

CITY OF DANIA BEACH CITY COMMISSION MEETING
JANUARY 26, 2021 at 7:00 PM
VIRTUAL MEETING AND PUBLIC COMMENTS PROCEDURE

The City of Dania Beach City Commission will be conducting a “Virtual” City Commission meeting utilizing communications media technology (“CMT”), in accordance with Emergency Ordinance No. 2020-017, extended by Emergency Ordinance No. 2021-006, and City Manager’s Order Adopting Rules for Use of Communications Media Technology for Public Meetings During Health Emergency, related to conducting public meetings while under the public health emergency related to the spread of Novel Coronavirus Disease 2019 (COVID-19). City Hall building is closed to the public.

Please visit www.daniabeachfl.gov/virtualmeetings for detailed instructions on how to attend and participate in virtual City Commission meetings. Public access to this virtual meeting can be accomplished as follows:

- Watch Meeting on the City’s YouTube Channel at www.daniabeachfl.gov/2654/Watch-DaniaTV
- Watch Meeting on Comcast Cable Channel 78
- Join the Meeting virtually or by telephone using RingCentral Meetings

Any member of the public wishing to comment publicly on any matter including on specific agenda items can do so by one of the following options:

Before 2:00 p.m. on the day of the meeting, comments can be submitted into the record by using the following link:

<https://daniabeach.seamlessdocs.com/f/PublicSpeakingFormCityCommission> *(all public comments submitted will be provided to the City Commission prior to the meeting and will be attached to the minutes of this meeting and become part of the official record)*

Participating in a public meeting using the video conference platform:

- Virtual attendance: download and install RingCentral Meetings and join using the meeting ID; to be recognized during public comment, click “Raise my hand” in the software
- Telephone attendee: dial meeting phone number and enter meeting ID; to be recognized during public comment, dial *9 to raise your hand

For more information about this City Commission meeting or submitting a public comment at the meeting, please contact:

Thomas Schneider, City Clerk
City of Dania Beach
100 W Dania Beach Boulevard
Dania Beach, FL 33004
954-924-6800 | tschneider@daniabeachfl.gov

NOTICE: This meeting is open to the public. In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact the Office of the City Clerk, 954-924-6800 ext. 3624, no later than two days prior to such proceeding. Anyone wishing to appeal any decision made by the Dania Beach City Commission with respect to any matter considered at such meeting or hearing will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Agenda items may be viewed online at www.daniabeachfl.gov.

**Instructions for Participating and Viewing
City of Dania Beach Virtual City Commission Meeting
January 26, 2021 at 7:00 PM**

Through the City's Website:

Please click the link below:

www.daniabeachfl.gov/2654/Watch-DaniaTV

Through Comcast Channel 78:

If you are a Comcast/Xfinity customer, please go to Channel 78 to view the meeting.

Before 2:00 p.m. on the day of the meeting, submit Public Comments by clicking this link:

<https://daniabeach.seamlessdocs.com/f/PublicSpeakingFormCityCommission> *(all public comments submitted will be provided to the City Commission prior to the meeting and will be attached to the minutes of this meeting and become part of the official record).*

Options for Viewing and Participating in the Meeting Using RingCentral Meetings software

Visit <https://www.ringcentral.com/apps/rc-meetings> to download and install the software on your device

Use this meeting link to join as an attendee:

<https://meetings.ringcentral.com/j/1491634519>

Using your telephone – for higher quality, dial a number based on your current US location:

+1(312)2630281
+1(470)8692200 (US East)
+1(646)3573664
+1(773)2319226 (US North)
+1(213)2505700
+1(346)9804201
+1(469)4450100 (US South)
+1(623)4049000 (US West)
+1(650)2424929
+1(720)9027700 (US Central)

Enter the meeting ID: 149-163-4519

To raise hand and be acknowledged to speak:

1. Users who call in can dial *9 to raise their hand
2. If using the meeting software, to raise hand click or tap "Participants", then choose the option to raise hand.
3. Once you have been selected to speak, you may be prompted to unmute your device or this will be done for you.

City of Dania Beach, Florida Virtual City Commission Meetings Quasi-Judicial Proceedings

Any member of the public wishing to make verbal comment during a meeting must pre-register to do so with the City Clerk's office using the form found on the City's website. This pre-registration applies to the public, and extends to the applicant and applicant's team. Once the registration has been processed, the registrant will receive instructions for participating in the meeting. Members of the public who attend the meeting by telephone will have their line muted at all times, except when acknowledged by the Mayor to speak on a particular agenda item, and only one individual will be permitted to speak at a time. **If either the applicant or a member of the public seeks to introduce documents into the record, that must be done at least five (5) days prior to the virtual public meeting, so that the City can upload the information. The City Clerk shall provide the Mayor and City Commission with the submittals prior to the hearing. All documents should be sent to the following email addresses: tschneider@daniabeachfl.gov and clajoie@daniabeachfl.gov. In the "Subject" line of the email please address the email as "documents to be included for public hearing" and list the public hearing applicant name and property address.**

On the date and at the time of the Virtual meeting, the City Attorney shall read the title of the quasi-judicial public hearing item when the Agenda item is ready to be presented. The City Attorney shall ask the City Commission to disclose any prior "ex parte" communications with any party that occurred prior to the meeting. Thereafter, the City Attorney will virtually swear in all staff persons speaking about an application as well as the applicant, applicant's team, and any persons in the public who intend to appear by telephone, email, or "live" during the virtual feed of the video presentation during the virtual City Commission meeting. The City Attorney will ask staff and applicant (including applicant's team) to raise their right hands to be sworn in. The City Attorney will then administer an oath. The City Attorney will ask each person to confirm audibly for the record that each speaker took the oath (all persons will identify themselves by name).

Thereafter, City staff will provide a presentation of the staff report and the Department recommendations, if any. Any power point presentations or documents shown or produced during the hearing shall be treated as evidence which the City Commission may consider in determining whether or not to approve the application. The applicant will then be provided the opportunity to make a presentation. Legal counsel for the applicant may make a presentation or assist with the applicant's presentation. Then members of the public, during the public hearing portion of the agenda item hearing, may speak to the application and may cross-examine witnesses (including City staff, the applicant, and applicant's team). During the Public Comments/Public Hearing portion of the meeting the City Attorney will individually swear in public speakers, who will acknowledge having taken the oath, and state their names for the record. Video of the virtual meeting will be streamed on the City's website at www.daniabeachfl.gov, the City's YouTube channel, and Dania Beach Comcast Channel 78. Additionally, a dedicated telephone line will be available so that any individual may listen to the meeting via telephone and may participate during the public comments portion of the hearing. If public comments were received in advance, they will be acknowledged by the City Clerk by mention of the names of those who submitted comments.

Once the public hearing is closed the Mayor and City Commission shall deliberate on the public hearing quasi-judicial item. A virtual quorum shall be required to take action on the application. Roll call vote of the City Commission shall be required.

**AGENDA
DANIA BEACH CITY COMMISSION
VIRTUAL REGULAR MEETING
TUESDAY, JANUARY 26, 2021 - 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)

- 1. CALL TO ORDER/ROLL CALL**
- 2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE**
- 3. PRESENTATIONS AND SPECIAL EVENT APPROVALS**
- 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 January 5, 2021 Virtual Workshop - Artificial Reef Project Options
Approve Minutes of January 5, 2021 Virtual Workshop - Oak Hammock Tree Protection Overlay Ordinance
Approve Minutes of January 9, 2021 Strategic Plan Session
Approve Minutes of January 12, 2021 Virtual City Commission Meeting

2. Travel Requests: None

3. RESOLUTION NO. 2021-010

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, REQUESTING ADVANCE APPROVAL FROM THE CITY COMMISSION TO PROCEED WITH THE BID ADVERTISEMENT FOR THE OCEAN PARK DRAINAGE PROJECT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Public Services)*

4. RESOLUTION NO. 2021-011

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FOR EXECUTIME SOFTWARE, RELATED HARDWARE, AND PROFESSIONAL SERVICES TO BE PROVIDED BY TYLER TECHNOLOGIES, INC. AND TO EXCEED THE CITY'S ANNUAL VENDOR THRESHOLD TOTAL AMOUNT OF TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00); AUTHORIZING SUCH PURCHASES THAT ARE MADE WITHIN THE RESPECTIVE DEPARTMENTS' APPROVED ANNUAL BUDGET APPROPRIATIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Human Resources)*

5. RESOLUTION NO. 2021-012

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SECOND AMENDMENT TO AND RESTATEMENT OF THE TRANSPORTATION SYSTEM SURTAX INTERLOCAL AGREEMENT WITH BROWARD COUNTY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Public Services)*

6. RESOLUTION NO. 2021-013

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, SUPPORTING FLORIDA SENATE BILL 596 AND COMPANION HOUSE BILL 6023 RELATING TO REPEAL OF FLORIDA STATUTE 163.045, TO ALLOW LOCAL GOVERNMENTS TO REGULATE MATTERS RELATING TO TREES LOCATED ON RESIDENTIAL PROPERTIES; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Commissioner Odman)*

7. ORDINANCE NO. 2021-010

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, REPEALING ORDINANCE 2004-019 WHICH IS CODIFIED AS SECTION 2-5 OF THE CODE OF ORDINANCES, ENTITLED “ADOPTION OF CIVIL SERVICE RULES”; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)** *(Human Resources)*

8. ORDINANCE NO. 2021-011

AN ORDINANCE OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 2, ENTITLED “ADMINISTRATION,” TO AMEND SECTION 2-1.2, ENTITLED “RESERVED” TO DEFINE THE TERM “CHAMBERS” FOR PURPOSES OF CITY COMMISSION MEETINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)** *(City Attorney)*

9. ORDINANCE NO. 2021-012

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 13, ENTITLED “HEALTH AND SANITATION,” TO CREATE SECTION 13-11, ENTITLED “VIRTUAL PUBLIC MEETINGS” AUTHORIZING THE CITY MANAGER TO MAKE PROVISIONS FOR PUBLIC MEETINGS BY USE OF COMMUNICATION MEDIA TECHNOLOGY AND FOR ATTENDANCE BY USE OF SUCH TECHNOLOGY BY ELECTED AND APPOINTED OFFICIALS DURING PERIODS WHEN THE CITY MANAGER DETERMINES AND DECLARES A LOCAL PUBLIC HEALTH EMERGENCY OR OTHER CIRCUMSTANCES IN WHICH THE CITY COMMISSION DETERMINES IT IS NECESSARY TO PROTECT THE HEALTH AND SAFETY OF CITY OFFICIALS, CITY STAFF, AND THE PUBLIC FOR THE DURATION OF THE DECLARED PUBLIC EMERGENCY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)** *(City Attorney)*

8. BIDS AND REQUESTS FOR PROPOSALS

9. PUBLIC HEARINGS

1. ORDINANCE NO. 2021-007

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA RELATING TO THE LAND DEVELOPMENT CODE (LDC); AMENDING CERTAIN PROVISIONS OF THE LDC TO FURTHER REFINE PROVISIONS RELATING TO (1) SIGHT TRIANGLES BY AMENDING SECTION 275-180, ENTITLED “SIGHT DISTANCE FOR LANDSCAPING ADJACENT TO STREET INTERSECTIONS AND POINTS OF ACCESS;” (2) EMERGENCY GENERATORS, BY AMENDING SECTION 285-10, ENTITLED “EMERGENCY GENERATORS IN RESIDENTIAL DISTRICTS;” PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)** *(Community Development)*

2. ORDINANCE NO. 2021-008

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA RELATING TO THE LAND DEVELOPMENT CODE (LDC); AMENDING CERTAIN PROVISIONS OF THE LDC TO FURTHER REFINE PROVISIONS RELATING TO PAINTED SIGNS BY AMENDING SECTION 505-50, ENTITLED “PROHIBITED SIGNS” AND SECTION 505-90 ENTITLED “SIGNAGE REGULATIONS FOR THE MIXED-USE CRA FORM-BASED ZONING DISTRICTS (CC, SFED-MU, EDBB-MU, GTWY-MU, NBHD-MU); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)** *(Community Development)*

3. ORDINANCE NO. 2021-009

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA RELATING TO THE LAND DEVELOPMENT CODE (LDC); AMENDING CERTAIN PROVISIONS OF THE LDC TO FURTHER REFINE PROVISIONS RELATING TO PUBLIC HEARING NOTICES BY AMENDING SECTION 610-20, ENTITLED “TABLE OF PUBLIC NOTICE REQUIREMENTS”; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)** *(Community Development)*

4. ORDINANCE NO. 2021-003

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, CREATING ARTICLE 826 ENTITLED “OAK HAMMOCK

TREE PROTECTION OVERLAY” UNDER THE CITY’S LAND DEVELOPMENT CODE (LDC) OF THE CITY OF DANIA BEACH CODE, AND APPROVING THE APPLICATION REQUEST (TX-065-20), MADE BY THE CITY OF DANIA BEACH TO CREATE A ZONING OVERLAY FOR THE GENERAL VICINITY OF THE RESIDENTIAL LOTS ON SW 36 TERRACE, SW 37 AVENUE AND SW 37 TERRACE, STRETCHING FROM STIRLING ROAD NORTH FOR APPROXIMATELY 1,280 LINEAR FEET, TO THE END OF THE STREETS, AND INCLUDES APPROXIMATELY 30 GROSS ACRES AND 74 PARCELS, IN THE CITY OF DANIA BEACH, FLORIDA, WHICH PROPERTY IS LEGALLY DESCRIBED IN EXHIBIT “A,” A COPY OF WHICH IS ATTACHED TO THIS ORDINANCE; PROVIDING FOR AN OAK HAMMOCK TREE PROTECTION OVERLAY FOR THE AREA IDENTIFIED IN ORDER TO PROTECT THE OF THIS UNIQUE OAK HAMMOCK FOREST COMMUNITY, SUBJECT TO CERTAIN STANDARDS AND RESTRICTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)** *(Community Development)*

10. DISCUSSION AND POSSIBLE ACTION

11. COMMISSION COMMENTS

1. Commissioner Davis
2. Commissioner Lewellen
3. Commissioner Odman
4. Vice-Mayor Salvino
5. Mayor James

12. APPOINTMENTS

1. Airport Advisory Board
 - Mayor James - 2 appointments
 - Vice-Mayor Salvino - 2 appointments
 - Commissioner Davis - 2 appointments
 - Commissioner Lewellen - 2 appointments
 - Commissioner Odman - 2 appointments
2. Creative Arts Council Advisory Board
 - Mayor James - 1 appointment
 - Vice-Mayor Salvino - 1 appointment
 - Commissioner Davis - 1 appointment

3. Education Advisory Board
Vice-Mayor Salvino - 1 appointment
Commissioner Davis - 1 appointment
4. General Employees Pension Board
1 Commission Appointment for a term beginning June 22, 2020 and ending June 22, 2022
5. Green Advisory Board
Mayor James - 1 appointment
Vice-Mayor Salvino - 1 appointment
Commissioner Davis - 1 appointment
Commissioner Odman - 1 appointment
6. Marine Advisory Board
Mayor James - 1 appointment
Vice-Mayor Salvino - 2 appointments
Commissioner Davis - 2 appointments
7. Parks, Recreation and Community Affairs Advisory Board
Mayor James - 2 appointments
Vice-Mayor Salvino - 2 appointments
Commissioner Davis - 2 appointments
Commissioner Lewellen - 2 appointments
Commissioner Odman - 2 appointments
8. Planning & Zoning Board
2 Alternate Appointments by Commission at large

13. ADMINISTRATIVE REPORTS

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

Tuesday, February 9, 2021 - 5:30 p.m.	CRA Board Meeting
Tuesday, February 9, 2021 - 7:00 p.m.	City Commission Meeting
Tuesday, February 23, 2021 - 7:00 p.m.	City Commission Meeting

14. ADJOURNMENT

MINUTES OF MEETING
DANIA BEACH CITY COMMISSION
VIRTUAL WORKSHOP - ARTIFICIAL REEF PROJECT OPTIONS
TUESDAY, JANUARY 5, 2021 - 4:00 PM

1. Call to Order/Roll Call

Mayor James called the meeting to order at 4:01 p.m.

Present:

Mayor:	Tamara James
Vice-Mayor:	Marco A. Salvino, Sr.
Commissioners:	Joyce L. Davis
	Lori Lewellen
	Lauren Odman
City Manager:	Ana M. Garcia, ICMA-CM
City Attorney:	Thomas Ansbro
City Clerk:	Thomas Schneider

2. Items for Discussion

2.1 Artificial Reef Project Options

Stacy Brown, Marine Biologist, Director of Education of the 1,000 Mermaid Relief Project, gave a presentation and reviewed the options, which are attached to and incorporated into these minutes.

Discussion ensued regarding the above-water and underwater selfie stations, and ocean based modules. Discussion also ensued regarding the artificial reef permit zone.

Ms. Brown further reviewed the underwater project sculpture options, Options 1, 2, and 3.

Discussion ensued regarding mixing and matching features between the options.

Shelby Thomas, CEO of 1,000 Mermaids, further described options for swim-throughs, that could be done retroactively, and turtles on lower profile modules.

Further discussion ensued.

The Commission agreed to the large underwater mermaid sculpture with a plaque, a large swim-through module with a logo, a medium-sized mermaid selfie station, two mermaids, one turtle, and 15 low profile modules.

Commissioner Odman requested custom renderings of what the Commission has chosen be put together.

Ms. Brown explained the steps that would follow this workshop.

Evan Snow, Executive Director of 1,000 Mermaids, noted that there will be an opportunity for the Commission do have some sort of unveiling.

Ms. Brown noted she would like to discuss other matters, including deployment dates, with the Commission.

Mayor James said Commissioner Odman is the Commission liaison for this project and Ms. Brown should work with her.

Discussion ensued regarding community involvement to generate excitement for private sponsorships and coordinating deployments of the barge.

Mr. Snow addressed the pricing for the City and private individuals; he noted this is not a rushed project.

Mayor James requested Commissioner Odman get with 1,000 Mermaids to put together a package to present at a future Commission meeting.

Mr. Snow noted he would work with City staff to get the marketing campaign underway.

A brief discussion ensued regarding additional above-water modules.

Commissioner Odman felt the second above-water module should be a mermaid.

Ms. Brown suggested a module with three mermaids, which can be decided upon at a later time.

3. Adjournment

Mayor James adjourned the meeting at 5:05 p.m.

ATTEST:

CITY OF DANIA BEACH

THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

MINUTES OF MEETING
DANIA BEACH CITY COMMISSION
VIRTUAL WORKSHOP
OAK HAMMOCK TREE PROTECTION OVERLAY ORDINANCE
TUESDAY, JANUARY 5, 2021 - 5:30 PM

1. Call to Order/Roll Call

Mayor James called the meeting to order at 5:31 p.m.

Present:

Mayor:	Tamara James
Vice-Mayor:	Marco A. Salvino, Sr.
Commissioners:	Joyce L. Davis
	Lori Lewellen
	Lauren Odman
City Manager:	Ana M. Garcia, ICMA-CM
City Attorney:	Thomas Ansbro
City Clerk:	Thomas Schneider

2. Items for Discussion

2.1 Oak Hammock Tree Protection Overlay Ordinance

City Attorney Ansbro noted public questions were submitted and answered by staff, and provided to the Commission. The questions and answers are attached to and incorporated into these minutes. He also noted it is the Commission's discretion on how to proceed; the City's arborist would give an overview of the ordinance if the Commission desired.

Mayor James wanted to be sure anyone with questions that were not submitted would have the opportunity to ask them and have them answered.

Eve Boutsis, Assistant City Attorney, noted the Commission's wishes for this workshop was to have discussion among themselves regarding the ordinance.

Ryan St. George, South Florida Environmental Services Manager, City arborist, gave an overview of the tree protection overlay ordinance which is attached to and incorporated into these minutes. He addressed the FPL property matter.

Commissioner Odman noted she understood this workshop was for the Commission to discuss the ordinance among themselves to see if there is a way to move forward. Homework should have been done prior to this meeting.

Mr. St. George responded to the Commission's questions, including whether house additions or property improvements would be prohibited by the ordinance, and the requirement to plant trees or pay into the tree trust fund.

Commissioner Salvino addressed his concerns with the overlay ordinance; we are opening up opportunities for lawsuits over State rule. He felt we should not single out an individual community; if something is done, it should be done citywide.

Assistant City Attorney Boutsis addressed State law concerns.

Mr. St. George responded to Commissioner Odman's question as to why this ordinance was not being done citywide and what the subject area would look like if the ordinance is not adopted.

Assistant City Attorney Boutsis responded to Commissioner Lewellen's question regarding how we would deal with enforcement of this ordinance. Commissioner Lewellen noted she does not understand how putting this into law would change anything.

Assistant City Attorney Boutsis explained this would not prevent bad actors; however, the ordinance would become part of the process for an abiding resident wanting to make home and property improvements. This is a Commission policy decision; she felt this is a preservation measure.

Commissioner Lewellen noted when this comes back to the Commission, a lot of people will want to speak again. She questioned if there is a way to limit citizen comments as they have all spoken before.

Mayor James would like second reading of the ordinance as the last item under public hearings and to limit citizen comments to 1 ½ minutes each.

City Attorney Ansbro recommended that no one be allowed to yield their time to someone else and to keep citizen comments at three minutes per person because that is what we have always done.

Mayor James suggested a hard stop for the item within the Commission meeting.

Discussion ensued regarding reducing the time allowed for each speaker since the same comments are being made at each meeting.

Mayor James noted second reading of this ordinance would be the last item under public hearings and citizen comments would be limited to 1 ½ minutes per speaker.

Assistant City Attorney Boutsis responded to Michelle Nadel's concerns about the FPL area that is not included in the overlay.

Sean Ritterman, 5881 SW 36th Terrace, asked whether residents would be penalized for using an arborist that the City contests.

Assistant City Attorney Boutsis explained what would happen under those circumstances.

City Attorney Ansbro noted anyone cited would receive due process of law.

Mr. Ritterman questioned a grandfather clause and Mr. St. George noted the City would not chase after anyone in that scenario.

Igal Hatanian, 5911 SW 36 Terrace, requested that only residents of Dania Beach be allowed to speak at the Commission meeting for second reading of the ordinance.

Mayor James and City Attorney Ansbro responded that would not be permissible.

3. Adjournment

Mayor James adjourned the meeting at 6:50 p.m.

ATTEST:

CITY OF DANIA BEACH

THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

MINUTES OF MEETING
DANIA BEACH CITY COMMISSION
STRATEGIC PLAN SESSION
SATURDAY, JANUARY 9, 2021 - 10:00 AM

1. Call to Order/Roll Call

Mayor James called the meeting to order at 10:13 a.m.

Present:

Mayor:	Tamara James
Vice-Mayor:	Marco A. Salvino, Sr.
Commissioners:	Joyce L. Davis
	Lori Lewellen
	Lauren Odman
City Manager:	Ana M. Garcia, ICMA-CM
City Attorney:	Thomas Ansbro
City Clerk:	Thomas Schneider

2. Strategic Plan Session

City Manager Garcia thanked the Commission for participating in this important step in formulating a strategic plan for the City.

Lyle Sumek, Lyle Sumek Associates, Inc., outlined the elements of strategic planning to be undertaken at today's session.

Mr. Sumek and the Commission proceeded with the strategic plan session, utilizing a working document provided to the Commission, questions and answers, and discussion. Topics included Vision 2036, Our Mission, Our Core Values, Plan 2021-2026, Action Agenda 2021, and Governance.

Mayor James recessed the meeting for lunch at 12:34 p.m. and reconvened the meeting at 1:19 p.m., with all present as before.

Mr. Sumek and the Commission continued with the strategic plan session, discussing topics listed above.

Mayor James recessed the meeting at 3:03 p.m. and reconvened the meeting at 3:10 p.m., with all present as before.

Mr. Sumek and the Commission continued with the strategic plan session.

Mr. Sumek noted he would prepare a summary of today's planning session and provide it to the Commission. There will be a follow-up session with the Commission scheduled in the future.

3. Adjournment

Mayor James adjourned the meeting at 4:03 p.m.

ATTEST:

CITY OF DANIA BEACH

THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

MINUTES OF VIRTUAL REGULAR MEETING
DANIA BEACH CITY COMMISSION
TUESDAY, JANUARY 12, 2021 – 7:00 P.M.

1. Call to Order/Roll Call

Mayor James called the meeting to order at 7:01 p.m.

Present:

Mayor:	Tamara James
Vice-Mayor:	Marco A. Salvino, Sr.
Commissioners:	Joyce L. Davis
	Lori Lewellen
	Lauren Odman
City Manager:	Ana M. Garcia, ICMA-CM
City Attorney:	Thomas Ansbro
City Clerk:	Thomas Schneider

2. Moment of Silence and Pledge of Allegiance

Mayor James called for a moment of silence followed by the Pledge of Allegiance to the United States Flag.

3. Presentations and Special Event Approvals

3.1 Update on Olsen Middle School by Principal Valerie Harris

Principal Harris gave an update on Olsen Middle School, including the approaching demolition of the old school, the five academies within the Magnet School, planned events at the school for MLK Day, and a recently awarded grant. She noted the Commission is always welcome to visit the school.

3.2 Special Event request from Saint Ruth Missionary Baptist Church to host a “Drive up Outdoor Service” on Sundays beginning December 20, 2020-July 31, 2021 at 145 NW 5th Avenue and/or 355 NW 9th Avenue, from 10:00 a.m. - 12:00 p.m.
(Community Development)

Commissioner Lewellen motioned to approve the Special Event request for the Drive up Outdoor Services; seconded by Commissioner Odman. The motion carried unanimously.

3.3 Special Event request from Dania Pointe to host a “Friday Night Market” on January 15 & 29 and February 12, 2021 at Dania Pointe, 81 SW 18th Avenue, in the parking

lot behind the Way Pointe parking garage, from 5:00 p.m. - 10:00 p.m. (*Community Development*)

Commissioner Lewellen motioned to approve the Special Event request for the Friday Night Market; seconded by Commissioner Davis. The motion carried unanimously.

4. Proclamations

4.1 Dr. Martin Luther King, Jr. Day - Mayor James

Mayor James read the Dr. Martin Luther King, Jr. Day proclamation.

5. Citizen Comments

Pastor Paul R. Wiggins, 321 SE 3rd Street, wished everyone happy new year and noted the community is looking forward to working with everyone.

6. Public Safety Reports

Captain Daniel Marks, BSO Chief of Police, reported on recent criminal activity in the City, which has decreased in the past two weeks. He gave an update on the drive-through food giveaway on February 10th at noon, and addressed recent speeding complaints and enforcement.

Captain Sergio Pellecer, BSO District Fire Chief, spoke of the inspection undertaken when he became Chief; we went from a score of 95 to 97 ISO rating, which is a huge accomplishment attributable to team effort. He gave an update on various calls and fire inspections made by the department.

7. Consent Agenda

7.1 Minutes:

Approve Minutes of December 8, 2020 Virtual City Commission Meeting

7.2 Travel Requests: None

Resolutions

7.3 RESOLUTION #2021-001

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO AN INTERLOCAL AGREEMENT ("ILA") WITH BROWARD COUNTY AND THE CITY OF DANIA BEACH RELATING TO COMMUNITY SHUTTLE BUS TO INCREASE THE FUNDING FORTY FIVE DOLLARS

(\$45.00) PER HOUR; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.
(Parks & Recreation)

7.4 RESOLUTION #2021-002

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, REQUESTING ADVANCE APPROVAL FROM THE CITY COMMISSION TO PROCEED WITH THE BID PROCESS FOR THE WATER PLANT BUILDING PAINTING PROJECT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (Public Services)

7.5 RESOLUTION #2021-003

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, REQUESTING ADVANCE APPROVAL FROM THE CITY COMMISSION TO PROCEED WITH THE BID PROCESS FOR THE WATER PLANT ACCELATOR AND MAINTENANCE PROJECT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (Public Services)

7.6 RESOLUTION #2021-004

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO PURCHASE FOUR (4) FORD VEHICLES FOR THE PUBLIC SERVICES AND COMMUNITY DEVELOPMENT DEPARTMENTS, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FIFTY EIGHT THOUSAND EIGHTY DOLLARS (\$158,080.00), WITHOUT COMPETITIVE BIDDING AND WITHOUT ADVERTISEMENT FOR BIDS, BY UTILIZING THE PRICING UNDER THE FLORIDA SHERIFFS ASSOCIATION ("FSA") CONTRACTS 20-VEL28.0 AND 20-VEH18.0; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (Public Services)

7.7 RESOLUTION #2021-005

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING A LEASE AGREEMENT TO BE EXECUTED BETWEEN THE CITY OF DANIA BEACH, FLORIDA (CITY) AND CROWN CASTLE TOWERS 06-2 LLC, A DELAWARE LIMITED LIABILITY COMPANY ("LESSEE") TO INSTALL A TELECOMMUNICATIONS TOWER ON 3,600 SQUARE FEET OF THE PROPERTY KNOWN AS BOISEY WAITERS, AS FURTHER DESCRIBED IN ATTACHED EXHIBIT A; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (Finance)

7.8 RESOLUTION #2021-006

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PUBLIC SERVICES DEPARTMENT TO PROCEED WITH THE BIDDING PROCESS FOR THE DANIA COVE DRAINAGE IMPROVEMENT PROJECT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (Public Services)

Ordinances (Titles read by Mayor James)

7.9 EMERGENCY ORDINANCE #2021-006

AN EMERGENCY ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZED BY A 2/3 VOTE OF THE CITY COMMISSION TO WAIVE THE REQUIREMENTS OF THE CITY CHARTER, ARTICLE 3, SECTION 3, AS TO NOTICE AND REQUIREMENTS FOR NONEMERGENCY ORDINANCES; AUTHORIZING THE CITY MANAGER TO MAKE PROVISIONS FOR PUBLIC MEETINGS BY USE OF COMMUNICATION MEDIA TECHNOLOGY AND FOR ATTENDANCE

BY USE OF SUCH TECHNOLOGY BY ELECTED AND APPOINTED OFFICIALS DURING PERIODS WHEN THE CITY MANAGER DETERMINES AND DECLARES A LOCAL PUBLIC HEALTH EMERGENCY OR OTHER CIRCUMSTANCES IN WHICH THE CITY COMMISSION DETERMINES IT IS NECESSARY TO PROTECT THE HEALTH AND SAFETY OF CITY OFFICIALS, CITY STAFF, AND THE PUBLIC, FOR A NINETY (90) DAY PERIOD; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(City Attorney)*

Commissioner Lewellen motioned to adopt the Consent Agenda; seconded by Commissioner Odman. The motion carried unanimously.

8. Bids and Requests for Proposals

8.1 RESOLUTION #2021-007

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH EACH OF THE FOLLOWING FIFTEEN (15) FIRMS FOR CIVIL ENGINEERING, ARCHITECTURAL AND BUILDING SERVICES, UTILITIES ENGINEERING, TRANSPORTATION PLANNING AND ENGINEERING, LAND AND ROUTE SURVEYING, GEOTECHNICAL ENGINEERING, ENVIRONMENTAL ENGINEERING, LANDSCAPE ARCHITECTURE, AND GENERAL CONSULTING ENGINEERING SERVICES: 1) CRAVEN THOMPSON & ASSOCIATES, INC., 2) CALVIN, GIORDANO & ASSOCIATES, INC. 3) PUBLIC UTILITY MANAGEMENT AND PLANNING SERVICES, INC., 4) CHEN MOORE & ASSOCIATES, INC., 5) KIMLEY-HORN & ASSOCIATES, 6) CARNAHAN, PROCTOR AND CROSS, INC., 7) THE CORRADINO GROUP, INC. 8) WGI, INC., 9) PROFESSIONAL SERVICE INDUSTRIES, INC., 10) KCI TECHNOLOGIES, INC., 11) RADISE INTERNATIONAL, LC, 12) METRIC ENGINEERING, INC., 13) MILLER LEGG, 14) SALTZ MICHELSON ARCHITECTS, INC., AND 15) CPZ ARCHITECTS, INC.; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Public Services)*

Assistant City Attorney Boutsis read the title of Resolution #2021-007.

Commissioner Odman motioned to adopt Resolution #2021-007; seconded by Commissioner Davis. The motion carried unanimously.

9. Public Hearings and Site Plans

9.1 RESOLUTION #2020-125

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE DEVELOPMENT DESIGN GUIDELINES (DDG) AND SITE PLAN (SP-056-20) SUBMITTED BY KIMLEY-HORN AND ASSOCIATES, ON BEHALF DANIA BEACH MARINA CORP. FOR THE PROPERTY GENERALLY LOCATED AT 90 N. BRYAN ROAD 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. *(Continued from October 13, 2020 and December 8, 2020) (Community Development)*

City Attorney Ansbro read the title of Resolution #2020-125, Resolution #2020-126, Resolution #2020-127, and Resolution #2020-128 as they all relate to the same applicant. He noted these items were quasi-judicial hearings and he would swear-in those who would speak as they came forward. He asked the Commission to disclose any communication they had on these matters.

Corinne Lajoie, Assistant Director of Community Development, gave a presentation on the Development Design Guidelines, site plans, plat note amendment and plat requests for the 90 Wave and 70 Wave projects.

Commissioner Odman questioned the environmental impact, traffic impacts, and community meetings.

Assistant Director of Community Development Lajoie noted the permitting through the SFWMD and City would address environmental issues. According to the traffic study, there would still be capacity on the roadway and it would be within the acceptable level of service.

Nectaria Chakas, Lochrie & Chakas, representing the applicant, noted the developer had four meetings with the community, and they addressed the main concerns voiced by the residents.

Mayor James asked if the traffic study included NW 1st Street. Attorney Chakas responded this would be addressed in her presentation.

Mayor James, Vice-Mayor Salvino, and Commissioners Davis and Lewellen noted they had communications with the developer and residents on these matters.

Attorney Chakas gave a PowerPoint presentation which is attached to and incorporated into these minutes.

Chris Heggen, Traffic Engineer, Kimley Horn, continued the PowerPoint presentation regarding the traffic study and evaluation of traffic impacts.

Mayor James questioned the impact to NW 1st Street and existing residents, and if a traffic study was done for this street.

Mr. Heggen explained access to the project is from Bryan Road and traffic coming out would split between Stirling Road, NW 1st Street, and Old Griffin Road. They analyzed the intersection of NW 1st Street and Bryan Road; a traffic signal there would significantly improve traffic flow.

Attorney Chakas addressed the RAC fee and traffic impacts; the traffic study, which was done before COVID, was approved by the City's traffic engineer. The developer requested the County study the intersection but they will not do so until normal traffic patterns resume.

Attorney Chakas continued with the presentation.

Commissioner Davis questioned the traffic study and the shadow study, which Attorney Chakas responded to.

Commissioner Lewellen asked if the bridge on NW 1st Street was studied to determine how much weight it could bear. Attorney Chakas said she did not know.

Attorney Chakas addressed Commissioner Davis' question regarding density at the time of the rezoning of the property and Commissioner Lewellen's question regarding height and unit count.

Mayor James confirmed this project was not presented to the Commission at the time of the rezoning. She said there was misinformation about the Commission knowing what would be developed.

Vice-Mayor Salvino confirmed that the zoning code allows the height that has been requested to be built.

City Attorney Ansbro explained the difference between the Calm Project and this project; there are no entitlements to the height, width, and density.

Assistant Director of Community Development Lajoie explained Development Design Guidelines determine development of this property.

Mayor James opened the Public Hearings.

Roger Moore, 50 S Bryan Road, spoke in support of the project and the benefit it would bring.

Rev. Jonathan Thomas, Pastor, New Dania COGIC, 2337 Anchor Court, commended the Commission for taking time to hear the residents' concerns. He felt most residents who would be impacted have not come to a resolve and asked the Commission to support the residents.

Pastor Paul R. Wiggins, 321 SE 3rd Street, noted the community is not opposed to development, but they are asking that there be more dialogue for good answers to their questions.

Jonisha White, 218 NW 14 Court, spoke against the project due to its size and traffic.

Tammie James, 255 Tamara James Avenue, President of the NW Byrd Point Civic Association, voiced opposition to this project due to its size and the traffic on NW 1st Avenue bridge. She noted the highest building at Dania Pointe is 14 stories. The Commission should think about the residents.

Gaby Etchevarne and Colynn Mae Jones, 22 NW 14th Avenue, questioned how far the shadow would cast into their neighborhood and whether noise standards would be upheld.

Attorney Chakas explained the shadows would occur late in the day in the winter time. She addressed adherence to noise regulations and required mitigation measures.

Emmanuel George, 17 NE 2nd Avenue, spoke against the project as it would not be beneficial to the community.

Dennis Pizano, 118 Phippen Waiters Road, spoke in opposition to the project as it would not be conducive to the community.

Vivian James, 121 SW 7th Avenue, spoke against the project due to the impact to her community.

Benita McKnight, 1360 NW 2nd Terrace, noted the residents are opposed to this project; the development is not affordable and there are parking concerns.

Albert Iler, 1413 Argonaut Isle, noted the highest and best use of the area has changed and this development would benefit the entire community.

Charlotte Sloboda, 2905 Lakeshore Drive, spoke in support of the project as the aesthetics and architecture complement Dania Pointe.

Kim Daise, 125 NW 11th Avenue, said the code drafted for this area gives the Commission the power to control what happens there, and spoke in opposition to the project. The Commission should protect the quality of life for people who live in this community.

Walter B. Duke, 2860 W State Road 84, spoke in support of the project and of Mike Lally, owner/developer. The project would have positive economic impacts to the City.

Seeing as there was no one else to speak in favor or opposition, Mayor James closed the Public Hearings.

Commissioner Lewellen asked what the result of a no vote would be.

City Attorney Ansbro responded the applicant could modify the application or seek a re-hearing, or could possibly go to court, which would base its decision on competent and substantial evidence.

Commissioner Lewellen asked if staff reviewed all of the elements in the application and Assistant Community Development Director Lajoie noted this was performed by the DRC.

Commissioner Lewellen questioned the bridge and City Manager Garcia recommended the developers be asked to address that issue.

Attorney Chakas noted they would look at the bridge, but did not want the bridge as a condition of approval because it is a County bridge. She addressed concerns expressed about building heights and noted the development is much more compatible than industrial use. She also addressed the zoning ordinance.

Commissioner Lewellen referenced the concerns voiced about affordable housing and noted there are some other projects coming in that are affordable. She also questioned use of impact fees.

City Manager Garcia addressed future affordable housing that will be coming online and impact fees, the use of which would be determined by the Commission during the budget process.

Mayor James re-opened the public hearings.

Clarence Mitchell, 1351 W Dania Beach Boulevard, addressed the bridge on NW 1st Street and drainage concerns.

Seeing as there was no one else to speak in favor or opposition, Mayor James closed the Public Hearings.

Commissioner Odman spoke of the project and noted she had never seen before where no residents of the community were in favor. There is sufficient evidence to say this application needs to be re-tooled, and she noted the developer would not speak with her. Although she thinks the project is beautiful and the impact fees are important, she cannot support it because the community and developer could not come to an agreement.

Commissioner Davis confirmed the re-zoning did not dictate the height of the buildings. She attended the last community meeting and the comments were not all negative. Her understanding is that there will be park and public art impact fees that could be specifically earmarked for the NW Byrd Point community. She questioned the type of businesses that would be in the development.

Attorney Chakas responded and noted only low traffic generating types of businesses that are owned and operated by the person that lives there would be allowed.

Mayor James addressed the community meetings and noted most of the residents were opposed. Other projects approved in the past have been where the developer and community have come together. She spoke of how the money works when it is not put on paper about how it is to be allocated. She addressed comments made by the applicant and residents; there are no substantial plans for infrastructure or the bridge. She cannot support this project as the developer is not willing to make concessions and there is not the collaboration with the community that she wants to see.

Bishop G. Emerson Scott, St. Ruth Missionary Baptist Church, noted the community does not understand the use of impact fees. He is for progress and development, but he is concerned about the infrastructure.

Vice-Mayor Salvino motioned to adopt Resolution #2020-125; seconded by Commissioner Lewellen. The motion carried on the following 3-2 Roll Call vote:

Commissioner Davis	Yes	Vice-Mayor Salvino	Yes
Commissioner Lewellen	Yes	Mayor James	No
Commissioner Odman	No		

9.2 RESOLUTION #2020-126

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE PLAT NOTE AMENDMENT DELEGATION REQUEST APPLICATION (DR-072-20) SUBMITTED BY KIMLEY-HORN AND ASSOCIATES, INC. ON BEHALF OF DANIA BEACH MARINA CORP. FOR PROPERTY PLATTED UNDER THE BRYAN ROAD WAREHOUSES PLAT LOCATED AT 90 N. BRYAN

ROAD IN THE CITY OF DANIA BEACH, FLORIDA, AS SUCH PROPERTY IS 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 October 13, 2020 and December 8, 2020) (Community Development)*

Vice-Mayor Salvino motioned to adopt Resolution #2020-126; seconded by Commissioner Lewellen. The motion carried on the following 3-2 Roll Call vote:

Commissioner Davis	Yes	Vice-Mayor Salvino	Yes
Commissioner Lewellen	Yes	Mayor James	No
Commissioner Odman	No		

9.3 RESOLUTION #2020-127

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE DEVELOPMENT DESIGN GUIDELINES (DDG) AND SITE PLAN (SP-024-20) SUBMITTED BY KIMLEY-HORN AND ASSOCIATES, ON BEHALF OF NV MARINA HOLDINGS LLC AND RJ MARINA HOLDINGS LLC, FOR PROPERTY GENERALLY LOCATED AT 50 AND 70 S. BRYAN ROAD 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. *(Continued from October 13, 2020 and December 8, 2020) (Community Development)*

Vice-Mayor Salvino motioned to adopt Resolution #2020-127; seconded by Commissioner Lewellen. The motion carried on the following 3-2 Roll Call vote:

Commissioner Davis	Yes	Vice-Mayor Salvino	Yes
Commissioner Lewellen	Yes	Mayor James	No
Commissioner Odman	No		

9.4 RESOLUTION #2020-128

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE PLAT ENTITLED “WAVES AT DANIA BEACH” (PL-162-19), SUBMITTED BY DENI LAND SURVEYORS, INC., ON BEHALF OF NV MARINA HOLDINGS, LLC, AND RJ MARINA HOLDINGS, LLC, (“APPLICANT”) FOR THE PROPERTY LOCATED AT 50 AND 70 S. BRYAN ROAD, DANIA BEACH, FLORIDA; THE LEGAL DESCRIPTION IS CONTAINED IN EXHIBIT “A”, A COPY OF WHICH IS ATTACHED TO THIS RESOLUTION; PROVIDING FOR CONFLICTS; AND FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Continued from October 13, 2020 and December 8, 2020) (Community Development)*

Vice-Mayor Salvino motioned to adopt Resolution #2020-128; seconded by Commissioner Lewellen. The motion carried on the following 3-2 Roll Call vote:

Commissioner Davis	Yes	Vice-Mayor Salvino	Yes
Commissioner Lewellen	Yes	Mayor James	No
Commissioner Odman	No		

9.5 ORDINANCE #2021-001

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, REPEALING ARTICLE X ENTITLED “SMOKING RESTRICTIONS IN PUBLIC PARKS” OF CHAPTER 17 OF THE CITY

CODE OF ORDINANCES (“OFFENSES; MISCELLANEOUS”), AND REPEALING CODE SECTION 17-30, ENTITLED, “SMOKING PROHIBITED IN CERTAIN AREAS OF PUBLIC PARKS”; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)** *(City Attorney)*

City Attorney Ansbro read the title of Ordinance #2021-001 and noted state law preempts local restrictions.

Commissioner Odman spoke of a recent Broward League of Cities meeting she attended; several cities are going to the Legislature in an attempt to get the preemption overturned. She asked what would happen if this effort is successful.

City Attorney Ansbro noted we would amend City Code to re-establish restrictions.

Mayor James opened the Public Hearing. Seeing as there was no one to speak in favor or opposition, she closed the Public Hearing.

Commissioner Odman motioned to adopt Ordinance #2021-001, on second reading; seconded by Commissioner Lewellen. The motion carried on the following 5-0 Roll Call vote:

Commissioner Davis	Yes	Vice-Mayor Salvino	Yes
Commissioner Lewellen	Yes	Mayor James	Yes
Commissioner Odman	Yes		

9.6 ORDINANCE #2021-002

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, REPEALING SECTION 17-129, ENTITLED “ON-SITE SHOPPING CART RETENSION SYSTEM - REQUIRED,” OF ARTICLE IX, ALSO ENTITLED “ON-SITE SHOPPING CART RETENSION SYSTEM- REQUIRED,” OF CHAPTER 17, WHICH CHAPTER IS ENTITLED “OFFENSES-MISCELLANEOUS” OF THE CITY CODE OF ORDINANCES, AS THE REGULATION OF SHOPPING CARTS HAS BEEN PREEMPTED BY THE STATE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)** *(City Attorney)*

City Attorney Ansbro read the title of Ordinance #2021-002 and noted state law preempts local regulation.

Mayor James opened the Public Hearing. Seeing as there was no one to speak in favor or opposition, she closed the Public Hearing.

Commissioner Odman motioned to adopt Ordinance #2021-002, on second reading; seconded by Commissioner Lewellen. The motion carried on the following 5-0 Roll Call vote:

Commissioner Davis	Yes	Vice-Mayor Salvino	Yes
Commissioner Lewellen	Yes	Mayor James	Yes
Commissioner Odman	Yes		

9.7 ORDINANCE #2021-007

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA RELATING TO THE LAND DEVELOPMENT CODE (LDC); AMENDING CERTAIN PROVISIONS OF THE LDC TO FURTHER REFINE PROVISIONS RELATING TO (1) SIGHT TRIANGLES BY AMENDING SECTION 275-180, ENTITLED "SIGHT DISTANCE FOR LANDSCAPING ADJACENT TO STREET INTERSECTIONS AND POINTS OF ACCESS;" (2) EMERGENCY GENERATORS, BY AMENDING SECTION 285-10, ENTITLED "EMERGENCY GENERATORS IN RESIDENTIAL DISTRICTS;" PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)** *(Community Development)*

City Attorney Ansbro read the title of Ordinance #2021-007, Ordinance #2021-008 and Ordinance #2021-009, as they all are amendments to the Land Development Code.

Corinne Lajoie, Assistant Director of Community Development, gave an overview of the text amendments concerning sight triangles, emergency generators, painted signs and public hearing notices.

Mayor James opened the Public Hearings. Seeing as there was no one to speak in favor or opposition, she closed the Public Hearings.

Commissioner Lewellen motioned to adopt Ordinance #2021-007, on first reading; seconded by Commissioner Vice-Mayor Salvino. The motion carried on the following 5-0 Roll Call vote:

Commissioner Davis	Yes	Vice-Mayor Salvino	Yes
Commissioner Lewellen	Yes	Mayor James	Yes
Commissioner Odman	Yes		

9.8 ORDINANCE #2021-008

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA RELATING TO THE LAND DEVELOPMENT CODE (LDC); AMENDING CERTAIN PROVISIONS OF THE LDC TO FURTHER REFINE PROVISIONS RELATING TO PAINTED SIGNS BY AMENDING SECTION 505-50, ENTITLED "PROHIBITED SIGNS" AND SECTION 505-90 ENTITLED "SIGNAGE REGULATIONS FOR THE MIXED-USE CRA FORM-BASED ZONING DISTRICTS (CC, SFED-MU, EDBB-MU, GTWY-MU, NBHD-MU); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)** *(Community Development)*

Commissioner Lewellen motioned to adopt Ordinance #2021-008, on first reading; seconded by Vice-Mayor Salvino. The motion carried on the following 5-0 Roll Call vote:

Commissioner Davis	Yes	Vice-Mayor Salvino	Yes
Commissioner Lewellen	Yes	Mayor James	Yes
Commissioner Odman	Yes		

9.9 ORDINANCE #2021-009

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA RELATING TO THE LAND DEVELOPMENT CODE (LDC); AMENDING CERTAIN PROVISIONS OF THE LDC TO FURTHER REFINE PROVISIONS RELATING TO PUBLIC HEARING NOTICES BY AMENDING SECTION 610-20, ENTITLED "TABLE OF PUBLIC NOTICE REQUIREMENTS"; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)** *(Community Development)*

Vice-Mayor Salvino motioned to adopt Ordinance #2021-009, on first reading; seconded by Commissioner Lewellen. The motion carried on the following 5-0 Roll Call vote:

Commissioner Davis	Yes	Vice-Mayor Salvino	Yes
Commissioner Lewellen	Yes	Mayor James	Yes
Commissioner Odman	Yes		

9.10 RESOLUTION #2021-008

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE SITE PLAN (SP-069-20) AND VARIANCE (VA-070-20) APPLICATIONS SUBMITTED BY PRIME REALTY CAPITAL, LLC, FOR PROPERTY LOCATED AT SOUTHWEST 26th TERRACE IN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT "A", PROVIDING FOR CONFLICTS; AND FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Community Development)*

City Attorney Ansbro read the title of Resolution #2021-008 and noted this item was a quasi-judicial hearing and he would swear-in those who would speak as they came forward. He asked the Commission to disclose any communication they had on this matter.

Richard Lorber, Planning and Zoning Manager, gave a presentation on the site plan and variance requests.

Mayor James opened the Public Hearing. Seeing as there was no one to speak in favor or opposition, she closed the Public Hearing.

Alejandra Molina-Jackson, AIA, representing the applicant, addressed a concern sent via email from a resident regarding dust control.

Vice-Mayor Salvino motioned to adopt Resolution #2021-008; seconded by Commissioner Lewellen. The motion carried on the following 5-0 Roll Call vote:

Commissioner Davis	Yes	Vice-Mayor Salvino	Yes
Commissioner Lewellen	Yes	Mayor James	Yes
Commissioner Odman	Yes		

9.11 RESOLUTION #2021-009

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, PURSUANT TO SECTION 670-10(3), OF CHAPTER 28, OF THE CITY'S CODE, EXTENDING ZONING IN PROGRESS (ENACTED UNDER RESOLUTIONS NO. 2020-094 AND 2020-145) THROUGH APRIL 30, 2021; EXTENDING THE DECLARATION THAT THE CITY IS CONSIDERING AN AMENDMENT TO ITS LAND DEVELOPMENT REGULATIONS TO CREATE A ZONING OVERLAY DISTRICT, TO CREATE ARTICLE

826 TO BE ENTITLED “OAK HAMMOCK TREE PROTECTION OVERLAY” UNDER THE CITY’S LAND DEVELOPMENT CODE (LDC) OF THE CITY OF DANIA BEACH CODE, AND APPROVING THE APPLICATION REQUEST (TX-065-20), MADE BY THE CITY OF DANIA BEACH TO CREATE A ZONING OVERLAY FOR THE GENERAL VICINITY OF THE RESIDENTIAL LOTS ON SW 36 TERRACE, SW 37 AVENUE AND SW 37 TERRACE, STRETCHING FROM STIRLING ROAD NORTH FOR APPROXIMATELY 1,280 LINEAR FEET, TO THE END OF THE STREETS, AND INCLUDES APPROXIMATELY 40 GROSS ACRES AND 74 PARCELS, IN THE CITY OF DANIA BEACH, FLORIDA, WHICH PROPERTY IS LEGALLY DESCRIBED IN AMENDED EXHIBIT “A,” A COPY OF WHICH IS ATTACHED TO THIS RESOLUTION; PROVIDING FOR AN OAK HAMMOCK TREE CANOPY OVERLAY FOR THE AREA IDENTIFIED IN ORDER TO PROTECT THE HISTORIC HERITAGE TREE CANOPY OF THIS OAK HAMMOCK, SUBJECT TO CERTAIN STANDARDS AND RESTRICTIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Community Development)*

City Attorney Ansbro read the title of Resolution #2021-009 and addressed the extension, noting this effectively hold matters in abeyance pending the Commission’s decision at the January 26th Commission meeting.

Mayor James opened the Public Hearing. Seeing as there was no one to speak in favor or opposition, Mayor James closed the Public Hearing.

Vice-Mayor Salvino motioned to adopt Resolution #2021-009; seconded by Commissioner Odman. The motion carried on the following 5-0 Roll Call vote:

Commissioner Davis	Yes	Vice-Mayor Salvino	Yes
Commissioner Lewellen	Yes	Mayor James	Yes
Commissioner Odman	Yes		

10. Discussion and Possible Action

10.1 Update on redevelopment of the Dania Beach Bar and Grill - Mayor James

Mayor James noted she would hold off on this and speak with the City Manager in order to bring something substantive back.

10.2 Parks Master Plan - Mayor James

Mayor James said she would like to allocate the money from the WAVE project to CW Thomas Park; the money from this project should stay in this community. She questioned if a resolution could be drafted to make a line item in the budget for this.

City Attorney Ansbro recommended the City Manager, Finance Director and he meet to come up with the best resolution.

City Manager Garcia agreed, and noted Commissioners Lewellen and Davis also wish to pursue this.

Mayor James felt a workshop is needed for the next steps on the Parks Master Plan.

Discussion ensued regarding holding a workshop after conclusion of the strategic plan, the details of a workshop, and scheduling it. City Manager Garcia will come back with tentative dates.

10.3 Discussion of website and communications update - Commissioner Davis

Commissioner Davis spoke of the need for an overhaul of our website and communications, which would be included in our strategic plan. She hopes in the short-term we can put a landing page on our website that features the Dania Beach Grill and up-to-date information on it.

Commissioner Odman suggested we do a landing page with five of our top projects.

Assistant City Manager Sosa-Cruz addressed the projects that would be featured.

10.4 Discussion of beach parking and safety - Commissioner Davis

Commissioner Davis noted discussion was not necessary due to the prioritization of this item in the strategic planning session.

11. Commission Comments

11.1 Commissioner Davis

Commissioner Davis had no comments.

11.2 Commissioner Lewellen

Commissioner Lewellen noted she was very pleased with the strategic plan session and looks forward to completing it.

11.3 Commissioner Odman

Commissioner Odman spoke of a recent Broward League of Cities meeting; they are trying to reverse the smoking in public places exemption. She asked the Commission to get in touch with them if they would like to assist.

Commissioner Odman also spoke of the COVID vaccine and what can be done at the local level; more information will be coming this week. She asked the City Manager to keep the other Commissioners up to date with the latest information.

Mayor James spoke of a church in West Park distributing the vaccine and questioned if Dania Beach could undertake a similar effort. She felt we should contact Lobbyist Ron Book to assist us.

City Manager Garcia noted she would follow-up.

Commissioner Odman noted graffiti is rampant in the City at the present time. She questioned the use of zones to combat this problem.

City Manager Garcia said there will be a presentation at the first meeting in February that addresses graffiti and illegal dumping.

Commissioner Odman asked the Commission if they want to remove the glass in the Commission Chamber or change seats.

Commissioner Lewellen said she would rather wait until we see how the iPads work before spending more money to remove the glass.

Mayor James noted she does not care for the glass.

Vice-Mayor Salvino said he does not like the glass, but he does not like wasting \$30,000-40,000. The bottom should be kept; perhaps City staff could take the top glass down. He felt maybe we should try it a couple of times when meetings are resumed there.

Commissioner Davis felt it is an exorbitant amount of money to waste; we should explore all other options.

Mayor James asked that a decision be made after one meeting is held there.

11.4 Vice-Mayor Salvino

Vice-Mayor Salvino congratulated the Commission on the strategic plan session held on Saturday. He hopes that attitude carries through to the Commission meetings, and explained how he makes decisions on projects.

Vice-Mayor Salvino thanked Public Services staff for their attention to detail at the cemetery.

11.5 Mayor James

Mayor James spoke of the community affected by the WAVE project; the level of service that community has received has to change. She hopes we can rebuild the trust in the community.

Mayor James also spoke of the strategic planning session.

12. Appointments

12.1 Airport Advisory Board – no appointments

12.2 Creative Arts Council Advisory Board – no appointments

12.3 Education Advisory Board

Mayor James appointed: Pastor Paul Wiggins

12.4 General Employees Pension Board – no appointments

12.5 Green Advisory Board – no appointments

12.6 Marine Advisory Board

Mayor James appointed: Jason Clark

12.7 Parks, Recreation and Community Affairs Advisory Board – no appointments

12.8 Planning & Zoning Board

Commissioner Davis appointed: Derrick Hankerson

Commissioner Lewellen appointed: Quin Robertson

Vice-Mayor Salvino appointed: Albert Jones

Mayor James appointed: Jonathan Thomas

Commissioner Lewellen motioned to approve the appointments; seconded by Commissioner Davis. The motion carried unanimously.

13. Administrative Reports

13.1 City Manager

City Manager Garcia gave an update on the west wing and noted she would provide tentative dates for a workshop in March.

City Manager Garcia thanked the Commission for the strategic plan session and noted she would send dates for another session, as well as dates for the ribbon cutting of the BSO Police substation.

City Manager Garcia noted the citywide electrical assessment has been completed and will be provided to all. The assessment is critical as we invest in holiday lighting to continuously enhance the City. The landscaping masterplan will soon be underway, by way of the RFP process.

City Manager Garcia thanked everyone for their efforts in the successful holiday toy drive event.

Vice-Mayor Salvino suggested holding workshops before already scheduled meetings so the workshops would not be so spread out on the calendar.

Discussion ensued.

City Manager Garcia noted options of dates and times would be provided to the Commission for consensus on the upcoming workshops.

13.2 City Attorney

City Attorney Ansbro had no comments.

13.3 City Clerk - Reminders

Tuesday, January 26, 2021 - 7:00 p.m.	City Commission Meeting
Tuesday, February 9, 2021 - 5:30 p.m.	CRA Board Meeting
Tuesday, February 9, 2021 - 7:00 p.m.	City Commission Meeting

14. Adjournment

Mayor James adjourned the meeting at 11:50 p.m.

ATTEST:

CITY OF DANIA BEACH

THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Consent Agenda

Continued from:

Requested Action (Identify appropriate Action or Motion)

TO APPROVE AND ADOPT A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, REQUESTING ADVANCE APPROVAL FROM THE CITY COMMISSION TO PROCEED WITH THE BID ADVERTISEMENT FOR THE OCEAN PARK DRAINAGE PROJECT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.*(Public Services)*

Purchasing Requests ONLY

Dept:

Acct #:

Amt:

Fund:

Fiscal Impact/Cost Summary

Exhibits Attached

C-MEMO-AUTHTOBID-OCEANPK-DRAINAGE-012621 (005), R-2021- Ocean Park Drainage Project Authorization to Bid



**CITY OF DANIA BEACH
PUBLIC SERVICES DEPARTMENT**

MEMORANDUM

DATE: January 26, 2021

TO: Honorable Mayor and Commissioners

VIA: Ana M. Garcia, ICMA- CM, City Manager

FROM: Fernando J. Rodriguez, Public Services Director

RE: RESOLUTION AUTHORIZING THE CITY TO BID THE OCEAN PARK DRAINAGE PROJECT

Request

The Public Services Department (PSD) is requesting the adoption of the attached resolution authorizing the bidding process for the Ocean Park Drainage Project.

Background

The parking area in the northern part of the park frequently floods during rain events, particularly when these occur during king tides. This flooding restricts access to the beach portal, Quarterdeck Restaurant, and the fishing pier.

In February 2020, the PSD engaged Craven Thompson and Associates (CTA) to study and design solutions to drainage issues in the northern part of the parking lot. CTA completed the design documents, obtained the necessary permits, and the project is ready to be advertised for bidding. The project design includes inlets, piping to an existing outfall, and the installation of tidal valves.

Authorization to bid is being requested to proceed with bidding upon the completion of the bid documents. Upon commission approval, the project will be bid out in the coming two months, with a projected start in the spring of 2021.

Budgetary Impact

The 2021 Capital Projects Plan includes this project and funding in the amount of \$200,000. Funding is available in Stormwater Fund Account Number 403-38-01-538-63-10.

Recommendation

It is recommended that the City Commission adopt the resolution authorizing PSD to proceed with the bidding process for the Ocean Park Drainage Project.

RESOLUTION NO. 2021-010

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, REQUESTING ADVANCE APPROVAL FROM THE CITY COMMISSION TO PROCEED WITH THE BID ADVERTISEMENT FOR THE OCEAN PARK DRAINAGE PROJECT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Dania Beach seeks to address drainage needs citywide to enhance safety, water quality and quality of life; and

WHEREAS, in February 2020, the Public Services Department engaged the services of Craven Thompson and Associates to study and design drainage options for the northern parking area of Ocean Park; and

WHEREAS, the project design recommended inlets, piping to the existing outfall and tidal valves; and

WHEREAS, the design is complete, permits approved and the bid documents will be developed in the coming weeks in preparation to bid the project;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

Section 1. That the above “Whereas” clauses are ratified and confirmed, and they are made a part of and incorporated into this Resolution by this reference.

Section 2. That the City Commission authorizes staff to proceed with the competitive bidding process for the Ocean Park Drainage Project with funds in the amount of Two Hundred Thousand Dollars (\$200,000.00) from account number 403-38-01-538-63-10.

Section 3. That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 4. That this Resolution shall become effective upon its passage and adoption.

PASSED AND ADOPTED on January 26, 2021.

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Consent Agenda

Continued from:

Requested Action (Identify appropriate Action or Motion)

APPROVE THE RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS FOR EXECUTIME SOFTWARE, RELATED HARDWARE, AND PROFESSIONAL SERVICES TO BE PROVIDED BY TYLER TECHNOLOGIES, INC. AND TO EXCEED THE CITY'S ANNUAL VENDOR THRESHOLD TOTAL AMOUNT OF TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00).

Purchasing Requests ONLY

Dept: Human Resources

Acct #: 001-13-01-513-52-30

Amt: \$46,902.00

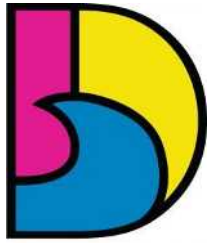
Fund: General Fund

Fiscal Impact/Cost Summary

The fiscal year 2020-21 budget includes \$49,000 for the Executime project. The proposed cost for year one is \$46,902, and includes Executime software, six (6) biometric/proximity card timeclocks, annual maintenance cost for the software and timeclocks, and 96 implementation hours. It is anticipated that all 96 implementation hours will not be used and the actual project cost will be lower.

Exhibits Attached

Memo R-2021- Tyler Technologies for Executime Software, Hardware and Professional Services and to Exceed \$25K, R-2021- Tyler Technologies for Executime Software, Hardware and Professional Services and to Exceed \$25K (final Legal), Dania Beach FL Tyler ExecuTime valid thru 1292021



DANIA BEACH
SEA IT. LIVE IT. LOVE IT.

**CITY OF DANIA BEACH
DEPARTMENT OF HUMAN RESOURCES
AND RISK MANAGEMENT**

MEMORANDUM

DATE: January 26, 2021

TO: Honorable Mayor and Commissioners

FROM: Ana M. Garcia, City Manager, ICMA-CM

VIA: Linda Gonzalez, Human Resources and Risk Management Director

SUBJECT: Approval of a resolution and a proposal from Tyler Technologies, Inc. for Executime hosted software and related hardware, and to waive competitive bidding and exceed the City's \$25,000 vendor threshold.

REQUEST

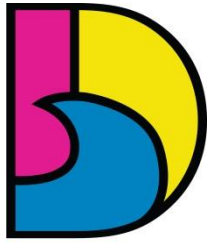
The Human Resources and Risk Management Department requests approval of a resolution and a proposal from Tyler Technologies, Inc. for Executime hosted software and related hardware, and to waive competitive bidding and exceed the City's \$25,000 vendor threshold.

BACKGROUND

Tyler Technologies offers Executime, an advanced system for managing employee time and attendance. The system automates the timekeeping function, provides simplified scheduling, increased productivity, and reduced payroll entry errors. In addition, Executime integrates with numerous time collecting interfaces such as web browsers, time clocks, smartphones, proximity readers, and biometrics. Lastly, Executime integrates seamlessly with new World Systems.

Executime was budgeted in fiscal year 2019-20, but implementation was deferred due to the Covid-19 pandemic, and funding was allocated in the fiscal year 2020-21 budget. The City negotiated with Tyler Technologies and received a discounted price below the FY2021 budgeted amount.

Tyler Technologies is the provider of New World Systems, the City's centralized enterprise resource planning (ERP) software system that provides daily processing capabilities for Finance, Utilities, Human Resources, Community Development, and Code Enforcement. The City has had formal agreements in place for New World Systems software for over 10 years. The total combined purchases from Tyler Technologies, Inc. will exceed the annual \$25,000.00 City purchase threshold for a single vendor and, therefore, a bid waiver and City Commission approval is required.



DANIA BEACH
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**CITY OF DANIA BEACH
DEPARTMENT OF HUMAN RESOURCES
AND RISK MANAGEMENT**

MEMORANDUM

ATTACHMENTS

Resolution
Executime proposal

BUDGETARY IMPACT

The fiscal year 2020-21 budget includes \$49,000 for the Executime project in Human Resources software account 001-13-01-513-52-30. The proposed cost for year one is \$46,902, and includes Executime software, six (6) biometric/proximity card timeclocks, annual maintenance cost for the software and timeclocks, and 96 implementation hours. It is anticipated that all 96 implementation hours will not be used and the actual project cost will be lower.

RECOMMENDATION

Approve the resolution and the proposal from Tyler Technologies, Inc. for Executime software and related hardware, and to waive competitive bidding and exceed the City's \$25,000 vendor threshold.

RESOLUTION NO. 2021-011

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FOR EXECUTIME SOFTWARE, RELATED HARDWARE, AND PROFESSIONAL SERVICES TO BE PROVIDED BY TYLER TECHNOLOGIES, INC. AND TO EXCEED THE CITY'S ANNUAL VENDOR THRESHOLD TOTAL AMOUNT OF TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00); AUTHORIZING SUCH PURCHASES THAT ARE MADE WITHIN THE RESPECTIVE DEPARTMENTS' APPROVED ANNUAL BUDGET APPROPRIATIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Charter of the City of Dania Beach, Part III, Article 3, Section 4, Subsection (j), authorizes the City Manager to purchase supplies, services, equipment and materials for the City government in amounts in excess of the established monetary threshold without competitive bidding and without advertisement for bids if authorized to do so in advance by a resolution adopted by the City Commission, if such purchases are made pursuant to a competitive bid obtained within the last eighteen (18) months by other governmental agencies such as the federal government, State of Florida or the Florida county or municipality; and

WHEREAS, the Dania Beach Code of Ordinances, Chapter 2, Article 1, Section 2-10, "Monetary thresholds for certain purchases and payment disbursement authorizations", Subsection (a), sets the monetary threshold at Twenty-Five Thousand Dollars (\$25,000.00) for a vendor each fiscal year; and

WHEREAS, Tyler Technologies, Inc. offers Executime, an advanced system for managing employee time and attendance, automation of the timekeeping function, simplified scheduling, increased productivity, reduced payroll entry errors, integration with time collecting interfaces, and seamless integration with New World Systems; and

WHEREAS, the proposal includes Executime software, six (6) biometric/proximity card timeclocks, annual maintenance cost for the software and timeclocks, and ninety-six (96) implementation hours; and

WHEREAS, Tyler Technologies, Inc. is the provider of "New World Systems", the City's centralized enterprise resource planning (ERP) software system and the total combined purchases from Tyler Technologies, Inc. will exceed the annual Twenty-Five Thousand Dollars (\$25,000.00)

City purchase threshold for a single vendor and, therefore, requiring a bid waiver and City Commission approval;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

Section 1. That the above “Whereas” clauses are ratified and confirmed, and they are made a part of and incorporated into this Resolution by this reference.

Section 2. That the City Commission authorizes the City Manager to execute the proposal and other required documents for the procurement of Executime software, related hardware, and professional services from Tyler Technologies, Inc.

Section 3. That funding for Executime is appropriated and available within the Human Resources software account 001-13-01-513-52-30.

Section 4. That all purchases made from Tyler Technologies, Inc. shall be subject to approved annual budget appropriations and in accordance with the City’s procurement policies and are authorized to exceed the annual amount of Twenty-Five Thousand Dollars (\$25,000.00) purchase threshold for a single vendor.

Section 5. That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 6. That this Resolution shall become effective upon its passage and adoption.

PASSED and ADOPTED on January 26, 2021.

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY



Quoted By: Tami Bates
 Date: 12/17/2020
 Quote Expiration: 1/29/2021
 Quote Name: City of Dania Beach -ExecuTime
 Quote Number: 2020-107334
 Quote Description: cloud with clocks

Sales Quotation For

City of Dania Beach
 100 W Dania Beach Blvd
 Dania Beach, FL 33004-3643
 Phone +1 (954) 924-6800

SaaS

SaaS			One Time Fees		
Description	# Years	Annual Fee	Impl. Hours	Impl. Cost	Data Conversion
Human Capital Management:					
ExecuTime Time & Attendance (160)	1.0	\$9,349.00	96	\$15,648.00	\$0.00
ExecuTime Time & Attendance Mobile Access	1.0	\$3,305.00	0	\$0.00	\$0.00
Sub-Total:		\$12,654.00		\$15,648.00	\$0.00
<i>Less Discount:</i>		<i>\$1,266.00</i>		<i>\$0.00</i>	<i>\$0.00</i>
TOTAL:		\$11,388.00	96	\$15,648.00	\$0.00

3rd Party Hardware, Software and Services

Description	Quantity	Unit Price	Unit Discount	Total Price	Unit Maintenance	Unit Maintenance Discount	Total Year One Maintenance
Touchscreen 10: Biometric and Prox Reader	6	\$3,010.00	\$0.00	\$18,060.00	\$0.00	\$0.00	\$0.00
Touchscreen 10: Biometric and Prox Reader Maintenance	6	\$0.00	\$0.00	\$0.00	\$301.00	\$0.00	\$1,806.00
3rd Party Hardware Sub-Total:			\$0.00	\$18,060.00			\$0.00
TOTAL:				\$18,060.00			\$1,806.00

Summary	One Time Fees	Recurring Fees
Total Tyler Software	\$0.00	\$0.00
Total SaaS	\$0.00	\$11,388.00
Total Tyler Services	\$15,648.00	\$0.00
Total 3rd Party Hardware, Software and Services	\$18,060.00	\$1,806.00
Summary Total	\$33,708.00	\$13,194.00
Contract Total	\$46,902.00	

Unless otherwise indicated in the contract or amendment thereto, pricing for optional items will be held for six (6) months from the Quote date or the Effective Date of the contract, whichever is later.

Customer Approval:	_____	Date:	_____
Print Name:	_____	P.O. #:	_____

All primary values quoted in US Dollars

Comments

Client agrees that items in this sales quotation are, upon Client's signature or approval of same, hereby added to the existing agreement ("Agreement") between the parties and subject to its terms. Additionally, payment for said items, as applicable but subject to any listed assumptions herein, shall conform to the following terms:

- License fees for Tyler and third party software are invoiced upon the earlier of (i) deliver of the license key or (ii) when Tyler makes such software available for download by the Client;
- Fees for hardware are invoiced upon delivery;
- Fees for year one of hardware maintenance are invoiced upon delivery of the hardware;
- Annual Maintenance and Support fees, SaaS fees, Hosting fees, and Subscription fees are first payable when Tyler makes the software available for download by the Client (for Maintenance) or on the first day of the month following the date this quotation was signed (for SaaS, Hosting, and Subscription), and any such fees are prorated to align with the applicable term under the Agreement, with renewals invoiced annually thereafter in accord with the Agreement.
- Fees for services included in this sales quotation shall be invoiced as indicated below.
 - Implementation and other professional services fees shall be invoiced as delivered.
 - Fixed-fee Business Process Consulting services shall be invoiced 50% upon delivery of the Best Practice Recommendations, by module, and 50% upon delivery of custom desktop procedures, by module.
 - Fixed-fee conversions are invoiced 50% upon initial delivery of the converted data, by conversion option, and 50% upon Client acceptance to load the converted data into Live/Production environment, by conversion option. Where conversions are quoted as estimated, Tyler will invoice Client the actual services delivered on a time and materials basis.
 - Except as otherwise provided, other fixed price services are invoiced upon complete delivery of the service. For the avoidance of doubt, where "Project Planning Services" are provided, payment shall be invoiced upon delivery of the Implementation Planning document. Dedicated Project Management services, if any, will be invoiced monthly in arrears, beginning on the first day of the month immediately following initiation of project planning.
 - If Client has purchased any change management services, those services will be invoiced in accordance with the Agreement.
 - Notwithstanding anything to the contrary stated above, the following payment terms shall apply to services fees specifically for migrations: Tyler will invoice Client 50% of any Migration Fees listed above upon Client approval of the product suite migration schedule. The remaining 50%, by line item, will be billed upon the go-live of the applicable product suite. Tyler will invoice Client for any Project Management Fees listed above upon the go-live of the first product suite. Unless otherwise indicated on this Sales quotation, annual services will be invoiced in advance, for annual terms commencing on the date this sales quotation is signed by the Client. If listed annual service(s) is an addition to the same service presently existing under the Agreement, the first term of the added annual service will be prorated to expire coterminous with the existing annual term for the service, with renewals to occur as indicated in the Agreement.
- Expenses associated with onsite services are invoiced as incurred.

Tyler's quote contains estimates of the amount of services needed, based on our preliminary understanding of the size and scope of your project. The actual amount of services depends on such factors as your level of involvement in the project and the speed of knowledge transfer.

Unless otherwise noted, prices submitted in the quote do not include travel expenses incurred in accordance with Tyler's then-current Business Travel Policy.

Tyler's prices do not include applicable local, city or federal sales, use excise, personal property or other similar taxes or duties, which you are responsible for determining and

Comments

remitting. Installations are completed remotely, but can be done onsite upon request at an additional cost.

In the event Client cancels services less than two (2) weeks in advance, Client is liable to Tyler for (i) all non-refundable expenses incurred by Tyler on Client's behalf; and (ii) daily fees associated with the cancelled services if Tyler is unable to re-assign its personnel.

Implementation hours are scheduled and delivered in four (4) or eight (8) hour increments.

Tyler provides onsite training for a maximum of 12 people per class. In the event that more than 12 users wish to participate in a training class or more than one occurrence of a class is needed, Tyler will either provide additional days at then-current rates for training or Tyler will utilize a Train-the-Trainer approach whereby the client designated attendees of the initial training can thereafter train the remaining users.

Tyler's pricing is based on the scope of proposed products and services being obtained from Tyler. Should portions of the scope of products or services be removed by the Client, Tyler reserves the right to adjust prices for the remaining scope accordingly.

The Munis SaaS fees are based on 50 concurrent users. Should the number of concurrent users be exceeded, Tyler reserves the right to re-negotiate the SaaS fees based upon any resulting changes in the pricing categories.

If a Tyler client desires clocks that do not have direct connectivity back to the network server ExecuTime resides on, then a VPN device installation, to be provided at Tyler's then-current prices, will be needed for every location where a clock may reside.

Clocks will be shipped upon receipt of a signed quote or addendum. The warranty period starts when the clocks are shipped. The warranty period ends whichever occurs first, either 12 months after connecting the clocks to the ExecuTime software or 18 months from shipment.

Clock prices include Tyler instruction regarding clock configuration and connection to the ExecuTime software. Client is responsible for clock installation and connection to applicable network.

Development modifications, interfaces and services, where applicable, shall be invoiced to the client in the following manner: 50% of total upon authorized signature to proceed on program specifications and the remaining 50% of total upon delivery of modifications, interface and services.

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Consent Agenda

Continued from:

Requested Action (Identify appropriate Action or Motion)

TO APPROVE AND ADOPT A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SECOND AMENDMENT TO AND RESTATEMENT OF THE TRANSPORTATION SYSTEM SURTAX INTERLOCAL AGREEMENT WITH BROWARD COUNTY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Public Services)*

Purchasing Requests ONLY

Dept:	Acct #:	Amt:
Fund:		

Fiscal Impact/Cost Summary

Exhibits Attached

MEMO- Transportation Surtax ILA Second Amendment - cd comment-revFJR, R-2021- BC
ILA Transportation System Surtax Second Amendment to and Restatement of ILA, R-2021-
BC ILA Transportation System Surtax Second Amendment to and Restatement of ILA
Exhibit A



**CITY OF DANIA BEACH
PUBLIC SERVICES DEPARTMENT**

MEMORANDUM

DATE: January 26, 2021

TO: Honorable Mayor and Commissioners

VIA: Ana M. Garcia, ICMA- CM, City Manager

FROM: Fernando J. Rodriguez, Public Services Director

SUBJECT: Second Amended and Restated Interlocal Agreement Relating to Transportation Surtax Funds

Request

To approve the appropriate officials to execute the attached Second Amended and Restated Transportation Surtax Interlocal Agreement.

Background

Pursuant to Section 31½-71, et seq., of the Broward County Code of Ordinances ("Transportation Surtax Ordinance"), a 30-year 1% transportation surtax was levied after approval by referendum of the general electorate at the General Election on November 6, 2018, to fund authorized transportation and transit projects as authorized under Section 212.055(1), Florida Statutes ("Transportation Surtax"). The County has requested to clarify and restate the Interlocal Agreement as there have been issues in application. In particular, the County is seeking for the Cities to agree to clarifications as to the submittal of projects for evaluation and funding with Transportation Surtax proceeds.

On September 12, 2019, the Transportation System Surtax Interlocal Agreement was amended to provide for the MPO's evaluation and ranking of municipal capital projects and the County's evaluation and ranking of municipal rehabilitation and maintenance projects (the "First Amendment").

The Transportation Surtax Ordinance and the Interlocal Agreement provide for the MPO to annually review, rank, and prioritize municipal projects based on the project's ability to alleviate traffic congestion and enhance connectivity. Accordingly, the County and the MPO entered into a

\continued...

separate agreement to establish, *inter alia*, the terms and conditions for the MPO to provide those services.

On February 28, 2020, the MPO completed its review and ranking of municipal capital projects for the first funding cycle and provided its recommendations to prioritize funding for 110 municipal capital projects for the County's fiscal year ("FY") 2020. The MPO did not evaluate the remaining 396 municipal capital projects for funding readiness and those projects will be evaluated for Transportation Surtax funding in future funding application cycles. The County also completed its evaluation, ranking, and approval of municipal rehabilitation and maintenance projects for FY 2020. Consistent with the Transportation Surtax Ordinance, all projects to be funded with Transportation Surtax proceeds are considered by the Independent Transportation Surtax Oversight Board for statutory eligibility under Section 212.055(1), Florida Statutes, before the Broward County Commission makes the final decisions regarding project approval and funding.

Accordingly, on June 4, 2020, the Oversight Board considered the proposed municipal capital projects ranked by the MPO and the municipal rehabilitation and maintenance projects ranked by the County for FY2020 and identified 97 municipal capital projects and 61 municipal rehabilitation and maintenance projects as statutorily eligible. Of the 110 municipal capital projects ranked by the MPO, 13 projects were withdrawn from consideration by the applicable Municipality, deferred at the request of the applicable Municipality, or were deemed statutorily ineligible.

On June 18, 2020, the County Commission approved Transportation Surtax funding for FY 2020 (which included funding carried forward from FY2019) of (i) more than \$60 million for the applicable phases of the 97 statutorily-eligible municipal capital projects recommended by the MPO, and (ii) up to \$50 million for municipal rehabilitation and maintenance projects.

In July 2020, in connection with the County's annual budget process and the County's FY 2021 five-year capital improvement planning, the MPO provided its recommendations to fund additional phases of the 97 approved municipal capital projects (i.e., planning, design, and/or construction).

On September 22, 2020, the County Commission approved more than \$43 million in Transportation Surtax funding for community shuttle service and municipal capital projects for FY 2021 and approved the FY 2021 five-year capital plan.

Given the extent of the amendments the County requires municipal sign of on the Second Amended and Restated ILA. The amendments include (i) documenting the completion of the MPO's first cycle of evaluating and ranking municipal capital projects to be funded with Transportation Surtax proceeds, (ii) documenting the allocation of FY 2019, FY 2020, and FY 2021 Transportation Surtax proceeds for approved municipal capital projects, (iii) setting forth the MPO's criteria going forward for evaluating, ranking, and recommending funding for municipal capital projects in future County annual five-year capital improvement plans, (iv) outlining the County's general process for evaluation and ranking of municipal rehabilitation and maintenance projects and document completion of that process for FY 2020, (v) documenting the allocation of FY 2019 and

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FY 2020 Transportation Surtax proceeds for approved municipal rehabilitation and maintenance projects, and (vi) documenting an agreed upon process for funding municipal capital projects, including the timing of funding and the process for adjusting County annual five-year capital improvement plans.

Please note no funding will proceed without $\frac{3}{4}$ of all municipalities signing off on the Second Amended and Restate ILA. For the City to obtain its funding for its projects it needs to sign off on the Agreement.

DANI-017	Southeast Stormwater Improvements – Design	(\$865,440)
DANI-019	Stormwater Improvements SW 43 Terrace – Construction	(\$2,191,740)

Budgetary Impact

In order to obtain the surtax funding the City must execute and authorize the Second Amended and Restated Transportation Surtax Interlocal Agreement.

Recommendation

Authorize the appropriate officials to execute the Agreement.

cc: Ana M. Garcia, ICMA-CM, City Manager
Candido Sosa-Cruz, Assistant City Manager
Thomas Schneider, City Clerk

RESOLUTION NO. 2021-012

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SECOND AMENDMENT TO AND RESTATEMENT OF THE TRANSPORTATION SYSTEM SURTAX INTERLOCAL AGREEMENT WITH BROWARD COUNTY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 31½-71, et seq., of the Broward County Code of Ordinances ("Transportation Surtax Ordinance"), a 30-year 1% transportation surtax was levied after approval by referendum of the general electorate at the General Election on November 6, 2018, to be expended for authorized transportation and transit projects in accordance with applicable law including, specifically, Section 212.055(1), Florida Statutes ("Transportation Surtax"); and

WHEREAS, the County has asked to clarify the history to the adopted interlocal agreement relating to the adopted plan for funding certain transportation surtax projects and has asked that the attached second amendment and restated transportation system surtax interlocal agreement; and

WHEREAS, on September 12, 2019, the Transportation System Surtax Interlocal Agreement was amended to provide for the MPO's evaluation and ranking of municipal capital projects and the County's evaluation and ranking of municipal rehabilitation and maintenance projects (the "First Amendment"); and

WHEREAS, the County and the MPO entered into a separate agreement to establish, *inter alia*, the terms and conditions for the MPO to annually review, rank, and prioritize municipal projects based on the project's ability to alleviate traffic congestion and enhance connectivity; and

WHEREAS, on February 28, 2020, the MPO completed its review and ranking of municipal capital projects for the first funding cycle and provided its recommendations to prioritize funding for 110 municipal capital projects for the County's fiscal year ("FY") 2020; and

WHEREAS, the MPO did not evaluate the remaining 396 municipal capital projects for funding readiness and those projects will be evaluated for Transportation Surtax funding in future funding application cycles; and

WHEREAS, the County also completed its evaluation, ranking, and approval of municipal rehabilitation and maintenance projects for FY 2020; and

WHEREAS, consistent with the Transportation Surtax Ordinance, all projects to be funded with Transportation Surtax proceeds are considered by the Independent Transportation Surtax Oversight Board for statutory eligibility under Section 212.055(1), Florida Statutes, before the Broward County Commission makes the final decisions regarding project approval and funding; and

WHEREAS, on June 4, 2020, the Oversight Board considered the proposed municipal capital projects ranked by the MPO and the municipal rehabilitation and maintenance projects ranked by the County for FY 2020 and identified 97 municipal capital projects and 61 municipal rehabilitation and maintenance projects as statutorily eligible. Of the 110 municipal capital projects ranked by the MPO, 13 projects were withdrawn from consideration by the applicable Municipality, deferred at the request of the applicable Municipality, or were deemed statutorily ineligible; and

WHEREAS, on June 18, 2020, the County Commission approved Transportation Surtax funding for FY 2020 (which included funding carried forward from FY 2019) of (i) more than \$60 million for the applicable phases of the 97 statutorily-eligible municipal capital projects recommended by the MPO, and (ii) up to \$50 million for municipal rehabilitation and maintenance projects; and

WHEREAS, in July 2020, in connection with the County's annual budget process and the County's FY 2021 five-year capital improvement planning, the MPO provided its recommendations to fund additional phases of the 97 approved municipal capital projects (i.e., planning, design, and/or construction); and

WHEREAS, on September 22, 2020, the County Commission approved more than \$43 million in Transportation Surtax funding for community shuttle service and municipal capital projects for FY 2021 and approved the FY 2021 five-year capital plan; and

WHEREAS, given the extent of the amendments outlined herein, Broward County requests that the interlocal be fully restate the Interlocal Agreement, as amended, including to (i) document the completion of the MPO's first cycle of evaluating and ranking municipal capital projects to be funded with Transportation Surtax proceeds, (ii) document the allocation of FY 2019, FY 2020, and FY 2021 Transportation Surtax proceeds for approved municipal capital

projects, (iii) set forth the MPO's criteria going forward for evaluating, ranking, and recommending funding for municipal capital projects in future County annual five-year capital improvement plans, (iv) outline the County's general process for evaluation and ranking of municipal rehabilitation and maintenance projects and document completion of that process for FY 2020, (v) document the allocation of FY 2019 and FY 2020 Transportation Surtax proceeds for approved municipal rehabilitation and maintenance projects, and (vi) document an agreed upon process for funding municipal capital projects, including the timing of funding and the process for adjusting County annual five-year capital improvement plans; and

WHEREAS, the City wishes to execute the Interlocal Agreement with Broward County in order to ensure the funding for the construction of the City's transportation surtax approved projects.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

Section 1. That the above "Whereas" clauses are ratified, made a part of, and incorporated into this Resolution by this reference.

Section 2. That the Second Amended and Restated Transportation System Surtax Interlocal Agreement with Broward County, which Agreement in substantial form is attached as Exhibit "A", is approved and the proper City officials are authorized to execute it.

Section 3. That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 4. That this Resolution shall be in force and take effect immediately upon execution of the agreement.

PASSED AND ADOPTED on January 26, 2021.

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

APPROVED AS TO FORM AND CORRECTNESS

THOMAS J. ANSBRO
CITY ATTORNEY

SECOND AMENDMENT TO AND RESTATEMENT OF THE TRANSPORTATION SYSTEM SURTAX INTERLOCAL AGREEMENT

This Second Amendment to and Restatement of the Transportation System Surtax Interlocal Agreement ("Second Amendment") is made and entered by and among Broward County, a political subdivision of the State of Florida (the "County"), the Broward Metropolitan Planning Organization (the "MPO"), and the municipalities that formally approved and are a party to the Transportation System Surtax Interlocal Agreement that was executed by the County on August 29, 2018 (collectively, the "Municipalities," and each a "Municipality"). The County, the MPO, and the Municipalities are each a "Party," and collectively referred to as the "Parties."

RECITALS

A. Pursuant to Section 31½-71, et seq., of the Broward County Code of Ordinances ("Transportation Surtax Ordinance"), a 30-year 1% transportation surtax was levied after approval by referendum of the general electorate at the General Election on November 6, 2018, to be expended for authorized transportation and transit projects in accordance with applicable law including, specifically, Section 212.055(1), Florida Statutes ("Transportation Surtax").

B. The County and the Municipalities recognized the importance of a collaborative and strategic transportation plan for Broward County and the need for a careful analysis of proposed projects to ensure the efficient expenditure of Transportation Surtax proceeds exclusively on eligible projects. Accordingly, the Parties entered the Transportation System Surtax Interlocal Agreement, which provided for, *inter alia*, a cooperative and organized process for the Municipalities to submit projects for evaluation and funding with Transportation Surtax proceeds.

C. On September 12, 2019, the Transportation System Surtax Interlocal Agreement was amended to provide for the MPO's evaluation and ranking of municipal capital projects and the County's evaluation and ranking of municipal rehabilitation and maintenance projects (the "First Amendment"). The Transportation System Surtax Interlocal Agreement, as amended by the First Amendment, will be referred to herein as the "Interlocal Agreement."

D. The Transportation Surtax Ordinance and the Interlocal Agreement provide for the MPO to annually review, rank, and prioritize municipal projects based on the project's ability to alleviate traffic congestion and enhance connectivity. Accordingly, the County and the MPO entered into a separate agreement to establish, *inter alia*, the terms and conditions for the MPO to provide those services.

E. On February 28, 2020, the MPO completed its review and ranking of municipal capital projects for the first funding cycle and provided its recommendations to prioritize funding for 110 municipal capital projects for the County's fiscal year ("FY") 2020. The MPO did not evaluate the remaining 396 municipal capital projects for funding readiness and those projects will be evaluated for Transportation Surtax funding in future funding application cycles. The

County also completed its evaluation, ranking, and approval of municipal rehabilitation and maintenance projects for FY2020.

F. Consistent with the Transportation Surtax Ordinance, all projects to be funded with Transportation Surtax proceeds are considered by the Independent Transportation Surtax Oversight Board for statutory eligibility under Section 212.055(1), Florida Statutes, before the Broward County Commission makes the final decisions regarding project approval and funding. Accordingly, on June 4, 2020, the Oversight Board considered the proposed municipal capital projects ranked by the MPO and the municipal rehabilitation and maintenance projects ranked by the County for FY2020 and identified 97 municipal capital projects and 61 municipal rehabilitation and maintenance projects as statutorily eligible. Of the 110 municipal capital projects ranked by the MPO, 13 projects were withdrawn from consideration by the applicable Municipality, deferred at the request of the applicable Municipality, or were deemed statutorily ineligible.

G. On June 18, 2020, the County Commission approved Transportation Surtax funding for FY2020 (which included funding carried forward from FY2019) of (i) more than \$60 million for the applicable phases of the 97 statutorily-eligible municipal capital projects recommended by the MPO, and (ii) up to \$50 million for municipal rehabilitation and maintenance projects.

H. In July 2020, in connection with the County's annual budget process and the County's FY2021 five-year capital improvement planning, the MPO provided its recommendations to fund additional phases of the 97 approved municipal capital projects (i.e., planning, design, and/or construction).

I. On September 22, 2020, the County Commission approved more than \$43 million in Transportation Surtax funding for community shuttle service and municipal capital projects for FY2021 and approved the FY2021 five-year capital plan.

J. Given the extent of the amendments outlined herein, the Parties believe it would be beneficial to fully restate the Interlocal Agreement, as amended, including to (i) document the completion of the MPO's first cycle of evaluating and ranking municipal capital projects to be funded with Transportation Surtax proceeds, (ii) document the allocation of FY2019, FY2020, and FY2021 Transportation Surtax proceeds for approved municipal capital projects, (iii) set forth the MPO's criteria going forward for evaluating, ranking, and recommending funding for municipal capital projects in future County annual five-year capital improvement plans, (iv) outline the County's general process for evaluation and ranking of municipal rehabilitation and maintenance projects and document completion of that process for FY2020, (v) document the allocation of FY2019 and FY2020 Transportation Surtax proceeds for approved municipal rehabilitation and maintenance projects, and (vi) document an agreed upon process for funding municipal capital projects, including the timing of funding and the process for adjusting County annual five-year capital improvement plans.

Now, therefore, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree to amend and restate the Interlocal Agreement, in its entirety, as follows:

I. Recitals and Definitions.

A. Recitals. The above-stated Recitals are true and correct and are incorporated herein by this reference.

B. Definitions. The following terms as used herein shall have the following meanings:

1. **CBE** means a County Business Enterprise, as defined in Section 1-81.1, Broward County Code of Ordinances.

2. **Community Shuttle Service** means the capital and operating expenses associated with existing, new, or expanded public transportation services, operated by participating Municipalities within their jurisdictions, that supplement fixed route mass transit service and are available to persons traveling within the Municipality.

3. **County Commission** means the Broward County Board of County Commissioners.

4. **Cycle 1 Ranked Projects** means the 110 Municipal Capital Projects listed in **Exhibit A** that were ranked and recommended by the MPO for funding in FY2020.

5. **FDOT** means the Florida Department of Transportation.

6. **Fiscal Year** means the County's fiscal year, which begins on October 1 of the year prior to the year referenced and ends on September 30 of the year referenced. For example, Fiscal Year 2020 began on October 1, 2019, and ended on September 30, 2020. Each specific Fiscal Year reference is abbreviated using "FY" preceding the year such that "FY2020" means Fiscal Year 2020, FY2021 means Fiscal Year 2021, and so forth.

7. **Five-Year Plan** means the schedule approved annually by the County Commission in connection with the County's annual five-year capital improvement planning, which provides for the timing of all Transportation Surtax funded capital improvement projects over a rolling period of the next five Fiscal Years, subject to the County Commission's decisions regarding budgeting and appropriation of Transportation Surtax Proceeds for each applicable Fiscal Year. A Fiscal Year reference to a Five-Year Plan means the plan for the five years commencing with the stated year, such that "FY2021 Five-Year Plan" means the Five-Year Plan that begins in Fiscal Year 2021.

