

MINUTES OF REGULAR MEETING  
DANIA BEACH CITY COMMISSION  
TUESDAY, MAY 27, 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

Rabbi Avram Skurowitz, The Leon & Leona Brauser Maimonides Academy, 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

Absent:

City Clerk:	Louise Stilson
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4. Presentations and Special Event Approvals

- 4.1 Broward County Commissioner John Rodstrom - Presentation of a check for the County's contribution to building the Dania Beach Library (***Continued from May 13, 2008***)

Broward County Commissioner John Rodstrom presented a check for \$3,016,000.00 for the construction of the Dania Beach Library. He advised this was the result of a joint effort between the City and Broward County to provide a permanent home for our Library. Commissioner Rodstrom thanked the voters of Dania Beach who approved the Bond to build the Library in Dania Beach.

Commissioner Anton thanked Commissioner Rodstrom on behalf of the Commission, for his continued support not only with the Library issue but the Airport Expansion as well.

Commissioner Rodstrom advised that the Federal Aviation Authority (FAA) is due to bring forward the EIS within the next two weeks. He noted that, as discussed at the May 13 Commission Meeting, Broward County sent a letter to the FAA requesting another hearing date regarding the South Runway Airport Expansion, but no response has been received yet. Commissioner Rodstrom encouraged everyone to stay united so our voice can be heard.

4.2 Recognition of Gary Gaztambide, for 22+ years of service to the City of Dania Beach – BSO Chief Donn Peterson

BSO Chief Donn Peterson recognized Gary Gaztambide for more than 22 years of service to the City of Dania Beach. He commended Officer Gaztambide for always staying true to what he believes is the right thing to do. Chief Peterson advised Officer Gaztambide has accepted a position with another BSO District and wished him well in his future endeavors.

4.3 2008 Comprehensive Emergency Management Plan - Deputy Fire Chief Michael Cassano

Deputy Fire Chief Mike Cassano presented an overview of the 2008 Comprehensive Emergency Management Plan, which is attached to and incorporated into these minutes.

Vice-Mayor Castro noted we should make sure that the EOC/24 hour contact numbers are updated and operational before hurricane season begins and the information is published.

City Manager Pato thanked Deputy Fire Chief Cassano for the time and effort devoted to the preparation of this Plan.

**Commissioner Anton motioned to approve the 2008 Comprehensive Emergency Management Plan; seconded by Vice-Mayor Castro. The motion carried unanimously.**

4.4 Special Event Approval for the Neptune Fireworks 4<sup>th</sup> of July Sales to be held at 768 E. Dania Beach Boulevard from June 10, 2008 – July 10, 2008

**Commissioner Bertino motioned to approve the Special Event request for the Neptune Fireworks 4<sup>th</sup> of July Sales; seconded by Vice-Mayor Castro. The motion carried on the following 5-0 Roll Call vote:**

<b>Commissioner Anton</b>	<b>Yes</b>	<b>Vice-Mayor Castro</b>	<b>Yes</b>
<b>Commissioner Bertino</b>	<b>Yes</b>	<b>Mayor Jones</b>	<b>Yes</b>
<b>Commissioner Flury</b>	<b>Yes</b>		

Vice-Mayor Castro would like City Attorney Ansbro to make sure this type of service is addressed in the Ordinance adopted about eight months ago which relates to outdoor sales.

4.5 Fee Waiver Request for the Collins Elementary School Awards Banquet to be held at I.T. Parker Community Center on May 23, 2008 (after-the-fact) – Kurt Ely

Kurt Ely, Chairman of the I.T. Parker Community Center Advisory Board, advised that this was an after-the-fact request for approval of the Board's recommendation of a fee waiver for the Collins Elementary School Awards Banquet on May 23, 2008.

