

MINUTES OF REGULAR MEETING
DANIA BEACH CITY COMMISSION
TUESDAY, MARCH 13, 2018 – 7:00 P.M.

1. Call to Order/Roll Call

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

Present:

Mayor:	Tamara James
Vice-Mayor:	Bill Harris
Commissioners:	Chickie Brandimarte
	Bobbie H. Grace
	Marco A. Salvino, Sr.
City Manager:	Robert Baldwin
City Attorney:	Thomas Ansbro
City Clerk:	Louise Stilson

2. Moment of Silence and Pledge of Allegiance

Mayor James called for a moment of silence followed by the Pledge of Allegiance to the United States Flag.

3. Presentations and Special Event Approvals

- 3.1 Special Event Request from Marine Industries Association of South Florida for their “22nd Annual Plywood Regatta” to be held on April 14th, 2018, at the north end of the Marina from 8:00 a.m. 6:00 p.m. on Saturday and from 8:00 a.m. 4: 00 p.m. on Sunday. The applicant is requesting waiver of parking fees for volunteers.

Commissioner Grace motioned to approve the Special Event request for the 22nd Annual Plywood Regatta; seconded by Commissioner Salvino. The motion carried unanimously.

4. Proclamations

There were no proclamations at this meeting.

5. Citizen Comments

Emmanuel George, 17 NE 2nd Avenue, Apt. 106, requested a historical site for Dania Beach, and suggested we partner with the City of Hollywood.

Commissioner Grace noted she wants to preserve the black theater, Dania Bar, the big house, and St. Ruth Missionary Baptist Church.

6. Public Safety Reports

Captain Daniel Marks, BSO Chief of Police, reported on the woman at the last Commission meeting who had complaints regarding various calls for service in her area, the upcoming Shred-a-thon and Operation Medicine Cabinet, and Get to Know Your BSO community meeting.

Captain Marks reported on a recent drug arrest in Hollywood in conjunction with the DEA; the arrest should net approximately \$125,000.

Captain Marks also noted the Active Shooter training for City employees is scheduled for Monday, March 19th.

Sean Brown, Battalion Chief, BSO Fire Rescue, discussed two initiatives in conjunction with the Sea Port: Rescue Task Force and Combat Medical training; and BCON, which is an initiative from the White House.

7. Consent Agenda

Items removed from Consent Agenda: #7.8

- 7.1 Minutes:
Approve Minutes of February 27, 2018 City Commission Meeting
- 7.2 Travel Requests: None

Resolutions

7.3 RESOLUTION #2018-032

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH FLORIDA POWER & LIGHT COMPANY FOR THE UNDERGROUND ELECTRICAL FACILITIES CONVERSION ASSOCIATED WITH THE DANIA BEACH REVITALIZATION PHASE II PROJECT WITHOUT COMPETITIVE BIDDING AND WITHOUT ADVERTISEMENT FOR BIDS IN THE AMOUNT OF ONE HUNDRED EIGHTY NINE THOUSAND FOUR HUNDRED EIGHTY THREE DOLLARS (\$189,483.00), PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.4 RESOLUTION #2018-033

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO MODIFY THE CONTRACT WITH MIGUEL LOPEZ JR. INC. FOR THE SW 26TH TERRACE DRAINAGE PROJECT CONTRACT; REDUCING THE CONTRACT

AMOUNT FROM SEVEN HUNDRED ELEVEN THOUSAND EIGHTY TWO DOLLARS AND TWENTY FOUR CENTS (\$711,082.24) TO SIX HUNDRED NINETY FOUR THOUSAND SIX HUNDRED TWENTY EIGHT DOLLARS AND SIXTY FOUR CENTS (\$694,628.64) FOR A NET FINAL CHANGE ORDER REDUCTION IN THE AMOUNT OF SIXTEEN THOUSAND FOUR HUNDRED FIFTY THREE DOLLARS AND SIXTY CENTS (\$16,453.60); PROVIDING FOR CONFLICTS FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.5 RESOLUTION #2018-034

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, REPEALING RESOLUTION NO. 2013-047 WHICH CREATED TWO (2) ALTERNATE MEMBERS FOR THE GREEN ADVISORY BOARD; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.6 RESOLUTION #2018-035

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, REDUCING THE MEMBERSHIP ON THE EDUCATION ADVISORY BOARD; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.7 RESOLUTION #2018-036

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, ACCEPTING A RIGHT-OF-WAY (ROW) DEED CONVEYING TITLE FOR RIGHT-OF-WAY PURPOSES FROM FROST PARK, LLC FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF NE 2ND COURT AND NE 1ST STREET, AS ADDITIONAL RIGHT-OF-WAY PROPERTY NEEDED FOR FUTURE RIGHT-OF-WAY IMPROVEMENTS AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Grace motioned to adopt the Consent Agenda, with the exception of Item #7.8; seconded by Commissioner Salvino. The motion carried unanimously.

7.8 RESOLUTION #2018-037

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FROM THE PARKS AND RECREATION DEPARTMENT FOR MISCELLANEOUS PARK REPAIR SERVICES PURCHASED FROM SYLMAC INTERNATIONAL FOR FISCAL YEAR 2017/2018, ENDING SEPTEMBER 30, 2018, INCLUSIVE OF EXISTING PURCHASES THAT MAY EXCEED AN ANNUAL VENDOR TOTAL AMOUNT OF TWENTY FIVE THOUSAND DOLLARS (\$25,000.00); AUTHORIZING SUCH PURCHASES THAT ARE TO BE MADE WITHIN THE RESPECTIVE DEPARTMENTS' APPROVED ANNUAL BUDGET APPROPRIATIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2018-037.

Vice-Mayor Harris noted he wants the new Athletic Director to address some of the repairs and line items involved; it would only delay the process for improvements by a couple of months.

Commissioner Grace motioned to continue Resolution #2018-037 until the City Commission meeting on March 27, 2018; seconded by Commissioner Brandimarte. The motion carried unanimously.

8. Bids and Requests for Proposals

8.1 RESOLUTION #2018-038

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO AWARD INVITATION TO BID (“ITB”) NO. 17-008 TO EVERGLADES CONTRACTING, INC. FOR THE MELALEUCA WATER MAIN PROJECT PHASE I IN AN AMOUNT NOT TO EXCEED THREE HUNDRED EIGHTY FOUR THOUSAND FIVE HUNDRED EIGHTY FIVE DOLLARS AND FORTY EIGHT CENTS (\$384,585.48); PROVIDING FOR CONFLICTS; PROVIDING FOR FUNDING; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2018-038.

Commissioner Grace motioned to adopt Resolution #2018-038; seconded by Commissioner Salvino. The motion carried on the following 5-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Harris	Yes
Commissioner Grace	Yes	Mayor James	Yes
Commissioner Salvino	Yes		

8.2 RESOLUTION #2018-039

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH EACH OF THE FOLLOWING THREE (3) FIRMS FOR GRANT WRITING: 1) CAROL EADDY LANGFORD, LLC, 2) IN REM SOLUTIONS, INC. AND 3) SOUTHEASTERN SURVEYING & MAPPING CORP; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2018-039.

