

**CITY OF DANIA BEACH CITY COMMISSION MEETING
DECEMBER 14, 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 Ordinance No. 2021-012, adopted February 9, 2021, and Resolution No. 2021-070, adopted May 11, 2021, related to conducting public meetings while under the public health emergency related to the spread of Novel Coronavirus Disease 2019 (COVID-19). The City Commission Chamber 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 Zoom

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: Join Zoom via the browser and enter 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
December 14, 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 Zoom

Go to <https://zoom.us/> to access the meeting from your device

Use this meeting link to join as an attendee: <https://us02web.zoom.us/j/83097962338>

Using your telephone

One tap mobile :

US: +19294362866,,83097962338# or +13017158592,,83097962338#

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 929 436 2866 or +1 301 715 8592 or +1 312 626 6799 or
+1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799

Webinar ID: 830 9796 2338

To raise hand and be acknowledged to speak:

1. Users who call in can dial *9 to raise their hand
2. If in Zoom, hover at the bottom middle of screen to see the raise hand option and click
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, DECEMBER 14, 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

1. Tamara James Foundation Thanksgiving Drive - requested by Mayor James
2. American Rescue Plan Act (ARPA) funding and eligible uses/projects presentation by Government Services Group. Inc.
3. NW 1st Street Bridge Public Art Mural Presentation by CACAB/Candido Sosa-Cruz, Deputy City Manager

4. Special Event request from Marina84 Sports Bar & Grill to host a recurring "Marina84 Bike Night" to be held at 2440 West State Road 84 every Wednesday beginning January 5, 2022 through December 28, 2022 from 5:00 p.m. - 11:00 p.m. (*Community Development*)
5. Special Event request from the Florida Recreation & Parks Association (FRPA) for the 2022 SE FRPA Turf Rodeo to be held at P.J. Meli Park & Aquatic Complex on Thursday, March 24, 2022 from 8:00 a.m. - 3:00 p.m. (*Parks & Recreation*)
6. Amendment to the Special Event request from the City of Dania Beach Community Redevelopment Agency (CRA) to host "Dania After Dark" on December 4, 2021, and on the second Saturday of each month in 2022, up to and including November 12, 2022 from 5:00 p.m. - 10:00 p.m. (*Community Development*)

4. PROCLAMATIONS

5. CITIZEN COMMENTS

Addressing the Commission: A thirty (30) minute "Citizen Comments" period shall be designated on the agenda for citizens and interested persons to speak on matters whether or not scheduled on that day's agenda. Individuals wishing to speak on a matter not included on the "Public Hearing" section of the agenda, which matter pertains to an item before the City Commission which requires a decision of the City Commission, may do so by signing in and submitting a form to that effect with the City Clerk prior to the meeting. Speakers at Public Hearings shall also submit such a form. Each speaker shall be limited to 3 minutes for his or her comments. If more than ten (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 October 26, 2021 City Commission Virtual Meeting
Approve Minutes of November 9, 2021 City Commission Virtual Meeting

2. Travel Requests: None

3. RESOLUTION NO. 2021-180

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, JOINING THE ICLEI - LOCAL GOVERNMENTS FOR SUSTAINABILITY USA'S ("ICLEI USA'S") ICLEI150 RACE TO ZERO; COMMITTING TO PARTICIPATE IN THE REQUIRED RACE TO ZERO ACTIVITIES; AUTHORIZING THE MAYOR TO SIGN THE ICLEI150 COMMITMENT FORM; AUTHORIZING THE CITY MANAGER TO COMMIT

SUFFICIENT STAFF TIME AND RESOURCES TO CARRY OUT RACE TO ZERO ACTIVITIES; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Commissioner Lewellen)*

4. RESOLUTION NO. 2021-181

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A TWO (2) YEAR RENEWAL OF THE EXISTING AGREEMENT WITH MARTIN-GOLD COAST, LLC FOR BUS STOP AND SHELTER MAINTENANCE SERVICES AND AMENDING THAT AGREEMENT TO INCLUDE TWENTY-EIGHT (28) ADDITIONAL BUS STOPS AND BUS SHELTERS IN AN AMOUNT PAID TO THE CITY OF SIXTY-SIX THOUSAND TWO HUNDRED DOLLARS (\$66,200.00); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Public Services)*

