

MINUTES OF REGULAR MEETING
DANIA BEACH CITY COMMISSION
TUESDAY, OCTOBER 25, 2011 – 7:00 P.M.

1. Call to Order/Roll Call

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

Present:

Mayor:	Patricia A. Flury
Vice-Mayor:	Bobbie Grace
Commissioners:	Anne Castro
	Walter Duke
	C. K. "Mac" McElyea
Assistant City Manager:	Colin Donnelly
City Attorney:	Thomas Ansbro
City Clerk:	Louise Stilson

Absent:

City Manager:	Robert Baldwin
---------------	----------------

2. Invocation and Pledge of Allegiance

Father Roger Holoubek, St. Maurice Catholic Church, gave the invocation followed by the Pledge of Allegiance to the United States Flag.

3. Presentations and Special Event Approvals

- 3.1 Request from Claire Satin for "Stars Under the Stars" Movie Night to be held Thursday November 10, 2011 from 5:00 p.m. – 8:00 p.m., on the lawn to the east of the City Parking Garage. The applicant is also requesting a waiver of all application and permit fees, and all BSO Police and Fire Rescue charges.
- 3.2 Request from the South Florida Regional Transportation Authority for a "Rail Fun Day" on Saturday, October 29, 2011, from 11:00 a.m. – 3:00 p.m. at the Dania Beach Tri-Rail Station located at 800 NW 33rd Street
- 3.3 Request from St. Maurice Catholic Church for a "Country Fair" to be held November 10-13, 2011, at Saint Maurice Catholic Church, 2851 Stirling Road
- 3.4 Request from Friends of the Library for their "First Annual Walk for the Dania Beach Paul DeMaio Library" to be held Saturday, January 21, 2012, from 8:00 a.m. – 11:00 a.m. The applicant is also requesting a waiver of all application and permit fees.

- 3.5 Request from Jaxson's Ice Cream for "Jaxson's 55th Anniversary Celebration Fundraiser for the Joe DiMaggio Children's Hospital", on Saturday, November 5, 2011 from 7:30 p.m. – 10:00 p.m. at 128 S. Federal Highway
- 3.6 Request from the Miami Dolphins Foundation to use Frost Park as a water stop during their "Cycling Challenge" on Saturday, November 5, 2011 from 8:00 a.m. – 9:00 a.m. This is a fundraising event to help support the American Cancer Society.
- 3.7 Request from Marine Industries Unlimited Inc. for a "Public Boat and Vehicle Auction" to be held Saturday, December 10, 2011 from 11:00 a.m. – 3:00 p.m. at Boomers, 1801 NW 1st Street

Vice-Mayor Grace motioned to approve all the Special Event Requests; seconded by Commissioner Castro. The motion carried on the following 5-0 Roll Call vote:

Commissioner Castro	Yes	Vice-Mayor Grace	Yes
Commissioner Duke	Yes	Mayor Flury	Yes
Commissioner McElyea	Yes		

Claire Satin, 101 SW 1st Street, explained the movie "Pirates of the Caribbean" will be projected on the east wall of the downtown Parking Garage. She requested City funding to support this family event.

Vice-Mayor Grace motioned to approve \$550.00 for "Stars Under the Stars" Movie Night, as requested by Claire Satin; seconded by Commissioner Castro.

Mayor Flury noted this type of request should have the approval and recommendation of the City Donation Review Committee.

Assistant City Manager Donnelly advised that the Donation Review Committee has not discussed this matter.

Commissioner McElyea noted he will make the \$550.00 personal donation as opposed to the City making the payment.

Commissioner Duke also donated \$250.00 for future events.

The motion was withdrawn.

4. Proclamations

There were no proclamations at this meeting.

5. Citizen Comments

Claudia Rimoli, 66 North Federal Highway, questioned if there was anything that could be done to improve the dilapidated buildings downtown.

Mayor Flury suggested she speak to Assistant City Manager Donnelly.

Victoria Payne, Executive Director, Dania Beach Chamber of Commerce, provided an update on Chamber events.

6. Public Safety Reports

Bruce Caruso, EMS Division Fire Chief, BSO Fire Rescue, provided an update on Hurricane Rina. He encouraged everyone to stay informed and be prepared.

