AGENDA DANIA BEACH CITY COMMISSION REGULAR MEETING TUESDAY, JULY 12, 2011 - 7:00 P.M.

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 REQUIRED. REGISTRATION AS A LOBBYIST IN THE CITY OF DANIA BEACH IS REQUIRED IF ANY PERSON, FIRM OR CORPORATION IS BEING PAID TO LOBBY THE COMMISSION ON ANY PETITION OR ISSUE PURSUANT TO ORDINANCE # 01-93. REGISTRATION FORMS ARE AVAILABLE IN THE CITY CLERK'S OFFICE IN THE ADMINISTRATION CENTER.

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.

1. CALL TO ORDER/ROLL CALL

2. INVOCATION AND PLEDGE OF ALLEGIANCE

3. PRESENTATIONS AND SPECIAL EVENT APPROVALS

- 1. Mayor Debby Eisinger Broward County League of Cities
- 2. Dr. Herman Wrice Awards
- 3. Airport Advisory Board Presentation
- 4. Special Event request from Pride of Hollywood for a book bag and school supplies give away, to be held Saturday, August 6, 2011 from 9:00 a.m. 3:00 p.m. at Chester Byrd Park
- 5. Special Event request from United Churches of Liberia (UCOL) for the Annual Progress in the Park Back to School Parade, to be held Saturday, August 6, 2011 from 9:00 a.m. 10:00 a.m.

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 June 21, 2011 Special City Commission Meeting Approve minutes of June 28, 2011 City Commission Meeting

2. Travel Requests:

Request of Commissioner Anne Castro to attend the 2011 Florida League of Cities 85th Annual Conference in Orlando, Florida, on August 11-14, 2011 (Estimated cost \$1,301.66)

3. RESOLUTION NO. 2011-065

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.

4. RESOLUTION NO. 2011-066

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN "AGREEMENT FOR PERMIT" AND AN "AGREEMENT" WITH SOUTHERN WASTE SYSTEMS, LTD., AND APPROVING A "FIRST AMENDMENT TO RESTRICTIVE COVENANTS" TO BE EXECUTED BY THAT PROPERTY OWNER AND RECORDED AGAINST THE SUBJECT PROPERTY WHICH IS LOCATED IN THE 3200 BLOCK OF SW 26TH TERRACE IN THE CITY OF DANIA BEACH, TO ALLOW THE CONSTRUCTION OF AN ACCESSORY EQUIPMENT STORAGE STRUCTURE TO BE LOCATED ON THE PROPERTY, SUBJECT TO SUBSEQUENT SITE PLAN APPROVAL BY THE CITY COMMISSION; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

5. RESOLUTION NO. 2011-068

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN

INTERLOCAL AGREEMENT WITH BROWARD COUNTY PERTAINING TO THE MONITORING OF DEVELOPMENT ACTIVITY AND ENFORCEMENT OF PERMITTED LAND USES IN THE REGIONAL ACTIVITY CENTER ("RAC"); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

6. RESOLUTION NO. 2011-069

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, APPOINTING RICHARD CONNER AND MEAH TELL TO ACT AS CODE ENFORCEMENT SPECIAL MAGISTRATES FOR MUNICIPAL CODE ENFORCEMENT PROCEEDINGS AND SETTING THE COMPENSATION FOR THEIR SERVICES; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7. RESOLUTION NO. 2011-070

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, ACCEPTING THE AMENDMENT TO THE SANITARY SEWER EASEMENT FROM PALMETTO HOSPITALITY OF DANIA BEACH HP, LLC, A FLORIDA LIMITED LIABILITY COMPANY AND PALMETTO HOSPITALITY OF DANIA BEACH SS, LLC, A FLORIDA LIMITED LIABILITY COMPANY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

8. RESOLUTION NO. 2011-071

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, PROVIDING FOR FUND TRANSFERS AND APPROPRIATION OF FUNDS FOR PAYMENT OF LITIGATION EXPENSES TO WEISS SEROTA HELFMAN, PASTORIZA, COLE & BONISKE, P.L., AND TO RYAN & RYAN, LLC FOR CODE/LIEN LEGAL SERVICES; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

9. RESOLUTION NO. 2011-072

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPOINTING JAMES A. CHEROF, ESQUIRE, OF THE LAW FIRM OF GOREN, CHEROF, DOODY & EZROL, P.A., AS SPECIAL LABOR COUNSEL; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

10. ORDINANCE NO. 2011-025

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH,

FLORIDA APPROVING THE REQUEST MADE BY ALEX NICHOLS, PROPERTY OWNER, TO REZONE PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF SW 31ST STREET AND SW 26TH TERRACE (TRAM ROAD), SOUTH OF STATE ROAD 84 IN THE CITY OF DANIA BEACH, FLORIDA, AND LEGALLY DESCRIBED IN EXHIBIT "A", A COPY OF WHICH IS ATTACHED TO THIS ORDINANCE; CHANGING THE CURRENT ZONING CLASSIFICATION OF THE PROPERTY FROM RESIDENTIAL SINGLE FAMILY (RS-6000) TO INDUSTRIAL RESEARCH OFFICE MARINE - AIRPORT APPROACH (IROM-AA), SUBJECT TO CERTAIN RESTRICTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (FIRST READING)

11. ORDINANCE NO. 2011-026

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING SECTIONS 13-68 ENTITLED "DEFINITIONS" AND 13-74, ENTITLED "GARBAGE COLLECTION BY PRIVATE HAULERS, PERMITS REQUIRED", BY AMENDING PARAGRAPH 2 ENTITLED "FRANCHISE FEE REQUIRED" AND PARAGRAPH 5, OF ARTICLE IV, ENTITLED "GARBAGE AND TRASH" OF THE CITY CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (FIRST READING)