Mayor James questioned if these firms would be used to write two grants that we are in the process of applying for.

City Manager Baldwin responded the Sheriff’s Office is doing the fire grant, and we are working with Mr. Gaboton on the other grant.

Commissioner Grace motioned to adopt Resolution #2018-039; seconded by Commissioner Salvino. The motion carried unanimously.

9. Public Hearings and Site Plans

9.1 ORDINANCE #2018-005

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, TO AMEND CHAPTER 28, OF THE “LAND DEVELOPMENT CODE,” OF THE CITY’S CODE OF ORDINANCES BY AMENDING ARTICLE 110 “USE REGULATIONS FOR COMMERCIAL AND MIXED-USE DISTRICTS” TO ADDRESS REQUIREMENTS TO ALLOW OUTDOOR SEATING; AMENDING ARTICLE 115 “SCHEDULE

OF PERMITTED USES” TO ADDRESS USES CONCERNING AUTOMOBILES AND STORAGE FACILITIES IN CERTAIN ZONES; AMENDING ARTICLE 302 “DETAILED USE REGULATIONS” TO ADDRESS SPECIAL EXCEPTION USES AND PERMITTED USES FOR CIVIC AND INSTITUTIONAL USES, GENERAL COMMERCIAL USES, RESTRICTED COMMERCIAL USES, AND INDUSTRIAL USES; AMENDING ARTICLE 303 “DISTRICT DEVELOPMENT STANDARDS”; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; FURTHER PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)** *(Continued from January 23, 2018 and February 13, 2018)*

City Attorney Ansbro read the title of Ordinance #2018-005.

Corinne Lajoie, Planning & Zoning Manager, explained the proposed amendments.

Mayor James objected to the Neighborhood Mixed-Use changes.

Commissioner Grace agreed, and noted she has developers who want to build single family homes on Phippen Waiters Road. She understands mixed-use, but she cannot support putting anything in like paint and body shops.

Commissioner Salvino commented it is a warehouse area and we need to be more lenient in the back streets that do not have residential.

Planning & Zoning Manager Lajoie noted the ordinance would be adjusted before second reading.

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

Mayor James reiterated she is uncomfortable with the mixed-use conditions.

Commissioner Grace motioned to adopt Ordinance #2018-005, on first reading, with changes to Mixed-Use for second reading; seconded by Commissioner Brandimarte. The motion carried on the following 5-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Harris	Yes
Commissioner Grace	Yes	Mayor James	Yes
Commissioner Salvino	Yes		

City Attorney Ansbro advised the remaining 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.

9.2 ORDINANCE #2018-006

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA APPROVING THE RIGHT-OF-WAY EASEMENT VACATION REQUEST (VC-125-17) SUBMITTED BY THOMAS

ENGINEERING GROUP, LLC ON BEHALF OF THE PROPERTY OWNER, GRIFFIN 3100, LLC, FOR PROPERTY GENERALLY LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF GRIFFIN ROAD AND SW 32ND AVENUE WITHIN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT “A”; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)**

City Attorney Ansbro read the title of Ordinance #2018-006.

Corinne Lajoie, Planning & Zoning Manager, briefly described the vacation request.

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

Commissioner Salvino motioned to adopt Ordinance #2018-006, on second reading; seconded by Commissioner Grace. The motion carried on the following 5-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Harris	Yes
Commissioner Grace	Yes	Mayor James	Yes
Commissioner Salvino	Yes		

9.3 RESOLUTION #2018-026

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE SITE PLAN (SP-101-17), VARIANCES (VA-04-18, VA-05-18, VA-06-18, VA-10-18), AND APPROVAL OF DECLARATION OF RESTRICTIVE COVENANTS, SUBMITTED BY STIRLING ALYA LLC FOR PROPERTY LOCATED AT 2851 STIRLING ROAD IN THE CITY OF DANIA BEACH, FLORIDA AS LEGALLY DESCRIBED IN EXHIBIT “A” (“PROPERTY”), A COPY OF WHICH IS ATTACHED TO THIS RESOLUTION; PROVIDING FOR CONDITIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Continued from February 13, 2018)*

City Attorney Ansbro read the title of Resolution #2018- 026.

Corinne Lajoie, Planning & Zoning Manager, provided an overview of the site plan, variances and declaration of restrictive covenants.

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

Commissioner Salvino motioned to adopt Resolution #2018-026; seconded by Commissioner Grace. The motion carried on the following 5-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Harris	Yes
Commissioner Grace	Yes	Mayor James	Yes
Commissioner Salvino	Yes		

9.4 RESOLUTION #2018-040

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE “FLORIDA POWER & LIGHT UNIT 7 ” PLAT (PL-130-17) SUBMITTED BY LEIGH ROBINSON KERR

& ASSOCIATES, INC., ON BEHALF OF FLORIDA POWER & LIGHT COMPANY FOR PROPERTY LOCATED AT 3801 SW 43RD COURT, IN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT “A”, A COPY OF WHICH IS ATTACHED TO THIS RESOLUTION; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

9.5 RESOLUTION #2018-041 *Revised Resolution*

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE SITE PLAN (SP-126-17), VARIANCES (VA-127-17 AND VA-128-17), AND SPECIAL EXCEPTION (SE-129-17) SUBMITTED BY LEIGH ROBINSON KERR & ASSOCIATES, INC., ON BEHALF OF FLORIDA POWER & LIGHT COMPANY FOR PROPERTY LOCATED AT 3801 SW 43RD COURT IN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT “A”, A COPY OF WHICH IS ATTACHED TO THIS RESOLUTION; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2018-040 and Resolution #2018-041.

Corinne Lajoie, Planning & Zoning Manager, explained all of the requests for the existing FPL site.

Mayor James opened the Public Hearings.

Maggie Fernandez, 3620 SW 21st Street, Miami, representing the Miami Climate Alliance, asked the Commission to be the first City to ask FPL to build a solar renewable energy plant; not a gas frack plant.

Tiffany Grantham, 1612 N 17 Avenue, Hollywood, said FPL needs to talk to the community before proceeding. They should be encouraged to build a state of the art renewable power plant, and we should take this opportunity to be a leader.

Douglas Young, 10871 W Clairmont Circle, Tamarac, is COO of the South Florida Audubon Society, and has been involved with the Broward County Climate Alliance. He said this natural gas station would be an improvement for our area.

Emanuel George, 17 NE 2nd Avenue, Apt. 106, Dania Beach, noted the lack of community awareness of what is going on; better communication is needed. FPL should meet with the community because the economic impact is very serious.

Nancy Metayer, 9833 NW 54th Place, Coral Springs, asked the Commission to delay action until residents meet with FPL and the Commission. The community has not been involved with the development plans. She is not against redevelopment, only against the lack of communication.

Renee Mowatt, 1901 Pierce Street, Hollywood, requested a meeting with FPL and the community.

Steven Jones, 4930 SW 29 Way, Dania Beach, requested the community and Commission meet with FPL.

Elizabeth Bercaw, 18 SE 15th Street, Apt A, Dania Beach, had to leave and did not speak.