Mayor Flury requested that the BSO Fire Rescue Monthly Report include data from previous years for comparison.

Commander Michael Grimm, Broward Sheriff's Office, introduced three Officers who were involved in apprehending a murder suspect from Clayton County, Georgia. He recognized Michele Marotta, Joseph Sedawie and Matthew Wendrow as "Deputies of the Month for October, 2011".

Commander Grimm introduced Colonel Tim Gillette, BSO Director of Law Enforcement and Cmdr. David Robshaw, BSO Watch Commander. He further provided an update on daytime burglaries within the City.

Commissioner Duke noted a business owner on Angler's Avenue told him there has recently been a series of burglaries in that area.

Vice-Mayor Grace commented there are concerns about some of our police officers not being diligent. She asked what options we have other than contacting Internal Affairs and the State Attorney's Office.

Commissioner Castro responded there are no other options and added people should hire an attorney.

7. Consent Agenda

Items removed from Consent Agenda: #7.1, #7.7 and #7.8

7.2 Travel Requests: None

7.3 Action: Motion to approve the use of the City and CRA Logos for the Tribute to Veterans Military Makeover Event sponsored by the Stirling Road Design District

Resolutions

7.4 RESOLUTION #2011-120

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CHANGE ORDER RELATED TO THE ERP SYSTEM PROCUREMENT FROM NEW WORLD SYSTEMS, INC. IN AN AMOUNT NOT TO EXCEED \$10,000.00; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.5 RESOLUTION #2011-121

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE APPROPRIATION AND USE OF LAW ENFORCEMENT TRUST FUNDS IN AN AMOUNT NOT TO EXCEED \$24,000.00 FOR FITNESS CENTER EQUIPMENT FOR USE AT DANIA BEACH DISTRICT HEADQUARTERS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.6 RESOLUTION #2011-122

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE APPROPRIATION AND USE OF LAW ENFORCEMENT TRUST FUNDS IN AN AMOUNT NOT TO EXCEED \$26,270.00 FOR SECURITY CAMERAS AND ACCESS CONTROL SYSTEM FOR THE BROWARD SHERIFF'S OFFICE PATROL BUILDING; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Castro motioned to adopt the Consent Agenda, with the exception of Items #7.1, #7.7 and #7.8; seconded by Vice-Mayor Grace. The motion carried on the following 5-0 Roll Call vote:

Commissioner Castro	Yes	Vice-Mayor Grace	Yes
Commissioner Duke	Yes	Mayor Flury	Yes
Commissioner McElyea	Yes		

7.1 Minutes:

Approve minutes of October 3, 2011 Second Public Hearing Airport Settlement Agreement
Approve minutes of October 11, 2011 City Commission Meeting

Commissioner Duke requested a minor revision to the October 11, 2011 Commission Meeting Minutes, under Item #13.2 City Attorney's comments, paragraph 6. He clarified that the Minutes should reflect that he said the cost of a broker would be 3-6% of the total rental amount.

Commissioner Castro motioned to approve item #7.1 with Commissioner Duke's modification; seconded by Vice-Mayor Grace. The motion carried on the following 5-0 Roll Call vote:

Commissioner Castro	Yes	Vice-Mayor Grace	Yes
----------------------------	------------	-------------------------	------------

Minutes of Regular Meeting
Dania Beach City Commission
Tuesday, October 25, 2011 – 7:00 p.m.

Commissioner Duke	Yes	Mayor Flury	Yes
Commissioner McElyea	Yes		

7.7 RESOLUTION #2011-126

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING AND DIRECTING THE TRANSFER OF \$340,000.00 FROM AVAILABLE CITY GENERAL FUND CONTINGENCY ACCOUNT APPROPRIATIONS TO THE DANIA BEACH CRA TO PROVIDE ADDED FUNDING FOR THE CRA NEIGHBORHOOD CAPITAL PROJECTS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2011-126.

Mayor Flury noted that with this transfer of funds, we are spending more than half of our Contingency Reserve. She indicated that she met with staff and it was suggested that we utilize the \$330,000.00 for the Vac Con Truck and the balance would come from the seawall project that will not be done. Mayor Flury clarified that we are still purchasing the truck and funds will be derived from the Enterprise Fund.

