

MINUTES OF REGULAR MEETING
DANIA BEACH CITY COMMISSION
TUESDAY, SEPTEMBER 23, 2008 – 7:00 P.M.

1. Call to Order/Roll Call

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

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

2. Invocation and Pledge of Allegiance

Reverend Timothy Shellman, Sr., St. Ruth Missionary Baptist Church, gave the invocation followed by the Pledge of Allegiance to the United States Flag.

3. Presentations and Special Event Approvals

3.1 League for the Hard of Hearing Presentation – Arthur Schur

Arthur Schur, FTRI Outreach Coordinator, League of the Hard of Hearing, advised their mission is to help people regardless of their age or ability to pay. They provide audiological services and various social and mental health services. He is here to raise the public awareness of this service in South Florida. The program is funded through the Telecommunications Act of 1991, which charges \$0.15 on every phone line. Mr. Schur asked the Commission to pass this information on to the residents of Dania Beach.

3.2 Update on the transfer of the Marina to the City from Florida Atlantic University – Commissioner Anton

Commissioner Anton reported that FAU transferred the lease agreement for the Marina to the City of Dania Beach on September 5, 2008. He thanked the City Attorney for his diligent efforts to make this happen.

City Attorney Ansbro noted that Commissioner Anton also expended a lot of effort on this matter.

4. Proclamations

There were no proclamations at this meeting.

5. Citizen Comments

George Jason, 4549 SW 37th Avenue, noted that the CERT Team and Dania Beach United will assist people in obtaining their hearing devices from the League of the Hard of Hearing.

Vice-Mayor Castro suggested that the City place the information on the website and television channel, and place an ad in the Dania Beach Press.

Vicki Payne, 102 W. Dania Beach Boulevard, Chamber of Commerce, advised of the upcoming events for the Chamber of Commerce.

Ralph Eddy, 150 SE 3rd Avenue, complimented Dominic Orlando, Director of Public Services, on the fine work he is doing for the City. He spoke in favor of the closure on SE 2nd Street.

Ralph Viviano, 131 SE 3rd Avenue, spoke against the closure of SE 2nd Street. He indicated it is a traffic hazard and suggested the Commission readdress the issue.

John Bartley, 201 SE 2nd Avenue, spoke in favor of the street closure.

Chickie Brandimarte, 101 SE 3rd Avenue, asked the Commission to revisit the closing of SE 2nd Street. She asked the Commission to block off SE 3rd Avenue for everyone in Meadowbrook.

Anne Slater, 211 SE 2nd Street, spoke in favor of the street closure.

Commissioner Flury noted that at the last meeting the Commission said they would wait a few months to see how the street closure works; then the Commission would have a highly advertised public meeting to discuss the matter with the community.

Ben Carver, 207 SE 2nd Street, spoke in favor of the street closure, but suggested it may be in the wrong location.

Kim Farrington, 318 SE 3rd Street, spoke in favor of the street closure.

Michele Burzese, 238 SE 2nd Street, spoke in favor of the street closure.

Annette Hibbits, 26 SW 11th Street, said she wants continuity in the City without being cut off from streets.

6. Public Safety Reports

BSO Chief Donn Peterson reported that on Saturday, October 4th the department will be celebrating their 20th anniversary with the City. The event will be at Frost Park from noon until 5:00 p.m. Chief Peterson reported that 17 firearms were retrieved from the waters under the New Griffin Road Underpass. He noted that Operation Street Sweeper is complete and 65 arrests have been made. Chief Peterson discussed conveyance robberies and explained that car robberies are continuing to rise in Dania Beach, as well as other areas. He asked the residents to remove articles from plain view in their vehicles which could be stolen. He also noted that scrap metal thefts are on the rise throughout the nation.

Chief Peterson noted several citations have been issued since the street closure on 2nd Street. He said they are trying to use discretion and they are issuing citations.

Jack McCartt, Fire Chief, reported we will be going through an ISO evaluation in 3 years. The ISO sets our insurance rates for both residential and commercial properties. In order to prepare for the evaluation, they will begin to evaluate the flow of the fire hydrants in October. He brought this to our attention because they will be working on the streets, and asked the residents to be careful for the workers.