**Vice-Mayor Castro motioned to approve the fee waiver for the Collins Elementary School Awards Banquet held at I.T. Parker Community Center on May 23, 2008; seconded by Commissioner Bertino. The motion carried on the following 5-0 Roll Call vote:**

<b>Commissioner Anton</b>	<b>Yes</b>	<b>Vice-Mayor Castro</b>	<b>Yes</b>
<b>Commissioner Bertino</b>	<b>Yes</b>	<b>Mayor Jones</b>	<b>Yes</b>
<b>Commissioner Flury</b>	<b>Yes</b>		

- 4.6 Fee Waiver Request for the Lion's Club of Dania Beach event to be held at I.T. Parker Community Center on August 1, 2008 – Kurt Ely

Kurt Ely, Chairman of the I.T. Parker Community Center Advisory Board, advised that the Board recommended a fee waiver for the Lions' Club of Dania Beach event on August 1, 2008. He noted the Parks and Recreation Department is participating in this event which will include interesting historical material regarding our City.

**Commissioner Bertino motioned to approve the fee waiver for the Lions' Club of Dania Beach event to be held at I.T. Parker Community Center on August 1, 2008; seconded by Commissioner Flury. The motion carried on the following 5-0 Roll Call vote:**

<b>Commissioner Anton</b>	<b>Yes</b>	<b>Vice-Mayor Castro</b>	<b>Yes</b>
<b>Commissioner Bertino</b>	<b>Yes</b>	<b>Mayor Jones</b>	<b>Yes</b>
<b>Commissioner Flury</b>	<b>Yes</b>		

## 5. Proclamations

- 5.1 Code Enforcement Officers' Appreciation Week

Mayor Jones presented a proclamation for Code Enforcement Officers' Appreciation Week to Nicholas Lupo, Code Compliance Manager, and staff in the Code Compliance Division for the City of Dania Beach.

## 6. Citizen Comments

Rabbi Shmaya Wax, 5200 SW 38<sup>th</sup> Way, Hollywood, noted about two years ago they opened a Jewish Center at 3325 Griffin Road in Dania Beach. He indicated that when they originally applied for permits for their Synagogue, they got approval for all of them except for the number of parking spaces, which was below the City's requirement. Rabbi Wax advised they obtained a letter from the owner of the adjoining businesses allowing them to use their parking spaces. He further stated that members walk to services on Friday and Saturday nights, therefore that would

not create a parking issue. During the week, the services are between 8:00 a.m. and 9:00 a.m., and they would only need additional parking when they hold special events. Rabbi Wax indicated they were told to apply for a parking variance but he would like to have the support of the Commission before expending money and time on this process.

Nicholas Lupo, Code Compliance Manager, advised his department has received multiple complaints from the surrounding businesses and a citation has already been issued.

Commissioner Bertino clarified that Rabbi Wax is asking for permission to use the adjoining lot for overflow parking. He did not see a problem with the variance request, as long as he can show proof of an agreement from the owner.

Mayor Jones noted he would support the variance request provided an attendant from the Center would make sure that cars are only parked in the authorized spaces, as well as a written agreement from the adjoining owner.

Vice-Mayor Castro stated she did not foresee a problem with cars parking at the adjoining property, provided they obtain a written agreement from the owner authorizing the use of his parcel, and subject to the Synagogue operating as long as that agreement exists. She further encouraged staff to introduce City-wide shared parking agreements which would benefit everybody.

Commissioner Bertino pointed out that if parking on the grass becomes a mud problem, it may need to be replaced with gravel.

Commissioner Anton agreed with the other members of the Commission regarding the use of the adjoining parcel. However, he remarked that if we continue to receive complaints, we will have to take further action.

Commissioner Flury did not oppose the variance request but would like to see gravel as opposed to grass. She further indicated that if the adjoining parcel is no longer available, we will have to address the problem immediately.

Rabbi Wax noted they would be interested in acquiring a piece of property located on the southern side of Griffin Road between Oakridge and Beautiful Plaza.

City Manager Pato asked Rabbi Wax to contact him to discuss this matter in more detail.