5. RESOLUTION NO. 2021-182

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FOR DATA BACKUP AND DISASTER RECOVERY SERVICES, TO BE PROVIDED BY NET3 TECHNOLOGY, FOR FISCAL YEAR 2021-22, THAT EXCEED THE ANNUAL VENDOR THRESHOLD TOTAL AMOUNT OF TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00); PROCEEDING WITHOUT COMPETITIVE BIDDING AND AUTHORIZING PURCHASES THAT ARE TO BE MADE WITHIN THE INFORMATION TECHNOLOGY FUND APPROVED ANNUAL BUDGET APPROPRIATIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Finance)*

6. RESOLUTION NO. 2021-183

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FOR MONTHLY SERVER MONITORING AND SUPPORT SERVICES, INCLUDING ADDITIONAL CONTRACTED SUPPORT FROM LAN INFOTECH, FOR FISCAL YEAR 2021-22, THAT EXCEED AN ANNUAL VENDOR TOTAL AMOUNT OF TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00); PROCEEDING WITHOUT COMPETITIVE BIDDING AND AUTHORIZING PURCHASES FROM THE INFORMATION TECHNOLOGY FUND APPROVED ANNUAL BUDGET APPROPRIATIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Finance)*

7. RESOLUTION NO. 2021-184

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FOR LASERFICHE ELECTRONIC DOCUMENT STORAGE AND RETENTION SOFTWARE, TO BE PROVIDED BY MCCINNOVATIONS, FOR FISCAL YEAR 2021-22, THAT EXCEED THE ANNUAL VENDOR THRESHOLD TOTAL AMOUNT OF TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00); PROCEEDING WITHOUT COMPETITIVE BIDDING AND AUTHORIZING SUCH PURCHASES THAT ARE TO BE MADE WITHIN THE INFORMATION TECHNOLOGY FUND WITHIN THE CITY'S APPROVED ANNUAL BUDGET APPROPRIATIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Finance)*

8. RESOLUTION NO. 2021-185

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO PURCHASE ONE (1) FORD VEHICLE FOR THE PUBLIC SERVICES DEPARTMENT IN AN AMOUNT NOT TO EXCEED ONE HUNDRED SIXTEEN THOUSAND THREE HUNDRED THIRTY NINE DOLLARS (\$116,339.00) FROM PALMETTO FORD OF MIAMI, WITHOUT COMPETITIVE BIDDING AND WITHOUT ADVERTISEMENT FOR BIDS, BY UTILIZING THE PRICING UNDER THE FLORIDA SHERIFFS ASSOCIATION ("FSA") CONTRACT FSA20-VEL18.; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Public Services)*

9. RESOLUTION NO. 2021-186

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO APPLY FOR THE BROWARD METROPOLITAN PLANNING ORGANIZATION's (MPO's) "2021/2022 COMPLETE STREETS AND OTHER LOCALIZED INITIATIVES PROGRAM" ("CSLIP"), TO SEEK GRANT FUNDING FOR THE IMPROVEMENT OF NW AND SW 1ST AVENUE, BETWEEN SW 3RD STREET AND NW 3RD STREET, WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF DANIA BEACH, FLORIDA; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Community Development)*

10. RESOLUTION NO. 2021-187

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, ESTABLISHING THE OFFICIAL INTENT OF THE CITY TO ISSUE TAX-EXEMPT BONDS OR NOTES IN AN AMOUNT NOT EXCEEDING ONE MILLION DOLLARS (\$1,000,000.00), TO FINANCE THE COSTS RELATING TO STREET LIGHTING IMPROVEMENT CAPITAL PROJECTS, AND TO USE A PORTION OF THE PROCEEDS OF SUCH BONDS OR NOTES TO REIMBURSE

EXPENDITURES PAID OR INCURRED PRIOR TO THE DATE OF ISSUANCE OF SUCH BONDS OR NOTES; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Finance)*

