

CITY OF MIRAMAR
REGULAR CITY COMMISSION MEETING

A G E N D A

Tuesday

July 3, 2007

5:00 P.M.



FIRST CLASS MAIL

2300 Civic Center Place
Miramar, Florida
33025-6577

Lori C. Moseley
Mayor

Winston F. Barnes
Commissioner

Yvonne Garth
Commissioner

Fitzroy D. Salesman
Commissioner

Troy R. Samuels
Commissioner

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CITY OF MIRAMAR

WELCOME TO YOUR CITY COMMISSION MEETING

We are pleased that you have demonstrated an interest in the City of Miramar by attending a City Commission meeting. We hope you will attend more of these meetings in the future.

GENERAL INFORMATION: The City of Miramar is a municipality chartered by the State of Florida operating under the "City Council - City Manager Plan." The City Commission is comprised of four members and the Mayor selected by the residents of Miramar to serve as the City's governing body. It is responsible for adopting policies of the City, passing ordinances, adopting resolutions and approving budgets. A City Manager is appointed by the City Commission to serve as the administrative head of the municipal government and provides recommendations to the City Commission on policy issues.

The City Commission meeting is a formal meeting of the members of the commission to transact City business. This business is conducted in a manner prescribed by resolution, laws and regulations which require certain formal actions and the following of specific procedures.

The **AGENDA** is a printed document that lists the order of business for the Commission meeting. The public is encouraged to contact the Mayor or any City Commissioner prior to a Commission meeting to express their views on items appearing on the Agenda.

* All beepers, cell phones and other electronic devices must be turned off prior to entering the Commission Chambers.

The City Commission may consider and act upon such other business as may come before it in the event this agenda must be revised, such revised copies will be available to the public at the City Commission meeting.

GENERAL RULES AND PROCEDURES FOR PUBLIC PARTICIPATION AT CITY COMMISSION MEETINGS:

Who May Speak - Any individual who wishes to address the City Commission may do so providing it is accomplished in an orderly manner and in accordance with the procedures outlined below.

1. Speaking on items on the Agenda - Public Hearings and Regular Business - Individuals wishing to speak on matters that appear on the Agenda as "Public Hearings" or "Regular Business" need only to raise their hand to be recognized by the Mayor. Discussion at Special Meetings is limited to the items referred to on the Agenda for such Special Meetings.
2. Other Business Items - These are items placed on the Agenda by the Mayor or a Commissioner and either are requests for the preparation of future legislation or are requests for possible direction to the Administration.
3. Speaking on items not on the Agenda - Public Discussion - Any individual may speak on any subject pertinent to the City at the second regularly scheduled meeting of each month. Individuals must sign in with the City Clerk prior to the meeting. The Mayor will recognize those persons who signed in, under the agenda item "Public Discussion."
4. Addressing Commission, Manner & Time - Public discussion during all items is limited to three minutes maximum per person, however, the Mayor at his/her discretion may allow more time. Each person who addresses the Commission shall step up to the speaker's podium and shall give his/her name and address.

The above represents a summarization of the Commission Procedures Resolution. Copies of this resolution are available from the City Clerk's office. Any person requiring auxiliary aids and services at this meeting may call the City Clerk's Office at 954-602-3011 at least two calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by using the following numbers: 1-800-955-8770 (voice) or 1-800-955-8771 (TDD).

If a person decides to appeal any decision made by the City Commission with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings and for such purpose may need to insure that a verbatim recording of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

**CITY OF MIRAMAR
REGULAR COMMISSION MEETING
Tuesday, July 3, 2007**

CALL TO ORDER:

ROLL CALL/ANNOUNCEMENTS:

PLEDGE OF ALLEGIANCE:

PRESENTATIONS:

Introduction of new Directors (*Human Resources Director Phil Rosenberg*)

Legislative Update (*Senator Nan Rich*)

KAPOW Presentation (*Regional Coordinator John Casbarro*)

Silver Falls Homeowner's Association Presentation (*HOA President Fred F. Brooks*)

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 June 6, 2007.
2. Temp. Reso. #R3963 awarding Bid No. 07-002 to, and approving an agreement with, **Metro Equipment Service, Inc.**, in an amount not-to-exceed \$2,473,092.00 for the **East Miramar Redevelopment Transmission & Distribution Water Main Improvements Project**; authorizing the City Manager to execute the agreement. (*Utility Planning & CIP Manager Ron Eyma*)
3. Temp. Reso. #R4007 authorizing the appropriate city officials to include fifty-one (51) firms responding to the request for qualifications #07-03-01 (RFQ) for **engineering & related services** into a library of technical services providers to be retained on an "as-needed" basis. (*Utility Planning & CIP Manager Ron Eyma*)