Commissioner Castro motioned to adopt Resolution #2011-126, with revised funding; seconded by Commissioner McElyea. The motion carried on the following 5-0 Roll Call vote:

Commissioner Castro	Yes	Vice-Mayor Grace	Yes
Commissioner Duke	Yes	Mayor Flury	Yes
Commissioner McElyea	Yes		

7.8 ORDINANCE #2011-033

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 2, "ADMINISTRATION", SECTION 2-30, "INDIVIDUAL CAMPAIGN CONTRIBUTION LIMITS" OF THE CITY CODE OF ORDINANCES TO PROVIDE FOR ADDITIONAL CAMPAIGN FINANCING PROVISIONS SUPPLEMENTING STATE LAW THAT WILL PROHIBIT ENTITIES AND ORGANIZATIONS FROM MAKING CONTRIBUTIONS TO CANDIDATES IN CITY ELECTIONS FOR MAYOR AND CITY COMMISSIONERS; PROVIDING ADDITIONAL RELATED DEFINITIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

City Attorney Ansbro read the title of Ordinance #2011-033.

Commissioner Duke asked the City Attorney about his legal concerns.

City Attorney Ansbro confirmed that in his opinion, we should not adopt the Ordinance until the conclusion of the 8th Circuit Court of Appeals case in Minnesota that addresses the constitutionality of a ban on corporate campaign contributions to individual candidates.

Commissioner Duke asked the following questions for the City Attorney to answer at the next Commission meeting.

- Should these campaign financing complaints be anonymous, verified, sworn, of direct knowledge, in writing, over the phone?
- Can anyone make a complaint?
- If the City Clerk notices a violation – must the City Clerk make a complaint?
- What information must a proper complaint contain?
- Should we have a standard form for complaints?
- If the complaint does not contain all the required information – what happens?

Where or to whom does the complaint go?

- City Clerk
- City Manager
- City Attorney
- BSO
- Other

When should the complaint be made?

- Any time before an election?
- Any time after the alleged infraction?
- Is there a specific statute of limitations for infractions or do we use the same as for all municipal misdemeanors?

Who will investigate the complaint?

- Violations of this ordinance will be a City misdemeanor, correct?
- Will BSO investigate?
- A candidate charged with a City misdemeanor must be afforded due process, correct? What does this mean?
- If an investigation finds a violation, will the matter be transmitted to the State Attorney to charge the offending candidate?
- Will the accused candidate be afforded a hearing? If yes, in front of whom?
- Are there any circumstances where the City might be liable for damages or attorney's fees if the complaint is found to be baseless, or the City errs in its procedures, or if the candidate's due process rights are violated?
- Will the investigating body have subpoena powers for documents?
- Once an investigation is complete, will a report be generated? If there is probable cause that a violation has occurred, who makes a decision to prosecute? Should we create an elections board for the City? If we do, what liability will they have?

Penalties:

- What are the standard penalties for a municipal misdemeanor?
- Can the candidate be put in jail?
- What about repeat offender penalties?
- Will there be penalties for someone filing a false or baseless complaint?
- If a candidate, through no fault of their own, deposits an illegal contribution under this proposed ordinance but returns the contribution as soon as the error is discovered, will this be a violation of the ordinance?

- Can the City terminate the person's candidacy on a violation?
- If a competing candidate files a false complaint, what are the penalties?
- Can a person filing a false or baseless complaint be charged with the investigative and processing charges as well as any attorney's fees incurred by both the City and the victimized candidate?

Liabilities:

- Please provide an opinion on the potential liabilities the City could face as a result of this ordinance.

Commissioner Duke further asked Assistant City Manager Donnelly to provide the costs to investigate the matter and how to best investigate and process these complaints.

Commissioner Duke motioned to amend the ordinance to include non-Dania Beach residents to the list of excluded contributors; seconded by Vice-Mayor Grace.

Commissioner Castro noted most of the questions would fall under state law. She said she will not support the amendment. Commissioner Castro further commented that other cities in Broward County have a similar ordinance on their books.

Commissioner McElyea noted he has run in several elections and he has never had any problems.