12. ORDINANCE NO. 2011-027

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, REPEALING SECTION 2-12 IN ITS ENTIRETY, ENTITLED "ISSUANCE OF PROMISSORY OBLIGATIONS", OF ARTICLE I, ENTITLED "IN GENERAL" OF CHAPTER 2, ENTITLED "ADMINISTRATION" AND CREATING A NEW SECTION 2-12 OF ARTICLE 1 TO BE ENTITLED "DEBT MANAGEMENT POLICY"; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (FIRST READING)

8. BIDS AND REQUESTS FOR PROPOSALS

9. PUBLIC HEARINGS

1. ORDINANCE NO. 2011-020

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING SECTION 6-15, ENTITLED "SURFING RESTRICTED TO SPECIFIED AREA, TIME", OF ARTICLE 1, ENTITLED "IN GENERAL", OF THE CODE OF ORDINANCES, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (SECOND READING)

2. ORDINANCE NO. 2011-021

AN ORDINANCE OF THE CITY OF DANIA BEACH, FLORIDA PERTAINING TO FLOOD REGULATIONS; AMENDING CHAPTER 12, "FLOOD DAMAGE PREVENTION" OF THE CITY CODE OF ORDINANCES; AMENDING SECTION 12-5 ("DEFINITIONS"); AMENDING ARTICLE II, "ADMINISTRATION", CODE SECTION 12-31 ("DESIGNATION OF BUILDING OFFICIAL"), SECTION 12-32 ("DUTIES AND RESPONSIBILITIES OF THE BUILDING OFFICIAL"), SECTION 12-34 ("VARIANCE PROCEDURES"), AND SECTION 12-52 ("SPECIFIC STANDARDS"); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (SECOND READING)

3. ORDINANCE NO. 2011-022

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, ADOPTING A MODIFICATION TO THE CAPITAL IMPROVEMENT SCHEDULE OF THE CITY OF DANIA BEACH, PURSUANT TO SECTION 163.3177, FLORIDA STATUTES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (SECOND READING)

4. ORDINANCE NO. 2011-023

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING THE COMPREHENSIVE PLAN BY AMENDING THE TEXT OF THE CAPITAL IMPROVEMENTS ELEMENT AND THE PUBLIC SCHOOL FACILITIES ELEMENT; PROVIDING FOR TRANSMITTAL AND ADOPTION PURSUANT TO SECTION 163.3184, FLORIDA STATUTES; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (FIRST READING)

5. ORDINANCE NO. 2011-024

AN ORDINANCE OF THE CITY OF DANIA BEACH, FLORIDA, TO AMEND THE CODE OF ORDINANCES AND LAND DEVELOPMENT CODE BY AMENDING ARTICLE IX "HISTORIC PRESERVATION" OF CHAPTER 8 "BUILDINGS" OF THE CODE OF ORDINANCES CONCERNING THE CITY'S HISTORIC MARKER AND PLAQUE PROGRAM; AMENDING ARTICLE 105 "USE REGULATIONS FOR RESIDENTIAL AND OPEN SPACE ZONING DISTRICTS" REGARDING PERMITTED ACCESSORY USES AND STRUCTURES; AMENDING ARTICLE 110 "USE REGULATIONS FOR COMMERCIAL AND MIXED-USE DISTRICTS" CONCERNING PERMITTED USES IN ZONING DISTRICTS AND PROVIDING

FOR SUPPLEMENTAL USE REGULATIONS: AMENDING ARTICLE 115 "INDUSTRIAL DISTRICTS: PERMITTED, PROHIBITED, SPECIAL EXCEPTION USES, AND CONDITIONS OF USE" CONCERNING PERMITTED USES IN ZONING DISTRICTS AND CONDITIONS OF USE; AMENDING ARTICLE 205 "TABULAR SUMMARY OF SITE DEVELOPMENT STANDARDS FOR ALL ZONING DISTRICTS" TO AMEND DEVELOPMENT STANDARDS FOR ZONING DISTRICTS; AMENDING ARTICLE 215 "SUPPLEMENTAL REGULATIONS FOR YARDS, LOT COVERAGE, IMPERVIOUS AREA AND OPEN SPACE" TO AMEND YARD AND IMPERVIOUS AREA REGULATIONS; CREATING ARTICLE 221 "NOISE MITIGATION" TO PROVIDE FOR NOISE MITIGATION REQUIREMENTS FOR RESIDENTIAL PROPERTIES WITHIN ACCEPTED FEDERAL AVIATION ADMINISTRATION LONG-RANGE NOISE EXPOSURE AREAS; AMENDING ARTICLE 265 "OFF-STREET PARKING REOUIREMENTS" TO AMEND PARKING REOUIREMENTS FOR PROPERTIES WITHIN THE DESIGN DISTRICT OVERLAY; CREATING ARTICLE 295 "VOLUNTARY MOBILITY PROGRAM" IN ORDER TO PROVIDE FOR A MOBILITY PROGRAM TO MANAGE VEHICULAR TRAFFIC DEMAND AND SUPPORT MULTIMODAL TRANSIT; AMENDING ARTICLE 303 "DISTRICT DEVELOPMENT STANDARDS" TO AMEND DENSITY AND DEVELOPMENT STANDARDS FOR THE CITY CENTER ZONING DISTRICT; CREATING ARTICLE 330 "COMMUNITY FACILITIES DISTRICT" TO ESTABLISH THE COMMUNITY FACILITIES ZONING DISTRICT; AMENDING **ARTICLE** 505 "SIGN **REGULATIONS" CONCERNING** REGULATIONS OF TRANSIT-RELATED SIGNAGE: AMENDING ARTICLE 605 APPLICATION REQUIREMENTS" TO **IMPLEMENT** VOLUNTARY MOBILITY PROGRAM; AMENDING ARTICLE 610 "PUBLIC HEARING NOTICES" TO PROVIDE FOR AMENDMENTS TO PUBLIC NOTICE MAILING REQUIREMENTS FOR DEVELOPMENT APPLICATIONS: AMENDING ARTICLE 655 "VACATIONS OF RIGHT-OF-WAY" TO AMEND PROCEDURES FOR RIGHT-OF-WAY VACATIONS; AMENDING ARTICLE 725 "DEFINITIONS" TO AMEND DEFINITIONS RELATED TO MOBILITY PROGRAM, AND PERMITTED USES; PROVIDING FOR AMENDMENTS THROUGHOUT THE LAND DEVELOPMENT CODE TO CORRECT SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (FIRST READING)

