

**CITY OF MIRAMAR
REGULAR CITY COMMISSION MEETING**

A G E N D A

Wednesday

January 18, 2006

7:00 P.M.



FIRST CLASS MAIL

2300 Civic Center Place
Miramar, Florida
33025-6577

Lori C. Moseley
Mayor

Winston F. Barnes
Commissioner

Marjorie J. Conlan
Commissioner

John L. Moore
Commissioner

Troy R. Samuels
Commissioner

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REGULAR COMMISSION MEETING
Wednesday, January 18, 2006**

CALL TO ORDER:

ROLL CALL/ANNOUNCEMENTS

PLEDGE OF ALLEGIANCE

PRESENTATIONS

Employee Recognitions:

Name	Department	Award
Water Plant Superintendent Eugene Pennetti	Public Works /Utility	Longevity – 25 years
Water System Superintendent David Winter	Public Works/Utility	Longevity – 25 Years
Building Maintenance II James Smith	Public Works/Utility	Longevity – 25 Years
Evidence Tech Supervisor Carolyn Carter	Police Department	Longevity – 25 Years
Police Captain John Petrone	Police Department	Longevity – 25 Years
Police Major Raymond Black	Police Department	Longevity – 20 years
Dawn Shaikh	Police Department	Officer of the Quarter
Thomas Haskett	Police Department	Employee of the Quarter
Rabbi Larry Winer	Police Department	Excellent Police Service Award

CONSENT AGENDA

Items listed under Consent Agenda are viewed to be routine and the recommendation will be enacted by one motion in the form listed below. If discussion is desired, the item(s) will be removed from the Consent Agenda and will be considered separately.

1. Minutes of the Regular City Commission Meeting of November 30, 2005.

2. Temp. Reso. #R3538 approving a Joint Participation Agreement with Broward County, authorizing the appropriate City Officials to apply to the Florida Department of Transportation for **Intermodal Project Funds**. (*Senior Planner Fred Hagy*)
3. Temp. Reso. #R3536 considering application No. **06-TUP-13**, submitted by **St. Bartholomew Church** for temporary use permit approval for a church carnival on February 2 – 5, 2006. (*Community Development Assistant Director Harold Zombek*)
4. Temp. Reso. #R3457 considering application No. **06-MS-09**, Regional Road Concurrency Agreement for the **Burnam Plat** (054-MP-04), included as Exhibit "A"; located south of Miramar Parkway, west of Dykes Road, north of Bass Creek, and east of Southwest 172nd Avenue. (*Senior Planner Michael Alpert*)
5. Temp. Reso. #R3548 approving five general contractors to provide **Construction Manager at Risk Services** to the City for Capital Improvement Projects, on an "as-needed" basis; authorizing the appropriate City Officials to negotiate Construction Management at Risk Services Agreements with each contractor. (*Director of Engineering Services Henry Talton*)
6. Temp. Reso. #R3529 approving an agreement with the State of Florida Department of Environmental Protection for **Miramar Regional Park II**; authorizing the appropriate City Officials to execute such agreement; and authorizing the acceptance of a grant from the State of Florida Department of Environmental Protection, in the amount of two hundred thousand dollars (\$200,000.00) for the Land and Water Conservation Fund Program (LWCF). (*Community Services Assistant Director Terrence Griffin*)
7. Temp. Reso. #R3474 approving the **cooperative purchase of parts for fleet vehicles and equipment**, from **Tropical International, Corp.**, through purchase orders, utilizing Miami-Dade County Bid No. 1070-3/07-2, in an amount not to exceed \$80,000.00, for Fiscal Year 2006. (*Public Works Assistant Director Kirk Hobson-Garcia*)
8. Temp. Reso. #R3534 approving the **cooperative purchase of quicklime** for the East Water Treatment Plant, from **Chemical Lime Company**, through purchase orders, utilizing the City of Tamarac Bid Renewal No. 03-24b, in an amount not to exceed \$112,857.00, during Fiscal Year 2006. (*Operation System Manager Tony Rabbat*)

9. Temp. Reso. #R3550 urging the Governor, members of Florida Legislature and the Broward County and Florida Leagues of Cities to oppose Legislation that impairs the authority of local Governments to regulate **Billboards** and undertake Highway Beautification Projects within their jurisdictions. *(City Attorney Gary Resnick)*
10. Temp. Reso. #R3551 urging the Governor, members of Florida Legislature, and the Broward County and Florida Leagues of Cities to oppose Legislation that impairs the City's authority to regulate the placement of **Electrical Substations** and to regulate and manage vegetation and trimming of electric power line rights-of-way, and directing that this Resolution be forwarded to the Florida Governor, appropriate members of the Florida Legislature, and to Broward and Florida League of Cities. *(City Attorney Gary Resnick)*
11. **ITEM PULLED**

End of Consent Agenda

PUBLIC PARTICIPATION (7:45 – 8:15 P.M.)

