

MINUTES OF REGULAR MEETING
DANIA BEACH CITY COMMISSION
TUESDAY, MAY 24, 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

3.1 Teacher of the Year Awards – Education Advisory Board

Batia Dayan, Chairman of the Education Advisory Board, presented Certificates of Recognition to the following:

Mary Flynn, Teacher of the Year – Dania Elementary School
Teriz Khalil, Employee of the Year – Dania Elementary School
Jahneka Cole, Teacher of the Year – Collins Elementary School
Paulette Jackson, Employee of the Year – Collins Elementary School
Nicole Renton-Murray, Teacher of the Year – Olsen Middle School
Rayon Gayle, Employee of the Year – Olsen Middle School

3.2 Certificates of Recognition for Trash to Art Sculpture – Mayor Salvino

Certificates of Recognition were presented to Laurence Panadero and Jerome Reine for creating the Trash to Art Sculpture during the Oasis cleanup.

- 3.3 Special Event request from Divers Cove for a volunteer “Pier Cleanup” to be held on June 26, 2016 from 9:00 a.m. – 12:00 p.m.

Commissioner Grace motioned to approve the Special Event request for Divers Cove Pier Cleanup; seconded by Vice-Mayor Jones. The motion carried unanimously.

- 3.4 Special Event request from Neptune Fireworks to have a “Fireworks Sale” at 7f68 E. Dania Beach Boulevard from June 3 – July 12, 2016, from 9:00 a.m. – 9:00 p.m.

Commissioner Grace motioned to approve the Special Event request for Neptune Fireworks Firework Sale; seconded by Vice-Mayor Jones. The motion carried unanimously.

- 3.5 Welcome to Pastor J. C. Howard, St. Ruth Missionary Baptist Church

At the request of Vice-Mayor Jones, this item was continued until the June 14, 2016 agenda.

4. Proclamations

There were no proclamations at this meeting.

5. Citizen Comments

Bob Mikes, 601 NW 7th Street, noted the County is asking homeowners to place an avigation easement on their homes if their mortgage lenders will allow it. He requested that a baseline health study be done for the residents in Melaleuca Gardens.

6. Public Safety Reports

Captain Daniel Marks, BSO Chief of Police, reported on recent arrests and burglary trends. He emphasized that if you see something suspicious, call BSO.

Lieutenant Dan Suarez, BSO Fire Rescue, noted the Dania Ready Hurricane Preparedness Expo will be held Saturday, June 4th at City Hall from 11:00 a.m. – 2:00 p.m.

7. Consent Agenda

Items removed from Consent Agenda: #7.4, #7.7, #7.8

- 7.1 Minutes:
Approve Minutes of May 10, 2016 City Commission Meeting

7.2 Travel Requests: None

Resolutions

7.3 RESOLUTION #2016-060

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING AND RATIFYING THE EXPENDITURE OF FUNDS BY THE PUBLIC SERVICES DEPARTMENT FOR PARTS AND SERVICES FOR THE CITY VAC-CON TRUCK, WHICH PARTS AND SERVICES WERE AND ARE PURCHASED FROM SOUTHERN SEWER EQUIPMENT SALES AND SERVICE 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 MADE WITHIN THE RESPECTIVE DEPARTMENTS' APPROVED ANNUAL BUDGET APPROPRIATIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.5 RESOLUTION #2016-062

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO RENEW A CONSULTING SERVICES AGREEMENT WITH ANNE CASTRO STRATEGIES, P.A., PERTAINING TO MATTERS ASSOCIATED WITH THE FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT, IN AN AMOUNT NOT TO EXCEED TWENTY THOUSAND DOLLARS (\$20,000.00); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.6 RESOLUTION #2016-063

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SOVEREIGNTY SUBMERGED LANDS LEASE RENEWAL ON BEHALF OF THE CITY WITH THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA, PERTAINING TO THE USE OF SUBMERGED LANDS LOCATED BENEATH THE CITY FISHING PIER; PROVIDING FOR CONFLICTS, FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Grace motioned to adopt the Consent Agenda, with the exception of Items #7.4, #7.7, #7.8; seconded by Vice-Mayor Jones. The motion carried unanimously.

