

**AGENDA**  
**DANIA BEACH CITY COMMISSION**  
**REGULAR MEETING**  
**MONDAY, SEPTEMBER 23, 2019 - 5:30 PM**

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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.

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

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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.

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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.
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**1. CALL TO ORDER/ROLL CALL**

**2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE**

**3. PRESENTATIONS AND SPECIAL EVENT APPROVALS**

1. Presentation of "This is Your Broward League of Cities" video - Commissioner Harris

**4. PROCLAMATIONS**

1. Nicki Satterfield, Director of Finance - Mayor Lewellen
2. Hispanic Heritage Month - Mayor Lewellen

**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 August 28, 2019 Budget Workshop  
Approve Minutes of September 10, 2019 City Commission Meeting  
Approve Minutes of September 12, 2019 First Budget Public Hearing

2. Travel Requests: None
3. RESOLUTION NO. 2019-108

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING AN APPROPRIATION OF FUNDS RELATING TO CHANGE ORDER NUMBER ONE WITH TIGO INC. (D/B/A EXPOSE YOURSELF USA) FOR THE FABRICATION AND INSTALLATION OF THE CITY WELCOME SIGN AT THE SOUTHWEST CORNER OF THE INTERSECTION OF GRIFFIN ROAD AND U.S. HIGHWAY 1, IN AN AMOUNT NOT TO EXCEED FOURTEEN THOUSAND DOLLARS (\$14,000.00); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

4. RESOLUTION NO. 2019-109

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, ESTABLISHING A SCHEDULE OF FEES FOR THE PARKS AND RECREATION DEPARTMENT FOR SPRING AND WINTER CAMP; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

5. RESOLUTION NO. 2019-110

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO AN INTERLOCAL AGREEMENT WITH BROWARD COUNTY FOR PUBLIC TRANSPORTATION SERVICES BEGINNING OCTOBER 1, 2019 THROUGH SEPTEMBER 30, 2022; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

6. RESOLUTION NO. 2019-111

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN INTERLOCAL AGREEMENT (“ILA”) FOR OPTIONAL SERVICES WITH BROWARD COUNTY RELATING TO SERVICES FOR “KEEP BROWARD BEAUTIFUL,” HOUSEHOLD HAZARDOUS WASTE, BULK TRASH AND YARD WASTE DROP-OFF PROGRAMS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7. RESOLUTION NO. 2019-112

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING AN APPROPRIATION OF FUNDS RELATING TO ADDITIONAL LANDSCAPING FOR THE INSTALLATION OF THE CITY WELCOME SIGN AT THE SOUTHWEST CORNER OF THE INTERSECTION OF GRIFFIN ROAD AND U.S. HIGHWAY 1, IN AN AMOUNT NOT TO EXCEED SEVENTY FIVE THOUSAND DOLLARS (\$75,000.00); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

8. RESOLUTION NO. 2019-114

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CITY TO PARTICIPATE IN THE 2019 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE LOCAL SOLICITATION GRANT (“JALSG”), A FORMULA GRANT PROVIDED BY THE UNITED STATES DEPARTMENT OF JUSTICE, TO PROVIDE FEDERAL CRIMINAL JUSTICE FUNDING TO STATE AND LOCAL JURISDICTIONS FOR CRIME PREVENTION PROGRAMS WITHIN THE CITY; AUTHORIZING THE PROPER CITY OFFICIALS TO ACCEPT AND EXECUTE A GRANT AGREEMENT, IF AWARDED TO THE CITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

**8. BIDS AND REQUESTS FOR PROPOSALS**

**9. PUBLIC HEARINGS**

1. ORDINANCE NO. 2019-012

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 27 OF THE CITY CODE OF ORDINANCES BY ADDING ARTICLE V TO CHAPTER 27, SUCH ARTICLE TO BE ENTITLED “STORMWATER REGULATIONS” RELATING TO THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM STORMWATER PROGRAM (“NPDES”); PROVIDING FOR STORMWATER MANAGEMENT PLAN REQUIREMENTS, ILLICIT DISCHARGE DETECTION AND ELIMINATION PROVISIONS, PROHIBITION OF ILLEGAL DISCHARGES, MATERIAL MANAGEMENT, AND POST CONSTRUCTION INSPECTION AND ENFORCEMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.  
**(SECOND READING)** *(Continued from September 10, 2019)*

