

**AGENDA**  
**DANIA BEACH CITY COMMISSION**  
**REGULAR MEETING**  
**WEDNESDAY, FEBRUARY 11, 2009 – 7:00 P.M.**

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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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LOBBYIST REGISTRATION REQUIRED. REGISTRATION AS A LOBBYIST IN THE CITY OF DANIA BEACH IS REQUIRED IF ANY PERSON, FIRM OR CORPORATION IS BEING PAID TO LOBBY THE COMMISSION ON ANY PETITION OR ISSUE PURSUANT TO ORDINANCE # 01-93. REGISTRATION FORMS ARE AVAILABLE IN THE CITY CLERK'S OFFICE IN THE ADMINISTRATION CENTER.

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IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY CLERK'S OFFICE, 100 W. DANIA BEACH BOULEVARD, DANIA BEACH, FL 33004, (954) 924-6800 EXTENSION 3624, AT LEAST 48 HOURS PRIOR TO THE MEETING.

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IN CONSIDERATION OF OTHERS, WE ASK THAT YOU:

- A. PLEASE TURN CELL PHONES OFF, OR PLACE ON VIBRATE. IF YOU MUST MAKE A CALL, PLEASE STEP OUT INTO THE ATRIUM, IN ORDER NOT TO INTERRUPT THE MEETING.
  - B. IF YOU MUST SPEAK TO SOMEONE IN THE AUDIENCE, PLEASE SPEAK SOFTLY OR GO OUT INTO THE ATRIUM, IN ORDER NOT TO INTERRUPT THE MEETING.
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1. CALL TO ORDER/ ROLL CALL

2. INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Juan Cuevas, Maranatha Ministries

3. PRESENTATIONS AND SPECIAL EVENT APPROVALS

- 3.1 Special Event request for the Dania Marine Flea Market to be held in the Dania Jai Alai Parking Lot, located at 301 E. Dania Beach Boulevard, on March 19-22, 2009

4. PROCLAMATIONS

- 4.1 Greater Mt. Zion AME Church 100<sup>th</sup> Anniversary

5. CITIZEN COMMENTS

Addressing the Commission: Comments by Dania Beach citizens, or other interested parties that are not part of the regular agenda, may be made during each Commission meeting during the period set aside for "citizen comments." A thirty (30) minute "citizen comments" period shall be designated on the agenda for citizens and interested persons to speak on matters not scheduled on that day's agenda. Each speaker shall be limited to 3 minutes for his or her comments. Persons desiring to speak during the citizen comment period shall inform the City Clerk prior to the beginning of the meeting of their intention to speak. If more than 10 speakers express a desire to speak, the Commission shall determine, on a meeting by meeting basis, whether to (a) extend the time allotted for citizen

comments to accommodate all speakers, or (b) whether to limit the number of speakers or amount of time per speaker. A speaker's time shall not be transferable to another speaker.

6. PUBLIC SAFETY REPORTS

7. CONSENT AGENDA

7.1 Minutes:

Approve Minutes from January 15, 2009 Abatement Hearing  
Approve Minutes from January 17, 2009 Workshop City Manager Interviews  
Approve Minutes from January 20, 2009 Special Meeting City Manager Selection  
Approve Minutes from January 22, 2009 Workshop Site Plan Review  
Approve Minutes from January 27, 2009 City Commission meeting

7.2 Travel Requests:

Request of Anthony Johnson to attend the Florida Water & Pollution Control Operators Association Certification for Stormwater C at Hillsboro Community College in Plant City, Florida on March 15-20, 2009 (Estimated cost \$1,000.00; remaining balance \$988.00)

**Resolutions**

7.3 RESOLUTION #2009-025

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, PROVIDING FOR APPROPRIATION OF FUNDS FOR FISCAL YEAR 2008-2009 FOR ENGINEERING FEES, PERMITS AND LANDSCAPE CONSULTANT SERVICES FOR THE SOUTHWEST COMMUNITY CENTER; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.4 RESOLUTION #2009-026

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, CREATING THE GREEN ADVISORY BOARD; PROVIDING FOR THE APPOINTMENT AND TERMS OF MEMBERS, AS WELL AS DUTIES AND RESPONSIBILITIES; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.5 RESOLUTION #2009-027

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SECOND AMENDMENT TO THE INTERLOCAL AGREEMENT EXISTING BETWEEN THE CITY OF DANIA BEACH, THE

COMMUNITY REDEVELOPMENT AGENCY AND BROWARD COUNTY, PERTAINING TO COUNTY FUNDING OF INFRASTRUCTURE IMPROVEMENTS PROPOSED FOR THE DANIA BEACH CRA AREA; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.6 RESOLUTION #2009-028

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A THIRD AMENDMENT TO THE INTERLOCAL AGREEMENT EXISTING BETWEEN THE CITY OF DANIA BEACH, THE COMMUNITY REDEVELOPMENT AGENCY AND BROWARD COUNTY, PERTAINING TO COUNTY FUNDING OF INFRASTRUCTURE IMPROVEMENTS PROPOSED FOR THE DANIA BEACH CRA AREA; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

