

AGENDA
DANIA BEACH CITY COMMISSION
REGULAR MEETING
TUESDAY, NOVEMBER 12, 2019 - 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.
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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. Veterans Day Presentation
- 2. Spirit Airlines Acknowledgment
- 3. Dania Beach Chamber of Commerce update by Randie Shane
- 4. Parks and Recreation Department Quarterly Most Valuable Employee (MVE) Presentations
- 5. Special Event request from Dania Pointe for their "Sneak Peek" event to be held at North Pointe Drive, Phase 2, Dania Pointe on November 17, 2019 from 9:00 a.m. - 4:00 p.m.
- 6. Update on Tropical Acres birthday brunch by Vice-Mayor Odman

4. PROCLAMATIONS

- 1. West Lawn Cemetery Rededication - Mayor Lewellen
- 2. David Heath, Gangrel's Wrestling Asylum - Commissioner Brandimarte

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: None

2. Travel Requests:

Request from City Manager Ana M. Garcia to attend Legislative meetings in Tallahassee, Florida on December 11-12, 2019 (Estimated cost \$1,181.50)

3. RESOLUTION NO. 2019-142

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A LIGHTING AGREEMENT WITH FLORIDA POWER AND LIGHT (FPL) IN THE VICINITY OF SHERIDAN STREET AND SOUTHEAST SECOND AVENUE IN DANIA BEACH, INCLUDING ADDITIONAL COST TO THE CITY OF A NET TEN DOLLARS (\$10.00) PER MONTH, MODIFYING FPL ACCOUNT NUMBER 7404250974; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Public Services)*

4. RESOLUTION NO. 2019-143

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 CARNAHAN PROCTOR AND CROSS, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR FISCAL YEAR 2019-2020, THAT EXCEED AN ANNUAL VENDOR TOTAL AMOUNT OF TWENTY FIVE THOUSAND DOLLARS (\$25,000.00); AUTHORIZING SUCH PURCHASES TO BE MADE WITHIN THE DEPARTMENTS' APPROVED ANNUAL BUDGET APPROPRIATIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Public Services)*

5. RESOLUTION NO. 2019-144

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 TO BE PURCHASED FROM CALVIN GIORDANO AND ASSOCIATES, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR FISCAL YEAR 2019-2020 THAT EXCEED AN ANNUAL VENDOR TOTAL AMOUNT OF TWENTY FIVE THOUSAND DOLLARS (\$25,000.00); AUTHORIZING SUCH PURCHASES TO BE MADE WITHIN THE RESPECTIVE DEPARTMENTS' APPROVED ANNUAL BUDGET APPROPRIATIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Public Services)*

6. RESOLUTION NO. 2019-145

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A HIGHWAY MAINTENANCE MEMORANDUM OF AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION; AUTHORIZING THE CITY TO PERFORM NECESSARY MAINTENANCE TO THE RIGHT OF WAY OF SOUTHWEST 40TH AVENUE FROM STIRLING ROAD TO GRIFFIN ROAD FROM MILE POST 1.010 TO MILE POST 2.110 LOCATED WITHIN THE CITY OF DANIA BEACH; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Public Services)*

7. RESOLUTION NO. 2019-146

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO APPLY FOR THE "2020 COMPLETE STREETS AND OTHER LOCALIZED INITIATIVES GRANT PROGRAM" FOR CERTAIN IMPROVEMENTS FOR NORTHEAST 2ND STREET AND A PORTION OF GULFSTREAM ROAD WITHIN THE DANIA BEACH MUNICIPAL BOUNDARIES; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Community Development)*

8. RESOLUTION NO. 2019-147

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, 2020 THROUGH DECEMBER 31, 2020 FOR MEDICARE ELIGIBLE RETIRED EMPLOYEES AND THEIR MEDICARE ELIGIBLE DEPENDENTS THAT EXCEEDS AN ANNUAL VENDOR TOTAL AMOUNT OF TWENTY FIVE THOUSAND DOLLARS (\$25,000.00); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN

