

AGENDA
DANIA BEACH CITY COMMISSION
REGULAR MEETING
TUESDAY, AUGUST 26, 2008 – 7:00 P.M.

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.

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.

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.

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

Father Tom Pohto, OSA, Church of the Resurrection

3. ROLL CALL

4. PRESENTATIONS AND SPECIAL EVENT APPROVALS

4.1 Water and Sewer Rate Study – Public Resources Management Group, Inc.

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 of August 12, 2008 City Commission Meeting

7.2 Travel Requests:

Request of Ivan Pato, City Manager, to attend the 2008 ICMA Conference from September 21-24, 2008 in Richmond, Virginia (Estimated cost \$1,815.70; remaining budget \$1,280.56)

Resolutions

7.3 RESOLUTION #2008-144

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO CONTRACT FOR THE PURCHASE OF SUPPLIES, SERVICES, EQUIPMENT AND MATERIALS FROM MEMORIAL REGIONAL HOSPITAL IN AN AMOUNT NOT TO EXCEED \$30,000.00 FOR FISCAL YEAR 2007-2008, FOR THE PURCHASE OF MEDICAL SUPPLIES AND PHARMACEUTICALS, WITHOUT COMPETITIVE BIDDING AND WITHOUT ADVERTISEMENT FOR BIDS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.4 RESOLUTION #2008-145

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA AUTHORIZING THE CITY MANAGER TO PURCHASE WATER MAIN REPLACEMENT PARTS IN AN AMOUNT NOT TO EXCEED \$47,473.94 IN FISCAL YEAR 2007-2008, FROM HD SUPPLY WATERWORKS, LTD. WITHOUT COMPETITIVE BIDDING AND WITHOUT ADVERTISEMENT FOR BIDS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.5 RESOLUTION #2008-143

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN INTERLOCAL AGREEMENT WITH BROWARD COUNTY AND 36TH STREET ACQUISITIONS, INC., A FLORIDA CORPORATION, PERTAINING TO AN ARCHAEOLOGICAL PRESERVATION AGREEMENT FOR DEVELOPMENT OF PROPERTY KNOWN AS THE LAKEVIEW INDUSTRIAL PARK IN THE CITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.6 RESOLUTION #2008-146

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, PROVIDING A GRANT MATCHING FUND FOR THE GRIFFIN MARINE PARK SOLAR LIGHTING PROJECT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.7 RESOLUTION #2008-147

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, SETTING FEES FOR THE TRANSPORT OF PATIENTS TO LOCAL HOSPITALS BY THE CITY OF DANIA BEACH FIRE-RESCUE DEPARTMENT; PROVIDING FOR A “COMPASSION POLICY”; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.8 RESOLUTION #2008-148

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA AUTHORIZING THE CITY OF DANIA BEACH TO AMEND THE AGREEMENT WITH SPORTS TURF ONE FOR AN ADDITIONAL AMOUNT NOT TO EXCEED \$10,028.38 FOR SAND TOP DRESSING FOR THE LASER GRADED AND RE-SODDED BALLFIELDS AT C.W. THOMAS, FROST AND P.J. MELI PARKS; PROVIDING FOR FUNDING; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.9 RESOLUTION #2008-149

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN EXTENSION DOCUMENT TO EXTEND THE TERM OF THE EXISTING AQUATIC FACILITIES MANAGEMENT AGREEMENT WITH JEFF ELLIS & ASSOCIATES, INC. D/B/A JEFF ELLIS AQUATIC MANAGEMENT, A TEXAS CORPORATION AUTHORIZED TO DO BUSINESS IN FLORIDA FOR THE PROVISION OF LIFEGUARD, OPERATION AND MAINTENANCE SERVICES FOR THE C.W. THOMAS PARK POOL AND THE P.J. MELI AQUATIC COMPLEX; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.10 RESOLUTION #2008-150