8. **FY2020 Approved Projects** means the 97 Municipal Capital Projects that are a subset of the 110 Cycle 1 Ranked Projects listed in **Exhibit A**, and that were determined statutorily eligible for Transportation Surtax Proceeds. FY2020 Approved Projects do not include the 13 Municipal Capital Projects that were withdrawn, deferred, or deemed ineligible, which are listed in **Charts 1 and 2** on **Exhibit A-1**.

9. **MAP Administration** means the County's Mobility Advancement Program Administration staff.

10. **Minimum Annual Guarantee** or **MAG** means the County's funding commitment to utilize at least ten percent (10%) of the Transportation Surtax Proceeds received by the County each Fiscal Year to fund, collectively, Community Shuttle Service, Municipal Capital Projects, Municipal R&M Projects, and Municipal Project Contingency, pursuant to the terms and conditions of this Second Amendment.

11. **MPO ILA** means the Interlocal Agreement for Transportation Surtax Services entered into between the MPO and the County on April 25, 2019, to establish and implement an organized process for MPO Surtax Staff to evaluate and rank Municipal Capital Projects and make annual recommendations for Transportation Surtax funding in connection with the County's normal Fiscal Year budgeting process and five-year capital improvement planning.

12. **MPO Surtax Staff** means the staff or contractors hired by the MPO and funded by Transportation Surtax Proceeds.

13. **Municipal Capital Projects** or **MCPs** means municipal capital improvement projects involving primarily new or expanded roads, sidewalks, bike paths, bridges, and similar transportation elements.

14. **Municipal Projects** means collectively Community Shuttle Service, Municipal Capital Projects (including any Municipal Project Contingency), and Municipal R&M Projects.

15. **Municipal Project Contingency** means Transportation Surtax Proceeds allocated by the County Commission for the purpose of covering Municipal Capital Project costs associated with unforeseen conditions during construction.

16. **Municipal R&M Projects** or **MR&MPs** means municipal projects that involve restoring a facility to safe and functional condition and/or preventative maintenance of a currently-operating facility to preserve the facility from failure or decline. Such projects include primarily the maintenance or rehabilitation of roads, sidewalks, bike paths, bridges, or similar transportation elements. Municipal R&M Projects do not include, without limitation, mowing, tree trimming, pressure cleaning,

painting, irrigation repairs, landscaping repairs and maintenance, and cleaning and maintenance of catch basins, storm drains, and pipes.

17. ***New Municipal Capital Projects*** or ***New MCPs*** means all Municipal Capital Projects other than the Cycle 1 Ranked Projects.

18. ***Oversight Board*** means the Independent Transportation Surtax Oversight Board established in Section 31½-75 of the Broward County Code of Ordinances.

19. ***Projected Minimum Annual Guarantee*** or ***Projected MAG*** means the amount of MAG funding forecasted by the County to be available for the then-applicable Fiscal Year budget and/or for each of the applicable Fiscal Years in a Five-Year Plan.

20. ***Surtax Funding Agreement*** means the interlocal agreement executed by the County and the applicable Municipality, pursuant to Section 212.055(1), Florida Statutes, in the form acceptable to the County, and which provides for the remittance of Transportation Surtax funds to the Municipality for a specific Municipal Project.

21. ***Transportation Plan*** means the Regional Mobility & Transportation Enhancements Surtax Initiative considered and approved by the County Commission on September 13, 2018. The Transportation Plan included 709 Municipal Projects (506 MCPs and 203 MR&MPs) with an estimated total cost, inclusive of the Municipal Project Contingency and Community Shuttle Service, of \$2.8 billion.

22. ***Transportation Surtax*** means the 30-year 1% transportation surtax levied pursuant to the Transportation Surtax Ordinance and approved by referendum of the general electorate at the November 6, 2018, General Election, the proceeds of which are to be expended in accordance with applicable law.

23. ***Transportation Surtax Ordinance*** means Section 31½-71, et seq., of the Broward County Code of Ordinances.

24. ***Transportation Surtax Proceeds***, except where the context indicates otherwise, means the net amount of Transportation Surtax funds the County received for the applicable Fiscal Year from the Florida Department of Revenue after deduction of the five percent set-aside amount required by Section 129.01(2)(b), Florida Statutes.

25. ***Transportation Surtax Projects*** means all projects funded in whole or in part with Transportation Surtax Proceeds (including projects submitted by Municipalities, the County, or Tri-Rail).

II. Applications for Funding.

A. Application Process for New Municipal Capital Projects. Unless otherwise expressly provided in this Second Amendment, Municipalities seeking Transportation Surtax funding for New Municipal Capital Projects shall submit applications to the MPO consistent with the MPO's prescribed application process. Such applications must include all supporting documents necessary to evaluate the New MCP, including all documents required by the MPO through its application process, any additional documents as may be requested by the MPO, and an independent cost estimate for each phase of the New MCP. The MPO's annual application period for New MCPs shall begin no later than **April 1** of each year. New MCPs shall be evaluated and ranked by the MPO consistent with Section IV below.

MCPs in the Transportation ~~Plan~~ that are numbered 111 through 510 in **Exhibit A** require additional evaluation and analysis by the MPO, are New MCPs as defined in this Second Amendment, and must be evaluated, ranked, and recommended for funding by the MPO pursuant to the process provided in Section IV.B. of this Second Amendment.

Upon written notice to the County and the MPO, Municipalities may withdraw an MCP (i.e., cancel its application for Transportation Surtax funding for the applicable project) at any time prior to executing a Surtax Funding Agreement.

The unincorporated area of the County shall be eligible to receive Transportation Surtax Proceeds for MCPs, and projects submitted by the County on behalf of the unincorporated area shall be included and reviewed by the MPO on the same basis as any other MCP.

B. Application Process for Municipal R&M Projects. The County will accept applications for new Municipal R&M Projects periodically as Transportation Surtax Proceeds for MR&MPs become available, as determined by the County. New MR&MPs will be evaluated and ranked by the County consistent with Section IV below.

III. Eligibility. To be eligible for funding with Transportation Surtax Proceeds, Municipal Projects must comply with Section 212.055(1), Florida Statutes, as well as the following eligibility criteria as applicable:

A. Street lighting: Improvements to lighting systems along a public road that are ancillary to road improvements and illuminate the right-of-way for vehicles, pedestrians, and bicyclists, are eligible projects. Such lighting improvements may be a component of the design for a road improvement project that included phases which were funded earlier with a different funding source. A lighting justification report consistent with Broward County and FDOT policies and the criteria outlined in the then-current version of the Florida Greenbook is required for these improvements to be eligible. ~~Such lighting improvements may be a component of the design for a road improvement project that included phases where were funded earlier with a different funding source.~~

B. Drainage: Improvements to a public road stormwater system that address drainage deficiencies are eligible, provided the drainage improvements only address stormwater runoff from a public roadway. A drainage analysis is required for drainage projects and may include the width of the road right-of-way plus up to ten feet on each side of the right-of-way to calculate the eligible size of the stormwater system. Increases to the stormwater system to accommodate a drainage area greater than the eligible size are not eligible. Improvements to address runoff from private roads and/or developments are not eligible.

C. Sound Walls: Improvements that are consistent with the then-applicable FDOT noise decibel level criteria and the Broward County criteria for noise abatement projects are only eligible if the improvements meet all of the following criteria:

- Any requested sound wall is due to a road project that adds through lanes to an existing road, alters the road alignment significantly, or constructs a new road;
- The traffic noise study indicates the projected exterior noise level approaches or exceeds 67 decibels (dBA) or increases the existing noise level by 15 dBA or more; and
- FDOT compliant modeling shows the proposed wall will reduce the noise level at least five (5) dBA with a typical design goal of ten (10) dBA reduction.

D. Fiber-optic: Fiber-optic improvements supporting only communications for the County's public transportation system are eligible, provided that the proposed improvements have received approval from the maintaining and operating agency(ies). A shared conduit that includes use for any purpose other than the County's public transportation system is not eligible for funding through Transportation Surtax Proceeds.

E. Landscaping: Only landscaping improvements within the public road right-of-way that are ancillary to a road improvement project and meet the applicable design criteria are eligible. Such landscaping improvements may be a component of the design for a road improvement project that included phases ~~where~~ which were funded earlier with a different funding source.

F. Parking: Improvements used for park-and-ride or other transit-oriented development parking that serve the public are eligible. Garages directly related to a public transportation project that serve the public are eligible, provided the parking fees do not exceed costs associated with operating and maintaining the facility.

G. Road Improvements: New roads, widening, resurfacing, and repairs of existing roads, pavement markings, signage, guardrails, ADA accommodations, and traffic calming projects are eligible. High-end decorative lighting, decorative road signage, brick pavers, and similar items are not eligible.

IV. Evaluation and Ranking.

A. The MPO's Cycle 1 Evaluation and Ranking of Municipal Capital Projects. The Parties acknowledge and stipulate that, having conducted all reasonable inquiry and performed all reasonable diligence, they are unaware of any facts that would render **any of** the following statements inaccurate or false:

1. The County's FY2020 and FY2021 funding of FY2020 Approved Projects and Municipal Capital Projects provided for in the County's FY2021 Five-Year Plan are consistent with all of the County's contractual obligations to the Municipalities and the MPO, and such funding was determined after prudent and proper consideration of the MPO's recommendations set forth in **Exhibit A**. The MPO's prioritization and ranking methodology and recommendations to the County were appropriately and validly informed by (a) each MCP's ability to alleviate traffic congestion and improve connectivity; (b) other factors such as shovel-readiness, level of service, incident delay, proximity to transit, population density, employment density, equity, and resiliency, as reflected in **Exhibit B** attached; and (c) the MPO's analysis and points distribution system illustrated in **Exhibit B**.

2. The MPO's evaluation and ranking process completed in February 2020 (a) properly considered all MCPs submitted by the Municipalities to date; (b) ranked the submitted MCPs in order from 1 to 110 in a fair and equitable manner in accordance with each of the Parties' contractual obligations; and (c) was not unfairly affected or tainted in any way, including, without limitation, by any existing or contemplated contractual obligations or entanglements of the MPO as consultant or service provider to one or more of the Municipalities.

3. The combined cost of funding all phases of each of the FY2020 Approved Projects far exceeds the projected aggregate Minimum Annual Guarantee for FY2019, FY2020, and all five Fiscal Years in the FY2021 Five-Year Plan. As a result, phases of FY2020 Approved Projects not scheduled for funding in FY2020 will be funded in one or more of the Fiscal Years in the FY2021 Five-Year Plan or subsequent Five-Year Plans, based on the MPO's FY2020 ranking and funding recommendations and the availability of MAG funds. In addition, statutorily-eligible Cycle 1 Ranked Projects deferred at the request of the Municipality will receive priority for MAG funding as outlined in Section IV.B.1(b) below based on the MPO's FY2020 rankings and funding recommendations. Therefore, it is anticipated that MAG funding for New MCPs may not be available before FY2027.

B. MPO Evaluation and Ranking Process for New Municipal Capital Projects: The MPO will develop, establish, and utilize an evaluation and ranking process (the "New MPO E&R Process") to prioritize the order of funding Municipal Capital Projects within the Minimum Annual Guarantee, which process may not be implemented by the MPO prior to it being approved in writing by the County Administrator. Beginning in 2021, or as soon thereafter as such process has been developed by the MPO and approved by the County Administrator, the New MPO E&R Process shall be the process utilized for evaluation and

ranking of New MCPs, and shall include: (1) a preliminary assessment of the project's eligibility under Section 212.055, Florida Statutes, and Section III of this Second Amendment, which assessments shall be made in consultation with the Transportation Surtax General Counsel and counsel for the applicable Municipality; (2) an annual evaluation of any new applications from Municipalities for MAG funding of MCPs; (3) an evaluation of New MCPs for funding in the then-current fiscal year and the applicable Five-Year Plan, as applicable; (4) an evaluation of the cost estimate provided by the applicable Municipality for each expected phase of the applicable MCP; (5) individualized meetings with each Municipality to evaluate its funding applications, funding needs, funding sources, and project performance; (6) an evaluation and ranking of all MCPs for funding that utilizes the criteria listed in Section IV.B.2 below; and (7) a scoring distribution system for the evaluation and ranking of MCPs substantially the same as or similar to the system illustrated in **Exhibit B**.

1. *MPO's Rankings and Funding Recommendation.* Beginning in 2021, by **June 1** of each year and consistent with the requirements of the New MPO E&R Process provided for herein, the MPO will annually develop and deliver to the MAP Administration: (i) a ranked list of MCPs the MPO recommends for funding in the upcoming Fiscal Year, subject to Section IV.A.3; (ii) recommended schedule for funding applicable phases of annually ranked MCPs; and (iii) recommended funding allocations for ranked MCPs within the MAG for each Fiscal Year of the applicable Five-Year Plan. The funding recommendations referenced in subsections (ii) and (iii) herein must be consistent with regard to the upcoming Fiscal Year with the ranked list of MCPs submitted pursuant to subsection (i) herein.

(a) *Annual MCP Rankings:* Subject to Section 4.B.1(b) below, the MPO shall annually rank all MCPs, including New MCPs, and recommend funding within the MAG for the applicable phase of MCPs based on the criteria in Section IV.B.2. Each MCP (including their subsequent phases) shall be re-evaluated on an annual basis pursuant to the New MPO E&R Process and the criteria stated in Section IV.B.2. The Parties acknowledge and stipulate that the MPO's annual Fiscal Year ranking and funding recommendations for MCPs may vary each Fiscal Year, including based on the other MCPs being evaluated at the time and each MCP's progress and status at the time of each annual evaluation, such that a MCP or subsequent phases of any MCP may be ranked higher or lower in the ranked list in different Fiscal Years.

(b) *Cycle 1 Ranked Project Rankings.* Notwithstanding Section IV.B.1(a), unless expressly provided for otherwise in this Second Amendment, Cycle 1 Ranked Projects shall retain their ranking as assigned by the MPO in FY2020 for all phases of the project, including for subsequent phases. In addition, the MPO's annual ranking and funding recommendations shall prioritize funding for Cycle 1 Ranked Projects, in the order of their original ranking, before New MCPs and lower-ranked Cycle 1 Ranked Projects. As a result, unless the Cycle 1 Ranked MCP is withdrawn or abandoned by the Municipality, subsequently deemed ineligible for Transportation Surtax Proceeds, or

deemed infeasible by the County pursuant to Section V.D., the MPO will assign Cycle 1 Ranked Projects the highest rankings in the annual ranking and funding recommendations, consistent with their originally assigned FY2020 ranking order, until all phases of Cycle 1 Ranked Projects are funded.

(c) *MPO's Funding Recommendations Not to Exceed MAG.* The MPO's annual ranking and funding recommendations shall never exceed the Projected MAG for that Fiscal Year provided in writing to the MPO by the County Administrator. The MPO may provide a supplemental list of additional MCPs it recommends for funding in excess of the MAG only if and to the extent of a written request from the County Administrator. To avoid exceeding the MAG in any Fiscal Year, the MPO may recommend that the County distribute funding allocations for a single phase (e.g., construction) of a large MCP among several Fiscal Years, in which event the MPO shall include such recommended allocations in the proposed Five-Year Plan recommendations. The County, in its sole discretion, may time the funding of that phase of the MCP among multiple Fiscal Years within the MAG.

2. *MPO Evaluation and Ranking Criteria.* The MPO shall annually evaluate, rank, and recommend funding for timely submitted MCPs based exclusively on the criteria stated in subsections (a) and (b) below:

(a) The project's ability to ***alleviate traffic congestion and enhance connectivity*** shall be the MPO's **primary** criteria for evaluating and ranking MCPs for funding and shall be weighted more than the factors in subsection (b) and any other factor in the MPO's scoring distribution and methodology. Factors relevant to the alleviation of congestion and enhancement of connectivity may include, without limitation, the following:

- i. The project's ability to alleviate traffic congestion and enhance connectivity between and among densely populated and highly concentrated employment zones, existing transit services, and multimodal connections;
- ii. The level of service of the connected roadway network;
- iii. Connections to facilities like the proposed project, existing facilities, and existing public-school zones; and
- iv. The project's ability to reduce incident delays such as vehicular, pedestrian, and bicycle accidents.

(b) The following criteria are secondary to the criteria in subsection (a), and shall be weighted less than the factors in subsection (a) and in such order as the MPO deems appropriate:

- i. The project's ability to improve or address an identified resiliency issue on a moderate to highly-vulnerable corridor including, without limitation, considerations of sea level rise and climate change, as set forth in generally accepted studies or reports such as the study titled "Extreme Weather and Climate Change Risk to the Transportation

System in Broward County," or the report titled "2019 Unified Sea Level Rise Projection for Southeast Florida."

- ii. Regional impact including, but not limited to, whether the project is a collaborative effort among municipalities and crosses municipal boundaries;
- iii. The economic impact in socioeconomically underserved areas as further defined by the MAP Administration;
- iv. Demonstrated outreach and public support for the project;
- v. Construction-readiness of the project;
- vi. Whether the proposed project (including any prior phase of the project) was included in the Transportation Plan, the Cycle 1 Ranked Projects, or a prior evaluation and ranking cycle;
- vii. Whether the Municipality has implemented Land Use Policy 2.16.4 by enacting specific regulations including those referenced in Land Use Policy 2.16.4 (applicable only after the Land Use Policy is 2.16.4 is effective);
- viii. Whether the Municipality deems the proposed project its highest-priority MCP; and
- ix. Project timing, cost, and performance (if any) to date, including but not limited to:
 - The proposed project schedule and estimated completion date;
 - The project budget and the estimated total cost of the project (inclusive of all phases);
 - Whether and the extent to which the project leverages state and/or federal funds; and/or
 - Project implementation performance to date (if any) (e.g., how well the project has met its proposed schedule, delivery goals, budget, and CBE goals).

3. *Duration of the MPO Role.* The MPO ILA is currently scheduled to expire on December 31, 2024. If the MPO ILA expires or is terminated, or if the MPO ILA is modified to remove the MPO from the process of evaluation and ranking of MCPs, the County and the Municipalities will negotiate and execute an amendment to this Second Amendment that identifies the individuals or entities to perform the role of evaluating and ranking MCPs at the conclusion of the MPO's service in that role. Notwithstanding Section VII.D below, the MPO's execution of such an amendment will not be required for it to be effective.

C. County Evaluation and Ranking of Municipal R&M Projects.

1. *Cycle 1 Evaluation and Ranking of Municipal R&M Projects.* The Parties acknowledge and stipulate that all Municipal R&M Projects contained in the Transportation Plan for which documentation was properly submitted in FY2020 were

properly and validly reviewed and ranked by the County based upon the factors listed in Section IV.C.2. below, which resulted in the list of 61 ranked MR&MPs. The Parties agree and stipulate that the total cost of the 61 MR&MPs alone exceeded the MAG for FY2019 and FY2020 combined (exclusive of Community Shuttle Service, all MCPs, and any Municipal Project Contingency). The Parties further agree and stipulate that MR&MPs on the ranked list of 61 MR&MPs that were not funded in FY2020 will be funded in future funding cycles, subject to the availability of MAG funds as determined by the County, until all 61 MR&MPs have been funded. The County may begin accepting applications for new MR&MPs after Surtax Funding Agreements have been fully executed for all 61 MR&MPs reviewed and ranked by the County in FY2020.

2. *Evaluation and Ranking Criteria for Municipal R&M Projects.* The County will evaluate and rank MR&MPs based on its assessment of the following criteria:

- (a) The age and condition of the facilities;
- (b) Multimodal components;
- (c) Sustainability components;
- (d) Socio-economic factors (including, without limitation, gas tax revenues distributed, household income, and miles of roadway under municipal jurisdiction);
- (e) Construction-readiness of the project;
- (f) Geographic and equitable distribution of Transportation Surtax Proceeds countywide; and
- (g) Other transportation-related projects occurring or scheduled to occur in the vicinity, including to avoid unnecessary disruption of traffic and inefficient or duplicative work.

The County may re-evaluate and re-rank MR&MPs, in its sole discretion, including MR&MPs previously approved for funding, at any time based on additional information reasonably related to the criteria stated in this Section IV.C.2. and the availability of MAG funding after Community Shuttle Service and Municipal Capital Projects (including any Municipal Project Contingency) are funded in accordance with this Second Amendment.

V. Surtax Proceeds for Municipal Capital Projects.

A. OPPAGA Performance Audit. In 2018, the amount of Transportation Surtax Proceeds estimated during the 30-year levy was approximately \$15.6 billion. Section 212.055, Florida Statutes, which authorizes the levy of the Transportation Surtax, was amended to require, prior to the conducting of the referendum, completion of an independent "performance audit of the program associated with the surtax adoption proposed by the county." The audit was completed and posted on the County's website as required by the statute.

B. The County's Minimum Annual Guarantee and Project Funding.

1. For each Fiscal Year, the annual amount of Transportation Surtax Proceeds allocated to Community Shuttle Service, MCPs, Municipal Project Contingency, and MR&MPs must be no less than the Minimum Annual Guarantee for the applicable Fiscal Year. Each Fiscal Year, the County will utilize the MAG for that Fiscal Year (after fully funding Community Shuttle Service) to fund MCPs, in the order as ranked and recommended by the MPO, except as stated in Section V.D below. If there are unallocated MAG funds after funding MCPs as ranked and recommended by the MPO for that Fiscal Year, the County, in its sole discretion, may roll over the unallocated MAG funds and increase the MAG for the next Fiscal Year by the amount of the rollover, or allocate the funds for MR&MPs.

2. Subject to Section V.B.1 and notwithstanding anything else stated in this Second Amendment, the Parties acknowledge and stipulate that the County has no obligation to fund Municipal Projects (inclusive of Community Shuttle Service, MCPs, MR&MPs, and Municipal Project Contingency) in any Fiscal Year in excess of the MAG. In addition, except for FY2019, FY2020, and FY2021 funding allocations for FY2020 Approved Projects, the Parties acknowledge and stipulate that the County may, without any further condition and in its sole discretion, utilize Transportation Surtax Proceeds in excess of the MAG to fund any Municipal Project, whether or not the project has ever been ranked by the MPO, and regardless of any ranking priority the MPO may have assigned to the project. Further, and except as provided for in Section V.B.1, the Parties agree that: (i) the MPO's ranking and funding recommendations do not apply to MCPs the County elects to fund in excess of the MAG; and (ii) the County has complete discretion to fund any such MCPs in excess of the MAG if, and on such terms and conditions, it chooses.

3. Upon the applicable Municipality's written request, the County in its sole discretion may apply funding for a designated phase of an MCP previously recommended by the MPO (e.g., planning or design) to another phase of the same MCP (e.g., construction) if the following conditions are met: (i) the previously recommended phase of the MCP is completed or other circumstances render funding of that phase futile (e.g., the phase was funded with other resources); and (ii) the substituted phase to be funded has been considered statutorily-eligible by the Oversight Board. The funding amount previously recommended by the MPO for the designated phase is the maximum amount that the County will apply to the substituted phase. Any MAG funding reallocated pursuant to this paragraph shall be counted in terms of calculating whether the County has met its MAG funding obligation.

4. The timing and process of funding any MCP shall be consistent with applicable law, including Section 129.01, Florida Statutes. Transportation Surtax Proceeds shall not be utilized to fund any Municipal Project unless the County, through the Transportation Surtax General Counsel, after consultation with counsel for the Municipality and after considering the recommendation of the Oversight Board, confirms

the project is legally eligible for funding with Transportation Surtax Proceeds. Notwithstanding anything in this Second Amendment to the contrary, Transportation Surtax Proceeds may not be used to fund: (i) a MCP submitted by a municipality not a party to this Second Amendment; or (ii) any project (or element of a project) legally ineligible for Transportation Surtax Proceeds.

C. The County's Annual Budget and Five-Year Plan.

1. *The County's FY2019, FY2020, and FY2021 Approved Budgets.* The Parties agree and stipulate that: (a) funding allocated by the County for Municipal Projects through the effective date of this Second Amendment exceeds the total MAG for FY2019, FY2020, and FY2021 combined and fully satisfies the County's funding obligation for those Fiscal Years; (b) the County's FY2019, FY2020, and FY2021 funding allocations for the FY2020 Approved Projects were for only the stated phase of the respective FY2020 Approved Project; and (c) funding for phases of FY2020 Approved Projects not budgeted for in the FY2021 Five-Year Plan will be funded by the MAG in subsequent Fiscal Years consistent with the MPO's FY2020 rankings and funding recommendations.

2. *Fiscal Year Budgets and Five-Year Plans After FY2021.* For all Fiscal Years after FY2021, in the normal course of the County's annual budget and capital improvement planning process, the County will, through the County Commission, allocate funding for Transportation Surtax Projects for the then-current Fiscal Year and approve a Five-Year Plan for Transportation Surtax Projects. The County will use a team that will include transportation planning, legal, and other professionals to develop Five-Year Plans and Fiscal Year funding recommendations based on the following considerations:

- (a) The MPO's funding recommendations in FY2020 and for subsequent Fiscal Years up to the MAG;
- (b) The County Administrator's annual budget recommendations published by the County in approximately July of each year;
- (c) The Oversight Board's consideration as to statutory eligibility for funding with Transportation Surtax Proceeds pursuant to Section 212.055(1), Florida Statutes;
- (d) Available Transportation Surtax Proceeds;
- (e) Revenue and economic forecasts and analysis;
- (f) Corridor delivery modeling with an aim to achieve responsible and efficient use of Transportation Surtax Proceeds and the mitigation of potential or actual disruption to residents and businesses;
- (g) Requests from Municipalities to reschedule, modify, or combine projects;
- (h) Construction-readiness of each Transportation Surtax Project;
- (i) The ability to leverage state and/or federal funding; and
- (j) Other factors the MAP Administration or the County Commission deems relevant.

3. *The County Commission's Approval and Allocation of Funding for Municipal Projects.* Annually, the MAP Administration will provide to the County Commission for its consideration and approval: (a) a proposed Five-Year Plan which includes at least the Projected MAG funding allocations (after deducting the cost of Community Shuttle Service) for MCPs, by project and Fiscal Year, consistent with the MPO's rankings and MAG funding recommendations for the applicable Fiscal Years; (b) a Fiscal Year budget which includes at least the MAG allocations for Municipal Projects; and (c) its determination as to statutory eligibility of the proposed Transportation Surtax Projects based on the Oversight Board's evaluation. Prior to or simultaneously with its annual presentation to the County Commission, the MAP Administration will notify the Municipalities of the County's proposed Five-Year Plan and the Projected MAG for each Fiscal Year of the Five-Year Plan. The Five-Year Plan will provide for the timing of funding all capital Transportation Surtax Projects and include funding projections over a rolling five-year period. The County has no obligation to fund any MCP in an amount greater than the least of the following: the amount recommended by the MPO, determined statutorily-eligible by the Oversight Board, or the actual cost of the project. As used in this Second Amendment, a Municipal Project (including, as applicable, the designated phase of an MCP) is "funded" when the County Commission approves the allocation of funding for the Municipal Project (or the designated phase of the MCP as applicable) included in the County's then-current Fiscal Year budget. Municipalities will receive funds allocated for MCPs as outlined in Section V.F.

4. *Adjustments to Five-Year Plans.* In the event of a material change in one or more of the factors in Section V.C.2 above, the MAP Administration will (i) make periodic adjustments to the Five-Year Plan consistent with the factors outlined in Section V.D. and, if applicable, present such adjustments to the Oversight Board for its evaluation as to statutory eligibility for funding with Transportation Surtax Proceeds; (ii) present any proposed adjustments to the County Commission for its approval and appropriation of Transportation Surtax Proceeds as the County Commission deems necessary and appropriate; and (iii) in the event Transportation Surtax Proceeds actually received by County exceed the County's projections for that Fiscal Year, the MAP Administration will request additional rankings and recommendations from the MPO to fund additional MCPs and make any necessary proposed adjustments to the MAG funding allocations for that Fiscal Year for the County Commission's approval consistent with subsections (i) and (ii) of this section.

5. *Reimbursements to Municipalities for Eligible Expenditures.* Municipalities may request reimbursement from the County for eligible expenditures under Section 212.055(1), Florida Statutes, and Section of III of this Second Amendment for MCPs included in the then-current Five-Year Plan approved by the County Commission, provided that: 1) the Municipality obtains written approval from the County Administrator of the specific project; 2) the County Commission allocated Transportation Surtax Proceeds for that MCP for the then-current Fiscal Year; and 3) the Municipality

enters into and complies with all terms and conditions of the Surtax Funding Agreement for the applicable project. To the extent permissible under applicable law, the Surtax Funding Agreement may be executed after the expenditures by the Municipality, but must be executed prior to reimbursement, and the provisions of the Surtax Funding Agreement shall govern the eligibility of such expenditures for reimbursement. Funding shall be limited to the funds budgeted and allocated for that project in the then-current Fiscal Year, as approved by the County Commission.

D. The County's Limited Discretion to Fund Municipal Capital Projects Other Than as Ranked by the MPO within the MAG Funding Recommendations. The Parties agree and stipulate that the County may deviate from the MPO's ranking to accelerate or subordinate funding of an MCP within the MAG for the applicable Fiscal Year only when necessary to ensure Transportation Surtax Proceeds are utilized legally, responsibly, efficiently, and with the least disruption to residents and businesses, in the circumstances set forth herein. The County's deviation from the MPO's ranking order in one Fiscal Year shall not modify the order of priority for funding MCPs in any subsequent Fiscal Year. If the County uses its limited discretion as defined in this section in any Fiscal Year, it shall provide written notice to the impacted Municipality(ies) of such deviation and the reason(s) for such deviation and commit to fund any subordinated MCP within a reasonably prompt time frame once the reason(s) for the deviation as stated in the County's written notice are resolved, subject to the availability of funds within the MAG. The circumstances under which the County may exercise its limited discretion pursuant to this section are limited to the following:

1. Demonstrated need, documented in writing, to coordinate the construction timeline of the applicable MCP(s) and the timing of other projects that affect the same or nearby transportation elements to avoid waste;

2. The MCP is scheduled for construction funding for that Fiscal Year but is not construction-ready for any of the following reasons:

- (a) The Municipality does not have 100% complete, signed, sealed, design plans and required construction documents for the project;
- (b) The Municipality has not obtained the written approval necessary to construct the project from the owner(s) of the impacted road(s);
- (c) Right-of-way required to construct the project has not been acquired;
- (d) The construction cost estimate is ten percent (10%) higher than the construction cost estimate proposed by the Municipality in its application for funding (after factoring in reasonable inflation);
- (e) The permits required to construct the project have not been obtained;

- (f) The utility relocation required for the project to begin construction work has not been completed or a utility relocation plan has not yet been approved by all applicable entities;
- (g) The Municipality's governing body has not adopted a resolution of support confirming its approval for the project to proceed; or
- (h) The Municipality states in writing that it is unable or unwilling to move forward with the project because of opposition from an affected community or inadequate public support for the project.

3. The applicable Municipality(ies) fails to execute or materially breaches a Surtax Funding Agreement or this Second Amendment; and/or

4. When necessary to comply with the laws, rules, court decisions, orders, and regulations of applicable governmental authorities.

In addition, the County may, in its sole discretion, deem a MCP infeasible if it fails to meet the construction-ready requirements listed in Section V.D.2 above within three Fiscal Years after the first day of the Fiscal Year for which the MCP was first scheduled for construction funding. If a project is deemed infeasible, as provided in this Section V.D., the project will be deemed canceled and withdrawn, will lose its ranking, and its allocated funding would then be available to fund other Municipal Projects. A Municipality may elect to submit a new application to the MPO for any MCP deemed infeasible by the County.

E. The County's Discretion to Convert a Municipal Project to a County Project. The County may elect, at any time prior to executing a Surtax Funding Agreement, with the consent of the applicable Municipality(ies), to convert any MCP in the then-current Five-Year Plan to a County project. The County will provide written notice to the Municipality of its intent to convert the MCP to a County project. For any MCP converted to a County project, the funding for the project will not be counted toward the MAG, and the timing of funding the project in the applicable Five-Year Plan will be determined by the County in its sole discretion without regard to the MPO's ranking and funding recommendations.

F. Surtax Funding Agreements. The Municipalities shall receive Transportation Surtax Proceeds from the County for a funded Municipal Project subject to and upon execution of, a Surtax Funding Agreement between the County and the Municipality for each such Municipal Project. Surtax Funding Agreements for MCPs and MR&MPs shall include at least a 30% CBE commitment for the project, unless such requirement is determined inapplicable by the Director of the County's Office of Economic and Small Business Development or is modified or waived by the County Commission.

G. Community Shuttle Service. Subject to the availability of funds, the MAG will be used first to directly and fully fund the reasonable and necessary operating, maintenance, and capital costs of existing Community Shuttle Service and any improved or new Community Shuttle Service, before funding MCPs, Municipal Project Contingency, and

MR&MPs. Funding of Community Shuttle Service is not subject to evaluation or ranking by the MPO. Unless waived by the County, to be eligible for Transportation Surtax Proceeds, the Community Shuttle Service must meet or exceed the standard of 7.1 passengers per revenue service hour per route or such other standard as the County may impose. The County may, in its sole discretion, decrease or increase this standard based on future population and ridership growth. The County's Transportation Department administers the Community Shuttle Service program and allocated Community Shuttle Service funding is included in the Transportation Department's annual Fiscal Year budget. In the event of interruptions due to hurricane or other natural disasters causing Municipality to fail to meet the 7.1 passengers per revenue service hour requirement, County may suspend the ridership criteria. The Community Shuttle Service ridership requirement is suspended until the end of the current declared local state of emergency due to COVID-19.

VI. Additional Requirements. Each Municipality shall: (a) fully comply and otherwise fully cooperate with the auditing, project review, and oversight requirements stated in Section 31½-71, et seq., Broward County Code of Ordinances, as same may be amended by the County; (b) ensure that all of its expenditures of Transportation Surtax Proceeds will be consistent with applicable law and with any conditions recommended by the Oversight Board when such recommendations are expressly and formally approved by the County Commission; and (c) comply with the reporting requirements stated in the applicable Surtax Funding Agreement, which may include requirements to report project performance data, metrics, measures, and deliverables as may be prescribed by the County.

A. Reporting and Accounting. Each Municipality receiving Transportation Surtax Proceeds shall deposit and maintain all Transportation Surtax Proceeds in a segregated fund or account, which shall be subject to audit by the County and the Oversight Board. Any interest earned by a Municipality on any Transportation Surtax Proceeds shall constitute Transportation Surtax Proceeds and may be utilized by the Municipality only in accordance with the terms of the applicable Surtax Funding Agreement. Upon prior written approval by the Contract Administrator, a Municipality may utilize other methods of separate accounting for the Transportation Surtax Proceeds provided the accounting method permits a full and complete audit of the funds.

B. Permitting. To decrease public inconvenience and to facilitate the expeditious and efficient completion of projects funded with Transportation Surtax Proceeds, for any project funded by Transportation Surtax Proceeds that is performed by the County and is in whole or in part within the geographical boundaries of a Municipality, each Municipality shall waive, unless prohibited by applicable state or federal law, all municipal permitting requirements, except to the extent of any portion of the work performed by the County that will be owned, operated, and maintained by the Municipality. The waiver shall include, without limitation, the requirements of permit application, permit issuance, inspections, and permitting fees. The County shall be responsible for ensuring adequate

plan review, inspections, and compliance with State and County standards for work performed by the County. The County shall waive, unless prohibited by applicable state or federal law, all County permitting fees for Municipal Capital Projects and Municipal R&M Projects.

C. Road Closures. Each Municipality shall institute and comply with a cooperative notification program, in a format prescribed by the County, that ensures the County is promptly notified and promptly provided with data reasonably requested by the County regarding all municipal roads in the Municipality that are closed for any reason, including but not limited to construction of Transportation Surtax Projects, other construction, or flooding.

D. Branding and Marketing. Each Municipality shall participate in reasonable branding and marketing in the form and content prescribed by the County, including, but not limited to, signage prominently acknowledging that the applicable projects are funded with Transportation Surtax Proceeds, utilizing County-approved wording, logos, or other imagery, which branding and marketing will acknowledge the project contributions of the County and the applicable Municipality(ies). The County will work cooperatively with the Municipality(ies) regarding the location of branding and marketing **signage**. The costs for all branding and marketing requested by the County pursuant to this section shall be included in the Transportation Surtax Proceeds allocated for the applicable Municipal Project.

E. Data Collection and Sharing. To the extent requested by the County, each Municipality shall ensure that each of its projects funded in whole or in part with Transportation Surtax Proceeds includes incorporation and placement of sensors or other devices on municipal roads, rights-of-way, properties, and assets for County-approved applications for mobility-related data collection purposes, provided such placement shall not unreasonably interfere with the aesthetics or the Municipality's use of such roads, rights-of-way, properties, or assets. The County shall fund the costs for any such incorporation and placement requested by the County. To the extent that the Municipality controls data collection, each Municipality shall ensure the collection of data includes and is consistent with the scope, type, frequency, quantity, and format requested by the County in order to facilitate countywide collection and utilization of transportation data. For the useful life of the applicable project, to the extent requested by the County, each Municipality shall provide the County any and all access to such data as may be requested by the County, including recurring or real-time access or periodic download.

VII. General Provisions.

A. Term of Agreement. This Second Amendment shall remain in full force and effect until all Transportation Surtax Proceeds allocated by the County to Municipal Projects

have been fully expended by all the Municipalities and thereafter until 90 days after the Oversight Board has completed its review of each applicable Party's final audit.

B. No Impact to Future Levies. Nothing in this Second Amendment shall impact in any way, whatsoever, any future ballot question seeking to impose, extend, or increase any levy of any surtax, or impact in any way any distribution from any such new, extended, or increased levy.

C. Funding Limited to Transportation Surtax Proceeds. The County's funding obligations under this Second Amendment shall be met solely through the use of Transportation Surtax Proceeds, and all funding provided by the County under this Second Amendment shall be consistent with applicable law including Section 129.01, Florida Statutes.

D. Amendment. This Second Amendment may be amended by a written document formally approved by the County and by such Municipalities that both (i) constitute a majority of the Municipalities that are a party to this Second Amendment, and (ii) cumulatively represent more than 50% of the County's total population. The MPO's written approval of any amendment shall only be required if the amendment purports to modify any express obligation of the MPO hereunder. Any amendment approved in accordance with this section shall be binding on all Parties hereto.

E. Governing Law, Venue, and Waiver of Jury Trial. This Second Amendment shall be interpreted and construed in accordance with, and governed by, the laws of the State of Florida. The Parties agree that the exclusive venue for any lawsuit arising from, related to, on in connection with this Second Amendment shall be in the state courts of the Seventeenth Judicial Circuit in and for Broward County, Florida. **BY ENTERING INTO THIS SECOND AMENDMENT, EACH PARTY HERETO HEREBY EXPRESSLY WAIVES ANY AND ALL RIGHTS THAT PARTY MAY HAVE TO A TRIAL BY JURY OF ANY CAUSE OF ACTION OR CLAIM ARISING FROM, RELATED TO, OR IN CONNECTION WITH THIS SECOND AMENDMENT.**

F. Counterparts. This Second Amendment may be executed in counterparts, each of which shall be deemed an original, but all of which, taken together, shall constitute one and the same agreement.

G. Further Actions. If an audit conducted in connection herewith or in connection with Chapter 31½, Broward County Code of Ordinances, documents any misspent funds or other violation of this Second Amendment, the Party in violation shall promptly take all reasonable and required actions to correct the violation. This provision shall survive the expiration or earlier termination of this Second Amendment.

H. Notices. In order for a notice to a Party to be effective under this Second Amendment, notice must be sent via U.S. first-class mail, hand delivery, or commercial overnight delivery, each with contemporaneous copy via email, to the addresses listed

below and shall be effective upon mailing or hand delivery (provided the contemporaneous email is also sent). The addresses for notices shall remain as set forth in this section unless and until changed by providing notice of such change in accordance with the provisions of this section.

As to the County: Broward County Administrator
115 S. Andrews Avenue, Room 409
Fort Lauderdale, FL 33301
Current email: bhenry@broward.org

With a copy to: Broward County Attorney
115 S. Andrews Avenue, Room 423
Fort Lauderdale, FL 33301
Current email: ameyers@broward.org

As to Municipality: Manager/Administrator
Name, address, and current email provided on signature page

With a copy to: Municipal Attorney
Name, address, and current email provided on signature page

MPO: MPO Executive Director
100 W. Cypress Creek Road, Suite 650
Fort Lauderdale, FL 33309
Current email: stuartg@browardmpo.org

With a copy to: MPO General Counsel
Weiss Serota Helfman Cole & Bierman
200 E. Broward Blvd., Suite 1900
Fort Lauderdale, FL 33301
Current email: agabriel@wsh-law.com

A Party's notice address may be changed at any time by that Party, provided that Party provides notice of such change consistent with the requirements of this section.

I. Entire Agreement. This Second Amendment constitutes the final and complete understanding of the Parties regarding the subject matter of the items addressed herein, and supersedes all prior versions of the Interlocal Agreement, the First Amendment, and all prior and contemporaneous negotiations and discussions regarding that subject matter. There is no commitment, agreement, or understanding concerning the subject matter of this Second Amendment that is not expressly contained in this Second Amendment. To the extent of any conflict between or among this Second Amendment, the Interlocal Agreement, and the First Amendment (and, with regard to any obligation of the MPO or County under the MPO ILA, to the extent of any conflict between or among

this Second Amendment, the Interlocal Agreement, the First Amendment, and/or the MPO ILA), the provisions of this Second Amendment shall prevail.

J. Headings. The section and subsection headings in this Second Amendment are inserted for convenience only and shall not affect in any way the meaning or interpretation of this Second Amendment.

K. Joint Preparation. The preparation of this Second Amendment has been a joint effort of the Parties hereto, and the resulting document shall not, solely as a matter of judicial construction, be construed more severely against any Party.

L. Severability. If any portion of this Second Amendment is found by a court of competent jurisdiction to be invalid, the remaining provisions shall continue to be effective and the Parties agree to negotiate in good faith to modify the invalidated portion of this Second Amendment in a manner designed to effectuate the original intent of the Parties.

M. Advice of Counsel. Each Party acknowledges and agrees that it has had the opportunity to consult with and be represented by counsel of its choice in connection with the negotiation and preparation of this Second Amendment.

N. Individual Liability. Except as provided in Section VII.D., each Party agrees and commits to fully comply with the obligations of this Second Amendment for that Party, with each Party only being responsible for its own compliance; a default by any one Party of any obligation under this Second Amendment shall not constitute a default by any other Party.

O. Waiver and Release. Each Party agrees and stipulates that as of the Effective Date (as defined below) of this Second Amendment, each Party is in full compliance with all terms and conditions of this Second Amendment. To the extent any Party may have a claim for a breach or default of any provision of the Interlocal Agreement, the First Amendment, or this Second Amendment that accrued prior to the Effective Date, each Party fully waives and releases their individual claims.

P. Effective Date. The effective date of this Second Amendment shall be the date of complete execution by the County, the MPO, and by such Municipalities that both (i) constitute a majority of the Municipalities that are a party to this Second Amendment, and (ii) cumulatively represent more than 50% of the County's total population (the "Effective Date").

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IN WITNESS WHEREOF, the Parties hereto have made and executed this Second Amendment to and Restatement of the Transportation Surtax Interlocal Agreement on the respective dates under each signature: BROWARD COUNTY, through its Board of County Commissioners, signing by and through its County Administrator, authorized to execute same by Board action on the 10th day of September, 2020 (Agenda Item 61); the MPO, signing by and through its authorized officer or official, duly authorized to execute same by official action taken on the date identified on its signature page; and each Municipality signing by and through its authorized officer or official, duly authorized to execute same by official action taken on the date identified on its signature page.

COUNTY

WITNESSES:

BROWARD COUNTY, by and through
its County Administrator

Signature

By: _____
Bertha Henry, County Administrator

____ day of _____, 20__

Print Name of Witness above

Signature

Approved as to form by
Andrew J. Meyers
Broward County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600

Print Name of Witness above

By: _____
Devona A. Reynolds Perez (Date)
Assistant County Attorney

By: _____
Angela J. Wallace (Date)
Transportation Surtax General Counsel

AJW/DRP

Second Amendment to and Restatement Transportation Surtax ILA.doc

~~12/31/2020~~ 01/08/2021

#20-114.00

**SECOND AMENDMENT TO AND RESTATEMENT OF THE
TRANSPORTATION SYSTEM SURTAX INTERLOCAL AGREEMENT**

MPO

By: _____
Gregory Stuart, Executive Director

By: _____
_____, Chair

This _____ day of _____ 2020.

This _____ day of _____ 2020.

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY FOR THE USE OF AND
RELIANCE BY THE MPO ONLY:

By: _____
Alan L. Gabriel, MPO General Counsel
Weiss Serota Helfman Cole & Biermann, P.L.

**SECOND AMENDMENT TO AND RESTATEMENT OF THE
TRANSPORTATION SYSTEM SURTAX INTERLOCAL AGREEMENT**

CITY/TOWN/VILLAGE OF _____ through its governing body, signing by and through its Mayor or Vice-Mayor, authorized to execute the same by Board action on the _____ day of _____, 2020.

MUNICIPALITY

WITNESS:

Signature of Witness

By: _____
_____, Mayor

Print or Type Name of Witness

_____ day of _____, 2020

Signature of Witness

By: _____
_____, Municipal Manager

Print or Type Name of Witness

_____ day of _____, 2020

ATTEST:

Notices:

Municipal Clerk

Approved as to legal form by:

With a copy to:

Municipal Attorney

EXHIBIT A

Cycle 1 Ranked Projects

Project Ranking	Municipality	Project Number	Project Name	Work Mix	Phase	Fiscal Year 2020 Recommendation	Surtax Plan Estimate	Recommended Phase Funding
1	Wilton Manors	WILT-006	Roadway Median landscape improvements	Bicycle Pedestrian Infrastructure	Construction	YEAR 1-Construction	\$6,000,000	\$247,711
2	Sunrise	SUNR-025.1	Various Drainage Improvements	Resiliency Improvements	Construction	YEAR 1-Construction	\$10,000,000	\$5,180,000
3	Pompano Beach	POMP-004	Bay Drive Neighborhood Stormwater Improvements Project	Resiliency Improvements	Construction	YEAR 1-Construction	\$4,290,485	\$1,174,741
4	North Lauderdale	NLAU-007.1	Neighborhood Traffic Calming Program	Traffic Circle, Speed Tables, Intersection Improvement	Construction	YEAR 1-Construction	\$1,998,187	\$1,998,187
5	Weston	WEST-224	Intersection Improvements Royal	Traffic Circle, Speed Tables, Intersection Improvement	Construction	YEAR 1-Construction	\$2,200,000	\$1,612,082
6	West Park	WPRK-004	SW 25 Street Complete Street Improvement	Bicycle Pedestrian Infrastructure	Construction	YEAR 1-Construction	\$2,000,000	\$1,638,987
7	Coral Springs	CORA-115.1	Emergency Traffic Signals	Signal Enhancement	Construction	YEAR 1-Construction	\$900,000	\$496,917
8	Dania Beach	DANI-019	Stormwater Improvements	Resiliency Improvements	Construction	YEAR 1-Construction	\$2,500,000	\$2,191,740
9	Davie	DAVI-003	Davie Rd Improvements Phase 3	Capacity Increase, Widening	Construction	YEAR 1-Construction	\$5,000,000	\$4,859,167
10	Lauderdale Lakes	LLAK-003	Citywide Community Gateway System	Landscaping, Hardscape, Signage, Lighting	Construction	YEAR 1-Construction	\$1,500,000	\$1,378,000
11	Tamarac	TAMA-018	Electric Vehicle Charging Stations	Transit	Construction	YEAR 1-Construction	\$500,000	\$436,546
12	Cooper City	COOP-036	Way Finding Signs	Landscaping, Hardscape, Signage, Lighting	Construction	YEAR 1-Construction	\$75,000	\$30,000
13	Hallandale Beach	HALL-026	City-wide Bus Stops Digital Signage	Landscaping, Hardscape, Signage, Lighting	Construction	YEAR 1-Construction	\$520,000	\$513,600
14	Deerfield Beach	DEER-003	Citywide Pedestrian Street Lighting Improvements	Landscaping, Hardscape, Signage, Lighting	Construction	YEAR 1-Construction	\$800,000	\$800,000
15	Southwest Ranches	SWRA-032	Drainage Project: SW 50 Street and SW 182 Avenue Drainage	Resiliency Improvements	Construction	YEAR 1-C onstruction	\$124,000	\$124,000
16	Oakland Park	OAKL-099	Landscape Improvement	Landscaping, Hardscape, Signage, Lighting	Construction	YEAR 1-Construction	\$330,000	\$330,000
17	Hollywood	HOLL-064	Industrial Park and Corridor Improvements	Capacity Increase, Widening	Construction	YEAR 1-Construction	\$5,000,000	\$5,000,000
18	Pembroke Park	PPRK-002	S.W. 25th St. Stormwater Impr. (Ph II)	Resiliency Improvements	Construction	YEAR 1-Construction	\$1,075,000	\$1,075,115
19	West Park	WPRK-007	SW 57 Ave & SW 20 Street Traffic Calming Improvement	Traffic Circle, Speed Tables, Intersection Improvement	Co nstruction	YEAR 1-Construction	\$200,000	\$163,519
20	Fort Lauderdale	FORT-122	Safety Improvements: NW 15th Ave Mobility Improvements	Bicycle Pedestrian Infrastructure	Construction	YEAR 1-Construction	\$2,000,000	\$2,000,000
21	Tamarac	TAMA-003	Traffic Calming	Traffic Circle, Speed Tables, Intersection Improvement	Construction	YEAR 1-Construction	\$1,000,000	\$528,902
22	Wilton Manors	WILT-012	Complete Streets	Bicycle Pedestrian Infrastructure	Construction	YEAR 1-Construction	\$1,000,000	\$629,804
23	Pompano Beach	POMP-006	Kendall Lake Neighborhood Stormwater Improvements	Resiliency Improvements	Construction	YEAR 1-Construction	\$3,772,201	\$3,741,868
24	Hallandale Beach	HALL-005	City-Wide Bus Shelter Improvements	Transit	Construction	YEAR 1-Construction	\$3,000,000	\$2,977,563
25	Davie	DAVI-001	College Ave Phase 2 Widening	Capacity Increase, Widening	Construction	YEAR 1-Construction	\$1,000,000	\$1,000,000
26	Hollywood	HOLL-035	Complete Streets - Hollywood Blvd	Capacity Increase, Widening	Construction	YEAR 1-Construction	\$700,000	\$700,000
27	Lauderdale Lakes	LLAK-015	NW 36 Terrace Improvements	Bicycle Pedestrian Infrastructure	Construction	YEAR 1-Construction	\$750,000	\$863,663
28	Weston	WEST-308	Indian Trace Elementary School	Bicycle Pedestrian Infrastructure	Construction	YEAR 1-Construction	\$150,000	\$319,086
29	Wilton Manors	WILT-007.1	Parking	Bicycle Pedestrian Infrastructure	Construction	YEAR 1-Construction	\$15,000,000	\$849,475
30	Weston	WEST-307	City-wide Wayfinding Signage Program	Landscaping, Hardscape, Signage, Lighting	Construction	YEAR 1-Construction	\$1,056,000	\$232,739

Project Ranking	Municipality	Project Number	Project Name	Work Mix	Phase	Fiscal Year 2020 Recommendation	Surtax Plan Estimate	Recommended Phase Funding
31	Tamarac	TAMA-014	Traffic Control Devices	Signal Enhancement	Construction	YEAR 1-Construction	\$500,000	\$445,817
32	Fort Lauderdale	FORT-162	Street Lighting: NW 15Th Avenue	Bicycle Pedestrian Infrastructure	Construction	YEAR 1-Construction	\$1,000,000	\$996,668
33	Wilton Manors	WILT-013	Electronic Message Boards / Wayfinding	Bicycle Pedestrian Infrastructure	Construction	YEAR 1-Construction	\$1,000,000	\$639,650
34	Miramar	MIRA-004	Miramar Parkway Extension to Pembroke Road	Capacity Increase, Widening	Design	YEAR 1-Design Regional Network	\$25,000,000	\$760,000
35	Miramar	MIRA-002	Pembroke Road Expansion from SW 184th Avenue to 200th Avenue	Capacity Increase, Widening	Design	YEAR 1-Design Regional Network	\$31,000,000	\$1,510,000
36	Miramar	MIRA-001	Pembroke Road Expansion from SW 160th Avenue to 184th Avenue	Capacity Increase, Widening	Design	YEAR 1-Design Regional Network	\$28,900,000	\$2,270,000
37	Miramar	MIRA-003	Pembroke Road Expansion from SW 200th Avenue to US-27	Capacity Increase, Widening	Design	YEAR 1-Design Regional Network	\$8,000,000	\$1,390,000
38	Fort Lauderdale	FORT-108	Safety Improvements: Andrews Ave	Capacity Increase, Widening	Planning	YEAR 1-Planning	\$5,000,000	\$150,000
39	Oakland Park	OAKL-023	City-Wide Mast Arm Conversion	Signal Enhancement	Design	YEAR 1-Design	\$7,875,000	\$945,000
40	Coral Springs	CORA-097	New Sidewalk Construction	Bicycle Pedestrian Infrastructure	Planning	YEAR 1-Planning	\$20,000,000	\$600,000
41	Coconut Creek	COCO-024	New Bus Shelters/Replacement Bus Shelters	Transit	Design	YEAR 1-Design	\$3,600,000	\$432,000
42	Pompano Beach	POMP-002	Dixie Hwy/Atlantic Blvd Improvements Project	Bicycle Pedestrian Infrastructure	Design	YEAR 1-Design	\$24,860,000	\$2,983,200
43	Hollywood	HOLL-036	Complete Streets - State Rd 7	Bicycle Pedestrian Infrastructure	Design	YEAR 1-Design	\$1,000,000	\$120,000
44	Davie	DAVI-016	Orange Dr Corridor Enhancements	Capacity Increase, Widening	Design	YEAR 1-Design	\$3,000,000	\$360,000
45	Miramar	MIRA-021	Pembroke Road Bike Lane	Bicycle Pedestrian Infrastructure	Planning	YEAR 1-Planning	\$3,000,000	\$90,000
46	Pembroke Pines	PPIN-039	City Wide Sidewalk Projects	Bicycle Pedestrian Infrastructure	Planning	YEAR 1-Planning	\$4,431,250	\$132,938
47	West Park	WPRK-002	State Road 7 Pedestrian Lights	Landscaping, Hardscape, Signage, Lighting	Design	YEAR 1-Design	\$750,000	\$90,000
48	Lauderdale Lakes	LLAK-006	Comprehensive Traffic Calming Program	Traffic Circle, Speed Tables, Intersection Improvement	Planning	YEAR 1-Planning	\$850,000	\$25,500
49	Wilton Manors	WILT-009	Bus Benches And Shelters	Transit	Planning	YEAR 1-Planning	\$6,000,000	\$180,000
50	Sunrise	SUNR-055	Pine Island Road Bicycle Lanes	Bicycle Pedestrian Infrastructure	Design	YEAR 1-Design	\$4,500,000	\$540,000
51	Pembroke Park	PPRK-010	Bike Lane And Sidewalk Improvements	Bicycle Pedestrian Infrastructure	Design	YEAR 1-Design	\$250,000	\$30,000
52	Lauderdale-by-the-Sea	LSEA-005	El Mar Drive Improvements	Bicycle Pedestrian Infrastructure	Design	YEAR 1-Design	\$2,000,000	\$240,000
53	Weston	WEST-303	Weston Rd Corridor RRR	Bicycle Pedestrian Infrastructure	Design	YEAR 1-Design	\$4,900,000	\$588,000
54	Deerfield Beach	DEER-007	FAU Research Blvd. Roadway Improvements	Capacity Increase, Widening	Design	YEAR 1-Design	\$4,000,000	\$480,000
55	Cooper City	COOP-035	City Entry Signs And Features	Landscaping, Hardscape, Signage, Lighting	Design	YEAR 1-Design	\$175,000	\$21,000
56	Tamarac	TAMA-008	Bike Paths	Bicycle Pedestrian Infrastructure	Planning	YEAR 1-Planning	\$4,500,000	\$135,000
57	Lighthouse Point	LHP-010	Sidewalk/Bike Lane Construction	Bicycle Pedestrian Infrastructure	Planning	YEAR 1-Planning	\$500,000	\$15,000
58	North Lauderdale	NLAU-007.2	Neighborhood Traffic Calming Program	Traffic Circle, Speed Tables, Intersection Improvement	Design	YEAR 1-Design	\$3,001,813	\$360,218
59	Parkland	PARK-008	Construction Of Bike Lanes On Parkside Drive	Bicycle Pedestrian Infrastructure	Design	YEAR 1-Design	\$1,500,000	\$180,000
60	Dania Beach	DANI-001	West Dania Beach Blvd Bridge	Capacity Increase, Widening	Design	YEAR 1-Design	\$4,000,000	\$480,000

Project Ranking	Municipality	Project Number	Project Name	Work Mix	Phase	Fiscal Year 2020 Recommendation	Surtax Plan Estimate	Recommended Phase Funding
61	Margate	MARG-002	Winfield Blvd. Improvements	Bicycle Pedestrian Infrastructure	Design	YEAR 1-Design	\$174,000	\$20,880
62	Southwest Ranches	SWRA-021	Drainage Project: SW 61st Court	Resiliency Improvements	Design	YEAR 1-Design	\$100,000	\$12,000
63	Fort Lauderdale	FORT-104	Sidewalks: Sidewalk Program - New Construction	Bicycle Pedestrian Infrastructure	Design	YEAR 1-Design	\$3,000,000	\$360,000
64	Oakland Park	OAKL-007	CSX And FEC Crossing Study	Bicycle Pedestrian Infrastructure	Planning	YEAR 1-Planning	\$150,000	\$150,000
65	Coral Springs	CORA-098	New Sidewalk Construction	Bicycle Pedestrian Infrastructure	Planning	YEAR 1-Planning	\$20,000,000	\$600,000
66	Hollywood	HOLL-038	Complete Streets - Johnson St	Bicycle Pedestrian Infrastructure	Planning	YEAR 1-Planning	\$5,000,000	\$150,000
67	Miramar	MIRA-020	Bus Shelter Improvement	Transit	Design	YEAR 1-Design	\$1,200,000	\$144,000
68	Lauderdale Lakes	LLAK-016	NW 50th Avenue Improvements Study & Design	Bicycle Pedestrian Infrastructure	Planning	YEAR 1-Planning	\$500,000	\$500,000
69	Sunrise	SUNR-075	Oakland Park Blvd Multi-Use Path	Bicycle Pedestrian Infrastructure	Design	YEAR 1-Design	\$3,250,000	\$390,000
70	Pompano Beach	POMP-011	PowerLine Road Improvements Project	Landscaping, Hardscape, Signage, Lighting	Design	YEAR 1-Design	\$2,734,862	\$328,183
71	Davie	DAVI-012	SW 30th Street Improvements	Bicycle Pedestrian Infrastructure	Design	YEAR 1-Design	\$2,000,000	\$240,000
72	Coconut Creek	COCO-020	Hillsboro Boulevard Sidewalk Improvements	Bicycle Pedestrian Infrastructure	Design	YEAR 1-Design	\$563,305	\$67,597
73	Wilton Manors	WILT-003	Complete Streets	Bicycle Pedestrian Infrastructure	Design	YEAR 1-Design	\$2,000,000	\$240,000
74	West Park	WPRK-003	SW 48 Avenue Complete Street	Bicycle Pedestrian Infrastructure	Design	YEAR 1-Design	\$3,500,000	\$420,000
75	Weston	WEST-192	Indian Trace Road Roadway Improvements	Bicycle Pedestrian Infrastructure	Design	YEAR 1-Design	\$280,000	\$33,600
76	Pembroke Park	WPRK-009	52 Ave Complete Streets	Bicycle Pedestrian Infrastructure	Design	YEAR 1-Design	\$1,200,000	\$144,000
77	Deerfield Beach	DEER-005	Pioneer Grove Improvements-Pedestrian Lighting	Bicycle Pedestrian Infrastructure	Design	YEAR 1-Design	\$2,000,000	\$240,000
78	Lighthouse Point	LHP-009	Traffic Calming	Bicycle Pedestrian Infrastructure	Planning	YEAR 1-Planning	\$1,000,000	\$30,000
79	Pembroke Pines	PPIN-021	Privacy Wall - Sheridan Street	Landscaping, Hardscape, Signage, Lighting	Design	YEAR 1-Design	\$1,350,000	\$162,000
80	North Lauderdale	NLAU-008	Sound Walls SW 64 Ter Sidewalks, Traffic Calming	Bicycle Pedestrian Infrastructure	Design	YEAR 1-Design	\$3,000,000	\$360,000
81	Cooper City	COOP-024	Storm Water Drainage Improvement	Resiliency Improvements	Design	YEAR 1-Design	\$2,400,000	\$288,000
82	Parkland	PARK-002	Lox Road Improvements	Bicycle Pedestrian Infrastructure	Design	YEAR 1-Design	\$2,600,000	\$312,000
83	Margate	MARG-047	City Bicycle/Pedestrian Greenway System	Bicycle Pedestrian Infrastructure	Design	YEAR 1-Design	\$1,000,000	\$120,000
84	Southwest Ranches	SWRA-022	Drainage Project: Green Meadows	Resiliency Improvements	Design	YEAR 1-Design	\$43,000	\$5,160
85	Tamarac	TAMA-001	Multimodal Connectivity Plan	Bicycle Pedestrian Infrastructure	Planning	YEAR 1-Planning	\$120,000	\$120,000
86	Lauderdale-by-the-Sea	LSEA-035	Bike Lanes	Bicycle Pedestrian Infrastructure	Design	YEAR 1-Design	\$3,000,000	\$360,000
87	Dania Beach	DANI-017	SE Stormwater Drainage System	Resiliency Improvements	Design	YEAR 1-Design	\$7,212,000	\$865,440
88	Fort Lauderdale	FORT-113	Safety Improvements: SE 3rd Ave	Bicycle Pedestrian Infrastructure	Planning	YEAR 1-Planning	\$1,500,000	\$45,000
89	Coral Springs	CORA-102	Bus Shelter Repair And Replacement	Transit	Design	YEAR 1-Design	\$375,000	\$45,000
90	Miramar	MIRA-025	Pembroke Road Bike Lane	Bicycle Pedestrian Infrastructure	Design	YEAR 1-Design	\$2,100,000	\$252,000

Project Ranking	Municipality	Project Number	Project Name	Work Mix	Phase	Fiscal Year 2020 Recommendation	Surtax Plan Estimate	Recommended Phase Funding
91	Sunrise	SUNR-061	Oakland Park Blvd Bicycle Lanes	Bicycle Pedestrian Infrastructure	Design	YEAR 1-Design	\$6,000,000	\$720,000
92	Oakland Park	OAKL-025	Oakland Park Blvd Gateway	Landscaping, Hardscape, Signage, Lighting	Planning	YEAR 1-Planning	\$13,200,000	\$396,000
93	Lauderdale Lakes	LLAK-018	NW 36 St Improvements	Landscaping, Hardscape, Signage, Lighting	Design	YEAR 1-Design	\$1,000,000	\$120,000
94	Hallandale Beach	HALL-019	NW/SW 8th Ave Complete Street Project	Bicycle Pedestrian Infrastructure	Design	YEAR 1-Design	\$1,500,000	\$180,000
95	Davie	DAVI-014	Nova Dr Improvements	Capacity Increase, Widening	Design	YEAR 1-Design	\$2,800,000	\$336,000
96	Coconut Creek	COCO-016	Sample Road Multi-Purpose Path	Bicycle Pedestrian Infrastructure	Design	YEAR 1-Design	\$2,755,000	\$330,600
97	West Park	WPRK-008	SW 21St Street Complete Street Improvement	Traffic Circle, Speed Tables, Intersection Improvement	Design	YEAR 1 -Design	\$2,000,000	\$240,000
98	Weston	WEST-193	Indian Trace Road Roadway Improvements	Bicycle Pedestrian Infrastructure	Design	YEAR 1-Design	\$2,800,000	\$336,000
99	Pompano Beach	POMP-013	Riverside Drive Improvements Project	Bicycle Pedestrian Infrastructure	Design	YEAR 1-Design	\$5,928,768	\$711,452
100	Wilton Manors	WILT-015	Intersection Improvements (Gateway Design)	Landscaping, Hardscape, Signage, Lighting	Planning	YEAR 1-Planning	\$13,200,000	\$396,000
101	Deerfield Beach	DEER-006	Pioneer Grove Improvements-Complete Streets	Bicycle Pedestrian Infrastructure	Design	YEAR 1-Design	\$500,000	\$60,000
102	Pembroke Park	PPRK-008	County Line Road Storm Water Connection	Resiliency Improvements	Design	YEAR 1-Design	\$750,000	\$90,000
103	Cooper City	COOP-042	Storm Water Improvements	Resiliency Improvements	Design	YEAR 1-Design	\$1,600,000	\$192,000
104	Pembroke Pines	PPIN-038	Pines Blvd-Ingress/Egress-Holly Lake	Capacity Increase, Widening	Design	YEAR 1-Design	\$2,300,000	\$276,000
105	Lighthouse Point	LHP-011	Sidewalk Construction	Bicycle Pedestrian Infrastructure	Planning	YEAR 1-Planning	\$750,000	\$22,500
106	Parkland	PARK-007	Traffic Light - Hillsboro Boulevard And University DR	Signal Enhancement	Design	YEAR 1-Design	\$600,000	\$72,000
107	Margate	MARG-033	Firefighters Pk-Winfield Blvd. Bridge	Bicycle Pedestrian Infrastructure	Design	YEAR 1-Design	\$200,000	\$24,000
108	Southwest Ranches	SWRA-037	Drainage Project: Dykes Road and SW 51st Manor	Resiliency Improvements	Design	YEAR 1-Design	\$300,000	\$36,000
109	Hollywood	HOLL-056	Transportation/Traffic Calming - Dist. 5	Bicycle Pedestrian Infrastructure	Design	YEAR 1-Design	\$833,333	\$100,000
110	Tamarac	TAMA-021	Crosswalks	Bicycle Pedestrian Infrastructure	Planning	YEAR 1-Planning	\$3,000,000	\$90,000
Fiscal Year 2020 Total							\$414,903,204	\$72,016,813
Projects ranked 111 through 510 below have not been evaluated for funding readiness. Additional evaluation and analysis will be required.								
111	Fort Lauderdale	FORT-110	Safety Improvements: Andrews Ave	Bicycle Pedestrian Infrastructure	Planning	RANK	\$3,500,000	
112	Fort Lauderdale	FORT-067	Bike Lanes: Flagler Greenway	Bicycle Pedestrian Infrastructure	Design	RANK	\$12,000,000	
113	Hollywood	HOLL-037	Complete Streets - US 1	Bicycle Pedestrian Infrastructure	Construction	RANK	\$6,000,000	
114	Fort Lauderdale	FORT-188	Roadway Improvements: US 1	Bicycle Pedestrian Infrastructure	Planning	RANK	\$12,000,000	
115	Fort Lauderdale	FORT-107	Safety Improvements: NW 7th Ave	Bicycle Pedestrian Infrastructure	Design	RANK	\$3,800,000	
116	Fort Lauderdale	FORT-139	Safety Improvements: Sistrunk Blvd	Bicycle Pedestrian Infrastructure	Design	RANK	\$12,000,000	
117	Fort Lauderdale	FORT-152	Safety Improvements: Sunrise Blvd	Bicycle Pedestrian Infrastructure	NA	SWAP	\$15,000,000	
118	Fort Lauderdale	FORT-164	Street Lighting: Andrews Avenue	Landscaping, Hardscape, Signage, Lighting	Design	RANK	\$1,000,000	

Project Ranking	Municipality	Project Number	Project Name	Work Mix	Phase	Fiscal Year 2020 Recommendation	Surtax Plan Estimate	Recommended Phase Funding
119	Fort Lauderdale	FORT-189	Roadway Improvements: US 1	Bicycle Pedestrian Infrastructure	Planning	RANK	\$25,000,000	
120	Fort Lauderdale	FORT-168	Street Lighting: Las Olas Boulevard	Landscaping, Hardscape, Signage, Lighting	Design	RANK	\$1,500,000	
121	Fort Lauderdale	FORT-065	Bike Lanes: Laudertrail	Bicycle Pedestrian Infrastructure	Design	RANK	\$4,000,000	
122	Fort Lauderdale	FORT-169	Street Lighting: US 1/Federal Highway	Landscaping, Hardscape, Signage, Lighting	Design	RANK	\$1,000,000	
123	Fort Lauderdale	FORT-166	Street Lighting: SE/NE 3rd Avenue	Landscaping, Hardscape, Signage, Lighting	Design	RANK	\$1,000,000	
124	Oakland Park	OAKL-001	Prospect Road Corridor Enhancement	Bicycle Pedestrian Infrastructure	NA	SWAP	\$5,559,584	
125	Fort Lauderdale	FORT-187	Roadway Improvements: SE 17th St	Bicycle Pedestrian Infrastructure	Planning	RANK	\$15,000,000	
126	Fort Lauderdale	FORT-163	Street Lighting: NW 7th Avenue	Landscaping, Hardscape, Signage, Lighting	Design	RANK	\$1,000,000	
127	Fort Lauderdale	FORT-124	Safety Improvements: Las Olas Blvd	Bicycle Pedestrian Infrastructure	Design	RANK	\$5,000,000	
128	Miramar	MIRA-015	Pembroke Road Expansion From Douglas Road To University Drive	Capacity Increase, Widening	NA	SWAP	\$25,300,000	
129	Lauderdale Lakes	LLAK-017	Pedestrian Safety Assessment/Improvements, SR 7 And Oakland Park Blvd	Bicycle Pedestrian Infrastructure	NA	HOLD	\$2,000,000	
130	Hallandale Beach	HALL-001	Atlantic Shores Blvd. Roadway Improvement	Bicycle Pedestrian Infrastructure	SWAP	SWAP	\$335,000	
131	Fort Lauderdale	FORT-138	Safety Improvements: NE 62Nd St	Bicycle Pedestrian Infrastructure	Planning	RANK	\$4,000,000	
132	Coconut Creek	COCO-017	Sample Road Bike Lane Improvements	Bicycle Pedestrian Infrastructure	NA	SWAP	\$3,100,000	
133	Fort Lauderdale	FORT-182	Roadway Improvements: Bayview Drive Traffic Calming	Bicycle Pedestrian Infrastructure	Construction	RANK	\$ 920,000	
134	Fort Lauderdale	FORT-148	Safety Improvements: NE 18th Ave	Bicycle Pedestrian Infrastructure	Planning	RANK	\$6,500,000	
135	Fort Lauderdale	FORT-161	Street Lighting : PowerLine Road/NW 9th Avenue	Landscaping, Hardscape, Signage, Lighting	Design	RANK	\$2,0 00,000	
136	Fort Lauderdale	FORT-128	Safety Improvements: Downtown Walkability Project Phases 6-9	Bicycle Pedestrian Infrastructure	Design	RANK	\$5,000,000	
137	Hallandale Beach	HALL-006	South Old Dixie Highway Conversion Project	Capacity Increase, Widening	HOLD	HOLD	\$5,000,000	
138	Miramar	MIRA-023	SW 68th Avenue Bike Lane	Bicycle Pedestrian Infrastructure	Design	RANK	\$2,400,000	
139	Oakland Park	OAKL-008	PowerLine Road Complete Streets	Bicycle Pedestrian Infrastructure	Construction	HOLD	\$1,220,174	
140	Fort Lauderdale	FORT-155	Safety Improvements: I95	Bicycle Pedestrian Infrastructure	Planning	RANK	\$25,000,000	
141	Fort Lauderdale	FORT-149	Safety Improvements: US 1 Tunnel Top Plaza	Traffic Circle, Speed Tables, Intersection Improvement	Const ruction	RANK	\$2,500,000	
142	Fort Lauderdale	FORT-134	Safety Improvements: SE/SW 17th St	Bicycle Pedestrian Infrastructure	Design	RANK	\$3,500,000	
143	Fort Lauderdale	FORT-112	Safety Improvements: Andrews Ave	Landscaping, Hardscape, Signage, Lighting	NA	SWAP	\$799,000	
144	Miramar	MIRA-024	Douglas Road Bike Lane	Bicycle Pedestrian Infrastructure	NA	SWAP	\$2,400,000	
145	Hollywood	HOLL-153	Environmental Resiliency - Dist. 2	Resiliency Improvements	Construction	SWAP	\$1,666,667	
146	Fort Lauderdale	FORT-160	Street Lighting : Sistrunk Boulevard	Landscaping, Hardscape, Signage, Lighting	Design	RANK	\$1,500,000	
147	Oakland Park	OAKL-010	Oakland Park Blvd Corridor Improvement	Signal Enhancement	Planning	RANK	\$9,112,500	
148	Fort Lauderdale	FORT-190	Roadway Improvements: A1A	Bicycle Pedestrian Infrastructure	Planning	RANK	\$12,000,000	

Project Ranking	Municipality	Project Number	Project Name	Work Mix	Phase	Fiscal Year 2020 Recommendation	Surtax Plan Estimate	Recommended Phase Funding
149	Fort Lauderdale	FORT-120	Safety Improvements: NW 9th Avenue Mobility Improvements	Bicycle Pedestrian Infrastructure	Design	RANK	\$2,500,000	
150	Miramar	MIRA-037	Miramar Boulevard Bike Lane	Bicycle Pedestrian Infrastructure	Design	RANK	\$3,000,000	
151	Fort Lauderdale	FORT-171	Street Lighting: SE 17th Street	Landscaping, Hardscape, Signage, Lighting	Design	RANK	\$2,000,000	
152	Sunrise	SUNR-057	Nob Hill Road Bicycle Lanes	Bicycle Pedestrian Infrastructure	Design	RANK	\$4,650,000	
153	Sunrise	SUNR-074	Nob Hill Road Multi-Use Path	Bicycle Pedestrian Infrastructure	NA	SWAP	\$2,500,000	
154	Fort Lauderdale	FORT-191	Roadway Improvements: I95	Capacity Increase, Widening	Planning	RANK	\$50,000,000	
155	Fort Lauderdale	FORT-115	Safety Improvements: SE 2Nd St Traffic Calm/Pedestrian Safety	Bicycle Pedestrian Infrastructure	Design	RANK	\$270,000	
156	Fort Lauderdale	FORT-123	Safety Improvements: Las Olas Blvd	Bicycle Pedestrian Infrastructure	Design	RANK	\$2,500,000	
157	Sunrise	SUNR-079	NW 136 Avenue Multi-Use Path	Bicycle Pedestrian Infrastructure	Design	RANK	\$2,550,000	
158	Sunrise	SUNR-066	NW 136 Avenue Bicycle Lanes	Bicycle Pedestrian Infrastructure	Design	RANK	\$3,750,000	
159	Oakland Park	OAKL-020	Dixie Highway Complete Streets	Bicycle Pedestrian Infrastructure	Design	RANK	\$4,687,500	
160	Miramar	MIRA-022	SW 64 Avenue Bike Lane	Bicycle Pedestrian Infrastructure	NA	SWAP	\$1,800,000	
161	Fort Lauderdale	FORT-147	Safety Improvements: NW 62Nd St	Bicycle Pedestrian Infrastructure	Construction	RANK	\$4,500,000	
162	Oakland Park	OAKL-026	Floranada Sidewalk Network	Bicycle Pedestrian Infrastructure	Design	RANK	\$368,365	
163	Fort Lauderdale	FORT-154	Safety Improvements: Broward Blvd	Bicycle Pedestrian Infrastructure	Planning	RANK	\$500,000	
164	Fort Lauderdale	FORT-097	Sidewalks: NW 62nd St	Bicycle Pedestrian Infrastructure	NA	HOLD	\$194,000	
165	Coconut Creek	COCO-022	Hillsboro Boulevard Bike Lane and Transit Improvements	Bicycle Pedestrian Infrastructure	NA	SWAP	\$4,034,384	
166	Coconut Creek	COCO-004	Pedestrian Lights On Lyons Rd	Landscaping, Hardscape, Signage, Lighting	Construction	RANK	\$1,000,000	
167	Sunrise	SUNR-062	University Drive Bicycle Lanes	Bicycle Pedestrian Infrastructure	Design	RANK	\$2,000,000	
168	Fort Lauderdale	FORT-159	Street Lighting: Sunrise Boulevard	Landscaping, Hardscape, Signage, Lighting	Design	RANK	\$1,500,000	
169	Fort Lauderdale	FORT-192	Roadway Improvements: Las Olas Boulevard	Bicycle Pedestrian Infrastructure	Design	RANK	\$37,000,000	
170	Oakland Park	OAKL-005	Oakland Park Elementary School Sidewalk Network	Bicycle Pedestrian Infrastructure	Construction	HOLD	\$2,036,000	
171	Hallandale Beach	HALL-027	NE 1st Ave Lane Elimination And Complete Street	Bicycle Pedestrian Infrastructure	Design	RANK	\$2,700,000	
172	Davie	DAVI-004	Davie Rd Improvements Phase 4	Capacity Increase, Widening	Design	RANK	\$4,000,000	
173	Hallandale Beach	HALL-016	SE/SW 3rd Street	Bicycle Pedestrian Infrastructure	Design	RANK	\$405,000	
174	Fort Lauderdale	FORT-106	Sidewalks: Andrews Ave North	Bicycle Pedestrian Infrastructure	Design	RANK	\$1,100,000	
175	Fort Lauderdale	FORT-117	Safety Improvements: NE 15th Ave	Bicycle Pedestrian Infrastructure	Design	RANK	\$1,500,000	
176	Sunrise	SUNR-077	Flamingo Road Multi-Use Path	Bicycle Pedestrian Infrastructure	Design	RANK	\$2,000,000	
177	Sunrise	SUNR-067	Flamingo Road Bicycle Lanes	Bicycle Pedestrian Infrastructure	Design	RANK	\$3,750,000	
178	Fort Lauderdale	FORT-057	Safe Routes To School: Stranahan High	Bicycle Pedestrian Infrastructure	Design	RANK	\$300,000	

Project Ranking	Municipality	Project Number	Project Name	Work Mix	Phase	Fiscal Year 2020 Recommendation	Surtax Plan Estimate	Recommended Phase Funding
179	Davie	DAVI-020	SW 39 Street Improvements	Capacity Increase, Widening	Design	RANK	\$2,000,000	
180	Miramar	MIRA-006	SW 148th Avenue Expansion From Bass Creek Road To Miramar Parkway	Capacity Increase, Widening	Design	RANK	\$27,300 ,000	
181	Fort Lauderdale	FORT-165	Street Lighting : Himmarshee Street	Landscaping, Hardscape, Signage, Lighting	Design	RANK	\$1,000,000	
182	Sunrise	SUNR-024	Sunrise Blvd/136 Ave-Improvements	Landscaping, Hardscape, Signage, Lighting	Design	RANK	\$3,000,000	
183	Fort Lauderdale	FORT-150	Safety Improvements: Sunrise Blvd	Capacity Increase, Widening	NA	SWAP	\$12,000,000	
184	Hallandale Beach	HALL-021	Diplomat Parkway	Bicycle Pedestrian Infrastructure	Design	RANK	\$395,000	
185	Oakland Park	OAKL-015	Lloyd Estates Elementary School Safe Routes	Bicycle Pedestrian Infrastructure	Design	RANK	\$1,485,217	
186	Fort Lauderdale	FORT-079	Bike Lanes: NE 13 St	Bicycle Pedestrian Infrastructure	Design	RANK	\$4,500,000	
187	Fort Lauderdale	FORT-186	Roadway Improvements: I95 Interchange	Capacity Increase, Widening	Planning	RANK	\$50,000,000	
188	Miramar	MIRA-029	SW 148 Avenue Bike Lane	Bicycle Pedestrian Infrastructure	NA	SWAP	\$1,800,000	
189	Sunrise	SUNR-076	Sunrise Blvd Multi-Use Path	Bicycle Pedestrian Infrastructure	Design	RANK	\$1,500,000	
190	Sunrise	SUNR-065	Sunrise Blvd Bicycle Lanes	Bicycle Pedestrian Infrastructure	Design	RANK	\$3,000,000	
191	Fort Lauderdale	FORT-078	Bike Lanes: NE 13 St	Bicycle Pedestrian Infrastructure	Design	RANK	\$4,000,000	
192	Sunrise	SUNR-056	Hiatus Road Bicycle Lanes	Bicycle Pedestrian Infrastructure	Design	RANK	\$4,800,000	
193	Fort Lauderdale	FORT-170	Street Lighting : NW 19th Street	Landscaping, Hardscape, Signage, Lighting	Design	RANK	\$2,000,000	
194	Fort Lauderdale	FORT-076	Bike Lanes: A1A Parallel Bike Facility	Bicycle Pedestrian Infrastructure	Planning	RANK	\$2,500,000	
195	Oakland Park	OAKL-011	Micro-Transit Circulator	Transit	Design	RANK	\$2,500,000	
196	Sunrise	SUNR-070	SW 14th Street Bicycle Lanes	Bicycle Pedestrian Infrastructure	Planning	RANK	\$1,500,000	
197	North Lauderdale	NLAU-010	Sound Walls Rock Island rd	Landscaping, Hardscape, Signage, Lighting	NA	SWAP	\$3,000,000	
198	West Park	WPRK-001	County Line Road Extension	Capacity Increase, Widening	NA	SWAP	\$20,000,000	
199	Fort Lauderdale	FORT-114	Safety Improvements: NE 4th Street Improvements	Bicycle Pedestrian Infrastructure	Construction	RANK	\$219,300	
200	Oakland Park	OAKL-009	Dixie Highway Landscape Improvement	Landscaping, Hardscape, Signage, Lighting	Design	RANK	\$275,000	
201	Coconut Creek	COCO-019	Wiles Road Bike Lane And Transit Improvements	Bicycle Pedestrian Infrastructure	Design	RANK	\$2,887,815	
202	Miramar	MIRA-030	SW 172 Avenue Bike Lane	Bicycle Pedestrian Infrastructure	Design	RANK	\$3,000,000	
203	Hallandale Beach	HALL-020	Three Islands Boulevard	Bicycle Pedestrian Infrastructure	NA	RANK	\$215,000	
204	Coconut Creek	COCO-015	Atlantic Boulevard Improvements	Bicycle Pedestrian Infrastructure	NA	SWAP	\$5,111,000	
205	Pompano Beach	POMP-007	NW 3rd Avenue Improvements Project	Capacity Increase, Widening	Design	RANK	\$8,722,110	
206	Fort Lauderdale	FORT-109	Safety Improvements: Andrews Ave	Traffic Circle, Speed Tables, Intersection Improvement	NA	SWAP	\$3,500,00 0	
207	Parkland	PARK-016	Street Lighting - Hillsboro Boulevard At Holmberg Road	Landscaping, Hardscape, Signage, Lighting	NA	HOLD	\$1,500,000	
208	Davie	DAVI-019	SW 36 St Road Widening	Capacity Increase, Widening	Design	RANK	\$5,000,000	

Project Ranking	Municipality	Project Number	Project Name	Work Mix	Phase	Fiscal Year 2020 Recommendation	Surtax Plan Estimate	Recommended Phase Funding
209	Coconut Creek	COCO-018	Wiles Road Sidewalk Improvements	Bicycle Pedestrian Infrastructure	Planning	RANK	\$480,113	
210	Miramar	MIRA-014	Miramar Boulevard Expansion From Hiatus Road To Flamingo Road	Capacity Increase, Widening	Design	RANK	\$25,000,000	
211	Fort Lauderdale	FORT-173	Street Lighting: East Las Olas Street Lights	Landscaping, Hardscape, Signage, Lighting	Design	RANK	\$500,000	
212	Miramar	MIRA-036	SW 145 Avenue Bike Lane	Bicycle Pedestrian Infrastructure	Design	RANK	\$1,500,000	
213	Sunrise	SUNR-072	Commercial Blvd Multi-Use Path	Bicycle Pedestrian Infrastructure	Design	RANK	\$1,500,000	
214	Sunrise	SUNR-052	Commercial Blvd Bicycle Lanes	Bicycle Pedestrian Infrastructure	Design	RANK	\$2,000,000	
215	Miramar	MIRA-033	Miramar Parkway Bike Lane	Bicycle Pedestrian Infrastructure	Design	RANK	\$2,700,000	
216	Oakland Park	OAKL-021	NE 12 Ave Corridor Improvements	Bicycle Pedestrian Infrastructure	Design	RANK	\$4,096,000	
217	Deerfield Beach	DEER-004	Martin Luther King Jr. Blvd. Complete Streets Lane Elimination	Bicycle Pedestrian Infrastructure	NA	RANK	\$1,500,000	
218	Fort Lauderdale	FORT-167	Street Lighting: NE 15th Avenue	Bicycle Pedestrian Infrastructure	Design	RANK	\$500,000	
219	Sunrise	SUNR-022	Oakland Park/Nob Hill Road-Intersection	Bicycle Pedestrian Infrastructure	Design	RANK	\$5,000,000	
220	Coral Springs	CORA-112	Downtown DRI Improvements	Bicycle Pedestrian Infrastructure	NA	RANK	\$4,000,000	
221	Sunrise	SUNR-064	Sunrise Lakes Blvd Bicycle Lanes	Bicycle Pedestrian Infrastructure	Design	RANK	\$3,300,000	
222	Sunrise	SUNR-020	Oakland Park/University-Intersection	Bicycle Pedestrian Infrastructure	Design	RANK	\$5,000,000	
223	Miramar	MIRA-009	Extension EB Right Turn lane on Miramar PKWY, Dykes Rd. to I-75 SB Ramp	Capacity Increase, Widening	Constructio n	RANK	\$600,000	
224	Miramar	MIRA-057	Additional North Bound Right Turn Lane-Dykes Road	Capacity Increase, Widening	Design	RANK	\$305,000	
225	Pompano Beach	POMP-001	A1A Undergrounding Overhead And Streetscape Project	Resiliency Improvements	NA	HOLD	\$16,940,366	
226	Miramar	MIRA-034	Pembroke Road Bike Lane	Bicycle Pedestrian Infrastructure	Design	RANK	\$2,400,000	
227	Miramar	MIRA-026	Monarch Lakes Blvd. Bike Lane	Bicycle Pedestrian Infrastructure	Design	RANK	\$2,900,000	
228	Davie	DAVI-002	College Ave Phase 3 Widening	Capacity Increase, Widening	Design	RANK	\$4,000,000	
229	Miramar	MIRA-011	Bass Creek Road Expansion From SW 148th Avenue To SW 172nd Avenue	Capacity Increase, Widening	Design	RANK	\$35,000,000	
230	Miramar	MIRA-005	Miramar Boulevard Expansion From Palm Avenue To Douglas Road	Capacity Increase, Widening	NA	SWAP	\$25,000,000	
231	Hallandale Beach	HALL-007	SE 1st Ave Lane Elimination And Complete Street	Bicycle Pedestrian Infrastructure	Design	RANK	\$395,000	
232	Fort Lauderdale	FORT-029	Intersection Improvements: Sunrise Blvd	Traffic Circle, Speed Tables, Intersection Improvement	Design	RANK	\$1,400,000	
233	Sunrise	SUNR-078	NW 8th Street Multi-Use Path	Bicycle Pedestrian Infrastructure	Design	RANK	\$1,500,000	
234	Hallandale Beach	HALL-018	SE 9th Street Fec Rail Crossing Realignment	Traffic Circle, Speed Tables, Intersection Improvement	Design	RANK	\$1,700,000	
235	West Park	WPRK-010	Neighborhood Traffic Calming Improvement Area	Traffic Circle, Speed Tables, Intersection Improvement	Design	RANK	\$2,500,000	
236	Fort Lauderdale	FORT-056	Safe Routes To School: Walker Elementary	Bicycle Pedestrian Infrastructure	Design	RANK	\$500,000	
237	Miramar	MIRA-028	Bass Creek Road Bike Lane	Bicycle Pedestrian Infrastructure	NA	SWAP	\$3,300,000	
238	Sunrise	SUNR-017	Panther Parkway Improvements	Landscaping, Hardscape, Signage, Lighting	Design	RANK	\$3,000,000	

Project Ranking	Municipality	Project Number	Project Name	Work Mix	Phase	Fiscal Year 2020 Recommendation	Surtax Plan Estimate	Recommended Phase Funding
239	Weston	WEST-304	Royal Palm Blvd RRR	Bicycle Pedestrian Infrastructure	Design	RANK	\$3,730,000	
240	Sunrise	SUNR-033	Commercial Blvd Median Improvements	Landscaping, Hardscape, Signage, Lighting	Design	RANK	\$500,000	
241	Hallandale Beach	HALL-015	Old Federal Highway & SE 3rd Street Safety Project	Capacity Increase, Widening	Design	RANK	\$25,000	
242	Fort Lauderdale	FORT-059	Safe Routes To School: Fort Lauderdale High	Bicycle Pedestrian Infrastructure	Design	RANK	\$400,000	
243	Coconut Creek	COCO-014	Johnson Road Greenway	Bicycle Pedestrian Infrastructure	Design	RANK	\$1,700,000	
244	Fort Lauderdale	FORT-137	Safety Improvements: NE 56th St	Bicycle Pedestrian Infrastructure	Planning	RANK	\$4,000,000	
245	Sunrise	SUNR-018	136 Ave/New River Greenway Intersection	Bicycle Pedestrian Infrastructure	Planning	RANK	\$5,000,000	
246	Hallandale Beach	HALL-023	County Line Road/ SW 11th St	Bicycle Pedestrian Infrastructure	Design	RANK	\$200,000	
247	Pompano Beach	POMP-009	Oceanside Garage Project	Capacity Increase, Widening	Design	RANK	\$28,845,068	
248	Fort Lauderdale	FORT-153	Safety Improvements: Oakland Park Blvd	Capacity Increase, Widening	Planning	RANK	\$1,000,000	
249	Weston	WEST-312	South Post Road - Bike Lane Buffer Lane	Bicycle Pedestrian Infrastructure	Design	RANK	\$1,200,000	
250	Coconut Creek	COCO-028	Fiber Optic On Wiles Road From Station 20 To Coral Springs Fire Station	Fiber	Design	RANK	\$210,000	
251	Pembroke Pines	PPIN-032	Widening Pines Blvd (184th Ave - US 27)	Capacity Increase, Widening	NA	SWAP	\$10,700,000	
252	Weston	WEST-187	Emerald Estates Dr. Roadway Improvements	Bicycle Pedestrian Infrastructure	Design	RANK	\$249,700	
253	Weston	WEST-302	Indian Trace & 160th Ave Intersection Improvements	Traffic Circle, Speed Tables, Intersection Improvement	Design	RANK	\$350,000	
254	West Park	WPRK-005	SW 36 Street Traffic Calming Improvements From SW 32 To SW 48 Avenue	Traffic Circle, Speed Tables, Intersect ion Improvement	Design	RANK	\$1,500,000	
255	Hallandale Beach	HALL-017	SE 4th Street Facility Extension	Capacity Increase, Widening	Design	RANK	\$260,000	
256	Pompano Beach	POMP-008	NW Roadways Improvements Project	Capacity Increase, Widening	Design	RANK	\$1,822,842	
257	Sunrise	SUNR-014	Bus Stop & Bus Shelter Improvements	Transit	Design	RANK	\$2,500,000	
258	Fort Lauderdale	FORT-177	Street Lighting: N Andrews Ave	Landscaping, Hardscape, Signage, Lighting	Design	RANK	\$177,000	
259	Davie	DAVI-008	SW 130 Avenue Roadway Improvements	Bicycle Pedestrian Infrastructure	Design	RANK	\$500,000	
260	Sunrise	SUNR-073	C13 Greenway From Hiatus To City Limits	Bicycle Pedestrian Infrastructure	Design	RANK	\$3,150,000	
261	Fort Lauderdale	FORT-151	Safety Improvements: Sunrise Blvd	Bicycle Pedestrian Infrastructure	Design	RANK	\$1,000,000	
262	Sunrise	SUNR-059	Springtree Drive Bicycle Lanes	Bicycle Pedestrian Infrastructure	Design	RANK	\$1,400,000	
263	Sunrise	SUNR-023	Oakland Park/Hiatus Road-Improvements	Bicycle Pedestrian Infrastructure	Design	RANK	\$5,000,000	
264	Sunrise	SUNR-019	136 Ave/Sunrise Boulevard-Intersection	Bicycle Pedestrian Infrastructure	Planning	RANK	\$5,000,000	
265	Weston	WEST-184	Bonaventure Blvd Roadway Improvements	Bicycle Pedestrian Infrastructure	Design	RANK	\$3,960,000	
266	Coconut Creek	COCO-021	NW 39th Avenue And Hillsboro Canal Greenway Trail	Bicycle Pedestrian Infrastructure	Design	RANK	\$538,543	
267	Lauderdale Lakes	LLAK-002	NW 31st Avenue Improvements	Bicycle Pedestrian Infrastructure	Planning	RANK	\$2,500,000	
268	Hallandale Beach	HALL-022	Parkview Drive	Bicycle Pedestrian Infrastructure	NA	RANK	\$75,000	

