

AGENDA
DANIA BEACH CITY COMMISSION
REGULAR MEETING
TUESDAY, APRIL 25, 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. Marty Kiar, Property Appraiser - Vice-Mayor Harris
- 2. FPL Presentation on new Power Plant - Mayor James
- 3. Presentation of City's Comprehensive Annual Financial Report for Fiscal Year 2016 by HCT Certified Public Accountants and Consultants, LLC
- 4. Recognition of Eleanna Hurst, Collins Elementary School, winner of the Broward County Public Schools 2017 Caliber Award for Teacher of the Year - Mayor James & 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 March 28, 2017 City Commission Meeting

2. Travel Requests:

Request from Community Development Director Marc LaFerrier to attend the APA (American Planning Association) National Planning Conference in New York City, New York on May 5-9, 2017 (Estimated cost \$2,712.91)

Request from Lead Code Compliance Inspector Barbara Urow and Code Compliance Inspector Ricky Ali to attend the 28th Annual F.A.C.E. (Florida Association of Code Enforcement) Conference in Orlando, Florida on June 20-23, 2017 (Estimated cost \$2,154.82)

Request from Revenue Coordinator Megan Jelaso to attend the Florida Association of Business Tax Professionals 29th Annual Educational Conference in Orlando, Florida on May 30-June 2, 2017 (Estimated cost \$1,105.66)

Request from Commissioner Bobbie H. Grace to attend the National League of Cities University Leadership Summit in San Diego, California on October 1-5, 2017 (Estimated cost \$2,356.87)

3. RESOLUTION NO. 2017-033

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO A LICENSE AGREEMENT DATED NOVEMBER 24, 2015 EXISTING BETWEEN THE CITY AND PARK N' GO OF FORT LAUDERDALE, LLC, RELATING TO THE NUMBER OF PARKING SPACES PERMITTED TO BE USED BY THE COMPANY FOR PARKING IN THE CITY GARAGE AND INCREASING THE RATE PER PARKING SPACE; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

4. RESOLUTION NO. 2017-034

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, TO CLOSE OUT THE OASIS IX PROJECT AND AUTHORIZING THE RETURN OF FUNDS IN THE REMAINING AMOUNT OF ONE THOUSAND EIGHT HUNDRED FORTY NINE DOLLARS (\$1,849.00) TO THE GENERAL

FUND CONTINGENCY ACCOUNT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

5. RESOLUTION NO. 2017-035

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, TO CLOSE OUT THE SOUTHEAST STORMWATER PHASE I PROJECT AND AUTHORIZING THE RETURN OF CITY FUNDS IN THE REMAINING AMOUNT OF FOURTEEN THOUSAND THREE HUNDRED FIFTY NINE DOLLARS (\$14,359.00) TO THE STORM WATER CONTINGENCY ACCOUNT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

6. RESOLUTION NO. 2017-036

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, TO CLOSE THE SIDEWALK PROJECT ON SW 40TH AVENUE AND AUTHORIZING THE RETURN OF FUNDS IN THE REMAINING AMOUNT OF FORTY SIX THOUSAND ONE HUNDRED EIGHTEEN DOLLARS (\$46,118.00) TO THE GENERAL FUND ACCOUNT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7. RESOLUTION NO. 2017-037

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING EXECUTION BY THE PROPER CITY OFFICIALS OF THE 2017 AMENDMENT TO AN INTERLOCAL AGREEMENT EXISTING BETWEEN BROWARD COUNTY, FLORIDA AND THE CITY OF DANIA BEACH, FLORIDA; PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE (3) CENT LOCAL OPTION GAS TAX ON MOTOR FUEL ORDINANCE; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

8. RESOLUTION NO. 2017-038

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE EXECUTION BY THE PROPER CITY OFFICIALS OF THE 2017 AMENDMENT TO AN INTERLOCAL AGREEMENT EXISTING BETWEEN BROWARD COUNTY, FLORIDA AND THE CITY OF DANIA BEACH, FLORIDA; PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIVE (5) CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

9. RESOLUTION NO. 2017-039

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING EXECUTION BY THE PROPER CITY OFFICIALS OF THE 2017 AMENDMENT TO AN INTERLOCAL AGREEMENT EXISTING BETWEEN BROWARD COUNTY, FLORIDA AND THE CITY OF DANIA BEACH, FLORIDA; PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS OF THE SIX (6) CENT LOCAL OPTION GAS TAX IMPOSED BY THE BROWARD COUNTY LOCAL OPTION GAS TAX ORDINANCE; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

10. RESOLUTION NO. 2017-040

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SETTLEMENT AGREEMENT BETWEEN THE CITY AND REPUBLIC SERVICES OF FLORIDA, LIMITED PARTNERSHIP, A DELAWARE LIMITED PARTNERSHIP AUTHORIZED TO DO BUSINESS IN FLORIDA, PERTAINING TO A PAYMENT TO THE CITY WHICH IS RELATED TO COLLECTION AND DISPOSAL OF SOLID WASTE AND RECYCLING MATERIALS IN THE CITY BY REPUBLIC, PRIOR TO JANUARY 1, 2017; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

