

AGENDA
DANIA BEACH CITY COMMISSION
REGULAR MEETING
TUESDAY, MARCH 28, 2023 - 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.

IN CONSIDERATION OF OTHERS, WE ASK THAT YOU:

- A. PLEASE TURN CELL PHONES OFF, OR PLACE ON VIBRATE. IF YOU MUST MAKE A CALL, PLEASE STEP OUT INTO THE ATRIUM, IN ORDER NOT TO INTERRUPT THE MEETING.
- B. IF YOU MUST SPEAK TO SOMEONE IN THE AUDIENCE, PLEASE SPEAK SOFTLY OR GO OUT INTO THE ATRIUM, IN ORDER NOT TO INTERRUPT THE MEETING.

**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)

ADDENDUM NO. 2

*(Items in **red** are new and/or revised)*

- 1. CALL TO ORDER/ROLL CALL**
- 2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE**
- 3. PRESENTATIONS AND SPECIAL EVENT APPROVALS**
 1. 2023 Plywood Regatta (*Parks and Recreation*)

2. ~~Height/Density Presentation (Community Development)~~
3. CDBG Year 49 Five Year Plan Presentation (*Collin Donnelly, CIP Grant Administrator, Public Services*)
4. IT Master Plan Presentation (*Information Technology and Avero Advisors, LLC*)
5. ~~Special Events Application Request to host “Super Car Saturday” Scheduled for April 8, 2023 at the Dania Beach Casino (Community Development)~~

4. PROCLAMATIONS

1. Earth Day 2023 - (*Sponsored by Commissioner Davis*)

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. Approval of Minutes:

- February 14, 2023 City Commission Meeting Minutes
- March 14, 2023 CRA Board Meeting Minutes
- March 14, 2023 Special Commission Meeting Attorney/Client Session Minutes

2. Travel Requests: None.

3. RESOLUTION NO. 2023-____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, IN ITS CAPACITY AS THE BOARD OF TRUSTEES FOR THE MEMORIAL PARK AND WESTLAWN CEMETERIES TO AMEND THE CEMETERY RULES AND REGULATIONS; PROVIDING FOR CONFLICTS; FURTHER PROVIDING FOR AN EFFECTIVE DATE. (*Public Services*)

4. RESOLUTION NO. 2023-____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO REQUEST BROWARD COUNTY TO TRANSFER THE VACANT RIGHT-OF-WAY ALONG DANIA BEACH BOULEVARD AND BRYAN ROAD TO THE CITY FOR A PARK; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Community Development)*

5. ORDINANCE NO. 2023-_____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 2, OF THE CITY CODE OF ORDINANCES, ENTITLED “ADMINISTRATION” AT ARTICLE V, ENTITLED “RESERVED” BY AMENDING THE ARTICLE NAME TO “NAMING OF CITY FACILITIES”, AND CREATING SECTION 2-101, ENTITLED “NAMING OF CITY OWNED FACILITIES” PROVIDING THE AUTHORITY TO THE CITY COMMISSION TO NAME OR RENAME CITY OWNED FACILITIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Sponsored by Commissioner James)*

6. RESOLUTION NO. 2023-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, ADOPTING THE INFORMATION TECHNOLOGY MASTER PLAN PREPARED IN CONJUNCTION WITH AVERO ADVISORS, LLC; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Information Technology)*

8. BIDS AND REQUESTS FOR PROPOSALS

9. PUBLIC HEARINGS

1. RESOLUTION NO. 2023-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE SITE PLAN (SP-077-22) FOR THE APPLICANT SPIRIT AIRLINES, INC. FOR PROPERTY GENERALLY LOCATED SOUTH OF NORTH MARINER STREET, WEST OF BRYAN ROAD, NORTH OF RADIANT DRIVE AND EAST OF WAY POINTE AVENUE, WITHIN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT "A" ("PROPERTY"), A COPY OF WHICH IS ATTACHED TO THIS RESOLUTION; PROVIDING FOR CONDITIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Community Development)*

