

MINUTES OF REGULAR MEETING  
DANIA BEACH CITY COMMISSION  
TUESDAY, SEPTEMBER 24, 2013 – 7:00 P.M.

1. Call to Order/Roll Call

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

Present:

Mayor:	Walter B. Duke, III
Vice-Mayor:	Albert C. Jones
Commissioners:	Chickie Brandimarte
	Bobbie H. Grace
City Manager:	Robert Baldwin
City Attorney:	Thomas Ansbro
City Clerk:	Louise Stilson

2. Invocation and Pledge of Allegiance

Commissioner Grace gave the invocation followed by the Pledge of Allegiance to the United States Flag.

3. Presentations and Special Event Approvals

- 3.1 Special event request for the annual "St. Maurice Country Fair" to be held at St. Maurice Catholic Church, 2851 Stirling Road on November 7-10, 2013

**Commissioner Grace motioned to approve the Special Event request for the annual St. Maurice Country Fair; seconded by Vice-Mayor Jones. The motion carried on the following 4-0 Roll Call vote:**

<b>Commissioner Brandimarte</b>	<b>Yes</b>	<b>Vice-Mayor Jones</b>	<b>Yes</b>
<b>Commissioner Grace</b>	<b>Yes</b>	<b>Mayor Duke</b>	<b>Yes</b>

4. Proclamations

Vice-Mayor Jones read a proclamation for National Hispanic Heritage Month.

5. Citizen Comments

Pat Rafacz, 610 Trafalgar Court, addressed the 2010 Charter Review Board recommendation on how to fill a Commission vacancy and comments made at the last Commission meeting.

Charles Camacho, 121 NE 3<sup>rd</sup> Street, thanked Captain Granville, BSO Chief of Police, for the Crime Prevention Symposium. He complained that phone wires on NE 3<sup>rd</sup> Street and NE 2<sup>nd</sup> Court hang low, and asked for the City's help in resolving this situation.

Lorraine Gooze, 639 NE 3<sup>rd</sup> Street, expressed her gratitude for the Crime Prevention Symposium, and spoke of the Friends of the Dania Beach Library event.

Ann Page, 38 SW 5<sup>th</sup> Street, thanked everyone for the Friends of the Library concert on Sunday.

Gabriel Clark, 608 SW 12<sup>th</sup> Avenue, requested a bench and trash receptacle be placed at the bus stop on SW 12<sup>th</sup> Avenue.

The Commission consensus was to place a trash can and bus bench at the requested location.

Vice-Mayor Jones noted he brought it up at the CRA Board meeting and will address the issue again with the CRA Director.

## 6. Public Safety Reports

Captain Kevin Granville, BSO Chief of Police, thanked the residents for attending the Crime Symposium, and credited his staff for their work on the presentation. He noted there is an increase in home burglaries and they have an operational plan in place to address it.

Vice-Mayor Jones recommended other crime symposiums be held throughout the City.

Commissioner Grace said she attended the symposium and noted how impressed she was with the presentation.

Commissioner Brandimarte commented the symposium was wonderful.

Mayor Duke suggested the police station would be a good location for future symposiums.

## 7. Consent Agenda

***Items added to Consent Agenda: #7.7***

***Items removed from Consent Agenda: #7.3, #7.4, #7.6***

### 7.1 Minutes:

Approve Minutes of September 9, 2013 Budget Workshop

Approve Minutes of September 10, 2013 City Commission Meeting

Approve Minutes of September 12, 2013 First Budget Public Hearing

7.2 Travel Requests:

Request of Cori Mayo, City Controller, to attend the Florida Afterschool Alliance (FASA) Annual Conference in Orlando Florida, on October 6-9, 2013 (Estimated cost \$1,242.40)

**Resolutions**

7.5 RESOLUTION #2013-115

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO PURCHASE FLOOD INSURANCE FROM AMERICAN BANKERS INSURANCE COMPANY OF FLORIDA IN THE AMOUNT OF \$8,849.00 AND FROM WRIGHT NATIONAL FLOOD INSURANCE COMPANY IN THE AMOUNT OF \$27,276.00, AND PROVIDING AN ADDED FUNDING APPROPRIATION OF \$5,721.00 FOR POSSIBLE ADDED COVERAGE COSTS FOR POSSIBLE CITY PROPERTY ADDITIONS DURING THE FISCAL YEAR, FOR A COMBINED TOTAL AMOUNT NOT TO EXCEED \$41,938.00, FOR THE PERIOD EXTENDING FROM OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2014; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

**Addendum**

7.7 RESOLUTION #2013-119

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FINANCIAL AUDIT ENGAGEMENT LETTER WITH HARVEY, COVINGTON AND THOMAS OF SOUTH FLORIDA, LLC; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

**Commissioner Grace motioned to adopt the Consent Agenda, with the addition of Item #7.7, and the exception of Items #7.3, #7.4, and #7.6; seconded by Vice-Mayor Jones. The motion carried on the following 4-0 Roll Call vote:**

<b>Commissioner Brandimarte</b>	<b>Yes</b>	<b>Vice-Mayor Jones</b>	<b>Yes</b>
<b>Commissioner Grace</b>	<b>Yes</b>	<b>Mayor Duke</b>	<b>Yes</b>

7.3 RESOLUTION #2013-113

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, PROVIDING FOR APPROPRIATION OF FUNDS FOR FISCAL YEAR 2012-2013; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2013-113.