11. RESOLUTION NO. 2017-041

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE 42nd YEAR COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENT BETWEEN THE CITY OF DANIA BEACH AND BROWARD COUNTY IN THE AMOUNT OF ONE HUNDRED FIFTY THOUSAND FIVE HUNDRED THIRTY SIX DOLLARS (\$150,536.00) TO PROVIDE FUNDING FOR A NEIGHBORHOOD INFRASTRUCTURE IMPROVEMENT PROJECT KNOWN AS OASIS XII; FURTHER REQUESTING CITY COMMISSION APPROVAL TO ADVERTISE THE PROJECT FOR BIDS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

12. ORDINANCE NO. 2017-014

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING SECTION 2-84, ENTITLED “POWERS OF SPECIAL MAGISTRATE”, OF ARTICLE IV, ENTITLED “CODE ENFORCEMENT”, CHAPTER 2, ENTITLED “ADMINISTRATION”, OF THE CITY CODE OF ORDINANCES, TO AUTHORIZE CODE COMPLIANCE SPECIAL MAGISTRATES TO ABATE OR MITIGATE FINES ASSOCIATED WITH CODE VIOLATIONS RESULTING IN LIENS; PROVIDING FOR CONFLICTS, FURTHER,

PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

13. ORDINANCE NO. 2017-015

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, PERTAINING TO APPOINTMENTS TO CITY PENSION BOARDS; AMENDING ARTICLE III, ENTITLED “EMPLOYEES’ RETIREMENT PLAN AND TRUST”, SECTION 18-29.9, ENTITLED “BOARD OF TRUSTEES – PLAN ADMINISTRATION”, OF CHAPTER 18, ENTITLED “PENSIONS AND RETIREMENT”, OF THE CITY CODE OF ORDINANCES, TO DELETE A PROVISION DESIGNATING A CITY ELECTED OFFICIAL TO SERVE AS A RETIREMENT BOARD MEMBER ON THE GENERAL EMPLOYEES’ PENSION BOARD AND DESIGNATING THE DIRECTOR OF THE CITY FINANCE DEPARTMENT OR DESIGNEE OF THE DIRECTOR, WHICH DESIGNEE IS EMPLOYED IN THAT DEPARTMENT, TO SERVE AS A MEMBER OF SUCH BOARD; AMENDING CHAPTER 2 OF THE CITY CODE OF ORDINANCES, WHICH CHAPTER IS ENTITLED “ADMINISTRATION”, ARTICLE I, ENTITLED “IN GENERAL”, TO DELETE SECTION 2-1.5 ENTITLED “COMMISSIONER TO SERVE ON BOARD OF TRUSTEES OF CITY POLICE AND FIREFIGHTERS RETIREMENT SYSTEM” IN ITS ENTIRETY; AMENDING SECTION 2-9, ENTITLED “DEPARTMENT OF FINANCE CREATED; DUTIES”, OF THE CITY CODE OF ORDINANCES, PERTAINING TO THE DUTIES OF THE DIRECTOR OF THE CITY FINANCE DEPARTMENT, TO PROVIDE FOR THE DEPARTMENT DIRECTOR OR DESIGNEE OF THE DIRECTOR, WHICH DESIGNEE IS EMPLOYED IN THAT DEPARTMENT, TO SERVE AS A MEMBER OF THE BOARD OF TRUSTEES OF THE EMPLOYEES’ RETIREMENT PLAN AND TRUST (APPLICABLE TO GENERAL EMPLOYEES); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

8. BIDS AND REQUESTS FOR PROPOSALS

9. PUBLIC HEARINGS

1. ORDINANCE NO. 2017-010

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 1 “USE REGULATIONS,” ARTICLE 110 “USE REGULATIONS FOR COMMERCIAL AND MIXED-USE DISTRICTS” AND PART 3 “SPECIAL ZONING DISTRICTS,” SUBPART 1 “COMMUNITY REDEVELOPMENT AREA (CRA) FORM-BASED ZONING DISTRICTS,” ARTICLE 302 “DETAILED USE REGULATIONS,” BY AMENDING THE PERMITTED USES WITHIN THE NEIGHBORHOOD MIXED USE (NBHD-MU) DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING

FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)**

2. ORDINANCE NO. 2017-011

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 302, “DETAILED USE REGULATIONS,” TO REVISE AND ADD CONDITIONS OF USE FOR CONVENIENCE STORES TO ALLOW FOR REDEVELOPMENT ON QUALIFYING SITES OF CONVENIENCE STORES WITH RETAIL MOTOR FUEL PUMPS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)**

