

**AGENDA**  
**DANIA BEACH CITY COMMISSION**  
**REGULAR MEETING**  
**TUESDAY, JUNE 10, 2008 – 7:00 P.M.**

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ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE WITH REGARD TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING WILL NEED A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

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LOBBYIST REGISTRATION REQUIRED. REGISTRATION AS A LOBBYIST IN THE CITY OF DANIA BEACH IS REQUIRED IF ANY PERSON, FIRM OR CORPORATION IS BEING PAID TO LOBBY THE COMMISSION ON ANY PETITION OR ISSUE PURSUANT TO ORDINANCE # 01-93. REGISTRATION FORMS ARE AVAILABLE IN THE CITY CLERK'S OFFICE IN THE ADMINISTRATION CENTER.

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IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY CLERK'S OFFICE, 100 W. DANIA BEACH BOULEVARD, DANIA BEACH, FL 33004, (954) 924-6800 EXTENSION 3624, AT LEAST 48 HOURS PRIOR TO THE MEETING.

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IN CONSIDERATION OF OTHERS, WE ASK THAT YOU:

- A. PLEASE TURN CELL PHONES OFF, OR PLACE ON VIBRATE. IF YOU MUST MAKE A CALL, PLEASE STEP OUT INTO THE ATRIUM, IN ORDER NOT TO INTERRUPT THE MEETING.
  - B. IF YOU MUST SPEAK TO SOMEONE IN THE AUDIENCE, PLEASE SPEAK SOFTLY OR GO OUT INTO THE ATRIUM, IN ORDER NOT TO INTERRUPT THE MEETING.
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1. CALL TO ORDER

2. INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Ronald Scott, Restoration Outreach Center

3. ROLL CALL

4. PRESENTATIONS AND SPECIAL EVENT APPROVALS

- 4.1 Recognition for Olsen Middle School Volleyball Team
- 4.2 Presentation by Dr. Brenda Snipes, Supervisor of Elections
- 4.3 Special Event request for the Hollywood Beach Super Boat Grand Prix, to be held on June 12-16, 2008
- 4.4 Special Event request for the Dania Beach Super Boat Grand Prix to be held on July 17-21, 2008

5. PROCLAMATIONS

## 6. CITIZEN COMMENTS

Addressing the Commission: Comments by Dania Beach citizens, or other interested parties that are not part of the regular agenda, may be made during each Commission meeting during the period set aside for “citizen comments.” A thirty (30) minute “citizen comments” period shall be designated on the agenda for citizens and interested persons to speak on matters not scheduled on that day’s agenda. Each speaker shall be limited to 3 minutes for his or her comments. Persons desiring to speak during the citizen comment period shall inform the City Clerk prior to the beginning of the meeting of their intention to speak. If more than 10 speakers express a desire to speak, the Commission shall determine, on a meeting by meeting basis, whether to (a) extend the time allotted for citizen comments to accommodate all speakers, or (b) whether to limit the number of speakers or amount of time per speaker. A speaker’s time shall not be transferable to another speaker.

## 7. CONSENT AGENDA

### 7.1 Minutes:

Approve minutes from the May 27, 2008 City Commission Meeting

### 7.2 Travel Requests:

Request of Kristen Jones, Director of Parks and Recreation, to attend the Florida Festivals and Events 2008 Convention in Orlando, Florida on August 6-8, 2008, for certification purposes (Estimated cost \$781.50; remaining budget \$143.50)

Request of Mark Felicetty, Parks and Recreation, to attend the 2008 FRPA Conference in Orlando, Florida on August 6-8 2008, for certification purposes (Estimated cost \$964.00; remaining budget \$536.00)

## Resolutions

### 7.3 RESOLUTION #2008-083

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA APPOINTING IVAN PATO AS CITY MANAGER; PROVIDING FOR COMPENSATION FOR SUCH APPOINTEE; PROVIDING THAT SUCH APPOINTEE SHALL SERVE AT THE PLEASURE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Continued from May 27, 2008)*

### 7.4 RESOLUTION #2008-096

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A RENEWAL AGREEMENT ON BEHALF OF THE CITY WITH DRC EMERGENCY SERVICES, LLC, FOR DISASTER RECOVERY SERVICES WITHOUT COMPETITIVE BIDDING AND WITHOUT ADVERTISEMENT