James Valsing, 7 NW 3rd Street, Dania Beach, noted he does not trust FPL. They need to come to the community and address their concerns.

Tim Canova, 822 Hollywood Boulevard, Hollywood, local law professor and chair of Progress for All, urged more community involvement in the decision. Florida is way behind in solar energy; the Commission has the power to make solar and other renewable energies happen in Florida.

Pat Chukerman, 545 SE 4th Court, Dania Beach, said there have been numerous meetings between FPL and there were four residents who cared enough to attend.

Albert Garcia, 260 SW 29 Road, Miami, communication director for New Florida Majority, said he has seen pictures of FPL signages. He knows it is hard to get people to attend meetings, but another meeting with FPL is needed.

Dennis Mele, representing the applicant, spoke of their community outreach efforts. He noted this plant has been here since 1927 and uses natural gas; a more efficient system is proposed that will generate more power with less gas and less emissions. He also noted this site is not viable for solar because of the wetlands, and the source of the natural gas is the pipeline from Louisiana.

Commissioner Brandimarte noted more Dania residents would be here if they were upset about this, and not residents from other cities.

Vice-Mayor Harris said he received a notice in the mail and attended the meeting a year ago. This has been in the works for at least five years, and he questioned where those who oppose the plant were during that time.

Mayor James noted she has respect for anyone who speaks for their community.

Commissioner Grace said she sat through three meetings. The residents of Dania Beach have always been our first concern.

Commissioner Salvino noted we have had multiple meetings; we already know what is going on. He is very satisfied with the project.

Seeing as there was no one else to speak in favor or opposition, Mayor James closed the Public Hearings.

Commissioner Salvino motioned to adopt Resolution #2018-040; seconded by Commissioner Brandimarte. The motion carried on the following 5-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Harris	Yes
Commissioner Grace	Yes	Mayor James	Yes

Commissioner Salvino Yes

Commissioner Salvino motioned to adopt Resolution #2018-041; seconded by Commissioner Grace. The motion carried on the following 5-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Harris	Yes
Commissioner Grace	Yes	Mayor James	Yes
Commissioner Salvino	Yes		

10. Discussion and Possible Action

10.1 Schedule City Commission Summer Break

The Commission discussed canceling the first meeting in the months of July and August.

Vice-Mayor Harris motioned to cancel the first meeting in the months of July and August; seconded by Commissioner Grace. The motion carried unanimously.

11. Commission Comments

11.1 Commissioner Brandimarte

Commissioner Brandimarte questioned if the gun policy took out the part that the Commission could be sued if they enforced gun regulations.

City Attorney Ansbro responded no, it has not been removed from the state law. He clarified the language of the statute and confirmed that the resolution approved by the Commission is not a problem.

11.2 Commissioner Grace

Commissioner Grace had no comments.

11.3 Commissioner Salvino

Commissioner Salvino had no comments.

11.4 Vice-Mayor Harris

Vice-Mayor Harris noted we have an opportunity for a sponsorship for our new branding with the Broward League of Cities for their installation of new officers at Margaritaville on May 19th at 7:00 p.m.

The Commission agreed on the \$2,500 sponsorship.

Vice-Mayor Harris noted we could speak at another meeting about city-wide Wi-Fi; it could be something we budget in the upcoming year. Wilton Manors Mayor Gary Resnick is at the forefront of this and spoke to Congress today about the advantages of city-wide Wi-Fi for educational purposes.

Mayor James said she will be bringing to the Commission for the new budget a proposal to expand our Wi-Fi at the beach, and the security of city-wide Wi-Fi.

11.5 Mayor James

Mayor James thanked everyone for their love and support for her son during his illness.

Mayor James wants the Commission to make arrangements to meet with Renee Narlock, the executive recruiter for city manager.

Mayor James noted she did not see an update in the report given to the Commission on filling vacancies before the city manager leaves.

12. Appointments

12.1 Marine Advisory Board Discussion

The Commission briefly discussed attendance at the meetings and reducing the number of members.

Linda Barber, Marine Advisory Board, said she regularly attends the meeting, with 10-12 members usually in attendance. She does not understand why the numbers show low attendance.

Commissioner Brandimarte motioned to reduce the size of the Marine Advisory Board to 10 members; seconded by Commissioner Grace. The motion carried unanimously.

13. Administrative Reports

13.1 City Manager

City Manager Baldwin distributed the projects update which is attached to these minutes.

City Manager Baldwin suggested the Commission attend the Mandatory Shooter Training.

City Manager Baldwin thanked Ron Book for getting us funding for the EOC facility planned for Dania Pointe; it is pending approval by the Governor.

13.2 City Attorney

City Attorney Ansbro gave a follow up on gun control issues: there is a lawsuit pending from Weston to challenge the constitutionality of removal from office, the \$5,000 penalty, and lawsuits against cities enacting regulations. Buy-in for the Weston case would cost \$10,000. Another group called Every Town USA for Gun Safety is bringing a lawsuit for free. He suggested we wait at this point; in the future, we could possibly file a friend of the court brief with no cost to the City.

13.3 City Clerk - Reminders

Tuesday, March 27, 2018 – 7:00 p.m.
Tuesday, April 10, 2018 – 5:30 p.m.
Tuesday, April 10, 2018 – 7:00 p.m.

City Commission Meeting
CRA Board Meeting
City Commission Meeting

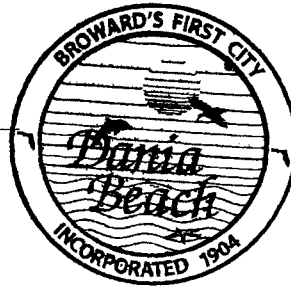
14. Adjournment

Mayor James adjourned the meeting at 8:50 p.m.

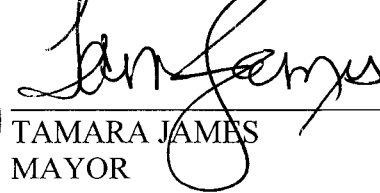
ATTEST:



LOUISE STILSON, CMC
CITY CLERK



CITY OF DANIA BEACH


TAMARA JAMES
MAYOR

Approved: March 27, 2018

RESOLUTION NO. 2018—041 REVISED

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE SITE PLAN (SP-126-17), VARIANCES (VA-127-17 and VA-128-17), AND SPECIAL EXCEPTION (SE-129-17) SUBMITTED BY LEIGH ROBINSON KERR & ASSOCIATES, INC., ON BEHALF OF FLORIDA POWER & LIGHT COMPANY FOR PROPERTY LOCATED AT 3801 SW 43RD COURT IN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT "A", A COPY OF WHICH IS ATTACHED TO THIS RESOLUTION; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Leigh Robinson Kerr & Associates, Inc., on behalf of Florida Power & Light Company (the "Applicant") is requesting approval of a Site Plan (SP-126-17), Variances (VA-127-17 and VA-128-17) and Special Exception (SE-129-17) to permit the future development and construction of an Electrical Generating Facility and accessory uses including administrative/warehouse/control/maintenance building with approximately 25,000 square feet on property and other equipment and facilities for property located at 3801 SW 43rd Court in the City of Dania Beach, Florida (the "City") as legally described in Exhibit "A", a copy of which is made a part of and incorporated into this resolution by this reference; and