11. RESOLUTION NO. 2021-188

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, ADOPTING A CITY “DEBT MANAGEMENT POLICY”; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Finance)*

12. RESOLUTION NO. 2021-189

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, ADOPTING A CITY “FUND BALANCE AND RESERVES POLICY”; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Finance)*

13. RESOLUTION NO. 2021-190

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH CAREERSOURCE BROWARD (“CSBD”) FOR A SUMMER YOUTH EMPLOYMENT PROGRAM; TO PROVIDE SUMMER EMPLOYMENT OPPORTUNITIES TO FOURTEEN (14) YOUTH RESIDENTS OF DANIA BEACH, IN AN AMOUNT NOT TO EXCEED FIFTY THOUSAND DOLLARS (\$50,000.00); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Finance)*

14. RESOLUTION NO. 2021-191

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, RELATING TO THE ASSIGNMENT AND ASSUMPTION OF THE WESTREC LEASE AND CONSENT TO ASSUMPTION TO HARBOUR TOWNE SMI WESTREC, LLC, A DELAWARE LIMITED LIABILITY COMPANY, THAT IS A WHOLLY-OWNED SUBSIDIARY OF SUNTEX MARINA INVESTORS, LLC.; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE ASSIGNMENT AGREEMENT AND ESTOPPEL LETTER; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(City Attorney)*

15. RESOLUTION NO. 2021-192

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, RELATING TO THE ASSIGNMENT AND ASSUMPTION OF (1) THE MARINA MANAGEMENT AGREEMENT DATED OCTOBER 1, 2016 BETWEEN THE CITY OF DANIA BEACH AND WESTREC MARINA MANAGEMENT, INC., AS MANAGER AND OPERATOR OF THE MARINA LOCATED AT 151 NORTH BEACH ROAD, DANIA BEACH (“MARINA”), AND (2) THE FISHING PIER MANAGEMENT AND BAIT SHOP OPERATIONS AGREEMENT, DATED AUGUST 1, 2014 (THE PIER MANAGEMENT AGREEMENT), WHICH AGREEMENTS COLLECTIVELY SHALL BE KNOWN AS THE “MANAGEMENT AGREEMENTS”, TO BE ASSIGNED TO WESTREC SMI OPCO, LLC, A DELAWARE LIMITED LIABILITY COMPANY (“ASSIGNEE”), WHICH IS A SUBSIDIARY OF SUNTEX MARINA INVESTORS, LLC, A DELAWARE LIMITED LIABILITY COMPANY.; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE ASSIGNMENT AND ASSUMPTION OF THE MANAGEMENT AGREEMENTS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(City Attorney)*

8. BIDS AND REQUESTS FOR PROPOSALS

1. RESOLUTION NO. 2021-193

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE AWARD OF INVITATION TO BID (“ITB”) NO. 21-025, ENTITLED “PIER REFURBISHING PROJECT” TO INDUSTRIAL MAINTENANCE SERVICES, INC., (D/B/A IMS CONTRACTING INC.) (“INDUSTRIAL”) AT A COST OF TWO MILLION NINE THOUSAND NINE HUNDRED SEVENTY-ONE DOLLARS AND SEVENTY-TWO CENTS (\$2,009,971.72); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Public Services)*

2. RESOLUTION NO. 2021-194

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE AWARD OF REQUEST FOR PROPOSALS (“RFP”) NO. 21-030, ENTITLED “PUBLIC ART PLAN ADMINISTRATOR” TO THE CULTURAL PLANNING GROUP, LLC, IN AN ANNUAL AMOUNT NOT TO EXCEED FIFTY THOUSAND DOLLARS (\$50,000.00); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Community Development)*

3. RESOLUTION NO. 2021-195

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE AWARD OF REQUEST FOR PROPOSALS

(“RFP”) NO. 21-029, ENTITLED “BEACH CLEANING SERVICES”, TO BEACH RAKER LLC, IN AN ANNUAL AMOUNT NOT TO EXCEED ONE HUNDRED SIX THOUSAND TWO HUNDRED DOLLARS (\$106,200.00); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Parks & Recreation)*