Project Ranking	Municipality	Project Number	Project Name	Work Mix	Phase	Fiscal Year 2020 Recommendation	Surtax Plan Estimate	Recommended Phase Funding
269	Weston	WEST-300	Weston Rd & Griffin Rd Intersection Improvements	Traffic Circle, Speed Tables, Intersection Improvement	NA	SWAP	\$4 00,000	
270	Fort Lauderdale	FORT-030	Intersection Improvements: Andrew Avenue	Traffic Circle, Speed Tables, Intersection Improvement	Design	RANK	\$700,000	
271	Fort Lauderdale	FORT-127	Safety Improvements: Bayview Drive Traffic Circle At Yacht Club Blvd	Traffic Circle, Speed Tables, Intersection Improvement	Design	RANK	\$775,000	
272	Oakland Park	OAKL-012	NE 11th Avenue Corridor Improvements	Bicycle Pedestrian Infrastructure	Design	RANK	\$1,366,789	
273	Sunrise	SUNR-063	Sunset Strip/Greenway Connector	Bicycle Pedestrian Infrastructure	Design	RANK	\$5,000,000	
274	Fort Lauderdale	FORT-028	Intersection Improvements: Bayview Drive	Traffic Circle, Speed Tables, Intersection Improvement	NA	HOLD	\$ 700,000	
275	Davie	DAVI-011	SW 136 Ave Widening	Capacity Increase, Widening	Design	RANK	\$2,000,000	
276	Miramar	MIRA-012	SW 184th Avenue Expansion From Miramar Parkway To Bass Creek Road	Capacity Increase, Widening	Design	RANK	\$6,000, 000	
277	Miramar	MIRA-017	Bass Creek Road Expansion From SW 148th Avenue To FL Turnpike	Capacity Increase, Widening	Design	RANK	\$8,500,000	
278	Miramar	MIRA-013	SW 184th Avenue Expansion From Miramar Parkway To Pembroke Road	Capacity Increase, Widening	Design	RANK	\$20,000,0 00	
279	Sunrise	SUNR-060	Josh Lee Blvd Complete Street Project	Bicycle Pedestrian Infrastructure	Design	RANK	\$1,250,000	
280	Fort Lauderdale	FORT-066	Bike Lanes: Bonnet House Trail	Bicycle Pedestrian Infrastructure	Design	RANK	\$1,500,000	
281	Hallandale Beach	HALL-014	NW 3rd Street Expansion Complete Street Project	Capacity Increase, Widening	Design	RANK	\$1,450,000	
282	Davie	DAVI-015	Oakes Rd Realignment	Capacity Increase, Widening	Design	RANK	\$2,000,000	
283	Weston	WEST-190	Indian Trace Road Roadway Improvements	Bicycle Pedestrian Infrastructure	Design	RANK	\$110,000	
284	Weston	WEST-191	Indian Trace Road Roadway Improvements	Bicycle Pedestrian Infrastructure	Design	RANK	\$1,100,000	
285	Weston	WEST-306	Bonaventure Blvd Bike Lanes	Bicycle Pedestrian Infrastructure	Design	RANK	\$2,194,000	
286	Miramar	MIRA-032	SW 184th Avenue Bike Lane	Bicycle Pedestrian Infrastructure	NA	SWAP	\$800,000	
287	Deerfield Beach	DEER-008	Crystal Lake Dr. Complete Streets Improvements	Bicycle Pedestrian Infrastructure	Design	RANK	\$850,000	
288	Sunrise	SUNR-068	Weston Road Bicycle Lanes	Bicycle Pedestrian Infrastructure	NA	HOLD	\$2,000,000	
289	Fort Lauderdale	FORT-027	Intersection Improvements: SE 30 Street	Traffic Circle, Speed Tables, Intersection Improvement	Design	RANK	\$700,000	
290	Miramar	MIRA-027	SW 136 Avenue Bike Lane	Bicycle Pedestrian Infrastructure	Design	RANK	\$1,500,000	
291	Sunrise	SUNR-054	Springtree Lakes Drive Bicycle Lanes	Bicycle Pedestrian Infrastructure	Design	RANK	\$2,000,000	
292	Oakland Park	OAKL-016	NE 13th Avenue Sidewalk Network Improvements	Bicycle Pedestrian Infrastructure	Design	RANK	\$4,590,000	
293	Sunrise	SUNR-021	Oakland Park/Pine Island-Intersection	Bicycle Pedestrian Infrastructure	Design	RANK	\$5,000,000	
294	Miramar	MIRA-007	County Line Road Expansion From Flamingo Road To Red Road	Capacity Increase, Widening	Design	RANK	\$15,000,000	
295	Pembroke Park	PPRK-011	Mast Arm HB Blvd/S.W. 48th Avenue	Resiliency Improvements	Design	RANK	\$300,000	
296	Lauderhill	LHIL-013	Speed Humps	Traffic Circle, Speed Tables, Intersection Improvement	NA	SWAP	\$1,000,000	
297	Tamarac	TAMA-006	Public Transportation Hub (2)	Transit	Planning	HOLD	\$6,000,000	
298	Weston	WEST-305	Saddle Club Road Bike Lanes	Bicycle Pedestrian Infrastructure	Design	RANK	\$1,700,000	

Project Ranking	Municipality	Project Number	Project Name	Work Mix	Phase	Fiscal Year 2020 Recommendation	Surtax Plan Estimate	Recommended Phase Funding
299	Fort Lauderdale	FORT-135	Safety Improvements: SW 9th Ave	Traffic Circle, Speed Tables, Intersection Improvement	Planning	RANK	\$2,500,000	
300	Fort Lauderdale	FORT-136	Safety Improvements: SW 15th Ave	Bicycle Pedestrian Infrastructure	Planning	RANK	\$2,500,000	
301	Parkland	PARK-010	Construction Of Bike Lanes On Holmberg Road	Bicycle Pedestrian Infrastructure	NA	SWAP	\$600,000	
302	Wilton Manors	WILT-008	Transit Connectivity	Bicycle Pedestrian Infrastructure	Planning	RANK	\$8,000,000	
303	Lauderdale Lakes	LLAK-007	The C13 Bridge Connecting The Northgate Community	Capacity Increase, Widening	Design	RANK	\$1,000,000	
304	Miramar	MIRA-016	Bass Creek Road Expansion From SW 172nd Avenue To SW 184th Avenue	Capacity Increase, Widening	Design	RANK	\$20,000,000	
305	Fort Lauderdale	FORT-132	Safety Improvements: Breakers Avenue Pedestrian Priority Street Phase II	Bicycle Pedestrian Infrastructure	Construction	RANK	\$3,000,000	
306	Fort Lauderdale	FORT-133	Safety Improvements: Breakers Avenue Pedestrian Priority Street Phase III	Bicycle Pedestrian Infrastructure	Construction	RANK	\$3,000,000	
307	Fort Lauderdale	FORT-131	Safety Improvements: Breakers Avenue Pedestrian Priority Street Phase I	Bicycle Pedestrian Infrastructure	Construction	RANK	\$3,000,000	
308	Coconut Creek	COCO-025	Traffic Calming Devices	Traffic Circle, Speed Tables, Intersection Improvement	Planning	RANK	\$1,500,000	
309	Lauderdale-by-the-Sea	LSEA-009	Drainage Projects	Resiliency Improvements	NA	HOLD	\$1,000,000	
310	Pembroke Park	PPRK-009	Dale Village Storm Water Connection	Resiliency Improvements	Design	RANK	\$275,000	
311	Pembroke Park	PPRK-003	Park Road Paving Drainage Improvements	Resiliency Improvements	Design	RANK	\$1,875,000	
312	Davie	DAVI-006	Oakes Rd Expansion	Capacity Increase, Widening	NA	SWAP	\$1,000,000	
313	Weston	WEST-188	Glades Parkway Roadway Improvements	Bicycle Pedestrian Infrastructure	Design	RANK	\$180,000	
314	Davie	DAVI-009	SW 136 Ave / SW 14 Street Intersection	Traffic Circle, Speed Tables, Intersection Improvement	Design	RANK	\$350,000	
315	Miramar	MIRA-031	Bass Creek Road Bike Lane	Bicycle Pedestrian Infrastructure	NA	SWAP	\$800,000	
316	Fort Lauderdale	FORT-058	Safe Routes To School: Our Lady Queen Of Martyrs	Bicycle Pedestrian Infrastructure	Design	RANK	\$200,000	
317	Sunrise	SUNR-053	NE 50th Street Bicycle Lanes	Bicycle Pedestrian Infrastructure	Design	RANK	\$1,000,000	
318	Sunrise	SUNR-058	NW 94th Avenue Bicycle Lanes	Bicycle Pedestrian Infrastructure	Design	RANK	\$2,550,000	
319	Deerfield Beach	DEER-009	A1A Complete Streets Improvements	Bicycle Pedestrian Infrastructure	NA	RANK	\$400,000	
320	Oakland Park	OAKL-024	NW 10 Ave Corridor Improvements	Bicycle Pedestrian Infrastructure	NA	SWAP	\$1,650,000	
321	Hallandale Beach	HALL-010	Church Drive Complete Street Project	Bicycle Pedestrian Infrastructure	Design	RANK	\$1,100,000	
322	Fort Lauderdale	FORT-121	Safety Improvements: Birch Rd Mobility Improvements	Bicycle Pedestrian Infrastructure	Design	RANK	\$1,200,000	
323	Oakland Park	OAKL-003	NE 34 Ct Complete Streets	Bicycle Pedestrian Infrastructure	Design	RANK	\$2,605,200	
324	Sunrise	SUNR-016	Sunset Strip Entrance Improvements	Landscaping, Hardscape, Signage, Lighting	Design	RANK	\$3,000,000	
325	Sunrise	SUNR-071	Sawgrass Expressway Greenway	Bicycle Pedestrian Infrastructure	Planning	RANK	\$5,000,000	
326	Hallandale Beach	HALL-009	Diana Drive Extension Project	Bicycle Pedestrian Infrastructure	Design	RANK	\$900,000	
327	Hallandale Beach	HALL-008	Diana Drive Complete Street Project	Bicycle Pedestrian Infrastructure	NA	RANK	\$2,500,000	
328	Coconut Creek	COCO-010	Pedestrian Lighting Throughout City Including Residential Areas	Landscaping, Hardscape, Signage, Lighting	Design	RANK	\$600,000	

Project Ranking	Municipality	Project Number	Project Name	Work Mix	Phase	Fiscal Year 2020 Recommendation	Surtax Plan Estimate	Recommended Phase Funding
329	Coconut Creek	COCO-009	Pedestrian Sidewalk Lighting For Trails And Greenways Throughout The City	Landscaping, Hardscape, Signage, Lighting	Design	RANK	\$2,000,000	
330	Pompano Beach	POMP-012	Riverside Dr And NE 14th Street Causeway Stormwater Improvements	Resiliency Improvements	Design	RANK	\$2,347,387	
331	Oakland Park	OAKL-019	Central Parking Structure For Downtown Coastal Link Station	Capacity Increase, Widening	Design	RANK	\$6,500,000	
332	Pembroke Pines	PPIN-037	Construction Of 208th Ave Road	Capacity Increase, Widening	Planning	RANK	\$2,100,000	
333	Lauderhill	LHIL-017	Gateway Improvements	Landscaping, Hardscape, Signage, Lighting	NA	SWAP	\$500,000	
334	Margate	MARG-021	Traffic Calming Circle	Traffic Circle, Speed Tables, Intersection Improvement	Design	SWAP	\$500,000	
335	Weston	WEST-311	Vista Park Blvd. RRR	Bicycle Pedestrian Infrastructure	Design	RANK	\$800,000	
336	Weston	WEST-195	Saddle Club Road Roadway Improvements	Bicycle Pedestrian Infrastructure	Design	RANK	\$990,000	
337	Weston	WEST-196	Saddle Club Road Roadway Improvements	Bicycle Pedestrian Infrastructure	Design	RANK	\$1,210,000	
338	Coconut Creek	COCO-012	Cullum Road Expansion	Capacity Increase, Widening	Design	RANK	\$2,399,000	
339	Coconut Creek	COCO-011	Banks Road Construction	Capacity Increase, Widening	Design	RANK	\$3,400,000	
340	Sunrise	SUNR-031	East Sunrise Master Plan Improvements	Landscaping, Hardscape, Signage, Lighting	NA	RANK	\$10,000,000	
341	Pembroke Pines	PPIN-033	Widening Sheridan (196th To Us 27)	Capacity Increase, Widening	Design	RANK	\$6,900,000	
342	Weston	WEST-222	Intersection Improvements Manatee	Traffic Circle, Speed Tables, Intersection Improvement	Design	RANK	\$440,000	
343	Davie	DAVI-005	Hiatus Rd Improvements	Bicycle Pedestrian Infrastructure	Design	RANK	\$500,000	
344	Miramar	MIRA-035	Pembroke Road Bike Lane	Bicycle Pedestrian Infrastructure	NA	SWAP	\$1,500,000	
345	Sunrise	SUNR-069	New River Circle Bicycle Lanes	Bicycle Pedestrian Infrastructure	Design	RANK	\$2,000,000	
346	Pembroke Park	PPRK-007	John P. Lyons Ln Stormwater Improvements	Resiliency Improvements	Design	RANK	\$700,000	
347	Pembroke Pines	PPIN-034	Widening Stirling rd. (196th to US 27)	Capacity Increase, Widening	Design	RANK	\$6,900,000	
348	Pembroke Pines	PPIN-031	Pembroke Road Extension To US 27	Capacity Increase, Widening	Design	RANK	\$12,500,000	
349	Margate	MARG-022	Traffic Calming Circle	Traffic Circle, Speed Tables, Intersection Improvement	Design	SWAP	\$500,000	
350	Sunrise	SUNR-013	NW 29th Manor Traffic Calming	Traffic Circle, Speed Tables, Intersection Improvement	Design	RANK	\$500,000	
351	Cooper City	COOP-031	Traffic Calming And Streetscape	Bicycle Pedestrian Infrastructure	Design	RANK	\$800,000	
352	Sunrise	SUNR-030	Pump Station No. 8 Improvements	Resiliency Improvements	Design	RANK	\$10,000,000	
353	Weston	WEST-290	Bonaventure Stormwater Improvement	Resiliency Improvements	Design	RANK	\$440,000	
354	Pompano Beach	POMP-015	US 1 And NE 14th Street Causeway Stormwater Improvements Project	Resiliency Improvements	Construction	RANK	\$2,344,555	
355	Oakland Park	OAKL-018	Mainstreet Drainage	Resiliency Improvements	Design	RANK	\$300,000	
356	Weston	WEST-194	Manatee Isles Drive (36 St) Cul-De-Sac	Traffic Circle, Speed Tables, Intersection Improvement	Design	RANK	\$275,000	
357	Coconut Creek	COCO-013	Cullum Road Signal	Signal Enhancement	Design	RANK	\$600,000	
358	Davie	DAVI-007	Orange Dr Corridor Enhancements	Capacity Increase, Widening	Design	RANK	\$1,000,000	

Project Ranking	Municipality	Project Number	Project Name	Work Mix	Phase	Fiscal Year 2020 Recommendation	Surtax Plan Estimate	Recommended Phase Funding
359	Parkland	PARK-006	Traffic Light - Parkside Drive And Lox Road	Signal Enhancement	NA	SWAP	\$500,000	
360	Parkland	PARK-004	Street Lighting - Pine Island Road	Landscaping, Hardscape, Signage, Lighting	NA	HOLD	\$500,000	
361	Parkland	PARK-003	Street Lighting - Hillsboro Boulevard	Landscaping, Hardscape, Signage, Lighting	NA	HOLD	\$1,500,000	
362	Weston	WEST-289	Bonaventure Stormwater Improvement	Resiliency Improvements	Design	RANK	\$440,000	
363	Davie	DAVI-013	Flamingo Rd / SW 26 St Intersection	Signal Enhancement	Design	RANK	\$750,000	
364	Weston	WEST-301	Racquet Club Rd & Blatt Blvd Roundabout	Traffic Circle, Speed Tables, Intersection Improvement	Design	RANK	\$400,000	
365	Davie	DAVI-010	SW 136 Ave / SW 26 Street Intersection	Traffic Circle, Speed Tables, Intersection Improvement	Design	RANK	\$500,000	
366	Southwest Ranches	SWRA-024	Drainage Project: SW 62nd Street	Resiliency Improvements	Design	RANK	\$70,000	
367	Southwest Ranches	SWRA-025	Drainage Project: SW 59th Court	Resiliency Improvements	Design	RANK	\$70,000	
368	Parkland	PARK-005	Traffic Light - Hillsboro Boulevard And Nob Hill Road	Signal Enhancement	NA	SWAP	\$600,000	
369	Southwest Ranches	SWRA-031	Drainage Project: SW 54th Street Interconnect	Resiliency Improvements	Design	RANK	\$138,000	
370	Southwest Ranches	SWRA-036	Drainage Project: Frontier Trails	Resiliency Improvements	Design	RANK	\$1,000,000	
371	Southwest Ranches	SWRA-033	Drainage Project: SW 49Th Court and 202 Avenue	Resiliency Improvements	Planning	RANK	\$135,000	
372	Pompano Beach	POMP-010	Palm Aire Lakes Access Roadway Project	Capacity Increase, Widening	Planning	RANK	\$485,244	
373	Wilton Manors	WILT-016	Parking Structure	Capacity Increase, Widening	NA	SWAP	\$0	
374	Pompano Beach	POMP-005	Innovation District Infrastructure Improvements Project	Capacity Increase, Widening	NA	RANK	\$76,272,192	
375	Hallandale Beach	HALL-004	Replacing Existing Damaged Sidewalk	Bicycle Pedestrian Infrastructure	Design	RANK	\$400,000	
376	Wilton Manors	WILT-001	Sidewalk Connectivity	Bicycle Pedestrian Infrastructure	Design	RANK	\$1,200,000	
377	Fort Lauderdale	FORT-118	Safety Improvements: Sailboat Bend Traffic Mitigation	Bicycle Pedestrian Infrastructure	Planning	RANK	\$27 1,925	
378	Fort Lauderdale	FORT-144	Safety Project: Coral Ridge C.C. Estates Mobility Master Plan Implementation	Bicycle Pedestrian Infra structure	Planning	RANK	\$500,000	
379	Fort Lauderdale	FORT-146	Safety Project: Palm Aire Village West Mobility Master Plan Implementation	Bicycle Pedestrian Infrastructure	Planning	RANK	\$500,000	
380	Fort Lauderdale	FORT-143	Safety Improvements: Shady Banks Mobility Master Plan Improvements	Bicycle Pedestrian Infrastructure	Planning	RANK	\$500,000	
381	Fort Lauderdale	FORT-145	Safety Improvements: Twin Lakes North Mobility Master Plan Implementation	Bicycle Pedestrian Infrastru cture	Planning	RANK	\$500,000	
382	Fort Lauderdale	FORT-140	Safety Improvements: Lake Ridge Mobility Master Plan Implementation	Bicycle Pedestrian Infrastructure	Planning	RANK	\$500,000	
383	Fort Lauderdale	FORT-141	Safety Improvements: Tarpon River Mobility Master Plan Improvements	Bicycle Pedestrian Infrastructure	Planning	RANK	\$500,000	
384	Oakland Park	OAKL-006	Multi-Modal Mobility Plan	Bicycle Pedestrian Infrastructure	Planning	RANK	\$500,000	
385	Hollywood	HOLL-055	Transportation/Traffic Calming - Dist. 4	Bicycle Pedestrian Infrastructure	Planning	RANK	\$833,333	
386	Hollywood	HOLL-057	Transportation/Traffic Calming - Dist. 6	Bicycle Pedestrian Infrastructure	Planning	RANK	\$833,333	
387	Hollywood	HOLL-052	Transportation/Traffic Calming - Dist. 1	Bicycle Pedestrian Infrastructure	Planning	RANK	\$833,333	
388	Hollywood	HOLL-053	Transportation/Traffic Calming - Dist. 2	Bicycle Pedestrian Infrastructure	Planning	RANK	\$833,333	

Project Ranking	Municipality	Project Number	Project Name	Work Mix	Phase	Fiscal Year 2020 Recommendation	Surtax Plan Estimate	Recommended Phase Funding
389	Hollywood	HOLL-054	Transportation/Traffic Calming - Dist. 3	Bicycle Pedestrian Infrastructure	Planning	RANK	\$833,333	
390	Lauderdale Lakes	LLAK-019	Citywide Bike Lanes & Pedestrian Safety Improvements Project	Bicycle Pedestrian Infrastructure	Planning	RANK	\$1,500,000	
391	Fort Lauderdale	FORT-126	Safety Improvements: Beach Traffic Management Plan Execution	Bicycle Pedestrian Infrastructure	Planning	RANK	\$2,300,000	
392	Fort Lauderdale	FORT-125	Safety Improvements: SE 17th Street Mobility plan Improvements	Bicycle Pedestrian Infrastructure	Planning	RANK	\$2,691,000	
393	Tamarac	TAMA-004	Sidewalk Program	Bicycle Pedestrian Infrastructure	Planning	RANK	\$3,750,000	
394	Fort Lauderdale	FORT-103	Sidewalks: Ada Sidewalk Installation & Replacement	Bicycle Pedestrian Infrastructure	Planning	RANK	\$5,000,000	
395	Fort Lauderdale	FORT-102	Sidewalks: American Disability Act (ADA) Improvements	Bicycle Pedestrian Infrastructure	Planning	RANK	\$5,000,000	
396	Oakland Park	OAKL-022	North Andrews Gardens Corridor Improvements	Bicycle Pedestrian Infrastructure	Planning	RANK	\$7,604,532	
397	Lauderdale-by-the-Sea	LSEA-019	Neighborhood Sidewalks	Bicycle Pedestrian Infrastructure	NA	HOLD	\$50,000	
398	Lauderdale-by-the-Sea	LSEA-020	Neighborhood Sidewalks	Bicycle Pedestrian Infrastructure	NA	HOLD	\$50,000	
399	Lauderdale-by-the-Sea	LSEA-021	Neighborhood Sidewalks	Bicycle Pedestrian Infrastructure	NA	HOLD	\$50,000	
400	Lauderdale-by-the-Sea	LSEA-022	Neighborhood Sidewalks	Bicycle Pedestrian Infrastructure	NA	HOLD	\$50,000	
401	Lauderdale-by-the-Sea	LSEA-023	Neighborhood Sidewalks	Bicycle Pedestrian Infrastructure	NA	HOLD	\$50,000	
402	Lauderdale-by-the-Sea	LSEA-024	Neighborhood Sidewalks	Bicycle Pedestrian Infrastructure	NA	HOLD	\$50,000	
403	Lauderdale-by-the-Sea	LSEA-033	A1A Crosswalk	Bicycle Pedestrian Infrastructure	NA	HOLD	\$400,000	
404	Margate	MARG-020	Sidewalk Additions (Various)	Bicycle Pedestrian Infrastructure	NA	SWAP	\$500,000	
405	Miramar	MIRA-059	Miramar Parkway Streetscape (SW 64 To SW 68)	Bicycle Pedestrian Infrastructure	NA	SWAP	\$1,526,870	
406	Tamarac	TAMA-020	School Zones	Bicycle Pedestrian Infrastructure	NA	HOLD	\$4,000,000	
407	Hallandale Beach	HALL-025	Community Bus Fleet Trolley Modernization	Transit	Design	RANK	\$600,000	
408	Miramar	MIRA-082	Bus Stop Improvements	Transit	Design	RANK	\$1,150,400	
409	Wilton Manors	WILT-011	Community Bus	Transit	NA	HOLD	\$0	
410	Lauderdale-by-the-Sea	LSEA-031	Transportation Service	Transit	NA	HOLD	\$200,000	
411	Cooper City	COOP-048	Bus Shelters	Transit	NA	SWAP	\$400,000	
412	Weston	WEST-186	Bus Stop Improvements	Transit	NA	SWAP	\$700,000	
413	Hallandale Beach	HALL-024	Community Bus Service	Transit	NA	SWAP	\$2,200,000	
414	Sunrise	SUNR-015	Transit And Shuttle Bus Infrastructure	Transit	NA	RANK	\$3,000,000	
415	Tamarac	TAMA-007	Bus Shelters/Crosswalks/Traffic Lights	Transit	NA	HOLD	\$5,000,000	
416	Tamarac	TAMA-022	Rapid Bus System On Sawgrass	Transit	NA	HOLD	\$15,000,000	
417	Fort Lauderdale	FORT-142	Safety Improvements: Victoria Park Master Plan Improvements	Traffic Circle, Speed Tables, Intersection Improvement	Design	RANK	\$500,000	
418	Weston	WEST-189	Glades Parkway Roadway Improvements	Traffic Circle, Speed Tables, Intersection Improvement	Design	RANK	\$1,800,000	

Project Ranking	Municipality	Project Number	Project Name	Work Mix	Phase	Fiscal Year 2020 Recommendation	Surtax Plan Estimate	Recommended Phase Funding
419	West Park	WPRK-011	Neighborhood Traffic Calming Improvement Area	Traffic Circle, Speed Tables, Intersection Improvement	Design	RANK	\$2,500,000	
420	West Park	WPRK-012	Neighborhood Traffic Calming Improvement Area	Traffic Circle, Speed Tables, Intersection Improvement	Design	RANK	\$2,500,000	
421	Weston	WEST-183	Bonaventure Local Roadways	Traffic Circle, Speed Tables, Intersection Improvement	Design	RANK	\$2,857,600	
422	Fort Lauderdale	FORT-116	Safety Improvements: Neighborhood Traffic Calming - Qalert Requests	Traffic Circle, Speed Tables, Inte rsection Improvement	Planning	RANK	\$3,000,000	
423	Margate	MARG-001	Colonial Drive Improvements	Traffic Circle, Speed Tables, Intersection Improvement	NA	SWAP	\$40,000	
424	Fort Lauderdale	FORT-111	Safety Improvements: Andrews Ave	Traffic Circle, Speed Tables, Intersection Improvement	NA	SWAP	\$525,000	
425	Lauderhill	LHIL-012	Roundabout Construction Program	Traffic Circle, Speed Tables, Intersection Improvement	NA	SWAP	\$1,500,000	
426	Tamarac	TAMA-005	Corridor Improvements	Landscaping, Hardscape, Signage, Lighting	Construction	RANK	\$15,000,000	
427	Fort Lauderdale	FORT-105	Sidewalks: Shade Trees	Landscaping, Hardscape, Signage, Lighting	Planning	RANK	\$500,000	
428	Hollywood	HOLL-039	Neighborhood Improvements - Dist. 1	Landscaping, Hardscape, Signage, Lighting	Planning	RANK	\$2,500,000	
429	Hollywood	HOLL-040	Neighborhood Improvements - Dist. 2	Landscaping, Hardscape, Signage, Lighting	Planning	RANK	\$2,500,000	
430	Hollywood	HOLL-043	Neighborhood Improvements - Dist. 5	Landscaping, Hardscape, Signage, Lighting	Planning	RANK	\$2,500,000	
431	Hollywood	HOLL-044	Neighborhood Improvements - Dist. 6	Landscaping, Hardscape, Signage, Lighting	Planning	RANK	\$2,500,000	
432	Hollywood	HOLL-041	Neighborhood Improvements - Dist. 3	Landscaping, Hardscape, Signage, Lighting	Planning	RANK	\$2,500,000	
433	Hollywood	HOLL-042	Neighborhood Improvements - Dist. 4	Landscaping, Hardscape, Signage, Lighting	Planning	RANK	\$2,500,000	
434	Fort Lauderdale	FORT-156	Safety Improvements: Annual NCIP/BCIP	Landscaping, Hardscape, Signage, Lighting	Planning	RANK	\$5,000,000	
435	Lauderdale Lakes	LLAK-014	Citywide Infrastructure Improvements	Landscaping, Hardscape, Signage, Lighting	NA	HOLD	\$3,000,000	
436	Pembroke Pines	PPIN-022	City Wide Streetscape	Landscaping, Hardscape, Signage, Lighting	NA	SWAP	\$4,720,000	
437	Sunrise	SUNR-034	Median Improvements (Citywide)	Landscaping, Hardscape, Signage, Lighting	Design	RANK	\$5,000,000	
438	Miramar	MIRA-041	Historic Miramar Drainage Improvements - Phase IV	Resiliency Improvements	Construction	RANK	\$7,500,000	
439	Hollywood	HOLL-065	Industrial Park And Corridor Improvements	Capacity Increase, Widening	Design	RANK	\$5,000,000	
440	Miramar	MIRA-042	Historic Miramar Drainage Improvements - Phase V	Resiliency Improvements	Design	RANK	\$5,000,000	
441	Miramar	MIRA-043	Historic Miramar Drainage Improvements - Phase VI	Resiliency Improvements	Design	RANK	\$28,500,000	
442	Fort Lauderdale	FORT-193	Roadway Improvements: US 1	Capacity Increase, Widening	NA	SWAP	\$4,000,000	
443	Fort Lauderdale	FORT-054	School Zone Safety Improvements: Pine Crest Private School	Bicycle Pedestrian Infrastructure	NA	SWAP	\$150 ,000	
444	Coconut Creek	COCO-023	Complete Streets Crosswalks on Lyons Rd	Bicycle Pedestrian Infrastructure	NA	SWAP	\$433,000	
445	Miramar	MIRA-056	Historic Downtown Revitalization	Bicycle Pedestrian Infrastructure	NA	SWAP	\$500,000	
446	West Park	WPRK-013	Purchase of a Trolley For Community Bus Services	Transit	NA	MOVED	\$100,000	
447	Coconut Creek	COCO-005	Mainstreet Circulator	Transit	NA	HOLD	\$200,000	
448	Lauderhill	LHIL-003	Bus Transportation Vehicle Replacements	Transit	NA	SWAP	\$330,000	

Project Ranking	Municipality	Project Number	Project Name	Work Mix	Phase	Fiscal Year 2020 Recommendation	Surtax Plan Estimate	Recommended Phase Funding
449	Hollywood	HOLL-062	Community Shuttle Buses	Transit	NA	MOVED	\$5,000,000	
450	Coral Springs	CORA-116	Expand Community Bus Service	Transit	NA	MOVED	\$9,000,000	
451	Sunrise	SUNR-027	Various Traffic Calming - Zone B	Traffic Circle, Speed Tables, Intersection Improvement	Design	RANK	\$500,000	
452	Sunrise	SUNR-026	Various Traffic Calming - Zone A	Traffic Circle, Speed Tables, Intersection Improvement	Planning	RANK	\$500,000	
453	Sunrise	SUNR-028	Various Traffic Calming - Zone C	Traffic Circle, Speed Tables, Intersection Improvement	Planning	RANK	\$500,000	
454	Sunrise	SUNR-029	Various Traffic Calming - Zone D	Traffic Circle, Speed Tables, Intersection Improvement	Planning	RANK	\$500,000	
455	Fort Lauderdale	FORT-119	Safety Improvements: Neighborhood Traffic Calming	Traffic Circle, Speed Tables, Intersection Improvement	Planning	RANK	\$3,000,000	
456	Fort Lauderdale	FORT-157	Safety Improvements: SW 31 Ave	Traffic Circle, Speed Tables, Intersection Improvement	NA	SWAP	\$45,000	
457	Lauderdale-by-the-Sea	LSEA-030	Traffic Calming	Traffic Circle, Speed Tables, Intersection Improvement	NA	HOLD	\$125,000	
458	Lauderdale-by-the-Sea	LSEA-029	Traffic Calming	Traffic Circle, Speed Tables, Intersection Improvement	NA	HOLD	\$125,000	
459	Lauderdale-by-the-Sea	LSEA-025	Traffic Calming	Traffic Circle, Speed Tables, Intersection Improvement	NA	HOLD	\$125,000	
460	Lauderdale-by-the-Sea	LSEA-026	Traffic Calming	Traffic Circle, Speed Tables, Intersection Improvement	NA	HOLD	\$125,000	
461	Lauderdale-by-the-Sea	LSEA-027	Traffic Calming	Traffic Circle, Speed Tables, Intersection Improvement	NA	HOLD	\$125,000	
462	Lauderdale-by-the-Sea	LSEA-028	Traffic Calming	Traffic Circle, Speed Tables, Intersection Improvement	NA	HOLD	\$125,000	
463	Lauderdale-by-the-Sea	LSEA-034	Traffic Safety Devices	Traffic Circle, Speed Tables, Intersection Improvement	NA	HOLD	\$700,000	
464	Lauderdale-by-the-Sea	LSEA-037	A1A Median Safety	Traffic Circle, Speed Tables, Intersection Improvement	NA	HOLD	\$1,000,000	
465	Fort Lauderdale	FORT-129	Safety Project: SE 17th St - US 1 To SW 4th Ave Mobility Improvements	Traffic Circle, Speed Tables, In tersection Improvement	NA	SWAP	\$2,500,000	
466	Plantation	PLAN-005	Adaptive Signal Coordination with Broward County	Signal Enhancement	NA	SWAP	\$0	
467	Hallandale Beach	HALL-013	Hallandale Beach Blvd, US 1, Pembroke Rd & A1A Adaptive Signalization	Signal Enhancement	NA	SWAP	\$780,0 00	
468	Plantation	PLAN-003	Adaptive Signal Coordination With Broward County	Signal Enhancement	NA	SWAP	\$1,112,750	
469	Tamarac	TAMA-016	Adaptive Traffic Control Devices And Traffic Signalization	Signal Enhancement	NA	RANK	\$15,000,000	
470	Fort Lauderdale	FORT-130	Safety Improvements: Downtown Wayfinding & Info Signage	Landscaping, Hardscape, Signage, Lighting	Desig n	RANK	\$280,411	
471	Fort Lauderdale	FORT-176	Street Lighting : Annual New Lighting Infrastructure	Landscaping, Hardscape, Signage, Lighting	Design	RANK	\$10,000,000	
472	Fort Lauderdale	FORT-195	Roadway Improvements: Median Beautification - Entryway Signs	Landscaping, Hardscape, Signage, Lighting	Planning	RANK	\$145,349	
473	Sunrise	SUNR-007	Street & Pedestrian Lighting - Zone C	Landscaping, Hardscape, Signage, Lighting	Planning	RANK	\$500,000	
474	Sunrise	SUNR-008	Street & Pedestrian Lighting - Zone D	Landscaping, Hardscape, Signage, Lighting	Planning	RANK	\$500,000	
475	Sunrise	SUNR-005	Street & Pedestrian Lighting - Zone A	Landscaping, Hardscape, Signage, Lighting	Planning	RANK	\$500,000	
476	Sunrise	SUNR-006	Street & Pedestrian Lighting - Zone B	Landscaping, Hardscape, Signage, Lighting	Planning	RANK	\$500,000	
477	Hollywood	HOLL-063	Industrial Park And Corridor Improvements	Landscaping, Hardscape, Signage, Lighting	Planning	RANK	\$5,000,000	
478	Tamarac	TAMA-011	Median And Street Landscaping	Landscaping, Hardscape, Signage, Lighting	Planning	RANK	\$12,000,000	

Project Ranking	Municipality	Project Number	Project Name	Work Mix	Phase	Fiscal Year 2020 Recommendation	Surtax Plan Estimate	Recommended Phase Funding
479	Fort Lauderdale	FORT-175	Street Lighting : Annual Lighting Retrofit Program	Landscaping, Hardscape, Signage, Lighting	Planning	RANK	\$15,000,000	
480	Tamarac	TAMA-023	Corridor Improvements	Landscaping, Hardscape, Signage, Lighting	Planning	RANK	\$15,000,000	
481	Weston	WEST-310	Indian Trace Street Lighting Improvements	Landscaping, Hardscape, Signage, Lighting	Planning	RANK	\$15,000,000	
482	Lauderdale-by-the-Sea	LSEA-014	Neighborhood Street Lighting	Landscaping, Hardscape, Signage, Lighting	NA	HOLD	\$60,000	
483	Lauderdale-by-the-Sea	LSEA-013	Neighborhood Street Lighting	Landscaping, Hardscape, Signage, Lighting	NA	HOLD	\$60,000	
484	Lauderdale-by-the-Sea	LSEA-015	Neighborhood Street Lighting	Landscaping, Hardscape, Signage, Lighting	NA	HOLD	\$60,000	
485	Lauderdale-by-the-Sea	LSEA-016	Neighborhood Street Lighting	Landscaping, Hardscape, Signage, Lighting	NA	HOLD	\$60,000	
486	Lauderdale-by-the-Sea	LSEA-017	Neighborhood Street Lighting	Landscaping, Hardscape, Signage, Lighting	NA	HOLD	\$60,000	
487	Lauderdale-by-the-Sea	LSEA-018	Neighborhood Street Lighting	Landscaping, Hardscape, Signage, Lighting	NA	HOLD	\$60,000	
488	Lauderdale-by-the-Sea	LSEA-036	Parking Guidance	Landscaping, Hardscape, Signage, Lighting	NA	HOLD	\$1,000,000	
489	Weston	WEST-309	Indian Trace Street Lighting Improvements	Landscaping, Hardscape, Signage, Lighting	NA	SWAP	\$1,500,000	
490	Lauderhill	LHIL-006	Privacy Walls	Landscaping, Hardscape, Signage, Lighting	NA	SWAP	\$1,600,000	
491	Pembroke Pines	PPIN-023	City Wide Landscaping - Medians & Swales	Landscaping, Hardscape, Signage, Lighting	NA	SWAP	\$8,000,000	
492	Weston	WEST-260	Culvert Improvements	Resiliency Improvements	Design	RANK	\$2,000,000	
493	Weston	WEST-261	Culvert Improvements	Resiliency Improvements	Design	RANK	\$2,000,000	
494	Wilton Manors	WILT-010	Storm Sewer Line Infrastructure	Resiliency Improvements	Design	RANK	\$4,300,000	
495	Hollywood	HOLL-152	Environmental Resiliency - Dist. 1	Resiliency Improvements	Planning	RANK	\$1,666,667	
496	Hollywood	HOLL-154	Environmental Resiliency - Dist. 3	Resiliency Improvements	Planning	RANK	\$1,666,667	
497	Hollywood	HOLL-155	Environmental Resiliency - Dist. 4	Resiliency Improvements	Planning	RANK	\$1,666,667	
498	Hollywood	HOLL-156	Environmental Resiliency - Dist. 5	Resiliency Improvements	Planning	RANK	\$1,666,667	
499	Hollywood	HOLL-157	Environmental Resiliency - Dist. 6	Resiliency Improvements	Planning	RANK	\$1,666,667	
500	Fort Lauderdale	FORT-174	Street Lighting: High Mast Lighting System	Resiliency Improvements	NA	RANK	\$150,000	
501	Lauderdale-by-the-Sea	LSEA-008	Drainage Projects	Resiliency Improvements	NA	HOLD	\$1,000,000	
502	Lauderdale-by-the-Sea	LSEA-010	Drainage Projects	Resiliency Improvements	NA	HOLD	\$1,000,000	
503	Lauderdale-by-the-Sea	LSEA-011	Drainage Projects	Resiliency Improvements	NA	HOLD	\$1,000,000	
504	Lauderdale-by-the-Sea	LSEA-012	Drainage Projects	Resiliency Improvements	NA	HOLD	\$1,000,000	
505	Lauderdale-by-the-Sea	LSEA-007	Drainage Projects	Resiliency Improvements	NA	HOLD	\$1,900,000	
506	Pembroke Pines	PPIN-036	City Wide Signal Conversion To Mast Arms	Resiliency Improvements	NA	SWAP	\$18,450,000	
507	Fort Lauderdale	FORT-062	Fiber Optic Cables: North Shoppes District	Fiber	NA	SWAP	\$350,000	
508	Tamarac	TAMA-013	Fiber Optics	Fiber	NA	RANK	\$3,000,000	

Project Ranking	Municipality	Project Number	Project Name	Work Mix	Phase	Fiscal Year 2020 Recommendation	Surtax Plan Estimate	Recommended Phase Funding
509	Tamarac	TAMA-017	Fiber Optics	Fiber	NA	HOLD	\$12,000,000	
510	Wilton Manors	WILT-004	Fiber Optic Installation	Fiber	NA	RANK	\$18,000,000	



- RANK

Projects requested by municipalities to be ranked for funding.
- HOLD

Projects requested by municipalities to be put on hold from funding for various reasons.
- SWAP

Projects requested by municipalities to be swapped out in February 2021.
- YEAR 1

Projects that are recommended for funding in Fiscal Year 2020.

Notes:

(1) The Municipal Surtax Capital Projects Priorities (Fiscal Year 2020) was developed by the Broward MPO Surtax Services in partnership with the municipalities in Broward County. All project information was provided by the municipalities.

(2) All projects were provided by Broward County and were contained in the Surtax Plan approved by the voters in November 2018.

(3) The Municipal Surtax Capital Projects Priorities (Fiscal Year 2020), consistent with the Surtax Ordinance, the Tri-Party Interlocal Agreement, and Bi-Party Interlocal Agreement, is the output of the data-driven ranking tool utilizing the evaluation criteria, point distribution, and program readiness approach established in coordination with the municipalities.

(4) Projects with numbers that include “.x” reflect multi-part projects.

(5) As directed by Broward County, the following percentages are used to calculate the recommended phase funding since the projects in the Surtax Plan are assumed to be the total cost of the required phase(s) to complete the project:

- Planning: 3% of the total cost of the project in the Surtax Plan.
- Design: 12% of the total cost of the project in the Surtax Plan.
- Construction (includes CEI): 85% of the total cost of the project in the Surtax Plan.
- Right-of-way phase costs are project specific.

(6) The Broward MPO Surtax Services selected the Cycle 1 (Fiscal Year 2020) funding goal of \$70 - \$80 million of the total \$120 million available (30-Year Surtax Financial Plan) since the County did not provide specific guidance. This goal was selected to allow for adequate funds for Community Shuttle Bus and Rehabilitation and Maintenance projects to be funded by the County.

EXHIBIT A-1

Chart 1 and Chart 2 below list the Cycle 1 Ranked Projects that were withdrawn, deferred, or deemed ineligible and therefore not included in the FY2020 Approved Projects.

Chart 1 – Withdrawn or Deferred MCPs

The Cycle 1 Ranked Projects in the table below were withdrawn or deferred at the request of the respective Municipalities.

Ranking	Project Number	Municipality	Comments
#10	LLAK-003	Lauderdale Lakes	Withdrawn/Deferred at City's request
#18	PPRK-002	Pembroke Park	Withdrawn/Deferred at City's request
#70	POMP-011	Pompano Beach	Withdrawn/Deferred at City's request
#72	COCO-020	Coconut Creek	Withdrawn/Deferred at City's request
#79	PPIN-021	Pembroke Pines	Withdrawn/Deferred at City's request
#86	LSEA-035	Lauderdale by the Sea	Withdrawn at City's request
#92	OAKL-025/WILT-015	Oakland Park/Wilton Manor	Withdrawn/Deferred at City's request
#100	WILT-015	Wilton Manors	Removed/Combined with Oakland Park's project OAKL-025
#104	PPIN-038	Pembroke Pines	Withdrawn/Deferred at City's request
#110	TAMA-021	Tamarac	Withdrawn/Deferred at City's request

Chart 2 – Ineligible MCPs

The Cycle 1 Ranked Projects in the table below were deemed ineligible.

Ranking	Project Number	Municipality	Comments
#11	TAMA-018	Tamarac	Ineligible
#29	WILT-007.1	Wilton Manors	Ineligible
#55	COOP-035	Cooper City	Ineligible

EXHIBIT B

Municipal Surtax Project Ranking Evaluation Criteria & Points Distribution

MUNICIPAL SURTAX PROJECT RANKING EVALUATION CRITERIA & POINTS DISTRIBUTION

2/14/2020

	EMPLOYMENT DENSITY	POPULATION DENSITY	TRANSIT	INCIDENT DELAY	LEVEL OF SERVICE	CONNECTION TO EXISTING FACILITIES	EQUITY	RESILIENCY	PROJECT PERFORMANCE								
Explanation	Projects analyzed and awarded points based on connection to or adjacent to one or more Traffic Analysis Zones (TAZs) with employment density areas by percentage, identified by Broward County.	Projects analyzed and awarded points based on connection to or adjacent to one or more Traffic Analysis Zones (TAZs) with population density areas by percentage, identified by Broward County.	Projects analyzed and awarded points based on total number of existing transit services and multimodal connections within the buffer.	Projects analyzed and awarded points based on the total number of vehicular, pedestrian and bicycle crashes occurring within the buffer during a five-year period.	Projects analyzed and awarded points based on Level of Service (LOS) of connected roadway network.	Projects analyzed and awarded points based on connections to an existing, like or supporting facility / *Projects analyzed and awarded points based on the presence of a Public School(s) within the buffer.	Projects analyzed and awarded points based on the average equity indicator score within the buffer.	Projects analyzed and awarded points based on whether the project improves or addresses an identified resiliency issue on a vulnerable corridor.	Projects analyzed and awarded points based on their implementation performance.								
Buffer	[¼ mile]	[¼ mile]	[¼ mile]	[200 ft]	[200 ft]	[200 ft. / *½ mile]	[¼ mile]	[200 ft]									
Factor	ALLEVIATE CONGESTION & ENHANCE CONNECTIVITY				ALLEVIATE CONGESTION	ENHANCE CONNECTIVITY	COMMUNITY EMPHASIS		INTERLOCAL AGREEMENT								
Scale	Indicator	Points	Indicator	Points	Indicator	Points	Indicator	Points	Indicator	Points							
	Top 5% Employment Density	50	Top 5% Population Density	50	BCT Bus Routes- Per Route	8pts/per Cap 80pts	Over 60 incidents within 200 ft	100	LOS F – Forced or breakdown flow	50	Sidewalk project provides new or enhanced connection to an existing sidewalk	Average score >3	20	Within a regionally identified moderate to high vulnerable corridor (Tier 1-3)	20		
	Between 5%-10% Employment Density	40	Between 5%-10% Population Density	40	Community Shuttles/Microtransit - Within 1/4 mile (Yes)	10	Between 40-59 incidents within 200 ft	80	LOS E – Unstable flow	40	Bike lane project provides new or enhanced connection to an existing bike lane	30	Average score of 2-3	15	Not within a regionally identified moderate to high vulnerable corridor		10
	Between 10%-15% Employment Density	30	Between 10%-15% Population Density	30	SFRTA Tri-Rail Shuttles - Within 1/4 mile (Yes)	10	Between 20-39 incidents within 200 ft	60	LOS D – Approaching unstable flow	30	Project provides new or enhanced connection to an existing bus stop	Average score of 1-2	15	Broward MPO – Map files from the “Extreme Weather and Climate Change Risk to the Transportation System in Broward County” study			
	Between 15%-20% Employment Density	20	Between 15%-20% Population Density	20			Between 11-19 incidents within 200 ft	40	LOS C – Stable flow	20	Project provides new or enhanced connection to an existing roadway	Average score of 0-1	10				
	Less than 20% Employment Density	10	Less than 20% Population Density	10			Less than 10 incidents within 200 ft	20	LOS B – Reasonably free flow	10	Within ½ mile of an existing public school	20	Average score of 0		10		
									LOS A	10	Not within ½ mile of an existing public school	10					
							No available LOS data	10									
Source	Broward County Planning and Development Management Division	Broward County Planning and Development Management Division	Broward County Transit Routes SFRTA / Tri-Rail	Signal Four Crash Data for all modes (University of Florida)	FDOT D4 LOS Assessment Report / FDOT LOS Map Package	Based on scope and project description and Broward County Public Schools GIS layer	Broward MPO Transportation Planning Equity Assessment methodology		Broward MPO – Map files from the “Extreme Weather and Climate Change Risk to the Transportation System in Broward County” study	Broward County Mobility Advancement Program Administrator							

Work Mix Points:	Capacity Increase, Widening, Bridge	Bicycle Pedestrian Infrastructure	Transit	Intersection Improvement	Signal Enhancement	Landscaping, Hardscape, Signage, Lighting	Resiliency Improvements	Fiber
	50 Points	45 Points	40 Points	35 Points	30 Points	25 Points	20 Points	15 Points



Note:
The Ranking Criteria and Points Distribution for municipal capital surtax projects was developed by the Broward MPO in partnership with the municipalities in Broward County. The MPO's data-driven ranking tool utilizes the evaluation criteria and point distribution in order to rank the municipal capital projects included in the Broward County Transportation Surtax Plan.

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Consent Agenda

Continued from:

Requested Action (Identify appropriate Action or Motion)

ADOPT RESOLUTION SUPPORTING FLORIDA SENATE BILL 596 AND COMPANION HOUSE BILL 6023 RELATING TO REPEAL OF FLORIDA STATUTE 163.045, TO ALLOW LOCAL GOVERNMENTS TO REGULATE MATTERS RELATING TO TREES LOCATED ON RESIDENTIAL PROPERTIES

Purchasing Requests ONLY

Dept:	Acct #:	Amt:
Fund:		

Fiscal Impact/Cost Summary

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Exhibits Attached

R-2021- Supporting Repeal of State Tree Regulation

RESOLUTION NO. 2021-013

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, SUPPORTING FLORIDA SENATE BILL 596 AND COMPANION HOUSE BILL 6023 RELATING TO REPEAL OF FLORIDA STATUTE 163.045, TO ALLOW LOCAL GOVERNMENTS TO REGULATE MATTERS RELATING TO TREES LOCATED ON RESIDENTIAL PROPERTIES; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, members of the Florida Legislature, Senator Linda Stewart and Representative Anna V. Eskamani of Orlando, are seeking to repeal a state preemption of local ordinances relating to trees located on residential properties; and

WHEREAS, Senator Stewart's Senate Bill 596 and Representative Eskamani's House Bill 6023 would repeal Section 163.045, Florida Statutes, which bills intend to restore the rights of local governments related to pruning, trimming, or removal of trees on residential property; and

WHEREAS, the statute to be repealed, Section 163.045, Florida Statutes, adopted by the Florida Legislature in 2019, advocated a way to protect residential property owners' rights, and arose after local controversies in several places occurred in the state related to removal and trimming of trees; and

WHEREAS, many local communities use green buffers and tree preservation codes to define their communities' character and standards of life, and local governments should be restored local controls to protect these resources; and

WHEREAS, counties and cities such as Dania Beach are better connected to their residents and local needs and as such, should be restored the ability to adopt regulations that reflect the values of their respective communities; and

WHEREAS, the City of Dania Beach seeks to preserve and protect home rule authority for Dania Beach and local governments;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

Section 1. That the foregoing "Whereas" clauses are ratified and confirmed to be true and correct and they are made a part of and are incorporated into this Resolution by this reference.

Section 2. That the City Commission of the City of Dania Beach supports Florida Senator Stewart’s Senate Bill 596 and Representative Eskamani’s House Bill 6023, which would repeal Section 163.045, Florida Statutes, that preempts local regulation affecting trees located on residential properties.

Section 3. That the City Commission directs the City Clerk to transmit a copy of this Resolution to the Florida Governor, the Board of County Commissioners for Broward County, the Florida League of Cities, the Broward League of Cities and to the Broward County delegation of the Florida Legislature for distribution.

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 January 26, 2021.

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Consent Agenda

Continued from:

Requested Action (Identify appropriate Action or Motion)

ADOPT ORDINANCE REPEALING ORDINANCE 2004-019 WHICH IS CODIFIED AS SECTION 2-5 OF THE CODE OF ORDINANCES, ENTITLED “ADOPTION OF CIVIL SERVICE RULES”

Purchasing Requests ONLY

Dept:	Acct #:	Amt:
Fund:		

Fiscal Impact/Cost Summary

Exhibits Attached

Memo - PPM Repealing Civil Service Rules, PPM OVERVIEW (00415844-8xC4B6A), O-2021- Repealing Civil Service Rules



CITY OF DANIA BEACH HUMAN RESOURCES DEPARTMENT

MEMORANDUM

DATE: December 16, 2020

TO: Honorable Mayor and Commissioners

FROM: Ana M. Garcia, City Manager, ICMA-CM

VIA: Linda Gonzalez, SPHR, SHRM-SCP, IPMA-SCP, HR/Risk Director

RE: Personnel Policy Manual (PPM)

The Request

This proposed ordinance will repeal the outdated civil service rules and enable the City Manager to implement a modernized set of personnel rules and regulations to be titled "Personnel Policy Manual" ("PPM").

Background

The Personnel Policy Manual ("PPM") is the consolidation of City operating policies and procedures regarding monetary and non-monetary benefits for City employees.

It is intended to:

- Establish clear rules, which, if followed by employees and consistently applied by supervisors and managers, will result in a positive, productive, even-handed, non-discriminatory and safe workplace.
- Replace the outdated 2004 City Civil Service Rules with a more concise document that can be amended more easily to reflect the evolving dynamic of a modern workplace.
- Give each employee the answers to most of the general questions they may have about their employment at the City of Dania Beach.
- Serve as new starting point to train and educate employees about City policies and benefits.
- Apply immediately employees whose classifications are not covered by the bargaining unit, (with noted exceptions)

The PPM is not intended to:

- Be a duplicate of a collective bargaining agreement. To the extent that any portion of the PPM conflicts with a collective bargaining agreement (CBA), the terms of the collective bargaining agreement will prevail. This is the typical way conflicts are handled in a unionized environment and consistent with labor law

The Civil Service Rules are very outdated. Since the rules were authorized in the 1960's, they have only been amended a few times; the most recent amendment occurring sixteen (16) years ago in 2004. There have been significant advancements in administrative governmental practices and changes to employment laws and regulations that would make any attempt to amend the old rules exceedingly difficult, if not impossible.

The new PPM should be viewed as one more example of how Dania Beach is evolving as a modern and vibrant community.

In conjunction with advancing the PPM, a study was made to determine the manner in which modern municipalities deal with personnel rules. Attached is a chart that indicates how the municipalities created since 2000 address personnel rules. None of the newer municipalities have a civil service system; all have personnel policies implemented and amendable by the municipality's city manager or city administrator.

Recommendation

It is recommended the City Commission repeal Ordinance 2004-019, repealing the antiquated Civil Service Rules which will clear the way for the City Manager to implement the new Personnel Personnel Policy Manual, (PPM).

CITY OF DANIA BEACH
PERSONNEL POLICY MANUAL OVERVIEW
December 2020

WHAT IS THE PERSONNEL POLICY MANUAL?

The Personnel Policy Manual (“PPM”) is the consolidation of City operating policies and procedures regarding monetary and non-monetary benefits for City employees.

It is intended to:

- Establish clear rules, which, if followed by employees and consistently applied by supervisors and managers, will result in a positive, productive, even-handed, non-discriminatory and safe workplace.
- Replace the outdated 2004 City Civil Service Rules with a more concise document that can be amended more easily to reflect the evolving dynamic of a modern workplace.
- Give each employee the answers to most of the general questions they may have about their employment at the City of Dania Beach.
- Serve as new starting point to train and educate employees about City policies and benefits.

The PPM is not intended to:

- Be a duplicate of a collective bargaining agreement.

WHY REPLACE THE CIVIL SERVICE RULES WITH THE PPM?

The Civil Service Rules are very outdated. Since the rules were authorized in the 1960s they have only been amended a few times; the most recent amendment occurring 16 years ago in 2004. There have been significant advancements in administrative governmental practices and changes to employment laws and regulations that would make any attempt to amend the old rules exceedingly difficult, if not impossible.

The new PPM should be viewed as one more example of how Dania Beach is evolving as a modern and vibrant community.

In conjunction with advancing the PPM, a study was made to determine the manner in which modern municipalities deal with personnel rules. Attached is a chart that indicates how the municipalities created since 2000 address personnel rules. None of the newer municipalities have a civil service system; all have personnel policies implemented and amendable by the municipality’s city manager or city administrator.

WHAT IS THE PROCEDURE FOR THE NEW PPM TO REPLACE THE OLD CIVIL SERVICE RULES?

The Civil Service Rules were adopted by ordinance and therefore needs to be repealed by ordinance. The City Manager will issue the PPM contemporaneously with passage of the ordinance.

WHY IS THE COMMISSION BEING BRIEFED NOW?

Although the Commission does not have the authority to write policy as it pertains to City employees, and this authority lies with the City Manager, this briefing is intended to inform the Commission of the adoption process. In the last collective bargaining sessions with AFSCME, the City agreed to provide the draft PPM to the Union before it was formally issued. Therefore, it seems appropriate for the members of the Commission to see it first and be briefed on the adoption process that will follow.

WHAT DOES THE PPM COVER:

The table of contents, a copy of which is attached, best illustrates the subjects covered by the PPM.

HOW LONG HAS THE PREPARATION OF THE PPM TAKEN?

It has taken several years to draft the PPM. Due to the comprehensive nature of the subjects the PPM cover, City staff, with the assistance of the City Attorney's Office, and principally from outside Labor Counsel undertook a careful review of City policies, best practices developed by other local government agencies, changes to applicable federal, state and county laws, input from the collective bargaining process, and developing trends in labor/management administration.

WHO DOES THE PPM APPLY TO?

The PPM applies to all City of Dania Beach employees, including employees covered by a collective bargaining agreement.

The PPM does not apply to the City Commission, the City Manager, the City Attorney, or individuals who report directly to the City Manager and who may have appointment letters or employment agreements.

WHEN WILL THE PPM TAKE EFFECT?

The City Manager will issue the PPM and announce its implementation date timed to coincide with the repeal of the outdated Civil Service Rules.

WILL IT APPLY TO ALL EMPLOYEES AT THE SAME TIME?

It will apply to all non-bargaining unit (Union) employees immediately.

Depending on the Union's response following their review, there may be some delay in when all provisions of the PPM apply to Union employees. Some provisions will take effect on implementation, some may not. As required by law, those portions of the PPM which deal with wages, benefits, or conditions of employees for unionized employees will not take effect until the Union has been given notice and opportunity to bargain those issues the Union sees as a change in the status quo.

The positive relationship and line of communication the City established with the last collective bargaining agreement and continued positive relationship should facilitate and expedite the resolution of any issues raised by the Union. If there are portions the Union doesn't agree with, those sections will be addressed in the next round of collective bargaining.

WHAT IS THE RESPONSIBILITY OF THE EMPLOYEES?

It is every employee's responsibility to read this PPM and to know and comply with the policies and procedures described in it, including any revisions or amendments adopted by the City.

It is also the responsibility of the employees to ask questions if they don't understand any provision of the PPM. The City Manager wants the PPM to be as clear and user-friendly as possible. Questions from employees will help the City administration to fine tune the PPM to make certain it is the model of clarity.

WHAT IF THERE IS A CONFLICT BETWEEN THE PPM AND A COLLECTIVE BARGAINING AGREEMENT?

To the extent that any portion of the PPM conflicts with a collective bargaining agreement (CBA), the terms of the collective bargaining agreement will prevail. This is the typical way conflicts are handled in a unionized environment and consistent with labor law.

In the last round of collective bargaining with AFSCME, the City stated it was working on the PPM but it was not ready to be fully incorporated in the CBA. The Rules of Conduct and Drug Testing sections of the PPM were ready before bargaining was concluded and were incorporated in the CBA. All references to the Civil Service Rules were replaced with reference to the PPM. The full version of the PPM will be provided to AFSCME for its review and comments.

HOW DO CHANGES IN THE LAW AFFECT THE PPM?

If a subject matter contained in these policies is addressed by Federal, State, or County laws or regulations, or by administrative or judicial interpretation of such Federal, State, or County laws, the Federal, State, or County laws or regulations, or administrative or judicial interpretation of such Federal, State, or County laws or regulations will control.

In the event of a conflict between these policies and a City Ordinance, the Ordinance will control.

HOW WILL THE EMPLOYEES BE INFORMED OF THE PPM AND ITS CONTENTS?

Every employee will be given a copy of the PPM with instructions to read it during work time. For those employees represented by AFSCME, the PPM will also be provided to the Union representatives, as is required.

The Human Resources Director will provide training to Supervisory staff first, regarding the PPM contents. Thereafter, all employees will be required to watch a training video during which time the contents and purpose of the PPM will be explained. All employees will be given the opportunity to contact Human Resources should they have specific questions.

The PPM will be posted on the City's intranet, which is accessible to all employees.

HR will periodically issue Q&A updates and clarifications to the employees addressing common questions about the PPM.

WHY IS THE CITY MANAGER RESPONSIBLE FOR ISSUING THE PPM?

Although the PPM is not a contract and does not create a contractual relationship between an employee and the City, it does establish many standards that the City Manager will expect the City's employees to adhere to. The Manager is responsible for the administration of the PPM as it is the Manager who has final authority to supervise the City work force as described in the City Charter.

In accordance with the Article 3 of the City Charter, all employees, except the City Attorney, are subordinates of the City Manager; therefore, the City Manager has the overall responsibility for the administration of the PPM. Though there may be occasions when the City Manager will delegate responsibilities related to the administration of the PPM to others, the City Manager has final responsibility for proper administration of the PPM, including the authority to interpret any provision of the PPM.

The City Manager will be able to amend any part of this PPM when the City Manager finds that amendment is required by law (taking input from the City Attorney), to implement changes to allow the City to better compete for municipal employees in a competitive marketplace, or in the best interest of the City and its operations. The City Manager may, at any time, interpret the PPM and develop procedural rules and other personnel policies.

The City Manager may waive the requirements of a policy or procedure if the City Manager determines that waiver is in the best interest of the City and its operations. The City Manager must keep the City Commission informed when the PPM is amended. No monetary changes will be made until the City Commission appropriates funds in support of those changes,

TABLE OF CONTENTS

SECTION 1:	INTRODUCTION.....
1.1	ABOUT THE PERSONNEL POLICY MANUAL
1.2	ADMINISTRATION OF THE PPM
SECTION 2:	GENERAL EMPLOYMENT POLICIES.....
2.1	EMPLOYMENT NOT GUARANTEED
2.2	EQUAL EMPLOYMENT OPPORTUNITY
2.3	HARASSMENT-FREE WORKPLACE
2.4	ANTI-BULLYING POLICY
2.5	AMERICANS WITH DISABILITIES ACT.....
2.6	OPEN DOOR POLICY
2.7	EMPLOYEE DISPUTE RESOLUTION PROCEDURE.....
SECTION 3:	WORKING AT THE CITY OF DANIA BEACH.....
3.1	CATEGORIES OF EMPLOYMENT
3.2	RECRUITMENT AND PROBATION
3.3	BACKGROUND SCREENING AND FAIR CHANCE POLICY
3.4	PROBATION
3.5	TIMEKEEPING
3.6	OVERTIME
3.7	POLICY PROHIBITING DEDUCTIONS FROM COMPENSATION OF SALARIED, EXEMPT EMPLOYEES
3.8	ATTENDANCE AND PUNCTUALITY.....
3.9	REST AND MEAL PERIODS FOR NON-EXEMPT EMPLOYEES
3.10	BREAKS FOR NURSING MOTHERS
3.11	TELEWORK
3.12	DRESS RULES
3.13	UNIFORM POLICY
3.14	OUTSIDE EMPLOYMENT.....

3.15	EMPLOYMENT OF RELATIVES (NEPOTISM)
3.16	FRATERNIZATION
3.17	COLLECTIVE BARGAINING AGREEMENTS.....
3.18	EMPLOYEE WORK SPACE
3.19	EMPLOYEE AND EMERGENCY CONTACT INFORMATION
3.20	CITY VEHICLE USE.....
SECTION 4:	STANDARDS OF CONDUCT
4.1	CONFLICT OF INTEREST
4.2	RULES OF CONDUCT
4.3	CORRECTIVE ACTION.....
4.4	SUSPENSIONS.....
4.5	INTERNAL INVESTIGATIONS
4.6	SOLICITATION/DISTRIBUTION
4.7	GIFTS
4.8	ELECTIONS AND POLITICAL CAMPAIGNS
4.9	EMPLOYEES PROHIBITED FROM SEEKING ELECTIVE OFFICE
4.10	COMMUNICATION PROTOCOLS WITH ELECTED OFFICIALS.....
4.11	ARRESTS AND CONVICTIONS
SECTION 5:	TECHNOLOGY USE POLICY
5.1	CITY COMPUTER SYSTEM, INTERNET, AND EMAIL.....
5.2	TELEPHONE CALLS AND CELL PHONE USAGE.....
5.3	CELL PHONE POLICY
5.4	SOCIAL MEDIA.....
SECTION 6:	SAFETY AND SECURITY
6.1	SAFETY MEASURES.....
6.2	CITY IDENTIFICATION
6.3	ACCESS TO CITY FACILITIES
6.4	WORKPLACE VIOLENCE POLICY.....
6.5	SMOKE-FREE WORKPLACE
6.6	DRUG AND ALCOHOL FREE WORKPLACE POLICY.....

6.7	EMPLOYEE REPORTING PROCEDURES DURING DISASTER OPERATIONS
6.8	CHILDREN IN THE WORKPLACE
SECTION 7:	LEAVES OF ABSENCE
7.1	FAMILY AND MEDICAL LEAVE OF ABSENCE
7.2	GRANDPARENT AND DOMESTIC PARTNER LEAVE
7.3	WORKERS' COMPENSATION LEAVE OF ABSENCE
7.4	MILITARY LEAVE
7.5	JURY DUTY AND WITNESS LEAVE
7.6	BEREAVEMENT LEAVE
7.7	VOTING
7.8	DOMESTIC AND SEXUAL VIOLENCE LEAVE OF ABSENCE
7.9	PERSONAL LEAVE OF ABSENCE
7.10	ADMINISTRATIVE LEAVE
SECTION 8:	BENEFITS AND TIME-OFF
8.1	EMPLOYEE INSURANCE BENEFITS
8.2	EDUCATION REIMBURSEMENT PROGRAM
8.3	TRAVEL POLICY
8.4	DESIGNATED HOLIDAYS
8.5	VACATION
8.6	SICK LEAVE
8.7	PERSONAL DAYS
8.8	SAFETY DAY
8.9	LEAVE DONATIONS
8.10	RETIREMENT BENEFITS
SECTION 9:	CLASSIFICATION, COMPENSATION AND PERFORMANCE MANAGEMENT
9.1	PERSONNEL FILES
9.2	IN-SERVICE TRAINING
9.3	RECLASSIFICATION
9.4	COST OF LIVING ADJUSTMENT
9.5	PROMOTION

9.6	TRANSFER POLICY
9.7	DEMOTION.....
9.8	WORKING OUT OF CLASSIFICATION.....
SECTION 10:	LEAVING THE CITY
10.1	RESIGNATIONS.....
10.2	LAY OFF
10.3	TERMINATION FROM EMPLOYMENT.....
10.4	DEATH
10.5	EXIT INTERVIEWS
10.6	RETURN OF CITY'S PROPERTY

MODERN MUNICIPALITIES (CREATED SINCE 2000)

(Source-Florida League of Cities and Muni-Code Corp)

MUNICIPALITY	YEAR INCORPORATED	CIVIL SERVICE YES/NO	PERSONNEL POLICIES RULES LANGUAGE
Miami Gardens	2003	NO	All new employment, appointments and promotions of City employees shall be made pursuant to personnel procedures to be established by the Manager from time to time.
Cutler Bay	2005	NO	All new employment, appointments and promotions of town employees shall be made pursuant to written personnel procedures to be established by the manager from time to time.
Doral	2003	NO	Not mentioned in Rules but Policy manual provides: The City Manager has the sole discretion to amend the Employee Manual or any other City-issued policy at any time, with or without notice.
Weston ¹	1996	NO	All new employments, appointments and promotions of City officers and employees shall be made pursuant to personnel procedures to be established by the City Manager from time to time.
Southwest Ranches	2000	NO	All new employments, appointments, and promotions of Town

¹ Included because it is the Broward municipality most recently created prior to 2000.

			officers and employees shall be made pursuant to personnel procedures to be established by the Administrator from time to time.
Miami Lakes	2000	NO	All new employment, appointments and promotions of Town employees shall be made pursuant to personnel procedures to be established by the Manager from time to time.
Palmetto Bay	2002	NO	All new employment, appointments and promotions of Village employees shall be made pursuant to personnel procedures to be established by the Manager from time to time.
West Park	2005	NO	All new employments, appointments, and promotions of city officers and employees shall be made pursuant to personnel procedures to be established by the administrator from time to time.
Loxahatchee Groves	2006	NO	Town personnel system. All new employments, appointments, and promotions of town officers and employees shall be made pursuant to personnel procedures to be established by the town manager from time to time.
Grant-Valkaria	2006	No	pending
Estero	2014	No	pending
Westlake	2016	NO	The City of Westlake has a Council/Manager form of government, and the Council appoints the City

			Manager. The City Manager, a position defined in the City Charter, is the Chief Administrative officer that directs and supervises the administration of all departments, offices and agencies of the City.
Indiantown	2017	NO	Village manage will appoint, hire, suspend, demote, or dismiss any village employee under the village manager's jurisdiction in accordance with law, and may authorize any department head to exercise these powers with respect to subordinates in that department

ORDINANCE NO. 2021-010

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, REPEALING ORDINANCE 2004-019 WHICH IS CODIFIED AS SECTION 2-5 OF THE CODE OF ORDINANCES, ENTITLED “ADOPTION OF CIVIL SERVICE RULES”; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Dania Beach intends to replace its civil service rules, last amended in 2004, with modernized personnel rules and regulations to be titled “Personnel Policy Manual” (“PPM”); and

WHEREAS, to avoid any conflict with the Personnel Policy Manual and the civil service rules, the City Commission is required to repeal the civil service rules in the same manner by which they were adopted, which is by ordinance;

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

Section 1. That Ordinance 2004-019, codified as section 2-5 of the Code of Ordinances, entitled “Adoption of Civil Service Rules”, is repealed in its entirety.

Section 2. That if any section, clause, sentence or phrase of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

Section 3. That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are repealed.

Section 4. That this Ordinance shall be effective immediately at adoption on second reading.

PASSED on first reading on January 26, 2021.

PASSED and ADOPTED on second reading on _____, 2021.

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Consent Agenda

Continued from:

Requested Action (Identify appropriate Action or Motion)

ADOPT ORDINANCE AMENDING CHAPTER 2, ENTITLED “ADMINISTRATION,” TO AMEND SECTION 2-1.2, ENTITLED “RESERVED” TO DEFINE THE TERM “CHAMBERS” FOR PURPOSES OF CITY COMMISSION MEETINGS

Purchasing Requests ONLY

Dept:	Acct #:	Amt:
Fund:		

Fiscal Impact/Cost Summary

Exhibits Attached

Memo defining chambers ordinance first reading(12-29-20), O-2021- Amending Sec. 2-1.2 to Define the Term Chambers for Purposes of City Commission Meetings



CITY OF DANIA BEACH CITY ATTORNEY'S OFFICE

MEMORANDUM

DATE: January 26, 2021

TO: Honorable Mayor and Commissioners

FROM: Thomas J. Ansbro, City Attorney

SUBJECT: First Reading - Defining City Commission "Chambers" for Purposes of Carrying of Weapons into City Commission Meetings

The Request:

The City of Dania Beach City Commission seeks to define the City's Commission "Chambers", where it holds its meetings to include the adjacent atrium.

Background:

The Florida Department of Agriculture and Consumer Services listed places where persons are restricted from carrying a weapon or firearm even if a person has a concealed weapons license, including "any meeting of the governing body of a county, public school district, municipality or special district." (Florida Statutes, Section 790.06(12)). The City does not define the parameters of its meeting room Chambers, in which it holds meetings. By defining the area, the area will be restricted from allowing persons to carry a weapon or firearm, even if the holder has a concealed weapons license, in the meeting room and the adjacent atrium where seating is provided for various Commission matters. This was proposed by Vice-Mayor Salvino.

Budgetary Impact

There is no budgetary impact to this item.

Recommendation

It is recommended that the City Commission approve the ordinance on first reading and then schedule a second and final reading of the ordinance.

TJA/EAB/la

cc: Ana M. Garcia, ICMA-CM, City Manager
Candido Sosa-Cruz, Assistant City Manager
Thomas Schneider, CMC, City Clerk
Danny Marks, BSO District Chief

ORDINANCE NO. 2021-011

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 2, ENTITLED "ADMINISTRATION," TO AMEND SECTION 2-1.2, ENTITLED "RESERVED" TO DEFINE THE TERM "CHAMBERS" FOR PURPOSES OF CITY COMMISSION MEETINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Dania Beach desires to amend the City's Code of Ordinances in order to define "Chambers" to include the auditorium and the overflow atrium as part of the City's Commission meeting room "Chambers", which are used to hold City Commission meetings;

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

Section 1. The foregoing whereas clause is ratified and confirmed as being true and correct and is made a part of this Ordinance.

Section 2. Section 2-1.2 of the City's Code of Ordinances, entitled "Reserved" is created to read as follows:

* * *

Sec. 2-1.2. - Reserved. City Commission Chambers, defined.

The Chambers of the City Commission utilized for its meetings shall consist of the main chamber with auditorium seating and the adjacent atrium, overflow seating area.

* * *

Section 3. That if any section, clause, sentence or phrase of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

Section 4. That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are repealed.

Section 5. That this ordinance shall be codified.

Section 6. That this Ordinance shall take effect immediately at the time of passage and adoption.

PASSED on first reading January 26, 2021.

PASSED on second reading, _____, 2021.

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Consent Agenda

Continued from:

Requested Action (Identify appropriate Action or Motion)

ADOPT ORDINANCE AMENDING CHAPTER 13, ENTITLED “HEALTH AND SANITATION,” TO CREATE SECTION 13-11, ENTITLED “VIRTUAL PUBLIC MEETINGS” AUTHORIZING THE CITY MANAGER TO MAKE PROVISIONS FOR PUBLIC MEETINGS BY USE OF COMMUNICATION MEDIA TECHNOLOGY AND FOR ATTENDANCE BY USE OF SUCH TECHNOLOGY BY ELECTED AND APPOINTED OFFICIALS DURING PERIODS WHEN THE CITY MANAGER DETERMINES AND DECLARES A LOCAL PUBLIC HEALTH EMERGENCY OR OTHER CIRCUMSTANCES IN WHICH THE CITY COMMISSION DETERMINES IT IS NECESSARY TO PROTECT THE HEALTH AND SAFETY OF CITY OFFICIALS, CITY STAFF, AND THE PUBLIC FOR THE DURATION OF THE DECLARED PUBLIC EMERGENCY

Purchasing Requests ONLY

Dept:	Acct #:	Amt:
Fund:		

Fiscal Impact/Cost Summary

--

Exhibits Attached

Memo - Virtual Meeting Ordinance 1-26-21, O-2021- Creating Sec. 13-11 Virtual Public Meetings, O-2021- Creating Sec. 13-11 Virtual Public Meetings Attachment, O-2021- Creating Sec. 13-11 Virtual Public Meetings Exhibit A to Attachment



CITY OF DANIA BEACH CITY ATTORNEY'S OFFICE

MEMORANDUM

DATE: January 26, 2021

TO: Honorable Mayor and Commissioners

FROM: Thomas J. Ansbrosio, City Attorney

SUBJECT: Amending Chapter 13 of the City's Code of Ordinances entitled "Health and Sanitation" to authorize virtual public meetings by use of communication media technology and for attendance by use of such technology by elected and appointed officials during periods when the City determines it is necessary to protect the health and safety of City Officials and residents.

The Request

To codify the authorization to hold virtual public meetings in emergency circumstances.

Background

Due to Covid-19, the Governor originally enacted an Executive Order authorizing local municipalities to hold virtual public meetings. The Governor's order expired on October 1, 2020, and the City enacted an emergency ordinance authorizing a quorum to appear virtually to hold public meetings. The City's emergency order is set to expire on January 20, 2021, and the City is currently seeking to extend that emergency order. The City, in the future may face other health or emergency exigent circumstances that would require the City Commission to hold virtual meetings. Due to the foregoing, the City desires to codify in the City's Code of Ordinances the authorization for the City Commission, Community Redevelopment, Planning & Zoning, and Special Master hearings, and other board meetings virtually, in future emergency situations.

Budgetary Impact

There is no budgetary impact to this item.

Recommendation

That the ordinance be approved at first reading and scheduled for second reading and adoption.

TJA/EAB/la

cc: Ana M. Garcia, ICMA-CM, City Manager

Candido Sosa-Cruz, Assistant City Manager
Thomas Schneider, City Clerk

ORDINANCE NO. 2021-012

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 13, ENTITLED “HEALTH AND SANITATION,” TO CREATE SECTION 13-11, ENTITLED “VIRTUAL PUBLIC MEETINGS” AUTHORIZING THE CITY MANAGER TO MAKE PROVISIONS FOR PUBLIC MEETINGS BY USE OF COMMUNICATION MEDIA TECHNOLOGY AND FOR ATTENDANCE BY USE OF SUCH TECHNOLOGY BY ELECTED AND APPOINTED OFFICIALS DURING PERIODS WHEN THE CITY MANAGER DETERMINES AND DECLARES A LOCAL PUBLIC HEALTH EMERGENCY OR OTHER CIRCUMSTANCES IN WHICH THE CITY COMMISSION DETERMINES IT IS NECESSARY TO PROTECT THE HEALTH AND SAFETY OF CITY OFFICIALS, CITY STAFF, AND THE PUBLIC FOR THE DURATION OF THE DECLARED PUBLIC EMERGENCY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Dania Beach deems it to be in the best interest of the citizens and residents of the City, to make provisions for public meetings by use of communication media technology and for attendance by use of such technology by elected and appointed officials during periods when the City Manager determines and declares a local public health emergency or other circumstances in which the City Commission determines necessary to protect the health and safety of City Officials, City staff, and the public; and

WHEREAS, in adopting this Ordinance, the City Commission of the City of Dania Beach (the “City Commission”) intends to protect the public health and safety by making provisions for the occurrence of and attendance at public meetings by use of communication media technology (“CMT”) during local public health emergencies, as determined by the City Manager; and

WHEREAS, Florida law, including Article 1, Section 24 (b) Florida Constitution, and Florida Statutes Sections 286.011 and 166.041, requires that meetings of elected and appointed officials (“Bodies”), for the conduct of public business, must be held following procedures (notice, access of meetings, opportunity to be heard, the taking of minutes, etc.) that ensure that the public is able to participate in and be aware of the decision making process (the “Sunshine Law”); and

WHEREAS, Previously, when asked whether a public body complies with the Sunshine Law when one or more members of the Body wish to participate in a meeting electronically from a remote location, the Florida Attorney General (“AG”) has opined that a quorum of the Body

must be physically present in order to allow a member, who due to “extraordinary circumstances” is unable to physically attend the meeting, to appear and participate electronically; and

WHEREAS, the City Commission finds there may be circumstances in which it would be s a clear and present danger in holding a public “in person” meeting for those attending and those who come in contact with those attending a meeting; and

WHEREAS, the technology exists to conduct public meetings using technology in which the City can comply with the provisions of the Sunshine Law while preserving human life; and

WHEREAS, the City Commission also possesses broad home rule powers that authorize it to protect the public health, safety, and welfare, declare emergencies, and protect its citizens; and

WHEREAS, there is no statute, Charter provision, or ordinance that defines “present” as physically within the walls of the City Hall Chambers. Webster’s Dictionary defines “in attendance” among other things as a meaning of “present”. Article 3, Section 4 of the City Charter provides: “The majority of the members of the Commission of the City of Dania Beach shall constitute a quorum”; and

WHEREAS, the City Charter does not require that a quorum be physically present; and

WHEREAS, the Charter does not prohibit attendance at the meeting of City Commissioners by electronic media and the City Commission finds that its attendance requirement for the purpose of establishing a quorum, participating and voting can be satisfied by physical or CMT attendance. This same rule of attendance applies to City Board or Committee meetings and quasi-judicial hearings; and

WHEREAS, there is no intrinsic error to use telephone and computer attendance to achieve a quorum. Consequently, the “preemption” of phone attendance, if it exists, must be expressly set forth in the Florida Constitution or general or special law, and not vaguely and ambiguously implied; and

WHEREAS, the City Commission finds that no preemption exists in state law; and

WHEREAS, the City Commission finds that it is in the best interests of the City Commission, Boards, Committees, City personnel, and citizens and residents of the City to authorize the City Manager to provide for the City Commission and members of the various Boards and Committees to be able to attend meetings electronically during a declared public

health emergency, pursuant to the City’s Charter, Chapter 252, Florida Statutes, and the City’s home rule authority, including that set forth in Article VIII, Section 2(b), Florida Constitution, and Section 166.021, Florida Statutes;

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

Section 1. The foregoing whereas clauses are ratified and confirmed as being true and correct and is made a part of this Ordinance.

Section 2. The Mayor and City Commission amend the City’s Code of Ordinances, Chapter 13, entitled “Health and Sanitation,” to create section 13-11, entitled “Virtual Public Meetings,” as follows:

**CHAPTER 13
HEALTH AND SANITATION**

* * *

13-11. ~~Reserved.~~ Virtual Public Meetings.

(a) Legislative Findings, Purpose, and Intent.

In adopting this Ordinance, the City Commission of the City of Dania Beach (the “City Commission”) intends to protect the public health and safety by making provisions for the occurrence of and attendance at public meetings by use of communication media technology (“CMT”) during local public health emergencies, as determined by the City Manager. The City Commission finds:

1. Florida law, including Article 1, Section 24 (b) Florida Constitution, and Florida Statutes Sections 286.011 and 166.041, requires that meetings of elected and appointed officials (“Bodies”), for the conduct of public business, must be held following procedures (notice, access of meetings, opportunity to be heard, the taking of minutes, etc.) that ensure that the public is able to participate in and be aware of the decision making process (the “Sunshine Law”).

2. Previously, when asked whether a public body complies with the Sunshine Law when one or more members of the Body wish to participate in a meeting electronically from a remote location, the Florida Attorney General (“AG”) has opined that a quorum of the Body must be physically present in order to allow a member, who due to “extraordinary circumstances” is unable to physically attend the meeting, to appear and participate electronically.

3. On March 19, 2020, the AG issued an AGO 2020-03, which provides that “unless and until legislatively or judicially determined otherwise, if a quorum is required to conduct official business, local government bodies may only conduct meetings by teleconferencing or other technological means if either a statute permits a quorum to be present by means other than

in-person, or the in-person requirement for constituting a quorum is lawfully suspended by the Governor during the state of emergency.”

4. Chapter 252, Florida Statutes, among other things, confers upon the City Commission the emergency powers provided for in Chapter 252 in order to protect the public peace, health, and safety; and to preserve the lives and property of the people of the state; and to “make, amend, and rescind such orders and rules as are necessary for emergency management purposes and to supplement the carrying out of the provisions of ss. 252.31-252.90, but which are not inconsistent with any orders or rules adopted by the division or by any state agency exercising a power delegated to it by the Governor or the division.” Section 252.46(1), Florida Statutes.

5. The City Commission finds there may be situations where it would be a clear and present danger in holding a public “in person” meeting for those attending and those who come in contact with those attending.

6. The technology exists to conduct public meetings using technology in which the City can comply with the provisions of the Sunshine Law while preserving human life.

7. The City Commission also possesses broad home rule powers that authorize it to protect the public health, safety, and welfare, declare emergencies, and protect its citizens.

8. There is no statute, Charter provision, or ordinance that defines “present” as physically within the walls of the City Hall Chambers. Webster’s Dictionary defines “in attendance” among other things as a meaning of “present”. Article 3, Section 4 of the City Charter provides: “The majority of the members of the Commission of the City of Dania Beach shall constitute a quorum. The affirmative vote of three (3) members of the City Commissioners shall be necessary to enact any ordinance or adopt any resolutions; provided that two-thirds of the membership of the City Commission is required to enact an emergency ordinance. On final passage, the vote of each member of the city commission shall be entered on the official record of the meeting.”

9. The City Charter does not require that a quorum be physically present.

10. The Charter does not prohibit attendance at the meeting of City Commissioners by electronic media and the City Commission finds that its attendance requirement for the purpose of establishing a quorum, participating and voting can be satisfied by physical or CMT attendance. This same rule of attendance applies to City Board or Committee meetings and quasi-judicial hearings.

11. There is no intrinsic error to use telephone and computer attendance to achieve a quorum. Consequently, the “preemption” of phone attendance, if it exists, must be expressly set forth in the Florida Constitution or general or special law, and not vaguely and ambiguously implied. Thus, the City Commission finds that no preemption exists in state law.

12. The City Commission finds that it is in the best interests of the City Commission, Boards, Committees, City personnel, and citizens and residents of the City to authorize the City Manager to provide for the City Commission and members of the various Boards and Committees to be able to attend meetings electronically during a declared public health emergency, pursuant to the City’s Charter, Chapter 252, Florida States, and the City’s home rule authority, including that set forth in Article VIII, Section 2(b), Florida Constitution, and Section 166.021, Florida Statutes.

(b) Declaration of Emergency.

Pursuant to its home rule powers, Chapter 252, Florida Statutes, and based upon the Legislative Findings set forth in the above-stated legislative findings, the City Commission of the City of Dania Beach may in the future find and declare that a public health emergency exists requiring immediate action by the City Commission. By virtue of the threat to public health and safety and by virtue of the threat to the City's financial health and home rule powers, it is necessary for the City to implement this ordinance and to utilize the below virtual meaning procedures.

(c) Limited Authorization for Public Meetings without Physical Presence.

The City Manager is authorized, pursuant to the home rule authority of the City Commission, Chapter 252, Florida Statutes, and based upon the Legislative Findings set forth in the above-stated recitals, during a declared public health emergency to:

- a) arrange for the City Commission, Boards, and Committees to meet and the public to participate electronically;
- b) promulgate rules of procedure that will ensure compliance with the Sunshine Law; and
- c) provide technology and administrative support as necessary to fulfill these objectives.

Such a meeting may only be conducted without the physical presence of a quorum of the City Commissioners, Boards, and Committees, if an emergency is declared based upon an infectious disease, and only so long as (1) the meeting is properly noticed, (2) minutes are taken, and (3) the public is permitted to attend via technology such as teleconferencing or web-based conferencing.

Section 3. That if any section, clause, sentence or phrase of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

Section 4. That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are repealed.

Section 5. That this Ordinance shall take effect immediately at the time of passage and adoption.

PASSED on first reading January 26, 2021.

PASSED on second reading _____, 2021.

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY

**CITY OF DANIA BEACH, FLORIDA
OFFICE OF THE CITY MANAGER
UPDATED RULES FOR COMMUNICATION MEDIA TECHNOLOGY**

On March 10, 2020, the City Commission adopted Resolution No. 2020-030, providing certain powers to the City Manager during the declared State of Emergency due to Covid-19. Thereafter, on October 27, 2020, the City Commission adopted Emergency Ordinance No. 2020-017, which provides for virtual quorum procedures when there is a pandemic, such as the one which is currently existing. On January 12, 2021, the City Commission then adopted a new Emergency Ordinance, Ordinance 2021-006, to extend the virtual quorum procedures due to the pandemic. The authority of the City Manager, under Emergency Ordinance 2021-006, is to adopt rules for use of communications media technology for public meetings during a health emergency. Below is the City Manager's Order Adopting the Rules.

**ORDER ADOPTING RULES FOR USE OF COMMUNICATIONS MEDIA
TECHNOLOGY FOR PUBLIC MEETINGS DURING HEALTH EMERGENCY**

Section 1. Declaration Supplemented.

In accordance with the City Charter and Chapter 252, Florida Statutes, as well as the City Emergency Ordinance 2021-006, I am authorizing the following Rules to be observed relating to holding meetings through communications media technology, due to the current COVID-19 pandemic, which Rules are effective within the City of Dania Beach, Florida ("City") as provided below.

Section 2. Findings.

- a. The City is authorized to hold public meetings through the use of communications media technology, subject to the adoption of rules pursuant to Section 120.45(5)(b)(2), Florida Statutes. Also attached are the Rules of Procedures for "Quasi-Judicial Proceedings", which are incorporated by this reference as Exhibit "A".

Section 3. Rules of Procedure for Public Meetings Utilizing Communications Media Technology.

- a. Prior to the commencement of any City public meeting, the City shall post notice of the meeting in a manner consistent with Section 286.011, Florida Statutes, which Section is known as the "Florida Sunshine Law". The notice shall also include instructions on how to access the public meeting either via telephone, video conference, or other communications media technology utilized by the City.
- b. As used in this Order, "communications media technology" means the electronic transmission of printed matter, audio, full-motion video, freeze-frame video, compressed video, and digital video by any method available.
- c. If a public meeting provides for the opportunity for public comment, the notice shall also include instructions to inform members of the public how they may speak, submit comments or ask questions to be read or addressed at the public meeting.

- d. The City Clerk shall ensure that the public meeting complies with all requirements of Section 286.011, Florida Statutes-(for example, the preparation of minutes, etc.).
- e. The City Clerk shall include the following message in the notice:

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.

Section 4. Effective Date.

This Order is enacted and to be used upon a declaration of a health emergency and may be further supplemented from time to time in accordance with the City Charter. This document shall be posted and distributed by the City Clerk.

Executed on January ___, 2021.

Approved as to Form and
Correctness

Ana M. Garcia, ICMA-CM, City Manager

Thomas J. Ansbro, City Attorney

Filed with the City Clerk on January ___, 2021, at 5:00 P.M.

Thomas Schneider, CMC, City Clerk

City of Dania Beach, Florida Virtual City Commission Meetings

Quasi-Judicial Proceedings

Any member of the public wishing to make verbal comment during a meeting must pre-register to do so with the City Clerk's office using the form found on the City's website. This pre-registration applies to the public, and extends to the applicant and applicant's team. Once the registration has been processed, the registrant will receive instructions for participating in the meeting. Members of the public who attend the meeting by telephone will have their line muted at all times, except when acknowledged by the Mayor to speak on a particular agenda item, and only one individual will be permitted to speak at a time. **If either the applicant or a member of the public seeks to introduce documents into the record, that must be done at least five (5) days prior to the virtual public meeting, so that the City can upload the information. The City Clerk shall provide the Mayor and City Commission with the submittals prior to the hearing. All documents should be sent to the following email addresses: tschneider@daniabeachfl.gov and clajoie@daniabeachfl.gov. In the "Subject" line of the email please address the email as "documents to be included for public hearing" and list the public hearing applicant name and property address.**

On the date and at the time of the Virtual meeting, the City Attorney shall read the title of the quasi-judicial public hearing item when the Agenda item is ready to be presented. The City Attorney shall ask the City Commission to disclose any prior "ex parte" communications with any party that occurred prior to the meeting. Thereafter, the City Attorney will virtually swear in all staff persons speaking about an application as well as the applicant, applicant's team, and any persons in the public who intend to appear by telephone, email, or "live" during the virtual feed of the video presentation during the virtual City Commission meeting. The City Attorney will ask staff and applicant (including applicant's team) to raise their right hands to be sworn in. The City Attorney will then administer an oath. The City Attorney will ask each person to confirm audibly for the record that each speaker took the oath (all persons will identify themselves by name).

Thereafter, City staff will provide a presentation of the staff report and the Department recommendations, if any. Any power point presentations or documents shown or produced during the

hearing shall be treated as evidence which the City Commission may consider in determining whether or not to approve the application. The applicant will then be provided the opportunity to make a presentation. Legal counsel for the applicant may make a presentation or assist with the applicant's presentation. Then members of the public, during the public hearing portion of the agenda item hearing, may speak to the application and may cross-examine witnesses (including City staff, the applicant, and applicant's team). During the Public Comments/Public Hearing portion of the meeting the City Attorney will individually swear in public speakers, who will acknowledge having taken the oath, and state their names for the record. Video of the virtual meeting will be streamed on the City's website at www.daniabeachfl.gov, the City's YouTube channel, and Dania Beach Comcast Channel 78. Additionally, a dedicated telephone line will be available so that any individual may listen to the meeting via telephone and may participate during the public comments portion of the hearing. If public comments were received in advance, they will be acknowledged by the City Clerk by mention of the names of those who submitted comments.

Once the public hearing is closed the Mayor and City Commission shall deliberate on the public hearing quasi-judicial item. A virtual quorum shall be required to take action on the application. Roll call vote of the City Commission shall be required.

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Ordinance

Continued from:

Requested Action (Identify appropriate Action or Motion)

ADOPT ORDINANCE RELATING TO THE LAND DEVELOPMENT CODE (LDC); AMENDING CERTAIN PROVISIONS OF THE LDC TO FURTHER REFINE PROVISIONS RELATING TO (1) SIGHT TRIANGLES BY AMENDING SECTION 275-180, ENTITLED “SIGHT DISTANCE FOR LANDSCAPING ADJACENT TO STREET INTERSECTIONS AND POINTS OF ACCESS;” (2) EMERGENCY GENERATORS, BY AMENDING SECTION 285-10, ENTITLED “EMERGENCY GENERATORS IN RESIDENTIAL DISTRICTS

Purchasing Requests ONLY

Dept:

Acct #:

Amt:

Fund:

Fiscal Impact/Cost Summary

Exhibits Attached

CM TX-082-20 2nd reading, O-2021- Text Amendment (TX-082-20) Sight Triangles and Emergency Generators in Residential Districts, TX-082-20 application



Approve the ordinance on second and final reading.