WHEREAS, the City Code of Ordinances, Chapter 28, entitled, "Land Development Code" ("LDC") of Part 6, entitled, "Development Review Procedures and Requirements," of Article 635, entitled, "Site Plans" of Section 635-20(A), provides that site plan approval is required prior to commencement of construction; and

WHEREAS, the Applicant is requesting Site Plan approval to permit the future redevelopment of the subject property pursuant to and consistent with the attached Site Plan provided as Exhibit "B"; and

WHEREAS, Chapter 28, Part 6 of the LDC, Article 625 "Variances", Section 625-40 states that the City Commission may grant a variance based on its determination that the petitioner has demonstrated that the necessary criteria identified in the LDC have been satisfied; and

WHEREAS, the Applicant is requesting a Variance (VA-127-17) to one-hundred sixty (160) feet above mean sea level as defined in Aeronautical Study Number 2017-ASO-22597-OE", where Section 205-10(D) of the LDC restricts the bulk (height) regulations to thirty-five (35) feet as depicted on Exhibit "B" (Sheet SP-1), a copy of which is made a part of and

incorporated into this resolution by this reference; and

WHEREAS, the Applicant is requesting a Variance (VA-128-17) to install landscaping consistent with the landscape plan approved for the site, where Section 275-10 through 275-210 of the LDC provides for certain landscape regulations; and

WHEREAS, Article 630 of the LDC, entitled “Special Exception Uses”, states that the City Commission may grant a special exception based upon its determination that the Applicant has demonstrated that the criteria identified in the LDC have been satisfied; and

WHEREAS, the Applicant is requesting a Special Exception (SE-129-17) to permit an electrical power plant use within the Industrial General (IG) district pursuant to LDC Section 115-40; and

WHEREAS, the City Commission conducted a duly noticed public hearing in accordance with Article 610 of the LDC; and

WHEREAS, the City Commission finds that the approval of the Site Plan (SP-126-17), Variances (VA-127-17 and VA 128-17) and Special Exception (SE-129-17) will protect the health, safety, and welfare of the residents of the City, and furthers the purpose, goals, objectives and policies of the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

Section 1. That the foregoing “WHEREAS” clauses are ratified and confirmed as being true and correct and they are made a specific part of this Resolution.

Section 2. That pursuant to Chapter 28 “Land Development Code,” Part 6 “Development Review Procedures and Requirements,” Article 635 “Site Plan,” the following Site Plan (SP-126-17), attached as Exhibit “B” which is made a part of and incorporated into this Resolution by reference is approved.

Section 3. Pursuant to Chapter 28 “Land Development Code,” Part 6 “Development Review Procedures and Requirements,” Article 625 “Variances,” the following Variance applications (VA-127-17, and VA-128-17) are approved consistent with the attached Site plan provided in Exhibit “B”.

Section 4. Pursuant to Chapter 28 “Land Development Code,” Part 6 “Development Review Procedures and Requirements,” Article 630 “Special Exception uses,” the application for

Special Exception use (SE-129-17) is approved consistent with the attached Site Plan provided in Exhibit "B".

Section 5. That the approvals granted by this Resolution are subject to the Applicant's compliance with the following conditions:

1. Confirm that no trees exist within or adjacent to proposed activities. If trees are located inside or within 25 feet of areas to be disturbed, provide a tree disposition plan. If trees are proposed to be removed/relocated, add a note stating that no removals/relocations will occur without first obtaining ~~a tree removal permit~~ approval of a Tree Disposition Plan from the City of Dania Beach and payment of all applicable fees. (Landscape).
2. Provide planting details for trees, palms, and shrubs (Landscape).
3. Provide a clearly marked paving and grading plan showing slopes and spot elevations (Engineering).
4. Provide a clearly marked drainage plan showing drainage structures (if applicable), and provide calculations and geotechnical information supporting the proposed drainage design (Engineering).
5. Provide storm runoff calculations (signed and sealed by a registered professional engineer) for the on-site drainage system. The calculations shall show how the minimum road crown and finished floor elevations are met, and how the 25-year, 3-day storm event is maintained on site with zero discharge to the ROW and adjacent properties (Engineering).
6. Provide pre- and post-development stormwater management and drainage calculations. The City specifically needs the following information: 10-year, 25-year, and 100-year, 24-hour and 72-hour flood stage elevations (Engineering).
7. Drainage shall be adequate to protect rooms in new structures designed for occupancy from the 100-year flood based on FEMA (Engineering).
8. The floor elevation must be consistent on all drawings. Indicate current FEMA base flood elevation (BFE). Finished floor elevation (FFE) shall be one (1) foot above BFE (Engineering).
9. Provide an Erosion Control (same as Stormwater Mitigation) plan (Engineering).
10. Provide location of building roof drains, and their proposed connections(s) to the on-site drainage system (Engineering).
11. Provide a clearly marked water and sewer plan (Engineering).

12. In compliance with 805 of the City Code of Ordinances, applicant shall provide projected water demand, and sewage and solid waste generation amounts in tabular format on the civil site plan (Engineering).
13. Provide drawing file (dwg or dgn) disk of the approved site plan in Florida State Plane Coordinate (NAD 83). This should be addressed as part of the final submittal (Engineering).
14. Provide regulatory agencies' approval documentation (as applicable) as part of the final submittal (Broward County Surface Water License, Broward County Health Department Permit, etc.)(Engineering).
15. Any traffic improvements implemented by Developer (FPL) must be approved by the government agency with jurisdiction over the roadway being improved. Traffic mitigation measures would need to be implemented by the Developer (FPL) that is acceptable to all affected AHJs (Authority Having Jurisdiction) during construction (Engineering).
- ~~16. Incomplete information was provided. Further review and comment will be conducted by staff after additional information is provided by the applicant. See comments below. Per Section 635-50, provide the following documents:
(Y)The following computations:
(1)Total gross and net acreage (Planning).~~
- ~~17.16. SIGNS: Per Section 505-40(O)(5) cabinet signs are prohibited, except where constructed of an opaque sign face with translucent cut-outs for sign copy, such that only the sign copy itself is illuminated and the background is not illuminated. Provide detail (Planning).~~
- ~~18.17. The proximity to the airport will be required BCAD review and approval. Contact William Castillo, Airport Planner with Broward County Aviation Department, located at 2200 SW 45 Street, Suite 101, Dania Beach, FL 33315, (954) 359-6100 (Planning).~~
- ~~19. Per Section 265-110(2) 2-way directional and 2-lane, 1-way directional movement requires a minimum aisle of 24'; only 20' provided on west side of building. Revise accordingly (Planning).~~
- ~~20. Per Section 511-30(G) Eliminate external metal walls, as they amplify sound (Planning).~~
- ~~21.18. Prior to commencement of construction, Developer (FPL) will schedule a pre-construction meeting with the City of Dania Beach to identify a schedule for progress reports and inspections. Final drawings will be provided by Developer to City of Dania Beach to ensure compliance with all applicable regulations, codes, and approvals. The conditions of approval identified in the site plan resolution, approved by the City Commission must be addressed prior to issuance of a building permit (Planning).~~
- 22.19. FPL shall comply with the applicable portions of the Florida Building Code for the construction of the administration portion of the administration/warehouse/control building as provided in Section 553.73(10) (f) F.S. and Section 403.511(4) F.S. (Planning).