**Ordinances (Titles read by City Attorney)**

7.7 ORDINANCE #2009-003

AN ORDINANCE OF THE CITY OF DANIA BEACH, FLORIDA, ADOPTING THE ANNUAL UPDATE TO THE CAPITAL IMPROVEMENTS ELEMENT OF THE CITY OF DANIA BEACH COMPREHENSIVE PLAN; PROVIDING FOR ADOPTION PURSUANT TO SECTION 163.3177, FLORIDA STATUTES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

7.8 ORDINANCE #2009-004

AN ORDINANCE OF THE CITY OF DANIA BEACH, FLORIDA, CREATING ARTICLE XIV, "OUTDOOR SOLAR LIGHTING" OF CHAPTER 8, "BUILDINGS"; PROVIDING THAT ALL OUTDOOR LIGHTING INSTALLED SUBSEQUENT TO JULY 1, 2009 ON COMMERCIAL ZONED PROPERTIES SHALL BE SOLAR POWERED; PROVIDING FOR IMPLEMENTATION; REQUIRING EXISTING LIGHTING TO COMPLY WITH THE SOLAR LIGHTING REQUIREMENT BY JULY 1, 2012; PROVIDING FOR WAIVERS; PROVIDING FOR CONFLICTS; PROVIDING FOR A SEVERABILITY CLAUSE; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

8. **BIDS AND REQUESTS FOR PROPOSALS**

9. PUBLIC HEARINGS

9.1 ORDINANCE #2009-002

AN ORDINANCE OF THE CITY OF DANIA BEACH, FLORIDA, DECLARING THE “DANIA SAFE NEIGHBORHOOD IMPROVEMENT DISTRICT” INACTIVE AND THEREFORE UNNECESSARY; DISSOLVING THE “DANIA SAFE NEIGHBORHOOD IMPROVEMENT DISTRICT” IN ACCORDANCE WITH FLORIDA LAW, BY REPEALING CITY ORDINANCES 40-88 AND 41-88 IN THEIR ENTIRETY. PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)**

9.2 RESOLUTION #2009-022

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING VARIANCE REQUESTS SUBMITTED BY SCOTT BACKMAN, ESQUIRE, REPRESENTING THE PROPERTY OWNER BRYAN ROAD DEVELOPMENT LLC (DP HOTELS, INC.) FROM CHAPTER 28, “ZONING”, FOR PROPERTY LOCATED AT 150 BRYAN ROAD, IN THE CITY OF DANIA BEACH; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

9.3 RESOLUTION #2009-023

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE SITE PLAN REQUEST (SP-63-08), LAND USE FLEX (LUF-64-08) AND WAIVERS SUBMITTED BY SCOTT BACKMAN, ESQUIRE, REPRESENTING THE PROPERTY OWNER, BRYAN ROAD DEVELOPMENT, LLC (DP HOTELS, INC.) LOCATED AT 150 BRYAN ROAD, IN THE CITY OF DANIA BEACH, FLORIDA; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

9.4 RESOLUTION #2009-024

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUEST MADE BY L. MICHAEL OSMAN, P.A. REPRESENTING THE PROPERTY OWNER TROY IPPOLITO, PRESIDENT OF T.H.B., INC. FOR AN EXTENSION RELATING TO THE APPROVAL OF A SITE PLAN AND SUBSEQUENT WAIVERS GRANTED BY RESOLUTION NO. 2008-006, FOR PROPERTY GENERALLY LOCATED ON THE WEST SIDE OF SW 25<sup>TH</sup> AVENUE AND SOUTH OF GRIFFIN ROAD, IN THE CITY OF DANIA BEACH, FLORIDA; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

9.5 RESOLUTION #2009-029

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CITY COMMISSION TO ENTER INTO AN EMPLOYMENT CONTRACT WITH ROBERT R. BALDWIN AS CITY MANAGER; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

10. DISCUSSION AND POSSIBLE ACTION

10.1 Discussion of the Beach Watch Restaurant

11. COMMISSION COMMENTS

- 11.1 Commissioner Anton
- 11.2 Commissioner Bertino
- 11.3 Commissioner Flury
- 11.4 Vice-Mayor Castro
- 11.5 Mayor Jones

12. APPOINTMENTS

12.1 Airport Advisory Board (15 Members – 3 per Commissioner – 2 Year Term)  
Commissioner Anton – 1 appointment  
Commissioner Bertino – 1 appointment  
Commissioner Flury – 1 appointment

12.2 Human Relations Board (10 Members – 2 per Commissioner – 2 Year Term)  
Vice-Mayor Castro – 1 appointment

12.3 Marine Advisory Board (15 Members – 3 per Commissioner – 2 Year Term)  
Commissioner Flury – 1 appointment

12.4 Nuisance Abatement Board (5 Regular and 2 Alternate Members – 1 per Commissioner – Alternates by entire Commission – 2 Year Term)  
2 Alternate positions

13. ADMINISTRATIVE REPORTS

13.1 City Manager

13.2 City Attorney

13.3 City Clerk - Reminders

Saturday, February 21, 2009 – 10:00 a.m.  
Tuesday February 24, 2009 – 7:00 p.m.  
Wednesday, March 4, 2009 – 6:00 p.m.  
Tuesday, March 10, 2009  
Wednesday, March 11, 2009 – 7:00 p.m.

Fire Station #93 Dedication  
City Commission Meeting  
CRA Board Meeting  
General Election Day  
City Commission Meeting

14. ADJOURNMENT