George Jason, 4549 SW 37<sup>th</sup> Avenue, spoke on behalf of Dania Beach Neighborhoods United and the CERT Program. He explained that they have an emergency handheld radio network program which would allow neighborhoods within the City to communicate among themselves and the hurricane center during or after a hurricane. Mr. Jason encouraged residents from the different neighborhoods in the City to join the program. He further reminded everyone that the Broward County Hurricane Preparedness Expo will be held at the Broward County Emergency Operations Center in Plantation, on Saturday, May 31<sup>st</sup>, from 10:00 a.m. - 2:00 p.m.

Jimmy Crimminger, 237 SW 15<sup>th</sup> Street, spoke about a Resolution adopted by the City Commission in April, 2003 designating SR A1A as a Florida Scenic Highway. He noted that he and another resident of the City, Richard Mayor, have contacted CRA Director Earle on this matter. Mr. Crimminger encouraged citizens to participate in this program and noted that their goal is to enhance tourism in our City. He talked about the C.W. Thomas event held on Memorial Day and gave a brief synopsis of who C.W. Thomas was and what he did for the City. Mr. Crimminger suggested honoring the late C.W. Thomas for his diligent commitment and dedication to the youth of our community.

## 7. Consent Agenda

### *Items removed from Consent Agenda: Item #7.3 and Item #7.4*

#### 7.1 Minutes

- Approve minutes from the May 7, 2008 City Commission Workshop
- Approve minutes from the May 13, 2008 City Commission Meeting
- Approve minutes from the May 15, 2008 Abatement Hearing

#### 7.2 Travel Requests:

Request of Nicholas Lupo, Code Compliance Manager, to attend the Florida Association of Code Enforcement (FACE) Conference and Education Seminar in Daytona Beach, FL from June 18-21, 2008, for certification purposes (Estimated cost \$851.80; remaining budget \$2,969.20)

## Resolutions

#### 7.3 RESOLUTION #2008-083      *Revised Resolution*

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.

City Attorney Ansbro read the title of Resolution #2008-083.

Vice-Mayor Castro confirmed with City Attorney Ansbro that because this appointment is made by Resolution as opposed to a contract, the City Manager will not be entitled to a severance package in the event he leaves the City. She clarified that with an appointing Resolution he will receive existing salary, pension, health benefits, expense account, a City car and a cell phone.

**Vice-Mayor Castro motioned to adopt Resolution #2008-083; seconded by Commissioner Bertino.**

Commissioner Flury stated that the Resolution does not specify the salary and benefits of the City Manager. She would like the Resolution to be revised with an appendix attached listing the

benefits previously mentioned by Vice-Mayor Castro. Commissioner Flury asked for this item to be continued to the June 10, 2008 Regular Commission Meeting.

**Vice-Mayor Castro amended her motion to table Resolution #2008-083 to the June 10, 2008 Commission Meeting at 7:00 p.m.; seconded by Commissioner Bertino. The motion carried on the following 5-0 Roll Call vote:**

<b>Commissioner Anton</b>	<b>Yes</b>	<b>Vice-Mayor Castro</b>	<b>Yes</b>
<b>Commissioner Bertino</b>	<b>Yes</b>	<b>Mayor Jones</b>	<b>Yes</b>
<b>Commissioner Flury</b>	<b>Yes</b>		

#### 7.4 RESOLUTION #2008-084

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, EXPRESSING SUPPORT FOR THE DEVELOPMENT AND OPERATION OF THE DR. BOBBY JONES COMPLEX FOR EDUCATION AND PRESERVATION IN THE CITY OF LAUDERHILL, WHICH COMPLEX WILL HAVE A DIRECT ECONOMIC AND CULTURAL IMPACT THROUGHOUT BROWARD COUNTY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2008-084.

Mayor Jones noted the Dr. Bobby Jones Complex will be the first Gospel complex within Broward County. He thought it would benefit all the churches and choirs in our community.