10. DISCUSSION AND POSSIBLE ACTION

11. COMMISSION COMMENTS

- 11.1 Commissioner Castro
- 11.2 Commissioner Duke
- 11.3 Commissioner McElyea
- 11.4 Vice-Mayor Grace
- 11.5 Mayor Flury

Agenda – Dania Beach City Commission Tuesday, July 12, 2011 – 7:00 p.m. Page 7 of 7

12. APPOINTMENTS

Marine Advisory Board
 Commissioner Duke - 1 appointment
 Commissioner McElyea - 1 appointment

13. ADMINISTRATIVE REPORTS

13.1 City Manager

13.2 City Attorney

13.3 City Clerk - Reminders

Thursday, July 14, 2011 - 6:00 p.m. Tuesday, August 9, 2011 - 7:00 p.m. Tuesday, August 23, 2011 - 7:00 p.m. Special Budget Meeting City Commission Meeting City Commission Meeting

14. ADJOURNMENT

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Presentation
(Adopt Resolution, Adopt Ordinance (1st Reading) Adopt Ordinance (2nd Reading) Award Bid /RFP, Presentation, Public Hearing)

Continued from:

(Identify appropriate Action or Motion) **Requested Action**

The Dania Beach Airport Advisory Board (AAB) remains firm in its recommendation to the Dania Beach City Commission that residents of this city be made whole by noise mitigation programs designed to lessen the impact of the south runway expansion project.

| Description of Action | | | |
|---|---------|------|--|
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| Purchasing Requests ONLY | | | |
| Dept: | Acct #: | Amt: | |
| Fund: (Select from: General, Water, Sewer, Stormwater, Grants, Capital) | | | |

| Fiscal Impact/Cost Summary | | |
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| Exhibits Attached | | |
| Memorandum | | |
| FAA "Other" Mitigation Measures | | |
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AIRPORT ADVISORY BOARD

TO: DANIA BEACH CITY COMMISSION

FROM: LINDA SACCO, CHAIRPERSON, BOB MIKES, VICE-CHAIR

and AIRPORT ADVISORY BOARD

DATE: July 12, 2011

RE: RECOMMENDATIONS TO CITY COMMISSION

The Dania Beach Airport Advisory Board (AAB) remains firm in its recommendation to the Dania Beach City Commission that residents of this city be made whole by noise mitigation programs designed to lessen the impact of the south runway expansion project.

The AAB bases its recommendation on language found on page 5 in the Interlocal Agreement signed by Broward County and Dania Beach in 1995. Specifically, "The primary concern in the development of a noise mitigation program will be the desires of the affected residents." Footnote # 2 under section 4 beneath the heading "Noise Mitigation" on page 5 states that "Any mitigation program will base the determination of value on comparable properties selected from outside any airport affected area." Language in section 4 (p.5, Noise Mitigation) also reads: "Mitigation programs selected shall not be dependent on the availability of federal or state funding."

Therefore, the AAB respectfully recommends that any noise mitigation program implemented by the Broward County Commission be grounded in the principles described in the Interlocal Agreement as follows:

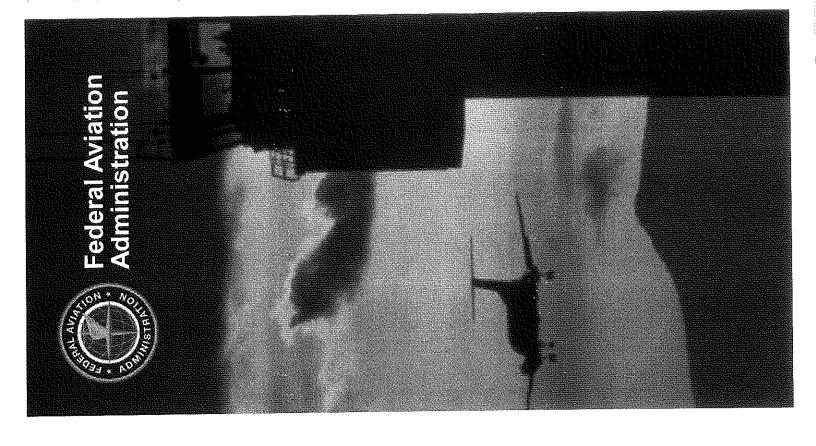
- 1. The desires of affected residents are of primary concern.
- 2. The determination of property values will be based on comparable properties outside of the airport affected area.
- 3. Noise mitigation programs be implemented independently of the availability of federal and/or state funding.

Implementation of this recommendation will ensure that the residents of Dania Beach can have the opportunity to live in a comparable home outside the airport affected area and enjoy the principles described in the Interlocal Agreement.