7. Consent Agenda

Items removed from Consent Agenda: #7.2, #7.6, #7.8, # 7.10, #7.13

7.1 Minutes

Approve Minutes of September 9, 2008 Commission Meeting

Approve Minutes of September 16, 2008 1st Public Hearing FY 08/09 Budget

Resolutions

7.2 RESOLUTION #2008-152

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE ISSUANCE OF A BUSINESS TAX RECEIPT TO GERTRUDE B. SATER, OWNER OF DANIA NEWS, A BUSINESS LOCATED AT 310 E. DANIA BEACH BOULEVARD IN THE CITY, IN CONNECTION WITH THE OPERATION OF FIVE (5) COIN OPERATED VIDEO AMUSEMENT MACHINES, AS REQUIRED BY SECTION 10-5 OF THE CITY CODE OF ORDINANCES; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Continued from September 9, 2008)*

City Attorney Ansbro read the title of Resolution #2008-152.

Commissioner Flury questioned if this was a video arcade.

Nick Lupo, Code Compliance Manager, noted they are mock gambling machines that do not have any payouts or reimbursements. They do not see any problem with the request, but it does require Commission approval.

City Attorney Ansbro noted this is a permitted use in the City.

It was the consensus of the Commission that these were not the type of machines that they wanted in the City.

Commissioner Bertino motioned to deny Resolution #2008-152; 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		

7.3 RESOLUTION #2008-161

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; APPROVING AMENDMENT NO. 2 TO CONTINUE TO PROVIDE FOR ENGINEERING SERVICES DURING CONSTRUCTION RELATED TO THE GROUND STORAGE AND HIGH SERVICE PUMPS PROJECT WITH CAMP, DRESSER AND MCKEE IN THE AMOUNT OF \$35,011.00; AUTHORIZING THE CITY MANAGER TO EXECUTE THE WORK ORDER; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.4 RESOLUTION #2008-163

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA APPROVING A TWO YEAR AGREEMENT WITH CIVICPLUS, FOR THE HOSTING OF THE CITY'S WEBSITE AND RELATED SERVICES FOR AN ANNUAL AMOUNT OF \$8,220.00, WITHOUT COMPETITIVE BIDDING AND WITHOUT ADVERTISEMENT FOR BIDS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.5 RESOLUTION #2008-170

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPOINTING THE RHODES INSURANCE GROUP AS HEALTH CARE CONSULTANT FOR AN AMOUNT NOT TO EXCEED \$18,000.00 FOR FISCAL YEAR 2008-2009; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.6 RESOLUTION #2008-171

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, RENEWING THE CONSULTING AGREEMENT WITH EQUUS INSURANCE BROKERS INC., IN AN AMOUNT NOT TO EXCEED \$35,000.00 FOR THE PERIOD BEGINNING OCTOBER 1, 2008 THROUGH SEPTEMBER 30, 2009, PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2008-171.

Commissioner Flury commented there is no agreement included in the packet.

Mary McDonald, Director of Human Resources and Risk Management, clarified that the backup information was included in the packet behind the resolution.

City Attorney Ansbro explained that he could use one of our standard contracts for this agreement.

Commissioner Flury motioned to adopt Resolution #2008-171; seconded by Vice-Mayor Castro.

Commissioner Bertino requested that future agreements include the number of hours and the hourly rate of consultants.

Vice-Mayor Castro requested that in the future we include the return on investment/cost benefit on all agenda items that include expenditures.

Mayor Jones commented that the City should go out to bid after 3 years with the same firm to insure fairness and competitiveness.

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		

7.7 RESOLUTION #2008-172

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO PURCHASE FLOOD INSURANCE FROM AMERICAN BANKERS INSURANCE COMPANY OF FLORIDA IN AN AMOUNT NOT TO EXCEED \$21,959.00 FOR THE PERIOD OF OCTOBER 1, 2008 THROUGH SEPTEMBER 30, 2009; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.8 RESOLUTION #2008-174

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO APPROVE AN INTERIM AMOUNT OF \$70,000.00 TO CONTINUE THE SHUTTLE BUS SERVICE BETWEEN LIMOUSINES OF SOUTH FLORIDA, INC. AND THE CITY OF DANIA BEACH FOR PUBLIC TRANSPORTATION SERVICES UNTIL THE BID CAN BE AWARDED; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2008-174.

Commissioner Bertino questioned the length of the agreement and if there were matching County funds.

Kristen Jones, Director of Parks and Recreation, responded we received two responses to our bid, so we are redesigning the bid specs and will rebid within the next 2 months. She advised the funding is from the 5th Cent Gas Tax.

