

AGENDA
DANIA BEACH CITY COMMISSION
REGULAR MEETING
TUESDAY, FEBRUARY 28, 2017 - 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. Black History Month - Commissioner Grace

4. PROCLAMATIONS

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 February 14, 2017 City Commission Meeting

2. Travel Requests:

Request from HR Generalist Kristin Milligan to attend the 2017 Society of Human Resources Annual Conference and Exposition in New Orleans, Louisiana, from June 17-21, 2017 (Estimated cost \$3,097.32)

Request from Permitting Office Supervisor Eleanor Norena to attend the Florida Floodplain Managers Association (FFMA) Annual Conference in St. Petersburg, Florida, from April 3-7, 2017 (Estimated cost \$1,373.61)

3. RESOLUTION NO. 2017-014

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS BY VARIOUS CITY DEPARTMENTS FOR SERVICES PURCHASES FROM PUBLIC UTILITY MANAGEMENT PLANNING SERVICES FOR FISCAL YEAR 2016-2017 ENDING SEPTEMBER 30, 2017, 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.

4. RESOLUTION NO. 2017-015

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, SUPPORTING THE COMBINED EFFORTS OF THE UNITED STATES CENTER FOR DISEASE CONTROL AND PREVENTION ("CDC") AND THE DEPARTMENT OF JUSTICE ("DOJ") TO CURTAIL THE OVERPRESCRIBING OF OPIOIDS BY PHYSICIANS THROUGH MORE PHYSICIAN EDUCATION AS WELL AS BETTER RISK ASSESSMENT OF PATIENTS; SUPPORTING THE STRENGTHENING OF PRESCRIPTION DRUG MONITORING PROGRAMS IN EVERY STATE AND ENSURING SAFE DRUG DISPOSAL; SUPPORTING THE EFFORTS OF THE CITY-COUNTY NATIONAL TASK FORCE ON THE OPIOID EPIDEMIC TO PROVIDE EDUCATIONAL OPPORTUNITIES; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

5. RESOLUTION NO. 2017-016

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A ROAD MAINTENANCE AGREEMENT AND ANY ADDITIONAL DOCUMENTS PERTAINING TO THE AGREEMENT AND TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT, A COPY OF WHICH IS ATTACHED, AND MADE A PART OF AND INCORPORATED INTO THIS RESOLUTION BY THIS REFERENCE, WITH DANIA ENTERTAINMENT CENTER, LLC (DEC) FOR THE MAINTENANCE OF FRONTON BOULEVARD; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

6. RESOLUTION NO. 2017-017

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO APPLY FOR THE SOUTH FLORIDA REGIONAL TRANSIT ORIENTED DEVELOPMENT (SFTOD) GRANT IN CONJUNCTION WITH THE DANIA BEACH COMMUNITY REDEVELOPMENT AGENCY (“CRA”) IN THE MAXIMUM AMOUNT OF TWO HUNDRED FIVE THOUSAND DOLLARS (\$205,000.00), WHICH REQUIRES A 20% MATCH TO PROVIDE FUNDING FOR TRI-RAIL COASTAL LINK STATION AREAS TO ENHANCE IMPROVED ACCESS AND MOBILITY FOR ALL USERS, AND EXPANDED ECONOMIC DEVELOPMENT OPPORTUNITIES IN AREAS LOCATED WITHIN THE DANIA BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA) BOUNDARIES; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7. RESOLUTION NO. 2017-018

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, SUPPORTING IMPLEMENTATION OF MULTIMODAL IMPROVEMENTS (BICYCLE LANES AND SIDEWALKS) ALONG THE STATE ROAD A1A CORRIDOR (EAST DANIA BEACH BOULEVARD) FROM GULFSTREAM ROAD TO NORTH OCEAN DRIVE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER PROVIDING AN EFFECTIVE DATE.

8. RESOLUTION NO. 2017-019

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, REMOVING THE FUNDING OBLIGATION FOR SEWER PROJECTS IN THE AMOUNT OF TWO MILLION FIVE HUNDRED NINETY SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$2,597,500.00) AND AUTHORIZING THE RETURN OF FUNDS TO THE CITY'S SEWER FUND RESERVES; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

9. RESOLUTION NO. 2017-020

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO PURCHASE SIDEWALK REPLACEMENT MATERIALS AND PROVIDING FOR SIDEWALK CONSTRUCTION SERVICES, INCLUDING COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (THE "ADA") FOR A SIDEWALK IMPROVEMENT PROJECT TO BE PERFORMED BY METRO EXPRESS, INC., UNDER THE SOUTHEAST FLORIDA GOVERNMENTAL COOPERATIVE GROUP INVITATION TO BID NO. ITB 15-16-039(A), IN AN AMOUNT NOT TO EXCEED ALLOCATED DEPARTMENTAL BUDGET APPROPRIATIONS WHICH WILL EXCEED THE ANNUAL VENDOR THRESHOLD OF TWENTY FIVE THOUSAND DOLLARS (\$25,000.00) IN FISCAL YEAR 2016-2017; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

10. ORDINANCE NO. 2017-006

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING SECTION 4-18, ENTITLED "HOURS OF SALE" OF CHAPTER 4, ENTITLED "ALCOHOLIC BEVERAGES", ARTICLE II, ENTITLED "OPERATION REGULATIONS" OF THE CITY CODE OF ORDINANCES, PERTAINING TO THE HOURS THAT ALCOHOLIC BEVERAGES ARE ALLOWED TO BE SOLD FOR "ON PREMISES CONSUMPTION" AT ESTABLISHMENTS SUCH AS RESTAURANTS, NIGHT CLUBS AND LOUNGES, TO ALLOW SALES OF SUCH BEVERAGES TO BEGIN AT 7:00 A.M. INSTEAD OF NOON ON SUNDAYS; PROVIDING FOR CONFLICTS, FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