~~23. FPL shall request inspections in accordance with the requirements of the building permits issued for any structures or improvements that do not directly involve the generation, transmission or distribution of electricity for the property included within the Riviera Beach Energy Center Site Certification that is within the corporate limits of the City of West Palm Beach (Planning).~~

~~24.~~20. FPL shall submit coordination plans to the City to address emergency services thirty (30) days prior to commencement of the demolition and construction phases of Project development (Planning).

~~25.~~21. FPL requests that the certification for the Project include one variance pursuant to Rule 62-17.051(3)(a), F.A.C.: Exemption from the maximum permissible sound levels from the specified Sound Level limits in Table 1 of the City of Dania Beach Code of Ordinances, Chapter 17, Article IV Noise, Section 17-86 for :

- a) Noise due to emergency or upset conditions for all time periods and all receiving land use categories; and,
- b) Noise due to transient conditions associated with unit startup and shutdown shall be limited to 70 dB(A) for all time periods and all receiving land use categories, except for Industrial land uses which shall retain the Table 1 limit of 75 dB(A) (Planning).

~~26.~~22. Per O-2017-027, commercial properties under construction are required to provide security to fencing with screening showing project rendering when adjacent to ROW.

~~27.~~23. Provide copy of recorded plat document prior to commencement of construction (Planning).

Section 6. That such application must be reviewed by Broward County Aviation Department. The point of contact is William Castillo, Airport Planner located at 220 S.W. 45 Street, Suite 101, Dania Beach, Florida, 33312, (954) 359-6100.

Section 7. That pursuant to LDC Section 635-100 "Expiration of Site Plans," Section 625-50 "Expiration of Variances," and Section 630-70 "Expiration of special exceptions," the Site Plan (SP-126-17), Variances (VA-127-17 and VA-127-18) and Special Exception (SE-129-17) approvals shall automatically expire and become null and void unless the Applicant pays the appropriate fees in accordance with the City of Dania Beach Schedule of Permit Fees for Construction ~~commences with construction of the improvements shown on the Site Plan~~, within eighteen (18) months from the date of this Resolution.

Section 8. That the issuance of a development order by a municipality does not in any way create any right on the part of an Applicant to obtain a permit from a state or federal

agency, and does not create any liability on the part of the municipality for issuance of the development order if the Applicant fails to obtain requisite approvals or does not fulfill the obligations imposed by a state or federal agency, or undertakes actions that result in a violation of state or federal law.

Section 9. That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 10. That this Resolution shall be in force and take effect immediately upon its passage and adoption.

PASSED AND ADOPTED on February 13, 2018.

ATTEST:

LOUISE STILSON, CMC
CITY CLERK

TAMARA JAMES
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY

**EXHIBIT A
LEGAL DESCRIPTION**

A PORTION OF SECTION 25, TOWNSHIP 50 SOUTH, RANGE 41 EAST AND A PORTION OF SECTIONS 19, 20 AND 30 TOWNSHIP 50 SOUTH, RANGE 42 EAST OF BROWARD COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE CENTER OF SAID SECTION 30-50-42, THENCE S 01°41'18" E, ALONG EAST LINE OF THE SW ¼ OF SAID SECTION 30, FOR 814.58 FEET TO THE APPROXIMATE CENTERLINE OF DANIA CUT-OFF CANAL, BEING THE POINT OF BEGINNING OF HEREINAFTER DESCRIBED BOUNDARY:

FROM SAID POINT OF BEGINNING; THENCE S 88°44'30" W, ALONG SAID APPROXIMATE CENTERLINE, FOR 3247.52 FEET TO THE INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF THE SOUTH NEW RIVER CANAL (C-11, 260' WIDE R/W), AS SHOWN ON ROUTE 441 RESOURCE RECOVERY SITE PLAT RECORDED IN PLAT BOOK 132 AT PAGE 41 P.R.B.C.F.; THENCE N 35°44'42" E, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, FOR 450.45 FEET; THENCE N 20°05'06" E, CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE, FOR 1200.99 FEET TO A POINT ON THE COMMON SECTION LINE BETWEEN SECTION 25-50-41 AND SECTION 30-50-42; THENCE N 22°11'30" E FOR 847.25 FEET; THENCE N 22°17'02" E, ALONG EASTERLY LINE OF PARCEL 2-A, AS DESCRIBED IN O.R.B. 14269 AT PAGE 344 P.R.B.C.F.; THENCE N 33°08'26" E, CONTINUING ALONG EASTERLY LINE OF SAID PARCEL 2-A, FOR 321.26 FEET; THENCE N 38°52'20" E, ALONG LAST DESCRIBED LINE, FOR 390.68 FEET; THENCE N 61° 13' 50" E, CONTINUING ALONG EASTERLY LINE OF SAID PARCEL 2-A, FOR 667.79 FEET TO A POINT ON THE NORTH LINE OF THE NW ¼ OF SECTION 30-50-42; THENCE S 88°56'29" E, ALONG SAID NORTH LINE, ALSO BEING THE SOUTH LINE OF PARCEL I, AS DESCRIBED IN O.R.B 16063 AT PAGE 576 P.R.B.C.F., FOR 974.55 FEET TO THE NORTH ¼ CORNER; THENCE S 01°20'31" E, ALONG THE EAST LINE OF THE NW ¼ OF SECTION 30-50-42, FOR 125.00 FEET; THENCE N 66°27'10" E, CONTINUING ALONG THE SOUTHERLY LINE OF LAST DESCRIBED PARCEL I, FOR 2444.55 FEET; THENCE N 03°32'19" W, ALONG A LINE 275 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SECTION 19-50-42, FOR 180.00 FEET; THENCE N 26°21'15" E FOR 551.19 FEET TO A POINT ON THE COMMON SECTION LINE BETWEEN SECTION 19-50-42 AND SECTION 20-50-42; THENCE N 03°32'19" W ALONG WEST LINE OF SAID SECTION 20, FOR 460.00 FEET TO THE NORTHWEST CORNER OF THE SOUTH ½ OF THE NORTH ½ OF THE SW ¼ OF SAID SECTION 20; THENCE N 89°20'02" E, ALONG NORTH LINE OF SAID SOUTH ½ OF NORTH ½ OF SW ¼ OF SECTION 20, FOR 1276.06 FEET; THENCE S 02°43'26" E, ALONG THE WEST LINE OF PARCEL DESCRIBED IN O.R.B 15765 AT PAGE 565 P.R.B.C.F. FOR 568.15 FEET; THENCE S 03°59'55" W, CONTINUING ALONG LAST DESCRIBED DEED LINE, FOR 796.52 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH ¼ OF THE SW ¼ OF SAID SECTION 20; THENCE S 89°38'50" W, ALONG THE NORTH LINE OF LAST DESCRIBED SOUTH ¼, ALSO BEING THE NORTH LINE OF PARCEL DESCRIBED IN O.R.B. 13396 AT PAGE 92 P.R.B.C.F., FOR 515.16 FEET TO THE NORTHWEST CORNER OF THE SE ¼ OF THE SW ¼ OF THE SW ¼ OF SAID SECTION 20; ; THENCE S 03°07'49" E, ALONG THE WEST LINE OF THE SE ¼, OF SW ¼, OF SW ¼, OF SECTION 20, ALSO BEING THE WEST LINE OF LAST DESCRIBED RECORDED PARCEL, FOR