RESOLUTIONS

12. Temp. Reso. #R3555 **appointing** a member to the **Police Pension Board**. *(City Clerk Yvette M. McLeary)*

PUBLIC HEARINGS

13. **SECOND READING** of Temp. Ord. #1385 considering application No. **05-CPA-01, amending the Future Land Use Plan Map** of the Future Land Use Element of the adopted City of Miramar Comprehensive Plan, by changing the Land Use Designation of 15.3 acres from commercial to medium 16 residential, as legally described in Exhibit "A", located south of Pembroke Road, west of Douglas Road, north and east of the Amber Lakes Residential Development; requesting recertification of the Future Land Use Element of the Comprehensive Plan by Broward County; providing for submittal to the State of Florida Department of Community Affairs; providing for severability; and providing for an effective date. *(Passed 1st Reading on 2/2/05) (Senior Planner Elizabeth Matej)*

14. **SECOND READING** of Temp. Ord. #1389 considering application No. **05-CPA-02, amending the Future Land Use Plan Map** of the Future Land Use Element of the adopted City of Miramar Comprehensive Plan, by changing the Land Use Designation of 3.1 acres from dashed line irregular 1.5 residential to commercial within the dashed line, as legally described in Exhibit "A", located south of the Sunset Lakes Community Center, west of Southwest 184th Avenue, north of Miramar Parkway, and east of Southwest 186th Avenue; requesting recertification of the Future Land Use Element of the Comprehensive Plan by Broward County; providing for submittal to the State of Florida Department of Community Affairs; providing for severability; and providing for an effective date. *(Passed 1st Reading 5/4/05) (Senior Planner Elizabeth Matej)*

FIRST READING FOR QUASI-JUDICIAL ITEMS

The following items are introduced for First Reading only, and to set the time and date of the Quasi-Judicial Public Hearing for which testimony and public input will be taken. The titles of the ordinances will be read. No testimony or evidence will be considered at this First Reading. The Commission will consider testimony and evidence only at a scheduled Public Hearing. Copies of the detailed information have been placed in the rear of the Commission Chambers in the same location as the Agenda. Copies may be obtained in the Office of the City Clerk during normal working hours, 8:30 A.M. to 5:00 P.M., Monday through Friday.

15. **FIRST READING** of Temp. Ord. #1409 approving application No. **06-DRI-01, amendment to the Development Order** for the East Miramar Areawide Development of Regional Impact, originally adopted on March 22, 1993; providing approval of an amendment to the Development Order; providing for findings of fact and conclusions of law; increasing dwelling unit amount and decreasing retail square footage amount; providing for recordation; providing for compliance with all applicable laws, ordinances and regulations; providing for severability; and providing for an effective date. *(Senior Planner Elizabeth Matej)*

SECOND READING SCHEDULED for February 21, 2006

QUASI-JUDICIAL PUBLIC HEARINGS

All who wish to speak shall be collectively sworn in. City Attorney will then read the title of the item to be considered. Staff shall present a brief synopsis of the application and make a recommendation. Next will be a presentation by the applicant. The Commission will then hear from participants in favor of and in opposition to the application. The applicant, staff and or any Commissioner may cross-examine the witnesses, and a participant may request that the board ask questions of a witness. The public hearing will conclude with final remarks by staff and the applicant. No further presentations or testimony shall be permitted. All decisions of the Commission must be based upon competent substantial evidence presented to it at the hearing. All backup materials provided to the City Commission, as a part of the agenda will automatically be made a part of the record of the hearing. All approvals will be subject to staff recommended conditions unless otherwise stated in the motion for approval.