4. RESOLUTION NO. 2021-196

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CITY COMMISSION TO RANK THE THREE FIRMS THAT RESPONDED TO THE CITY’S REQUEST FOR QUALIFICATIONS (“RFQ”) NO. 21-024, ENTITLED “CONSTRUCTION MANAGER AT RISK SERVICES”, FOR CONSTRUCTION MANAGEMENT SERVICES RELATED TO NEW CONSTRUCTION AT CW THOMAS PARK, AND TO AUTHORIZE CONTRACT NEGOTIATIONS TO BEGIN WITH THE TOP-RANKED CONSULTANT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Parks & Recreation)*

9. PUBLIC HEARINGS

1. ORDINANCE NO. 2021-029

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 6, OF THE CITY CODE OF ORDINANCES, WHICH CHAPTER IS ENTITLED “BEACHES, PARKS, WATERWAYS AND RECREATION” AT ARTICLE IV, ENTITLED “REGULATION OF MARINE VEHICLES IN CITY WATERWAYS” BY AMENDING SECTION 6-42(s) ENTITLED “REGULATION OF CITY WATERWAYS” TO CHANGE THE REFERENCE TO FLORIDA STATUTES CHAPTER 371 TO FLORIDA STATUTES 328; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)** *(City Attorney)*

2. ORDINANCE NO. 2021- 030

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF CITY FUNDS EXCEEDING ONE MILLION DOLLARS (\$1,000,000.00), WHICH EXPENDITURE IS NOT TO EXCEED THE PROJECT ESTIMATE APPROVED BY THE CITY COMMISSION, TO FUND THE DANIA BEACH OCEAN PARK PIER REFURBISHING PROJECT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)** *(Public Services)*

3. ORDINANCE NO. 2021-031

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, RELATING TO THE LAND DEVELOPMENT CODE (LDC); AMENDING SECTION 725-30, ENTITLED “TERMS DEFINED” BY (1) CREATING A DEFINITION FOR “LABORATORY”; (2) AMENDING THE DEFINITION OF “OFFICE, MEDICAL” TO INCLUDE SPECIFIC NON-LABORATORY USES; AND (3) AMENDING SECTION 115-40, ENTITLED “SCHEDULE OF PERMITTED USES” FOR INDUSTRIAL ZONED DISTRICTS RELATING TO LABORATORIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)** *(Community Development)*

4. ORDINANCE NO. 2022-001

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 28 OF THE CITY CODE OF ORDINANCES WHICH CHAPTER IS ENTITLED “LAND DEVELOPMENT CODE,” SUBPART 1, ENTITLED “COMMUNITY REDEVELOPMENT AREA (CRA) FORM-BASED ZONING DISTRICTS”, ARTICLE 300, ENTITLED “HOW TO USE,” AT SECTION 300-10, ENTITLED “THE CRA INCLUDES SIX FORM-BASED DISTRICTS”; AMENDING SECTION 300-30, ENTITLED “HOW TO DETERMINE THE BUILDABLE AREA OF A LOT, ALLOWABLE DENSITY AND BUILDING HEIGHT;” AMENDING ARTICLE 301, ENTITLED “LEGAL AND ADMINISTRATIVE PROVISIONS,” AT SECTION 301-20, ENTITLED “APPLICABILITY” TO FURTHER ADDRESS REGIONAL ACTIVITY CENTER (RAC) FUTURE LAND USE DESIGNATIONS AS IDENTIFIED IN THE CITY’S COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)** *(Community Development)*

5. ORDINANCE NO. 2022-002

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, PURSUANT TO FLORIDA STATUTE SECTIONS 163.3184, 163.3161(10) AND 187.101(3), THE CITY AMENDS ITS COMPREHENSIVE PLAN, TO CREATE ELEMENT 11, ENTITLED “PROPERTY RIGHTS ELEMENT;” PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)** *(Community Development)*