680.05 FEET TO THE SOUTHWEST CORNER OF SAID SE ¼, SW ¼, SW ¼; THENCE S 89°48'27" W, ALONG THE SOUTH LINE OF THE SW ¼ OF SECTION 20, FOR 643.77 FEET TO THE SECTION CORNER COMMON TO SECTIONS 19, 20, 29 AND 30; THENCE S 01°41'35" E ALONG THE EAST LINE OF THE NE ¼ OF SAID SECTION 30-50-42, FOR 678.23 FEET; THENCE S 89°34'28" W FOR 100.02 FEET; THENCE S 01°41'35" E, ALONG A LINE 100 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID NE ¼, FOR 900 FEET; THENCE S 58°55'51" W FOR 513.52 FEET; THENCE S 00°59'09" E FOR 150.00 FEET; THENCE S 89°00'51" W FOR 150.00 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT; THENCE WESTERLY AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING FOR ITS ELEMENTS, A CENTRAL ANGLE OF 24°35'20", A RADIUS OF 300.00 FEET, FOR AN ARC DISTANCE OF 128.75 FEET TO THE POINT OF TANGENT; THENCE S 64°25'31" W FOR 250.00 FEET; THENCE S 86°37'11" W FOR 144.67 FEET TO THE NORTHEAST CORNER OF PARCEL DESCRIBED IN O.R.B. 15188 AT PAGE 433 P.R.B.C.F.; THENCE S 86°20'16" W, ALONG THE NORTH LINE OF LAST DESCRIBED RECORDED PARCEL, FOR 976.33 FEET; THENCE S 01°41'18" E, ALONG THE WEST LINE OF LAST DESCRIBED RECORDED PARCEL, FOR 400.00 FEET; THENCE N 88°12'52" W, ALONG A LINE 40 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE NE ¼ OF SAID SECTION 30, FOR 161.61 FEET; THENCE S 89°09'16" W FOR 138.70 FEET; THENCE S 01°41'18" E FOR 50.01 FEET; THENCE S 89°09'16" W FOR 100.01 FEET TO A POINT ON THE WEST LINE OF THE SE ¼ OF SAID SECTION 30; THENCE S 01°41'18" E, ALONG THE WEST LINE OF SAID SE ¼, FOR 793.62 FEET TO THE POINT OF BEGINNING; LESS THAT PORTION OF THE DANIA CUT-OFF CANAL WHICH LIES BELOW THE MEAN HIGH WATER LINE.

LESS AND EXCEPTING THE FOLLOWING: (CITY OF HOLLYWOOD)

THAT PORTION OF THE NORTH (N 1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SAID SECTION 30 TOWNSHIP 50 SOUTH, RANGE 42 EAST OF BROWARD COUNTY, FLORIDA, LYING NORTH OF THE DANIA CUT-OFF CANAL, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE CENTER OF SAID SECTION 30-50-42, THENCE S 01°41'18" E, ALONG EAST LINE OF THE SW ¼ OF SAID SECTION 30, FOR 814.58 FEET TO THE APPROXIMATE CENTERLINE OF DANIA CUT-OFF CANAL, BEING THE POINT OF BEGINNING OF HEREINAFTER DESCRIBED BOUNDARY:

FROM SAID POINT OF BEGINNING; THENCE S 88°44'30" W, ALONG SAID APPROXIMATE CENTERLINE, FOR 940.99 FEET TO THE INTERSECTION WITH THE EAST BOUNDARY LINE EXTENDED OF THE "RESUBDIVISION OF DAVIS ISLES SECTION 3" AS RECORDED IN PLAT BOOK 43 PAGE 40 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA AND THE MUNICIPAL LIMITS OF THE CITY OF HOLLYWOOD AS DESCRIBED IN CITY OF HOLLYWOOD ORDINANCE NUMBER 89-72; THENCE N 01°43'41" W ON SAID EAST BOUNDARY LINE FOR 800.46 FEET TO THE INTERSECTION WITH THE WESTERLY PROJECTION OF THE NORTHERLY LINE OF PARCEL "I", OF "PORT 95 COMMERCE PARK", AS RECORDED IN PLAT BOOK 144, PAGE 2 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE N 89°09'19" W ON SAID NORTHERLY LINE FOR 941.60 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF THE SE ¼ OF SAID SECTION 30;

THENCE S 01°41'18" E, ALONG THE WEST LINE OF SAID SE ¼, FOR 793.62 FEET TO THE POINT OF BEGINNING; LESS THAT PORTION OF THE DANIA CUT-OFF CANAL WHICH LIES BELOW THE MEAN HIGH WATER LINE.

SAID LANDS LYING AND SITUATE IN BROWARD COUNTY, FLORIDA, CONTAINING TOTAL NET 16,284,498 SQUARE FEET (373.8406 ACRES), MORE OR LESS.

**EXHIBIT B
SITE PLAN**



#9.4
#9.5

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: 3/13/18, 2018

PRINT NAME: Maggie Fernandez

ADDRESS: 3620 SW 21 st, Miami, FL 33145

PHONE NO. (optional): 786-251-7380

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. 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:

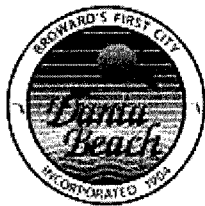
FPL Fracked Gas Plant

2) ☐ ☒ **PUBLIC HEARINGS – ITEM # 9.4 9.5 (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.

LOBBYIST REGISTRATION IS REQUIRED. PRIOR TO ENGAGING IN ANY LOBBYING ACTIVITIES, WHETHER OR NOT COMPENSATION IS PAID OR RECEIVED IN CONNECTION WITH THOSE ACTIVITIES, EACH LOBBYIST SHALL FILE WITH THE CITY CLERK AN ANNUAL REGISTRATION STATEMENT AND PAY AN ANNUAL ONE HUNDRED DOLLARS (\$100.00) REGISTRATION FEE FOR EACH PRINCIPAL OR EMPLOYER. REGISTRATION FORMS ARE AVAILABLE ON THE CITY WEBSITE: WWW.DANIABEACHFL.GOV. (ORDINANCE #2012-019)



REQUEST TO ADDRESS CITY COMMISSION AT REGULAR OR SPECIAL MEETINGS

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DATE OF COMMISSION MEETING: 2-13, 2018

PRINT NAME: Tiffany Grantham

ADDRESS: 1612 N. 17 Ave. Hollywood

PHONE NO. (optional): 954-673-1630

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:

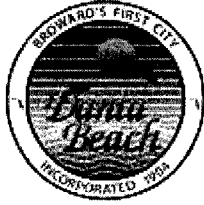
We need FPL to have "our" power
plant state of the art with renewable energy.

