

AGENDA
DANIA BEACH CITY COMMISSION
REGULAR MEETING
TUESDAY, OCTOBER 23, 2018 - 7:00 PM

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)

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY CLERK'S OFFICE, 100 W. DANIA BEACH BOULEVARD, DANIA BEACH, FL 33004, (954) 924-6800 EXTENSION 3624, AT LEAST 48 HOURS PRIOR TO THE MEETING.

IN CONSIDERATION OF OTHERS, WE ASK THAT YOU:

- A. PLEASE TURN CELL PHONES OFF, OR PLACE ON VIBRATE. IF YOU MUST MAKE A CALL, PLEASE STEP OUT INTO THE ATRIUM, IN ORDER NOT TO INTERRUPT THE MEETING.
 - B. IF YOU MUST SPEAK TO SOMEONE IN THE AUDIENCE, PLEASE SPEAK SOFTLY OR GO OUT INTO THE ATRIUM, IN ORDER NOT TO INTERRUPT THE MEETING.
-

1. CALL TO ORDER/ROLL CALL

2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

3. PRESENTATIONS AND SPECIAL EVENT APPROVALS

4. PROCLAMATIONS

1. National Friends of Libraries Week - Linda Wilson, President, Friends of the Dania Beach Paul DeMaio Library

5. CITIZEN COMMENTS

Addressing the Commission: Comments by Dania Beach citizens, or other interested parties that are not part of the regular 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 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.

6. PUBLIC SAFETY REPORTS

7. CONSENT AGENDA

1. Minutes:

Approve Minutes of October 9, 2018 City Commission Meeting

2. Travel Requests: None

3. RESOLUTION NO. 2018-150

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS BY THE PUBLIC SERVICES DEPARTMENT FOR SERVICES PURCHASED FROM CHEN MOORE AND ASSOCIATES FOR PROFESSIONAL ENGINEERING SERVICES FOR FISCAL YEAR 2018-2019 ENDING SEPTEMBER 30, 2019, WHICH MAY EXCEED AN ANNUAL SINGLE VENDOR TOTAL AMOUNT OF TWENTY FIVE THOUSAND DOLLARS (\$25,000.00); AUTHORIZING SUCH PURCHASES MADE WITHIN CITY DEPARTMENTS' APPROVED ANNUAL BUDGET APPROPRIATIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

4. RESOLUTION NO. 2018-151

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AND ACCEPT AN AGREEMENT FOR THE CITY'S MEDICARE SUPPLEMENTAL INSURANCE COVERAGE PROCURED BY THE GEHRING GROUP AS BROKER OF RECORD FOR THE CITY OF DANIA BEACH WITH AETNA, FOR INSURANCE COVERAGE BEGINNING JANUARY 1, 2019 THROUGH DECEMBER 31, 2019 FOR MEDICARE ELIGIBLE RETIRED EMPLOYEES AND THEIR MEDICARE ELIGIBLE DEPENDENTS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

5. RESOLUTION NO. 2018-152

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO ACCEPT AND EXECUTE A WATERWAY ASSISTANCE PROGRAM GRANT AGREEMENT (PROJECT BR-DB-18-131) BETWEEN THE CITY OF DANIA BEACH, FLORIDA, AND THE FLORIDA INLAND NAVIGATION DISTRICT ("F.I.N.D."), IN AN AMOUNT NOT TO EXCEED SEVENTY FIVE THOUSAND (\$75,000.00), TO BE USED FOR THE DANIA BEACH MARINA DREDGING PROJECT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

6. RESOLUTION NO. 2018-153

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, DESIGNATING STIRLING ALYA, LLC'S AFFORDABLE HOUSING CONTRIBUTION OF EIGHTY-TWO THOUSAND DOLLARS (\$82,000.00) TO THE CITY OF DANIA BEACH AS REQUIRED BY BROWARD COUNTY TO THE DANIA BEACH COMMUNITY REDEVELOPMENT AGENCY'S "AT HOME

DANIA BEACH AFFORDABLE HOUSING” PROGRAM; AUTHORIZING THE CITY MANAGER AND FINANCE DIRECTOR TO ALLOCATE STIRLING ALYA, LLC’S REQUIRED AFFORDABLE HOUSING CONTRIBUTION PAYMENT TO THE DANIA BEACH COMMUNITY REDEVELOPMENT AGENCY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7. RESOLUTION NO. 2018-154

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO APPLY FOR THE 2019 COMPLETE STREETS AND OTHER LOCALIZED INITIATIVES GRANT PROGRAM UNDER A JOINT APPLICATION WITH THE CITY OF HOLLYWOOD FOR IMPROVEMENTS OF A PORTION OF JA ELY BOULEVARD LOCATED BETWEEN STIRLING ROAD AND SHERIDAN STREET WITHIN THE DANIA BEACH MUNICIPAL BOUNDARIES; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

8. RESOLUTION NO. 2018-155

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, GRANTING A TEN (10) FOOT EASEMENT TO FLORIDA POWER & LIGHT COMPANY (“FPL”), IN CONNECTION WITH THE BEACH REVITALIZATION PROJECT, WHICH EASEMENT IS LOCATED ADJACENT TO THE BEACH PARKING AREA LOCATED AT 300 N. BEACH ROAD; PROVIDING FOR CONFLICTS, FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

8. BIDS AND REQUESTS FOR PROPOSALS

1. RESOLUTION NO. 2018-156

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AWARDING A BID RELATED TO REQUEST FOR PROPOSAL (RFP NO. 18-014) TO QUEST CORPORATION OF AMERICA, INC. FOR PUBLIC RELATIONS SERVICES PERTAINING TO CITY REBRANDING EFFORTS IN AN AMOUNT NOT TO EXCEED FIFTY THOUSAND DOLLARS (\$50,000.00); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

2. RESOLUTION NO. 2018-157

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO AWARD A BID RELATED TO REQUEST FOR PROPOSAL (RFP NO. 18-015) FOR ADVERTISING, TO MAD 4 MARKETING INC. FOR SERVICES RELATED TO

CITY REBRANDING EFFORTS; AUTHORIZING THE PROPER CITY OFFICIALS AND DESIGNEES TO NEGOTIATE AN AGREEMENT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

9. PUBLIC HEARINGS

1. RESOLUTION NO. 2018-145

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE VARIANCE REQUEST (VA-59-18) SUBMITTED BY POP FLORIDA PROPERTIES, LLC (dba POPEYE’S) FOR PROPERTY LOCATED AT 506 SOUTH FEDERAL WAY, 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; AND FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Continued from September 25, 2018 and October 9, 2018)*

10. DISCUSSION AND POSSIBLE ACTION

1. RESOLUTION NO. 2018-158

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA AUTHORIZING THE CONVEYANCE OF TWELVE (12) PARCELS OF CITY-OWNED LAND (“PROPERTY”) WITHIN THE DANIA BEACH COMMUNITY REDEVELOPMENT AREA AT A PRICE OF TEN DOLLARS (\$10.00) PER PARCEL TO THE DANIA BEACH COMMUNITY REDEVELOPMENT AGENCY (“CRA”) FOR THE PURPOSE OF USING THE PROPERTY TO FACILITATE SINGLE-FAMILY HOUSING DEVELOPMENT IN THE COMMUNITY REDEVELOPMENT AREA; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE DEEDS AND RELATED DOCUMENTS FOR EACH PARCEL FOR THIS PURPOSE; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

11. COMMISSION COMMENTS

1. Commissioner Brandimarte
2. Commissioner Grace
3. Commissioner Salvino
4. Vice-Mayor Harris
5. Mayor James

12. APPOINTMENTS

13. ADMINISTRATIVE REPORTS

1. City Manager
2. City Attorney
3. City Clerk - Reminders

Tuesday, November 13, 2018 - 5:30 p.m.
Tuesday, November 13, 2018 - 7:00 p.m.
Monday, November 19, 2018 - 6:00 p.m.

CRA Board Meeting
City Commission Meeting
Organization Meeting

14. ADJOURNMENT



**OFFICE OF THE MAYOR
CITY OF DANIA BEACH, FLORIDA**

PROCLAMATION

WHEREAS, Friends of the Dania Beach Paul DeMaio Library raise money that enables our library to move from good to great -- providing the resources for additional programming, much needed equipment, support for children's summer reading, and special events throughout the year; and

WHEREAS, the work of the Friends highlights on an on-going basis the fact that our library is the cornerstone of the community, providing opportunities for all to engage in the joy of life-long learning and connect with the thoughts and ideas of others from ages past to the present; and

WHEREAS, the Friends understand the critical importance of well-funded libraries and advocate to ensure that our library gets the resources it needs to provide a wide variety of services to all ages including access to print and electronic materials, along with expert assistance in research, readers' advisory, and children's services; and

WHEREAS, the Friends' gift of their time and commitment to the library sets an example for all in how volunteerism leads to positive civic engagement and the betterment of our community;

NOW, THEREFORE, on behalf of the Dania Beach City Commission, I, Tamara James, Mayor of the City of Dania Beach, Florida, do hereby proclaim October 21-28, 2018, as:

NATIONAL FRIENDS OF LIBRARIES WEEK

in Dania Beach, Broward County, Florida and urge everyone to join the Friends of the Library and thank them for all they do to make our library and community so much better.

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

MINUTES OF REGULAR MEETING
DANIA BEACH CITY COMMISSION
TUESDAY, OCTOBER 9, 2018 – 7:00 P.M.

1. Call to Order/Roll Call

Mayor James called the meeting to order at 7:03 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 Ansbrosio
City Clerk:	Thomas Schneider

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 Bass Pro Shops for the annual 2018 Outdoor Boat Show, to be held at the International Game Fish Association, 300 Gulf Stream Way, on November 2, 2018 from 6:00 - 9:00 p.m.

Commissioner Grace motioned to approve the Special Event request for the Bass Pro Shops Outdoor Boat Show; seconded by Commissioner Salvino. The motion carried unanimously.

- 3.2 Special Event request from the City of Dania Beach and the Dania Beach Lions Club for the 13th Annual Antique Motorcycle Show, to be held at Frost Park on January 26, 2019 from 10:00 a.m. - 5:00 p.m.

Commissioner Grace motioned to approve the Special Event request for the 13th Annual Antique Motorcycle Show; seconded by Commissioner Salvino. The motion carried unanimously.

- 3.3 Special Event request from Ragnar Events, LLC for the annual Ragnar Sprint Florida 2019, to be held at Frost Park on February 9, 2019 from 7:00 a.m. - 11:30 a.m.

Commissioner Grace asked for an explanation of the event.

Eric Brown, Director of Parks and Recreation, responded it is a BSO deputies sprint event.

Commissioner Grace motioned to approve the Special Event request for Ragnar Sprint Florida 2019; seconded by Commissioner Salvino. The motion carried unanimously.

- 3.4 Special Event request from Rebuilding Together Broward County for a Community Revitalization Project, to be held at the corner of SW 8th Street and Phippen Waiters Road, on October 19, 2018 from 8:00 a.m. - 3:00 p.m.

Commissioner Grace motioned to approve the Special Event request for the Rebuilding Together Broward County Community Revitalization Project; seconded by Commissioner Salvino. The motion carried unanimously.

Mayor James took up Items 4.1 and 4.2 at this time.

Addendum

- 3.5 Report on upcoming Bryan Road/Old Griffin Road roadway construction and Maintenance of Traffic Plan (MOT)

Joe Denis, Kimco, gave a brief presentation on Phase I of Dania Pointe and the MOT Plan for Bryan Road/Old Griffin Road intersection construction, which is attached to and incorporated into these minutes. He noted the intersection would be totally closed for 90 days.

Commissioner Salvino motioned to approve the plan; seconded by Commissioner Grace. The motion carried unanimously.

4. Proclamations

- 4.1 Recognition of Maria V Schulz on her 100th Birthday - Mayor James

Mayor James read the proclamation recognizing Maria V Schulz on her 100th birthday and presented it to Ms. Schulz.

- 4.2 Domestic Violence Awareness Month - Women in Distress

Mayor James read the proclamation for Domestic Violence Awareness Month and presented it to Matt Williams, representing Women in Distress of Broward County, Inc.

Mr. Williams thanked the City for its ongoing support for their programs and its commitment to bringing awareness to this issue.

5. Citizen Comments

There were no comments at this meeting.

6. Public Safety Reports

Captain Daniel Marks, BSO Chief of Police, reported on recent criminal activity in the City, and spoke of the Safer Watch application for cell phones. He noted the BSO Dania Beach district has filled all of its vacancies and is fully staffed. He reminded everyone the Annual Fall Festival and National Night Out Against Crime at CW Thomas Park will be held on October 31st.

Mayor James asked for a report on crime trends.

7. Consent Agenda

7.1 Minutes:

Approve Minutes of September 25, 2018 City Commission Meeting

7.2 Travel Requests:

Request from Brad Kaine, Public Services Director, to attend the Florida American Public Works Association (APWA) Executive Committee Meeting FY 2019 in Longboat Key, Florida, on October 19-20, 2018 (Estimated cost \$325.00)

Resolutions

7.3 RESOLUTION #2018-147

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, PERTAINING TO COMPENSATION FOR THE MAYOR AND CITY COMMISSIONERS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.4 RESOLUTION #2018-148

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH FLSC, LLC, D/B/A FLORIDA TEXTILE RECYCLING PROGRAMS, UNDER THE CITY OF GREENACRES, FLORIDA REQUEST FOR PROPOSALS ("RFP") NO. 18-005, PRESENTLY EXISTING BETWEEN THE CONTRACTOR AND THE CITY OF GREENACRES FOR A TEXTILE RECYCLING AND COLLECTION BIN PROGRAM; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.5 RESOLUTION #2018-149

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS BY THE CITY FOR SERVICES PURCHASED FROM IN REM SOLUTIONS, INC. FOR GRANT WRITING SERVICES FOR FISCAL YEAR 2017-2018 (ENDING SEPTEMBER 30, 2018), THAT EXCEED AN ANNUAL VENDOR TOTAL AMOUNT OF TWENTY FIVE THOUSAND DOLLARS (\$25,000.00); AUTHORIZING SUCH PURCHASES MADE WITHIN THE RESPECTIVE DEPARTMENTS' APPROVED ANNUAL BUDGET APPROPRIATIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Salvino motioned to adopt the Consent Agenda; seconded by Commissioner Grace. The motion carried unanimously.

8. Bids and Requests for Proposals

There were no proposals on this agenda.

9. Public Hearings and Site Plans

9.1 ORDINANCE #2018-012

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING SECTION 27-4 OF THE CITY CODE OF ORDINANCES DEALING WITH PROCEDURES ON CHANGE OF OWNERSHIP OR OCCUPANCY OF PREMISES; AMENDING SECTION 27-6 OF THE CODE DEALING WITH AUTHORITY AND GROUNDS FOR DISCONTINUANCE OF SERVICE; AMENDING AND RENAMING SECT 27-9, SUCH SECTION AS "CROSS CONNECTION CONTROL AND BACKFLOW PREVENTION", OF THE CITY CODE OF ORDINANCES; AMENDING SECTION 27-20 OF THE CODE OF DEALING WITH TURNING ON AND SHUTTING OFF OF SERVICE CONNECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (SECOND READING)(*Continued from July 24, 2018; August 28, 2018 & September 11, 2018*)

City Attorney Ansbro read the title of Ordinance #2018-012. He explained issues were resolved since first reading and noted these amendments are needed to comply with state law and requirements of the Broward County Health Department.

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 #2018-012, on second reading; seconded by Commissioner Grace. The motion carried unanimously.

9.2 RESOLUTION #2018-145

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE VARIANCE REQUEST (VA-59-18) SUBMITTED BY POP FLORIDA PROPERTIES, LLC (dba POPEYE'S) FOR PROPERTY LOCATED AT 506 SOUTH FEDERAL WAY, 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; AND FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (*Continued from September 25, 2018*)

City Attorney Ansbro read the title of Resolution #2018-145 and noted it is proposed to be continued until the October 23rd meeting.

Mayor James noted no work has been done on the building and questioned if we are going to wait until they are finished to give them the variance.

Commissioner Salvino commented we are not holding them up, they are holding themselves up. They need to show some effort to start the building and stay consistent; if this happens, he has no problem approving the variance.

Vice-Mayor Harris asked if we would be able to ascertain when they are at 75% of construction before we give them the variance.

Marc LaFerrier, Director of Community Development, noted staff has been in contact with the general contractor, and a construction schedule is currently being prepared. Staff is requesting this item be continued to the October 23rd Commission meeting to allow the construction schedule to be submitted to the Community Development Department. The new project manager for the general contractor is aware of staff's request and has no objection. Their plan is to have it done by the end of the year; the Commission has their attention now.

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 continue Resolution #2018-145, until the October 23, 2018 City Commission meeting at 7:00 p.m.; seconded by Commissioner Grace. The motion carried unanimously.

10. Discussion and Possible Action

10.1 Street Renaming Policy - City Manager Baldwin

Colin Donnelly, Assistant City Manager, gave a PowerPoint presentation, which is attached to and incorporated into these minutes. He reviewed the information in the agenda packet and explained the goals of the policy.

Commissioner Grace asked if it would be necessary for the people signing the petition to live on the subject street or if anyone in that section of the City could be in support of renaming the street.

Assistant City Manager Donnelly explained the two petitions, the property owner petition and the residential petition. Anybody in the City would be able to sign a residential petition.

Commissioner Salvino proposed to keep the original name of the street on the existing sign and add the co-designated name on a smaller sign below.

Mayor James asked how many streets have been renamed rather than co-designated, and who pays for the signage.

Assistant City Manager Donnelly responded there have been seven, and noted we charge a fee for the street signs, which is not that much. He further explained the proposed policy and added it would mean going through more of a political vetting and hearing process.

Commissioner Grace asked how long it would take to get people petitioning if we approve this tonight.

Assistant City Manager Donnelly responded it would likely be two weeks to put together a standardized petition and load it onto the internet.

Commissioner Grace motioned to approve the policy; seconded by Commission Salvino. The motion carried unanimously.

11. Commission Comments

11.1 Commissioner Brandimarte

Commissioner Brandimarte questioned cancelling the November 27, 2018 City Commission meeting.

Commissioner Salvino motioned to cancel the November 27, 2018 City Commission meeting; seconded by Commissioner Grace. The motion carried unanimously.

11.2 Commissioner Grace

Commissioner Grace thanked everyone and said this is a very passionate City.

11.3 Commissioner Salvino

Commissioner Salvino had no comments.

11.4 Vice-Mayor Harris

Vice-Mayor Harris spoke of meeting Robin Roberts from Good Morning America at an event in Miami.

Vice-Mayor Harris commented about the art discussion held earlier.

Vice-Mayor Harris noted he was appointed as an at-large member of the MPO Executive Committee.

Vice-Mayor Harris spoke about one of the parks Master Plan meetings he attended last week.

Commissioner Grace asked about the status of the RFP for auditing services and how the Commission will rank the bidders.

Nicki Satterfield, Director of Finance, responded the bid is due on October 26th, which gives the audit committee two weeks to evaluate the submissions; a resolution will be brought to the Commission on November 13th. She clarified Florida Statute provides that the audit committee will bring the top three ranked firms to the Commission which will select the top-ranked firm; if they do not, they need to disclose why they are not choosing that firm and then they can go to the second ranked firm and then the third and the fourth, if necessary, following the same disclosure process.

Mayor James questioned why the City Commission is not the audit committee; she is concerned about a conflict of interest because the Finance Department will be choosing who is going to audit them.

Finance Director Satterfield explained her recommendation that she brought to the Commission in March for an audit committee, which should be comprised of people who have financial expertise. She reviewed subsequent actions taken since then, including the makeup of the audit committee, which was a Commission decision.

Commissioner Grace asked if the Commission will make the final decision as to who will be our auditing firm.

Finance Director Satterfield reiterated the requirements of state statute, particularly those requirements for choosing a firm other than the top-ranked firm.

City Attorney Ansbro clarified the cone of silence in effect; if someone tries to contact the Commission or the audit committee, they must not accept the contact.

Finance Director Satterfield noted that any contact regarding this RFP must be done through the City Clerk's office.

11.5 Mayor James

Mayor James wished everyone a happy Halloween and invited everyone to the Fall festival on October 31st.

Mayor James spoke of the homecoming for the football team at CW Thomas Park, and thanked Parks & Recreation and Public Works staff.

Mayor James said she wants the Commission to bring Dania Elementary School in to award them with a school of the year celebration or plaque. We need to be aware of shifts and changes that are going on which affects school funding. We need more school involvement from the dais, even if it is just students leading the pledge at Commission meetings. She asked if the

Commission supports having the schools come in to give the pledge and recognizing Dania Elementary. The Commission agreed.

12. Appointments

12.1 Dania Beach Housing Authority

Mayor James appointed Rosalind Curry for a term beginning November 1, 2018 and ending October 31, 2022.

Commissioner Grace motioned to approve the appointments; seconded by Commissioner Brandimarte. The motion carried unanimously.

13. Administrative Reports

13.1 City Manager

City Manager Baldwin reported on the Red Tide situation. He mentioned Hurricane Michael and noted we are not out of the woods yet regarding hurricane season, which ends November 30th.

13.2 City Attorney

City Attorney Ansbro had no comments.

13.3 City Clerk - Reminders

Tuesday, October 23, 2018 - 7:00 p.m.
Tuesday, November 13, 2018 - 5:30 p.m.
Tuesday, November 13, 2018 - 7:00 p.m.

City Commission Meeting
CRA Board Meeting
City Commission Meeting

14. Adjournment

Mayor James adjourned the meeting at 8:21 p.m.

ATTEST:

CITY OF DANIA BEACH

THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Consent Agenda

Continued from:

Requested Action (Identify appropriate Action or Motion)

TO APPROVE AND ADOPT A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PUBLIC SERVICES DEPARTMENT FOR SERVICES PURCHASED FROM CHEN MOORE AND ASSOCIATES FOR PROFESSIONAL ENGINEERING SERVICES FOR FISCAL YEAR 2018-2019 ENDING SEPTEMBER 30, 2019, WHICH MAY EXCEED AN ANNUAL SINGLE VENDOR TOTAL AMOUNT OF TWENTY FIVE THOUSAND DOLLARS (\$25,000.00); AUTHORIZING SUCH PURCHASES MADE WITHIN CITY DEPARTMENTS' APPROVED ANNUAL BUDGET APPROPRIATION; PROVIDING FOR CONFLICTS; FURTHER PROVIDING FOR AND EFFECTIVE DATE.

Purchasing Requests ONLY

Dept:

Acct #:

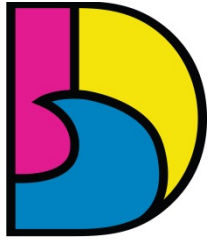
Amt:

Fund:

Fiscal Impact/Cost Summary

Exhibits Attached

2019 Memo- Approval to Exceed the City's 25k Vendor Threshold w Chen Moore and Associates -rsn (Fin Review 10-1-18), R-2018- Chen Moore and Associates Authorization to Exceed \$25K



DANIA BEACH
SEA IT. LIVE IT. LOVE IT.

CITY OF DANIA BEACH PUBLIC SERVICES DEPARTMENT

MEMORANDUM

TO: Honorable Mayor and Commissioners

FROM: Robert Baldwin, City Manager

BY: Brad Kaine, Public Services Director

DATE: October 23, 2018

SUBJECT: Approval of Resolution to Exceed the City's Vendor Threshold
with Chen Moore and Associates (CMA)

Public Services Department has been engaging the professional services of CMA for various roadways, drainage, and other public works related project. CMA was prequalified as one of fifteen firms awarded as an approved engineering consultant by the City Commission on October 25, 2016 under RFQ 16-004 under Resolution No. 2016-142.

Public Services Department is requesting Commission approval to exceed the City's \$25,000.00 annual per vendor threshold due to various project including, but not limited to, MS4 regulatory compliance, NPDES inspections, SW Area Stormwater drainage projects for west of the City. A combination of projects will exceed the City's \$25,000 threshold for fiscal year 2018-2019.

Funding will be made available within the Department's annual budget appropriations and in accordance with the City of Dania Beach Purchasing Policy for each fiscal year.

Recommendation:

Public Services' recommends approval of the Resolution to exceed the City's \$25,000.00 threshold to CMA from available appropriations.

RESOLUTION NO. 2018-150

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS BY THE PUBLIC SERVICES DEPARTMENT FOR SERVICES PURCHASED FROM CHEN MOORE AND ASSOCIATES FOR PROFESSIONAL ENGINEERING SERVICES FOR FISCAL YEAR 2018-2019 ENDING SEPTEMBER 30, 2019, WHICH MAY EXCEED AN ANNUAL SINGLE VENDOR TOTAL AMOUNT OF TWENTY FIVE THOUSAND DOLLARS (\$25,000.00); AUTHORIZING SUCH PURCHASES MADE WITHIN CITY DEPARTMENTS' APPROVED ANNUAL BUDGET APPROPRIATIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Charter of the City of Dania Beach, Part III, Article 3, Section 4, Subsection (j), authorizes the City Manager to purchase supplies, services, equipment and materials for the City government in amounts in excess of the established monetary threshold without competitive bidding and without advertisement for bids if he is authorized to do so in advance by a resolution adopted by the City Commission; and

WHEREAS, the Dania Beach Code of Ordinances, Chapter 2, Article 1, Section 2-10, "Monetary thresholds for certain purchases and payment disbursement authorizations", subsection (a), sets the monetary threshold at Twenty Five Thousand Dollars (\$25,000.00) for a vendor for each fiscal year; and

WHEREAS, the Public Services Department will purchase engineering services from Chen Moore and Associates ("CMA") during the fiscal year, which services for various engineering services may exceed the annual Twenty Five Thousand Dollars (\$25,000.00) City threshold for a single vendor and, therefore, City Commission approval is required; and

WHEREAS, CMA was chosen as one of fifteen firms designated as an approved engineering consultant by the City Commission on October 25, 2016 and formally approved pursuant to RFQ 16-004 under Resolution No. 2016-142; and

WHEREAS, the Public Services Department is seeking approval to exceed Twenty Five Thousand Dollars (\$25,000.00) for any necessary future services for Fiscal Year 2018-2019 provided funding is available and appropriated in the current budget year and made in accordance with the City of Dania Beach Purchasing Policy for each fiscal year;

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

Section 1. That the above “WHEREAS” clauses are ratified and confirmed, and they are made a part of and incorporated into this Resolution by this reference.

Section 2. That the City Commission authorizes professional services to be provided to the City by Chen Moore and Associates exceeding the annual amount of Twenty Five Thousand Dollars (\$25,000.00) purchase threshold for a single vendor for Fiscal Year 2018-2019.

Section 3. That all Department purchases shall be subject to and made within the respective Departments’ approved level of their respective annual budget appropriations and in accordance with the City of Dania Beach Purchasing Policy for each fiscal year.

Section 4. That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 5. That this Resolution shall become effective upon its passage and adoption.

PASSED and ADOPTED on October 23, 2018.

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Consent Agenda

Continued from:

Requested Action (Identify appropriate Action or Motion)

ADOPT RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AND ACCEPT AN AGREEMENT FOR THE CITY'S MEDICARE SUPPLEMENTAL INSURANCE COVERAGE PROCURED BY THE GEHRING GROUP AS BROKER OF RECORD FOR THE CITY OF DANIA BEACH WITH AETNA, FOR INSURANCE COVERAGE BEGINNING JANUARY 1, 2019 THROUGH DECEMBER 31, 2019 FOR MEDICARE ELIGIBLE RETIRED EMPLOYEES AND THEIR MEDICARE ELIGIBLE DEPENDENTS

Purchasing Requests ONLY

Dept:

Acct #:

Amt:

Fund:

Fiscal Impact/Cost Summary

Exhibits Attached

2019 Aetna Renewal Memo (Fin Review 10-15-18), R-2018- Aetna Renewal 2019 (Legal Final 10-16-18), Dania Beach - Group Medicare Renewal Recommendation 2019

DATE: October 12, 2018

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

FROM: Robert Baldwin, City Manager

BY: Paula Morrell, MHRM, HR/Risk Management Director

SUBJECT: 2019 Medicare Supplemental Insurance Coverage Recommendation

The City of Dania Beach has received a renewal offer for Medicare Supplemental Insurance coverage for Medicare eligible retirees and their Medicare eligible dependents through Aetna for the 2019 calendar year and has completed review and consultation with the City's insurance broker, the Gehring Group.

Background

The City currently has two health insurance plans; United Healthcare (UHC) through Florida League of Cities (FLC) for current employees and their dependents, as well as non-Medicare eligible retirees and their dependents which renews through the fiscal year; and an Aetna Medicare Supplemental Insurance plan for our 64 Medicare eligible retirees and their Medicare eligible dependents, which renews at the calendar year, as it runs concurrently with Medicare. The City selected to remain with Aetna as our Medicare Supplement provider after competitive bidding which proved to be beneficial to both the City and its Retirees.

Executive Summary

City Administration consulted with the Gehring Group to review Aetna's renewal offer. This year, as last year, two options were presented:

1. Renewal of the current Aetna Traditional Medicare Supplement Plan
2. Transition to a Aetna Medicare Advantage Plan PPO

City Administration and the Gehring Group recommend switching to the second option, to the Aetna Medicare Advantage Plan PPO. Transition to the Advantage Plan has a significant cost decrease of an approximate combined amount of \$60,982 or 17.9%. This decrease includes additional benefits to the current plan (hearing aids, vision expenses, access to a nationwide network of fitness centers) which are not offered as a part of the Aetna Traditional Medicare Supplemental Plan. The option to go with the Advantage Plan assures uninterrupted coverage,

ease of enrollment for retirees, and plan stability, and it also has composite rate for both the medical supplement and prescription plans.

The Aetna Medicare Traditional Choice Plan renewal, would have resulted in a combined increase of \$7,396 or 2.2% (which includes the prescription plan), without the additional benefits that are offered through the Aetna Medicare Advantage PPO Plan.

The Aetna Medicare Advantage PPO plan would streamline the administration of the retiree offering, is less costly than the current and proposed Medical Supplemental offerings, and is designed to offer the same medical services at no cost to the retiree, utilizing the same prescription drug benefit schedule as the current Medicare Prescription Drug Supplement Plan.

This plan covers at least 96% of the doctors who the City's Retirees currently receive services, and will also receive an added layer of coverage from doctors not billed directly by Aetna, but who are Medicare providers. This is also a PPO plan.

Recommendation

In order to provide consistency to retirees, seamless transition in their services, and avoid the administrative difficulty of communicating and tracking varying medical and prescription premiums for 64 retirees, the Gehring Group recommends, and Administration concurs, that the City transition to the Aetna Medicare Advantage PPO insurance plan coverage, based on the continuation of benefit level, the enhancement of additional benefits, the cost savings, and simplified rate and billing structure.

Funding for the proposed insurance plan is appropriated in the 2018/2019 budget and shall be charged to the City Health Insurance Fund, Professional Services Account, Acct. No. 501-18-00-519-45-41.

RESOLUTION NO. 2018-151

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AND ACCEPT AN AGREEMENT FOR THE CITY'S MEDICARE SUPPLEMENTAL INSURANCE COVERAGE PROCURED BY THE GEHRING GROUP AS BROKER OF RECORD FOR THE CITY OF DANIA BEACH WITH AETNA, FOR INSURANCE COVERAGE BEGINNING JANUARY 1, 2019 THROUGH DECEMBER 31, 2019 FOR MEDICARE ELIGIBLE RETIRED EMPLOYEES AND THEIR MEDICARE ELIGIBLE DEPENDENTS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Dania Beach obtained the services of the Gehring Group as a Broker of Record to secure coverage for the City's Medicare Supplemental Insurance plan for Medicare eligible retired employees and their Medicare eligible dependents for the 2019 plan year; and

WHEREAS, the Gehring Group secured Medicare Supplemental Insurance coverage for the City through Aetna for the plan year 2018 and Aetna has offered an Aetna Medicare Advantage PPO transitional plan for the Medicare plan year of January 1, 2019 to December 31, 2019; and

WHEREAS, the coverage from Aetna offers rates for Medicare Supplemental Insurance coverage for all Medicare eligible retirees, regardless of residence, including prescription rates; and

WHEREAS, based on current Medicare eligible retiree census data, the City's Medicare Supplemental Medical Insurance plan premium cost will be decreased by an estimated Twenty Nine Percent (29%) and the Medicare Supplemental Prescription Insurance plan premium will slightly increase by an estimated One-Half Percent (.5%), resulting in an estimated annual decrease of Seventeen Percent (17%) in premiums, or an estimated Forty Thousand Six Hundred Fifty Five Dollars (\$40,655.00) cost to the City and an estimated Twenty Thousand Three Hundred Twenty Seven Dollars (\$20,327.00) cost to Medicare eligible retirees; and

WHEREAS, the City Administration recommends that the City Commission approve the Aetna Medicare Advantage PPO Medicare Supplemental Insurance plan;

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

Section 1. That the above “Whereas” clauses are ratified and confirmed as being true and correct, and they are made a part of and incorporated into this Resolution by this reference.

Section 2. That the proper City officials are authorized to execute appropriate documents to accept the proposal of the Aetna Medicare Advantage PPO plan on behalf of the City of Dania Beach to provide Medicare Supplemental Medical Insurance coverage to Medicare eligible retirees at the following not to exceed monthly rates:

Location	Current	2019 Renewal
Florida and Out-of-State Resident	\$268.31	\$188.10

Section 3. That the proper City officials are authorized to execute appropriate documents to accept the proposal of Aetna on behalf of the City of Dania Beach to provide Medicare Supplemental Prescription Insurance coverage to Medicare eligible retirees at the following not to exceed monthly rates:

Location	Current	2019 Renewal
Florida Resident	\$174.59	\$175.69
Out-of-State	\$168.84-\$189.79	\$175.69

Section 4. That funding for the cost of the City’s health claims program administration for Medicare Supplemental Insurance coverage is planned and shall be charged to the City Health Insurance Fund, Professional Services Account, Account No. 501-18-00-519-45-41.

Section 5. That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 6. That this Resolution shall be in force and take effect on January 1, 2019.

PASSED AND ADOPTED on October 23, 2018.

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY

CITY OF DANIA BEACH

Employee Benefits Insurance Evaluation



RENEWAL RECOMMENDATION FOR:

GROUP MEDICARE INSURANCE

PLAN YEAR EFFECTIVE: January 1, 2019

October 23, 2018

Presented By:



4200 Northcorp Parkway, Ste. 185

Palm Beach Gardens, FL 33410

Tel: (800) 244-3696 Fax: (561) 626-6970

www.gehringgroup.com

Medicare Renewal Evaluation & Recommendation

Plan Year Effective: January 1, 2019

The City of Dania Beach currently offers group Medicare Supplement Insurance through Aetna to its retired employees and their dependents, age 65 and over.

Only Medicare eligible individuals are allowed to enroll in Medicare Plans. If a spouse and/or dependent is under age 65, he/she will continue to be covered through his/her employer-sponsored coverage or the City's group health plan with the Florida League of Cities (FMIT).

The current total annual cost of the Medicare supplement insurance program for the 2018 plan year (calendar year plan) is approximately \$335,209 based on current enrollment of 64 retired employees/spouses of retired employees. The total projected annual cost of the Medicare supplement insurance program for the 2019 plan year is approximately \$347,769. This represents an overall increase of \$7,396 or a an increase of 2.2%.

There was an alternative plan offered by Aetna, a Medicare Advantage product, that provides significant cost savings estimated at \$60,982 or 17.9% decrease based on current enrollment. The Medicare Advantage product streamlines administration of the retiree offering, is less costly than the current Medical Supplement offerings, and includes additional value added benefits for members under the plan. For example, the Medicare Advantage plan provides benefits for hearing aids, vision expenses, access to a nationwide network of fitness centers, and a more comprehensive care management model than the current Medicare Supplement plans.

The plan was designed to offer the same coverage for medical services at no cost to the member, and utilizes the same prescription drug benefit schedule as the current Medicare Prescription Drug Supplement plan. The Medicare Advantage plan covers at least 96% of the doctors that the City's retirees have received services from over the last 12 months and provides an added layer of coverage for doctors that do not bill Aetna directly so long as they are a Medicare provider; retirees are also protected from balance billing in scenarios where an Aetna doctor is not used.

Gehring Group is recommending that the City adopt the Medicare Advantage ESA PPO for the ease of administration, enhancement to benefits, and overall cost savings for the upcoming plan year effective January 1, 2019.

EXHIBITS

- Medicare Renewal Evaluation
-

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Consent Agenda

Continued from:

Requested Action (Identify appropriate Action or Motion)

ADOPT RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO ACCEPT AND EXECUTE A WATERWAY ASSISTANCE PROGRAM GRANT AGREEMENT (PROJECT BR-DB-18-131) BETWEEN THE CITY OF DANIA BEACH, FLORIDA, AND THE FLORIDA INLAND NAVIGATION DISTRICT ("F.I.N.D."), IN AN AMOUNT NOT TO EXCEED SEVENTY FIVE THOUSAND (\$75,000.00), TO BE USED FOR THE DANIA BEACH MARINA DREDGING PROJECT

Purchasing Requests ONLY

Dept:

Acct #:

Amt:

Fund:

Fiscal Impact/Cost Summary

Appropriation in the amount of \$150,000.00 which shall be appropriated from Marina Fund Contingency Account 406-72-09-575-99-10 to the Marina Fund Marina Dredging Project Account No. 406-72-20-575-63-10 as grant matching funds to receive an amount not to exceed \$75,000.00 from the Waterways Assistance Program Agreement on behalf of the City of Dania Beach, Florida with F.I.N.D., Florida Inland Navigation District.

Exhibits Attached

Memo to Comm re WAP Approval FY2019 (Fin Review 10-15-18), R-2018- FIND Grant Agreement for Marina Dredging Project, Exhibit A - 2018 FIND Waterway Assistance Program Grant Award for Dania Beach Marina, 2018-19 WAP Recommended funding to Board



**CITY OF DANIA BEACH
PARKS AND RECREATION DEPARTMENT**

MEMORANDUM

DATE: October 23, 2018

TO: Honorable Mayor & Commissioners

FROM: Robert Baldwin, City Manager

THRU: Colin Donnelly, Assistant City Manager

FROM: Eric Brown, Parks and Recreation Director

SUBJECT: Florida Inland Navigation District Waterway Assistance Grant Application: Dania Beach Marina

The City of Dania Beach approved Resolution 2018-042 on March 27, 2018 to apply for funding under the Florida Inland Navigation District (FIND) Waterways Assistance Program.

At the F.I.N.D. Final Tax Hearing, the Board approved the recommended funding amount for the 2018-2019 Waterway Assistance Program for Phase II Construction, to dredge a portion of the Dania Beach Marina, effective September 26, 2018. Please see the approved list and amounts attached.

F.I.N.D. determined that the Dania Beach Marina Project was a multi-year project, as such, made the City eligible to seek additional funding over multiple years. In the most recent of its eligible funding cycles, the City of Dania Beach was approved for up to \$75,000.00 (one half of \$150,000).

F.I.N.D.'s grant rules require that a Resolution from the governing body authorizing the application and certifying that matching funds are available and provided with the application. The City shall appropriate funds from the Marina Fund Contingency Account No. 406-72-09-575-99-10 to the Marina Fund Marina Dredging Project Account No. 406-72-09-575-63-10.

Parks and Recreation recommends that the City Commission approve the Resolution to accept funding from the Florida Inland Navigation District.

