

MINUTES OF REGULAR MEETING
DANIA BEACH CITY COMMISSION
TUESDAY, MAY 10, 2016 – 7:00 P.M.

1. Call to Order/Roll Call

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

Present:

Mayor:	Marco A. Salvino, Sr.
Vice-Mayor:	Albert C. Jones
Commissioners:	Chickie Brandimarte
	Paul Fetscher
	Bobbie H. Grace
City Manager:	Robert Baldwin
City Attorney:	Thomas Ansbro
City Clerk:	Louise Stilson

2. Moment of Silence and Pledge of Allegiance

Mayor Salvino called for a moment of silence followed by the Pledge of Allegiance to the United States Flag.

3. Presentations and Special Event Approvals

3.2 Certificate of Recognition for Alice Henley, Dania Beach Ocean Rescue

Mayor Salvino presented a Certificate of Recognition to Dania Beach Lifeguard Alice Henley on becoming the first female in the history of the Mercedes Benz Corporate Run to win overall, and for being the first female to win a Mercedes Benz Corporate Run with a time of 18:25:00.

3.1 Legislative Update – Representative Joseph Geller

Representative Joseph Geller provided a brief report on the recent legislative session.

4. Proclamations

There were no proclamations at this meeting.

5. Citizen Comments

Debra Simmons, 608 NW 3rd Street, asked the Commission to support the Dania CAN Program, by contributing \$3,500.00.

Commissioner Grace noted she, the Dania Economic Development Corporation, and the Attucks Alumni Association will support it.

Commissioner Brandimarte personally presented a check in support, and noted the Seniors Club also donated.

Veronica Larkins, 211 NW 12th Avenue, thanked everyone for supporting the Kickball Game.

6. Public Safety Reports

Captain Daniel Marks, BSO Chief of Police, noted Felicia Brown and Dennis Allen were recognized today for their 25 years of service, all of which were in the City of Dania Beach. He reported on criminal activity and homeless issues.

Commissioner Grace said she received two phone calls because of loud noise, from music, on 13th.

Lieutenant Dan Suarez, BSO Fire Rescue, noted that Chief Stravino is retiring in September. He also reported that this is Seatbelt and Child Car Seat Safety Community Outreach Week, and spoke of the Direct On-scene Education Program.

7. Consent Agenda

- 7.1 Minutes:
Approve Minutes of April 26, 2016 City Commission Workshop – Charter Review Board Recommendations
Approve Minutes of April 26, 2016 City Commission Meeting
- 7.2 Travel Requests: None

Resolutions

7.3 RESOLUTION #2016-054

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO PURCHASE ONE (1) FORD TRANSIT VAN FOR THE PUBLIC SERVICES DEPARTMENT BY UTILIZING THE PRICING UNDER THE FLORIDA SHERIFFS' ASSOCIATION CONTRACT NO. 15-23-0904, DATED OCTOBER 1, 2015 AND EXPIRING ON SEPTEMBER 30, 2016 WITHOUT COMPETITIVE BIDDING AND WITHOUT ADVERTISEMENT FOR BIDS IN AN AMOUNT NOT TO EXCEED THIRTY THOUSAND NINE HUNDRED THIRTY FIVE DOLLARS (\$30,935.00); DECLARING AN EXISTING CITY VEHICLE (A 1999 FORD F-250) AS SURPLUS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.4 RESOLUTION #2016-055

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO PROVIDE SUPPLEMENTAL BUILDING CODE SERVICES BY UTILIZING THE PRICING UNDER THE C.A.P. GOVERNMENT, INC. CONTRACT, UNDER PROPOSAL NO. 855-11487 VALID THROUGH MARCH 6, 2017; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.5 RESOLUTION #2016-056

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, REVISING AND UPDATING THE SCHEDULE OF BUILDING PERMIT FEES, PURSUANT TO SECTION 8-3, "BUILDING PERMIT FEES" OF CHAPTER 8, "BUILDING" OF THE CITY CODE OF ORDINANCES; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.6 RESOLUTION #2016-057

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE COMMUNITY DEVELOPMENT DEPARTMENT FOR SCANNING SERVICES TO BE PROVIDED BY ADVANCED PROCESSING AND IMAGING, INC. FOR FISCAL YEAR 2015-2016, ENDING SEPTEMBER 30, 2016, INCLUSIVE OF EXISTING PURCHASES THAT MAY EXCEED AN ANNUAL VENDOR TOTAL AMOUNT OF TWENTY FIVE THOUSAND DOLLARS (\$25,000.00); AUTHORIZING SUCH PURCHASES, THAT ARE TO BE MADE WITHIN THE RESPECTIVE DEPARTMENTS' APPROVED ANNUAL BUDGET APPROPRIATIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.7 RESOLUTION #2016-058