2) ☐ PUBLIC HEARINGS - ITEM # 4084 (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.

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#9.4
#95

**REQUEST TO ADDRESS
CITY COMMISSION AT REGULAR
OR SPECIAL MEETINGS**

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DATE OF COMMISSION MEETING: March 13, 2018

PRINT NAME: DOUGLAS YOUNG

ADDRESS: 10871 W CLAIRHOUT CIRCLE, TAMARAC, FL 33321

PHONE NO. (optional): 954-232-1956

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:

2) ☒ PUBLIC HEARINGS – ITEM # 2018-40 (AS PRINTED ON AGENDA)
41

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.

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DATE OF COMMISSION MEETING: 03/13, 2018

PRINT NAME: Emmanuel George

ADDRESS: 17 NE 2nd ave apt 66

PHONE NO. (optional): _____

PLEASE CHECK ONE OR BOTH OF THE BOXES BELOW:

1) ☐ CITIZEN COMMENTS:

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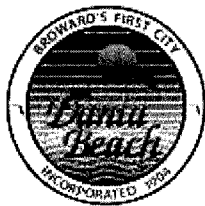
PLEASE BRIEFLY DESCRIBE THE SUBJECT MATTER OF YOUR COMMENT:

2) ☒ PUBLIC HEARINGS – ITEM # 9.5 (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.

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9.4
9.5

REQUEST TO ADDRESS CITY COMMISSION AT REGULAR OR SPECIAL MEETINGS

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DATE OF COMMISSION MEETING: March 13, 2018

PRINT NAME: Nancy Metayer

ADDRESS: 9833 NW 54th place Coral Springs FL 33076

PHONE NO. (optional): 954-857-5441

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. 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:

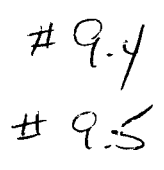
2) ☒ PUBLIC HEARINGS – ITEM # 40 (AS PRINTED ON AGENDA)

41

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.

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9.4
9.5

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: 3-13, 2018

PRINT NAME: STEVEN JONES

ADDRESS: 4930 SW 29 WAY, DANIA

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:

SI FPL

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.

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LOBBYIST REGISTRATION IS REQUIRED. PRIOR TO ENGAGING IN ANY LOBBYING ACTIVITIES, WHETHER OR NOT COMPENSATION IS PAID OR RECEIVED IN CONNECTION WITH THOSE ACTIVITIES, EACH LOBBYIST SHALL FILE WITH THE CITY CLERK AN ANNUAL REGISTRATION STATEMENT AND PAY AN ANNUAL ONE HUNDRED DOLLARS (\$100.00) REGISTRATION FEE FOR EACH PRINCIPAL OR EMPLOYER. REGISTRATION FORMS ARE AVAILABLE ON THE CITY WEBSITE: WWW.DANIABEACHFL.GOV. (ORDINANCE #2012-019)



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DATE OF COMMISSION MEETING: March 13, 2016

PRINT NAME: Elizabeth BERCAW

ADDRESS: 18 SE 15th St. Apt. A Dania 33004

PHONE NO. (optional): 786-546-2880

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:

FP&L Proposal for Expansion
of Power Plant in Dania

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

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DATE OF COMMISSION MEETING: 3/13, 2014

PRINT NAME: JAMES ALBISIN

ADDRESS: 111 3rd ST

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:

F.P.L

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

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DATE OF COMMISSION MEETING: March 13, 2018

PRINT NAME: Tim Canava

ADDRESS: 822 Hollywood Blvd, Hollywood FL 33019

PHONE NO. (optional): 714-401-8818

PLEASE CHECK ONE OR BOTH OF THE BOXES BELOW:

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PLEASE BRIEFLY DESCRIBE THE SUBJECT MATTER OF YOUR COMMENT:

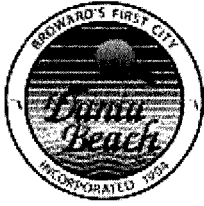
Item 41? FP&L Power Plant Proposal

2) ☒ PUBLIC HEARINGS – ITEM # 41 (AS PRINTED ON AGENDA)

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DATE OF COMMISSION MEETING: 3/12, 2018

PRINT NAME: PATRICIA CHUKERMAN

ADDRESS: 545 SE 4th 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:

FPL plan

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Date: March 13, 2018

To: Mayor Tamara James
Vice Mayor Bill Harris
Commissioner Chickie Brandimarte
Commissioner Bobbie H. Grace
Commissioner Marco A. Salvino, Sr.

From: Robert Baldwin, City Manager

Re: Projects

Numerous projects are currently underway. This is an update of several of these projects. Most of them are capital projects and infrastructure-related; however, a number of them are related to studies and service-oriented projects.

1. Budget Priorities. We are continuing to process and implement the City Commission's budgetary priorities for FY17/18. Among those items:
 - a. Adding 3 new Firefighter/Paramedic positions to create a three-paramedic med unit at Station 17. This is completed. An additional Firefighter/Paramedic position will be added in April. We met with BSO Fire/Rescue several weeks ago to negotiate completion of an executed fire/rescue service agreement. We are awaiting a response from BSO.
 - b. Adding 2 new Deputy Positions. The 2 new positions authorized for October 1, 2018 are now filled. BSO is actively filling four vacancies as quickly as possible. The three additional Deputy positions that were approved for April are not included in the four active recruitments. One of the new deputies will be an SRD (school resource deputy), until that hire, a deputy has been added to the schools, at the City's expense, so there is now one deputy at each Dania Beach school. The Sheriff will make additional resources available.
 - c. Adding 1 Lifeguard. This position was added to provide lifeguard protection north of the pier. This position is filled. The tower is still being manufactured for delivery expected by the end of March.
 - d. Adding an Athletic Director. Parks and Recreation has selected an in-house candidate for the position. Mr. Ifedi started his new position.
 - e. Facilities Manager. Because of the City Commission's decision to move forward with a plan for city hall, we are evaluating the need for another Engineer.
 - f. Hiring a Human Resources/Risk Manager Director. A new Human Resources Director, Paula Morrell was hired. She will begin work on March 26, 2018 and will fill a Human Resource Specialist position and a Risk Management Specialist position previously approved by the Commission.
 - g. Adding 3 full-time Recreation Assistants from 3 part-time positions. These positions are filled.
 - h. Opening parks on Mondays. This was implemented.