ORDINANCE NO. 2021-007

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA RELATING TO THE LAND DEVELOPMENT CODE (LDC); AMENDING CERTAIN PROVISIONS OF THE LDC TO FURTHER REFINE PROVISIONS RELATING TO (1) SIGHT TRIANGLES BY AMENDING SECTION 275-180, ENTITLED "SIGHT DISTANCE FOR LANDSCAPING ADJACENT TO STREET INTERSECTIONS AND POINTS OF ACCESS;" (2) EMERGENCY GENERATORS, BY AMENDING SECTION 285-10, ENTITLED "EMERGENCY GENERATORS IN RESIDENTIAL DISTRICTS;" PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Dania Beach desires to update its Land Development Code relating to (1) amending the rules relating to sight distance for landscaping adjacent to street intersections and points of access to increase the sight triangle from 25 feet to 30 feet, and (2) amending the regulations relating to emergency generators to prohibit diesel generators and increase the size of fuel tanks; and

WHEREAS, staff recommended approval of the proposed amendments to the Land Development Code in its report dated January 12, 2021; and

WHEREAS, the City Planning and Zoning Board, sitting as the Local Planning Agency, held a duly advertised public hearing on December 16, 2020 and recommended approval of the proposed Ordinance; and

WHEREAS, the City Commission conducted two (2) duly noticed public hearings relating to the adoption of the LDC amendments; and

WHEREAS, the City Commission finds that it is in the best interest of the City to adopt the amendments.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

Section 1. The foregoing WHEREAS clauses are ratified and confirmed as being true and correct, and they are made a specific part of this Ordinance.

Section 2. City's Code of Ordinances, at the Land Development Code, is amended as follows:

* * *

ARTICLE 285. – EMERGENCY GENERATORS

○ Sec. 285-10. – Emergency generators in residential districts.

- (A) Emergency generators and associated fuel tanks which operate with liquid propane or natural gas for fuel shall be permitted as accessory structures to single-family detached dwellings and two-family (duplex) dwellings, as provided in this article.

(B) Generators are not permitted in a front yard. Generators not to exceed five (5) feet in height are permitted in side and rear yards with a minimum ten-foot setback to any side lot line, a minimum ten-foot setback to any rear lot line adjacent to a public alley or street line, and a minimum fifteen-foot setback to any other rear lot line.

(C) Above-ground liquid propane tanks are not permitted in a front yard or side yard. A maximum of two (2) above-ground tanks with a maximum collective capacity of ~~two hundred fifty (250)~~ five hundred (500) gallons and a maximum height of five and one-half (5½) feet are permitted in the rear yard subject to the same setback requirements that apply to generators in subsection (B), above.

(D) One (1) underground propane tank is permitted in lieu of any above-ground tank, or in combination with no more than one (1) above-ground tank, provided that the collective capacity of the underground tank and any above-ground tank shall not exceed ~~two hundred fifty (250)~~ five hundred (500) gallons. An underground tank is permitted only in the front or rear yard, if a minimum twenty-five-foot setback is provided to any street line and a minimum ten-foot setback is provided to any lot line.

(E) Above-ground storage tanks shall be screened with an opaque fence at least six (6) inches higher than the top of any portion of the tank.

(F) A generator located in an interior side yard and situated between two (2) dwellings shall be positioned to direct exhaust toward the rear yard.

(G) Generator and fuel tanks shall not be located in any easement.

(H) Any generator with a noise rating on its specifications sheet exceeding seventy (70) db (decibels) at a distance of twenty-three (23) feet is prohibited.

(I) ~~Diesel generators are prohibited.~~

* * *

Sec. 275-180. - Sight distance for landscaping adjacent to street intersections and points of access.

- When a lot abuts the intersection of two (2) or more streets, all landscaping within the triangular area located within ~~twenty-five (25)~~ thirty feet (30) feet of the intersection of the front and side street property lines shall provide unobstructed cross-visibility at a level between thirty (30) inches and eight (8) feet, with the exception of tree trunks that do not impede visibility. See Section 255-10 for illustration. The property owner shall be responsible

for maintaining all landscaping within the cross-visibility triangle. Landscaping, except required turf and groundcover, shall not be located closer than five (5) feet from the edge of any roadway and three (3) feet from the edge of any alley or pavement.

Section 3. If any clause, section, sentence or phrase of this Ordinance is for any reason held unconstitutional or invalid by a competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

Section 4. All ordinances or parts of ordinances, resolutions or parts of resolutions in conflict with this Ordinance are repealed to the extent of such conflict.

Section 5. This Ordinance shall be in force and take effective immediately upon its passage and adoption.

PASSED on first reading on January 12, 2021.

PASSED AND ADOPTED on second reading on January 26, 2021.

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY



City of Dania Beach, Florida
Department of Community Development
Planning and Zoning Division
(954) 924-6805 X3643
(954) 922-2687 Fax

Standard Development Application

- ☐ Administrative Variance
- ☐ Land Use Amendment
- ☐ Plat
- ☐ Rezoning
- ☐ Site Plan
- ☐ Special Exception
- ☐ Variance
- ☒ Other: Text Amendment (SEE APPLICATION TYPE SCHEDULE ON PAGES 3 & 4)

Date Rec'd: _____

Petition No.: TX-082-20

THIS APPLICATION WILL NOT BE ACCEPTED UNTIL IT IS COMPLETE AND SUBMITTED WITH ALL NECESSARY DOCUMENTS. Refer to the application type at the top of this form and "Required Documentation" checklist to determine the supplemental documents required with each application. For after the fact applications, the responsible contractor of record shall be present at the board hearing. Their failure to attend may impact upon the disposition of your application. As always, the applicant or their authorized legal agent must be present at all meetings. All projects must also obtain a building permit from the City Building Division. For more information please reference the **Dania Beach Land Development Code Part 6, Development Review Procedures and Requirements.**

Location Address: City Wide

Lot(s): _____ Block: _____ Subdivision: _____

Recorded Plat Name: _____

Folio Number(s): _____ Legal Description: _____

Applicant/Consultant/Legal Representative (circle one) City of Dania Beach

Address of Applicant: 100 W. Dania Beach Blvd

Business Telephone: _____ Home: _____ Fax: _____

E-mail address: _____

Name of Property Owner: _____

Address of Property Owner: _____

Business Telephone: _____ Home: _____ Fax: _____

Explanation of Request: Amend LDC regarding generator & sight distance
For **Plats** please provide proposed **Plat Name** for **Variances** please attach **Criteria Statement** as per **Section 625.40 of the Land Development Code.**

Prop. Net Acreage: _____ Gross Acreage: _____ Prop. Square Footage: _____

Existing Use: _____ Proposed Use: _____

Is property owned individually, by a corporation, association, or a joint venture?

AUTHORIZED REPRESENTATIVE

I/we are fully aware of the request being made to the City of Dania Beach. If I/We are unable to be present, I/we hereby authorize _____ (individual/firm) to represent me/us in all matters related to this application. I/we hereby acknowledge that the applicable fee was established to offset administrative costs and is not refundable.

I/we are fully aware that all approvals automatically expire within 12 months of City of Dania Beach Planning and Zoning Board or City Commission approval, or pursuant to the expiration timeframe listed in Part 6 of the Dania Beach Land Development Code.

STATE OF FLORIDA
COUNTY OF BROWARD
The foregoing instrument
was acknowledged

By: CMA for E. Narera
(Owner / Agent signature*)

BEFORE ME THIS 10th DAY OF December, 2020

By:

DEBORAH E. SABINO
(Print name of person acknowledging)

(Joint owner signature if applicable)

Notary [Signature]

(Signature of Notary Public – State of FLORIDA)



Personally known ☒ or Produced Identification _____

Type of identification produced: _____ or Drivers License _____

***If joint ownership, both parties must sign. If partnership, corporation or association, an authorized officer must sign on behalf of the group. A notarized letter of authorization from the owner of record must accompany the application if an authorized agent signs for the owner(s).**

NO APPLICATION WILL BE AUTOMATICALLY SCHEDULED FOR A MEETING.

***ALL APPLICATIONS MUST BE DETERMINED COMPLETE BY STAFF
BEFORE PROCESSING OCCURS.***

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Ordinance

Continued from:

Requested Action (Identify appropriate Action or Motion)

ADOPT ORDINANCE RELATING TO THE LAND DEVELOPMENT CODE (LDC); AMENDING CERTAIN PROVISIONS OF THE LDC TO FURTHER REFINE PROVISIONS RELATING TO PAINTED SIGNS BY AMENDING SECTION 505-50, ENTITLED “PROHIBITED SIGNS” AND SECTION 505-90 ENTITLED “SIGNAGE REGULATIONS FOR THE MIXED-USE CRA FORM-BASED ZONING DISTRICTS (CC, SFED-MU, EDBB-MU, GTWY-MU, NBHD-MU)

Purchasing Requests ONLY

Dept:

Acct #:

Amt:

Fund:

Fiscal Impact/Cost Summary

Exhibits Attached

CM TX-083-20 2nd reading, O-2021- Text Amendment (TX-083-20) Painted Signs, TX-083-20 applicaiton



DANIA BEACH
SEA IT. LIVE IT. LOVE IT.

**CITY OF DANIA BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
MEMORANDUM**

DATE: January 26, 2020

TO: Honorable Mayor and Commissioners

FROM: Ana M. Garcia, City Manager, ICMA-CM

VIA: Candido Sosa-Cruz, Assistant City Manager

BY: Eleanor Norena, CFM, Director
Corinne Lajoie, AICP, Assistant Director 
Corinne Lajoie, AICP, Assistant Director
Dania Beach, Florida 33445
Phone: 904.251.1234 x1234
Fax: 904.251.1234 x1234

SUBJECT: **TX-083-20:** The applicant, City of Dania Beach, is requesting a text amendment to the City's Unified Land Development Code modifying the painted sign regulations (SECOND READING).

Request TEXT AMENDMENT – To remove the prohibition of painted signs, allowing them with restrictions.

Background

The proposed text amendment is to remove the current prohibition of painted sign in the City's Land Development Code. Staff is proposing to allow painted signs only in the following CRA zoning districts:

- City Center
- South Federal Highway, Mixed-Use
- East Dania Beach Boulevard, Mixed-Use
- Gateway, Mixed-Use
- Neighborhood, Mixed-Use

In addition to locational limitations, painted signs will also have to meet the following regulations:

- High-quality hand painted signs.
- Dimensions limited to existing wall sign provisions.
- Existing multi-tenant commercial building.
- When painted signs are utilized, no other type of wall signage will be permitted.
- Community Development Director shall approve to confirm harmonious appearance appropriate for the existing buildings and tenants.

On December 16, 2020 the Planning and Zoning Board recommended approval of this request by a 5-0 vote.
On January 12, 2021 the City Commission approved this item on first reading.

Budgetary Impact

Approval of the text amendments will have little budgetary impacts.

Recommendation

Approve the ordinance on second and final reading.

ORDINANCE NO. 2021-008

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA RELATING TO THE LAND DEVELOPMENT CODE (LDC); AMENDING CERTAIN PROVISIONS OF THE LDC TO FURTHER REFINE PROVISIONS RELATING TO PAINTED SIGNS BY AMENDING SECTION 505-50, ENTITLED “PROHIBITED SIGNS” AND SECTION 505-90 ENTITLED “SIGNAGE REGULATIONS FOR THE MIXED-USE CRA FORM-BASED ZONING DISTRICTS (CC, SFED-MU, EDBB-MU, GTWY-MU, NBHD-MU); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Dania Beach desires to update its Land Development Code relating to painted signs; and

WHEREAS, staff recommended approval of the proposed amendments to the Land Development Code in its report dated January 12, 2021; and

WHEREAS, the City Planning and Zoning Board, sitting as the Local Planning Agency, held a duly advertised public hearing on December 16, 2020 and recommended approval of the proposed Ordinance; and

WHEREAS, the City Commission conducted two (2) duly noticed public hearings relating to the adoption of the LDC amendments; and

WHEREAS, the City Commission finds that it is in the best interest of the City to adopt the amendments.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

Section 1. The foregoing WHEREAS clauses are ratified and confirmed as being true and correct, and they are made a specific part of this Ordinance.

Section 2. City’s Code of Ordinances, at the Land Development Code, is amended as follows:

* * *

ARTICLE 505. - SIGN REGULATIONS^[4]

* * *

Sec. 505-50. - Prohibited signs.

Any sign not specifically permitted, exempted, or authorized by this article is prohibited. It shall be unlawful to erect, cause to be erected, maintain or cause to be maintained any sign described as follows:

* * *

- (R) Signs that are painted, pasted, or printed on any curbstone, flagstone, pavement, or any portion of any sidewalk or street, or on any permanent building or permanent structure, excluding supergraphics on building walls, and high-quality hand painted signs with dimensions as described in Section 505-90(V)(8).

* * *

Sec. 505-90. - Signage regulations for the mixed-use CRA form-based zoning districts (CC, SFED-MU, EDBB-MU, GTWY-MU, NBHD-MU).

* * *

- (V) *Wall and gallery edge identification signs.* One (1) gallery edge sign or wall sign is permitted on a building frontage, but not both. Wall and gallery edge signs are subject to subsection 505-40(O) and 505-40(G), respectively, and the following standards:

* * *

- (8) Existing multi-tenant commercial buildings may submit a uniform sign plan providing for high quality hand painted wall signage for the entire building (each tenant) in lieu of other types of structural signage. The Community Development Director may approve such a plan if it provides a harmonious appearance appropriate for the existing buildings and multiple tenants.

* * *

Section 3. If any clause, section, sentence or phrase of this Ordinance is for any reason held unconstitutional or invalid by a competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

Section 4. All ordinances or parts of ordinances, resolutions or parts of resolutions in conflict with this Ordinance are repealed to the extent of such conflict.

Section 5. This Ordinance shall be in force and take effective immediately upon its passage and adoption.

PASSED on first reading on January 12, 2021.

PASSED AND ADOPTED on second reading on January 26, 2021.

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY



City of Dania Beach, Florida
Department of Community Development
Planning and Zoning Division
(954) 924-6805 X3643
(954) 922-2687 Fax

Standard Development Application

- ☐ Administrative Variance
- ☐ Land Use Amendment
- ☐ Plat
- ☐ Rezoning
- ☐ Site Plan
- ☐ Special Exception
- ☐ Variance

Date Rec'd: _____

Petition No.: TX-083-20

☒ Other: Text Amendment (SEE APPLICATION TYPE SCHEDULE ON PAGES 3 & 4)

THIS APPLICATION WILL NOT BE ACCEPTED UNTIL IT IS COMPLETE AND SUBMITTED WITH ALL NECESSARY DOCUMENTS. Refer to the application type at the top of this form and "Required Documentation" checklist to determine the supplemental documents required with each application. For after the fact applications, the responsible contractor of record shall be present at the board hearing. Their failure to attend may impact upon the disposition of your application. As always, the applicant or their authorized legal agent must be present at all meetings. All projects must also obtain a building permit from the City Building Division. For more information please reference the **Dania Beach Land Development Code Part 6, Development Review Procedures and Requirements.**

Location Address: City Wide

Lot(s): _____ Block: _____ Subdivision: _____

Recorded Plat Name: _____

Folio Number(s): _____ Legal Description: _____

Applicant/Consultant/Legal Representative (circle one) City of Dania Beach

Address of Applicant: 100 W. Dania Beach Blvd

Business Telephone: _____ Home: _____ Fax: _____

E-mail address: _____

Name of Property Owner: _____

Address of Property Owner: _____

Business Telephone: _____ Home: _____ Fax: _____

Explanation of Request: Amend LDC regarding Painted Signs
For **Plats** please provide proposed **Plat Name** for **Variances** please attach **Criteria Statement** as per **Section 625.40 of the Land Development Code.**

Prop. Net Acreage: _____ Gross Acreage: _____ Prop. Square Footage: _____

Existing Use: _____ Proposed Use: _____

Is property owned individually, by a corporation, association, or a joint venture?

AUTHORIZED REPRESENTATIVE

I/we are fully aware of the request being made to the City of Dania Beach. If I/We are unable to be present, I/we hereby authorize _____ (individual/firm) to represent me/us in all matters related to this application. I/we hereby acknowledge that the applicable fee was established to offset administrative costs and is not refundable.

I/we are fully aware that all approvals automatically expire within 12 months of City of Dania Beach Planning and Zoning Board or City Commission approval, or pursuant to the expiration timeframe listed in Part 6 of the Dania Beach Land Development Code.

STATE OF FLORIDA
COUNTY OF BROWARD
The foregoing instrument
was acknowledged

By: C. Ad for E. Norena
(Owner / Agent signature*)

BEFORE ME THIS 10th DAY OF December, 2020

By:

Deborah E. Sabino
(Print name of person acknowledging)

(Joint owner signature if applicable)

Notary De E
(Signature of Notary Public – State of Florida)



Personally known ☒ or Produced Identification _____

Type of identification produced: _____ or Drivers License _____

***If joint ownership, both parties must sign. If partnership, corporation or association, an authorized officer must sign on behalf of the group. A notarized letter of authorization from the owner of record must accompany the application if an authorized agent signs for the owner(s).**

NO APPLICATION WILL BE AUTOMATICALLY SCHEDULED FOR A MEETING.

**ALL APPLICATIONS MUST BE DETERMINED COMPLETE BY STAFF
BEFORE PROCESSING OCCURS.**

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Ordinance

Continued from:

Requested Action (Identify appropriate Action or Motion)

ADOPT ORDINANCE RELATING TO THE LAND DEVELOPMENT CODE (LDC); AMENDING CERTAIN PROVISIONS OF THE LDC TO FURTHER REFINE PROVISIONS RELATING TO PUBLIC HEARING NOTICES BY AMENDING SECTION 610-20, ENTITLED "TABLE OF PUBLIC NOTICE REQUIREMENTS"

Purchasing Requests ONLY

Dept:

Acct #:

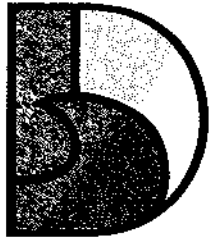
Amt:

Fund:

Fiscal Impact/Cost Summary

Exhibits Attached

CM TX_084-20 2nd reading, O-2021- Text Amendment (TX-084-20) Public Hearing Notices (Mailed Notice Radius), TX-084-20 application



DANIA BEACH
SEA IT. LIVE IT. LOVE IT.

**CITY OF DANIA BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
MEMORANDUM**

DATE: January 26, 2020

TO: Honorable Mayor and Commissioners

FROM: Ana M. Garcia, City Manager, ICMA-CM

VIA: Candido Sosa-Cruz, Assistant City Manager

BY: Eleanor Norena, CFM, Director 
Corinne Lajoie, AICP, Assistant Director Corinne Lajoie
City of Dania Beach
Community Development Department
1000 N. Dania Beach Blvd., Suite 200
Dania Beach, FL 33317
Tel: 954.251.2311 x2311

SUBJECT: **TX-084-20:** The applicant, City of Dania Beach, is requesting a text amendment to the City's Unified Land Development Code expanding the notification radius for public hearing notifications (SECOND READING).

Request TEXT AMENDMENT – Expand mailed notice to property owners within a one thousand feet (1,000').

Background

At the request of the City Commission, staff is proposing to expand required mailed notice from four hundred and fifty feet (450') to one thousand feet (1,000') radius. This change will affect the following applications:

- Administrative Appeal
- Administrative Variance
- Land Use Map Amendment
- Plat
- Site Plan, Small-Scale
- Site Plan, Large-Scale
- Special Exception
- Rezoning
- Variances
- Waiver of distance Separation for Establishments service Liquor

The amendment will encourage public participation in discussion of development applications, as more residents will receive a mailed notice. Impacts of new development often extend beyond the adjacent properties. Expanding the notification radius will help notify those who may be impacted by developments.

The amendment also simplifies notification regulations by removing a provision allowing mailed notice in lieu of newspaper ad for rezoning more than 10 acres & land use map amendments by requiring mailed notice.

On December 16, 2020 the Planning and Zoning Board recommended approval of this request by a 5-0 vote. On January 12, 2021 the City Commission approved this item on first reading.

Budgetary Impact

Approval of the text amendments will have little budgetary impacts.

Recommendation

Approve the ordinance on second and final reading.

ORDINANCE NO. 2021-009

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA RELATING TO THE LAND DEVELOPMENT CODE (LDC); AMENDING CERTAIN PROVISIONS OF THE LDC TO FURTHER REFINE PROVISIONS RELATING TO PUBLIC HEARING NOTICES BY AMENDING SECTION 610-20, ENTITLED "TABLE OF PUBLIC NOTICE REQUIREMENTS"; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Dania Beach desires to update its Land Development Code relating to amending the rules relating to mailed notice radius; and

WHEREAS, staff recommended approval of the proposed amendments to the Land Development Code in its report dated January 12, 2021; and

WHEREAS, the City Planning and Zoning Board, sitting as the Local Planning Agency, held a duly advertised public hearing on December 16, 2020 and recommended approval of the proposed Ordinance; and

WHEREAS, the City Commission conducted two (2) duly noticed public hearings relating to the adoption of the LDC amendments; and

WHEREAS, the City Commission finds that it is in the best interest of the City to adopt the amendments.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

Section 1. The foregoing WHEREAS clauses are ratified and confirmed as being true and correct, and they are made a specific part of this Ordinance.

Section 2. City's Code of Ordinances, at the Land Development Code, is amended as follows:

* * *

ARTICLE 610. – PUBLIC HEARING NOTICES

* * *

Sec. 610-20. - Table of public notice requirements.

APPLICATION TYPE	REQUIRED PUBLIC HEARINGS	TIMING OF NOTICE (minimum number of days prior to public hearing that notice must be given, unless otherwise specifically provided herein)	NEWSPAPER NOTICE FORMAT (see section 610-30 for requirements)	MAIL NOTICE RADIUS	SIGN POSTING REQUIRED?	Posting at City Hall and on City Website
Administrative Appeal	City Commission	14 days	Standard Ad	Within 1,000 450 feet	No	10 days
Administrative variance	None	14 days prior to administrative action	Not Required	Within 1,000 450 feet	No	10 days
Code amendments to Part 1 (Use Regulations)	Planning and Zoning Board*	14 days	Standard Ad	Not Required	No	10 days
	City Commission (first reading)	14 days	Large Ad	Not Required	No	10 days
	City Commission (second reading)	14 days	Large Ad	Not Required	No	10 days
Code amendments to other than Part 1	Planning and Zoning Board*	Not Required	Not Required	Not Required	No	10 days
	City Commission (first reading)	Not Required	Not Required	Not Required	No	10 days
	City Commission (second reading)	14 days	Standard Ad	Not Required	No	10 days
Comprehensive Plan text amendments, other	Planning and Zoning Board *	14 days	Standard Ad	Not Required	No	10 days
	City Commission (first reading)	14 days	Standard Ad	Not Required	No	10 days
	City Commission (second reading)	14 days	Standard Ad	Not Required	No	10 days
Land use map amendment (small scale per F.S. § 163.3187(1)(c))	Planning and Zoning Board*	14 days	Standard Ad	Within 1,000 450 feet	Yes	10 days

	City Commission (first reading)	Not Required	Not Required	Not Required	No	10 days
	City Commission (second reading adoption)	14 days	Standard Ad	Within <u>1,000</u> 450 feet	Yes	10 days
Land use map amendment, other or change to list of permitted uses in land use category	Planning and Zoning Board*	14 days	Large Ad	Within <u>1,000</u> 450 feet for map amendments when mailed notice is provided in lieu of Newspaper Publication ⁽⁴⁾	Yes, for map amendments**	10 days
	City Commission (first reading)	14 days	Large Ad	Within <u>1,000</u> 450 feet for map amendments when mailed notice is provided in lieu of Newspaper Publication ⁽⁴⁾	Yes, for map amendments**	10 days
	City Commission (second reading)	14 days	Large Ad	Within <u>1,000</u> 450 feet for map amendments when mailed notice is provided in lieu of Newspaper Publication ⁽⁴⁾	Yes, for map amendments**	10 days
Plat	City Commission	14 days	Standard Ad	Within <u>1,000</u> 450 feet	Yes	10 days
Site Plan Review, Small-Scale	Director of Community Development review only (no public hearing)	Within 5 days following administrative action	Not Required	Within <u>1,000</u> 450 feet	Yes	None
	Planning & Zoning Board	14 days	Standard Ad	Within <u>1,000</u> 450 feet	Yes	10 days
Site Plan Review, Large-Scale	City Commission	14 days	Standard Ad	within <u>1,000</u> 450 feet	Yes	10 days
Special Exception	Planning & Zoning Board ⁽¹⁾	14 days ⁽²⁾	Standard Ad	Within <u>1,000</u> 450 feet ⁽²⁾	Yes ⁽²⁾	10 days ⁽²⁾

	City Commission	14 days	Standard Ad	Within <u>1,000</u> 450 feet	Yes	10 days
Rezoning initiated by the City for fewer than 10 contiguous acres	Planning and Zoning Board*	14 days	Standard Ad	Within <u>1,000</u> 450 feet	Yes	10 days
	City Commission (first reading)	14 days	Not Required	Within <u>1,000</u> 450 feet	Yes	10 days
	City Commission (second reading)	14 days for Ad 30 days for mail notice	Standard Ad	Within <u>1,000</u> 450 feet	Yes	10 days
Rezoning initiated by the City for 10 or more contiguous acres	Planning and Zoning Board*	14 days	Standard Ad	Within <u>1,000</u> 450 feet when mailed notice is provided in lieu of Newspaper Publication. ⁽⁴⁾	Yes**	10 days
	City Commission (first reading)	14 days	Large Ad	Within <u>1,000</u> 450 feet when mailed notice is provided in lieu of Newspaper Publication. ⁽⁴⁾	Yes**	10 days
	City Commission (second reading)	14 days	Large Ad	Within <u>1,000</u> 450 feet when mailed notice is provided in lieu of Newspaper Publication. ⁽⁴⁾	Yes**	10 days
Rezoning initiated by the property owner	Planning and Zoning Board*	14 days	Standard Ad	Within <u>1,000</u> 450 feet	Yes	10 days
	City Commission (first reading)	14 days	Standard Ad	Within <u>1,000</u> 450 feet	Yes	10 days
	City Commission (second reading)	14 days	Standard Ad	Within <u>1,000</u> 450 feet	Yes	10 days
Temporary use	City Commission	14 days	Standard Ad	Not Required	No	10 days
Vacation of right-of-way	Planning and Zoning Board	14 days	Standard Ad	Properties fronting the street segment	Yes	10 days

				proposed for vacation		
	City Commission	14 days	Standard Ad	Properties fronting the street segment proposed for vacation	Yes	10 days
Variance	Planning & Zoning Board ⁽¹⁾	14 days ⁽²⁾	Standard Ad ⁽²⁾	Within <u>1,000</u> 450 feet ⁽²⁾	Yes ⁽²⁾	10 days ⁽²⁾
	City Commission	14 days	Standard Ad	Within <u>1,000</u> 450 feet	Yes	10 days
Waiver of distance separation for establishments serving liquor pursuant to sec. 110-50(E)	Planning and Zoning Board	14 days	Standard Ad	Within <u>1,000</u> 450 feet	Yes	10 days
	City Commission	10 days	Standard Ad	Within <u>1,000</u> 450 feet	Yes	10 days

~~“(4) In accordance with F.S. § 166.041(3)(c)(2)(c), in lieu of publishing the advertisement required by F.S. § 166.041(3)(c)(2)(b), the municipality may mail a notice to each person owning real property within the area covered by the ordinance. Such notice shall clearly explain the proposed ordinance and shall notify the person of the time, place, and location of any public hearing on the proposed ordinance.~~

Section 3. If any clause, section, sentence or phrase of this Ordinance is for any reason held unconstitutional or invalid by a competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

Section 4. All ordinances or parts of ordinances, resolutions or parts of resolutions in conflict with this Ordinance are repealed to the extent of such conflict.

Section 5. This Ordinance shall be in force and take effective immediately upon its passage and adoption.

PASSED on first reading on January 12, 2021.

PASSED AND ADOPTED on second reading on January 26, 2021.

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY



City of Dania Beach, Florida
Department of Community Development
Planning and Zoning Division
(954) 924-6805 X3643
(954) 922-2687 Fax

Standard Development Application

- ☐ Administrative Variance
- ☐ Land Use Amendment
- ☐ Plat
- ☐ Rezoning
- ☐ Site Plan
- ☐ Special Exception
- ☐ Variance

Date Rec'd: _____

Petition No.: TX-084-20

☒ Other: Text Amendment (SEE APPLICATION TYPE SCHEDULE ON PAGES 3 & 4)

THIS APPLICATION WILL NOT BE ACCEPTED UNTIL IT IS COMPLETE AND SUBMITTED WITH ALL NECESSARY DOCUMENTS. Refer to the application type at the top of this form and "Required Documentation" checklist to determine the supplemental documents required with each application.

For after the fact applications, the responsible contractor of record shall be present at the board hearing. Their failure to attend may impact upon the disposition of your application. As always, the applicant or their authorized legal agent must be present at all meetings. All projects must also obtain a building permit from the City Building Division. For more information please reference the **Dania Beach Land Development Code Part 6, Development Review Procedures and Requirements.**

Location Address: City Wide

Lot(s): _____ Block: _____ Subdivision: _____

Recorded Plat Name: _____

Folio Number(s): _____ Legal Description: _____

Applicant/Consultant/Legal Representative (circle one) City of Dania Beach

Address of Applicant: 100 W. Dania Beach Blvd

Business Telephone: _____ Home: _____ Fax: _____

E-mail address: _____

Name of Property Owner: _____

Address of Property Owner: _____

Business Telephone: _____ Home: _____ Fax: _____

Explanation of Request: Amend LDC Regarding public hearing notice Radius
For **Plats** please provide proposed **Plat Name** for **Variances** please attach **Criteria Statement** as per **Section 625.40 of the Land Development Code.**

Prop. Net Acreage: _____ Gross Acreage: _____ Prop. Square Footage: _____

Existing Use: _____ Proposed Use: _____

Is property owned individually, by a corporation, association, or a joint venture?

AUTHORIZED REPRESENTATIVE

I/we are fully aware of the request being made to the City of Dania Beach. If I/We are unable to be present, I/we hereby authorize _____ (individual/firm) to represent me/us in all matters related to this application. I/we hereby acknowledge that the applicable fee was established to offset administrative costs and is not refundable.

I/we are fully aware that all approvals automatically expire within 12 months of City of Dania Beach Planning and Zoning Board or City Commission approval, or pursuant to the expiration timeframe listed in Part 6 of the Dania Beach Land Development Code.

STATE OF FLORIDA
COUNTY OF BROWARD
The foregoing instrument
was acknowledged

By: CAY for E. Norena
(Owner / Agent signature*)

BEFORE ME THIS 10th DAY OF December, 2020

By:

Deborah E. Sabino

(Print name of person acknowledging)

(Joint owner signature if applicable)

Notary Deborah E. Sabino

(Signature of Notary Public – State of Florida)



Personally known ☒ or Produced Identification _____

Type of identification produced: _____ or Drivers License _____

***If joint ownership, both parties must sign. If partnership, corporation or association, an authorized officer must sign on behalf of the group. A notarized letter of authorization from the owner of record must accompany the application if an authorized agent signs for the owner(s).**

NO APPLICATION WILL BE AUTOMATICALLY SCHEDULED FOR A MEETING.

***ALL APPLICATIONS MUST BE DETERMINED COMPLETE BY STAFF
BEFORE PROCESSING OCCURS.***

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Ordinance

Continued from:

Requested Action (Identify appropriate Action or Motion)

ADOPT ORDINANCE CREATING ARTICLE 826 ENTITLED “OAK HAMMOCK TREE PROTECTION OVERLAY” UNDER THE CITY’S LAND DEVELOPMENT CODE (LDC) OF THE CITY OF DANIA BEACH CODE, AND APPROVING THE APPLICATION REQUEST (TX-065-20), MADE BY THE CITY OF DANIA BEACH TO CREATE A ZONING OVERLAY FOR THE GENERAL VICINITY OF THE RESIDENTIAL LOTS ON SW 36 TERRACE, SW 37 AVENUE AND SW 37 TERRACE, STRETCHING FROM STIRLING ROAD NORTH FOR APPROXIMATELY 1,280 LINEAR FEET, TO THE END OF THE STREETS, AND INCLUDES APPROXIMATELY 30 GROSS ACRES AND 74 PARCELS, IN THE CITY OF DANIA BEACH, FLORIDA, WHICH PROPERTY IS LEGALLY DESCRIBED IN EXHIBIT “A,” A COPY OF WHICH IS ATTACHED TO THIS ORDINANCE; PROVIDING FOR AN OAK HAMMOCK TREE PROTECTION OVERLAY FOR THE AREA IDENTIFIED IN ORDER TO PROTECT THE OF THIS UNIQUE OAK HAMMOCK FOREST COMMUNITY, SUBJECT TO CERTAIN STANDARDS AND RESTRICTIONS

Purchasing Requests ONLY

Dept:

Acct #:

Amt:

Fund:

Fiscal Impact/Cost Summary

Exhibits Attached

CM TX-065-20 Tree Overlay SECOND Reading, SR TX-065-20 Tree Overlay SECOND Reading, O-2021- Text Amendment (TX-065-20) Creating Art. 826 Oak Hammock Tree Protection Zoning Overlay District, Harger Hills (Location Map), 1 of 2 P&Z Supplemental For & Against, 2 of 2 P&Z Supplemental For & Against, Tree Overlay Application OPT, VIRTUAL 11.12.20 Sunshine Tree Protection Overlay Minutes, Letters of support recieved since P&Z, Final Q-A supplemement Tree Workshop



**CITY OF DANIA BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
MEMORANDUM**

DATE: January 26, 2021

TO: Honorable Mayor and Commissioners

FROM: Ana M. Garcia, City Manager, ICMA-CM

VIA: Candido Sosa-Cruz, Assistant City Manager

BY: Eleanor Norena, CFM, Director
Corinne Lajoie, AICP, Assistant Director

SUBJECT: **TX-065-20:** The applicant, City of Dania Beach, is requesting a text amendment and map amendment to the City's Unified Land Development Code to create a tree protection overlay regulation and district for trees in the general vicinity of the residential lots on SW 36 Terrace, SW 37 Avenue, and SW 37 Terrace (SECOND READING).

Request

TEXT AMENDMENT

To create tree protection overlay regulations and district.

Background

At the request of the City Commission, staff is proposing a text amendment to the City's Land Development regulations to create the Oak Hammock Tree Canopy Overlay for the Harger Hills residential neighborhood and surrounding properties. This area consists of the residential lots on SW 36 Terrace, SW 37 Avenue and SW 37 Terrace, stretching from Stirling Road north, for approximately 1,280 linear feet, to the end of the streets. It includes approximately 30 gross acres and seventy-three (73) parcels, all within the City.

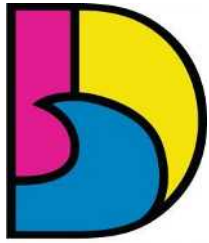
On November 18, 2020 the Planning and Zoning Board heard this item and recommended approval. On December 8, 2020 the City Commission approved this item on first reading.

Budgetary Impact

Approval of the proposed map and text amendments will help maintain the property values of the neighborhood.

Recommendation

Approve the ordinance on second and final reading.



DANIA BEACH
SEA IT. LIVE IT. LOVE IT.

CITY OF DANIA BEACH COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

DATE: January 26, 2021

TO: Ana M. Garcia, City Manager, ICMA-CM

VIA: Candido Sosa-Cruz, Assistant City Manager

BY: Eleanor Norena, CFM, Director
Corinne Lajoie, AICP, Assistant Director

SUBJECT: **TX-065-20:** The applicant, City of Dania Beach, is requesting a text amendment and map amendment to the City's Unified Land Development Code to create a tree protection overlay regulation and district for trees in the general vicinity of the residential lots on SW 36 Terrace, SW 37 Avenue and SW 37 Terrace (SECOND READING).

Request

TEXT AND MAP AMENDMENT

To create tree protection overlay regulations and district.

Background

At the request of the City Commission, staff is proposing a text amendment to the City's Land Development Code (LDC) to create the Oak Hammock Tree Preservation Overlay for the Harger Hills residential neighborhood and adjacent properties. The intent of the proposed Oak Hammock Tree Protection Overlay District is to preserve the functional, ecological, and aesthetic integrity of the existing oak (mesic temperate) tree hammock community in the Harger Hills residential neighborhood and adjacent properties by establishing additional protections beyond what Articles 275 and 825 of the City's Land Development Code currently provide.

Florida House Bill 1159, and Florida Statue 163.045 preempted the City's ability to regulate removal of healthy trees and similarly eliminated the City's recourse or ability to enforce against the removal of healthy trees which would not have been authorized under the City's existing tree preservation code. This ordinance is an attempt to create a functional workaround by disincentivizing large tree removals in a way that might discourage removals of healthy mature trees for as long as the House Bill 1159 exists. Otherwise the City has no ability to prevent removal of good trees by developers using substandard/inaccurate arborist reports.

The following meetings have occurred to discuss this item:

- July 28, 2020 City Commission instructed staff to create a Zoning-In-Progress and prepare an Overlay Ordinance in response to a resident's request.

- September 16, 2020 Planning & Zoning Board hear the original request for the amendments with a 30 acre overlay.
- October 21, 2020 item withdrawn from the Planning and Zoning Board agenda due to advertisements requirements.
- October 25, 2020 Vice Mayor Odman hosted a virtual community meeting to discuss the issues with the residents.
- November 12, 2020 the City hosted a virtual community meeting that meet the Sunshine Law requirements, allowing the City Commissioners to attend and discuss the issues with the residents.
- November 18, 2020 the Planning & Zoning Board hear the amendments with a 40 acre overlay. The Board conditionally approved the Map Amendment with the removal of the 10 acre, privately owned, FLP property and approved the Text Amendment with amendments. Both passed with a 4-1 vote.
- December 8, 2020 the City Commission approved this item on first reading.
- January 5, 2021 the City Commission attended a Workshop to further discuss the issues and answer resident's questions.

MAP AMENDMENT

The Oak Hammock Tree Preservation Overlay district is proposed to consist of the residential lots on SW 36 Terrace, SW 37 Avenue and SW 37 Terrace, stretching from Stirling Road, north for approximately 1,280 linear feet, to the end of each street. It includes approximately thirty (30) gross acres and seventy-three (73) parcels, all within the City. This area was annexed into the City in 2001.

The properties in the proposed overlay are zoned Residential Single Family (RS-12,000) which permits one (1) single family home per lot, with a minimum lot area of 12,000 square feet. The Harger Hills neighborhood and adjacent properties are single-family neighborhoods comprised of three (3) residential streets with platted lots.

TEXT AMENDMENT

The City supports the residents desire to acknowledge the unique and irreplaceable nature of this tree hammock community. Therefore, the City proposes to implement additional controls that encourage conservation and preservation of this remnant natural area for the following reasons while still enabling responsible development, redevelopment, or property improvement within the included properties. The intent of the proposed text and map amendments are identified below:

- To maintain, preserve, and improve the existing, native trees and intact understory plant community within this mature, mesic hardwood hammock community, the largest remaining within the City;
- To achieve a balanced, equitable and practical approach to preserving the canopy and fostering the establishment of new trees in the Overlay area;

- To preserve of the Overlay's existing tree canopy by managing the impact of development and preventing unreasonable or unnecessary damage to the community's existing native tree canopy and vegetative understory;
- To maintain the diversity of tree species indigenous to the Overlay area.
- To preserve, enhance, and restore the unique natural environment in the Overlay area for the enjoyment of present and future populations;
- To preserve the scenic streets and sense of place the existing oak hammock creates;
- To preserve the tree canopy and natural vegetation for their ability to serve as an important storm water management tool in the community;
- To preserve the intact tree canopy for its synergistic resistance to storm conditions when maintained as a whole;
- To achieve greater energy conservation by maximizing the shading and cooling effects of tree canopy and vegetated surfaces;
- To maintain and expand the existing tree canopy to reduce the sound pollution in the neighborhood from surrounding commercial destinations;
- To maintain and expand the existing tree canopy to decrease the light pollution resulting from surrounding commercial areas; and
- To maintain and expand the existing tree canopy to reduce the heat island effects of urban development in the community.

To achieve these goals, the proposed text amendment will establish or mandate the following:

Overlay Standards and Provisions:

- Enhanced minimum landscape standards (on-site tree requirements);
- Established a 10' wide perimeter preservation buffer zone;
- Required preservation of healthy specimen trees;
- Enhanced construction design limitations;
- Prohibition of elective variances;
- Increased protection of healthy trees in favorable locations;
- Advance notification of all tree removal and contracted trimming activities.

Tree Protection Requirements:

- The proposed language will identify specific requirements and restrictions for all construction activities to prevent incidental and avoidable damage to native trees within the Overlay District.

Exceptions:

- Emergency measures, pruning by qualified contractors, and activities affecting non-native or ornamental trees.

Permit Application Requirements – applicable to all tree removal permit applications and building permit applications proposing exterior improvements:

- Tree survey;
- Tree data table;
- Tree disposition plan;
- Arborist report (for proposed removals of native and specimen trees); and
- Tree-specific arborist evaluations (for encroachment within tree protection zones).

Mitigation – enhanced for proposed native tree removals:

- Mitigation for tree removal shall be required on-site until the minimum landscape standards for the Overlay District are met;
- On-site mitigation is strongly preferred. Mitigation provided off-site shall be valued at half the mitigation requirement (canopy square footage or trust fund payment);
- Nuisance tree removals of any size may be mitigated via 150 square feet of native vegetation (trees or shrubs); and
- Replacement trees shall be Category 1A (16' tall or larger) and shall be of species typical of the habitat being protected.

Conditions of City Approval:

- Perpetual maintenance is required for trees/understory regulated by this overlay;
- Tree/vegetation protection measures must be implemented during construction; and
- 48 hours advance notification for all regulated tree removal and maintenance work.

Enforcement:

- After-the-fact permit applications fees are to be doubled;
- Maximum fines and penalties will be levied for unauthorized removals of protected trees; and
- Double mitigation and/or trust fund payment shall be required for all unauthorized removals or tree abuse (in addition to prescribed penalties and processing fees).

In response to comments and concerns received from residents, the City provides the following additional clarifications:

- The proposed amendment is in response to a citizen's request to protect the existing Oak Hammock from documented abuse due in part to a loophole in a recent State Statute preempting local regulation of trees & wholly preventing the City from enforcing against the removal of mature healthy trees if done under the guise of the Statute.
- The proposed ordinance does not require permits/application fees for pruning/trimming existing trees, nor maintenance activities such as driveway, sidewalk or utility repair so long as the maintenance activity does not result in tree abuse.
- The proposed ordinance does not prevent removal of dead/hazardous trees.

- The proposed ordinance emphasizes coordination with the City to ensure tree biology & tree-sensitive construction methods are considered in the joint context of canopy preservation, tree health, & human safety, prior to deciding on removal.
- The proposed ordinance prioritizes protection of large, healthy trees in out-of-the way areas (near the property lines), & provides less protection for trees more likely to conflict with homes or appurtenances.
- The City's landscape/arborist staff are always available to provide guidance or answer questions regarding tree resources, management, health, construction techniques, permit application requirements, etc..
- Without proper oversight of contracted work or coordination with the City, tree abuse occurs frequently, and abused trees are much more likely to become unsafe and/or hazardous over time.
- In an older neighborhood, such as the proposed Overlay area, the proposed amendment would be most directly effective against completely new redevelopment projects seeking to maximize developable area through extensive tree removals resulting in a property that is not in conformance with the surrounding area.

The text and map amendments require two readings by the City Commission.

PLANNING AND ZONING BOARD ACTION

On November 18, 2020 the Planning and Zoning Board recommended approval of the proposed Map and Text Amendments provided 'Harger Hills' is removed from the name of the Overlay and further provided the requirement of having an arborist present during tree removal/pruning is removed. This was approved by the Board with a 4-1 vote (Approved – Grace, Robertson, Shafa, Suriani; Denied – Peterman). In a separate motion, the Board recommended to remove the ten (10) acre FPL site from the overlay district with a vote of 4-1 (Approved – Grace, Robertson, Shafa, Peterman; Denied – Suriani).

Recommendation

Staff is recommending approval of the ordinance on second and final reading as proposed, which incorporates the Planning and Zoning Board's recommendations.

ORDINANCE NO. 2021-003

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, CREATING ARTICLE 826 ENTITLED “OAK HAMMOCK TREE PROTECTION OVERLAY” UNDER THE CITY’S LAND DEVELOPMENT CODE (LDC) OF THE CITY OF DANIA BEACH CODE, AND APPROVING THE APPLICATION REQUEST (TX-065-20), MADE BY THE CITY OF DANIA BEACH TO CREATE A ZONING OVERLAY FOR THE GENERAL VICINITY OF THE RESIDENTIAL LOTS ON SW 36 TERRACE, SW 37 AVENUE AND SW 37 TERRACE, STRETCHING FROM STIRLING ROAD NORTH FOR APPROXIMATELY 1,280 LINEAR FEET, TO THE END OF THE STREETS, AND INCLUDES APPROXIMATELY 30 GROSS ACRES AND 74 PARCELS, IN THE CITY OF DANIA BEACH, FLORIDA, WHICH PROPERTY IS LEGALLY DESCRIBED IN EXHIBIT “A,” A COPY OF WHICH IS ATTACHED TO THIS ORDINANCE; PROVIDING FOR AN OAK HAMMOCK TREE PROTECTION OVERLAY FOR THE AREA IDENTIFIED IN ORDER TO PROTECT THE OF THIS UNIQUE OAK HAMMOCK FOREST COMMUNITY, SUBJECT TO CERTAIN STANDARDS AND RESTRICTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Dania Beach has identified a unique area of mesic hardwood (oak) hammock forest community as defined by the Florida Natural Areas Inventory and referenced in Section 825-140(A)(2)(b.) of the City’s code, located in the general vicinity of the SW 36th Terrace, SW 37th Avenue, and SW 37th Terrace residential neighborhoods; and

WHEREAS, the Oak Hammock Tree Protection overlay area is a mesic temperate hammock dominated by oaks, but slash pines, cabbage palms, strangler figs, gumbo limbos, and other native species are also typical in these habitats; and

WHEREAS, the communal benefits provided by a mature forest canopy cannot be replicated through new plantings in a reasonable timeframe; and

WHEREAS, the City recognizes that effective tree protection requires the coordination of other design standards such as landscaping, utility infrastructure placement, stormwater management and vehicle parking, etc.; and

WHEREAS, the communal benefits that preserve the health, safety and general wellbeing of the inhabitants of the City include, amongst other things, storm protection, stormwater storage and treatment, soil stabilization and strengthening, and serve to counter heat island effect; and

WHEREAS, in order to protect the unique nature of this area, the City of Dania Beach seeks to create the Oak Hammock Tree Protection Overlay, for the area in the general vicinity of the

residential lots on SW 36 Terrace, SW 37 Avenue and SW 37 Terrace, stretching from Stirling Road North for approximately 1,280 linear feet, to the end of the streets, which includes approximately 30 gross acres and 74 parcels, in the City of Dania Beach, Florida, as legally described in Exhibit “A;” and

WHEREAS, the City will endeavor to separately from this overlay ordinance, begin a tree inventory for the Overlay area to identify the mature native trees, in particular those that would be considered specimen, historic, or heritage trees; and

WHEREAS, the City Planning and Zoning Board, sitting as the Local Planning Agency, held a duly advertised public hearing on November 18, 2020 and recommended approval of the overlay (TX-065-20) request; and

WHEREAS, the City Commission conducted two (2) duly noticed public hearings in accordance with law; and

WHEREAS, the City Commission finds that the approval of the proposed overlay will protect the public health, safety, and welfare of the residents of the City, and further the purpose, goals, objectives and policies of Objective XVII of the Future Land Use Element and Objective IV in the Conservation Element of the City’s Comprehensive Plan;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

Section 1. That the preceding “WHEREAS” clauses are ratified and incorporated as a record of the legislative intent of this Ordinance.

Section 2. That Chapter 28 “Land Development Code,” Part 8, “Technical Appendix,” of the City Code of Ordinances be amended to create Article 826, entitled “Oak Hammock Tree Protection Overlay” to read as follows:

CHAPTER 28

LAND DEVELOPMENT CODE

PART 8 – TECHNICAL APPENDIX

ARTICLE 826 –OAK HAMMOCK TREE PROTECTION OVERLAY

826-10 PURPOSE/INTENT.

The purpose of the Oak Hammock Tree Protection Overlay District is to preserve the functional, ecological, and aesthetic integrity of the existing mesic (oak) hardwood hammock forest community in a particular area described herein by establishing additional protections beyond what Section 825 of the City’s Land Development Code currently provides. It is the City’s desire to

acknowledge the unique and irreplaceable nature of this tree hammock community and thus implement an enhanced institutional control that encourages conservation and preservation of this remnant natural area for the variety of reasons listed below while still enabling responsible development, redevelopment, or property improvement within the included properties.

The intent of this Overlay is to provide specific standards and regulations to ensure a minimum number of trees on any lot or parcel within the overlay, protect and preserve native tree species, protect and preserve the natural forest community, foster and encourage maintenance of natural vegetation, and minimize loss of trees to development within the overlay district. It is the intent of the city to:

- A. Acknowledge the existence of native tree resources and hammock community understory in the Overlay district that collectively have synergistic value, while recognizing the existing residential structures and that new home construction, reconstruction, and other home improvements will occur;
- B. Establish minimum landscape standards for all properties within the Overlay District;
- C. Ensure that new development and alterations to existing development are coordinated with the City to maximize compatibility with the existing tree resources and associated benefits protected by the Overlay District
- D. Provide clear limitations on impacts to the hammock community within the overlay district;
- E. Implement increased specimen and buffer tree protections;
- F. Create disincentives for unnecessary tree/vegetation removals
- G. Ensure existing, mature native trees important to the Overlay District are protected and maintained to the fullest extent possible;
- H. Encourage new structures, utilities, and impervious surfaces to be planned, designed, and placed in such a way as to protect the survivability and substantial growth of the healthiest canopy trees on the property; and
- I. Ensure all properties located within the overlay shall maintain compliance with the Overlay Article.

826-20 GOALS.

In furtherance of the prescribed intent, this Overlay District is intended to accomplish the following goals deemed particularly beneficial to the residents within the District and also to the City as a whole:

- A. Maintain, preserve, and improve the existing, native trees and intact understory plant community within this mature, mesic hardwood hammock community, the largest remaining within the City;
- B. Achieve a balanced, equitable and practical approach to preserving the canopy and fostering the establishment of new trees in the Overlay area;
- C. Preserve of the Overlay's existing tree canopy by managing the impact of development or

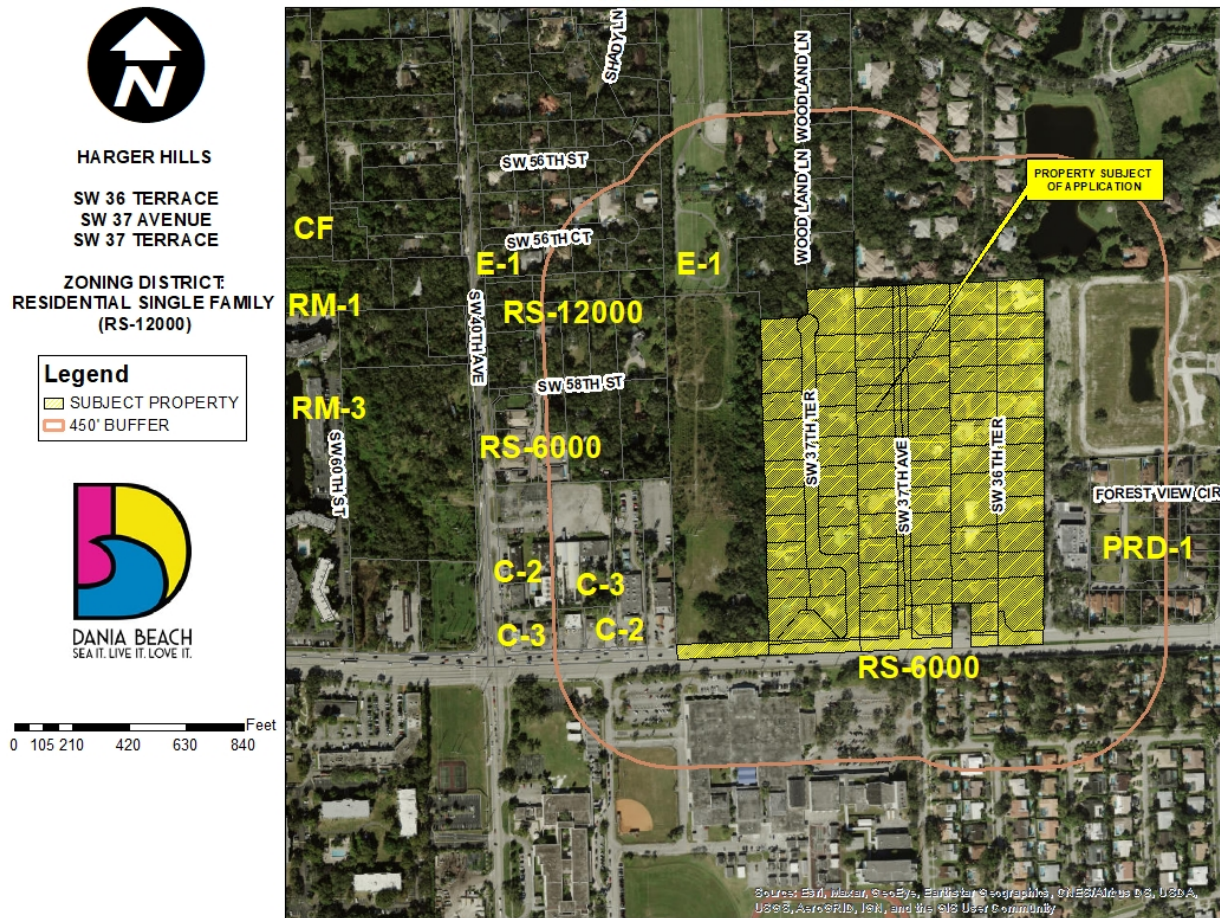
redevelopment, and preventing unreasonable or unnecessary damage to the community's existing native tree canopy and vegetative understory;

- D. Maintain the diversity of tree species indigenous to the Overlay area.
- E. Preserve, enhance, and restore the unique natural environment in the Overlay area for the enjoyment of present and future residents;
- F. Preserve the scenic streets and sense of place the existing oak hammock creates;
- G. Preserve the tree canopy and natural vegetation for their ability to serve as an important storm water management tool in the community;
- H. Preserve the intact tree canopy for its synergistic resistance to storm conditions when maintained as a whole;
- I. Achieve greater energy conservation by maximizing the shading and cooling effects of tree canopy and vegetated surfaces;
- J. Maintain and expand the existing tree canopy to reduce the sound pollution in the neighborhood from surrounding commercial destinations;
- K. Maintain and expand the existing tree canopy to decrease the light pollution resulting from surrounding commercial areas; and
- L. Maintain and expand the existing tree canopy to reduce the heat island effects of urban development in the community.

826-30 OVERLAY DISTRICT LOCATION AND LIMITS.

All public or private rights of way and residential properties accessed by and located on both sides of the following City roads north of Stirling Road: SW 37 Terrace, SW 37th Avenue, and SW 36 Street. The map of the overlay area is as follows:

"THE OVERLAY"



The legal description of the properties subject to the overlay are as follows:

Folio No. 504231010759 - REED LAND CO SUB 2-32 D 31-50-42 LOT 16 S 250 OF E1/2 LESS PT DESC IN OR 8288/127 FOR RD R/W BLK 3; Folio No. 504231010721 - REED LAND CO SUB 2-32 D 31-50-42 LOT 16 N 95 OF S 345 OF E1/2 BLK 3; Folio No. 504231010768 - REED LAND CO SUB 31-50-42 2-32 D LOT 16 N 105 OF S 450 OF E1/2 BLK 3; Folio No. 504231010753 - REED LAND CO SUB 2-32 D 31-50-42 N 95 OF S 545 OF E1/2 OF TR 16 BLK 3; Folio No. 504231010751 - REED LAND CO SUB 2-32 D 31-50-42 N 95 OF S 640 OF E1/2 OF TR 16 BLK 3; Folio No. 504231010765 - REED LAND CO SUB 2-32 D 31-50-42 TR 16 N 100 OF S 740 OF E1/2 BLK 3; Folio No. 504231010766 - REED LAND CO SUB 31-50-42 2-32 D LOT 16 N 95 OF S 835 OF E1/2 BLK 3; Folio No. 504231010766 - REED LAND CO SUB 2-32 D 31-50-42 LOT 16 N 95 OF S 930 OF E1/2 BLK 3; Folio No. 504231010758 - REED LAND CO SUB 2-32 D 31-50-42 LOT 16 N 100 OF S 1030 OF E1/2 BLK 3; Folio No. 504231010722 - REED LAND CO SUB 2-32 D 31-50-42 LOT 16 N 95 OF S 1125 OF E1/2 BLK 3; Folio No. 504231010720 - REED LAND CO SUB 2-32 D 31-50-42 LOT 16 N 95 OF S 1220 OF E1/2 BLK 3; Folio No. 504231010760 - REED LAND CO SUB 2-32 D 31-50-42 LOT 16 E1/2 LESS S 1220 BLK 3; Folio No. 504231010767 - REED LAND CO SUB 31-50-42 2-32 D LOT 16 W1/2 LESS S 1220 BLK 3; Folio No. 504231010755 - REED LAND CO SUB 2-32 D 31-50-42 LOT 16 N 95 OF S 1220 OF W1/2 BLK 3; Folio No. 504231010752 - REED LAND CO SUB 2-32 D 31-50-42 N 95 OF S 1125 OF W1/2 OF TR 16 BLK 3; Folio No. 504231010769

- REED LAND CO SUB 2-32 D 31-50-42 TR 16 N 95 OF S 1030 OF W1/2 BLK 3; Folio No. 504231010761 - REED LAND CO SUB 2-32 D 31-50-42 LOT 16 N 100 OF S 935 OF W1/2 BLK 3; Folio No. 504231010764 - REED LAND CO SUB 2-32 D 31-50-42 LOT 16 N 95 OF S 835 OF W1/2 BLK 3; Folio No. 504231010762 - REED LAND CO SUB 2-32 D 31-50-42 LOT 16 N 100 OF S 740 OF W1/2 BLK 3; Folio No. 504231010770 - REED LAND CO SUB 2-32 D 31-50-42 N 95 OF S 640 OF W1/2 OF TR 16 BLK 3; Folio No. 504231010763 - REED LAND CO SUB 2-32 D 31-50-42 N 100 OF S 545 OF W1/2 OF TR 16 BLK 3; Folio No. 504231010756 - REED LAND CO SUB 2-32 D 31-50-42 LOT 16 N 95 OF S 445 OF W1/2 BLK 3; Folio No. 504231010741 - REED LAND CO SUB 2-32 D 31-50-42 LOT 16 N 100 OF S 350 OF W1/2 BLK 3; Folio No. 504231010754 - REED LAND CO SUB 2-32 D 31-50-42 N 85 OF S 250 OF W1/2 OF LOT 16 BLK 3; Folio No. 504231010757 - REED LAND CO SUB 2-32 D 31-50-42 BEG SW COR OF LOT 16, NLY 53.01, ELY 71.60 TO POB, CONT ELY 96.61, NLY 112, WLY 97.35, SLY 112 TO POB BLK 3; Folio No. 504231020153 - HARGER HILLS 26-41 B LOT 23 N 112.03 OF S 130.03 OF E 73; Folio No. 504231020150 - HARGER HILLS 26-41 B LOT 23 N 112 OF S 130 LESS E 73 & LESS PT LYING SWLY OF CHORD FOR 25 RAD ARC, SAID ARC TANG TO W/L LOT 23 & TANG TO LINE 53 N OF S/L OF SEC 31, TOGETHER WITH E 1/2 OF PT OF VAC'D SW 37 AVE LYING W OF SAID LOT, LESS STIRLING ROAD R/W & LESS 2 FT BIKEWAY; Folio No. 504231020152 - HARGER HILLS 26-41 B LOT 23 LESS S 130, TOGETHER WITH E 1/2 OF PT OF VAC'D SW 37 AVE LYING W OF & ADJ TO SAID PROP; Folio No. 504231020140 - HARGER HILLS 26-41 B LOT 22 LESS N 25, TOGETHER WITH E 1/2 OF PT OF VAC'D SW 37 AVE LYING W OF SAID PT OF LOT 22; Folio No. 504231020141 - HARGER HILLS 26-41 B LOT 21, 22 N 25 TOGETHER WITH E 1/2 OF PT OF VAC'D SW 37 AVE LYING W OF SAID LOTS; Folio No. 504231020120 - HARGER HILLS 26-41 B LOT 20 & E 1/2 OF PT OF VAC'D SW 37 AVE LYING W OF & ADJ TO SAID LOT; Folio No. 504231020110 - HARGER HILLS 26-41 B LOT 19 TOGETHER WITH E 1/2 OF PT OF VAC'D SW 37 AVE LYING W OF & ADJ TO LOT 19; Folio No. 504231020100 - HARGER HILLS 26-41 B LOTS 17 & 18 TOG WITH E 1/2 OF PT OF VAC'D SW 37 AVE LYING W OF & ADJ TO SAID LOTS 17 & 18 PER O.R. 23957/105 BCR ; Folio No. 504231020080 - HARGER HILLS 26-41 B LOT 16 TOGETHER WITH E 1/2 OF PT OF VAC'D SW 37 AVE LYING W OF & ADJ TO LOT 16; Folio No. 504231020070 - HARGER HILLS 26-41 B LOT 15 TOGETHER WITH E 1/2 OF PT OF VAC'D SW 37 AVE LYING W OF & ADJ TO LOT 15; Folio No. 504231020060 - HARGER HILLS 26-41 B LOT 14 TOGETHER WITH E 1/2 OF PT OF VAC'D SW 37 AVE LYING W OF & ADJ TO LOT 14; Folio No. 504231020050 - HARGER HILLS 26-41 B LOT 13 TOGETHER WITH E 1/2 OF PT OF VAC'D SW 37 AVE LYING W OF & ADJ TO LOT 13; Folio No. 504231020040 - HARGER HILLS 26-41 B LOT 12 & E 1/2 OF PT OF VAC'D SW 37 AVE LYING W OF & ADJ TO SAID LOT; Folio No. 504231020039 - HARGER HILLS 26-41 B LOT 11 TOGETHER WITH W 1/2 OF PT OF VAC'D SW 37 AVE LYING E OF & ADJ TO LOT 11; Folio No. 504231020038 - HARGER HILLS 26-41 B LOT 10 & W 1/2 OF PT OF VAC'D SW 37 AVE LYING E OF & ADJ TO LOT 10; Folio No. 504231020037 - HARGER HILLS 26-41 B LOT 9 & W 1/2 OF PT OF VAC SW 37 AVE LYING E OF & ADJ TO LOT; Folio No. 504231020036 - HARGER HILLS 26-41 B LOT 8 TOGETHER WITH W 1/2 OF PT OF VAC'D SW 37 AVE LYING E OF & ADJ TO LOT 8; Folio No. 504231020032 - HARGER HILLS 26-41 B LOT 7 TOGETHER WITH W 1/2 OF PT OF VAC'D SW 37 AVE LYING E OF & ADJ TO LOT 7; Folio No. 504231020033 - HARGER HILLS 26-41 B LOT 6 TOGETHER WITH W 1/2 OF PT OF VAC'D SW 37 AVE LYING E OF & ADJ TO LOT 6; Folio No. 504231020031 - HARGER HILLS 26-41 B LOT 5 TOGETHER WITH W 1/2

OF PT OF VAC'D SW 37 AVE LYING E OF & ADJ TO LOT 5; Folio No. 504231020030 - HARGER HILLS 26-41 B LOT 4 TOGETHER WITH W 1/2 OF PT OF VAC'D SW 37 AVE LYING E OF & ADJ TO LOT 4; Folio No. 504231020016 - HARGER HILLS 26-41 B LOT 3 N 90 TOGETHER WITH W 1/2 OF PT OF VAC'D SW 37 AVE LYING E OF & ADJ TO SAID LOT; Folio No. 504231020015 - HARGER HILLS 26-41 B LOT 1 N 40,2,3 LESS N 90 TOGETHER WITH W 1/2 OF PT OF VAC SW 37 AVE LYING E OF SAID LOT; Folio No. 504231020014 - HARGER HILLS 26-41 B LOT 1 S 90 OF N 130 TOGETHER WITH W 1/2 OF PT OF VAC'D SW 37 AVE LYING E OF SAID LOT ; Folio No. 504231020013 - HARGER HILLS 26-41 B LOT 1 S 88 OF N 218 TOGETHER WITH W 1/2 OF THAT PT OF VAC'D SW 37 AVE LYING E OF & ADJ TO SAID LOT; Folio No. 504231020012 - HARGER HILLS 26-41 B LOT 1 S 88 OF N 306 TOGETHER WITH W 1/2 OF PT OF VAC'D SW 37 AVE LYING E OF & ADJ TO SAID LOT; Folio No. 504231020010 - HARGER HILLS 26-41 B LOT 1 LESS S 18 & LESS N 306 & LESS EXT AREA FORMED BY 25 RAD ARC TANG TO E/L OF LOT 1 & TANG TO A LINE 53 N OF & PARA TO S/L OF SEC 31-50-42 TOGETHER WITH W 1/2 OF PT OF VAC'D SW 37 AVE LYING E OF & ADJ TO SAID LOT, LESS THEREFROM STIRLING RD R/W & LESS 2 FT BIKEWAY ; Folio No. 504231040160 - STIRLING OAKS ESTATES 77-39 B LOT 17; Folio No. 504231040150 - STIRLING OAKS ESTATES 77-39 B LOT 16; Folio No. 504231040140 - STIRLING OAKS ESTATES 77-39 B LOT 15; Folio No. 504231040130 - STIRLING OAKS ESTATES 77-39 B LOT 14; Folio No. 504231040120 - STIRLING OAKS ESTATES 77-39 B LOT 12; Folio No. 504231040110 - STIRLING OAKS ESTATES 77-39 B LOT 11; Folio No. 504231040100 - STIRLING OAKS ESTATES 77-39 B LOT 10; Folio No. 504231040090 - STIRLING OAKS ESTATES 77-39 B LOT 9; Folio No. 504231010461 - REED LAND CO SUB 2-32 D 31-50-42 TRACT 7 E 1/2 LESS N 1125 AS DESC IN OR 3224/381; Folio No. 504231010479 - REED LAND CO SUB 2-32 D 31-50-42 TR 7 W 1/2 LESS N 1125 AND TR 8 LESS N 1124.84 & LESS W 270 BLK 3 TOG WITH LOT 14 BLK 3 LESS PPA STIRLING OAK EST 77-39 B; Folio No. 504231040080 - STIRLING OAKS ESTATES 77-39 B LOT 8; Folio No. 504231040070 - STIRLING OAKS ESTATES 77-39 B LOT 7; Folio No. 504231040060 - STIRLING OAKS ESTATES 77-39 B LOT 6; Folio No. 504231040050 - STIRLING OAKS ESTATES 77-39 B LOT 5; Folio No. 504231040040 - STIRLING OAKS ESTATES 77-39 B LOT 4; Folio No. 504231040030 - STIRLING OAKS ESTATES 77-39 B LOT 3; Folio No. 504231040020 - STIRLING OAKS ESTATES 77-39 B LOT 2; Folio No. 504231040010 - STIRLING OAKS ESTATES 77-39 B LOT 1; Folio No. 504231040171 - STIRLING OAKS ESTATES 77-39 B PORTION OF PARCEL A DESC AS COMM NW COR OF SAID PARCEL, SLY 103, ELY 158.52, NLY 102.98, WLY 157 TO POB AKA: LOT A-1 STIRLING OAKS ESTATES; Folio No. 504231040173 - STIRLING OAKS ESTATES 77-39 B PART OF PARCEL A DESC'D AS, COMM AT NW COR PAR A, ELY 157 TO POB, CONT E 106.57, SELY 39.87, SLY 77.40, WLY 129.71, NLY 102.98 TO POB AKA: LOT A-5 STIRLING OAKS ESTATES; Folio No. 504231040174 - STIRLING OAKS ESTATES 77-39 B PART OF PARCEL A DESC'D AS, COMM AT SW COR OF PARCEL A, E ALG S/L FOR 262.37 TO POB, NELY ARC DIST OF 38.67, N 132.60, W 144.11, SLY 50, ELY 25, SELY 141.03 TO POB AKA: LOT A-4 STIRLING OAKS ESTATES; Folio No. 504231040170 - STIRLING OAKS ESTATES 77-39 B PART OF PARCEL A DESC'D AS, COMM AT SW COR OF PARCEL A, ELY 25 TO POB, CONT ELY 237.37, NWLY FOR 141.03, WLY 50, SWLY 143.40 TO POB AKA: LOT A-3 STIRLING OAKS ESTATES; and Folio No. 504231040172 - STIRLING OAKS ESTATES 77-39 B PT OF PARCEL A DESC AS BEG SW COR PAR A, N 157, E 144.12, S 50, W 25, SW 143.40, W 25 TO POB AKA: LOT A-2.

826-40 OVERLAY STANDARDS AND PROVISIONS¹

The enhanced standards of this section apply to all native (as defined in 825-50) trees and intact understory areas within the limits of the Overlay District. Non-native and ornamental trees/vegetation otherwise regulated by Articles 275 or 825 of the City's code are not subject to these enhanced standards. For the reasons outlined in Sections 826-10 and 826-20 of this Article, these provisions shall help to preserve and maintain the functional integrity of the forest community as a whole by maximizing retention of native trees and understory that are characteristic of the Overlay area.

All land development, redevelopment, improvement, or property maintenance (e.g. driveway repaving or fixing a cracked water line due to root intrusion; limb removal due to roof line or gutter conflicts) within the Overlay District shall comply with the following new or increased standards which supersede or are in addition to existing requirements of Articles 275 (Landscaping) and 825 (Tree Preservation) of the City's Land Development Code:

- A. Minimum landscape standards: For properties within the Overlay District, the minimum tree requirements shall be either six (6) category 1A native canopy trees, 40" combined native tree caliper/dbh, or aerial canopy coverage equal to fifty (50) percent of the lot size. Credit for canopy coverage can extend beyond the property line for trees rooted wholly or mostly within the property requesting the credit.

The table below shows the differences between minimum landscape requirements for properties located within the district vs. those located elsewhere in the City.

	Minimum # Trees	Min. Caliper/DBH	Min. Canopy Credit
Non-Overlay Area Requirements [275-160(B)(1)]*	3 Category 1B	15"	900 sq. ft.
Overlay Area Requirements**	6 Category 1A	40"	50% of lot area

*all requirements must be met

** only one of the three requirements must be met

- B. Perimeter buffer preservation zone: A perimeter buffer preservation zone shall be established to preserve existing trees located nearest to property lines where conflicts with residences are lowest. All existing native trees in "fair" or "good" condition with a DBH larger than eight (8) inches and situated wholly within ten (10) feet of the property line are to be preserved. Intact understory areas within this same ten (10) foot buffer shall also be preserved against voluntary impacts. Any development, redevelopment or exterior site improvements shall be designed and implemented in a manner that preserves the existing canopy and critical root zones of such trees, and any native understory that may also be present. This perimeter buffer may be reduced in certain areas if other portions of the buffer with equal or greater value are equivalently increased as compensation.

¹ F.S. Section 163.45 provides that a tree that is determined to be dangerous to persons or property by a certified arborist licensed by the International Society of Arboriculture or a Florida licensed landscape architect does not require a permit or mitigation.

- C. Mandatory preservation of healthy specimen trees: preservation against voluntary/elective impacts shall be required for all existing specimen trees (excluding palms) in “good” condition [Sec. 825-50]. Any development, redevelopment, or exterior site improvements shall be designed and implemented in a manner that avoids impacts to or abuse of existing canopy and critical root zones of such trees.
- D. Construction design standards: In designing a new residential structure or an addition/improvement to the exterior of an existing residential structure, including, but not limited to the installation of a shed, pool or driveway, the improvements shall be designed and constructed around regulated native trees in “fair” or “good” condition and intact understory areas to the maximum extent feasible. Horizontal and vertical design modifications shall prevent abuse of existing native tree resources.
- E. Prohibition against elective variances: variances to Overlay requirements which would result in impacts to native trees (excluding palms) with a DBH larger than eight (8) inches in “fair” or “good” condition are prohibited.
- F. Increased health and location protections: Trees with “Good” condition rating, as defined in section 825-50 of the LDC, and location scores of 2 or better, as described in section 825-140(C)(2)] shall receive greater protections and requirements for avoidance than other non-specimen trees or those with substantial structural defects or health issues.
- G. Advanced notification requirement: At least 48 hours prior to any contracted trimming, or removal of trees, the property owner is required to contact the City and provide a work schedule so that the City’s arborist may meet on site meet with the tree removal or maintenance contractor and inspect the trees proposed for removal or trimming. This meeting shall provide opportunity to confirm the proposed trimming activities will not result in accidental abuse of protected trees and verify proposed removals have been approved.

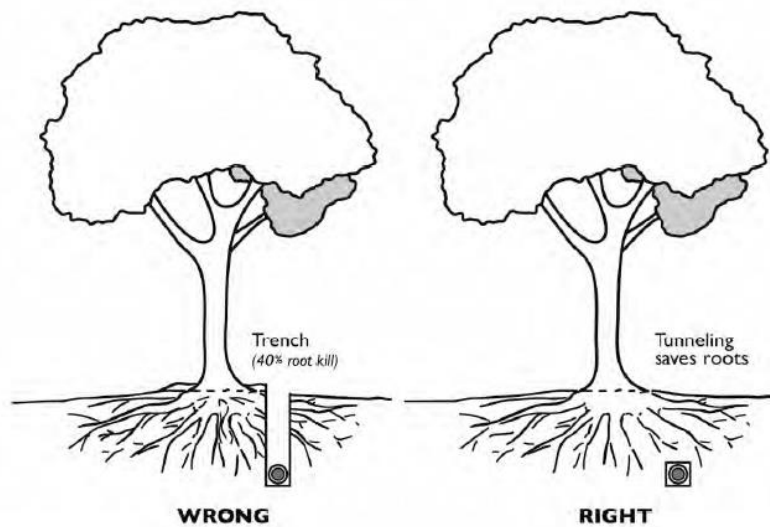
826-50 SPECIFIC TREE PROTECTIONS

- A. Protective measures are required to minimize:
 - 1. Mechanical injuries to roots, trunk, and branches;
 - 2. Injuries by chemical poisoning;
 - 3. Injuries by grade changes;
 - 4. Injuries by excavations;
 - 5. Injuries by root compression; and
 - 6. Injuries by new impervious surfaces paving
- B. A Tree Protection Zone shall be established around each tree(s) on the property and in the general vicinity of the proposed construction/installation/maintenance area as follows:
 - 1. At a minimum, the tree protection zone shall be defined as a circular area around a native tree with a radius equal to six (6) times the diameter of the trunk of the protected tree at breast height. In no case shall a tree protection zone be less than seventy-two (72) inches in diameter. As an example, a protected tree with a DBH

of fifty (50) inches (4-ft. 2-inches) will have a tree protection zone with a radius of three hundred (300) inches (25 ft.). A protected tree with a DBH of eight (8) inches will have a tree protection zone of seventy-two (72) inches.

2. Prior to commencement of construction, all native trees to remain shall be protected via the installation of a tree protection barricade. The tree protection barricade shall be at least three (3) feet tall. The barricade must remain in place through the duration of construction activities.
3. Trenching or excavation within the tree protection zone of a native tree intended for preservation must not impact more than 30% of the tree protection zone. Directional boring/tunneling is the preferred method when applicable.

TUNNELING UNDER ROOT ZONE



AVOID SEVERING ROOTS

Install utility lines *around* tree roots or tunnel *under* the root zone. Trenching *kills* all the roots outside the trench line. Posts and supporting beams can be substituted for footing and walls where proposed foundations conflict with tree roots.

4. A deviation from the minimum size requirements of the tree protection zone may be granted by the Community Development Director if the strict application of this rule will result in the unnecessary removal of trees which can otherwise be preserved through application of best management and sound arboricultural/horticultural practices. Consultation with an ISA certified arborist is required to determine proper measures to ensure protection of the tree during construction activities. The plan shall be prepared and certified by an ISA certified arborist and include sufficient detail to clearly define the process, deviation from requirements herein, and alternative protective measures proposed.

5. The root systems of native trees shall be preserved when installing fences and walls. Postholes and trenches located close to trees shall be dug and adjusted as necessary to avoid damage to major roots. Continuous footers for masonry walls shall be ended at the point larger roots are encountered and the roots bridged.
6. If upon inspection by the City it is determined that a tree protection barricade has been improperly located or has not been properly maintained, a stop work order may be issued. The stop work order may not be lifted until all barricades have been re-established in accordance with this ordinance and any resulting corrective action has been completed.

826-60 EXEMPTIONS.

The following exceptions to the tree preservation requirements herein are authorized:

- A. Generally accepted emergency/time-sensitive procedures necessary for the protection of life, health, safety, or property.
- B. Pruning trees by qualified entities (e.g. property owners, utility or other easement holders or their authorized contractors/agents) that does not qualify as tree abuse under Article 830 and is conducted wholly in accordance with ANSI A-300 standards or other applicable Statutes.
- C. Non-native/exotic or ornamental landscape trees are exempt from the Overlay requirements.

826-70 PERMIT APPLICATION REQUIREMENTS.

A building permit or tree removal permit application that is reviewed for compliance with the standards of this chapter may require more information than a typical residential permit application not affected by these provisions. If alteration of native trees is proposed, the information below may be required by the City. This information must be prepared by certified or qualified professionals and submitted with any permit application packages proposing removal or alteration of specimen trees:

- A. Tree survey or tree resource map assigning individual tree numbers and identifying the locations of all regulated trees on site. The survey/map should also include approximate/representative foliage limits for all unmaintained/intact understory areas, as well as additional trees rooted within 50 feet of the property lines such that overhanging canopy areas are clearly reflected on the survey;
- B. Tree Data Table listing the species, trunk diameter (inches), canopy spread (feet), canopy area (square feet), height (feet), and condition of the tree;
- C. Tree disposition plan indicating the intent to remove, relocate, or preserve each tree shown on the survey (this may be included in the tree data table identified in 826-70B. above.;
- D. Arborist report documenting and evaluating all native trees proposed for removal and all specimen trees on-site;

- a. arborist reports shall be prepared in accordance with ISA standards and at a minimum include documentation of the tree location, size, growth habit, condition, and conflicts with surrounding features as applicable for determination of potential hazard status [Section 825-50, of the Land Development Code] or health/condition rating as required for specimen tree appraisal [Section 825-140(C)(2), of the Land Development Code]; and
- E. Tree-specific arborist evaluations shall be required for all new development or redevelopment applications proposing ground disturbing activities (e.g. plumbing, electrical, etc.) within the critical root zones of native trees protected under this article.

826-80 MITIGATION.

Canopy replacement or Tree Trust Fund payments required for tree removals shall be subject to the following additional requirements.

- A. This article supersedes the existing mitigation exemption for single family properties outlined in Sec. 825-100(D), of the Land Development Code.
- B. Mitigation for tree removals shall be required on-site for all properties which do not meet the minimum landscape standards described in 826-40(A) above. Any property that legally does not meet the tree coverage criteria contained herein at the time of ordinance adoption may coordinate with the City to submit documentation of the pre-existing deficiency which would preclude assessment of this on-site requirement for compensatory mitigation that exceeds the documented pre-existing condition.
- C. On-site mitigation is preferred for all projects regardless of compliance with 826.40(A). To encourage on-site tree replacement, mitigation in excess of the minimum thresholds in 826-40(A) that is provided off-site shall be valued at half the calculated canopy square footage (825-100) or monetary cost to the City's Tree Trust Fund (825-30). On-site mitigation/tree replacement shall be attributed full value outlined in Sec. 825-100, of the Land Development Code.
- D. Mitigation for specimen tree removals shall be provided at least 50% on-site regardless of compliance with 826.40(A).
- E. Trees on the nuisance plants list may be removed regardless of size provided that each tree removed is replaced either with one native Category 2 tree or 150 square feet of native understory shrubs representative of the protected community type and otherwise meeting the requirements for size and spacing of new landscape installations identified in Article 275 of the City's Land Development Code.
- F. Replacement trees for on-site mitigation shall be of Category 1A size or larger and shall be of species typical of the mesic hardwood hammock habitat being protected. The City may authorize mitigation via the Tree Trust Fund on a case-by-case basis if a suitable on-site location for canopy tree growth and establishment does not exist.
- G. For projects required to provide three (3) or more mitigation trees, at least two (2) different tree species shall be provided.

826.90 CONDITIONS OF CITY APPROVAL.

Planning/Zoning or Building department approvals affecting native trees or intact understory areas within the Overlay-shall be subject to the following conditions:

- A. All trees required on properties with approved site/landscape plans associated with an issued building permit shall be maintained continually and replaced with similar species at equal or greater size if they die.
- B. Tree/vegetation protection measures must be reasonably implemented during construction of permitted site improvements and maintenance activities. All failures to protect as per approved plan, especially unauthorized damage to the critical root zone or trunk shall be subject to enforcement.
- C. The City shall be notified at least 48 hours prior to all native tree removals and/or trimming of native tree branches exceeding 6" in diameter.

826.100 ENFORCEMENT

After-the-fact regulation of unauthorized protected tree removals or tree abuse shall be subject to the following:

- A. Application fees for after-the-fact permits shall be doubled.
- B. The removal of a healthy specimen tree not meeting the criteria of this Article, the removal of a specimen tree without a permit, or the damage of or effectively destroying a specimen tree which kills or will more likely than not cause the tree to die shall warrant the assessment of a penalty of up to \$5,000, as determined appropriate by the Special Master as the harm is irreparable and irreversible, in addition to meeting the restoration requirements defined herein. Under this Overlay District, unauthorized removals of trees or understory vegetation, actions that "effectively destroy" trees as defined at Section 825.50, or actions constituting tree "abuse" as defined at Section 825.50 shall be subject to the enforcement provisions of this section.
- C. Double mitigation (canopy replacement and/or trust fund payments as determined by the criteria herein) shall be required in addition to processing fees and prescribed fines/penalties.

* * *

Section 3. That if any section, clause, sentence or phrase of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

Section 4. That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

Section 5. That this Ordinance shall be effective immediately upon its passage and adoption on second reading.

PASSED on first reading on December 8, 2020.

PASSED AND ADOPTED on second reading on January 26, 2021.

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY

EXHIBIT "A"

LEGAL DESCRIPTION

Parcel 1

A portion of TRACT 29, SECTION 25, TOWNSHIP 50 SOUTH, RANGE 41 EAST, NEWMAN'S SURVEY, according to the Plat thereof, recorded in Plat Book 2, Page 26 of the Public Records of Miami-Dade County, Florida; more fully described as follows:

COMMENCING at the intersection of the East Right-of-Way line of State Road No. 7 with the South line of said Section 25; thence Northerly along the said East Right-of-Way, North 02°06'55" East, 1111.80 feet to the intersection of the East Right-of-Way line of State Road No. 7 and the South Right-of-Way line of the South New River Canal Easement; thence Easterly along said South Right-of-Way, North 90°00'00" East, 181.59 feet; thence North 76°04'42" East, 19.28 feet to the POINT OF BEGINNING; thence continue North 76°04'42" East, 394.91 feet; thence South 02°12'46" West 686.55 feet; thence North 87°51'58" West, 378.37 feet; thence North 02°06'55" East, 577.47 feet to the POINT OF BEGINNING. Said lands situate, lying and being in Broward County, Florida.

"THE OVERLAY"



R HILLS

ERRACE
VENUE
ERRACE

DISTRICT
INGLE FAMILY
(2000)

PROPERTY
ER



EACH
LOVE IT.

Feet
630 840



Planning and Zoning Board

November 18, 2020

SUPPLEMENTAL INFORMATION

Item III.

(1) TX-065-20 Tree Protection Overlay

Letters of support and opposition

Lajoie, Corinne

From: Linda Bloomfield <bloomerl@hotmail.com>
Sent: Friday, November 13, 2020 10:18 AM
To: Lajoie, Corinne
Subject: Harger Hills

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

I am writing to inform you of my **support for TX-065-20**: the text amendment to the City's Unified Land Development Code to create a tree protection overlay regulation and district for the Harger Hills oak hammock.

I support the formation of the Zoning Overlay District because the Harger Hills Oak Hammock is the last remaining oak hammock within Dania Beach and one of the few remaining oak hammocks in Broward County. Aside from making the streets in this area lovely, these trees create a sense of community, add to property values, lessen flooding, absorb sound and light pollution from Stirling Road and the Hard Rock Hotel Complex, shade and cool the streets and homes, and mitigate climate change for all of us. It is one of the few non-gated areas in the city where everyone has access to walk, run and cycle in the shade.

The City of Dania Beach's Code of Ordinances currently provides a certain and prescribed degree of protection to all trees within the City limits. In the area, known as the Harger Hills Oak Hammock, an intact, mature forested oak hammock community exists that is unique and irreplaceable. However, if ongoing residential development and redevelopment continues on the trajectory that has been most recently observed, I and the City Commission, are concerned that the above protections will not be sufficient to ensure adequate protection and preservation of the existing tree canopy and specimen trees.

This Ordinance, which would provide the oak hammock further protection, has been very thoughtfully written by The Zoning and Planning Board at the request of the City Commission, to maintain the integrity of the oak hammock as a whole. While they and I clearly respect individual property rights, when those rights infringe in the rights of the rest of the neighborhood, the City of Dania Beach should be given the opportunity to weigh in on the matter before very old and stately trees are removed or trimmed to a degree that interferes with their integrity. Those trees define this very unique, but endangered neighborhood and ecosystem which is suddenly being threatened by recent building and development.

Thank you so much for your attention to this matter,

Sincerely yours,

Linda Bloomfield
Hollywood, Florida

Lajoie, Corinne

From: Anita Lorenz <catsai@att.net>
Sent: Friday, November 13, 2020 10:11 AM
To: Lewellen, Lori
Subject: TX-065-20 Amendment

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

To Whom It May Concern:

My name is Anita Lorenz. I live at 2774 East Marina Drive in the Estates of Ft. Lauderdale, Dania Beach. I have lived there for over 50 years and patrolled the streets of that area along with the hammock for over 10 years as part of the Citizens on Patrol unit of the Broward Sheriff's Department. I also have friends who live in that hammock area.

I totally support TX-065-20: the text amendment to the City's Unified Land Development Code to create a tree protection overlay regulation and district for the Harger Hills Oak Hammock.

I support the formation of the Zoning Overlay District because the Harger Hills Oak Hammock is the last remaining oak hammock within Dania Beach and one of the few remaining oak hammocks in Broward County. Aside from making the streets in this area lovely, these trees create a sense of community, add to property values, lessen flooding, absorb sound and light pollution from Stirling Road and the Hard Rock Hotel Complex, shade and cool the streets and homes, and mitigate climate change for all of us. It is one of the few non-gated areas in the city has where everyone has access to walk, run and cycle in the shade.

The City of Dania Beach's Code of Ordinances currently provides a certain and prescribed degree of protection to all trees within the City limits and that protection also needs to be made stronger. I have watched too many native trees destroyed in Dania Beach and in the areas that became incorporated into Dania Beach. In the area, known as the Harger Hills Oak Hammock, an intact, mature forested oak hammock community exists that is unique and irreplaceable. However, if ongoing residential development and redevelopment continues on the trajectory that has been most recently observed, I and the City Commission, are concerned that the above protections will not be sufficient to ensure adequate protection and preservation of the existing tree canopy and specimen trees.

This Ordinance, which would provide the oak hammock further protection, has been very thoughtfully written by The Zoning and Planning Board, at the request of the City Commission, to maintain the integrity of the oak hammock as a whole and protect this delicate ecosystem. While they and I clearly respect individual property rights, when those rights infringe in the rights of the rest of the neighborhood, the City of Dania Beach should be given the opportunity to weigh in on the matter before very old and stately trees are removed or trimmed to a degree that interferes with their integrity. Those trees define the city I have called home for over 50 years, but which is suddenly disappearing all around me.

Thank you so much for your attention to this matter,

Sincerely yours,
Anita Lorenz

Lajoie, Corinne

From: Heidi Nusynbaum <heidi@achievetherapycenter.com>
Sent: Thursday, November 12, 2020 6:53 PM
To: Lewellen, Lori; Odman, Lauren; Brandimarte, Chickie; Harris, Bill; James, Tamara; davisfordaniabeach@gmail.com; msalvino@leeslocksmith.com; Lajoie, Corinne; Norena, Eleanor; Sosa-Cruz, Candido; Boutsis, Eve A.; Ansbrosio, Tom; Ryan.StGeorge@metriceng.com
Subject: Harger Hills zoning overlay Petition regarding Ordinance 826

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Mayor and Commissioners:

My name is Heidi Nusynbaum and I am the owner of the property located at 5890 SW 36 TER, Dania Beach, FL. 33312 My property is within the Harger Hills Oak Hammock Tree Protection Overlay Ordinance. I am writing to ask that you vote against this Ordinance.

*I am not in favor of the Ordinance. I begin by noting that **this Ordinance would be the only Ordinance of its kind in the City of Dania Beach** and it is not fair to place such restrictions solely upon my neighborhood. The City's existing landscape ordinance is sufficient to protect the existing trees within our neighborhood. In fact, the City Code already imposes significant requirements if a property owner removes a healthy and native tree from his property. This Ordinance is merely the result of a small minority of homeowners in the neighborhood loudly complaining to the City and it does not express the will of the majority of homeowners in the neighborhood. Such action politically is referred to as "tyranny by the minority" and it should not be allowed.*

The Ordinance prevents a homeowner from properly maintaining their property when they see a harmful situation involving trees. We have invested in our property and need to protect our property without the need for the Ordinance or the regulations it imposes. The Ordinance prevents us from taking steps to not only protect our property but more importantly the children and other people who would be outside and could be hurt by falling branches and other items. It is just unfair to require us to hire an arborist and to obtain permits prior to conducting necessary upkeep and maintenance.

In addition, Section 163.045, Florida Statutes seems to be quite clear that a municipality cannot force a homeowner to obtain a permit before trimming, pruning or removing a dangerous tree. The City's proposed Ordinance seems, under the guise of a zoning overlay district, intended to circumvent the State law merely because some residents don't like the state law or are upset at the state law. I do not think Dania Beach should be engaging in such machinations. If the City does not like what was done by the State legislature then it should have its lobbyist try to have the law changed instead of trying a dubious zoning change to perform a questionable disregard of State Law.

Thank you and please vote NO with regard to this Ordinance.

Lajoie, Corinne

From: Amos Prync <amosprync@gmail.com>
Sent: Thursday, November 12, 2020 6:46 PM
To: Lewellen, Lori; Odman, Lauren; Brandimarte, Chickie; Harris, Bill; James, Tamara; davisfordaniabeach@gmail.com; msalvino@leeslocksmith.com; Lajoie, Corinne; Norena, Eleanor; Sosa-Cruz, Candido; Boutsis, Eve A.; Ansbro, Tom; Ryan.StGeorge@metriceng.com
Subject: Harger Hills zoning overlay Petition regarding Ordinance 826

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

Mayor and Commissioners:

My name is Amos Prync and I am the owner of the property located at 5890 SW 36th TER, Dania Beach, FL. 33312 My property is within the Harger Hills Oak Hammock Tree Protection Overlay Ordinance. I am writing to ask that you vote against this Ordinance.

*I am not in favor of the Ordinance. I begin by noting that **this Ordinance would be the only Ordinance of its kind in the City of Dania Beach** and it is not fair to place such restrictions solely upon my neighborhood. The City's existing landscape ordinance is sufficient to protect the existing trees within our neighborhood. In fact, the City Code already imposes significant requirements if a property owner removes a healthy and native tree from his property. This Ordinance is merely the result of a small minority of homeowners in the neighborhood loudly complaining to the City and it does not express the will of the majority of homeowners in the neighborhood. Such action politically is referred to as "tyranny by the minority" and it should not be allowed.*

The Ordinance prevents a homeowner from properly maintaining their property when they see a harmful situation involving trees. We have invested in our property and need to protect our property without the need for the Ordinance or the regulations it imposes. The Ordinance prevents us from taking steps to not only protect our property but more importantly the children and other people who would be outside and could be hurt by falling branches and other items. It is just unfair to require us to hire an arborist and to obtain permits prior to conducting necessary upkeep and maintenance.