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING AND RATIFYING THE EXPENDITURE OF FUNDS FROM VARIOUS CITY DEPARTMENTS FOR ELECTRICAL REPAIR SERVICES TO BE PROVIDED BY R & R ELECTRIC OF BROWARD, INC., FOR FISCAL YEAR 2015-2016 ENDING SEPTEMBER 30, 2016, INCLUSIVE OF EXISTING PURCHASES THAT MAY EXCEED AN ANNUAL VENDOR TOTAL AMOUNT OF TWENTY FIVE THOUSAND DOLLARS (\$25,000.00); AUTHORIZING SUCH PURCHASES THAT ARE MADE WITHIN THE RESPECTIVE DEPARTMENTS' APPROVED ANNUAL BUDGET APPROPRIATIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

Ordinances (Titles read by City Attorney)

7.8 ORDINANCE #2016-010

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF PROPOSED AMENDMENTS TO THE CITY CHARTER, PURSUANT TO SECTION 166.031, FLORIDA STATUTES, FOLLOWING CITY COMMISSION REVIEW AND CONSIDERATION OF CHARTER AMENDMENTS RECOMMENDED BY THE CHARTER REVIEW BOARD IN ACCORDANCE WITH PART 1, ARTICLE 2, SECTION 3 OF THE CITY CHARTER; SUBMITTING PROPOSED CHARTER AMENDMENTS CONCERNING THE VOTE REQUIRED FOR EXPENDITURE OF FUNDS EXCEEDING ONE MILLION DOLLARS; THE VOTE REQUIRED FOR AGREEMENTS INVOLVING FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT; REPEAL OF CITY COMMISSION TERM LIMITS; ELECTION OF VICE-MAYOR FOR A TWO YEAR TERM; ABSENCE FROM REGULAR CITY COMMISSION MEETINGS; THE VOTE REQUIRED TO WAIVE QUALIFICATIONS FOR APPOINTMENT OF CITY MANAGER; FILLING OF VACANCIES ON THE CITY COMMISSION; QUALIFICATIONS OF APPRAISER FOR SALE OF CITY SURPLUS REAL PROPERTY;

PROCEDURES AND RESTRICTIONS ON LEASES OF CITY OWNED REAL PROPERTY, AND THE MAXIMUM CONTRACT DURATION TERM FOR A CITY GARBAGE DISPOSAL CONTRACT; CALLING FOR A SPECIAL ELECTION ON THE PROPOSED AMENDMENTS TO THE CITY CHARTER TO BE HELD ON TUESDAY, NOVEMBER 8, 2016 IN CONJUNCTION WITH THE GENERAL ELECTION BEING HELD ON SUCH DATE; PROVIDING FOR REQUISITE BALLOT LANGUAGE; PROVIDING FOR PROCEDURES FOR BALLOTING; PROVIDING FOR NOTICE; PROVIDING FOR RELATED MATTERS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CHARTER; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

Commissioner Grace motioned to adopt the Consent Agenda; seconded by Vice-Mayor Jones. The motion carried unanimously.

8. Bids and Requests for Proposals

8.1 RESOLUTION #2016-059

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO AWARD A BID AND ENTER INTO AN AGREEMENT WITH PASSPORT PARKING, INC. FOR THE MOBILE PAY PLATFORM AND PARKING CITATION MANAGEMENT PROJECT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2016-059.

Marc LaFerrier, Director of Community Development, explained this is a new electronic parking ticket system, which will eliminate the need for the County Clerk for parking violations.

Commissioner Grace motioned to adopt Resolution #2016-059; seconded by Vice-Mayor Jones. The motion carried unanimously.

9. Public Hearings and Site Plans

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

9.1 ORDINANCE #2016-008

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUEST MADE BY GREENSPOON MARDER, AGENT FOR THE PROPERTY OWNERS, DANIA LIVE 1748, LLC AND DISCOUNT AUTO PARTS, LLC, TO REZONE LAND GENERALLY LOCATED ON THE NORTH SIDE OF STIRLING ROAD BETWEEN BRYAN ROAD AND INTERSTATE 95 WITHIN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT "A", A COPY OF WHICH IS ATTACHED TO THIS ORDINANCE; CHANGING THE CURRENT ZONING CLASSIFICATION OF THE PROPERTY FROM COMMERCIAL BUSINESS DISTRICT (C-2, C-3, AND C-4) TO PLANNED MIXED-USE DEVELOPMENT DISTRICT (PMUD) (RZ-114-15), SUBJECT TO CERTAIN RESTRICTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

9.2 ORDINANCE #2016-009

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA APPROVING THE UTILITY EASEMENT VACATION REQUESTS (VC-19-16, VC-20-16, VC-34-16 and VC-35-16) SUBMITTED BY LINDA C. STRUTT, AICP ON BEHALF OF THE PROPERTY OWNER, DANIA LIVE 1748, LLC, FOR PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF STIRLING ROAD BETWEEN BRYAN ROAD AND INTERSTATE 95 WITHIN THE CITY OF DANIA BEACH, FLORIDA, AS 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. **(FIRST READING)**

City Attorney Ansbro read the titles of Ordinance #2016-008 and Ordinance #2016-009.