"Other" Mitigation Measures Purchase / Sales Assurance FAA Guidance

Airport Association of Airport Executives 9th Annual Noise Mitigation Symposium October 5, 2009 Boca Raton, FL

Rick Etter Airport Acquisition Specialist FAA, Office of Airport Planning and Programming (202) 267-8773, rick.etter@faa.gov



Tard Acquisition without a charge in large

ATT Tardbook Taragraph 8/15

→ Purchase Assurance

Sales Assurance

+ Transaction Assistance

 TAA Requirements

→ AID VIONABIE Costs / EXample



Real Property Acquisition for Noise Compatibility without Changing Land use – Typical Measures

- Purchase Assurance. Airport purchases a participating home at the appraised subject to the airport's noise/avigation easement retained on the sale to a new FMV, typically sound insulates it and resells the home for residential use
- sold by the owner subject to an noise easement conveyed to the airport at sale of the property. In effect the owner is assured no loss on the sale of the home acquire the property. Home is appraised "as is" and the property is listed and Sales Assurance. A participating owner is assured the appraised fair market value of their home on a timely market sale, however the airport does not subject to airport's easement for noise compatibility. 个
- the property. May be combined with Purchase/Sales assurance measure. with the sale of participating owner's home. Typically, the airport pays the real estate commission on the owner's sale. May also include some fixed expense to the airport's easement that is conveyed to the airport at the assisted sale of incurred on sale and move from home. The property is listed and sold subject **Transaction Assistance.** The airport agrees to pay certain costs associated

FAA Requirements

- property considers the existing noise impact, as indicated by the noise contour that the participating property is located. Comparable sales to value the property are selected from the same noise contour as the FMV Appraisal Requirements. The appraisal of the FMV of the property appraised (or appropriate adjustment made for noise exposure of the subject property appraised).
- On a sale an adequate easement for noise compatibility is conveyed/retained:
- Provides for "right of overflight" with associated noise as mitigated under the airport's NCP
- Permanently encumbers the property of the current participating owner and subsequent owners (Easement must "Go with the Land").
- Reflects the approved NCP, but does not preclude other or future mildation.



FAA Requirements

- **Relocation Act.** In contrast to a "Buy-out project" where land is acquired for assistance the selling owner is "not displaced" and is not entitled to moving or replacement housing payments under 49 CFR 24 (Uniform Relocation Act). redevelopment to compatible land use, on purchase assurance or sales Owners Sale is a Voluntary Transaction under the Uniform
- Market Value Sale of Participating Property.
- The time exposed on the market must adequate to solicit the appraised
- List price should anticipate normal negotiations, say list 2% above appraised FMV, FHA premium, etc.
- and at closing the property is purchased subject to the airport's easement. The listing must notify that the property is offered subject to the easement
- person, pamphlets, other available information methods). Realtors need to The airport must be able to explain the easement to buyers (e.g. contact understand the easement.
- Reasonable cost to market the property at its appraised FMV are allowable offsets against sales proceeds (transaction assistance items, e.g. realtor fee, airport expense to maintain "curb appeal" and market at FMV).



Allowable cost for FAA Reimbursement

→ Purchase Assurance:

Plus Eligible Sound Insulation Costs Allowable for AIP = FMV of Participating Owners home

Less Net Sales Proceeds of Sound Insulated Home

→ Sales Assurance:

Appraised FMV "As is" less Actual Sales Price subject to easement

Transaction Assistance: As noted may be combined/included in above measures in an airport's approved NCP

measure accepted by FAA (e.g. owner's expense to market home, some fixed moving expense Participating owner's realtor fee on sale of home and other assistance cost under the NCP allowance, etc)



Allowable Purchase Assurance Expense:

Home Acquisition Cost:

\$ 80,000 (appraised FMV as is)

Eligible Sound Insulation Cost: \$30,000

Total AIP Grant Eligible Cost: \$110,000

Net Sales Proceeds:

Sales Price: \$110,000 (insulated & subject to easement)

less Allowable Sales Expense: \$10,000 (Realtor fee, VA repairs, other allowable non operating expense)

Net Sales Proceeds: \$ 100,000

Allowable Sales Assurance Expense:

Appraised FMV As is:

\$ 80,000 (not subject to easement)

less Owners Sale Price

\$ 78,000 (45 days on market)

plus owner's allowed expenses \$ 6,000(Realtor fee, FHA reg'd repairs)

Net Paid to Owner: \$8,000

Total AIP allowable: \$8,000

Includes transaction assistance provided in the approved NCP

V. Where to Get More Information?

Questions / Guidance Needs?

✓AIP Handbook Chapter 8, FAA Order 5100.38 http://www.faa.gov/airports/aip/aip handbook/

✓ Contact Your FAA Project Manager

http://www.faa.gov/airports/news_information/contact_info/regional/

AAAE 9th Annual Noise Mitigation Symposium

October 5, 2008. Boca Raton, FL

FAA Hot Topics - Airport Land Programs

CITY OF DANIA BEACH

Agenda Request Item

| Type of Request: Special Event (Adopt Resolution, Adopt Ordinance (1st Reading) Adopt Ordinance (2nd Reading) Award Bid /RFP, Presentation, Public Hearing) | | | |
|---|-------------------------|------------------|------|
| Continued from: | | | |
| Requested Action | (Identify appropriate A | ction or Motion) | |
| A Special Event request to have a book bag and school supplies give away at Chester Byrd Park on Saturday, August 6, 2011 from 9 a.m. – 3 p.m. | | | |
| Description of Action | | | |
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| Purchasing Requests | ONLY | _ | |
| Dept: | Acct #: | | Amt: |

(Select from: General, Water, Sewer, Stormwater, Grants, Capital)

Fund:

| Fiscal Impact/Cost Summary | | |
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| Exhibits Attached | | |
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City of Dania Beach 100 West Dania Beach Blvd., Dania Beach, FL 33004

SPECIAL EVENTS APPLICATION – EVENTS ON PRIVATE / PUBLIC PROPERTY Please PRINT or TYPE

NOTE: ALL APPLICATIONS MUST BE COMPLETED AND SUBMITTED TO THE CITY FOR APPROVAL 60 DAYS PRIOR TO THE EVENT INCLUDING PAYMENT OF ALL APPLICATION FEES (SEE ATTACHED).