7.4 RESOLUTION #2016-061

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE SECOND AMENDED AND RESTATED INTERLOCAL AGREEMENT, ALSO EXECUTED BY THE TOWNS OF LANTANA AND MANGONIA PARK, WHICH AGREEMENT PROVIDES FOR UPDATES TO THE BOARD OF SUPERVISORS' STRUCTURE FOR THE FLORIDA GREEN FINANCE AUTHORITY, PROVIDES FOR MORE FLEXIBILITY IN OBTAINING A QUORUM OF THE BOARD AND CHANGES THE PROGRAM NAME; PROVIDING FOR CONFLICTS; FURTHER PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2016-061.

Vice-Mayor Jones requested clarification on the program because there has not been any action in the past year.

City Attorney Ansbro responded someone had challenged the bonds for the three companies that would do the work. A favorable court ruling allows the companies to proceed, and the programs will be rolled out soon.

Vice-Mayor Jones motioned to adopt Resolution #2016-061; seconded by Commissioner Grace. The motion carried unanimously.

7.7 RESOLUTION #2016-064

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING AND RATIFYING THE EXPENDITURE OF FUNDS FOR SECURITY SERVICES AT THE CITY HALL PARKING GARAGE AND FURTHER EXTENDING AN AGREEMENT WITH SOS SECURITY LLC FOR FISCAL YEAR 2015-2016, INCLUSIVE OF EXISTING PURCHASES THAT EXCEEDS 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.

City Attorney Ansbro read the title of Resolution #2016-064.

Commissioner Fetscher questioned if we were getting our bang for the buck with private security people.

Commissioner Grace motioned to adopt Resolution #2016-064; seconded by Vice-Mayor Jones. The motion carried unanimously.

Ordinances (Titles read by City Attorney)

7.8 ORDINANCE #2016-011

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 13, ENTITLED "HEALTH AND SANITATION", ARTICLE IV, ENTITLED "GARBAGE AND TRASH", SECTION 13-69, ENTITLED "SERVICE PROVIDED BY THE CITY", OF THE CITY CODE OF ORDINANCES, BY INCLUDING PROVISIONS FOR THE PLACEMENT OF BULK TRASH NO MORE THAN TWENTY-FOUR (24) HOURS PRIOR TO SCHEDULED PICKUP DATE; REDUCING THE BULK TRASH PLACEMENT TIME FOR SPECIAL PICKUP FROM THREE DAYS TO FORTY-EIGHT (48) HOURS BEFORE PICKUP; CREATING A LIMITED EXCEPTION TO THE OTHERWISE APPLICABLE REQUIREMENT OF CITY GARBAGE COLLECTION SERVICES BEING LIMITED TO SERVICES PROVIDED TO FOUR (4) OR LESS RESIDENTIAL UNITS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

Derrick Hankerson, 746 SW 3rd Street, is concerned with the 24 hour provision to place bulk trash before the pickup day. He asked the Commission to reconsider this timeframe.

Commissioner Grace motioned to adopt Ordinance #2016-011, on first reading; seconded by Vice-Mayor Jones. The motion carried unanimously.

8. Bids and Requests for Proposals

8.1 RESOLUTION #2016-065

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AWARDED A BID TO REGIONS SECURITY SERVICES, INC. IN AN AMOUNT NOT TO EXCEED FIFTY THOUSAND DOLLARS (\$50,000.00) PER FISCAL YEAR FOR SECURITY STAFFING SERVICES FOR VARIOUS PARKING FACILITIES AND LOCATIONS THROUGHOUT THE CITY OF DANIA BEACH; PROVIDING ASSURANCES; PROVIDING FOR FUNDING; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2016-065.

Commissioner Grace motioned to adopt Resolution #2016-065; seconded by Vice-Mayor Jones. The motion carried unanimously.

9. Public Hearings and Site Plans

9.1 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. **(SECOND READING)**

City Attorney Ansbro read the title of Ordinance #2016-010. He explained the ten (10) proposed amendments and noted if approved by the City Commission they would be placed on the November ballot.

Mayor Salvino opened the Public Hearing.

Bob Mikes, 601 NW 7th Street, expressed concerns about term limits and park properties.

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

Commissioner Grace motioned to adopt Ordinance #2016-010, on second 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		

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.

9.2 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. **(SECOND READING)**

9.3 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. **(SECOND READING)**

9.4 DANIA POINTE SITE PLAN

Dania Live 1748, LLC, is requesting site plan approval for the property located at the North West corner of Stirling Road and Bryan Road

City Attorney Ansbro read the title of Ordinance #2016-008 and Ordinance #2016-009. He noted that staff is recommending a continuance of the Site Plan until the June 14, 2016 City Commission meeting.