Corinne Lajoie, Principal City Planner, described the rezoning request, and vacation requests.

Commissioner Fetscher questioned if DOT was involved in the permitting of the billboard. Ms. Lajoie responded they would be involved as approval has to come from them.

Commissioner Brandimarte questioned the teenage club and how drinks could be taken from one location to another.

Steve Wherry, representing the applicant, responded there is no teenage club currently planned for the development, and if it were, it would come before the Commission as a Special Exception. As to alcohol consumption, the use would be limited to the entertainment district, in keeping with the more vibrant uses of this nature that exist elsewhere. They will have security provided by off-duty deputies, supplemented by their own security officers.

Peter Flint, Kimco Realty, noted the teen use was requested by staff, and would require a Special Exception. There is currently no plan for this in the entertainment district area.

Mayor Salvino opened the Public Hearings.

Tucker Gibbs, 3835 Utopia Court, Coconut Grove, FL, attorney representing Hampton Inn and Quality Inn and Suites, noted they are working with the developer to address and resolve concerns regarding the elimination of the left turn lane on Stirling Road.

Dr. Michael Pfeffer, Quality Inn & Suites, 2520 Stirling Road, Hollywood, FL, was present but did not speak.

Derrick Hankerson, 746 SW 3rd Street, expressed his concern within the DDG regarding indoor automotive sales, and questioned what type of sales it would entail.

Mr. Flint responded the intent is interest from exotic car dealerships, such as Tesla, and the vehicles would be kept inside. That is not to say a used car may not be sold through the dealership.

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

Commissioner Grace motioned to adopt Ordinance #2016-008, on first reading; seconded by Vice-Mayor Jones. The motion carried on the following 5-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Jones	Yes
Commissioner Fetscher	Yes	Mayor Salvino	Yes
Commissioner Grace	Yes		

Commissioner Grace motioned to adopt Ordinance #2016-009, on first reading; seconded by Vice-Mayor Jones. The motion carried on the following 5-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Jones	Yes
Commissioner Fetscher	Yes	Mayor Salvino	Yes
Commissioner Grace	Yes		

9.3 RESOLUTION #2016-051

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, GRANTING A TWELVE (12) MONTH EXTENSION OF SITE PLAN APPROVAL FOR THE SITE PLAN (SP-76-14) AND VARIANCES (VA-86-14 AND VA 87-14) SUBMITTED BY VANDER PLOEG & ASSOCIATES, INC. ON BEHALF OF THE PROPERTY OWNER, PROJECT USA, LLC, FOR PROPERTY LOCATED AT 150 S. BRYAN ROAD IN THE CITY OF DANIA BEACH, FLORIDA; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2016-051.

Corinne Lajoie, Principal City Planner, explained the requested extension for the previously approved variances and site plan.

Wilson Atkinson, representing the applicant, noted negotiations with SFWMD finally concluded on April 30th. Now they are going through the Army Corp of Engineers, and they are already in permitting with Broward County.

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

Commissioner Grace motioned to adopt Resolution #2016-051; seconded by Vice-Mayor Jones. The motion carried on the following 5-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Jones	Yes
Commissioner Fetscher	Yes	Mayor Salvino	Yes
Commissioner Grace	Yes		

9.4 RESOLUTION #2016-052

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE PLAT NOTE AMENDMENT DELEGATION REQUEST (DR-131-15), SITE PLAN (SP-128-15), SPECIAL EXCEPTION (SE-129-15), AND VARIANCE (VA-009-16, VA-010-16, VA-007-16, VA-21-16, AND VA-22-16) APPLICATIONS SUBMITTED BY DENNIS MELE, ESQUIRE WITH GREENSPOON MARDER, P.A., ON BEHALF OF SHERIDAN HOUSE BAPTIST CHURCH, INC. FOR PROPERTY LOCATED AT 4200 SW 54TH COURT IN THE CITY OF DANIA BEACH, FLORIDA; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

9.5 RESOLUTION #2016-053

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUEST SUBMITTED BY SHERIDAN HOUSE BAPTIST CHURCH, INC. FOR A MODIFICATION, AMENDMENT, AND RESTATEMENT OF THE DECLARATION OF RESTRICTIVE COVENANTS RECORDED IN BROWARD COUNTY PUBLIC RECORDS, BOOK 45675, AT PAGE 701, FOR PROPERTY LOCATED AT 4200 S.W. 54TH COURT IN DANIA BEACH, FLORIDA; PROVIDING FOR AUTHORIZATION BY THE PROPER CITY OFFICIALS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the titles of Resolution #2016-052 and Resolution #2016-053. He noted that Resolution #2016-053, for the Restrictive Covenants, would need to be approved before Resolution #2016-052.