| Event Name, Date, and Time: TELDES, DHA; AUBUST 6# 2011; 9AM_3PM |
|--|
| Brief Description of the Event: We will be consolidating a back to school book bag (school supplies incl.) |
| five-a-way to local community as a community service from our fraternal o |
| Address/Location of Event: Chester Byer Park-1021 S.W. Due Avenue, Lauis Boh. A. 3: |
| Event Coordinator: JOSELYLI R. GORDON - WORTHY MATRON |
| Telephone #1: 954-549-4000 E-mail Address: JKRSCORPG Dellochth. ust |
| Telephone #2: 954-322-8535 Fax: 954-322-8560 |
| Additional Contact Person for the Event: Aunkia Richardson |
| Telephone #1: 954-274-4072 E-mail Address: Dodey 1@ bellsouth. Let |
| Telephone #2: 954-734-0058 Fax: 954-322-8560 |
| Organization or Sponsor of Event: PRIDE of Hollywood-Seder of Eastern Star, A.H.A. |
| Address: 2207 FORREST STREET |
| City, State, Zip Code: Howwww, Fla. 33020 |
| Telephone: 954-549-4000 Fax: 954-322-8560 Cell: 954-274-4072 |
| s this a Non-Profit Organization? [VYes [] No Tax ID#: 85-80132151616-9 |
| Corporation Name (As it appears in the Articles of Incorporation): |
| MOST WORShipful Thion GRAND LODGE OF FLORIDA |
| Date of Incorporation: 12 3 1 2009 State of Incorporation: THORIDA |
| Federal ID #: 20-0863495 |
| Authorizing Official for the Organization: Josellu R. GORDON |
| Telephone #1: 954-549-4000 E-mail Address: JKRSCO2P@10EllSOUM, NET |
| Telephone #2: 954-322-8525 |
| Authorizing Official for the Organization: MEARTHUR GORDON |

| Telephone #1: <u>954</u> - | -553-2284 | E-mail Addres | s: <u>Geaubga</u> | @ bell south. Net | _ |
|---|---|--|--|--|-------------------------|
| Telephone #2: | 299-8292 | | | | |
| *Property Owner: | | | | | |
| *Please Note - A letter | of Consent is requi | red from the prope | erty owner for the ap | oproval of this application. | |
| Is the letter attached? | []Yes []No | | | | |
| Will any portion of this | event take place on | Public or City Pro | pperty? [L] Yes | [] No | |
| Will there be a charge for | or admission?[] | Yes [4] No If y | es, how much? | NIA | |
| Has this event been hel | d in the past? [ห้า | res [] No | | | |
| If so, Indicate the city lo | cation of last event | : Dania Fl | . 33004 | | |
| is the event to take plac | | • | | | |
| Number of Expected Da | ily Attendants: | (BSO o | r Fire Details may be i | required - refer to page 6) | |
| Please indicate the dura | tion of the event: | | | | |
| DAY | DATE | START TIME | END TIME | TOTAL # OF HOURS | |
| Saturday | AUBUST 15# | 9,400 | 3:00 P.m. | 10 | |
| | | · | | | |
| | | | | | |
| Anticipated Date and Tir | ne to Begin Set-Up: | Saturbay 8 | 3/6/11-850/A | <u>m</u> | |
| Anticipated Date and Tir | | · · · · · · · · · · · · · · · · · · · | 8/6/11-499 | | |
| rejected, resulting in a sig The site plan must includ vehicular drive paths, fin grandstand, bleacher or pyrotechnical material, fir | n indicating the follow inificant time delay. de the following: en e hydrant locations, other seating locati eworks, etc. In adi | ving conditions mus The fire department strances and exits, fire department of store ions, tent and stag dition, the site plan | at accompany the app of must have easy at emergency vehicle connections, street of ge locations, cooking of must include the li | Yes [] No polication or the application will occess to the special event are access routes, parking, general closure requests, fenced area ag areas, and locations of a ocation of any rides (animal ecreation vehicles for overnige | ea. rai as, ny |
| s there a request for an | y road closures? [| Yes [1] No | | | |
| Ple ase identify the stree | t name(s) and/or lo | cations for closure | requests: | I A | |

| Please Note - These | e streets must also i | be identified on the si | te plan. | | |
|--|--|--|--|--|---|
| *Are you requesting Please Note - You m | to fence the event a | area? [] Yes [] No | o 1. | | |
| building permits and in of the canopy fabric for be obtained from the | nt structures with can nspections. All cano or field testing must b canopy manufacture | ples must be flame reta | O square feet [Per N Irdant. A certificate of a approval with this | IFPA 1: Table 1.12.19(a) of flame retardency and a application. This information is the property of the proper | sample |
| *Please Note - All terms inspections. All tents testing must be submanufacturer or the testing manufacturer or the testing must be separate exits remote addition, they must he indicating the location permits must be obta | ents in excess of 200 must be flame retard itted for product appent rental company. It located from each ave emergency egrent of all Exits, Exit Sined for all tents and | ant. A certificate of flat roval with this applicate of the tents have sides other with electrically is lighting and fire extends. Emergency Light | PA 1: Table 1.12.19 me retardancy and a ion. This information, they are treated as illuminated exit signs inguishers. Provide ing, Aisle Spacing, ase apply for all personers. | (a)] require building permanent sample of the tent fabric on can be obtained from a buildings. They must has that have a battery bac a life safety plan for the Fire Extinguisher location mits at the Building Depoyals. | for field the tent lave two k-up. In se tents |
| *Will electricity be re (for lighting, sound, | quired for this even | t? er needs, etc.) [v] Ye | s 17.0 | | |
| *How will this electric *Please Note – The use a inspections. Please a Beach Blvd. Events r site. Please allow 8-1 | city be supplied? [se of generators, te apply for the permit(sequiring electricity as 0 working days for pe | On-Site () Gener mporary wiring, tempo s) prior to setting up a e the responsibility of | rator [] Combina rary electrical conne it the Building Depa the applicant and m enerator less than 5h | ation of Both ections, etc. require pern ritment located at 100 W rust have a master electr KW does not require a pe | /. Dania |
| | | Performers, etc.): | | | |
| Please specify the ho | ours of entertainme | nt: | | | |
| DAY | DATE | START TIME | END TIME | TOTAL # OF HOURS | 7 |
| Saturday | 3 6 (1 | 10:00 m | 11:00 bt. | 6 | |
| | | | | | - |
| | | | | | 4 |

*Please note Fire Extinguisher Requirement in the next question.