RESOLUTION NO. 2018-152

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO ACCEPT AND EXECUTE A WATERWAY ASSISTANCE PROGRAM GRANT AGREEMENT (PROJECT BR-DB-18-131) BETWEEN THE CITY OF DANIA BEACH, FLORIDA, AND THE FLORIDA INLAND NAVIGATION DISTRICT ("F.I.N.D."), IN AN AMOUNT NOT TO EXCEED SEVENTY FIVE THOUSAND (\$75,000.00), TO BE USED FOR THE DANIA BEACH MARINA DREDGING PROJECT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Dania Beach Administration submitted an application to the Florida Inland Navigation District's ("FIND") Waterway Assistance Program for a grant that provides funding in the amount of Seventy Five Thousand Dollars (\$75,000.00) to be used for dredging of the north end of the waterway of the Dania Beach Marina; and

WHEREAS, F.I.N.D. has offered to award the City of Dania Beach a grant in an amount not to exceed Seventy Five Thousand Dollars (\$75,000.00) to facilitate the Dredging Project on or before September 30, 2020; and

WHEREAS, F.I.N.D. shall contribute no more than a fifty percent (50%) match which will require a City funding match in an amount not to exceed the amount of Seventy Five Thousand Dollars (\$75,000.00); and

WHEREAS, since the grant is funded on a reimbursable basis the entire project cost will need to be funded in advance requiring appropriations for the complete project in a not to exceed amount of One Hundred Fifty Thousand Dollars (\$150,000.00);

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 part of and incorporated into this Resolution by this reference.

Section 2. That the proper City officials are authorized to accept and execute a Waterways Assistance Program Agreement on behalf of the City of Dania Beach, Florida with F.I.N.D. in an amount not to exceed \$75,000.00; a copy of the Agreement is attached as Exhibit "A", and it is made a part of and is incorporated into this Resolution by this reference.

Section 3. That the City Manager and City Attorney are authorized to make minor revisions to the Agreement which are deemed necessary and proper and in the best interests of the City.

Section 4. That the City Commission acknowledges the provision in the grant award requiring advance appropriation in the amount of One Hundred Fifty Thousand Dollars (\$150,000.00) which shall be appropriated from Marina Fund Contingency Account 406-72-09-575-99-10 to the Marina Fund Marina Dredging Project Account No. 406-72-20-575-63-10.

Section 5. That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 6. That this Resolution shall be in force and take effect immediately upon its passage and adoption.

PASSED AND ADOPTED on October 23, 2018

ATTEST:

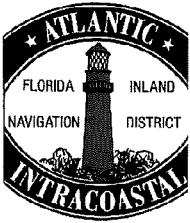
THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

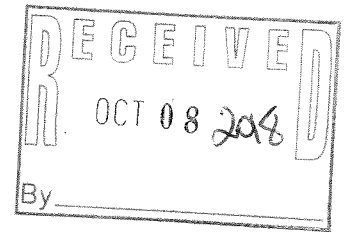
THOMAS J. ANSBRO
CITY ATTORNEY

FLORIDA INLAND NAVIGATION DISTRICT



October 1, 2018

Mr. Collin Donnelly, Assistant City Manager
City of Dania Beach, Parks and Recreation Department
100 West Dania Beach Blvd
Dania Beach, FL 33004



COMMISSIONERS

DON DONALDSON
CHAIR
ST. LUCIE COUNTY

J. CARL BLOW
VICE-CHAIR
ST. JOHNS COUNTY

MICHAEL O'STEEN
TREASURER
DUVAL COUNTY

FRANK GERNERT
SECRETARY
BROWARD COUNTY

T. SPENCER CROWLEY, III
MIAMI-DADE COUNTY

DONALD J. CUOZZO
MARTIN COUNTY

CHARLES C. ISIMINGER
PALM BEACH COUNTY

SUSANNE McCABE
VOLUSIA COUNTY

JON NETTS
FLAGLER COUNTY

JERRY H. SANSOM
BREVARD COUNTY

LYNN A. WILLIAMS
NASSAU COUNTY

VACANT
INDIAN RIVER COUNTY

RE: 2018 FIND Waterway Assistance Program Grant Award for Dania Beach Marina Dredging, Project #BR-DB-18-131

Dear Mr. Donnelly:

Enclosed for signature is an original project agreement for your approved 2018-2019 Waterways Assistance Program project. Please sign both the agreement (pg. 8) AND Exhibit C, Matching Funds Form and return the agreement as soon as possible. Once the agreement is executed by our Director, one will be returned to your office for your file and the project may commence.

If you do not need original hard copy signatures, you may scan and return the full signed agreement with attachments via email attachment.

Please be sure to refer to the listed project number in all future correspondence and communication regarding this project. Should you have any questions please contact me at JZimmerman@aicw.org or 561.627.3386.

Sincerely,

Janet Zimmerman
Assistant Executive Director

MARK T. CROSLEY
EXECUTIVE DIRECTOR

JANET ZIMMERMAN
ASSISTANT EXECUTIVE
DIRECTOR

**FLORIDA INLAND NAVIGATION DISTRICT
PROJECT AGREEMENT**

PROJECT NO. BR-DB-18-131

This PROJECT AGREEMENT ("AGREEMENT") made and entered into this _____ day of _____, 20____ by and between the Florida Inland Navigation District (hereinafter the "DISTRICT"), and the City of Dania Beach, (hereinafter the "PROJECT SPONSOR").

In consideration of the mutual promises and covenants contained herein, the parties agree as follows:

1. **PROJECT** - Subject to the provisions of this AGREEMENT and Rule 66B-2 of the Florida Administrative Code (a current copy of which is attached as Exhibit "B"), the DISTRICT has approved assistance funding to the PROJECT SPONSOR in furtherance of an approved project ("PROJECT") consisting of the Dania Beach Marina Dredging. Said PROJECT is more specifically described in the PROJECT SPONSOR'S Waterways Assistance Application, which is on file at the DISTRICT's headquarters.

Any modifications to the PROJECT'S scope of work shall require written advance notice and justification from the PROJECT SPONSOR and the prior written approval of the DISTRICT.

2. **TERM** - The PROJECT SPONSOR shall not commence work on the PROJECT prior to the execution of this AGREEMENT unless specifically authorized by the DISTRICT Board and **shall complete the PROJECT and submit all required payment reimbursement information on or before September 30, 2020 ("PROJECT PERIOD")**, unless the PROJECT PERIOD has been extended with the prior written approval of the DISTRICT. Any request for an extension of the PROJECT PERIOD shall require submittal by the PROJECT SPONSOR of a request for extension to the DISTRICT no later than 60 days prior to the original expiration date of the PROJECT PERIOD. This request will then be considered by the DISTRICT Board, whose decision shall be final. In no event other than a declared state of emergency that affects the project completion shall the PROJECT be extended beyond September 30, 2021. The PROJECT SPONSOR acknowledges this is the only provision to carry over the DISTRICT assistance funding under this AGREEMENT beyond September 30, 2020, and that any extension of funding beyond this date shall be at the sole discretion of the DISTRICT.

3. **ASSISTANCE AMOUNT** - The DISTRICT shall contribute ("ASSISTANCE AMOUNT") no more than fifty percent (50%) ("MATCHING PERCENTAGE") of the PROJECT SPONSOR'S eligible out-of-pocket costs for completion of this PROJECT ("PROJECT AMOUNT"). Payment of funds by the DISTRICT to the PROJECT SPONSOR (the "ASSISTANCE AMOUNT") will be on a reimbursement basis only, and only for those authorized out of pocket costs as shown in Exhibit A, Project Cost Estimate ("PROJECT COSTS") and meeting the requirements of Section 5 below and shall not, in any event, exceed \$75,000.00.

Any modifications to the PROJECT'S Cost Estimate (Exhibit A) shall require written advance notice and justification from the PROJECT SPONSOR and the prior written approval of the DISTRICT.

4. **MATCHING FUNDS** - The PROJECT SPONSOR warrants and represents that it has the PROJECT SPONSOR Match Amount (the PROJECT AMOUNT less the ASSISTANCE AMOUNT) available for the completion of the PROJECT and shall, prior to the execution of this AGREEMENT, have provided the DISTRICT with suitable evidence of the availability of such funds using the DISTRICT's Form #95-01 (Exhibit C, Matching Funds Certification) and, upon request, providing the DISTRICT with access to applicable books and records, financial statements, and bank statements.

5. **PROJECT COSTS** - To be eligible for reimbursement under this AGREEMENT, PROJECT COSTS must be necessary and reasonable for the effective and efficient accomplishment of the PROJECT and must be directly allocable thereto. PROJECT COSTS are generally described in Exhibit B, Chapter 66B-2, F.A.C.. PROJECT COSTS must be incurred, and work performed within the PROJECT PERIOD, with the exception of pre-AGREEMENT costs, if any, consistent with Section 6 below, which are also eligible for reimbursement by the DISTRICT.

If the PROJECT SPONSOR receives additional funding for the PROJECT COSTS from another source that was not identified in the original application and that changes the AGREEMENT MATCHING PERCENTAGE, the PROJECT SPONSOR shall proportionately reimburse the DISTRICT's program funds equal to the MATCHING PERCENTAGE in this AGREEMENT. The PROJECT SPONSOR shall promptly notify the DISTRICT of any project payments it receives from a source other than the DISTRICT.

6. **PRE-AGREEMENT COSTS** - The DISTRICT and the PROJECT SPONSOR fully understand and agree that there shall be no reimbursement of funds by the DISTRICT for any

obligation or expenditure made prior to the execution of this AGREEMENT unless previously delineated in Exhibit A, consistent with Exhibit B, and previously approved by the DISTRICT Board during the grant review process.

7. **REIMBURSEMENT PROCEDURES** - PROJECT COSTS shall be reported to the DISTRICT and summarized on the Payment Reimbursement Request Form (Form #90-14) attached as Exhibit D. Supporting documentation including bills and canceled payment vouchers for expenditures shall be provided to the DISTRICT by the PROJECT SPONSOR or LIAISON AGENT with any payment request. All records in support of the PROJECT COSTS included in payment requests shall be subject to review and approval by the DISTRICT or by an auditor selected by the DISTRICT. Audit expenses shall be borne by the PROJECT SPONSOR.

Project funds may be released in installments, at the discretion of the DISTRICT, upon submittal of a payment request by the PROJECT SPONSOR or LIAISON AGENT. The DISTRICT shall retain ten percent (10%) of each installment payment until the completion of the PROJECT.

The following costs, if authorized in the attached Exhibit B, shall be reimbursed only upon completion of the PROJECT to the reasonable satisfaction of the DISTRICT and in accordance with Exhibit B: personnel, equipment, project management, administration, inspection, and design, permitting, planning, engineering, and/or surveying costs. Assuming the PROJECT SPONSOR has otherwise fully complied with the requirements of this AGREEMENT, reimbursement for a PROJECT approved as Phase I project will be made only upon commencement of construction of the PROJECT for which the Phase I planning, designing, engineering and/or permitting were directed, which may or may not involve further DISTRICT funding. Procedures set forth below with respect to reimbursement by the DISTRICT are subject to this requirement of commencement of construction.

The DISTRICT shall have the right to withhold any payment hereunder, either in whole or part, for non-compliance with the terms of this AGREEMENT.

8. **FINAL REIMBURSEMENT** - The PROJECT SPONSOR, upon completion of the PROJECT, shall submit to the DISTRICT a request for final reimbursement of the ASSISTANCE AMOUNT less any prior installment payments. The payment amounts previously retained by the DISTRICT shall be paid upon (1) receipt of the Final Audit report of expenses incurred on the PROJECT by the DISTRICT, (2) full completion of the PROJECT to the reasonable satisfaction of the DISTRICT, (3) submission of Project Completion Certification Form No. 90-13 (Exhibit E), (4) submission of a photograph of the PROJECT showing the sign required by Section 18, and (5) a

Final Project Report as described in Exhibit G, Assistance Project Schedule. As part of the documentation accompanying the request for final reimbursement, PROJECT SPONSOR shall provide proof of payment of all contractors, material suppliers, engineers, architects and surveyors with whom PROJECT SPONSOR has directly contracted (each a "DIRECT PROVIDER") to provide services or materials for the PROJECT. The final reimbursement amount shall be adjusted as necessary such that neither the total ASSISTANCE AMOUNT nor the MATCHING PERCENTAGE is exceeded. Unless otherwise determined by the DISTRICT, the final reimbursement check shall be presented by a DISTRICT representative to the PROJECT SPONSOR during a public commission meeting or public dedication ceremony for the PROJECT.

9. **RECORDS RETENTION** - The PROJECT SPONSOR shall retain all records supporting the PROJECT COSTS for three (3) years after the end of the fiscal year in which the Final Payment is released by the DISTRICT, except that such records shall be retained by the PROJECT SPONSOR until final resolution of matters resulting from any litigation, claim, or special audit that starts prior to the expiration of the three-year retention period.

10. **DEFAULT AND REMEDIES** – In the event of a breach of any of the terms of this AGREEMENT by the PROJECT SPONSOR, the DISTRICT shall provide written notice to the PROJECT SPONSOR, which shall have sixty (60) days in which to cure the breach. If the PROJECT SPONSOR fails to cure the breach within the cure period, the DISTRICT shall have the right, but not the obligation, to demand that the PROJECT SPONSOR immediately refund the ASSISTANCE AMOUNT to the extent paid. PROJECT SPONSOR shall refund to the DISTRICT the full amount of the ASSISTANCE AMOUNT paid to PROJECT SPONSOR, whereupon this AGREEMENT, and all further rights thereunder, shall be terminated. If the DISTRICT does not demand reimbursement as aforesaid, the DISTRICT may exercise any and all other remedies available at law or in equity. With respect to the PROJECT SPONSOR's obligations under Sections 15, 17, and 20, PROJECT SPONSOR acknowledges that breach by the PROJECT SPONSOR of one or more of its obligations under said sections might cause the DISTRICT to suffer irreparable harm, namely harm for which damages would be an inadequate remedy. PROJECT SPONSOR further acknowledges that the DISTRICT might suffer irreparable harm due to delay if, as a condition to obtaining an injunction, restraining order, or other equitable remedy with respect to such a breach, the DISTRICT were required to demonstrate that it would suffer irreparable harm. The parties therefore intend that if the PROJECT SPONSOR breaches one or more of its obligations under Sections 15, 17, or 20, the DISTRICT, in addition to such other

remedies which may be available, shall have the right to seek specific performance and injunctive relief, and for purposes of determining whether to grant an equitable remedy any court will assume that the breach would cause the DISTRICT irreparable harm. The provisions of this section shall survive completion of the PROJECT.

11. **DISTRICT PROJECT MANAGER** - The Executive Director, or his designee, is hereby designated as the DISTRICT's Project Manager for the purpose of this AGREEMENT and shall be responsible for monitoring performance of its terms and conditions and for approving all reimbursement requests prior to payment.

12. **PROJECT SPONSOR'S LIAISON AGENT** - The PROJECT SPONSOR shall appoint a LIAISON AGENT, whose name and title shall be submitted to the DISTRICT upon execution of this AGREEMENT, to act on behalf of the PROJECT SPONSOR relative to the provisions of this AGREEMENT.

13. **STATUS REPORTS** - The PROJECT SPONSOR or LIAISON AGENT shall submit to the DISTRICT project status reports during the PROJECT term. These Quarterly Reports are to be on Form #95-02 (Exhibit F, Assistance Program Project Quarterly Status Report). Project design drawings, engineering drawings, and a copy of the Project bid award construction item cost list will be submitted as available. Photographs shall be submitted when appropriate to reflect the work accomplished. NON-COMPLIANCE by the PROJECT SPONSOR with the reporting schedule in Exhibit G, Assistance Project Schedule, may result in revocation of this AGREEMENT.

14. **LAWS** - The PROJECT SPONSOR agrees to obtain and to abide by all federal, state, and local permits and proprietary authorizations, and all applicable laws and regulations in the development of the PROJECT. The PROJECT SPONSOR agrees that all PROJECT facilities shall be designed and constructed in compliance with applicable state and federal statutory requirements for accessibility by handicapped persons, as well as all other federal, state and local laws, rules, and requirements.

15. **NON-DISCRIMINATION** - The PROJECT SPONSOR agrees that when completed, the PROJECT shall be readily accessible, on a non-exclusive basis, to the general public without regard to age, sex, race, physical handicap, or other condition, and without regard to residency of the user in another political subdivision.

16. **PARKING FACILITIES** - Adequate parking shall be made available by the PROJECT SPONSOR to accommodate vehicles for the number of persons for which the PROJECT is being developed.

17. **SITE DEDICATION** - The PROJECT SPONSOR also agrees that the PROJECT site shall be dedicated for the public use for a minimum period of twenty-five (25) years from the completion of the PROJECT, such dedication to be in the form of a deed, lease, management AGREEMENT or other legally binding document. Any change in such dedication shall require the prior approval of the DISTRICT. The PROJECT SPONSOR shall record evidence of such dedication within the Public Records of the County in which the PROJECT is located.

18. **ACKNOWLEDGMENT** – For construction projects, the PROJECT SPONSOR shall erect a permanent sign, approved by the DISTRICT, in a prominent location such as the PROJECT entrance of the completed PROJECT, which shall indicate that the DISTRICT contributed funds for the PROJECT. The wording of the sign required by this section shall be approved by the DISTRICT's staff before construction and installation of said sign. This sign shall contain the DISTRICT logo (Exhibit H) unless otherwise stipulated by the DISTRICT. In the event that the PROJECT SPONSOR erects a temporary construction sign, it shall also indicate the DISTRICT's participation. For all other types of projects, the PROJECT SPONSOR shall acknowledge the DISTRICT where feasible, in concurrence with the DISTRICT staff's recommendations.

19. **PROJECT MAINTENANCE** - When and as applicable, the PROJECT SPONSOR agrees to operate, maintain, and manage the PROJECT for the life of the PROJECT improvements and will pay all expenses required for such purposes. The PROJECT improvements shall be maintained in accordance with the standards of maintenance for other local facilities owned and operated by the PROJECT SPONSOR, and in accordance with applicable health standards. PROJECT facilities and improvements shall be kept reasonably safe and in reasonable repair to prevent undue deterioration and to encourage public use. The PROJECT SPONSOR warrants and represents that it has full legal authority and financial ability to operate and maintain said PROJECT facilities and improvements.

20. **FEES** – Any fees charged for this PROJECT shall be reasonable and the same for the general public of all member counties. The PROJECT SPONSOR must demonstrate that a minimum of fifty percent (50%) of the PROJECT fees will be utilized for project maintenance and improvements throughout the anticipated 25-year life of a development project or the design life of other project types, as applicable.

21. **SOVEREIGN IMMUNITY** - Each party hereto agrees that it shall be solely responsible for the wrongful acts of its employees, contractors, and agents. However, nothing

contained herein shall constitute a waiver by either party of its sovereign immunity under Section 768.28, Florida Statutes. The PROJECT SPONSOR acknowledges that the DISTRICT, its employees, commissioners, and agents are solely providing funding assistance for the PROJECT and are not involved in the design, construction, operation or maintenance of the PROJECT.

22. **INSPECTIONS** - The DISTRICT reserves the right, upon reasonable request, to inspect said PROJECT and any and all records related thereto at any time.

23. **RIGHTS AND DUTIES** - The rights and duties arising under this AGREEMENT shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns, and shall, unless the context clearly requires otherwise, survive completion of the PROJECT. The PROJECT SPONSOR may not assign this AGREEMENT nor any interest hereunder without the express prior written consent of the DISTRICT.

24. **WAIVERS** - Waiver of a breach of any provisions of this AGREEMENT shall not be deemed a waiver of any other breach of the same or different provision.

25. **NOTICE** - Any notice required to be given pursuant to the terms and provisions of this AGREEMENT shall be in writing, postage paid, and shall be sent by certified mail, return receipt requested, to the DISTRICT or PROJECT SPONSOR at the addresses below. The notice shall be effective on the date indicated on the return receipt.

To the DISTRICT at:

Florida Inland Navigation District
1314 Marcinski Road
Jupiter, Florida 33477-9498

To the PROJECT SPONSOR at:

City of Dania Beach
Attention: Assistant City Manager, Parks and Recreation Department
100 West Dania Beach Blvd
Dania Beach, Florida 33004

26. **NO JOINT VENTURE** - The DISTRICT's role with respect to the PROJECT is that of a funding assistance authority only and the DISTRICT is not, and shall not be considered to be, an agent, partner, or joint venturer with the PROJECT SPONSOR.

27. **GOVERNING LAW** - The validity, interpretation, and performance of this AGREEMENT shall be controlled and construed according to the laws of the State of Florida.

28. **TRANSFERENCE** - It is the intent of the DISTRICT to issue this funding assistance to the PROJECT SPONSOR who has made application for this assistance. In the event the PROJECT SPONSOR transfers ownership or management of the PROJECT to a party or parties not now a part of this AGREEMENT, other than another governmental entity that agrees to assume, in writing, PROJECT SPONSOR'S obligation hereunder, the DISTRICT retains the right to full reimbursement from the PROJECT SPONSOR to the full extent of the funding assistance provided by the DISTRICT including, but not limited to, any costs and reasonable attorney's fees (regardless of whether litigation ensues) incurred by the DISTRICT in collecting said reimbursement.

29. **ENTIRE UNDERSTANDING** - This AGREEMENT, including any exhibits made a part hereof, embodies the entire AGREEMENT and understanding of the parties and supersedes all prior oral and written communications between them. The terms hereof may be modified only by a written amendment signed by both parties hereto.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed the day, month and year aforesaid.

WITNESSES:

FLORIDA INLAND NAVIGATION DISTRICT

By: _____
Executive Director

Date: _____

WITNESSES:

PROJECT SPONSOR

By: _____

Title: _____

Date: _____

EXHIBIT A

FLORIDA INLAND NAVIGATION DISTRICT ASSISTANCE PROGRAM 2018

PROJECT COST ESTIMATE

(See Rule Section 66B-2.005 & 2.008 for eligibility and funding ratios)

Project Title:	Dania Beach Marina Dredging
Applicant:	City of Dania Beach

Project Elements <i>(Please list the MAJOR project elements and provide general costs for each one. For Phase I Projects, please list the major elements and products expected)</i>	Quantity or Total Estimated Cost <i>(Number and/or Footage etc.)</i>	Applicant's Cost	FIND Cost
Dredging near transient dock	Dredge footprint - 22,729 sq. ft. Estimated 1,263 cubic yards of dredge material	\$64,000	\$64,000
Consultant fees for bidding and construction		\$11,000	\$11,000

**TOTALS =	\$	\$75,000	\$75,000
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EXHIBIT B

2018

CHAPTER 66B-2

WATERWAYS ASSISTANCE PROGRAM

66B-2.001	Purpose
66B-2.002	Forms
66B-2.003	Definitions
66B-2.004	Policy
66B-2.005	Funds Allocation
66B-2.006	Application Process
66B-2.0061	Emergency Applications
66B-2.008	Project Eligibility
66B-2.009	Project Administration
66B-2.011	Reimbursement
66B-2.012	Accountability
66B-2.013	Acknowledgement
66B-2.014	Small-Scale Spoil Island Restoration and Enhancement Projects
66B-2.015	Small-Scale Derelict Vessel Removal Projects
66B-2.016	Waterways Cleanup Events

66B-2.001 Purpose.

Recognizing the importance and benefits of inland navigation channels and waterways, as well as noting problems associated with the construction, continued maintenance and use of these waterways, the Florida Legislature created Section 374.976, F.S. This law authorizes and empowers each inland navigation district to undertake programs intended to alleviate the problems associated with its waterways. The purpose of this rule is to set forth the District's policy and procedures for the implementation of an assistance program under Section 374.976, F.S., for local governments, member counties and navigation related districts within the District. This program will be known hereafter as the Florida Inland Navigation District's Waterways Assistance Program.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History--New 12-17-90, Formerly 16T-2.001.

66B-2.002 Forms.

All forms for the administration of this program are available from the District office located at 1314 Marcinski Road, Jupiter, Florida 33477.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History--New 12-17-90, Formerly 16T-2.002.

66B-2.003 Definitions.

The basic terms utilized in this rule are defined as follows:

- (1) "APPLICANT" means an eligible governmental agency submitting an application through this program.
- (2) "APPLICATION" means a project proposal with the required documentation.
- (3) "AUTHORIZED SUBMISSION PERIOD" means the established period for submitting applications to the District.
- (4) "BEACH RENOURISHMENT" means the placement of sand on a beach for the nourishment, renourishment or restoration of a beach.
- (5) "BOARD" means the Board of Commissioners of the Florida Inland Navigation District.
- (6) "DISTRICT" means the Florida Inland Navigation District (FIND).
- (7) "ELIGIBLE GOVERNMENTAL AGENCY" means member counties, local governments and navigation related districts within the taxing boundaries of the District.
- (8) "ENVIRONMENTAL PERMITS" means those permits, proprietary authorizations, exemptions, or general permits for construction below mean high water line of a navigable waterway required and issued by or on behalf of the U.S. Army Corps of

Engineers, the Florida Department of Environmental Protection, and the South Florida or the St. Johns River Water Management Districts or their successors.

(9) "EXECUTIVE DIRECTOR" means the Executive Director of the Florida Inland Navigation District.

(10) "LIAISON AGENT" means the contact person officially designated to act on behalf of the applicant or the project sponsor.

(11) "LOCAL GOVERNMENTS" means municipalities, cities, or consolidated county governments, which are located within the member counties.

(12) "MARITIME MANAGEMENT PLAN" means a written plan containing a systematic arrangement of elements specifically formulated to identify, evaluate and promote the benefits of eligible waterway accessibility and enjoyment, with consideration and respect to the physical, environmental and economic parameters of the planning area.

(13) "MATCHING FUNDS" means those funds provided by the local sponsor to the project.

(14) "MEMBER COUNTY" means a county located within the taxing boundaries of the District which includes Nassau, Duval, St. Johns, Flagler, Volusia, Brevard, Indian River, St. Lucie, Martin, Palm Beach, Broward and Miami-Dade Counties.

(15) "NAVIGATION RELATED DISTRICTS" means port authorities, inlet districts or any other agency having legally authorized navigation related duties in waterways of the District.

(16) "PRE-AGREEMENT COSTS" means project costs approved by the District Board which have occurred prior to the execution of the project agreement.

(17) "PROGRAM" means the Florida Inland Navigation District Waterways Assistance Program.

(18) "PROGRAM FUNDS" means financial assistance awarded by the Board to a project for release to the project sponsor pursuant to the terms of the project agreement.

(19) "PROJECT" means a planned undertaking consisting of eligible program facilities, improvements or expenses for the use and benefit of the general public.

(20) "PROJECT AGREEMENT" means an executed contract between the District and a project sponsor setting forth mutual obligations regarding an approved project.

(21) "PROJECT MAINTENANCE" means any usual action, activity, expense, replacement, adjustment or repair taken to retain a project or grant item in a serviceable, operational or normal condition, or the routine efforts and expenses necessary to restore it to serviceable or normal condition, including the routine recurring work required to keep the project or grant item in such condition that it may be continuously used at its original or designed capacity and efficiency for its intended purpose.

(22) "PROJECT MANAGER" means the District employee who is responsible for monitoring the performance of the Project and compliance with the project agreement.

(23) "PROJECT PERIOD" means the approved time during which costs may be incurred and charged to the funded project.

(24) "PROJECT SPONSOR" means an eligible governmental agency receiving program funds pursuant to an approved application.

(25) "PUBLIC BUILDING" means a building or facility on government owned property that is owned or operated by a governmental entity, or operated by a third party operator. The building or facility must provide waterway related information, public meeting space, or educational services and be open to members of the public on a continual basis without discrimination.

(26) "PUBLIC MARINA" means a harbor complex used primarily for recreational boat mooring or storage, the services of which are open to the general public on a first come, first served basis without any qualifying requirements such as club membership, stock ownership, or differential in price.

(27) "PUBLICLY OWNED COMMERCIAL OR INDUSTRIAL WATERWAY ACCESS" means any publicly owned area specifically designed to be used for staging, launching, or off-loading by commercial or industrial waterway users on a first come, first served, short-term basis, to gain entry to or from the District's waterways to serve the infrastructure needs of the District's waterway users.

(28) "TRIM HEARING" means a public hearing required by Chapter 200, F.S., concerning the tax and budget of the District.

(29) "WATERWAYS" means the Atlantic Intracoastal Waterway, the Okeechobee Waterway, the Barge Canal in Brevard County west of the Port Canaveral Locks, those portions of the Dania Cut-Off Canal and the Hillsboro Canal east of the water control structures, all navigable natural rivers, bays, creeks or lagoons intersected by said waterways and all navigable natural creeks, rivers, bays or lagoons entering or extending from said waterways.

(30) "WATERWAY RELATED ENVIRONMENTAL EDUCATION" means an interdisciplinary holistic process by which the learner: develops an awareness of the natural and manmade environments of waterways; develops knowledge about how the

environment of the waterways works; acquires knowledge about the technological, social, cultural, political, and economic relationships occurring in waterway related environmental issues; and, becomes motivated to apply action strategies to maintain balance between quality of life and quality of the environment of waterways.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History--New 12-17-90, Amended 9-2-92, 2-6-97, Formerly 16T-2.003, Amended 5-17-98, 3-21-01, 3-20-03, 3-3-04, 4-21-05, 4-24-06, 4-15-07, 3-25-08, 3-7-11.

66B-2.004 Policy.

The following constitutes the policy of the District regarding the administration of the program:

(1) Financial Assistance Eligibility: Financial assistance, support and cooperation may be provided to eligible governmental agencies for approved projects as follows:

(a) Member counties may be provided financial assistance, support or cooperation in planning, acquisition, development, construction, reconstruction, extension, improvement, operation or the maintenance of public navigation, local and regional anchorage management, beach renourishment, public recreation, inlet management, environmental education, maritime management plans, and boating safety projects directly related to the waterways.

(b) Eligible local governments may also be provided financial assistance, support and cooperation in planning and carrying out public navigation, local and regional anchorage management, beach renourishment, public recreation, inlet management, environmental education, and boating safety projects directly related to the waterways.

(c) Navigation related districts may be provided with financial assistance to pay part of the costs of the planning and acquisition of dredge material management sites if the Board finds that the site is required for the long-range maintenance of the Atlantic Intracoastal Waterway channel. All such sites must meet the development and operational criteria established by the District through a long-range dredge material management plan for that county. Navigation related districts may also be provided with assistance for waterway related access projects, environmental mitigation projects associated with waterway improvement related activities, and inlet management projects if the Board finds that the project benefits public navigation in the Atlantic Intracoastal Waterway. All navigation related districts shall contribute at least equal matching funds to any District financial assistance provided. Seaports may also be furnished assistance and support in planning and carrying out environmental mitigation projects. All seaport projects shall benefit publicly maintained channels and harbors. Each seaport shall contribute matching funds for funded projects.

(d) Eligible projects shall include the acquisition and development of public boat ramps and launching facilities, including those in man-made, navigable waterways contiguous to "waterways" as defined in Rule 66B-2.003, F.A.C.

(2) Notification: The District will notify by direct mail, email and/or advertised public notice all eligible governmental agencies of the program and the upcoming authorized submission period.

(3) Project Approval: Approval of projects by the District shall be in accordance with these rules.

(4) Project Accessibility: Facilities or programs funded in whole or in part by program funds shall be made available to the general public of all of the member counties on a non-exclusive basis without regard to race, color, religion, age, sex or similar condition. Additionally, facilities funded in whole or in part by program funds, shall not require a paid membership for the general public of all of the member counties as a condition to use the facilities. User or entrance fees may be charged for the use of facilities funded in whole or in part by program funds, however such fees shall be reasonable and shall be the same for the general public of all of the member counties.

(5) Waterway Impacts: All development projects must be designed so as not to impact navigation along the District's waterways through the placement of structures, attendant uses, or the necessity of a boating speed zone for safety purposes. Before applying for boating speed zone designation in District waterways because of a project funded by this program, the sponsor shall first receive approval from the Board. The Board will use the criteria found in Section 327.46(1), F.S., in determining whether to approve the proposed boating speed zone.

(6) Project Maintenance: The project sponsor shall be responsible for the operation, maintenance, and management of the project for the anticipated life of the project and shall be responsible for all expenses required for such purposes. The project shall be maintained in accordance with the standards of maintenance for other similar local facilities and in accordance with applicable health standards. Project facilities and improvements shall be kept reasonably safe and in reasonable repair to prevent undue deterioration and to encourage public use. The project sponsor shall have full legal authority and financial ability to operate and maintain the project facilities.

(7) Education Facilities and Programs: Waterways related environmental education facilities and programs sponsored by the District shall occur at specially designated environmental education facilities located adjacent and contiguous to the waterways. It is the District's intent to consolidate its environmental education efforts in the least number of facilities within an area that will adequately serve the education needs of that area of the District.

(8) Public Information Availability: Public information produced with assistance from this program shall not be copyrighted and shall be provided free of cost, except for the cost of reproduction, to the public.

(9) Third-Party Project Operators: Projects that are being operated by a third party shall have sufficient oversight by the eligible project sponsor as determined by the Board. Such oversight, at a minimum, will include a project liaison that is a staff member of the eligible project sponsor, and oversight of the operating hours and admission fees of the facility by the eligible project sponsor through a legal agreement. All third party projects shall be open to the public in accordance with this rule.

(10) Non-compliance: The District shall terminate a project agreement and demand return of program funds disbursed to the project sponsor for non-compliance with any of the terms of the project agreement or this rule, if such non-compliance calls into question the ability of the applicant to complete the project. Failure of a project sponsor to comply with the provisions of this rule or the project agreement shall result in the District declaring the project sponsor ineligible for further participation in the program until such time as compliance has been met to the satisfaction of the District.

(11) Fees: Any public project eligible for District program funds that charges a fee or will charge a fee must create and maintain an enterprise fund for the public project that shall plan for and retain at all times sufficient funds for the on-going maintenance of the facility during its project life. Accounting records of the previous five years of the public project's enterprise fund will be submitted as part of any subsequent assistance program application to the District.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1), (2) FS. History--New 12-17-90, Amended 2-3-94, 2-6-97, Formerly 16T-2.004, Amended 5-18-98, 3-31-99, 5-25-00, 3-21-01, 7-30-02, 3-3-04, 4-21-05, 4-1-09, 2-22-10, 3-7-11, 3-7-12, 1-27-14, 2-17-15.

66B-2.005 Funds Allocation.

The Board will allocate funding for this program based upon the District's overall goals, management policies, fiscal responsibilities and operational needs for the upcoming year. Funding allocations to navigation related districts, member counties and local governments shall be based upon the proportional share of the District's ad valorem tax collections from each county. If funds are determined to be available for the program, the District will notify potential eligible governmental agencies of the availability of program funding. Applications will be reviewed by the Board utilizing District Forms No. 91-25 and 91-25 (A) through (F) Waterways Assistance Program Application and Evaluation Worksheet (effective date 1/2014), hereby incorporated by reference and available at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-03568> and available from the District office or by download from the District's webpage at: www.aicw.org.

(1) Funding Assistance Availability: In as much as the District has other fiscal responsibilities and operational needs, financial assistance to eligible government agencies shall not exceed an amount equal to eighty (80) percent of the proportional share of the District's ad valorem tax collections from each county in which such agencies are located. The District may make an exception to this funding limitation, if funds are determined to be available based upon the District's overall goals, management policies, fiscal responsibilities and operational needs, or in counties that are recovering from a state of emergency declared under Chapter 252, F.S.

(2) Project Funding Ratio: All financial assistance and support to eligible governmental agencies shall require, at a minimum, equal matching funds from the project sponsor, with the exception of public navigation projects that meet the provisions of subsection 66B-2.005(6), F.A.C., land acquisition projects in accordance with subsection 66B-2.005(7) and Rule 66B-2.008, F.A.C., small-scale spoil island restoration and enhancement projects that meet the provisions of Rule 66B-2.014, derelict vessel projects consistent with Rule 66B-2.0015, F.A.C., and Waterway Cleanup Projects approved under Rule 66B-2.0016, F.A.C. Applicant's in-house costs are limited pursuant to paragraph 66B-2.008(1)(c), F.A.C. All financial assistance to seaports shall require equal matching funds. The District shall contribute no more than fifty percent (50%) of the local share of the cost of an inlet management or beach renourishment project. The District shall not contribute funding to both the state and local shares of an inlet management or beach renourishment project.

(3) Pre-agreement Expenses: The project sponsor shall not commence work on an approved project element prior to the execution of the project agreement unless authorized by the Board during the review and funding approval process. Board authorization of pre-agreement expenses will be given for the commencement of work prior to the execution of a project agreement if the Board determines that there is a benefit to the District, its waterways or its constituents. All project costs must be incurred and work performed within

the project period as stipulated in the project agreement unless pre-agreement costs are approved by the Board. Pre-agreement expenses will be approved if they are consistent with the provisions of Rule 66B-2.008, F.A.C., and occur within the fiscal year of the grant application submission (October 1st to September 30th). Pre-agreement expenses, except for projects approved by the Board as multi-year projects, will be limited to fifty (50) percent of the project's total cost and if the expenses are eligible project expenses in accordance with this rule. Only one-half (1/2) or less of the approved pre-agreement expenses will be eligible for reimbursement funding from the District, except for projects approved by the Board as multi-year projects. The Board shall consider a waiver of the limitation on pre-agreement expenses for Small-Scale Derelict Vessel grants and land acquisition projects when the applicant demonstrates a direct need and benefit and the project is in accordance with the applicable provisions of Chapter 66B-2, F.A.C.

(4) Multi-Year Funding: The construction phase of projects that are large scale, involve multiple phases, have a construction time line of one year or longer, or are requesting a significant amount of assistance funding in relation to the total assistance available for the county where the project is located, will be reviewed and approved by the District Board for a multiple year period subject to budgeting and allocation pursuant to the provisions of Chapter 200, F.S. The determination by the Board to provide assistance funding on a multi-year basis can be made at any time during the application review process. All approved multi-year projects are limited to a maximum of two (2) additional funding requests.

(5) Inlet Management and Beach Renourishment: Projects and project elements in the categories of inlet management and beach renourishment shall be subject to the following provisions. The District shall contribute no more than fifty percent of the local share of the cost of the project. The District shall not contribute funding to both the state and local shares of an inlet management or beach renourishment project. Funding for the construction phase of an inlet management or beach renourishment project may be approved by the District Board for a multiple year period subject to budgeting and allocation pursuant to the provisions of Chapter 200, F.S. Additionally the following provisions shall be met for inlet management or beach renourishment projects:

(a) Inlet Management: Inlet management projects shall benefit public navigation within the District and shall be consistent with Department of Environmental Protection approved inlet management plans and the statewide beach management plan pursuant to Section 161.161, F.S. Inlet management projects that are determined to be consistent with Department of Environmental Protection approved inlet management plans are declared to be a benefit to public navigation.

(b) Beach Renourishment: All projects in this category shall be consistent with the statewide beach management plan. Beach renourishment projects shall only include those beaches that have been adversely impacted by navigation inlets, navigation structures, navigation dredging, or a navigation project. The determination of beach areas that are adversely impacted by navigation for the purposes of this program shall be made by Department of Environmental Protection approved inlet management plans. If state funding is not provided for a beach project, public access with adequate parking must be available in accordance with Chapter 161, F.S.

(6) Public Navigation: Projects or project elements in the category of public navigation that will qualify for up to seventy-five percent (75%) program funds must be within the Intracoastal Right-of-Way (ROW), or provide public navigation channel access to two or more publicly accessible launching, mooring or docking facilities. In addition, the following shall apply:

(a) Navigation channel dredging: The project sponsor must demonstrate that the source of channel sedimentation has been identified and is in the process of, or has been controlled, or that the frequency and amount of shoaling is such that dredging will provide an improvement to the channel that will last for twenty (20) years or more and therefore is more cost effective than identifying and correcting the cause of shoaling, or that the cost of identifying the source of channel sedimentation exceeds the cost of the dredging project.

(b) Navigation channel lighting and markers must be located on primary or secondary public navigation channels. Navigation projects or project elements that have one facility open to the public will qualify for up to fifty percent (50%) program funding. Dredging that is associated or ancillary to another use (such as a boat ramp, marina or pier) will be prioritized according to the associated use.