4. Temp. Reso. #R3981 urging the Federal Government and the Legislature of the State of Florida to take any and all action necessary to preserve and protect the **Levee System surrounding Lake Okeechobee**; and directing that this Resolution be forwarded to the Governor of the State of Florida, the Speaker of the Florida House of Representatives, the President of the Florida Senate, the members of the Broward County Legislative Delegation, the Florida League of Cities, the Broward League of Cities, members of the Florida Congressional Delegation, and the Board of County Commissioners for Broward County. *(Public Works Director Thomas Good)*
5. Temp. Reso. #R3989 considering application No. **06-CMP-04**, Compliance Plan approval for the property located at **6031 Miramar Parkway** in the City's Overlay Zoning District. *(Senior Planner Richard Hughes)*
6. Temp. Reso. #R3986 considering application No. **06-CMP-02**, Compliance Plan approval for the property located at **3530 South State Road 7** in the City's Overlay Zoning District. *(Senior Planner Richard Hughes)*
7. Temp. Reso. #R3987 considering application No. **03-CMP-01**, re-approval of a Compliance Plan for the property located at **2118 Southwest 60th Terrace** in the City's Overlay Zoning District. *(Senior Planner Richard Hughes)*
8. Temp. Reso. #R3985 considering application Number **06-CMP-03**, Compliance Plan for the property located at **3500 South State Road 7** in the City's Overlay Zoning District. *(Senior Planner Richard Hughes)*
9. Temp. Reso. #R3990 considering application Number **06-CMP-05**, Compliance Plan approval for the property located at **6047 Miramar Parkway** in the City's Overlay Zoning District. *(Senior Planner Richard Hughes)*
10. Temp. Reso. #R3988 considering application Number **07-CMP-04**, re-approval of a Compliance Plan for the property located at **6151 Miramar Parkway** in the City's Overlay Zoning District. *(Senior Planner Richard Hughes)*

11. Temp. Reso. #R4001 authorizing the **expenditure** of up to \$51,535.00, in **Law Enforcement Forfeiture Funds** pursuant to Section 932.7055, Florida Statutes, as a contribution to the United Way of Broward County Commission on substance abuse, Crime Stoppers of Broward County, the Kids and the Power of Work, the FBI National Academy Associates, the Miramar Police Athletic League and the National Organization of Black Law Enforcement Executives. (*Research & Planning Manager Randy Cross*)
12. Temp. Reso. #R4003 authorizing the City Manager to apply to the U.S. Department of Justice, under the **Bureau of Justice Assistance (BJA) 2007 JAG Program** in the amount of \$42,871.00, with no matching funds; authorizing the appropriate City Officials to execute the Memorandum of Understanding (MOU); accept and execute the Grant Agreement. (*Research & Planning Manager Randy Cross*)

End of Consent Agenda

RESOLUTIONS

13. Temp. Reso. #R3908 adopting **revised development review, building, and engineering related fees**. (*Community Development Director Harold C. Zombek & Engineering Services Director Brij M. Garg*)
14. Temp. Reso. #R3964 authorizing the City Manager to develop and implement **accelerated attrition incentives** (including limited early retirement, early exit and retention incentives) under conditions which result in substantial net savings to the city or are otherwise in the city's best interest as part of a larger attrition plan. (*Human Resources Director Phil Rosenberg*)
15. Temp. Reso. #R4002 approving and authorizing the execution of a **three-year renewal** of the existing Franchise Agreement for **Solid Waste and Recycling Collection and Disposal** between the City of Miramar and Republic Services of Florida, L.P. D/B/A **All Service Refuse**; authorizing the City Manager to execute the three-year renewal of the existing franchise agreement. (*Assistant City Manager/Finance Robert Bell & Public Works Director Thomas Good*)
16. Temp. Reso. #R4012 establishing a proposed **millage rate** for the 2007 tax year; providing for the rolled-back rate; providing for the date, time and place of the public hearing to consider the proposed millage rate and tentative budget. (*Budget Director Helen Ostlund*)