FOR BIDS; PROVIDING FOR CONFLICTS, FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.5 RESOLUTION #2008-104

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A “RAILROAD REIMBURSEMENT AGREEMENT; GRADE CROSSING TRAFFIC DEVICES-MUNICIPAL” AGREEMENT WITH FLORIDA EAST COAST RAILWAY, L.L.C. (“FEC”) AND THE FLORIDA DEPARTMENT OF TRANSPORTATION, IN CONNECTION WITH THE IMPROVEMENT OF THE NW 1<sup>ST</sup> STREET RAILROAD CROSSING; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.6 RESOLUTION #2008-105

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, PERTAINING TO SEWER REHABILITATION FORCE MAIN IMPROVEMENTS; AUTHORIZING DECLARATIONS OF OFFICIAL INTENT UNDER U.S. TREASURY REGULATIONS WITH RESPECT TO REIMBURSEMENTS FROM NOTE AND BOND PROCEEDS OF TEMPORARY ADVANCES MADE FOR PAYMENTS PRIOR TO ISSUANCE, AND RELATED MATTERS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.7 RESOLUTION #2008-103

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AMENDMENT TO THE EXISTING AGREEMENT FOR NEIGHBORHOOD MASTER PLANS SERVICES WITH THE MELLGREN PLANNING GROUP, INC. TO PROVIDE ADDITIONAL CONSULTING SERVICES TO THE CITY IN CONNECTION WITH CERTAIN COMMUNITY REDEVELOPMENT AGENCY TASKS, FOR AN AMOUNT NOT TO EXCEED \$371,900.00; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.8 RESOLUTION #2008-102

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA AUTHORIZING THE CITY MANAGER TO OBTAIN SECURITY SERVICES FOR THE DANIA BEACH MARINA FROM STATEWIDE ENTERPRISES, WITHOUT COMPETITIVE BIDDING AND WITHOUT ADVERTISEMENT FOR BIDS FOR AN ADDITIONAL SUM NOT TO EXCEED \$26,000.00; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.9 RESOLUTION #2008-094

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA APPROVING THE APPROPRIATION AND USE OF LAW ENFORCEMENT TRUST FUNDS IN THE AMOUNT OF \$22,150.75 FOR THE PURCHASE OF TEN PATROL RIFLES AND RELATED ACCESSORY EQUIPMENT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

**Ordinances (Titles read by City Attorney)**

7.10 ORDINANCE #2008-015

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, PERTAINING TO THE PARKING OR STORAGE IN RESIDENTIAL DISTRICTS OF UTILITY TRUCKS, RECREATIONAL VEHICLES, MOBILE LIVING UNITS, OTHER SIMILAR VEHICLES AND BOATS, TO LIMIT SUCH PARKING OR STORAGE TO ONE SUCH VEHICLE OR VESSEL IN THE FRONT YARD AREA PER RESIDENTIAL PARCEL RATHER THAN PER DWELLING UNIT; AMENDING THE CITY CODE OF ORDINANCES, SECTIONS 25-125 AND 16.2; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

7.11 ORDINANCE #2008-016

AN ORDINANCE AMENDING CHAPTER 28, "ZONING", OF THE CODE OF ORDINANCES OF THE CITY OF DANIA BEACH, FLORIDA, BY AMENDING SECTION 21.14 ENTITLED "21.14. TOD BUILDING ENVELOPE", SECTION 21.16 ENTITLED "21.16. TOC-1 BUILDING ENVELOPE", AND SECTION 21.17 ENTITLED "21.17 SOUTH FEDERAL HIGHWAY TRANSIT ORIENTED CORRIDOR (TOC-2) DISTRICT" TO ENSURE SUFFICIENT SIDE YARD ACCESS IS PROVIDED FOR FIRE FIGHTING EQUIPMENT, PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY; FURTHER PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

8. BIDS AND REQUESTS FOR PROPOSALS

9. PUBLIC HEARINGS

9.1 RESOLUTION #2008-095

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUEST FOR AN ADMINISTRATIVE APPEAL (AA-44-08), SUBMITTED BY OWNER / APPLICANT CLARE VICKERY (GRACE CAFÉ) FOR PROPERTY LOCATED AT 47-49