(7) Land Acquisition: Land acquisition projects that provide for commercial/industrial waterway access shall qualify for a maximum of fifty (50) percent funding. All other land acquisition projects shall qualify for a maximum of twenty-five (25) percent program funding. All pre-agreement expenses for land acquisition must be completed within one-year of the date of application for funding. All funded land acquisition projects must construct the required boating access facility within 7 years of completion of the land acquisition, or the District may require the applicant to refund the program funding. Immediately upon acquiring title to the land, the applicant shall record a declaration of covenants in favor of the District stating that if the required boating access facility is not constructed within 7 years and dedicated for the public use as a boating access facility for a minimum period of 25 years after completion of construction, the District shall require the applicant to refund the program funding.

(8) Seaport Funding Eligibility: Financial assistance to seaports may exceed the proportional share of the District's ad valorem tax collections as set forth in subsection 66B-2.005(1), F.A.C., from the county in which such seaport is located if the seaport can demonstrate that a regional benefit occurs from the port's activities. Financial assistance to a seaport project that demonstrates a regional benefit shall not exceed an amount equal to (i) the proportional share of the District's ad valorem tax collections as set forth in subsection 66B-2.005(1), F.A.C., from the counties where the benefit is demonstrated less (ii) funding allocated in the same fiscal year to all other local government projects funded in those counties.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1), (3) FS. History--New 12-17-90, Amended 6-24-93, 9-5-96, 2-6-97, Formerly 16T-2.005, Amended 5-17-98, 8-26-99, 3-21-01, 7-30-02, 3-3-04, 4-21-05, 4-24-06, 4-15-07, 3-25-08, 4-1-09, 3-7-11, 3-7-12, 4-10-13, 1-27-14, 5-15-16.

66B-2.006 Application Process.

(1) Application Period: With the exception of eligible Disaster Relief Projects, eligible Small-Scale Spoil Island Restoration and Enhancement Projects eligible Small-Scale Derelict Vessel Applications and Waterway Cleanup Events, all applications for assistance through this program will be submitted during the authorized submission period that shall be established by vote of the Board at a scheduled meeting.

(2) Application Forms: Florida Inland Navigation District Waterways Assistance Program Project Application FIND Form Number 90-22 (effective date 4-24-06) and the Waterway Assistance Program Application and Evaluation Worksheet No. 91-25 and 91-25 (A) through (F) (effective date 1/2014) are hereby incorporated by reference and available from the District office. With the exception of projects eligible under the Small-Scale Spoil Island Restoration and Enhancement program, the Small-Scale Derelict Vessel program, and eligible Waterway Cleanup Events, all applications for financial assistance and support through this program from member counties and local governments shall be made on Form Number FIND 90-22 and the Waterway Assistance Program Project Application and Evaluation Worksheet No. 91-25 and 91-25 (A) through (F) and shall include a detailed cost estimate submitted on FIND Form No. 90-25, Florida Inland Navigation District Assistance Program Project Cost Estimate, (effective date 4-24-06), hereby incorporated by reference and available from the District office. In addition, all applicants shall submit a complete and detailed Project Timeline (FIND FORM No. 96-10) (effective date 4-15-07).

(3) Sponsor Resolution: The project sponsor shall approve the submission of an application by official resolution from its governing board or commission. Said resolution shall be made on FIND Form No. 90-21, Resolution for Assistance Under the Florida Inland Navigation District Waterways Assistance Program (effective date 10-14-92), hereby incorporated by reference and available from the District office.

(4) Attorney's Certification: If the application is for a project that is a land based development project the applicant shall submit an Attorney's Certification of Title, FIND Form Number 94-26 (effective date 5-25-00), hereby incorporated by reference and available from the District office.

(5) Maps and Geographic Information: All applicants shall be required to submit, at minimum, the following geographic information: A County location map, a project location map, a project boundary map, and a clear and detailed site development map for land development projects.

(6) Application Review: Applicants shall obtain the local FIND Commissioner's initials on Form No. 90-26 prior to submitting the application to the District office. It is the applicant's responsibility to make timely arrangements for the local FIND Commissioner's review. In the absence of extenuating circumstances outside of the applicant's control as determined by the Board of Commissioners, an application shall not be considered complete if it does not include the local FIND commissioner's initials on Form No. 90-26. Upon receipt in the District office, staff will review the applications for completeness of the informational requirements identified in the Application Checklist, FIND Form Number 90-26 (effective date 7-30-02), and for compliance with the eligibility requirements of this rule. When an application is determined by staff to be incomplete or ineligible, staff will immediately inform the applicant by mail. The applicant will then have until the date established by the Board in the application package to bring the application into compliance. If the applicant fails to provide a complete application in compliance with these rules, the application will not be considered for funding. In order to have a complete application, the applicant shall not only submit the forms required under Rule 66B-2.006, F.A.C., and any other information requirements identified in the Application Checklist (FIND Form Number 90-26), but such forms and other submitted information must be completely filled out, executed as applicable, and also establish compliance with Chapter 66B-2, F.A.C.

(7) Interlocal Agreements: Applications that the Board determines will directly benefit the maintenance of the Atlantic Intracoastal

Waterway channel as documented by the District's long range dredged material management plans, will directly benefit the maintenance of the Okeechobee Waterway channel as documented by the District's long range dredged material management plan, will directly benefit the maintenance or improvement of District property, right-of-way or navigation interests, or have multiple funding partners including the Corps of Engineers as the project manager can qualify for project assistance through an interlocal agreement pursuant to Chapter 163, F.S., or Section 374.984(6)(a), F.S. District staff will identify these applications and present them to the Board for their determination as to funding. Interlocal agreement projects shall comply with all other provisions of this rule, except for pre-agreement expenses, permitting and property control requirements.

(8) Application Presentations: Applications determined to be complete and in compliance with this rule will be forwarded to the Board for review and then scheduled for presentation to the Board at a scheduled meeting of the Board. Applicants can decline to make a presentation to the Board by submitting a written request.

(9) Application Evaluation and Rating Score: Following the presentations, the Board will review the applications and evaluate them using the Waterways Assistance Program Application and Evaluation Worksheets No. 91-25 (A) through (F) for Waterways Assistance Program applications. The total points awarded to each application by the Commissioners will be averaged to determine an application's final rating score. The final rating score for each application must equal or exceed 35 points for the application to be considered for funding assistance. Reconsideration of any application with a final rating score of less than 35 points will only occur if the majority of the Commissioners evaluating the project rated the project equal to or exceeding 35 points and two-thirds of the Commissioners vote for reconsideration of the application. Only Applicants that are eligible under Rule 66B-2.0061, F.A.C., "Disaster Relief Applications", shall complete FIND Form No. 91-25F Emergency Re-Construction (effective date 4-24-06, 1/2014).

(10) Funding Determination: The Board will hold a funding allocation meeting at which time the Board will determine the allocation of funds, if any, to each project and the projects will be ranked by overall average score to facilitate final funding decisions by the Board. Allocations will be based in part upon the cumulative score of the applications as calculated from the Project Evaluation and Rating Form. Allocations will also be based upon the specific needs of the individual counties.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History—New 12-17-90, Amended 9-2-92, 6-24-93, 4-12-95, Formerly 16T-2.006, Amended 5-25-00, 3-21-01, 7-30-02, 3-20-03, 4-21-05, 4-24-06, 4-15-07, 3-25-08, 3-7-11, 1-27-14.

66B-2.0061 Disaster Relief Applications.

Disaster Relief applications may be submitted to the District and considered by the Board at any time during the year to provide assistance to an eligible applicant for the removal of navigation obstructions and repair or replacement of waterway facilities damaged by a declared natural disaster. The District shall consider these applications in accordance with these rules.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History—New 6-24-93, Amended 2-6-97, Formerly 16T-2.0061, Amended 4-24-06.

66B-2.008 Project Eligibility.

(1) Eligible Projects: Financial assistance and support through this program shall be used to plan or carry out public navigation and anchorage management, public recreation, environmental education, boating safety, acquisition and development of spoil sites and publicly owned commercial/industrial waterway access directly related to the waterways, acquisition and development of public boat ramps, launching facilities and boat docking and mooring facilities, inlet management, maritime management planning, environmental mitigation and beach renourishment.

(a) Program funds may be used for projects such as acquisition, planning, development, construction, reconstruction, extension, or improvement, of the following types of projects for public use on land and water. These project types will be arranged into a priority list each year by vote of the Board. The priority list will be distributed to applicants with the project application.

1. Public navigation channel dredging;
2. Public navigation aids and markers;
3. Inlet management projects that are a benefit to public navigation in the District;
4. Public shoreline stabilization directly benefiting the District's waterway channels;
5. Acquisition and development of publicly owned spoil disposal site and public commercial/industrial waterway access;
6. Waterway signs and buoys for safety, regulation or information;
7. Acquisition, dredging, shoreline stabilization and development of public boat ramps and launching facilities;
8. Acquisition, dredging, shoreline stabilization and development of public boat docking and mooring facilities;

9. Derelict Vessel Removal;
10. Waterways related environmental education programs and facilities;
11. Public fishing and viewing piers;
12. Public waterfront parks and boardwalks and associated improvements;
13. Maritime Management Planning;
14. Waterways boating safety programs and equipment;
15. Beach renourishment on beaches adversely impacted by navigation inlets, navigation structures, navigation dredging, or a navigation project; and,
16. Environmental restoration, enhancement or mitigation projects; and,
17. Other waterway related projects. Waterway projects that do not meet specific criteria in subsection 66B-2.005(5) or (6) or subparagraphs 66B-2.008(1)(a)1.-16., F.A.C., but are located on eligible waterways shall be considered for funding under the priority listing of "other waterway related project" and eligible for 25% funding.

(b) Ineligible Projects or Project Elements. Project costs ineligible for program funding or matching funds will include: contingencies, miscellaneous, reoccurring personnel related costs, irrigation equipment, ball-courts, park and playground equipment, and any extraneous recreational amenities not directly related to the waterway such as the following:

1. Landscaping that does not provide shoreline stabilization or aquatic habitat;
2. Restrooms for non-waterway users;
3. Roadways providing access to non-waterway users;
4. Parking areas for non-waterway users;
5. Utilities for non-waterway related facilities;
6. Lighting for non-waterway related facilities;
7. Project maintenance and maintenance equipment;
8. Picnic shelters and furniture for non-waterway related facilities;
9. Vehicles to transport vessels; and,
10. Operational items such as fuel, oil, etc.
11. Office space that is not incidental and necessary to the operation of the main eligible public building; and,
12. Conceptual project planning, including: public surveys, opinion polls, public meetings, organizational conferences; and,
13. Inlet maintenance.

(c) Project Elements with Eligibility Limits: Subject to approval by the Board of an itemized expense list:

1. The following project costs will be eligible for program funding or as matching funding if they are performed by an independent contractor:
 - a. Project management, administration and inspection;
 - b. Design, permitting, planning, engineering or surveying costs for completed construction project;
 - c. Restoration of sites disturbed during the construction of an approved project;
 - d. Equipment costs.

Before reimbursement is made by the District on any of the costs listed in subparagraph 1. above, a construction contract for the project, approved and executed by the project sponsor and project contractor must be submitted to the District.

2. Marine fire-fighting, Marine law enforcement and other vessels are eligible for a maximum of \$60,000 in initial District funding. All future replacement and maintenance costs of the vessel and related equipment will be the responsibility of the applicant.

3. Waterway related environmental education facility funding will be limited to those project elements directly related to the District's waterways.

(d) Phasing of Projects: Applications for eligible waterway projects may be submitted as a phased project where Phase I will include the design, engineering and permitting elements and Phase II will include the construction of the project. A description and cost estimate of the Phase II work shall be submitted along with the Phase I application for Board review.

(2) Property Control: The site of a new proposed land-based development project, with the exception of those projects requesting Small-Scale Spoil Island Restoration and Enhancement funding, shall be dedicated for the public use for which the project was intended for a minimum period of 25 years after project completion. Such dedication shall be in the form of a deed, lease, management agreement or other legally binding document and shall be recorded in the public property records of the county in which the property is located. This property control requirement also applies to a project site owned by another governmental entity. The governmental

entity that owns the project site may be joined as a co-applicant to meet this property control requirement. Existing land based development projects that are being repaired, replaced or modified must demonstrate that the project site has been dedicated for public use for at least 25 years with at least 10 years remaining on the dedication document. Property shall also be deemed dedicated for public use if:

(a) The property has been designated for the use for which the project is intended (even though there may have been no formal dedication) in a plat or map recorded prior to 1940, or

(b) The project sponsor demonstrates that it has had exclusive control over the property for the public use for which the project is intended for a period of at least 30 years prior to submission of the application, or

(c) There is no ongoing litigation challenging the designated use of the property as shown on the plat or map, nor has there been any judicial determination contrary to the use by the public for the use shown on the plat or map.

(3) Permits: The project sponsor is responsible for obtaining and abiding by any and all federal, state and local permits, laws, proprietary authorizations and regulations in the development and operation of the project. Applicants for construction projects that include elements that require state or federal environmental permits or proprietary authorizations will demonstrate that all required environmental permitting and authorizations will be completed by the District's final TRIM hearing. This demonstration will be by submission of the required environmental permit(s) and authorizations, or by submission of a letter from the agency(s) stating that a permit or authorization is not required. Should the environmental permitting element of an application that has construction elements requiring state or federal environmental permits or authorizations not be completed by the District's final TRIM hearing, the construction portion of the project will not be considered for funding. Whereby funding decisions are completed at the final TRIM hearing, the District will not deviate from the funding schedule to accommodate any application deficiency.

(4) Public Marina Qualifications: All public marina projects funded through this program shall include sewage pumpout facilities for vessels, unless the applicant can demonstrate that inclusion of such a facility is physically, operationally or economically impracticable. All public marina projects funded through this program shall have at least ten percent (10%) of their slips or mooring areas available for transient vessels. Public marina dockage rates shall be within market comparison of the dockage rates of other area marinas. The public marina will be required to establish and maintain an accounting of the funds for the facility and shall plan for and retain at all times sufficient funds for the on-going maintenance of the facility during its project life.

(5) The District may assist eligible local governments with efforts to prepare and implement a comprehensive maritime management plan. The plan shall be utilized by the eligible government to promote and maximize the public benefit and enjoyment of eligible waterways, while identifying and prioritizing the waterway access needs of the community. The plan should not duplicate any existing or ongoing efforts for the same waterway or water shed, nor shall the District participate in any effort that does not address the basic maritime needs of the community.

(a) Existing plans may be updated at reasonable intervals or amended to include waterway areas previously not included in the original effort. Public, government, environmental, industry and other pertinent interest groups shall be solicited and included for input in the planning process.

(b) The plan shall be utilized as a tool to provide a minimum 5-year planning analysis and forecast for the maritime needs of the community, and shall include, at minimum, the following:

1. Public boat ramp and ramp parking inventory and analysis.
2. Public mooring and docking facility analysis, including day docks and transient slips.
3. Commercial and working waterfront identification and needs analysis.
4. The identification, location, condition and analysis of existing and potential navigation channels.
5. An inventory and assessment of accessible public shorelines.
6. Public Waterway transportation needs.
7. Environmental conditions that affect boat facility siting, a current resource inventory survey, and restoration opportunities.
8. Economic conditions affecting the boating community and boating facilities.
9. Acknowledgment and coordination with existing data and information, including an emphasis on the Intracoastal Waterway.

(c) Projects requested for assistance program funding shall be consistent with the applicant's maritime management plan. The applicant should utilize the plan to assist in prioritizing waterway improvement projects.

(6) All eligible environmental restoration, enhancement or mitigation projects as well as the environmental restoration, enhancement or mitigation components of other types of projects shall be required to pursue and assign any available mitigation

credits to the District for that share of the project funded through the District's Assistance Program. All eligible environmental restoration, enhancement or mitigation projects shall provide public access where possible.

(7) Final Decisions: The Board will make all final decisions on the eligibility of a Project or specific project costs.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1)-(3) FS. History--New 12-17-90, Amended 9-2-92, 6-24-93, 2-3-94, 4-12-95, 9-5-96, 2-6-97, Formerly 16T-2.008, Amended 5-17-98, 3-31-99, 5-25-00, 3-21-01, 7-30-02, 3-20-03, 3-3-04, 4-15-07, 3-25-08, 4-1-09, 2-22-10, 3-7-11, 3-7-12, 1-27-14, 2-17-15, 2-21-16.

66B-2.009 Project Administration.

The District will appoint a project manager who shall be responsible for monitoring the project and the project agreement. The project manager shall also be responsible for approving all reimbursement requests. The project sponsor shall appoint a liaison agent, who will be a member of the eligible applicant's staff, to act on its behalf in carrying out the terms of the project agreement. Administration of the project will be as follows:

(1) Project Agreement: For each funded project, the District and the project sponsor will enter into a project agreement. The project agreement shall be executed and returned by the project sponsor within six (6) months of the approval of the project funding and prior to the release of program funds, setting forth the mutual obligations of the parties concerning the project. The project agreement shall incorporate the applicable policies and procedures of the program as outlined in this rule. Project agreements will be for a two-year period with the possibility for one, one-year extension. Any request for a one-year extension of funding shall require submittal by the PROJECT SPONSOR of a request for extension to the DISTRICT no later than July of fiscal year two of the approved project. This request will then be considered by the DISTRICT Board, whose decision shall be final. In review of these requests, the Board will take into consideration the current status and progress of the project and the ability of the applicant to complete the project within one additional year.

(2) Matching Funds: The project sponsor shall clearly identify and enumerate the amount and source of the matching funds it will be using to match the program funds supplied by the District for an approved project. The project sponsor shall provide suitable evidence that it has the matching funds available at the time the project agreement is executed.

(3) Agreement Modification: All proposed changes to the project agreement must be submitted to the District in writing by the project sponsor accompanied by a statement of justification for the proposed changes. All project agreement amendments shall be approved by the District Board, except that the Executive Director may approve a minor project agreement amendment for a project within a county with the local District commissioner's concurrence. A minor project amendment shall not change the approved project's category, result in a reallocation of more than 35% of the approved funding of the project among project elements, nor allow for a greater than 35% change in the project scale or scope of work. Project agreement amendments will not include a change to the approved project's location or a change in the approved project's purpose or project type. Agreed changes shall be evidenced by a formal amendment to the project agreement and shall be in compliance with these rules.

(4) Project Reporting: The liaison agent will submit quarterly reports to the project manager summarizing the work accomplished since the last report, problems encountered, percentage of project completion and other appropriate information. These reports shall continue throughout the length of the project period until completion of the project. The report shall be submitted on Form 95-02, "Assistance Program Project Quarterly Status Report", dated 7-30-02, hereby incorporated by reference and available at the District office. A Final Project Report shall be submitted at the completion of the project and shall at minimum include: project summary, photo of completed project, final cost, project benefits to the waterway and location address.

(5) Reimbursement Requests: The liaison agent may submit periodic reimbursement requests during the project period in accordance with Rule 66B-2.011, F.A.C. The project manager will approve or disapprove all reimbursement requests. The final payment of program funds will be made upon certified completion of the project by the District.

(6) Project Inspection: Upon reasonable request, the project manager shall have the right to inspect the project and any and all records relating to the project.

(7) Project Completion: The project shall be completed within three (3) years of the date of the beginning of the District's first fiscal year for which the project was approved. If the completion of a project is impacted by a declared state of emergency and the Board waives this rule section, the extension of time granted shall not exceed one additional three (3) year period.

(8) Project Completion Requirements: Upon completion of the project, the liaison agent shall provide the following to the project manager:

(a) A Project Completion Certificate, FIND Form No. 90-13 (effective date 7-30-02), hereby incorporated by reference and

available from the District office, which certifies that the project was completed in accordance with the project agreement and the final project plans.

(b) A final reimbursement request accompanied by all required billing statements and vouchers.

(c) Photograph(s) showing the installation of the sign required by Rule 66B-2.013, F.A.C.

(d) Photograph(s) of the completed project clearly showing the program improvements.

(9) Project Completion Review: The project manager will review the project completion package and will authorize or reject the final reimbursement payment which will include all retained funds from previous requests.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History—New 12-17-90, Formerly 16T-2.009, Amended 3-21-01, 7-30-02, 3-7-11, 1-27-14.

66B-2.011 Reimbursement.

The District shall release program funds in accordance with the terms and conditions set forth in the project agreement. This release of program funds shall be on a reimbursement only basis. The District shall reimburse the project sponsor for project costs expended on the project in accordance with the project agreement. Project funds to be reimbursed will require the submission of a Reimbursement Request Form and required supporting documents, FIND Form No. 90-14 (effective date 7-30-02) hereby incorporated by reference and available from the District office.

(1) Authorized Expenditures: Project funds shall not be spent except as consistent with the project agreement cost estimate that was approved by the Board, which shall be an attachment to the project agreement. This cost estimate will establish the maximum funding assistance provided by the District and the percentage of funding provided by each party to the project. The District will pay the lesser of:

(a) The percentage total of project funding that the Board has agreed to fund, or

(b) The maximum application funding assistance amount.

(2) Phase I Reimbursement: In accordance with these rules, reimbursement cannot be made on a Phase I application until a construction contract is executed by the applicant for the construction phase of the project. If the Phase I project is completed but a construction contract is not executed by the three (3) year project deadline, then the District shall only allow one (1) year from the Phase I project deadline to enter into the required construction contract before the Phase I funding is cancelled.

(3) Reimbursement Requests: All project costs shall be reported to the District and summarized on the Reimbursement Request Form. All requests for reimbursement shall include supporting documentation such as billing statements for work performed and cancelled payment vouchers for expenditures made.

(4) Retainage: The District shall retain ten percent (10%) of all reimbursement payments until final certification of completion of the project. The District shall withhold any reimbursement payment, either in whole or part, for non-compliance with the terms of this agreement.

(5) Check Presentations: A District representative shall present the final reimbursement check to the project sponsor during a public commission meeting or public dedication ceremony for the project facility.

(6) Recovery of Additional Project Funding: If the project sponsor receives additional funding for the project costs from another source that was not identified in the original application and that changes the agreement cost-share percentage, the project sponsor shall proportionately reimburse the District's program funds equal to the cost-share percentage in the approved project agreement. The project sponsor shall promptly notify the District of any project payments it receives from a source other than the District.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History—New 12-17-90, Amended 6-24-93, Formerly 16T-2.011, Amended 3-31-99, 7-30-02, 3-7-11.

66B-2.012 Accountability.

The following procedures shall govern the accountability of program funds:

(1) Accounting: Each project sponsor is responsible for maintaining an accounting system which meets generally accepted accounting principles and for maintaining such financial records as necessary to properly account for all program funds.

(2) Quarterly Reports: The project sponsor shall submit quarterly project status reports to FIND in accordance with subsection 66B-2.009(4), F.A.C.

(3) Completion Certification: All required final completion certification documents and materials as outlined in subsection 66B-2.009(8), F.A.C., of this rule shall be submitted to the District prior to final reimbursement of program funds.

(4) Auditing: All project records including project costs shall be available for review by the District or by an auditor selected by the District for 3 years after completion of the project. Any such audit expenses incurred shall be borne entirely by the project sponsor.

(5) Project Records: The project sponsor shall retain all records supporting project costs for three years after either the completion of the project or the final reimbursement payment, whichever is later, except that should any litigation, claim, or special audit arise before the expiration of the three year period, the project sponsor shall retain all records until the final resolution of such matters.

(6) Repayment: If it is found by any State, County, FIND, or independent audit that program funds have not been used in accordance with this rule and applicable laws, the project sponsor shall repay the misused program funds to the District.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History—New 12-17-90, Formerly 16T-2.012, Amended 7-30-02.

66B-2.013 Acknowledgement.

The project sponsor shall erect a permanent sign, approved by the District, at the entrance to the project site which indicates the District's participation in the project. This sign shall contain the FIND logo. In the event that the project sponsor erects a temporary construction sign, this sign shall also recognize the District's participation. If the final product of the project is a report, study or other publication, the District's sponsorship of that publication shall be prominently indicated at the beginning of the publication. If the project results in an educational display, the District's logo and a statement of the District's participation in the project shall be contained in the display.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History—New 12-17-90, Formerly 16T-2.013, Amended 2-22-10.

66B-2.014 Small-Scale Spoil Island Restoration and Enhancement Projects.

Proposals shall be accepted for the restoration or enhancement of spoil islands and natural islands within the District's waterways for recreational, navigational, educational, and environmental purposes. The applicable provisions of this rule apply to these applications with the following additions or exceptions:

(1) Application Procedure – A Request for Proposals procedure will be used to request proposals for consideration. Proposals shall follow the format described in FIND Document #03-02, Call for Proposals – Small-Scale Spoil Island Restoration and Enhancement Program (effective date 7-30-02), hereby incorporated by reference and available from the District office. Proposals may be submitted to the District and considered by the Board at any time during the year.

(2) Matching Funds: Small-scale spoil island restoration and enhancement may qualify for up to ninety percent (90%) program funds. The applicant's ten percent (10%) matching funds may include in-kind contribution pursuant to paragraph 66B-2.014(4)(b), F.A.C.

(3) Eligibility: All proposals must meet the following eligibility criteria to be considered for funding:

(a) Management Plan Compliance: Projects shall be in compliance with the provisions of any Spoil Island Management Plans or other management plans that govern the Project site.

(b) Property Control: The Project Sponsor must have written property rights on the Project site to construct and maintain the Project for a minimum of five years. Such property rights can be in the form of a lease, interlocal agreement, use agreement or other legal form approved by the District. The applicant shall include a map clearly delineating the location of all proposed work included in the application.

(4) Funds Allocation: Funds shall be allocated pursuant to Rule 66B-2.005, F.A.C., subject to the exceptions identified in this rule, and with the following additions:

(a) The District shall fund a maximum of up to \$7,500 per project, not to exceed \$22,500 per County, per fiscal year.

(b) The Project Sponsor may contribute in-kind construction labor; such in-kind construction labor costs will not be counted by the District as exceeding \$10.00 per hour. No administrative costs can be incorporated into the Project as Project costs.

(c) The funding provided by the District shall only be allocated for specific Project expenses such as construction materials, plant materials, herbicides, etc. The funding provided by the District shall not be allocated for parties, food or beverages.

(5) Hold Harmless Waiver: All volunteers, who are not government employees, shall sign a hold harmless waiver Form No. 02-01 (New 7-30-02) as approved by the District and hereby incorporated by reference and available from the District office.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History—New 7-30-02, Amended 4-24-06, 3-7-11.

66B-2.015 Small-Scale Derelict Vessel Removal Projects.

Proposals shall be accepted for financial assistance for the removal of derelict vessels within the District's waterways. The applicable provisions of this rule apply to these applications with the following additions or exceptions:

(1) Application Procedure – Applications shall be submitted on a completed FIND Form No. 05-01 (Small-Scale Derelict Vessel Removal Program) (effective date 4-24-06), and FIND Form No. 01-06 (Small-Scale Derelict Vessel Removal Program – Project Cost Estimate), (effective date 4-24-06), hereby incorporated by reference and available from the District office. Applications may be submitted to the District and considered by the Board at any time during the year.

(2) The District shall only fund applicants that have identified derelict vessels to be removed and have a current bid for removal for such vessels, or have completed the removal of such vessels within the 6 months preceding the application, subject to eligibility under these program rules.

(3) The program must be sponsored by an eligible government agency or not-for-profit organization.

(4) District funding shall be limited to \$30,000.00 per county, per year, provided on a reimbursement basis only. The limitation on pre-agreement expenses may be waived by the Board in accordance with subsection 66B-2.005(3), F.A.C.

(5) The eligible applicant must provide the remaining matching funds for project completion. In no case shall the District's cost-share contribution exceed 75% of the total project costs. In-house project management or administration costs are not eligible costs or matching costs.

(6) The derelict vessel must be located in the District's Waterways, as defined in Rule 66B-2.003, F.A.C. The applicant shall include a map clearly delineating the location of all vessels included in the application

(7) The District shall be recognized when possible in all written, audio or video advertising and promotions as a participating sponsor of the program.

(8) The funding provided by the District shall only be allocated for removal of derelict vessels. The District is providing program reimbursement funds only and shall be held harmless with regards to the activities initiated by the applicant.

(9) The applicant shall be responsible for all maintenance, management, disposal and operating expenses associated with the program.

(10) Funds derived from the sale of any derelict vessels or vessel parts removed through this grant program must be reinvested into the applicant's derelict vessel removal program.

(11) The District Board shall make all final decisions concerning the provision of funding for this program.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History—New 4-24-06, Amended 4-15-07, 3-25-08, 3-7-11, 1-27-14.

66B-2.016 Waterways Cleanup Events.

Proposals shall be accepted for financial assistance for the organized removal of refuse within the District's waterways. The applicable provisions of this rule apply to these applications with the following additions or exceptions:

(1) Application Procedure: Prior to the event, a request for funding shall be submitted to the District by means of a cover letter detailing the occurrence of the cleanup, contact information, a map of the cleanup locations and the general parameters of the event. In addition, the Applicant will submit a detailed budget clearly delineating the expenditure of all District funds, as well as the overall general budget of the event. Proposals may be submitted to the District and considered by the Board at any time during the year.

(2) Availability: The District shall fund a maximum of one clean-up program per waterway, per year within a county, with exception to the provisions of subsections (8) through (10), below.

(3) Applicant Eligibility: The clean-up program must be sponsored by a government agency or a registered not-for-profit corporation.

(4) Funding: District funding shall be limited to \$5,000 per waterway, per county, except for the provisions of subsections (8) through (10), below.

(5) The District shall be recognized in all written, on-line, audio or video advertising and promotions as a participating sponsor of the clean-up program.

(6) Funding Eligibility: The funding provided by the District shall only be allocated to reimburse the applicant for out of pocket expenditures related to specific cleanup program expenses such as trash bags, trash collection, haul and landfill fees, gloves, advertising, T-shirts, and related expenses. The funding provided by the District shall not be allocated for parties, meetings, food or beverages.

(7) The District Board shall make all final decisions concerning the provision of funding for a clean-up program.

In addition to the requirements stated above, a cleanup program implementing all of the following additional incentives will qualify for up to additional \$5,000 in clean up funds.

(8) The clean-up program budget must provide equal or greater matching funds for all Navigation District funding.

(9) The applicant shall tally and report the composition and location of the waterway-related debris, with the goal to show definitive progress in the amount of refuse collected, a reduction in the overall debris in the waterway, or an increase in the number of additional waterway areas included in the clean up.

(10) For each additional \$1,000 in Navigation District funding, the applicant shall coordinate a minimum of one waterway collection point or clean up area, or an applicant can conduct an additional waterway cleanup program for the waterway areas.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History—New 3-7-11.

EXHIBIT C
FLORIDA INLAND NAVIGATION DISTRICT
ASSISTANCE PROGRAM

Matching Funds Certification

Sponsor: City of Dania Beach

Project Title: Dania Beach Marina Dredging

Project #: BR-DB-18-131

Source of Matching Funds: City of Dania Beach, Parks and Recreation Department,
Marina Fund Account No. 406-72-09-575-63-10 (Infrastructure Improvements)

Amount of Matching Funds: \$75,000.00

I hereby certify that the above referenced project Sponsor, as of October 01, 2017, has the required matching funds for the accomplishment of the referenced project in accordance with the Waterways Assistance Program Project Agreement between the Florida Inland Navigation District and the Sponsor, dated 10/15/2018.*

Project Liaison Name: Sherie Dunleavy

Project Liaison Signature: Sherie Dunleavy



Digitally signed by Sherie Dunleavy
DN: cn=Sherie Dunleavy, o=City of Dania Beach, ou=email-sherie@dania-beach.fl.gov, c=US
Date: 2018.10.15 16:53:01 -0400

Date: 10/15/2018

*S. 837.06 Florida Statutes, False official statements. - Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083 F.S.

EXHIBIT D

FLORIDA INLAND NAVIGATION DISTRICT ASSISTANCE PROGRAM PAYMENT REIMBURSEMENT REQUEST FORM

PROJECT NAME: _____ PROJECT #: _____

PROJECT SPONSOR: _____ BILLING #: _____

Amount of Assistance		_____
Less Previous Total Disbursements	A.	_____
Less Previous Total Retainage Held	B.	_____
Balance Available	=	_____

Funds Requested This Disbursement

Funds Requested	C.	_____
Less Retainage (-10% unless final)	D.	_____
Check Amount	=	_____

Amount of Assistance		_____
Less Total Prior and Current Payments		_____
Including all retainage held (A+B+C+D)		_____
Balance Remaining	=	_____

SCHEDULE OF EXPENDITURES

Expense Description (Should correspond to Cost Estimate Sheet Categories in Exhibit "A")	Check No. Vendor Name and Date	Total Cost	Applicant Cost	FIND Cost
---	-----------------------------------	---------------	-------------------	--------------

EXHIBIT D (CONTINUED)

SCHEDULE OF EXPENDITURES

Expense Description (Should correspond to Cost Estimate Sheet Categories in Exhibit "A")	Vendor Name	Check No. and Date	Total Cost	Applicant Cost	FIND Cost
---	-------------	-----------------------	---------------	-------------------	--------------

Certification for Reimbursement: I certify that the above expenses were necessary and reasonable for the accomplishment of the approved project and that these expenses are in accordance with Exhibit "A" of the Project Agreement. *

Project Liaison

Date

*S. 837.06 Florida Statutes, False official statements. - Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083 F.S.

EXHIBIT E

FLORIDA INLAND NAVIGATION DISTRICT ASSISTANCE PROGRAM

Project Completion Certification

Sponsor: _____

Project Title: _____ Project #: _____

I hereby certify that the above referenced project was completed in accordance with the Assistance Program Project Agreement between the Florida Inland Navigation District and _____, dated _____, 20____, and that all funds were expended in accordance with Exhibit "A" and Paragraph 1 of the Project Agreement. *

Project Liaison Name: _____

Project Liaison Signature: _____

Date: _____

*S. 837.06 Florida Statutes, False official statements. - Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083 F.S.

EXHIBIT F

ASSISTANCE PROGRAM PROJECT QUARTERLY STATUS REPORT

http://www.aicw.org/assistance_programs/waterway_assistance_programs/index.php

PROJECT NO. _____

PROJECT TITLE: _____

PROJECT SPONSOR: _____

REPORT PERIOD

Oct 1-Dec ____ ; Jan-March ____ ; April-June ____ ; July-Sept ____
Report Due: (Dec 30) (March 30) (June 30) (Sep 30)

WORK ACCOMPLISHED:

PROBLEMS ENCOUNTERED:

PERCENTAGE COMPLETION:

OTHER NOTABLE ITEMS:

EXHIBIT G
ASSISTANCE PROJECT SCHEDULE

OCTOBER 2018 -	Project Agreement Executed, Project Initiates.	
DECEMBER 30, 2018 -	First Quarterly Report Due.	Use Quarterly Status Report Form Exhibit F http://www.aicw.org/assistance_programs/waterway_assistance_programs/index.php
MARCH 30 2019 -	Second Quarterly Report Due.	
JUNE 30, 2019-	Third Quarterly Report Due.	
SEPTEMBER 30, 2019 -	Fourth Quarterly Report Due.	
DECEMBER 30, 2019 -	Fifth Quarterly Report Due.	
MARCH 30 2020 -	Sixth Quarterly Report Due.	
JUNE 30, 2020-	Seventh Quarterly Report Due.	

NOTE: If the project will not be completed and all close out paperwork submitted by September 1st, a request for a 1-year extension of the completion date of the project should be submitted with the June 2020 quarterly report.

SEPTEMBER 1-30, 2020 - Closeout paperwork due.

Closeout paperwork consists of :

1. Project Completion Certificate, FIND Form No. 90-13 (effective date 7-30-02), which certifies that the project was completed in accordance with the project agreement and the final project plans.
2. A final reimbursement request accompanied by all required supporting documentation including bills and canceled payment vouchers for expenditures.
3. Photograph(s) showing the installation of the sign required by Rule 66B-2.013, F.A.C.
4. Photograph(s) of the completed project clearly showing the program improvements. (jpg or tif format)
5. A Final Project Report (1-2 pages) that shall at minimum include: project name and address, project summary, final cost, and project benefits to the waterway.

SEPTEMBER 30, 2020 - End of Grant. All work must be complete closeout paperwork submitted.

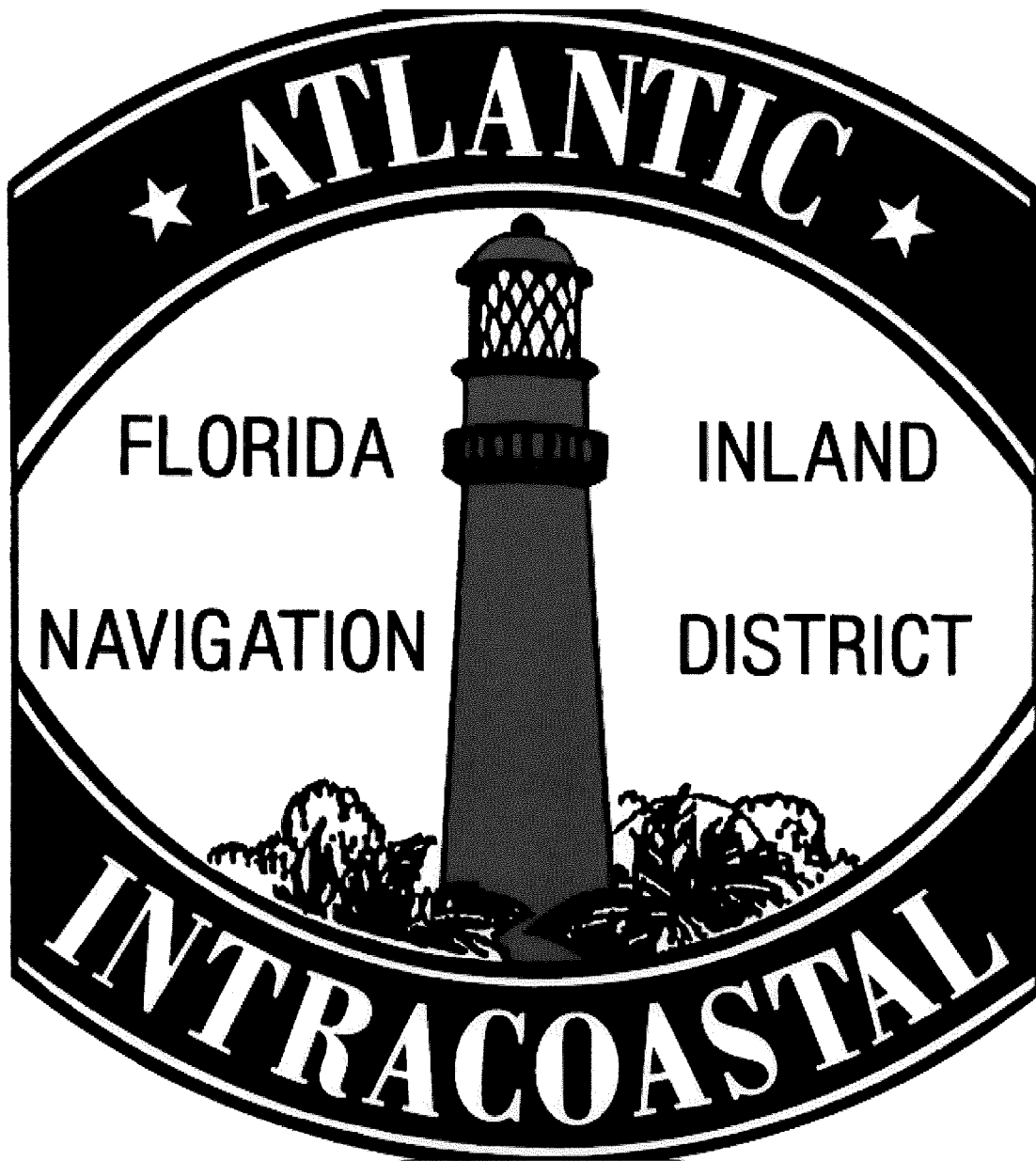
October 2020 - finish processing closeout paperwork, perform project inspection and submit final reimbursement check and coordinates check presentation to sponsor.

