

AGENDA
DANIA BEACH CITY COMMISSION
REGULAR MEETING
TUESDAY, SEPTEMBER 26, 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)

- 1. CALL TO ORDER/ROLL CALL**
- 2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE**
- 3. PRESENTATIONS AND SPECIAL EVENT APPROVALS**
 1. Feeding South Florida - *Sponsored by Commissioner James*
 2. Presentation by Public Art Advisory Board Chair, Kelly Sharaby
- 4. PROCLAMATIONS**

1. Hunger Action Month - *Sponsored by Vice Mayor Lewellen*
2. Childhood Cancer Awareness Month - *Sponsored by Commissioner Davis*
3. Hispanic Heritage Month - *Sponsored by Mayor Ryan*

5. ADMINISTRATIVE REPORTS

1. City Manager
2. City Attorney
3. City Clerk - Reminders
 - October 10, 2023 at 5:30 p.m. - CRA Board Meeting
 - October 10, 2023 at 7:00 p.m. - City Commission Meeting
 - October 24, 2023 at 7:00 p.m. - City Commission Meeting

6. PUBLIC SAFETY REPORTS

7. CITIZENS' 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.

8. CONSENT AGENDA

1. Minutes: September 13, 2023 Regular City Commission Meeting Minutes
2. Travel Requests: None.
3. RESOLUTION NO. 2023-____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SECOND TWO (2) YEAR RENEWAL OF THE EXISTING AGREEMENT WITH MARTIN GOLD COAST, LLC FOR BUS STOP BENCHES AND SHELTER MAINTENANCE SERVICES IN AN AMOUNT NOT TO EXCEED SIXTY-SIX THOUSAND TWO HUNDRED DOLLARS (\$66,200.00) ANNUALLY; 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 PROPER CITY OFFICIALS TO EXECUTE A CONTRACT WITH SALTZ MICHELSON ARCHITECTS, FOR THE DESIGN AND CONSTRUCTION ADMINISTRATION OF THE FIRE ADMINISTRATION EMERGENCY OPERATIONS CENTER AND TRAINING FACILITY IN THE AMOUNT OF FOUR HUNDRED FOUR THOUSAND FOUR HUNDRED FORTY-NINE DOLLARS (\$404,449.00); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Public Services)*

5. RESOLUTION NO. 2023-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF DANIA BEACH AND THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR GRANT FUNDS IN THE AMOUNT OF FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00), TO PROVIDE FOR FUNDING FOR THE SW 52ND STREET DRAINAGE PROJECT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Public Services)*

6. RESOLUTION NO. 2023-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AMENDMENT TO AN AGREEMENT BETWEEN THE CITY OF DANIA BEACH AND THE FLORIDA DIVISION OF EMERGENCY MANAGEMENT FOR A THREE-MONTH EXTENSION TO A GRANT FOR THE CREATION OF A WATERSHED MASTER PLAN; PROVIDING FOR CONFLICTS; FURTHER PROVIDING FOR AN EFFECTIVE DATE. *(Community Development)*

7. RESOLUTION NO. 2023-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF DANIA BEACH AND THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR GRANT FUNDS IN THE AMOUNT OF NINETY-FIVE THOUSAND FIVE HUNDRED DOLLARS (\$95,500.00) FOR THE VULNERABILITY ASSESSMENT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Public Services)*

8. RESOLUTION NO. 2023-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, ADOPTING THE UPDATE OF THE MULTI-JURISDICTIONAL LOCAL MITIGATION STRATEGY PLAN; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(City Manager)*

9. RESOLUTION NO. 2023-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING THE CITY’S INVESTMENT POLICY, IN ACCORDANCE WITH FLORIDA STATUTES, SECTION 218.415; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Finance)*

9. BIDS AND REQUESTS FOR PROPOSALS

1. RESOLUTION NO. 2023-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE AWARD OF CITY INVITATION TO BID NO. 23-015 FOR PORTABLE TOILET RENTALS TO JOHN TO GO, INC.; AUTHORIZING EXECUTION OF AN AGREEMENT WITH JOHN TO GO, INC.; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Parks & Recreation)*

2. RESOLUTION NO. 2023-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE AWARD OF CITY INVITATION TO BID NO. 23-016 FOR EVENT EQUIPMENT RENTAL TO FIESTA CAROUSEL, INC. AND SUNSHINE TENTS AND EVENTS RENTAL, LLC, WHICH MAY EXCEED AN ANNUAL VENDOR THRESHOLD TOTAL AMOUNT OF FIFTY THOUSAND DOLLARS (\$50,000.00); AUTHORIZING EXECUTION OF AN AGREEMENT WITH BOTH VENDORS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Parks and Recreation)*

10. QUASI-JUDICIAL HEARINGS - None.

11. FIRST READING ORDINANCES

1. ORDINANCE NO. 2023-_____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 28 “LAND DEVELOPMENT CODE”; AT PART 3, “SPECIAL ZONING DISTRICTS”; SUBPART 1 “COMMUNITY REDEVELOPMENT AREA (CRA) FORM-BASED ZONING DISTRICTS” TO PROVIDE SPECIFIC REGULATIONS FOR THE 4,000 RAC UNITS AUTHORIZED