2. ORDINANCE NO. 2019-015

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA

BEACH, FLORIDA, TO AMEND CHAPTER 28, THE “LAND DEVELOPMENT CODE,” OF THE CITY’S CODE OF ORDINANCES BY AMENDING ARTICLE 100 “GENERAL USE REGULATIONS APPLYING TO ALL ZONING DISTRICTS,” ARTICLE 110 “USE REGULATIONS FOR COMMERCIAL AND MIXED-USE DISTRICTS,” ARTICLE 200 “USER GUIDE FOR PART 2 OF THE CODE,” PART 3 “SPECIAL ZONING DISTRICTS,” CREATING SUBPART 5, “PLANNED SMALL LOT MIXED-USE DEVELOPMENT DISTRICT (PMUD-SL),” ARTICLE 350 “PLANNED SMALL LOT MIXED-USE DEVELOPMENT DISTRICT (PMUD-SL),” ARTICLE 300 “HOW TO USE,” ARTICLE 405 “UTILITIES IN NEW SUBDIVISIONS,” ARTICLE 410 “DRAINAGE FACILITIES,” ARTICLE 420 “APPROVAL, GUARANTEE AND CONSTRUCTION OF OFF-SITE IMPROVEMENTS,” ARTICLE 500 “GENERAL PROVISIONS; HOW TO USE,” ARTICLE 505 “SIGN REGULATIONS,” ARTICLE 510 “PRINCIPAL ARTERIAL COMMERCIAL DESIGN STANDARDS,” ARTICLE 515 “GASOLINE SERVICE STATIONS,” ARTICLE 520 “LARGE RETAIL ESTABLISHMENT STANDARDS,” ARTICLE 530 “PARKING STRUCTURE DESIGN,” ARTICLE 600 “GENERAL PROVISIONS AND APPLICATION REQUIREMENTS,” AND ARTICLE 635 “SITE PLANS” TO PROVIDE FOR PLANNED SMALL LOT MIXED-USE DEVELOPMENT DISTRICT (PMUD-SL) REGULATIONS, DEVELOPMENT REVIEW PROCEDURES, AND REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)**

3. ORDINANCE NO. 2019-015

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, TO AMEND CHAPTER 28, THE “LAND DEVELOPMENT CODE,” OF THE CITY’S CODE OF ORDINANCES BY AMENDING ARTICLE 100 “GENERAL USE REGULATIONS APPLYING TO ALL ZONING DISTRICTS,” ARTICLE 110 “USE REGULATIONS FOR COMMERCIAL AND MIXED-USE DISTRICTS,” ARTICLE 200 “USER GUIDE FOR PART 2 OF THE CODE,” PART 3 “SPECIAL ZONING DISTRICTS,” CREATING SUBPART 5, “PLANNED SMALL LOT MIXED-USE DEVELOPMENT DISTRICT (PMUD-SL),” ARTICLE 350 “PLANNED SMALL LOT MIXED-USE DEVELOPMENT DISTRICT (PMUD-SL),” ARTICLE 300 “HOW TO USE,” ARTICLE 405 “UTILITIES IN NEW SUBDIVISIONS,” ARTICLE 410 “DRAINAGE FACILITIES,” ARTICLE 420 “APPROVAL, GUARANTEE AND CONSTRUCTION OF OFF-SITE IMPROVEMENTS,” ARTICLE 500 “GENERAL PROVISIONS; HOW TO USE,” ARTICLE 505 “SIGN REGULATIONS,” ARTICLE 510 “PRINCIPAL ARTERIAL COMMERCIAL DESIGN STANDARDS,” ARTICLE 515 “GASOLINE SERVICE STATIONS,” ARTICLE 520 “LARGE RETAIL ESTABLISHMENT STANDARDS,” ARTICLE 530 “PARKING STRUCTURE DESIGN,” ARTICLE 600 “GENERAL PROVISIONS AND APPLICATION REQUIREMENTS,” AND ARTICLE 635 “SITE PLANS” TO PROVIDE FOR PLANNED SMALL LOT MIXED-USE

DEVELOPMENT DISTRICT (PMUD-SL) REGULATIONS, DEVELOPMENT REVIEW PROCEDURES, AND REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)** *(Continued from September 10, 2019)*

4. ORDINANCE NO. 2019-014

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA APPROVING THE RIGHT-OF-WAY VACATION REQUEST (VC-87-19) SUBMITTED BY LARRY L. ADAIR, P.A. ON BEHALF OF THE PROPERTY OWNER, 800 MARINE TECHNICAL CENTER, INC. FOR PROPERTY GENERALLY LOCATED BETWEEN BLOCK 3 AND BLOCK 2 TO THE IMMEDIATE NORTH AND SOUTH AND BETWEEN THE INTERSECTION OF NORTHWEST 9TH AND 8TH AVENUES TO THE IMMEDIATE WEST AND EAST OF THE PLAT OF DANIA MANOR, RECORDED IN PLAT BOOK 10, PAGE 53, PUBLIC RECORDS OF BROWARD COUNTY, GENERALLY DESCRIBED AS NORTHWEST 3RD PLACE, WITHIN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT A, A COPY OF WHICH IS ATTACHED TO THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)** *(Continued from August 27, 2019)*

