

AGENDA
DANIA BEACH CITY COMMISSION
REGULAR MEETING
TUESDAY, JUNE 27, 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. Recognition to Olsen Middle School Principal Valerie Harris for her 13 Years of

Service - *Sponsored by Commissioner Davis*

2. Update from Broward MPO - *Sponsored by Vice Mayor Lewellen*
3. Building Safety Inspection Program - *Community Development*
4. Special Event request from RV Sales of Broward to host "Dania at Planet RV" beginning Friday, June 30, 2023 through Sunday, December 31, 2023, to be held at 2051 Griffin Rd. (*Community Development*)
5. Request for Same Day Approval and Presentation - Alzheimer's Awareness Month - *Sponsored by Commissioner Davis*

4. PROCLAMATIONS

1. Alzheimer's Awareness Month - *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. Minutes:
2. Travel Requests: None.
3. RESOLUTION NO. 2023-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CLOSE OUT OF THE FLORIDA RECREATIONAL DEVELOPMENT ASSISTANCE PROGRAM PROJECT AT FRANK C. "TOOTIE" ADLER PARK AS THE PROJECT IS COMPLETE, PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (*Parks & Recreation*)

4. RESOLUTION NO. 2023-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH,

FLORIDA, APPROVING THE INTERLOCAL AGREEMENT FOR A SECOND AMENDMENT TO THE STANDARD FORM PARTICIPATION AGREEMENT AND REGIONAL INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF DANIA BEACH, WHICH CITY PARTICIPATES IN BROWARD COUNTY'S REGIONAL CONSOLIDATED E-911 COMMUNICATIONS SYSTEM; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(City Attorney)*

5. RESOLUTION NO. 2023-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING APPROVAL FOR THE USE OF FUNDING RECEIVED FROM LANDMARK DEVELOPMENT, INC. TOWARDS THE CONSTRUCTION OF THE CITY HALL PARK PROJECT AND AUTHORIZATION TO BID PORTIONS OF THE PROJECT CONSTRUCTION; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Public Services)*

8. BIDS AND REQUESTS FOR PROPOSALS

1. RESOLUTION. NO 2023- _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CITY COMMISSION TO RANK THE FOUR FIRMS THAT RESPONDED TO THE CITY'S REQUEST FOR QUALIFICATIONS ("RFQ") NO. 23-005, ENTITLED "DESIGN SERVICES FOR MULLIKIN PARK IMPROVEMENT", FOR DESIGN SERVICES RELATED TO CONSTRUCTION AT MULLIKIN PARK, AND TO AUTHORIZE CONTRACT NEGOTIATIONS TO BEGIN WITH THE TOP-RANKED CONSULTANT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Parks and Recreation)*

2. RESOLUTION NO. 2023-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE AWARD OF THE CITY INVITATION TO BID ("ITB") NO. 23-004, ENTITLED "COMMUNITY SHUTTLE TRANSPORTATION SERVICES" TO LIMOUSINES OF SOUTH FLORIDA, INC. d/b/a LSF SHUTTLE; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Public Services)*

9. PUBLIC HEARINGS

1. RESOLUTION NO. 2023-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH,

FLORIDA, APPROVING THE REQUEST FOR A WAIVER (OT-043-23) FROM THE ONE THOUSAND (1,000) FOOT DISTANCE SEPARATION REQUIREMENT PERTAINING TO THE SALE OF ALCOHOLIC BEVERAGES, SUBMITTED BY THE APPLICANT, IVAN SEMIKIN/DANIA BEACH DISTILLERY LLC, FOR THE PROPERTY LOCATED AT 110 NW 1 STREET, UNIT 17 & 18, WITHIN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT “A”, A COPY OF WHICH IS ATTACHED TO AND INCORPORATED BY REFERENCE INTO THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; 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, APPROVING THE RIGHT-OF-WAY VACATION REQUEST (VC-095-22) SUBMITTED BY PROPERTY OWNER THE CITY OF DANIA BEACH, FOR THE PROPERTY (PORTION OF SW 2ND TERRACE OF SW 2ND PLACE) GENERALLY LOCATED NORTH AND SOUTH OF MULLIKIN PARK AT 230 SW 1ST COURT, AND IS LOCATED WITHIN THE CITY OF DANIA BEACH, FLORIDA, WHICH RIGHT-OF-WAY IS LEGALLY DESCRIBED IN EXHIBIT A, A COPY OF WHICH IS ATTACHED TO THIS ORDINANCE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (SECOND READING) *(Community Development)*