Commissioner Bertino motioned to adopt Resolution #2008-174; 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		

7.9 RESOLUTION #2008-175

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, ESTABLISHING FEES FOR STANDING SCHEDULED DETAILS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.10 RESOLUTION #2008-176

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE EMERGENCY MEDICAL SERVICES MEDICAL DIRECTOR AGREEMENT BETWEEN THE CITY OF DANIA BEACH AND L. SCOTT ULIN, M.D. FOR A THREE YEAR PERIOD BEGINNING OCTOBER 1, 2008 AND ENDING SEPTEMBER 30, 2011; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2008-176. He noted the contract was not ready when the agenda packet was assembled due to the insurance provisions.

Commissioner Flury noted that items should not be placed on the agenda if they are not complete. She said the Commission cannot make informed decisions if they do not have the information.

Jack McCartt, Fire Chief, advised the contract with the Medical Director needs to be approved by September 30th, or we need to cease ALS services.

City Attorney Ansbro took responsibility for the omission of the contract, and assured the Commission that it is the same contract we have used for many years.

Vice-Mayor Castro motioned to adopt Resolution #2008-176; 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		

7.11 RESOLUTION #2008-169

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, PROVIDING FOR APPROPRIATION OF FUNDS FOR FISCAL YEAR 2007-2008; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.12 RESOLUTION #2008-177

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA AUTHORIZING THE CITY MANAGER TO PURCHASE REPLACEMENT AND INSTALLATION OF SIDEWALK SERVICES IN AN AMOUNT NOT TO EXCEED \$200,000.00 IN FISCAL YEAR 2007-2008, FROM STRAIGHTLINE ENGINEERING SERVICES UNDER SOUTHEAST FLORIDA GOVERNMENTAL COOPERATIVE GROUP BID #05-06-012; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.13 RESOLUTION #2008-180

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA WHICH DEMONSTRATES A COMMITMENT ON BEHALF OF THE CITY COMMISSION TO SUPPORT THE PRESERVATION AND PROMOTION OF WORKING WATERFRONTS AND PUBLIC ACCESS TO NAVIGABLE WATERS OF THE STATE AND SPECIFICALLY THE PASSAGE OF AMENDMENT 6 ON THE BALLOT IN THE NOVEMBER 2008 ELECTION; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2008-180.

Vice-Mayor Castro noted this issue is extremely important to the marine industry and encouraged everyone to vote yes on Amendment 6 on the November ballot.

Commissioner Flury motioned to adopt Resolution #2008-180; 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		

Ordinances (Titles read by City Attorney)

7.14 ORDINANCE #2008-027

AN ORDINANCE OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 23, "TAXATION", ARTICLE VI, "SERVICE CHARGES FOR PROCESSING LIEN INFORMATION", SECTION 23-67, "CHARGES FOR PREPARING AND RECORDING LIENS AND LIEN SATISFACTIONS" TO ESTABLISH A FEE FOR THE PROCESSING OF PARTIAL RELEASE OF CODE ENFORCEMENT LIENS IN ALL MORTGAGE FORECLOSURE CASES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

Vice-Mayor Castro motioned to adopt the Consent Agenda, with the exception of Items #7.2, #7.6, #7.8, #7.10 and #7.13; 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 #2008-173

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, RELATING TO THE AWARD OF CONTRACT FOR THE DANIA BEACH PUBLIC SERVICES ADMINISTRATION BUILDING; AUTHORIZING THE AWARD OF BID TO WEST CONSTRUCTION, INC. FOR CONSTRUCTION ACTIVITIES IN THE AMOUNT OF \$3,046,982.00; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE AGREEMENT; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING FOR FUNDING; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2008-173.

Dominic Orlando, Director of Public Services, recommended award of the contract.

Commissioner Anton motioned to adopt Resolution #2008-173; 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		

8.2 Mausoleum Bid Award Discussion

Dominic Orlando, Director of Public Services, requested permission to continue to negotiate price and scope of service with the only firm that responded to the bid. The scope of work submitted includes additional services not requested.