Mayor Flury noted she will not support the amendment either because she does not think it is necessary.

The motion failed on the following 2-3 Roll Call vote:

Commissioner Castro	No	Vice-Mayor Grace	Yes
Commissioner Duke	Yes	Mayor Flury	No
Commissioner McElyea	No		

Commissioner Castro motioned to adopt Ordinance #2011-033, on first reading; seconded by Commissioner Duke. The motion carried on the following 5-0 Roll Call vote:

Commissioner Castro	Yes	Vice-Mayor Grace	Yes
Commissioner Duke	Yes	Mayor Flury	Yes
Commissioner McElyea	Yes		

8. Bids and Requests for Proposals

There were no proposals on this agenda.

9. Public Hearings and Site Plans

9.1 ORDINANCE #2011-029

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, PROVIDING FOR THE PROTECTION OF SEA TURTLES ON THE BEACHES WITHIN THE JURISDICTIONAL BOUNDARIES OF THE CITY OF DANIA BEACH BY AMENDING SECTION 5-1.3, ENTITLED "DEFINITIONS" AND BY CREATING SECTION 18, ENTITLED "LIGHTING REQUIREMENTS FOR MARINE TURTLE PROTECTION" OF CHAPTER 5, ENTITLED "ANIMALS AND FOWL" OF THE CITY CODE OF ORDINANCES, PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (SECOND READING) *(Continued from September 27, 2011)*

City Attorney Ansbro read the title of Ordinance #2011-029.

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

Vice-Mayor Grace motioned to adopt Ordinance #2011-029, on second reading; seconded by Commissioner Castro.

Commissioner Castro confirmed with Assistant City Manager Donnelly that we are in compliance with all protection and lighting requirements.

Commissioner Duke asked Assistant City Manager Donnelly whether we should follow Metric Engineering's recommendation to hold off on passing this ordinance or adopt the law on second reading.

Assistant City Manager Donnelly noted the ordinance has been thoroughly reviewed by all interested parties and he did not think an amendment would be required at this point.

The motion carried on the following 5-0 Roll Call vote:

Commissioner Castro	Yes	Vice-Mayor Grace	Yes
Commissioner Duke	Yes	Mayor Flury	Yes
Commissioner McElyea	Yes		

City Attorney Ansbro advised the remaining item was a quasi-judicial hearing and swore-in those who would speak. He asked the Commission to disclose any communication they had on this matter.

9.2 RESOLUTION #2011-119

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE VARIANCE REQUEST SUBMITTED BY DAWN MCDONALD WITH CORPORATE PROPERTY SERVICES, INC. REPRESENTING MCDONALDS CORPORATION FOR VARIANCES FROM THE UNIFIED LAND DEVELOPMENT CODE, PART 2, SECTION 505-140(C), SIGN REGULATIONS, FOR PROPERTY LOCATED AT 1310 SOUTH FEDERAL HIGHWAY, DANIA BEACH; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2011-119. He noted that the applicant requested a continuance until the November 8, 2011 City Commission meeting.

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

Commissioner Castro motioned to continue Resolution #2011-119 until the November 8, 2011 City Commission meeting at 7:00 p.m.; seconded by Vice-Mayor Grace. The motion carried on the following 5-0 Roll Call vote:

Commissioner Castro	Yes	Vice-Mayor Grace	Yes
Commissioner Duke	Yes	Mayor Flury	Yes
Commissioner McElyea	Yes		

10. Discussion and Possible Action

10.1 Addition of Meter Street lights in the Dania Beach Boulevard alley between SE 2nd Avenue and SE 3rd Avenue

Commissioner McElyea noted this is a safety issue and added that any type of lighting would help with the darkness in the area.

Commissioner Castro motioned to approve additional lighting in the Dania Beach Boulevard alley between SE 2nd Avenue and SE 3rd Avenue; seconded by Commissioner McElyea.

Commissioner Castro	Yes	Vice-Mayor Grace	Yes
Commissioner Duke	Yes	Mayor Flury	Yes
Commissioner McElyea	Yes		

Dominic Orlando, Director of Public Services, clarified there are five existing Florida Power & Light (FPL) poles with no lights that can be used.

