

ADDENDUM
DANIA BEACH CITY COMMISSION
VIRTUAL REGULAR MEETING
TUESDAY, JUNE 23, 2020 - 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 TWO HUNDRED FIFTY DOLLARS (\$250.00) REGISTRATION FEE FOR EACH PRINCIPAL OR EMPLOYER. REGISTRATION FORMS ARE AVAILABLE ON THE CITY WEBSITE: WWW.DANIABEACHFL.GOV. (ORDINANCE #2012-019; AMENDED BY ORDINANCE #2019-019)

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.

DECORUM POLICY FOR MEETINGS OF THE CITY COMMISSION
OF THE CITY OF DANIA BEACH, FLORIDA:

INDIVIDUALS WHO WISH TO MAKE ANY "CITIZEN'S COMMENTS" UNDER THAT PORTION OF THE CITY COMMISSION AGENDA, OR WHO OTHERWISE WANT TO ADDRESS THE CITY COMMISSION, MUST FIRST BE REGISTERED WITH THE CITY CLERK (FORMS ARE AVAILABLE OUTSIDE OF THE CITY COMMISSION CHAMBERS AND MUST BE GIVEN TO THE CLERK BEFORE THE MEETING). OTHERS WHO WANT TO ADDRESS THE COMMISSION ON ANY MATTERS MUST FIRST BE RECOGNIZED BY THE MAYOR. ALL SUCH PERSONS MUST USE THE PODIUM IN THE COMMISSION CHAMBER. NO MORE THAN ONE PERSON AT A TIME MAY ADDRESS THE COMMISSION FROM THE PODIUM. COMMENTS ARE ONLY TO BE MADE TO THE CITY COMMISSION AND ARE NOT TO BE DIRECTED TO THE AUDIENCE OR CITY STAFF.

NO INDIVIDUAL SHALL MAKE ANY SLANDEROUS OR UNDULY REPETITIVE REMARKS, OR ENGAGE IN ANY OTHER FORM OF BEHAVIOR THAT DISRUPTS OR IMPEDES THE ORDERLY CONDUCT OF THE MEETING, AS DETERMINED BY THE MAYOR. NO INDIVIDUAL MAY SPEAK DIRECTLY TO OR ADDRESS THE MAYOR, CITY COMMISSIONER OR CITY STAFF: COMMENTS ARE TO BE ONLY DIRECTED TO THE COMMISSION AS A WHOLE. NO CLAPPING, APPLAUDING, HECKLING OR VERBAL OUTBURSTS IN SUPPORT OF OR OPPOSITION TO A SPEAKER OR HIS OR HER REMARKS SHALL BE PERMITTED. NO SIGNS OR PLACARDS SHALL BE PERMITTED IN THE COMMISSION CHAMBER.

IF ANY PERSON'S CONDUCT AS DETERMINED BY THE MAYOR IS FOUND TO BE DISRUPTIVE OR INTERFERES WITH THE ORDERLY CONDUCT OF THE MEETING, THE PERSON MAY BE ASKED BY THE MAYOR TO LEAVE THE COMMISSION CHAMBERS; IF THE PERSON DOES NOT LEAVE AND THE CONDUCT PERSISTS, THE CITY POLICE DEPARTMENT WILL BE REQUESTED TO ESCORT THE INDIVIDUAL FROM THE CITY COMMISSION CHAMBERS.

ALL CELLULAR TELEPHONES ARE TO BE SILENCED DURING THE MEETING. ALL PERSONS EXITING THE COMMISSION CHAMBER SHALL DO SO QUIETLY. (RESOLUTION #2020-032)

7. CONSENT AGENDA

13. RESOLUTION NO. 2020-067

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, OPPOSING A BROWARD COUNTY CHARTER AMENDMENT TO BE PLACED ON THE NOVEMBER 2020 GENERAL ELECTION BALLOT THAT WOULD ALLOW THE COUNTY TO SUPERSEDE CITY ZONING AND OTHER ORDINANCES WHICH WOULD OTHERWISE BE APPLICABLE TO COUNTY PROJECTS TO BE LOCATED WITHIN MUNICIPALITIES WHICH PROJECTS ARE, IN WHOLE OR IN PART, TO BE FUNDED BY TRANSPORTATION SURTAX FUNDING, ON LANDS OWNED OR LEASED BY THE COUNTY WHICH LANDS ARE LOCATED WITHIN MUNICIPALITIES; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(City Attorney)*

10. DISCUSSION AND POSSIBLE ACTION

4. Proclamation Policy - Mayor Lewellen

RESOLUTION NO. 2020-067

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, OPPOSING A BROWARD COUNTY CHARTER AMENDMENT TO BE PLACED ON THE NOVEMBER 2020 GENERAL ELECTION BALLOT THAT WOULD ALLOW THE COUNTY TO SUPERSEDE CITY ZONING AND OTHER ORDINANCES WHICH WOULD OTHERWISE BE APPLICABLE TO COUNTY PROJECTS TO BE LOCATED WITHIN MUNICIPALITIES WHICH PROJECTS ARE, IN WHOLE OR IN PART, TO BE FUNDED BY TRANSPORTATION SURTAX FUNDING, ON LANDS OWNED OR LEASED BY THE COUNTY WHICH LANDS ARE LOCATED WITHIN MUNICIPALITIES; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, under the Florida Constitution and Section 166.021, Florida Statutes, municipalities are given broad home rule powers; and

WHEREAS, Broward County (the "County"), working with the City and other cities in Broward County and throughout the State of Florida, have repeatedly fought to protect and preserve local governments' home rule power against intrusions by the State and special interests; and