Corinne Lajoie, Principal City Planner, gave an overview of the restated Declaration of Restrictive Covenants and delegation, site plan, special exception and variance requests.

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

Commissioner Grace motioned to adopt Resolution #2016-053; seconded by Vice-Mayor Jones. The motion carried on the following 5-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Jones	Yes
Commissioner Fetscher	Yes	Mayor Salvino	Yes
Commissioner Grace	Yes		

Steve Wherry, representing the applicant, responded to Commissioner Fetscher that staffing has not been determined yet; however, he estimated that there would be 16 employees in the evening and 30 during the day.

Commissioner Grace motioned to adopt Resolution #2016-052 seconded by Vice-Mayor Jones. The motion carried on the following 5-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Jones	Yes
Commissioner Fetscher	Yes	Mayor Salvino	Yes
Commissioner Grace	Yes		

10. Discussion and Possible Action

10.1 Options for Development Projects – City Attorney Ansbro

City Attorney Ansbro gave a background of this item and spoke of the three options outlined in the agenda backup. He did not recommend reducing the time from 18 months to 12 months.

Mayor Salvino recommended an extension should only be for 6 months, following the 18 month process; after that they have to pay a fee. Community Development Director LaFerrier can determine how it should be dealt with once a permit to build the foundation and slab is pulled. He asked that this be brought back in a month for a Commission decision.

Community Development Director LaFerrier explained after the 6 month extension, they could not come before the Commission again unless they re-apply again.

Mayor Salvino clarified he did not recommend re-applying, but charging fees instead.

James White, Special Counsel with the law firm Weiss Serota Helfman, explained legal rights of applicants.

Staff will develop a proposal for the Commission to review.

10.2 Entranceway Signs

Anthony Abbate, Abbate Architect PA, reviewed the PowerPoint for the entranceway concept plans that was included in the agenda packet. He noted the LED signs have been pre-approved by FDOT.

Vice-Mayor Jones said he likes the pedestal sign as opposed to the digital sign.

Community Development Director LaFerrier noted the next step would be for Mr. Abbate to provide specifications for the signs, and then get cost proposals.

Commissioner Fetscher suggested that we get money from businesses to defray the costs.

Vice-Mayor Jones moved to do the specifications; seconded by Commissioner Grace. The motion carried unanimously.

10.3 Use of Recreation Facilities – Fee Waiver

City Manager Baldwin noted this item addresses the concern expressed by the Commissioners about the fee waiver requests coming to them.

Mark Felicetty, Director of Parks and Recreation, said he has been working with staff to come up with a standardized fee waiver policy for I.T. Parker Center and special event applications; their recommendation is to grant waivers only to groups that the City either sponsors or co-sponsors.

Commissioner Grace noted that Royalty Inc. is not on the list, and they do great things for young women in the City; they, along with the Tamara James Foundation, should be added to the list.

Commissioner Brandimarte said we are opening the door again. She is in favor of City sponsored/co-sponsored events only.

City Manager Baldwin noted the Tamara James Foundation is funded through the donation committee, and is not City sponsored.

Parks and Recreation Director Felicetty said Royalty, Inc. is sponsored in a soft cost sense, as we help them plan and organize, and they hold their event at I.T. Parker.

City Manager Baldwin noted that the charitable organization groups are not City sponsored events.

Commissioner Grace stated she is adamant that Royalty Inc. and Tamara James are City sponsored events.

Commissioner Brandimarte recalled the group that we are in to for \$35,000.00 worth of fee waivers for the I.T. Parker facility, which is what brought this matter about. Her understanding is only City sponsored events could use the center for free; otherwise, they should be paying like anyone else.

Vice-Mayor Jones said if we are going to include Royalty Inc. and Tamara James Foundation on the list, we might let the charitable committee decide if the fee waivers should apply; not Parks or the Commission.

Commissioner Fetscher felt the purpose of this issue was to define a group that got the waiver and omit everyone else. We should not try to pawn the responsibility off on someone else; the fiduciary responsibility lies with the Commission.

Mayor Salvino said there should be a cost factor for all of the organizations; they should be required to raise funds and pay. No one should get anything for free; the taxpayers should not pay.

Commissioner Grace commented it should be the same for everyone; if not, eliminate it all, including the list.