Commissioner Anton motioned to proceed with the negotiation; 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

9.1 ORDINANCE #2008-026

AN ORDINANCE OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING THE CITY CODE OF ORDINANCES, AMENDING CHAPTER 28 "ZONING," ARTICLE 2 "DEFINITIONS," IN ORDER TO PROVIDE A DEFINITION OF TEMPORARY SIGN; AMENDING ARTICLE 28 "SIGNS," IN ORDER TO AMEND THE PERMITTING PROCEDURE FOR TEMPORARY SIGNS (WHICH INCLUDE BUT ARE NOT LIMITED TO POLITICAL SIGNS) PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)**

City Attorney Ansbro read the title of Ordinance #2008-026. He noted this is a housekeeping matter.

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

Commissioner Flury motioned to adopt Ordinance #2008-026, on second reading; seconded by Vice-Mayor Castro. The motion carried on the following 4-0 Roll Call vote:

Commissioner Anton	Yes	Vice-Mayor Castro	Yes
Commissioner Bertino	out of the room	Mayor Jones	Yes
Commissioner Flury	Yes		

10. Discussion and Possible Action

10.1 Discussion of Code Issues relating to properties annexed into the City in 2001

City Attorney Ansbro noted the Building Official, City Manager, Public Services Director, and Mr. Lupo went to inspect the building at 4741 SW 42nd Terrace. He indicated that the building was never permitted by Broward County and violates several setback requirements.

Nick Lupo, Code Compliance Manager, noted the building requires after the fact permits and variances, or would need to be removed.

City Attorney Ansbro confirmed that no minutes were found from previous meetings regarding this matter. He read from the Annexation Agreement with Broward County regarding building matters. He acknowledged that the previous property owners did not obtain permits to construct the building, and there are safety issues that need to be addressed if the building is maintained. He suggested the Commission could waive the variance fees for this building, but the life safety issues need to be addressed.

Sean Eckhardt, 4741 SW 42nd Terrace, noted the building has been standing for 36 years.

Nick Lupo, Code Compliance Manager, said that the Building Official and Dominic Orlando, as an engineer, inspected the building. He stated it is the property owner's responsibility to provide the documentation as to when the building was constructed and what types of materials were used in construction. The City cannot do the inspections and approvals because there would be a conflict of interest because they would also be the ones reviewing it for approval.

Mayor Jones said allowing this would set a precedent, so we need to do something that has to sunset at some point in time. If the property is sold, the new owner will have the same problem. He indicated that a suggestion was made that perhaps we could take aerial photos of the area and use them as a reference from this date forward to document everything in the area.

Commissioner Bertino commented we should not have that many cases in that area in the future. However, we cannot allow an unsafe structure; the building will need to be brought up to safety standards.

Mr. Eckhardt commented that nobody from the City inspected the building when they looked at the structure.

Mr. Lupo stated we would be setting a precedent if our inspectors inspected it; it would still be an un-permitted structure. He said Mr. Eckhardt needs to hire an engineer to certify the structure, and would have to provide proof of how long the structure has been there. He said City documents show that the building has only been there since 1998; we do not have aerials from before that date. If Mr. Eckhardt can prove that the structure was there before 1998, the building would only need to comply with the building codes that were in effect at the time of construction.

Vice-Mayor Castro noted we should have done our due diligence at the time of annexation. She noted the structure was not cited as an unsafe structure, only for not being permitted. She questioned why the building did not show as un-permitted when Mr. Eckhardt purchased the property.

Vice-Mayor Castro said she would motion to waive the application fees and support the variance requests if certified engineer/architect drawings are submitted.

Commissioner Bertino advised that the Title Insurance purchased when the building was bought should cover the cost of the engineer fees.

Commissioner Anton stated Mr. Eckhardt would have known if the building was un-permitted, had he purchased Title Insurance. He noted the only way to resolve the issue is to get an engineer to certify the building and get an architect to draw it up. Commissioner Anton stated he would support the request if it meets all the criteria, and the neighbors do not object.

Commissioner Flury concurred with Vice-Mayor Castro and Commissioner Anton. She said she remembers speaking with Spence Johnson, former Code Enforcement Official, and he assured her that the building was grandfathered-in. She stated that in her conversations with the prior owner, he told her that the building had been there forever. She indicated that a survey of the property at the time of purchase should show the building on the property. Commissioner Flury acknowledged that if the building needs to be brought up to code, it will be costly. If the building is declared unsafe, it is a liability issue for the City and the building would need to be upgraded.

Vice-Mayor Castro clarified that the building is not unsafe; we are not bringing the building up to code; we are only validating that the building met code when it was constructed.