In addition, Section 163.045, Florida Statutes seems to be quite clear that a municipality cannot force a homeowner to obtain a permit before trimming, pruning or removing a dangerous tree. The City's proposed Ordinance seems, under the guise of a zoning overlay district, intended to circumvent the State law merely because some residents don't like the state law or are upset at the state law. I do not think Dania Beach should be engaging in such machinations. If the City does not like what was done by the State legislature then it should have its lobbyist try to have the law changed instead of trying a dubious zoning change to perform a questionable disregard of State Law.

Thank you and please vote NO with regard to this Ordinance.

--

Amos Prync - Video Edit [::] Motion Graphics
PH.786.326.4410 | Email: amosprync@gmail.com | www.amosprync.com

Lajoie, Corinne

From: Marcos Korik <marcos@korik.com>
Sent: Thursday, November 12, 2020 4:42 PM
To: Lewellen, Lori; Odman, Lauren; Brandimarte, Chickie; Harris, Bill; James, Tamara; davisfordaniabeach@gmail.com; msalvino@leeslocksmith.com; Lajoie, Corinne; Norena, Eleanor; Sosa-Cruz, Candido; Boutsis, Eve A.; Ansbro, Tom; Ryan St. George; Lewellen, Lori; Lajoie, Corinne
Subject: Harger Hills zoning overlay Petition regarding Ordinance 826 - Vote NO

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To:

Mayor and Commissioners:

My name is Marcos Korik and I am the owner of the property located at 5830 SW 36th terrace Dania Beach, FL. My property is within the Harger Hills Oak Hammock Tree Protection Overlay Ordinance. I am writing to ask that you vote against this Ordinance.

*I am not in favor of the Ordinance. I begin by noting that **this Ordinance would be the only Ordinance of its kind in the City of Dania Beach** and it is not fair to place such restrictions solely upon my neighborhood. The City's existing landscape ordinance is sufficient to protect the existing trees within our neighborhood. In fact, the City Code already imposes significant requirements if a property owner removes a healthy and native tree from his property. This Ordinance is merely the result of a small minority of homeowners in the neighborhood loudly complaining to the City and it does not express the will of the majority of homeowners in the neighborhood. Such action politically is referred to as "tyranny by the minority" and it should not be allowed.*

The Ordinance prevents a homeowner from properly maintaining their property when they see a harmful situation involving trees. We have invested in our property and need to protect our property without the need for the Ordinance or the regulations it imposes. The Ordinance prevents us from taking steps to not only protect our property but more importantly the children and other people who would be outside and could be hurt by falling branches and other items. It is just unfair to require us to hire an arborist and to obtain permits prior to conducting necessary upkeep and maintenance.

In addition, Section 163.045, Florida Statutes seems to be quite clear that a municipality cannot force a homeowner to obtain a permit before trimming, pruning or removing a dangerous tree. The City's proposed Ordinance seems, under the guise of a zoning overlay district, intended to circumvent the State law merely because some residents don't like the state law or are upset at the state law. I do not think Dania Beach should be engaging in such machinations. If the City does not like what was done by the State legislature

then it should have its lobbyist try to have the law changed instead of trying a dubious zoning change to perform a questionable disregard of State Law.

*Thank you and please vote **NO** with regard to this Ordinance.*

Marcos Korik

Lajoie, Corinne

From: Stephanie Jofe <shrinkmom@kidbones.com>
Sent: Thursday, November 12, 2020 4:29 PM
To: Ansbro, Tom
Cc: Ryan St. George; Boutsis, Eve A.; Lajoie, Corinne; Norena, Eleanor; Jacob Ripp
Subject: Re: Zoning Overlay Ordinance Q&A

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Unfortunately, they are not required to provide notice, so the trees come down and get “trimmed” without any oversight as they’ve done. It’s over before the city gets a chance to look.

On Nov 12, 2020, at 3:25 PM, Ansbro, Tom <tansbro@daniabeachfl.gov> wrote:

OK thanks, Ryan. Stephanie, here is the clarification.

From: Ryan St. George <Ryan.StGeorge@metriceng.com>
Sent: Thursday, November 12, 2020 3:11 PM
To: Ansbro, Tom <tansbro@daniabeachfl.gov>; Boutsis, Eve A. <eboutsis@daniabeachfl.gov>
Cc: Lajoie, Corinne <clajoie@daniabeachfl.gov>; Norena, Eleanor <enorena@daniabeachfl.gov>; Jacob Ripp <Jacob.Ripp@metriceng.com>
Subject: RE: Zoning Overlay Ordinance Q&A

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All,

Just a quick clarification for consideration later: the House Bill/Statute does not appear to prevent the City from requiring proper oversight during the trimming/removal....only from requiring a notice, permit, fee, or mitigation.

http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0163/Sections/0163.045.html

It appears the Statute would supersede our 48 hr. notice requirement, but would not be able to prevent us from requiring arborist oversight.

Regards,

Ryan St. George
South Florida Environmental Services Manager
<image001.png>

13940 SW 136th St, Miami, FL 33186
Office: (305) 235-5098 ext 119
Mobile: (954) 668-8244
Fax: (305) 251-5894
Ryan.stgeorge@metriceng.com
www.metriceng.com

From: Ansbro, Tom <tansbro@daniabeachfl.gov>
Sent: Thursday, November 12, 2020 1:27 PM
To: Stephanie Jofe <shrinkmom@kidbones.com>; Boutsis, Eve A. <eboutsis@daniabeachfl.gov>
Cc: Lajoie, Corinne <clajoie@daniabeachfl.gov>; Norena, Eleanor <enorena@daniabeachfl.gov>; Ryan St. George <Ryan.StGeorge@metriceng.com>; Jacob Ripp <Jacob.Ripp@metriceng.com>
Subject: RE: Zoning Overlay Ordinance Q&A

No, the City cannot require an arborist to be present under that state law.

From: Stephanie Jofe <shrinkmom@kidbones.com>
Sent: Thursday, November 12, 2020 1:11 PM
To: Boutsis, Eve A. <eboutsis@daniabeachfl.gov>
Cc: Ansbro, Tom <tansbro@daniabeachfl.gov>; Lajoie, Corinne <clajoie@daniabeachfl.gov>; Norena, Eleanor <enorena@daniabeachfl.gov>
Subject: Re: Zoning Overlay Ordinance Q&A

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Thank you all for reviewing this Q&A and clearing up any questions. It seems to me that some members of the community are fearful of requirements in the ordinance that are actually not overly burdensome and will help protect the health of the trees.
I don't know how you might use it, but it would answer some resident's most pressing questions.

One question that became less clear to me from Ryan's comments is: Can the city require an arborist to be present if they take down a tree using FL 163.045? His answer seems to imply that they can, but I didn't think so.

Thanks,
Stephanie

On Nov 12, 2020, at 10:53 AM, Boutsis, Eve A. <eboutsis@daniabeachfl.gov> wrote:

See edits.

Eve Boutsis
Assistant City Attorney | City of Dania Beach
eboutsis@daniabeachfl.gov | daniabeachfl.gov

100 W Dania Beach Blvd. | Dania Beach, FL, 33004

Phone: 954-924-6800 x3631

Web: daniabeachfl.gov | FB: [cityofdaniabeach](https://www.facebook.com/cityofdaniabeach) | Twitter: [@DaniaBeachFL](https://twitter.com/DaniaBeachFL)

Youtube: [DaniaBeachTV](https://www.youtube.com/DaniaBeachTV) | Emergency Notifications: CodeRED

Please note: Florida has a very broad public records law. Most written communications to or from City Officials regarding City business are public records available to the public and media upon request. communications may therefore be subject to public disclosure.

From: Ryan St. George <Ryan.StGeorge@metriceng.com>

Sent: Tuesday, November 10, 2020 11:22 PM

To: Lajoie, Corinne <clajoie@daniabeachfl.gov>; Boutsis, Eve A.

<eboutsis@daniabeachfl.gov>; Jacob Ripp <Jacob.Ripp@metriceng.com>; Norena,

Eleanor <enorena@daniabeachfl.gov>; Ansbro, Tom <tansbro@daniabeachfl.gov>;

Adams, Lori <ladams@daniabeachfl.gov>

Cc: Sosa-Cruz, Candido <csosacruz@daniabeachfl.gov>

Subject: RE: Zoning Overlay Ordinance Q&A

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

All,

There was much in the original Q/A (at the bottom of the email) that was inconsistent with the ordinance or was not adequately clear given the purpose of the email, the wording of the questions, and how this information will be distributed. To limit unnecessary confusion, I have tried to correct in red/green below without belaboring any points. Apologies if too much, but let me know if more is needed.

Regards,

Ryan St. George

South Florida Environmental Services Manager

<[image001.png](#)>

13940 SW 136th St, Miami, FL 33186

Office: (305) 235-5098 ext 119

Mobile: (954) 668-8244

Fax: (305) 251-5894

Ryan.stgeorge@metriceng.com

www.metriceng.com

From: Lajoie, Corinne <clajoie@daniabeachfl.gov>

Sent: Tuesday, November 10, 2020 3:41 PM

To: Boutsis, Eve A. <eboutsis@daniabeachfl.gov>; Jacob Ripp

<Jacob.Ripp@metriceng.com>; Ryan St. George <Ryan.StGeorge@metriceng.com>;

Norena, Eleanor <enorena@daniabeachfl.gov>; Ansbro, Tom

<tansbro@daniabeachfl.gov>; Adams, Lori <ladams@daniabeachfl.gov>

Cc: Sosa-Cruz, Candido <csosacruz@daniabeachfl.gov>

Subject: RE: Zoning Overlay Ordinance Q&A

I would like Ryan/Jake to review as well to review the technical information.

I high-lighted a few words in the answers to questions number 4 & 7 that I think need to be softened a bit.

1. **Q) Will I still be able to remove dangerous trees or limbs?**

- A. Yes. This ordinance will in no way prohibit that. Both State and City law ensure your ability can do that.
- B. The only changes to the existing City code, under this overlay, which have specific bearing on the question are;
 - a. The requirement that the trimming or removal company has an arborist on-site for the activity [826-40(G)], and
 - b. That the City be provided 48 hours advance notification of such trimming activities [826-40(H)]

2. **Q) Will the minimum landscape standards be onerous?**

- A. No. The actual requirement is far from not believed to be overly burdensome: Under the current code, minimum landscape standards for single family properties require a total of three Category 1B (12' tall) shade trees. Under the proposed Ordinance in 826-40 minimum landscape standards only require:
 - a. 6 Category 1A trees (which are ~~only~~ 16' tall), **or**
 - b. a combined minimum caliper of all your trees of 40" (that could even be one large tree that is already on your property), **or**
 - c. 50% canopy coverage.
- B. ~~which~~ Most residents in the proposed overlay district already ~~have, or are very close to having~~ satisfy one or more of these requirements and therefore meet the standards.

3. **Q) If I don't make any changes to my property, but don't meet the minimum landscape standards now, will I be "grandfathered in"?**

- A. A) Yes. While the minimum landscape standards were set to be consistent with existing tree coverage throughout the overlay area as a whole, "Any property that does not meet the tree coverage criteria contained in that Section (826-40) at the time of the ordinance adoption may submit documentation of the preexisting deficiency to preclude assessment of overlay mitigation requirements." This grandfathering applies to properties that legally do not meet minimum landscape standards

4. **Q) If it's my property; why can't I do whatever I want on it?**

- A. The City of Dania Beach clearly respects individual property rights, ~~but when those rights infringe on the rights of the rest of the neighborhood, especially when it involves trees that canopy the roads and neighboring properties, the City of Dania Beach should be given the opportunity to weigh in on the matter before very old and stately trees are removed or trimmed to a degree that interferes with their integrity and beauty and decreases everyone's property values. Also, when it increases flooding on the streets and other neighbors' properties, cutting down the trees clearly infringes upon the rights of others and impacts the city's stormwater management plans.~~
- B. Incorporated municipalities (like Dania Beach) have a City code which establishes various standards, rules, and requirements for the collective benefit of residents and businesses, but all residents and businesses must also abide by this same code. Dania Beach's City code contains a tree preservation ordinance (Article 825) because the benefits of tree canopy have been proven, and it has been deemed by City elected officials that management of these benefits are better coordinated and managed at a City level, not on a property by property basis.

- C. Recent destruction of valuable tree resources in the Harger Hills neighborhood has revealed several ways in which Article 825 of the City's existing code does not adequately protect the higher quality native tree hammock community that remains in this neighborhood. This new overlay area ordinance (Article 826) provides additional protections to guard against future similar destruction and help protect the integrity of, and benefits provided by the unique natural vegetation in this area (826-20).
5. **Q) Will I be able to fix a broken pipe?**
- A. Yes. While Section 826-40 clearly indicates the ordinance applies to this exact type of property maintenance activity, non-emergency minor repairs that affect less than 30% of the root zone would not be affected by this ordinance. In addition, "Generally accepted emergency/time sensitive procedures necessary for the protection of life, health, safety or property" are excepted from these regulations. (820.60 A)
- B. However, the ordinance is intended to discourage poorly planned, haphazard site work which might accidentally result in tree abuse or unnecessary destruction of healthy, mature trees by failing to consider tree-sensitive construction alternatives. See 826-50 Many contractors are unaware of such alternatives but can easily accommodate minor project modifications to better ensure survival, longevity, and most importantly safety, of protected trees. See 826-50.
6. **Q) Will I be able to repave my driveway?**
- A. Like question 5 above, Yes. ~~This amendment applies to new construction.~~
- B. While Section 826-40 clearly indicates the ordinance applies to this exact type of property maintenance activity, the intent is only to discourage poorly planned, haphazard site work which might accidentally result in tree abuse or unnecessary destruction of healthy, mature trees by failing to consider tree-sensitive construction alternatives. See 826-50.
7. **Q) Why do I have to try to avoid impacting or abusing the tree canopy and critical root zones roots if I want to develop, redevelop or do exterior site improvements or add structures to my property?**
- A. Safety. Improperly protected and unnecessarily damaged trees become a real and proven danger to persons and structures when the damage reduces root integrity, opens wounds which allow disease, or results in weak regrowth which can't withstand storms.
- B. ~~This is the only way to protect the trees/ tree canopy from death. Trees can be killed or become diseased by destroying the root system or improperly removing limbs. This part of the ordinance simply requires a developer or resident to work with the city to avoid possible unnecessary tree damage. It doesn't even prohibit the construction site improvements, as long as you work with the City to "the maximum extent feasible" to prevent unnecessary tree damage and ensure minimum landscape standards are maintained..~~
8. **Q) Why do I have to pay for a certified arborist to trim the trees and observe that it's done correctly, and why do I have to give the city 48 hours notice?**
- A. The City's code already requires that a qualified and licensed professional remove trees or limbs larger than 6" diameter. The tree trimming and removal companies in Broward County are required to have arborists on staff in order to guarantee their business licenses. All this ordinance

requires is for one of the company's arborists to be present during the trimming/removal event to ensure quality of work, and accountability. Un-supervised tree trimmers make mistakes which affect the integrity of the trees leaving them vulnerable to disease and making them dangerous during storms. Improper trimming is often the root cause (pun intended) of a healthy tree becoming a hazardous tree.

- B. The 48 hour notice is required mostly for protection for the property owner. This ~~Forty-eight hours~~ gives the City time to arrange for a City arborist (at the City's expense) to come out and ensure that the trimming is being done properly, and to document pre-existing conditions in case the trimmer does poor work. ~~If a tree is hazardous, this requirement would not be applicable according to state law.~~

From: Boutsis, Eve A. <eboutsis@daniabeachfl.gov>

Sent: Tuesday, November 10, 2020 10:02 AM

To: Lajoie, Corinne <clajoie@daniabeachfl.gov>; Jacob Ripp

<jacob.ripp@metriceng.com>; Ryan St. George <ryan.george@metriceng.com>; Norena, Eleanor <enorena@daniabeachfl.gov>; Ansbro, Tom <tansbro@daniabeachfl.gov>; Adams, Lori <ladams@daniabeachfl.gov>

Subject: Fwd: Zoning Overlay Ordinance Q&A

Please see enclosed. Provide comments to me as to inaccuracies.... as residents want to distribute. We need to ensure accuracy

Sent from my iPhone

Begin forwarded message:

From: Stephanie Jofe <shrinkmom@kidbones.com>

Date: November 9, 2020 at 3:28:33 PM EST

To: "Boutsis, Eve A." <eboutsis@daniabeachfl.gov>

Subject: Zoning Overlay Ordinance Q&A

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

Hi Eve,

It seems that there are quite a few misconceptions among those who oppose the ordinance and a group of us were wondering if the city could clear them up prior to the next meeting:

Q) Will I still be able to remove dangerous trees or limbs?

A) Yes. This ordinance will in no way prohibit that. Both State and City law ensure your ability can do that.

Q) Will the minimum landscape standards be onerous?

A) No. The actual requirement is far from burdensome: Under the proposed Ordinance, minimum landscape standards only require 6 Category 1A trees (which are only 16' tall), **or** a combined minimum caliber of all your trees of 40" (that could even be one large tree that is already on your property) **or** 50% canopy coverage, which most residents already have, or are very close to having.

Q) If I don't make any changes to my property, but don't meet the minimum landscape standards now, will I be "grandfathered in"

A) Yes. "Any property that does not meet the tree coverage criteria contained in that Section (826-40) at the time of the ordinance adoption may submit documentation of the preexisting deficiency to preclude assessment of overlay mitigation requirements."

Q) If it's my property; why can't I do whatever I want on it?

A) The City of Dania Beach clearly respects individual property rights, but when those rights infringe on the rights of the rest of the neighborhood, especially when it involves trees that canopy the roads and neighboring properties, the City of Dania Beach should be given the opportunity to weigh in on the matter before very old and stately trees are removed or trimmed to a degree that interferes with their integrity and beauty and decreases everyone's property values. Also, when it increases flooding on the streets and other neighbors' properties, cutting down the trees clearly infringes upon the rights of others and impacts the city's stormwater management plans.

Q) Will I be able to fix a broken pipe?

A) Yes. "Generally accepted emergency/time sensitive procedures necessary for the protection of life, health, safety or property" are excepted from these regulations. (820.60 A) Nonemergent minor repairs that affect less than 30% of the root zone would not be affected by this ordinance.

Q) Will I be able to repave my driveway?

A) Yes. This amendment applies to new construction.

Q) Why do I have to try to avoid impacting or abusing the tree canopy and critical root zones roots if I want to develop, redevelop or do exterior site improvements or add structures to my property?

A) This is the only way to protect the trees/ tree canopy from death. Trees can be killed or become diseased by destroying the root system or improperly removing limbs. This part of the ordinance simply requires a developer or resident to work with the city to avoid possible tree damage. It doesn't even prohibit the construction, as long as you work with the city to "the maximum extent feasible" to prevent unnecessary tree damage.

Q) Why do I have to pay for a certified arborist to trim the trees and observe that it's done correctly, and why do I have to give the city 48 hours notice?

A) Improper trimming can affect the integrity of the trees leaving them vulnerable to disease and making them dangerous during storms. Improper trimming is often the root cause (pun intended) of a healthy tree becoming a hazardous tree. Forty-eight hours gives the City time to arrange for a City arborist (at the City's expense) to come out and ensure that the trimming is being done properly. If a tree is hazardous, this requirement would not be applicable according to state law.

Could these answers to these common questions possibly be explained to residents in advance of the meeting, perhaps with an email, or addressed by the City at the beginning of the meeting? We believe all the answers are accurate to the best of our reading of the ordinance, but we welcome your review before making this public.

Thanks so much,
Stephanie Jofe

Attention: The information contained in this E-mail message is privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you.

Attention: The information contained in this E-mail message is privileged and confidential information intended only for the use of the individual(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please contact the sender by reply E-mail and destroy all copies of the original message. Thank you.

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Lajoie, Corinne

From: Silvana Korik <Silvana@korik.com>
Sent: Thursday, November 12, 2020 4:25 PM
To: Lewellen, Lori; Odman, Lauren; Brandimarte, Chickie; Harris, Bill; James, Tamara; davisfordaniabeach@gmail.com; msalvino@leeslocksmith.com; Lajoie, Corinne; Norena, Eleanor; Sosa-Cruz, Candido; Boutsis, Eve A.; Ansbro, Tom; Ryan St. George
Subject: Harger Hills zoning overlay Petition regarding Ordinance 826

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

Mayor and Commissioners:

My name is Silvana Korik and I am the owner of the property located at 5830 SW 36th terrace Dania Beach, FL. My property is within the Harger Hills Oak Hammock Tree Protection Overlay Ordinance. I am writing to ask that you vote against this Ordinance.

*I am not in favor of the Ordinance. I begin by noting that **this Ordinance would be the only Ordinance of its kind in the City of Dania Beach** and it is not fair to place such restrictions solely upon my neighborhood. The City's existing landscape ordinance is sufficient to protect the existing trees within our neighborhood. In fact, the City Code already imposes significant requirements if a property owner removes a healthy and native tree from his property. This Ordinance is merely the result of a small minority of homeowners in the neighborhood loudly complaining to the City and it does not express the will of the majority of homeowners in the neighborhood. Such action politically is referred to as "tyranny by the minority" and it should not be allowed.*

The Ordinance prevents a homeowner from properly maintaining their property when they see a harmful situation involving trees. We have invested in our property and need to protect our property without the need for the Ordinance or the regulations it imposes. The Ordinance prevents us from taking steps to not only protect our property but more importantly the children and other people who would be outside and could be hurt by falling branches and other items. It is just unfair to require us to hire an arborist and to obtain permits prior to conducting necessary upkeep and maintenance.

In addition, Section 163.045, Florida Statutes seems to be quite clear that a municipality cannot force a homeowner to obtain a permit before trimming, pruning or removing a dangerous tree. The City's proposed Ordinance seems, under the guise of a zoning overlay district, intended to circumvent the State law merely because some residents don't like the state law or are upset at the state law. I do not think Dania Beach should be engaging in such machinations. If the City does not like what was done by the State legislature then it should have its lobbyist try to have the law changed instead of trying a dubious zoning change to perform a questionable disregard of State Law.

*Thank you and please vote **NO** with regard to this Ordinance.*

Silvana Korik

Lajoie, Corinne

From: Rabbi Laredo <rabbilaredo@gmail.com>
Sent: Thursday, November 12, 2020 4:05 PM
To: Lewellen, Lori; Odman, Lauren; Brandimarte, Chickie; Harris, Bill; James, Tamara; davisfordaniabeach@gmail.com; msalvino@leeslocksmith.com; Lajoie, Corinne; Norena, Eleanor; Sosa-Cruz, Candido; Boutsis, Eve A.; Ansbro, Tom; Ryan St. George

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

My name is Rabbi Laredo and I am the owner of the property located at 5861 SW 36 TER, Dania Beach, FL. My property is within the Harger Hills Oak Hammock Tree Protection Overlay Ordinance. I am writing to ask that you vote against this Ordinance.

*I am not in favor of the Ordinance. I begin by noting that **this Ordinance would be the only Ordinance of its kind in the City of Dania Beach** and it is not fair to place such restrictions solely upon my neighborhood. The City's existing landscape ordinance is sufficient to protect the existing trees within our neighborhood. In fact, the City Code already imposes significant requirements if a property owner removes a healthy and native tree from his property. This Ordinance is merely the result of a small minority of homeowners in the neighborhood loudly complaining to the City and it does not express the will of the majority of homeowners in the neighborhood. Such action politically is referred to as "tyranny by the minority" and it should not be allowed.*

The Ordinance prevents a homeowner from properly maintaining their property when they see a harmful situation involving trees. We have invested in our property and need to protect our property without the need for the Ordinance or the regulations it imposes. The Ordinance prevents us from taking steps to not only protect our property but more importantly the children and other people who would be outside and could be hurt by falling branches and other items. It is just unfair to require us to hire an arborist and to obtain permits prior to conducting necessary upkeep and maintenance.

In addition, Section 163.045, Florida Statutes seems to be quite clear that a municipality cannot force a homeowner to obtain a permit before trimming, pruning or removing a dangerous tree. The City's proposed Ordinance seems, under the guise of a zoning overlay district, intended to circumvent the State law merely because some residents don't like the state law or are upset at the state law. I do not think Dania Beach should be engaging in such machinations. If the City does not like what was done by the State legislature then it should have its lobbyist try to have the law changed instead of trying a dubious zoning change to perform a questionable disregard of State Law.

Thank you and please vote NO with regard to this Ordinance.

Lajoie, Corinne

From: Stephanie Jofe <shrinkmom@kidbones.com>
Sent: Thursday, November 12, 2020 3:16 PM
To: Lajoie, Corinne
Subject: Fwd: dania beach tree canopy
Attachments: Benefits of Trees in Florida - V2 Final.docx

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

Hi Corinne,
Thanks for speaking with me this morning. This is the info about the value of the trees to Dania Beach that I said I would send you.
Stephanie

Begin forwarded message:

From: "McClean, Drew C" <drewfish@ufl.edu>
Subject: RE: dania beach tree canopy
Date: July 15, 2020 at 3:39:51 PM EDT
To: Stephanie Jofe <shrinkmom@kidbones.com>
Cc: "Koeser, Andrew" <akoeser@ufl.edu>

Stephanie,

Canopy coverage for Dania Beach is **30.0% ± 2.1%**. The plus/ minus after the first number is a 95% Confidence Interval. Since these numbers are not exact it represent the range of values that we are 95% certain the canopy coverage falls in. For example, canopy coverage could be anywhere from 27.9% to 32.1% for Dania Beach.

The urban forest in Dania Beach provides an estimated **\$672,976** of benefits each year to it's residents. When you add in carbon storage (not an annual benefit) the urban forest provides over **\$9 million** in benefits.

The table below is a breakdown of the estimations of the individual benefits for Dania Beach's urban forest. The plus/ minus represents the standard error in our estimations.

Benefit summary:

Value of Urban Forest Benefits	
Benefit Name	Monetary Value (\$)
Total Air Pollution	\$139,168 ± \$6,624
Avoided Stormwater Runoff	\$199,324 ± \$7,282
CO2 Equivalent Sequestration	\$334,484 ± \$12,221

TOTAL ANNUAL VALUE	\$672,976 ± \$26,127	
CO2 Equivalent Storage*	\$8,400,314 ± \$306,912	<i>*not an annual value</i>
TOTAL VALUE	\$9,073,290 ± \$333,039	

I attached a science communication paper I recently worked on with colleagues that talks about the benefits urban forest provide and briefly explains how we calculate canopy coverage and use that to help estimate the benefit production of an urban forest. This paper specifically focuses on the benefits of urban forests in census designated metropolitan areas throughout Florida but the general information about the benefits (stormwater reduction, air pollution, and carbon storage) applies to urban forest of all sizes.

Please feel free to reach out to Andrew or myself if you have any other questions.

Cheers,

Drew

Drew McLean
 Biological Scientist II
 Urban Tree and Landscape Management Lab
 University of Florida/IFAS
 Gulf Coast Research and Education Center
 14625 CR 672 Wimauma, FL 33598
 813-419-6593
drewfish@ufl.edu

-----Original Message-----

From: Stephanie Jofe <shrinkmom@kidbones.com>
 Sent: Tuesday, July 14, 2020 4:28 PM
 To: Mclean,Drew C <drewfish@ufl.edu>
 Cc: Koeser,Andrew <akoeser@ufl.edu>; Deborah Hilbert <debrivershilbert@gmail.com>
 Subject: Re: dania beach tree canopy

[External Email]

Than you both so much! I look forward to hearing from you. If we can get our oak hammock officially designated as a "canopy area" perhaps we will be able to afford this area some modicum of protection- and maybe eventually partner with other communities to help each other in this regard.
 Stephanie

> On Jul 14, 2020, at 3:58 PM, Mclean,Drew C <drewfish@ufl.edu> wrote:
 >
 > Andrew,
 >
 > Yes I can. I should have time tomorrow to work on the benefit calculations.
 >
 > -Drew
 >
 >> On Jul 14, 2020, at 12:46 PM, Koeser,Andrew <akoeser@ufl.edu> wrote:

>>
>> Drew,
>>
>> Could you please sent Stephanie the canopy coverage and i-tree estimates for Dania Beach when you
get a chance?
>>
>> Thanks!
>>
>> Andrew
>>
>> On 7/14/20, 12:44 PM, "Stephanie Jofe" <shrinkmom@kidbones.com> wrote:
>>
>> [External Email]
>>
>> Hi Professor Koeser,
>>
>> Thank you so much for speaking with me today. Any information you could send me regarding
preserving our tree canopy would be very helpful.
>>
>> Thank you so much,
>> Stephanie Jofe
>>

Lajoie, Corinne

From: Susy Pineda <susy613@gmail.com>
Sent: Thursday, November 12, 2020 2:46 PM
To: Lewellen, Lori; Odman, Lauren; Brandimarte, Chickie; Harris, Bill; James, Tamara; davisfordaniabeach@gmail.com; msalvino@leeslocksmith.com; Lajoie, Corinne; Norena, Eleanor; Sosa-Cruz, Candido; Boutsis, Eve A.; Ansbro, Tom; Ryan St. George
Subject: Harger Hills zoning overlay Petition regarding Ordinance 826

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

Mayor and Commissioners:

My name is Susanna Hernandez and I am the owner of the property located at 5851 SW 36 Ter, Dania Beach, FL. My property is within the Harger Hills Oak Hammock Tree Protection Overlay Ordinance. I am writing to ask that you vote against this Ordinance.

*I am not in favor of the Ordinance. I begin by noting that **this Ordinance would be the only Ordinance of its kind in the City of Dania Beach** and it is not fair to place such restrictions solely upon my neighborhood. The City's existing landscape ordinance is sufficient to protect the existing trees within our neighborhood. In fact, the City Code already imposes significant requirements if a property owner removes a healthy and native tree from his property. This Ordinance is merely the result of a small minority of homeowners in the neighborhood loudly complaining to the City and it does not express the will of the majority of homeowners in the neighborhood. Such action politically is referred to as "tyranny by the minority" and it should not be allowed.*

The Ordinance prevents a homeowner from properly maintaining their property when they see a harmful situation involving trees. We have invested in our property and need to protect our property without the need for the Ordinance or the regulations it imposes. The Ordinance prevents us from taking steps to not only protect our property but more importantly the children and other people who would be outside and could be hurt by falling branches and other items. It is just unfair to require us to hire an arborist and to obtain permits prior to conducting necessary upkeep and maintenance.

In addition, Section 163.045, Florida Statutes seems to be quite clear that a municipality cannot force a homeowner to obtain a permit before trimming, pruning or removing a dangerous tree. The City's proposed Ordinance seems, under the guise of a zoning overlay district, intended to circumvent the State law merely because some residents don't like the state law or are upset at the state law. I do not think Dania Beach should be engaging in such machinations. If the City does not like what was done by the State legislature then it should have its lobbyist try to have the law changed instead of trying a dubious zoning change to perform a questionable disregard of State Law.

Thank you and please vote NO with regard to this Ordinance.

Susanna Hernandez

Lajoie, Corinne

From: Affordable Remodeling Services <Affordablequa@hotmail.com>
Sent: Thursday, November 12, 2020 2:41 PM
To: Lewellen, Lori; Odman, Lauren; Brandimarte, Chickie; Harris, Bill; James, Tamara; davisfordaniabeach@gmail.com; msalvino@leeslocksmith.com; Lajoie, Corinne; Norena, Eleanor; Sosa-Cruz, Candido; Boutsis, Eve A.; Ansbro, Tom; Ryan St. George
Subject: Harger Hills zoning overlay Petition regarding Ordinance 826

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

Mayor and Commissioners:

My name is Ivan Pineda and I am the owner of the property located at 5851 SW 36 ter, Dania Beach, FL. My property is within the Harger Hills Oak Hammock Tree Protection Overlay Ordinance. I am writing to ask that you vote against this Ordinance.

*I am not in favor of the Ordinance. I begin by noting that **this Ordinance would be the only Ordinance of its kind in the City of Dania Beach** and it is not fair to place such restrictions solely upon my neighborhood. The City's existing landscape ordinance is sufficient to protect the existing trees within our neighborhood. In fact, the City Code already imposes significant requirements if a property owner removes a healthy and native tree from his property. This Ordinance is merely the result of a small minority of homeowners in the neighborhood loudly complaining to the City and it does not express the will of the majority of homeowners in the neighborhood. Such action politically is referred to as "tyranny by the minority" and it should not be allowed.*

The Ordinance prevents a homeowner from properly maintaining their property when they see a harmful situation involving trees. We have invested in our property and need to protect our property without the need for the Ordinance or the regulations it imposes. The Ordinance prevents us from taking steps to not only protect our property but more importantly the children and other people who would be outside and could be hurt by falling branches and other items. It is just unfair to require us to hire an arborist and to obtain permits prior to conducting necessary upkeep and maintenance.

In addition, Section 163.045, Florida Statutes seems to be quite clear that a municipality cannot force a homeowner to obtain a permit before trimming, pruning or removing a dangerous tree. The City's proposed Ordinance seems, under the guise of a zoning overlay district, intended to circumvent the State law merely because some residents don't like the state law or are upset at the state law. I do not think Dania Beach should be engaging in such machinations. If the City does not like what was done by the State legislature then it should have its lobbyist try to have the law changed instead of trying a dubious zoning change to perform a questionable disregard of State Law.

Thank you and please vote NO with regard to this Ordinance.

Thank you

Ivan Pineda
Affordable Remodeling Services
5851 sw 36 ter
Fort Lauderdale, FL 33312

954-445-0689



Lajoie, Corinne

From: Bonnie Freeman <bonnielfreeman@gmail.com>
Sent: Thursday, November 12, 2020 2:12 PM
To: Lori <llewellen@daniabeachfl.gov>;
lodman@daniabeachfl.gov<lodman@daniabeachfl.gov>;
cbrandimarte@daniabeachfl.gov<cbrandimarte@daniabeachfl.gov>;
bharris@daniabeachfl.gov<bharris@daniabeachfl.gov>;
tamarajames@daniabeachfl.gov<tamarajames@daniabeachfl.gov>;
davisfordaniabeach@gmail.com<davisfordaniabeach@gmail.com>;
msalvino@leeslocksmith.com; Lajoie; Lajoie, Corinne; Norena, Eleanor; Sosa-Cruz,
Candido; Boutsis, Eve A.; Tom <tansbro@daniabeachfl.gov>; Ryan St. George
Subject: Harger Hills zoning overlay Petition regarding Ordinance 826

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

Mayor and Commissioners:

My name is Bonnie Lane Freeman and I am the owner of the property located at 5771 SW 37 Terrace, Dania Beach, FL. My property is within the Harger Hills Oak Hammock Tree Protection Overlay Ordinance. I am writing to ask that you vote against this Ordinance.

*I am not in favor of the Ordinance. I begin by noting that **this Ordinance would be the only Ordinance of its kind in the City of Dania Beach** and it is not fair to place such restrictions solely upon my neighborhood. The City's existing landscape ordinance is sufficient to protect the existing trees within our neighborhood. In fact, the City Code already imposes significant requirements if a property owner removes a healthy and native tree from his property. This Ordinance is merely the result of a small minority of homeowners in the neighborhood loudly complaining to the City and it does not express the will of the majority of homeowners in the neighborhood. Such action politically is referred to as "tyranny by the minority" and it should not be allowed.*

The Ordinance prevents a homeowner from properly maintaining their property when they see a harmful situation involving trees. We have invested in our property and need to protect our property without the need for the Ordinance or the regulations it imposes. The Ordinance prevents us from taking steps to not only protect our property but more importantly the children and other people who would be outside and could be hurt by falling branches and other items. It is just unfair to require us to hire an arborist and to obtain permits prior to conducting necessary upkeep and maintenance.

In addition, Section 163.045, Florida Statutes seems to be quite clear that a municipality cannot force a homeowner to obtain a permit before trimming, pruning or removing a dangerous tree. The City's proposed Ordinance seems, under the guise of a zoning overlay district, intended to circumvent the State law merely because some residents don't like the state law or are upset at the state law. I do not think Dania Beach should be engaging in such machinations. If the City does not like what was done by the State legislature then it should have its lobbyist try to have the law changed instead of trying a dubious zoning change to perform a questionable disregard of State Law.

Thank you and please vote NO with regard to this Ordinance.

Sent from my iPhone

Lajoie, Corinne

From: Sean Ritterman <Sean@Rittermans.com>
Sent: Thursday, November 12, 2020 1:46 PM
To: Lewellen, Lori; Odman, Lauren; Brandimarte, Chickie; Harris, Bill; James, Tamara; davisfordaniabeach@gmail.com; msalvino@leeslocksmith.com; Lajoie, Corinne; Norena, Eleanor; Sosa-Cruz, Candido; Boutsis, Eve A.; Ansbro, Tom; Ryan St. George
Subject: Harger Hills zoning overlay Petition regarding Ordinance 826
Attachments: Petition to say no to ordinance 826_pdf; Petition to say no to ordinance 826_pdf

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

Mayor and Commissioners:

My name is Sean Ritterman and I am the owner of the property located at 5881 SW 36th Terrace, Dania Beach, FL. My property is within the Harger Hills Oak Hammock Tree Protection Overlay Ordinance. I am writing to ask that you vote against this Ordinance.

*I am not in favor of the Ordinance. I begin by noting that **this Ordinance would be the only Ordinance of its kind in the City of Dania Beach** and it is not fair to place such restrictions solely upon my neighborhood. The City's existing landscape ordinance is sufficient to protect the existing trees within our neighborhood. In fact, the City Code already imposes significant requirements if a property owner removes a healthy and native tree from his property. This Ordinance is merely the result of a small minority of homeowners in the neighborhood loudly complaining to the City and it does not express the will of the majority of homeowners in the neighborhood. Such action politically is referred to as "tyranny by the minority" and it should not be allowed.*

The Ordinance prevents a homeowner from properly maintaining their property when they see a harmful situation involving trees. We have invested in our property and need to protect our property without the need for the Ordinance or the regulations it imposes. The Ordinance prevents us from taking steps to not only protect our property but more importantly the children and other people who would be outside and could be hurt by falling branches and other items. It is just unfair to require us to hire an arborist and to obtain permits prior to conducting necessary upkeep and maintenance.

In addition, Section 163.045, Florida Statutes seems to be quite clear that a municipality cannot force a homeowner to obtain a permit before trimming, pruning or removing a dangerous tree. The City's proposed Ordinance seems, under the guise of a zoning overlay district, intended to circumvent the State law merely because some residents don't like the state law or are upset at the state law. I do not think Dania Beach should be engaging in such machinations. If the City does not like what was done by the State legislature then it should have its lobbyist try to have the law changed instead of trying a dubious zoning change to perform a questionable disregard of State Law.

I have included signed petitions from a number of residents in the 74 lots that would be affected by this ordinance. These signatures include ONLY the residents that are officially willing to say publicly that they

oppose it. Some of the other residents are in fear of being harassed by other resident that are in favor of not being in favor of Ordinance 826 if it were to go public that they say no.

Thank you and please vote NO with regard to this Ordinance.

November 9, 2020

Dear Mayor and City Commissioners of the City of Dania Beach:

My property is subject to the proposed Harger Hills Oak Hammock Tree Protection Overlay Ordinance. I OPPOSE this Ordinance and believe that the Ordinance should NOT be adopted. I never asked for such an Ordinance to be adopted and believe that the current City Code is more than sufficient to protect any trees that need protecting in my neighborhood.

Alexis Rodriguez

Name

Signature

5771 SW 37 Terrace

Fort Lauderdale, FL 33312

Address

November 9, 2020

Dear Mayor and City Commissioners of the City of Dania Beach:

My property is subject to the proposed Harger Hills Oak Hammock Tree Protection Overlay Ordinance. I OPPOSE this Ordinance and believe that the Ordinance should NOT be adopted. I never asked for such an Ordinance to be adopted and believe that the current City Code is more than sufficient to protect any trees that need protecting in my neighborhood.

David C. P.
Name

David C. P.
Signature

5430 SE 37 Terrace
Dania Beach FL 33512
Address

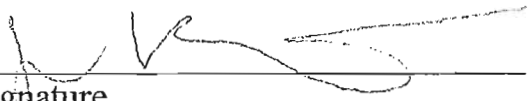
November 9, 2020

Dear Mayor and City Commissioners of the City of Dania Beach:

My property is subject to the proposed Harger Hills Oak Hammock Tree Protection Overlay Ordinance. I OPPOSE this Ordinance and believe that the Ordinance should NOT be adopted. I never asked for such an Ordinance to be adopted and believe that the current City Code is more than sufficient to protect any trees that need protecting in my neighborhood.

Jessica Kutoff

Name



Signature

5801 SW 37th Terrace

Dania Beach FL 33312

Address

November 9, 2020

Dear Mayor and City Commissioners of the City of Dania Beach:

My property is subject to the proposed Harger Hills Oak Hammock Tree Protection Overlay Ordinance. I OPPOSE this Ordinance and believe that the Ordinance should NOT be adopted. I never asked for such an Ordinance to be adopted and believe that the current City Code is more than sufficient to protect any trees that need protecting in my neighborhood.

Lilach Abigel
Name

257 [Signature]
Signature

5981 SW 37 Ter

#2 206146 #2 33312
Address

November 9, 2020

Dear Mayor and City Commissioners of the City of Dania Beach:

My property is subject to the proposed Harger Hills Oak Hammock Tree Protection Overlay Ordinance. I OPPOSE this Ordinance and believe that the Ordinance should NOT be adopted. I never asked for such an Ordinance to be adopted and believe that the current City Code is more than sufficient to protect any trees that need protecting in my neighborhood.

SCOTT ANAGNOSTR

Name



Signature

5940 SW 37th TBMACE

FULT CAUDENNALE, FL 33312

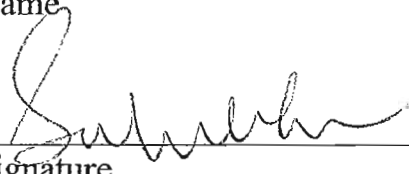
Address

November 9, 2020

Dear Mayor and City Commissioners of the City of Dania Beach:

My property is subject to the proposed Harger Hills Oak Hammock Tree Protection Overlay Ordinance. I OPPOSE this Ordinance and believe that the Ordinance should NOT be adopted. I never asked for such an Ordinance to be adopted and believe that the current City Code is more than sufficient to protect any trees that need protecting in my neighborhood.

Sarit Lev Lev
Name


Signature

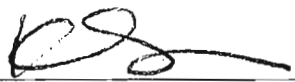
5960 SW 3rd Terrace
Dania Beach FL 33512
Address

November 9, 2020

Dear Mayor and City Commissioners of the City of Dania Beach:

My property is subject to the proposed Harger Hills Oak Hammock Tree Protection Overlay Ordinance. I OPPOSE this Ordinance and believe that the Ordinance should NOT be adopted. I never asked for such an Ordinance to be adopted and believe that the current City Code is more than sufficient to protect any trees that need protecting in my neighborhood.

Kfir Shamir
Name


Signature

5741 SW 37th Ter.

Ft. Lauderdale FL 33312
Address

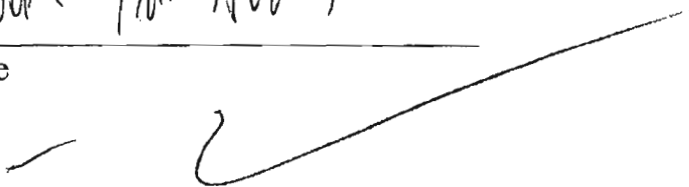
November 9, 2020

Dear Mayor and City Commissioners of the City of Dania Beach:

My property is subject to the proposed Harger Hills Oak Hammock Tree Protection Overlay Ordinance. I OPPOSE this Ordinance and believe that the Ordinance should NOT be adopted. I never asked for such an Ordinance to be adopted and believe that the current City Code is more than sufficient to protect any trees that need protecting in my neighborhood.

NOAM MENINGOV

Name



Signature

5891 SE 27th Ave

Fort Lauderdale FL 33314

Address

November 9, 2020

Dear Mayor and City Commissioners of the City of Dania Beach:

My property is subject to the proposed Harger Hills Oak Hammock Tree Protection Overlay Ordinance. I OPPOSE this Ordinance and believe that the Ordinance should NOT be adopted. I never asked for such an Ordinance to be adopted and believe that the current City Code is more than sufficient to protect any trees that need protecting in my neighborhood.

Jennifer Chemtov
Name

Jennifer L Chemtov
Signature

5800 S.W. 36th Ter
~~Port of Miami~~ Dania Beach FL 33312
Address

November 9, 2020

Dear Mayor and City Commissioners of the City of Dania Beach:

My property is subject to the proposed Harger Hills Oak Hammock Tree Protection Overlay Ordinance. I OPPOSE this Ordinance and believe that the Ordinance should NOT be adopted. I never asked for such an Ordinance to be adopted and believe that the current City Code is more than sufficient to protect any trees that need protecting in my neighborhood.

Miriam Anselem
Name

Miriam Anselem
Signature

5820 SW 36 Terr.
Ft. Lauderdale FL 33312
Address
Dania Beach

November 9, 2020

Dear Mayor and City Commissioners of the City of Dania Beach:

My property is subject to the proposed Harger Hills Oak Hammock Tree Protection Overlay Ordinance. I OPPOSE this Ordinance and believe that the Ordinance should NOT be adopted. I never asked for such an Ordinance to be adopted and believe that the current City Code is more than sufficient to protect any trees that need protecting in my neighborhood.

MARCOS KOUK

Name



Signature

5830 SW 36th Ter.

Address

Dania Beach, FL 33312

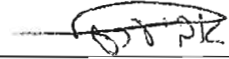
Address

November 9, 2020

Dear Mayor and City Commissioners of the City of Dania Beach:

My property is subject to the proposed Harger Hills Oak Hammock Tree Protection Overlay Ordinance. I OPPOSE this Ordinance and believe that the Ordinance should NOT be adopted. I never asked for such an Ordinance to be adopted and believe that the current City Code is more than sufficient to protect any trees that need protecting in my neighborhood.

Avi peretz
Name


Signature

5840 SW 36th terrace

Fort Lauderdale Fla. 33312
Address

November 9, 2020

Dear Mayor and City Commissioners of the City of Dania Beach:

My property is subject to the proposed Harger Hills Oak Hammock Tree Protection Overlay Ordinance. I OPPOSE this Ordinance and believe that the Ordinance should NOT be adopted. I never asked for such an Ordinance to be adopted and believe that the current City Code is more than sufficient to protect any trees that need protecting in my neighborhood.

David Tepper.

Name

David Tepper

Signature

5811 S.W 36th Terrace

Dania Beach FL 4

Address

November 9, 2020

Dear Mayor and City Commissioners of the City of Dania Beach:

My property is subject to the proposed Harger Hills Oak Hammock Tree Protection Overlay Ordinance. I OPPOSE this Ordinance and believe that the Ordinance should NOT be adopted. I never asked for such an Ordinance to be adopted and believe that the current City Code is more than sufficient to protect any trees that need protecting in my neighborhood.

Lawrence Frisch
Name


Signature

5821 S.W. 36 terrace
Fort Lauderdale, FL 33312
Address

November 9, 2020

Dear Mayor and City Commissioners of the City of Dania Beach:

My property is subject to the proposed Harger Hills Oak Hammock Tree Protection Overlay Ordinance. I OPPOSE this Ordinance and believe that the Ordinance should NOT be adopted. I never asked for such an Ordinance to be adopted and believe that the current City Code is more than sufficient to protect any trees that need protecting in my neighborhood.

Shira Sipper
Name

Shira Sipper
Signature

5921 SW 36th Terr.
Address

Ft. Lauderdale FL 33312
Address

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Amos Prync

Name

Signature

5890 SW 36 TR

FT. LAUD. FL, 33312

Address

November 9, 2020

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Yossef Shamir
Name

Yossef Shamir
Signature

5849 SW 36th Terr

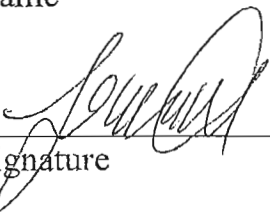
Dania Beach FL 33312
Address

November 9, 2020

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Lauren Dabakaroff-Shamir
Name


Signature

5849 SW 36th Ter
Dania, FL 33312
Address

November 9, 2020

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SARAH BITTON
Name


Signature

5861 SW 36 TER

Ft. Lauderdale, FL 33312
Address

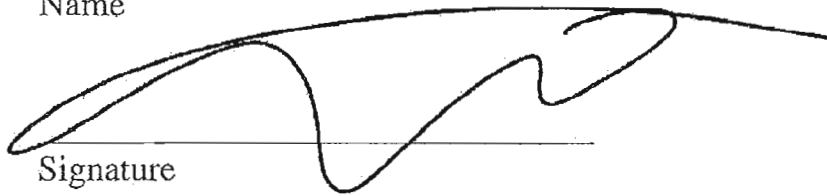
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Joshua Fish

Name

A handwritten signature in black ink, appearing to read 'Joshua Fish', written over a horizontal line.

Signature

5870 SW 37th Avenue, Fort Lauderdale, FL 33312

Address

November 9, 2020

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Miriam S. Hy
Name

Miriam S. Hy
Signature

5940 SW 37 Ave

Dania Beach FL 33312
Address

November 9, 2020

Dear Mayor and City Commissioners of the City of Fairfax:

My property is subject to the proposed Harper Hills Oak Hardwood Tree Protection Overlay Ordinance. I OPPOSE this Ordinance and believe that the Ordinance should NOT be adopted. I never asked for such an Ordinance to be adopted and believe that the current City Code is more than sufficient to protect any trees that need protecting in my neighborhood.

Berch, Igel Holman

Name



Signature

5911 SW 36th Ter

Don Berch, VI 33342

Address

November 9, 2020

Dear Mayor and City Commissioners of the City of Dania Beach:

My property is subject to the proposed Harger Hills Oak Hammock Tree Protection Overlay Ordinance. I OPPOSE this Ordinance and believe that the Ordinance should NOT be adopted. I never asked for such an Ordinance to be adopted and believe that the current City Code is more than sufficient to protect any trees that need protecting in my neighborhood.

Sara Laniado

Name

A handwritten signature in black ink, appearing to be 'Sara Laniado', written over a horizontal line.

Signature

5960 sw 37 ave
Ft Lauderdale FL 33312

Address

November 9, 2020

Dear Mayor and City Commissioners of the City of Dana Point:

My property is subject to the proposed Hanger Hill Oak Hammock Tree Protection Overlay Ordinance. I OPPOSE this Ordinance and believe that the Ordinance should NOT be adopted. I never asked for such an Ordinance to be adopted and believe that the current City Code is more than sufficient to protect any trees that need protecting in my neighborhood.

Yvonne Stein

Signature

3415 W 36 Terrace

Dana Point, CA 92629

Address

November 9, 2020

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Michael Giasio
Name


Signature

5801 SW 36 Ter

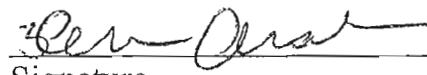
Dania Beach FL 33312
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Amram Amselem
Name


Signature

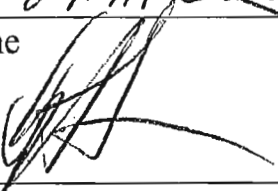
5820 SW 36 Terr.
Dania Beach FL 33312
Address

November 9, 2020

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Bonnie Lane Freeman
Name


Signature

5771 SW 37 Terrace
Fort Lauderdale, FL 33312
Address

November 9, 2020

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Aria Ed
Name

[Signature]
Signature

3950 SW 37 Terrace

Dania Beach FL 33112
Address

November 9, 2020

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David Kutoff
Name

David Kutoff
Signature

5801 SW 37th Terrace
Dania Beach FL 33312
Address

November 9, 2020

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Alisa Reichenberg
Name

[Signature]
Signature

5921 SW 37 Ter
Ft. Lauderdale
Address
33312

November 9, 2020

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Name

Shevin/Jennifer Goodman

Signature

Address

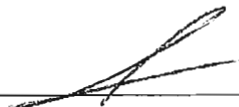
5970 SW 37th Ter Ft Lauderdale FL 33312

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Eli Abriel
Name


Signature

5981 SW 37 Dr
ft Larchmont FL 33312
Address

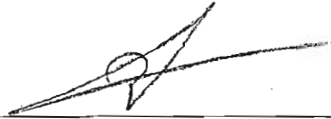
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Hadar Lev-Tov

Name



Signature

5960 SW 37 Terrace

Dania Beach FL 33312

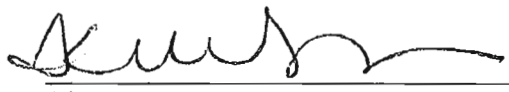
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Kristina Wiers Shamir
Name


Signature

5741 SW 37th Terrace
Ft. Lauderdale FL 33312
Address

November 9, 2020

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Garth Nuljesch
Name

[Signature]
Signature

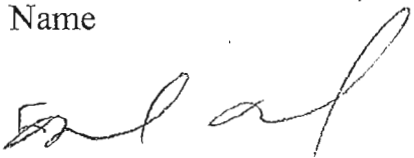
1791 SW 27th Terrace
Fort Lauderdale FL 33314
Address

November 9, 2020

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Michal Nuriel
Name


Signature

5840 SW 36th terrace

Fort Lauderdale Fla. 33312
Address

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Terry Chenow

Name



Signature

5800 S.W. 36th Terrace

Dania Beach, FL 33312

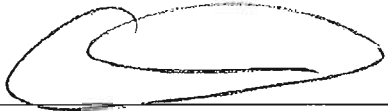
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Jacob Amselem
Name


Signature

5820 SW 36 Terr.

Dania Beach FL 33312
Address

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Joshua Korik
Name


Signature

5830 SW 36th Terr Dania Beach

FL 33312
Address

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Silvana Kou'k

Name



Signature

5830 SW 36th terrace

Dania Beach, FL 33312

Address

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Dina Frisch

Name



Signature

5821 S.W. 36 terrace

Fort Lauderdale, FL 33312

Address

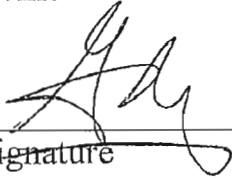
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JUAN PINEDA

Name



Signature

5851 SW 36th

DANIA BEACH, FL 33312

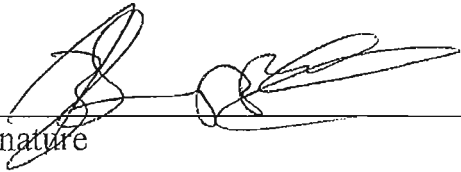
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Arveh Sipper
Name


Signature

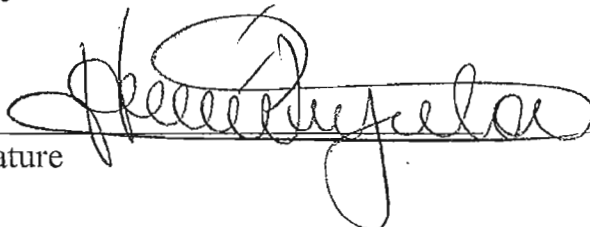
5921 SW 36th Terrace
Fort Lauderdale, FL 33322
Address

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Heleni NUSYNOWSKI
Name


Signature

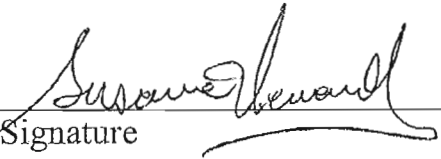
5890 SW 36 TR
FT. LAUD. FL, 33312
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SOSANNA Hernandez
Name


Signature

5851 SW 36th

DANIA Beach, FL 33312
Address

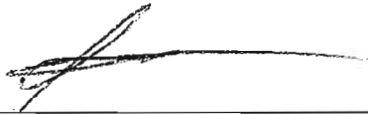
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Sean Rittnerman

Name



Signature

5881 SW 36th Tr

Dania Beach, Florida 33312

Address

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Justin Laredo
Name


Signature

5861 SW 36 Terrace

FT. Lauderdale, FL, 33312
Address

November 9, 2020

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Aria EDM
Name:

[Signature]
Signature

5940 SW 37 Ave
Dania Beach FL 33312
Address

1 of 1

November 9, 2020

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Garud Avakum

Name



Signature

5831 SW
37 AV E11

Address

November 9, 2020

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Gracie Lynn Walker
Name

[Signature]
Signature

5901 SW 36th Ter
Dania Beach, FL 33317
Address

November 9, 2020

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Moshe Laniado

Name


Signature

5960 sw 37 ave

Ft Lauderdale FL 33312

Address

November 9, 2020

Dear Mayor and City Commissioners of the City of Dana Beach:

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V.W. SHERIN
Name

[Signature]
Signature

5901 SW 36 RD
DANA BEACH FL 33512
Address

Lajoie, Corinne

From: Stephanie Jofe <shrinkmom@kidbones.com>
Sent: Thursday, November 12, 2020 1:39 PM
To: Ansbro, Tom
Cc: Boutsis, Eve A.; Lajoie, Corinne; Norena, Eleanor; Ryan St. George; Jacob Ripp
Subject: Re: Zoning Overlay Ordinance Q&A

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

That makes Ryan St. George's answer to the first question somewhat confusing. It sounds like you would have to have an arborist present to remove a tree using 163.045, but I believe that is, unfortunately, not the case.

Thanks,
Stephanie

On Nov 12, 2020, at 1:27 PM, Ansbro, Tom <tansbro@daniabeachfl.gov> wrote:

No, the City cannot require an arborist to be present under that state law.

From: Stephanie Jofe <shrinkmom@kidbones.com>
Sent: Thursday, November 12, 2020 1:11 PM
To: Boutsis, Eve A. <eboutsis@daniabeachfl.gov>
Cc: Ansbro, Tom <tansbro@daniabeachfl.gov>; Lajoie, Corinne <clajoie@daniabeachfl.gov>; Norena, Eleanor <enorena@daniabeachfl.gov>
Subject: Re: Zoning Overlay Ordinance Q&A

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

Thank you all for reviewing this Q&A and clearing up any questions. It seems to me that some members of the community are fearful of requirements in the ordinance that are actually not overly burdensome and will help protect the health of the trees. I don't know how you might use it, but it would answer some resident's most pressing questions.

One question that became less clear to me from Ryan's comments is: Can the city require an arborist to be present if they take down a tree using FL 163.045? His answer seems to imply that they can, but I didn't think so.

Thanks,
Stephanie

On Nov 12, 2020, at 10:53 AM, Boutsis, Eve A. <eboutsis@daniabeachfl.gov> wrote:

See edits.

Eve Boutsis
Assistant City Attorney | City of Dania Beach
eboutsis@daniabeachfl.gov | daniabeachfl.gov
100 W Dania Beach Blvd. | Dania Beach, FL, 33004
Phone: 954-924-6800 x3631

Web: daniabeachfl.gov | FB: [cityofdaniabeach](https://www.facebook.com/cityofdaniabeach) | Twitter: [@DaniaBeachFL](https://twitter.com/DaniaBeachFL)
Youtube: [DaniaBeachTV](https://www.youtube.com/DaniaBeachTV) | Emergency Notifications: CodeRED

Please note: Florida has a very broad public records law. Most written communications to or from City Officials regarding City business are public records available to the public and media upon request. communications may therefore be subject to public disclosure.

From: Ryan St. George <Ryan.StGeorge@metriceng.com>
Sent: Tuesday, November 10, 2020 11:22 PM
To: Lajoie, Corinne <clajoie@daniabeachfl.gov>; Boutsis, Eve A. <eboutsis@daniabeachfl.gov>; Jacob Ripp <Jacob.Ripp@metriceng.com>; Norena, Eleanor <enorena@daniabeachfl.gov>; Ansbro, Tom <tansbro@daniabeachfl.gov>; Adams, Lori <ladams@daniabeachfl.gov>
Cc: Sosa-Cruz, Candido <csosacruz@daniabeachfl.gov>
Subject: RE: Zoning Overlay Ordinance Q&A

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

All,

There was much in the original Q/A (at the bottom of the email) that was inconsistent with the ordinance or was not adequately clear given the purpose of the email, the wording of the questions, and how this information will be distributed. To limit unnecessary confusion, I have tried to correct in red/green below without belaboring any points. Apologies if too much, but let me know if more is needed.

Regards,

Ryan St. George
South Florida Environmental Services Manager
<[image001.png](#)>
13940 SW 136th St, Miami, FL 33186
Office: (305) 235-5098 ext 119
Mobile: (954) 668-8244
Fax: (305) 251-5894
Ryan.stgeorge@metriceng.com
www.metriceng.com

From: Lajoie, Corinne <clajoie@daniabeachfl.gov>
Sent: Tuesday, November 10, 2020 3:41 PM
To: Boutsis, Eve A. <eboutsis@daniabeachfl.gov>; Jacob Ripp <Jacob.Ripp@metriceng.com>; Ryan St. George <Ryan.StGeorge@metriceng.com>;

Norena, Eleanor <enorena@daniabeachfl.gov>; Ansbro, Tom
<tansbro@daniabeachfl.gov>; Adams, Lori <ladams@daniabeachfl.gov>
Cc: Sosa-Cruz, Candido <csosacruz@daniabeachfl.gov>
Subject: RE: Zoning Overlay Ordinance Q&A

I would like Ryan/Jake to review as well to review the technical information.

I high-lighted a few words in the answers to questions number 4 & 7 that I think need to be softened a bit.

1. **Q) Will I still be able to remove dangerous trees or limbs?**
 - A. Yes. This ordinance will in no way prohibit that. Both State and City law ensure your ability can do that.
 - B. The only changes to the existing City code, under this overlay, which have specific bearing on the question are;
 - a. The requirement that the trimming or removal company has an arborist on-site for the activity [826-40(G)], and
 - b. That the City be provided 48 hours advance notification of such trimming activities [826-40(H)]
2. **Q) Will the minimum landscape standards be onerous?**
 - A. No. The actual requirement is ~~far from~~ not believed to be overly burdensome: Under the current code, minimum landscape standards for single family properties require a total of three Category 1B (12' tall) shade trees. Under the proposed Ordinance in 826-40 minimum landscape standards only require:
 - a. 6 Category 1A trees (which are ~~only~~ 16' tall), or
 - b. a combined minimum caliper of all your trees of 40" (that could even be one large tree that is already on your property), or
 - c. 50% canopy coverage.
 - B. ~~which~~ Most residents in the proposed overlay district already have, or are very close to having satisfy one or more of these requirements and therefore meet the standards.
3. **Q) If I don't make any changes to my property, but don't meet the minimum landscape standards now, will I be "grandfathered in"**
 - A. A) Yes. While the minimum landscape standards were set to be consistent with existing tree coverage throughout the overlay area as a whole, "Any property that does not meet the tree coverage criteria contained in that Section (826-40) at the time of the ordinance adoption may submit documentation of the preexisting deficiency to preclude assessment of overlay mitigation requirements." This grandfathering applies to properties that legally do not meet minimum landscape standards
4. **Q) If it's my property; why can't I do whatever I want on it?**
 - A. The City of Dania Beach clearly respects individual property rights, but ~~when those rights infringe on the rights of the rest of the neighborhood, especially when it involves trees that canopy the roads and neighboring properties, the City of Dania Beach should be given the opportunity to weigh in on the matter before very old and stately trees are removed or trimmed to a degree that interferes with their integrity and beauty and decreases everyone's property values. Also, when it increases flooding on the streets and other neighbors' properties, cutting down the trees clearly~~

~~infringes upon the rights of others and impacts the city's stormwater management plans.~~

- B. Incorporated municipalities (like Dania Beach) have a City code which establishes various standards, rules, and requirements for the collective benefit of residents and businesses, but all residents and businesses must also abide by this same code. Dania Beach's City code contains a tree preservation ordinance (Article 825) because the benefits of tree canopy have been proven, and it has been deemed by City elected officials that management of these benefits are better coordinated and managed at a City level, not on a property by property basis.
- C. Recent destruction of valuable tree resources in the Harger Hills neighborhood has revealed several ways in which Article 825 of the City's existing code does not adequately protect the higher quality native tree hammock community that remains in this neighborhood. This new overlay area ordinance (Article 826) provides additional protections to guard against future similar destruction and help protect the integrity of, and benefits provided by the unique natural vegetation in this area (826-20).

5. **Q) Will I be able to fix a broken pipe?**

- A. Yes. While Section 826-40 clearly indicates the ordinance applies to this exact type of property maintenance activity, non-emergency minor repairs that affect less than 30% of the root zone would not be affected by this ordinance. In addition, "Generally accepted emergency/time sensitive procedures necessary for the protection of life, health, safety or property" are excepted from these regulations. (820.60 A)
- B. However, the ordinance is intended to discourage poorly planned, haphazard site work which might accidentally result in tree abuse or unnecessary destruction of healthy, mature trees by failing to consider tree-sensitive construction alternatives. See 826-50 Many contractors are unaware of such alternatives but can easily accommodate minor project modifications to better ensure survival, longevity, and most importantly safety, of protected trees. See 826-50.

6. **Q) Will I be able to repave my driveway?**

- A. Like question 5 above, Yes. ~~This amendment applies to new construction.~~
- B. While Section 826-40 clearly indicates the ordinance applies to this exact type of property maintenance activity, the intent is only to discourage poorly planned, haphazard site work which might accidentally result in tree abuse or unnecessary destruction of healthy, mature trees by failing to consider tree-sensitive construction alternatives. See 826-50.

7. **Q) Why do I have to try to avoid impacting or abusing the tree canopy and critical root zones roots if I want to develop, redevelop or do exterior site improvements or add structures to my property?**

- A. Safety. Improperly protected and unnecessarily damaged trees become a real and proven danger to persons and structures when the damage reduces root integrity, opens wounds which allow disease, or results in weak regrowth which can't withstand storms.
- B. ~~This is the only way to protect the trees/ tree canopy from death. Trees can be killed or become diseased by destroying the root system or improperly removing limbs. This part of the ordinance simply requires a developer or resident to work with the city to avoid possible unnecessary tree damage. It doesn't even prohibit the construction site improvements, as long as you~~

work with the City to “the maximum extent feasible” to prevent unnecessary tree damage and ensure minimum landscape standards are maintained..

8. **Q) Why do I have to pay for a certified arborist to trim the trees and observe that it's done correctly, and why do I have to give the city 48 hours notice?**

- A. The City's code already requires that a qualified and licensed professional remove trees or limbs larger than 6" diameter. The tree trimming and removal companies in Broward County are required to have arborists on staff in order to guarantee their business licenses. All this ordinance requires is for one of the company's arborists to be present during the trimming/removal event to ensure quality of work, and accountability. Un-supervised tree trimmers make mistakes which affect the integrity of the trees leaving them vulnerable to disease and making them dangerous during storms. Improper trimming is often the root cause (pun intended) of a healthy tree becoming a hazardous tree.
- B. The 48 hour notice is required mostly for protection for the property owner. This ~~Forty-eight hours~~ gives the City time to arrange for a City arborist (at the City's expense) to come out and ensure that the trimming is being done properly, and to document pre-existing conditions in case the trimmer does poor work. ~~If a tree is hazardous, this requirement would not be applicable according to state law.~~

From: Boutsis, Eve A. <eboutsis@daniabeachfl.gov>

Sent: Tuesday, November 10, 2020 10:02 AM

To: Lajoie, Corinne <clajoie@daniabeachfl.gov>; Jacob Ripp <jacob.ripp@metriceng.com>; Ryan St. George <ryan.george@metriceng.com>; Norena, Eleanor <enorena@daniabeachfl.gov>; Ansbro, Tom <tansbro@daniabeachfl.gov>; Adams, Lori <ladams@daniabeachfl.gov>

Subject: Fwd: Zoning Overlay Ordinance Q&A

Please see enclosed. Provide comments to me as to inaccuracies.... as residents want to distribute. We need to ensure accuracy

Sent from my iPhone

Begin forwarded message:

From: Stephanie Jofe <shrinkmom@kidbones.com>

Date: November 9, 2020 at 3:28:33 PM EST

To: "Boutsis, Eve A." <eboutsis@daniabeachfl.gov>

Subject: Zoning Overlay Ordinance Q&A

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

Hi Eve,

It seems that there are quite a few misconceptions among those who oppose the ordinance and a group of us were wondering if the city could clear them up prior to the next meeting:

Q) Will I still be able to remove dangerous trees or limbs?

A) Yes. This ordinance will in no way prohibit that. Both State and City law ensure your ability can do that.

Q) Will the minimum landscape standards be onerous?

A) No. The actual requirement is far from burdensome: Under the proposed Ordinance, minimum landscape standards only require 6 Category 1A trees (which are only 16' tall), **or** a combined minimum caliber of all your trees of 40" (that could even be one large tree that is already on your property) **or** 50% canopy coverage, which most residents already have, or are very close to having.

Q) If I don't make any changes to my property, but don't meet the minimum landscape standards now, will I be "grandfathered in"

A) Yes. "Any property that does not meet the tree coverage criteria contained in that Section (826-40) at the time of the ordinance adoption may submit documentation of the preexisting deficiency to preclude assessment of overlay mitigation requirements."

Q) If it's my property; why can't I do whatever I want on it?

A) The City of Dania Beach clearly respects individual property rights, but when those rights infringe on the rights of the rest of the neighborhood, especially when it involves trees that canopy the roads and neighboring properties, the City of Dania Beach should be given the opportunity to weigh in on the matter before very old and stately trees are removed or trimmed to a degree that interferes with their integrity and beauty and decreases everyone's property values. Also, when it increases flooding on the streets and other neighbors' properties, cutting down the trees clearly infringes upon the rights of others and impacts the city's stormwater management plans.

Q) Will I be able to fix a broken pipe?

A) Yes. "Generally accepted emergency/time sensitive procedures necessary for the protection of life, health, safety or property" are excepted from these regulations. (820.60 A) Nonemergent minor repairs that affect less than 30% of the root zone would not be affected by this ordinance.

Q) Will I be able to repave my driveway?

A) Yes. This amendment applies to new construction.

Q) Why do I have to try to avoid impacting or abusing the tree canopy and critical root zones roots if I want to develop, redevelop or do exterior site improvements or add structures to my property?

A) This is the only way to protect the trees/ tree canopy from death. Trees can be killed or become diseased by destroying the root system or improperly removing limbs. This part of the ordinance simply requires a developer or resident to work with the city to avoid possible tree damage. It doesn't even prohibit the construction, as long as you work with the city to "the maximum extent feasible" to prevent unnecessary tree damage.

Q) Why do I have to pay for a certified arborist to trim the trees and observe that it's done correctly, and why do I have to give the city 48 hours notice?

A) Improper trimming can affect the integrity of the trees leaving them vulnerable to disease and making them dangerous during storms. Improper trimming is often the root cause (pun intended) of a healthy tree becoming a hazardous tree. Forty-eight hours gives the City time to arrange for a City arborist (at the City's expense) to come out and ensure that the trimming is being done properly. If a tree is hazardous, this requirement would not be applicable according to state law.

Could these answers to these common questions possibly be explained to residents in advance of the meeting, perhaps with an email, or addressed by the City at the beginning of the meeting? We believe all the answers are accurate to the best of our reading of the ordinance, but we welcome your review before making this public.

Thanks so much,
Stephanie Jofe

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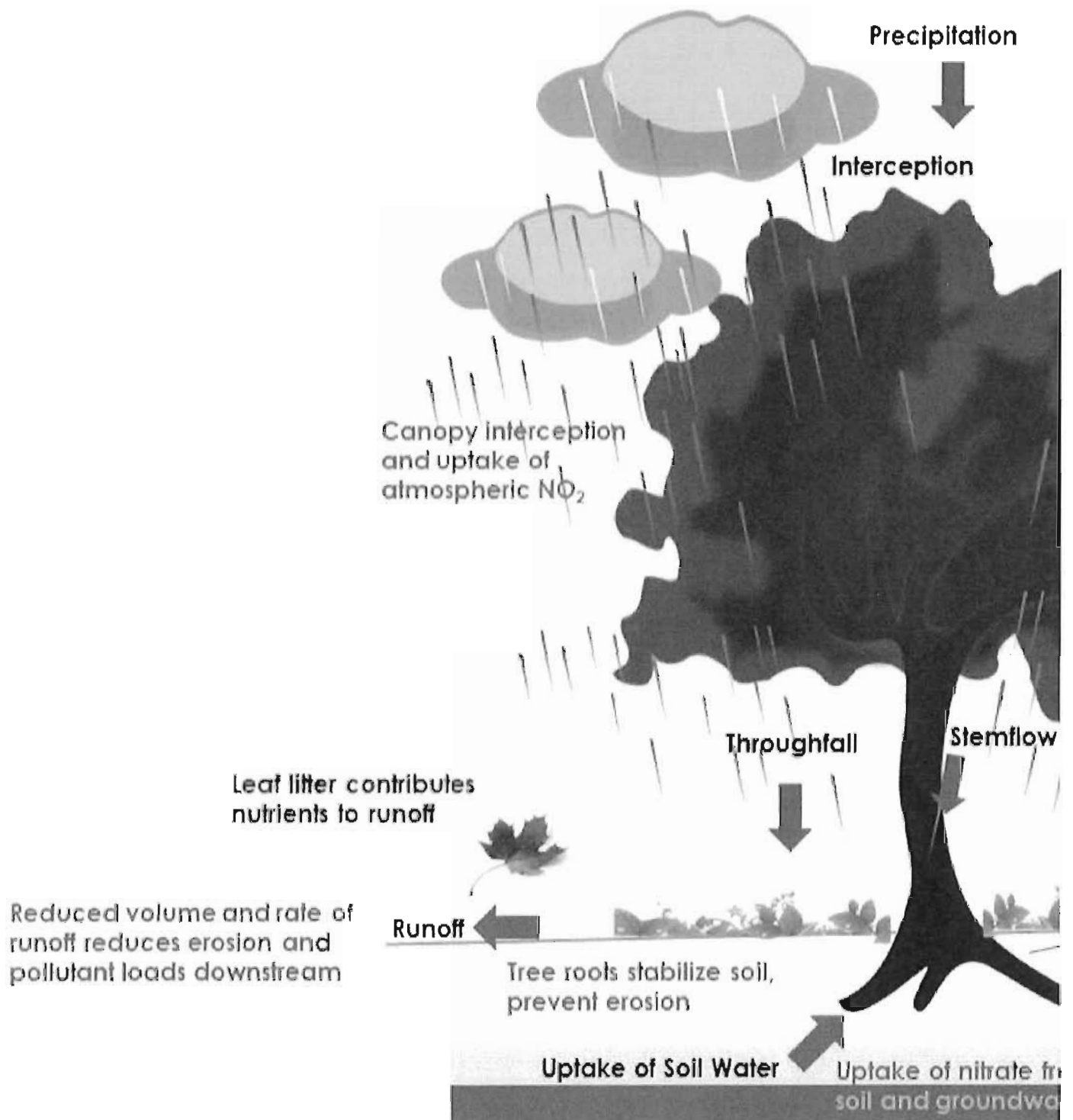
Lajoie, Corinne

From: Stephanie Jofe <shrinkmom@kidbones.com>
Sent: Wednesday, November 11, 2020 11:22 AM
To: Lewellen, Lori; James, Tamara; Odman, Lauren; Harris, Bill; Brandimarte, Chickie; Salvino, Marco; info@davisfordaniabeach.com; Norena, Eleanor; Lajoie, Corinne; Lorber, Richard; Ansbro, Tom; Boutsis, Eve A.
Subject: Stormwater Runoff and the Urban Tree Canopy
Attachments: trees control stormwater runoff and improve water quality.pdf; Benefits of Trees in Florida - V2 Final.docx

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

Hi Commissioners and Department Directors,

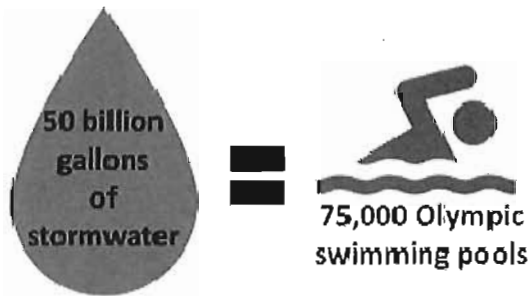
Those opposed to the Zoning Overlay Ordinance have made the claim that trees and the tree canopy do not help with stormwater runoff. There is voluminous literature which contradicts this claim and there are government entities that are actually trying to place a value on the cost savings in this area attributable to maintaining the urban tree canopy. These articles also discuss the importance of trees in filtering pollutants from the stormwater runoff, which should be an very important consideration for those concerned with the health and safety of their young children. Below is a diagram from one of the articles depicting how this process works, followed by an excerpt from the second reference below. They are followed by a list of some relevant literature. I can provide references to many more articles upon request.



Stormwater Runoff

Stormwater runoff is the rainwater that flows over the ground after a rain event. Impervious surfaces such as roads, parking lots, and rooftops do not allow water to infiltrate into the soil. Instead, these impervious surfaces swiftly direct large volumes of water into nearby stormwater drains typically ending up in neighboring waterbodies. In urban areas with increased impervious surfaces, stormwater runoff can be a significant source of pollution to local waterbodies. As water flows over impervious surfaces it can pick up many different pollutants (e.g., antifreeze, grease, pesticides, bacteria, etc.) that are present on these paved surfaces.

Trees help combat the negative effects of stormwater runoff by capturing rainfall on their leaves and bark, thereby reducing the amount of water hitting impervious surfaces. In addition, tree roots and old fallen leaves can promote soil conditions that allow more water to enter the soil during a rain event. Collectively, the urban forests in the 29 metropolitan and micropolitan areas intercept an estimated 50 billion gallons of water a year, resulting in savings of over \$451 million in avoided annual stormwater treatment costs (Table 4.) To put this volume of water in context, that is enough to fill approximately 75,000 Olympic-sized swimming pools each year (Figure 6).



<https://www.cwp.org/reducing-stormwater-runoff/reduce-runoff>

<https://www.epa.gov/soakuptherain/soak-rain-trees-help-reduce-runoff>

These are photos taken on our street before many large trees, primarily oaks, were removed from 5960 and 5950 SW 37th Terrace. Each before photo is followed by an after photo of the flooding that now occurs since these trees have been removed. Granted, we have had more rain than usual recently, but in my 32 years here, (and we have been through many hurricanes, including Andrew and Wilma, and many heavy tropical storms), the flooding was never like this prior to the trees being removed.

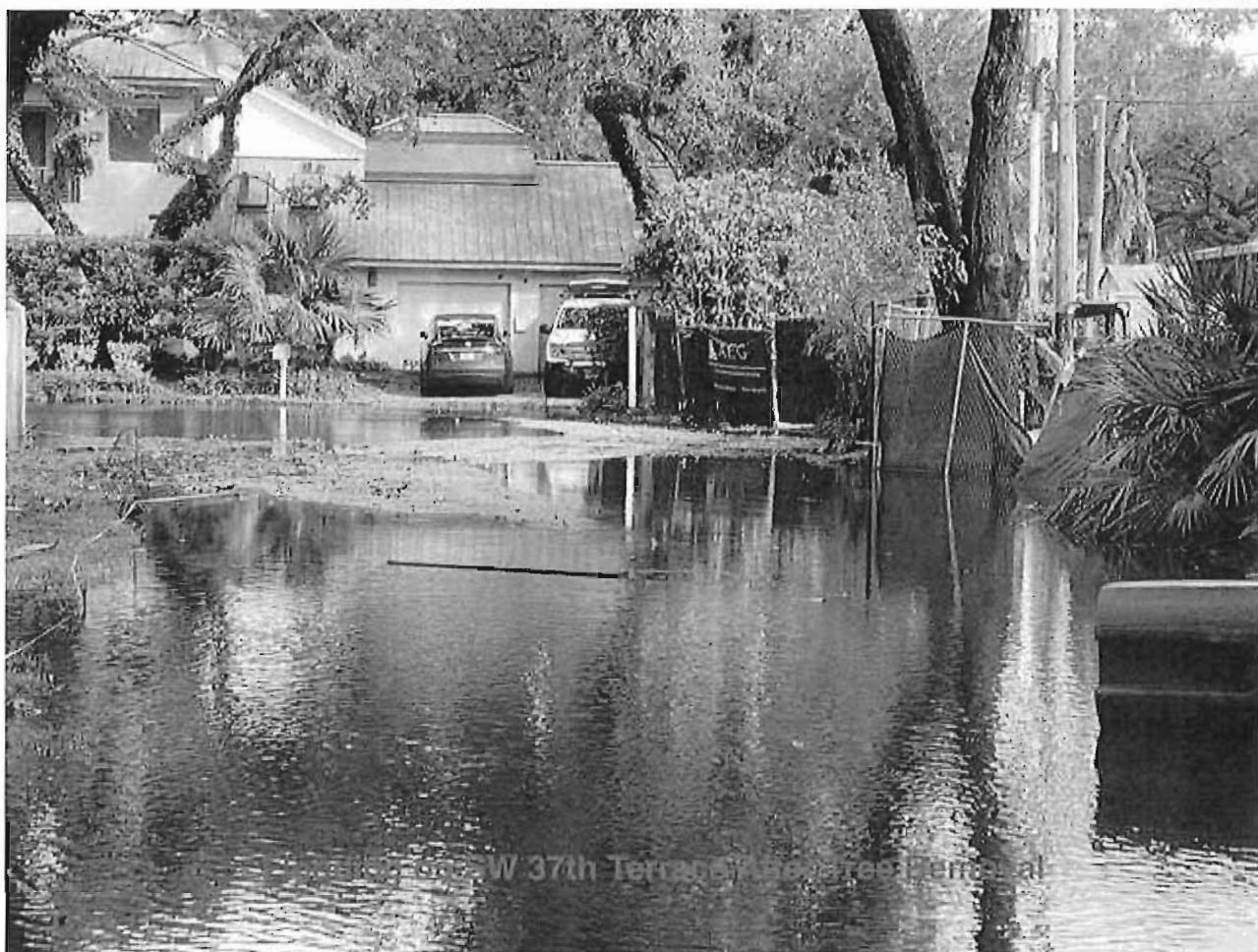
Therefore, it is imperative for the city to do whatever it can to stop and mitigate tree removal in the Harger Hills Oak Hammock. Passing the Zoning Overlay Ordinance would be one large step in this direction.

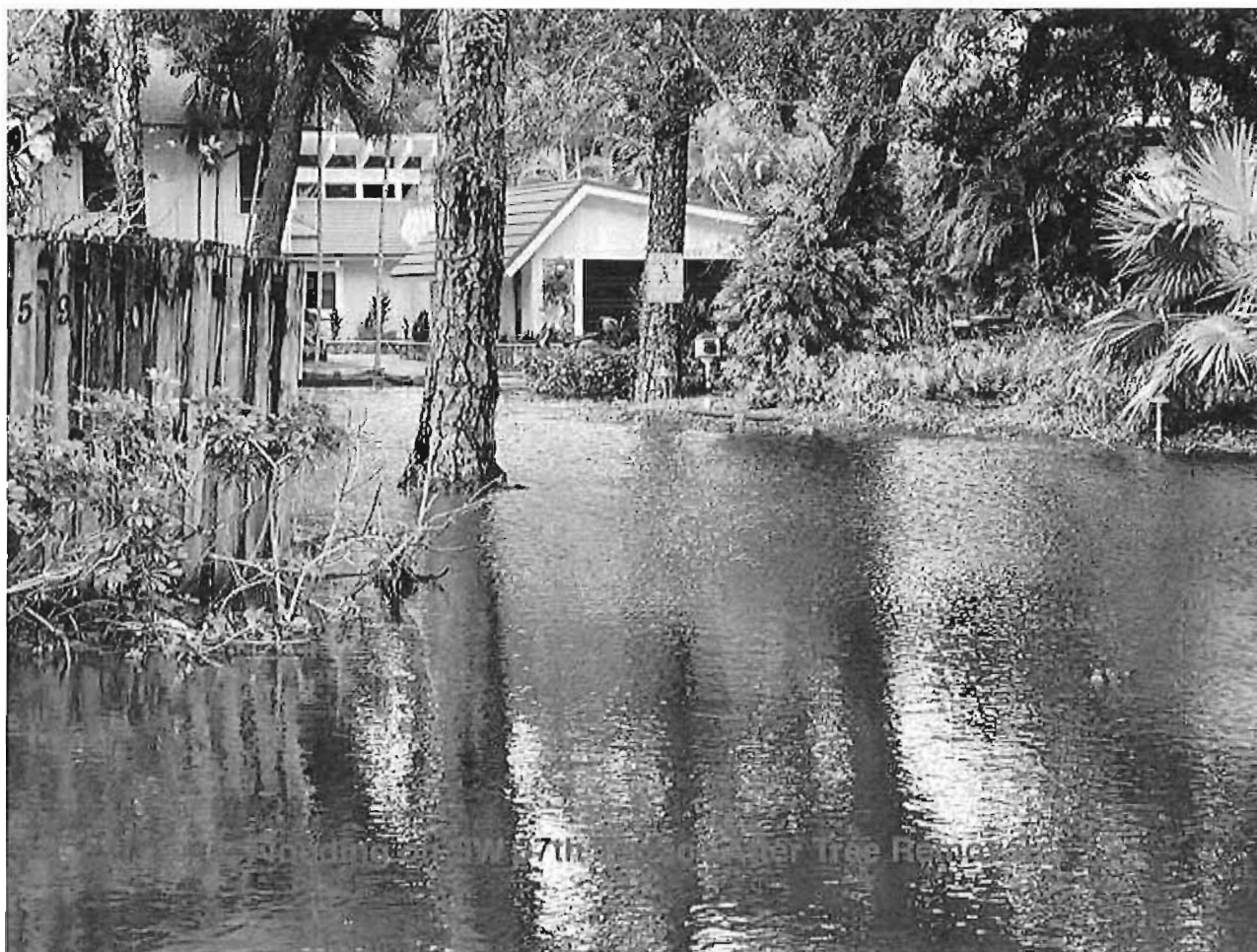


Oak Hammock 5960 SW 37th Terrace Prior to Tree Removal



Flooding on SW 37th Terrace After Tree Removal





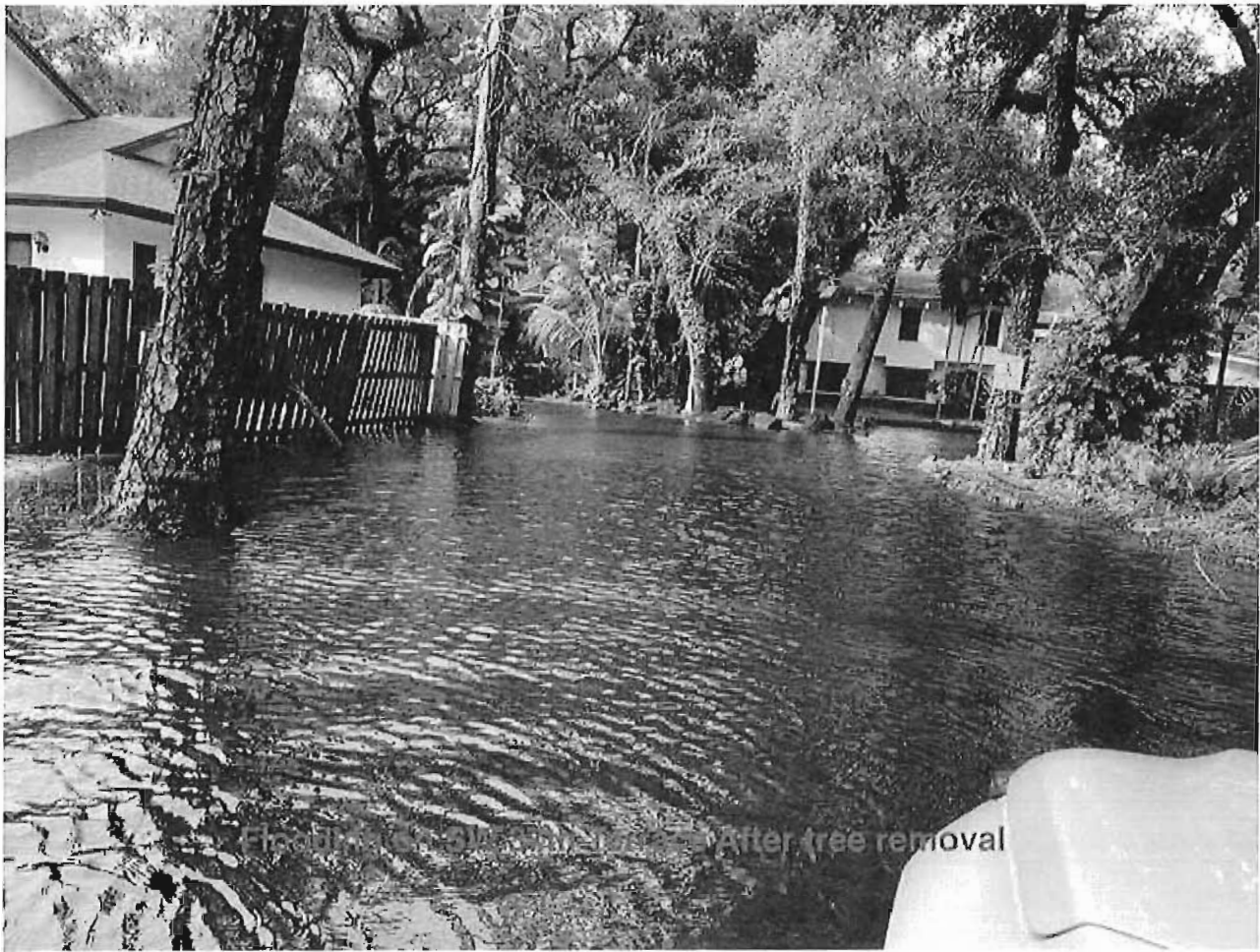


Photo 10: Flooded area after tree removal





Thank you so much for your attention to this matter and all your efforts to protect our oak hammock.

Sincerely,
Stephanie Jofe

Lajoie, Corinne

From: michelle Nadel <michelledhammer@hotmail.com>
Sent: Monday, November 09, 2020 9:38 AM
To: Garcia, Ana; Lewellen, Lori; Norena, Eleanor; James, Tamara; Harris, Bill; Lajoie, Corinne; Odman, Lauren; Lorber, Richard; Brandimarte, Chickie; Boutsis, Eve A.
Subject: Flooding SW 37th Terrace

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Good morning,

I hope you are all safe and well. As I'm sure you are aware, there is ongoing major flooding on our street. Many of our homes have become difficult to access and it has become dangerous, especially at night when we can't see how deep the flooding has become. Unfortunately, the swale has not accomplished much to alleviate the severe flooding. We kindly request your assistance with this- we need a drain or drain system that's effective so we can safely access our homes safely.

I understand Mother Nature has sent heavy rains in our area and there's flooding in other areas as well. My children's school was canceled a few weeks ago due to the flooding (on SW 40th Ave). From what we discussed in the meeting, it seems the extensive building in the area may be affecting the run-off and exacerbating the flooding situation in this area. I hope you consider this before any new developments are approved as this would truly be harmful to our community.

Please let us know what can be done to help. As always, we truly appreciated all of your time and efforts on our behalf.

Stay well!

Michelle Nadel
917.716.7945

Lajoie, Corinne

From: michelle Nadel <michelledhammer@hotmail.com>
Sent: Friday, October 23, 2020 8:37 AM
To: Lajoie, Corinne
Cc: Jessica Kutoff; Stephanie Jofe; Harvery Sepler; Boutsis, Eve A.; Ansbro, Tom; Adams, Lori; Norena, Eleanor; jacob.ripp@metriceng.com; Harrison - Prime Petals; Sarah Gonen; Gabi Hirschman; Kurt Larsen; Audra Mittleman; Clndy Riizzo; Odman, Lauren; Harris, Bill; James, Tamara; Lorber, Richard
Subject: Re: the city's unified land development code

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Good morning,

This is even more upsetting to read this. So this was all done with permits and the city understood in advance that an entire forest was about to be wiped out in our backyard with zero consideration for its residents? We were misled and this was underplayed to us as clearing some underbush when in fact, as is in your report, it was known that 95% of this forest would be destroyed. So again, we are asking and pleading for your help- what can be done to help protect us and restore our area by replacing what's been destroyed?

Michelle Nadel
917.716.7945

On Oct 22, 2020, at 5:29 PM, Lajoie, Corinne <clajoie@daniabeachfl.gov> wrote:

Good evening. I understand how upsetting this action is to you and your neighbors. Staff is alarmed as well. This afternoon we sent our arborist to the site to insure that all activity is not only in accordance with the City's existing regulations, but that it is also compliant with the Zoning in Progress and the proposed Tree Protection Overlay District regulations. Our arborist confirmed that the current tree removal and under canopy removal is in fact compliant with existing and proposed City regulations. Please see his report from this afternoon attached.