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE USE OF THIRTY FIVE THOUSAND DOLLARS (\$35,000.00) IN PARK IMPACT FEES RECEIVED FROM THE FOREST VIEW ESTATES PROJECT FOR THE DESIGN AND CONSTRUCTION OF A PARK AT FOREST VIEW ESTATES; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT ON BEHALF OF THE CITY WITH FLORIDA PLAYSYSTEMS, INC. FOR THE DESIGN AND CONSTRUCTION OF THE PARK FOR AN AMOUNT NOT TO EXCEED \$32,483.78 WITHOUT COMPETITIVE BIDDING AND WITHOUT

ADVERTISEMENT FOR BIDS; PROVIDING FOR CONFLICTS; PROVIDING FOR FUNDING FOR THE PROJECT; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

Ordinances

7.11 ORDINANCE #2008-025

AN ORDINANCE OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 6, “BEACHES, PARKS AND RECREATION”, OF THE CITY CODE OF ORDINANCES BY AMENDING SECTION 6-33 “SCHEDULE OF CHARGES”, TO CLARIFY THE RATES TO BE PAID FOR BEACH PARKING PERMITS PARKING FEES FOR MOTOR VEHICLES; 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 ORDINANCE #2008-022

AN ORDINANCE OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING THE CITY CODE OF ORDINANCES, AMENDING CHAPTER 28 “ZONING,” ARTICLE 22 (RESERVED) TO ADD A HOTEL OVERLAY DISTRICT, IN ORDER TO PROVIDE FOR A NEW OVERLAY ZONING DISTRICT; AMENDING ARTICLE 28, “SIGNS”, SECTION 28.190, “NONCONFORMING SIGNS”, IN ORDER TO EXEMPT LEGAL NONCONFORMING POLE SIGNS IN THE HOTEL OVERLAY DISTRICT FROM REMOVAL; AMENDING ARTICLE IV-A, “ADMINISTRATIVE VARIANCE PROCEDURES”, SECTION 33.126, “ADMINISTRATIVE VARIANCE PROCEDURES” OF THE ZONING APPENDIX IN ORDER TO PROVIDE FOR ADMINISTRATIVE VARIANCES WITHIN THE HOTEL OVERLAY DISTRICT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)**

9.2 ORDINANCE #2008-023

AN ORDINANCE OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING THE CITY CODE OF ORDINANCES, CHAPTER 28 “ZONING,” ARTICLE 32 “OUTDOOR STORAGE CONTAINERS IN RESIDENTIAL DISTRICTS;” PROVIDING FOR REGULATIONS RELATING TO OUTDOOR STORAGE CONTAINERS IN ALL ZONING DISTRICTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)**

9.3 ORDINANCE #2008-024

AN ORDINANCE OF THE CITY OF DANIA BEACH, FLORIDA APPROVING THE REQUEST MADE BY KEITH POLIAKOFF, ATTORNEY WITH THE FIRM BECKER, POLIAKOFF, REPRESENTING FRONTIER DEVELOPMENT, LLC, TO REZONE PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF STIRLING ROAD AND SW 18TH AVENUE, DANIA BEACH, FLORIDA, AND LEGALLY DESCRIBED IN EXHIBIT “A”, A COPY OF WHICH IS ATTACHED TO THIS ORDINANCE; CHANGING THE CURRENT ZONING CLASSIFICATION OF THE PROPERTY FROM A-1 (AGRICULTURAL), TO C-2 (COMMERCIAL); SUBJECT TO CERTAIN RESTRICTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

9.4 RESOLUTION #2008-129

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA APPROVING THE VARIANCE REQUEST SUBMITTED BY MICHAEL GRIMALDI, OFFICER, M.P.V. INVESTMENTS INC., FROM CHAPTER 28, “ZONING”, ARTICLE 28, “SIGNS”, FOR PROPERTY LOCATED AT 135 EAST DANIA BEACH BOULEVARD, DANIA BEACH; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Continued from August 12, 2008)*

9.5 RESOLUTION #2008-136

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE VARIANCE REQUEST SUBMITTED BY STEVEN M. SINGER, MANAGING MEMBER REPRESENTING T J & F – RAVENSWOOD LLC, FOR PROPERTY LOCATED AT 5481 RAVENSWOOD ROAD, IN THE CITY OF DANIA BEACH, FLORIDA; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