NORTH FEDERAL HIGHWAY, DANIA BEACH; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

9.2 RESOLUTION #2008-089

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUEST SUBMITTED BY PATRICK UTTER, OWNER REPRESENTING SHENANIGANS EAST SIDE LLC., FOR A SPECIAL EXCEPTION TO ALLOW LIVE ENTERTAINMENT IN THE TOC-2 (TRANSIT ORIENTED CORRIDOR 2) ZONING DISTRICT, FOR PROPERTY LOCATED AT 1300 SOUTH FEDERAL HIGHWAY, IN THE CITY OF DANIA BEACH; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

9.3 RESOLUTION #2008-090

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA APPROVING THE VARIANCE REQUEST SUBMITTED BY PATRICK UTTER, OWNER, REPRESENTING SHENANIGANS EAST SIDE LLC. FROM CHAPTER 28, ZONING AND CHAPTER 27 VEGETATION, FOR PROPERTY LOCATED AT 1300 SOUTH FEDERAL HIGHWAY, DANIA BEACH; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

9.4 RESOLUTION #2008-097

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUEST SUBMITTED BY LUIS JURADO, P.E. ON BEHALF OF THE PROPERTY OWNER DANIA BEACH SCRAP METALS LLC., FOR A SPECIAL EXCEPTION TO ALLOW FOR THE CONSTRUCTION OF A SUPPLEMENTAL PARKING AREA IN AN RM (MULTIFAMILY RESIDENTIAL) ZONING DISTRICT, FOR VACANT PROPERTY LOCATED ON SW 5<sup>TH</sup> COURT EAST OF 177 PHIPPEN ROAD, IN THE CITY OF DANIA BEACH; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

9.5 RESOLUTION #2008-098

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE VARIANCE REQUEST SUBMITTED BY LUIS JURADO, P.E. ON BEHALF OF THE PROPERTY OWNER DANIA BEACH SCRAP METALS LLC., FROM CHAPTER 26, "VEGETATION", ARTICLE IV, "LANDSCAPING", FOR VACANT PROPERTY LOCATED ON SW 5<sup>TH</sup> COURT EAST OF 177 PHIPPEN ROAD, IN THE CITY OF DANIA BEACH; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

9.6 RESOLUTION #2008-087

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUEST FOR ASSIGNMENT OF FLEX ACREAGE SUBMITTED BY SCOTT BACKMAN, ESQUIRE REPRESENTING PROPERTY OWNER PETER J. LETO, FROM CHAPTER 28, "ZONING", ARTICLE 30.20 INDUSTRIAL RESEARCH OFFICE COMMERCIAL (IROC) ZONING FOR PROPERTY GENERALLY LOCATED APPROXIMATELY 600 FEET NORTH OF STIRLING ROAD ON SW 19<sup>TH</sup> AVENUE AND APPROXIMATELY 530 FEET WEST OF INTERSTATE 95, IN THE CITY OF DANIA BEACH; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

9.7 RESOLUTION #2008-088

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE VARIANCE REQUEST SUBMITTED BY SCOTT BACKMAN, ESQUIRE REPRESENTING PROPERTY OWNER PETER J. LETO, FROM CHAPTER 28, "ZONING", ARTICLE 6.22, "OFF-STREET LOADING REQUIREMENTS", FOR PROPERTY GENERALLY LOCATED APPROXIMATELY 600 FEET NORTH OF STIRLING ROAD ON SW 19<sup>TH</sup> AVENUE AND APPROXIMATELY 530 FEET WEST OF INTERSTATE 95, IN THE CITY OF DANIA BEACH; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

9.8 RESOLUTION #2008-101

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE SITE PLAN REQUEST SUBMITTED BY SCOTT BACKMAN, ESQUIRE REPRESENTING PROPERTY OWNER PETER J. LETO, FOR PROPERTY GENERALLY LOCATED APPROXIMATELY 600 FEET NORTH OF STIRLING ROAD ON SW 19<sup>TH</sup> AVENUE AND APPROXIMATELY 530 FEET WEST OF INTERSTATE 95, IN THE CITY OF DANIA BEACH, FLORIDA; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