5. ORDINANCE NO. 2019-016

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, TO AMEND CHAPTER 28, THE “LAND DEVELOPMENT CODE,” OF THE CITY’S CODE OF ORDINANCES BY AMENDING PART 1 “USE REGULATIONS,” ARTICLE 110 “USE REGULATIONS FOR COMMERCIAL AND MIXED-USE DISTRICTS” TO PROVIDE FOR LIQUOR, PACKAGE STORE AS A PERMITTED ACCESSORY USE TO A RETAIL USE; AMENDING PART 3 “SPECIAL ZONING DISTRICTS”, SUBPART 1 “COMMUNITY REDEVELOPMENT AREA (CRA) FORM-BASED ZONING DISTRICTS” TO PROVIDE FOR LIQUOR, PACKAGE STORE AS A PERMITTED ACCESSORY USE TO A RETAIL USE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

6. ORDINANCE NO. 2019-017

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, TO AMEND CHAPTER 4 “ALCOHOLIC BEVERAGES,” OF THE CITY’S CODE OF ORDINANCES BY AMENDING ARTICLE II “OPERATION REGULATIONS,” SECTION 4-18 “HOURS OF SALE” MODIFYING THE HOURS OF PACKAGE SALES FOR LIQUOR, BEER AND WINE FOR OFF-

SITE CONSUMPTION CONDUCTED AS AN ACCESSORY USE TO A RETAIL GROCERY STORE USE WITH A MINIMUM 20,000 SQUARE FEET; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

7. ORDINANCE NO. 2019-018

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUEST MADE BY STEPHANIE J. TOOTHAKER, ESQ. P.A. (TOOTHAKER.ORG) AND GREENSPOON MARDER, ON BEHALF OF DANIA BEACH MARINA CORP, NV MARINA HOLDINGS LLC, RJ MARINA HOLDINGS LLC, AND PROJECT USA LLC, TO REZONE (RZ-104-19) THE PROPERTIES GENERALLY LOCATED AT 90 NORTH BRYAN ROAD, 50 SOUTH BRYAN ROAD, 70 SOUTH BRYAN ROAD, AND 150 SOUTH BRYAN ROAD IN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT “A,” A COPY OF WHICH IS ATTACHED TO THIS ORDINANCE, FROM INDUSTRIAL RESEARCH OFFICE MARINE (IROM) AND GENERAL BUSINESS (C-3) TO PLANNED SMALL LOT MIXED-USE DEVELOPMENT (PMUD-SL), SUBJECT TO CERTAIN RESTRICTIONS, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

8. RESOLUTION NO. 2019-113

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE SITE PLAN REQUEST (SP-72-18) AND VARIANCE REQUESTS (VA-111-19 AND VA-125-19), SUBMITTED BY MALCOLM BUTTERS ON BEHALF OF MB-26 AVENUE, LLC AND MSG MARINA MILE, LLC FOR PROPERTY GENERALLY LOCATED ON THE WEST SIDE OF SOUTHWEST 26TH TERRACE AND SOUTH OF I-595 WITHIN 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.

**10. DISCUSSION AND POSSIBLE ACTION**

1. West Lawn Cemetery
  - a. Schedule date for rededication – Commissioner James
  - b. Waiver of application fee for street naming in anticipation of a public hearing to be held on October 7, 2019 - City Manager Garcia

**11. COMMISSION COMMENTS**

1. Commissioner Brandimarte

2. Commissioner Harris
3. Commissioner James
4. Vice-Mayor Odman
5. Mayor Lewellen

## **12. APPOINTMENTS**

1. Complete Count Advisory Committee  
Mayor Lewellen - 1 appointment  
Vice-Mayor Odman - 2 appointments  
Commissioner Brandimarte - 2 appointments  
Commissioner Harris - 2 appointments  
Commissioner James - 2 appointments
2. Creative Arts Council Advisory Board  
Vice-Mayor Odman - 1 appointment  
Commissioner James - 1 appointment

## **13. ADMINISTRATIVE REPORTS**

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

Monday, September 30, 2019 - 10:00 a.m.  
Monday, October 7, 2019 - 5:30 p.m.  
Monday, October 7, 2019 - 7:00 p.m.  
Monday, October 28, 2019 - 7:00 p.m.

CRA Board Workshop  
CRA Board Meeting  
City Commission Meeting  
City Commission Meeting

## **14. ADJOURNMENT**