17. Temp. Reso. #R4013 relating to the provision of fire protection services, facilities and programs in the City of Miramar, Florida; establishing the estimated assessment rate for **fire protection assessments** for the Fiscal Year beginning October 1, 2007; directing the preparation of an assessment roll; authorizing a public hearing and directing the provision of notice thereof. *(Assistant City Manager Don Waldron)*

ORDINANCES

18. **SECOND READING** of Temp. Ord. #1414 amending Chapter 7, entitled "Use Regulations," of the City Land Development Code, by **creating minimum standards for development of hotels, motels, and time share units**; amending Land Development Code Section 705.3, Community Business (B2) District, Subsection 705.3.1 (t), uses permitted if first approved by conditional use; amending Land Development Code Section 707, Employment Center Zoning District, Subsection 707.1.1, uses permitted; and amending Land Development Code Section 708, Commercial Recreation (CR) Zoning District, Subsection 708.1.1 (k) uses permitted if first approved by conditional use; providing for severability, providing for conflicts, providing for inclusion in the Land Development Code, and providing for an effective date. *(Passed 1st Reading 5/16/07) (Community Development Director Harold C. Zombek)*

QUASI-JUDICIAL PUBLIC HEARING

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.

19. **SECOND READING** of Temp. Ord. #1438 considering application No. **06-ZR-05, rezoning** 8.8 acres from the Rural (RL) Zoning District to the Community Business (B2) Zoning District legally described in Exhibit "A"; located south of Miramar Parkway and east of Flamingo Road; and providing for an effective date. *(Passed 1st Reading 5/16/07) (Senior Planner Michael Alpert)*

20. (a) Temp. Reso. #R4004 considering application No. **07-SUB-01**, **Miramar Square Plat**, located on the south side of Miramar Parkway, east of Flamingo Road. *(Senior Planner Michael Alpert)*
- (b) Temp. Reso. #R4005 considering application No. **07-DRC-05**, site plan approval, for the **Miramar Square Shopping Center**, located on the south side of Miramar Parkway, east of Flamingo Road. *(Senior Planner Michael Alpert)*
- (c) Temp. Reso. #R4006 considering application No. **07-CAB-31**, Community Appearance Board approval, for the **Miramar Square Shopping Center**, located on the south side of Miramar Parkway, east of Flamingo Road. *(Senior Planner Michael Alpert)*
21. (a) Temp. Reso. #R3939 considering application No. **07-VAR-09**, variance from Land Development Code Section 808.3, amount of off-street parking, for **Sam's Club** site plan amendment. *(Senior Planner Michael Alpert)*
- (b) Temp. Reso. #R3940 considering application No. **07-DRC-03**, site plan amendment for **Sam's Club**, located south of Pembroke Road and west of University Drive. *(Senior Planner Michael Alpert)*
- (c) Temp. Reso. #R3941 considering application No. **07-CAB-16**, Community Appearance Board approval for site plan amendment for **Sam's Club**, located south of Pembroke Road and west of University Drive. *(Senior Planner Michael Alpert)*
22. (a) Temp. Reso. #R4010 considering application No. **07-DRC-06**, site plan approval, for **Marketplace Shoppes**, located north of Miramar Parkway and west of Southwest 145 Avenue. *(Senior Planner Michael Alpert)*
- (b) Temp. Reso. #R4011 considering application No. **07-CAB-32**, Community Appearance Board approval, for **Marketplace Shoppes**, located north of Miramar Parkway and west of Southwest 145 Avenue. *(Senior Planner Michael Alpert)*
23. (a) Temp. Reso. #R4008 considering application No. **06-DRC-24** site plan approval, for **Liberty Center at Monarch Lakes**, located south of Hotel Road, west of Southwest 145 Avenue, north of Miramar Parkway and east of Southwest 148 Avenue. *(Senior Planner Michael Alpert)*