Vice-Mayor Jones requested an explanation of this item.

Mark Bates, Finance Director, explained the year end budget adjustments as enumerated in the memo included in the agenda backup.

**Vice-Mayor Jones motioned to adopt Resolution #2013-113; seconded by Commissioner Brandimarte. The motion carried on the following 4-0 Roll Call vote:**

<b>Commissioner Brandimarte</b>	<b>Yes</b>	<b>Vice-Mayor Jones</b>	<b>Yes</b>
<b>Commissioner Grace</b>	<b>Yes</b>	<b>Mayor Duke</b>	<b>Yes</b>

**7.4 RESOLUTION #2013-114**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING SECTION 9.1 OF RESOLUTION 28-85 AS AMENDED, WHICH SECTION IS ENTITLED "ADDRESSING THE COMMISSION", TO REVISE THE PROCEDURES APPLICABLE TO CITIZEN COMMENTS AT CITY COMMISSION MEETINGS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2013-114.

Vice-Mayor Jones asked if this deals with any issue discussed by the Commission.

City Attorney Ansbro responded in the affirmative and reviewed his memo in the backup.

**Vice-Mayor Jones motioned to adopt Resolution #2013-114; seconded by Commissioner Brandimarte. The motion carried on the following 4-0 Roll Call vote:**

<b>Commissioner Brandimarte</b>	<b>Yes</b>	<b>Vice-Mayor Jones</b>	<b>Yes</b>
<b>Commissioner Grace</b>	<b>Yes</b>	<b>Mayor Duke</b>	<b>Yes</b>

**7.6 RESOLUTION #2013-116**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CITY ADMINISTRATION TO ADJUST, REDUCE AND WRITE-OFF FROM THE CITY'S UTILITY ACCOUNTS RECEIVABLE RECORDS, THE AMOUNT OF \$143,607.01 BILLED TO DERECKTOR OF FLORIDA, REFLECTING A JULY 31, 2013 SETTLEMENT AGREEMENT APPROVED BY THE CITY AND DERECKTOR OF FLORIDA, FOR OUTSTANDING CITY UTILITY SERVICE BILLINGS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2013-116.

Vice-Mayor Jones questioned if the business changed hands since we became aware of the discrepancy.

City Attorney Ansbro responded it has been the same operators since this took place, and explained how the problem was discovered, investigated and resolved.

**Vice-Mayor Jones motioned to adopt Resolution #2013-116; seconded by Commissioner Brandimarte. The motion carried on the following 4-0 Roll Call vote:**

<b>Commissioner Brandimarte</b>	<b>Yes</b>	<b>Vice-Mayor Jones</b>	<b>Yes</b>
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**Commissioner Grace**

**Yes**

**Mayor Duke**

**Yes**

**8. Bids and Requests for Proposals**

There were no proposals on this agenda.

**9. Public Hearings and Site Plans**

City Attorney Ansbro advised these 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.

Mayor Duke and Vice-Mayor Jones noted they were contacted by Scott Backman.

**9.1 RESOLUTION #2013-111**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING AN AGREEMENT FOR AN AMENDMENT OF A NOTATION ON THE DJP AIRPORT WEST PLAT (PL-56-06 MOD); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2013-111.

Corinne Lajoie, Principal City Planner, provided an overview of the request. She noted the site plan is currently under review and will be brought to the Commission.

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

**Vice-Mayor Jones motioned to adopt Resolution #2013-111; seconded by Commissioner Grace. The motion carried on the following 4-0 Roll Call vote:**

**Commissioner Brandimarte    Yes**  
**Commissioner Grace            Yes**

**Vice-Mayor Jones    Yes**  
**Mayor Duke            Yes**

**9.2 RESOLUTION #2013-112**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE SITE PLAN REQUEST (SP-31-13) AND VARIANCE (VA-44-13) SUBMITTED BY SCOTT BACKMAN, ESQUIRE, WITH DUNAY, MISKEL, BACKMAN & BLATTNER, LLP, ON BEHALF OF JOAN LETO OF THE JOAN LETO REVOCABLE LIVING TRUST FOR PROPERTY LOCATED ON SW 19<sup>TH</sup> COURT IN THE CITY OF DANIA BEACH, FLORIDA; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2013-112.

Corinne Lajoie, Principal City Planner, provided an overview of the requests and noted this is a different hotel from the one previously approved at this location in 2008.