*Do you have adequate fire extinguishers for this event? [v] Yes [] No *Please Note - Fire extinguishers must be supplied for each tent, canopy, cooking appliance and stage. They must be accessible from anywhere in the tent or on the stage without having to travel any further than 75 feet for access. Extinguishers must be easily accessible and not obscured from view. Fire extinguishers must be commercial "ABC Multi-Purpose" (minimum 5lbs.) fire extinguishers that are currently certified and tagged by a licensed company. You

^{*}Will a stage(s) be used in this event? [] Yes [No

need to demonstrate that this requirement will be met by making a note on the site plan indicating compliance with all of the above requirements or providing a letter to the City fire prevention bureau to that effect.

| *Will there be concessions or sales of food at this event? [] Yes [Y No |
|--|
| Please specify: LOUE |
| *Please Note STATE HEALTH INSPECTIONS FOR FOOD: Pursuant to Florida law (Chapter 509, Florida Statutes) event sponsors are required to contact the State Health Inspector no less than 3 days prior to the event. Advance notification of 7 to 10 days is advisable. Please send a fax with your event plans and contact information to Fax Number (954) 956-5699. The Inspector's office will contact you to discuss food vendors and amounts and types of food you plan to make available to the public, whether it is being given away or sold. |
| An original Certificate of Liability Insurance and Workers' Compensation Certificate is required from all vendors. You must ensure that the Liability Certificate is for this specific event, has the proper dates, and names the City of Dania Beach as an Additional Insured. No event will be approved without this insurance. |
| *Will any type of cooking appliances be used by either the Sponsor of the Event or any of its vendors? [] Yes |
| *If so, indicate the type of appliance(s) to be used and the number of each appliance to be used: N/A |
| *Please Note – Grease Fryers are not permitted indoors unless they are protected with an approved Hood and a UL300 Compliant Wet Chemical Automatic Fire Suppression System in accordance with NFPA 96. |
| *Does each cooking appliance have its own dedicated Fire Extinguisher? [] Yes [] No NA A Please Note - Each cooking appliance must have its own dedicated fire extinguisher. Class K fire extinguishers are required for fryers. You need to demonstrate that this requirement will be met by making a note on the site plan indicating compliance with all of the above requirements or providing a letter to the fire prevention bureau. |
| *Does each cooking area have the proper clearances from all other event areas? [] Yes [] No KIA *Please Note - Cooking areas can be located no closer than 30 feet from any tent or canopy structure, event rides, stages, grandstands or bleachers, etc. Ensure that this measurement is demonstrated on the site plan. |
| *Will there be sales of alcohol at this event? [] Yes [V No *Please Note — An original certificate of liquor liability insurance naming the City of Dania Beach as additional insured and a 1/2/3 Day Special Sales License is required to be submitted with this application. The license must be obtained from the State of Florida Department of Business and Professional Regulation. |
| If Yes, Please Specify Types of Alcohol to be Sold: [N/A [] Beer [] Wine [] Liquor [] Mixed Drinks [] Other: |
| If alcohol is being served, please indicate how the beverages will be served: [VN/A []Draft Truck []Cold Plate [] Mini-Bar [] Beer Tub [] Table Service |

| Other: NA |
|--|
| Will there be alcohol given away at this event? [] Yes [No |
| Please Specify Types of Alcohol to be given away: [JN/A [] Beer [] Wine [] Liquor [] Mixed Drinks [] Other: |
| Will there be retail sales at this event? [] Yes [y No |
| Please Specify: |
| *Will there be any carnival rides, mechanical or vehicular rides, or animal rides at this event? [] Yes [Y] No |
| *If yes, please describe: |
| What is the name of the vendor or vendors providing the rides? [N/A |
| *Please Note - If carnival rides are to be present, the rides must be inspected by a state inspector, city electrical inspector, and fire inspector 48 hours prior to the rides opening. |
| Are you providing to us a copy of the ride vendor's Certificate of Liability and Workers' Compensation Insurance with this application? [] Yes [] No N/A *Please Note — An original Certificate of Liability and Workers' Compensation Insurance is required for any and all rides. Ensure that the Certificate is for this specific event, has the proper dates, and names the City of Dania Beach as an Additional Insured. No event will be approved without this insurance. |
| *Will recreational vehicles be used for temporary overnight housing? [] Yes [L] No *Please Note - Indicate the locations of these on the site plan. |
| *Will there be any use of pyrotechnics or fireworks displays at this event? [] Yes [No *Please Note - Pyrotechnics fireworks displays require special applications, permits and inspections as well as ar original Certificate of Liability and Workers' Compensation Insurance. In addition, a Fire Inspector will be required to be present during set-up and displays. This expense will be passed on to the event. (BSO or Fire Details may be required to page 6) |
| *Will there be use of any Grandstands or Bleachers for seating at this event? [] Yes No *Please Note - Bleachers and Grandstands may have to meet special safety code requirements. Locations must be indicated on the site plan. Plumbing permit is required for portable toilets. |
| *Are portable, ADA compliant sanitary facilities being provided for this event? [] Yes [Y No |
| If so, How many? [*] N/A *Please Note – Provide the locations of all sanitary facilities on the site plan. |
| *Is there a request for any temporary signage for this event? [] Yes [t/ No *Please Note – Any questions regarding temporary signage should be directed to City Code Compliance (954)924-6810. |
| Are there any services being requested from the City of Dania Beach? [] Yes [No |
| f yes, please explain: |
| Please list any other conditions, terms or relevant information related to this event that may be of interest to |

BSO DETAIL REQUIREMENT

Based upon anticipated attendance, site or building size, site location, and ability to assure public safety requirements, a Broward Sheriff's Office Detail may be required.