WHEREAS, currently, Section 11.01 of the County Charter provides that municipal ordinances prevail within municipal boundaries over conflicting County ordinances, except in the areas of minimum environmental standards, land use and ethics; and

WHEREAS, a resolution was adopted at the Broward County Commission Meeting on June 18, 2020, which directed the placement on the general election ballot in November 2020 of a proposed County Charter Amendment that would amend Section 11.01 of the County Charter to add the following category in which County ordinances would prevail over conflicting municipal ordinances: "The development of public transportation improvements, funded in whole or in part with transportation surtax proceeds, on County-owned or County-leased property, including through County regulation of zoning, permitting, construction, operation, or administration. This provision shall not apply to any County transportation improvement project for which the construction commenced after June 16, 2020, and that is located in an area zoned residential as of June 16, 2020, unless the municipality agrees to modify such zoning or takes such other action that would permit the intended County use" (the "Proposed Amendment"); and

WHEREAS, the office of the Broward County Attorney has advised the City that the Proposed Amendment will also contain an additional sentence (language which is still being

drafted) to the effect that prior to exercising the power granted under the Proposed Amendment, the County would meet with the applicable municipality(ies), consider other potentially available sites, and seek to obtain the agreement of the affected municipality(ies) regarding the development and use of the applicable property; and

WHEREAS, municipal local government is the closest, most accessible and provides the most responsive means to address concerns of residents who live and businesses which operate within a locality; and

WHEREAS, as part of their home rule powers, municipalities must continue to defend and retain zoning, permitting and regulatory control over all projects proposed to be located within their municipalities in order to protect their residents, businesses and visitors; and

WHEREAS, the City Commission believes that the Proposed Amendment would be an unacceptable intrusion into and of municipal home rule power, and therefore, the City Commission strongly opposes the placement of the Proposed Amendment on the general election ballot in November 2020;

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 opposes the Proposed Amendment that was brought forth on the Broward County Commission agenda at the June 18, 2020, because it would constitute an unwarranted intrusion into and of the municipal home rule powers of the City of Dania Beach.

Section 3. That the City Clerk is directed to distribute this Resolution to the Board of County Commissioners for Broward County, the Broward County League of Cities, and each of the municipalities in Broward County.

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 June 23, 2020.

ATTEST

THOMAS SCHNEIDER, CMC
CITY CLERK

LORI LEWELLEN
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY

Ceremonial Items Policy

The City Commission has established a procedure to be adhered to by the City Commission, the City Manager and organizations relative, but not limited to, the issuance and distribution of proclamations, keys to the City, awards, certificates and other ceremonial items or documents, effective April 28, 2020.

The Mayor, Commissioners, City Manager and organizations may request ceremonial items from the City Commission by submitting a written request to the City Clerk using the request form or a written communication before the publishing of the next City Commission meeting agenda. Upon receipt, the City Clerk will place it on the next agenda for discussion and seek a motion to approve the request to be placed on a future meeting agenda. The individual or organization making the request will have the opportunity to explain the reason for the request for the City Commission's consideration and discussion. Upon City Commission approval, the City Clerk will prepare the item and, if applicable, will invite the party to be recognized to the next appropriate City Commission meeting or invite a representative of the event of the organization requesting the item.

Ceremonial item request requirements. The criteria and types of ceremonial items available for presentation identified below shall serve as a reference for the City Commission.

The following types of ceremonial items are available for presentation:

- (1) *Keys to the City.* A key to the city is the most prestigious award presented by the City Commission and shall be generally limited to the following criteria. They may be issued:
 - a. To citizens, organizations or entities of the City who or which brought regional, national or international acclaim to the City;
 - b. To citizens, organizations or entities who or which have provided service of significant historical value to the City; and
 - c. To individuals, organizations or entities for meritorious acts that occurred within the City.

- (2) *Proclamations.* A proclamation is a formal public statement presented at a Commission meeting by the City Commission to recognize certain causes and events to include but not limited to the following:
 - a. For organizations with widespread community interest;
 - b. For a national event or cause such as the American Cancer Society, Breast Cancer Awareness, Black History Month, Women's History Month, National Library Week and other similar events and causes;
 - c. For organizations to commemorate a special event/activity having a positive impact on the City such as Code Enforcement Week, Parks & Recreation Month, City Clerk Week, Public Service Recognition Week;
 - d. For historic milestones such as Centenarian (100th) Birthdays; and

- e. For events supported by proclamations issued by the President of the United States, U.S. Congress, Governor of the State of Florida or the Florida State Legislature.

(3) Proclamations will not be issued for the following:

- a. Commercial purposes such as opening of a new business, a new service, a new product or a new professional service;
- b. Deceased persons unless the person was associated with a specific significant event;
- c. Birthdays less than 100 years;
- d. Family reunions, class reunions, or wedding anniversaries;
- e. Personal political or business endorsement of individuals or for-profit businesses.

(4) The request form or written communication for ceremonial items such as keys, proclamations and certificates must include the following:

- a. Specific title of what will be honored with a ceremonial item;
- b. Requested type of ceremonial items and date to be presented or picked up;
- c. Facts about the subject matter, cause or event;
- d. Contact information of the person or official making the request including: name, mailing address, telephone number, cell telephone number and email if applicable;
- e. Specify whether the ceremonial item is requested to be issued or presented at a Commission meeting or an event; and
- f. Proclamations and other ceremonial items or documents approved by the City Commission shall be read or presented by the Mayor, Vice Mayor or Commissioner who requested the item. Proclamations can only be signed by the Mayor.