Scott Backman, 14 SE 4<sup>th</sup> Street, Boca Raton, addressed the possibility of establishing a hotel overlay district for the three hotels in this vicinity.

Mayor Duke 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 #2013-112; seconded by Vice-Mayor Jones. The motion carried on the following 4-0 Roll Call vote:**

<b>Commissioner Brandimarte</b>	<b>Yes</b>	<b>Vice-Mayor Jones</b>	<b>Yes</b>
<b>Commissioner Grace</b>	<b>Yes</b>	<b>Mayor Duke</b>	<b>Yes</b>

#### 10. Discussion and Possible Action

##### 10.1 City Commission Vacancy

Mayor Duke noted he would like to appoint someone to this seat and asked if anyone had a motion.

Commissioner Grace motioned to pick from the 12 applicants who had received two votes, and for each Commissioner to pick three of those people and then pick from them. Motion died for lack of a second.

Mayor Duke asked Commissioner Brandimarte what was particularly qualifying about Mr. Fetscher, and why she would not consider anyone else.

Commissioner Brandimarte noted he was impartial when he previously served after Commissioner McElyea resigned.

Mayor Duke asked if the Commission desired to have a workshop.

Commissioner Grace agreed.

Commissioner Brandimarte said she would not agree to a workshop unless the application process is opened.

Mayor Duke asked for a motion to withhold Commission salaries until someone is appointed.

**Commissioner Grace motioned to withhold salaries until the Commission appoints someone; seconded by Mayor Duke, who passed the gavel to Vice-Mayor Jones and made an amendment to the motion that the Commission agree that they not take any trips until**

**the vacancy is filled. Amendment to the motion was seconded by Commissioner Grace. On the following Roll Call vote:**

**Commissioner Brandimarte    No**  
**Commissioner Grace            Yes**

**Vice-Mayor Jones voted No and adjourned the meeting at 8:06 p.m.**

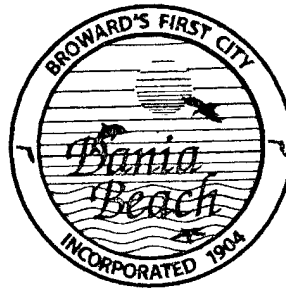
**11. Adjournment**

Vice-Mayor Jones adjourned the meeting at 8:06 p.m.

ATTEST:

*Louise Stilson*

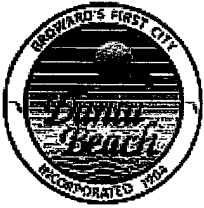
LOUISE STILSON, CMC  
CITY CLERK



Approved: October 8, 2013

CITY OF DANIA BEACH

*Walter B. Duke, III*  
WALTER B. DUKE, III  
MAYOR



# 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: 9-24-13<sup>20</sup>

PRINT NAME: PAT RAFAEL

ADDRESS: 610 TRAFALGAR CT

PHONE NO. (optional): \_\_\_\_\_

**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:**

~~XXXXXXXXXX~~ - 2 issues (11 comments made at last meeting regarding charter review)

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.**

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DATE OF COMMISSION MEETING: 9-24, 2013

PRINT NAME: Charles Canallo -

ADDRESS: 121 NE 3rd St

PHONE NO. (optional): \_\_\_\_\_

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### PLEASE BRIEFLY DESCRIBE THE SUBJECT MATTER OF YOUR COMMENT:

B50 - crime symposium - favorable review  
like safety check

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DATE OF COMMISSION MEETING: \_\_\_\_\_, 20\_\_

PRINT NAME: LORRINE GOOZE

ADDRESS: 639 NE 3rd Street

PHONE NO. (optional): 954-629-6434

**PLEASE CHECK ONE OR BOTH OF THE BOXES BELOW:**

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**PLEASE BRIEFLY DESCRIBE THE SUBJECT MATTER OF YOUR COMMENT:**

Thank you - Crime Prevention Symposium  
Thank you - Friends of Dania Beach Library.

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

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DATE OF COMMISSION MEETING: 9/25, 202013  
PRINT NAME: Ann Pae  
ADDRESS: 38 SW 85th St  
PHONE NO. (optional): 954 923 3645

**PLEASE CHECK ONE OR BOTH OF THE BOXES BELOW:**

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PLEASE BRIEFLY DESCRIBE THE SUBJECT MATTER OF YOUR COMMENT:

friends of the library

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

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DATE OF COMMISSION MEETING: 9/24, 2013

PRINT NAME: Gabriel Clark

ADDRESS: 608 SW 12 Ave

PHONE NO. (optional): 954-367-2522

### PLEASE CHECK ONE OR BOTH OF THE BOXES BELOW:

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### PLEASE BRIEFLY DESCRIBE THE SUBJECT MATTER OF YOUR COMMENT:

Requesting a bench and trash can be placed at  
Bus stop for Route 6 on SW 12 Ave -

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