9.6 RESOLUTION #2008-137

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE SITE PLAN REQUEST SUBMITTED BY STEVEN M. SINGER, MANAGING MEMBER REPRESENTING T J & F – RAVENSWOOD LLC, FOR PROPERTY LOCATED AT 5481 RAVENSWOOD ROAD, IN THE CITY OF DANIA BEACH, FLORIDA; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

9.7 RESOLUTION #2008-138

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA APPROVING THE VARIANCE REQUEST SUBMITTED BY MO DURRANI, DIRECTOR OF OPERATIONS REPRESENTING PETROL ENTERPRISES, INC. (CITGO), FROM CHAPTER 28,

“ZONING”, ARTICLE 28, “SIGNS”, FOR PROPERTY LOCATED AT 2109 GRIFFIN ROAD, DANIA BEACH; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

9.8 RESOLUTION #2008-139

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA APPROVING THE VARIANCE REQUEST SUBMITTED BY JACK STUDIALE, VICE PRESIDENT OF TROPICAL ACRES STEAK HOUSE, FROM CHAPTER 28, “ZONING”, ARTICLE 28, “SIGNS”, FOR PROPERTY LOCATED AT 2500 GRIFFIN ROAD, DANIA BEACH; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

9.9 RESOLUTION #2008-140

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE VARIANCE REQUEST SUBMITTED BY JAY PATEL, PROPERTY OWNER FROM CHAPTER 28, “ZONING” ARTICLE 21.20, “TRANSIT ORIENTED DISTRICT ZONING REGULATIONS”, FOR PROPERTY LOCATED AT 205 NORTH FEDERAL HIGHWAY, IN THE CITY OF DANIA BEACH; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

9.10 RESOLUTION #2008-141

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUEST SUBMITTED BY JAY PATEL, PROPERTY OWNER, FOR A SPECIAL EXCEPTION TO ALLOW THE CONSTRUCTION OF A HOTEL AND THE ASSIGNMENT OF 75 HOTEL ROOMS FROM THE LOCAL ACTIVITY CENTER, IN THE “TOD” (TRANSIT ORIENTED DEVELOPMENT) ZONING DISTRICT, FOR PROPERTY LOCATED AT 205 NORTH FEDERAL HIGHWAY, IN THE CITY OF DANIA BEACH; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

9.11 RESOLUTION #2008-142

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE SITE PLAN REQUEST SUBMITTED BY PROPERTY OWNER JAY PATEL, FOR PROPERTY LOCATED AT 205 NORTH FEDERAL HIGHWAY, 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

12. APPOINTMENTS

- 12.1 Airport Advisory Board (15 Members – 3 per Commissioner – 2 Year Term)
 - Commissioner Bertino – 1 appointment
 - Commissioner Flury – 1 appointment
- 12.2 Dania Beach Housing Authority (7 Members appointed by the Mayor and confirmed by the City Commission – 4 Year Term)
 - Mayor Jones – 1 appointment for a resident who is current in rent in a housing project, or a person of low income who is receiving rent subsidy through a project administered by the Authority
- 12.3 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
- 12.4 Human Relations Board (10 Members – 2 per Commissioner – 2 Year Term)
 - Vice-Mayor Castro – 1 appointment
- 12.5 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, September 3, 2008 – 4:00 p.m.
Saturday, September 6, 2008 – 9:00 a.m.
Tuesday, September 9, 2008 – 7:00 p.m.

CRA Board Meeting
Code Compliance Workshop
City Commission Meeting

Tuesday, September 16, 2008 – 7:00 p.m.
Thursday, September 18, 2008 – 6:00 pm.
Tuesday, September 23, 2008 – 7:00 p.m.
Wednesday, September 24, 2008 - 7:00 p.m.

First Public Hearing – Budget
Abatement Hearing
City Commission Meeting
Final Public Hearing - Budget

14. ADJOURNMENT