

**CITY OF MIRAMAR  
REGULAR CITY COMMISSION MEETING**

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**A G E N D A**

**Wednesday**

**September 13, 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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5. Temp. Reso. #R3706 accepting the Water and Sewer System Improvements and Absolute Bill of Sale from New Urban Mirabella, LLC and easement from New Urban Mirabella, LLC, Miramar No. 1, LLC and Gene Haskin to serve **Mirabella**; authorizing the appropriate City Officials to release Letters of Credit Nos. 548 and 538 in the amount of \$730,745.00, and \$55,050.00, respectively and to accept a one-year Maintenance Guarantee Letter of Credit in the amount of \$146,809.38, from New Urban Mirabella, LLC. *(Development Engineer Bissy Vempala)*
6. Temp. Reso. #R3705 approving and ratifying the **emergency procurement and installation of ductile iron pipe** to replace asbestos cement pipe utilizing the City of Miramar Bid Contract No. 05-003, through Change Orders, in an amount not-to-exceed \$549,275.00, for Fiscal Year 2006. *(Utilities Director Brij M. Garg)*
7. Temp. Reso. #R3725 approving and authorizing the appropriate City Officials to execute an easement for the benefit of Florida Power & Light (FPL) within the **Progress Park Parcel**, for FPL facilities required to provide electrical power to service the new **Lift Station "H"**. *(Utility Planning & Capital Improvement Manager Ron Eyma)*
8. Temp. Reso. #R3727 ratifying the **emergency procurement of additional automatic water meter reading units**, utilizing Sensus Metering Systems, a City standards-providing vendor of radio-read water meters and appurtenances, in the amount of \$38,327.20, for Fiscal Year 2006. *(Utility Planning & Capital Improvement Manager Ron Eyma)*
9. Temp. Reso. #R3707 considering application No. **06-TUP-49**, Temporary Use Permit approval for an automobile loan promotion for **Eastern Financial Florida Credit Union**, located at 3700 Lakeside Drive. *(Community Development Assistant Director Harold Zombek)*
10. Temp. Reso. #R3729 authorizing the appropriate City Officials to accept a **grant** from the State of Florida Department of Environmental Protection for **Miramar Regional Park amenities**, in the amount of two hundred thousand dollars (\$200,000.00); approving an agreement with the State of Florida Department of Environmental Protection for Miramar Regional Park amenities. *(Community Services Acting Director Terrence Griffin)*

11. Temp. Reso. #R3728 authorizing the appropriate City Officials to accept a **grant** from the State of Florida Department of Environmental Protection for **Miramar Regional Park upgrades**, in the amount of two hundred thousand dollars (\$200,000.00); approving an agreement with the State of Florida Department of Environmental Protection for Miramar Regional Park upgrades. *(Community Services Acting Director Terrence Griffin)*

### **End of Consent Agenda**

### **RESOLUTIONS**

12. Temp. Reso. #R3711 relating to the provision of Fire Protection Services, Facilities and Programs in the City of Miramar, Florida; reimposing **fire protection assessments** against assessed property located within the City, for the Fiscal Year beginning October 1, 2006; approving the rate of assessment; approving the assessment roll. *(Assistant City Manager/Administration Robert C. Bell)*
13. Temp. Reso. #R3708 authorizing the appropriate City Officials to accept and execute a Cultural Facilities Program in the amount of \$500,000.00, from the State of Florida, Department of State, Division of Cultural Affairs, (the "Division") in support of specified components of the **Miramar Cultural Arts Center's Performance Theater**; providing for the City's total match of \$1,775,000.00, from two sources; \$1,275,000.00 cash match from the City's \$13,900,000.00 Capital Improvement Program Budget appropriated for the construction of this facility and \$500,000.00 from Broward County's Arts Park Grant awarded to the City in the amount of \$2,100,000.00; approving an agreement with the Division for the Cultural Facilities Program Grant. *(Program Manager Camasha Cevieux)*

### **ORDINANCES**

14. **FIRST READING** of Temp. Ord. #1419 amending Chapter 2, **Quasi-Judicial Proceedings**, of the **City's Code of Ordinances**; and providing for an effective date. *(City Attorney)*