9.9 RESOLUTION #2008-091

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE VARIANCE REQUEST SUBMITTED BY DEBBIE M. ORSHEFSKY, ESQUIRE WITH THE LAW FIRM GREENBERG TRAUIG REPRESENTING BAYARD SPECTOR, PRESIDENT OF ATLANTIC VILLAGE MARINA, FROM CHAPTER 28, "ZONING", FOR PROPERTY LOCATED AT 1541 GRIFFIN ROAD, IN THE CITY OF DANIA BEACH; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

9.10 RESOLUTION #2008-092

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUEST SUBMITTED BY DEBBIE M. ORSHEFSKY, ESQUIRE WITH THE LAW FIRM GREENBERG TRAUIG REPRESENTING BAYARD SPECTOR, PRESIDENT OF ATLANTIC VILLAGE MARINA, FOR A SPECIAL EXCEPTION TO ALLOW THE CONSTRUCTION OF A HOTEL AND MARINA IN A C-3 (COMMERCIAL) ZONING DISTRICT, FOR PROPERTY LOCATED AT 1541 GRIFFIN ROAD, IN THE CITY OF DANIA BEACH; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

9.11 RESOLUTION #2008-093

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE SITE PLAN REQUEST SUBMITTED BY DEBBIE M. ORSHEFSKY, ESQUIRE WITH THE LAW FIRM GREENBERG TRAUIG REPRESENTING BAYARD SPECTOR, PRESIDENT OF ATLANTIC VILLAGE MARINA, FOR PROPERTY LOCATED AT 1541 GRIFFIN ROAD, IN THE CITY OF DANIA BEACH, FLORIDA; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

9.12 RESOLUTION #2008-099

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE VARIANCE REQUEST SUBMITTED BY PEDRO GARCIA, OWNER, FROM CHAPTER 28, “ZONING” AND CHAPTER 33 “ZONING APPENDIX” FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF GRIFFIN ROAD AND RAVENSWOOD ROAD (ANGLERS AVENUE), IN THE CITY OF DANIA BEACH; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

9.13 RESOLUTION #2008-100

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE SITE PLAN REQUEST SUBMITTED BY PEDRO GARCIA, OWNER, FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF GRIFFIN ROAD AND RAVENSWOOD ROAD (ANGLERS AVENUE), IN THE CITY OF DANIA BEACH, FLORIDA; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

10. COMMISSION COMMENTS

- 10.1 Commissioner Anton
- 10.2 Commissioner Bertino
- 10.3 Commissioner Flury

- 10.4 Vice-Mayor Castro
- 10.5 Mayor Jones

## 11. DISCUSSION AND POSSIBLE ACTION

- 11.1 Request of Rod Feiner, on behalf of property owner Frank Kunzig, to waive the replatting requirement to vacate an access easement for property located at 2981 Ravenswood Road.
- 11.2 Report on meeting with FAU/Seatech regarding the Dania Beach Marina – Commissioner Anton

## 12. APPOINTMENTS

- 12.1 Airport Advisory Board (15 Members – 3 per Commissioner – 2 Year Term)  
Commissioner Bertino – 1 appointment
- 12.2 Grant Advisory Board (5 Members – 1 per Commissioner – Term consistent with the duration of the term of the appointing Commissioner)  
Commissioner Anton – 1 appointment  
Commissioner Bertino – 1 appointment
- 12.3 Human Relations Board (10 Members – 2 per Commissioner – 2 Year Term)  
Commissioner Bertino – 1 appointment  
Vice-Mayor Castro – 1 appointment
- 12.4 Nuisance Abatement Board (5 Regular and 2 Alternate Members – 1 per Commissioner – Alternates by entire Commission – 2 Year Term)  
2 Alternate positions

## 13. ADMINISTRATIVE REPORTS

- 13.1 City Manager
- 13.2 City Attorney
- 13.3 City Clerk - Reminders

Wednesday, June 11, 2008 – 8:00 a.m.  
Tuesday, June 24, 2008 - 7:00 p.m.  
Thursday, July 17, 2008 – 6:00 p.m.

Retreat – I.T. Parker Community Center  
City Commission Meeting  
Abatement Hearing



Tuesday, July 22, 2008 – 7:00 p.m.

City Commission Meeting

14. ADJOURNMENT