The consensus of the Commission was to waive the fees for Mr. Eckhardt, and for the Assistant City Manager to be the point of contact for submission of documents and request for waiver of fees.

10.2 Discussion of rescheduling the November 11, 2008 (Veterans Day) City Commission Meeting

The Commission changed the meeting date to Wednesday, November 12, 2008 at 7:00 p.m.

11. Commission Comments

11.1 Commissioner Anton

Commissioner Anton referenced a letter that the Commission received from Brenda Chalifour, Special Counsel on environmental and airport issues. He noted she is requesting an increase in the number of hours from 35 to 45 per month.

Commissioner Anton motioned to amend Resolution #2001-223 to increase the number of hours to 45 per month, at the same hourly rate, with funding from the Airport Fund; seconded by Commissioner Flury. The motion carried unanimously.

Commissioner Anton reported that he, Brenda Chalifour, and Attorney McAliley met with the Director of the FAA in Washington DC last week, and explained the City's position and issues with the EIS. He indicated that they will be providing additional information as requested by the FAA.

11.2 Commissioner Bertino

Commissioner Bertino noted the Airport Fund will evaporate quickly and we need to consider increasing the funds.

11.3 Commissioner Flury

Commissioner Flury commented on the graffiti throughout the City. She suggested that Code Compliance communicate with FP&L and AT&T to clean the graffiti on their structures. She noted the worst building is on Stirling and Bryan Roads, and questioned why we couldn't get the owner to do something.

Assistant City Manager Donnelly responded he would follow through with Code Compliance and report to the Commission.

Commissioner Flury requested clarification on the performance evaluations for the City Manager and City Attorney. She noted the City Manager is on a flat salary and there is no COLA or merit increase.

City Attorney Ansbro confirmed that there is no change in compensation unless the Resolution that lists their benefits is amended.

Patty Varney, Director of Finance, explained that in the past, the resolution for the City Manager and City Attorney included both the COLA and Merit increase effective on October 1st. She confirmed that a new resolution would need to be voted on by the Commission to provide a merit or COLA for the City Manager and City Attorney.

Commissioner Anton clarified that the Performance Evaluation of the City Manager and City Attorney does not entitle them to a raise unless a resolution is adopted by the Commission.

Mayor Jones stated that this matter should not be on any Commission agenda unless the Commission requests it.

The consensus of the Commission was that these items will not be placed on a Commission agenda.

11.4 Vice-Mayor Castro

Vice-Mayor Castro questioned the grass area between the sidewalk and Federal Highway.

Dominic Orlando, Director of Public Services, responded the area is maintained by the City. FDOT replaced our irrigation lines and they are installing sod and/or trees. He noted the FDOT contractor is currently handling the project.

Vice-Mayor Castro commended CRA Director Earle for holding another meeting with Dania Beach Heights for their input on what they want in their neighborhood.

Vice-Mayor Castro noted she and the Mayor were at the County meeting today and watched the adoption of the County Resolution to proceed with the Dania Beach Library.

11.5 Mayor Jones

Mayor Jones reported Code violations at an Auto Repair Shop on Phippen Waiters Road, and another near the parking lot at Ryan Realty on 1st Street and 1st Avenue.

Mayor Jones suggested we integrate some green initiatives in our Building Code.

Mayor Jones noted the Dania Beach Library was approved by the Broward County Commission.

The Commission acknowledged that Vice-Mayor Castro was the point person on the Dania Beach Library and did an exceptional job.

12. Appointments

There were no appointments at this meeting.

13. Administrative Reports

13.1 City Manager

Assistant City Manager Donnelly had no comments.

13.2 City Attorney

City Attorney Ansbro had no comments.

13.3 City Clerk – Reminders

Wednesday, September 24, 2008 - 7:00 p.m.

Wednesday, October 8, 2006 – 5:00 p.m.

Wednesday, October 8, 2008 – 6:00 p.m.

Tuesday, October 14, 2008 – 7:00 p.m.

Tuesday, October 28, 2008 – 7:00 p.m.

Final Public Hearing – Budget

CRA Board Meeting

Commission Workshop – Site Plan Review

City Commission Meeting

City Commission Meeting

14. Adjournment

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

ATTEST:

CITY OF DANIA BEACH

LOUISE STILSON, CMC
CITY CLERK

ALBERT C. JONES
MAYOR-COMMISSIONER

Approved: October 14, 2008