Vice-Mayor Castro	Yes
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Commissioner Bertino	Yes	Mayor Jones	Yes
Commissioner Flury	Yes		

Commissioner Anton motioned to adopt the Consent Agenda, with the addition of the City Manager’s travel under Item #7.2, and with the exception of Items #7.2 and #7.5; seconded by Commissioner Bertino. The motion carried on the following 5-0 Roll Call vote:

Commissioner Anton	Yes	Vice-Mayor Castro	Yes
Commissioner Bertino	Yes	Mayor Jones	Yes
Commissioner Flury	Yes		

8. Bids and Requests for Proposals

8.1 RESOLUTION #2008-061

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH THE MELLGREN PLANNING GROUP, INC. TO PROVIDE CONSULTING SERVICES TO THE CITY IN CONNECTION WITH THE NEIGHBORHOOD MASTER PLANS FOR COLLEGE GARDENS, DANIA BEACH HEIGHTS AND SUN GARDEN ISLES, FOR AN AMOUNT NOT TO EXCEED \$145,975.00; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2008-061.

Commissioner Anton clarified for the record that Vice-Mayor Castro will continue to be the lead person in connection with the Neighborhood Master Plan process.

Vice-Mayor Castro motioned to adopt Resolution #2008-061; seconded by Commissioner Flury. The motion carried on the following 5-0 Roll Call vote:

Commissioner Anton	Yes	Vice-Mayor Castro	Yes
Commissioner Bertino	Yes	Mayor Jones	Yes
Commissioner Flury	Yes		

9. Public Hearings and Site Plans

9.1 ORDINANCE #2006-022

AN ORDINANCE OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING THE FUTURE LAND USE PLAN ELEMENT OF THE LOCAL COMPREHENSIVE PLAN TO ACCOMMODATE A REQUEST MADE BY LEIGH ROBINSON KERR AND ASSOCIATES, INC., TO REDESIGNATE FROM “COMMUNITY FACILITIES” TO “MEDIUM DENSITY RESIDENTIAL” (12-13.5 DWELLING UNITS/ACRE) FOR PROPERTY LOCATED AT 4200 SW 54TH COURT, DANIA BEACH AND LEGALLY DESCRIBED IN EXHIBIT “A”, A COPY OF WHICH IS ATTACHED TO THIS ORDINANCE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)**

City Attorney Ansbro read the title of Ordinance #2006-022.

Corinne Lajoie, AICP, Principal City Planner, explained the location and history of the property. She noted that staff is concerned with the type of development which could occur on the property. Ms. Lajoie further indicated that staff would not support rental buildings at this location and instead of 16 units per acre, staff would recommend 12 units per acre, subject to certain conditions. She suggested the applicant meet with the City Attorney regarding staff conditions so they can be enforced against prospective purchasers. Ms. Lajoie advised that on May 17, 2006, the Planning and Zoning Board recommended approval of the proposed change in land use designation, based on the applicant's voluntary commitment to address staff conditions.

Mayor Jones opened the Public Hearing.

Scott Stuart, 5431 SW 44th Avenue, noted the surrounding properties are zoned R-1. He indicated there is already a traffic problem in the area due to the Hard Rock Hotel & Casino and this development will only make it worse. Mr. Stuart estimated approximately 2,000 cars per night circulate within their community, plus weekends and days when the Casino has big events.

Vice-Mayor Castro clarified that the City did not ignore the situation with this community, but at the time when the meetings were held, there was no consensus from the community as to what they wanted.

Mr. Stuart noted they want the street closed and asked the City for guidance.

Commissioner Flury suggested Mr. Stuart complete the Street Closure Request with the list of neighbors who would like this course of action and bring it back for processing.

Steve Goldberg, 4010 SW 54th Court, noted his house is directly behind the Sheridan House. He concurred that the traffic and trash is terrible.

Commissioner Castro indicated that when the petition for the street closure is received, we should contact the Seminole Casino to confirm whether they would still agree to pay for some of the work that needs to be done in the area. She further noted that they are aware of the impact that their parking garage has caused to that neighborhood.

Sam Alloy, 5520 SW 43rd Terrace, noted his backyard backs up to the Sheridan House property. He indicated people are trying hard to make the community correct and he offered his time to help get this problem resolved. Mr. Alloy commented the property at Sheridan House is approximately two feet lower than his property. He asked if he would need to build a fence in his backyard in order to keep his privacy.