- (b) Temp. Reso. #R4009 considering application No. **06-CAB-96**, Community Appearance Board approval for **Liberty Center at Monarch Lakes**, located south of Hotel Road, west of Southwest 145 Avenue, north of Miramar Parkway and east of Southwest 148 Avenue. (*Senior Planner Michael Alpert*)
24. (a) Temp. Reso. #R3977 considering application No. **07-VAR-02**, variance request from Land Development Code Section 901.4.1, Pedestrian Landscape Zone Requirements for **Crosstown Shoppes**, located west of Red Road, north of the Homestead Extension of the Florida Turnpike and south of Miramar Parkway. (*Community Development Director Harold C. Zombek*)
- (b) Temp. Reso. #R3978 considering application No. **07-VAR-03**, variance request from Land Development Code Section 901.4, Table 3, Landscape Bufferyard Requirements for **Crosstown Shoppes**, located west of Red Road, north of the Homestead Extension of the Florida Turnpike and south of Miramar Parkway. (*Community Development Director Harold C. Zombek*)
- (c) Temp. Reso. #R3979 considering application No. **07-DRC-04**, site plan for **Crosstown Shoppes**, located west of Red Road, north of the Homestead Extension of the Florida Turnpike and south of Miramar Parkway. (*Community Development Director Harold C. Zombek*)
- (d) Temp. Reso. #R3980 considering application No. **07-CAB-17**, Community Appearance Board approval for **Crosstown Shoppes**, located west of Red Road, north of the Homestead Extension of the Florida Turnpike and south of Miramar Parkway. (*Community Development Director Harold C. Zombek*)
25. (a) Temp. Reso. #R3991 considering application No. **05-SUB-02**, plat for **Tango Park**, located at the northeast corner of Southwest 62nd Avenue and Southwest 37th Street. (*Senior Planner Richard Hughes*)
- (b) Temp. Reso. #R3992 considering application No. **05-DRC-18**, site plan for **Tango Park**, located at the northeast corner of Southwest 62nd Avenue and Southwest 37th Street. (*Senior Planner Richard Hughes*)
- (c) Temp. Reso. #R3993 considering application No. **05-CAB-48**, Community Appearance Board approval for **Tango Park**, located at the northeast corner of Southwest 62nd Avenue and Southwest 37th Street. (*Senior Planner Richard Hughes*)

(d) Temp. Reso. #R3994 considering application No. **07-VAR-11**, variance from Land Development Code Section 712.6 to allow a floor area ratio of .48 where a maximum of .34 is permitted for **Tango Park**, located at the northeast corner of Southwest 62nd Avenue and Southwest 37th Street. *(Senior Planner Richard Hughes)*

(e) Temp. Reso. #R3995 considering application No. **07-VAR-12**, variance from Land Development Code Section 901.4, minimum perimeter landscape bufferyard widths, to allow 17.5 feet on the north side where 20 feet is required, 5 feet on the east side where 10 feet is required, 6 feet on the south side where 20 feet is required, 15 feet on the west side where 20 feet is required, for **Tango Park**, located at the northeast corner of Southwest 62nd Avenue and Southwest 37th Street. *(Senior Planner Richard Hughes)*

(f) Temp. Reso. #R3996 considering application No. **07-VAR-13**, variance from Land Development Code Section 901.4.a., minimum pedestrian landscape buffer zone width along building facades, to allow a width of 6 feet where 10 feet is required, for **Tango Park**, located at the northeast corner of Southwest 62nd Avenue and Southwest 37th Street. *(Senior Planner Richard Hughes)*

(g) Temp. Reso. #R3997 considering application No. **07-VAR-14**, variance from Land Development Code Section 901.8.2.c., parking lot minimum requirements, to allow a row of 11 consecutive parking spaces without a landscape island where a maximum of 10 consecutive spaces is permitted, for **Tango Park**, located at the northeast corner of Southwest 62nd Avenue and Southwest 37th Street. *(Senior Planner Richard Hughes)*

26. Temp. Reso. #R3975 approving a **Park Agreement** between **Miramac, LLC** and the City of Miramar for **Tango Park**; providing for the payment of \$129,255.00, as the park dedication fee in lieu of land dedication; authorizing the City Manager to execute the Park Agreement. ***(Resolution placed here for ease of presentation)*** *(City Engineer Luis Lopez)*

OTHER BUSINESS

Reports and Comments:

Commission Reports:

City Attorney Reports:

City Manager Reports:

FUTURE WORKSHOP

Date	Time	Subject	Location
July 3, 2007	4:00 p.m.	F.Y. 2007-2008 Budget Presentation	Commission Conference Room
August 22, 2007	5:30 p.m.	Water & Wastewater Capacity Rate Study for future expansion	Commission Conference Room
August 22, 2007	6:15 p.m.	Police Headquarters Facility	Commission Conference Room
August 29, 2007	6:00 p.m.	F.Y. 2007-2008 Budget Review 5-Year CIP	Commission Chambers

ADJOURNMENT

THE NEXT REGULARLY SCHEDULED CITY COMMISSION MEETING IS:

August 22, 2007 at 7:00 P.M.