Mayor Salvino suggested that with eliminating it all, maybe having a special exception price, for the groups that have been doing this, and they would have to cover the fixed costs.

City Manager Baldwin stated those on the list included in the packet should not pay as we pay for a lot of their expenses in the City budget.

The consensus was to do away with all waivers; if something comes up, the City Manager will make the decision.

10.4 Proposed Changes to Solid Waste Ordinance – Bulk Waste Collection

Brad Kaine, Director of Public Services, explained the proposed ordinance changes for bulk pickup would allow no more than 24 hours before the scheduled pickup date. We would work in conjunction with Code Enforcement and Waste Management to make the process known to the residents.

Vice-Mayor Jones suggested bulk pickup schedules should be better disseminated.

Mayor Salvino felt we should go door-to-door, and place stickers that advise residents they have 90 days to get with the program; after that we should start fining them.

Public Services Director Kaine also noted the second proposed change is for communities that want to come into the franchise agreement for service under certain conditions.

The Commission was in agreement with the changes discussed.

11. Commission Comments

11.1 Commissioner Brandimarte

Commissioner Brandimarte had no comments.

11.2 Commissioner Fetscher

Commissioner Fetscher had no comments.

11.3 Commissioner Grace

Commissioner Grace thanked the CRA for the turnout and vendors for Cinco de Mayo. She also thanked everyone who helped with Relay for Life. She noted as budget preparations for the coming year get underway, we should remember to do the right thing with taxpayer money.

11.4 Vice-Mayor Jones

Vice-Mayor Jones spoke of attending the Family Health and Wellness Fair at City Hall, the Chamber of Commerce 89th anniversary event, and the 59th annual installation event for the Broward League of Cities. He noted that on May 17th he will have a Town Hall meeting beginning at 6:00 p.m. at PJ Meli Park, and commented on taking precautions to prevent the Zika virus.

11.5 Mayor Salvino

Mayor Salvino thanked the Chamber of Commerce for the Breakfast After Dark. He noted the sports spring program at Frost Park is concluding, and that he attended Fleet Week.

12. Appointments

There were no appointments at this meeting.

13. Administrative Reports

13.1 City Manager

City Manager Baldwin reported the Oasis X project is complete, Davis Isles is scheduled to begin next week, the Federal Highway tree replacement will start this week, paving of 36th Avenue has begun, the plan for the next phase of the road resurfacing project will be provided to the Commission next week, and the NE 2nd Avenue water main replacement installation requires approval of the State and will then be complete.

City Manager Baldwin also reported there are problems with the beach restroom planned for the old south beach building because the structure is in poor condition. An engineering study will be done, followed by a recommendation to the Commission on alternatives for a second restroom.

City Manager Baldwin thanked everyone who participated in the Oasis community cleanup in Dania Beach Heights, and noted the Hurricane Ready conference will be June 4th.

Vice-Mayor Jones said he had asked the City Manager about the rails at the beach going up the stairs to the dock master's office and had noted that the short step has no rail. He suggested putting a rail in the center and none on the ends.

Mayor Salvino asked for an update on the beach.

Public Services Director Kaine noted there have been some technical things and field conditions that have made the project more difficult than originally anticipated. An update will be provided at the next meeting.

Vice-Mayor Jones asked that we also look at the marina side as it looks nasty.

13.2 City Attorney

City Attorney Ansbro had no comments.

13.3 City Clerk - Reminders

Tuesday, May 24, 2016 - 7:00 p.m.	City Commission Meeting
Wednesday, May 25, 2016 – 3:30 p.m.	CRA Workshop – Executive Director Position
Wednesday, June 1, 2016 - 5:00 p.m.	Abatement Hearing
Tuesday, June 14, 2016 - 6:00 p.m.	CRA Board Meeting

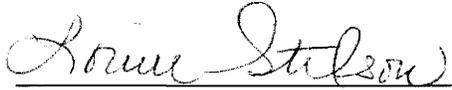
Tuesday, June 14, 2016 - 7:00 p.m. City Commission Meeting

14. Adjournment

Mayor Salvino adjourned the meeting at 9:42 p.m.

ATTEST:

CITY OF DANIA BEACH



LOUISE STILSON, CMC
CITY CLERK



MARCO A. SALVINO, SR.
MAYOR

Approved: May 24, 2016



7:21



REQUEST TO ADDRESS CITY COMMISSION AT REGULAR OR SPECIAL MEETINGS

The City is required by state law to keep minutes of City Commission meetings. To properly identify persons who address the City Commission in those minutes, the City requests that this form be completed and provided to the City Clerk, before the meeting begins.