From: michelle Nadel <michelledhammer@hotmail.com>
Sent: Thursday, October 22, 2020 5:14 PM
To: Jessica Kutoff <jkutoff@gmail.com>
Cc: Stephanie Jofe <shrinkmom@kidbones.com>; Lajoie, Corinne <clajoie@daniabeachfl.gov>; Harvery Sepler <hsepler@aol.com>; Boutsis, Eve A. <eboutsis@daniabeachfl.gov>; Ansbro, Tom <tansbro@daniabeachfl.gov>; Adams, Lori <ladams@daniabeachfl.gov>; Norena, Eleanor <enorena@daniabeachfl.gov>; jacob.ripp@metriceng.com; Harrison - Prime Petals <harrison@primepetals.com>; Sarah Gonen <mantra613@gmail.com>; Gabi Hirschman <slpgabi@gmail.com>; Kurt Larsen <larsenkurtc@gmail.com>; Audra Mittleman <audramitt@gmail.com>; Clndy Riizzo <rizzo954@gmail.com>; Odman, Lauren <lodman@daniabeachfl.gov>; Harris, Bill <bharris@daniabeachfl.gov>; James, Tamara

<tamarajames@daniabeachfl.gov>

Subject: Re: the city's unified land development code

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This is truly devastating- an entire forest has been wiped out. Not that it will be the same, but can we petition for the responsible parties to replace the area with indigenous trees? Furthermore, is there a way to protect the area from development?

Michelle Nadel

917.716.7945

On Oct 22, 2020, at 4:23 PM, Jessica Kutoff <jkutoff@gmail.com> wrote:

They removed every last tree.

Sent from my iPhone

On Oct 22, 2020, at 2:19 PM, Stephanie Jofe
<shrinkmom@kidbones.com> wrote:

I just went out and looked again. This is a tragedy. Our block has gone from looking like a beautiful oasis to a city block. Isn't there anything you can do?
Please!

Stephanie

On Oct 22, 2020, at 1:58 PM, Stephanie Jofe
<shrinkmom@kidbones.com> wrote:

We now have an unobstructed view of the Hard Rock Hotel and the power lines. It has totally changed the character of our block forever. We had hoped the city could protect us from something like this.

Stephanie Jofe

On Oct 22, 2020, at 1:51 PM, Lajoie, Corinne <clajoie@daniabeachfl.gov> wrote:

Good afternoon.

Yes, the City is aware of this activity. They have a tree removal permit for removal of invasive trees and invasive undergrowth. However, out of an abundance of caution, we have also sent out our arborist today to check the site to make sure they are following the limits of the permit.

From: hsepler@aol.com <hsepler@aol.com>

Sent: Thursday, October 22, 2020 11:58 AM

To: Boutsis, Eve A.

<eboutsis@daniabeachfl.gov>

Cc: Ansbro, Tom

<tansbro@daniabeachfl.gov>; Adams,

Lori <ladams@daniabeachfl.gov>;

Lajoie, Corinne

<clajoie@daniabeachfl.gov>; shrinkmom@kidbones.com;

hsepler@aol.com;

Norena, Eleanor

<enorena@daniabeachfl.gov>

Subject: Re: the city's unified land development code

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Ms. Boutsis --

I don't know if the City is aware that most of the trees west of S.W. 37th Terrace (directly behind the houses on our street and part of the canopy that is under consideration by your Council) have been removed in the past several days. You can now see straight through to the property behind it and exposes the area to added sounds and lights and potential flooding.

Even if that property were within an FPL easement, which I don't know, I believe the tree removal is subject to Fla. Stat.

163.3209. That statute limits tree removal unless it complies with local government ordinances. This includes the underbrush that surrounds these trees.

It may be too late to stop this but, at the very least, if your office concludes that the removal violates Florida law, you may want to sanction those responsible for it.

I can't help but believe that it is an intentional flouting of the efforts to preserve the trees and the related underbrush and is quite disturbing.

Harvey Sepler
hsepler@aol.com

-----Original Message-----

From: Boutsis, Eve A.
<eboutsis@daniabeachfl.gov>
To: hsepler@aol.com <hsepler@aol.com>
Cc: Ansbrosio, Tom
<tansbro@daniabeachfl.gov>; Adams, Lori
<ladams@daniabeachfl.gov>;
Lajoie, Corinne
<clajoie@daniabeachfl.gov>
Sent: Fri, Oct 16, 2020 9:16 am
Subject: RE: the city's unified land development code

Understood. Thank you.

From: hsepler@aol.com <hsepler@aol.com>
Sent: Friday, October 16, 2020 9:14 AM
To: Boutsis, Eve A.
<eboutsis@daniabeachfl.gov>
Cc: Ansbrosio, Tom
<tansbro@daniabeachfl.gov>;
Adams, Lori
<ladams@daniabeachfl.gov>;
Lajoie, Corinne
<clajoie@daniabeachfl.gov>; hsepler@aol.com
Subject: Re: the city's unified land development code

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Thank you Ms. Boutsis --

As I've expressed before, please be aware that I am not assuming legal representation for anyone in these efforts. I've made that clear to others involved in the matter and that my involvement is purely as a concerned resident. My goal is simply to help ensure that tree removal or cutting be done in a manner consistent with state and City of Dania Beach regulations.

Harvey Sepler

-----Original Message-----

From: Boutsis, Eve A.
<eboutsis@daniabeachfl.gov>
To: Harvey Sepler <hsepler@aol.com>
Cc: Ansbro, Tom
<tansbro@daniabeachfl.gov>; Adams,
Lori <ladams@daniabeachfl.gov>;
Lajoie, Corinne
<clajoie@daniabeachfl.gov>
Sent: Fri, Oct 16, 2020 8:54 am
Subject: FW: the city's unified land
development code

Mr. Sepler:

Per your public record request, enclosed please find the communication received by the City. I am unaware of any other communications (other than the ones received from you and Ms. Joffe).

Thank you.

<image002.jpg> **Eve A. Boutsis**
Asistant City Attorney | City of Dania Beach
eboutsis@daniabeachfl.gov | daniabeachfl.gov
100 W Dania Beach Blvd. | Dania Beach, FL 33004
Phone: 954-924-6800 x3631
Web: daniabeachfl.gov | **FB:** [cityofdaniabeach](https://www.facebook.com/cityofdaniabeach)

Please note: Florida has a very broad public records law. Most written communications to or from City Officials regarding City business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.

From: Lajoie, Corinne
<clajoie@daniabeachfl.gov>
Sent: Wednesday, October 14, 2020
2:53 PM
To: 'Rabbi Laredo'
<rabbilaredo@gmail.com>
Cc: Norena, Eleanor
<enorena@daniabeachfl.gov>; Ansbro,
Tom <tansbro@daniabeachfl.gov>;
Boutsis, Eve A.
<eboutsis@daniabeachfl.gov>; Lorber,
Richard <rlorber@daniabeachfl.gov>
Subject: RE: the city's unified land
development code

Good afternoon.
Thank you for contacting us. I know
there are very passionate arguments on
both sides of this text amendment. I
encourage you to participate in the
public hearing meetings to express your
view and be part of the conversation.

Please see the mailed notice that was
sent for the October 21st Planning and
Zoning meeting as well as the October
27th meeting for first reading at City
Commission. There will be one more
public hearing for second reading at the
City Commission which is currently
scheduled for November 10th. I have
also included the mailing list as you
requested. Additional public notice was
made in the newspaper, at City Hall and
on the City's web site.

Please let me know if I you have any
further questions that I can answer.

From: Rabbi Laredo
<rabbilaredo@gmail.com>
Sent: Wednesday, October 14, 2020
12:42 PM
To: Lajoie, Corinne
<clajoie@daniabeachfl.gov>
Cc: Norena, Eleanor
<enorena@daniabeachfl.gov>
Subject: the city's unified land
development code

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from outside this organization, so
proceed with extra caution when
communicating with the sender or
opening any attachments.

Good afternoon Corrine, hope all is well,

I am Rabbi Laredo, I live on 36 terrace in Dania Beach, and I feel so honored and privileged to be living in such an amazing city with the greatest elected leaders and employees.

Yesterday I received a second notice for an amendment to the city's unified land development code.

As a resident in the area attempted to be affected, here are some of my points on the matter.

Firstly, I, nor any of the neighbors I spoke to, received the notice for the first hearing, would you be so kind to send me proof that it was sent out, as it could be it was misplaced by the mail.

Secondly, I understand that there is a resident in our area, Mrs Stephanie Joffe, who has initiated this attempted amendment, and I respect her care and intentions. I personally love nature and love trees, including oak trees.

However, some of these trees have become invasive and dangerous. Oak trees are meant to live for 100 to 200 years. Many of the trees here are older and therefore are rotting, becoming a liability. Their branches clog our gutters, fall on and damage our roofs causing leaking in our homes, their roots destroy our driveways, and the rotten trees become homes to rodents which make their way into our homes.

Thirdly, and I think most importantly, some of these trees are a huge liability and danger to us and most importantly our children. I'm sure you are aware that I removed an oak tree earlier this year for this very reason. I was outside playing frisbee with my 3 young children, and all of the sudden a branch approximately 10 feet long fell from 30 feet high within a few feet of my daughter. Till this day, my children are petrified and traumatized from that. When that happened I thanked God for sparing my child, and then I made a decision, a decision that any parent would do, and I put my children's safety first. I hired an arborist to get an accurate diagnosis of the health of that tree, and once confirmed it was old and sick and a hazard I removed it, as per the state law 'House Bill 1159 Private Property Rights' permits a homeowner to do so.

As a community rabbi, we have children at our house all the time, and God forbid I would never want anyone and especially any child hurt or killed on my property because of an issue that I was

aware of and could have been easily avoided. I am not willing to take that liability and responsibility towards God. My question to the board and council of Dania Beach is, are you ready to add in writing to this amendment that you are holding yourselves liable and accountable for any damage that is incurred by any sick or old tree. Are you willing to pay for the repair of any damage they have caused or will cause if this bill is passed. And more importantly who will answer the parents of the child that will get hurt or die because of this negligence. Please bear in mind that between these 3 blocks, we have over 100 children living and playing on our yards. Mrs Joffe, I understand, is in her 70s, I'm sure she wouldn't want to see any of her children or grandchildren hurt or killed because of these trees. I'm not sure how much time she spends outside, and how many children she actually sees on the streets. But my family and neighbors are outside a lot and now more than ever with the covid situation, our children have been home full time for 9 months and in no foreseeable future going back to school, they are practically all homeschooled. However the truth is, Mrs. Joffe is a smart and caring woman, and she also puts life first avoiding any potential danger. I say this because within the past month she removed 2 huge oak trees from her very own property. Now I have nothing against that, no objection at all, I'm sure she got an arborist to diagnose those trees as hazardous. But frankly I don't care, because it is her property, her decision, and I would never tell anyone or impose upon anyone to do or not do anything on their property. So I would say to Mrs Joffe, firstly she is in the same boat as the rest of our area, and she understands us, because she did the very same thing. Secondly, she should kindly mind her own business and not impose anything with such important life threatening ramifications on anyone else. She is free to make any decision she wants on her own property, but it stops there. Please make no mistake, I am a peaceful man, a man of the cloth, and I seek not to harm nor cause any dispute. As I mentioned above, I love nature and I love trees. In our religion, we are prohibited to uproot or cut down a tree, but that restriction applies to fruit

bearing trees since they don't ever grow so large and out of control becoming a liability. But even if a fruit bearing tree would, our religion doesn't only permit, but it obligates one to remove it, because life is the most precious thing and any danger to one's life must be first at all times.

I hope you can please consider my points and understand where I am coming from. I have another 20 or more households living in this area that would like to be part of next Wednesday's meeting, so I and each of them can share their own points of concern and objection to this proposed amendment. Please let me know if there is a preferred time I can call you today to discuss how we get on the virtual meeting and what the agenda for the meeting looks like. Or feel free to call my cellphone.

Thank you very much, God bless you, and thank you for your amazing work and commitment to our city.

Respectfully,
Rabbi Yaacov Laredo
954-706-2141

<mime-attachment>

Lajoie, Corinne

From: michelle Nadel <michelledhammer@hotmail.com>
Sent: Wednesday, October 21, 2020 5:36 PM
To: Lorber, Richard
Cc: Odman, Lauren; Harris, Bill; James, Tamara; Brandimarte, Chickie; Norena, Eleanor; Lajoie, Corinne
Subject: Support for TX-065-20 Oak Hammock

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

Good afternoon,

I would like to start by thanking you for all that you are doing as public servants. I know many times you are doing what seems like a thankless job, but we truly do appreciate all of your hard work and efforts on behalf of our community.

This letter is in support of TX-065-20: the text amendment to the city's Unified Land Development Code to create a tree protection overlay regulation and district for the Harger Hills Oak Hammock. I would like to explain my position. While some may instinctively resist additional oversight, I feel it is the right thing for my family personally, as well as to maintain the safety and integrity of our community. Some people who oppose this are fear mongering saying we won't be able to cut down dangerous trees or limbs and our kids' life is at stake. I understand that's not factual and, for me, this is actually about saving my children. Let me explain...

A great deal of trees have been cut down behind my house and those of my neighbors over the last year. We back up onto a 10 acre property with an FPL easement on a portion of it. There's just under 70 feet between my house and the power lines. These trees protect my kids and family from the dangerous radioactive power lines. While the trees don't completely block the EMF (electromagnetic field), it does significantly reduce the amount of exposure. The trees also block us from the glare of the Hard Rock lights. Additionally, the flooding on our block is OUT OF CONTROL, worse than ever since recently many oaks were cut down towards the front of our block.

Now, obviously, if a tree is dangerous or for other structural reasons it should and, I believe, will be allowed to be cut down and trimmed as needed. But, there is significant value in protecting these trees and the canopy we live under- most of us who live here, in fact, bought homes here specifically to be in this beautiful serene setting! For us, the pain of the upkeep and nuisance of the trees (animals, bugs, leaves, maintenance) is outweighed by the pleasure of living here. Additionally, our Oaks actually help mitigate winds in Hurricane season as well as absorbing flood waters. I am fearful for my family's safety if we don't protect the trees and I don't believe this special area will be maintained properly or potentially exist at all. As you turn into our street (SW 37th Terrace) the Oak Hammock has almost disappeared in front. I am especially fearful that a developer will come (as has been rumored) and take out the entire Oak hammock behind me (some has already been removed). I do believe that the majority of us truly want the same thing- freedom to protect our children, families and homes while maintaining the beauty around us and sustaining its' environmental benefits.

Again, I reiterate my support of this Amendment and thank you for your hard work and consideration.

Michelle Nadel

Lajoie, Corinne

From: Stephanie Jofe <shrinkmom@kidbones.com>
Sent: Wednesday, October 21, 2020 11:48 AM
To: Lewellen, Lori; Odman, Lauren; James, Tamara; Harris, Bill; Brandimarte, Chickie; Norena, Eleanor; Lajoie, Corinne; Lorber, Richard
Subject: Please support TX-065-20

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

Hi Mayor Lewellen, Vice-Mayor Odman, Commissioners Brandmarte, James, and Harris, Ms. Norena, Ms. LaJoie and Mr. Lorber,

My name is Stephanie Jofe. I live at 5880 SW 37th Terrace in Dania Beach.

I am writing to you to express my support for the Zoning Overlay Ordinance TX-065-20. The City Commissioners requested this ordinance be written in order to protect the last remaining oak hammock in Dania Beach.

I have lived in my home in Dania Beach in this beautiful oak hammock, for 32 years. My husband and I raised our children here and we are very involved in our community. My husband is Surgeon-in-Chief at Joe DiMaggio Children's Hospital. I am a retired physician and full-time community volunteer. I tutor low income children in our community for four hours every day and spend the rest of my time working on environmental initiatives in my role as the Social Action Chair of my synagogue. We chose to live in this neighborhood of Dania Beach because we wanted to live among the magnificent old oaks that canopy our streets and our properties. Aside from making our streets lovely, these trees create a sense of community, add to our property values, lessen flooding, absorb sound and light pollution from Stirling Rd. and the Hard Rock Hotel Complex, shade and cool our streets and homes, and mitigate climate change.

The City of Dania Beach's Code of Ordinances currently provides a certain and prescribed degree of protection to all trees within the City limits. In the area, known as the Harger Hills Oak Hammock, an intact, mature forested oak hammock community exists that is unique and irreplaceable. However, if ongoing residential development and redevelopment continues on the trajectory that has been most recently observed, we and the City Commission, are concerned that the above protections will not be sufficient to ensure adequate protection and preservation of the existing tree canopy and specimen trees.

This Ordinance, which would provide the oak hammock further protection, has been very thoughtfully written by The Zoning and Planning Board to maintain the integrity of the oak hammock as a whole. While they and we clearly respect individual property rights, when those rights infringe in the rights of the rest of the neighborhood, the City of Dania Beach should be given the opportunity to weigh in on the matter before very old and stately trees are removed or trimmed to a degree that interferes with their integrity. Those trees define the neighborhood I have called home for over 32 years, but which is suddenly disappearing all around me.

Let me be perfectly clear. This ordinance will not prevent anyone from removing hazardous trees or trimming their trees to remove hazardous limbs. What it does is require a second opinion from the city arborist to determine whether the tree is hazardous. If it is, it's very simple to get a hazardous tree or limb removed. I recently had two completely dead trees at the front of my property removed for the safety of my neighbors because they were right next to the road. The city arborist came out as soon as I called, and I got a free permit to remove them. This will not change with the new ordinance.

What it will do, and this is what builders are really opposed to, is prohibit variances that would allow non-residential structures to be built in our neighborhood and it would work with developers and homeowners to do their best to build homes that leave the oak hammock intact. If they are absolutely unable to, it will require mitigation in terms of planting new trees or payment into a mitigation fund. We are not against building and development in our neighborhood. We are only asking that it be done in a manner that is consistent with preserving the oak hammock ecosystem and maintaining the beauty of our Dania Beach community for future generations.

Lajoie, Corinne

From: Robin Nowling <rnow914@gmail.com>
Sent: Wednesday, October 21, 2020 10:10 AM
To: Lajoie, Corinne
Subject: Urgent Request: Harger Hills Oak Hammock

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

Hi. My name is Robin Nowling. I live at 5850 SW 37th Avenue, Dania Beach, Fl.

I am writing to inform you of my **support for TX-065-20**: the text amendment to the City's Unified Land Development Code to create a tree protection overlay regulation and district for the Harger Hills oak hammock. The City Commissioners requested this ordinance be written in order to protect one of the last remaining oak hammocks in Dania Beach.

I have lived in my home in Dania Beach in this beautiful oak hammock, for 32 years. We chose to live in this neighborhood of Dania Beach because we wanted to live among the magnificent old oaks that canopy our streets and our properties. Aside from making our streets lovely, these trees create a sense of community, add to our property values, lessen flooding, absorb sound and light pollution from Stirling Rd. and the Hard Rock Hotel Complex, shade and cool our streets and homes, and mitigate climate change.

The City of Dania Beach's Code of Ordinances currently provides a certain and prescribed degree of protection to all trees within the City limits. In the area, known as the Harger Hills Oak Hammock, an intact, mature forested oak hammock community exists that is unique and irreplaceable. However, if ongoing residential development and redevelopment continues on the trajectory that has been most recently observed, I am concerned that the above protections will not be sufficient to ensure adequate protection and preservation of the existing tree canopy and specimen trees.

This Ordinance, which would provide the oak hammock further protection, has been very thoughtfully written by The Zoning and Planning Board, at the request of the City Commission, to maintain the integrity of the oak hammock as a whole and protect this delicate ecosystem. While they and we clearly respect individual property rights, when those rights infringe in the rights of the rest of the neighborhood, the City of Dania Beach should be given the opportunity to weigh in on the matter before very old and stately trees are removed or trimmed to a degree that interferes with their integrity. Those trees define the neighborhood I have called home for over 32 years, but which is suddenly disappearing all around me.

Thank you so much for your attention to this matter,

Sincerely yours,

Robin Nowling

Lajoie, Corinne

From: Naomi Ruza <divinebirthsdoula@gmail.com>
Sent: Wednesday, October 21, 2020 9:54 AM
To: Lajoie, Corinne
Subject: Oak hammock

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

Hi. My name is Naomi Ruza. I live at 5840 sw 37th Avenue in Dania Beach.

I am writing to inform you of my **support for TX-065-20**: the text amendment to the City's Unified Land Development Code to create a tree protection overlay regulation and district for the Harger Hills oak hammock. The City Commissioners requested this ordinance be written in order to protect one of the last remaining oak hammocks in Dania Beach.

I have lived in my home in Dania Beach in this beautiful oak hammock, for 5 years. We chose to live in this neighborhood of Dania Beach because we wanted to live among the magnificent old oaks that canopy our streets and our properties. Aside from making our streets lovely, these trees create a sense of community, add to our property values, lessen flooding, absorb sound and light pollution from Stirling Rd. and the Hard Rock Hotel Complex, shade and cool our streets and homes, and mitigate climate change.

The City of Dania Beach's Code of Ordinances currently provides a certain and prescribed degree of protection to all trees within the City limits. In the area, known as the Harger Hills Oak Hammock, an intact, mature forested oak hammock community exists that is unique and irreplaceable. However, if ongoing residential development and redevelopment continues on the trajectory that has been most recently observed, I am concerned that the above protections will not be sufficient to ensure adequate protection and preservation of the existing tree canopy and specimen trees.

This Ordinance, which would provide the oak hammock further protection, has been very thoughtfully written by The Zoning and Planning Board, at the request of

the City Commission, to maintain the integrity of the oak hammock as a whole and protect this delicate ecosystem. While they and we clearly respect individual property rights, when those rights infringe on the rights of the rest of the neighborhood, the City of Dania Beach should be given the opportunity to weigh in on the matter before very old and stately trees are removed or trimmed to a degree that interferes with their integrity. Those trees define the neighborhood I have called home for over 5 years, but which is suddenly disappearing all around me.

Thank you so much for your attention to this matter,

Sincerely yours,

Naomi Ruza

Sent from my iPhone

Sent from my iPhone

Lajoie, Corinne

From: Richard Sabra <rbs@sabralaw.com>
Sent: Wednesday, October 21, 2020 9:01 AM
To: Lewellen, Lori
Cc: Odman, Lauren; Harris, Bill; James, Tamara; Brandimarte, Chickie; Norena, Eleanor; Lajoie, Corinne; Lorber, Richard
Subject: Support TX-065-20: To Protect Our Trees

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

Please support support TX-065-20 to protect the Harger Hills Oak Hammock in Dania Beach.

Although we do not live in Dania Beach, our families have lived next-door, in Hollywood, for over 70 years and we have enjoyed growing up and raising our families in an area that has been badly damaged, and continues to lose much of its natural beauty by residential and commercial development.

The Harger Hills Oak Hammock took hundreds of years to develop and, once lost, will be gone for our lifetimes and the lifetimes of generations to come.

Please support the Ordinance and protect the hammock that was here long before we were, has no voice of its own, and would be lost forever without your thoughtful protection.

Thank you,

Laurie and Richard Sabra

Law Office of Richard B. Sabra & Associates

4600 Sheridan Street

Suite 300

Hollywood, Florida 33021

Telephone: (954) 989-8940

E-Mail: rbs@sabralaw.com

Website: www.sabralaw.com

Lajoie, Corinne

From: Sarah Ruza <mantra613@gmail.com>
Sent: Wednesday, October 21, 2020 1:08 AM
To: Lajoie, Corinne
Subject: Please save our tree canopy

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

Hi. My name is __Sarah Ruza_____. I live at __5860 sw 37th
ave_____ in Dania Beach.

I am writing to inform you of my **support for TX-065-20**: the text amendment to the City's Unified Land Development Code to create a tree protection overlay regulation and district for the Harger Hills oak hammock. The City Commissioners requested this ordinance be written in order to protect one of the last remaining oak hammocks in Dania Beach.

I have lived on this street in Dania Beach in this beautiful oak hammock, for __10__ years. We chose to live in this neighborhood of Dania Beach because we wanted to live among the magnificent old oaks that canopy our streets and our properties. Aside from making our streets lovely, these trees create a sense of community, add to our property values, lessen flooding, absorb sound and light pollution from Stirling Rd. and the Hard Rock Hotel Complex, shade and cool our streets and homes, and mitigate climate change. They also provide a home to wildlife such as raccoons, opossum, fox and many bird species as well as increase oxygen for the planet and humans to benefit from.

The City of Dania Beach's Code of Ordinances currently provides a certain and prescribed degree of protection to all trees within the City limits. In the area, known as the Harger Hills Oak Hammock, an intact, mature forested oak hammock community exists that is unique and irreplaceable. However, if ongoing residential development and redevelopment continues on the trajectory that has been most recently observed, I am concerned that the above protections will not be sufficient to ensure adequate protection and preservation of the existing tree canopy and specimen trees.

This Ordinance, which would provide the oak hammock further protection, has been very thoughtfully written by The Zoning and Planning Board, at the request of the City Commission, to maintain the integrity of the oak hammock as a whole and protect this delicate ecosystem. While they and we clearly respect individual property rights, when those rights infringe in the rights of the rest of the neighborhood, the City of Dania Beach should be given the opportunity to weigh in on the matter before very old and stately trees are removed or trimmed to a degree that interferes with their integrity. Those trees define the neighborhood I have called home for over __ years, but which is suddenly disappearing all around me.

Thank you so much for your attention to this matter,

Sincerely yours,

____ Sarah Ruza

Lajoie, Corinne

From: Peace And Love <nuro7@msn.com>
Sent: Tuesday, October 20, 2020 11:08 PM
To: Lewellen, Lori; Odman, Lauren; Harris, Bill; James, Tamara; Brandimarte, Chickie; Norena, Eleanor; Lajoie, Corinne; Lorber, Richard; Lewellen, Lori; Odman, Lauren; Harris, Bill; James, Tamara; Brandimarte, Chickie; Norena, Eleanor; Lajoie, Corinne; Lorber, Richard
Subject: PLEASE STOP CUTTING THE TREES IN THE OAK HAMMOCK ECOSYSTEM

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

Good night,
Please stop cutting the trees in the oak hammock ecosystem! There's so much history in these trees that CANNOT be replaced! Our children deserve to experience and appreciate nature and the beauty of these majestic trees!

We need you, our government official to stand up for this community so we can preserve the beauty for our progeny!

Marie Brown

I am writing to inform you of my **support for TX-065-20**: the text amendment to the City's Unified Land Development Code to create a tree protection overlay regulation and district for the Harger Hills oak hammock.

I support the formation of the Zoning Overlay District because the Harger Hills Oak Hammock is the last remaining oak hammock within Dania Beach and one of the few remaining oak hammocks in Broward County. Aside from making the streets in this area lovely, these trees create a sense of community, add to property values, lessen flooding, absorb sound and light pollution from Stirling Road and the Hard Rock Hotel Complex, shade and cool the streets and homes, and mitigate climate change for all of us. It is one of the few non-gated areas in the city where everyone has access to walk, run and cycle in the shade.

The City of Dania Beach's Code of Ordinances currently provides a certain and prescribed degree of protection to all trees within the City limits. In the area, known as the Harger Hills Oak Hammock, an intact, mature forested oak hammock community exists that is unique and irreplaceable. However, if ongoing residential development and redevelopment continues on the trajectory that has been most recently observed, I and the City Commission, are concerned that the above protections will not be sufficient to ensure adequate protection and preservation of the existing tree canopy and specimen trees.

This Ordinance, which would provide the oak hammock further protection, has been very thoughtfully written by The Zoning and Planning Board at the request of the City Commission, to maintain the integrity of the oak hammock as a whole. While they and I clearly respect individual property rights, when those rights infringe in the rights of the rest of the neighborhood, the City of Dania Beach should be given the opportunity to weigh in on the matter before very old and stately trees are removed or trimmed to a degree that interferes with their integrity. Those trees define this very unique, but endangered neighborhood and ecosystem which is suddenly being threatened by recent building and development.

Thank you so much for your attention to this matter,

Sincerely yours,

_____ Makani Kone _____

I am writing to inform you of my **support for TX-065-20**: the text amendment to the City's Unified Land Development Code to create a tree protection overlay regulation and district for the Harger Hills oak hammock.

I support the formation of the Zoning Overlay District because the Harger Hills Oak Hammock is the last remaining oak hammock within Dania Beach and one of the few remaining oak hammocks in Broward County. Aside from making the streets in this area lovely, these trees create a sense of community, add to property values, lessen flooding, absorb sound and light pollution from Stirling Road and the Hard Rock Hotel Complex, shade and cool the streets and homes, and mitigate climate change for all of us. It is one of the few non-gated areas in the city where everyone has access to walk, run and cycle in the shade.

The City of Dania Beach's Code of Ordinances currently provides a certain and prescribed degree of protection to all trees within the City limits. In the area, known as the Harger Hills Oak Hammock, an intact, mature forested oak hammock community exists that is unique and irreplaceable. However, if ongoing residential development and redevelopment continues on the trajectory that has been most recently observed, I and the City Commission, are concerned that the above protections will not be sufficient to ensure adequate protection and preservation of the existing tree canopy and specimen trees.

This Ordinance, which would provide the oak hammock further protection, has been very thoughtfully written by The Zoning and Planning Board at the request of the City Commission, to maintain the integrity of the oak hammock as a whole. While they and I clearly respect individual property rights, when those rights infringe in the rights of the rest of the neighborhood, the City of Dania Beach should be given the opportunity to weigh in on the matter before very old and stately trees are removed or trimmed to a degree that interferes with their integrity. Those trees define this very unique, but endangered neighborhood and ecosystem which is suddenly being threatened by recent building and development.

Thank you so much for your attention to this matter,

Sincerely yours,

_____ Makani Kone _____

Lajoie, Corinne

From: Ovrill@loveournation.org
Sent: Tuesday, October 20, 2020 10:52 PM
To: Lewellen, Lori; Odman, Lauren; Harris, Bill; James, Tamara; Brandimarte, Chickie; Norena, Eleanor; Lajoie, Corinne; Lorber, Richard
Subject: PLEASE STOP CUTTING THE TREES IN THE OAK HAMMOCK ECOSYSTEM
Importance: High

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

Good night,
Please stop cutting the trees in the oak hammock ecosystem! There's so much history in these trees that CANNOT be replaced! Our children deserve to experience and appreciate nature and the beauty of these majestic trees!

We need our government official's to stand up for this community so we can preserve the beauty for our progeny!

PeaceandLove,
Ovrill Dwyer
954 759 1077



I am writing to inform you of my **support for TX-065-20**: the text amendment to the City's Unified Land Development Code to create a tree protection overlay regulation and district for the Harger Hills oak hammock.

I support the formation of the Zoning Overlay District because the Harger Hills Oak Hammock is the last remaining oak hammock within Dania Beach and one of the few remaining oak hammocks in Broward County. Aside from making the streets in this area lovely, these trees create a sense of community, add to property values, lessen flooding, absorb sound and light pollution from Stirling Road and the Hard Rock Hotel Complex, shade and cool the streets and homes, and mitigate climate change for all of us. It is one of the few non-gated areas in the city where everyone has access to walk, run and cycle in the shade.

The City of Dania Beach's Code of Ordinances currently provides a certain and prescribed degree of protection to all trees within the City limits. In the area, known as the Harger Hills Oak Hammock, an intact, mature forested oak hammock community exists that is unique and irreplaceable. However, if ongoing residential development and redevelopment continues on the trajectory that has been most recently observed, I and the City Commission, are concerned that the above protections will not be sufficient to ensure adequate protection and preservation of the existing tree canopy and specimen trees.

This Ordinance, which would provide the oak hammock further protection, has been very thoughtfully written by The Zoning and Planning Board at the request of the City Commission, to maintain the integrity of the oak hammock as a whole. While they and I clearly respect individual property rights, when those rights infringe in the rights of the rest of the neighborhood, the City of Dania Beach should be given the opportunity to weigh in on the matter before very old and stately trees are removed or trimmed to a degree that interferes with their integrity. Those trees define this very unique, but endangered neighborhood and ecosystem which is suddenly being threatened by recent building and development.

Thank you so much for your attention to this matter,

Sincerely yours,

Rabin Lemberg

Lajoie, Corinne

From: Lisa Jaffe <jafflisa@gmail.com>
Sent: Tuesday, October 20, 2020 8:57 PM
To: Lewellen, Lori; Odman, Lauren; Harris, Bill; James, Tamara; Brandimarte, Chickie; Norena, Eleanor; Lajoie, Corinne; Lorber, Richard
Subject: TX-065-20

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

Dear Commissioners, Building Department, Planning and Zoning Officials,

I am writing to inform you of my support for TX-065-20: the text amendment to the City's Unified Land Development Code to create a tree protection overlay regulation and district for the Harger Hills Oak Hammock.

I support the formation of the Zoning Overlay District because the Harger Hills Oak Hammock is the last remaining oak hammock within Dania Beach and one of the few remaining oak hammocks in Broward County. Aside from making the streets in this area lovely and serving as an oasis from the traffic on Stirling Road, these trees help to attract families to this neighborhood and add to property values which, in turn, increases the tax base for Dania Beach.

The trees help to absorb excess water during rainy months and prevent homes from being flooded. They reduce the city's stormwater management costs, filter harmful substances from the water and recharge the aquifer, thereby protecting the waterways and drinking water supply.

The tree canopy absorbs the sound pollution from Stirling Road and the massive Hard Rock entertainment complex, which lies directly to the west of this neighborhood. The solitude of the area will be forever impacted by further tree removal.

The trees significantly decrease light and "visual" pollution from Stirling Road and the Hard Rock complex. The tree removal from SW 37th Terrace that is already underway exposes all of the backyards facing west to the lights and noise going on at the Hard Rock every night, making it intolerable and impossible to enjoy peace and quiet. In addition, the trees block the views of the huge power lines behind the homes.

The shade provided by the tree canopy saves energy and can cool the area up to 6-10 degrees, thereby mitigating climate change for its residents and significantly decreasing their energy bills. Trees also sequester carbon, reducing the overall concentration of greenhouse gasses in the atmosphere and they absorb CO2 from the atmosphere and convert it to oxygen. As residents of the City of Dania Beach, this issue is of particular concern, given their vulnerability to sea level rise. This is one of the few non-gated areas in the city where everyone has access to walk, run and cycle in the shade.

The City of Dania Beach's Code of Ordinances currently provides a certain and prescribed degree of protection to all trees within the City limits. In the area, known as the Haarger Hills Oak Hammock, an intact, mature forested oak hammock community exists that is unique and irreplaceable. However, if ongoing residential development and redevelopment continues on the trajectory that has been most recently observed, I and the City

Commission, are concerned that the above protections will not be sufficient to ensure adequate protection and preservation of the existing tree canopy and specimen trees.

This Ordinance, which would provide the oak hammock further protection, has been very thoughtfully written by the Zoning and Planning Board at the request of the City Commission, to maintain the integrity of the oak hammock as a whole. While they and I clearly respect individual property rights, when those rights infringe on the rights of the rest of the neighborhood, the City of Dania Beach should be given the opportunity to weigh in on the matter before very old and stately trees are removed or trimmed to a degree that interferes with their integrity. Those trees define this very unique, but endangered neighborhood and ecosystem which is suddenly being threatened by recent building and development.

Thank you so much for your attention to this matter.

Sincerely,
Dr. Lisa Jaffe

Lajoie, Corinne

From: Stephanie Jofe <shrinkmom@kidbones.com>
Sent: Monday, July 13, 2020 2:24 PM
To: Odman, Lauren; Norena, Eleanor; Boutsis, Eve A.; Lajoie, Corinne
Subject: Harger Hills Oak Hammock canopy protection area

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

Dear Vice-Mayor Odman, Ms. Norena, Ms. Boutsis and Ms. LaJoie:

Our neighborhood greatly appreciates your efforts to declare the Harger Hills Oak Hammock a “designated canopy protection area.” This area, as you know, encompasses the properties from the north side of Stirling Road to the north side of Shady Ridge Rd. and west of B’nai Sephardim Synagogue to the back of the properties on the west side of 40th Ave. south of Shady Ridge Rd.

We only recently became aware that in July of 2019, the Governor signed into law HB 1159 which in essence deprives local authorities the power to, among other things, exempt trees from removal. This law was enacted over the strong objection of our state senator, the Honorable Gary Farmer.

Significantly, this law incorporates exceptions. If the trees are designated as “**specimen trees**” or if the area at issue is designated as a “**canopied protection area**,” the local government retains authority to determine the fate of the trees.

This makes our request all the more urgent. I can tell you that arborists set on removing trees in our neighborhood have told me that the state – and not the City of Dania Beach – has the complete say over whether trees may be removed. This was the justification arborists used when they cut down most of the trees surrounding a house on our street (5950 S.W. 37th Terrace) several weeks ago. The canopy is now gone forever.

While we certainly are respectful of individual property owner rights, where any action materially affects others’ rights to enjoy their neighborhood, the City of Dania Beach should be given the opportunity to weigh in on the matter before very old and stately trees are removed. Those trees in a very real sense define the neighborhood.

Therefore, I urge you to consider our request to designate the Harger Hills Oak Hammock as “**canopied protection area**” with strong regulations regarding tree removal for new and existing properties as soon as possible. Once the trees are removed, it is too late to rectify the situation.

Thank you again. I look forward to our meeting tomorrow.

Sincerely yours,

Stephanie Jofe, M.D.

Petition to Protect Our Forest Canopy

The City of Dania Beach's Code of Ordinances (Section 825) currently provides a certain and prescribed degree of protection to all trees within the City limits. In the areas surrounding Stirling Oaks Estates (in the general vicinity of SW 36th, 37th and 40th Terraces and Avenues north of Stirling Road), an intact, mature forested oak hammock community exists that is unique and irreplaceable. However, if ongoing residential development/redevelopment continues on the trajectory that has been most recently observed, we are concerned that the above protections will not be sufficient to ensure adequate protection and preservation of the existing tree canopy and specimen trees.

The neighborhood feels this is important for the following reasons:

1. The unique tree canopy that we enjoy fosters a sense of community and belonging. It is the prime feature that continues to attract families to our neighborhood. The canopy creates a welcome oasis from the busyness of Stirling Road and significantly increases the value of our properties.
2. Our streets flood whenever there is a heavy rain, which is frequent in the summer months. We need the absorbing effect of the trees to prevent our streets and homes from being flooded. They also reduce the city's storm water management costs, filter harmful substances from the water and recharge the aquifer, thereby protecting our waterways and drinking water supply.
3. The tree canopy absorbs the sound pollution from Stirling Road and the massive Hard Rock Hotel complex, which is directly to the west of us. There is already a noticeable increase in the volume of city noise from Stirling Rd. from one large tree recently being removed for construction of a home on SW 37th Terrace near Stirling Road. The solitude of our neighborhood will forever be impacted by further tree removal.

4. The trees significantly decrease light and "visual" pollution from Stirling Road and the Hard Rock Hotel complex. Tree removal from behind the homes on SW 37th Terrace- which has already begun- exposes all the backyards along the western side of our small residential neighborhood to the lights and sounds of a massive entertainment complex every single night. It has already become intolerable and will only get worse if more trees behind our homes are removed. In addition, the trees block the views of the huge powerlines behind our homes.
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This petition seeks to create an additional layer of municipal protection for enhanced preservation of the mature native trees and other desirable forest canopy that gives our particular neighborhood its character. We are therefore requesting that the Commission of the City of Dania Beach create a Tree Preservation Zoning Overlay District granting extra protections to the trees and tree canopy than currently exists for our neighborhood. The intent would be to further limit the number of trees which can be removed for development and redevelopment projects on and immediately adjacent to SW 37th Terrace, SW 37th Avenue, and SW 36th Terrace.

Signature  Print name Barry Reichenberg

Address 5921 SW 37th Terr, Ft Lauderdale (Dania) FL 33312

Petition to Protect Our Forest Canopy

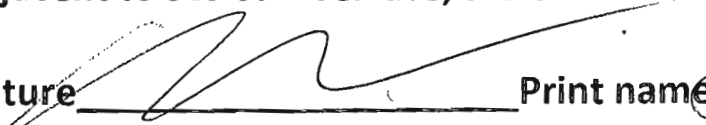
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Signature  Print name Harrison Nalley

Address 5861 SW 37th Terr.
Fort Lauderdale, FL 33312

Petition to Protect Our Forest Canopy

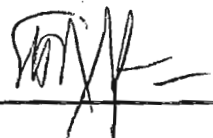
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Signature  Print name SCOTT R ANAGNOSTIS, MD
Address 5940 SW 37th TERRACE, FORT LAUDERDALE, FL 33312

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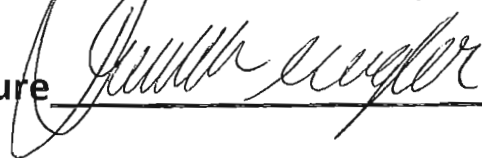
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Signature



Print name

Daniella Wigler

Address

5951 SW 37th Ter

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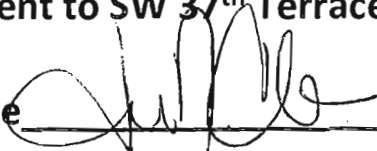
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Signature  Print name Teresa H. Cook

Address 5800 SW 37th Ave. Ft. Lauderdale FL 33312

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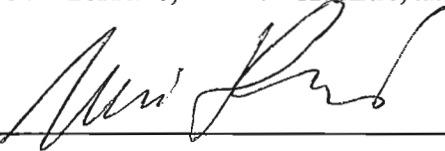
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Signature



Print name

MARIA STARVISH

Address

3881 Shady Ridge Rd., Ft. Lauderdale,
FL 33312

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Petition to Protect Our Forest Canopy

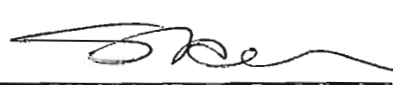
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Signature  Print name Stephen Heiden

Address 5801 S.W. 37th Avenue Fort Lauderdale FL 33312

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Signature Bobbie Delgado Print name Bobbie Delgado

Address 5900 S.W 37th Ave Dania Beach, FL 33312

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Signature  Print name Jacob Amselem

Address 5820 SW 36th Terrace Ft. Lauderdale

33312.

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Signature  Print name JENNIFER GOODMAN

Address 5970 SW 37th TERRACE, FLANDERSDALE, FL
33312

SHEVIN 3 JENNIFER GOODMAN

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Signature Michelle Nadel Print name Michelle Nadel

Address 5161 SW 37th Terrace Ft. Lauderdale, FL
33312

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Signature

Print name

Jaime Suarez

Address

5650 Woodland Lane Ft. Lauderdale, FL 33312

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Signature [Handwritten Signature] Print name Jarvis N. [Handwritten Name]

Address 3701 SW 37th Terrace Fort Lauderdale FL 33314

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Signature  Print name Leonard Novelli

Address 5720 SW 37th Terr. Dania Bch FL 33312

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Signature  Print name Sonia Suarez
Address 5650 Woodland Lane Ft. Lauderdale, FL 33312

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Signature  Print name ROBERT MITTLEMAN

Address 5910 SW 37 Ter., Ft Lauderdale, FL 33312

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Signature Cynthia Rizzo Print name Cynthia Rizzo

Address 5821 SW 37 AVE. Ft Land.
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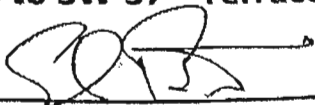
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Signature  Print name Elias A. Bichachi

Address 5910 S.W. 37th Ave. Dania Beach FL 33312

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Signature



Print name

SHEVIN GOODMAN

Address

5970 SW 37th L

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Signature Miriam Anselm Print name Miriam Anselm

Address 5820 SW 36th Terrace
Ft. Lauderdale FL 33312

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Signature Michelle Vanlandingham Print name Michelle Vanlandingham
5850 S.W. 36 Terrace
Address Ft. Lauderdale, FL 33312

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Signature [Signature] Print name Norm Koenigsberg

Address 5891 SW 37th Ave Fort Lauderdale FL 33314

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Signature Debra Larsen Print name Debra Larsen

Address 5810 SW 36 Ter Ft. Lauderdale, FL 33312
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Signature  Print name Michael J. J. Fe

Address 5880 SW 37th Ter, Ft. Lauderdale, FL 33312

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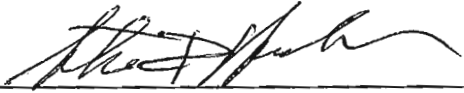
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Signature  Print name STEVE HARDEE

Address 5500 WOODLAND LANE FT LAUDERDALE FL 33312

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Signature  Print name JAMES J. REED

Address 5801 SW 37AVE FT LAUDERDALE, FL 33312

Petition to Protect Our Forest Canopy

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The neighborhood feels this is important for the following reasons:

1. The unique tree canopy that we enjoy fosters a sense of community and belonging. It is the prime feature that continues to attract families to our neighborhood. The canopy creates a welcome oasis from the busyness of Stirling Road and significantly increases the value of our properties.
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3. The tree canopy absorbs the sound pollution from Stirling Road and the massive Hard Rock Hotel complex, which is directly to the west of us. There is already a noticeable increase in the volume of city noise from Stirling Rd. from one large tree recently being removed for construction of a home on SW 37th Terrace near Stirling Road. The solitude of our neighborhood will forever be impacted by further tree removal.
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Signature
name

Print

Address

Justin Brown
5850 SW 37 Ave Dania Beach 33312

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Signature Winnie Heynis Print name Winnie Heynis

Address 5500 WOODLAND LANE FT LAUDERDALE FL 33312

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Signature  Print name Anthony Benedict

Address 5841 SW 37 Ave Dania FL 33312

Petition to Protect Our Forest Canopy

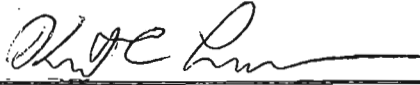
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Signature  Print name Kurt C. Larsen

Address 5810 SW 36 Ter. Dania Beach, FL 33312

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Signature  Print name Alisa Reichenberg
Address 5921 SW 37th Terr Ft. Laud
(Dania) 33312

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Signature Steven S. Saber Print name STEVEN S. SABER

Address 5961 SW 37th TERRACE

STERLING OAKS ESTATES

06/07/2020

Petition to Protect Our Forest Canopy

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Signature



Print name

11/8/20

Address

3911 Shady Ridge Road. Ft. Lauderdale, FL 33312

Petition to Protect Our Forest Canopy

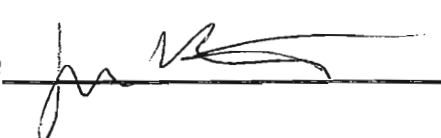
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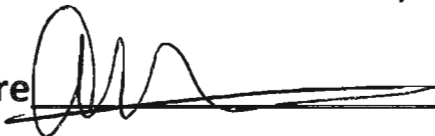
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Signature  Print name Jessica Kuroff
Address 5801 SW 37th Ter Dania Beach
FL 33312

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Signature



Print name

Audra Mittleman

Address

5910 SW 37 Ter, Ft. Lauderdale, FL 33312

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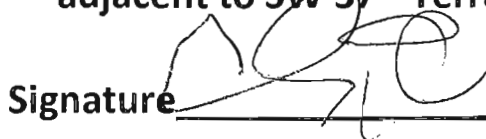
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Signature



Print name

Edwin T. Cook

Address

5800 SW 37 Ave, Ft. L., 33312

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Signature  Print name Suzanne Shaw
Address 3911 Shady Ridge Rd. 33312

Petition to Protect Our Forest Canopy

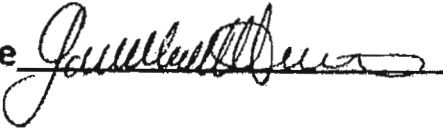
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Signature  Print name Gabriella Hirschmann

Address 5910 S.W. 37th Ave, Dania Beach FL 33319

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Signature *Susan Heiden* Print name Susan Heiden

Address 5801 S.W. 37th Avenue Fort Lauderdale, FL 33312

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Signature Linda B. Marant Print name Linda B. Marant

Address 5870 S.W. 36 Terrace, Dania Beach, FL 33312

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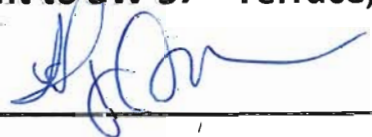
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Signature



Print name

HARVEY SEPLER

Address

1840 SW 37th TERRACE, LAKELAND FL 33312

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Signature



Print name

RON STARVISIT

Address

3881 SHADY RIDGE ROAD

Petition to Protect Our Forest Canopy

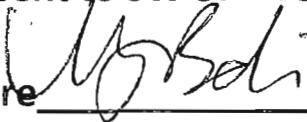
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Signature  Print name Martha Brodie

Address 5840 SW 37 Terrace, Ft Lauderdale, FL 33312

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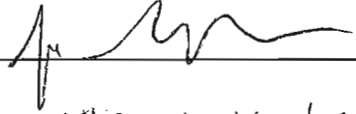
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Signature  Print name Jillian Galbit
Address 5400 Woodland Lane, Ft Lauderdale 33312

1894-95

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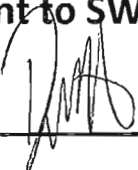
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Signature



Print name

David Kuloff

Address

5801 SW 37th Terrace

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Signature Rachel Novelli Print name Rachel Novelli

Address 5720 SW 37th Terr. Dania Bch FL 33312

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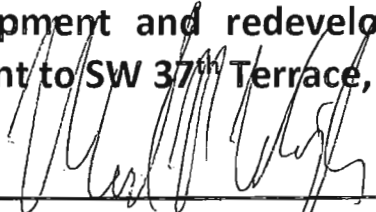
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Signature



Print name

Mark N. Wiegler

Address

8951 SW 37th Terrace, Ft. Lauderdale, FL

33312

Petition to Protect Our Forest Canopy

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Signature  Print name Lori Singer

Address 3901 Laurel Oak Way Fort Lauderdale 33312

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Signature Stephanie Jofe Print name Stephanie Jofe

Address 5880 SW 37th Ter, Ft Lauderdale, FL
33312

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Signature Robin Nowling Print

name

Robin Nowling

Address 5850 SW 37th AVE, DANIA BEACH, 33312

Petition to Protect Our Forest Canopy

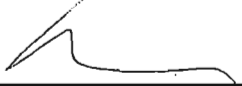
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Signature  Print name Naomi Ruiz

Address 5840 SW 37th ave, Ft. Laud. FL 33312

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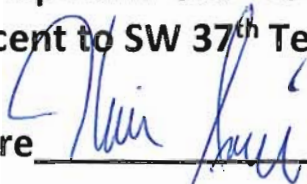
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Signature



Print name

Kevin Singer

Address

3901 Laurel Oak Way Fort Lauderdale FL 33312

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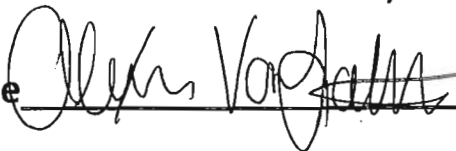
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Signature



Print name

Alexis Vanlandingham

Address

5850 SW 36 Terrace, Ft. Lauderdale
FL 33312

From: McLean, Drew C drewfish@ufl.edu
Subject: RE: dania beach tree canopy
Date: July 15, 2020 at 3:40 PM
To: Stephanie Jofe shrinkmom@kidbones.com
Cc: Koeser, Andrew akoeser@ufl.edu



Stephanie,

Canopy coverage for Dania Beach is **30.0% ± 2.1%**. The plus/ minus after the first number is a 95% Confidence Interval. Since these numbers are not exact it represent the range of values that we are 95% certain the canopy coverage falls in. For example, canopy coverage could be anywhere from 27.9% to 32.1% for Dania Beach.

The urban forest in Dania Beach provides an estimated **\$672,976** of benefits each year to it's residents. When you add in carbon storage (not an annual benefit) the urban forest provides over **\$9 million** in benefits.

The table below is a breakdown of the estimations of the individual benefits for Dania Beach's urban forest. The plus/ minus represents the standard error in our estimations.

Benefit summary:

Value of Urban Forest Benefits	
Benefit Name	Monetary Value (\$)
Total Air Pollution	\$139,168 ± \$6,624
Avoided Stormwater Runoff	\$199,324 ± \$7,282
CO2 Equivalent Sequestration	\$334,484 ± \$12,221
TOTAL ANNUAL VALUE	\$672,976 ± \$26,127
CO2 Equivalent Storage*	\$8,400,314 ± \$306,912
TOTAL VALUE	\$9,073,290 ± \$333,039

**not an annual value*

I attached a science communication paper I recently worked on with colleagues that talks about the benefits urban forest provide and briefly explains how we calculate canopy coverage and use that to help estimate the benefit production of an urban forest. This paper specifically focuses on the benefits of urban forests in census designated metropolitan areas throughout Florida but the general information about the benefits (stormwater reduction, air pollution, and carbon storage) applies to urban forest of all sizes.

Please feel free to reach out to Andrew or myself if you have any other questions.

Cheers,

Drew

Drew McLean
Biological Scientist II
Urban Tree and Landscape Management Lab
University of Florida/IFAS
Gulf Coast Research and Education Center
14625 CR 672 Wimauma, FL 33598
813-419-6593
drewfish@ufl.edu

-----Original Message-----

From: Stephanie Jofe <shrinkmom@kidbones.com>

Sent: Tuesday, July 14, 2020 4:28 PM

To: Mclean,Drew C <drewfish@ufl.edu>

Cc: Koeser,Andrew <akoeser@ufl.edu>; Deborah Hilbert <debrivershilbert@gmail.com>

Subject: Re: dania beach tree canopy

[External Email]

Than you both so much! I look forward to hearing from you. If we can get our oak hammock officially designated as a "canopy area" perhaps we will be able to afford this area some modicum of protection- and maybe eventually partner with other communities to help each other in this regard.

Stephanie

> On Jul 14, 2020, at 3:58 PM, Mclean,Drew C <drewfish@ufl.edu> wrote:

>

> Andrew,

>

> Yes I can. I should have time tomorrow to work on the benefit calculations.

>

> -Drew

>

>> On Jul 14, 2020, at 12:46 PM, Koeser,Andrew <akoeser@ufl.edu> wrote:

>>

>> Drew,

>>

>> Could you please sent Stephanie the canopy coverage and i-tree estimates for Dania Beach when you get a chance?

>>

>> Thanks!

>>

>> Andrew

>>

>> On 7/14/20, 12:44 PM, "Stephanie Jofe" <shrinkmom@kidbones.com> wrote:

>>

>> [External Email]

>>

>> Hi Professor Koeser,

>>

>> Thank you so much for speaking with me today. Any information you could send me regarding preserving our tree canopy would be very helpful.

>>

>> Thank you so much,

>> Stephanie Jofe

>>



Benefits of
Trees i...al.docx

Florida's Urban Forest: A Valuation of Benefits¹

Drew C. McLean, Andrew K. Koeser, Deborah R. Hilbert, Shawn Landry, Amr Abd-Elrahman, Katie Britt, Mary Lusk, Michael Andreu, and Rob Northrop²

What is an Urban Forest?

An urban forest is a collection of trees and other woody vegetation found in and around human developments. An urban forest can be thought of as a gradient of trees extending from the street trees of densely packed urban cores, past the landscaped suburban plots, and all the way out to the remnant forests of exurban (or edges of urban) lands. It includes all the woody vegetation found in urban parks, industrial landscapes, residential properties, wetlands, riparian corridors, coastal ecosystems, greenways, and nature preserves, regardless of ownership (Figure 1).

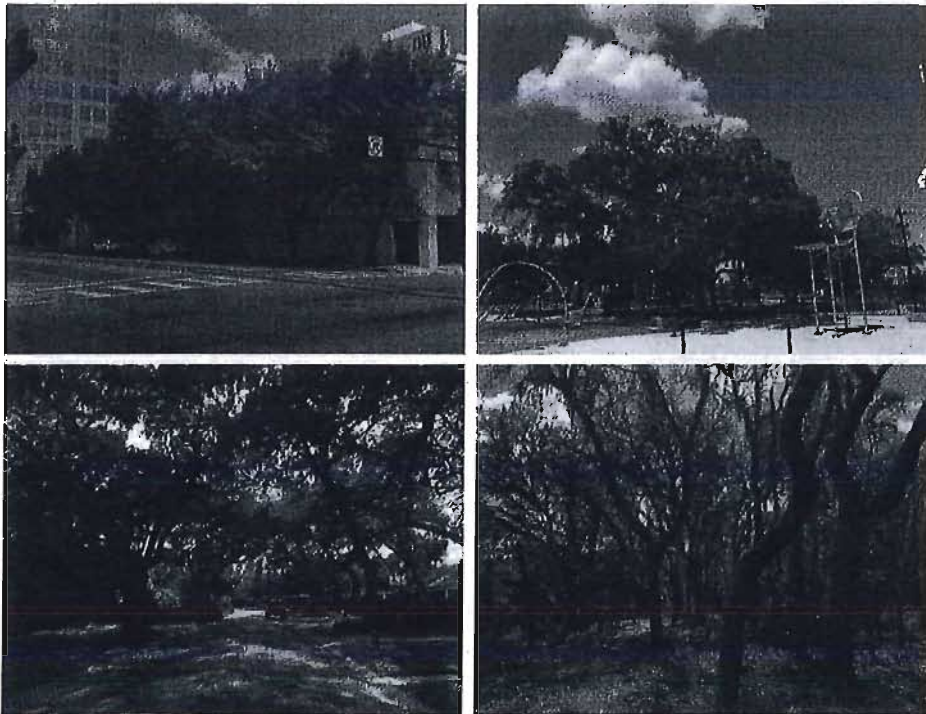


Figure 1. Urban forest gradient; from left to right and top to bottom: urban street trees, park trees, residential trees, and trees along a trail in a nature preserve.

Credit: Drew C. McLean, UF/IFAS

Tree Canopy Coverage

Urban forest managers use a range of measurements to describe and value the urban forest and its benefits. One measurement that can be made over large areas of land with relative ease is the quantification of tree canopy coverage. Tree canopy cover is the percent of a given land area (e.g., city, national forest, etc.) covered by leaves and branches when viewed from above (Figure 2). Canopy coverage assessments are important tools that allow a community to estimate current canopy coverage, understand the extent of the urban forest, and track potential changes over time. Canopy coverage can be measured in the field with specialized equipment or by analysis of aerial and satellite imagery.



Figure 2. Aerial view of tree canopy coverage in a residential neighborhood.
Credit: Piqsels.com

Florida has 29 metropolitan and micropolitan census designated areas, representing 51 of the 67 counties and over 98% of the state's population (U.S. Census Bureau, 2019). These census-designated areas represent geographical regions with at least one densely populated urban area and related economic ties. Metropolitan areas must have one city or town with at least 50,000 people while micropolitan areas must have a city or town with a population between 10,000 and 50,000 people (U.S. Census Bureau, 2019).

To assess the urban forest throughout the state, we analyzed canopy coverage and its associated benefits in each of these census designated areas. Tree canopy coverage was estimated using a

point-based sampling approach. This method generates random points within a designated boundary on high-resolution aerial imagery. The random points are then assessed by a photo interpreter and classified as “Tree/Shrub” or “No-Tree”. The classified points are tallied and summed to reach an overall canopy coverage percentage.

Tree canopy coverage ranged from 18.6% in the Okeechobee micropolitan area to 74.4% in the Crestview-Fort Walton-Destin metropolitan area (Table 1). In general, canopy coverage tended to decrease from North to South and West to East across the state (Figure 3).

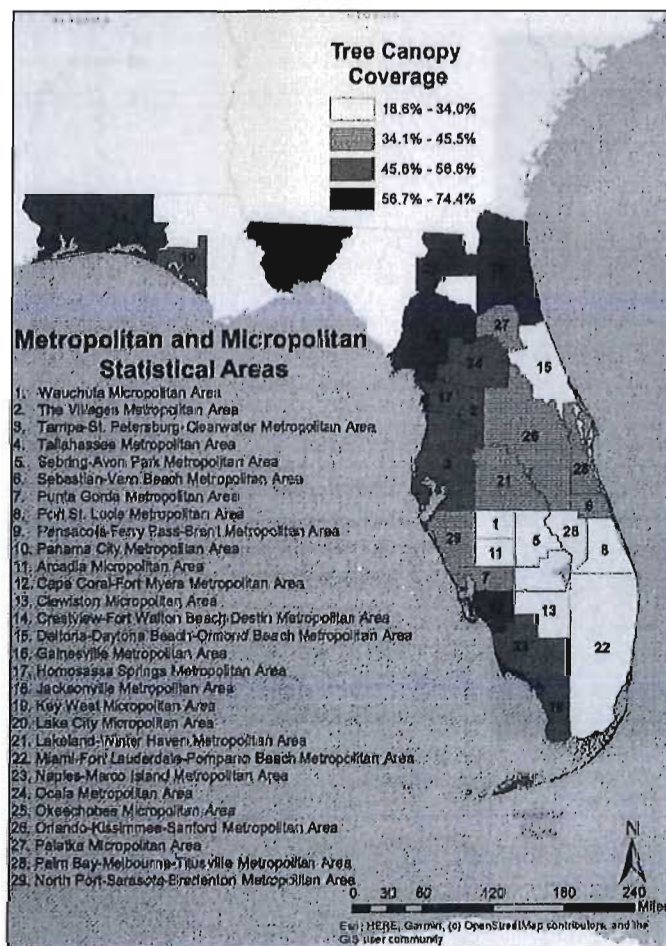


Figure 3. Locations of the 29 metropolitan and micropolitan areas in Florida. The different colors represent the percent of canopy coverage. Numbers correspond to the metropolitan and micropolitan area names in the legend on left side of the figure.

Urban Forest Benefits

Urban forests ecosystems provide a variety of economic and environmental benefits (Livesley et al., 2016) including shading homes to create energy savings, intercepting rain to reduce stormwater, improving air quality by filtering pollutants and sequestering carbon to offset emissions associated with climate change. Many urban forest benefits are influenced by the combined surface area of all the leaves in a tree's canopy (Peper and McPherson, 2003). Researchers use leaf area measurements to estimate the benefits provided by individual trees in an urban forest (Figure 4).

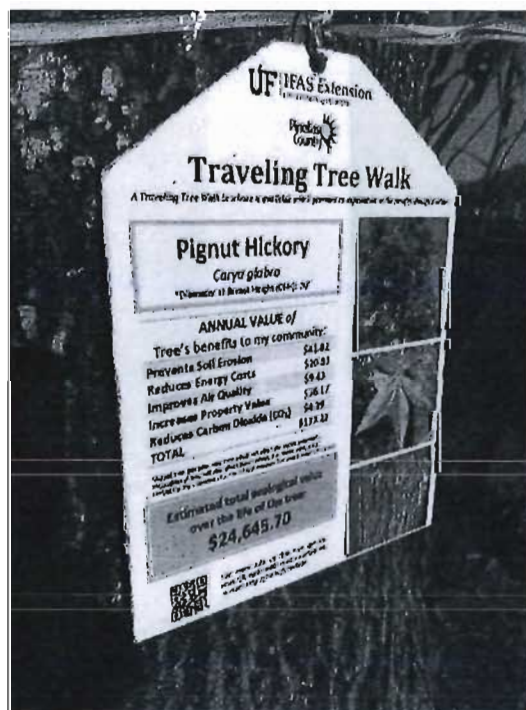


Figure 4. Sign displaying some of the estimated benefits produced from a tree in Pinellas County, FL.
Credit: Drew C. McLean, UF/IFAS

Researchers have developed ecosystem services models that use urban forest data to calculate the total economic value of all trees in a designated area, typically at the city or county level. Prior urban forest ecosystem service assessments for Gainesville and Tampa, Florida can be found at:

<https://edis.ifas.ufl.edu/fr265> (Tampa) and <https://edis.ifas.ufl.edu/fr414> (Gainesville).

Evaluation of these benefits allows city managers and citizens to gauge the importance of the urban forest compared to other key infrastructure elements and to budget for the appropriate management of this natural resource.

Currently these models are able to estimate only some of the more tangible benefits of the urban forest, like the ones mention above. There are many other important benefits such as wildlife habitat, recreational value, and human psychological effects. Researchers are working to apply economic values to these less tangible but important services. While all of these models are based on the best available science at the time, the data they produce are still just estimations.

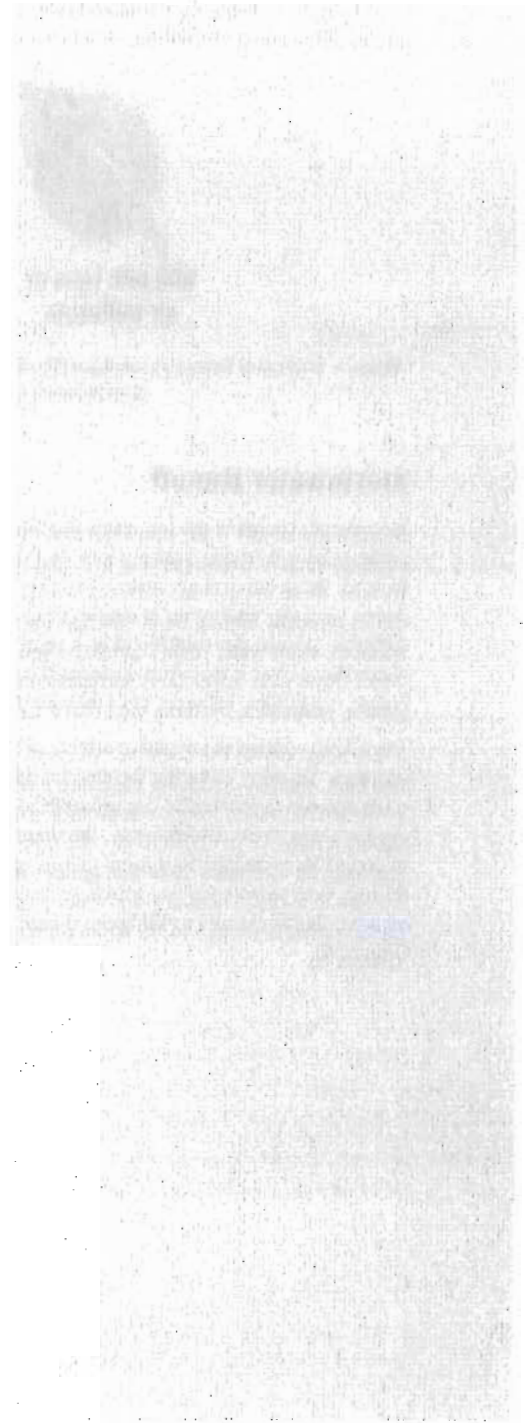
For this study, the total acreage of each metropolitan and micropolitan area was calculated in a geographic information system (ArcGIS v10.5, ESRI). Acreage of tree canopy was estimated by multiplying the total area of each census-designated boundary by the canopy coverage percentage obtained during the aerial imagery interpretation process. We used the estimation of “canopy area” (Table 1) in each metropolitan and micropolitan area to calculate the value of benefits received from their corresponding urban forest. Benefit production rates (ex. tons of air pollution removed per acre) and the monetary values for air pollution, avoided runoff, carbon sequestration, and carbon storage were based on data obtained from the i-Tree Canopy software v7.0 (<https://canopy.itreetools.org/benefits/>).

Air Pollution Removal

Toxic air pollutants such as carbon monoxide (CO), nitrogen dioxide (NO₂), ground level Ozone (O₃), sulfur dioxide (SO₂), and particulate matter (PM₁₀ and PM_{2.5}) can cause adverse effects to human health, disrupt ecosystem processes and reduce visibility in cities (EPA, 2019). Carbon monoxide, sulfur dioxide, and nitrogen dioxide gas are released into the atmosphere mainly through the burning of fossil fuels in power plants, industrial facilities, and automobiles. Ground level Ozone is created by chemical reactions between air pollutants and sunlight (EPA, 2019). Particulate matter can be released directly from a source such as unpaved roads, fields, and smokestacks or created in the atmosphere through complex chemical reactions.

Air pollutants have been shown to affect cardiovascular and respiratory health, with long-term exposure potentially leading to the development of serious diseases (Stieb et al., 2009). In addition to the human health effects, air pollutants negatively affect the environment by contributing to pollution of coastal waters, smog production, and the formation of acid rain (Manisalidis et al., 2020).

Tree leaves primarily remove air pollutants by directly absorbing them or indirectly capturing them on their surfaces (Grote et al., 2016; Nowak et al., 2006). Altogether, the trees in Florida's 29 census designated areas remove over 600,000 tons of combined air pollution each year, saving Florida residents an estimated \$605 million in annual air pollution related health care



costs (Figure 5; Table 2). Estimated removal amounts for each air pollutant are listed by micropolitan and metropolitan area in Table 3.

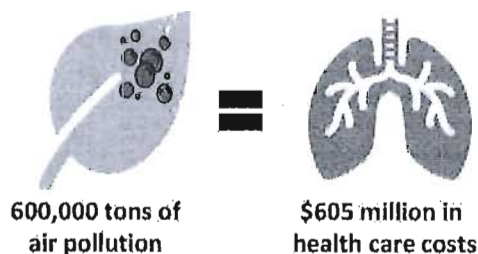
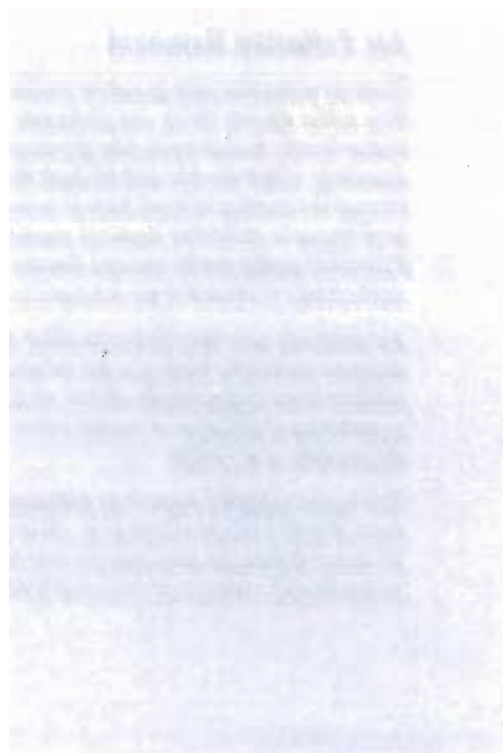


Figure 5. Tree leaves remove an estimated 600,000 tons of air pollutants each year, saving Floridians \$605 million in air pollution related health care costs annually.

Stormwater Runoff

Stormwater runoff is the rainwater that flows over the ground after a rain event. Impervious surfaces such as roads, parking lots, and rooftops do not allow water to infiltrate into the soil. Instead, these impervious surfaces swiftly direct large volumes of water into nearby stormwater drains typically ending up in neighboring waterbodies. In urban areas with increased impervious surfaces, stormwater runoff can be a significant source of pollution to local waterbodies. As water flows over impervious surfaces it can pick up many different pollutants (e.g., antifreeze, grease, pesticides, bacteria, etc.) that are present on these paved surfaces.

Trees help combat the negative effects of stormwater runoff by capturing rainfall on their leaves and bark, thereby reducing the amount of water hitting impervious surfaces. In addition, tree roots and old fallen leaves can promote soil conditions that allow more water to enter the soil during a rain event. Collectively, the urban forests in the 29 metropolitan and micropolitan areas intercept an estimated 50 billion gallons of water a year, resulting in savings of over \$451 million in avoided annual stormwater treatment costs (Table 4.) To put this volume of water in context, that is enough to fill approximately 75,000 Olympic-sized swimming pools each year (Figure 6).



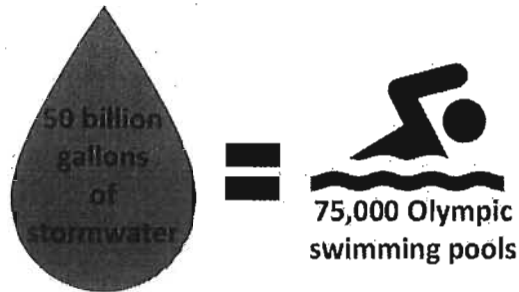


Figure 6. The amount of water Florida's urban forest reduce stormwater volumes by each year is enough to fill 75,000 Olympic swimming pools.

Carbon Sequestration and Storage

Carbon dioxide (CO₂) is a major greenhouse gas that plays a significant role in global climate change. Carbon dioxide is mainly released to the atmosphere through the burning of fossil fuels (EPA, 2019). Trees can help combat climate change by taking in carbon dioxide from the atmosphere. During photosynthesis, trees take in atmospheric carbon dioxide and store it as carbon in their trunks, branches, and roots. A tree will continue to sequester and store carbon until it dies.

Carbon sequestration and storage rates are often presented as 'carbon dioxide equivalents' as a way of measuring carbon footprints. Carbon dioxide equivalents report a single number to represent the amount of carbon dioxide that would create the same impact as all of the greenhouse gases combined (e.g., carbon dioxide, methane, nitrous oxide, and ozone). For example, since methane is a more powerful greenhouse gas, one ton of methane is equivalent to 25 tons of carbon dioxide (EPA, 2019).

Equivalent calculators can be used to express these extremely large emission values in terms that are easier to digest and understand (Figure 7). Florida's urban forests sequester (e.g., capture through active growth) 65 million tons of carbon dioxide equivalent a year, which translates to an estimated \$3 billion in annual benefits (Table 5). Florida's urban forests store (in their wood) a total of one billion tons of carbon dioxide equivalent, worth an estimated \$76 billion in services (Table 6).

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*See below "acknowledgements" for details

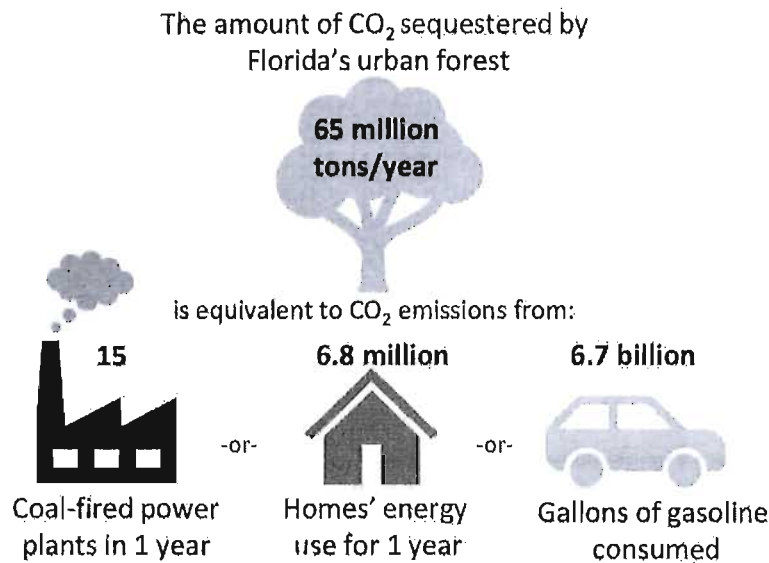


Figure 7. Carbon dioxide emission equivalent infographics.
Data Source: U.S. EPA greenhouse gas equivalencies calculator.

Valuable Natural Resource

Florida's urban forests are an extremely valuable natural resource that provide an estimated \$4.1 billion in annual benefits for its citizens and visitors (Table 7). In addition, these urban forests will provide an estimated \$76 billion in climate change benefits over their lifespan as trees continue to grow, storing more carbon in their tissues. It is important to remember the benefit numbers and monetary values presented in this report are estimations obtained from scientific models. While these numbers may not be absolute, they are based on the best available science and are important for estimating the value of urban forests and the services they provide. In addition, this valuation of Florida's urban forest only includes some of the more tangible benefits and we did not assess every county in the state. Many of the benefits presented in this report are influenced by the health and size of an individual tree's canopy. Preservation and management of the urban forest is critical to ensure that citizens receive the maximum benefits that urban trees can provide.

Acknowledgements

The authors would like to acknowledge the following people for their indispensable help conducting the canopy assessments: Brooke Anderson, Saige Middleton, and Hunter Thorn.

<Sidebar 1.... Place in carbon sequestration and storage section near the end>

Carbon Pricing

Carbon pricing is a financial based strategy that assigns monetary value to carbon emissions to help combat climate change. The price assigned to carbon can vary depending on the source and valuation method. In addition, carbon prices are influenced by regulatory, economic, and social factors and therefore may not always reflect current market prices. Even though carbon prices are not standardized and can fluctuate over time, they can be useful tools for portraying the economic value of carbon emissions. When assigning a value to carbon it is important not only to list the price used in the valuation but also the amount of carbon the value relates to. This will allow for comparisons of carbon valuations across different markets using different carbon prices.

2. Drew C. McLean, biological scientist; Andrew K. Koeser, assistant professor; and Deborah R. Hilbert, biological scientist, Environmental Horticulture Department, UF/IFAS Gulf Coast Research and Education Center; Shawn Landry, associate professor, USF Water Institute, University of South Florida; Amr Abd-Elrahman, associate professor; Katie Britt, geomatics program specialist, Geomatics Department, UF/IFAS Gulf Coast Research and Education Center-Plant City Campus; Mary Lusk, assistant professor, Department of Soil and Water Sciences, UF/IFAS Gulf Coast Research and Education Center; Michael G. Andreu, associate professor, School of Forest Resources and Conservation, UF/IFAS, Gainesville, FL; Robert J. Northrop; extension forester, UF/IFAS Extension Hillsborough County.

Table 1. Population, percent tree canopy cover with 95% confidence interval, and estimated acres of tree canopy with associated standard error of the 29 metropolitan and micropolitan areas in Florida, sorted from highest to lowest canopy cover.

Overview of Canopy Cover				
Metropolitan / Micropolitan Area	2019 Population ^x	Percent Canopy Cover with 95% Confidence Interval ^y	Canopy Area ^z (ac)	Canopy Area SE ^w (ac)
Crestview-Fort Walton Beach-Destin	284,809	74.4% ± 1.9%	946,304	12,771
Tallahassee	387,227	73.9% ± 1.9%	1,149,077	15,605
Jacksonville	1,559,514	67.8% ± 2.0%	1,367,161	22,678
Lake City	71,686	62.1% ± 2.1%	316,357	5,555
Gainesville	329,128	57.8% ± 2.2%	887,380	17,263
Pensacola-Ferrypass-Brent	502,629	57.2% ± 2.2%	616,384	12,012
Cape Coral-Fort Myers	770,577	56.7% ± 2.2%	279,271	5,770
Key West	74,228	56.6% ± 2.2%	350,308	7,406
Ocala	365,579	56.4% ± 2.2%	583,500	11,672
Homosassa Springs	149,657	55.3% ± 2.2%	212,249	4,380
The Villages	132,420	54.8% ± 2.2%	198,293	4,086
Naples-Marco Island	384,902	51.9% ± 2.2%	659,038	14,379
Panama City	174,705	51.5% ± 2.2%	252,326	5,542
Tampa-St. Petersburg-Clearwater	3,194,831	46.2% ± 2.2%	733,931	18,052
Orlando-Kissimmee-Sanford	2,608,147	45.5% ± 2.2%	1,046,163	26,673
Lakeland-Winter Haven	724,777	40.1% ± 2.1%	480,751	13,433
Sebastian-Vero Beach	159,923	40.0% ± 2.1%	121,779	3,418
Punta Gorda	188,910	38.6% ± 2.1%	168,267	4,841
Palm Bay-Melbourne-Titusville	601,942	37.3% ± 2.1%	236,040	6,968
North Port-Bradenton-Sarasota	836,995	35.9% ± 2.1%	296,465	8,950
Palatka	74,521	34.7% ± 2.1%	164,918	5,186
Deltona-Daytona Beach-Ormond Beach	668,365	34.0% ± 2.1%	349,023	11,093
Wauchula	26,937	33.5% ± 2.1%	133,914	4,244
Port St. Lucie	489,297	29.6% ± 2.0%	207,150	7,325

Arcadia	38,001	28.7% ± 2.0%	116,039	4,099
Clewiston	42,022	26.4% ± 1.9%	195,215	7,325
Miami-Fort Lauderdale-Pompano Beach	6,166,488	25.6% ± 1.9%	820,294	31,686
Sebring-Avon Park	106,221	25.2% ± 1.9%	166,551	6,481
Okeechobee	42,168	18.6% ± 1.7%	92,500	4,384

^z 2019 population based on U.S. Census Bureau estimations for 2019.

^y Canopy cover estimations based on dot-based analysis of on 2019 leaf-on aerial imagery from National Agricultural Imagery Program (NAIP; USDA, 2019).

^x Canopy area is percent canopy cover multiplied by total acres of the metropolitan/micropolitan area.

^w SE is an abbreviation for standard error, a measure of statistical accuracy for an estimated mean.

Table 2. Total estimated annual air pollution removal (in U.S. tons) and total estimated air pollution removal values (in USD) with associated standard error (SE) calculations for the 29 metropolitan and micropolitan areas in Florida. Air pollution removal amounts and monetary values based on county level multipliers listed in the i-Tree canopy v7.0 software.

Metropolitan / Micropolitan Area	Total Air Pollution Removal (U.S. tons)			
	Total Air Pollution Removal (T)	Total Air Pollution Removal SE*	Annual Value	Annual Value SE
Crestview-Fort Walton Beach-Destin	49,447	667	\$19,876,367	\$268,241
Tallahassee	48,107	653	\$18,569,840	\$252,193
Jacksonville	72,238	1,198	\$67,597,085	\$1,121,265
Lake City	16,837	296	\$3,292,058	\$57,811
Gainesville	42,082	819	\$11,249,273	\$218,836
Pensacola-Ferrypass-Brent	33,697	657	\$35,387,009	\$689,590
Cape Coral-Fort Myers	12,950	268	\$21,513,273	\$444,485
Key West	15,502	328	\$2,198,593	\$46,478
Ocala	28,501	570	\$16,410,528	\$328,269
Homosassa Springs	9,137	189	\$13,143,399	\$271,220
The Villages	8,437	174	\$5,445,000	\$112,199
Naples-Marco Island	31,777	693	\$12,965,969	\$282,902
Panama City	14,364	315	\$11,079,671	\$243,341
Tampa-St. Petersburg-Clearwater	35,392	870	\$108,067,269	\$2,657,995
Orlando-Kissimmee-Sanford	46,676	1,190	\$66,711,108	\$1,700,894
Lakeland-Winter Haven	22,330	624	\$20,695,248	\$578,240
Sebastian-Vero Beach	5,052	142	\$5,800,433	\$162,793
Punta Gorda	8,068	232	\$8,014,045	\$230,570
Palm Bay-Melbourne-Titusville	11,885	351	\$13,505,954	\$398,698
North Port-Bradenton-Sarasota	15,239	460	\$24,949,673	\$753,172
Palatka	9,482	298	\$3,645,056	\$114,617
Deltona-Daytona Beach-Ormond Beach	16,234	516	\$18,988,661	\$603,524
Wauchula	6,127	194	\$743,110	\$23,550

Port St. Lucie	9,642	341	\$13,133,556	\$464,407
Arcadia	5,645	199	\$866,638	\$30,611
Clewiston	8,422	316	\$1,019,992	\$38,274
Miami-Fort Lauderdale-Pompano Beach	36,871	1,424	\$77,315,778	\$2,986,515
Sebring-Avon Park	7,605	296	\$2,695,689	\$104,897
Okeechobee	3,797	180	\$760,870	\$36,061
Total	631,544	14,461	\$605,641,144	\$15,221,645

²⁷Total air pollution is sum of carbon monoxide (CO), nitrogen dioxide (NO₂), ground level ozone (O₃), particulate matter between 10 and 2.5 microns (PM₁₀), particulate matter less than 2.5 microns (PM_{2.5}), and sulfur dioxide (SO₂).

Table 3. Annual estimated removal rates and associated standard errors (SE) in U.S. tons of carbon monoxide (CO), nitrogen dioxide (NO₂), ground level ozone (O₃), particulate matter between 10 and 2.5 microns (PM₁₀), particulate matter less than 2.5 microns (PM_{2.5}), and sulfur dioxide (SO₂) for the 29 metropolitan and micropolitan areas in Florida. Removal rates based on county level multipliers listed in the i-Tree canopy v7.0 software.

Metropolitan / Micropolitan Area	Air Pollution Removal (U.S. tons)													
	CO (T)	CO SE (T)	NO ₂ (T)	NO ₂ SE (T)	O ₃ (T)	O ₃ SE (T)	PM ₁₀ (T)	PM ₁₀ SE (T)	PM _{2.5} (T)	PM _{2.5} SE (T)	SO ₂ (T)	SO ₂ SE (T)		
Cresview-Fort Walton Beach-Destin	856	12	2,477	33	29,770	402	12,283	166	2,291	31	1,770	24		
Tallahassee	675	9	4,065	55	29,053	395	11,682	159	2,068	28	564	8		
Jacksonville	791	13	6,366	106	44,824	744	16,272	270	1,596	26	2,389	40		
Lake City	229	4	1,455	26	10,174	179	4,632	81	151	3	196	3		
Gainesville	608	12	3,458	67	27,633	538	8,900	173	774	15	709	14		
Pensacola-Ferrypass-Brent	663	13	1,624	32	19,761	385	9,207	179	1,287	25	1,155	23		
Cape Coral-Fort Myers	220	5	564	12	8,840	183	2,600	54	316	7	410	8		
Key West	436	9	1,612	34	9,866	209	3,280	69	308	7	1	0.1		
Ocala	646	13	1,486	30	18,166	363	6,773	135	806	16	624	12		
Homosassa Springs	138	3	652	13	6,138	127	1,803	37	279	6	128	3		
The Villages	220	5	506	10	5,895	121	1,480	30	293	6	43	1		
Naples-Marco Island	839	18	1,968	43	21,427	468	6,692	146	849	19	2	0.1		
Panama City	160	4	728	16	9,951	219	2,168	48	805	18	552	12		
Tampa-St. Petersburg- Clearwater	483	12	2,243	55	23,882	587	6,926	170	975	24	883	22		
Orlando-Kissimmee-Sanford	1,155	29	2,668	68	32,575	831	8,521	217	1,451	37	306	8		
Lakeland-Winter Haven	306	9	1,219	34	15,387	430	4,232	118	698	19	488	14		
Sebastian-Vero Beach	145	4	320	9	3,436	96	905	25	186	5	58	2		
Punta Gorda	113	3	355	10	5,559	159	1,587	46	217	6	257	7		
Palm Bay-Melbourne- Titusville	284	8	639	19	8,688	256	1,891	56	264	8	119	4		
North Port-Bradenton- Sarasota	237	7	648	20	10,168	307	3,310	100	400	12	477	14		

Palatka	141	4	830	26	6,237	196	1,791	56	259	8	224	7
Deltona-Daytona Beach-Ormond Beach	381	12	948	30	11,176	355	3,013	96	515	16	202	6
Wauchula	85	3	289	9	4,277	136	1,129	36	200	6	147	5
Port St. Lucie	269	10	439	16	6,875	243	1,619	57	255	9	185	7
Arcadia	74	3	251	9	3,845	136	1,139	40	158	6	180	6
Clewiston	225	8	539	20	5,545	208	1,752	66	360	14	0.5	0.1
Miami-Fort Lauderdale-Pompano Beach	981	38	2,168	84	23,376	903	8,614	333	1,363	53	369	14
Sebring-Avon Park	107	4	351	14	5,308	207	1,440	56	228	9	171	7
Okeechobee	111	5	226	11	2,413	114	901	43	104	5	42	2
Total	11,576	278	41,096	910	410,226	9,495	136,541	3,063	19,455	443	12,650	272

Table 4. Annual estimated avoided stormwater runoff volumes in gallons and estimated values of annual avoided runoff (in USD) with associated standard error (SE) calculations for the 29 metropolitan and micropolitan areas in Florida. Avoided runoff rates and monetary values based on county level multipliers listed in the i-Tree canopy v7.0 software.

Metropolitan / Micropolitan Area	Avoided Stormwater Runoff (gallons)			
	Avoided Runoff (gal)	Avoided Runoff SE (gal)	Annual Value	Annual Value SE
Cresview-Fort Walton Beach-Desin	1,781,662,371	24,044,406	\$15,878,139	\$214,283
Tallahassee	1,562,790,401	21,223,893	\$13,927,557	\$189,147
Jacksonville	4,612,091,727	76,502,935	\$41,102,869	\$681,793
Lake City	76,558,303	1,344,426	\$682,286	\$11,981
Gainesville	618,468,676	12,031,305	\$5,511,780	\$107,223
Pensacola-Ferrypass-Brent	2,365,755,149	46,101,687	\$21,083,563	\$410,857
Cape Coral-Fort Myers	3,677,903,463	75,989,008	\$32,777,402	\$677,213
Key West	249,237,204	5,268,886	\$2,221,197	\$46,956
Ocala	1,290,632,073	25,817,272	\$11,502,087	\$230,083
Homosassa Springs	745,808,766	15,390,079	\$6,646,633	\$137,156
The Villages	351,263,494	7,238,107	\$3,130,453	\$64,506
Naples-Marco Island	1,387,538,412	30,274,477	\$12,365,715	\$269,806
Parana City	699,781,063	15,369,159	\$6,236,435	\$136,970
Tampa-St. Petersburg-Clearwater	6,283,890,090	154,556,937	\$56,001,903	\$1,377,408
Orlando-Kissimmee-Sanford	5,979,910,594	152,466,290	\$53,292,844	\$1,358,777
Lakeland-Winter Haven	1,656,706,879	46,289,537	\$14,764,539	\$412,531
Sebastian-Vero Beach	446,771,488	12,538,920	\$3,981,619	\$111,747
Punta Gorda	791,610,291	22,775,189	\$7,054,815	\$202,972
Palm Bay-Melbourne-Titusville	1,848,459,929	54,566,818	\$16,473,438	\$486,298
North Port-Bradenton-Sarasota	1,754,871,592	52,975,445	\$15,639,381	\$472,116
Palatka	205,138,758	6,450,474	\$1,828,193	\$57,486
Deltona-Daytona Beach-Ormond Beach	1,113,230,764	35,382,234	\$9,921,090	\$315,326
Wauchula	64,814,450	2,054,047	\$577,625	\$18,306
Port St. Lucie	975,534,147	34,495,185	\$8,693,941	\$307,420

Arcadia	80,874,822	2,856,611	\$720,755	\$25,458
Clewisson	105,822,330	3,970,849	\$943,086	\$35,388
Miami-Fort Lauderdale-Pompano Beach	9,655,586,366	372,971,087	\$86,050,393	\$3,323,911
Sebring-Avon Park	228,933,869	8,908,484	\$2,040,254	\$79,392
Okeechobee	53,723,799	2,546,181	\$478,785	\$22,692
Total	50,665,371,271	1,322,399,929	\$451,528,775	\$11,785,202

Table 5. Annual estimated carbon dioxide equivalent (CO₂e) sequestration amounts in US tons and annual estimated value of carbon dioxide equivalent (CO₂e) sequestration (in USD) with associated standard error (SE) calculations for the 29 metropolitan and micropolitan areas in Florida.

Metropolitan / Micropolitan Area	Carbon Sequestration (U.S. tons)			
	Sequestered CO ₂ e ^a (T)	Sequestered CO ₂ e ^a SE (T)	Annual Value ^a	Annual Value ^a SE
Crestview-Fort Walton Beach-Destin	4,736,249	63,918	\$20,282,941	\$2,972,826
Tallahassee	5,751,129	78,105	\$267,485,026	\$3,632,652
Jacksonville	6,842,643	113,502	\$318,251,323	\$5,278,984
Lake City	1,583,365	27,805	\$73,642,301	\$1,293,218
Gainesville	4,441,339	86,399	\$206,566,683	\$4,018,420
Pensacola-Ferrypass-Brent	3,085,001	60,118	\$143,483,402	\$2,796,074
Cape Coral-Fort Myers	1,397,753	28,879	\$65,009,503	\$1,343,159
Key West	1,753,292	37,065	\$81,545,612	\$1,723,878
Ocala	2,920,418	58,419	\$135,828,628	\$2,717,060
Homosassa Springs	1,062,306	21,921	\$49,407,846	\$1,019,552
The Villages	992,455	20,450	\$46,159,064	\$951,150
Naples-Marco Island	3,298,485	71,969	\$153,412,525	\$3,347,283
Panama City	1,262,892	27,737	\$58,737,117	\$1,290,032
Tampa-St. Petersburg-Clearwater	3,673,326	90,348	\$170,846,390	\$4,202,094
Orlando-Kissimmee-Sanford	5,236,047	133,500	\$243,528,533	\$6,209,105
Lakeland-Winter Haven	2,406,159	67,230	\$111,910,476	\$3,126,856
Sebastian-Vero Beach	609,502	17,106	\$28,347,927	\$795,602
Punta Gorda	842,178	24,230	\$39,169,698	\$1,126,940
Palm Bay-Melbourne-Titusville	1,181,382	34,875	\$54,946,063	\$1,622,016
North Port-Bradenton-Sarasota	1,483,808	44,793	\$69,011,894	\$2,083,307
Palatka	825,417	25,955	\$38,390,137	\$1,207,156
Deltona-Daytona Beach-Ormond Beach	1,746,862	55,521	\$81,246,534	\$2,582,289
Wauchoula	670,240	21,241	\$31,172,878	\$987,906
Port St. Lucie	1,036,784	36,661	\$48,220,832	\$1,705,103

Arcadia	580,777	20,514	\$27,011,948	\$954,100
Clewiston	977,053	36,663	\$45,442,724	\$1,705,181
Miami-Fort Lauderdale-Pompano Beach	4,105,573	158,588	\$190,950,211	\$7,375,928
Sebring-Avon Park	833,586	32,437	\$38,770,086	\$1,508,657
Okeechobee	462,961	21,942	\$21,532,305	\$1,020,500
Total	65,798,981	1,517,889	\$3,060,310,607	\$70,597,028

²CO₂e sequestration rate was 5.005 T/ac. Based on United States level rate listed in i-Tree canopy v7.0 software.