3. ORDINANCE NO. 2023-_____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 12.5, ENTITLED “FORTUNETELLERS, PALMISTS, CLAIRVOYANTS AND ASTROLOGERS”; BY AMENDING SECTIONS 12.5-2. ENTITLED “ISSUANCE AND REVOCATION OF BUSINESS TAX RECEIPT”; AND SECTION 12.5-3, ENTITLED “JUDICIAL REMEDY BY CIRCUIT COURT”; AND AMENDING CHAPTER 21 ENTITLED “SALES AND AUCTIONS; AT ARTICLE IV ENTITLED “AUCTIONS AND AUCTIONEERS”; AT SECTION 21-52 ENTITLED “ISSUANCE AND REVOCATION OF LICENSE” TO REQUIRE ALL THE FOLLOWING USES: FORTUNETELLERS, PALMISTS, CLAIRVOYANTS, ASTROLOGERS, AND AUCTIONEERS ADHERE TO SPECIAL BUSINESS TAX RECEIPT REQUIREMENTS; WHICH REQUIREMENTS ARE AMENDED TO PROVIDE ADMINISTRATIVE REVIEW BY STAFF AND DE NOVO APPEAL TO THE CITY COMMISSION, AFTER PUBLIC HEARING, AND AN APPEAL TO COURT OF THE CITY COMMISSION DECISION; SALES AND AUCTIONS”; PROVIDING FOR CODIFICATION, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (SECOND READING) *(City Attorney)*

10. DISCUSSION AND POSSIBLE ACTION

1. RESOLUTION NO. 2023-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, PURSUANT TO SECTION 811-140, OF THE LAND DEVELOPMENT CODE, THE APPLICANT, LAURA GASPER, REQUESTS APPROVAL OF ITS MURAL LOCATED AT 250 S. FEDERAL HIGHWAY, DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT “A,” A COPY OF WHICH IS ATTACHED TO AND INCORPORATED BY REFERENCE INTO THIS RESOLUTION; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Community Development)*

11. COMMISSION COMMENTS

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

12. APPOINTMENTS

13. ADMINISTRATIVE REPORTS

1. City Manager
 2. City Attorney
- Discussion Regarding Use of City Logo by Board Members

- DISCUSSION PERTAINING TO A POTENTIAL SETTLEMENT ON THE FOLLOWING CASES: (JAI ALAI)

CITIZENS FOR RESPONSIBLE DEVELOPMENT AND HERBERT SIMPSON, V CITY OF DANIA BEACH, BROWARD COUNTY, AND DANIA ENTERTAINMENT CENTER, LLC, under Lower Court Case No.: CACE 11-22597, and Appellate Court Case No. 4D2021-1306 (4th DCA 2021).

AND

CITIZENS FOR RESPONSIBLE DEVELOPMENT, V. CITY OF DANIA BEACH,
under Case No.: 14-019078(21) (Fla. 17th Jud. Cir. 2014).

3. City Clerk - Reminders

Upcoming July Meetings:

- July 11 2023 - CRA Board Meeting - 4:30 p.m.
- July 11, 2023 - CRA Budget Workshop - 5:00 p.m.
- July 11, 2023 - City Commission Meeting - 7:00 p.m.

14. ADJOURNMENT