NOTE: ANY MODIFICATIONS to the PROJECT shall require advance notice and prior written approval of the District. The appropriate timing for modifications to the project cost estimate, Exhibit A, would be after receipt of bids.

***NON-COMPLIANCE by the PROJECT SPONSOR with the reporting schedule in Exhibit G may result in revocation of this agreement pursuant to Section 13 of the project agreement.**

EXHIBIT H

[http://www.aicw.org/studies_and_information/bids_files_plans_logos/
logos.php#revize_document_center_rz617](http://www.aicw.org/studies_and_information/bids_files_plans_logos/logos.php#revize_document_center_rz617)



2018-2019 Recommended Grant Agreement Approvals

COUNTY	PROJECT SPONSOR	PROJECT TITLE	Total Cost	Requested Amount	Recommended FIND Funding 9/26/18
Nassau					
	City of Fernandina Beach	Fernandina Beach Marina Maintenance Dredging Phase II	\$350,000	\$175,000	\$175,000
TOTAL			\$350,000	\$175,000	\$175,000
Duval					
	City of Jacksonville	Alimacani Park Improvements Phase I	\$120,000	\$60,000	\$60,000
	City of Jacksonville	Bert Maxwell Dredge Phase I	\$150,000	\$75,000	\$75,000
	City of Jacksonville	Castaway Island Dredge Phase I	\$150,000	\$75,000	\$75,000
	City of Jacksonville	Jacksonville Zoo Dock Phase I	\$250,000	\$125,000	\$125,000
	City of Jacksonville	Exchange Club Island Development Phase I	\$120,000	\$60,000	\$60,000
	City of Jacksonville	Goodbys Creek Dredge Phase I	\$180,000	\$90,000	\$90,000
	City of Jacksonville	Liberty Street Marina Phase I	\$300,000	\$150,000	\$150,000
	City of Jacksonville	Ribault River Preserve Fishing Pier Phase I	\$60,000	\$30,000	\$30,000
	City of Jacksonville	Riverview Park Boat Ramp Phase I	\$150,000	\$75,000	\$75,000
	City of Jacksonville	Palms Fish Camp Docks	\$700,000	\$350,000	\$350,000
	City of Jacksonville	Reed Island Development Phase I	\$200,000	\$100,000	\$100,000
	City of Jacksonville	Tillie Fowler Kayak Launch Phase II	\$280,000	\$140,000	\$140,000
TOTAL			\$2,660,000	\$1,330,000	\$1,330,000
St. Johns					
	City of St. Augustine	Salt Run Dredging Phase 9	\$200,000	\$150,000	\$150,000
	St. Johns County Sheriff's Office	St. Johns County Sheriff's Maritime LE Vessel	\$425,734	\$53,217	\$53,217
TOTAL			\$625,734	\$203,217	\$203,217
Flagler					
	City of Flagler Beach	Pal Parker Park and Kayak Launch Phase I	\$500,000	\$250,000	\$197,000
TOTAL			\$500,000	\$250,000	\$197,000

** denotes multiyear projects

 = yellow highlight denotes recommended award lower than request due to County cap limit

2018-2019 Recommended Grant Agreement Approvals

Volusia					
	City of Oak Hill	Sunrise Park Phase II	\$555,550	\$277,775	\$277,775
**	City of Holly Hill	Sunrise Park South Dredging and Boat Ramp Phase 2A**	\$474,814	\$237,407	\$237,407
	City of New Smyrna Beach	New Smyrna Beach Mooring Field Phase I	\$84,000	\$42,000	\$42,000
TOTAL			\$1,114,364	\$557,182	\$557,182

Brevard					
	Brevard County	Fisherman's Landing Pier Renovation	\$70,000	\$35,000	\$35,000
	City of Indian Harbour Beach	Indian Harbour Beach Law Enforcement Patrol Boat	\$85,000	\$42,500	\$42,500
	City of Melbourne	Ballard Park Boat Launch Docks and Ramp Phase II	\$700,000	\$350,000	\$350,000
	City of Palm Bay	Palm Bay Access Channel and Public Pier	\$107,498	\$53,749	\$53,749
TOTAL			\$962,498	\$481,249	\$481,249

Indian River					
	Indian River County	Oyster Bar Marsh Trail	\$281,700	\$140,850	\$120,000
	Indian River County	Jones' Pier Conservation Area Public Use Improvements	\$364,000	\$150,000	\$130,000
	City of Sebastian	Working Waterfront Shoreline Protection and Parking Phase 3	\$400,000	\$200,000	\$170,000
TOTAL			\$1,045,700	\$490,850	\$420,000

St. Lucie					
	St. Lucie County	Walton Scrub Observation Tower Phase I	\$100,000	\$50,000	\$50,000
**	City of Port St. Lucie	Riverwalk Boardwalk Extension Part 2**	\$2,600,000	\$400,000	\$400,000
TOTAL			\$2,700,000	\$450,000	\$450,000

Martin					
	City of Stuart	Stuart Courtesy Docks and Wave Attenuation Phase I	\$115,000	\$57,500	\$57,500
**	Martin County	Jensen Beach Mooring Field Phase IIA**	\$550,000	\$275,000	\$275,000
TOTAL			\$665,000	\$332,500	\$332,500

Palm Beach					
	Village of North Palm Beach	Anchorage Park Part 2	\$600,000	\$300,000	\$300,000
	Town of Pam Beach	Town of Palm Beach Docks Replacement Phase I	\$650,000	\$325,000	\$325,000
	City of Riviera Beach	Riviera Beach Municipal Marina Final Docks Phase I	\$650,000	\$325,000	\$325,000
	Palm Beach County	Ocean Inlet Park Marina Phase I	\$400,000	\$200,000	\$200,000

2018-2019 Recommended Grant Agreement Approvals

	City of Boca Raton	Boca Raton Inlet New Dredge Purchase	\$1,200,000	\$60,000	\$60,000
TOTAL			\$3,500,000	\$1,210,000	\$1,210,000

Broward					
	City of Dania Beach	Dania Beach Marina Dredging	\$150,000	\$75,000	\$75,000
	City of Fort Lauderdale	Coontie Hatchee Lagoon Phase II	\$428,406	\$221,107	\$221,107
	City of Wilton Manors	Wilton Manors Marine Patrol Boat	\$40,000	\$20,000	\$20,000
	City of Wilton Manors	Wilton Manors Barge Motor	\$10,000	\$5,000	\$5,000
TOTAL			\$628,406	\$321,107	\$321,107

Miami-Dade					
	City of North Miami	Channel Marker Replacement	\$50,000	\$25,000	\$25,000
	City of Miami Beach	Maurice Gibb Park Dock and Launch Project Phase II	\$452,726	\$226,363	\$226,363
	City of Miami	Legion Park Seawall and Boat Ramp Phase II	\$1,657,911	\$740,139	\$740,139
	City of Miami	Dinner Key North Mooring Field Phase II	\$500,000	\$250,000	\$250,000
	City of Miami	Little River Mini Park Seawall and Baywalk Phase I	\$115,873	\$41,990	\$41,990
	City of Miami	Alice Wainwright Park Seawall and Baywalk Phase II	\$4,664,981	\$2,202,399	\$2,202,399
	City of Miami	Jose Marti Park Seawall Riverwalk and Kayak Launch Phase I	\$448,271	\$149,347	\$149,347
	City of Miami	Miamarina Bayside Wharf Pier 5 Phase II	\$2,650,000	\$1,325,000	\$1,325,000
	City of Miami	Morningside Park Floating Dock Phase II*	\$198,001	\$87,725	\$87,725
	Miami-Dade County	Haulover Park Marina Boat Ramp & Parking Phase I	\$740,000	\$283,000	\$283,000
	Miami-Dade County	Pelican Harbor Marina Dredging Dock D Phase I	\$95,500	\$32,500	\$32,500
	North Bay Village	Baywalk Plaza South Phase IIIA	\$360,000	\$180,000	\$180,000
TOTAL			\$11,933,263	\$5,543,463	\$5,543,463

2018-2019 WAP TOTAL: \$11,220,718

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Consent Agenda

Continued from:

Requested Action (Identify appropriate Action or Motion)

ADOPT RESOLUTION DESIGNATING STIRLING ALYA, LLC'S AFFORDABLE HOUSING CONTRIBUTION OF EIGHTY-TWO THOUSAND DOLLARS (\$82,000.00) TO THE CITY OF DANIA BEACH AS REQUIRED BY BROWARD COUNTY TO THE DANIA BEACH COMMUNITY REDEVELOPMENT AGENCY'S "AT HOME DANIA BEACH AFFORDABLE HOUSING" PROGRAM; AUTHORIZING THE CITY MANAGER AND FINANCE DIRECTOR TO ALLOCATE STIRLING ALYA, LLC'S REQUIRED AFFORDABLE HOUSING CONTRIBUTION PAYMENT TO THE DANIA BEACH COMMUNITY REDEVELOPMENT AGENCY

Purchasing Requests ONLY

Dept:	Acct #:	Amt:
Fund:		

Fiscal Impact/Cost Summary

--

Exhibits Attached

Stirling Alya Affordable Housing Contribution Memo, R-2018- Stirling Alya-Stellar Homes Affordable Housing Contribution, Stirling Alya Declaration of Restrictive Covenant, Stirling Alya Affordable Housing Contribution Letter



CITY OF DANIA BEACH OFFICE OF THE CITY MANAGER

MEMORANDUM

DATE: October 23, 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

BY: Rickelle Williams. CRA Executive Director

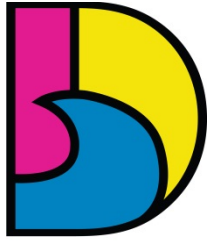
SUBJECT: Stirling Alya Affordable Housing Contribution Allocation to CRA

Background

On February 13, 2018, the City Commission approved Stirling Alya's application to amend the City of Dania Beach adopted Future Land use and Zoning Maps and Site Plan application for an 8.3 acre of land known by Broward County Property Appraisal as parcel number 504232-29-0010 to accommodate 197 onsite mid-rise residential units. Prior to the requested amendment and application, the City's Future Land Use and Zoning permitted a maximum of 33 dwelling units onsite. Upon approval of Stirling Alya's Future Land Use and Zoning Map amendments and Site Plan application, the City Commission allowed for an increase of 164 dwelling units on the property.

As a result of the increased 164 dwelling units and in an effort to promote affordable housing, Broward County required Stirling Alya, LLC. to record a Declaration of Restrictive Covenant with Broward County on the referenced property mandating that, prior to the issuance of the first building permit, Stirling Alya, LLC. must pay the City of Dania Beach Five Hundred Dollars (\$500.00) per dwelling unit for the 164 additional dwelling units in the total amount of Eighty-Two Thousand Dollars (\$82,000.00). On March 22, 2018, Stirling Alya, LLC. recorded the Declaration of Restrictive Covenant, which dictates that these funds must be used for the City's affordable housing programs.

In a letter dated October 9, 2018, Stirling Alya, LLC. requested that the Eighty-Two Thousand Dollar (\$82,000.00) payment be allocated to the Dania Beach Community Redevelopment Agency ("CRA") in lieu of the City since the CRA has an affordable housing program, adopted on June 12, 2018 by the CRA Board. This would satisfy the requirement by Broward County to utilize the payment for affordable housing. The letter also indicates that Stirling Alya, Inc. intends to submit for construction permits on



DANIA BEACH
SEA IT. LIVE IT. LOVE IT.

**CITY OF DANIA BEACH
OFFICE OF THE CITY MANAGER**

MEMORANDUM

the referenced parcel within the next few months. Stirling Alya, Inc. desires to ensure that Broward County and the City release and terminate the recorded Declaration of Restrictive Covenant so that the progress of the development remains as scheduled without any additional delays.

At the October 9, 2018 CRA Board meeting, the CRA Board by motion and consensus, agreed to accept the pending Stirling Alya, Inc. payment for this purpose.

Recommendation

Authorize the designation and allocation of Stirling Alya, LLC.'s affordable housing contribution of Eighty-Two Thousand Dollars (\$82,000.00) to the City of Dania Beach, as required by Broward County, to the Dania Beach Community Redevelopment Agency's At Home Dania Beach affordable housing program.

Attachments

Declaration of Restrictive Covenant
Letter from Stirling Alya, LLC.

RESOLUTION NO. 2018-153

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, DESIGNATING STIRLING ALYA, LLC'S AFFORDABLE HOUSING CONTRIBUTION OF EIGHTY-TWO THOUSAND DOLLARS (\$82,000.00) TO THE CITY OF DANIA BEACH AS REQUIRED BY BROWARD COUNTY TO THE DANIA BEACH COMMUNITY REDEVELOPMENT AGENCY'S "AT HOME DANIA BEACH AFFORDABLE HOUSING" PROGRAM; AUTHORIZING THE CITY MANAGER AND FINANCE DIRECTOR TO ALLOCATE STIRLING ALYA, LLC'S REQUIRED AFFORDABLE HOUSING CONTRIBUTION PAYMENT TO THE DANIA BEACH COMMUNITY REDEVELOPMENT AGENCY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Dania Beach ("City Commission") finds it periodically necessary to adopt procedures and policies to implement municipal goals and objectives; and

WHEREAS, on February 13, 2018, the City Commission approved Stirling Alya's application to amend the City of Dania Beach ("City") adopted Future Land use and Zoning Maps and site plan application for an 8.3 acre parcel of land identified by the Broward County Property Appraisal as Parcel No. 504232-29-0010 to accommodate One Hundred Ninety Seven (197) on-site mid-rise residential units; and

WHEREAS, prior to the approval of Stirling Alya's Future Land Use and Zoning Map Amendments and Site Plan application, the City's Future Land Use and Zoning permitted a maximum of Thirty Three (33) dwelling units on-site; and

WHEREAS, upon adoption of the approved Stirling Alya's Future Land Use and Zoning Map Amendments and Site Plan application, the City Commission allowed for an increase of One Hundred Sixty Four (164) dwelling units on the property; and

WHEREAS, as a result of the increased number of units and in an effort to promote affordable housing, Broward County required Stirling Alya, LLC, to record a Declaration of Restrictive Covenant with Broward County with respect to the referenced property mandating that, prior to the issuance of the first building permit, Stirling Alya, LLC, shall pay the City Five Hundred Dollars (\$500.00) per dwelling unit for the One Hundred Sixty Four (164) additional dwelling units in the total amount of Eighty-Two Thousand Dollars (\$82,000.00); and

WHEREAS, the Declaration of Restrictive Covenant states that these funds must be used for the City's affordable housing programs; and

WHEREAS, on March 22, 2018, Stirling Alya, LLC, recorded the mandated Declaration of Restrictive Covenant with the Broward County Commission as Instrument No. 114964684, which is attached as Exhibit "A"; and

WHEREAS, the City and the Dania Beach Community Redevelopment Agency ("CRA") received a letter from Stirling Alya, LLC, dated October 9, 2018 which is referenced as Exhibit "B", a copy of which is attached to and incorporated into this Resolution, indicating its intent to submit documents for construction permits on the referenced parcel within the next few months; and

WHEREAS, Stirling Alya, LLC, recognizing that the City of Dania Beach does not have an affordable housing program meeting Broward County's affordable housing requirements, requested the Eighty-Two Thousand Dollar (\$82,000.00) payment required by Broward County for affordable housing be approved to the CRA's "At Home Dania Beach Affordable Housing" Program; and

WHEREAS, Stirling Alya, LLC, desires to ensure that Broward County and the City release and terminate the recorded Declaration of Restrictive Covenant so that the progress of the development remains as scheduled without any additional delays; and

WHEREAS, on June 12, 2018, the Dania Beach CRA Board approved the "At Home Dania Beach Residential Revitalization" Program, which incorporates strategies to provide affordable housing in the City through the purchase and acquisition of vacant residential lots or properties for infill housing in order to improve the existing housing stock within the CRA neighborhoods for low to moderate income residents; and

WHEREAS, the City Commission recognizes the need to encourage the development of for-sale and rental opportunities for families who are a part of the workforce in the City, and particularly those families whose incomes fall within the low to moderate income categories; and

WHEREAS, the City Commission has determined that the enactment of this Resolution will serve to benefit the citizens of Dania Beach and will protect the public health, safety, and welfare; and

WHEREAS, City staff recommends approval of Stirling Alya, LLC's request to allocate Stirling Alya, LLC's Affordable Housing Contribution of Eighty-Two Thousand Dollars

(\$82,000.00) as required by Broward County to the City to be allocated to the CRA's "At Home Dania Beach Residential Revitalization" Program to satisfy the requirements stipulated in the recorded Declaration of Restrictive Covenant attached as Exhibit A;

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

Section 1. That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct, and they are made a part of and incorporated into this Resolution by this reference.

Section 2. That the recorded Declaration of Restrictive Covenant mandating Stirling Alya, LLC to pay Eighty-Two Thousand Dollars (\$82,000.00), prior to the issuance of the first building permit, to the City of Dania Beach's affordable housing program for the 164 additional dwelling units on parcel number 504232-29-0010 is satisfied in the opinion of the City.

Section 3. That the October 9, 2018 letter from Stirling Alya, LLC requesting that the Eighty-Two Thousand Dollar (\$82,000.00) payment required by Broward County for affordable housing be put towards the CRA's "At Home Dania Beach Affordable Housing Program", is accepted as to such payment.

Section 4. That the City Manager and Finance Director are authorized to allocate Stirling Alya, LLC's Affordable Housing contribution of Eighty-Two Thousand Dollars (\$82,000.00) as required by Broward County to the Dania Beach Community Redevelopment Agency to the "At Home Dania Beach Affordable Housing Program".

Section 5. That all resolutions or parts of resolutions in conflict with this Resolution shall be repealed to the extent of such conflict.

Section 6. That this Resolution shall take effect immediately upon City Commission adoption.

PASSED AND ADOPTED on October 23, 2018.

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY

Return to: (enclose self-addressed stamped envelope)

Name: Marla Neufeld, Esq.

Address:

Greenspoon Marder, P.A.
200 E. Broward Boulevard, Suite 1800
Fort Lauderdale, FL 33301

This Instrument Prepared by:

Marla Neufeld, Esq.
Greenspoon Marder, P.A.
200 E. Broward Boulevard, Suite 1800
Fort Lauderdale, FL 33301

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR PROCESSING DATA

DECLARATION OF RESTRICTIVE COVENANTS

THIS DECLARATION OF RESTRICTIVE COVENANTS ("Covenant") made this 22 of JANUARY, 2018, by Stirling Alya, LLC, a Florida limited liability company, its successors and assigns ("Owner"), which shall be for the benefit of **BROWARD COUNTY, FLORIDA**, a political subdivision of the State of Florida ("County") and the City of Dania Beach, a municipal corporation organized pursuant to the State of Florida ("City").

WITNESSETH:

WHEREAS, Owner is the fee simple owner of land located in the City more particularly described in Exhibit "A" ("Property"); and

WHEREAS, Owner made an application requesting that the land use plan designation on the Property be changed from 6.7 acres of Low (5) Residential and 1.6 acres of Commerce to Irregular (23.74) Residential to allow for an additional 164 dwelling units ("Application"); and

WHEREAS, in connection with the Application, Owner has voluntarily agreed to place certain restrictions on the development of the Property as set forth below in favor of the County and the City.

NOW, THEREFORE, in consideration of the foregoing premises and the promises and covenants herein contained, Owner hereby declares that the Property shall be subject to the covenants, restrictions, and regulations hereinafter set forth, all of which shall run with the land and which shall be binding upon all parties having any right, title or interest in the Property or any part thereof, their heirs, successors and assigns.

1. Recitations. The recitals set forth above are true and correct and are incorporated into this Covenant by this reference.

2. Covenants. Prior to the issuance of the first building permit for a dwelling unit on the Property, the Owner shall pay to the City Five Hundred Dollars (\$500) per dwelling unit for

the 164 additional dwelling units on the Property in the total amount of **Eighty Two Thousand Dollars (\$82,000)**, to be used by the City towards the City's affordable housing programs ("Affordable Housing Contribution").

3. Release. Upon presentation to the County of evidence of payment of the Affordable Housing Contribution, at the request and expense of Owner, the County and City shall cause a release and termination of this Agreement in the form attached hereto as **Exhibit B** to be recorded in the Public Records of Broward County, Florida, evidencing such completed performance of this Covenant. The issuance of the release shall not require County or City Commission approval.

4. Amendments. Except as otherwise provided herein, this Covenant shall not be modified, amended or released as to any portion of the Property except by written instrument, executed by the then owner or owners(s) of the portion of the Property affected by such modification, amendment, or release and approved in writing by the County and City. The appropriate governmental authority of the County and City shall execute a written instrument effectuating and acknowledging such modification, amendment or release. Any amendment, modification or release of this Covenant shall be recorded in the Public Records of Broward County, Florida, at the then owner's sole expense.

5. Recordation and Effective Date. This Covenant shall not become effective and shall not be recorded in the Public Records of Broward County, Florida, until after approval by the County and City of the requested Application and the expiration of all appeal periods or, if an appeal is filed, the conclusion of such appeal in a manner that does not affect the County's or City's approval of the Application. Once recorded, this Covenant shall run with the land for the sole benefit of the County and City and shall bind all successors-in-interest with respect to the Property. This Covenant shall not give rise to any other cause of action by any parties other than the County or City, and no parties other than the County or City shall be entitled to enforce this Covenant. Any failure by the County or City to enforce this Covenant shall not be deemed a waiver of the right to do so thereafter.

6. Severability. If any court of competent jurisdiction shall declare any section, paragraph or part of this Covenant invalid or unenforceable, then such judgment or decree shall have no effect on the enforcement or validity of any other section, paragraph or part hereof, and the same shall remain in full force and effect. The agreed upon venue shall be Broward County, Florida.

7. Captions, Headings and Titles. Articles and paragraph captions, headings and titles inserted throughout this Covenant are intended as a matter of convenience only and in no way shall such captions, headings or titles define, limit or in any way affect the subject matter or any of the terms and provisions thereunder or the terms and provisions of this Covenant.

8. Context. Whenever the context requires or admits, any pronoun used herein may be deemed to mean the corresponding masculine, feminine or neuter form thereof, and the singular form of any nouns or pronouns herein may be deemed to mean the corresponding plural form thereof and vice versa.

[THIS SPACE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, Owner has executed this Covenant on the day first above written.

Signed, sealed and delivered

Stirling Alya, LLC

Printed Name: John Vane

By: [Signature]

Its: _____

Dated: 1/11/18

STATE OF FLORIDA)
) SS
COUNTY OF BROWARD)

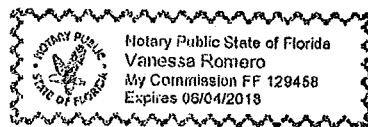
The foregoing instrument was acknowledged before me this 11 day of January, 2018, by Larry Baum, as Owner of Stirling Alya, LLC, a Florida limited liability company. MANAGER

He or she is:

☒ personally known to me, or

☐ produced identification. Type of identification produced _____.

(Seal)



NOTARY PUBLIC:

[Signature]
Print Name: Vanessa Romero

My commission expires:

**EXHIBIT A
LEGAL DESCRIPTION
PROPERTY**

**Parcel A, St. Maurice Plat, according to the plat thereof, as recorded in Plat Book 101, Page 17,
Public Records of Broward County, Florida.**

Parcel Identification Number: 504232-29-0010

EXHIBIT B

Return to: (enclose self-addressed stamped envelope)

Name: Marla Neufeld, Esq.

Address:

Greenspoon Marder, P.A.
200 E. Broward Boulevard, Suite 1800
Fort Lauderdale, FL 33301

This Instrument Prepared by:

Marla Neufeld, Esq.
Greenspoon Marder, P.A.
200 E. Broward Boulevard, Suite 1800
Fort Lauderdale, FL 33301

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR PROCESSING DATA

**RELEASE AND TERMINATION OF
DECLARATION OF RESTRICTIVE COVENANTS**

This Release and Termination of Declaration of Restrictive Covenant ("Release and Termination") is effective as of this ____ day of _____, 201__ by **BROWARD COUNTY**, a political subdivision of the State of Florida ("County"), and the **City of Dania Beach**, a political municipality of the State of Florida ("City").

WHEREAS, **Stirling Alya, LLC**, a Florida limited liability company, its successors and assigns ("Owner"), the fee simple title owner of the property described on **Exhibit A**, attached hereto ("Property"), entered into that certain Declaration of Restrictive Covenant dated _____ ("Declaration") in favor of the County and City that is recorded at Instrument # _____ in Public Records of Broward County, Florida. Terms not otherwise defined herein shall have the same meaning set forth in the Declaration; and

WHEREAS, pursuant to terms and provisions of the Declaration, prior to the issuance of the first building permit for a dwelling unit on the Property, Owner agreed to make a per dwelling unit payment towards the City's affordable housing programs in the total amount of Eighty Two Thousand Dollars (\$82,000.00) ("Affordable Housing Contribution"); and

WHEREAS, pursuant to the Declaration, the County and City are required, at the request of the Owner, to execute a release and termination of the Declaration upon the completion of the Affordable Housing Contribution; and

WHEREAS, the Owner has satisfied its obligation pursuant to the Declaration and has paid the Affordable Housing Contribution to the City of Dania Beach; and

WHEREAS, Owner desires that the County and City release and terminate the Declaration by executing this Release and Termination to be recorded in the Public Records of Broward County, Florida, pursuant to the terms and conditions as hereinafter set forth; and

5

WHEREAS, upon the execution of this Release and Termination, no further action by the County Commission will be required and this Release and Termination shall constitute the final release of Owner's obligations under the Declaration.

NOW, THEREFORE, County and City intending to be legally bound, hereby state and declare as follows:

1. The above recitals are true and correct and are incorporated herein.
2. The obligations, terms, conditions, covenants and provisions of the Declaration are of no further force and effect and Owner is released from the Declaration and the Declaration is hereby terminated.
3. This Release and Termination shall be construed and governed in accordance with laws of the State of Florida and in the event of any litigation hereunder, the venue for any such litigation, shall be in Broward County, Florida.
4. This Release and Termination shall be recorded in the Public Records of Broward County, Florida, whereby recording fees are to be paid by Owner and shall run with the Property and shall be binding upon and inure to the benefit of the respective successors and assigns of County and City and the respective successors and assigns of Owner.

[THIS PAGE INTENTIONALLY LEFT BLANK]

ATTEST:

County Administrator and
Ex-Officio Clerk of the
Board of County Commissioners of
Broward County, Florida

BROWARD COUNTY, through its BOARD
OF COUNTY COMMISSIONERS

By: _____
Printed Name: _____
Title: _____

_____ day of _____, 201__

Approved as to form by
Office of County Attorney
Broward County, Florida
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, FL 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-6968

By _____
Assistant County Attorney

_____ day of _____, 201__

CITY

WITNESSES:

CITY OF DANIA BEACH

Print Name: _____

By: _____

Name: _____

Title: City Manager

Print Name: _____

_____ day of _____, 2018

APPROVED AS TO FORM:

By: _____

Name: _____

Title: City Attorney

_____ day of _____ 2018

STATE OF FLORIDA)
)SS
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me this ____ day of _____, 2018, by
_____ as City Manager of THE CITY OF DANIA BEACH.

He or she is:

☐ personally known to me, or

☐ produced identification. Type of identification produced _____

Seal

NOTARY PUBLIC

Print Name _____

My commission expires: _____

8

Signed, sealed and delivered

Stirling Alya, LLC

Printed Name: _____

By: _____

Its: _____

Printed Name: _____

Dated: _____

STATE OF FLORIDA)
) SS
COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me this ____ day of _____, 2018,
by _____, as _____ of Stirling Alya, LLC, a
Florida limited liability company.

He or she is:

[] personally known to me, or
[] produced identification. Type of identification produced _____.

(Seal)

NOTARY PUBLIC:

Print Name: _____

My commission expires:

9

**EXHIBIT A
RELEASE AND TERMINATION
LEGAL DESCRIPTION
PROPERTY**

**Parcel A, St. Maurice Plat, according to the plat thereof, as recorded in Plat Book 101, Page 17,
Public Records of Broward County, Florida.**

Parcel Identification Number: 504232-29-0010



October 9, 2018

Mayor, Vice Mayor and City Commissioners
City of Dania Beach
100 W. Dania Beach Boulevard
Dania Beach, FL 33004

Re: Stirling Alya, LLC. Affordable Housing Contribution

Dear Mayor, Vice Mayor and City Commissioners,

On February 13, 2018, the City of Dania Beach City Commission approved Stirling Alya, LLC's application to amend the City's Future Land Use and Zoning Maps for a ±8.3-acre parcel of land known as parcel number 504232-29-0010 to accommodate 197 onsite mid-rise residential units. Our application allowed for an increase of 164 dwelling units on the property, up from 33 dwelling units. As a result and in an effort to promote affordable housing, Broward County required Stirling Alya, LLC. to record a Declaration of Restrictive Covenant with Broward County on the referenced parcel.

On March 22, 2018, Stirling Alya, LLC. recorded a Declaration of Restrictive Covenant mandating that prior to the issuance of the first building permit on the property, Stirling Alya, LLC., must pay the City of Dania Beach \$500.00 per dwelling unit for the 164 additional dwelling units in the total amount of \$82,000.00. The Declaration of Restrictive Covenant dictates that these funds must be used for the City's affordable housing programs.

It has come to our attention that the City of Dania Beach does not have an affordable housing program. However, we have noted that the Dania Beach Community Redevelopment Agency (CRA) has an approved affordable housing program, *At Home Dania Beach*. The CRA's in-fill housing for low to moderate income residents satisfies the affordable housing program requirements from Broward County. Stirling Alya, LLC. anticipates submitting for construction permits on the referenced parcel within the next few months. As such, Stirling Alya, LLC. respectfully asks the City and CRA to allow the \$82,000.00 payment required by Broward County to go towards the CRA's in-fill affordable housing program in order for Broward County and the City to release and terminate the recorded Declaration of Restrictive Covenant and for our development to progress as scheduled without any additional delays.

Stirling Alya, Inc. is committed to the City and CRA's efforts in attracting and sustaining high quality development opportunities that produce local jobs while enhancing the local tax base within this great community. Our team looks forward to working with the City and CRA's dedicated team members on ensuring that our development is a victory for all organizations. For reference, a copy of the recorded Declaration of Restrictive Covenant is attached to this document. Feel free to contact me at 954-671-1400 ext. 101 or by email at lbaum@livestellar.com should you or your team have any questions.



Sincerely,

A handwritten signature in blue ink, appearing to be "L. Baum", with a large, sweeping underline.

Larry Baum,
Managing Partner
Stirling Alya, LLC
Stellar Communities

Cc: Dania Beach Community Redevelopment Agency Board of Directors
Robert Baldwin, City Manager, City of Dania Beach
Rickelle Williams, Executive Director, Dania Beach Community Redevelopment Agency

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Consent Agenda

Continued from:

Requested Action (Identify appropriate Action or Motion)

ADOPT RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR THE 2019 COMPLETE STREETS AND OTHER LOCALIZED INITIATIVES GRANT PROGRAM UNDER A JOINT APPLICATION WITH THE CITY OF HOLLYWOOD FOR IMPROVEMENTS OF A PORTION OF JA ELY BOULEVARD LOCATED BETWEEN STIRLING ROAD AND SHERIDAN STREET WITHIN THE DANIA BEACH MUNICIPAL BOUNDARIES

Purchasing Requests ONLY

Dept:

Acct #:

Amt:

Fund:

Fiscal Impact/Cost Summary

Exhibits Attached

Memo - CSLIP JA Ely Boulevard, R-2018- MPO CSLIP Program for JA Ely Boulevard



**CITY OF DANIA BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
MEMORANDUM**

DATE: October 23, 2018

TO: Robert Baldwin, City Manager

FROM: Marc LaFerrier, AICP, Director of Community Development 

SUBJECT: **Complete Streets and Other Localized Initiatives Grant Program Application for JA Ely Boulevard**

The City proposes to make an application with the City of Hollywood to the Broward Metropolitan Organization (MPO) Complete Streets and Other Localized Incentives Grant Program (CSLIP). The Cities' candidate project for the 2018 CSLIP application is JA Ely Boulevard (between Stirling Road and Sheridan Street).

The MPO's CSLIP program provides funding for small, local transportation projects (\$500K to \$2M) which improves the safety and mobility for all transportation users (vehicles, transit, bicyclists, and pedestrians). This grant program is competitive and requests for projects are submitted on an annual basis.

The roadway improvements planned for JA Ely Boulevard are: paving, drainage, sidewalks, bike lanes, crosswalks, pedestrian lighting, ADA ramps, pavement markings, and signage. Additional project enhancements such as landscaping lighting, ornate signage, or decorative paving will not be considered grant eligible and if desired will need to be funded by the City. No right-of-way (R-O-W) acquisition is required to implement either project. If approved, the grant awarded will include all design and construction costs by the FDOT. No local match or funding is required for the applications. If the project is constructed the City must agree to maintain the grant funded improvements.

Jurisdiction of JA Ely Boulevard is shared with the City of Hollywood. Dania Beach has jurisdiction of the east side of the right-of-way and Hollywood has jurisdiction of the west side of the right-of-way. Therefore, this project will involve a joint CSLIP application from the Cities of Dania Beach and Hollywood. The City staffs are currently preparing the application submittal and a public meeting is being coordinated for October.

The Broward MPO approval of 2018 CSLIP grants are anticipated in the 4th quarter of 2019. If approved the FDOT will be responsible for the design and construction of the project. Construction of CSLIP projects typically commence 4 to 7 years after approval by the Broward MPO.

RECOMMENDATION

Approve the resolution authorizing the City to apply for the Broward MPO CSLIP grant with the City of Hollywood for JA Ely Boulevard.

RESOLUTION NO. 2018-154

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO APPLY FOR THE 2019 COMPLETE STREETS AND OTHER LOCALIZED INITIATIVES GRANT PROGRAM UNDER A JOINT APPLICATION WITH THE CITY OF HOLLYWOOD FOR IMPROVEMENTS OF A PORTION OF JA ELY BOULEVARD LOCATED BETWEEN STIRLING ROAD AND SHERIDAN STREET WITHIN THE DANIA BEACH MUNICIPAL BOUNDARIES; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Complete Streets and Other Localized Initiatives Grant Program (“CSLIP”) is administered by the Broward County Metropolitan Planning Organization (the “MPO”); and

WHEREAS, the Broward MPO CSLIP program provides funding for the design and construction of small transportation projects that will improve mobility and safety for all transportation users; and

WHEREAS, the City of Dania Beach and the City of Hollywood (the “Cities”) will be submitting an application for the 2019 CSLIP with a request for a CSLIP project along a portion of JA Ely Boulevard located between Stirling Road and Sheridan Street, (the “Project”); and

WHEREAS, the grant related transportation project was presented to the Dania Beach City Commission at its October 23, 2018 meeting and to the Hollywood City Commission; and

WHEREAS, a community meeting was held to inform the public of the Project and receive comments from citizens; and

WHEREAS, the Project is supported by the City of Dania Beach and the City of Hollywood and the proposed improvements to JA Ely Boulevard are described to include paving, drainage, sidewalks, bike lanes, crosswalks, pedestrian lighting, disability ramps, pavement markings and signage; and

WHEREAS, the Cities own, operate and maintain JA Ely Boulevard; and

WHEREAS, the CSLIP does not require a City match; however, the Cities will be responsible for any construction costs exceeding the CSLIP cap; and

WHEREAS, the Cities are responsible for all operations and maintenance costs or additional enhancements after the Project is completed; and

WHEREAS, the City of Dania Beach endorses Florida Department of Transportation (FDOT) delivering the Project on the City's behalf, fully administering the design and construction phases of the Project;

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

Section 1. That the foregoing "Whereas" clauses are made a part of and incorporated into this Resolution by this reference.

Section 2. That the request to submit the 2019 CSLIP application for the Project submitted by the City of Dania Beach and the City of Hollywood, Florida to the Broward County MPO, is approved and the City endorses the Project and seeks funding for it from the Broward MPO CSLIP Program.

Section 3. That the City Manager and City Attorney are authorized to make minor revisions to the application as are deemed necessary and proper for the best interests of the City and grant eligibility.

Section 4. That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 5. That this Resolution shall be in force and take effect immediately upon its passage and adoption.

PASSED AND ADOPTED on October 23, 2018.

ATTEST:

TOM SCHNEIDER
CITY CLERK

TAMARA JAMES
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Consent Agenda

Continued from:

Requested Action (Identify appropriate Action or Motion)

TO APPROVE AND ADOPT A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, GRANTING A TEN (10) FOOT EASEMENT TO FLORIDA POWER & LIGHT COMPANY ("FPL"), IN CONNECTION WITH THE BEACH REVITALIZATION PROJECT, WHICH EASEMENT IS LOCATED ADJACENT TO THE BEACH PARKING ARE LOCATED AT 300 N BEACH ROAD; PROVIDING FOR CONFLICTS, FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

Purchasing Requests ONLY

Dept:

Acct #:

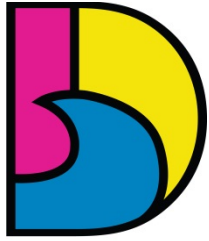
Amt:

Fund:

Fiscal Impact/Cost Summary

Exhibits Attached

2019 Memo - Granting FPL Easement at the Beach, R-2018- FPL Easement at the Beach for Revitalization Project, R-2018- FPL Easement at the Beach for Revitalization Project Attachment



DANIA BEACH
SEA IT. LIVE IT. LOVE IT.

**CITY OF DANIA BEACH
PUBLIC SERVICES DEPARTMENT**

MEMORANDUM

TO: Honorable Mayor and Commissioners

FROM: Robert Baldwin, City Manager

BY: Brad Kaine, Public Services Director
Ronnie S. Navarro, PE, CFM, City Engineer

DATE: October 23, 2018

SUBJECT: FPL Easement Grant on the Beach Parking Area

Due to the proposed underground work for the FPL power line, it is necessary to grant a ten (10) foot easement to Florida Power & Light Company in order to proceed with the revitalization project of the beach. This easement is a non-exclusive easement for the construction, operation and maintenance of overhead and underground electric utility facilities (including wires, poles, guys, cables, conduits and appurtenant equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage as well as the size of, and remove such facilities or any of them within an easement.

Recommendation:

It is recommended that the City Commission Grants the FPL Easement to proceed with the beautification and upgrade of the beach.

RESOLUTION NO. 2018-155

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, GRANTING A TEN (10) FOOT EASEMENT TO FLORIDA POWER & LIGHT COMPANY ("FPL"), IN CONNECTION WITH THE BEACH REVITALIZATION PROJECT, WHICH EASEMENT IS LOCATED ADJACENT TO THE BEACH PARKING AREA LOCATED AT 300 N. BEACH ROAD; PROVIDING FOR CONFLICTS, FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, due to the proposed underground work for the FPL power line, it is necessary to grant a ten (10) foot easement to FPL in order for the City to proceed with the City of Dania Beach Revitalization Project ("Project"); and

WHEREAS, the easement is a non-exclusive easement for the construction, operation and maintenance of overhead and underground electric utility facilities (including but not limited to, wires, poles, guys, cables, conduits and appurtenant equipment) to be installed from time to time, with the right of FPL to reconstruct, improve, add to, enlarge, change the voltage as well as the size of, and remove such facilities or any of them within the easement;

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

Section 1. That the foregoing "Whereas" clauses are made a part of and incorporated into this Resolution by this reference.