6. ORDINANCE NO. 2022-003

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA

BEACH, FLORIDA, TO ADOPT AN AMENDMENT TO THE CITY OF DANIA BEACH COMPREHENSIVE PLAN TO UPDATE THE WATER SUPPLY PLANNING PROVISION, BY AMENDING THE TEXT FOR THE “SANITARY SEWER, SOLID WASTE, DRAINAGE, POTABLE WATER, NATURAL GROUNDWATER AQUIFER RECHARGE ELEMENT,” THE “CAPITAL IMPROVEMENTS ELEMENT,” THE “CONSERVATION ELEMENT,” AND THE “FUTURE LAND USE ELEMENT” ATTACHED AS COMPOSITE EXHIBIT “A,” AND INCORPORATED BY REFERENCE INTO THIS ORDINANCE; PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY (DEO) AND ALL OTHER UNITS OF LOCAL GOVERNMENT AND OTHER GOVERNMENTAL AGENCIES, AS REQUIRED BY LAW; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)** *(Community Development)*

7. ORDINANCE NO. 2022-004

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, RELATING TO UPDATE OF CERTAIN PROVISIONS OF CHAPTER 28, ENTITLED “LAND DEVELOPMENT CODE” (THE “LDC”) BY: (1) AMENDING SECTION 105-180, ENTITLED “E-1 DISTRICT;” TO ADD REFERENCE TO NEWLY ENACTED STATE LEGISLATION AFFECTING THE ESTATE RESIDENTIAL USE DISTRICTS; (2) BY AMENDING SECTION 110-20, ENTITLED “LIST OF PERMITTED, SPECIAL EXCEPTION AND PROHIBITED USES” TO CLARIFY REGULATIONS FOR KENNELS AND VETERINARIANS; (3) BY AMENDING SECTION 110-100, ENTITLED “HOTELS” TO PERMIT HOTEL SHUTTLE VEHICLES TO PARK AT HOTELS; (4) BY AMENDING SECTION 110-320, ENTITLED “MOBILE FOOD VENDING CONDITIONS OF USE” TO ADDRESS THE SUNSET PROVISION; (5) BY AMENDING SECTION 110-190, ENTITLED “USES SUBJECT TO MINIMUM SEPARATION DISTANCES” TO SPECIFY DOOR-TO-DOOR DISTANCE SEPARATION MEASUREMENT; (6) BY AMENDING SECTION 215-50, ENTITLED “PERMITTED YARD ENCROACHMENTS IN THE E-1, RS-18000, RS-12000, RS-8000, RS-6000, NBHD-RES, AND RD-8000 DISTRICTS;” (7) BY AMENDING SECTION 215-60, ENTITLED “PERMITTED YARD ENCROACHMENTS IN THE RM, RM-1 AND RM-2 DISTRICTS;” (8) BY AMENDING SECTION 215-90, ENTITLED “ACCESSORY STRUCTURE SETBACKS” TO CLARIFY AIR CONDITIONING UNIT SETBACKS FOR MOBILE HOMES; (9) BY AMENDING SECTION 220-65, ENTITLED “ROOFTOP PHOTOVOLTAIC SOLAR SYSTEMS; GO SOLAR-BROWARD ROOFTOP SOLAR CHALLENGE PERMITTING PROCESS;” TO CLARIFY RULES FOR ROOFTOP SOLAR PANELS; (10) BY AMENDING SECTION 275-90, ENTITLED “PERIMETER BUFFER LANDSCAPE REQUIREMENTS FOR VEHICULAR USE AREAS (VUAS)” TO CONFORM WALL HEIGHT REGULATIONS WITH OTHER SECTIONS OF THE LAND

DEVELOPMENT CODE; (11) BY AMENDING SECTION 303-40, ENTITLED “CITY CENTER (CC) DISTRICT” TO CORRECT FIGURE 303-7 CITY CENTER DISTRICT MAP; (12) BY AMENDING SECTION 610-20, ENTITLED “TABLE OF PUBLIC NOTICE REQUIREMENTS” TO MODIFY THE REQUIREMENT FOR POSTING AT CITY HALL AND ON CITY WEBSITE FROM TEN (10) DAYS TO FIVE (5) DAYS; (13) BY AMENDING SECTION 620-40, ENTITLED “LIST OF AUTHORIZED ADMINISTRATIVE VARIANCES” TO CLARIFY PERMITTED ADMINISTRATIVE VARIANCES; AND (14) BY AMENDING SECTION 675-20, ENTITLED “TEMPORARY USES AUTHORIZED” TO CLARIFY RULES FOR TEMPORARY USES AND SPECIAL EVENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)** *(Community Development)*