BY BROWARD COUNTY TO BE ALLOCATED TO THE CRA FORM BASED CODE ZONING DISTRICT THROUGH THE CITY’S COMPREHENSIVE PLAN AMENDMENT TO BE ADOPTED IN DECEMBER 2023, TO PROVIDE FOR A SPECIFIC FORM BASED REGULATION FOR THE 4,000 NEW RAC UNITS; AND PROVIDING FOR A VESTING OF THE 2010 RAC UNITS APPROVED UNDER ORDINANCE NO. 2010-007 (ADOPTED ON 9/28/10) UNDER THE REGULATIONS OF THIS SUBPART AS THEY EXISTED IN SUPPLEMENT 154 OF THE DANIA BEACH CODE OF ORDINANCES, DATED NOVEMBER 30, 2022, PUBLISHED BY MUNICIPAL CODE CORPORATION; AND SPECIFICALLY AMENDING THE CRA FORM BASED CODE FOR THE 4,000 UNITS TO ELIMINATE INCENTIVES PROVIDE FOR MANDATORY GREEN CODE REQUIREMENTS AND CLARIFICATIONS, INCLUDING THE FOLLOWING REVISIONS: AMENDING 300-30, ENTITLED “HOW TO DETERMINE THE BUILDABLE AREA OF A LOT, ALLOWABLE DENSITY AND BUILDING HEIGHT”; AMENDING SECTION 300-60, ENTITLED “OTHER DEVELOPMENT REGULATIONS”; AMENDING SECTION 300-80, ENTITLED “INTENT”; AMENDING SECTION 301-20, ENTITLED “APPLICABILITY”; AMENDING SECTION 301-40, ENTITLED “SITE PLAN PROCEDURES”; AMENDING SECTION 301-50, ENTITLED “VARIATIONS IN DESIGN; PROCEDURE FOR REVIEW OF DESIGN VARIATIONS”; AMENDING ARTICLE 303, ENTITLED “DISTRICT DEVELOPMENT STANDARDS”; AMENDING SECTION 303-30, ENTITLED “ILLUSTRATED DEVELOPMENT STANDARD DEFINITIONS; INTERPRETATION”; AMENDING THE FOLLOWING SECTIONS: 303-40, ENTITLED “CITY CENTER (CC) DISTRICT”; SECTION 303-50, ENTITLED “NBHD-MU, NEIGHBORHOOD MIXED-USE DISTRICT”; SECTION 303-60, ENTITLED “EDBB-MU, EAST DANIA BEACH BOULEVARD MIXED-USE DISTRICT”; SECTION 303-70, ENTITLED “GTWY-MU, BEACH GATEWAY MIXED-USE DISTRICT”; SECTION 303-80, ENTITLED “SFED-MU, SOUTH FEDERAL HIGHWAY CORRIDOR MIXED-USE DISTRICT”; SECTION 303-90, ENTITLED “NBHD-RES, NEIGHBORHOOD RESIDENTIAL DISTRICT”; SECTION 303-100, ENTITLED “MARINE DISTRICT”; ARTICLE 304, ENTITLED “BUILDING HEIGHT AND TRANSITION REGULATIONS”; AT SECTIONS 304-10, ENTITLED “GENERALLY”; SECTION 304-20, ENTITLED “RULES OF HEIGHT TRANSITION FROM RESIDENTIAL ZONING DISTRICTS”; STRIKING SECTION 304-30, ENTITLED “RULES OF HEIGHT TRANSITION ADJACENT TO FEC RAILROAD CORRIDOR”; RENAMING ARTICLE 305 FROM “INCENTIVES” TO “SUSTAINABLE BUILDING REQUIREMENTS”; STRIKING SECTION 305-10 “APPLICABILITY”; STRIKING SECTION 305-20 ENTITLED “SCHEDULE OF INCENTIVES”; STRIKING SECTION 305-30 ENTITLED “INCENTIVES FOR PROVIDING PUBLIC OPEN SPACE”; STRIKING SECTION 305-40, ENTITLED “INCENTIVES FOR PROVIDING ATTAINABLE HOUSING”; STRIKING SECTION 305-50, ENTITLED “SUSTAINABLE BUILDING PRACTICES”; CREATING A NEW SECTION 305-10 ENTITLED “APPLICABILITY”; CREATING A NEW SECTION 305-20 ENTITLED “GREEN BUILDING; GREEN BUILDING PRACTICES”; CREATING A NEW SECTION 305-

30, ENTITLED “THIRD PARTY CERTIFICATION REQUIRED”; STRIKING SECTION 305-60 ENTITLED “PROVIDE PUBLIC PARKING”; STRIKING SECTION 305-70 ENTITLED “INCENTIVES FOR PUBLIC PARKS”; PROVIDING FOR CODIFICATION, PROVIDING FOR CONFLICTS”; PROVIDING FOR SEVERABILITY; AND FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (*Community Development*)

12. SECOND READING ORDINANCES - None.

13. 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 PROPERTY OWNER, COZY COVE MARINA, REQUESTS APPROVAL OF ITS MURAL LOCATED AT 318 N. 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*)

14. APPOINTMENTS

15. COMMISSION COMMENTS

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

16. ADJOURNMENT