Hope Calhoun, Ruden McClosky, 200 E. Broward Boulevard, attorney for the applicant, noted they have submitted a Declaration of Restrictive Covenants including all staff conditions. The passive park will also be included in the document. She advised there was a traffic study conducted which showed a decrease in traffic trips. Attorney Calhoun further noted they would work with the community during site plan development.

Seeing as there was no one else to speak in favor or opposition, Mayor Jones closed the Public Hearing.

Commissioner Bertino suggested we continue this item until the next meeting to provide the neighbors with additional time. Motion died for lack of a second.

Commissioner Flury clarified for the record that she does not want to go above 12 units per acre.

Commissioner Bertino motioned to continue Ordinance #2006-022 until the April 22, 2008 City Commission meeting at 7:00 p.m.; seconded by Commissioner Anton. The motion carried on the following 5-0 Roll Call vote:

Commissioner Anton	Yes	Vice-Mayor Castro	Yes
Commissioner Bertino	Yes	Mayor Jones	Yes
Commissioner Flury	Yes		

9.2 ORDINANCE #2008-001

AN ORDINANCE OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING THE DANIA BEACH COMPREHENSIVE LAND USE PLAN BY ADDING A PUBLIC SCHOOL FACILITIES ELEMENT (PSFE), AMENDING THE TEXT OF THE FUTURE LAND USE ELEMENT (FLUE), INTERGOVERNMENTAL COORDINATION ELEMENT (ICE), AND THE CAPITAL IMPROVEMENTS ELEMENT (CIE) IN ORDER TO INCORPORATE SCHOOL CONCURRENCY PROVISIONS REQUIRED BY FLORIDA STATE STATUTES; PROVIDING FOR ADOPTION PURSUANT TO SECTION 163.3184, FLORIDA STATUTES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING-ADOPTION STAGE)**

City Attorney Ansbro read the title of Ordinance #2008-001.

Leigh Kerr, AICP, Planning Consultant for the City, explained the process. He advised that if the City fails to adopt the amendments or adopts alternative language not acceptable to the School Board, the City faces sanctions such as the possible loss of state revenue sharing funds.

Mayor Jones opened the Public Hearing. Seeing as there was no one to speak in favor or opposition, he closed the Public Hearing.

Vice-Mayor Castro motioned to adopt Ordinance #2008-001, on second reading; seconded by Commissioner Bertino. The motion carried on the following 5-0 Roll Call vote:

Commissioner Anton	Yes	Vice-Mayor Castro	Yes
Commissioner Bertino	Yes	Mayor Jones	Yes
Commissioner Flury	Yes		

9.3 ORDINANCE #2008-013

AN ORDINANCE OF THE CITY OF DANIA BEACH CITY COMMISSION AMENDING THE CITY OF DANIA BEACH'S COMPREHENSIVE PLAN TO ADOPT A WATER SUPPLY PLAN BY AMENDING THE TEXT OF

THE SANITARY SEWER, SOLID WASTE, POTABLE WATER, NATURAL GROUND AQUIFER RECHARGE ELEMENT (THE “INFRASTRUCTURE ELEMENT”), CONSERVATION ELEMENT, INTERGOVERNMENTAL COORDINATION ELEMENT, AND CAPITAL IMPROVEMENT ELEMENT; PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS AND ALL OTHER UNITS OF LOCAL GOVERNMENT OR GOVERNMENTAL AGENCIES REQUIRED BY LAW; PROVIDING FOR ADOPTION PURSUANT TO SECTIONS 163.3184 AND 163.3187, FLORIDA STATUTES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING – TRANSMITTAL STAGE)**

City Attorney Ansbro read the title of Ordinance #2008-013.

Leigh Kerr, AICP, City Planning Consultant, noted this is required by state statute. He requested Commission approval for the transmittal of the updated Elements of the Comprehensive Plan for review and comment by the Florida Department of Community Affairs (DCA).

Mayor Jones opened the Public Hearing. Seeing as there was no one to speak in favor or opposition, he closed the Public Hearing.

Commissioner Bertino motioned to adopt Ordinance #2008-013, on first reading; seconded by Commissioner Flury. The motion carried on the following 5-0 Roll Call vote:

Commissioner Anton	Yes	Vice-Mayor Castro	Yes
Commissioner Bertino	Yes	Mayor Jones	Yes
Commissioner Flury	Yes		

City Attorney Ansbro advised the remaining items were quasi-judicial matters and swore-in those who would speak. He asked the Commission to disclose any communication they had on these matters.