EFFECTIVE DATE. *(Human Resources)*

8. BIDS AND REQUESTS FOR PROPOSALS

1. RESOLUTION NO. 2019-148

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO AWARD REQUEST FOR PROPOSAL (“RFP”) NO. 19-011 FOR SOCIAL MEDIA, WEBSITE UPDATING AND GRAPHIC DESIGN SERVICES TO MULTI-MEDIA MARKETING ASSOCIATES, INC.; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(City Manager)*

9. PUBLIC HEARINGS

1. ORDINANCE NO. 2019-019

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 2, ENTITLED “ADMINISTRATION”, ARTICLE XI, ENTITLED “LOBBYIST REGULATIONS”, SECTION 2-231, ENTITLED “LOBBYIST REGISTRATION” AND SECTION 2-232, ENTITLED “REPORTING OF LOBBYING ACTIVITIES” OF THE CITY CODE OF ORDINANCES, PERTAINING TO AN INCREASE OF LOBBYIST REGISTRATION FEES AND PERTAINING TO REPORTING REQUIREMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)** *(City Attorney)*

2. ORDINANCE NO. 2019-020

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 17, “OFFENSES-MISCELLANEOUS,” ARTICLE VIII, “SEXUAL VIOLATORS,” SECTION 17-128, “SEXUAL VIOLATOR RESIDENCY PROHIBITION,” OF THE CITY CODE OF ORDINANCES, TO REPLACE THE TERM “VIOLATOR WITH “OFFENDER,” UPDATE THE DEFINITION OF SEXUAL OFFENDER, AND MAKE THE PROVISION OF THE RESIDENCY PROHIBITION APPLICABLE TO SHORT-TERM TRANSIENT USE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)** *(Community Development)*

3. ORDINANCE NO. 2019-021

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 16, “VACATION RENTALS,” SECTION 16-2, “VACATION RENTALS” OF THE CITY’S CODE OF

ORDINANCES TO CREATE REGULATIONS AND REQUIREMENTS GOVERNING SEXUAL OFFENDERS' USE OF VACATION RENTALS AND PROHIBIT HUMAN TRAFFICKING ACTIVITIES IN VACATION RENTALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)** *(Community Development)*

4. ORDINANCE NO. 2019-022

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, PROVIDING FOR THE CONTRACTION FROM THE CORPORATE LIMITS OF THE CITY OF DANIA BEACH OF APPROXIMATELY 0.387 ACRES OF PROPERTY LOCATED AT A PORTION OF TRACTS 1 AND 4, PLAT OF A PART OF GOV. LOT NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 14, PAGE 21 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEARING BROWARD COUNTY PROPERTY ID NUMBER 504220-01-0011; CONTAINING PROVISIONS FOR IMPLEMENTATION AND FILING WITH THE APPROPRIATE GOVERNMENTAL AGENCIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)** *(City Attorney)*

5. ORDINANCE NO. 2019-023

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)** *(Community Development)*

6. ORDINANCE NO. 2019-024

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 I "IN GENERAL," SECTION 4-1 "DEFINITIONS" TO DEFINE SINGLE-SERVING CONTAINER, ARTICLE II "OPERATION REGULATIONS," SECTION 4-18 "HOURS OF SALE" TO MODIFY 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 27,500 SQUARE FEET, AND ARTICLE II “OPERATION REGULATIONS,” TO CREATE SECTION 4-37 “RESTRICTION ON THE SALE OF SINGLE-SERVING CONTAINERS;” AND PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)** *(Community Development)*