FIRE WATCH REQUIREMENT

A Fire-Watch may be imposed depending on the type of event, number of persons present and hazards involved. The number of personnel and apparatus required may vary depending on the type of event and hazards involved. Below are the current rates charged for the presence of a fire watch detail, fire inspector or both:

Off-Duty detail assignment services performed by Dania Beach Fire Rescue Personnel will be paid at their current overtime rate of pay with benefits (3 Hour Minimum). In addition, a City administrative fee of 10% will also be charged based on the total cost of personnel and apparatus. Personnel costs are currently estimated to be \$84.42 per hour, per person (3 hour minimum).

The cost of apparatus is as follows: Rescue Truck - \$32.00 per hour Engine (1500 gpm) - \$71.00 per hour Ladder (1500 gpm) - \$80.00 per hour

The City of Dania Beach requires payment 14 days in advance for the detail services and fees are to be made payable to The City of Dania Beach by means of <u>cash advance or a cashier's check</u>. Fees are based on individual employee's overtime rates which vary from person to person. The amount estimated is based on the highest overtime rate currently payable in addition to fees for FICA, Medicare, Worker's Compensation and Administrative fees. In the event that the entire estimated amount is not required for services, the City will refund the money, less the expenses incurred for the service. Should the amount of time required for the fire watch detail exceed that agreed upon before the event, the Event sponsor will be required to pay for any overage based on the actual cost for the Fire Watch. The Event sponsor will be responsible to pay the actual service price incurred.

The information I have provided on this application is true and complete to the best of my knowledge. I understand that approval of this event is contingent upon review and approval of all City Disciplines, the City Attorney's Office and the City Commission.

Worthy Matron, DES PHA Title Pride of Hollywood #50

Josefun R. Bordon
Signature of Applicant

Josefun R. Bordon

Print name of Applicant

4 | 28 | 2011

Date

STATE OF <u>FLORIDA</u> COUNTY OF <u>BROWARD</u>

| The foregoing instrument was acknowledged before by <u>Jocelyn R. Gordon</u> , who is person | me on |
|--|--|
| following form of identification: FLDL | |
| , | Shippara R. Palmer |
| | NOTABY BUBLIC |
| NOTARY PUBLIC STATE OF FLORIDA Shirjuana R. Palmer | My Commission expires:September 8, 2014 |
| Commission * EE024066 Expires: \$EP. 08, 2014 BOTTO THE ATLASTIC WOODING 60, ENG. | My Commission expires: September 8, 2014 My Commission number: EF024066 |



Consumer's Certificate of Exemption

Issued Pursuant to Chapter 212, Florida Statutes

DR-14 R. 04/05 12/04/09

85-8013215161C-9 12/31/2009 12/31/2014 501(C)(3)

Certificate Number Effective Date

Expiration Date

501(C)(3) ORGANIZATION

Exemption Category

This certifies that

MOST WORSHIPFUL UNION GRAND LODGE FOUNDATION INC 118 SALEM CT TALLAHASSEE FL 32301-2810

is exempt from the payment of Florida sales and use tax on real property rented, transient rental property rented, tangible personal property purchased or rented, or services purchased.



Important Information for Exempt Organizations

DR-14 R. 04/05

- You must provide all vendors and suppliers with an exemption certificate before making tax-exempt purchases.
 See Rule 12A-1.038, Florida Administrative Code (FAC).
- Your Consumer's Certificate of Exemption is to be used solely by your organization for your organization's customary nonprofit activities.
- Purchases made by an individual on behalf of the organization are taxable, even if the individual will be reimbursed by the organization.
- 4. This exemption applies only to purchases your organization makes. The sale or lease to others by your organization of tangible personal property, sleeping accommodations or other real property is taxable. Your organization must register, and collect and remit sales and use tax on such taxable transactions. Note: Churches are exempt from this requirement except when they are the lessor of real property (Rule 12A-1.070, FAC).
- 5. It is a criminal offense to fraudulently present this certificate to evade the payment of sales tax. Under no circumstances should this certificate be used for the personal benefit of any individual. Violators will be liable for payment of the sales tax plus a penalty of 200% of the tax, and may be subject to conviction of a third degree felony. Any violation will necessitate the revocation of this certificate.
- If you have questions regarding your exemption certificate, please contact the Exemption Unit of Central Registration at 850-487-4130. The mailing address is PO BOX 6480, Tallahassee, FL 32314-6480.

FROM : BIGPAPA FAX NO. :9543228560 May. 24 2011 12:53P1 P1 Sounds is shirther E.tall BACK PIACK FICKLIF Stall ५, ८५

To: Mayor Flury, Vice Mayor Grace, Commissioner McElyea,

Commissioner Castro and Commissioner Duke

Cc: Robert Baldwin, City Manager

Colin Donnelly, Assistant City Manager

From: Antoine Pollard, Department of Parks and Recreation

Date: May 25, 2011

Subject: Back to School Book bag Give Away and School Supplies

Giveaway.

Event Date(s): Saturday, August 6, 2011

The Special Event is requested by Pride of Hollywood #56, for a back to school book bag and school supplies giveaway. This event will be held at Chester Byrd Park located at 1021 SW 2nd Avenue from 9 a.m. – 3 p.m. This will be free community event.