9.4 RESOLUTION #2008-049

A RESOLUTION OF THE CITY OF DANIA BEACH, APPROVING THE VARIANCE REQUEST SUBMITTED BY CLANCY NANAN REPRESENTING PROPERTY OWNERS CLYDE AND VICTORIA NANAN, FROM CHAPTER 12, ARTICLE III, “HAZARD REDUCTION”, SECTION 12-52, FOR PROPERTY LOCATED AT 260 NW 14TH WAY, DANIA BEACH, IN AN AREA ZONED RD-8000 RESIDENTIAL, DANIA BEACH; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Continued from March 25, 2008)*

City Attorney Ansbro read the title of Resolution #2008-049.

Corinne Lajoie, AICP, Principal City Planner, explained the location of the property. She advised that the Public Services Director/City Engineer recommended that the builder add the 7.2 inches of concrete required to meet the City approved plans. The plans were approved showing an eight foot finished floor which satisfies the City’s requirement of FEMA Plus One Foot.

Vivian Piereschi, Senior Congressional Aide to Congresswoman Debbie Wasserman Schultz, noted that a FEMA representative was not able to attend due to budgetary constraints. They did send a reply to Attorney Ansbro’s questions regarding the variance.

City Attorney Ansbro noted FEMA is willing to meet with us on Monday, May 12, to review the flood issues and to provide any other technical assistance the City might need. He read the correspondence that he received from FEMA, which is attached to and incorporated into these minutes. City Attorney Ansbro stated for the record that if the variance is granted it will affect everyone's flood insurance rates.

Clancy Nanan, property owner, noted his lender will not give him the extra money necessary to raise the floor.

Vice-Mayor Castro noted that if the City grants this variance, they would put the whole City in jeopardy. She thought it would be irresponsible on the part of the Commission to agree to this request, although they understand Mr. Nanan's predicament.

Mayor Jones opened the Public Hearing. Seeing as there was no one to speak in favor or opposition, he closed the Public Hearing.

Commissioner Anton motioned to deny Resolution #2008-049; seconded by Vice-Mayor Castro. The motion carried on the following 5-0 Roll Call vote:

Commissioner Anton	Yes	Vice-Mayor Castro	Yes
Commissioner Bertino	Yes	Mayor Jones	Yes
Commissioner Flury	Yes		

9.5 RESOLUTION #2008-056

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUEST FOR AN APPROVAL OF USE (AA-17-08), SUBMITTED BY SUSAN P. MOTLEY, ESQUIRE WITH THE LAW FIRM OF RUDEN, MCCLOSKEY, REPRESENTING HERITAGE-CRYSTAL CLEAN, LLC ("CRYSTAL CLEAN") AS TENANTS OF PROPERTY OWNERS MILTON J. AND PATRICIA WALLACE AND JOSHUA L. AND PATRICIA BECKER D/B/A PORT EVERGLADES COMMERCIAL TERMINAL, FOR PROPERTY LOCATED AT 950 ELLER DRIVE, DANIA BEACH; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2008-056.

Corinne Lajoie, AICP, Principal City Planner, noted the request is to appeal an administrative decision. She noted the company collects and transports hazardous materials and the County requires a letter from the City stating that such use is permitted.

Susan P. Motley, Ruden McClosky, Attorney for the applicant, advised the company provides and picks up cleaning solutions. She noted no combustibles, flammables or corrosives are stored in the building. None of the waste containers is ever opened, nor are any materials consolidated on site. Attorney Motley further indicated that the storage trailers, a maximum of two on-site at any one time, do not remain on site for any more than ten days. She advised that Crystal-Clean has been in operation since 2005 and their lease expires in April, 2010. Attorney Motley asked for approval of the request so they can get the zoning conformance letter required by Broward County.

Bill Hearn, Regional Manager for Heritage-Crystal Clean, confirmed for Vice-Mayor Castro that they have not had any safety violations in his region.

Commissioner Bertino did not think we should put our Fire Department at risk by allowing this company to continue its operation involving dangerous substances. He will not support the request.

Attorney Motley read two letters received from the Dania Beach Fire Department/Bureau of Fire Prevention confirming their company was inspected and no fire or life safety violations were found.

Vice-Mayor Castro thought that we should be more concerned with the hazardous materials handled by the surrounding companies in Port Everglades, than with this small business.

Commissioner Flury noted that this type of business must deal with their hazardous waste in an appropriate way. She supported the request.

Mayor Jones clarified with Attorney Motley that this company is under constant scrutiny from the Florida Department of Environmental Protection and other federal agencies as well.