**Vice-Mayor Castro motioned to adopt Resolution #2008-084; seconded by Commissioner Flury. The motion carried on the following 5-0 Roll Call vote:**

<b>Commissioner Anton</b>	<b>Yes</b>	<b>Vice-Mayor Castro</b>	<b>Yes</b>
<b>Commissioner Bertino</b>	<b>Yes</b>	<b>Mayor Jones</b>	<b>Yes</b>
<b>Commissioner Flury</b>	<b>Yes</b>		

**Vice-Mayor Castro motioned to adopt the Consent Agenda, with the exception of Items #7.3 and #7.4; seconded by Commissioner Bertino. The motion carried on the following 5-0 Roll Call vote:**

<b>Commissioner Anton</b>	<b>Yes</b>	<b>Vice-Mayor Castro</b>	<b>Yes</b>
<b>Commissioner Bertino</b>	<b>Yes</b>	<b>Mayor Jones</b>	<b>Yes</b>
<b>Commissioner Flury</b>	<b>Yes</b>		

#### 8. Bids and Requests for Proposals

There were no proposals at this meeting.

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 54<sup>TH</sup> 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)** *(Continued from April 8, 2008, April 22, 2008, and May 13, 2008)*

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

Corinne Lajoie, AICP, Principal City Planner explained that the City Commission continued this item to allow input from the public.

City Manager Pato responded for Commissioner Anton that he contacted Mr. Stuart to confirm the neighbors did not have any objection to this request, but he was not able to talk to him. He thought the residents in the area did not have a problem with the proposed project.

Laura D. Coffy, of the law firm Ruden McClosky, Attorney for the applicant, noted that they are willing to address any concerns the neighbors may have on this project. She further advised that they have submitted a Declaration of Restrictive Covenants incorporating all staff recommendations.

Mayor Jones opened the Public Hearing.

Victoria Fudala, 5531 SW 43<sup>rd</sup> Terrace, noted that Scott Stuart complained about the traffic issues in their neighborhood. She pointed out that she does not want the street closed because it would be inconvenient for everyone. Ms. Fudala suggested other alternatives instead of the street closure.

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

Commissioner Bertino pointed out that approval should be based on 12 units per acre or 13.5 units per acre if a two-car garage is incorporated into each unit, and the five conditions listed on the staff report.

**Commissioner Flury motioned to adopt Ordinance #2006-022, on second reading, with staff conditions; seconded by Vice-Mayor Castro. The motion carried on the following 5-0 Roll Call vote:**

<b>Commissioner Anton</b>	<b>Yes</b>	<b>Vice-Mayor Castro</b>	<b>Yes</b>
<b>Commissioner Bertino</b>	<b>Yes</b>	<b>Mayor Jones</b>	<b>Yes</b>
<b>Commissioner Flury</b>	<b>Yes</b>		

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.

Vice-Mayor Castro, Commissioner Anton, and Commissioner Bertino advised they talked to the applicant.

9.2 RESOLUTION #2008-073 *Revised Resolution*

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUEST FOR AMENDMENT AND MODIFICATION TO A SITE PLAN AND WAIVER, APPROVED BY RESOLUTION 2007-208 ON OCTOBER 23, 2007, SUBMITTED BY NICK ECONOMOS ON BEHALF OF THE PROPERTY OWNER, GRIFFIN ROAD PARTNERS, LLC., FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF GRIFFIN ROAD AND RAVENSWOOD ROAD, (2081 GRIFFIN ROAD), IN THE CITY OF DANIA BEACH; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Continued from May 13, 2008)*

City Attorney Ansbro read the title of Resolution #2008- 073.

Corinne Lajoie, AICP, Principal City Planner, advised that the applicant is requesting a site plan modification to allow the subdivision of the previously approved site plan into three separate parcels. She confirmed the request would not affect any of the previous approvals for this project.

Susan Delegal, of the law firm Billing, Cochran et al, Attorney for the applicant, explained that the site plan approval granted by the City Commission in October, 2007 included two hotels and an office building. She further indicated that the property owners, Griffin Road Partners, LLC would like to obtain approval for the subdivision of the property into three separate parcels which would allow each of these properties to be separately financed and sold. Attorney Delegal noted they have provided a Declaration of Covenants, Restrictions and Easements which identifies cross easements for utilities, drainage and stormwater management. She confirmed that the project would still be developed as one project.