10.2 Discussion of Department Head Salaries – Vice-Mayor Grace

Vice-Mayor Grace commented several department heads will be retiring in the next six months and wondered how we could save money. She noted that when the Finance Director, Parks and Recreation Director and Public Services Director leave, their assistants could take these positions. Vice-Mayor Grace said that we should talk about it in the next couple of months. She thought we should start thinking about possible savings in the next fiscal year.

Mayor Flury noted these are personnel issues, and she will not discuss it.

10.3 Coastal Partnership

Colin Donnelly, Assistant City Manager, noted that the Dania Beach Waterfront Revitalization Master Plan contracts were recently received from the Department of Environmental Protection. He explained that the project is mainly to address environmental issues on the beach and further requested feedback from the Commission.

Bob Daniels, Director of Community Development, provided an update on the Beach Master Plan. He noted that staff wants ideas on what we want to see at the beach. Director Daniels explained that we are discussing the development of the Master Plan using the \$30,000.00 grant funds. He clarified that our matching funds are considerably more than the grant amount.

Assistant City Manager Donnelly noted that matching funds have not been budgeted for this project. He advised that the grant agreement and funding approval will be included on the next agenda.

Director Daniels responded for Commissioner Castro that our first deliverable is due in February, 2012; however, we may need to talk to them to request an extension of the timeframe.

Commissioner Castro noted that we need workshops before we bid this project out. The Commission needs to decide what needs to be done before we start spending money. She said that her idea of planning the entire beach area is more involved than what staff has been discussing.

Mayor Flury concurred with Commissioner Castro.

Commissioner Duke noted that the application that the City submitted explains the existing conditions at the beach and what needs to be done. He indicated that Nova Southeastern University and Florida Atlantic University (FAU) want to be involved in the discussion. Commissioner Duke recommended we look at the initial part of the grant which addresses design, planning and coordination and seek additional grant funding afterwards. He remarked that the Commission wants a passive family-friendly cleaned-up beach. Commissioner Duke thought we should move forward with this project, allocate the \$85,000.00 from Capital Improvements and submit the application.

Mayor Flury noted we need a real master plan and we should do it right. She suggested we postpone the discussion until the next meeting in order to better define what the amount of \$85,000.00 will give us and where it will come from.

Commissioner Duke noted that the agenda back-up information provides a total break down of all the meetings held and where we are going in this process. He stated that we are receiving a \$30,000.00 grant and will need matching funds for the same amount.

Assistant City Manager Donnelly noted he brought this matter up because there are financial issues. He advised that the minimum matching amount is \$30,000.00; however the schedule of work estimates is \$109,000.00. Assistant City Manager Donnelly further explained that the

program can be amended by extending the scope of the Master Plan. He clarified this is the starting point and that no action is required tonight.

10.4 Neighborhood Improvements Projects Update

Colin Donnelly, Assistant City Manager, noted that most of the work has been done. The Dania Beach Heights CPTED Study for traffic calming is being addressed with the CRA project along SE 2nd Avenue, with the exception of the West Dixie Highway/SW 2nd Avenue traffic circle. He advised that Director Orlando has estimated the project at \$300,000.00. Assistant City Manager Donnelly questioned the funding source to pay for the remaining projects. He indicated that action will be required at the next meeting to decide whether we want Chen & Moore to do the Needs Assessment study from lighting plans to construction management.

Mayor Flury asked Assistant City Manager Donnelly to provide a list of the funding needed and where it is coming from at the next Commission meeting.

Commissioner Castro confirmed with Assistant City Manager Donnelly that the recommendations on the CPTED studies and Neighborhood Improvement Advisory Boards have been completed. She spoke about the traffic circle and noted that \$350,000.00 is too much money for a roundabout. Commissioner Castro suggested we start with stop signs which are more affordable. She would like a final list and cost estimate of the projects.

11. Commission Comments

11.1 Commissioner Castro

Commissioner Castro thanked staff for their hard work in addressing the flooding issues citywide.

Commissioner Castro noted that the Ethics Code was adopted by Broward County. She suggested having someone come to a future Commission meeting and make a short presentation of the possible impacts from City officials vs. other people.