Attorney Motley pointed out that this type of business arose due to environmental concerns.

Mayor Jones opened the Public Hearing. Seeing as there was no one to speak in favor or opposition, he closed the Public Hearing.

Vice-Mayor Castro motioned to adopt Resolution #2008-056; seconded by Commissioner Anton. The motion carried on the following 4-1 Roll Call vote:

Commissioner Anton	Yes	Vice-Mayor Castro	Yes
Commissioner Bertino	No	Mayor Jones	Yes
Commissioner Flury	Yes		

9.6 RESOLUTION #2008-059

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE DELEGATION REQUEST SUBMITTED BY JILL COHEN OF MILLER LEGG AND ASSOCIATES ON BEHALF OF THE PROPERTY OWNER, MARINA MILE PARK OF COMMERCE, LLC, TO CHANGE THE RESTRICTIVE NOTE ON THE PLAT KNOWN AS THE "ISGETTE'S RUNWAY" PLAT, PREVIOUSLY RECORDED IN PLAT BOOK 158, PAGE 18, AND GENERALLY LOCATED AT THE EAST SIDE OF SW 30TH AVENUE, SOUTH OF STATE ROAD 84; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2008-059.

Corinne Lajoie, AICP, Principal City Planner, advised that the applicant is requesting an amendment to an approved plat to allow for offices and a vocational technical school.

Commissioner Anton asked if a vocational technical school would qualify as a tax-exempt property. He pointed out that he will not vote on this item unless he has a legal response to his question.

Mayor Jones opened the Public Hearing. Seeing as there was no one to speak in favor or opposition, he closed the Public Hearing.

Commissioner Bertino motioned to continue Resolution #2008-059 until the April 22, 2008 City Commission meeting at 7:00 p.m.; seconded by Commissioner Flury. The motion carried on the following 5-0 Roll Call vote:

Commissioner Anton	Yes	Vice-Mayor Castro	Yes
Commissioner Bertino	Yes	Mayor Jones	Yes
Commissioner Flury	Yes		

10. Commission Comments

10.1 Commissioner Anton

Commissioner Anton commented on a very positive letter he received from the residents at Lagoon Drive, Estates of Fort Lauderdale, regarding the median being built at Lakeshore Drive. They thanked the Commission and City staff for their efforts in addressing their concerns and having their problem resolved.

10.2 Commissioner Bertino

Commissioner Bertino commended the Fire Department on their annual Fire Rescue Open House held March 29. He thought it was a great event for everyone's enjoyment.

Commissioner Bertino commented the "March for Michael" event was fantastic. He hopes it will continue to grow in the years to come.

Commissioner Bertino asked the Commission if they would like to look at changes and expand the uses in the IROM zoning district. He thought there was a lot of vacant land that could be developed and added to the tax roll.

Vice-Mayor Castro agreed to look at possible changes in the IROM zoning district, provided that we discuss the current acceptable and excluded uses prior to making a decision.

Commissioner Anton thought this was a good opportunity to make changes, while the Mellgren Planning Group is working on creating one City code.

The consensus of the Commission was to review the IROM zoning district uses.

10.3 Commissioner Flury

Commissioner Flury commented on the Citizen Survey and asked the City Manager to provide it to the public.

Commissioner Flury noted she received complaints regarding RV's, boats and cars parked in front yards. She thought this situation made neighborhoods look unattractive and asked if we could review the code to specify that only one of these vehicles would be allowed.

Corinne Lajoie, AICP, Principal City Planner, noted the one code review should be completed in approximately one year. She will add this issue to the list of items for review and bring it to Michele Mellgren at their meeting on Friday, April 11.

Commissioner Flury suggested we clarify this before the new one code is finalized.

Commissioner Flury questioned the roller rink at Frost Park next to the tiny tot area.

Kristen Jones, Director of Parks and Recreation, noted her first option was to turn it into a multi-purpose court, but this would bring teenagers to the area. The second option is to remove the concrete, adding green space, a couple of shelters and some barbecue grills.

It was the consensus of the Commission to start removing the concrete at Frost Park to implement the second option recommended by Director Jones.

10.4 Vice-Mayor Castro

Vice-Mayor Castro confirmed with City Attorney Ansbro that the Interlocal Agreement with Broward County regarding the Library is almost complete and a meeting will be scheduled next week to have it finalized.