Mayor Salvino opened the Public Hearings.

Dr. Michael Pfeffer, 2520 Stirling Road, part-owner of the Quality Inn and Suites, expressed his and the Hampton Inn's concern with the elimination of the turn lane.

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 second 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 second 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 continue the Dania Pointe Site Plan until the June 14, 2016 City Commission meeting at 7:00 p.m.; seconded by Commissioner Fetscher. The motion carried unanimously.

9.5 RESOLUTION #2016-066

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE SITE PLAN (SP-006-16) VARIANCE (VA-42-16), DESIGN VARIATIONS (OT-43-16, OT-44-16, OT-45-16, OT-46-16, OT-47-16) AND DESIGN WAIVER (OT-48-16) SUBMITTED BY DANIA DEVELOPMENT GROUP, LLC, FOR PROPERTY LOCATED ON THE EAST SIDE OF NORTH FEDERAL HIGHWAY, SOUTH OF NE 3rd 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 #2016-066.

Corinne Lajoie, Principal City Planner, reviewed the variance, design variations, design waiver and site plan for the proposed Comfort Suites Hotel on Federal Highway. A letter of objection was received and is attached to and incorporated into these minutes. Staff recommends approval with the 19 conditions listed in the revised resolution.

Mayor Salvino and Vice-Mayor Jones noted they had been contacted by the applicant.

Attorney Scott Backman, representing the applicant, provided a PowerPoint overview of the proposed development.

Mayor Salvino opened the Public Hearing.

H. Taylor White, Esq., 2881 E Oakland Park Boulevard, Ft. Lauderdale, representing Bonnie and Andrew Brooks, read his comments in objection to the hotel.

Rochelle Rice, 21 NE 3rd Street, expressed her concerns with the development of the hotel, especially parking and traffic.

Alexis Brito, 26 NE 3rd Street, objected to the development of the hotel.

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

Vice-Mayor Jones requested that BSO investigate the current parking issues on NE 3rd Street, and provide a report to the Commission.

Mr. Backman addressed some of the issues raised by the residents.

Commissioner Grace concurred with the residents on the traffic concerns.

Commissioner Fetscher questioned the gate leading into a residential property from the hotel property. Mr. Backman said the gate is 3 feet wide and allows maintenance of landscaping and the wall, which is set back 5 feet from the property line. Commission Fetscher noted the developer has a right to build as long as they are in compliance with City code, even though there are residents who may be uncomfortable about it.

Commissioner Brandimarte said we know what we are getting on this property with this proposal and it is less than what is allowable under our code.

Mayor Salvino noted everyone in the City will be affected by development, one way or another, and every place will have a problem with parking. This building could be as high as 10 stories, but is only 7, and everyone who lives behind US-1 needs to understand there is going to be growth and development in Dania Beach. Revenues, public services, and the City's appearance will suffer if we do not allow growth.

Cheryl Dolin, representing Rochelle Rice, 19 NE 3rd Avenue, stated all variance applications should not be accepted. There is only one opportunity to rebuild the downtown, and giving variances for these properties will not allow accomplishment of what the code was written to do.

Commissioner Brandimarte motioned to adopt Resolution #2016-066, provided the 19 conditions in the resolution are met, and with the addition of 2 additional conditions: dedicated right turn entry only on NE 3rd Street, and an extended green wall; seconded by Commissioner Fetscher. The motion carried on the following 4-1 Roll Call vote:

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

Commissioner Grace **No**

9.6 RESOLUTION #2016-067

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING A SPECIAL EXCEPTION (SE-24-16) TO ALLOW A CO-LOCATION OF A STEALTH ANTENNA CANISTER AND RELATED EQUIPMENT ON A FLORIDA POWER & LIGHT COMPANY SUBSTATION UTILITY POLE IN ACCORDANCE WITH A SITE PLAN (SP-25-16) AND LANDSCAPE VARIANCE (VA-40-16) SUBMITTED BY DEBORAH L. MARTOHUE, ESQUIRE, WITH MARTOHUE LAND USE LAW PA, ON BEHALF OF T-MOBILE SOUTH, LLC FOR PROPERTY LOCATED AT 3801 SOUTHWEST 43RD COURT, ALSO KNOWN AS 4750 SW 42ND AVENUE, IN THE CITY OF DANIA BEACH, FLORIDA; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2016-067.