Commissioner Anton clarified with Attorney Delegal that the pole sign is addressed in the Declaration of Covenants.

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 adopt Resolution #2008-073; seconded by Commissioner Bertino. The motion carried on the following 5-0 Roll Call vote:**

<b>Commissioner Anton</b>	<b>Yes</b>	<b>Vice-Mayor Castro</b>	<b>Yes</b>
<b>Commissioner Bertino</b>	<b>Yes</b>	<b>Mayor Jones</b>	<b>Yes</b>
<b>Commissioner Flury</b>	<b>Yes</b>		



9.3 RESOLUTION #2008-085

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUEST MADE BY JOSEPH HALL, DESIGN ENGINEER WITH CONSULTECH DEVELOPMENT SERVICES, INC., ON BEHALF OF THE PROPERTY OWNER REGINA NOVAES PERIM REPRESENTING VENEZA VILLAS LLC, FOR A SECOND EXTENSION (ORIGINAL EXTENSION WAS APPROVED ON NOVEMBER 13, 2007 AND EXPIRES ON MAY 28, 2008) RELATING TO THE APPROVALS OF VARIANCE VA-49-06 BY RESOLUTION NO. 2006-195 AND THE SITE PLAN REQUEST SP-10-06 BY RESOLUTION NO. 2006-197, FOR PROPERTY LOCATED AT 4432 SW 52<sup>ND</sup> STREET, IN THE CITY OF DANIA BEACH, FLORIDA; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2008- 085.

Joseph Hall, Design Engineer, Consultech Engineering, Inc., representing the applicant, advised that the request is for a second extension of a variance, waiver and site plan for an eight-unit town home project. He asked for a one-year extension due to permitting delays at the Broward County Water and Wastewater Division and Broward County Environmental Department.

Kristin Dion, City Planner provided a brief history of the project.

Corinne Lajoie, AICP, Principal City Planner, confirmed for the Commission that Mr. Hall’s statements were correct. She further noted that they are asking for one year to make sure they have enough time for the permitting process.

Mayor Jones opened the Public Hearing.

Jimmy Crimminger, 237 SW 15<sup>th</sup> Street, sympathized with the applicant and hoped an extension will be granted.

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

Commissioner Bertino confirmed with City Attorney Ansbro that if the applicant sells the property, the new owner would be entitled to the variances already approved.

**Commissioner Flury motioned to adopt Resolution #2008-085, with a one-year extension; seconded by Vice-Mayor Castro. The motion carried on the following 5-0 Roll Call vote:**

<b>Commissioner Anton</b>	<b>Yes</b>	<b>Vice-Mayor Castro</b>	<b>Yes</b>
<b>Commissioner Bertino</b>	<b>Yes</b>	<b>Mayor Jones</b>	<b>Yes</b>
<b>Commissioner Flury</b>	<b>Yes</b>		

9.4 RESOLUTION #2008-086

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUEST FOR MODIFICATIONS TO A SITE PLAN AND SETBACK WAIVER APPROVED BY RESOLUTION 2007-132 ON JULY 24, 2007, SUBMITTED BY MILLER LEGG & ASSOCIATES, INC. ON BEHALF OF THE PROPERTY OWNER, MARINA MILE PARK OF COMMERCE, LLC, FOR PROPERTY GENERALLY LOCATED ON THE

EAST SIDE OF SW 30<sup>TH</sup> AVENUE AND SOUTH OF STATE ROAD 84, IN THE CITY OF DANIA BEACH; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2008-086.

Corinne Lajoie, AICP, Principal City Planner, explained the location of the property. She noted the request is to modify a previously approved site plan to allow 200,000 square feet of office space with two parking garages. Ms. Lajoie indicated they are considering future development of the school which is located to the north of the parcel. She stated that staff is recommending approval of the request, with conditions.

Jill Cohen, representing Miller Legg, advised that the proposed project would be Miller Legg Headquarters.