Commissioner Castro noted there will be a Travel Request on the next agenda for her to attend the National Council of Legislators from Gaming States (NCLGS) 2012 Winter Meeting in Las Vegas, Nevada, on January 6-8, 2012. She thought the City Manager should also attend this conference.

Commissioner Castro advised that the County Commission approved the Interlocal Settlement Agreement and that it now goes to the Federal Aviation Administration (FAA) for their approval. She thanked the residents who attended the County meeting to express their concerns. Commissioner Castro further provided details of the items discussed at the meeting. She noted that Kent George, Broward County Aviation Department Director, asked her to join him in Washington DC to present the plan to the FAA. Commissioner Castro recognized everyone involved in this process and reiterated her promise to continue working on the Airport issue.

11.2 Commissioner Duke

Commissioner Duke asked the Public Services staff to address the muck at the median on SE 5th Avenue.

Commissioner Duke was pleased to see that the Public Services Complex wall has just been completed in time for the festival honoring Military Veterans on November 5, 2011.

Commissioner Duke commended the Public Services staff for doing an outstanding job preparing for the storm.

Commissioner Duke commended Assistant City Manager Donnelly for his hard work with the preparation of the grant application for the Dania Beach Waterfront Revitalization Master Plan. He further commented he received very positive comments about Assistant City Manager Donnelly regarding a presentation he recently did.

Commissioner Duke noted that he understands the Law firm of Weiss Serota is holding an Ethics Seminar on Tuesday, November 1, 2011. He thought this was a good opportunity for the City Attorney to attend.

Commissioner Duke asked City Attorney Ansbro for an update on the Dania Jai Alai project.

City Attorney Ansbro noted that there has been a threat of litigation from Citizens for Responsible Development, Inc., although we have not yet been served any lawsuit. He further advised that the Public Records Request recently submitted by this group has been completed.

11.3 Commissioner McElyea

Commissioner McElyea noted there are two containers on SW 14th Street and 4th Avenue that need to be removed.

City Attorney Ansbro advised that this case will be before the Special Magistrate at their November 3 meeting.

11.4 Vice-Mayor Grace

Vice-Mayor Grace spoke about the Festival honoring Military Veterans and Jaxson's 55th Anniversary Celebration Fundraiser for the Joe DiMaggio Children's Hospital, both being held on Saturday, November 5, 2011.

Vice-Mayor Grace noted she attended the Institute for Elected Municipal Officials (IEMO) training in Tampa. She briefly touched on some of the topics discussed at the conference. Vice-Mayor Grace commented they also talked about the new 2012 Government is the Sunshine Manual.

Vice-Mayor Grace noted she attended the 2011 Florida Redevelopment Association (FRA) Annual Conference in Orlando. She stated she is proud of our Dania Beach CRA and further commended CRA Executive Director Earle for his redevelopment efforts. Vice-Mayor Grace advised that Director Earle will be on the board of directors.

11.5 Mayor Flury

Mayor Flury noted she also attended the 2011 Florida Redevelopment Association (FRA) Annual Conference in Orlando. She congratulated CRA Executive Director Earle on receiving the 2011 Marketing and Communications Award for Dania Beach Marketing and Re-Branding Initiatives.

Mayor Flury noted she was very pleased at the tone of the County Commission meeting today when they approved the Interlocal Settlement Agreement for the Airport.

Mayor Flury spoke about an article regarding the City of Hollywood hiring “Ambassadors” who send homeless people to Dania Beach. She remarked that we cannot ignore the homeless situation forever and something needs to be done. Mayor Flury thought these people should be directed to a social service agency instead of being hustled off to another city. She asked the City Manager or the CRA Executive Director to make a recommendation to the Commission. Mayor Flury stated that the City Center cannot be a home for the homeless.

Mayor Flury expressed her satisfaction regarding the adoption on first reading of the Campaign Contribution ordinance now that Broward County has adopted their Ethics Code. She remarked these are great steps forward.

Mayor Flury noted she has received several calls and letters regarding the Airport issue. She asked staff to prepare an informational sheet that is continually updated to be available in the Atrium, online, and on the cable channel so our residents are kept informed.