16. (a) Temp. Reso. #R3533 considering application No. **06-VAR-02**, variance from Land Development Code Section 814.5.K, minimum separation distance between telecommunication towers of 1 mile, to permit Nextel South Corp., d/b/a **Nextel Communications** and City of Miramar to locate a new stealth telecommunication tower within .78 miles of an existing tower; located south of Pembroke Road, west of Southwest 184th Avenue, north of Miramar Parkway, east of Southwest 186th Avenue. (*Senior Planner Richard Hughes*)
 - (b) Temp. Reso. #R3531 considering application No. **04-DRC-26**, site plan for a 120 foot high stealth telecommunication tower for Nextel South Corp., d/b/a **Nextel Communications** and City of Miramar, located south of Pembroke Road, west of Southwest 184th Avenue, north of Miramar Parkway, east of Southwest 186th Avenue. (*Senior Planner Richard Hughes*)
 - (c) Temp. Reso. #R3532 considering application No. **04-CAB-68**, Community Appearance Board approval for a 120 foot high stealth telecommunication tower for Nextel South Corp., d/b/a **Nextel Communications** and City of Miramar, located south of Pembroke Road, west of Southwest 184th Avenue, north of Miramar Parkway, east of Southwest 186th Avenue. (*Senior Planner Richard Hughes*)
17. Temp. Reso. #R3552 approving a **Site Lease Agreement** between the City of Miramar and Nextel South Corp., d/b/a **Nextel Communications**, to co-locate a wireless antenna on the City's Water Tower and place ground equipment on city property located at **6950 Miramar Parkway**. (*Resolution placed here for ease of presentation*) (*Administrative Officer Thomas Good*)

18. Temp. Reso. #R3549 approving site plan application No. **04-DRC-32**, submitted by Nextel South Corp., d/b/a **Nextel Communications**, to co-locate a wireless antenna on the City's water tower and place ground equipment on City property located at 6950 Miramar Parkway. *(Senior Planner Richard Hughes)*
19. Temp. Reso. #R3539 considering application No. **05-VAR-37a**, for **4010 South State Road 7**, as provided in Land Development Code Section 517, which establishes criteria for the approval of remainder parcels created by governmental takings. *(Senior Planner Fred Hagy)*
20. (a) Temp. Reso. #R3540 considering application No. **05-CU-01**, conditional use approval for a **Tire Store**, located on the southeast corner of Pembroke Road and Hiatus Road in the **Miramar Commons Shopping Center**. *(Senior Planner Michael Alpert)*

(b) Temp. Reso. #R3541 considering application No. **05-DRC-05**, site plan for a **Tire Store and Fast Food Restaurant**, located on the southeast corner of Pembroke Road and Hiatus Road in the **Miramar Commons Shopping Center**. *(Senior Planner Michael Alpert)*

(c) Temp. Reso. #R3542 considering application No. **05-CAB-12**, Community Appearance Board approval for a **Tire Store and Fast Food Restaurant**, located on the southeast corner of Pembroke Road and Hiatus Road in the **Miramar Commons Shopping Center**. *(Senior Planner Michael Alpert)*
21. (a) Temp. Reso. #R3377 considering application No. **05-DRC-01**, site plan for **Self Storage at Miramar Centre Business Park**, located north of Southwest 29th Street and east of Dykes Road. ***(Staff recommends continuance to the meeting of 2/15/06)*** *(Senior Planner Michael Alpert)*

(b) Temp. Reso. #R3378 considering application No. **05-CAB-08**, Community Appearance Board approval for **Self Storage at Miramar Centre Business Park**, located north of Southwest 29th Street and east of Dykes Road. ***(Staff recommends continuance to the meeting of 2/15/06)*** *(Senior Planner Michael Alpert)*

22. (a) Temp. Reso. #R3545 considering application No. **05-DRC-26**, site plan for **Veneto Corporate Island**, located west of Red Road, south of Miramar Parkway, north of Florida Turnpike and east of Flamingo Road. *(Community Development Assistant Director Harold Zombek)*
- (b) Temp. Reso. #R3546 considering application No. **05-CAB-68**, Community Appearance Board approval for **Veneto Corporate Island**, located west of Red Road, south of Miramar Parkway, north of Florida Turnpike, and east of Flamingo Road. *(Community Development Assistant Director Harold Zombek)*
23. (a) Temp. Reso. #R3543 considering application No. **05-DRC-30**, site plan for **Miramar Business Center**, lying within Parcel "C" of the "Countyline Corporate Center Plat", located south of Miramar Parkway, west of Red Road, north of the Homestead Extension of Florida's Turnpike, and east of Flamingo Road. *(Community Development Assistant Director Harold Zombek)*
- (b) Temp. Reso. #R3544 considering application No. **05-CAB-74**, Community Appearance Board approval for the **Miramar Business Center**, located south of Miramar Parkway, west of Red Road, north of Florida's Turnpike, and east of Flamingo Road. *(Community Development Assistant Director Harold Zombek)*

OTHER BUSINESS

24. **Reports and Comments:**
- Commission Reports:**
- City Attorney Reports:**
- City Manager Reports:**

ADJOURNMENT

THE NEXT REGULARLY SCHEDULED CITY COMMISSION MEETING IS:

February 1, 2006 at 7:00 P.M.