Vice-Mayor Castro gave credit to Carole Duncanson, Lobbyist, for her assistance with the Florida Department of Transportation (FDOT) regarding the reduction of trafficways in the US 1 Corridor. She noted that FDOT agreed to write a letter to support our petition at the Broward County Planning Council which would eventually help with re-development in the TOD/TOC area. Vice-Mayor Castro further advised that at the meeting with FDOT they also agreed to donate the corner of Griffin Road and Interstate-95 to the City. She suggested we could use this area to place an entryway monument sign with some nice landscaping to welcome visitors to Dania Beach.

Vice-Mayor Castro noted she has received a lot of compliments from people residing in the SW 4th Street area regarding the sidewalk work and trees planted in the swales. She commended the Public Services Department and Chen and Associates for a job well done.

Vice-Mayor Castro advised that she may not be able to attend the April 22 City Commission meeting, due to personal family matters.

10.5 Mayor Jones

Mayor Jones commented the “March for Michael” event was great and very well attended.

Mayor Jones advised that the American Legion Post 304 Annual Chicken Barbecue will be next Saturday, April 12, from 2:00- 6:00 p.m.

Mayor Jones noted that the Broward League of Cities requested a Commission appointment to attend their meetings.

The Commission selected the Mayor as their designee and the Vice-Mayor as the Alternate. Commissioner Bertino was designated as the second Alternate.

Mayor Jones asked the Public Services Department to look at the drainage issues around C.W. Thomas Park near Collins Elementary.

Mayor Jones noted he has received complaints regarding the Florida Power and Light overgrown berm near 6th Avenue and 3rd Street. He asked staff to look at this problem.

Vice-Mayor Castro questioned who owned the property on the south side of Griffin Road, between SR 7 (441) and the next four blocks, which has a chain link fence around it. She would like staff to negotiate with the owner to have something nice done to that piece of property.

Mayor Jones asked for the status of the C.W. Thomas Park pool.

Kristen Jones, Director of Parks and Recreation, advised the grand opening of the C.W. Thomas Park pool is scheduled for Monday, May 26.

Mayor Jones asked for an update on the proposed SW Community Center.

Dominic Orlando, Director of Public Services, noted he received an updated packet from Camp Dresser & McKee. He will review it to confirm they have addressed all our comments and will advertise for bids.

Mayor Jones noted the brochures on Solar Lighting have been distributed. He further read a letter from State Representative Ron Klein commending the City of Dania Beach for implementing the solar lighting system.

Mayor Jones advised that on April 23, 2008, he will be attending a meeting in Tallahassee regarding the Solar Lighting Program and the possibility of obtaining funding. He further commented that the City of Lighthouse Point has approached the Florida Department of Transportation regarding funding for solar lighting. Mayor Jones asked staff to request funding from FDOT to allow us to spread this energy-saving system throughout our City.

Mayor Jones commented on Local Bill 392 and House Bill 181 which require cities to register on-line and list every contract they plan to sign, starting in 2009, with a value of \$5,000 or more. He also noted that House Bill 683 and Senate Bill 2148 would change the manner in which local government performs public construction work and transportation projects. This mandate would restrict the use of City employees and equipment and would subject transportation projects to mandatory bidding requirements.

Rose Lizana, Dania Beach Press, reminded everyone of the Relay for Life event to be held at Frost Park on April 18-19, 2008. She also advised that the Kiwanis Club will be holding their Golf Tournament on April 26, 2008.

11. Discussion and Possible Action

There were no discussion items on this agenda.

12. Appointments

There were no appointments at this meeting.

13. Administrative Reports

13.1 City Manager

City Manager Pato noted we will begin rebroadcasting our City Commission meetings on Channel 78, starting this Thursday, April 10, at 10:00 a.m.

City Manager Pato advised he plans to have a brief presentation regarding the Citizen Survey at the April 22, 2008 Commission Meeting. He further noted that the results are also available on the City's Web Site.

City Manager Pato advised he will be attending meetings in Tallahassee, with the Mayor, on April 23 and 24, 2008.

13.2 City Attorney

City Attorney Ansbro had no comments.

13.3 City Clerk – Reminders

Thursday, April 10, 2008 – 6:00 p.m.
Tuesday, April 22, 2008 – 7:00 p.m.
Wednesday, May 7, 2008 – 6:00 p.m.

CRA Board Meeting
City Commission Meeting
CRA Board Meeting

14. Adjournment

Mayor Jones adjourned the meeting at 10:06 p.m.

ATTEST:

CITY OF DANIA BEACH

LOUISE STILSON, CMC
CITY CLERK

ALBERT C. JONES
MAYOR-COMMISSIONER

Approved: April 22, 2008