³CO₂e sequestration was valued at \$46.51/T. Based on United States level value listed in i-Tree canopy v7.0 software.

⁴SE is an abbreviation for standard error, a measure of statistical accuracy for an estimated mean.

Table 6. Estimated carbon dioxide equivalent (CO₂e) storage amounts in US tons and estimated value of carbon dioxide equivalents (CO₂e) storage (in USD) with associated standard error (SE) calculations for the 29 metropolitan and micropolitan areas in Florida.

Carbon Storage (U.S. tons)				
Metropolitan / Micropolitan Area	CO ₂ e Storage ^a (T)	CO ₂ e Storage SE ^b (T)	CO ₂ e Storage Value ^c	CO ₂ e Storage Value SE ^d
Crestview-Fort Walton Beach-Destin	118,947,511	1,605,255	\$5,532,248,717	\$138,266,145
Tallahassee	144,435,506	1,961,545	\$6,717,695,366	\$168,954,640
Jacksonville	171,848,090	2,850,525	\$7,992,654,654	\$245,525,566
Lake City	39,765,078	698,307	\$1,849,473,796	\$60,147,587
Gainesville	111,541,060	2,169,850	\$5,187,774,704	\$186,896,707
Pensacola-Ferrypass-Brent	77,477,600	1,509,813	\$3,603,483,163	\$130,045,410
Cape Coral-Fort Myers	35,103,574	725,273	\$1,632,667,224	\$62,470,306
Key West	44,032,677	930,853	\$2,047,959,797	\$80,177,568
Ocala	73,344,205	1,467,147	\$3,411,238,966	\$126,370,455
Homosassa Springs	26,679,053	550,534	\$1,240,842,767	\$47,419,355
The Villages	24,924,789	513,598	\$1,159,251,914	\$44,237,983
Naples-Marco Island	82,839,088	1,807,453	\$3,852,845,981	\$155,682,140
Panama City	31,716,636	696,586	\$1,475,140,730	\$59,999,395
Tampa-St. Petersburg-Clearwater	92,252,958	2,269,030	\$4,290,685,057	\$195,439,376
Orlando-Kissimmee-Sanford	131,499,573	3,352,768	\$6,116,045,162	\$288,785,468
Lakeland-Winter Haven	60,428,976	1,688,427	\$2,810,551,659	\$145,430,081
Sebastian-Vero Beach	15,307,201	429,606	\$711,937,935	\$37,003,459
Punta Gorda	21,150,699	608,521	\$983,718,994	\$52,413,978
-Palm Bay-Melbourne-Titusville	29,669,558	875,850	\$1,379,931,134	\$75,439,971
North Port-Bradenton-Sarasota	37,264,769	1,124,936	\$1,733,184,422	\$96,894,596
Palatka	20,729,754	651,836	\$964,140,861	\$56,144,845
Deltona-Daytona Beach-Ormond Beach	43,871,182	1,394,374	\$2,040,448,675	\$120,102,274
Wauchula	16,832,607	533,445	\$782,884,568	\$45,947,498
Port St. Lucie	26,038,094	920,715	\$1,211,031,741	\$79,304,355

Arcadia	14,585,805	515,191	\$678,385,784	\$44,375,168
Clewisston	24,537,982	920,757	\$1,141,261,557	\$79,307,959
Miami-Fort Lauderdale-Pompano Beach	103,108,539	3,982,824	\$4,795,578,148	\$343,054,401
Sebring-Avon Park	20,934,918	814,639	\$973,683,022	\$70,167,636
Okeechobee	11,626,929	551,046	\$540,768,464	\$47,463,462
Total	1,652,494,409	38,120,704	\$76,857,514,962	\$3,283,467,783

⁴CO₂e storage rate was 125.697 T/ac. Based on United States level rate listed in i-Tree canopy v7.0 software.

⁵SE is an abbreviation for standard error, a measure of statistical accuracy for an estimated mean.

⁶CO₂e storage was valued at \$46.51/T. Based on United States level value listed in i-Tree canopy v7.0 software.

Table 7. Estimated value of total annual benefits (air pollution removal, avoided stormwater runoff, and carbon dioxide equivalent (CO₂e) sequestration, in USD) and associated standard error (SE) calculations for the 29 metropolitan and micropolitan areas in Florida. Monetary values based on county level values listed in the i-Tree canopy v7.0 software.

Total Annual Benefits								
Metropolitan / Micropolitan Area	Air Pollution	Air Pollution SE	Avoided Runoff	Avoided Runoff SE	CO ₂ e Sequestered ^a	CO ₂ e Sequestered SE ^b	Total Benefits ^c	Total Benefits SE ^d
Crestview-Fort Walton Beach- Destin	\$19,876,367	\$268,241	\$15,878,139	\$214,283	\$220,282,941	\$2,972,826	\$256,037,447	\$3,455,351
Tallahassee	\$18,569,840	\$252,193	\$13,927,557	\$189,147	\$267,485,026	\$3,632,652	\$299,982,422	\$4,073,991
Jacksonville	\$67,597,085	\$1,121,265	\$41,102,869	\$681,793	\$318,251,323	\$5,278,984	\$426,951,277	\$7,082,042
Lake City	\$3,292,058	\$57,811	\$682,286	\$11,981	\$73,642,301	\$1,293,218	\$77,616,645	\$1,363,011
Gainesville	\$11,249,273	\$218,836	\$5,511,780	\$107,223	\$206,566,683	\$4,018,420	\$223,327,737	\$4,344,479
Pensacola- Ferrypass-Brent Cape Coral-Fort Myers	\$35,387,009	\$689,590	\$21,083,563	\$410,857	\$143,483,402	\$2,796,074	\$199,953,974	\$3,896,521
Key West	\$21,513,273	\$444,485	\$32,777,402	\$677,213	\$65,009,503	\$1,343,159	\$119,300,178	\$2,464,856
Ocala	\$2,198,593	\$46,478	\$2,221,197	\$46,956	\$81,545,612	\$1,723,878	\$85,965,402	\$1,817,313
Homosassa Springs	\$16,410,528	\$328,269	\$11,502,087	\$230,083	\$135,828,628	\$2,717,060	\$163,741,243	\$3,275,412
The Villages	\$13,143,399	\$271,220	\$6,646,633	\$137,156	\$49,407,846	\$1,019,552	\$69,197,878	\$1,427,927
Naples-Marco Island	\$5,445,000	\$112,199	\$3,130,453	\$64,506	\$46,159,064	\$951,150	\$54,734,517	\$1,127,855
Panama City	\$12,965,969	\$282,902	\$12,365,715	\$269,806	\$153,412,525	\$3,347,283	\$178,744,208	\$3,899,991
Tampa-St. Petersburg- Clearwater	\$11,079,671	\$243,341	\$6,236,435	\$136,970	\$58,737,117	\$1,290,032	\$76,053,222	\$1,670,342
Orlando- Kissimmee-Sanford	\$108,067,269	\$2,657,995	\$56,001,903	\$1,377,408	\$170,846,390	\$4,202,094	\$334,915,562	\$8,237,497
Lakeland-Winter Haven	\$66,711,108	\$1,700,894	\$53,292,844	\$1,358,777	\$243,528,533	\$6,209,105	\$363,532,485	\$9,268,776
Sebastian-Vero Beach	\$20,695,248	\$578,240	\$14,764,539	\$412,531	\$111,910,476	\$3,126,856	\$147,370,263	\$4,117,627
Punta Gorda	\$5,800,433	\$162,793	\$3,981,619	\$111,747	\$28,347,927	\$795,602	\$38,129,978	\$1,070,142
	\$8,014,045	\$230,570	\$7,054,815	\$202,972	\$39,169,698	\$1,126,940	\$54,238,558	\$1,560,482

Palm Bay- Melbourne- Titusville	\$13,505,954	\$398,698	\$16,473,438	\$486,298	\$54,946,063	\$1,622,016	\$84,925,455	\$2,507,012
North Port- Bradenton-Sarasota	\$24,949,673	\$753,172	\$15,639,381	\$472,116	\$69,011,894	\$2,083,307	\$109,600,947	\$3,308,595
Palatka	\$3,645,056	\$114,617	\$1,828,193	\$57,486	\$38,390,137	\$1,207,156	\$43,863,385	\$1,379,260
Deltona-Daytona Beach-Ormond Beach	\$18,988,661	\$603,524	\$9,921,090	\$315,326	\$81,246,534	\$2,582,289	\$110,156,285	\$3,501,139
Wauchula	\$743,110	\$23,550	\$577,625	\$18,306	\$31,172,878	\$987,906	\$32,493,613	\$1,029,761
Port St. Lucie	\$13,133,556	\$464,407	\$8,693,941	\$307,420	\$48,220,832	\$1,705,103	\$70,048,328	\$2,476,930
Arcadia	\$866,638	\$30,611	\$720,755	\$25,458	\$27,011,948	\$954,100	\$28,599,341	\$1,010,168
Clewiston	\$1,019,992	\$38,274	\$943,086	\$35,388	\$45,442,724	\$1,705,181	\$47,405,803	\$1,778,843
Miami-Fort Lauderdale- Pompano Beach	\$77,315,778	\$2,986,515	\$86,050,393	\$3,323,911	\$190,950,211	\$7,375,928	\$354,316,381	\$13,686,353
Sebring-Avon Park	\$2,695,689	\$104,897	\$2,040,254	\$79,392	\$38,770,086	\$1,508,657	\$43,506,029	\$1,692,946
Okeechobee	\$760,870	\$36,061	\$478,785	\$22,692	\$21,532,305	\$1,020,500	\$22,771,961	\$1,079,252
Total	\$605,641,144	\$15,221,645	\$451,528,775	\$11,785,202	\$3,060,310,607	\$70,597,028	\$4,117,480,527	\$97,603,875

^cCO₂e sequestration was valued at \$46.51/T. Based on United States level value listed in i-Tree canopy v7.0 software.

^ySE is an abbreviation for standard error, a measure of statistical accuracy for an estimated mean.

^xTotal Benefits = the sum of air pollution, avoided stormwater runoff, and CO₂ equivalent sequestration benefit values.

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From: **Stephanie Jofe** shrinkmom@kidbones.com
Subject: Stormwater Runoff and the Urban Tree Canopy

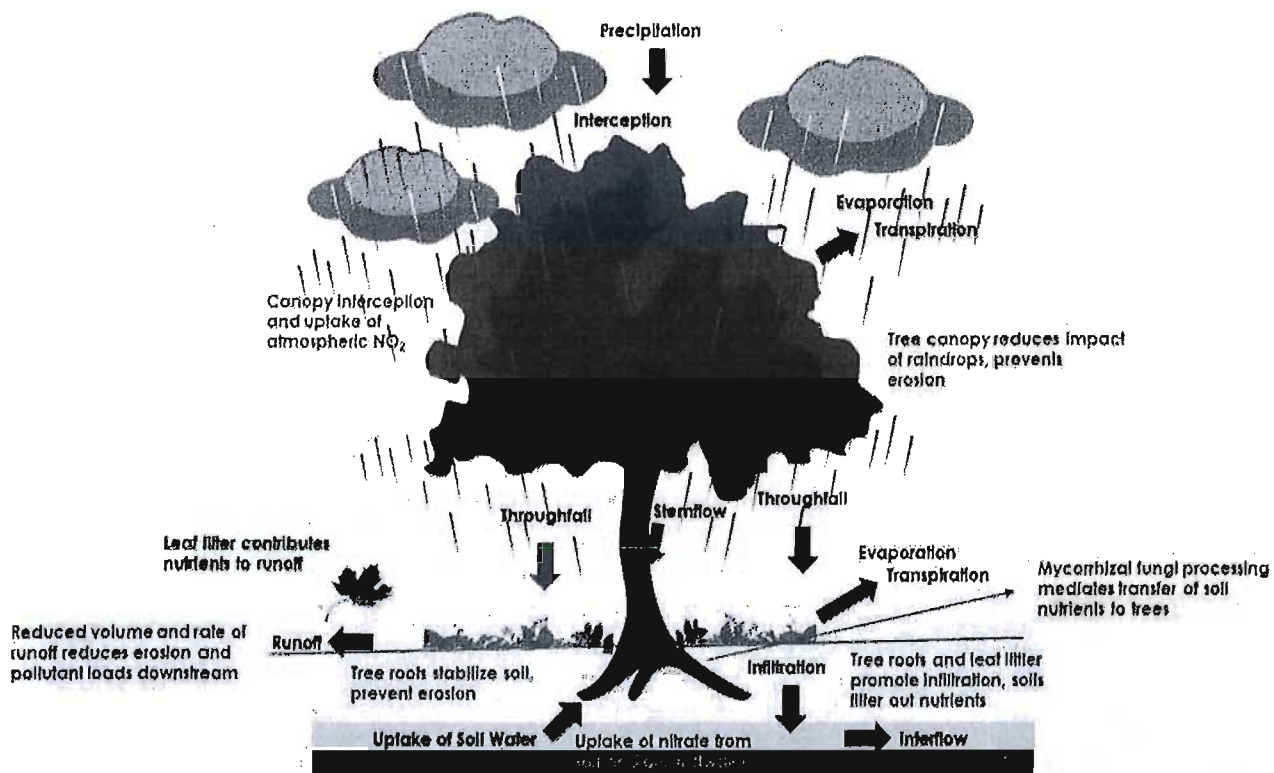
Date: November 11, 2020 at 11:22 AM

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Hi Commissioners and Department Directors,

Those opposed to the Zoning Overlay Ordinance have made the claim that trees and the tree canopy do not help with stormwater runoff. There is voluminous literature which contradicts this claim and there are government entities that are actually trying to place a value on the cost savings in this area attributable to maintaining the urban tree canopy. These articles also discuss the importance of trees in filtering pollutants from the stormwater runoff, which should be an very important consideration for those concerned with the health and safety of their young children. Below is a diagram from one of the articles depicting how this process works, followed by an excerpt from the second reference below. They are followed by a list of some relevant literature. I can provide references to many more articles upon request.



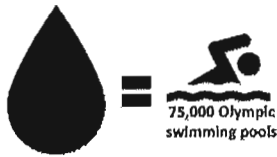
Stormwater Runoff

Stormwater runoff is the rainwater that flows over the ground after a rain event.

Impervious surfaces such as roads, parking lots, and rooftops do not allow water to infiltrate into the soil. Instead, these impervious surfaces swiftly direct large volumes of water into nearby stormwater drains typically ending up in neighboring waterbodies. In urban areas with increased impervious surfaces, stormwater runoff can be a significant source of pollution to local waterbodies. As water flows over impervious surfaces it can pick up many different pollutants (e.g., antifreeze, grease, pesticides, bacteria, etc.) that are present on these paved surfaces.

Trees help combat the negative effects of stormwater runoff by capturing rainfall on their leaves and bark, thereby reducing the amount of water hitting impervious surfaces. In addition, tree roots and old fallen leaves can promote soil conditions that allow more water

to enter the soil during a rain event. Collectively, the urban forests in the 29 metropolitan and micropolitan areas intercept an estimated 50 billion gallons of water a year, resulting in savings of over \$451 million in avoided annual stormwater treatment costs (Table 4.) To put this volume of water in context, that is enough to fill approximately 75,000 Olympic-sized swimming pools each year (Figure 6).



trees control
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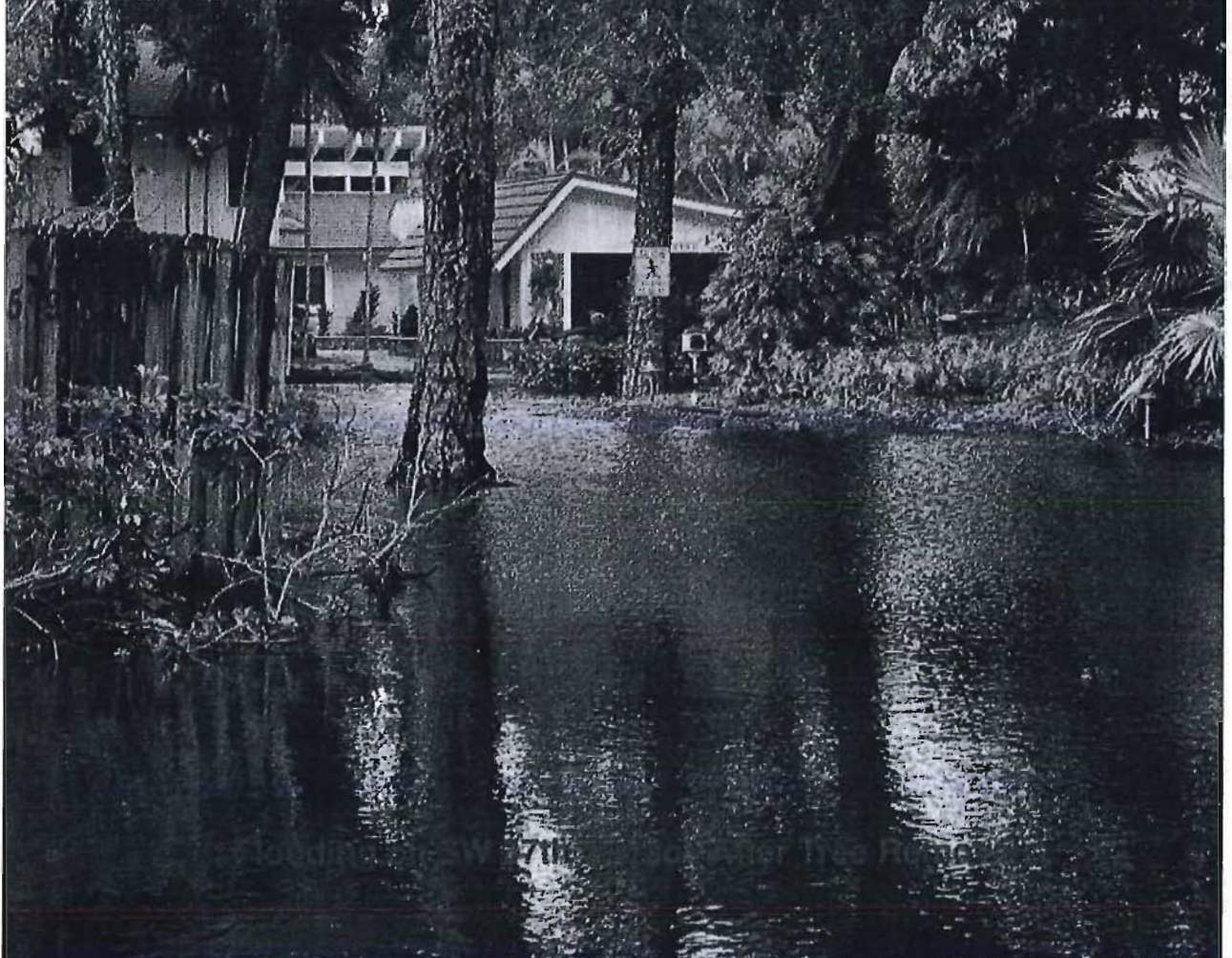
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<https://www.cwp.org/reducing-stormwater-runoff/> <https://www.epa.gov/soakuptherain/soak-rain-trees-help-reduce-runoff>

These are photos taken on our street before many large trees, primarily oaks, were removed from 5960 and 5950 SW 37th Terrace. Each before photo is followed by an after photo of the flooding that now occurs since these trees have been removed. Granted, we have had more rain than usual recently, but in my 32 years here, (and we have been through many hurricanes, including Andrew and Wilma, and many heavy tropical storms), the flooding was never like this prior to the trees being removed.

Therefore, it is imperative for the city to do whatever it can to stop and mitigate tree removal in the Harger Hills Oak Hammock. Passing the Zoning Overlay Ordinance would be one large step in this direction.

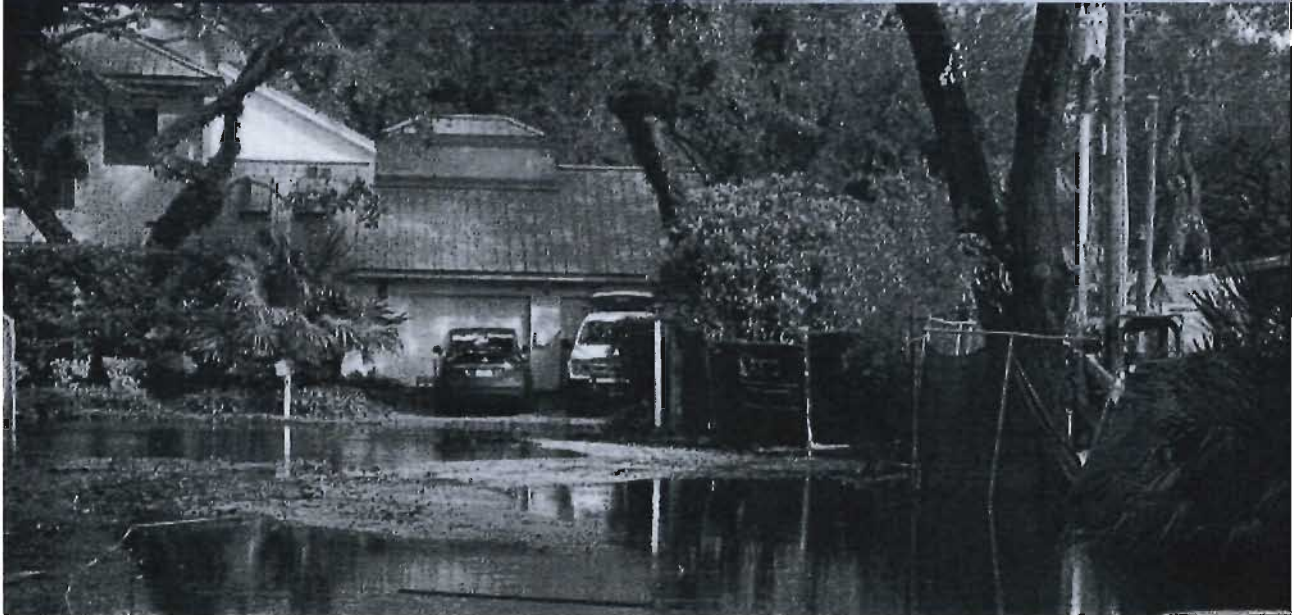


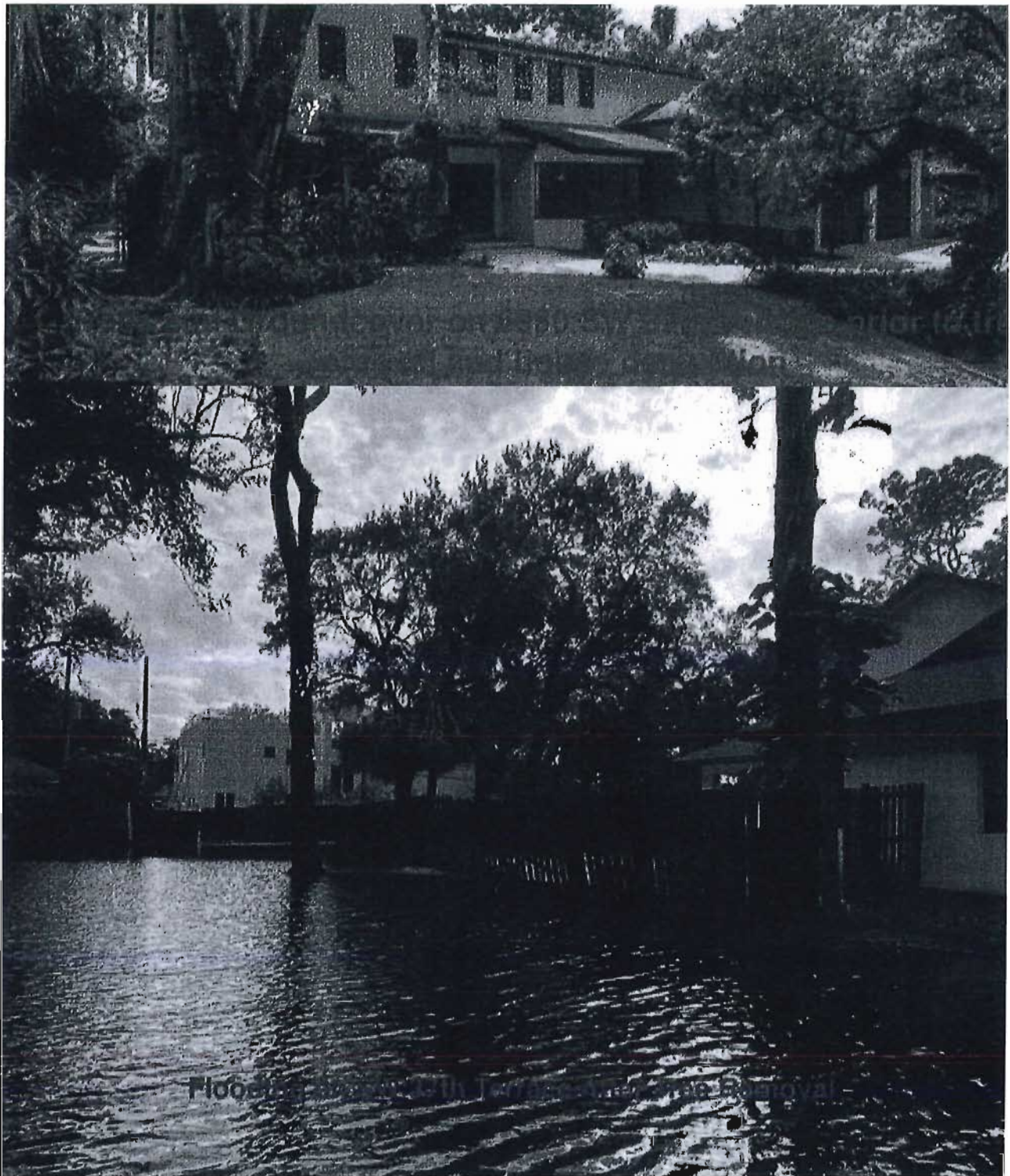


Oak Hammock 5960 SW 37th Terrace Priority Tree Removal



Flooding on SW 37th Terrace





Thank you so much for your attention to this matter and all your efforts to protect our oak hammock.

Sincerely,
Stephanie Jofe



After tree removal



Flooding



Urban Forests in Florida: Trees Control Stormwater Runoff and Improve Water Quality¹

Jennifer Seitz and Francisco Escobedo²

Along with human actions, the trees, vegetation, pervious soils, and human structures that make up an urban forest influence several hydrological functions in ways that can affect the quality of life of people living in the urban forest. An area of particular concern is the loss of natural forests and tree cover in and around urban areas due to development. This loss can result in increased stormwater runoff and decreased water quality. Neighborhoods with fewer trees have the potential for increased stormwater, pollutants, and chemicals flowing into their water supply and systems, resulting in health risks, flood damage, and increased taxpayers' dollars to treat the water. Communities can lessen the effect of these damages by maintaining or increasing the numbers of trees in their communities and by minimizing roads and other impervious surfaces. In this fact sheet we will show how individual trees and urban forest cover assist in maintaining our watershed health, improve water and soil quality, and lower maintenance and construction costs of water storage and treatment systems.

How do Trees Affect the Water Cycle?

Trees are part of the water cycle, as illustrated in Figure 1. A tree's leaves and branches create a tree crown. The crowns of many trees together make up an urban forest's canopy. When it rains, most of the raindrops hit a leaf or branch surface and remain there a while in "temporary storage" before they are released by evaporation into the atmosphere or by drops falling to the ground.

The brief retention of rainwater by the tree canopy is called rainfall interception. Studies of rainfall interception indicate that interception rates are primarily dependent on the type and amount of leaves. Studies have shown that a mature deciduous tree (deciduous trees, such as sweetgums, lose leaves during the winter) can intercept 500–700 gallons of water per year. Mature evergreen trees (evergreens, such as magnolias or pines, retain their leaves year round) can intercept more than 4,000 gallons per year (Cappiella and others 2005). Rainfall interception also varies based on tree density, the types of plants growing under the tree canopy, and climate (the

1. This document is FOR184, one of a series of the School of Forest Resources and Conservation Department, Florida Cooperative Extension Service, Institute of Food and Agricultural Sciences, University of Florida. Original publication date May, 2008. Reviewed March, 2011. Visit the EDIS website at <http://edis.ifas.ufl.edu>.

2. Jennifer Seitz, Extension Associate, and Francisco Escobedo, Assistant Professor, School of Forest Resources and Conservation, Florida Cooperative Extension Services, Institute of Food and Agricultural Sciences, University of Florida, Gainesville, FL 32611.

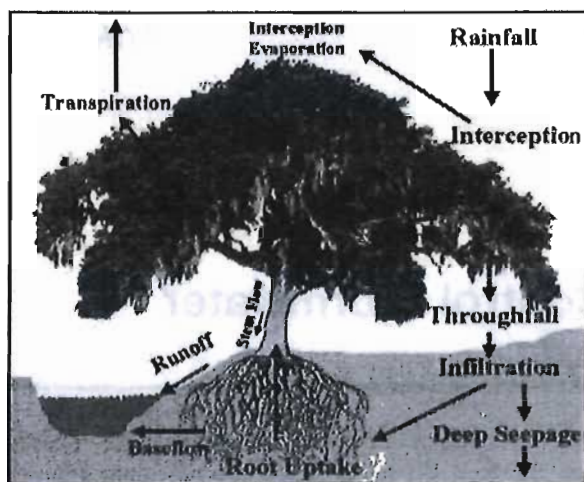


Figure 1. Urban trees are a key link in the cycle of water between the atmosphere and urban areas. From: Korhnak. 2000.

climate in an urban area is partly determined by the way the land in that area is used). For example, Table 1 <link to Table 1> shows that suburban and rural areas can intercept more rainfall than urban areas in central California. Although the vegetation and climates differ between Florida and California, Table 1 also shows the amount of rainfall that a Florida pine flatwood forest can intercept. The time of year that rain falls is also important (rainfall in winter, when deciduous trees lose their leaves results in less interception).

after a rain storm. It flows over the surface towards natural waterways and/or constructed stormwater systems. By intercepting some of the rain, tree cover can reduce the amount of money needed to construct stormwater management systems, thereby saving a community's funds. In Santa Monica, CA, rainfall interception was measured for 29,229 street and park trees. Researchers found that the trees intercepted 1.6% of total precipitation over a year, providing an estimated value of \$110,890 (\$3.80 per tree) saved on avoided stormwater treatment and flood control costs associated with runoff (Xiao and McPherson 2003).

Water that is stored on tree canopy surfaces may either be returned to the air by evaporation or transmitted to the ground via the leaves and bark for root absorption. The tree uses some of the absorbed rainfall and eventually releases the unused portion back into the atmosphere through a process called transpiration. Florida researchers found that substantial amounts of rainfall are transpired by a Florida pine forest (Riekerk and others 1995).

Water in the canopy that is not evaporated or absorbed will drip down to the ground as the canopy fills with water. Rainfall flowing from the trunk (stemflow) reduces the impact of the raindrops and

Table 1. Comparison of annual rainfall interception by tree cover in urban lands in Sacramento County, California and a natural forest in Alachua County, Florida.

Type of land	Annual rainfall (mm)	Rainfall intercepted (%)
Urban Lands Sacramento County, CA ¹		
City	393.2	6
County	414.1	11
Suburban	433.2	13
Rural	415.5	13
Natural Forest Alachua County, FL ²		
Pine Flatwoods	1040-1238	18

From: ¹Xiao, Q.F., E.G. McPherson, J.R. Simpson, and S.L. Ustin. 1998; ²Riekerk, H., H. L. Gholz, D. G. Neary, L. V. Korhnak, and S. G. Liu. 1995.

Individual trees intercept only a small percentage of the total rain, and, as a result, are not as effective at reducing and slowing the delivery of stormwater as is an urban forest cover. Stormwater is the rainfall that accumulates on the ground during and immediately

prevents some of the ground and soil displacement that causes erosion. The leaf litter underneath the tree serves as a sponge for the water. Trees can also absorb water in the soil by root uptake. Together, the roots and leaf litter stabilize soil and reduce erosion.

Without leaf litter, the tree canopy does not prevent soil erosion. Foot and vehicle traffic, roads, and removal of tree cover can result in soil becoming compacted, which reduces the infiltration or downward movement of water from the surface into the soil. Reduced infiltration causes more rainfall to run off, increasing stormwater volume and the potential for flooding.

How Can Urban Forests Reduce Stormwater?

Since the amount of impervious surfaces (e.g., parking lots, roof tops, driveways, roads) is increasing in many communities, rainwater cannot infiltrate and runs off as stormwater. The community's urban forest cover, or the sum of all trees, vegetation and pervious soils and their ability to intercept, evapotranspire, infiltrate, and store rainfall, affects watershed hydrology, particularly storm flow and baseflow (e.g. dry-weather water flow). EDIS fact sheet FOR95 – Chapter 6: "Restoring the Hydrological Cycle in the Urban Forest Ecosystem," provides additional information on urban hydrology. Maintaining existing urban forests and planting trees and vegetation in strategic places will increase the opportunity for stormwater to be absorbed into the ground which will help clean the water of pollutants before it eventually flows into drainage systems and the water supply. The purpose of drainage systems in urban areas is to move stormwater quickly away from homes and businesses to reduce the risk of flooding. Urban forests can reduce the load on drainage systems. For example, urban forest cover in Dayton, Ohio reduced runoff from a storm by 7% (Sanders 1986) and heavily forested areas near Baltimore, Maryland reduced total runoff by as much as 26% (Neville 1996). Tree canopy over soil or vegetation is much more effective at reducing runoff than tree cover over impervious surfaces.

How Can Trees Reduce Pollutants?

Research has found that water quality is strongly related to runoff (Xiao and others 1998). Stormwater flows into the community's stormwater system and ends up in a stormwater treatment/management system or flows directly into a water body. Before reaching a stormwater system or water way,

stormwater picks up and transports heavy metals, fertilizers, bacteria, pesticides, trash, and other harmful substances from roadways, sidewalks, yards, and homes. Urban forests can reduce stormwater, as well as act as a sponge for rainfall and shelter to the soil. Tree roots, leaf litter, and vegetation can remove pollutants, sediment, and nutrients from the stormwater, lessening the amount of harmful substances reaching our ground or surface waters. Most pollutants absorbed by plants are transformed into non-harmful forms. Finally, tree canopy over streams and wetlands can reduce water temperatures, thereby increasing dissolved oxygen and reducing the formation of nuisance algae.

Summary

Trees and vegetation are valuable parts of our urban ecosystem for the numerous benefits they provide to communities. Proper management of the urban forest will reduce stormwater runoff and improve water quality. The following practices can help achieve this:

- Maximize the amount of growing space and understory vegetation around a tree.
- Preserve established trees and minimize soil compaction, displacement, and erosion around a tree.
- Minimize clearing of trees and vegetation to preserve their benefits and minimize soil compaction.
- Do not over fertilize or over irrigate your trees or lawns.
- Route excess stormwater to bioretention areas made of a vegetated buffer and a soil bed to filter pollutants, store water, and prevent erosion.
- Include tree and vegetative strips in parking lots to collect, store, and treat the runoff.
- Maintain and increase the amount and width of urban forest buffers around urban streams, lakes, and wetlands.

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Subject: FW: Zoning Overlay Q&A

Date: November 12, 2020 at 12:32 PM

To: Jessica Kutoff jkutoff@gmail.com, Stephanie Jofe shrinknom@kidbones.com, Harvery Sepler hsepler@aol.com, Harrison - Prime Petals harrison@primepetals.com, Sarah Gonen mantra613@gmail.com, Gabi Hirschman slpgabi@gmail.com, Kurt Larsen larsenkurtc@gmail.com, Audra Mittleman audramitt@gmail.com, Cindy Riizzo rizzo954@gmail.com, michelle Nadel michelledhammer@hotmail.com, Rabbi Laredo rabbilaredo@gmail.com, Sean@rittermans.com

Cc: Norena, Eleanor enorena@daniabeachfl.gov, Sosa-Cruz, Candido csosacruz@daniabeachfl.gov, Boutsis, Eve A. eboutsis@daniabeachfl.gov, Ansbro, Tom tansbro@daniabeachfl.gov, Ryan St. George Ryan.StGeorge@metriceng.com



Good afternoon. In advance of this evenings virtual meeting, below are some common questions regarding the proposed Tree Protection Overlay Ordinance and answers to those questions. It is our intent that the information provided below is helpful to the public in understanding how the proposal would affect them if the City Commission approves of such changes.

As always, if you have any questions or concerns please feel free to contact me.

1. Q) Will I still be able to remove dangerous trees or limbs?

1. The only changes to the existing City code, under this overlay, which have specific bearing on the question are;
 - a. The requirement that the trimming or removal company has an arborist on-site for the activity [826-40(G)], and
 - b. That the City be provided 48 hours advance notification of such trimming activities [826-40(H)]

2. Q) Will the minimum landscape standards be onerous?

1. No. The actual requirement is not believed to be overly burdensome: Under the current code, minimum landscape standards for single family properties require a total of three Category 1B (12' tall) shade trees. Under the proposed Ordinance in 826-40 minimum landscape standards only require:
 - a. 6 Category 1A trees (which are 16' tall), or
 - b. a combined minimum caliper of all your trees of 40" (that could even be one large tree that is already on your property), or
 - c. 50% canopy coverage.

Most residents in the proposed overlay district already satisfy one or more of these requirements and therefore meet the standards.

3. Q) If I don't make any changes to my property, but don't meet the minimum landscape standards now, will I be "grandfathered in"

1. A) Yes. While the minimum landscape standards were set to be consistent with existing tree coverage throughout the overlay area as a whole, "Any property that does not meet the tree coverage criteria contained in that Section (826-40) at the time of the ordinance adoption may submit documentation of the preexisting deficiency to preclude assessment of overlay mitigation requirements." This grandfathering applies to properties that legally do not meet minimum landscape standards

4. Q) If it's my property; why can't I do whatever I want on it?

1. Incorporated municipalities (like Dania Beach) have a City code which establishes

various standards, rules, and requirements for the collective benefit of residents and businesses, but all residents and businesses must also abide by this same code. Dania Beach's City code contains a tree preservation ordinance (Article 825) because the benefits of tree canopy have been proven, and it has been deemed by City elected officials that management of these benefits are better coordinated and managed at a City level, not on a property by property basis.

Recent destruction of valuable tree resources in the Harger Hills neighborhood has revealed several ways in which Article 825 of the City's existing code does not adequately protect the higher quality native tree hammock community that remains in this neighborhood. This new overlay area ordinance (Article 826) provides additional protections to guard against future similar destruction and help protect the integrity of, and benefits provided by the unique natural vegetation in this area (826-20).

5. Q) Will I be able to fix a broken pipe?

1. Yes. While Section 826-40 clearly indicates the ordinance applies to this exact type of property maintenance activity, non-emergency minor repairs that affect less than 30% of the root zone would not be affected by this ordinance. In addition, "Generally accepted emergency/time sensitive procedures necessary for the protection of life, health, safety or property" are excepted from these regulations. (820.60 A)

However, the ordinance is intended to discourage poorly planned, haphazard site work which might accidentally result in tree abuse or unnecessary destruction of healthy, mature trees by failing to consider tree-sensitive construction alternatives. See 826-50 Many contractors are unaware of such alternatives but can easily accommodate minor project modifications to better ensure survival, longevity, and most importantly safety, of protected trees. See 826-50.

6. Q) Will I be able to repave my driveway?

1. Like question 5 above, Yes.

While Section 826-40 clearly indicates the ordinance applies to this exact type of property maintenance activity, the intent is only to discourage poorly planned, haphazard site work which might accidentally result in tree abuse or unnecessary destruction of healthy, mature trees by failing to consider tree-sensitive construction alternatives. See 826-50.

7. Q) Why do I have to try to avoid impacting or abusing the tree canopy and critical root zones roots if I want to develop, redevelop or do exterior site improvements or add structures to my property?

1. Safety. Improperly protected and unnecessarily damaged trees become a real and proven danger to persons and structures when the damage reduces root integrity, opens wounds which allow disease, or results in weak regrowth which can't withstand storms.

This ordinance simply requires a developer or resident to work with the city to avoid unnecessary tree damage. It doesn't prohibit site improvements, as long as you work with the City to "the maximum extent feasible" to prevent unnecessary tree damage and ensure minimum landscape standards are maintained..

8. **Q) Why do I have to pay for a certified arborist to trim the trees and observe that it's done correctly, and why do I have to give the city 48 hours notice?**

1. The City's code already requires that a qualified and licensed professional remove trees or limbs larger than 6" diameter. The tree trimming and removal companies in Broward County are required to have arborists on staff in order to guarantee their business licenses. All this ordinance requires is for one of the company's arborists to be present during the trimming/removal event to ensure quality of work, and accountability. Un-supervised tree trimmers make mistakes which affect the integrity of the trees leaving them vulnerable to disease and making them dangerous during storms. Improper trimming is often the root cause (pun intended) of a healthy tree becoming a hazardous tree.

The 48 hour notice is required mostly for protection for the property owner. This gives the City time to arrange for a City arborist (at the City's expense) to come out and ensure that the trimming is being done properly, and to document pre-existing conditions in case the trimmer does poor work.

My name is Stephanie Jofe. I live at 5880 SW 37th Terrace in Dania Beach. I am writing to you to express my support for the Zoning Overlay Ordinance TX-065-20. The City Commissioners requested this ordinance be written in order to protect the last remaining oak hammock in Dania Beach.

I have lived in my home in Dania Beach in this beautiful oak hammock, for 32 years. My husband and I raised our children here and we are very involved in our community. My husband is Surgeon-in-Chief at Joe DiMaggio Children's Hospital. I am a retired physician and full-time community volunteer. I tutor underserved children in our community for four hours every day, I volunteer with \and spend the rest of my time working on environmental initiatives in my role as the Social Action Chair of my synagogue. We chose to live in this neighborhood of Dania Beach because we wanted to live among the magnificent old oaks that canopy our streets and our properties. Aside from making our streets lovely, these trees create a sense of community, add to our property values, lessen flooding, absorb sound and light pollution from Stirling Rd. and the Hard Rock Hotel Complex, shade and cool our streets and homes, and mitigate climate change.

The City of Dania Beach's Code of Ordinances currently provides a certain and prescribed degree of protection to all trees within the City limits. In the area, known as the Harger Hills Oak Hammock, an intact, mature forested oak hammock community exists that is unique and irreplaceable. However, if ongoing residential development and redevelopment continues on the trajectory that has been most recently observed, we and the City Commission, are concerned that the above protections will not be sufficient to ensure adequate protection and preservation of the existing tree canopy and specimen trees.

This Ordinance, which would provide the oak hammock further protection, has been very thoughtfully written by The Zoning and Planning Board to maintain the integrity of the oak hammock as a whole. While they and we clearly respect individual property rights, when those rights infringe in the rights of the rest of the neighborhood, the City of Dania Beach should be given the opportunity to weigh in on the matter before very old and

stately trees are removed or trimmed to a degree that interferes with their integrity. Those trees define the neighborhood I have called home for over 32 years, but which is suddenly disappearing all around me.

Let me be perfectly clear. This ordinance will not prevent anyone from removing hazardous trees or trimming their trees to remove hazardous limbs. What it does is require a second opinion from the city arborist to determine whether the tree is hazardous. If it is, it's very simple to get a hazardous tree or limb removed. I recently had two completely dead trees at the front of my property removed for the safety of my neighbors because they were right next to the road. The city arborist came out as soon as I called, and I got a free permit to remove them. This will not change with the new ordinance.

What it will do, and this is what builders are really opposed to, is prohibit variances that would allow non-residential structures to be built in our neighborhood and it would work with developers and homeowners to do their best to build homes that leave the oak hammock intact. If they are absolutely unable to, it will require mitigation in terms of planting new trees or payment into a mitigation fund. We are not against building and development in our neighborhood. We are only asking that it be done in a manner that is consistent with preserving the oak hammock ecosystem and maintaining the beauty of our Dania Beach community for future generations.



City of Dania Beach, Florida
Department of Community Development
Planning and Zoning Division
(954) 924-6805 X3643
(954) 922-2687 Fax

Standard Development Application

- ☐ Administrative Variance
- ☐ Land Use Amendment
- ☐ Plat
- ☐ Rezoning
- ☐ Site Plan
- ☐ Special Exception
- ☐ Variance
- ☐ Other: _____

Date Rec'd: _____

Petition No.: TX-065-20

(SEE APPLICATION TYPE SCHEDULE ON PAGES 3 & 4)

THIS APPLICATION WILL NOT BE ACCEPTED UNTIL IT IS COMPLETE AND SUBMITTED WITH ALL NECESSARY DOCUMENTS. Refer to the application type at the top of this form and "Required Documentation" checklist to determine the supplemental documents required with each application. For after the fact applications, the responsible contractor of record shall be present at the board hearing. Their failure to attend may impact upon the disposition of your application. As always, the applicant or their authorized legal agent must be present at all meetings. All projects must also obtain a building permit from the City Building Division. For more information please reference the **Dania Beach Land Development Code Part 6, Development Review Procedures and Requirements.**

Location Address: City Wide

Lot(s): _____ Block: _____ Subdivision: _____

Recorded Plat Name: _____

Folio Number(s): _____ Legal Description: _____

Applicant/Consultant/Legal Representative (circle one) City of Dania Beach

Address of Applicant: 100 W Dania Beach Blvd

Business Telephone: 954-924-6800 Home: _____ Fax: _____

E-mail address: _____

Name of Property Owner: _____

Address of Property Owner: _____

Business Telephone: _____ Home: _____ Fax: _____

Explanation of Request: Text Amendment - Tree Protection Overlay
For **Plats** please provide proposed **Plat Name** for **Variances** please attach **Criteria Statement** as per **Section 625.40 of the Land Development Code.**

Prop. Net Acreage: _____ Gross Acreage: _____ Prop. Square Footage: _____

Existing Use: _____ Proposed Use: _____

Is property owned individually, by a corporation, association, or a joint venture?

AUTHORIZED REPRESENTATIVE

I/we are fully aware of the request being made to the City of Dania Beach. If I/We are unable to be present, I/we hereby authorize City of Dania Beach (individual/firm) to represent me/us in all matters related to this application. I/we hereby acknowledge that the applicable fee was established to offset administrative costs and is not refundable.

I/we are fully aware that all approvals automatically expire within 12 months of City of Dania Beach Planning and Zoning Board or City Commission approval, or pursuant to the expiration timeframe listed in Part 6 of the Dania Beach Land Development Code.

STATE OF FLORIDA
COUNTY OF BROWARD
The foregoing instrument
was acknowledged

By: [Signature]
(Owner / Agent signature*)

BEFORE ME THIS 20th DAY OF August, 2020

By:

Eleanor Norena
(Print name of person acknowledging)

(Joint owner signature if applicable)

Notary [Signature]
(Signature of Notary Public – State of FLORIDA)



Personally known ☒ or Produced Identification _____

Type of identification produced: _____ or Drivers License _____

***If joint ownership, both parties must sign. If partnership, corporation or association, an authorized officer must sign on behalf of the group. A notarized letter of authorization from the owner of record must accompany the application if an authorized agent signs for the owner(s).**

NO APPLICATION WILL BE AUTOMATICALLY SCHEDULED FOR A MEETING.

***ALL APPLICATIONS MUST BE DETERMINED COMPLETE BY STAFF
BEFORE PROCESSING OCCURS.***



VIRTUAL MINUTES
SUNSHINE TREE PROTECTION OVERLAY VIRTUAL COMMUNITY MEETING
CITY OF DANIA BEACH
CONDUCTED USING COMMUNICATIONS MEDIA TECHNOLOGY
THURSDAY, NOVEMBER 12, 2020
5:30 – 6:30 PM

TOPIC: *Discussion of the Ordinance creating the Harger Hills Tree Overlay in order to hear from the Community.*

This meeting was intended to be a Sunshine meeting so the Mayor and City Commissioners may attend as well, as requested at the last City Commission meeting. Those in attendance were Mayor Lori Lewellen, Mayor-Elect Tamara James, Vice Mayor Lauren Odman, Commissioner Bill Harris, and Commissioner-Elect Joyce Davis. Minutes were taken and the meeting was recorded. No final action would occur during this virtual meeting.

CALL TO ORDER

The community meeting was called to order at approximately 5:32PM by Vice Mayor Lauren Odman who gave the background information regarding this community meeting. She explained about questions that they wanted to go over and the commissioners' desire to hear from residents. City Attorney Tom Ansbro explained that Ryan St. George, City Arborist, would talk about how we got here, why the ordinance was in its present form and then Assistant City Attorney Eve Boutsis would talk about the three public hearings. The meeting would be opened up to public questions/comments and any ideas to make this better.

VIRTUAL COMMUNITY MEETING

Assistant City Attorney Eve Boutsis gave the background starting with the City being contacted by residents regarding an overlay to protect the Harger Hills beautiful Oak and native trees. A petition was drafted and the City Commission unanimously moved forward with drafting an ordinance for protection of the trees in this area. A Zoning In Progress (ZIP) was adopted August 25, 2020. She explained what happened after that and the ordinance now also included the FP&L area. On November 18, 2020, the Planning and Zoning Board votes on either approving or not approving this ordinance to the City Commission and then there would be a reading of the ordinance/public hearing by the City Commission on December 8, 2020 and if it passed, the second reading/public hearing would be January 12, 2021. Before she turned the community meeting over to the City's Arborist, she spoke about F.S. 163.045.

Ryan St. George, City Arborist, read F.S. 163.045 into the record and then gave the ordinance's details. He said they were trying to identify an alternative way to preserve more of the healthy trees within the community. He spoke about the purpose and intent section in the ordinance and then turned the meeting back to the Vice Mayor who called Michele to speak. Michele thanked the City for all their efforts and then spoke about the other trees being included and the advertising. She asked to go over the main points so that they could understand what was in the ordinance and then she wanted to understand the voting procedure. Assistant City Attorney Eve Boutsis explained that it was the Mayor and City Commissioners who would make the ultimate decision. This was why there were public hearings so that the Mayor and City Commissioners could hear from residents, etc. Ryan St. George then gave more highlights from the ordinance.

Sean then asked if someone did not want to speak, could they give their question to someone else to ask it and the Vice Mayor answered that they could ask someone else's question. Sean then stated that Harger Hills was not a community but rather a single block. Actually, there were three separate blocks. Another question dealt with if a tree needed trimming, who paid for it the owner

or the City? The Assistant City Attorney answered that the property owner was responsible for the trimming. He asked about the grandfather clause and Ms. Boutsis said there was a grandfather clause in there but the owner was responsible for the tree trimming. He read the clause into the record and Ms. Boutsis said they would look into the intent of the language as the City did not want to have people put more trees on their land.

Mayor-Elect James wanted more clarification of the grandfather clause. She asked how this language would affect developments already approved and how much would it cost for a new development to have an arborist onsite. The Assistant City Attorney explained that all ordinances were “going forward” and not retroactive. If a project was already approved, they were already vested in their rights. This only affected new projects going forward. This particular ordinance was only for the about seventy properties in the area. Ryan St. George explained the need for an arborist and the cost. Rabbi Laredo said that this would cost each homeowner more to have to pay for an arborist. Ryan St. George explained that it should not be a burdensome amount, if the services of an arborist were needed. Rabbi Laredo said on the record that a vast majority of the people in that three-block area did not want this. Jim Lizzo said he was very much in favor of protecting the trees and wondered if there was any other way to protect the trees without the added expense of an onsite arborist. Ryan St. George suggested self-education to ensure that the contractor did the correct job. David asked why was his three blocks being subject to this and not the whole City of Dania Beach? Assistant City Attorney Boutsis answered that there was a tree preservation code in the City and we have a mitigation fund but this was an area being looked at for enhanced provisions because it was one of the last old hammocks in all of Dania Beach. Sarah said that she moved here four years ago and has been working with FP&L constantly due to loss of power. Also, they lose power because people did not trim their trees. Assistant City Attorney Boutsis suggested having staff look into maybe another suggestion other than an arborist onsite.

Yosef Seewold asked about distance and Ryan St. George gave a few scenarios for navigating around an existing tree’s critical root zone. Bonnie asked what type of education the City gave new owners regarding tree trimming. It was asked if the City could give input or outreach and educate people who wanted to trim trees. Also, what happened that disrupted the lives of the seventy plus people living in this area? Not only did she care about trees but also humans who have a hard time maneuvering their cars when water built up on the street. Assistant City Attorney Boutsis explained about the water and that the City was working diligently on the water issues. She also explained again why this was happening regarding the trees in this area. Ariel Edry asked why they were getting these new laws regarding trees in this area. Assistant City Attorney Eve Boutsis again stated that these meetings allowed the commissioners to take in everyone’s comments for understanding of what the residents’ desire. Vice Mayor Lauren Odman said that these outreach meetings help the commissioners understand those who were for and those who were against what was proposed.

Moshi wanted more detail on the zoning requirements because he might want to build an addition and Ryan St. George answered that and Ms. Boutsis explained that one could build on their own land and she gave different examples including the City’s mitigation process. Igal Hatanian wanted to have just the three blocks vote on this issue and the Assistant City Attorney explained and said that every community would have people on both sides (for or against). Nothing was decided yet on this ordinance. Hirsch said that she and her husband both felt trees need to be protected but not in this way. We should just stop unscrupulous tree trimmers from working on the weekend and cutting down trees. Vice Mayor Lauren Odman again expressed the importance of these meetings and the input it derived from its residents. Louis introduced himself and spoke about his move. The trees were there and they were an attraction.

Jessica said that people were cutting their trees and trying to get rid of them. She wanted this ordinance stopped so that people would not have to pay more and that cost would not then become burdensome to residents. Stephanie Jofe said that F.S. 163.045 enabled property developers and property owners to arbitrarily take down trees abusively. We need to protect the oak hammock for the future. Trees also protect against flooding. Miami Trader wanted to know how many people signed the original petition and Vice Mayor Lauren Odman explained it was halted because it was drafted during the first part of Covid-19 and did not get finished. Anyone could get a copy of it, if they wanted. Miami Trader just felt that this ordinance was too extreme. Ari Sipper said that the original petition was not explained clearly and it was scary that the City was still pursuing this ordinance. The trees need to be saved but should not be singled out at an added expense to the homeowners in this community. Dr. Jofe loved the trees but there were greedy developers who were trying to destroy the canopy. He wanted simple language for the homeowner to make improvements on their property and a way to stop greedy developers from removing trees. The City should protect the hammock with taxpayer money. Ryan St. George said the ordinance was not well received and the effort was not interpreted as intended. He invited anyone to reach out to him about this ordinance. Assistant City Attorney Eve Boutsis stated that they would revisit the ordinance with the comments received from tonight's meeting.

MEETING ADJOURNED

As there was no further business to discuss, the meeting was adjourned at approximately 7:42PM.

Lajoie, Corinne

From: Gabi B <slpgabi@gmail.com>
Sent: Wednesday, November 18, 2020 9:13 AM
To: Lewellen, Lori; Odman, Lauren; Harris, Bill; James, Tamara; Brandimarte, Chickie; info@davisfordaniabeach.com; Salvino, Marco; Norena, Eleanor; Lajoie, Corinne; Lorber, Richard
Subject: my support for TX-065-20

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

Hi all,

My name is Gabriella Hirschmann. I live at 5910 SW 37th Ave, in Dania Beach. I am writing to inform you of my support for TX-065-20: the text amendment to the City's Unified Land Development Code to create a tree protection overlay regulation and district for the Harger Hills oak hammock.

I have lived in my home in Dania Beach for 12 years. I support the formation of the Zoning Overlay District because the Harger Hills Oak Hammock is the last remaining oak hammock within Dania Beach and one of the few remaining oak hammocks in Broward County. Aside from making the streets in this area lovely, these trees create a sense of community, add to property values, lessen flooding, absorb sound and light pollution from Stirling Road and the Hard Rock Hotel Complex, shade and cool the streets and homes, and mitigate climate change for all of us. It is one of the few non-gated areas in the city has where everyone has access to walk, run and cycle in the shade.

The City of Dania Beach's Code of Ordinances currently provides a certain and prescribed degree of protection to all trees within the City limits. In the area, known as the Harger Hills Oak Hammock, an intact, mature forested oak hammock community exists that is unique and irreplaceable. However, if ongoing residential development and redevelopment continues on the trajectory that has been most recently observed, I and the City Commission, are concerned that the above protections will not be sufficient to ensure adequate protection and preservation of the existing tree canopy and specimen trees.

This Ordinance, which would provide the oak hammock further protection, has been very thoughtfully written by The Zoning and Planning Board, at the request of the City Commission, to maintain the integrity of the oak hammock as a whole and protect this delicate ecosystem. While they and I clearly respect individual property rights, when those rights infringe in the rights of the rest of the neighborhood, the City of Dania Beach should be given the opportunity to weigh in on the matter before very old and stately trees are removed or trimmed to a degree that interferes with their integrity. Those trees define the city I have called home for over 12 years, but which is suddenly disappearing all around me.

My only request is that the presence of a licensed arborist be present for the duration of tree trimming be removed from the drafted ordinance. This would undoubtedly be very costly to us residence.
Thank you so much for your attention to this matter,

Sincerely yours,
~Gabriella Hirschmann~

Lajoie, Corinne

From: michelle Nadel <michelledhammer@hotmail.com>
Sent: Wednesday, November 18, 2020 12:12 PM
To: Garcia, Ana; Lewellen, Lori; Norena, Eleanor; James, Tamara; Harris, Bill; Lajoie, Corinne; Odman, Lauren; Lorber, Richard; Brandimarte, Chickie; Boutsis, Eve A.
Subject: Zoning concerns, Ordinance TX-065-20

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

Good morning,

I'm writing in regard to the above named Ordinance. I believe many people have had very good intentions for this project and we truly appreciate all the time and effort you have put into this endeavor on behalf of the Harger Hills residents.

While I am in support of this ordinance, I do have some concerns as discussed in prior meetings. Not insignificantly, a large opposition group has formed amongst the neighbors. I believe this is largely because of misinformation such as that you won't be able to cut down a dead tree. In fact, the group chat was originally named "Save our kids" as if in some way this would (G-d forbid) endanger anyone's children. I understand this is not the case and believe they do now as well. Nevertheless, their focus has shifted to fighting it based on cumbersome and costly constraints, even to simply trim back trees (which we all must do on a consistent basis). I DO NOT BELIEVE this was the intention of the Ordinance and do not want anyone to feel this is infringing on their rights or costing them their hard-earned money. I'm hoping there's a way to resolve this so we can move forward.

With regard to the hundreds of trees cut down on the FPL property, we never received an answer as to what the city may help replace. Aside from the power lines, there is significant noise and bright stadium lights coming from adjacent commercial properties. What can be done to hep?! I've now heard there has been zoning approval for a 200 Unit mixed use building on that land?! Is this true? The land is now literally a lake and building on it would just cause run-off and we are already under water! How can this be allowed?! I know the city benefits from building, but this would be completely unacceptable and dangerous given current conditions!

Please advise on the above issues. I look forward to speaking this evening.

Thank you again for all that you do.

Michelle Nadel

Lajoie, Corinne

From: Elias Bichachi <ebichachi@gmail.com>
Sent: Wednesday, November 18, 2020 4:42 PM
To: Lewellen, Lori
Cc: Odman, Lauren; Harris, Bill; James, Tamara; Brandimarte, Chickie; Salvino, Marco; info@davisfordaniabeach.com; Norena, Eleanor; Lajoie, Corinne; Lorber, Richard
Subject: Tree Preservation in the Harger Hills Oak Hammock
Attachments: 1159 Position Paper.pdf

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

Hello Mayor, Incoming Mayor, Commissioners, Incoming Commissioners, and City Staff

My name is Elias "Eli" Bichachi. I live at 5910 SW 37th Ave, in Dania Beach. I am writing to inform you of my support for TX-065-20: the text amendment to the City's Unified Land Development Code to create a tree protection overlay regulation and district for the Harger Hills oak hammock.

I have lived in my home in Dania Beach for 12 years. I support the formation of the Zoning Overlay District because the Harger Hills Oak Hammock is the last remaining oak hammock within Dania Beach and one of the few remaining oak hammocks in Broward County. Aside from making the streets in this area lovely, these trees create a sense of community, add to property values, lessen flooding, absorb sound and light pollution from Stirling Road and the Hard Rock Hotel Complex, shade and cool the streets and homes, and mitigate climate change for all of us. It is one of the few non-gated areas in the city where everyone has access to walk, run and cycle in the shade.

The City of Dania Beach's Code of Ordinances currently provides a certain and prescribed degree of protection to all trees within the City limits. In the area, known as the Harger Hills Oak Hammock, an intact, mature forested oak hammock community exists that is unique and irreplaceable. However, if ongoing residential development and redevelopment continues on the trajectory that has been most recently observed, I and the City Commission, are concerned that the above protections will not be sufficient to ensure adequate protection and preservation of the existing tree canopy and specimen trees.

This Ordinance, which would provide the oak hammock further protection, has been very thoughtfully written by The Zoning and Planning Board, at the request of the City Commission, to maintain the integrity of the oak hammock as a whole and protect this delicate ecosystem. While they and I clearly respect individual property rights, when those rights infringe on the rights of the rest of the neighborhood, the City of Dania Beach should be given the opportunity to weigh in on the matter before very old and stately trees are removed or trimmed to a degree that interferes with their integrity. Those trees define the city I have called home for over 12 years, but which is suddenly disappearing all around me.

As I expressed in the previous commission meeting the burden that has been put upon arborists to make a decision to determine whether a tree is in fact "dangerous or a risk," may not necessarily be properly determined by a licensed arborist. I have attached the Florida Chapter ISA position paper on the Florida Law for your

review. The Florida Chapter ISA expresses their plans on how they wish to educate the public that 'trees are not inherently dangerous. Trees can have or can develop defects that may cause trees or tree parts to fail. Trees should be assessed in order to identify defects and make mitigation recommendations to reduce the risks of failure." They also go on and state that they are going to begin educating their fellow Certified Arborists that "Just Because you Are Certified, Doesn't Mean You are Qualified," an plan on assisting Certified Arborists to determine if they have the knowledge necessary to determine if a tree is "dangerous" or a risk." They also plan on continuing informing Certified Arborists about the importance of Tree Risk Assessment Qualification (TRAQ) and how to obtain the qualification. This decision making power that has been thrust upon the Certified Arborist community can be easily abused if they are not properly checked.

My only request is that the presence of a licensed arborist to be present for the duration of tree trimming be removed or minimized from the drafted ordinance. The city is already requesting a 48 Hour notice in which the City's arborist will arrive onsite to review the plan of the licenced tree trimming company. If this is not amended this would undoubtedly be a costly burden to us residences.

Thank you so much for your attention to this matter.

Very Respectfully,

Eli

--

Elias A. Bichachi, MBA, LEED AP
C: (786) 493-8698

Florida Chapter ISA

FLORIDA LAW - CHAPTER 2019-155
Committee Substitute for House Bill No. 1159

Position Paper

Recent legislative action, CHAPTER 2019-155, Committee Substitute for House Bill No. 1159, has charged ISA Certified Arborists with the authority to advise residential tree owners about the potential risk their tree(s) pose to people and/or property prior to pruning or removal.

For most of our existence, arborists have toiled in virtual anonymity, largely regarded by society as ‘tree cutters’ lacking an understanding of tree science. The ISA Certified Arborist program came along in 1992 and in less than 30 years elevated a small (about 15%) but important segment of those ‘trees cutters’ into a credentialed and respected green industry. The Florida Legislature including the house, senate, and governor, with support from the insurance and construction industries, now trust ISA Certified Arborists more than local government and any other Florida green industry group to help residents make the right decision with regard to their trees. This is an enormous societal evolution for many reasons but most importantly it will produce a positive impact on public safety while preserving our urban forest.

The Florida Chapter ISA (Chapter) understands the significance of this responsibility and will aid our members and ISA Certified Arborists (CAs) with this important task. The Chapter is a not-for-profit 501(c)3 Florida Corporation and, as such, is limited in the ability to lobby. The Chapter is, however, quite adept at education. We plan to use this strength and this unique opportunity to educate our Chapter members, CAs and Florida residential tree owners regarding this new law and its impact on one of Florida’s most valuable assets, our urban forest.

The Chapter plans to do the following:

1. Public Awareness Campaign – Residential Tree Owners
Action: Provide press releases that will go out state-wide on a regular basis.
 - a. Teach tree owners that trees are not inherently dangerous. Trees can have or can develop defects that may cause trees or tree parts to fail. Trees should be assessed in order to identify defects and make mitigation recommendations to reduce the risks of failure.
 - b. Help residential tree owners acquire the services of a CA that has the qualifications to assess the risk their tree(s) may pose.
 - c. Make residential tree owners aware of the Tree Risk Assessment Qualification (TRAQ) and its benefits.
2. Member Awareness Campaign – Chapter Members and CAs
Action: Develop presentations including subjects related to ethics and professionalism. These presentations will be incorporated into our existing scheduled continuing education seminars, starting in August of 2019. The presentations will teach:

- a. “Just Because you Are Certified, Doesn’t Mean You are Qualified” – Assisting CAs to determine if they have the knowledge necessary to determine if a tree is “dangerous” or a risk.
 - b. Continue to inform CAs about the importance of TRAQ and how to obtain the qualification.
- 3. Violation Procedures
 - Action: Send press releases for the public that will go out state-wide on a regular basis as well as broad educational efforts geared towards CAs.
 - a. Residential Tree Owners – Teach consumers of tree services how our credentialing programs function and encourage them to pursue violators using International ISA’s existing Ethics and Integrity Violations program.
 - i. Examples of violations
 - ii. Reporting procedures
 - b. Chapter Members and CAs – Remind our members of International ISA’s existing Ethics and Integrity Violations program and how to use the program to self-police our industry.
 - i. Examples of violations
 - ii. Reporting procedures
 - iii. Branding and Style Guide rules and procedures

The next six months to a year are going to be tumultuous in Florida, but the dust will settle and a new normal will become accepted. However, the long view of all this change tells a very different story and it is monumental for ISA and our credentialing programs. We believe, in the final assessment a few years from now, that ISA Certified Arborists will be judged the right group to provide these needed professional services.

Lajoie, Corinne

From: Igal Hatanian <ihatanian@gmail.com>
Sent: Sunday, November 15, 2020 11:08 AM
To: Lewellen, Lori; Odman, Lauren; Brandimarte, Chickie; Harris, Bill; James, Tamara; davisfordaniabeach@gmail.com; msalvino@leeslocksmith.com; Lajoie, Corinne; Norena, Eleanor; Sosa-Cruz, Candido; Boutsis, Eve A.; Ansbro, Tom; Ryan St. George
Subject: Dania Beach Ordinance Proposal - Follow Up

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

Hi All,

Happy Sunday to all of you!

My name is Boruch Igal Hatanian and I recently closed on a home in Dania Beach. If you were on the Zoom call last week, my wife and I are finally moving down from NYC after eight years of trying to make it happen. We are very excited to be moving down to such a loving community, and based on our call even though we have our disagreements, I felt that we were being heard as a community and I look forward to working with you all in the future.

Regarding the ordinance itself, I hope you will really consider the extra burden of time, money and stress this will cause all the residents on these three streets and I hope you will all agree to vote no when the vote comes to pass.

I did have another question not related to the ordinance at all. I have a few businesses that are currently based in NY, I am wondering who I need to speak to in regards to bringing down these businesses and establishing our headquarters down here. I would love to have the business moved down to Florida and especially around the Dania Beach area where I can hire local community members. Who would I be able to speak with in regards to the transfer as well as any tax incentives you may have for the move?

On a final note, I also have a separate business that distributes medical supplies and PPE to government facilities and healthcare systems across the country. If you need ANY PPE at all, whether it is masks, gloves, wipes, Lysol etc....I can provide them. I am more than willing to provide them to the county with no markup, just whatever my base cost is. I know how hard they are come to come by and I would consider it a pleasure to help the county in any way I can.

Looking forward to working and meeting all of you in the near future.

With Respect,
Boruch Igal Hatanian
5911 SW 36 Ter
Dania Beach, FL 33312
347-463-1369

Lajoie, Corinne

From: Lisa Jaffe <jafflisa@gmail.com>
Sent: Sunday, November 15, 2020 5:16 PM
To: Lewellen, Lori; Odman, Lauren; Harris, Bill; James, Tamara; Brandimarte, Chickie; Salvino, Marco; info@davisfordaniabeach.com; Norena, Eleanor; Lajoie, Corinne; Lorber, Richard
Subject: support for TX-065-20

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

Dear Officials,

I am writing to inform you of my support for TX-065-20: the text amendment to the City's Unified Land Development Code to create a tree protection overlay regulation and district for the Harger Hills oak hammock.

I support the formation of the Zoning Overlay District because the Harger Hills Oak Hammock is the last remaining oak hammock within Dania Beach and one of the few remaining oak hammocks in Broward County. Aside from making the streets in this area lovely, these trees create a sense of community, add to property values, lessen flooding, absorb sound and light pollution from Stirling Road and the Hard Rock Hotel Complex, shade and cool the streets and homes, and mitigate climate change for all of us. It is one of the few non-gated areas in the city where everyone has access to walk, run and cycle in the shade.

The City of Dania Beach's Code of Ordinances currently provides a certain and prescribed degree of protection to all trees within the city limits. In the area, known as the Harger Hills Oak Hammock, an intact, mature forested oak hammock community exists that is unique and irreplaceable. However, if ongoing residential development and redevelopment continues on the trajectory that has been most recently observed, I and the City Commission, are concerned that the above protections will not be sufficient to ensure adequate protection and preservation of the existing tree canopy and specimen trees.

This ordinance, which would provide the oak hammock further protection, has been very thoughtfully written by the Zoning and Planning Board at the request of the City Commission, to maintain the integrity of the oak hammock as a whole. While they and I clearly respect individual property rights, when those rights infringe on the rights of the rest of the neighborhood, the City of Dania Beach should be given the opportunity to weigh in on the matter before very old and stately trees are removed or trimmed to a degree that interferes with their integrity. Those trees define this very unique but endangered neighborhood and ecosystem which is suddenly being threatened by recent building and development.

Thank you so much for your attention to this matter.

Sincerely yours,
Dr. Lisa Jaffe

Lajoie, Corinne

From: Stephanie Jofe <shrinkmom@kidbones.com>
Sent: Monday, November 16, 2020 1:34 PM
To: Ansbro, Tom
Subject: Support for TXT-065-20 : Create Tree Protection Overlay District

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

Hi. My name is Stephanie Jofe. I live at 5880 SW 37th Terrace in Dania Beach.

I am writing to inform you of my **support for TX-065-20**: the text amendment to the City's Unified Land Development Code to create a tree protection overlay regulation and district for the Harger Hills oak hammock. The City Commissioners requested this ordinance be written in order to protect one of the last remaining oak hammocks in Dania Beach.

I have lived in my home in Dania Beach in this beautiful oak hammock, for ___years. We chose to live in this neighborhood of Dania Beach because we wanted to live among the magnificent old oaks that canopy our streets and our properties. Aside from making our streets lovely, these trees create a sense of community, add to our property values, lessen flooding, absorb sound and light pollution from Stirling Rd. and the Hard Rock Hotel Complex, shade and cool our streets and homes, and mitigate climate change.

The City of Dania Beach's Code of Ordinances currently provides a certain and prescribed degree of protection to all trees within the City limits. In the area, known as the Harger Hills Oak Hammock, an intact, mature forested oak hammock community exists that is unique and irreplaceable. However, if ongoing residential development and redevelopment continues on the trajectory that has been most recently observed, I am concerned that the above protections will not be sufficient to ensure adequate protection and preservation of the existing tree canopy and specimen trees.

This Ordinance, which would provide the oak hammock further protection, has been very thoughtfully written by The Zoning and Planning Board, at the request of the City Commission, to maintain the integrity of the oak hammock as a whole and protect this delicate ecosystem. While they and we clearly respect individual property rights, when those rights infringe in the rights of the rest of the neighborhood, the City of Dania Beach should be given the opportunity to weigh in on the matter before very old and stately trees are removed or trimmed to a degree

that interferes with their integrity. Those trees define the neighborhood I have called home for over 32 years, but which is suddenly disappearing all around me.

Thank you so much for your attention to this matter,

Sincerely yours,

Stephanie Jofe, M.D.

Lajoie, Corinne

From: Michael Jofe <mjofe@mac.com>
Sent: Tuesday, November 17, 2020 9:49 AM
To: Michael Jofe
Subject: Support TXT-065-20

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

Hi. My name is Michael Jofe and I am writing to you to ask you to support TXT-065-20 to create a zoning overlay district in the Harger Hills Oak Hammock. I have lived in my home in Dania Beach in this beautiful oak hammock, for 32 years. My wife and I raised our children here and we are very involved in our community. I am Surgeon-in-Chief at Joe DiMaggio Children's Hospital. My wife is a retired physician and full-time community volunteer.

Florida is home to many beautiful oak hammocks and lovely canopied roads. Suddenly, in this past year, since Fla Stat 163.045 went into effect, majestic old oak trees are being cut down in our oak hammock by developers and residents of the neighborhood. Fla Stat 163.045 is a preemption law which allows cutting down any tree in Florida that a "certified" arborist or landscape architect declares "hazardous" without a permit from the city where the tree is being removed. This law has enabled developers and property owners to pay potentially unethical arborists to state that healthy trees are hazardous for the purpose of building on a piece of property without any oversight or challenge from city arborists who disagree about the status of the trees. And since the state law does not define the word "hazardous" and because arborists are "certified" by the International Society of Arboriculture, their own professional group, which itself has very delayed oversight, this statute is ripe for abuse.

Since this is a preemption law, the current land development code regarding tree preservation has, in effect, been rendered inadequate to protect the oak hammock. In response, the City of Dania Beach, at the request of the City Commission, has written this Zoning Overlay Ordinance to protect the remainder of the Oak Hammock.

I believe the oak hammock should be protected for current and future generations of Dania Beach residents because it is unique and irreplaceable, it provides storm protection, stormwater storage and treatment, soil stabilization and strengthening, counters heat island effects, combats global warming, provides us with clean air, mitigates noise and visual pollution maintains species diversity, maintains our property values, and creates a sense of community, all in addition to being aesthetically pleasing.

It saddens us beyond words, for we appreciate how long it took these trees to grow and we know that this canopy will never be replaced in our lifetimes. As a physician who cares for children, I feel it is imperative to leave them a city with beautiful trees, clean air and dry land. Therefore, I am urging the Zoning and Planning Board and the Commissioners to vote in favor of allowing our city, which I believe is committed to tree preservation, to create this protected canopy area for us and future generations.

Sincerely yours,

Michael Jofe, M.D.

Lajoie, Corinne

From: Steve jens-rochow <stevejensrochow@gmail.com>
Sent: Monday, November 30, 2020 11:27 AM
To: Davis, Joyce; Lewellen, Lori; Odman, Lauren; James, Tamara; Salvino, Marco; Norena, Eleanor; Lajoie, Corinne; Ansbrosio, Tom; Boutsis, Eve A.
Subject: preserve the Harger Hills Oak Hammock

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

DEar Dania Beach Commissioners and city administrators,

The Harger Hills Oak Hammock is the last remaining oak hammock in Dania Beach. It is being threatened by development. Your Planning and Zoning Department has recommended that the city approve an amendment to the City's Unified Land Development Code to create a tree protection overlay regulation and district for the Harger Hills oak hammock.

I urge you to approve this regulation at its first reading on Dec. 8 and its second reading on Jan. 12.

It is my belief that the oak hammock should be protected for current and future generations of Dania Beach residents because it is unique and irreplaceable, it provides storm protection, stormwater storage and treatment, soil stabilization and strengthening, counters heat island effects, provides us with clean air, mitigates noise and visual pollution, maintains species diversity, reduces global warming, maintains our property values, and creates a sense of community, all in addition to being aesthetically beautiful.

Therefore, it is imperative for the city to do whatever it can to stop and mitigate tree removal in the Harger Hills Oak Hammock. Passing the Zoning Overlay Ordinance would be one large step in this direction.

Sincerely,
Steve Jens-Rochow

Boruch Igal Hatanian

Question 1:

If the main point of this ordinance is to prevent "bad" arborists from writing fake reports in order to take down these trees, how will this new ordinance prevent them from doing so? It seems the owner can still get an arborist report, have him write the tree is dangerous and have it removed, without an intervention from the city. This ordinance is pointless if it cannot take care of the main issue on hand. Maybe we should focus more on the arborist itself than adding undue stress to homeowners for this ordinance?

Answer: This question has been answered in a different form and is on the City's website. Arborist and property owner together would share responsibility. Arborists can and have been cited by the ISA certification board for ethics violations. The ordinance is not pointless because it restores a minimum degree of tree coverage to support the remaining hammock even if all trees are removed without City approval. It also discourages removal of all trees by requiring increased landscaping.

Question 2:

Why would the ordinance cover our block on NW 36th Ter where there are not a lot of trees to begin with and almost all of the neighbors are against the ordinance?

Answer: Previously answered, see city responses on website. It is part of the Oak Hammock and has more than adequate existing tree coverage to warrant protection.

Question 3:

Why is the ordinance only targeted to the three block radius instead of the entire Dania Beach as a whole? Why should we be the only ones suffering?

Answer: Previously answered. This area contains the last remaining oak hammock. Nowhere else in Dania Beach is there an existing native forest community as large or intact as the one that exists in this neighborhood.

Question 4:

If these rules actually take effect, will Dania Beach County accept fault and responsibility for a protected oak limb that fell onto someone or property and was not removed due to this ordinance?

The ordinance does not prohibit proper pruning. The ordinance encourages proper pruning and tree maintenance with the primary goal of safety. Improper tree management or tree neglect causes damage and decreases safety.

Question 5:

If this ordinance must be approved, why would Dania Beach cover the costs of the pruning and updating of these protected oaks?

Pruning has always been required and will remain the responsibility of the property owner. The ordinance does not change this in any way

Sean Ritterman (resubmitted in full)

Question: Why can't specific streets be removed the same way the fpl lot was removed?

Answer: Answered previously.

Question: Why is there a flat out denial on requests for variances? Are there any actual other ordinances that go this far for private property ordinances?

Answer: Answered previously.

Question: We are on private land which means the aesthetic aspect doesn't benefit anyone besides those that live on these streets. We own the street in front of our house which makes it not a thruway or public pass through. this means it doesn't impact the public for beautification. the flooding aspect which has been around for many years and is not being mitigated by the large number of trees as well as the environmental aspect is a public benefit. The city has already stated this is for a public purpose many times. Has the city considered the financial impact? Line items of HB 1159 references other state law and states the below:

4. The right to dispose of your property.

6. The right to just compensation for property taken for a public purpose.

7. The right to relief, or payment of compensation, when a new law, rule, regulation, or ordinance of the state or a political entity unfairly affects your property.

Question: Is the city requiring new developments to plant a number of the trees we are being required to? If not, why not?

Answer: Answered previously

Question: Dania point for example doesn't seem to have many trees at all. It's huge? why weren't they required to add in a massive amount of trees, and why isn't the city retroactively requiring it the same way they are requiring us to add after the fact?

Answer: Answered previously.

Question: Over many meetings we have heard how there are so many arborists out there that are shady and have their own agenda, e.g. money. What makes the city arborist any better or have less of an agenda? how is this different than going to a doctor? some doctors are stricter in their diagnosis and some are less. Will the city start criticizing them and require a city doctor have oversight to make sure the citizens aren't being taken advantage of?

Answer: Answered previously.

Question: Has the city taken into consideration the financial impact to the citizen's insurance policies and riders to cover these trees valued at thousands of dollars? Most insurance policies have very minor tree coverage.

Answer: Insurance answered in questions previously. If anything, this ordinance improves insurability by encouraging safer tree management/maintenance.

Question: Has the city taken into consideration the insurance impact for citizens when turning these streets into a protected historical tree zone?

Answer: Insurance answered previously.

Question: What is the financial impact on those residents that don't maintain their trees and cause the power to go out for all of us time after time? what about those that don't allow fpl to maintain the trees on their property which would negate their cost to hire someone to maintain the trees by the power lines?

Answer: A property owner can be cited. Additionally, FPL does tree pruning to prevent power outages. They notice the community and trim within their own utility easements regardless of property owner approval.

Question: Since we are zoned as RS-12000 we aren't zoned for multifamily or large developments. why is the city introducing this ordinance to preempt something that hasn't even been considered or that none of us are aware of happening?

Answer: Not sure staff understands the question. You have heard the testimony of staff and have heard the elected officials. They are deciding what to do. No final decision made. The City is introducing this ordinance based on the potential for harm to the Oak Hammock tree community under the existing zoning without anticipation of zoning changes. Ongoing redevelopment or modification of existing single family properties is already resulting in cumulative irreversible harm to the tree community.

Question: The city has stated many times that this Ordinance does not stop the trees from being removed if the laws are followed. Then how can it be to preserve the tree hammock if the preserve has been removed from the equation?

Answer: It provides landscaping requirements that ensure a minimum degree of canopy coverage remains even if redeveloping and removing trees. The existing code does not require

sufficient landscaping to sufficiently maintain the integrity of the Oak Hammock Forest Community

Question: 826-70 E - requires arborist evaluations for ground disturbing activity. E.G. plumbing/electric. we have trees all over and are on sceptic. that has now raised costs that would otherwise not be had nor are had anywhere else in the city ordinances.

Answer: There is no question.

Question: The city Arborist stated quite clearly that we are only a small section being considered for this ordinance when we are in fact a tiny portion of what is being referred to as an oak hammock. How can the city validate the discriminatory behavior?

Answer: There is no discrimination. This area contains a large portion of what is believed to be the largest and most intact oak hammock forest community in the city.

Question: why is the city referring to this ordinance as an oak hammock preservation when it isn't about the oak trees but encompasses ALL Florida native trees?

Answer: Simply because Oaks are the most common and dominant tree within this forest community. It is common in ecology to refer to an environmental area by the most characteristic or dominant plant.

Question: Why is the city investing what has turned out to be a considerable amount of time fighting residents and trying to introduce an ordinance to combat a state statue instead of using that time and resources in combating the actual problem which is changing or removing HB 1159?

Answer: This is a policy question. Ultimately, the state legislature often historically ignores requests of Miami-Dade, Broward and Palm Beach County, and the City does not anticipate a successful outcome in this arena for many years, during which time it could do (and is already resulting in) irreparable harm to this oak hammock.

Question: Why is the city introducing additional restrictions on a minority of residents when they don't adequately enforce the current ordinance 825 which this new one would be in addition to?

Answer: All city ordinances are enforced except when superseded by State or Federal laws .

Question: On the Dec, 8 2020 Community Development Department Staff Report under background there is a line item that says "The City has no ability to prevent removal of good trees by developers using substandard/inaccurate arborist reports." How exactly is the city defining what a substandard/inaccurate arborist is? What makes one more up to standard or accurate?

Answer: A substandard report is a report that does not comply with Certification Board standards. <https://www.isa-arbor.com/Portals/0/Assets/PDF/Certification/Ethics-Code-of-Ethics.pdf>

Question: The same report says "Foster the establishment of new trees in the overlay area" how exactly does it foster as opposed to force? Why would anyone want to plant new trees when it will now put many newer restrictions on the homeowner?

Answer: The main reason would be to maintain the health and integrity of the forest community for all of the reasons listed at the beginning of the draft ordinance. Each property that removes excessive old growth canopy dramatically weakens and decreases the resilience of the remaining area, especially in wind/storm events. New trees can be located in the best areas for the homeowner so that such restrictions are eliminated or minimized.

Question: Many that already requested to be included in the original petition have requested to be removed, or filled out the counter petition since they were misled by the original petition requestors. has the city taken those into consideration? The same document mentioned previously states "this ordinance is proposed in response to citizen request" why are only a few residents being taken into consideration while the rest being ignored? Why are residents that don't live here have a say in the matter of private areas where they have no standing or right to be? should the city take into account a request for ordinance requiring a specific color of roof from people many streets, cities, or counties over?

Answer: All residents are provided the opportunity for input. That is the reason for the several workshops and the City Commission listening to all the speakers attending several city commission meetings. The City Commission is deliberating on what to do. No final decision has been made. No one voice is greater than any other. The City Commission has directed staff to continue to respond to written inquiries to ensure everyone is heard and all questions answered. The premise of the question is simply incorrect.