SECOND READING SCHEDULED for October 4, 2006

15. **FIRST READING** of Temp. Ord. #1418 **amending** the Land Development Code by amending Chapter 5, “**Development Review Procedures**”, Section 508, “Certificate of Level of Service Compliance”, by creating Section 508.18.1., “Miramar Regional Activity Center (MRAC)”, to implement the requirements of the Tri-Party Interlocal Agreement with the School Board of Broward County and Broward County for educational mitigation fees to be paid by residential development in the MRAC; providing for severability; providing for inclusion in the code; and providing for an effective date. *(Senior Planner Richard Hughes)*

SECOND READING SCHEDULED for September 27, 2006

16. **FIRST READING** of Temp. Ord. #1420 considering application No. **06-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 137-Acres from commercial recreation (132-Acres) and office (5-Acres) to residential low medium 10 (79-Acres), employment center (30-Acres), and commercial recreation (28-Acres), as legally described in Exhibit “A”, located south of Miramar Parkway, west of Douglas Road, north of the Homestead Extension of the Florida Turnpike and east of Palm Avenue; requesting recertification of the Future Land Use Element of the Comprehensive Plan by Broward County; providing for severability; and providing for an effective date. *(Senior Planner Richard Hughes)*

SECOND READING TO BE DETERMINED

17. **FIRST READING** of Temp. Ord. #1423 considering application No. **06-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 a 4.3-Acre parcel from industrial and commercial to irregular residential, as legally described in Exhibit “A”, located south of Pembroke Road, west of I-75, north of Miramar Parkway, and east of Dykes Road; requesting recertification of the Future Land Use Element of the Comprehensive Plan by Broward County; providing for severability; and providing for an effective date. *(Senior Planner Richard Hughes)*

SECOND READING TO BE DETERMINED

## PUBLIC HEARINGS

18. **SECOND READING** of Temp. Ord. #1404 considering application No. **05-CPA-03**, 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 12-Acres from commercial to medium 16 residential, as legally described in Exhibit "A", located south of Miramar Boulevard, west of University Drive, north of St. Bartholomew Church and east of Tuscany Village Residential Development; requesting recertification of the Future Land Use Element of the Comprehensive Plan by Broward County; providing for severability; and providing for an effective date. (*Passed 1<sup>st</sup> Reading 10/5/05*) (*Senior Planner Richard Hughes*)

### 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.

19. **FIRST READING** of Temp. Ord. #1424 approving application No. **06-DRI-02**, amending the Development Order for the **Country Lakes West Development of Regional Impact**, adopted on March 5, 1997 and amended on January 28, 1998, on July 1, 1998, on February 2, 2000, on November 20, 2002 and on February 19, 2003; providing approval to permit 150 Multi-Family units in the northwest quadrant and reducing the number of Multi-Family units in the southern portion of the DRI by 150 units; amending Section 2.18 to require Biennial Reports; amending the Master Development Plan to reflect the lakes in the northwest quadrant as permitted and constructed, to permit residential units in the northwest quadrant and, to acknowledge that hotels are a permitted use in commercial areas; amending Section 2.2 to reflect revised residential, commercial, and industrial land use acreages; providing for findings of fact and conclusions of law; providing for severability; and providing for an effective date. (*Senior Planner Richard Hughes*)

SECOND READING SCHEDULED for September 27, 2006

20. **FIRST READING** of Temp. Ord. #1417 **rezoning** an 11.8-Acre property from the Community Business (B2) Zoning District to the Multi-Family Residential Medium (RM16) Zoning District (application No. 06-ZR-01), legally described in Exhibit "A"; located at the southwest corner of Miramar Boulevard and University Drive; providing for an effective date. *(Community Development Assistant Director Harold Zombek)*

SECOND READING SCHEDULED for September 27, 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.