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 #2008-086; seconded by Commissioner Anton. The motion carried on the following 5-0 Roll Call vote:**

<b>Commissioner Anton</b>	<b>Yes</b>	<b>Vice-Mayor Castro</b>	<b>Yes</b>
<b>Commissioner Bertino</b>	<b>Yes</b>	<b>Mayor Jones</b>	<b>Yes</b>
<b>Commissioner Flury</b>	<b>Yes</b>		

## 10. Commission Comments

### 10.1 Commissioner Anton

Commissioner Anton referred to a recent crime incident in the Melaleuca Gardens area. He commended BSO for their immediate response and support to the neighborhood. Commissioner Anton thanked BSO on behalf of the affected residents.

Commissioner Anton advised that Ken George, Director of Aviation, contacted him to let him know that the Federal Aviation Authority (FAA) will be briefing each County Commissioner on the upcoming EIS on June 12 and June 19. He further noted that once the EIS is available, Mr. George would be willing to have a Town Hall meeting to explain their plan for our residences. Commissioner Anton advised that on June 10, the FAA will be selecting 10-20 homes for their noise testing program. He also commented that he has sent letters to FAA through the law firm of White & Case, regarding a possible meeting with the FAA representative in Washington. Commissioner Anton requested prior approval from the Commission authorizing the expenditure of approximately \$2,500-\$3,000 which would include three air tickets to Washington, accommodations and incidental expenses.

**Commissioner Bertino motioned to approve the travel request for a Commission representative to meet with the FAA in Washington; seconded by Vice-Mayor Castro. The motion carried on the following 5-0 Roll Call vote:**

<b>Commissioner Anton</b>	<b>Yes</b>	<b>Vice-Mayor Castro</b>	<b>Yes</b>
<b>Commissioner Bertino</b>	<b>Yes</b>	<b>Mayor Jones</b>	<b>Yes</b>
<b>Commissioner Flury</b>	<b>Yes</b>		

Commissioner Anton commented that the FAA Attorney recently told him that their current preferred alternative for the airport expansion would be the B1C and that they would not honor any restrictions.

Commissioner Anton congratulated Kristen Jones, Parks and Recreation Director, for the C.W. Thomas pool re-opening.

Commissioner Anton noted he attended a very informative luncheon at the Broward County Convention Center where they advised that tourism in Broward County is alive and well. He commented that State Representative Evan Jenne was present as well as Joe Van Eron and other tourist representatives.

### 10.2 Commissioner Bertino

Commissioner Bertino was very pleased to see the C.W. Thomas Park pool looking so nice. He thanked Kristen Jones, Parks and Recreation Director, for a job well done.

Commissioner Bertino commented on the successful festivities at the American Legion to celebrate Memorial Day. He noted that in the past we used to have flags all over the City to celebrate Presidents' Day, Memorial Day, and the 4<sup>th</sup> of July. Commissioner Bertino would like to see the flags flying again in our City to commemorate these important dates.

Commissioner Bertino was pleased to see that landscaping would be installed on Federal Highway and Stirling Road.

Commissioner Bertino noted a lot of businesses are not willing to move to our City due to the IROM Zoning restrictions in the northwest portion of the City. He suggested we look into change some of the restrictions to encourage businesses to come to Dania Beach.

### 10.3 Commissioner Flury

Commissioner Flury noted that it has become very difficult to cross S.E. 5<sup>th</sup> Avenue due to the road work on US 1. She requested an update on the neighborhood improvements, since the last one was submitted on April 4, 2008.

Commissioner Flury noted she has received complaints from residents regarding the Application for Speed Humps. She further indicated that according to the application, when residents want to have a street bump placed on their street they need to get signatures of 2/3 of the majority of the properties on that street, plus twenty percent of all properties within ¼ mile. Commissioner Flury thought it was easier for the City to send out the notices to the surrounding neighbors once the application was received, and then see if there are any objections. She suggested that the

Commission change the application stating that it is the City's responsibility to send the letters to the neighbors. Commissioner Flury would like staff to bring a revised Application for Speed Humps for consideration at the next Commission meeting.