**AIRPORT ADVISORY BOARD
MEMBERSHIP
Friday, January 15, 2021**

Name/Address Phone Number	Date Appointed	Term	Commission Appointment
Sonja Broom 426 SE Third Terrace Dania Beach, FL 33004 954-599-7277 Sonja.Broom@aa.com	May 14, 2019	November 2018 through November 2020	James
		November 2018 through November 2020	James
Dean Harley 606 NW 8 th Street Dania Beach, FL 33004-2320 513-652-5140 dharley@broward.edu	December 11, 2018	November 2018 through November 2020	Lewellen
Keith Roberts 4417 SW 27 th Terrace Dania Beach, FL 33312 954-309-5555 bkars2020@aol.com	December 11, 2018	November 2018 through November 2020	Lewellen
Jorge Ferrer 85 Gulfstream Road, #211 Dania Beach, FL 33004	March 12, 2019	November 2018 through November 2020	Harris
Sheila McCray 46 NW 14th Court Dania Beach, FL 33004 786-422-3707 sheilamac@sofftekk.com	May 14, 2019	November 2018 through November 2020	Harris
Randy Wright 4391 SW 34 th Lane Ft. Lauderdale, FL 33312 954-983-6920 rcwpaw@juno.com	December 11, 2018	November 2018 through November 2020	Brandimarte

**AIRPORT ADVISORY BOARD
MEMBERSHIP
Friday, January 15, 2021**

Name/Address Phone Number	Date Appointed	Term	Commission Appointment
Gary Luedtke 4461 SW 34 Drive Fort Lauderdale, FL 33312-5513 954-966-8013 gluedtke@gmail.com	December 11, 2018	November 2018 through November 2020	Brandimarte
Bruce Hannover 617 NE 2nd Place Dania Beach, FL 33004 954-920-3563 bruceh8552@aol.com	February 26, 2019	November 2018 through November 2020	Odman
Dr. Tamara D. Fishman 837 NW 8 th Avenue Dania Beach, FL 33004 786-356-4425 fishmantamara@hotmail.com	February 26, 2019	November 2018 through November 2020	Odman

CREATIVE ARTS COUNCIL ADVISORY BOARD MEMBERSHIP

Friday, January 15, 2021

Name/Address Phone Number	Date Appointed	Term	Appointment
Henriette Kitte Arnold 101 SE 3 rd Avenue, #504 Dania Beach, FL 33004 954.303.3498 hkitte@aol.com	January 10, 2017	November 2016 through November 2020	Brandimarte
		November 2016 through November 2020	Harris
Lilli Schipper 716 SE 3 rd Court Dania Beach, FL 33004 954-347-7402 lilli@lillirachel.com	January 14, 2020	November 2018 through November 2022	Lewellen
Roseprimevere Jacques 501 E Dania Beach Boulevard, 3J Dania Beach, FL 33004 954.261.4325 jroseprimevere@gmail.com	September 23, 2019	November 2018 through November 2022	Odman
Heather Holmes 43 SE 12 th Street Dania Beach, FL 33004 754.802.4217 JohnHeatherHolmes@gmail.com	December 10, 2019	November 2016 through November 2020	James
			Ad Hoc Committee
			Ad Hoc Committee

CREATIVE ARTS COUNCIL ADVISORY BOARD MEMBERSHIP

Friday, January 15, 2021

Name/Address Phone Number	Date Appointed	Term	Appointment
Laura Lombardo 1401 NW 10 th Street, Apt. South Dania Beach, FL 33004 954.258.1985 Laurarosey17@gmail.com	February 16, 2019	February 16, 2019 through February 16, 2021	Ad Hoc Committee
Sandy Goldberg 421 SE 10th Street, #105 A Dania Beach, FL 33004 954.290.3909 flygirlphoto@aol.com	March 20, 2018	March 20, 2018 through March 20, 2020	Ad Hoc Committee
Linda Wilson 1547 Adams Street Hollywood, FL 33020 954.929.8712 lb_wilson@bellsouth.net	May 16, 2017	May 16, 2017 through May 16, 2019	Ad Hoc Committee
Tony Walsh 235 SE 9 th Street Dania Beach, FL 33004 904.252.1118 TWalshArts@aol.com	February 16, 2019	February 16, 2019 through February 16, 2021	Ad Hoc Committee
Rose Lizana Dania Beach Press P.O. Box 128 Dania Beach, FL 33004 954.925.4227 daniapress@aol.com	July 16, 2012 July 16, 2013	July 16, 2013 through July 16, 2014	Associate Member 1 Year Term
Executive Director of the Dania Beach Chamber of Commerce Randie Shane P.O. Box 1017 Dania Beach, FL 33004 954.926.2323 rshane@daniabeachchamber.org	NA	NA	Associate Member

CREATIVE ARTS COUNCIL ADVISORY BOARD MEMBERSHIP

Friday, January 15, 2021

Name/Address Phone Number	Date Appointed	Term	Appointment
President of the Dania Beach Paul DeMaio Friends of the Library Linda Wilson	NA	NA	Associate Member
President of the Dania Beach Tourism Council Joe Van Eron 1500 S.W. Second Ave. Dania Beach, FL 33004-4209 954.925.6935 Cell: 954.383.5548 info@visitdaniabeach.com	NA	NA	Associate Member
Dania Beach Improvement Committee Representative Patricia Hart 954.922.8179 Cell: 954.895.8179 pbubbahart@bellsouth.net	NA	NA	Associate Member
Director of the City Parks and Recreation Department Eric Brown, Director 100 W. Dania Beach Blvd. Dania Beach, FL 33004 954.924.6800 x3730 ebrown@daniabeachfl.gov	NA	NA	Associate Member
City of Dania Beach CRA Economic Development Manager Muriel Bryan 100 W. Dania Beach Blvd. Dania Beach, FL 33004 954.924.6801 x3667 mbryan@daniabeachfl.gov	NA	NA	Associate Member
Don Mizell 187 NE 6 Ct. Dania Beach, FL 33004 310.343.3547 dmaceco@gmail.com	February 2013	NA	Honorary Member

**CREATIVE ARTS COUNCIL ADVISORY BOARD
MEMBERSHIP**

Friday, January 15, 2021

Name/Address Phone Number	Date Appointed	Term	Appointment
Carolyn Jones 722 SW 3 rd Street P.O. Box 1242 Dania Beach, FL 33004 954.920.0727 Cj2002@bellsouth.net	March 2016	NA	Honorary Member

**EDUCATION ADVISORY BOARD
MEMBERSHIP
Friday, January 15, 2021**

Name/Address Phone Number	Date Appointed	Term	Commission Appointment
Batia Dayan 3774 SW 49 th Place Ft. Lauderdale, FL 33312 954-792-8211 – Work 917-755-5552 – Cell learnandsmile@yahoo.com	January 10, 2017	November 2016 through November 2020	Brandimarte
Rev. Paul R. Wiggins 321 SE 3rd Street, #905 Dania Beach, FL 33004 954-927-6703 – Office 954-644-2648 – Cell pastorgreatermtzioname@aol.com	January 12, 2021	November 2020 through November 2024	James
Mandraker Jagroop 4490 SW 24 th Avenue Dania Beach, FL 33312 646-334-5743 mandray1989@aol.com	May 28, 2019	November 2018 through November 2022	Odman
Amy Urdaneta 261 SW 4th Street Dania Beach, FL 33004 954-558-7408 amyurdanetadv@gmail.com	January 28, 2020	November 2018 through November 2022	Lewellen
Bonnie Carlton 1025 SE 2nd Avenue, #203 Dania Beach FL 33004 954-629-6006 (Cell) 954-920-8847 (Home) Bcarlton917@gmail.com	December 11, 2018	November 2018 through November 2020	Harris
Principal Tracey Jackson 754-323-5150 tracy.jackson@browardschools.com Assistant Principal Maureen Keenan maureen.keenan@browardschools.com		February 2013 through	Ex-Officio Collins Elementary School

**EDUCATION ADVISORY BOARD
MEMBERSHIP
Friday, January 15, 2021**

Name/Address Phone Number	Date Appointed	Term	Commission Appointment
Principal Lewis Jackson 754-323-5350 lewis.jackson@browardschools.com Assistant Principal Leslie Phillips leslie.phillips@browardschools.com		February 2013 through	Ex-Officio Dania Beach Elementary School
Principal Valerie Harris 754-323-3800 valerie.harris@browardschools.com		February 2013 through	Ex-Officio Olsen Middle School
		February 2013 through	Ad-Hoc

GENERAL EMPLOYEES PENSION BOARD
MEMBERSHIP
Friday, January 15, 2021

Name/Address Phone Number	Date Appointed	Term	Position
		June 22, 2020 through June 22, 2022	Commission Appointment
Luis G. Rimoli 902 Natures Cove Road Dania Beach, FL 33004 954-927-7161 954-478-0653 luis@stagedrightevents.com	February 26, 2019	March 22, 2019 through March 22, 2021	Commission Appointment
Adam Segal City of Dania Beach 100 W. Dania Beach Boulevard Dania Beach, FL 33309 954-924-6800 x 3620 asegal@daniabeachfl.gov	May 23, 2017	Open	Commission Appointment (Finance Director or Designee)
Leo Williams 8761 NW 10 th Street Pembroke Pines, FL 33024 954-651-5031 leosupt@aol.com	May 2, 2018	June 21, 2018 through June 21, 2021	Employee Elected
Corinne Lajoie, Chair 3546 Coco Lake Drive Coconut Creek, FL 33073 954-651-5016 954-924-6805 x3704 corichurch.lajoie@gmail.com	August 14, 2019	June 21, 2019 through June 21, 2022	Employee Elected

**GREEN ADVISORY BOARD
MEMBERSHIP
Friday, January 15, 2021**

Name/Address Phone Number	Date Appointed	Term	Commission Appointment
		November 2018 through November 2022	Odman
Alexandra Hiley 1450 SE 3rd Avenue, Apt. 303 Dania Beach, FL 33004 603-769-0824 alexandrahiley@gmail.com	June 25, 2019	November 2018 through November 2020	Brandimarte
Alexis Guillen 4410 SW 26 th Avenue Dania Beach, FL 33312 305-804-3309 alexis.guillen@miaminewtimes.com	January 22, 2019	November 2018 through November 2020	James
Patricia Chukerman 545 SE 4 th Court Dania Beach, FL 33004 954-552-9996 (C) 954-929-8289 (H) bykermom@me.com	November 21, 2016	November 2016 through November 2020	Harris
Laura Lombardo 1401 NW 10 th Street, Apt. South Dania Beach, FL 33004 954-258-1985 Laurarosey17@gmail.com	January 14, 2020	November 2018 through November 2022	Lewellen
David Simonetta 908 E Las Olas Boulevard Fort Lauderdale, FL 33301 954-837-3090 davidjsimonetta@gmail.com	January 8, 2019	November 2018 through November 2020	Ad Hoc (James)

**MARINE ADVISORY BOARD
MEMBERSHIP
Friday, January 15, 2021**

Name/Address Phone Number	Date Appointed	Term	Commission Appointment
Chris Barile 5099 SW 28 th Avenue Dania Beach, FL 33312 954-989-8260 (Home) 954-494-1920 (Cell) chrisbarile@bellsouth.net	January 10, 2017	November 2016 through November 2020	Brandimarte
Thomas G. Angelos 218 SW 13th Street Dania Beach, FL 33004 954-670-6099 T_Angelos@yahoo.com	March 12, 2019	November 2016 through November 2020	Brandimarte
Jason Clark 661 SE 15th Street, Apt. 107 Dania Beach, FL 33004 571-235-7192 clarkjasonr@gmail.com	January 12, 2021	November 2020 through November 2024	James
Gregory Galyo 4496 SW 37 Avenue Fort Lauderdale, FL 33312 904-476-7252 954-397-1112 ggalyo@gmail.com	March 12, 2019	November 2016 through November 2020	James
Clive Taylor 642 NE 3 rd Street Dania Beach, FL 33004 954-923-4439 (Home) 954-830-8855 (Cell) cetriumph@aol.com	December 11, 2018	November 2018 through November 2022	Lewellen
Sharon Malone 111 SE 1st Street #117 Dania Beach, FL 33004 954-662-9537 Sharon@thdestinationconnection.com	December 11, 2018	November 2018 through November 2022	Lewellen

**MARINE ADVISORY BOARD
MEMBERSHIP
Friday, January 15, 2021**

Name/Address Phone Number	Date Appointed	Term	Commission Appointment
Dean Grant 503 N 2 nd Place Dania Beach, FL 33004 954-868-6247 deanggrant@bellsouth.net	December 11, 2018	November 2018 through November 2022	Odman
Craig Valentine 1982 Tigertail Boulevard, Bldg. #9 Dania Beach, FL 33004 954-505-3201 954-258-4848 (Cell) craig@gwaflorida.com	September 10, 2019	November 2018 through November 2022	Odman
Patrick Ferrante 324 S.E. 10th Street, #103 Dania Beach, FL 33004 pjf0307@gmail.com	August 27, 2019	November 2016 through November 2020	Harris
Richard Croker 186 NE 6th Court Dania Beach, FL 33004 954-662-4874	January 9, 2018	November 2016 through November 2020	Harris

PARKS, RECREATION & COMMUNITY AFFAIRS
ADVISORY BOARD MEMBERSHIP
Friday, January 15, 2021

Name/Address Phone Number	Date Appointed	Term	Commission Appointment
Morris Goldwire 20 NW 13 th Avenue Dania Beach, FL 33004 234-223-6467 Goldwire75@gmail.com	December 11, 2018	November 2018 through November 2020	Lewellen
Joyce L. Davis 500 NE 2nd Street, #227 Dania Beach, FL 33004 219-670-1066 joycel.davis@pearlgirlz.com	June 25, 2019	November 2018 through November 2020	Lewellen
Jeff Hansen (24 NE 1 st Avenue) PO Box 1597 Dania Beach, FL 33004 954-929-9334 hlwdcahoot@aol.com	December 11, 2018	November 2018 through November 2020	James
A. Ivie Cure 209 NW 14 th Court Dania Beach, FL 33004 954-927-0650 954-558-2775 (Cell)	February 26, 2019	November 2018 through November 2020	James
Sheila McCray 46 NW 14th Court Dania Beach, FL 33004 786-422-3707 sheilamac@sofftekk.com	May 14, 2019	November 2018 through November 2020	Harris

PARKS, RECREATION & COMMUNITY AFFAIRS
ADVISORY BOARD MEMBERSHIP
Friday, January 15, 2021

Name/Address Phone Number	Date Appointed	Term	Commission Appointment
Dr. Tamara D. Fishman 837 NW 8 th Avenue Dania Beach, FL 33004 786-356-4425 fishmantamara@hotmail.com	January 22, 2019	November 2018 through November 2020	Harris
Jimmie Peterman 717 SW 4 th Terrace Dania Beach, FL 33004 954-925-2417 & 954-534-1771 jimmiepeterman@comcast.net	January 22, 2019	November 2018 through November 2020	Brandimarte
Richard "Rich" Aube 675 SE 2 nd Avenue Dania Beach, FL 33004 954-922-9411 954-336-5110 (Cell) raube@forliferealty.com	February 12, 2019	November 2018 through November 2020	Brandimarte
Sharon Migicovsky 905 Natures Cove Road Dania Beach, FL 33004 954-394-3208 Misacb@aol.com	May 14, 2019	November 2018 through November 2020	Odman
Samantha Angelos 43 SW 12th Street Dania Beach, FL 33004 954-551-3646 954-987-2000 scangelos@hotmail.com	March 12, 2019	November 2018 through November 2020	Odman

**PLANNING & ZONING BOARD
MEMBERSHIP
Friday, January 15, 2021**

Name/Address Phone Number	Date Appointed	Term	Commission Appointment
Jonathan Thomas 2337 Anchor Court Dania Beach, FL 33312 954-907-0460 Thomasjonathan995@ymail.com	January 12, 2021	November 2020 through November 2022	James
W. Quin Robertson, Phd., GISP 805 Natures Cove Road Dania Beach, FL 33004 732-423-0039 561-361-3199 (W) qrobertson@att.net	January 12, 2021	November 2020 through November 2022	Lewellen
Derrick Hankerson 746 SW 3 rd Street Dania Beach, FL 33004-4901 954-374-9199 (H) 954-483-6805 (Cell) Dh954@comcast.net	January 12, 2021	November 2020 through November 2022	Davis
Bill Harris 29 South Federal Highway Dania Beach, FL 33004 954-608-0066 bill@stagedrightevents.com	December 8, 2020	November 2020 through November 2022	Odman
Albert C. Jones 722 SW 3 rd Street Dania Beach, FL 33004 954-240-9340 komish722@gmail.com	January 12, 2021	November 2020 through November 2022	Salvino
Charlotte Sloboda 2905 Lakeshore Drive Dania Beach, FL 33312 954-559-5473 csloboda@bellsouth.net	January 8, 2019	November 2018 through November 2020	Alternate

PLANNING & ZONING BOARD
MEMBERSHIP
Friday, January 15, 2021

Name/Address Phone Number	Date Appointed	Term	Commission Appointment
David Nuby, Jr. P.O. Box 1214 Dania Beach, FL 33004 954-275-2579 davidnuby@aol.com	January 22, 2019	November 2018 through November 2020	Alternate



CITY OF DANIA BEACH

OFFICE OF THE CITY MANGER

100 West Dania Beach Blvd · Dania Beach, FL 33004 · (954) 924-6800 · (954) 921-2604 (fax)

MEMORANDUM

Date: January 26, 2021

To: Mayor Tamara James
Vice Mayor Marco A. Salvino, Sr.
Commissioner Joyce L. Davis
Commissioner Lori Lewellen
Commissioner Lauren Odman

From: Ana M. Garcia, ICMA-CM, City Manager

Subject: Manager's Report

State of Florida Department of Economic Opportunity Grant/ City of Dania Beach Award \$795,000.

In July 2020, the United States Department of Housing and Urban Development (HUD) announced, through the State of Florida Department of Economic Opportunity, \$633M in grant funding for planning activities for hazard mitigation.

Staff reviewed the City's 2021-2025 Capital Improvement Plan to identify proposed projects that match the grant criteria. The City's proposed Capital Improvement Plan includes \$500,000 for a citywide stormwater plan to study areas of the City that do not have drainage plans and integrate existing stormwater plans and drainage systems into one master plan.

The City engaged In-REM Solutions, PUMPS, and Chen Moore and Associates to prepare the grant application for a citywide stormwater master plan.

The proposed plan aims to provide the City of Dania Beach with a comprehensive plan to address stormwater and flooding issues, including sea-level rise (projected to be a significant and growing challenge in the next 50 years). The project will locate the areas vulnerable to flooding, identify the hazards presented by flooding, and present an implementation plan of mitigation goals and activities. The City will coordinate with stakeholders including residents, Broward County, South Florida Water Management District, and neighboring cities.

The City leveraged its CIP funds (\$265,000) for a master plan to successfully apply for an additional \$795,000 in federal grant funds. The total project budget is \$1,060,000.

With the assistance and coordination of the Finance Department, the grant application included funding of \$45,000 as a direct reimbursement to the City for grant management. Where applicable, the future grant applications will request funding to offset City administrative costs related to the grant.

In October, the City team, made up of Public Services, In-Rem Solutions, and Chen Moore, participated in a successful virtual grant presentation to the Florida Department of Economic Opportunity. The week of January the 12th, we were notified of the grant award. We will continue our proactive efforts to seek grants at all levels.

Dania Pointe submits donation of \$200,000 to the City of Dania Beach

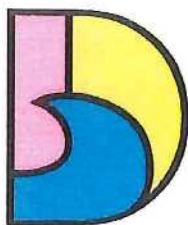
In the summer of 2019, I met with Peter Flint from Dania Pointe; while grateful that we had a Police/BSO Substation, I wanted to explore possibilities for a Fire substation as well. The conversations led to assessment and investment on behalf of Dania Pointe to explore options. We had several meetings with the Fire Chief, Senior BSO personnel, City Team, and consultants working with Dania Pointe, the bottom line was that at the 11th hour a substation for Fire was cost prohibitive. My ongoing dialogue with Mr. Flint resulted in a very generous donation of \$200k to the City for safety initiatives, a future station, or other projects related to safety. To receive this \$200k donation in the midst of the challenges and loss of revenues associated with Covid-19 is a testament to the relationship that continues to flourish with the senior team at Dania Pointe and this administration. Additionally, this past year, Dania Pointe donated \$5,000 to the adopt a box food giveaway initiative that the City hosted at the Dania Beach Casino.

Working with our Chief of Fire, we have submitted information to EOC and as a result, the City of Dania Beach has been included in a list of Cities to be considered as a site for a vaccination point of dispensing (POD). EOC is sharing this information with the Department of Health for coordination. We continue to explore our options and opportunities including partnership with faith-based organizations in our City.

We are prepared to proceed with the next step with the Strategic Master Plan Commission workshop. The following dates have been submitted by our consultant; Thursday, February the 4th, all day available; Tuesday, February 16th 10 am-2 pm; Tuesday March 2; Thursday March 4th, and Friday March 5th all day. Please look at your calendars and be prepared to discuss.

We are ready to coordinate a ribbon cutting event on Thursday, February the 18th at 5 pm at Dania Pointe Police/BSO substation. Please look at your calendars and be prepared to discuss.

The discussion of I Love Local campaign.



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CITY OF DANIA BEACH COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

DATE: January 11, 2021

TO: Ana M. Garcia, ICMA-CM, City Manager

VIA: Candido Sosa-Cruz, Assistant City Manager
Eleanor Norena, CFM, Community Development Director 

RE: Manager's Monthly Report – December 2020 – Community Development Department

The following is a summary of Community Development Department activity during the month of December.

Special Projects

Mobility Study: The Mobility Study identifies missing links and improvements that can be made to the existing mobility circulation system in the City. The improvement projects may be for vehicle, bicycle or pedestrian movement within the City. Having a projects list allows the City to move quickly when applying for funding through the County, the MPO and State. The research, data and analysis phase of the study is primarily completed. The public outreach and information phase of the study has been delayed due to the COVID-19 crisis. This phase of the project is critical to the development of the plan. One-on-one meetings, public meetings and meetings with agencies will be replaced with on-line surveys, emails and virtual meetings. One-on-one meetings with City Commissioners have already taken place. The public outreach virtual meeting is scheduled to occur on Monday, February 1, 2021 at 2:00 p.m. and 6:00 p.m. After receiving public input, staff will bring the study forward for approval by the City Commission.

Public Art Program: On December 10, 2019, the City Commission adopted the Public Art Ordinance which established impact fees to be collected from new development for the purchase, creation and installation of public art. Staff has established the permitting system and revenue account to calculate and receive the Public Art funds. Community Development has collected \$70,799.96 in the Art in Public Places Fund. Staff is currently working with Broward County Cultural Division to create a Public Art Program, which will identify specific locations and type of art desired and will also proposed guidelines for the selection of art and acceptance of private developers proposals. The County recently launched an on-line survey asking residents about their thoughts regarding Public Art. The survey closed on December 18, 2020; 174 survey results were received. Staff continues to work with the Broward County Cultural Division to move the Public Art Program forward and intend to bring the proposed Public Art Program to the City Commission for discussion and approval this summer.

Water Supply Plan: Approval of the City's Water Supply Plan is critical as it identifies where the City will obtain its water supply for existing residents and businesses as well as future development. Adoption of a Water Supply Plan will bring the City into compliance with State requirements as well. City staff in Community Development and Public Services, as well as our consultants have

been working together on this project for many months. It is anticipated that the Water Supply Plan will be brought to the City Commission in February for adoption.

Oak Hammock Overlay: At the City Commissioner's request, staff has been working with the City Attorney's Office to put into place a Zoning-in-Progress while drafting proposed language to establish an Oak Hammock Overlay. To date the city has held/hosted one (1) workshop, two (2) community meetings and three (3) public hearings. The second and final reading of the proposed text and map amendments are scheduled for January 26, 2021. The Zoning-in-Progress is currently in place, therefore, staff are enforcing the proposed text amendment. As a result, there are several Code Violations being heard by the Special Magistrate, which are currently scheduled in January and February.

Appeals: Community Development received an Appeal of an Administrative Decision denying a request for a digital billboard located on Ravenswood Road. In addition, Community Development received an Appeal of the Planning and Zoning Board denial of a site plan for the project known as Palms by the Water, located at 3321 SW 44 Street. Both appeals are anticipated to be brought to the City Commission in February 2021.

Dania Pointe Special Event Annual Program: Staff has met with Dania Pointe representatives to discuss their Special Event needs. Staff has requested for the Dania Pointe representatives to provide a complete and comprehensive Special Event Annual Program proposal for staff. We anticipate the existing provisions of the City's Land Development Code, Article 675, entitled Special Events, can meet their needs. Once their Special Event Annual Program has been submitted staff will be able to analysis it against the City's regulations. Review and discussion are ongoing.

Building Division

The Building Department received 217 permit applications and issued 168 permit applications. The Building Department issued five Certificates of Occupancy (four commercial and one residential) and one residential Temporary Certificate of Occupancy.

All inspectors, plan reviewers and administrative staff continue to work remotely and in staggered shifts to ensure all inspections and permitting continues seamlessly. The Building Department is currently accepting drop-offs and pick-ups via the drop box located outside of City Hall Monday through Friday from 8:00 a.m. - 5:00 p.m. We continue to implement online payments for residents, contractors, and accepting checks in the finance utility box for customers without internet access.

Plan reviewers and inspectors, provided by CAP and Broward County; continue to utilize the laptops and WiFi hotspots to limit access to City Hall. We continue to log temperatures at the start of each day to ensure our health and safety and maintain proper precautions.

Planning and Zoning Division

The following projects are recent submittals for DRC:

Prime Realty – This applicant is proposing a new 6,000 square foot office/repair shop on SW 26th Terrace. This project has gone through DRC review and was approved at the January 12, 2021 City Commission meeting.

Dania Beach Marina a/k/a Wave 70 & 90 - The Site Plan and DDG for this project was submitted for review in March. The proposed project includes two mixed-use buildings, both 16-stories tall

with a total of 160,000 square feet of proposed commercial space and 760 proposed dwelling units. The application was approved at the January 12, 2021 City Commission meeting.

ROMI Building - The Site Plan for the project is in DRC review. The project is for a mixed-use building on South Federal Highway. The project proposes 11,000 square feet of commercial and 44 dwelling units. This Site Plan is pending DRC final review.

ARG Office - The applicant is requesting the modification of a previously approved site plan for the construction of a one-story building with 3,500 square-foot of professional office building space located at 4025 Ravenswood Road. This project is pending DRC final review.

800 Old Griffin Road - This Site Plan is a new application to vacate NW 3rd Place, to redesign the existing building, develop the vacant lot under the power lines for boat storage, and build docks on the Dania canal. This is a new application going through DRC review because the previous application was denied by the City Commission. This Site Plan is pending DRC final review.

US Crane & Rigging – This project is located at 3035 SW 36th Street and is currently a nursery. The applicant is proposing at 113,000 square foot office/warehouse building. This project is currently going through DRC review.

GMAX – Single Family – This applicant is proposing three (3) new single family homes which requires Site Plan approval. This project is currently going through DRC review.

Griffin Living (modification) – This applicant is proposing a modification to a previously approved Site Plan, eliminating the two-story parking garage and reducing building gross area from 184,532 s.f. to 96,316 s.f. while also reducing the floor count from 6 to 5 stories. Dwelling unit count stays the same at 79 apartments, yet these are all now one bedroom units ranging in area. No variances requested under this amendment. This Site Plan Modification is pending DRC review.

Rebar Warehouse – This site plan application proposes two industrial warehouse buildings with a total square footage of 84,664 square feet, on a 3.5 acre industrial site. It is currently under DRC review.

Harbor Landing – This project is a proposed residential development, located at 4695 SW 45th Terrace. It is part of a larger, mixed-use development adjacent to the west, which is situated within the City of Hollywood. The Dania Beach application is to permit the construction of an eight-story apartment building with 275 residential units (including 15% affordable housing) on the east portion of the development. Amendments to the Land Use and Zoning designations have been approved on first reading; the proposed Site Plan will come to the City Commission for approval at a future meeting, along with second reading adoption of the amendments. This Site Plan is pending DRC review.

Code Enforcement and Parking Division

- Code is continuing to work with BSO to enforce violations at Vacation Rentals to address noise and parking issues.
- Code Enforcement Officers are patrolling the City of Dania Beach Monday through Sunday from 8:00 a.m. – 8:00 p.m. enforcing Covid-19 related complaints as well as performing spot checks to help stop the spread of COVID-19.

- Parking Enforcement staff is currently assisting Code Officer's with enforcement of COVID-19 related issues at the beach parking lot and pier.
- Code is delivering all approved outdoor seating permits to restaurants and are ensuring they are in compliance.
- COVID-19 Stats for December - Code Staff has done 919 spot checks on businesses, responded to 7 Complaints from the Broward County Q Alert system and 0 complaints from the City Hotline.



CITY OF DANIA BEACH HUMAN RESOURCES DEPARTMENT

MEMORANDUM

DATE: January 19, 2021

TO: Ana M. Garcia, ICMA-CM, City Manager

VIA: Candido Sosa-Cruz, Assistant City Manager

FROM: Linda Gonzalez, SPHR, SHRM-SCP – HR / Risk Management Director *LG*

RE: Human Resources and Risk Management Report

The following is a summary of Human Resources and Risk Management activities:

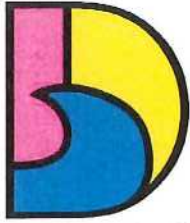
- Positions filled:
 - Assistant Director, Parks & Recreation – starts 2/1/21.
 - Organizational Development & Talent Acquisition Specialist – starts 2/3/21.
 - PT Beach Lifeguard (external) – 1/15/21
 - GIS Technician – starts 1/25/21.
 - Administrative Specialist II – starts 2/1/21.
 - Caretaker, Cemetery – started 12/7/21.
- Open/To be open Recruitments:
 - Equipment Operator II
 - Accountant I
 - Maintenance Worker I, Landscape
 - Specialist, Records
 - Administrative Technician
- Human Resources completed our last open enrollment period for employees who wish to continue or add a flexible spending account (FSA) or dependent care flexible spending account. The FSA allows employees to set aside tax-free dollars for medical and dependent care expenses and lower taxable income to save money. A total of fifteen (15) employees chose to participate in this benefit.



CITY OF DANIA BEACH HUMAN RESOURCES DEPARTMENT

MEMORANDUM

- Human resources has successfully completed both the personnel and payroll audit for Bentek/New World integration. This integration supports the elimination of errors to employees' deductions and check accuracy on both Bentek and New World Systems. There is one (1) additional audit that we are working on the Gehring Group which is an export file that we hope to have completed by the end of January. We are also working with the Gehring Group on a Bentek module that will allow new hires to sign up for benefits directly in Bentek. This will continue to streamline our processes and accuracy of the benefits process.
- Human Resources conducted our first City-Wide New Hire Onboarding Program on Thursday January 14. All Departments Directors/AD's participated in the onboarding presentation. Due to COVID-19 the session was conducted virtually. We received excellent feedback from our new hires. The goal of on-boarding is to integrate new employees with the City and its culture, as well as provide hires with the tools and information needed to become a productive member of the Dania Beach team. A great on-boarding program supports employee engagement, and retention. On-boarding also helps new employees discover how their roles fit in with their Department, the rest of the workforce and the City. On-boarding can facilitate relationship building and overall job satisfaction. Our next on-boarding session is scheduled for April 15.
- The Employee wellness initiative has begun with the New Year! The goal is to continue providing resources for better support and the health of our employees. Human Resources is excited to kick off our 2021 Wellness Program with the Steps Challenge, "Let's Move Past 2020." This is a challenge encouraging all employees to move and stay as active as possible. The Four Week Challenge is beginning on Monday January 18th and employees can choose their own personal daily steps goal for all four weeks. Employees who meet their individual challenge will be entered in a raffle for prizes. There will be additional programs as part of the wellness program.
- As part of our 2021 wellness initiative, Human Resources will be hosting a Wellness and Biometric Screening for employees on February 18. During the event, employees will be provided with screening for cholesterol, blood pressure, glucose, and body mass index. Employees will have the opportunity for individual health coaching and a \$25 Visa gift card as an incentive.
- On January 8, the City held our third Safety Committee Meeting. The goal of the safety committee is to focus on employee safe practices and accident reduction for employees, residents, and visitors. The committee reviewed the role and responsibilities for the safety committee members, the use of



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CITY OF DANIA BEACH HUMAN RESOURCES DEPARTMENT

MEMORANDUM

Vector solutions for re-training and safety day, as well as reviewed our worker's comp and liability claims. Future safety committee meetings will take place on the last Friday of each month at 11 a.m. As part of our ongoing commitment to the safety of our employees, Human Resources has partnered with the Broward Sheriff's Office Fire Rescue to bring several trainings to our employees. Additionally, we have added a detailed safety section on the employee intranet site.

- Pending Commission approval on 1/26, Human Resources will begin to work with Finance for the implementation of Executime, the proposed new timekeeping system for the City. The timekeeping system will provide the City with the tools needed to comply with the Fair Labor Standards Act (FLSA), while ensuring pay accuracy for employees.
- Pending Commission approval on 1/26, Human Resources will begin training employees on the new Personnel Policy Manual that contains comprehensive policies and procedures for the City. The Personnel Policy Manual:
 - Establish clear rules, which, if followed by employees and consistently applied by supervisors and managers, will result in a positive, productive, even-handed, non-discriminatory, and safe workplace.
 - Replace the outdated 2004 City Civil Service Rules with a more concise document that can be amended more easily to reflect the evolving dynamic of a modern workplace.



CITY OF DANIA BEACH PARKS AND RECREATION DEPARTMENT

MEMORANDUM

DATE: January 26, 2021
TO: Ana M. Garcia, ICMA-CM, City Manager
FROM: Eric Brown, Parks & Recreation Director
SUBJECT: Parks and Recreation Updates

Parks and Recreation Department Updates

On December 3, 2020 at 6pm, Parks and Recreation hosted the City of Dania Beach annual "Tree Lighting". Due to covid-19, this event was live streamed. (City Hall)

On December 14, 2020 at 6pm, Parks and Recreation hosted the City of Dania Beach 2nd annual Menorah lighting event. Due to covid-19, this was a virtual event. (City Hall)

On December 17, 2020 from 5pm – 7pm, Parks and Recreation hosted a Toy Drive-Thru Giveaway. Big thanks to our fire department, and all city departments for buying extra toys. We were able to give out over 400 toys to much need families.

On December 21, 2020 at 6pm, Parks and Recreation hosted its first annual Kwanzaa celebration. City Commission, City Manager, Parks Director, and City of Dania Beach Pastors read the principle of Kwanzaa. Due to covid-19, this was a virtual event. (City Hall).

January 13, 2021, The Parks and Recreation Youth Advisory Council resumed their meetings. They are working on presenting at the Feb. Commission meeting.

During these uncertain times with covid-19, our Parks Team has remained vigilant in sanitizing playground equipment, indoor/outdoor equipment and all surfacing and amenities around Park facilities.



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CITY OF DANIA BEACH PUBLIC SERVICES DEPARTMENT

MEMORANDUM

DATE: January 26, 2021
TO: Ana M. Garcia, ICMA-CM, City Manager
VIA: Candido Sosa-Cruz, Assistant City Manager
FROM: Fernando J. Rodriguez, Public Services Director
Dincer A. Ozaydin, Deputy Director/City Engineer
Fernando Rodriguez
Digitally signed by Fernando Rodriguez
DN: cn=Fernando Rodriguez, o=City of
Dania Beach, c=US
email=f.rodriguez@danbeachfl.gov, c=US
Date: 2021.01.19 18:04:09 -0500
RE: PUBLIC SERVICES DEPARTMENT (PSD) ACTIVITIES – DECEMBER 7, 2020 – January 15, 2021

Provided below is a summary of the main PSD activities for the past six weeks.

- The evaluation committee for NE 2nd Street Water Main Replacement Project met in mid-January and selected Mancon Inc. for the construction, projected to begin in the first quarter of 2021.
- The Consultant Competitive Negotiation Act (CCNA) RFQ Selection Committee completed the final ranking of all the firms and the item was successfully brought to the Commission for approval on January 11. This list of readily available consultants will improve the speed with which a wide range of projects will be completed.
- Over 50 streetlights were repaired in the SW and NW sections of the city. A more structured and efficient inspection and repair system is in the process of implementation to better manage this important maintenance operation.
- The Comprehensive Operation Analysis (COA) of the city's transit bus operation has continued moving forward, although its progress has been impacted by the Covid 19 pandemic. The Corradino Group projects the preliminary report to be completed and presented to the city in March. The Municipal Surtax funding application timeline that the COA's recommendations will be used to apply for has not yet been released by the County.
- The NW 1st Street bridge off of Bryan Road was assessed in terms of recent inspections. The most recent one was performed in 2019, and determined that the bridge is structurally sound. A minor repair is required and will be scheduled in the coming weeks to address a spall in the top section, at a railing post. Additional information includes the following important points:
 - The structure has no weight restrictions. This is based on the most recent load analysis (10/2018).
 - The volume of vehicles traversing the bridge is Not a factor in terms of placing strain on the structure; the number of vehicle axels and weight load are.

\continued...



MEMORANDUM

Page 2 of 2

RE: PUBLIC SERVICES ACTIVITIES – DECEMBER 7, 2020 – JANUARY 15, 2021

Date: January 26, 2021

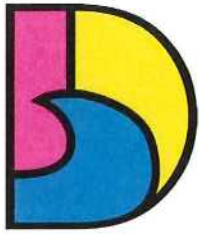
- Broward County completed the almost year-long seawall project on Old Griffin Road. Improvements went beyond the structure under the water level, and included new railing and refurbished landscaping along parts of the water's edge.
- Upon receiving commission approval in January, the Fleet Management Division has begun the ordering of several medium and heavy duty vehicles to comply with the annual fleet replacement schedule as prescribed by best fleet management practices.
- The Tigertail Park "doggie pier", a very popular feature of the facility, was fully repaired.
- Five unhealthy palm trees were replaced at Ocean Park, east of the dune and at the parking lot.

Grant Funding

Transportation Surtax Second Amendment to the Inter Local Agreement (ILA) - The Public Services and Legal departments worked on reviewing and preparing the ILA amendment for the City Commission's approval. The ILA is necessary for Public Services to proceed with the SE Drainage Project design and the construction of the SW 43 Terrace Drainage Project.

CDBG- Mitigation Grant - The Florida Department of Economic Opportunity announced the City's receipt of a \$795,000 grant for developing a citywide drainage master plan. Public Services is preparing the necessary Commission items to accept the grant and authorization to issue an RFP for professional engineering services.

FDOT Local Agency Program (LAP) - Public Service staff met with the Broward MPO to review new FDOT and Broward MPO policy regarding construction FDOT funded local projects. Future program features will include more significant funding, and the requirements for the city to construct the projects. Public Services is preparing items for the February 9th City Commission meeting.



DANIA BEACH
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CITY OF DANIA BEACH COMMUNICATIONS PUBLIC INFORMATION OFFICER

MEMORANDUM

DATE: January 2020
TO: Ana M. Garcia, ICMA-CM, City Manager
VIA: Candido Sosa-Cruz, Assistant City Manager
FROM: Katia Bordy, Public Information Officer
SUBJECT: PIO Communications

Ongoing Communication

The City's website, social media and TV Channel 78 is continuously updated with relevant, new, and important information. All City Departments receive media support on a variety of projects.

Below are the latest social media and website communications including any special event activities:

- COVID-19 Vaccination Sites.
- Promotion of Dania Beach, Broward Sheriff's Office and Miami Dolphins Foundation DRIVE THRU RELIEF FOOD PROGRAM on website and social media platforms.
- Promoted the Florida Department of Economic Opportunity's \$795K Award to the City towards the Stormwater Master Plan.
- Created flyer and advertised Dania Beach and Broward Sheriff's Office Fire Rescue VIRTUAL ZOOM TRAINING classes on Hands-Only CPR, Choking and Abdominal Thrusts, Treating Cuts and Wounds, First Aid in Case of Pesticide Exposure, Fire Drills and Escape Planning and CPR/AED Life Saving Skills for staff, residents and visitors.
- Informed the public about FDOT 95 Express Phase 3C project closure along Anglers Ave. through June and FDOT traffic impact on SR 84 bridge over the South Fork of the New River.
- MLK Day Parade canceled due to COVID-19
- Designed flyer and promoted The Dania Beach Youth Advisory Council Roundtable Talk on Zoom for high school students grades 9 to 12 to discuss current topics.
- Continued progress on the RISE Initiative.



**CITY OF DANIA BEACH
BROWARD SHERIFF'S OFFICE (BSO)**

EXTERNAL MEMORANDUM

DATE: January 19, 2021

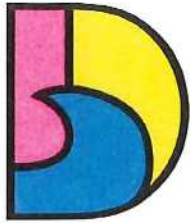
TO: Ana M. Garcia, ICMA- CM, City Manager

FROM: Sergio Pellecer, District Fire Chief

RE: Dania Beach Memo to City Manager

Please see the requested information below concerning the last two weeks- December 1, 2020 – January 19, 2021 of the meetings and day to day operations for the BSO Fire Rescue and Emergency Service in Dania Beach:

- Completed employee and public education program that has been implemented. This was done with help of Dania Beach Safety Committee and BSO' Education Department.
- Dania Beach Strategic Plan virtual meeting.
- Daily morning BSO conference calls – Department Head direction for the day.
- Daily monitoring of Fire Stations and personnel safety
- Weekly monitoring of Nursing homes and Group homes – Fire Marshal's Bureau
- Weekly agenda review team conference
- Municipal Conference Call COVID-19 Situational Awareness
- BSO Ops Conference call with District Chiefs
- Weekly Conference NWS (National Weather Service- South FL)
- Regular Commission Meeting
- Continued Vulnerable Population Training working on setting up City of Dania Beach
- Hydrant maintenance scheduling for next (6) months for ISO standards.
- Safety Committee – Dania Beach
- Bid Committee – Dania Beach Fire Station Grant
- Continued work on SCBA filling Station order for Station 17
- Station 1 and 17 repairs



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**CITY OF DANIA BEACH
BROWARD SHERIFF'S OFFICE (BSO)**

MEMORANDUM

DATE: January 18, 2021

TO: Ana M. Garcia, ICMA- CM, City Manager

FROM: Daniel J. Marks, Captain

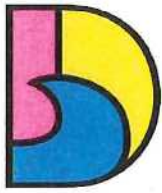
RE: Dania Beach Monthly Memo to City Manager for Commission Meeting

This memorandum is in reference to the upcoming Commission Meeting scheduled for January 26, 2021 at 7 pm.

On Wednesday February 10th 2021 we will be hosting a food giveaway with the Miami Dolphins Foundation. The foundation purchased 1000 hot meals from minority owned Island Joe's Café. The giveaway will be drive through style and begin at noon. Island Joe's is located at 4201 Ravenswood Road.

With the Covid pandemic lingering, we have experienced a 9 percent increase in domestic violence calls. Over the last year we responded to a total of 914 domestic violence calls. Domestic violence is unique in the fact that many victims never come forward. Due to this, prevention is extremely tough. We are starting a domestic violence awareness program in Dania Beach. Our detectives will be making contact with hotels, nail salons and hair salons to train their employees on signs of domestic violence. Since the above locations are often time social hangouts, a customer may feel comfortable talking with an employee about private matters. The businesses will be equipped with literature about domestic violence and Women in Distress. As the training begins, I will keep you posted on how many businesses and how many employees participate in the program.

That concludes my report.



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**CITY OF DANIA BEACH
FINANCE DEPARTMENT
MEMORANDUM**

TO: Ana M. Garcia, City Manager, ICMA-CM
FROM: Adam Segal, Assistant Finance Director
DATE: January 4, 2021
SUBJECT: Monthly Business Tax Licensing

Manager,

Per your request attached hereto is the Monthly Business Tax Receipt report reflecting new businesses.



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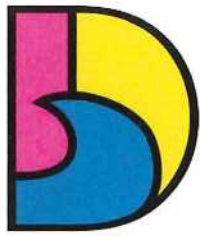
Business Listing Report

Business Start Date 12/01/20 - 12/31/20

Report By Business Name

Business	Licensee	Address	Phone	Extension	Start Of Business	End Of Business
CLAUDE DARMONY	CLAUDE DARMONY	214 NW 5 AVE, Dania Beach, FL 33004	(646) 261-2693		12/09/2020	
ECCO CLEAN LLC	ECCO CLEAN LLC	207 SE 15 ST, Dania Beach, FL 33004	(954) 953-8979		12/08/2020	
HALPRIN REALTY LLC	HALPRIN REALTY LLC	1157 SE 6 CT, Dania Beach, FL 33004	(954) 817-4919		12/18/2020	
NICHELL ROBBINS	NICHELL ROBBINS	214 NW 5 AVE, Dania Beach, FL 33004	(954) 200-3643		12/15/2020	
POWER SAVER ELECTRIC CORP	POWER SAVER ELECTRIC CORP	4850 SW 25 AVE, Dania Beach, FL 33312	(954) 630-6910		12/09/2020	
SNACK SHACK DRIVE THRU INC	SNACK SHACK DRIVE THRU INC	3901 STIRLING RD, Dania Beach, FL 33312	(954) 638-3096		12/10/2020	
THE HOUSE OF TEAK	THE INTERNATIONAL HOUSE OF TEAK INC	1920 STIRLING RD, Dania Beach, FL 33004	(954) 662-3037		12/28/2020	
VINCENZO & CAROLINA BENINCASA	VINCENZO & CAROLINA BENINCASA	315 SE 11 TER 305, DANIA BEACH, FL 33004	(905) 560-7878		12/28/2020	
WELLS FARGO BANK - ATM	WELLS FARGO BANK - ATM	356 E DANIA BEACH BLVD, Dania Beach, FL 33004	(806) 767-7477		12/09/2020	

Businesses 9



DANIA BEACH
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CITY OF DANIA BEACH FINANCE DEPARTMENT

MEMORANDUM

TO: Ana M. Garcia, City Manager. ICMA-CM

FROM: Adam Segal, Deputy Finance Director

DATE: January 15, 2021

SUBJECT: Finance Monthly Report –December 2020

Please find attached the month Finance report. Highlights of the report include the following:

Revenues

- Building Fund Revenues
- Pier Revenue
- Beach Parking Revenue
- Marina Revenues
- Commercial Solid Waste Hauler Franchise Fees

Capital Projects

- Capital Projects Fund
- Enterprise Funds
 - Water
 - Sewer
 - Stormwater
 - Marina
- Grant Funds
 - City Grants
 - CRA Grants

Information Technology

- Online Credit Card Payments
- Beach Camera Views
- Website Visits by Device
- Commission Meeting Views
- Number of Citywide Phone Calls
- Number of E-Bill Users by Month

Business Tax Receipt Activity

- Out of Business/Inactive
- New Applications

Utility Reports

- Delinquency Report
- Meter Replacement Reports
- Aging Report

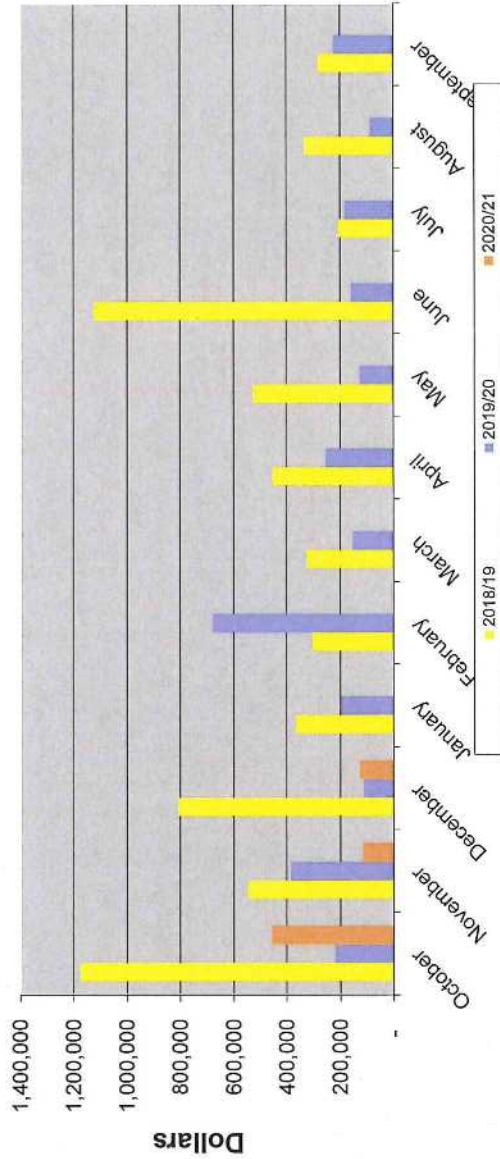
Contingency and Fund Balance Estimate

Building Fund Collections

Monthly	2018/19	2019/20	2020/21
October	1,175,262	218,842	456,717
November	544,467	383,986	115,930
December	804,921	110,855	126,389
January	364,720	197,296	
February	300,427	677,686	
March	323,671	152,797	
April	451,112	254,963	
May	527,681	126,368	
June	1,123,013	159,353	
July	204,154	182,848	
August	329,526	88,029	
September	278,138	225,951	
Total	6,427,092	2,778,973	699,036

Building Fund - thru December 2020

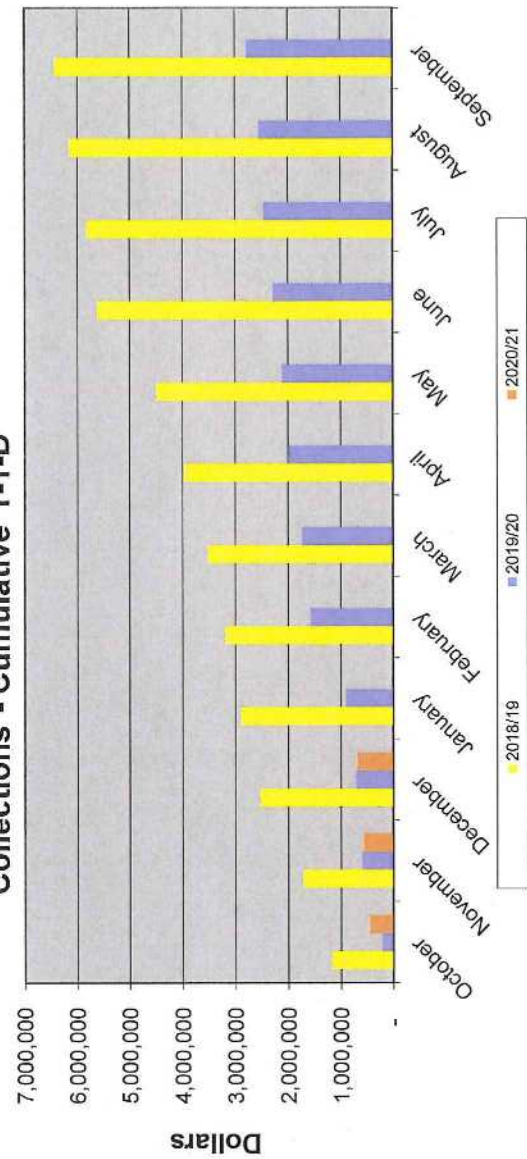
Monthly Building Fund Collections



Cumulative

	2018/19	2019/20	2020/21
October	1,175,262	218,842	456,717
November	1,719,729	602,828	572,647
December	2,524,650	713,683	699,036
January	2,889,370	910,978	
February	3,189,797	1,588,665	
March	3,513,468	1,741,462	
April	3,964,580	1,996,424	
May	4,492,261	2,122,792	
June	5,615,274	2,282,145	
July	5,819,428	2,464,994	
August	6,148,953	2,553,023	
September	6,427,092	2,778,973	
Annual Goal	4,600,818	5,268,000	4,747,331

Building Fund Collections - Cumulative Y-T-D



Shut down due to COVID-19

Parking Fee Collections

Monthly	2018/19	2019/20	2020/21
October	70,074	80,310	98,451
November	76,505	75,366	73,741
December	70,225	69,806	78,542
January	91,368	101,586	
February	107,600	89,239	
March	138,030	42,686	
April	132,525	-	
May	122,734	3,577	
June	99,416	153,086	
July	121,078	136,900	
August	90,092	140,789	
September	88,120	100,699	
Total	1,207,766	994,044	250,735

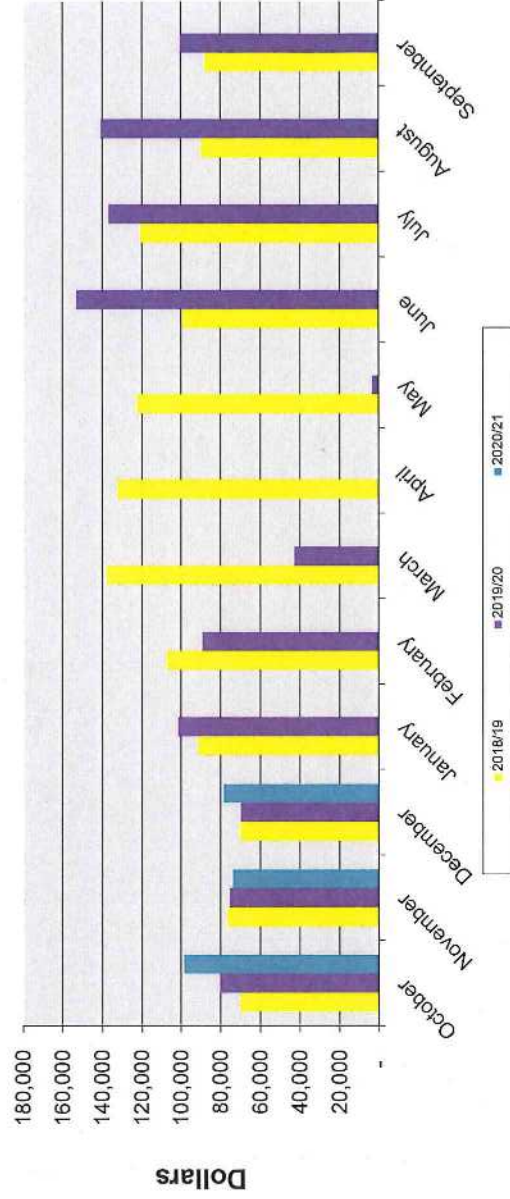
Parking down due to Hurricane Irma -beach closure

Heavy Rains during the month of May affected beach goers

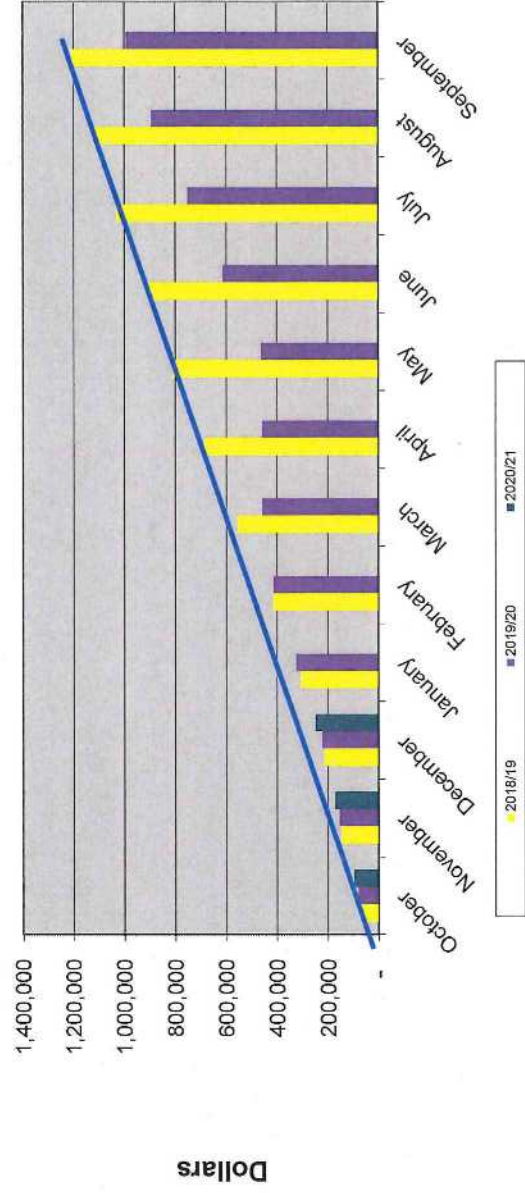
COVID-19 shut down

Beach Parking - thru December 2020

Monthly Beach Parking Collections



Beach Parking Collections - Cumulative Y-T-D



Cumulative	2018/19	2019/20	2020/21
October	70,074	80,310	98,451
November	146,579	155,676	172,193
December	216,803	225,483	250,735
January	308,171	327,069	
February	415,771	416,308	
March	553,802	458,993	
April	686,326	458,993	
May	809,060	462,570	
June	908,477	615,656	
July	1,029,555	752,556	
August	1,119,646	893,345	
September	1,207,766	994,044	
Annual Budget Goal	1,282,367	1,219,032	1,094,352

Pier Revenues

Monthly	2018/19	2019/20	2020/21
October	38,743	56,498	49,128
November	46,891	53,409	39,289
December	49,729	39,713	44,807
January	49,407	67,274	
February	51,283	56,030	
March	317,751	35,125	
April	45,624	152	
May	68,359	9,475	
June	54,747	39,975	
July	73,113	41,848	
August	50,941	48,348	
September	60,729	48,972	
Total	907,317	496,818	133,223

Prolonged heavy rains affected the pier sales in May

Shut down in March due to Corona Virus

Balance includes true-up for the annual rent of the Quarterdeck based on the lease agreement.

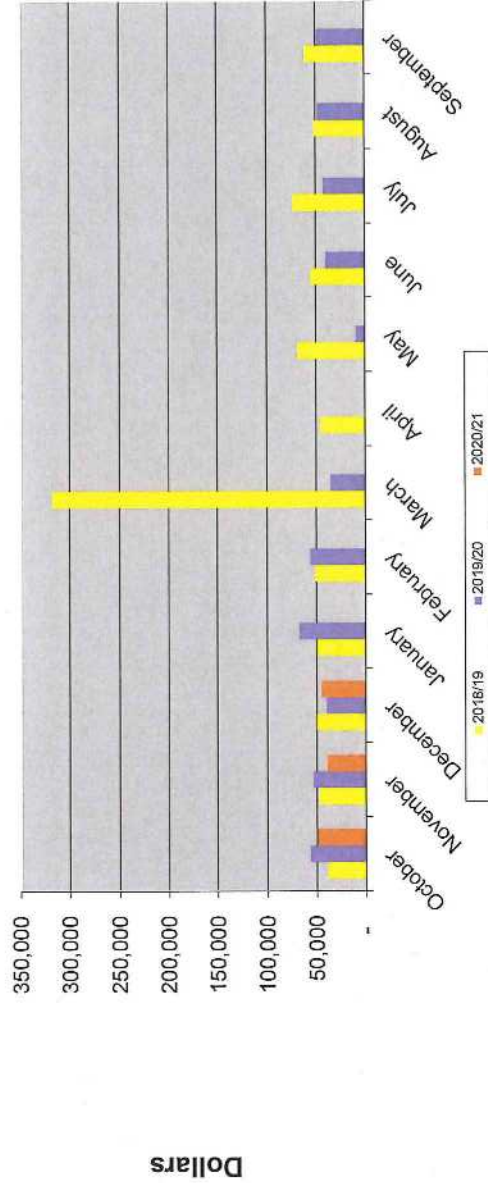
Cumulative

	2018/19	2019/20	2020/21
October	38,743	56,498	49,128
November	85,635	109,907	88,416
December	135,363	149,620	133,223
January	184,770	216,894	
February	236,054	272,924	
March	553,805	308,049	
April	599,429	308,201	
May	667,788	317,676	
June	722,535	357,650	
July	795,648	399,498	
August	846,589	447,846	
September	907,317	496,818	
Annual Budget Goal	918,859	914,098	773,952

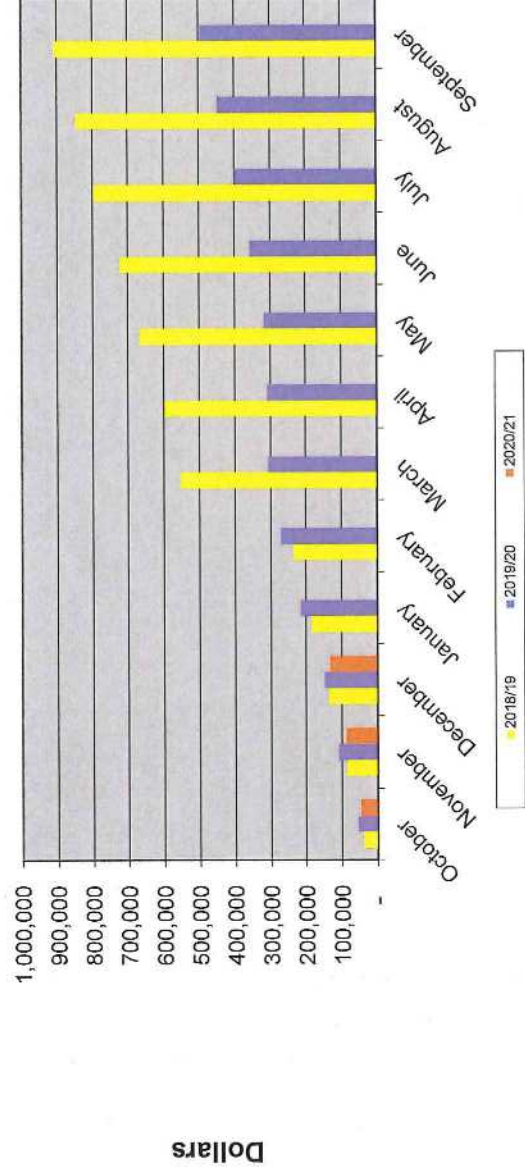
In 2018/19 the Quarterdeck Restaurant Revenues were moved to the Pier fund from General Fund to better reflect their usage.

Pier Revenues - thru December 2020

Monthly Pier Collections



Pier Collections - Cumulative Y-T-D

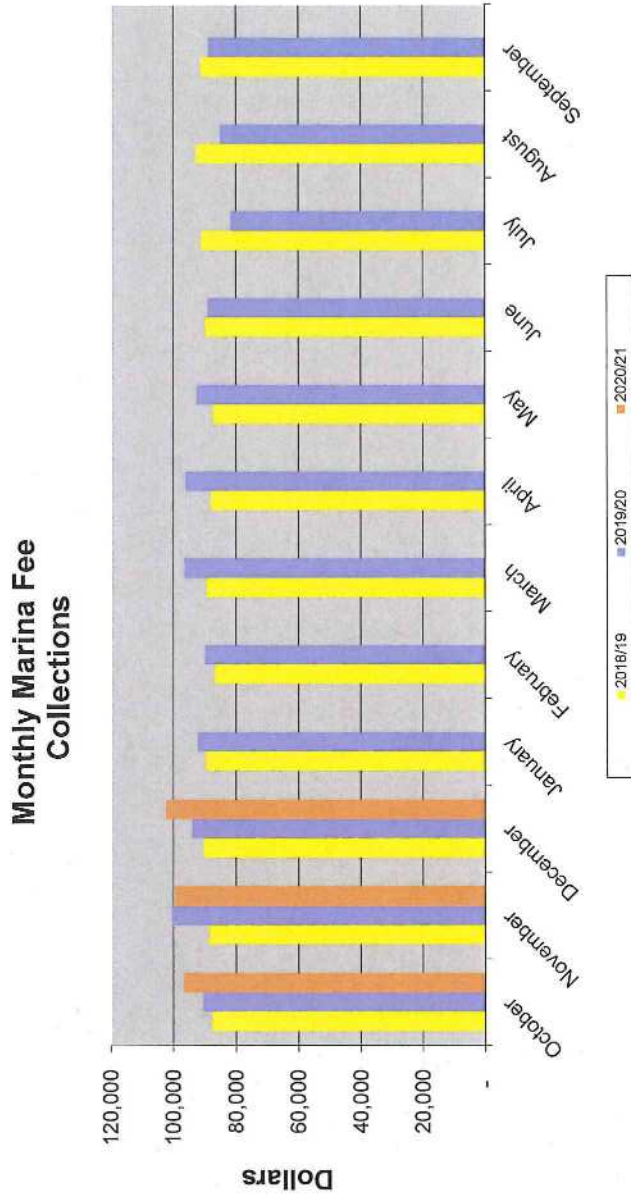


Marina Fee Collections

Monthly	2018/19	2019/20	2020/21
October	87,598	90,680	96,691
November	88,582	100,295	99,519
December	90,299	93,879	102,437
January	89,569	92,197	
February	86,889	89,948	
March	89,350	96,527	
April	88,013	96,264	
May	87,281	92,452	
June	89,733	89,025	
July	91,052	81,799	
August	92,686	85,158	
September	91,173	88,941	
Total	1,072,225	1,097,163	298,647

Marina closed towards end of march due to COVID 19

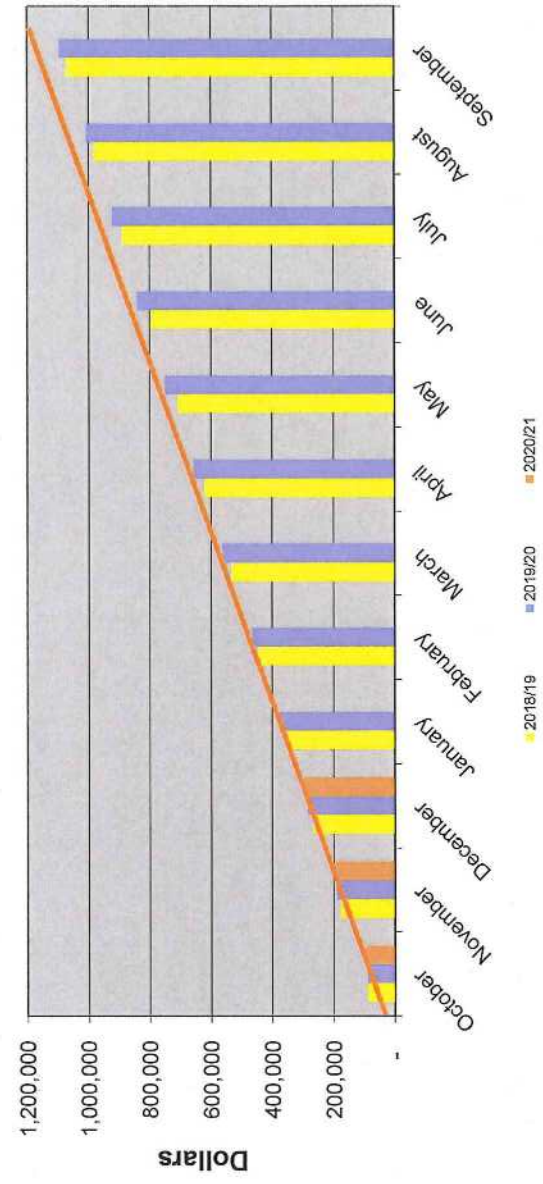
Marina Fees - thru December 2020



Cumulative

	2018/19	2019/20	2020/21
October	87,598	90,680	96,691
November	176,181	190,975	196,210
December	266,479	284,854	298,647
January	356,049	377,051	
February	442,938	466,999	
March	532,287	563,525	
April	620,301	659,789	
May	707,582	752,241	
June	797,315	841,266	
July	888,367	923,065	
August	981,052	1,008,222	
September	1,072,225	1,097,163	
Budget Goal	1,042,263	1,059,831	1,011,953

Marina Fee Collections - Cumulative Y-T-D



Governmental Funds Capital Projects
Capital Project Life Cycle
31-Dec-20

Capital Projects Fund	Original Budget	Budget Amendments	Total Amended Budget Funding	Total Expenses & Open P.O.'s	(Return) of Funding on Completed Projects	Remaining Funds Available	Project Status
Beach Revitalization Phase II	\$ 925,000	\$ 801,799	\$ 1,726,799	\$ (849,266)	\$ -	\$ 877,533	In progress
City Entrance Sign	250,000	113,380	363,380	(359,801)		3,579	In progress
Bus Shelter Program	100,000	-	100,000	(80,739)		19,262	Project Completed
Oasis XV - SW 25th Terrace	200,000	1,304	201,304	(201,304)		(0)	Final Payment Pending
Oasis XIV Project	200,000	(500,000)	47,149	-		47,149	In progress
Total Capital Projects (301)			\$ 2,438,632	\$ (1,491,109)	\$ -	\$ 947,523	

Enterprise Funds Capital Projects
Capital Project Life Cycle
12/31/2020

Stormwater Fund	Original Budget	Budget Amendments	Total Budget Funding	Return of Funding on Completed Projects	Remaining Funding Available	Project Status
SE Stormwater Phase II	\$	\$ 124,145	\$ 6,283,874	\$ -	\$ 6,135,757.00	In-Progress
Taylor Lane Drainage Project	615,000	(81,936)	615,000		25,834	Project Completed
SW 43rd Terrace, SW 40th Court and SW 49th Street P.	1,170,960	-	1,170,960		991,120	In-Progress
Total Stormwater Fund Projects			8,069,834	-	7,152,711	
Water Fund						
NW 1st Ave Water Main Stirling-City Hall	431,730	-	431,730		375,766	In-Progress
Total Water Fund Projects			431,730	-	375,766	
Sewer Fund						
Lift Rehab Projects 5,7,10	1,137,594	-	1,137,594		11,804	In-Progress
SCADA System	257,715	-	257,715		(0)	In-Progress
Total Sewer Fund Projects			1,395,309	-	11,804	
Total Enterprise Projects			\$ 9,896,873	\$ -	\$ 7,540,281	

Miscellaneous Funds For Projects
31-Dec-20

Projects	Remaining Funds Available		Project Status
City Hall Renovation	\$	30,000 \$ 272,500	Not Started
Oasis Project		200,000 200,000	Not Started
Total Funds	\$	472,500	

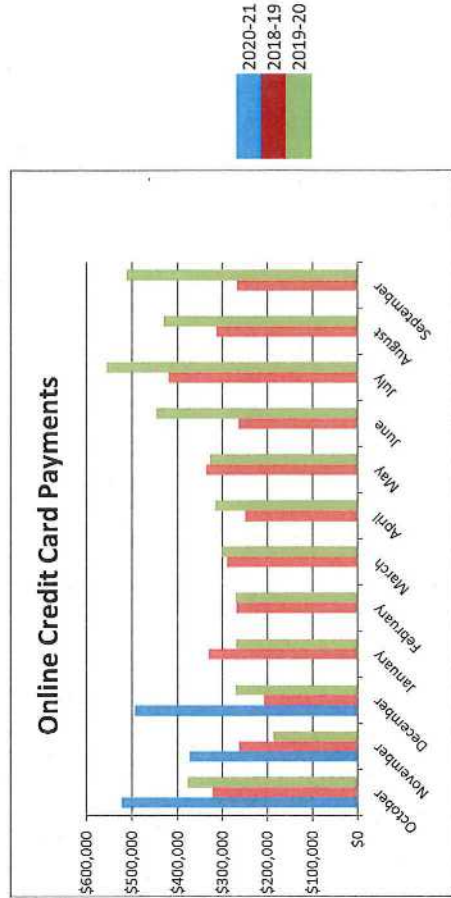
Grant Fund
12/31/2020

Grant	Grant Amount	City Match/Funds	Revenue Received	Remaining Revenue	Total Expenses & Open P.O.'s	Remaining Expense	Project Status	Grant Expiration
TAP Grant	\$ 344,379	\$ 332,535	\$ 308,608	\$ 35,771	\$ (792,676)	\$ 0	Waiting on reimbursement #5	12/31/2020
		Total Remaining Revenue		\$ 35,771				

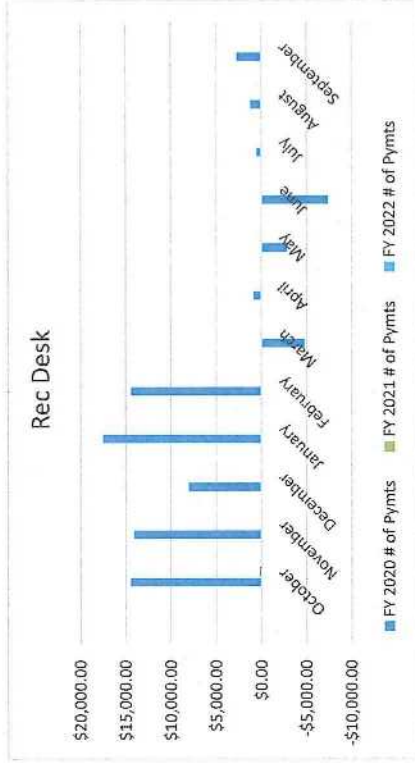
31-Dec-20

PATCH Fund	Original Budget	Budget Amendments	Total Amended Budget Funding	Total Expenses & Open P.O.'s	(Return) of Funding on Completed Projects	Grant Status		
						Remaining Funds Available	Revenue Received	
USDA CRA Grant	\$ 248,872	\$ 52,487	\$ 301,359	\$ (247,464)	\$ -	\$ 53,895	\$ 175,396	In progress
Total CRA Grant			\$ 301,359	\$ (247,464)	\$ -	\$ 53,895		

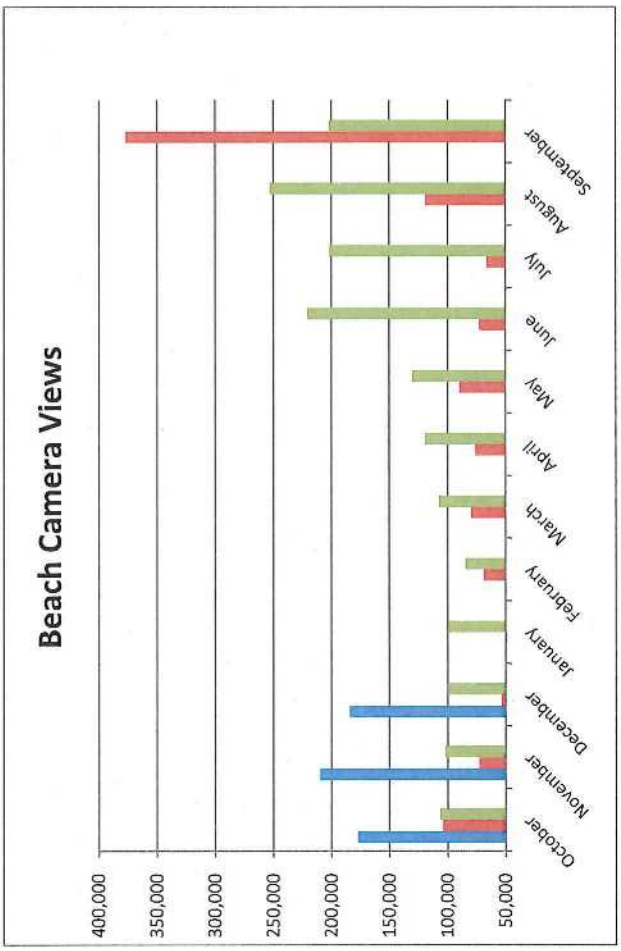
	FY 2021		FY 2019		FY 2020	
	# of Pymts	\$ Value	# of Pymts	\$ Value	# of Pymts	\$ Value
October	1,694	\$522,541	1,571	\$321,462	1,695	\$378,828
November	1,659	\$372,920	1,427	\$262,899	1,293	\$186,710
December	1,859	\$493,048	1,311	\$207,256	1,453	\$270,094
January			1,550	\$330,919	1,378	\$269,347
February			1,424	\$268,905	1,403	\$270,127
March			1,506	\$290,206	1,481	\$300,421
April			1,317	\$249,172	1,742	\$316,140
May			1,525	\$336,388	1,505	\$327,643
June			1,346	\$263,574	1,766	\$446,782
July			1,788	\$419,858	2,054	\$555,309
August			1,627	\$312,880	1,899	\$430,281
September			1,410	\$267,102	2,113	\$511,620



	FY 2020		FY 2021		FY 2022	
	# of		# of		# of	
	Pymts	\$ Value	Pymts	\$ Value	Pymts	\$ Value
October	158	\$14,447	197	\$6,283		
November	94	\$14,092	90	\$2,727		
December	98	\$8,024	46	\$1,398		
January	150	\$17,493				
February	130	\$14,408				
March	143	-\$4,766				
April	23	\$844				
May	4	-\$2,843				
June	75	-\$7,413				
July	30	\$506				
August	29	\$1,144				
September	95	\$2,675				



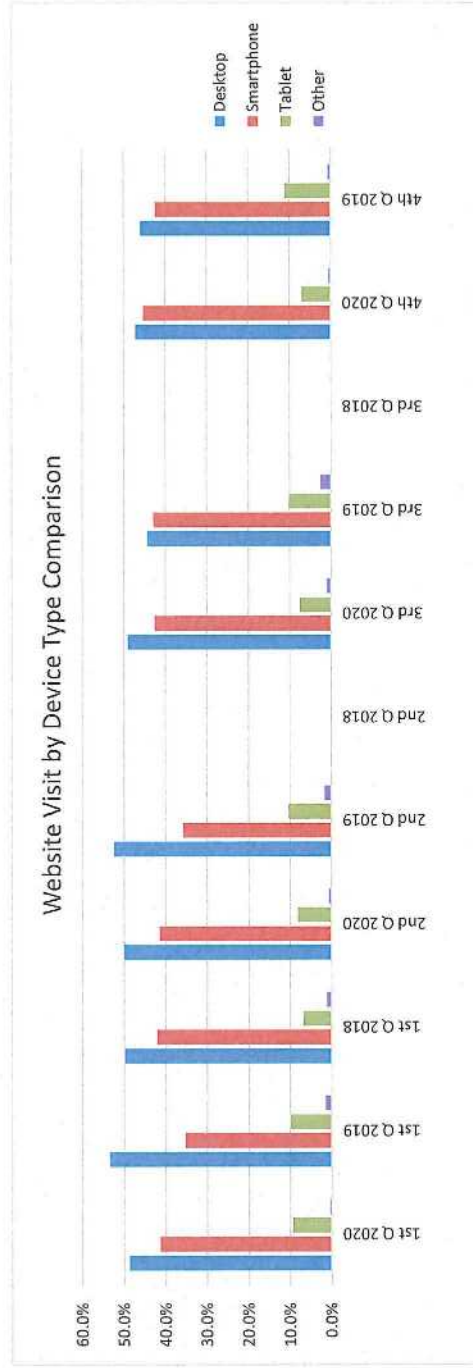
2019-20



	FY 2021	FY 2019	FY 2020
October	177,400	104,200	106,500
November	210,000	73,000	102,700
December	184,300	53,667	99,400
January		49,000	99,700
February		69,100	84,900
March		80,013	107,500
April		76,400	119,982
May		90,000	130,800
June		72,900	221,100
July		66,300	202,000
August		119,400	253,200
September		377,340	202,400

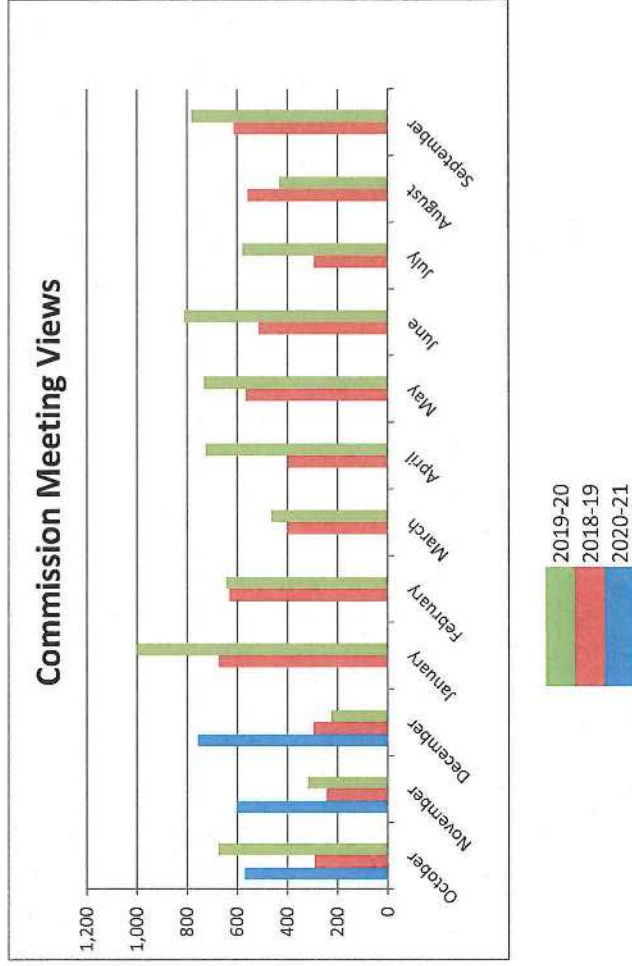
Website Visit by Device Type Comparison

	1st Q 2020	1st Q 2018	2nd Q 2020	2nd Q 2019	2nd Q 2018	3rd Q 2020	3rd Q 2019	3rd Q 2018	4th Q 2020	4th Q 2019	4th Q 2018
Desktop	48.6%	49.8%	49.9%	52.4%		49.0%	44.3%		47.2%	45.9%	
Smartphone	41.3%	42.0%	41.4%	35.7%		42.5%	42.9%		45.2%	42.3%	
Tablet	9.3%	6.8%	8.1%	10.3%		7.6%	10.2%		6.9%	11.2%	
Other	0.4%	1.1%	0.6%	1.6%		0.9%	2.5%		0.5%	0.7%	

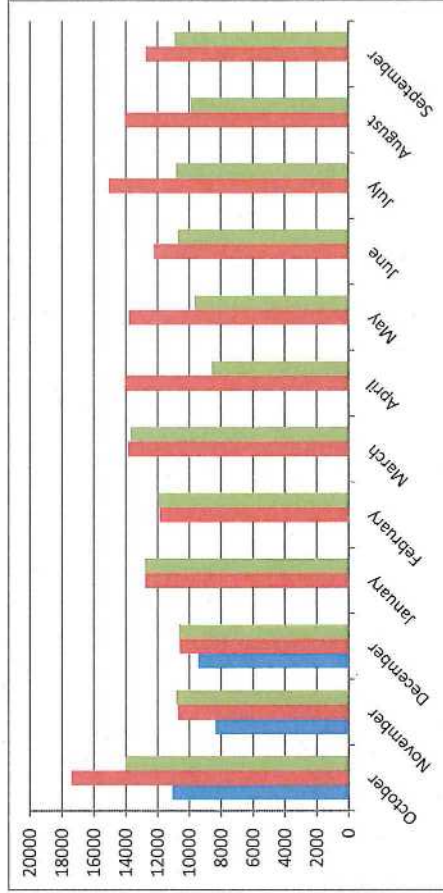


TikiLIVE & YouTube Channel
FY 2021 FY 2019 FY20

October	570	293	674
November	604	244	318
December	757	296	225
January		673	1,000
February		632	644
March		398	463
April		397	725
May		564	731
June		513	811
July		294	578
August		556	431
September		613	781



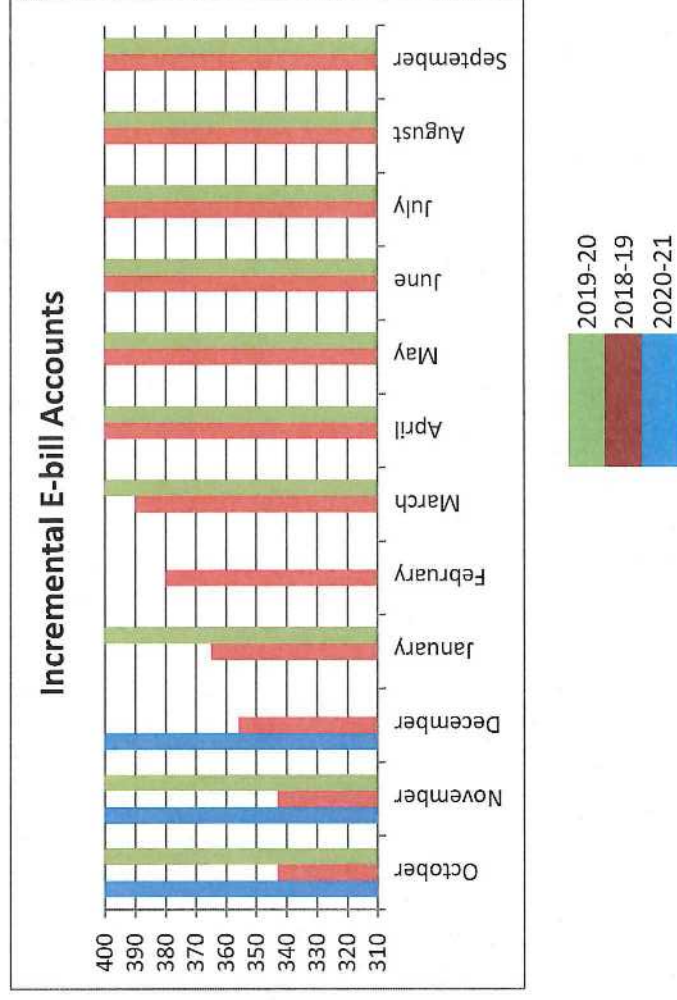
NUMBER OF CITY-WIDE PHONECALLS



	FY 2021	FY 2019	FY 2020
October	11,070	17,408	14,022
November	8,348	10,726	10,812
December	9,435	10,601	10,652
January		12,818	12,810
February		11,883	11,945
March		13,870	13,698
April		14,061	8,583
May		13,832	9,648
June		12,246	10,734
July		15,070	10,836
August		14,064	9,898
September		12,742	10,909

Number of e-bill users by month

	<u>FY 2021</u>	<u>FY 2019</u>	<u>FY20</u>
October	607	343	487
November	612	343	495
December	629	356	
January		365	506
February		380	
March		390	549
April		420	555
May		430	561
June		436	570
July		449	577
August		464	584
September		473	595



Business Tax Receipt Activity - December 2020

Out of Business/Inactive	# of BTRs	Dollar Amount
Ameripark LLC	1	\$ 131.25
Total Out of Business/Inactive	1	\$ 131.25

New Approved Applications	# of BTRs	Dollar Amount
Claude Darmony	1	\$ 31.50
Ecco Clean LLC	1	\$ 131.25
Halprin Realty LLC	1	\$ 236.25
Nichell Robbins	1	\$ 31.50
Power Saver Electric Corp	1	\$ 210.00
Snack Shack Drive Thru Inc	1	\$ 940.00
The House of Teak	1	\$ 1,465.00
Vincenzo & Carolina Benincasa	1	\$ 31.50
Wells Fargo Bank - ATM	1	\$ 105.00
Total New Applications	9	\$ 3,182.00

BTR Status	# of BTRs	Total Dollar Amount
Open Renewals- Current Year	481	\$ 132,007.51
Paid Renewals	3,085	\$ 1,025,121.80
Total BTRs as of 12/31/2020	3,566	\$ 1,157,129.31 **

**includes license fee, fire inspection & solid waste registration

Miscellaneous Billing Invoice Aging Report

Aging Date 12/31/2020
Report By Invoice Type

Description		Current	1-30	31-60	61-90	90+	Total
Invoice Type - CEM - Cemetery							
# 4652 - Eric L Wilson	Reservation of Burial Plot	.00	.00	.00	.00	7570.00	7,570.00
# 5474 - Cokenya D West	Reservation of Burial Plot	.00	.00	.00	.00	250.00	250.00
# 4179 - Al Manuel Funeral Home	Reservation of Burial Plot	.00	1680.00	3810.00	3360.00	1500.00	10,350.00
# 5736 - Sands, Carolyn	Reservation of Burial Plot	.00	.00	.00	.00	3000.00	3,000.00
# 5756 - Rahming Potier Funeral Home	Reservation of Burial Plot	.00	.00	.00	.00	4750.00	4,750.00
# 5755 - McPherson, Eddie Dean	Reservation of Burial Plot	.00	.00	.00	.00	400.00	400.00
# 5757 - Fuller Funeral Home	Reservation of Burial Plot	.00	.00	.00	.00	990.00	990.00
# 5673 - Agape Funeral and Cremation	Reservation of Burial Plot	.00	.00	.00	.00	6720.00	6,720.00
# 5477 - Paradise Funeral Home, LLC	Reservation of Burial Plot	.00	.00	.00	.00	1680.00	1,680.00
# 3946 - Eric S George Funeral Home	Reservation of Burial Plot	.00	.00	.00	.00	2310.00	2,310.00
# 4569 - Clark and Norris Funeral Home	Reservation of Burial Plot	.00	1500.00	.00	.00	.00	1,500.00
# 4431 - Landmark Funeral Home	Reservation of Burial Plot	.00	625.00	.00	.00	.00	625.00
# 4203 - McWhite's Funeral Home	Reservation of Burial Plot	.00	450.00	.00	.00	.00	450.00
# 4182 - Fred Hunters Hollywood	Reservation of Burial Plot	.00	.00	.00	.00	450.00	450.00
# 4786 - Dillard Josephine	Reservation of Burial Plot	.00	.00	.00	.00	200.00	200.00
Cemetery Totals		\$0.00	\$4,255.00	\$3,810.00	\$3,360.00	\$29,820.00	\$41,245.00
Invoice Type - ART & SEAFOOD - Arts & Seafood Festival							
# 5472 - Meyers Group LLC	Arts and Seafood Sponsorship	.00	.00	.00	.00	5000.00	5,000.00
# 4900 - Storm Tight Windows	Arts and Seafood Sponsorship	.00	.00	.00	.00	2,500.00	2,500.00
Arts & Seafood Totals		\$0.00	\$0.00	\$0.00	\$0.00	\$7,500.00	\$7,500.00
Invoice Type - CRA - Misc CRA							
# 4918 - Arnold & Sharon Nearn	Millennium Facade Grant	.00	.00	.00	.00	6000.00	6,000.00
Misc CRA Totals		\$0.00	\$0.00	\$0.00	\$0.00	\$6,000.00	\$6,000.00
Invoice Type - FA - False Alarm							
Miscellaneous FA Customers	BSO & Fire False Alarms	.00	.00	.00	.00	2,000.00	2,000.00
False Alarm Totals		\$0.00	\$0.00	\$0.00	\$0.00	\$2,000.00	\$2,000.00
Invoice Type - FI - Fire Inspection							
3065 - Keynorth Townhomes	Annual Inspection FY 11	.00	.00	.00	.00	1,700.00	1,700.00
3072 - Atlantis Management	Annual Inspection FY 11 & FY 12	.00	.00	.00	.00	7,800.00	7,800.00
1012 - Gulfstream Apts.	Annual Inspection FY 11 & FY 12	.00	.00	.00	.00	2,800.00	2,800.00
# 4466 - Meadowbrook Condo	Annual Inspection FY 13	.00	.00	.00	.00	1,000.00	1,000.00
4644 - Oakbridge Townhomes	Annual Inspection FY 14	.00	.00	.00	.00	4,000.00	4,000.00
Miscellaneous FI Customers	Annual & Re-Inspections	.00	.00	.00	.00	216,495.00	216,495.00
Fire Inspection Totals		\$0.00	\$0.00	\$0.00	\$0.00	\$233,795.00	\$233,795.00
Invoice Type GR COUNTY - Grant Reimb. Broward County							
# 4049 - Broward County - CDBG Grant	CDBG Grant	\$0.00	\$0.00	\$0.00	\$0.00	\$163,730.00	\$163,730.00
GR County Totals		\$0.00	\$0.00	\$0.00	\$0.00	\$163,730.00	\$163,730.00
Invoice Type GR Federal - Grant Reimb. Federal Government							
# 5848 - USDA - Grant	USDA Grant	\$0.00	\$0.00	\$0.00	\$0.00	\$10,541.64	\$10,541.64
GR Federal Totals		\$0.00	\$0.00	\$0.00	\$0.00	\$10,541.64	\$10,541.64
Invoice Type GR State - Grant Reimb. State of Florida							
# 4438 - Florida Department of	State of Florida	\$0.00	\$0.00	\$0.00	\$0.00	\$105,167.53	\$105,167.53
GR State Totals		\$0.00	\$0.00	\$0.00	\$0.00	\$105,167.53	\$105,167.53
Invoice Type LM - Lake Maintenance							
Miscellaneous LM Customers	Lake Maintenance	.00	.00	.00	.00	275.36	275.36
Lake Maintenance Totals		\$0.00	\$0.00	\$0.00	\$0.00	\$275.36	\$275.36
Invoice Type MS - Miscellaneous							
# 4647 - Palmetto Hospitality of Dania	Water Impact Fees	.00	.00	.00	.00	20,242.00	20,242.00
Misc. Customers	Misc. Customers	.00	22,500.00	283,100.00	(1,160.00)	28,535.15	312,975.15
Miscellaneous Totals		\$0.00	\$22,500.00	\$283,100.00	(\$1,160.00)	\$48,777.15	\$335,217.15
Grand Totals		\$0.00	\$26,755.00	\$266,910.00	\$2,200.00	\$607,606.68	\$903,471.68

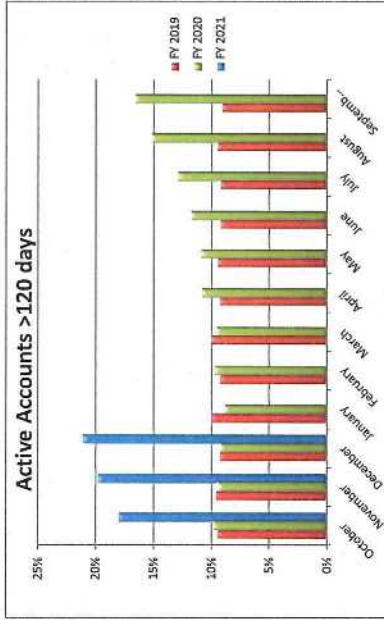
City of Dania Beach
Commercial Solid Waste Report FY 2020-2021
Payments Received

		Annual Budget		\$ 622,848							
Waste Hauler											
	Choice Waste AKA Waste Connections	Waste Management	All Service Refuse AKA Republic Services	S & S National Waste AKA Bicon, Inc.	Sunshine Recycling Services	Panzarella Waste & Recycling Services	Great Waste	EZ Waste & Recycling	COASTAL WASTE & RECYCLING INC		
Permit Application Fee	75.00		75.00	225.00		75.00		75.00			
Annual Permit Fee	1,000.00		1,000.00	1,000.00		1,000.00		1,000.00			Monthly Activity
Monthly Franchise											
Oct	2,602.34	35,852.88	12,622.11	2,152.53		429.86	3,240.32		601.33		57,501.37
Nov	2,854.89	35,208.63	11,897.08	4,147.76		691.59			990.56		55,790.51
Dec	2,648.46	31,039.75	14,427.66	3,583.84		358.68	2,115.57		1,203.24		55,377.20
Jan											-
Feb											-
Mar											-
Apr											-
May											-
Jun											-
Jul											-
Aug											-
Sep											-
Total Mo. Franchise	8,105.69	102,101.26	38,946.85	9,884.13	-	1,480.13	5,355.89	-	2,795.13		168,669.08
Total Receipts											
	\$ 9,180.69	\$ 102,101.26	\$ 40,021.85	\$ 11,109.13	\$ -	\$ 2,555.13	\$ 5,355.89	\$ 1,075.00	\$ 2,795.13	\$ 174,194.08	

WATER & SEWER UTILITY AGING REPORT

ACTIVE ACCOUNTS

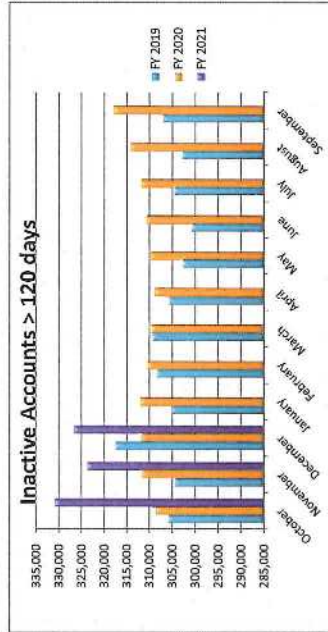
	FY 2019			FY 2020			FY 2021		
	>120 Past Due	Monthly Billings	% DELQ	>120 Past Due	Monthly Billings	% DELQ	>120 Past Due	Monthly Billings	% DELQ
October	95,385	1,010,211	9%	101,263	\$ 1,028,181	10%	183,822	\$ 1,019,908	18%
November	98,732	1,023,885	10%	102,632	1,094,606	9%	207,753	1,049,166	20%
December	99,290	1,080,590	9%	100,463	1,093,753	9%	227,856	1,082,042	21%
January	101,512	1,016,702	10%	101,513	1,151,809	9%			
February	99,383	1,082,970	9%	105,524	1,086,072	10%			
March	101,087	1,093,628	10%	104,516	1,090,084	10%			
April	105,959	1,140,270	9%	107,366	991,898	11%			
May	107,545	1,135,444	9%	113,868	1,048,083	11%			
June	105,858	1,149,476	9%	127,306	1,078,705	12%			
July	102,130	1,106,583	9%	143,126	1,110,772	13%			
August	102,832	1,086,057	9%	157,934	1,041,324	15%			
September	101,787	1,122,546	9%	167,246	1,005,176	16.64%			
Annual Avg	\$ 101,790	\$ 1,079,864	9%	\$ 119,396	\$ 1,068,372	11%	\$ 206,477	\$ 1,050,372	20%



Active Account Graph: Billing data indicates delinquency rate on active accounts remain constant at an average of 1% of billings per month

INACTIVE ACCOUNTS

	FY 2019			FY 2020			FY 2021		
	>120 Past Due	Monthly Billings	% +/-	>120 Past Due	Monthly Billings	% +/-	>120 Past Due	Monthly Billings	% +/-
October	305,930	308,582	1%	330,831	330,831	7%			
November	304,415	311,477	2%	323,648	323,648	4%			
December	317,608	311,598	-2%	325,595	325,595	5%			
January	304,953	311,938	2%						
February	308,340	310,421	1%						
March	309,318	309,600	0%						
April	305,857	308,699	1%						
May	302,754	309,813	2%						
June	300,799	310,711	3%						
July	304,591	311,770	2%						
August	302,839	314,242	4%						
September	307,081	317,910	3%						
Annual Avg	\$ 306,207	\$ 311,397	2%	\$ 327,025	\$ 327,025	100%			



	FY 2020	FY 2021
	0%	8%
	0%	10%
	0%	12%
	-1%	-9%
	1%	-10%
	2%	-11%
	1%	-12%
	3%	-13%
	4%	-15%
	8%	-17%
	2%	-6%

Water Fund

Monthly Utility Account Activity

Misc

Building/ New Construction Activity				Delinquent Account Activity				Meter Replacement				New Accts	
Water Impact Fee		Water Tap Fee		Delinquent		Turn-Off		Pulled Meter Reinstall Fee		# of Meters Replaced		# per Month	Prior Yr.
2020	2021	2020	2021	2020	2021	2020	2021	2020	2021	5/8"	1" - 1 1/2"	2" and above	Total

City of Dania Beach

General Fund

Unassigned Fund Balance - - Contingency

Balance 10/1/20 Estimated

----- General Fund -----

ContingencyUnassigned
Fund Balance

\$ 233,398 \$ 25,146,719

(Uses) / Additions:

October	(4,372)	(382,593)
November	(28,095)	-
December	19,262	-
January	-	-
February	-	-
March	-	-
April	-	-
May	-	-
June	-	-
July	-	-
August	-	-
September	-	-

Sub-Total (Uses) / Additions

(13,205) (382,593)

Sub-Total Available

220,193 24,764,126

Other Considerations

GFOA/City Commission 25% Reserve

(12,500,000) est.

Bridge Loans - S.E. Stormwater

(1,000,000)

Estimate of Availability at 09/30/20**\$ 220,193 \$ 11,264,126**

City of Dania Beach

#001-18-00-519-99-10

Contingency Account

Original Budget \$ 233,398

Uses:

	Total
Oct	(4,372)
Nov	(28,095)
December	19,262
January	
February	
March	
April	
May	
June	
July	
August	
September	
Balance Remaining	\$ 220,193

Holiday lighting
moving of welcome signs
Return of Funds for completed
bus project

City of Dania Beach

General Fund

Analysis of

Fund Balance

	<u>Balance Per CAFR 10/1/20 (est)</u>	25,146,719	
Uses: <u>#389-90-01</u>			
October	(382,593)		Rollover PO's+ City Center funds (71k)
November			
December			
January			
February			
March			
April			
May			
June			
July			
August			
September			
Total Uses (Sources)	<u>(382,593)</u>		
Estimated Balance Available 09/30/21	<u>\$ 24,764,126</u>		
<u>Other Considerations</u>			
GFOA/City Commission 25% Reserve	(12,500,000) est.		
Bridge Loans - S.E. Stormwater	(1,000,000)		
Estimate of Availability at 09/30/20	<u><u>11,264,126</u></u>		