Mayor Flury was disappointed that the Dania Beach Heights Civic Association meeting was cancelled last month. She noted that group has a lot of issues they need to discuss and she hopes they will hold their meeting next month. Mayor Flury stated that if the November meeting is also cancelled, we should consider having a Town Hall meeting there because she wants to have BSO, Code Compliance, and the City Manager meet with those residents.

12. Appointments

Vice-Mayor Grace appointed Margaret Grier to the Parks, Recreation and Community Affairs Advisory Board.

Commissioner Castro motioned to approve the appointment; seconded by Commissioner Duke. The motion carried unanimously.

13. Administrative Reports

13.1 City Manager

Assistant City Manager Donnelly advised that the Federal Emergency Management Agency (FEMA) is updating their flood maps and will soon be holding public meetings. He read the information related to the proposed changes which would affect property owners in Dania Beach. Assistant City Manager Donnelly noted the information will be available on both the City Website and cable channel.

13.2 City Attorney

City Attorney Ansbro discussed the Pier Restaurant Letter of Interest with the Commission. He requested direction on how to proceed with the advertisement. City Attorney Ansbro proposed a three week response time from interested parties.

Mayor Flury asked the City Attorney if we could develop an ordinance restricting the number of absentee ballots from each voter.

13.3 City Clerk - Reminders

Tuesday, November 8, 2011 – 6:00 p.m.	CRA Board Meeting
Tuesday, November 8, 2011 – 7:00 p.m.	City Commission Meeting
Thursday, November 17, 2011 – 6:00 p.m.	Abatement Hearing
Tuesday, November 22, 2011 – 7:00 p.m.	City Commission Meeting

14. Adjournment

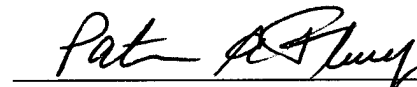
Mayor Flury adjourned the meeting at 8:40 p.m.

ATTEST:

CITY OF DANIA BEACH

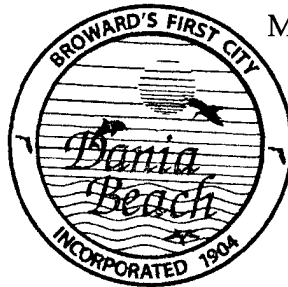


LOUISE STILSON, CMC
CITY CLERK



PATRICIA A. FLURY
MAYOR

Approved: November 22, 2011





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: Oct. 25, 2011
PRINT NAME: Claudia Dimol
ADDRESS: 66 N Federal Hwy
PHONE NO. (optional): 786 255 5193

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. The citizen comments' period shall begin promptly at 7:30 PM. 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:

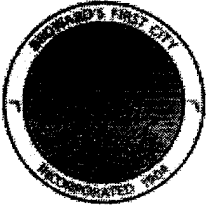
~~Ditap~~ Dilapidated Buildings on
US 1 that should find a converted

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 BY THE CITY COMMISSION WITH REGARD TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

LOBBYIST REGISTRATION REQUIRED - REGISTRATION AS A LOBBYIST IN THE CITY OF DANIA BEACH IS REQUIRED IF ANY PERSON, FIRM OR CORPORATION IS BEING PAID TO LOBBY ANY CITY COMMISSIONER ON ANY MATTER OR ISSUE PURSUANT TO CITY ORDINANCE NO. 01-93. REGISTRATION FORMS AND COPIES OF THE ORDINANCE ARE AVAILABLE IN THE CITY CLERK'S OFFICE AT CITY HALL.



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: _____, 20__

PRINT NAME: Victorine Payne

ADDRESS: _____

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. The citizen comments' period shall begin promptly at 7:30 PM. 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:

Danua Chambers

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 BY THE CITY COMMISSION WITH REGARD TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

LOBBYIST REGISTRATION REQUIRED - REGISTRATION AS A LOBBYIST IN THE CITY OF DANIA BEACH IS REQUIRED IF ANY PERSON, FIRM OR CORPORATION IS BEING PAID TO LOBBY ANY CITY COMMISSIONER ON ANY MATTER OR ISSUE PURSUANT TO CITY ORDINANCE NO. 01-93. REGISTRATION FORMS AND COPIES OF THE ORDINANCE ARE AVAILABLE IN THE CITY CLERK'S OFFICE AT CITY HALL.