Corinne Lajoie, Principal City Planner, noted the applicant has requested a continuance until the June 14, 2016 City Commission meeting.

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 continue Resolution #2016-067 until the June 14, 2016 City Commission meeting at 7:00 p.m.; seconded by Vice-Mayor Jones. The motion carried unanimously.

10. Discussion and Possible Action

10.1 Commercial Vehicle Enforcement – BSO

Captain Daniel Marks, BSO Chief of Police, introduced Deputy Kersey from the Pompano Beach Commercial Motor Vehicle Enforcement Unit.

Deputy Kersey provided information on how the unit operates and noted the City would need to adopt an ordinance, and a paymaster schedule will need to be set up through the Finance Department. He explained how the City ordinance violation fines go into the City coffers, unlike a traffic ticket, and that it is a means to fund the program. He addressed numerous areas and incidents needing commercial vehicle enforcement and the various kinds of fines.

There was discussion on the scales to be used, manpower, commercial vehicle complaints, enforcement program self-sustainment, the enabling ordinance, and safety of the residents.

Deputy Kersey noted bridges should be posted with the maximum allowable weight limits and residential streets with heavy commercial traffic should be posted with no thru trucks signs. He added it is crucial to have a deputy who is familiar with the requirements, and he recommended Deputy Bob Morris.

There was concurrence to proceed with the development of the ordinance.

11. Commission Comments

11.1 Commissioner Brandimarte

Commissioner Brandimarte commented Florida was picked for the 2020 Super Bowl.

11.2 Commissioner Fetscher

Commissioner Fetscher had no comments.

11.3 Commissioner Grace

Commissioner Grace had no comments.

11.4 Vice-Mayor Jones

Vice-Mayor Jones thanked those who attended the Town Hall meeting, and felt we need to meet in other areas of the City.

11.5 Mayor Salvino

Mayor Salvino commented he is proud of the Public Works Department for trimming the trees on Federal Highway and keeping the City clean.

Mayor Salvino spoke of the need to take down the overgrown landscaping and debris between Sheridan Street, Old Dixie Highway down 4th Avenue to Stirling Road. Brad Kaine, Director of Public Services, said we have no jurisdiction over the FEC areas, although we have communicated with All Aboard Florida and the FEC.

Vice-Mayor Jones noted he has a friend who is a vice-president of the FEC, and he will discuss this with him.

12. Appointments

There were no appointments at this meeting.

13. Administrative Reports

13.1 City Manager

City Manager Baldwin invited everyone to attend the Ready conference on June 4th.

13.2 City Attorney

City Attorney Ansbro had no comments.

13.3 City Clerk - Reminders

Wednesday, May 25, 2016 - 3:30 p.m.	CRA Board Workshop
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
Tuesday, June 28, 2016 - 7:00 p.m.	City Commission Meeting

Vice-Mayor Jones noted he will not be at the Abatement Hearing.

14. Adjournment

Mayor Salvino adjourned the meeting at 9:46 p.m.

ATTEST:



LOUISE STILSON, CMC
CITY CLERK

CITY OF DANIA BEACH


MARCO A. SALVINO, SR.
MAYOR

Approved: June 14, 2016





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: 5-24, 2016

PRINT NAME: Bob Mikes

ADDRESS: 601 NW 7th St

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:

Air Port Mitigation

2) **PUBLIC HEARINGS – ITEM # 901 (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

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DATE OF COMMISSION MEETING: May 24, 2016

PRINT NAME: Dr. Michael Pfeffer

ADDRESS: 2520 Stirling Road

PHONE NO. (optional): _____

PLEASE CHECK ONE OR BOTH OF THE BOXES BELOW:

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PLEASE BRIEFLY DESCRIBE THE SUBJECT MATTER OF YOUR COMMENT:

2) PUBLIC HEARINGS – ITEM # 9-2 (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.

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LO Apptg
Zones
Dockets



Issue
w/ke
Proffers

Four
Quarter
Holders
Town
Parking

Man
& Comm
w/ke
Proffers
Docket

REQUEST TO ADDRESS CITY COMMISSION AT REGULAR OR SPECIAL MEETINGS

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19

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: 5-24, 2016

PRINT NAME: H. TAYLOR WHITE, ESQ.