Section 2. That the City Commission approves and grants the ten (10) foot easement to Florida Power & Light Company located at the beach parking area (a copy of the easement is attached to this Resolution and incorporated by this reference).

Section 3. That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 4. That this Resolution shall be in force and take effect immediately upon its passage and adoption.

PASSED AND ADOPTED on October 23, 2018

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY

Work Request No. 7814603

Sec. 36, Twp 50 S, Rge 42 E

Parcel I.D. _____

(Maintained by County Appraiser)

EASEMENT (BUSINESS)

This Instrument Prepared By

Name: Maggie Loundy

Co. Name: Florida Power and Light

Address: 4000 Davie Rd. Ext.
Hollywood, FL 33024

The undersigned, in consideration of the payment of \$1.00 and other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, grant and give to Florida Power & Light Company, its affiliates, licensees, agents, successors, and assigns ("FPL"), a non-exclusive easement forever for the construction, operation and maintenance of overhead and underground electric utility facilities (including wires, poles, guys, cables, conduits and appurtenant equipment) to be installed from time to time; with the right to reconstruct, improve, add to, enlarge, change the voltage as well as the size of, and remove such facilities or any of them within an easement described as follows:

Reserved for Circuit Court

See Exhibit "A" ("Easement Area")

Together with the right to permit any other person, firm, or corporation to attach wires to any facilities hereunder and lay cable and conduit within the Easement Area and to operate the same for communications purposes; the right of ingress and egress to the Easement Area at all times; the right to clear the land and keep it cleared of all trees, undergrowth and other obstructions within the Easement Area; the right to trim and cut and keep trimmed and cut all dead, weak, leaning or dangerous trees or limbs outside of the Easement Area, which might interfere with or fall upon the lines or systems of communications or power transmission or distribution; and further grants, to the fullest extent the undersigned has the power to grant, if at all, the rights hereinabove granted on the Easement Area heretofore described, over, along, under and across the roads, streets or highways adjoining or through said Easement Area.

IN WITNESS WHEREOF, the undersigned has signed and sealed this instrument on _____, 20__.

Signed, sealed and delivered in the presence of:

Entity name

(Witness' Signature)

By: _____

Print Name: _____
(Witness)

Print Name: _____

Print Address: _____

(Witness' Signature)

Print Name: _____
(Witness)

STATE OF _____ AND COUNTY OF _____. The foregoing instrument was acknowledged before me this _____ day of _____, 20__, by _____, the _____ of _____ a _____, who is personally known to me or has produced _____ as identification, and who did (did not) take an oath.
(Type of Identification)

My Commission Expires:

Notary Public, Signature

Print Name _____



EXHIBIT "A" SKETCH AND DESCRIPTION FPL EASEMENT

DESCRIPTION:

A PORTION OF LAND LYING IN SECTION 36, TOWNSHIP 50 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT OF **HOLLYWOOD CENTRAL BEACH**, AS RECORDED IN PLAT BOOK 4, PAGE 20, PUBLIC RECORDS OF BROWARD COUNTY.

CENTERLINE OF 10.00 FOOT EASEMENT, 5.00 FEET ON EACH SIDE, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT SOUTHEAST CORNER OF LOT 9, BLOCK 200, AS RECORDED IN SAID PLAT; THENCE NORTH 26°24'51" EAST, A DISTANCE OF 541.26 FEET TO THE **POINT OF BEGINNING**;
THENCE NORTH 90°00'00" WEST, A DISTANCE OF 61.91 FEET; THENCE NORTH 19°24'18" EAST, A DISTANCE OF 62.18 FEET TO HERE AND AFTER KNOWN **REFERENCE POINT "A"**; THENCE NORTH 19°24'18" EAST, A DISTANCE OF 56.33 FEET; THENCE NORTH 05°00'47" EAST, A DISTANCE OF 112.49 FEET TO HERE AND AFTER KNOWN **REFERENCE POINT "B"**; THENCE NORTH 05°00'47" EAST, A DISTANCE OF 1241.32 FEET TO A **POINT OF TERMINATION**.

BEGIN AT SAID **REFERENCE POINT "A"**; THENCE SOUTH 70°35'42" EAST, A DISTANCE OF 65.33 FEET TO A **POINT OF TERMINATION "A"**;

BEGIN AT SAID **REFERENCE POINT "B"**; THENCE NORTH 68°34'18" EAST, A DISTANCE OF 137.51 FEET TO A **POINT OF TERMINATION "B"**.

SAID LANDS SITUATE IN THE CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA, CONTAINING 17,739 SQUARE FEET AND/OR 0.407 ACRES, MORE OR LESS.

NOTES:

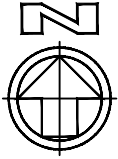
1. THIS SKETCH IS PROPERTY OF CARNAHAN-PROCTOR-CROSS, INC., AND SHALL NOT BE USED OR REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN AUTHORIZATION. THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA SURVEYOR AND MAPPER.
2. BEARINGS SHOWN HEREON ARE BASED ON THE STATE OF FLORIDA, STATE ROAD DEPARTMENT, RIGHT-OF-WAY MAP FOR A1A ROAD (SECTION NUMBER 8603-175, LAST REVISED ON 2/04/2000) WITH CENTERLINE OF DANIA BEACH BOULEVARD BEARING NORTH 88°24'57" EAST, AND ALL OTHER BEARINGS ARE RELATIVE THERETO.
3. THE LANDS SHOWN HEREON ARE SUBJECT TO ALL EASEMENTS, RESERVATIONS, RIGHTS-OF-WAY, AND RESTRICTIONS OF RECORD.
4. THIS SKETCH IS PREPARED WITHOUT BENEFIT OF A TITLE SEARCH. FOR INFORMATION CONCERNING RIGHTS-OF-WAYS, EASEMENTS, RESERVATIONS, AND OTHER SIMILAR MATTERS OF PUBLIC RECORD, AN APPROPRIATE TITLE VERIFICATION NEED BE OBTAINED.
5. LINES SHOWN HEREON ARE SHORTEN OR LENGTHEN TO KEEP CONTINUOUS STRIP OF LAND.
6. THIS IS NOT A SURVEY.

SURVEYOR'S CERTIFICATION:

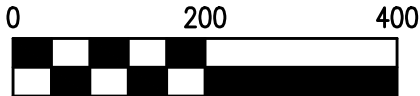
I HEREBY CERTIFY THAT THE DESCRIPTION AND SKETCH AS SHOWN HEREON CONFORMS TO THE APPLICABLE STANDARDS OF PRACTICE FOR SURVEYS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATE STATUTES, AND ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

LANDON M. CROSS
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA LICENSE NO. LS3348

EXHIBIT "A" SKETCH AND DESCRIPTION FPL EASEMENT



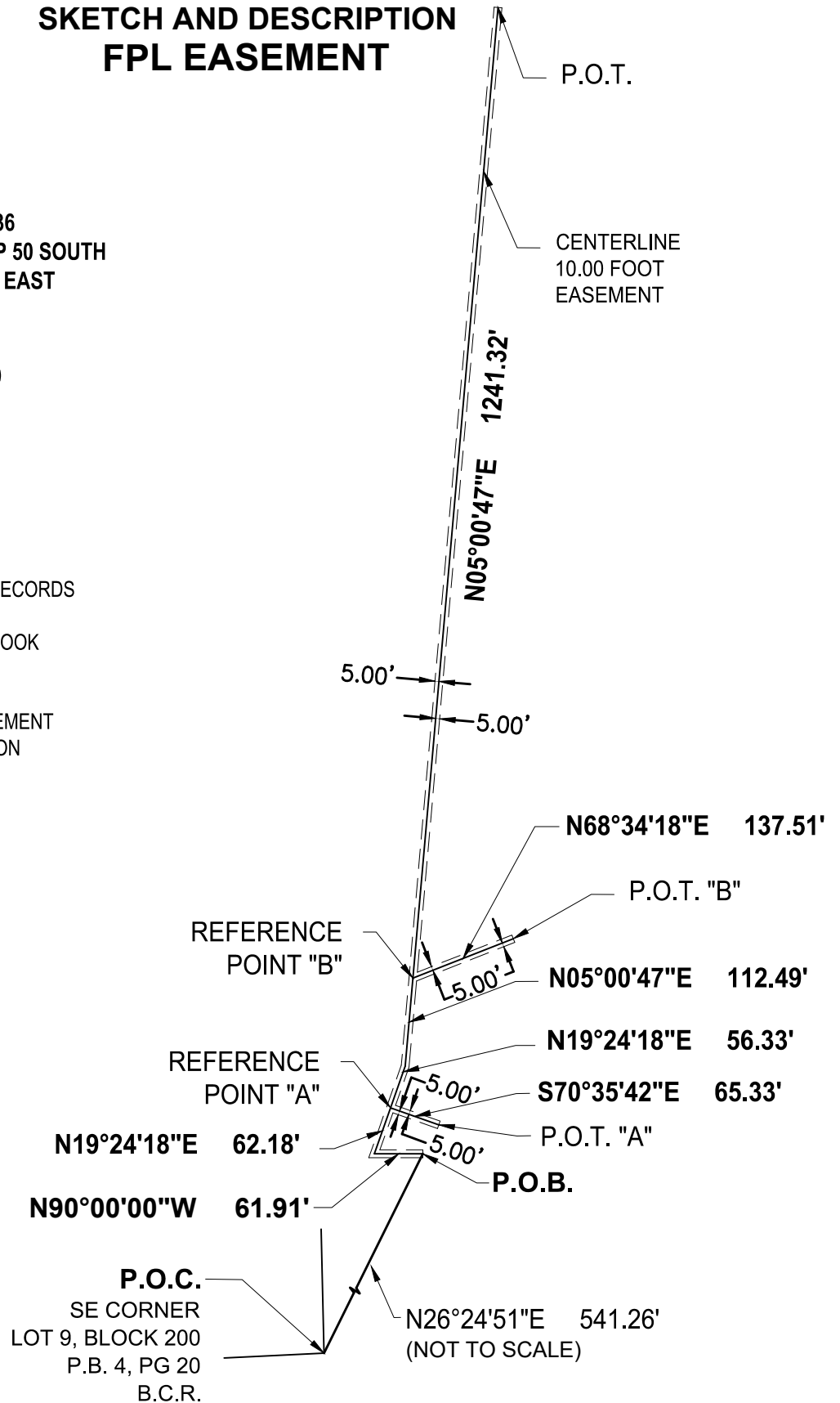
SECTION 36
TOWNSHIP 50 SOUTH
RANGE 42 EAST



SCALE: 1"=200'

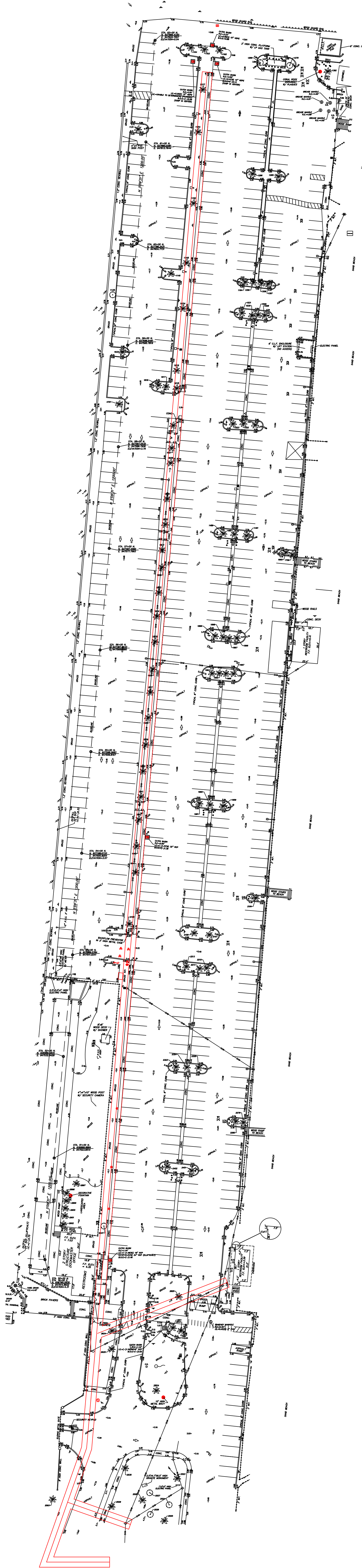
ABBREVIATION:

BCR = BROWARD COUNTY RECORDS
N.T.S. = NOT TO SCALE
O.R.B. = OFFICIAL RECORDS BOOK
PG. = PAGE
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
P.O.T. = POINT OF TERMINATION
R/W = RIGHT OF WAY
TYP. = TYPICAL



PROJECT NO. 180808 FPL	SCALE: 1" = 200'
DANIA BEACH FPL	DATE: 10/1/2018
DWG. BY: NI	SKETCH AND DESCRIPTION
CH'D BY: LMC	SHEET 2 OF 2 SHEETS





CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Bids and Proposals

Continued from:

Requested Action (Identify appropriate Action or Motion)

ADOPT RESOLUTION AWARDING A BID RELATED TO REQUEST FOR PROPOSAL (RFP NO. 18-014) TO QUEST CORPORATION OF AMERICA, INC. FOR PUBLIC RELATIONS SERVICES PERTAINING TO CITY REBRANDING EFFORTS IN AN AMOUNT NOT TO EXCEED FIFTY THOUSAND DOLLARS (\$50,000.00)

Purchasing Requests ONLY

Dept:

Acct #:

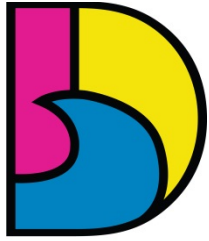
Amt:

Fund:

Fiscal Impact/Cost Summary

Exhibits Attached

Bid Award Memo RFP 18-014 Public Relations, R-2018- Quest Corporation Bid Award for RFP 18-014 Public Relations Services for Rebranding Efforts, RFP 18-014 PUBLIC RELATIONS SERVICES Evaluation and Scoring Sheet



DANIA BEACH
SEA IT. LIVE IT. LOVE IT.

CITY OF DANIA BEACH OFFICE OF THE CITY MANAGER

MEMORANDUM

DATE: October 23, 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

BY: Rickelle Williams, CRA Executive Director

SUBJECT: Recommendation of Award – RFP No. 18-014 Public Relations Services Related to City Rebranding Initiative

Background

On June 12, 2018, the City Commission adopted Resolution No. 2018-081 authorizing the advertisement for Public Relations Services Related to the City Rebranding Initiative. The City posted and advertised Request for Proposal (“RFP”) No. 18-014 on the City of Dania Beach’s website, Demand Star and in the Sun-Sentinel newspaper on September 13, 2018.

The bid opening was held on Friday, September 28, 2018 at 10:30 a.m. and three proposals were received. The Selection Committee held a review meeting on October 5, 2018 at 2:00 p.m. at City Hall to evaluate the proposals. The Selection Committee discussed and scored the proposals. Scores were then tallied. The highest ranked bidder was Quest Corporation of America, Inc., a company which has a proven track record of providing public relations services to public and private entities.

Recommendation

Award the bid for RFP No. 18-014 Public Relations Services Related to City Rebranding Initiative to Quest Corporation of America, Inc., in an amount not to exceed Fifty Thousand Dollars (\$50,000.00).

Attachments

Bid Tabulation
Evaluation Scoring Sheets

RESOLUTION NO. 2018-156

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AWARDING A BID RELATED TO REQUEST FOR PROPOSAL (RFP NO. 18-014) TO QUEST CORPORATION OF AMERICA, INC. FOR PUBLIC RELATIONS SERVICES PERTAINING TO CITY REBRANDING EFFORTS IN AN AMOUNT NOT TO EXCEED FIFTY THOUSAND DOLLARS (\$50,000.00); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission approved a new City logo and slogan at the November 14, 2017 City Commission meeting; and

WHEREAS, at the January 9, 2018 Community Redevelopment Agency (CRA) Board meeting, the CRA Board, whose members also serve as members of the City Commission, requested that the CRA assume responsibility for the rebranding initiative; and

WHEREAS, on February 26, 2018, the CRA Board conducted a workshop to discuss the rebranding concepts and implementation plan, budget and also discussed a desire to promptly implement the rebranding initiative; and

WHEREAS, at the February 27, 2018 City Commission meeting, the City Commission adopted Resolution No. 2018-031, approving a new logo, seal, tagline, brand statement, brand standards and rebranding plan; and

WHEREAS, at the March 27, 2018 City Commission meeting, the City Commission adopted Resolution No. 2018-043 authorizing funding to implement the rebranding initiative; and

WHEREAS, on June 12, 2018, the City Commission adopted Resolution No. 2018-081 authorizing the advertisement for Public Relations Services related to the Rebranding Initiative; and

WHEREAS, the City posted and advertised Request for Proposal (“RFP”) No. 18-014 on the City of Dania Beach’s website, Demand Star and in the Sun-Sentinel newspaper on September 13, 2018; and

WHEREAS, the bid opening was held on Friday, September 28, 2018 at 10:30 a.m.; and

WHEREAS, three bidders submitted their respective bids; and

WHEREAS, the Selection Committee held a review meeting on October 5, 2018 at 2:00 p.m. at City Hall to evaluate the three proposals received; and

WHEREAS, the lowest and most responsive bidder was Quest Corporation of America, Inc., a company which has a proven track record of providing public relations services to public and private entities; and

WHEREAS, the Selection Committee recommends awarding the bid to Quest Corporation of America, Inc., in an amount not to exceed Fifty Thousand Dollars (\$50,000.00); and

WHEREAS, funding is proposed in the Promotional Activities Branding Initiative Account No. 001-18-00-519-48-15;

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

Section 1. That the above “Whereas” clauses are ratified and confirmed as being true and correct, and they are made a part of and incorporated into this Resolution by this reference.

Section 2. That the City of Dania Beach, Florida awards the bid for RFP No. 18-014 “Public Relations Services for City Rebranding Efforts” to Quest Corporation of America, Inc., in an amount not to exceed Fifty Thousand Dollars (\$50,000.00).

Section 3. That the proper City officials are authorized to execute an Agreement with Quest Corporation of America, Inc., for Public Relations services for a term of one (1) year. The City Commission has the sole option to renew the Agreement annually for up to a maximum of one (1) additional one (1) year period, in an amount not to exceed Fifty Thousand Dollars (\$50,000.00) for the additional renewal period.

Section 4. That the City Manager, CRA Executive Director and CRA Attorney are authorized to make minor revisions to such contract documents that are deemed necessary and proper for the best interest of the City.

Section 5. That funding is planned and appropriated in the Promotional Activities Branding Initiative Account No. 001-18-00-519-48-15.

Section 6. That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 7. That this Resolution shall be in full force and take effect immediately upon its passage and adoption.

PASSED AND ADOPTED on October 23, 2018.

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY



RFP 18-014 Ranking Sheet
“Public Relations Services for City Rebranding Efforts”
October 5, 2018

Proposer: Adept Strategy & Public Relations

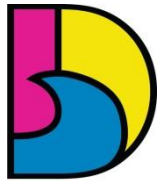
	Evaluation Category	Max Score	Score: Katia Bordy	Score: Kathleen Weekes	Score: Rickelle Williams	Max Grand Total	Actual Grand Total
1.	Cover Letter/Executive Summary	5	3	3	3	15	9
2.	Resources and Capabilities	10	6	6	8	30	20
3.	Staffing and Organization	10	8	6	10	30	24
4.	Project Approach	30	20	18	25	90	63
5.	Relevant Project Experience	20	8	14	16	60	38
6.	References	10	7	9	10	30	26
7.	Pricing	15	8	8	8	45	24
8.	TOTAL	100	60	64	80	300	204



RFP 18-014 Ranking Sheet
“Public Relations Services for City Rebranding Efforts”
 October 5, 2018

Proposer: Pinzur Communications

	Evaluation Category	Max Score	Score: Katia Bordy	Score: Kathleen Weekes	Score: Rickelle Williams	Max Grand Total	Actual Grand Total
1.	Cover Letter/Executive Summary	5	2	4	3	15	9
2.	Resources and Capabilities	10	7	6	8	30	21
3.	Staffing and Organization	10	3	5	8	30	16
4.	Project Approach	30	25	20	26	90	71
5.	Relevant Project Experience	20	10	14	15	60	39
6.	References	10	7	9	10	30	26
7.	Pricing	15	5	11	12	45	28
8.	TOTAL	100	59	69	82	300	210



DANIA BEACH
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RFP 18-014 Ranking Sheet
“Public Relations Services for City Rebranding Efforts”
October 5, 2018

Proposer: Quest Corporation of America

	Evaluation Category	Max Score	Score: Katia Bordy	Score: Kathleen Weekes	Score: Rickelle Williams	Max Grand Total	Actual Grand Total
1.	Cover Letter/Executive Summary	5	5	5	5	15	15
2.	Resources and Capabilities	10	10	8	10	30	28
3.	Staffing and Organization	10	10	8	10	30	28
4.	Project Approach	30	30	28	28	90	86
5.	Relevant Project Experience	20	20	16	20	60	56
6.	References	10	10	9	10	30	29
7.	Pricing	15	15	14	15	45	44
8.	TOTAL	100	100	88	98	300	286



RFP 18-014 Ranking Sheet
“Public Relations Services for City Rebranding Efforts”
October 5, 2018
Overall Scores and Ranking

	Proposer	Actual Score	Ranking
1.	Adept Strategy and Public Relations	204	3
2.	Pinzur Communications	210	2
3.	Quest Corporation of American	286	1

Jania A. Stevens

Verified by: _____

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Bids and Proposals

Continued from:

Requested Action (Identify appropriate Action or Motion)

ADOPT RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO AWARD A BID RELATED TO REQUEST FOR PROPOSAL (RFP NO. 18-015) FOR ADVERTISING, TO MAD 4 MARKETING INC. FOR SERVICES RELATED TO CITY REBRANDING EFFORTS; AUTHORIZING THE PROPER CITY OFFICIALS AND DESIGNEES TO NEGOTIATE AN AGREEMENT

Purchasing Requests ONLY

Dept:

Acct #:

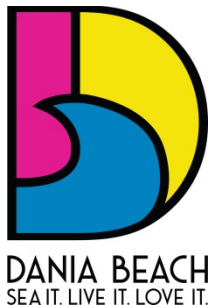
Amt:

Fund:

Fiscal Impact/Cost Summary

Exhibits Attached

Bid Award Memo RFP 18-015 Advertising, R-2018- Mad 4 Marketing Bid Award RFP 18-015 Advertising Services, RFP 18-015 ADVERTISING SERVICES Evaluation and Scoring Sheet



**CITY OF DANIA BEACH
OFFICE OF THE CITY MANAGER**

MEMORANDUM

DATE: October 23, 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

BY: Rickelle Williams. CRA Executive Director

SUBJECT: Recommendation of Award – RFP No. 18-015 Advertising Services Related to City Rebranding Initiative

Background

On June 12, 2018, the City Commission adopted Resolution No. 2018-082 authorizing the advertisement for Advertising Services Related to the City Rebranding Initiative. The City posted and advertised Request for Proposal (“RFP”) No. 18-015 on the City of Dania Beach’s website, Demand Star and in the Sun-Sentinel newspaper on September 17, 2018.

The bid opening was held on Friday, October 5, 2018 at 10:30 a.m. and seven proposals were received. The Selection Committee held a review meeting on October 12, 2018 at 10:00 a.m. at City Hall to evaluate the proposals. The Selection Committee discussed and scored the proposals. Scores were then tallied. The highest ranked bidder was Mad 4 Marketing, Inc., a company which has a proven track record of providing advertising services to various entities.

Recommendation

Award the bid for RFP No. 18-015 Advertising Services Related to City Rebranding Initiative to Mad 4 Marketing, Inc., and authorize the proper City and CRA Officials to negotiate an agreement, subject to City Commission approval.

Attachments

Bid Tabulation
Evaluation Scoring Sheets

RESOLUTION NO. 2018-157

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO AWARD A BID RELATED TO REQUEST FOR PROPOSAL (RFP NO. 18-015) FOR ADVERTISING, TO MAD 4 MARKETING INC. FOR SERVICES RELATED TO CITY REBRANDING EFFORTS; AUTHORIZING THE PROPER CITY OFFICIALS AND DESIGNEES TO NEGOTIATE AN AGREEMENT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission approved a new City logo and slogan at the November 14, 2017 City Commission meeting; and

WHEREAS, at the January 9, 2018 Community Redevelopment Agency (CRA) Board meeting, members of the CRA Board, which also act as members of the City Commission, requested that the CRA assume responsibility for the rebranding initiative; and

WHEREAS, on February 26, 2018, the CRA Board conducted a workshop to discuss the rebranding concepts, implementation plan, budget and also discussed a desire to promptly implement the rebranding initiative; and

WHEREAS, at the February 27, 2018 City Commission meeting, the City Commission adopted Resolution No. 2018-031, approving a new logo, seal, tagline, brand statement, brand standards and rebranding plan; and

WHEREAS, at the March 27, 2018 City Commission meeting, the City Commission adopted Resolution No. 2018-043 authorizing funding to implement the rebranding initiative; and

WHEREAS, on June 12, 2018, the City Commission adopted Resolution No. 2018-082 authorizing the advertisement for Advertising Services related to the Rebranding Initiative; and

WHEREAS, the City posted and advertised Request for Proposal ("RFP") No. 18-015 on the City of Dania Beach's website, Demand Star and in the Sun-Sentinel newspaper on September 17, 2018; and

WHEREAS, the bid opening was held on Friday, October 5, 2018 at 10:30 a.m.; and

WHEREAS, seven (7) bidders submitted their respective bids; and

WHEREAS, the Selection Committee held a review meeting on October 12, 2018 at 10:00 a.m. at City Hall to evaluate the seven proposals received; and

WHEREAS, the most responsive bidder was Mad 4 Marketing, Inc., a company which has a proven track record of providing advertising services to public and private entities; and

WHEREAS, the Selection Committee recommends awarding the bid to Mad 4 Marketing, Inc., and negotiating an agreement with Mad 4 Marketing, Inc., subject to City Commission approval;

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

Section 1. That the above “Whereas” clauses are ratified and confirmed as being true and correct, and they are made a part of and incorporated into this Resolution by this reference.

Section 2. That the City of Dania Beach, Florida awards RFP No. 18-015 Advertising Services for City Rebranding Efforts to Mad 4 Marketing, Inc.

Section 3. That the City Commission approves the bid award of Request for Proposal No. 18-015 Advertising Services for City Rebranding Efforts to Mad 4 Marketing, Inc.

Section 4. That the proper City and CRA officials are authorized to negotiate an Agreement with Mad 4 Marketing, Inc., for Advertising services, subject to City Commission approval.

Section 5. That funding is planned and appropriated in the Promotional Activities Branding Initiative Account No. 001-18-00-519-48-15.

Section 6. That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 7. That this Resolution shall be in full force and take effect immediately upon its passage and adoption.

PASSED AND ADOPTED on October 23, 2018.

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY



RFP 18-015 Ranking Sheet
“Advertising Services for City Rebranding Efforts”
October 12, 2018

Overall Scores and Ranking

	Proposer	Actual Score	Ranking	Average Score	Ranking
1.	Adept Strategy and Public Relations	207	5	69.00	5
2.	Blue Print Creative Group	226	2	75.33	2
3.	Daniels + Roberts	207	5	69.00	5
4.	Mad 4 Marketing	233	1	77.67	1
5.	Matrix 2 Advertising	223	3	74.33	3
6.	Noise, Inc.	177	7	59.00	7
7.	Redline Media Group	217	4	72.33	4

REVIEWED

By Tania Stevens at 12:24 pm, Oct 12, 2018

Verified by: _____



DANIA BEACH
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RFP 18-015 Ranking Sheet
“Advertising Services for City Rebranding Efforts”
October 12, 2018

Proposer: Adept Strategy & Public Relations

	Evaluation Category	Max Score	Score: Katia Bordy	Score: Kisha Payen	Score: Rickelle Williams	Max Grand Total	Actual Grand Total
1.	Cover Letter/Executive Summary	5	3	2	2	15	7
2.	Resources and Capabilities	10	8	6	7	30	21
3.	Staffing and Organization	10	7	8	8	30	23
4.	Project Approach	30	25	10	22	90	57
5.	Relevant Project Experience	20	14	10	14	60	38
6.	References	10	8	10	10	30	28
7.	Pricing	15	13	8	12	45	33
8.	TOTAL	100	78	54	75	300	207



RFP 18-015 Ranking Sheet
“Advertising Services for City Rebranding Efforts”
 October 12, 2018

Proposer: Blue Print Creative Group

	Evaluation Category	Max Score	Score: Katia Bordy	Score: Kisha Payen	Score: Rickelle Williams	Max Grand Total	Actual Grand Total
1.	Cover Letter/Executive Summary	5	5	5	5	15	15
2.	Resources and Capabilities	10	9	7	7	30	23
3.	Staffing and Organization	10	8	5	7	30	20
4.	Project Approach	30	29	20	28	90	77
5.	Relevant Project Experience	20	15	8	13	60	36
6.	References	10	8	10	10	30	28
7.	Pricing	15	8	8	11	45	27
8.	TOTAL	100	82	63	81	300	226



RFP 18-015 Ranking Sheet
“Advertising Services for City Rebranding Efforts”
 October 12, 2018

Proposer: Daniels + Roberts

	Evaluation Category	Max Score	Score: Katia Bordy	Score: Kisha Payen	Score: Rickelle Williams	Max Grand Total	Actual Grand Total
1.	Cover Letter/Executive Summary	5	3	3	3	15	9
2.	Resources and Capabilities	10	8	6	7	30	21
3.	Staffing and Organization	10	8	6	8	30	22
4.	Project Approach	30	20	14	23	90	57
5.	Relevant Project Experience	20	18	12	16	60	46
6.	References	10	7	10	10	30	27
7.	Pricing	15	10	6	9	45	25
8.	TOTAL	100	74	57	76	300	207



RFP 18-015 Ranking Sheet
“Advertising Services for City Rebranding Efforts”
 October 12, 2018

Proposer: Mad 4 Marketing

	Evaluation Category	Max Score	Score: Katia Bordy	Score: Kisha Payen	Score: Rickelle Williams	Max Grand Total	Actual Grand Total
1.	Cover Letter/Executive Summary	5	5	5	4	15	14
2.	Resources and Capabilities	10	7	7	8	30	22
3.	Staffing and Organization	10	9	6	8	30	23
4.	Project Approach	30	29	15	26	90	70
5.	Relevant Project Experience	20	17	15	15	60	47
6.	References	10	9	10	10	30	29
7.	Pricing	15	10	8	10	45	28
8.	TOTAL	100	86	66	81	300	233



RFP 18-015 Ranking Sheet
“Advertising Services for City Rebranding Efforts”
 October 12, 2018

Proposer: Matrix 2 Advertising

	Evaluation Category	Max Score	Score: Katia Bordy	Score: Kisha Payen	Score: Rickelle Williams	Max Grand Total	Actual Grand Total
1.	Cover Letter/Executive Summary	5	3	2	3	15	8
2.	Resources and Capabilities	10	6	4	7	30	17
3.	Staffing and Organization	10	8	5	8	30	21
4.	Project Approach	30	28	10	27	90	65
5.	Relevant Project Experience	20	18	8	16	60	42
6.	References	10	10	10	10	30	30
7.	Pricing	15	12	15	13	45	40
8.	TOTAL	100	85	54	84	300	223



RFP 18-015 Ranking Sheet
“Advertising Services for City Rebranding Efforts”
 October 12, 2018

Proposer: Redline Media Group

	Evaluation Category	Max Score	Score: Katia Bordy	Score: Kisha Payen	Score: Rickelle Williams	Max Grand Total	Actual Grand Total
1.	Cover Letter/Executive Summary	5	2	2	3	15	7
2.	Resources and Capabilities	10	7	1	7	30	15
3.	Staffing and Organization	10	8	2	7	30	17
4.	Project Approach	30	27	5	24	90	56
5.	Relevant Project Experience	20	17	5	15	60	37
6.	References	10	5	2	5	30	12
7.	Pricing	15	13	8	12	45	33
8.	TOTAL	100	79	25	73	300	177



RFP 18-015 Ranking Sheet
“Advertising Services for City Rebranding Efforts”
 October 12, 2018
Proposer: Noise, Inc.

	Evaluation Category	Max Score	Score: Katia Bordy	Score: Kisha Payen	Score: Rickelle Williams	Max Grand Total	Actual Grand Total
1.	Cover Letter/Executive Summary	5	4	3	5	15	12
2.	Resources and Capabilities	10	7	9	10	30	26
3.	Staffing and Organization	10	7	8	8	30	23
4.	Project Approach	30	23	15	25	90	63
5.	Relevant Project Experience	20	12	10	14	60	36
6.	References	10	7	10	10	30	27
7.	Pricing	15	11	7	12	45	30
8.	TOTAL	100	71	62	84	300	217

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Resolution

Continued from: September 25, 2018 and October 9, 2018

Requested Action (Identify appropriate Action or Motion)

ADOPT RESOLUTION APPROVING THE VARIANCE REQUEST (VA-59-18) SUBMITTED BY POP FLORIDA PROPERTIES, LLC (dba POPEYE'S) FOR PROPERTY LOCATED AT 506 SOUTH FEDERAL WAY, IN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT "A", A COPY OF WHICH IS ATTACHED TO THIS RESOLUTION

Purchasing Requests ONLY

Dept:

Acct #:

Amt:

Fund:

Fiscal Impact/Cost Summary

Exhibits Attached

Popeyes sign variance staff report, R-2018-145 Popeye's Variance (VA-59-18), Popeye's app & backup OPT, Popeyes plans OPT, Popeye's construction timeline



**CITY OF DANIA BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

DATE: October 23, 2018

TO: Robert Baldwin, City Manager

VIA: Marc LaFerrier, AICP, Director 

FROM: Corinne Lajoie, AICP, Planning and Zoning Manager, LEED G.A. 

SUBJECT: **VA-59-18:** The applicant, Mark Brenchley, on behalf of the property owner, Pop Florida Properties, LLC, is requesting a sign variance approval for the property located at 506 S. Federal Highway.

**REQUEST
VARIANCE**

1. To allow an additional wall sign on the east building elevation, the Land Development Code (LDC) permits only one (1) wall sign per street frontage per tenant; per Section 505-90(V).
2. To allow a total sign area of approximately fifty-two (51.74) square feet, the LDC permits a maximum sign area of forty-four and a quarter (44.25) square feet on the south building elevation; per Section 505-90(V).
3. To allow a monument sign on a site with a building setback of twenty-four feet (24'), the LDC requires a minimum of thirty feet (30'); per Section 505-90(O).

PROPERTY INFORMATION

ZONING DESIGNATION:	South Federal Highway – Mixed Use (SFED-MU)
LAND USE DESIGNATION:	Regional Activity Center (RAC)

VIOLATIONS

There is a closed violation fee that has not yet been paid.

PUBLIC HEARING NOTICE

This item was duly advertised, posted and noticed pursuant to Article 610 of the Land Development Code (LDC.)

This item has been continued by the City Commission twice before to allow the applicant to provide a project timeline to ensure timely renovation of the site.

Staff has been in contact with the general contractor associated with the rehabilitation job for this site who has indicated that they will be resuming construction in the next two (2) weeks and that it will take ten to twelve (10 – 12) weeks to complete the project.

CITY COMMISSION PREVIOUS ACTION

On September 25, 2018 and October 23, 2018 the City Commission continued this item to allow the applicant to demonstrate continuous daily construction activity on the site to ensure a timely renovation of the property.

CITY COMMISSION ACTION

Approve the resolution.

RESOLUTION NO. 2018-145

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE VARIANCE REQUEST (VA-59-18) SUBMITTED BY POP FLORIDA PROPERTIES, LLC (dba POPEYE'S) FOR PROPERTY LOCATED AT 506 SOUTH FEDERAL HIGHWAY, 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; AND FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 28, the "Land Development Code," Part 6, "Development Review Procedures And Requirements," Article 625, "Variances" of the Land Development Code (the "LDC"), POP Florida Properties, LLC on behalf of the property owner (the "Applicant"), has applied to the City of Dania Beach (the "City"), for approval of variance request (VA-59-18) for property legally described in Exhibit "A", a copy of which is made a part of and incorporated into this Resolution by this reference; and

WHEREAS, LDC Section 625-40 states that the City Commission may grant a variance based on its determination that the Applicant has demonstrated that the criteria identified in the LDC have been satisfied; and

WHEREAS, the Applicant is requesting a variance (VA-59-18) to permit two (2) wall signs on one building frontage with a combined total sign area of 51.74 square feet which exceeds the maximum sign area of 44.25 square feet permitted for said building frontage pursuant to LDC Section 505-90(V)(1), which permits one sign and with a maximum sign area based on 1 square foot/one linear foot of building frontage; and

WHEREAS, the Applicant is requesting a variance (VA-59-18) to allow a monument sign on a site with a building setback of twenty-four (24) feet where the LDC, Section 505-90(O) requires a minimum building setback of thirty (30) feet; and

WHEREAS, the Applicant has provided sufficient justification demonstrating compliance with the approval criteria to meet the requirements of the LDC; and

WHEREAS, public notice was provided in accordance with law; and

WHEREAS, the City Commission finds that approval of the requested variance is consistent with the City's Land Development Code and 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, the “Land Development Code,” Part 6, “Development Review Procedures And Requirements,” Article 625, “Variances” the variance application (VA-59-18) attached as Exhibit “B” is hereby approved.

Section 3. Pursuant to Section 625-50 “Expiration of Variances” of the Land Development Code, the variance approval shall automatically expire and become null and void unless the Applicant files a complete building permit application with construction drawings within eighteen (18) months from the date of this Resolution.

Section 4. That the issuance of a development permit 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 permit 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 5. That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 6. That this Resolution shall be in force and take effect immediately upon its passage and adoption.

PASSED AND ADOPTED on October 23, 2018

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY

EXHIBIT "A"
LEGAL DESCRIPTION

LOTS 1, 2 AND 3, BLOCK 3, DANIA HEIGHTS, ACCORDING TO THE PLAT THEREOF,
AS RECORDED IN PLAT BOOK 3, PAGE 22, PUBLIC RECORDS OF BROWARD
COUNTY, FLORIDA.

LESS AND EXCEPT THE ROAD RIGHT OF WAY FOR U.S. HIGHWAY 1.

PROPERTY TAX IDENTIFICATION NUMBER

5142-03-04-0230

EXHIBIT “B”

(VA-59-18)

Sign Variance Request

Popeye's 506 S. Federal Way

Revised 8.20.2018 adding monument

sign justification

Wall sign variance request #1: 2 signs on Federal Way elev. -Sec. 505-90(V)(1) allows 1 sign.

Wall sign variance request #2: sign #1-42.74 SF, sign # 2- 9 SF 42.74SF + 9SF = **51.74 SF**
Sec. 505-90(V)(1) allows 44.25 SF (44.25 bldg. frontage X 1'0")

Monument Sign Variance request #3 Existing building setback is 24.75' vs. the required 30'
building setback required by Sec. 505-90(O)(1)

Cumulative Sign Area Calculation: Total allowed 147.28 SF

Primary wall facing east - Federal Way 47.35' X 1.5 SF=71.02 SF

Secondary wall facing north - 5th St. 63.55' X 1.2 SF = 76.26 SF

Total signs proposed for Popeye's building:

2 wall signs facing east- 42.74 SF+9 SF=51.74 SF

1 wall sign facing north- 9 SF

1 monument sign- 36 SF- (2 sided sign 18 SF ea.)