DATE OF COMMISSION MEETING: MAY 10, 2021

PRINT NAME: DEBRA SIMMONS

ADDRESS: 408 N.W. 3 - DANIA

PHONE NO. (optional): _____

PLEASE CHECK ONE OR BOTH OF THE BOXES BELOW:

1) **CITIZEN COMMENTS:**

Comments by Dania Beach citizens or interested parties that are not part of the regular printed 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 immediately 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.

PLEASE BRIEFLY DESCRIBE THE SUBJECT MATTER OF YOUR COMMENT:

The Dania can program

2) **PUBLIC HEARINGS - ITEM # _____ (AS PRINTED ON AGENDA)**

PLEASE NOTE: IF YOU WISH TO SPEAK ON AN ITEM THAT PERTAINS TO A "ZONING" TYPE OF MATTER (FOR EXAMPLE, A SITE PLAN, VARIANCE, SPECIAL EXCEPTION OR SIMILAR TYPE OF ITEM KNOWN AS A "QUASI-JUDICIAL" MATTER, YOU ARE SUBJECT TO BEING ASKED TO SWEAR OR AFFIRM THAT YOU WILL BE TRUTHFUL AS TO YOUR COMMENTS OR TESTIMONY. YOU MAY ALSO BE SUBJECT TO QUESTIONS ASKED OF YOU BY AN APPLICANT OR AN APPLICANT'S REPRESENTATIVE OR ATTORNEY WHICH RELATE TO THE ITEM.

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 IS REQUIRED. PRIOR TO ENGAGING IN ANY LOBBYING ACTIVITIES, WHETHER OR NOT COMPENSATION IS PAID OR RECEIVED IN CONNECTION WITH THOSE ACTIVITIES, EACH LOBBYIST SHALL FILE WITH THE CITY CLERK AN ANNUAL REGISTRATION STATEMENT AND PAY AN ANNUAL ONE HUNDRED DOLLARS (\$100.00) REGISTRATION FEE FOR EACH PRINCIPAL OR EMPLOYER. REGISTRATION FORMS ARE AVAILABLE ON THE CITY WEBSITE: WWW.DANIABEACHFL.GOV. (ORDINANCE #2012-019)

8008



REQUEST TO ADDRESS CITY COMMISSION AT REGULAR OR SPECIAL MEETINGS

The City is required by state law to keep minutes of City Commission meetings. To properly identify persons who address the City Commission in those minutes, the City requests that this form be completed and provided to the City Clerk, before the meeting begins.

DATE OF COMMISSION MEETING: MAY 10, 2016

PRINT NAME: TUCKER GIBBS

ADDRESS: 3835 UTDPIA CT, COCONUT GROVE, FL 33133

PHONE NO. (optional): 305-448-8486

PLEASE CHECK ONE OR BOTH OF THE BOXES BELOW:

1) CITIZEN COMMENTS:

Comments by Dania Beach citizens or interested parties that are not part of the regular printed 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 immediately 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.

PLEASE BRIEFLY DESCRIBE THE SUBJECT MATTER OF YOUR COMMENT:

2) PUBLIC HEARINGS – ITEM #9-1/5-2 (AS PRINTED ON AGENDA)

PLEASE NOTE: IF YOU WISH TO SPEAK ON AN ITEM THAT PERTAINS TO A "ZONING" TYPE OF MATTER (FOR EXAMPLE, A SITE PLAN, VARIANCE, SPECIAL EXCEPTION OR SIMILAR TYPE OF ITEM KNOWN AS A "QUASI-JUDICIAL" MATTER, YOU ARE SUBJECT TO BEING ASKED TO SWEAR OR AFFIRM THAT YOU WILL BE TRUTHFUL AS TO YOUR COMMENTS OR TESTIMONY. YOU MAY ALSO BE SUBJECT TO QUESTIONS ASKED OF YOU BY AN APPLICANT OR AN APPLICANT'S REPRESENTATIVE OR ATTORNEY WHICH RELATE TO THE ITEM.

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 IS REQUIRED. PRIOR TO ENGAGING IN ANY LOBBYING ACTIVITIES, WHETHER OR NOT COMPENSATION IS PAID OR RECEIVED IN CONNECTION WITH THOSE ACTIVITIES, EACH LOBBYIST SHALL FILE WITH THE CITY CLERK AN ANNUAL REGISTRATION STATEMENT AND PAY AN ANNUAL ONE HUNDRED DOLLARS (\$100.00) REGISTRATION FEE FOR EACH PRINCIPAL OR EMPLOYER. REGISTRATION FORMS ARE AVAILABLE ON THE CITY WEBSITE: WWW.DANIABEACHFL.GOV. (ORDINANCE #2012-019)



REQUEST TO ADDRESS CITY COMMISSION AT REGULAR OR SPECIAL MEETINGS

The City is required by state law to keep minutes of City Commission meetings. To properly identify persons who address the City Commission in those minutes, the City requests that this form be completed and provided to the City Clerk, before the meeting begins.