8. ORDINANCE NO. 2022-005

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING BY VOLUNTARY PETITION THE ANNEXATION OF LAND (22,425 SQUARE FEET, LOCATED BETWEEN ANGLERS AVENUE ALSO KNOWN AS RAVENSWOOD ROAD AND SW 22ND AVENUE, SW 42ND STREET, AND SW 39TH STREET), WHICH REAL PROPERTY IS OWNED BY SMS OF SOUTH FLORIDA, INC., A FLORIDA CORPORATION, INTO THE CORPORATE LIMITS OF THE CITY OF DANIA BEACH, FLORIDA, PURSUANT TO SECTION 171.044, FLORIDA STATUTES, AND PROVIDING A LEGAL DESCRIPTION OF THE PROPERTY SUBJECT TO THE VOLUNTARY ANNEXATION; PROVIDING FOR PUBLICATION OF NOTICE; PROVIDING FOR FILINGS WITH THE APPROPRIATE GOVERNMENTAL AGENCIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)** *(Community Development/City Attorney)*

9. ORDINANCE NO. 2022-006

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, ADOPTING ARTICLE 826 ENTITLED “OAK HAMMOCK TREE PROTECTION OVERLAY” UNDER THE CITY’S LAND DEVELOPMENT CODE (LDC) OF THE CITY OF DANIA BEACH CODE TO BECOME A PERMANENT ORDINANCE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)** *(Community Development/City Attorney)*

10. RESOLUTION NO. 2021-197

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE SITE PLAN MODIFICATION (SP-46-21MOD),

SUBMITTED BY KIMLEY-HORN & ASSOCIATES, INC., FOR PROPERTY GENERALLY LOCATED WEST OF BRYAN ROAD, BETWEEN NW 2 STREET AND RADIANT DRIVE, WITHIN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT “A” (“PROPERTY”), WHICH EXHIBIT IS MADE A PART OF AND INCORPORATED BY REFERENCE INTO THIS RESOLUTION; PROVIDING FOR CONDITIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Community Development)*

11. RESOLUTION NO. 2021-198

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE SITE PLAN (SP-035-20), VARIANCE (VA-055-20), AND DESIGN VARIATION (OT-054-20) SUBMITTED BY GREENSPOON MARDER, LLP, ON BEHALF OF PRH-DANIA BEACH, LLC, FOR PROPERTY LOCATED AT 901 E. DANIA BEACH BOULEVARD IN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT “A”, A COPY OF WHICH IS ATTACHED TO AND INCORPORATED INTO TO THIS RESOLUTION; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Community Development)*

12. RESOLUTION NO. 2021-199

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE “ADLER” PLAT (PL-034-20) SUBMITTED BY GREENSPOON MARDER, LLP , ON BEHALF OF PRH-DANIA BEACH, LLC FOR THE PROPERTY LOCATED AT 901 E. DANIA BEACH BOULEVARD IN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN AND INCORPORATED BY REFERENCE INTO THIS RESOLUTION AS EXHIBIT “A”; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(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. Education Advisory Board
Commissioner Davis - 1 appointment
2. General Employees Pension Board
1 Commission Appointment for a term beginning June 22, 2020 and ending June 22, 2022

13. ADMINISTRATIVE REPORTS

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

Tuesday, January 11, 2022 - 5:30 p.m.
Tuesday, January 11, 2022 - 7:00 p.m.
Thursday, January 13, 2022 - 5:00 p.m.
Tuesday, January 25, 2022 - 7:00 p.m.

CRA Board Meeting
City Commission Meeting
CRA Board Workshop - Board Priorities
City Commission Meeting

14. ADJOURNMENT