1 clearance 8'6" sign - 4.0 SF (located on rear canopy covering drive thru window)

Proposed Cumulative Sign Area 100.74 SF (compliant)

Sign Variance Criteria

(A) A sign variance may be granted upon the finding of the following criteria:

- Purpose and Intent:** Each sign within this variance request is in harmony with Sec. 505-10.(A) Purpose and (B) Design of the City of Dania Beach sign regulations within the Land Development Code. The sign code provides size and locational requirements that are based on measurable factors such as zoning, frontage, size of building and/or lot. But also provided in the Purpose is the intent to encourage aesthetics, innovative sign and lighting design, community appearance enhancement and allowance for special circumstances. The property is located within a mixed-use zone in an area of Dania Beach that is tired and aging as well as economically underdeveloped. Therefore, the allowance of slightly larger signs than are permitted based on arbitrary dimensional requirements falls within the special circumstance provisions and should be encouraged when they promote the "reasonable use" of sign identification, commercial viability and enhancement of this tired commercial parcel along the very visible and heavy trafficked Federal Way corridor. Two of the three building signs (round Popeye's logo) proposed within this application and which lift the proposed sign area above the permitted sign area, are proposed to architecturally accent the existing vertical turret on the corner of the front elevations. The two wall signs proposed in the variance application will not be contrary to the public interest especially with regard to the aesthetic impact on the surrounding Federal Way corridor but will enhance said corridor.
Monument Sign- The building was built in 1983 and complied with a building setback of 24.75' and complied with zoning requirements. The sign code was adopted in 2012 requiring a 30' setback for a monument sign with a minimum setback of 5'. Because the building does not have a 30' setback, any monument sign must be setback 30' and the only location for a

compliant sign setback is along side the drive thru driveway where it is not readily visible from Federal Hwy. and therefore does not provide reasonable use or identification.

2. **Sign Visibility:** As mentioned in 1 above, one of the two circular Popeye's logo signs is proposed for the front or east elevation and which is really the reason for this variance and is proposed to be located on the building's visible corner tower element. Said sign location not only increases the level of visibility for the Popeye's branding signs but also enhances the only significant architectural building element on an otherwise not-descript building. Both walls of the corner turret which face a street and the branding signs will be placed high on the tower element to add interest and verticality to the existing non-descript single-story building.

Monument Sign- As also mentioned in 1 above, a compliant setback of 30' for a monument sign decreases reasonable visibility dramatically as said location is far to the left of the building and even to the left of the drive thru. The proposed location of the monument sign in front of the existing building is the most visible location and appears compliant with the sign code because of the extra wide public right of way of Federal Hwy.

3. **Unnecessary hardship.** If the sign code was literally enforced, an unreasonable and unnecessary hardship would result as these signs can only be located on the narrowest building elevation facing Federal Way- one of the most traveled commercial corridors in Dania Beach. The sign code limits the size of the wall sign and said limitation is based on the width and hence, visibility of the building elevation to the public. If the elevation were wider, like the building's north elevation facing 5th St., then the sign area would be larger and the Popeye's brand much more reasonably identifiable.

Monument Sign- The remote location for a compliant monument sign will create an unnecessary hardship but most importantly, a signage requirement that is uniquely unreasonable for this specific lot developed in 1983.

4. **The hardship is not a result of the applicant's actions** as the building and site development is existing and the elevation proportions as mentioned in 3 above have been existing since it was constructed in 1983. The owners purchased the parcel in October 2016 and seek to redevelop the site and make it commercially viable. Relocating the drive thru to accommodate a compliant location for a monument sign is unreasonable and most impractical.

(a) **Conditions are unique to the building** frontage and thus the sign opportunities are likewise restricted by the building's narrow frontage and site development

(b) **Conditions are unique to the building's placement** on a corner lot with a narrow building elevation facing the street limiting the essential visibility of the building's use and branding. The building's use and branding identification is further challenged by existing street trees and mid-story plant material on the secondary 5th St. frontage which blocks the larger elevation thus forcing most of the sign identification to be placed at the building's corner turret so as to be seen from Federal Way. The building's placement and site development, particularly the drive thru location dramatically restricts the visibility and reasonable identification of any compliant monument sign with a 30' setback.

(c) **None of the above conditions were created by the applicant.**

5. **The request which seeks an additional sign and sign area on the primary elevation and locating a monument sign with a 5' setback is the minimum necessary** deviation from the requirements of this article to provide adequate sign visibility and effectiveness with due consideration to aesthetics of the sign and its scale relative to the building as well as signs

on adjacent properties. The increase of wall sign area beyond the allowable code is a minimal 17%. The existing building setback variance of 5.25' thus allowing a monument sign with a typical 5' setback is likewise a 17% variance.

(B) The signs proposed within this variance application are not considered prohibited signs as provided for in Sec. 505-50.

(C) This sign variance application is hereby made with the community development department and proper notice as provided in Sec. 610-20 shall be complied with.

(D) The provisions of the building code pertaining to unsafe structures shall apply to signs that are permitted through the sign variance process. Any and all variance signs approved within this application shall comply with all current codes.

THIS INSTRUMENT PREPARED BY:
C. J. de Vilder, Jr., Esq.
3318 Forest Lane, Suite
Dallas, Texas 75234
Attn: Legal Department

AND AFTER RECORDING RETURN TO:
C. J. de Vilder, Jr., Esq.
3318 Forest Lane, Suite
Dallas, Texas 75234
Attn: Legal Department



SPECIAL WARRANTY DEED

THIS **SPECIAL WARRANTY DEED** is made and entered into this 11th day of October, 2016, by **STAR KFC REALCO TWO, LLC**, a Texas limited liability company, with a principal office address of 515 Congress Avenue, Suite 1400, Austin, Texas 78701, hereinafter called the Grantor, to **POP FLORIDA PROPERTIES, LLC**, a Delaware limited liability company, with a principal office address of 3318 Forest Lane, Suite 200, Dallas, Texas 75234, hereinafter called the Grantee. (Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations).

WITNESSETH:

THAT the Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situated in the County of Broward, State of Florida, described on EXHIBIT "A" attached hereto together with the improvements now located thereon (collectively, the "Property").

SUBJECT TO all taxes, assessments, liens, easements, encumbrances, restrictions and other matters of record and all matters which an accurate survey or physical inspection of the property would disclose, provided, however, that reference herein shall not act to reimpose the same;

TOGETHER WITH all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining;

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor does bind Grantor and Grantor's heirs, successors, and assigns to warrant and forever defend the title to the property to the Grantee above named and Grantee's

heirs, successors, and assigns, against every person lawfully claiming the property, or any part thereof, by, through or under the Grantor, but not otherwise.

GRANTEE ACKNOWLEDGES AND UNDERSTANDS AND AGREES THAT THE PROPERTY (INCLUDING ALL IMPROVEMENTS LOCATED ON THE REAL PROPERTY) ARE SOLD "AS IS" AND "WHERE IS" WITH ALL FAULTS, WITHOUT ANY REPRESENTATION OR WARRANTY EXCEPT FOR THE LIMITED WARRANTY OF TITLE CONTAINED IN THIS SPECIAL WARRANTY DEED. GRANTEE RELIED SOLELY UPON ITS OWN INSPECTIONS, ENGINEERING STUDIES, REPORTS, FEASIBILITY STUDIES, REVIEWS, AND EXAMINATIONS OF THE PROPERTY, AND OTHER MATTERS RELEVANT TO THE PROPERTY IN MAKING ITS DECISION TO PURCHASE THE PROPERTY. NEITHER GRANTOR NOR ANY PARTNER, AGENT, EMPLOYEE, ATTORNEY, CONTRACTOR, OR REPRESENTATIVE OF GRANTOR HAS MADE ANY, AND GRANTOR SPECIFICALLY DISCLAIMS ANY, REPRESENTATION OR WARRANTY OF ANY KIND OR CHARACTER, STATUTORY, EXPRESS OR IMPLIED, WITH RESPECT TO THE PROPERTY, THE SUBJECT MATTER OF THIS AGREEMENT OR ANY PART THEREOF, INCLUDING, BUT NOT LIMITED TO, WARRANTIES OR REPRESENTATIONS AS TO MATTERS OF TITLE, ZONING, TAX CONSEQUENCES, PHYSICAL OR ENVIRONMENTAL CONDITIONS, AVAILABILITY OF ACCESS, INGRESS OR EGRESS, PROFITABILITY, OPERATING HISTORY OR PROJECTIONS WITH RESPECT TO THE PROPERTY, VALUATION, GOVERNMENTAL APPROVALS, GOVERNMENTAL REGULATIONS OR ANY OTHER MATTER OR THING RELATING TO OR AFFECTING THE PROPERTY, INCLUDING, WITHOUT LIMITATION, THE VALUE, CONDITION, MERCHANTABILITY, MARKETABILITY, PROFITABILITY, SUITABILITY, HABITABILITY, OR FITNESS FOR A PARTICULAR USE OR PURPOSE OF THE PROPERTY. GRANTEE FURTHER ACKNOWLEDGES AND AGREES THAT THE PROVISIONS OF THIS PARAGRAPH WERE A MATERIAL FACTOR IN THE DETERMINATION OF THE PURCHASE PRICE FOR THE PROPERTY.

[REMAINDER OF PAGE TO BE LEFT BLANK -
SIGNATURE AND NOTARY CERTIFICATION ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the Grantor has caused this Deed to be executed the day and year first above written.

SELLER:

Signed, sealed and delivered in the presence of:


Signature of witness

Print name: Charles R. Newman


Signature of witness

Print name: William H. Hoffman

STAR KFC REALCO TWO, LLC, a Texas limited liability company

By: Mastodon Restaurant Management, LLC, a Texas limited liability company, as its Sole Manager

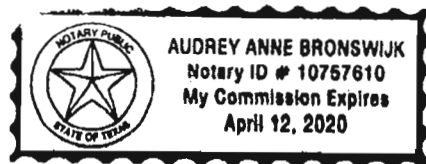
By: 
Name: Eric Tyler

Title: Vice President and Assistant Secretary

STATE OF Texas
COUNTY OF Texas

The foregoing instrument was acknowledged before me this 10th day of October, 2016, by Eric Tyler, as the Vice President and Assistant Secretary of Mastodon Restaurant Management, LLC, a Texas limited liability company, as the Sole Manager of STAR KFC REALCO TWO, LLC, a Texas limited liability company, for and on its behalf. He is personally known to me or produced _____ as identification.

AFFIX NOTARY SEAL / STAMP:




Signature of Notary Public
Print name: Audrey Bronswijk
My Commission Expires: April 12, 2020

EXHIBIT "A"

DESCRIPTION OF THE PROPERTY

LEGAL DESCRIPTION OF THE PROPERTY:

Lots 1, 2, and 3, Block 3, DANIA HEIGHTS, according to the plat thereof, as recorded in Plat Book 3, Page 22, Public Records of Broward County, Florida.

LESS AND EXCEPT the road right of way for U.S. Highway 1.

PROPERTY ADDRESS OF REAL ESTATE:

506 South Federal Highway, Dania Beach, FL

PROPERTY TAX IDENTIFICATION NUMBER:

5142-03-04-0230



[Previous On List](#) [Next On List](#) [Return to List](#)

Entity Name Search

[Events](#) **No Name History**

Detail by Entity Name

Foreign Limited Liability Company
POP FLORIDA PROPERTIES, LLC

Filing Information

Document Number	M16000009956
FEI/EIN Number	46-3489165
Date Filed	12/12/2016
State	DE
Status	ACTIVE
Last Event	REINSTATEMENT
Event Date Filed	11/01/2017

Principal Address

4055 VALLEY VIEW LANE
SUITE 500
DALLAS, TX 75244

Changed: 11/01/2017

Mailing Address

PO BOX 59924
DALLAS, TX 75229-1924

Changed: 11/01/2017

Registered Agent Name & Address

CORPORATE CREATIONS NETWORK INC
11380 PROSPERITY FARMS RD #221E
PALM BEACH GARDENS, FL 33410



Registered Agent Name & Address

CORPORATE CREATIONS NETWORK INC
11380 PROSPERITY FARMS RD #221E
PALM BEACH GARDENS, FL 33410

Name Changed: 11/01/2017

Authorized Person(s) Detail

Name & Address

Title CEO

PERALES, GUILLERMO
PO BOX 59924
DALLAS, TX 75229

Title CFO

VARGAS, JORGE
PO BOX 59924
DALLAS, TX 75229

Annual Reports

Report Year	Filed Date
2017	11/01/2017
2018	03/13/2018

Document Images

03/13/2018 -- ANNUAL REPORT	View image in PDF format
11/01/2017 -- REINSTATEMENT	View image in PDF format
12/12/2016 -- Foreign Limited	View image in PDF format

[Previous On List](#) [Next On List](#) [Return to List](#)

Entity Name Search

Search

[Events](#) [No Name History](#)

Parcel Information

Folio Number: 514203040230

Owner: POP FLORIDA PROPERTIES LLC

Situs Address: 506 S FEDERAL HWY DANIA
BEACH FL 33004

Legal: DANIA HEIGHTS 3-22 B LOT 1
LESS ST RD, LOT 2 LESS ST
RD, 3 LESS ST RD BLK 3

Millage Code: 0413

Use Code: 22

Land Value: \$ 317,370

Building Value: \$ 234,550

Other Value: 0

Total Value: \$ 551,920

SOH Capped Value: \$ 551,920

Homeslead Exempt: \$ 0
Amt:

WVD Exempt: Amt: \$ 0

Other Exempt: Amt: \$ 0

Taxable Value: \$ 551,920

Sale Date 1: 10/10/2016

Sale Price 1: \$ 725,000

Deed Type 1: SWD

Sale Date 2: 06/06/2012

Sale Price 2: \$ 400,000





Property and building to be redeveloped
as Popeye's restaurant

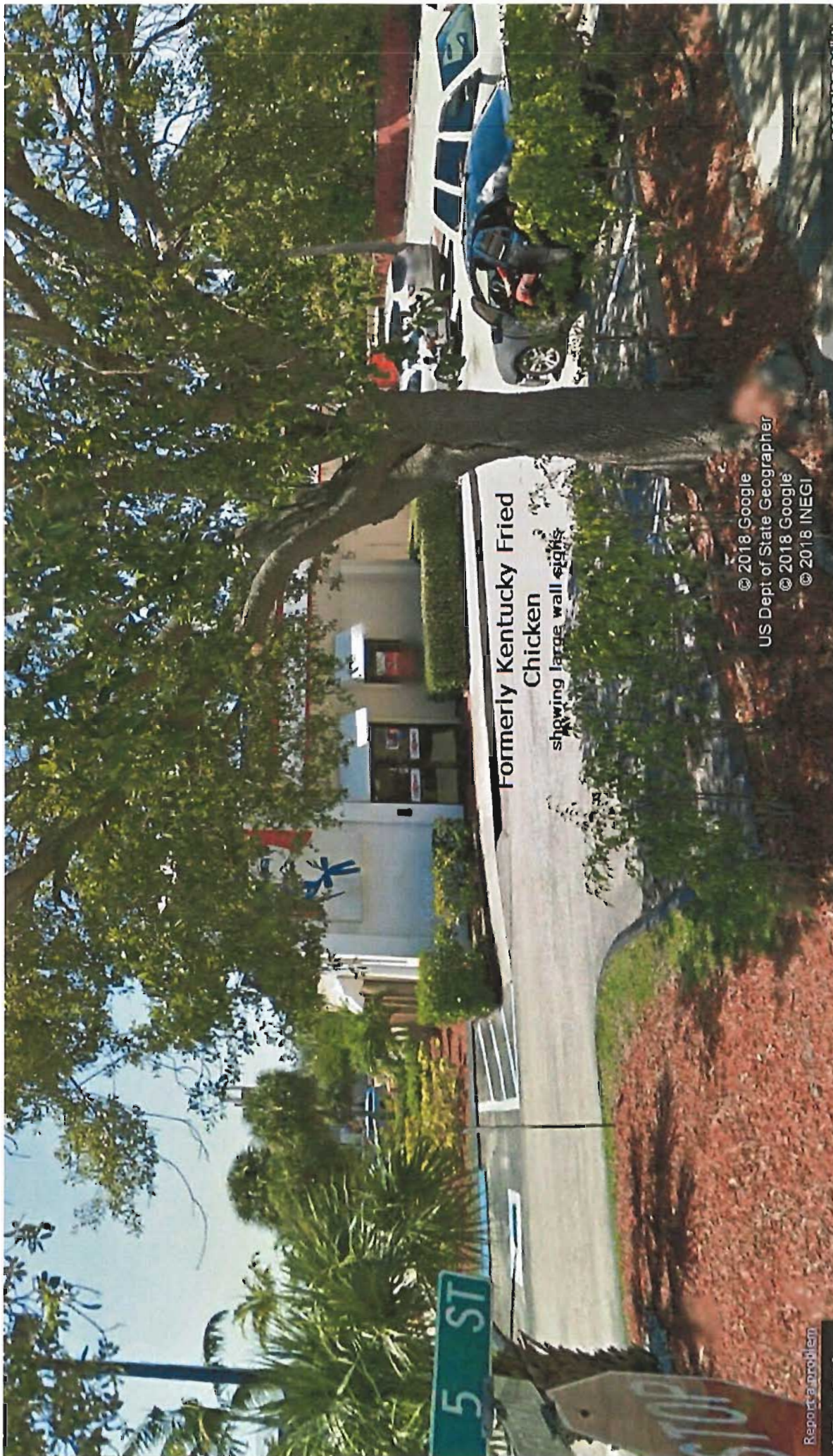
506 South Federal Hwy

© 2018 Google

© 2018 Google

Google Earth

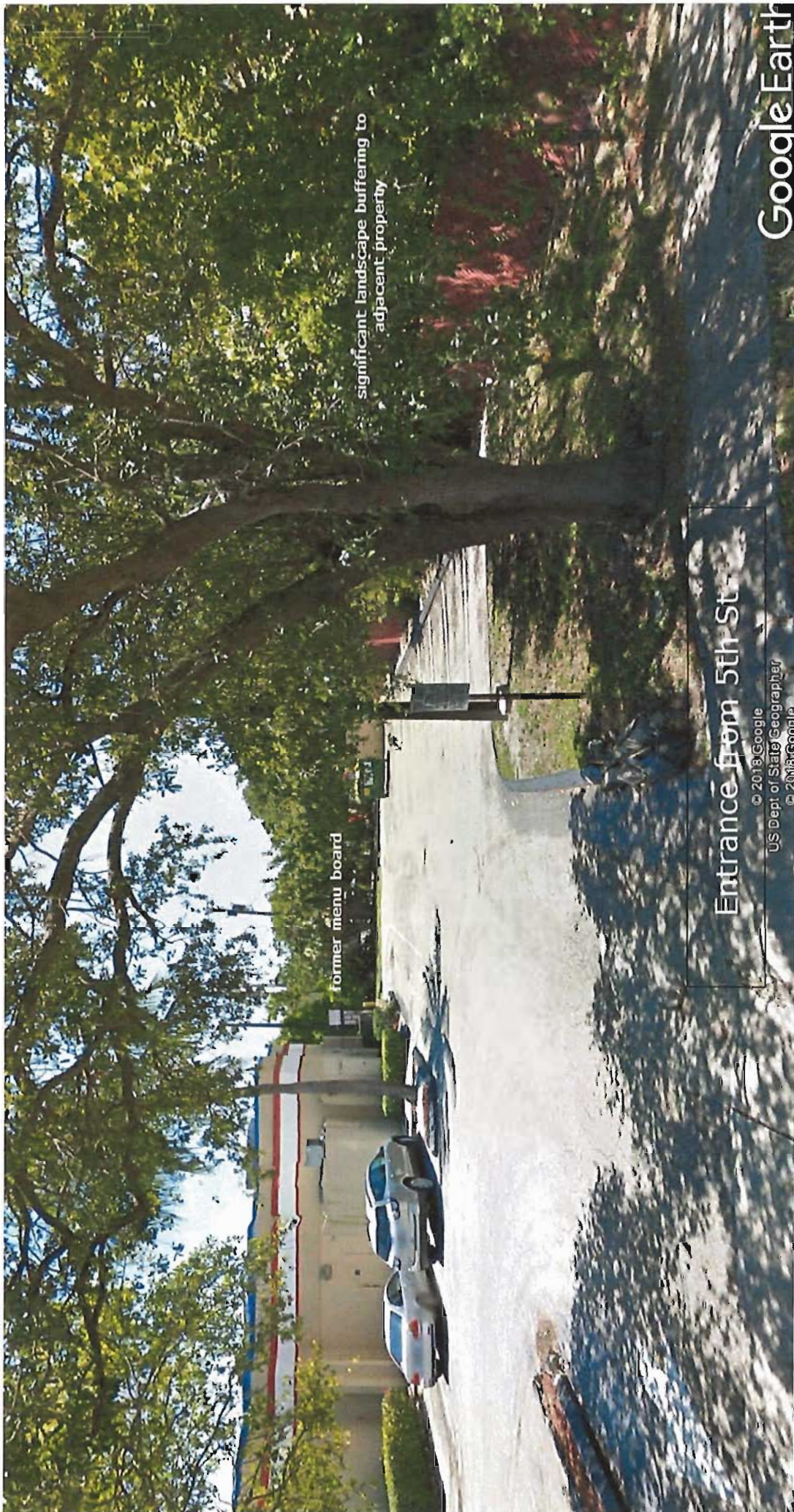
57509764.1074111 8000426750111111 day 51 ft ave alt 17.6



Formerly Kentucky Fried
Chicken

showing large wall signs

© 2018 Google
US Dept of State Geographer
© 2018 Google
© 2018 INEGI



former menu board

significant landscape buffering to adjacent property

Entrance from 5th St

© 2018 Google
US Dept of State Geographer
© 2018 Google

Google Earth



**NOTICE OF PUBLIC HEARING
CITY OF DANIA BEACH, FLORIDA**

A Public Hearing will be conducted by the City of Dania Beach City Commission meeting on the following date to consider the following application:

DATE: Tuesday, September 25, 2018
TIME: 7:00 p.m. or as soon thereafter as the same may be heard
PLACE: City Commission Chambers
Dania Beach City Hall
100 West Dania Beach Blvd.
Dania Beach, FL 33004

The following is the hearing of the proposed Resolution.

SUBJECT: **VA-59-18:** The applicant, POP FLORIDA PROPERTIES, LLC (dba POPEYE'S), is requesting a variance on a property located at 506 South Federal Way.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE VARIANCE REQUEST (VA-59-18) SUBMITTED BY POP FLORIDA PROPERTIES, LLC (dba POPEYE'S) FOR PROPERTY LOCATED AT 506 SOUTH FEDERAL WAY, 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; AND FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

Copies of the proposed requests are available for viewing in the Community Development Department, 100 West Dania Beach Boulevard, Dania Beach, Florida, and may be inspected by the public during normal business hours. For more information please call the Planning Division at (954) 924-6805 x3643.

In accordance with the Americans With Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's office, 100 W. Dania Beach Blvd, Dania Beach, FL 33004, (954) 924-6800 x3623, at least 48 hours prior to the meeting.

Please be advised that if a person decides to appeal any decision made by Local Planning Agency, the Planning and Zoning Board or the City Commission with respect to any matter considered at this hearing, such person will need a verbatim record of the proceedings and for this purpose such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The city does not provide or prepare such record pursuant to f.s. 286.0105.

Community Development

Published: Saturday, September 1, 2018

Property Subject of Upcoming Hearing

CHJ

NAME_LINE	ADDRESS_LI	CITY	STATE	ZIP
✓ 103 DANIA BEACH LLC	103 SE 5 ST	DANIA BEACH	FL	33004
✓ 380 DANIA PLAZA LLC	1722 SHERIDAN ST STE 374	HOLLYWOOD	FL	33020
✓ 550 S FEDERAL HWY LLC	620 TINTON AVE #B200	TINTON FALLS	NJ	07724
✓ ALPHAWAVE HOLDINGS LLC	485 S FEDERAL HWY	DANIA BEACH	FL	33004
✓ AMERICAN MARITIME OFFICERS	PO BOX 66	DANIA BEACH	FL	33004
✓ BRUMBERG HOLDINGS INC	599 S FEDERAL HWY	DANIA BEACH	FL	33004
✓ CASTILLO, PABLO	35 SW 6 ST	DANIA BEACH	FL	33004
✓ CHAMPLIN, ROBERT M	42 SW 6 ST	DANIA BEACH	FL	33004
✓ CHHADVA, BIJAL	2637 E ATLANTIC BLVD #22577	POMPANO BEACH	FL	33062
✓ CINELLI, MARIO A & CHERYL A LE	33 SE 6 ST	DANIA BEACH	FL	33004
✓ CLEMENTI, JOSEPH & SABINA	16670 NE 35 AVE	NORTH MIAMI BEACH	FL	33160
✓ COE, JOSHUA JOHN	102 SE 4 TER	DANIA BEACH	FL	33004
✓ DAGAN, LISE	4820 SW 41 AVE	FORT LAUDERDALE	FL	33314
✓ DICKERSON, CHANTAL DAGNET	251 SW 3 TER	DANIA BEACH	FL	33004
✓ DORAIN, RETHEL WEST LE	PO BOX 336	MORRISVILLE	VT	X5661
✓ DOUBLE G HOLDINGS LLC	1080 NW 116 AVE	PLANTATION	FL	33323
✓ DRAYTON, ELIZABETH	23 SW 5 ST	DANIA BEACH	FL	33004
✓ EAGLE 2015 LLC	1925 NE 21 ST	FORT LAUDERDALE	FL	33305
✓ FAVRESSE, LUCIEN	15 SW 5 ST	DANIA BEACH	FL	33004
✓ FLORIDA 21 LLC	3800 S OCEAN DR #216	HOLLYWOOD	FL	33019
✓ GIUSEPPINA PISTONE REV TR	11041 SW 54 ST	FORT LAUDERDALE	FL	33328
✓ GRADY, MICHAEL J	22 SE 4 ST	DANIA BEACH	FL	33004
✓ HENCHEN, TIMOTHY A	5630 WILLIAM SHORES DR	CUMMING	GA	30041
✓ IRIONDO, ALBERTO H/E	101 SE 5 ST	DANIA BEACH	FL	33004
✓ JAFFE, BEVERLEY J	31 SW 5 ST	DANIA BEACH	FL	33004
✓ JAIKES, GLENN R H/E	49 SW 5 ST	DANIA BEACH	FL	33004
✓ JIMENEZ, RICHARD A	48 SW 10 ST	DANIA BEACH	FL	33004
✓ JOHNSON, CHARLOTTE &	PO BOX 22-1370	HOLLYWOOD	FL	33022
✓ KIRSCH, IRVING M	300-1430 MAPLE ST	*VANCOUVER BC	CA	XV613
✓ KUPCHUN, STEPHEN J & ANA I	43 SW 6 ST #2	DANIA BEACH	FL	33004
✓ LIEM, BRUCE	3150 HIDDEN HOLLOW LANE	DAVIE	FL	33328
✓ LIGHTHOUSE COMMUNITY CHURCH	650 S FEDERAL HWY	DANIA BEACH	FL	33004
✓ LIWINSKA, SYLWIA	23 SW 6 ST	DANIA BEACH	FL	33004

55
Mailed Out. 08/30/18

LOURY, RICHARD A & MARY L	18 SW 5 ST	DANIA BEACH	FL	33004
MACRAE, KATHY LEE LE	1845 THOMAS ST	HOLLYWOOD	FL	33020
MCCOMBS, TERRELL E	41 SW 5 ST	DANIA BEACH	FL	33004
MCKINNEY, DAN W	14 SW 6 ST	DANIA BEACH	FL	33004
MONTGOMERY, DAVID	25 SW 5 ST	DANIA BEACH	FL	33004
MUNDY, WILLIAM H	34 SW 6 ST	DANIA BEACH	FL	33004
NOA HOLDING & INVESTMENTS LLC	9300 S DADELAND BLVD #600	MIAMI	FL	33156
ORTEGA, VICTORIA	16 SE 4 ST	DANIA BEACH	FL	33004
ORTEGA, VICTORIA G	510 SW 2 AVE	DANIA BEACH	FL	33004
ORTNER, TERRY & KARL	31 SW 6TH ST	DANIA BEACH	FL	33004
PACE, JASON	38 SW 6 ST	DANIA BEACH	FL	33004
PARENTE, GEORGE & MICHELLE	550 SE 4 CT	DANIA BEACH	FL	33004
PLAZA GRAND INC	430 S FEDERAL HWY	DANIA BEACH	FL	33004
CITY OF DANIA BEACH <i>C/o Corrine Lajoie</i>	100 W DANIA BEACH BLVD	DANIA BEACH	FL	33004
RAMERSAD, PARBATEE	10323 120 ST	SOUTH RICHMOND HILL	NY	11419
RHA 2 LLC	3505 KOGER BLVD #400	DULUTH	GA	30096
ROURKE, DONNA	PO BOX 2324	LAKE WALES	FL	33859
TOMECEK FAM LTD PARTNERSHIP LTD	5901 SW 44 ST	DAVIE	FL	33314
URBINE, CRAIG	38 SW 5 ST	DANIA BEACH	FL	33004
VANCE, DOUGLAS E & ELIZABETH J	27 SW 6 ST	DANIA BEACH	FL	33004
WHITMAN, LINDA	27 SW 4 ST	DANIA BEACH	FL	33004

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CITY OF DANIA BEACH, FLORIDA**

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TIME: 7:00 p.m. or as soon thereafter as the same may be heard
PLACE: City Commission Chambers
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100 West Dania Beach Blvd.
Dania Beach, FL 33004

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Community Development

Published: Saturday, September 1, 2018

stand.

and

Application Information

Application Site: 506 South Federal Way

Project: To allow an additional signage for a new restaurant.

Application: Variance

Applicant: POP FLORIDA PROPERTIES, LLC (dba Popeye's)

Hearing Date & Time: September 25, 2018 at 7:00 PM

Hearing Location: City Hall Commission Chambers – 100 W. Dania Beach Blvd

Contact Information: Corinne Lajoie, AICP, 954-924-6805 x 3704



City of Dania Beach, Florida
Department of Community Development
Planning and Zoning Division
(954) 924-6805 X3643
(954) 922-2687 Fax

Standard Development Application

- ☐ Administrative Variance
- ☐ Land Use Amendment
- ☐ Plat
- ☐ Rezoning
- ☐ Site Plan
- ☐ Special Exception
- ☒ Variance
- ☐ Other: _____

Date Rec'd: _____

Petition No.: _____

(SEE APPLICATION TYPE SCHEDULE ON PAGES 3 & 4)



THIS APPLICATION WILL NOT BE ACCEPTED UNTIL IT IS COMPLETE AND SUBMITTED WITH ALL NECESSARY DOCUMENTS. Refer to the application type at the top of this form and "Required Documentation" checklist to determine the supplemental documents required with each application. For after the fact applications, the responsible contractor of record shall be present at the board hearing. Their failure to attend may impact upon the disposition of your application. As always, the applicant or their authorized legal agent must be present at all meetings. All projects must also obtain a building permit from the City Building Division. For more information please reference the **Dania Beach Land Development Code Part 6, Development Review Procedures and Requirements.**

Location Address: 506 S. Federal Way, Dania Beach, Florida 33004

Lot(s): 1,2 and 3 Block: 3 Subdivision: Dania Heights

Recorded Plat Name: Dania Heights

Folio Number(s): 5142 03 04 0230 Legal Description: Lots 1,2,& 3, Block 3 Dania Heights plat as recorded in Plat B.2 P.22 Public records of Broward Co. FL. Less and except the road right of way for US Hwy 1.

Applicant/Consultant/Legal Representative (circle one) Mark Brenchley

Address of Applicant: 3790 Beacon Ridge Way, Clermont, Florida 34711

Business Telephone: 435-512-6833 Home: _____ Fax: n/a

E-mail address: wcfpermits.markb@gmail.com

Name of Property Owner: POP FLORIDA PROPERTIES, LLC dba Popeye's Restaurant

Address of Property Owner: 4055 Valley View Lane, Suite 500 Dallas, Texas 75244

Business Telephone: 972.620.2287 Home: _____ Fax: _____

Explanation of Request: Three wall signs are requested w/variance to Sec.505-90(V)(1):number of wall signs per wall and wall sign area. Sign package originally submitted 2.15.18 as permit #2018-00000313
For Plats please provide proposed Plat Name for Variances please attach Criteria Statement as per Section 625.40 of the Land Development Code.

Prop. Net Acreage: .485 ac Gross Acreage: _____ Prop. Square Footage: 21,158

Existing Use: vacant (formerly restaurant) Proposed Use: Restaurant

Is property owned individually, by a corporation, association, or a joint venture? No, owned by an LLC

AUTHORIZED REPRESENTATIVE

I/we are fully aware of the request being made to the City of Dania Beach. If I/We are unable to be present, I/we hereby authorize Mark Brenchley (individual/firm) to represent me/us in all matters related to this application. I/we hereby acknowledge that the applicable fee was established to offset administrative costs and is not refundable.

I/we are fully aware that all approvals automatically expire within 12 months of City of Dania Beach Planning and Zoning Board or City Commission approval, or pursuant to the expiration timeframe listed in Part 6 of the Dania Beach Land Development Code.

STATE OF FLORIDA
COUNTY OF BROWARD
The foregoing instrument
was acknowledged

By: [Signature]
(Owner / Agent signature*)

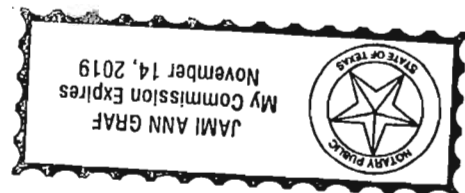
BEFORE ME THIS 30 DAY OF May, 2018

By:

Jorge Vargas
(Print name of person acknowledging)

(Joint owner signature if applicable)

Notary [Signature]
(Signature of Notary Public – State of Texas)



Personally known ☒ or Produced Identification _____

Type of identification produced: _____ or Drivers License _____

***If joint ownership, both parties must sign. If partnership, corporation or association, an authorized officer must sign on behalf of the group. A notarized letter of authorization from the owner of record must accompany the application if an authorized agent signs for the owner(s).**

NO APPLICATION WILL BE AUTOMATICALLY SCHEDULED FOR A MEETING.

***ALL APPLICATIONS MUST BE DETERMINED COMPLETE BY STAFF
BEFORE PROCESSING OCCURS.***

City of Dania Beach APPLICATION TYPE AND FEE SCHEDULE

INCOMPLETE SUBMITTALS ARE NOT ACCEPTABLE FOR REVIEW AND PROCESSING.

The following fees shall apply to all applications for land use plan amendments, rezoning, special exception use, variances, site plans and other zoning related applications. These fees are used to defray staff cost in the evaluation of the proposal made and provide for the required notices and public advertisements according to Florida State Statute and the Dania Beach Land Development Code. Should any applicant have more than one type of request to the City, the applications involved should be submitted at the same time. The present City policy is to have concurrent reviews being processed before the final review and actions by the Planning and Zoning Board and/or City Commission. It is the obligation of all applicants to review the appropriate City Codes and design standards related to their proposal before making any application to the City. The standard review process for all development applications are two (2) review cycles. **Any additional review or public notice required by staff or professional consultants due to the incorrect interpretation of the Land Development Code will be charged to the applicant as per "Section 685-10 Cost Recovery for Development Review" of the Dania Beach Land Development Code.**

APPLICATION TYPE	FEE
LAND USE	
Assignment of Flex Units or Acreage	Filing fee = \$4,000.00 plus \$5.00 per flex, reserve or LAC/RAC unit or hotel room or \$100 per acre or portion of such area <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
Change of Land Use	Filing fee = \$7,000.00, plus \$500.00 per acre or portion of area <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
ZONING	
Change of Zoning (Rezoning)	Less than 2 acres - \$2,500.00 Greater than 2 acres - \$6,000.00 <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
Zoning Code Text Change	Changing the list of Permitted Uses - \$6,000.00 General Text - \$2,000.00 <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
PLAT	(Perimeter) Filing fee = \$2550.00 plus \$50.00 per acre or portion of such area (Subdivision) Filing fee = \$2550.00 plus \$100 per acre or portion of such area <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
Delegation Request	\$1,500.00 <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
SITE PLAN	
Residential, Hotel, Condo-Hotel, Time-Share, Motel	Filing fee = \$1,000.00 PLUS \$10.00 per unit Plus an initial retainer for cost recovery of consultant services of \$5,000.00. Additional consultant service fees may be required. Minimum fee = \$6,100.00 <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
All other uses	Filing fee = \$1,000.00 PLUS the following: \$5.00 : 100 s.f. for 1 st 10,000 s.f., \$2.00 : 100 s.f. in excess of 10,000 s.f. Plus an initial retainer for cost recovery of consultant services of \$4,000.00. Additional consultant service fees may be required. Minimum fee = \$5,500.00 <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
Site Plan Revisions	\$2,500.00 - <i>Includes staff processing and up to 2 review cycles.</i> <i>Additional variances associated with any revision to a site plan are charged according to the associated variance type.</i>
Extension of Approval(s) (Site plan, variance, special exception requests)	\$1,250.00 – Single Extension (PLUS) an additional \$ 250.00 for each associated approval

City of Dania Beach APPLICATION TYPE AND FEE SCHEDULE

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SPECIAL EXCEPTION	
SPECIAL EXCEPTION (Excluding cell towers)	Filing fee = \$3,700.00 plus \$200.00 per acre or portion of such area <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
SPECIAL EXCEPTION (Cellular Towers)	Filing fee = \$4,000 <i>Includes Staff processing, 2 review cycles, advertising and notice costs</i>
Additional Resubmittal (In addition to the standard (2) review cycles)	Any additional review or public notice required by staff or professional consultants due to the negligence of the applicant will be charged to the applicant as per Article 685-10 Cost recovery for Development Review of the Dania Beach Land Development Code.
VARIANCES, APPEALS & WAIVERS	
Administrative, Single Family	\$ 300.00
Administrative, all other	\$ 500.00
Single Family/Community Facility	\$ 490.00
Duplex	\$1,050.00
Triplex	\$1,150.00
Multifamily, Hotel, Condo-Hotel (per variance)	\$2,300.00
Nonres. (per variance)	\$2,000.00
Wall Sign	\$ 700.00
Monument Sign	\$1,200.00
Pole Sign (As permitted)	\$2,400.00
Appeal (single family & comm fac)	\$ 650.00
Appeal (all other uses)	\$1,925.00
Dumpster Appeal to Com. Dev. Dir.	\$ 200.00
Dumpster Appeal to City Com.	\$ 500.00
Alcoholic Beverage Variance	\$1,250.00
Mobility	\$1,400.00
Trafficway Waiver	\$4,000.00
Vacation – Road/Easement	\$3,500.00
Alcohol Extended Hours License Application	\$2,250.00
Alcoholic Beverage Waiver	\$1,000.00
Zoning Review: State Liquor License	\$ 50.00
Outdoor Seating/Dinning	\$ 100.00
Assisted Living Facility	\$ 65.00
CRA Grant Application	\$ 250.00
UNSPECIFIED	\$ 500.00 PLUS any outside costs incurred by the city as per "Section 685-10"
Zoning Information Letter	\$ 250.00

Revised – 8-23-11 As per City Commission Approval Resolution #2011-090



POPEYES

NOT FOR CONSTRUCTION



EAST STAR DESIGN
EAST STAR DESIGN, LLC
PO BOX 581
FORT MYER, FL 33904
TEL: 888-717-7178
FAX: 888-717-7179
WWW.EASTSTARDESIGN.COM
ARCHITECT/ENGINEER

Unroe Engineering, Inc.
Civil Engineering/Planning/Scientific Evaluation
PO Box 690942, Orlando, FL 32869-0942
BAN - EB 00006579 pl (407) 299-0650

Pop Florida Properties LLC
Popesyes
506 S. Federal Hwy
Dania Beach, FL 33004

REV	No.	Description	Date
1	1	City Comm.	7/24/17

Digitally signed by Darcy Unroe PE
Date: 2017.07.24 13:41:55 -04'00'

Darcy Unroe PE 60929
Sheet name
Overall Site Plan

Date Jul 24, 2017 - 1:39pm
Drawn by DPU
Checked by DPU
Sheet number

C1

1"=20'

5th Street

Federal Way

5' front yard setback

Monument sign

Sign 1

Sign 2

Sign 2

Renovated Fast Food Restaurant

Drive thru

Freestanding Order Canopy w/
CLEARANCE 8'6" sign

Ex Dumpster Enclosure

- # Overall Work Notes:
1. Renovate existing fast food restaurant per architectural
 2. ~~Install New Clearance Bar~~
 3. Install Pre Menu Board
 4. Install Order Canopy.
 5. Install Menu Board.
 6. Install new Exterior Cooler per Arch.
 7. Install new 4" tk concrete walk.
 8. Install new HDCP Ramp per detail.
 9. Install new curb ramp per detail.
 10. Seal coat & re-stripe existing parking lot

Sign 1

POPEYES

LOUISIANA KITCHEN

Sign 2

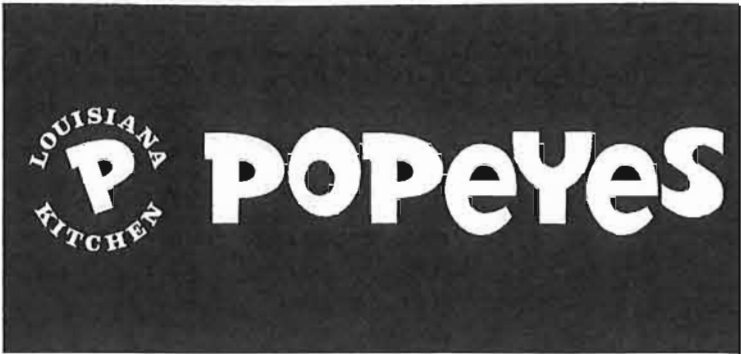
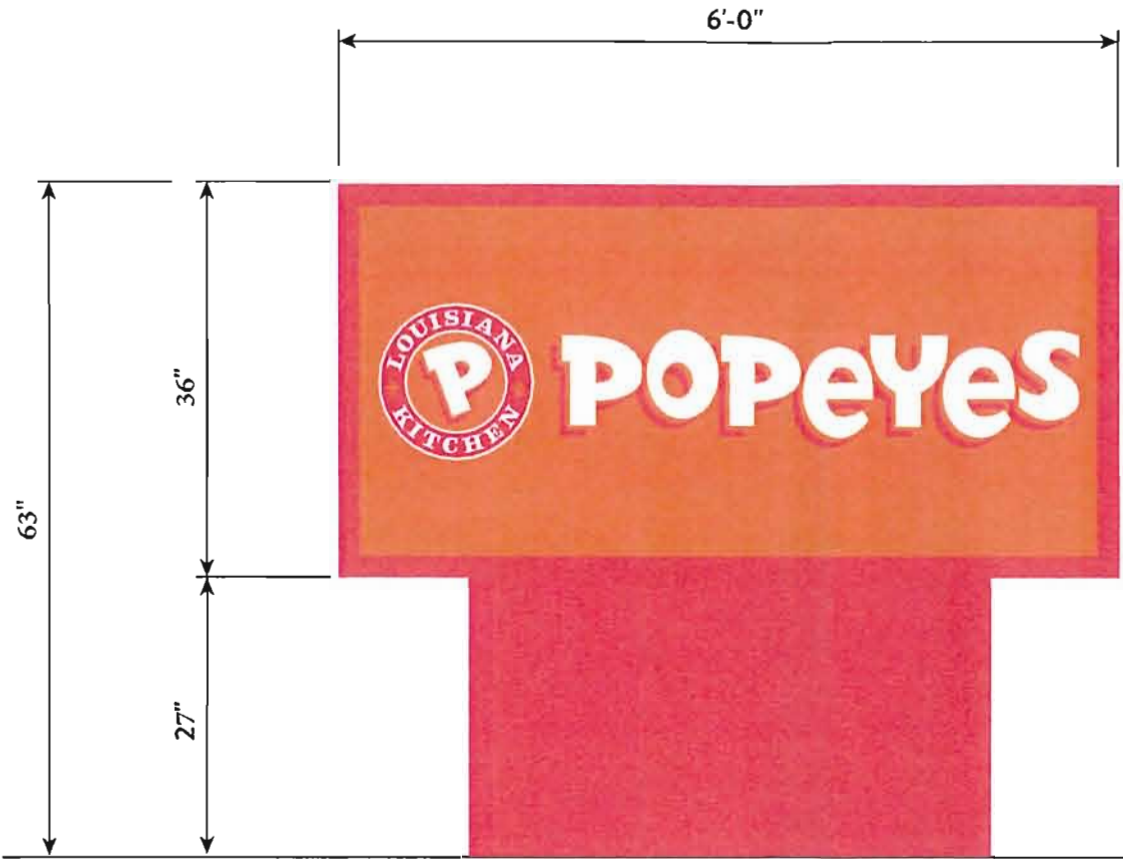


Enlarged Site Plan

Scale 1" = 20'0"

Enlarged Site Plan with additional sign labeling added 6.30.2018 by permission of Unroe Engineering by Mark Brenchley, Planning Consultant, 3790 Beacon Ridge Way, Clermont, Florida 435-512-6833.