ADDRESS: 2881 E. GAYLORD PK 732VD.

PHONE NO. (optional): 934-229-1880

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PLEASE CHECK ONE OR BOTH OF THE BOXES BELOW:

1) CITIZEN COMMENTS:

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PLEASE BRIEFLY DESCRIBE THE SUBJECT MATTER OF YOUR COMMENT:

OBJECTIONS O/B/S OWNERS OF ADJUTTING RESIDENTIAL
PROPERTY TO VARIANCE/WAIVER IN RESOLUTION 2016-066.

2) PUBLIC HEARINGS - ITEM # 5 (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.

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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

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DATE OF COMMISSION MEETING: 5-24, 2016

PRINT NAME: Rochelle Rice

ADDRESS: 21 NE 357 Dania Beach FL 33009

PHONE NO. (optional): _____

PLEASE CHECK ONE OR BOTH OF THE BOXES BELOW:

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PLEASE BRIEFLY DESCRIBE THE SUBJECT MATTER OF YOUR COMMENT:

2) PUBLIC HEARINGS – ITEM # 2016 066 (AS PRINTED ON AGENDA)

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8.42

REQUEST TO ADDRESS CITY COMMISSION AT REGULAR OR SPECIAL MEETINGS

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DATE OF COMMISSION MEETING: 5-24, 2016

PRINT NAME: Alexis Brito

ADDRESS: 26 NE 357 DANIA Beach FL 33004

PHONE NO. (optional): _____

PLEASE CHECK ONE OR BOTH OF THE BOXES BELOW:

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PLEASE BRIEFLY DESCRIBE THE SUBJECT MATTER OF YOUR COMMENT:

2) ✓ PUBLIC HEARINGS – ITEM # _____ (AS PRINTED ON AGENDA)

Resolution # 2016-0660

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.

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REQUEST TO ADDRESS CITY COMMISSION AT REGULAR OR SPECIAL MEETINGS

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DATE OF COMMISSION MEETING: May 24, 2014

PRINT NAME: Christine DeWitt

ADDRESS: 2401 19 St NW

PHONE NO. (optional): 954-253-4601

PLEASE CHECK ONE OR BOTH OF THE BOXES BELOW:

1) **CITIZEN COMMENTS:**
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PLEASE BRIEFLY DESCRIBE THE SUBJECT MATTER OF YOUR COMMENT:

2) **PUBLIC HEARINGS – ITEM # 9.5 (AS PRINTED ON AGENDA)**

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DATE OF COMMISSION MEETING: 5/14, 2016

PRINT NAME: Amy O'Rourke

ADDRESS: C/O T-MOBILE 1300 CONCORD TERRACE SUNRISE FL 33323

PHONE NO. (optional): 954-514-8145

PLEASE CHECK ONE OR BOTH OF THE BOXES BELOW:

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PLEASE BRIEFLY DESCRIBE THE SUBJECT MATTER OF YOUR COMMENT:

REQUEST FOR CONTINUANCE TO JUNE 14TH COMMISSION
MEETING

2) PUBLIC HEARINGS – ITEM # 6 (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.

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9.5

Cheryl Dolin, Architect
1207 North 16 Ave.
Hollywood, FL 33020

Ms. Anna-Christine Carrie, Planning Associate
Planning and Zoning Department
Dania Beach City Hall
100 West Dania Beach Blvd.
Dania Beach, FL 33004



May 17, 2016

Re: May 24, 2016 Commission Meeting-
Site Plan Approval for Comfort Suites Hotel at 302 N. Federal Hwy.

Dear Ms. Carrie,

I am writing in behalf of my client, Ms. Rochelle Rice, who owns the property which is contiguous to the property at **302 N. Federal Highway**, the subject of an ongoing review for Site Plan approval and several variances. My client owns the "CC"-zoned property located at **19 NE 3rd Street**, which is contiguous to the subject parcel along its easterly property line.

Ms. Rice is concerned about the insufficient parking spaces that are currently being proposed for the 7-story *Comfort Suites Downtown Dania*. The Site Plan submittal states that they are proposing 66 spaces. Only 61 of those spaces are on-site. They are showing 5 off-site parking spaces in the swale of NE 3rd Street. However, a parallel parking space is required by Sec. 265-20 to be 8' in width by 23' in length. The Applicant is showing 5 spaces in 100', which is only 20' per space. Therefore, even if the City Commission concurs that these off-site spaces should be accepted in lieu of on-site spaces, the Applicant will only be able to provide 65 spaces in the current configuration. They are missing one handicap parking space, as well, by their own calculations.