The Commission generally agreed that we should delineate the requests for speed humps and street closing when reviewing the application.

Vice-Mayor Castro noted speed humps and street closures should be separated logically. She further stated that speed humps are usually accepted by most of the neighbors however, street closures require more consideration and higher scrutiny.

Commissioner Bertino commented that we should make sure there is enough interest on the part of the neighbors to justify the expense of moving forward with the installation of speed humps.

City Manager Pato pointed out that it is difficult to have a policy on street closures because we can never get all of the neighbors to come to an agreement.

Commissioner Flury confirmed with City Manager Pato that staff is working on reviewing the 50/50 Sidewalk Program and a recommendation would be presented at the next Commission meeting.

Commissioner Flury asked CRA Director Earle to prepare a section specifically for the CRA to be posted to the City Website to enable people to know more about redevelopment in our City.

#### 10.4 Vice-Mayor Castro

Vice-Mayor Castro advised that she attended a very successful meeting of the Broward County Planning Council, together with City Manager Pato and Public Services Director Orlando. She was pleased to report that they have agreed to modify the Broward County Trafficways Plan to reduce the right-of-way along the US1 Corridor which would encourage redevelopment within our City. She asked City Manager Pato to follow up with FDOT within three months so that we can have regular meetings to discuss the traffic issues that affect our City.

Vice-Mayor Castro noted that the Visioning Sessions with CRA Director Earle will be held at City Hall on Friday, June 6, from 5:30 – 8:30 p.m. and Saturday, June 7, from 9:00 a.m. - 3:00 p.m. She remarked that, as stated in previous meetings, we do not want any more studies but a plan that is implementable. Vice-Mayor Castro encouraged all residents to attend.

Vice-Mayor Castro advised that Assistant City Manager Donnelly and CRA Director Earle would begin attending the Enterprise Zone meetings. She noted that the Enterprise Zone is a tool that the CRA can use to help builders finance future projects.

Vice-Mayor Castro confirmed with City Attorney Ansbro that the Dania Beach Hotel was originally designated as a historical landmark but that this designation was removed about 18 months ago. She asked for an update on the Dania Beach Hotel.

City Attorney Ansbro noted that he and City Manager Pato have sent a letter to the owner that will allow him to move forward with the demolition of the Dania Beach Hotel. He further advised that part of the \$100,000 deposit made by the previous owner can be used for the demolition of the building, and the remaining funds can be returned to the owner. City Attorney Ansbro clarified for the Commission that the original deposit was meant to be the owner's promise to develop the property, instead of the CRA taking it by eminent domain. However, nothing has been done in two years. He recommended we take this course of action which would clear the site for future re-development.

Nick Lupo, Code Compliance Manager, noted the owner has paid all pending fines, but the property is still in violation because of the poor condition of the building.

The Commission generally agreed to move forward with the demolition of the Dania Beach Hotel as soon as possible.

***Item #11.1 was heard after Item #10.4***

***Item #10.5 was heard after Item #11.2***

#### 10.5 Mayor Jones

Mayor Jones noted he attended the National Maritime Officers Day at I.T. Parker Community Center and presented a Proclamation recognizing the importance of supporting our American Merchant Marines. He commented that City Manager Pato and Nick Lupo, Code Compliance Manager, were also present at the event.

Mayor Jones thanked Kristen Jones, Parks and Recreation Director, and her staff for their efforts to make the re-opening of the C.W. Thomas pool a reality.

Mayor Jones commended Ruth Hutchinson for suggesting to the Lion's Club to send Phone Cards to our soldiers serving in Iraq. He thought this was a great idea which would help our soldiers communicate with their relatives. Mayor Jones encouraged citizens to send their donations to the Dania Beach Lion's Club to show that we care.

Mayor Jones noted that he attended the Intermodal Center and People Mover System Workshop held at the Broward County Main Library. He indicated this project would not come to fruition for another 20-25 years, however, they are planning to build an IMC Corridor which would cover approximately eight acres north of the runway.