- i. Conducting a Citywide Classification and Pay Analysis. Staff has provided the requisite information for Evergreen to start their analysis. The project completion date is slated for May 15, 2018.
 - j. Conducting a Parks and Recreation Facilities Study. The Request for Proposals is out and responses are due to the City on March 16, 2018. The bid review committee will rank the respondents, then forward the top firms to the City Commission for their consideration.
 - k. Grant Writer – An RFP was issued for grant writers and three firms responded. Award of RFP is on the agenda tonight, March 13, 2018.
 - l. Oasis 15 – SW 25 Terrace – Staff identified this location and it is in the design phase.
2. Bus Shelters. Plans are now in for permitting. The contractor is waiting on the delivery of the shelter kits and is expected to start installation at the end of March.
3. Smith's Store and adjacent properties. The store has been demolished. The appraisals have been completed for adjacent residential properties. A tentative agreement has been reached which is being reviewed by the City Attorney. It will then be brought to the City Commission for action. The lot is now sodded.
4. Oasis 12 (NW 8th Avenue). The speed humps are completed. The decorative signs are on order. A funding source has been identified for the decorative mailboxes, removed from the original project for cost, and will be forthcoming to the City Commission at the March 27 meeting.
5. Oasis 13 (NE 1st Street). The project is complete with the exception of the solar lights and decorative street signs, both of which are on order.
6. Oasis 14. Staff has identified the location for Oasis 14 as SE 13 Terr.; SE 13 Street, and SE 14 Street. This project location is in-line with the City Commission's previous direction. This will be a CDBG funded project (Year 43). It is now being designed.
7. 4-Way Stop Sign on Bryan Road. Broward County had informed us that the City could place a 4-way stop sign on Bryan Road, providing Bryan Road "became a City street." Presumably, the City would have had to approach Broward County to transfer the County jurisdiction to the City, and the City would take the responsibility for improvements and incur liability for the roadway, similar to other City streets. A meeting was held with Broward County Traffic Engineering, City Manager, Public Services and the Vice Mayor on February 26, 2018. Resulting from this meeting, Broward County will allow an all stop control to be installed temporarily during construction. The Public Services Director requested an update last week from Scott Bruner from Traffic Engineering.

8. Olsen Middle School Property. Broward School submitted three appraisals for the site and all were multi-million dollar appraisals. Following a December conference call between the City and Broward Schools it appears that they have reverted to their former position of two years ago.
9. Commission Offices. The furniture options have been distributed for the Commissioners' consideration.
10. SW 26th Terrace Stormwater Project. Project is 100% complete. The net final change order reflecting a reduction of \$16,454 is on the agenda tonight.
11. SE Stormwater Project. Final bid documents are with City Attorney's office and require review by the project consultant. Bidding will be open for approximately 75 days.
12. Beach Revitalization. Construction documents are being prepared for the second beach bathroom. This should take approximately six months. FPL has provided a contract for underground wiring and agenda item authorizing the contract will be forthcoming to the City Commission on March 27, 2018.
13. Taylor Lane Roadway Improvement. This project is complete except for the emergency access apron on NW 10th.
14. Melaleuca Gardens Water Main. The bids were received and exceeded the engineer's estimate. The award of the contract and a request for additional funding is on the City Commission meeting agenda tonight, March 13, 2018.
15. Hurricane Action Plan. We will be preparing a Hurricane debriefing and action plan to evaluate our response to Hurricane Irma. The City will be using a contractor to conduct employee after action interviews. The consultant started the after-action review last week. The plan will incorporate improvements and recommendations concerning our hurricane preparedness and response pre-, during, and post hurricanes. The structure analysis City Hall has been completed, and it is being distributed to the City Commission for review (a staff analysis and executive summary will follow. The report indicates that City Hall is not structurally adequate to be used as an Emergency Operations Center. Many elements of the plan to be scheduled and implemented prior to next hurricane season. The Irma response survey has gone out to the employees, and we are meeting with the Morrison Hotel later this week to establish a temporary EOC for the upcoming hurricane season at the hotel. The legislature approved \$100,000 for EOC improvements at the area reserved for us at Dania Pointe. We are waiting to see if the Governor approves the funds.

16. Mold Report – A follow up mold report was completed in December 2017 at City Hall. Mold returned in one unoccupied area and the initial remediation is complete. Further cleaning and testing will be on-going.
17. Solar Light Repairs – Recently, 87 Solar lights have been repaired, 14 batteries replaced and the Estates of Fort Lauderdale lights are repaired. We are adding additional solar lighting at City Hall and preparing recommendations for lighting at various locations at our parks and streets requested by Commission members. The City's next CDBG project (Year 44) will be solar lighting improvements through the eligible area.
18. FDOT funded Bus Shelters – FDOT is funding seven new bus shelters on Federal Highway. These are to supplement, not replace existing shelters. Public Services is reviewing shelter designs that meet the City's requirements for size, maintenance and consistency of design. We are awaiting a report to send to the City Commission.
19. Additional properties are being appraised for negotiation and purchase.
20. The 2018 Asphalt Microsurfacing Project was approved by the Commission.
21. The next Oasis Clean-up Day is scheduled for May 26, 2018.
22. The Dania READY Hurricane Preparedness Conference is scheduled for Saturday, June 2, 2018.
23. The Whisky Creek Dredging Project is in design. A Florida Inland Navigation District grant application is being prepared to offset the cost of the dredging. A resolution authorizing the grant will be before the City Commission on March 27 2018.
24. Water Use Permit - The Administration continues to seek a long-term solution to the City's water supply needs.
25. Entryway Sign - The bid documents have been prepared for the Abbate design. Staff and the Consultants have been meeting with permitting agencies to receive their initial comments. Staff, the project architect met with the Redline Agency and has incorporated the new logo into a new sign design. The concept was approved by CRA Board at the February 26, 2018 branding workshop. The sign will be redesigned, then new bid specification prepared.
26. State of the City. Staff will be meeting with the Mayor in the next few weeks for the State of the City Video.
27. Additional Lighting CW Thomas Park playground. Staff has contracted with FPL to install safety lighting at CW Thomas Park play area. The work is

scheduled to be completed within 6 - 12 weeks. Temporary lighting has been installed.

28. Lighting West Entrance at City Hall. Additional safety lighting was added to the west entrance outside City Hall.

29. FPL/FEC Landscaping Project. The FPL Landscaping Project all SW 4th Avenue and the FEC railway is scheduled to commence in early summer (May/June).

30. Melaleuca Park Tennis Courts. The resurfacing of the tennis courts should be completed by the end of March.

31. Byrd Park Shade Shelters. The installation of shade shelters over the exercise equipment at Byrd Park should be completed by the end of March.

32. FY2018/2019 Budget. Finance has sent out budget instructions to the departments to prepare the FY18/19 Budget. Departments are scheduled to submit the various components of their upcoming budget requests by May 7. The Administration will be bringing a preliminary budget discussion item to the City Commission at an upcoming Commission Meeting. We will be seeking some initial budget direction from the City Commission as we do every year.

These are several of the projects currently underway. The administration will provide more projects and attendant costs later in the fiscal year. Please let me know if there are other projects or information that you would like included. If you have any questions, please call.

We will be having initial budget discussion with the City Commission to prepare a list of Commission budget considerations. Please bring topics to the Manager's attention.

RB/cd