7. ORDINANCE NO. 2019-025

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, TO AMEND CHAPTER 28, OF THE “LAND DEVELOPMENT CODE,” OF THE CITY’S CODE OF ORDINANCES BY AMENDING PART 8 “TECHNICAL APPENDIX” BY CREATING AND ESTABLISHING ARTICLE 811 “PUBLIC ART PROGRAM,” CREATING PUBLIC ART PROGRAM REQUIREMENTS FOR NEW DEVELOPMENT AND REDEVELOPMENT IN NON-RESIDENTIAL, MIXED-USE, AND MULTI-FAMILY ZONING DISTRICTS; PROVIDING FOR GENERAL PROVISIONS FOR PUBLIC ART PROGRAM ORGANIZATION, OPERATION AND IMPLEMENTATION; PROVIDING FOR A PUBLIC ART FEE FOR THE CREATION, ACQUISITION AND INSTALLATION OF PUBLIC ART IN THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; AND FURTHER PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)** *(Community Development)*

8. ORDINANCE NO. 2019-026

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,” SECTION 110-20 “LIST OF PERMITTED, SPECIAL EXCEPTION AND PROHIBITED USES” TO AMEND THE SCHEDULE OF PERMITTED USES; CREATING SECTION 110-320 “MOBILE FOOD VENDING CONDITIONS OF USE;” ARTICLE 115 “INDUSTRIAL DISTRICTS: PERMITTED, PROHIBITED, SPECIAL EXCEPTION USES, AND CONDITIONS OF USE,” SECTION 115-40 “SCHEDULE OF PERMITTED USES” TO AMEND THE SCHEDULE OF PERMITTED USES; AMENDING PART 3 “SPECIAL ZONING DISTRICTS,” SUBPART 1, “COMMUNITY REDEVELOPMENT AREA (CRA) FORM-BASED ZONING DISTRICTS,” ARTICLE 302 “DETAILED USE REGULATIONS,” SECTION 302-10 “PERMITTED, SPECIAL EXCEPTION AND PROHIBITED USES” TO AMEND THE SCHEDULE OF PERMITTED USES; AMENDING PART 6 “DEVELOPMENT REVIEW PROCEDURES AND REQUIREMENTS,” ARTICLE 675 “TEMPORARY USE AND SPECIAL EVENT PERMITS,” TO PROVIDE FOR MOBILE FOOD VENDOR EVENTS; AND

FURTHER AMENDING PART 7 “CODE ADMINISTRATION,” ARTICLE 725 “DEFINITIONS,” SECTION 725-30 “TERMS DEFINED” TO PROVIDE FOR MOBILE FOOD VENDORS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)** *(Community Development)*

9. RESOLUTION NO. 2019-149

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE SITE PLAN (SP-117-19) SUBMITTED BY CPH, INC. ON BEHALF OF PANDA EXPRESS, INC., FOR PROPERTY LOCATED AT 121 S. POINTE DRIVE, IN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT “A,” A COPY OF WHICH IS ATTACHED TO THIS RESOLUTION; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Community Development)*

10. RESOLUTION NO. 2019-150

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING A SITE PLAN (SP-79-19) REQUEST, VARIANCE (VA-147-19, VA-149-19, AND VA-150-19,) REQUESTS AND DESIGN EXCEPTION (OT-148-19) REQUESTS SUBMITTED BY THE PROPERTY OWNER, OUTBOARD DYNAMICS, LLC FOR PROPERTY LOCATED AT 3998 S.W. 22ND AVENUE 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. *(Community Development)*

11. RESOLUTION NO. 2019-151

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING “OUTBOARD DYNAMICS PLAT” (PL-128-19) SUBMITTED BY OUTBOARD DYNAMICS, LLC FOR PROPERTY LOCATED AT 3998 S.W. 22ND AVENUE IN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT “A,” A COPY OF WHICH IS ATTACHED TO THIS RESOLUTION; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Community Development)*

10. DISCUSSION AND POSSIBLE ACTION

1. Review and approve City Commission meeting dates for 2020 - City Clerk

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 - 1 appointment
2. Creative Arts Council Advisory Board
Commissioner James - 1 appointment

13. ADMINISTRATIVE REPORTS

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

Tuesday, December 10, 2019 - 5:30 p.m.
Tuesday, December 10, 2019 - 7:00 p.m.

CRA Board Meeting
City Commission Meeting

14. ADJOURNMENT