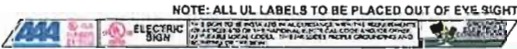
POPEYES - DANIA BEACH, FLORIDA



Night View

COLORS

-  PMS 1655C - 3M 3630-44 ORANGE
-  PMS 187C - 3M 3630-53 CARDINAL RED
-  WHITE - 3M 3630-20 WHITE



Declaration

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☐ Approved ☐ Approved as Noted ☐ Revise & Resubmit
Name _____ Date _____

Revisions

Project Information

Client POPEYES - Dania Beach, Florida
Scale 1/2"=1'
Date 3.22.18
Sales LINDSEY OLIVIER Design SHELLY CREDEUR

CUSTOM MONUMENT

AAA SIGNS
www.aaasigns.com
109 Burgess Drive • Broussard, LA 70518
PHONE 800.880.5686 337.233.5686 FAX: 337.261.2533

ALTA/ACSM Land Title Survey



National Flood Insurance
Community Panel: 12011 C 0567 H
Flood Zone: X
Base Flood Elevation N/A
Firm Date: 08/18/2014

Title Information provided by:
Chicago Title Insurance Company
File No.: 5976615
Effective Date: August 23, 2016 at 5:00 p.m.

FOLIO: 5142 03 04 0230
SITE ADDRESS: 506 South Federal Highway
Dania Beach, Florida

BUILDING FOOTPRINT AREA : ± 2156.3 Sq. feet
BUILDING HEIGHT : ± 25.6 feet
LOT AREA : ± 20,165.7 Sq. feet

Title Legal Description
Lots 1, 2 and 3 of DANIA HEIGHTS, according to the plat thereof, as recorded in Plat Book 3, Page 22 of the Public
Records of Broward County, Florida.
LESS and Except the road Right-of-Way for U.S. Highway 1.

Parking
19 Standard parking spaces
01 Handicapped parking space
20 Total Parking spaces

EXCEPTIONS
Schedule B II

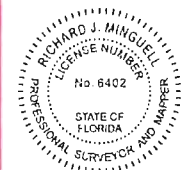
1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. Taxes and assessments for the year 2016 and subsequent years, which are not yet due and payable. Parcel # 514203-04-0230; gross amount being \$12,411.83; 2015 taxes have been paid.
3. Standard Exceptions:
 - A. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.- Does not contain matters of survey.
 - B. Rights or claims of parties in possession not shown by the public records.- Does not contain matters of survey.
 - C. Any lien, or right to a lien, for services, labor, or materials heretofore or hereafter furnished, imposed by law and not shown by the public records.- Does not contain matters of survey.
 - D. Taxes or assessments which are not shown as existing liens in the public records.- Does not contain matters of survey.
4. Any claim that any portion of the insured land is sovereign lands of the State of Florida, including submerged, filled or artificially exposed lands accreted to such land.- Does not contain matters of survey.
5. Any lien provided by County Ordinance or by Chapter 159, Florida Statutes, in favor of any city, town, village or port authority for unpaid service charges for service by any water, sewer or gas system supplying the insured land.- Does not contain matters of survey.
6. Any right, interest or claim that may exist, arise or be asserted against the Title pursuant to the Perishable Agricultural Commodities Act of 1930, as amended, 7 USC 499a et seq., the Packers and Stockyard Act of 1921, as amended, 7 USC 181 et seq., or any similar state laws.- Does not contain matters of survey.
7. Rights of tenants occupying all or part of the insured land under unrecorded leases or rental agreements.- Does not contain matters of survey.
8. Matters on the plot of DANIA HEIGHTS, according to the plot thereof, as recorded in Plat Book 3, Page 22, Public Records of Broward County, Florida.- Hereon shown.
9. Easement recorded in Deed Book 343, Page 110.- Hereon shown.
10. Easement recorded in Deed Book 343, Page 112.- Hereon shown.
11. Matters set forth in Deed recorded in Official Records Book 5141, Page 664.- Does not contain matters of survey

SURVEYOR'S NOTES

- Legal description used for this survey was provided by others.
- This Survey has been prepared for the exclusive use of the entities named hereon and do not extend to any unnamed parties.
- Bearings, if any, shown hereon are based on Plat Book 3, Page 22 of Broward County, Florida.
- All dimensions and directions shown hereon are in substantial agreement with record values unless otherwise noted.
- Elevations are based on NAVD 88.
- Due to varying construction standards, building dimensions are approximate.
- All ties to property line are perpendicular to it, unless otherwise noted.
- In all cases dimensions shall control location over scaled positions.
- This survey does not determine or imply ownership.
- Underground improvements and utilities were not located.
- Not valid without the signature & raised seal of a Florida licensed surveyor and mapper.
- I HEREBY CERTIFY THAT THE SURVEY REPRESENTED HEREON, AS RECENTLY SURVEYED AND DRAWN UNDER MY SUPERVISION, MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH IN CHAPTER 61G17-6 OF THE FLORIDA ADMINISTRATIVE CODE FOR THE BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.

Certified to:
Sun Holdings
Chicago Title Insurance Company

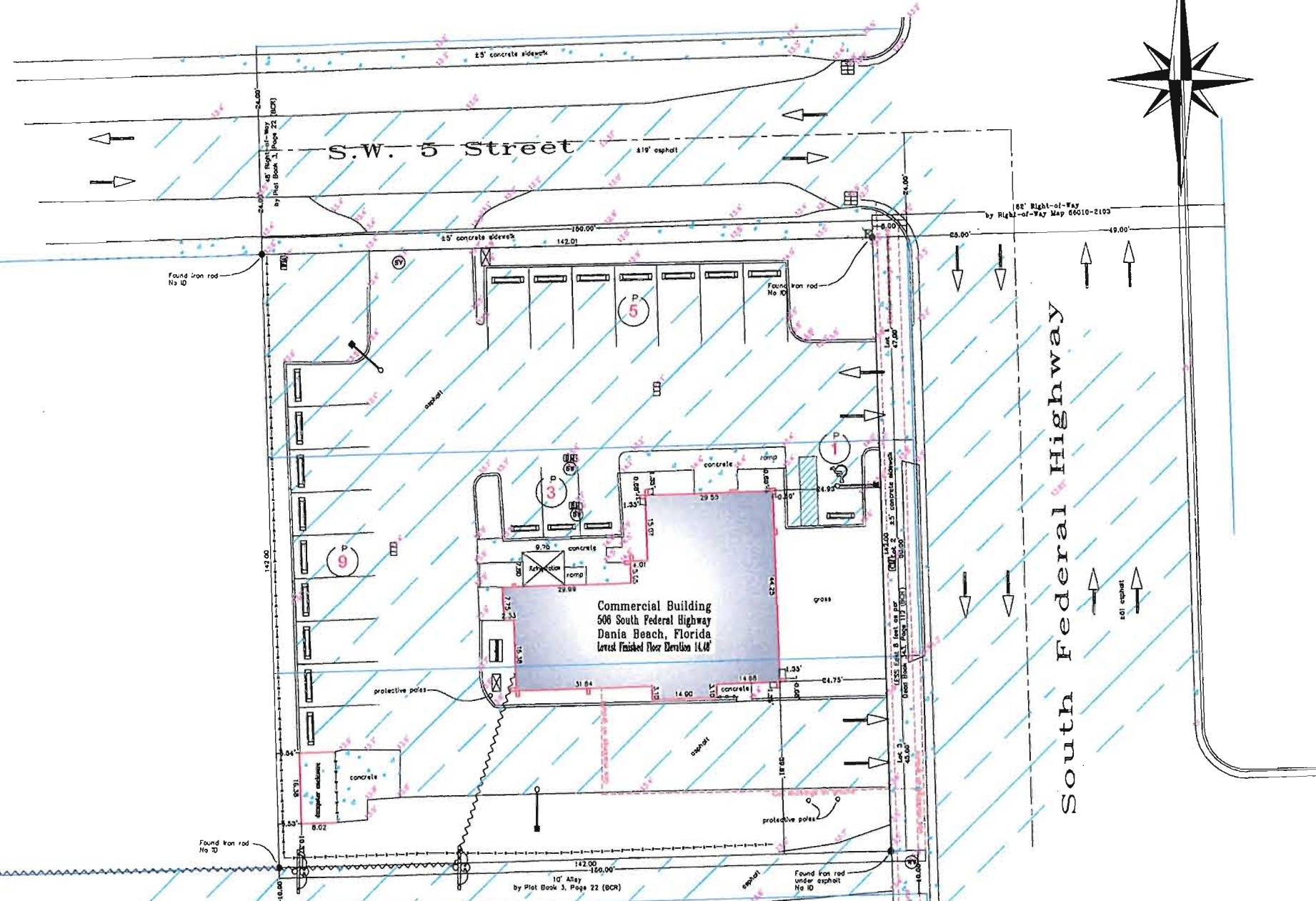
This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 7a, 7b, 8, 9, 11a, 16, 18 of Table A thereof. The field work was completed on November 01, 2016
Date of Plat or Map: November 23, 2016.



Richard J. Minguell
Registered Land Surveyor & Mapper
No. 6402, State of Florida



R. Minguell, Inc.
Land Surveyors & Planners
L.B.7272
954-298-8635
Fax 954-392-6060
Minguell@bellsouth.net
2841 Montideo Avenue
Cooper City, Florida 33026



Property Access

- Pedestrian access thru sidewalks along SW 5 Street and South Federal Highway.
- Vehicular access from SW 5 Street and South Federal Highway.

Encroachments

- a.) Driveways crossing Northern and Easterly property line
- b.) Possible unrecorded utility and public service easement rights evidenced by street signs, fire hydrant, water meters, water valves, electric boxes, light poles, catch basins at various locations throughout property.

Misc Notes

- There was no observable evidence of earth moving work, building construction, or building additions.
- There was no observable evidence of recent street or sidewalk construction and/or repair at the time of this survey.
- There was no observable evidence of site use as a solid waste dump, sump or sanitary landfill at the time of this survey.
- There was no evidence of cemetery or burial grounds located on property.
- The location of Utilities shown hereon are from observed evidence above ground only.
- The surveyor was not provided with underground plans to determine the location of any subterranean uses

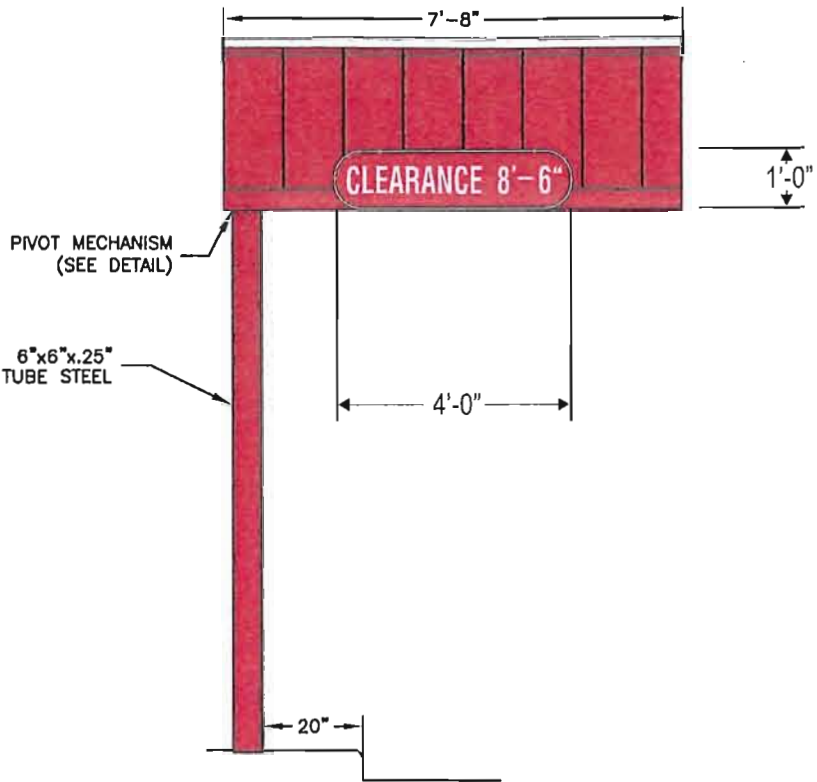
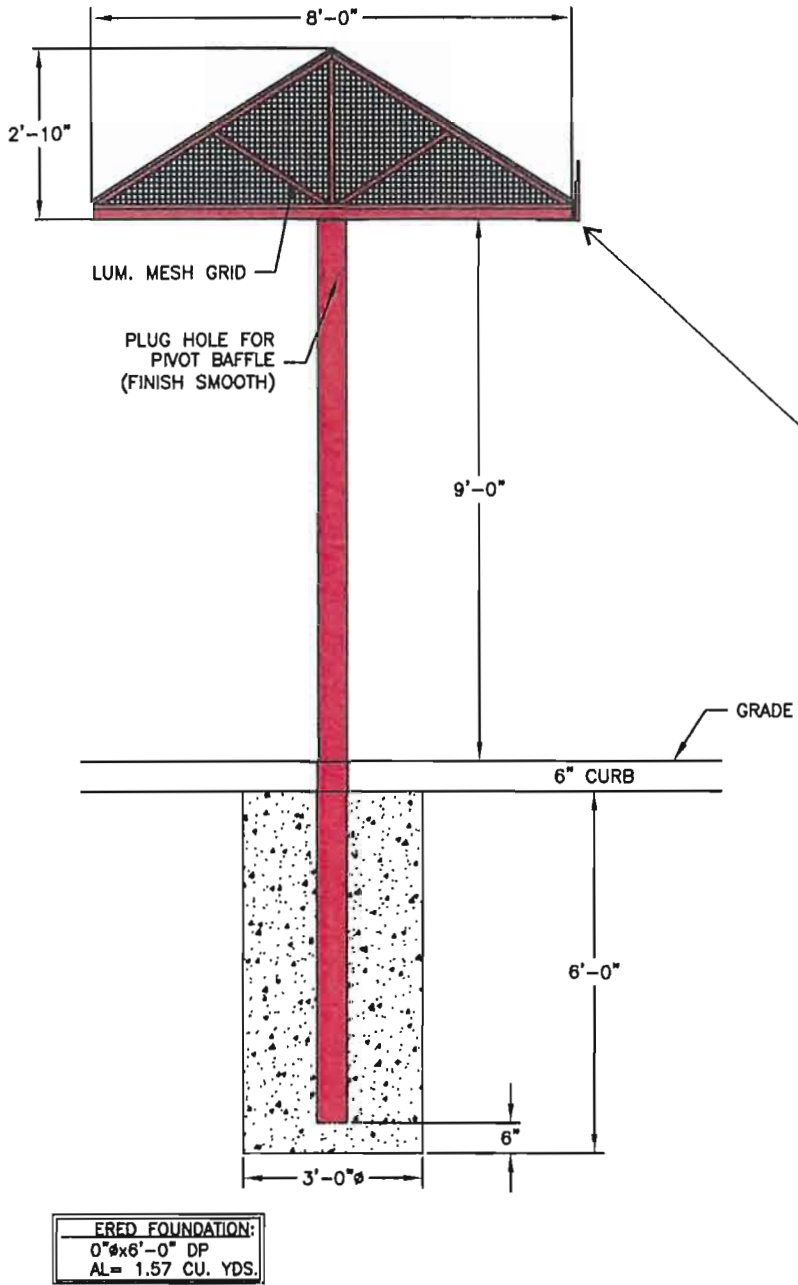
Legend

- - - - - chain link fence
- - - - - wood fence
- - - - - metal fence
- - - - - Overhead Utility Lines
- ⊠ Air Conditioner
- ⊠ Property Line
- ⊠ Center Line
- ⊠ Not to Scale
- ⊠ Broward County Records
- ⊠ Palm Beach County Records
- ⊠ Existing Elevation
- ⊠ Wood Utility Pole
- ⊠ Utility Pole
- ⊠ Fire Hydrant
- ⊠ Street Sign
- ⊠ Parking Meter
- ⊠ Light Pole
- ⊠ Electric Transformer Box
- ⊠ Street Light Box Cover
- ⊠ Water Meter
- ⊠ Catch Basin
- ⊠ Sewer Cover Box
- ⊠ Communications Cover Box
- ⊠ Water Valve
- ⊠ Sanitary Sewer Manhole
- ⊠ Storm Sewer Manhole
- ⊠ Handicapped Parking
- ⊠ Denote vehicular traffic / access



SCALE: 1" = 20'
-25 0 50 100

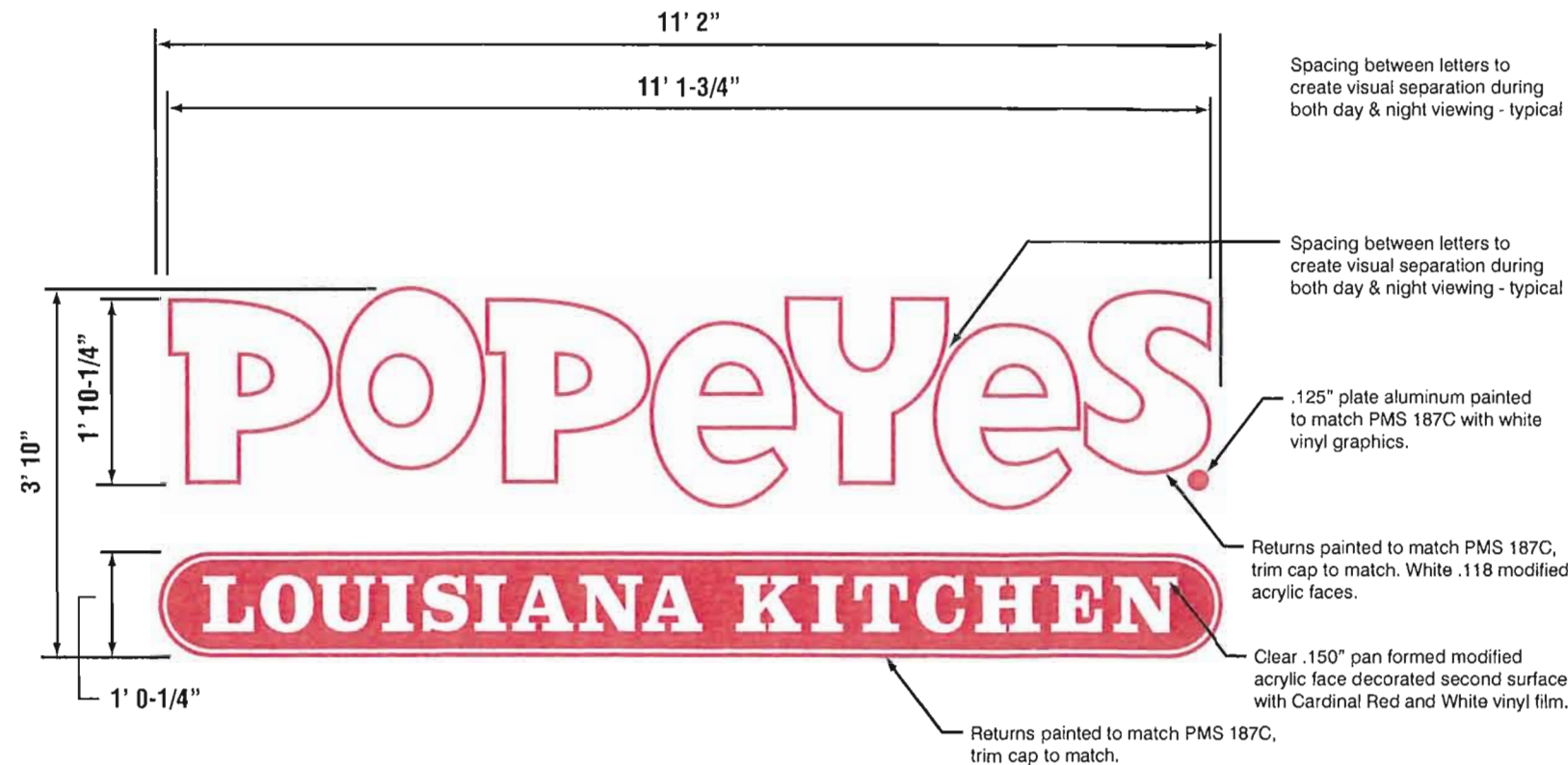
Single Pole Canopy w/Clearance Bar
QTY: 1



COLOR NOTES:
ROOF: 24GA GALVALUME, PMS 187 RED FINISH
STEEL PAINT PMS 187 RED
GRAPHICS: 7725-10 WHITE VINYL

ELECTRICAL NOTE—ACTUAL # OF CIRCUITS TO BE DETERMINED BY A LICENSED ELECTRICAL CONTRACTOR.
TOTAL AMPS: 3.4
OF CKTS: 1 @ 20 AMP(RECOMMENDED)
VOLTS: 120
ELECTRICAL CONNECTION AS FOLLOWS:
GREEN TO GREEN (GROUND), WHITE TO WHITE (NEUTRAL),
BLACK TO BLACK (POWER)
ALL SIGNAGE WILL BE (U.L.) LISTED, (U.L.) 2161 COMPLIANT
AND CARRY (U.L.) LABELS.

RECEIVED
JUL 05 2013
Planning
Department



NEW S/S INTERNALLY ILLUMINATED
RACEWAY-MOUNTED CHANNEL
LETTER SET w/ ILLUMINATED LOGO
BOX

WHITE L.E.D. ILLUMINATION - WIRED
TO FULL [UL] SPECIFICATIONS

WHITE ACRYLIC FACES FOR CHANNEL
LETTERS / PAN-FORMED FACE FOR
LOGO BOX

TRIM-CAP : 187C CARDINAL RED

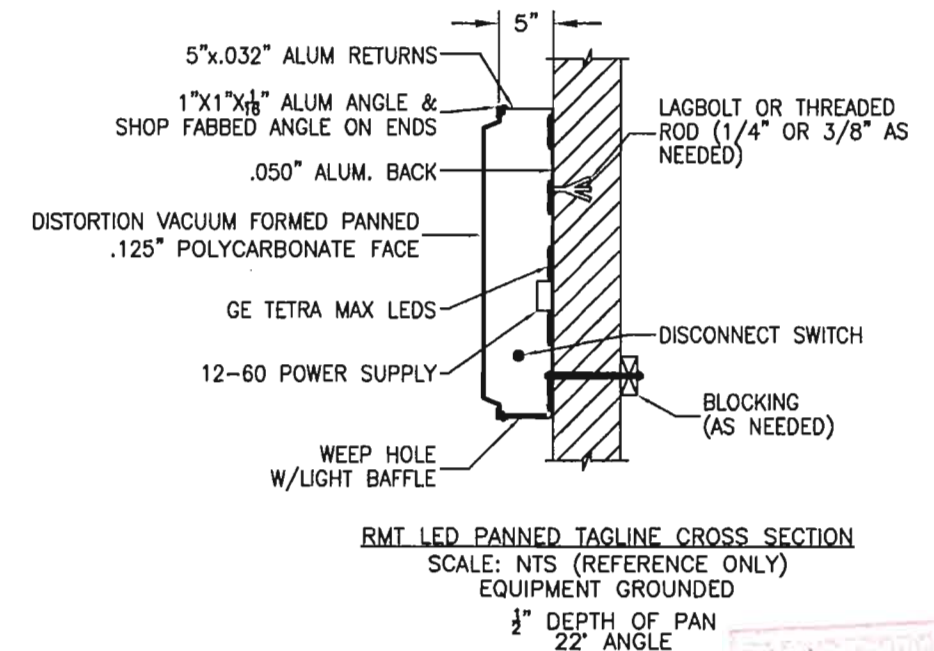
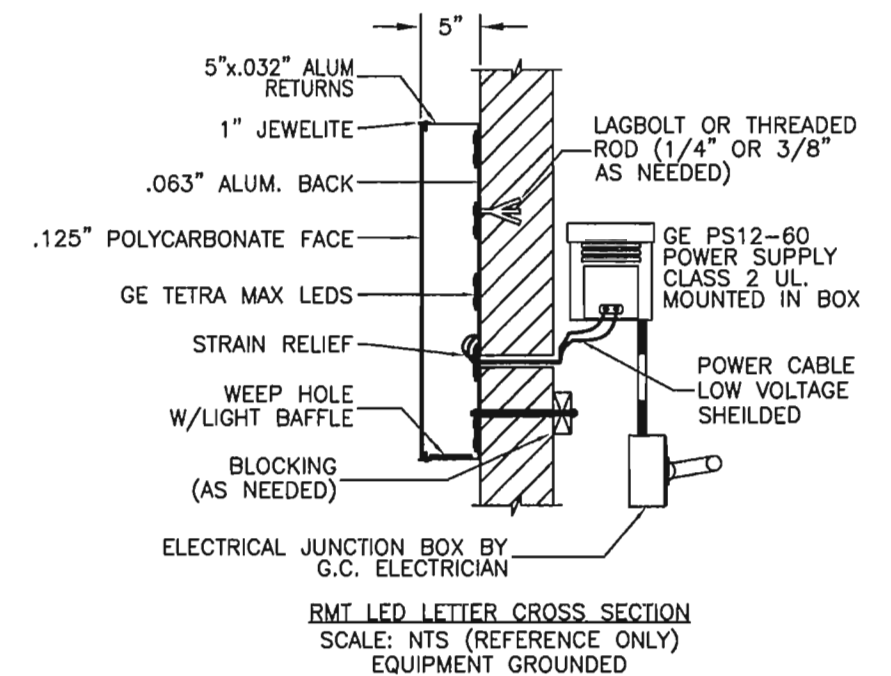
CAN RETURNS AND BACKS PAINTED
TO MATCH 187C CARDINAL RED

RACEWAY PAINTED TO MATCH
EXISTING BUILDING FASCIA

[3.83' x 11.17'] 42.78' SQ. FT.
RECTILINEAR SIGNAGE AREA



Night View



Sign 1



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☐ Approved ☐ Approved as Noted ☐ Revise & Resubmit

Name

Title

Date

Revisions

Project Information

Client POPEYES - DANIA BEACH, FL

Scale

Date 3.22.2018

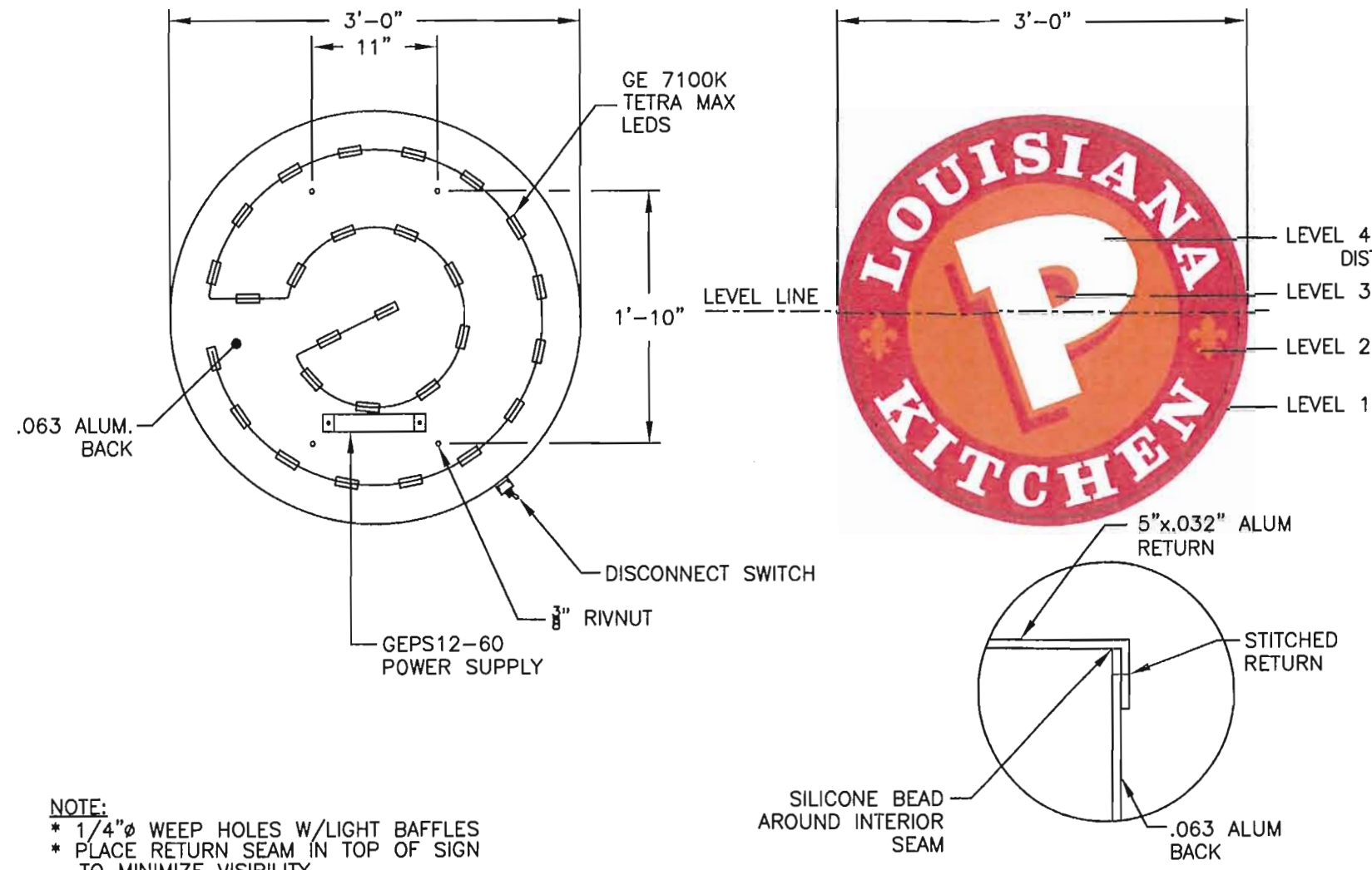
Sales LINDSEY OLIVIER

Design SHELLY CREDEUR

AAA SIGNS

www.aaasigns.com

109 Burgess Drive • Broussard, LA 70518
PHONE 800.880.5686 337.233.5686 FAX: 337.261.2533



NOTE:
* 1/4" Ø WEEP HOLES W/LIGHT BAFFLES
* PLACE RETURN SEAM IN TOP OF SIGN TO MINIMIZE VISIBILITY.

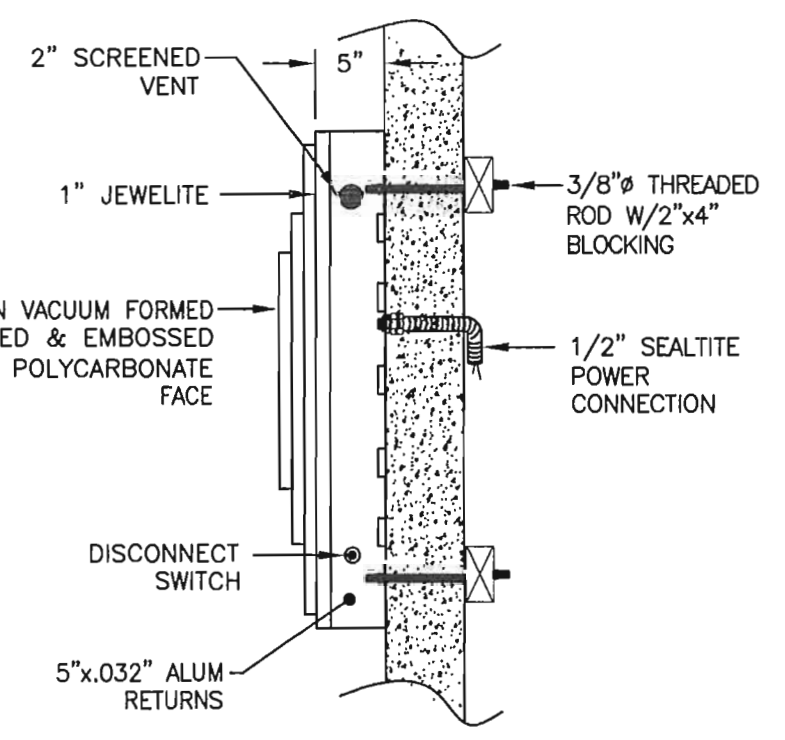
ELECTRICAL NOTE—ACTUAL # OF CIRCUITS TO BE DETERMINED BY A LICENSED ELECTRICAL CONTRACTOR.
TOTAL AMPS: .85
OF CKTS: 1 @ 20 AMP(RECOMMENDED)
VOLTS: 120
ELECTRICAL CONNECTION AS FOLLOWS:
GREEN TO GREEN (GROUND), WHITE TO WHITE (NEUTRAL),
BLACK TO BLACK (POWER)
ALL SIGNAGE WILL BE (U.L.) LISTED, (U.L.) 2161
COMPLIANT AND CARRY (U.L.) LABELS.