21. **SECOND READING** of Temp. Ord. #1415 **rezoning** a 17.83-Acre property from the Rural (RL) Zoning District to the Community Facilities (CF) Zoning District (application No. 04-ZR-01), legally described in Exhibit "A"; located south of Miramar Parkway and the Super Target and Miramar Regional Park Sites, west of Southwest 164<sup>th</sup> Avenue and the Nautica (Dolphin Bay Elementary) School site; north of the Nautica Single-Family Residential Community; and east of Southwest 172<sup>nd</sup> Avenue and Nautica Townhomes (Parcel A); and providing for an effective date. *(Passed 1<sup>st</sup> Reading 6/7/06) (Continued from the meeting of 6/21/06) (Community Development Assistant Director Harold Zombek)*
22. (a) Temp. Reso. #R3672 approving application No. **06-MS-16** seeking the conveyance by the City of Miramar of land known as Landscape Buffer Tract 1 of the Miramar Parkway Plat to the Archdiocese of Miami for incorporation into the **Blessed John XXIII Plat**; authorizing the City Manager to execute a **Quit Claim Deed** for this purpose. *(Continued from the meeting of 6/21/06) (Community Development Assistant Director Harold Zombek)*

**(b)** Temp. Reso. #R3673 considering application No. **05-CU-03**, conditional use approval for seventy-five senior housing units on the **Blessed John XXIII Plat**, within the Community Facilities (CF) Zoning District, located south of Miramar Parkway and the Super Target and Miramar Regional Park sites, west of Southwest 164<sup>th</sup> Avenue and the Nautica (Dolphin Bay Elementary) School site; north of the Nautica Single-Family Residential Community; and east of Southwest 172<sup>nd</sup> Avenue and Nautica Townhomes (Parcel A); providing for the assignment of 35 reserve units from Flexibility Zone 125 to accommodate the 75 senior housing units; providing for recertification request of the Broward County Planning Council. ***(Continued from the meeting of 6/21/06)*** *(Community Development Assistant Director Harold Zombek)*

**(c)** Temp. Reso. #R3674 considering application No. **04-SUB-04**, "**Blessed John XXIII Plat**"; located south of Miramar Parkway and the Super Target and Miramar Regional Park sites, west of Southwest 164<sup>th</sup> Avenue and the Nautica (Dolphin Bay Elementary) School site; north of the Nautica Single-Family Residential Community; and east of Southwest 172<sup>nd</sup> Avenue and Nautica Townhomes (Parcel A). ***(Continued from the meeting of 6/21/06)*** *(Community Development Assistant Director Harold Zombek)*

**(d)** Temp. Reso. #R3675 considering application No. **04-DRC-07**, site plan approval for **Blessed John XXIII**, located south of Miramar Parkway and the Super Target site and Miramar Regional Park sites, west of Southwest 164<sup>th</sup> Avenue and the Nautica (Dolphin Bay Elementary) School site; north of the Nautica Single-Family Residential Community; and east of Southwest 172<sup>nd</sup> Avenue and Nautica Townhomes (Parcel A). ***(Continued from the meeting of 6/21/06)*** *(Community Development Assistant Director Harold Zombek)*

**(e)** Temp. Reso. #R3676 considering application No. **04-CAB-15**, Community Appearance Board approval for **Blessed John XXIII**, located south of Miramar Parkway and the Super Target and Miramar Regional Park sites, west of Southwest 164<sup>th</sup> Avenue and the Nautica (Dolphin Bay Elementary) School site; north of the Nautica Single-Family Residential Community and east of Southwest 172<sup>nd</sup> Avenue and Nautica Townhomes (Parcel A). ***(Continued from the meeting of 6/21/06)*** *(Community Development Assistant Director Harold Zombek)*

(f) Temp. Reso. #R3704 considering application No. **06-DAG-01** for a Tri-Party Agreement among the City of Miramar, Broward County, and the Archdiocese of Miami relating to the issuance of building permits while Broward County Plat approval is in progress for the **Blessed John XXIII Plat**. (*Community Development Assistant Director Harold Zombek*)

**OTHER BUSINESS**

**23. Reports and Comments:**

**Commission Reports:**

**City Attorney Reports:**

**City Manager Reports:**

**FUTURE WORKSHOP**

<b>Date</b>	<b>Time</b>	<b>Subject</b>	<b>Location</b>
September 27, 2006	5:30 p.m.	South Florida Water & Wastewater Utility Trends & Capital Investment Impacts in Miramar	Commission Conference Room

**ADJOURNMENT**

**THE NEXT REGULARLY SCHEDULED CITY COMMISSION MEETING IS:**

**September 27, 2006 at 7:00 P.M.**