Mayor Jones noted he has received several complaints from residents regarding the number of signs within the City. He asked Code Compliance Manager Lupo to look into the matter and make sure that these signs are removed as soon as possible.

Mayor Jones asked staff to install a barrier or some type of safety device to avoid future accidents at the Sea Tech parking area.

City Manager Pato advised the situation has been corrected.

Mayor Jones asked BSO Chief Peterson to meet with residents at College Gardens to discuss some noise and substance abuse problems.

BSO Chief Donn Peterson noted that he has already met with those concerned citizens and there is currently an operation in place to address these issues.

Mayor Jones encouraged citizens to attend the Visioning Sessions on June 6 and 7, 2008, at City Hall, and give their input on how they envision our City.

***Item #11.1 was heard after Item #10.4***

11. Discussion and Possible Action

11.1 Design plans for the Dania Westlawn Cemetery and Dania Memorial Park Cemetery Mausoleum projects ***(Continued from May 13, 2008)***

City Manager Pato confirmed with Mayor Jones that his concerns regarding the Mausoleum layout distributed for review had been addressed to his satisfaction.

11.2 Discussion on disposition of City property at 608 W. Dania Beach Boulevard

City Manager advised this is the old Jimmy Peterman property which was recently demolished. He asked the Commission for direction regarding the possible sale of this vacant lot.

Commissioner Anton would be in favor of selling the property.

Vice-Mayor Castro would like City Manager Pato to discuss this matter with CRA Director Earle and bring back a joint recommendation to the Commission.

Commissioner Bertino indicated this was not a good time to sell, and suggested waiting a couple of years until the real estate market recovers.

It was the consensus of the Commission for the City Manager and CRA Director to discuss the matter and bring back their recommendations.

12. Appointments

Mayor Jones appointed Lisa Young to the Grant Advisory Board.

Vice-Mayor Castro appointed Joe Van Eron to the Grant Advisory Board.

Commissioner Flury appointed Albert Castillo to the Grant Advisory Board.

Commissioner Anton questioned if there was a six month residency requirement for those serving on the Grant Advisory Board.

Mayor Jones confirmed for the Commission that Lisa Young was a resident in Dania Beach and noted he would provide her address.

Vice-Mayor Castro clarified that the Board Liaison for the Grant Advisory Board would be Assistant City Manager Donnelly.

City Attorney Ansbro advised that these appointments will be approved subject to the six-month residency requirement being met by each appointee.

**Vice-Mayor Castro motioned to approve the Board appointments; seconded by Commissioner Flury. The motion carried on the following 5-0 Roll Call vote:**

<b>Commissioner Anton</b>	<b>Yes</b>	<b>Vice-Mayor Castro</b>	<b>Yes</b>
<b>Commissioner Bertino</b>	<b>Yes</b>	<b>Mayor Jones</b>	<b>Yes</b>
<b>Commissioner Flury</b>	<b>Yes</b>		

### 13. Administrative Reports

#### 13.1 City Manager

City Manager Pato had no comments.

#### 13.2 City Attorney

City Attorney Ansbro advised he spoke with Inmula Prasad of FEMA, and he would be willing to come to Dania Beach to talk about flood elevation requirements. He will contact Mr. Prasad and ask him to come and meet with the City Commission and staff some time in late July for about half a day.

#### 13.3 City Clerk – Reminders

Wednesday, June 4, 2008 – 6:00 p.m.

CRA Board Meeting followed by a City  
Commission Workshop – Site Plan Review  
City Commission Meeting  
Retreat – I.T. Parker Community Center  
City Commission Meeting

Tuesday, June 10, 2008 – 7:00 p.m.

Wednesday, June 11, 2008 – 9:00 a.m.

Tuesday, June 24, 2008 - 7:00 p.m.

14. Adjournment

Mayor Jones adjourned the meeting at 9:33 p.m.

ATTEST:

CITY OF DANIA BEACH

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LOUISE STILSON, CMC  
CITY CLERK

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ALBERT C. JONES  
MAYOR-COMMISSIONER

Approved: June 10, 2008