2. ORDINANCE NO. 2023-_____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, RELATING TO UPDATING CERTAIN PROVISIONS OF CHAPTER 28, ENTITLED “LAND DEVELOPMENT CODE” (THE “LDC”) BY: (1) AMENDING SECTION 105-90 ENTITLED “OUTDOOR STORAGE CONTAINERS,” TO UPDATE THE LIST OF RESTRICTIONS AND ALLOWANCES RELATED TO WHEN AND WHERE TEMPORARY PORTABLE CONTAINERS ARE PERMITTED; (2) AMENDING SECTION 110-200 ENTITLED “OUTDOOR RESTAURANT SEATING” AMEND THE DISTANCE SEPARATION FOR OUTDOOR SEATING WITHIN THE BOUNDARIES OF THE COMMUNITY REDEVELOPMENT AGENCY (“CRA”); (3) AMENDING SECTION 110-320 ENTITLED “MOBILE FOOD VENDING CONDITIONS OF USE” TO UPDATE FOOD TRUCK VENDOR REGULATIONS TO BE CONSISTENT WITH SECTION 110-20; (4) AMENDING SECTION 115-50 ENTITLED “CONDITIONS OF USE” TO BE CONSISTENT WITH THE ABOVE EDITS TO MOBILE FOOD VENDING USE; (5) AMENDING SECTION 220-65 CURRENTLY ENTITLED “ROOFTOP PHOTOVOLTAIC SOLAR SYSTEMS; GO SOLAR- BROWARD ROOFTOP SOLAR CHALLENGE PERMITTING PROCESS;” TO REMOVE THE REFERENCE TO “GO SOLAR”; (6) AMENDING SECTION 265-40 ENTITLED “INTERPRETATION OF OFF-STREET PARKING REQUIREMENTS” TO ALLOW PRIVATE GARAGES TO BE COUNTED TOWARDS REGIONAL PARKING; (7) AMENDING SECTION 265-91 ENTITLED, “PARKING REDUCTIONS FOR TRANSPORTATION DEMAND MANAGEMENT STRATEGY IMPLEMENTATION WITHIN THE CRA FORM-BASED DISTRICT (CC, EDBB-MU, SFED-MU, GTWY-MU, NBHD-M, NBHD-RES)”, RELATING TO THE ABILITY TO APPLY TO EARN A THREE PERCENT (3%) PARKING REDUCTION PER STRATEGY; (8) AMENDING SECTION 302-10 ENTITLED “PERMITTED, SPECIAL EXCEPTION AND PROHIBITED USES” TO BE CONSISTENT WITH SECTION 110-20 OF THE LDC; (9) AMENDING SECTION 635-20 ENTITLED “APPLICABILITY” FOR ADDITIONAL REQUIREMENTS RELATED TO SMALL SCALE SITE PLANS; (10) AMENDING SECTION 710-20 ENTITLED “DEFINITIONS AND TERM USAGE” TO MODIFY DEFINITIONS TO BE CONSISTENT WITH CHAPTER 12; AND (11) AMENDING SECTION 811-70 ENTITLED BUILDING PERMITS; TO CORRECT COMMUNITY DEVELOPMENT NAME; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)** *(Community Development)*

3. RESOLUTION NO. 2023-____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING A MID-YEAR BUDGET AMENDMENT BY THE FINANCE DEPARTMENT TO FUND ADDITIONAL STAFF POSITIONS IN AN AMOUNT NOT TO EXCEED ONE HUNDRED TWELVE THOUSAND DOLLARS, (\$112,000.00); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Finance)*

4. RESOLUTION NO. 2023-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CITY'S APPLICATION FOR THE 49TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG") PROGRAM IN THE AMOUNT OF ONE HUNDRED SEVENTY-SEVEN THOUSAND FIVE HUNDRED SEVENTY-FIVE DOLLARS (\$177,575.00), TO PROVIDE FUNDING FOR OASIS NEIGHBORHOOD IMPROVEMENTS IN CDBG ELIGIBLE AREAS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.*(Public Services)*

10. DISCUSSION AND POSSIBLE ACTION

11. COMMISSION COMMENTS

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

12. APPOINTMENTS

1. Charter Review Board
 - Commissioner James - 1 appointment
 - Commissioner Salvino - 1 appointment
 - 2 Commission appointments ("at large" members)
 - 2 Alternate appointments ("at large" alternates)

13. ADMINISTRATIVE REPORTS

1. City Manager
2. City Attorney
3. City Clerk - Reminders
 - April 19, 2023 City Commission Budget Workshop - 5:00 p.m.
 - April 25, 2023 CRA Board Meeting - 5:30 p.m.

- April 25, 2023 City Commission Regular Meeting - 7:00 p.m.

14. ADJOURNMENT