DATE OF COMMISSION MEETING: May 10, 2016

PRINT NAME: Dr. Michael Pfeiffer

ADDRESS: Quality Inn + Suites, 2520 Sterling Road, Hollywood

PHONE NO. (optional): 786-295-8007

PLEASE CHECK ONE OR BOTH OF THE BOXES BELOW:

1) CITIZEN COMMENTS:

Comments by Dania Beach citizens or interested parties that are not part of the regular printed 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 immediately 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.

PLEASE BRIEFLY DESCRIBE THE SUBJECT MATTER OF YOUR COMMENT:

2) PUBLIC HEARINGS – ITEM # 9-1 (AS PRINTED ON AGENDA)
9-2

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MEMORANDUM

10.1

DATE: May 10, 2016
TO: Marc LaFerrier, Director, Community Development
FROM: Anne-Christine Carrie, Planning Associate *AC*
SUBJECT: **SITE PLAN APPROVALS AND EXTENSIONS**

This research was conducted via Municode services, the following land development codes were retrieved from eight (8) cities in Broward County.

DEERFIELD BEACH

Sec. 98-14. - DRC major development review procedures.

(j) Expiration or extension of site plan approval. A site plan approval shall expire 18 months following the date of approval unless a building permit for a principal building as required by the Florida Building Code, 2004 as amended has been issued to the applicant and kept in force so that work is proceeding towards a completion of the site and project in a commercially reasonable time. A 12-month extension of time may be granted by the city commission when all applicable building, zoning, and engineering regulations remain the same and good cause has been shown by the applicant. The proposed development will be reviewed by the DRC to assure that all applicable building, zoning and engineering regulations have been met. Good cause may include, but shall not be limited to, delay caused by governmental action or inaction or other factors totally beyond the control of the applicant. An extension shall only be granted where an applicant has applied for an extension during the effective period of the development. Only one extension shall be permitted. For site plans approved subsequent to January 1, 2004, and for which construction on a principal building has commenced to the point of passing the tie-beam inspection, the city commission may, on application, either reinstate the approved site plan or extend the site plan for a period of 12 months from the date of the approval of the reinstatement or extension. This extension shall be granted only where the applicant affirms to the city that it has a good faith intention to commence and complete construction during the period of extension and that it has the ability to do so; the city may, in its discretion, require verification of such facts. In no event shall the extension provided by this provision apply to any site plans for which a building permit was first granted subsequent to December 1, 2009.

SUNRISE

Sec. 16-39. - Master development plan.

(e) Effective period of approval. Approval of a master development plan as provided herein shall be effective for a period of eighteen (18) months. Unless a site plan approval is obtained on or before the last day of the eighteenth month following the date of approval, said approval shall expire. The applicant may request an extension of the approval period by submitting written justification to the department for the proposed extension. The department may grant, in writing, two (2) extensions of one (1) year each for good cause. Thereafter, the applicant must reapply for a new master development plan. Staff may deny an extension due to any changes of the land development code or comprehensive plan, adopted since the master plan approval that renders the master plan inconsistent with the Comprehensive Plan or Code or incompatible with the surrounding properties.

NORTH LAUDERDALE

Sec. 98-34. - Effective period of approval.

Approval of a master plan as provided in this article shall be effective for a period of 18 months. Within that 18-month period the developer shall apply for and receive a development review certificate and building permit for the project as approved or some portion thereof. Failure to obtain a development review certificate and the maintenance of current building permit on or before the last day of the 18th month following the date of approval shall result in the expiration of the master plan approval.

COCONUT CREEK

Sec. 13-547. - Review procedures.

(e) Expiration or extension of site plan approval. A site plan approval shall expire eighteen (18) months following the date of approval unless a building permit for a principal building as required by the applicable Florida Building Code has been issued to the applicant and kept in force. A twelve-month extension of the site plan approval may be granted by the development services director when all applicable planning, building, zoning, and engineering regulations in effect at the time of the original site plan approval remain unchanged. An extension shall only be granted when an applicant has applied for an extension during the original effective period of the site plan and a determination that the project development is proceeding with due diligence has been made by the development services director. Only one (1) extension shall be permitted.

PARKLAND

Sec. 22-204. - Site plan approval, generally.

G. Effective period of site plan approval. A final site plan which has been approved pursuant to the provisions of this Code shall be void (as shall any variances and conditional uses approved concurrently) after a period of eighteen (18) months following the date of approval unless a building permit for a principal building has been issued and construction (pouring of the foundation) has begun. After the issuance of a building permit for the principal buildings and after construction has begun, the site plan approval shall remain in effect until the completion of the development; provided, however, that the site plan approval shall expire if there are no active building permits in effect for the development for a consecutive period in excess of one (1) year and ninety (90) days. The city commission may grant one (1) extension of the time period of site plan approval of up to eighteen (18) months. At least sixty (60) days prior to the date of expiration of the original site plan approval, the applicant shall submit the extension request. Provided that the city commission finds that the applicant has demonstrated good cause for the delay in obtaining building permits and the applicant is not in violation of any condition of the site plan approval, a six-month extension of the site plan approval period may be granted.