3. ORDINANCE NO. 2017-012

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING THE FUTURE LAND USE PLAN MAP (LU-09-17) OF THE CITY OF DANIA BEACH COMPREHENSIVE PLAN PURSUANT TO A REQUEST SUBMITTED BY LEIGH ROBINSON KERR & ASSOCIATES, INC./LEIGH R. KERR, AICP ON BEHALF OF THE PROPERTY OWNER, GRIFFIN POINTE PARTNERS, LLLP, TO CHANGE THE LAND USE OF AN APPROXIMATELY 8.8 ACRE PARCEL OF LAND LOCATED AT 2281 GRIFFIN ROAD WITHIN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT “A,” A COPY OF WHICH IS ATTACHED TO THIS ORDINANCE, FROM OFFICE PARK TO COMMERCIAL; PROVIDING FOR TRANSMITTAL TO THE BROWARD COUNTY PLANNING COUNCIL AND STATE AGENCIES; PROVIDING FOR ADOPTION PURSUANT TO SECTION 163.3184, FLORIDA STATUTES; REQUESTING RECERTIFICATION FROM THE BROWARD COUNTY PLANNING COUNCIL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)**

4. ORDINANCE NO. 2017-013

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUEST MADE BY LEIGH R. KERR, AICP/LEIGH ROBINSON KERR & ASSOCIATES, INC., AGENT FOR THE PROPERTY OWNER GRIFFIN POINTE PARTNERS, LLLP, TO REZONE PROPERTY LOCATED AT 2281 GRIFFIN ROAD IN 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 COMMUNITY BUSINESS DISTRICT (C-2) TO GENERAL COMMERCIAL DISTRICT (C-3),

SUBJECT TO CERTAIN RESTRICTIONS, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)**

5. ORDINANCE NO. 2017-016

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 1 “USE REGULATIONS,” ARTICLE 115 “INDUSTRIAL DISTRICTS: PERMITTED, PROHIBITED, SPECIAL EXCEPTION USES AND CONDITIONS OF USE,” SECTION 115-40 “SCHEDULE OF PERMITTED USES” TO REMOVE OUTDOOR STORAGE OF VEHICLES; PART 2 “SITE DEVELOPMENT REGULATIONS,” ARTICLE 265 “OFF STREET PARKING REQUIREMENTS,” SECTION 265-50 “OFF-STREET PARKING REQUIRED; ON-STREET PARKING CREDIT” TO MODIFY REQUIRED PARKING FOR DAYCARE; AND PART 3 “SPECIAL ZONING DISTRICTS,” SUBPART 1 “COMMUNITY REDEVELOPMENT AREA (CRA) FORM-BASED ZONING DISTRICTS,” ARTICLE 305 “INCENTIVES” TO MODIFY THE APPLICABILITY AND REGULATIONS OF INCENTIVES AND RELOCATE INCENTIVES FOR PUBLIC PARKS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)**

6. RESOLUTION NO. 2017-025

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE SITE PLAN (SP-65-16) SUBMITTED BY THE APPLICANT, BATIA DAYAN, ON BEHALF OF THE PROPERTY OWNER 4760 LLC, FOR PROPERTY LOCATED AT 4760 SW 42 TERRACE IN THE CITY OF DANIA BEACH, FLORIDA; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Continued from March 14, 2017)*

7. RESOLUTION NO. 2017-029

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE “WHISPERING OAKS PLAT” (PL-001-17) SUBMITTED BY PULICE LAND SURVEYORS, INC., ON BEHALF OF THB ISLES, FOR PROPERTY LOCATED AT 4900 SW 25TH 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. *(Continued from March 28, 2017)*

8. RESOLUTION NO. 2017-030

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE WHISPERING OAKS SITE PLAN (SP-111-16) SUBMITTED BY THB ISLES, INC. FOR PROPERTY LOCATED AT APPROXIMATELY 4900 SW 25th AVENUE IN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT “A”; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Continued from March 28, 2017)*

10. DISCUSSION AND POSSIBLE ACTION

1. General Budget Discussion – City Manager Baldwin

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
Commissioner Brandimarte - 1 appointment
Vice-Mayor Harris - 2 appointments
2. General Employees Pension Board
1 Commission Representative
3. Nuisance Abatement Board - Motion to Reinstate the Board
Commissioner Brandimarte - 1 appointment
Commissioner Grace - 1 appointment
Commissioner Salvino - 1 appointment
Vice-Mayor Harris - 1 appointment
Mayor James - 1 appointment
2 Alternate positions
4. Police and Fire Pension Board
1 Commission Representative

13. ADMINISTRATIVE REPORTS

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

Tuesday, May 9, 2017 - 6:00 p.m.
Tuesday, May 9, 2017 - 7:00 p.m.
Tuesday, May 23, 2017 - 7:00 p.m.

CRA Board Meeting
City Commission Meeting
City Commission Meeting

14. ADJOURNMENT