In addition, the "Total Parking Spaces Required" is incorrectly calculated by the Applicant. They stated that 85 spaces are required. They calculated this by multiplying the proposed number of guest rooms (106) by 0.80. However, they failed to provide parking spaces for

FILE COPY

the Ground Floor meeting rooms, as required by Code. There are, in fact, 4 Guest Rooms on hotel's Ground Floor, The Applicant stated that there were 5. However, the following rooms have been assigned no parking allocation, which is required by Sec. 265-20 of the Zoning Code of Ordinances; the large "Meeting" Room, and the four divisions of the "Great Room". These are rooms with moveable seating. The Applicant actually drew in 63 interior seats and 8 exterior seats on Sheet A-1. Since no dimensions or square footages have been given, in the current submittal, it is not possible to ascertain exactly how many parking spaces will be required for these meeting rooms. I am estimating that these rooms total approximately 2,250 sq. ft., more or less, yet no parking spaces have been allocated for them. Additionally, since no floor plan has been included for the 7th Floor, it is impossible to calculate the required spaces for this level. Only one parking space for a single guest room has been calculated by the Applicant for the entire 7th Floor level.

My client, Ms. Rochelle Rice, is concerned that if the Site Plan for her adjacent neighbor at 302 North Federal Highway is approved as is, it will have insufficient parking. She is concerned that hotel visitors, guests, and staff could be parking all over the NE 3rd Street swale, in her front yard, and anywhere else where they can find a parking space outside of the hotel property. This could result in a nuisance for nearby residents, and a loss in property value for my client, who is currently using her property as a Homesteaded Single Family Residence. We hope that this parking deficit shown on the Applicant's Site Plan will be carefully considered by Planning and Zoning staff, and that a Parking Variance be recommended for denial at this time.

If you have any questions please do not hesitate to call me at (954)638-4601. Thank you very much.

Sincerely,



Cheryl Dolin

FL Registered Architect #10,556

cc: Ms. Rochelle Rice, Owner, 19 NE 3rd Street, Dania Beach, FL 33004



Deborah L. Martohue, Esq., AICP
2822 54th Avenue South, #224
St. Petersburg, FL 33712
Telephone: 727.460.8431
martohued@gmail.com

May 23, 2016

VIA HAND DELIVERY

Ms. Corinne Lajoie, AICP, LEED GA
Planning & Zoning Manager
C/O Anne-Christine Carrie, Planner
City of Dania Beach
100 W. Dania Beach Blvd
Dania Beach, FL 33004

RE: REQUEST FOR CONTINUANCE

Property Location: 3801 SW 43rd Court a/k/a 4750 SW 42 Ave., Dania Beach, FL 33314
FOLIO No.: 5041 25 01 0250
Request: SE-24-16 & SP-25-16 & VAR 40-16

Dear Ms. Lajoie:

This firm represents T-Mobile South LLC, the tenant of owner/landlord, Florida Power & Light (FPL), (hereinafter, Applicant or T-Mobile) with respect to the captioned zoning requests at the FPL Playland Substation located at the captioned address (the "Property"). Pursuant to our discussion, on behalf of the Applicant, I am requesting a continuance from the May 24th City Commission hearing to the June 14, 2016 Commission hearing to allow T-Mobile to revise its access point from Griffin Road to SW 42nd Ave. After receiving staff's comments and conditions of approval, T-Mobile reached out informally to FDOT. FDOT expressed a strong preference that access to the site be from SW 42nd Ave. T-Mobile thereafter discussed same with FPL and FPL agreed to allow a change in the access to SW 42nd Avenue.

Please confirm that a continuance request will be presented to the Commission for approval with staff support. Also, is it necessary for me to have a local T-Mobile representative at the hearing? If yes, can the continuance requests be made at the beginning of the meeting when discussing any changes to the agenda? Thank in advance for your time and assistance. We are working on getting you the revised plan sheets that show the access as soon as possible.

If you have any questions, or need additional information, please contact me at (727) 460.8431 or via email at martohued@gmail.com .

Best regards,



Deborah L. Martohue, Esq. AICP

Enclosures: Application
Application fee check #3253318
Cc: Client [digitally signed and emailed]