LAUDERHILL

Sec. 5.1. - Approval of site plan; application for building and engineering permits.

5.1.3. When a proposed site plan or development plan has been approved by the Planning and Zoning Board of the City, the applicant shall have a period of six (6) months from the date of approval in which to apply for a building permit or permits which would be required for construction of the proposed site plan or development plan. If the applicant shall not apply for said permit or permits within a six-month period, then the applicant may request a six-month extension in which to apply for said building permit or permits from the Director of Community Development. The Director of Community Development shall grant such request if he or she determines that the site plan or development plan has not been modified or altered and still conforms to the original site plan which was approved by the Planning and Zoning Board. If the applicant shall not apply for said permit or permits within the six-month period, or within the twelve-month period if an extension has been granted, then the approval of

the Planning and Zoning Board shall be considered null and void and the applicant shall be required to resubmit a proposed site plan or development plan before any building permit can be issued for construction.

5.1.4. If any project shall not be completed within three (3) years after final site plan approval, all permits shall be automatically revoked unless extended by the City Commission by resolution.

TAMARAC

Sec. 10-2. - Site plan review procedures and standards.

(c) Site plan review procedures.

(9) Expiration of site plan approval unless building permit(s) issued within one (1) year. Any site plan approval shall be void one (1) year after the date of approval unless a building permit has been issued for the construction of all facilities provided in the site plan and construction is diligently pursued. If a building permit is issued within one (1) year of approval of the site plan, the building official shall make periodic inspections in order to determine whether or not construction is being diligently pursued. If the building official determines that construction is not being diligently pursued, then he or she shall notify in writing the owner of property and any other interested party who has requested such notice. The site plan approval shall be void six (6) months after the date of such notice unless construction has been diligently resumed within that six (6) month period. Minor construction related work which does not substantially advance the project to completion will not be deemed sufficient to avoid voiding site approval.

HALLANDALE BEACH

Sec. 32-790. - Expiration of approvals.

(a) All minor development, major development and conditional use approvals (hereinafter collectively referred to as "site plan") shall expire, except during the pendency of litigation whereby the time requirements in this ordinance are tolled unless:

(1) A complete application for a building permit for the above-ground principal use as shown on the approved site plan has been submitted within 18 months following the date of approval of the site plan; and

(2) A building permit for such above-ground principal use is issued within 24 months following the date of approval of the site plan.

(3) Such building permit remains valid and in effect until a certificate of occupancy, or other equivalent approval is granted for such principal use.

(b) An approved site plan that includes more than one principal use, shall expire unless:

(1) A complete application and building permit and a certificate of occupancy is issued for one of the above-ground principal structures as provided in subsection (a);

(2) A complete application for a building permit for any subsequent above-ground principal use shown on the approved site plan has been submitted within 18 months following the date of issuance of a certificate of occupancy for the principal use most recently completed; and

(3) A building permit for such above-ground principal use is issued within 24 months following the date of issuance of a certificate of occupancy for the principal use most recently completed;

(4) Such building permit remains valid and in effect until a certificate of occupancy or other equivalent approval is granted for such principal use; and

(5) A complete application is submitted and building permits are issued for each subsequent principal use in accordance with subsection (a) of this section until a certificate of occupancy of its equivalent is issued for all of the principal uses on the approved site plan.

(6) Notwithstanding the provisions of this subsection (b), a site plan that includes more than one principal use shall expire if certificates of occupancy for all principal uses have not been issued within seven years of site plan approval or as negotiated by a development agreement.

(c) If a building permit for construction of an above-ground principal use as provided herein expires, the site plan shall expire and prior to issuance of any additional building permits, the applicant shall be

required to submit a new application for and receive approval of a new site plan for such above-ground principal use.

(d) If a site plan expires, the allocation of any commercial flex, residential flex, reserve units or other dwelling units granted for any use that has not received a certificate of occupancy or equivalent certification shall expire at the time the site plan expires.

(e) A six-month extension of time for site plan expiration may be granted by the city manager provided all applicable building, zoning and engineering regulations remain the same and good cause for the delay has been shown by the applicant. Good cause may include, but shall not be limited to, delay caused by governmental action or inaction or other factors totally beyond the control of the applicant. An extension shall only be granted where an applicant has requested an extension in writing during the effective period of the development permit.