11. ORDINANCE NO. 2017-007

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING SECTION 4-18, ENTITLED “HOURS OF SALE” OF CHAPTER 4, ENTITLED “ALCOHOLIC BEVERAGES”, ARTICLE II, ENTITLED “OPERATION REGULATIONS” OF THE CITY CODE OF ORDINANCES, PERTAINING TO THE HOURS THAT ALCOHOLIC BEVERAGES ARE ALLOWED TO BE SOLD FOR “OFF PREMISES CONSUMPTION” FROM ESTABLISHMENTS SUCH AS GROCERY STORES, CONVENIENCE STORES, MINI MARTS AND GAS STATIONS, TO ALLOW SALES OF SUCH BEVERAGES TO BEGIN AT 7:00 A.M. INSTEAD OF NOON ON SUNDAYS; PROVIDING FOR CONFLICTS, FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

8. BIDS AND REQUESTS FOR PROPOSALS

9. PUBLIC HEARINGS

1. ORDINANCE NO. 2017-005

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, TO AMEND CHAPTER 28 OF THE “LAND DEVELOPMENT CODE,” OF THE CITY’S CODE OF ORDINANCES BY AMENDING ARTICLE 105, “USE REGULATIONS FOR RESIDENTIAL AND OPEN SPACE ZONING DISTRICTS” CONCERNING PARKING OF AIRBOATS; AMENDING ARTICLE 302, “DETAILED USE REGULATIONS,” TO ADDRESS CONVENIENCE STORES; AMENDING ARTICLE 215, “SUPPLEMENTAL REGULATIONS FOR YARDS, LOT COVERAGE, IMPERVIOUS AREA AND OPEN SPACE,” TO ADDRESS ENCROACHMENTS AND SETBACKS; AMENDING ARTICLE 265, “OFF-STREET PARKING REQUIREMENTS,” TO ADDRESS DRIVEWAY SEPARATION REQUIREMENTS; AMENDING ARTICLE 825, “TREE PRESERVATION,” REGARDING GENERAL LICENSES AND TREE REPLACEMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)**

2. ORDINANCE NO. 2017-008

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA APPROVING THE RIGHT-OF-WAY VACATION REQUEST (VC-120-16) SUBMITTED BY THE GREENSPOON MARDER LAW FIRM ON BEHALF OF THE ADJACENT PROPERTY OWNER, BK STERLING INVESTMENT, LLC, FOR VACATION OF A PORTION OF SW 18TH COURT LOCATED ON THE NORTH SIDE OF STIRLING ROAD WITHIN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT “A,” A COPY OF WHICH IS ATTACHED TO THIS ORDINANCE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

3. ORDINANCE NO. 2017-009

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUEST MADE BY GREENSPOON MARDER, AGENT FOR THE PROPERTY OWNERS, BK STERLING INVESTMENT, LLC, THE CITY OF DANIA BEACH, AND BRE POLYGON PROPERTY OWNER, LLC, TO REZONE LAND GENERALLY LOCATED ON THE NORTH SIDE OF STIRLING ROAD BETWEEN BRYAN ROAD AND INTERSTATE 95 WITHIN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT “A”, A COPY OF WHICH IS ATTACHED TO THIS ORDINANCE; CHANGING THE CURRENT ZONING CLASSIFICATION OF THE PROPERTY FROM COMMERCIAL BUSINESS DISTRICT (C-2) TO PLANNED MIXED-USE DEVELOPMENT DISTRICT (PMUD) (APPLICATIONS RZ-123-16 AND RZ-124-16), AND EXPANDING THE BOUNDARIES OF THE DANIA POINTE PMUD TO INCLUDE SUCH PROPERTIES, AND AMENDING THE DANIA POINTE DESIGN DEVELOPMENT GUIDELINES (DDG), SUBJECT TO CERTAIN RESTRICTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

4. RESOLUTION NO. 2017-010

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE SITE PLAN MODIFICATION (SP-37-03 MOD A) SUBMITTED BY FOREST VIEW ESTATES, LLC, FOR PROPERTY LOCATED AT 3517 FOREST VIEW CIRCLE, IN THE CITY OF DANIA BEACH, FLORIDA; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Continued from 2/14/2017)*

10. DISCUSSION AND POSSIBLE ACTION

11. COMMISSION COMMENTS

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

12. APPOINTMENTS

1. Airport Advisory Board
Vice-Mayor Harris - 3 appointments
2. Education Advisory Board
Vice-Mayor Harris - 1 appointment
3. General Employees Pension Board
1 Commission appointment
1 Commission Representative
4. Green Advisory Board
Mayor James - 1 appointment
2 Alternate Positions
5. Marine Advisory Board
Vice-Mayor Harris - 1 appointment
Mayor James - 1 appointment
6. Parks, Recreation and Community Affairs Advisory Board
Vice-Mayor Harris - 1 appointment
7. Planning and Zoning Board
Commissioner Grace - 1 appointment
Mayor James - 1 appointment
8. Police and Fire Pension Board
1 Commission Representative

13. ADMINISTRATIVE REPORTS

1. City Manager

2. City Attorney

3. City Clerk - Reminders

Wednesday, March 1, 2017	-	5:00 p.m.	Abatement Hearing
Tuesday, March 14, 2017	-	6:00 p.m.	CRA Board Meeting
Tuesday, March 14, 2017	-	7:00 p.m.	City Commission Meeting
Tuesday, March 28, 2017	-	7:00 p.m.	City Commission Meeting

14. ADJOURNMENT