ELECTRICAL BILL OF MATERIAL (BOM):		
13 LFT	(LED0117)	TETRA MAX 7100K LEDS
1 EA	(LED0033)	GEPS12-60 PS
1 EA	(ELT0041)	DISCONNECT SWITCH
6 LFT	(ELT0090)	1/2" SEALTITE
1 EA	(ELT0092)	SEALTITE CONNECTOR

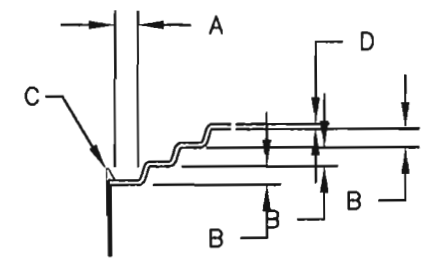
COLOR NOTES:
RETURNS: .032" X 5" PREFINISHED PMS #187 RED (STITCHED)
1" WAGNER JEWELITE: PREFINISHED PMS #187 RED
FACE: .125 CLEAR PCB w/ 2ND SURFACE VINYL
COPY: 3M #3630-20 WHITE VINYL
BACKGROUND/ STANDARD: 3M #3630-44 ORANGE
BORDER/ DROP SHADOW: 3M #3630-53 RED
ALL VINYL APPLIED 2ND SURFACE

FACE BILL OF MATERIAL (BOM):		
8 SQFT	(PR0001)	.125 CLEAR PCB

FRAME BILL OF MATERIAL (BOM)		
10 LFT	(PJ0017)	RED 1" JEWELITE
8 SQFT	(AS0017)	.063 ALUM
10 LFT	(AC0035)	5"x.032" ALUM COIL
1 EA	(AV0001)	2" VENT



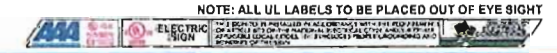
Night View



PANNED & EMBOSSED DETAIL
NTS FOR ILLUSTRATION ONLY
(A) FLANGE STD 3/4"
(B) EMBOSMENT HEIGHT STD 1/2"
(C) RETAINER 1" WAGNER JEWELITE
(D) MATERIAL THICKNESS .125" PCB
(E) ROUTER BIT: 1/2" ROUNDED BIT, 22° TAPER
☑PCB ☐ACRYLIC ☐ACRYSTEEL



Sign 2

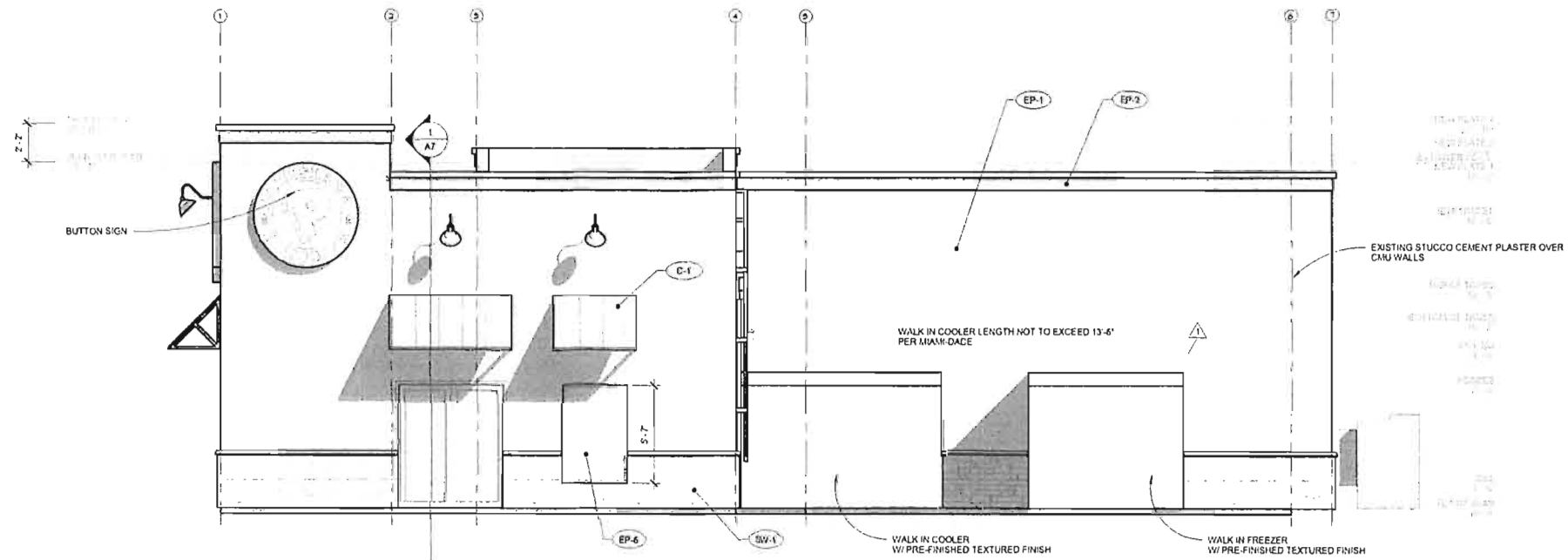


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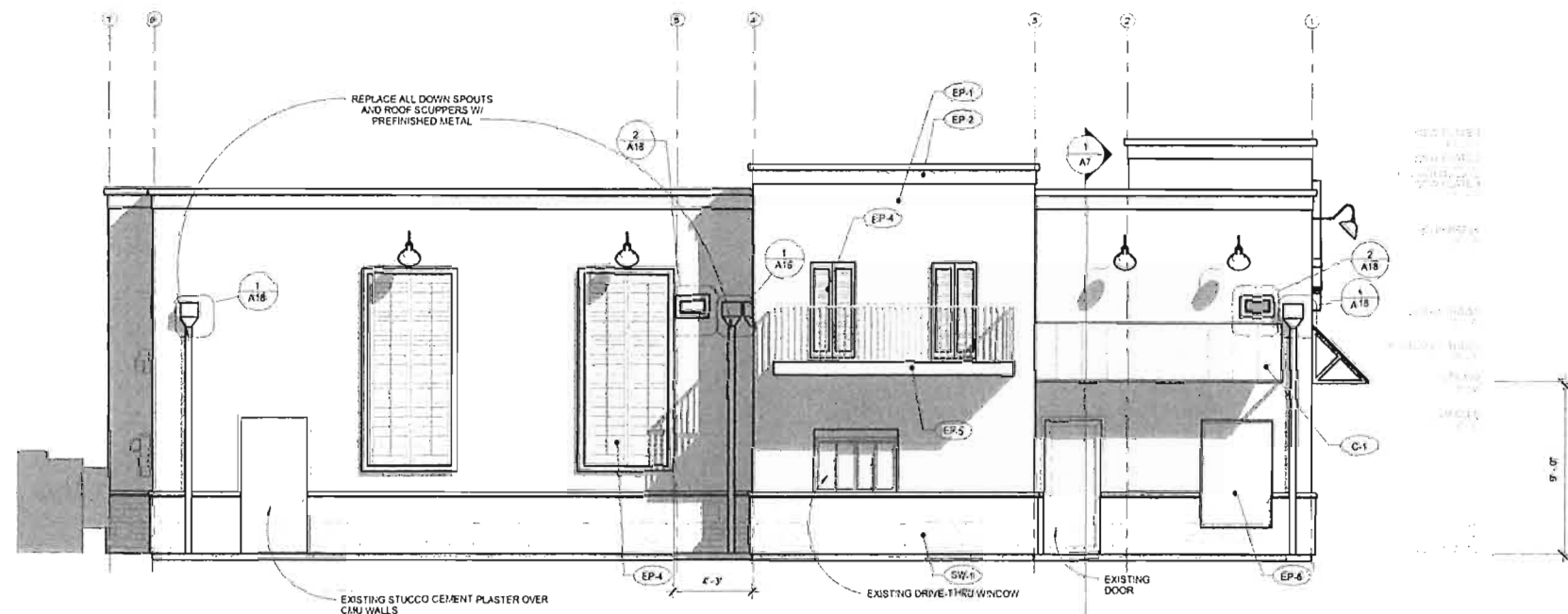
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Name _____ Date _____

Revisions

Project Information
Client POPEYES - DANIA BEACH, FL
Scale _____
Date 3.22.2018
Sales LINDSEY OLIVIER Design SHELLY CREDEUR



NORTH ELEVATION facing 5th St. 1 RIGHT NORTH MAIN ENTRY ELEVATION
1/4" = 1'-0"



2 LEFT SOUTH DRIVE THRU ELEVATION
1/4" = 1'-0"

POPEYES LOUISIANA KITCHEN
SEBRING REIMAGE

EXTERIOR FINISH SCHEDULE
UPDATE
3/31/2016

Mark	Location
EP-1	MAIN WALL SURFACE ABOVE WAINSCOT ACCENT TRIM
EP-2	CROWN / WALL SURFACE ACCENT / WAINSCOT ACCENT TRIM
EP-3	WAINSCOT BELOW ACCENT TRIM / REAR BLDG
EP-4	SHUTTERS
EP-5	D/T THRU WINDOW CANOPY AND RAILINGS
EP-6	STORE FRONT GLAZING
EP-7	WAINSCOT BELOW ACCENT TRIM / REAR BLDG
EP-8	DUMPSTER WALLS / GATES
EP-9	BOLLARDS
SW-1	STONE WAINSCOTE
G-1	AWNING GRATE (OPT.)
C-1	STANDING SEAM CANOPY

Supplier / Mfg.
BENJAMIN MOORE
SHUTTERCONTRACTOR.COM
BENJAMIN MOORE
BENJAMIN MOORE
YKK AP
BENJAMIN MOORE
CORONADO STONE
AWNING SUPPLIER
COPPER SALES, INC.

Material
PANT OR EIFS FORMULA
EIFS / METAL / PAINT
14 1/2" x 60" VINYL SHUTTERS (Bldg)
25 1/2" x 118" VINYL SHUTTERS (Bldg)
PAINT
METAL / POWDER COAT
METAL / PAINT
ANODIZED ALUMINUM
METAL / PAINT
METAL / ASPHALT / PAINT
ADHERED STONE VENEER
METAL / POWDER COAT
UNA-CLAD

Specification
#2158-30
#2028-10
#2107-20
L2 - VINYL
L7S - VINYL
#2040-10
RAL 6009
#2040-10
#105H
READY MIX
#2107-20
SAFETY & ZONE ACRYLIC MARKING
CASCADE MOUNTAIN LEDGE
RAL 6009
UC-4 ALUMINUM

Colors
DELIGHTFUL GOLDEN
EXOTIC RED
MOCHA BROWN
UNFINISHED
RAINFORST FOLIAGE
HUNTER GREEN
RAINFORST FOLIAGE
DARK BRONZE
BRONZETONE
MOCHA BROWN
RA SAFETY YELLOW
FOUR RIVERS
HUNTER GREEN
REGAL RED

Finish / Notes
UltraSpec Satin
UltraSpec Satin
030 - PAINTABLE
030 - PAINTABLE
170 Semi Gloss
SMOOTH
P-29 DTM Semi Gloss
21-23 DAYS
P-29 DTM Semi Gloss
UltraSpec Satin
P58-10
NON-OVERLAPPING
SMOOTH
12" OC / GUAGE PER LOCAL CODE REQUIREMENTS

Exterior Finish Schedule
1/4" = 1'-0"



POPEYES
RESTAURANT
ATLANTA, GA 30301

ARCHITECT



EAST STAR DESIGN
P.O. BOX 33
FOWLEY, TX 75125 USA
(214) 469-1110
(972) 205-1340
www.EastStarDesign.com
Architect@EastStarDesign.com

ENGINEER / DESIGN CONTRACT

Pop Florida Properties LLC
Popeyes
506 S. Federal Hwy
Dania Beach, FL 33004

REV.	Description	Date
1	DANIEL BEACH PLAN (Check Comments & WIC Per Miami Dade)	02-07-17

SEAL:



Digitally signed by Greg Guerin
DN: cn=Greg Guerin, o=East
Star Design, ou=Design, email=greg@eaststar.com, c=US
Location: Dania Beach
Reason: Planning Dept
Contact Info: (214) 469-1110
Date: 2017.06.13 14:55:00-0500

Sheet name
Elevations

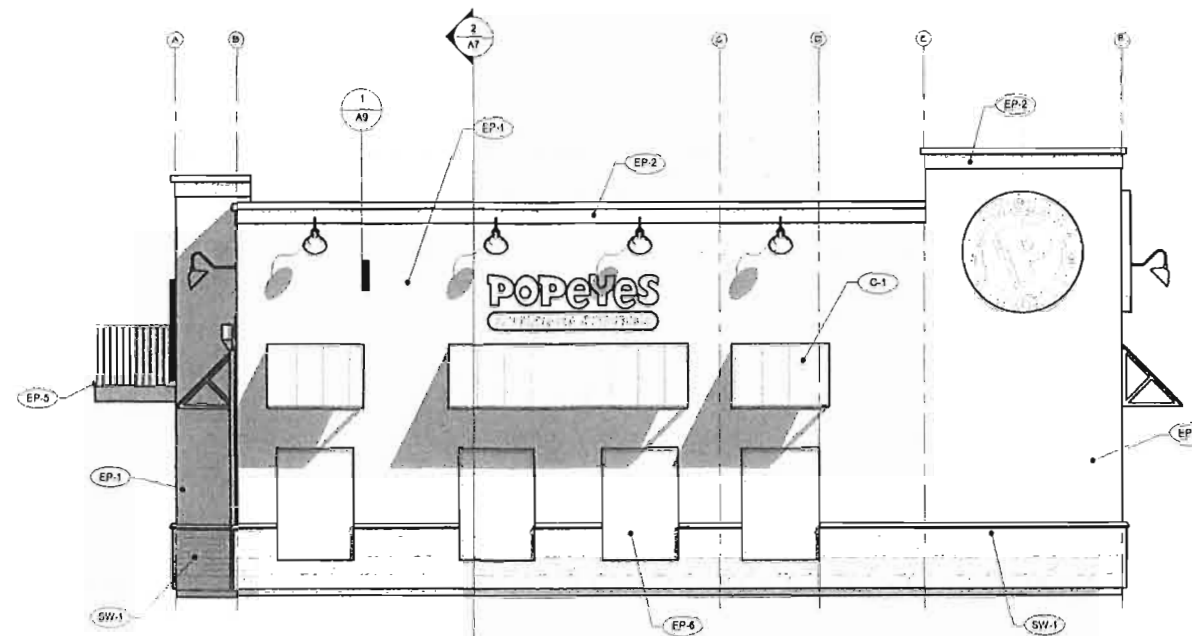
Project number: 16050
Date: 6/13/2017 6:21:59 PM
Drawn by: GG
Checked by:
Sheet number:

A5.2

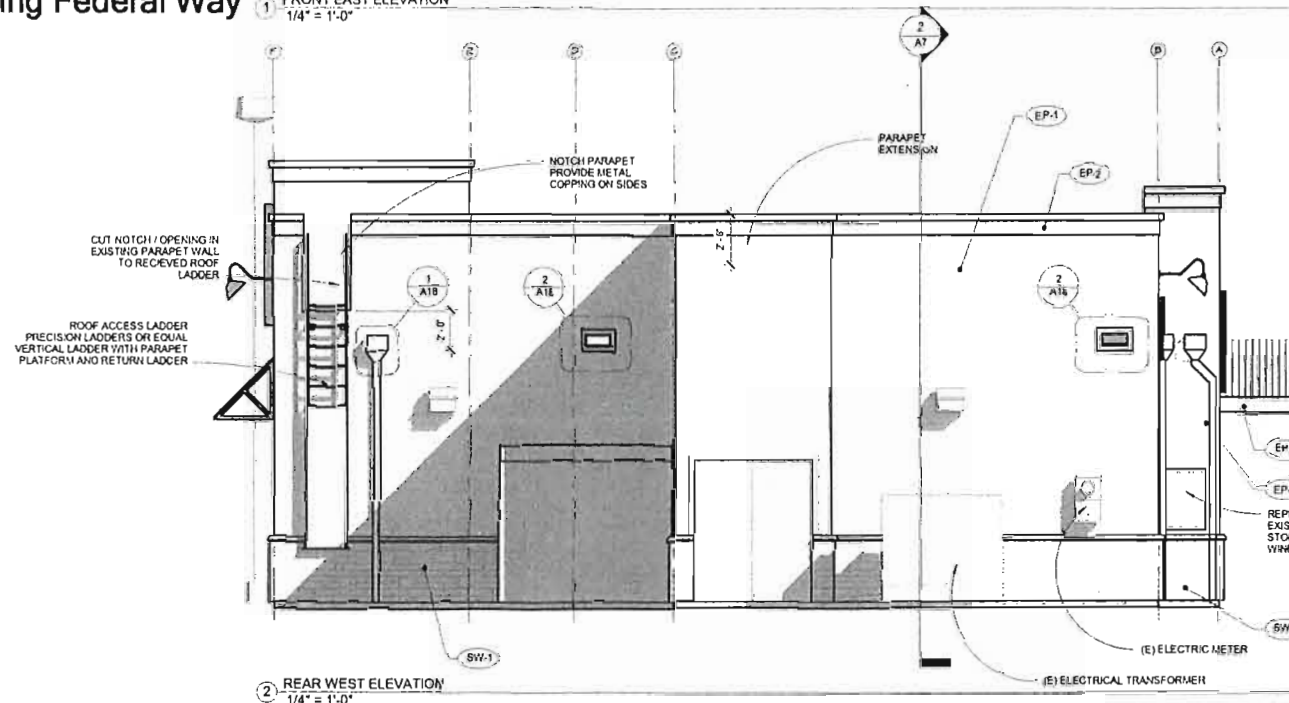
Scale 1/4" = 1'-0"



6/13/2017 6:23:50 PM



EAST ELEVATION facing Federal Way
1/4" = 1'-0"



REAR WEST ELEVATION
1/4" = 1'-0"

POPEYES LOUISIANA KITCHEN
SEBRING REIMAGE

EXTERIOR FINISH SCHEDULE
UPDATE
3/31/2016

Mark Location
EP-1 MAIN WALL SURFACE ABOVE WAIRSCOT ACCENT TRIM
EP-2 CROWN / WALL SURFACE ACCENT / WAIRSCOT ACCENT TRIM
EP-3 WAIRSCOT BELOW ACCENT TRIM (REAR BLDG)
EP-4 SHUTTERS
EP-5 D/T THRU WINDOW CANOPY AND RAILINGS
EP-6 (ALT) RAILING VENDOR /
EP-7 STORE FRONT GLAZING
EP-8 (ALT) STORE FRONT GLAZING
EP-9 COUNSPSTER WALLS / GATES
EP-10 BOLLARDS
EP-11 STONE WAIRSCOTE
EP-12 AWNING GRATE (OPT.)
EP-13 STANDING SEAM CANOPY

Supplier / Mfg.
BENJAMIN MOORE
SHUTTERCONTRACTOR.COM
BENJAMIN MOORE
RAILING VENDOR / TIGER DRYLAC
BENJAMIN MOORE
YKK AP
BENJAMIN MOORE
CORONADO STONE
AWNING SUPPLIER
COPPER SALES, INC

Material
PAINT OR EIFS FORMULA
EXOTIC RED
EIFS / METAL / PAINT
14 1/2" x 60" VINYL SHUTTERS (Bulcring)
25 1/2" x 119" VINYL SHUTTERS (Bulcring)
PAINT
RAL 6009
METAL / POWDER COAT
METAL / PAINT
ANODIZED ALUMINUM
METAL / PAINT
METAL / ASPHALT / PAINT
ADHERED STONE VENEER
METAL / POWDER COAT
USA-CLAD

Specification
#2158-30
#2066-10
#2107-20
L2 - VINYL
LTS - VINYL
#2040-10
RAL 6009
#2010-10
#1034
READY MIX
#2107-20
SAFETY & ZONE ACRYLIC MARKING
CASCADE MOUNTAIN LEDGE
RAL 6009
UC-4 ALUMINUM

Colors
DELIGHTFUL GOLDEN
EXOTIC RED
MOCHA BROWN
UNFINISHED
RAINFOREST FOLIAGE
HUNTER GREEN
RAINFOREST FOLIAGE
DARK BRONZE
MOCHA BROWN
RUI SAFETY YELLOW
FOUR RIVERS
HUNTER GREEN
REGAL RED

Finish / Notes
60/40 Spec Satin
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60/40 - PAINTABLE
60/40 - PAINTABLE
170 Semi Gloss
SMOOTH
P-29 DTM Semi Gloss
21-28 DAYS
U-23 Spec Satin
P-29 DTM Semi Gloss
NON-OVERLAPING
SMOOTH
12" OC / GUAGE PER LOCAL CODE REQUIREMENTS

Exterior Finish Schedule
1/4" = 1'-0"



POPEYES
Louisiana Kitchen
6000 W. US Highway 90
Metairie, LA 70002
(504) 885-1111

ARCHITECT



EAST STAR DESIGN
P.O. BOX 53
FORSYTH, TX 75126 USA
(214) 964-1116
(972) 205-7343
www.EastStarDesign.com
Any project is a team effort.

DATE: 02-07-17

Pop Florida Properties LLC
Popeyes
506 S. Federal Hwy
Dania Beach, FL 33004

REV	No.	Description	Date
1	1	Check Commence & WAC Per Miami Dade	02-07-17

SEAL:

Digitally signed by Greg Guerin
DN: cn=Greg Guerin, o=East
Star Design, ou=Design, email=Greg.Guerin@eaststar.com, c=US
Location: Dania Beach
Reason: Planning Dept
Contact Info: (313) 469-7178
Date: 2017.05.18 15:28:05-0700



Sheet name
Elevations

Project number: 16050
Date: 6/13/2017 8:23:55 PM
Drawn by: GG
Checked by:
Sheet number:

A5.1

Scale 1/4" = 1'-0"



6/13/2017 12:25:55 PM

Lajoie, Corinne

From: Michel El Haddad <melhaddad@sunholdings.net>
Sent: Friday, October 12, 2018 2:13 PM
To: LaFerrier, Marc
Cc: wcfpermits.stephanie; Cindy Gould; Lindsey Olivier; Lajoie, Corinne; mark brenchley
Subject: RE: Popeye's sign variance

Marc,

The revisions for the site comments will be submitted next week. We are planning on resuming construction in the next 2 weeks and it will take a total of 10 weeks to finish up the project considering the site comments will be approved quickly. I will let you know if we run into any problems getting these last comments approved. Thank you for the help and we hope to have this store open very soon.

Michel El Haddad

Director of Design and Construction
Sun Holdings, Inc.

4055 Valley View Lane, Suite 500
Dallas, Texas 75244
(972) 620-2287 ext. 293



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From: LaFerrier, Marc [mailto:mLaFerrier@daniabeachfl.gov]
Sent: Thursday, October 11, 2018 3:35 PM
To: 'Michel El Haddad'
Cc: wcfpermits.stephanie; Cindy Gould; Lindsey Olivier; Lajoie, Corinne; mark brenchley
Subject: RE: Popeye's sign variance

Thank you Michel.



Marc LaFerrier, AICP
Community Development Director | City of Dania Beach
mLaFerrier@daniabeachfl.gov | daniabeachfl.gov
100 W Dania Beach Blvd. | Dania Beach, FL 33004
Phone: 954-924-6805 ext. 3643 | **Fax:** 954-922-2687

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CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Discussion

Continued from:

Requested Action (Identify appropriate Action or Motion)

ADOPT RESOLUTION AUTHORIZING THE CONVEYANCE OF TWELVE (12) PARCELS OF CITY-OWNED LAND ("PROPERTY") WITHIN THE DANIA BEACH COMMUNITY REDEVELOPMENT AREA AT A PRICE OF TEN DOLLARS (\$10.00) PER PARCEL TO THE DANIA BEACH COMMUNITY REDEVELOPMENT AGENCY ("CRA") FOR THE PURPOSE OF USING THE PROPERTY TO FACILITATE SINGLE-FAMILY HOUSING DEVELOPMENT IN THE COMMUNITY REDEVELOPMENT AREA; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE DEEDS AND RELATED DOCUMENTS FOR EACH PARCEL FOR THIS PURPOSE

Purchasing Requests ONLY

Dept:

Acct #:

Amt:

Fund:

Fiscal Impact/Cost Summary

Exhibits Attached

10-1 transmittal, City to CRA Property Conveyance Memo 10-23-2018v2, R-2018- City to CRA Property Conveyance of 12 Parcels, R-2018-City to CRA Property Conveyance of 12 Parcels Exhibit A final, Property Map of CRA Area (City and CRA Owned), Property List and Map - 2017

Date: October 18, 2018

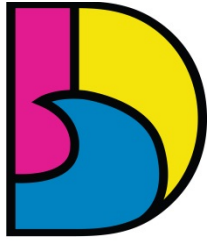
To: Mayor Tamara James
Vice Mayor Bill Harris
Commissioner Chickie Brandimarte
Commissioner Bobbie H. Grace
Commissioner Marco A. Salvino, Sr.

From: Robert Baldwin, City Manager

Subject: October 23, 2018 Agenda Item 10.1 City Properties

This item is being transmitted to the Dania Beach City Commission in response to actions taken by the Board of the Dania Beach Redevelopment Agency at their October 9, 2018 meeting.

RB/cd



DANIA BEACH
SEA IT. LIVE IT. LOVE IT.

CITY OF DANIA BEACH OFFICE OF THE CITY MANAGER

MEMORANDUM

DATE: October 23, 2018

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

FROM: Rickelle Williams, CRA Executive Director

SUBJECT: Property Conveyance from the City of Dania Beach to the Dania Beach CRA

Background

During a discussion on affordable housing development at the October 9, 2018 CRA Board meeting, the Dania Beach Community Redevelopment Agency (CRA) Board discussed properties owned by the City of Dania Beach and within the Community Redevelopment Area. After discussion about the opportunity for additional affordable housing development, the Board, by consensus, expressed their desire for the Dania Beach City Commission to convey City-owned parcels to the CRA for the purpose of achieving the redevelopment goals outlined in the CRA Plan. The CRA Board directed that the parcels be identified for future conveyance to the CRA to achieve future development goals.

The parcels are located at:

	Site Address	Folio Number
1	OLD GRIFFIN Rd	504234060640
2	524 NW 3RD TER	504234060260
3	509-511 NW 3RD TER	504234060230
4	137 NW 4TH AVE	504234011190
5	56 NW 8TH AVE	504234230130
6	608 W DANIA BEACH BLVD	504234012520
7	PHIPPEN RD	504234300200
8	PHIPPEN RD	504234300220
9	PHIPPEN RD	504234300230
10	PHIPPEN RD	504234300240
11	PHIPPEN RD	504234300250
12	NW 14TH WAY	504233150060

Recommendation

It is recommended that the City Commission authorize conveyance of the twelve (12) identified parcels to the CRA by deed.

Attachments

Property Description and Map

RESOLUTION NO. 2018-158

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA AUTHORIZING THE CONVEYANCE OF TWELVE (12) PARCELS OF CITY-OWNED LAND ("PROPERTY") WITHIN THE DANIA BEACH COMMUNITY REDEVELOPMENT AREA AT A PRICE OF TEN DOLLARS (\$10.00) PER PARCEL TO THE DANIA BEACH COMMUNITY REDEVELOPMENT AGENCY ("CRA") FOR THE PURPOSE OF USING THE PROPERTY TO FACILITATE SINGLE-FAMILY HOUSING DEVELOPMENT IN THE COMMUNITY REDEVELOPMENT AREA; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE DEEDS AND RELATED DOCUMENTS FOR EACH PARCEL FOR THIS PURPOSE; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature enacted the Community Redevelopment Act of 1969, which is presently codified as Part III of Chapter 163, Florida Statutes, as amended from time to time (the "Act"); and

WHEREAS, all powers arising through the Act are conferred by the Act upon counties with Home Rule Charters, such as Broward County, Florida, which in turn are authorized to delegate certain of their powers to a community redevelopment agency created pursuant to the Act; and

WHEREAS, on March 19, 2002, the Board of County Commissioners of Broward County, Florida (the "Board") adopted Resolution No. 2002-275, which declared that a slum or blighted area exists in a geographic area (the "Redevelopment Area"), as described by the City of Dania Beach in its Finding of Necessity for Redevelopment, and which demonstrated that it is necessary and appropriate to redevelop such Redevelopment Area in accordance with the provisions of the Act, as amended; and

WHEREAS, pursuant to the Resolution of Broward County, Florida, the Board delegated to the City Commission of the City of Dania Beach, Florida (the "Commission") the authority to exercise the redevelopment powers conferred upon the Board within the Redevelopment Area in accordance with the Act, to enable the City Commission to declare the need for, create and delegate power to a community redevelopment agency ("CRA") and to prepare and adopt a plan of redevelopment for final approval by the Board; and

WHEREAS, the City Commission accepted a delegation of powers from the Board, found a need for, and created the CRA, granted the CRA the power to exercise those powers

permitted by the Act which were delegated by the Board to the City and directed the preparation and adoption of a community redevelopment plan (the “Plan”), updates to which have been approved and adopted by the CRA Board on March 11, 2009 and June 3, 2015 respectively; and

WHEREAS, the redevelopment goals outlined in the updated Plan include (1) enhance and reinforce the CRA sub areas; (2) eliminate substandard housing and provide affordable housing alternatives; (3) redevelop the CRA in a manner that is energy efficient and sustainable; (4) attract targeted new industries and retain and expand core industries; and (5) enhance redevelopment activities through active marketing strategy that supports redevelopment initiatives; and

WHEREAS, the City Commission is considerate of the needs of the CRA and the Redevelopment Area and intends to support, foster or facilitate opportunities for the CRA to accomplish the redevelopment goals outlined in the Plan; and

WHEREAS, at the October 9, 2018 CRA Board meeting, the CRA Board discussed the conveyance of vacant and underutilized parcels (the “Property”) in the Redevelopment Area which are owned by the City and which the CRA Board, by motion and consensus, desires the City Commission to convey to the CRA for the purpose of accomplishing the redevelopment goals outlined in the Plan; and

WHEREAS, the CRA believes that having site control of the City-owned properties will facilitate identifying and securing private and public funding to develop viable projects while the CRA has no available tax increment financing funds; and

WHEREAS, the desired City-owned Property is within the boundaries of the Redevelopment Area, consisting of parcels located at:

- (1) OLD GRIFFIN ROAD (Folio No. 504234060640);
- (2) 524 NW 3RD TER (Folio No. 504234060260);
- (3) 509-511 NW 3 TER (Folio No. 504234060230);
- (4) 137 NW 4TH AVE (Folio No. 504234011190);
- (5) 56 NW 8TH AVE (Folio. No. 504234230130);
- (6) 608 W DANIA BEACH BLVD (Folio. No. 504234012520);
- (7) PHIPPEN RD (Folio No. 504234300200);
- (8) PHIPPEN RD (Folio No. 504234300220);
- (9) PHIPPEN RD (Folio No. 504234300230);

- (10) PHIPPEN RD (Folio No. 504234300240);
- (11) PHIPPEN RD (Folio No. 504234300250);
- (12) NW 14TH WAY (Folio No. 504233150060); and

which parcels are fully described in Attachment "A", which is attached and incorporated by this reference; and

WHEREAS, the Commission has determined that the Property can be used by the CRA as a tool for housing development in the Redevelopment Area; and

WHEREAS, the Commission finds that pursuant to Section 125.38, Florida Statutes the conveyance of the Property to the CRA serves the best interest of the City;

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

Section 1. That the above "WHEREAS" clauses are ratified and confirmed, and they are made a part of and incorporated into this Resolution by this reference.

Section 2. That the City Commission, pursuant to Section 125.38, Florida Statutes, approves the conveyance of the Property, which is legally described in Attachment "A", to the CRA at the price of Ten Dollars (\$10.00) per parcel which is considered minimum consideration.

Section 3. That upon the conveyance of the Property, the CRA shall maintain the property in accordance with all applicable laws, regulations, ordinances and codes.

Section 4. That pursuant to Section 125.411, Florida Statutes, the City Commission authorizes the proper City officials to execute a Deed for each parcel, in substantially the form approved by the City Attorney.

Section 5. That the proper City officials shall record in the County public records all deeds and shall provide a copy of such recorded instruments to the Clerk of the City Commission and CRA Board within thirty (30) days of execution and final acceptance.

Section 6. That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 7. That this Resolution shall be in force and take effect immediately upon its passage and adoption.

PASSED AND ADOPTED on October 23, 2018.

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

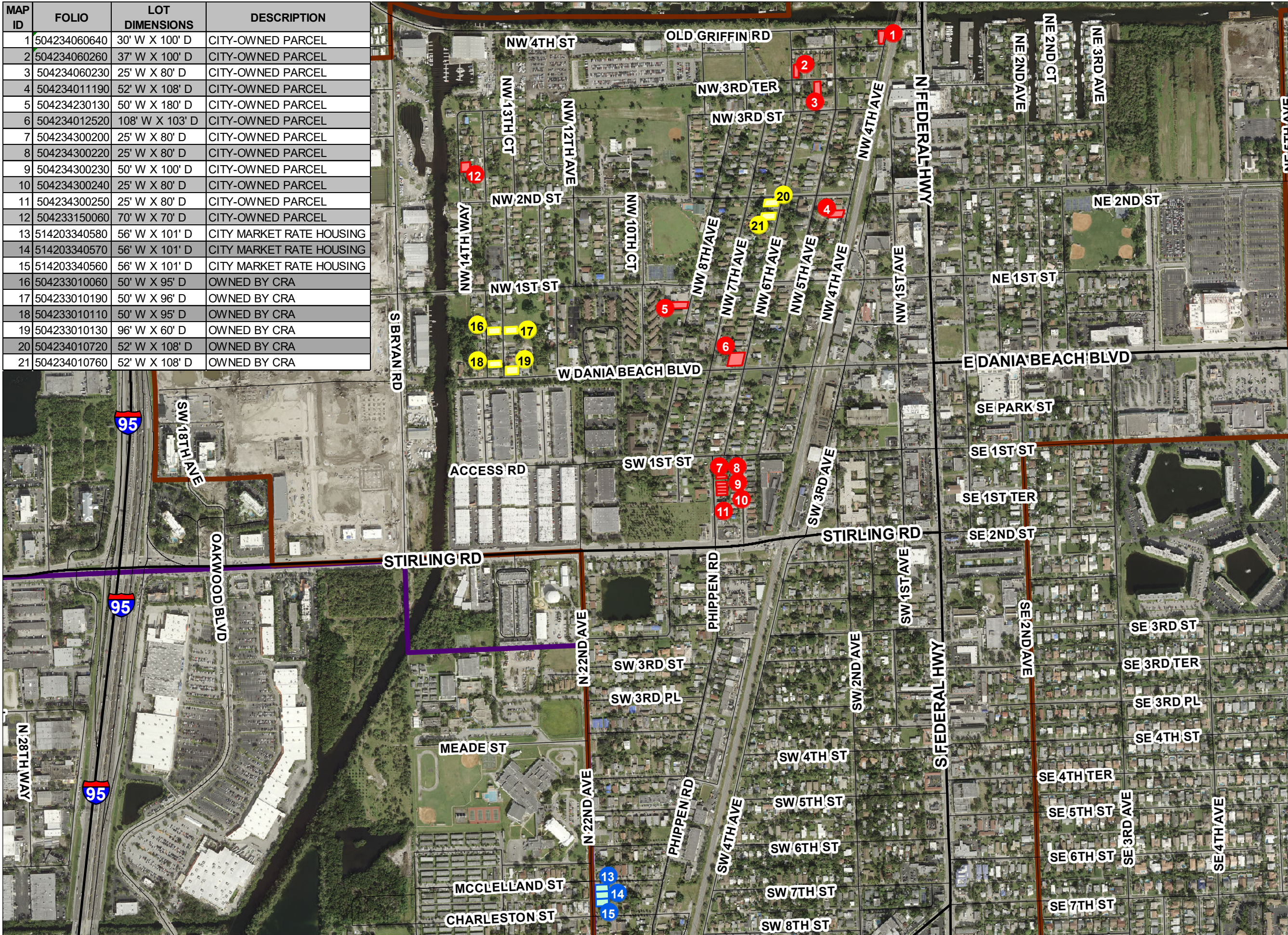
THOMAS J. ANSBRO
CITY ATTORNEY

Attachment A: Property Description

	Site Address	Date Acquired by City	Folio Number	Zoning Designation	Area (AC)	Lot Dimensions	Clean Title (Y/N)	Structure (Y/N)	Buildable	Appraisal Value
1	OLD GRIFFIN Rd	11/14/1995	504234060640	NBDHD-RES	0.10	30' W X 100' D	Y	N	Vacant; Buildable; May Require Variance	\$12,700.00
2	524 NW 3RD TER	9/20/2016	504234060260	NBHD-RES	0.09	37' W X 100' D	Y	N	Vacant; Buildable; May Require Variance	\$18,750.00
3	509-511 NW 3 RD TER	3/30/2012	504234060230	NBHD-MU	0.12	25' W X 80' D	Y	N	Vacant; Buildable; May Require Variance	\$8,000.00
4	137 NW 4TH AVE	2/1/2013	504234011190	CC	0.12	52' W X 108' D	Y	N	Vacant: Buildable For Apartment, Live-Work And Commercial Or Mixed-Use	\$65,000.00
5	56 NW 8TH AVE	11/15/2002	504234230130	NBHD-RES	0.19	50' W X 180' D	Unknown	N	Vacant; Buildable; May Require Variance	*\$45,430.00
6	608 W DANIA BEACH BLVD	6/5/2007	504234012520	NBHD-MU	0.25	108' W X 103' D	PENDING	N	Vacant; Corner Lot; Buildable For Multi-Family Residential, Mixed-Use And Commercial Use	\$86,800.00
7	PHIPPEN RD	10/6/2011	504234300200	NBHD-RES	0.05	25' W X 80' D	N	N	Vacant; Buildable; May Require Variance	\$8,000.00
8	PHIPPEN RD	9/20/2016	504234300220	NBHD-RES	0.05	25' W X 80' D	N	N	Vacant; Buildable; May Require Variance	\$8,000.00
9	PHIPPEN RD	3/30/2012	504234300230	NBHD-RES	0.05	50' W X 100' D	N	Y	Multi-Family Development (Currently Duplex)	\$200,000.00
10	PHIPPEN RD	9/20/2016	504234300240	NBHD-MU	0.05	25' W X 80' D	Y	N	Vacant; Buildable; May Require Variance	\$8,000.00
11	PHIPPEN RD	9/20/2016	504234300250	NBHD-MU	0.05	25' W X 80' D	Y	N	Vacant; Buildable; May Require Variance	\$8,000.00
12	NW 14TH WAY	9/20/2016	504233150060	NBHD-RES	0.11	70' W X 70' D	Y	N	Vacant; Buildable; May Require Variance	\$27,000.00

*Assessed Value from the Broward County Property Appraiser

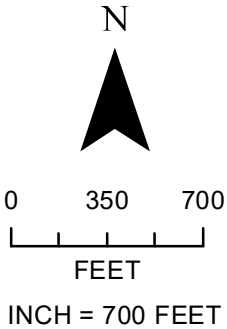
MAP ID	FOLIO	LOT DIMENSIONS	DESCRIPTION
1	504234060640	30' W X 100' D	CITY-OWNED PARCEL
2	504234060260	37' W X 100' D	CITY-OWNED PARCEL
3	504234060230	25' W X 80' D	CITY-OWNED PARCEL
4	504234011190	52' W X 108' D	CITY-OWNED PARCEL
5	504234230130	50' W X 180' D	CITY-OWNED PARCEL
6	504234012520	108' W X 103' D	CITY-OWNED PARCEL
7	504234300200	25' W X 80' D	CITY-OWNED PARCEL
8	504234300220	25' W X 80' D	CITY-OWNED PARCEL
9	504234300230	50' W X 100' D	CITY-OWNED PARCEL
10	504234300240	25' W X 80' D	CITY-OWNED PARCEL
11	504234300250	25' W X 80' D	CITY-OWNED PARCEL
12	504233150060	70' W X 70' D	CITY-OWNED PARCEL
13	514203340580	56' W X 101' D	CITY MARKET RATE HOUSING
14	514203340570	56' W X 101' D	CITY MARKET RATE HOUSING
15	514203340560	56' W X 101' D	CITY MARKET RATE HOUSING
16	504233010060	50' W X 95' D	OWNED BY CRA
17	504233010190	50' W X 96' D	OWNED BY CRA
18	504233010110	50' W X 95' D	OWNED BY CRA
19	504233010130	96' W X 60' D	OWNED BY CRA
20	504234010720	52' W X 108' D	OWNED BY CRA
21	504234010760	52' W X 108' D	OWNED BY CRA



CITY OF DANIA BEACH AND CRA OWNED LOTS IN CRA DISTRICT AREA MAP

LEGEND

- MAJOR ROADS
- LOCAL STREETS
- CITY LIMITS
- CRA BOUNDARY
- CITY/CRA OWNED PARCELS
 - AVAILABLE PARCELS
 - EXISTING CRA PARCELS
 - CITY MARKET RATE HOUSING PROJECT - SMITH CONVENIENCE STORE



NOTE: FOR PLANNING PURPOSES ONLY. AERIALS ARE 2017 TRUE COLOR.
SOURCES: FDOT, BROWARD COUNTY GIS, AND CITY OF DANIA BEACH

CITY OF DANIA BEACH CRA
100 W. DANIA BEACH BLVD.
DANIA BEACH, FL 33004
954-924-6801
WWW.DANIABEACHCRA.ORG



CITY OWNED PROPERTY FOR SURPLUS