Recommendation: Approval with the compliance of the conditions noted below.

| Staff | Comments/Conditions | Approved |
|----------------------------------|----------------------------|----------|
| Sean Brown/ BSO Fire Dept. | No Issues | Yes |
| Dominic Orlando/P.S. | No Issues | Yes |
| Corinne Lajoie/Community Dev. | No Issues | Yes |
| Phil Reeves/Community Dev. | No Issues | Yes |
| Tom Ansbro/City Attorney | No Issues | Yes |
| Jackie Beauzil/HR/Risk Mgmt | No Issues | Yes |
| Kristen Jones/Parks & Recreation | No Issues | Yes |
| Nick Lupo/Code | No Issues | Yes |
| Richard Tarrant/BSO | BSO will monitor the event | Yes |

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Special Event (Adopt Resolution, Adopt Ordinance (1st Reading) Adopt Ordinance (2nd Reading)

| Award Bid /RFP, Presentation, Public Hearing) | | | |
|--|---|--------------------------|--|
| Continued from: | | | |
| Requested Action (Identify | y appropriate Action or Motion) | | |
| A Special Event request to have 9 a.m. – 10 p.m. | a Back to School Parade on Satur | day, August 6, 2011 from | |
| | | | |
| Description of Action | | | |
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| | | | |
| Purchasing Requests ONLY | | | |
| Dept: | Acct #: | Amt: | |
| Fund: (Select from: General, W | ater, Sewer, Stormwater, Grants, Capital) | | |

(Select from: General, Water, Sewer, Stormwater, Grants, Capital)

| Fiscal Impact/Cost Summary | | | | | | |
|----------------------------|--|--|--|--|--|--|
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| Exhibits Attached | | | | | | |
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City of Dania Beach

100 West Dania Beach Blvd., Dania Beach, FL 33004 SPECIAL EVENTS APPLICATION - EVENTS ON PRIVATE / PUBLIC PROPERTY

Please PRINT or TYPE

NOTE: ALL APPLICATIONS MUST BE COMPLETED AND SUBMITTED TO THE CITY FOR APPROVAL 60 DAYS PRIOR TO THE EVENT.

proceeds to the Dr. Martin Luther King Jr. Community Center in Hollywood, featuring Broward County School Board

Event Name, Date, and Time: Progress in the Park Back-to-School Parade, 8/6/11, 9-10 a.m. *Brief Description of the Event: Annual back-to-school parade kicks off from Charlie Will Thomas Park and members and school administrators, elected officials, local churches, organizations, bands. Address/Location of Event: Parade kick-off from Charlie Will Thomas Park, 100 NW 8 Ave, Dania Event Coordinator: Richard Walker E-mail Address: rwalker@hollywoodfl.org Telephone #1: 954-445-6595 Fax: 954-921-3413 Telephone #2: 954-921-3412 Additional Contact Person for the Event: Kim Ford E-mail Address: njchurch2254@aol.com Telephone #1: 954-258-3399 Telephone #2: 954-922-6098 Fax: 954-922-7409 Organization or Sponsor of Event: United Churches of Liberia (UCOL), New Jerusalem Baptist Church Address: 2254 Douglas Street City, State, Zip Code: Hollywood, FL 33020 Telephone: 954-922-6098 Fax: 954-922-7409 Cell: 954-258-3399 Is this a Non-Profit Organization? [X] Yes [] No Tax ID #: 85-8012498017C-5 Corporation Name (As it appears in the Articles of Incorporation): New Jerusalem Missionary Baptist Church of Hollywood Inc. Date of Incorporation: April 6, 1984 State of Incorporation: Florida Federal ID #: 59-2405072 Authorizing Official for the Organization: Michael K. Anderson Telephone #1: 954-922-6098 E-mail Address: njchurch2254@aol.com Telephone #2: 954-922-4604

Authorizing Official for the Organization: _____

Telephone #1: _____ E-mail Address: ____

Telephone #2:

housing, etc.

Is there a request for any road closures? [X] Yes [] No

| *Property Owner: N | ot applicable | | | |
|---|--|--|---|---|
| *Please Note - <u>A let</u> | ter of Consent is requ | uired from the prope | rty owner for the | approval of this application. |
| is the letter attache | d?[]Yes []No | | | |
| Will any portion of t | his event take place | on Public or City Pro | perty? [X]Yes | s [] No |
| Will there be a charg | ge for admission? [| Yes [X] No If | yes, how much? | |
| Has this event been | held in the past? [) | (] Yes [] No | | |
| NW 1 Street to NW 7 | Avenue to Phippen-W | aiters Road to SW 7 | St. (Charleston St. | or parade line-up; parade proceeds a in Hollywood to MLK Community Ce |
| | place: [] Indoors d Daily Attendants: 2 | | | Details may be required - refer to pag |
| Please indicate the DAY | duration of the event | START TIME | END TIME | TOTAL # OF HOURS |
| | | | | |
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| | | | | |
| Anticipated Date ar | nd Time to Begin Set- | -Up: August 6, 2011 - | - 8 a.m. | |
| Anticipated Date ar | nd Time for Completi | on of Break-Down: | August 6, 2011 – 9 | a.m. |
| *Please Note - A sirejected, resulting in The site plan must vehicular drive path grandstand, bleache pyrotechnical mater | a significant time del include the following: as, fire hydrant location or other seating kersial fireworks, etc. In | ollowing conditions may. The fire department entrances and exite ons, fire department ocations, tent and standard addition, the site plants. | ust accompany the ent must have eas a, emergency vehi- connections, stre- age locations, co- an must include the | [X] Yes [] No application or the application will be sy access to the special event area. cle access routes, parking, general et closure requests, fenced areas, oking areas, and locations of any he location of any rides (animal or s, recreation vehicles for overnight |

Please identify the street name(s) and/or locations for closure requests: Stirling Road at Phippen-Waiters Road <u>Please Note</u> – These streets must also be identified on the site plan.

nd nia

*Are you requesting to fence the event area? [] Yes [X] No Please Note - You must identify any fencing area on the site plan.

*Will Canopies (tent structure with no sides) be used for this event? [] Yes [X] No

*Please Note - All tent structures with canopies in excess of 400 square feet [Per NFPA 1: Table 1.12.19(a)] require building permits and inspections. All canopies must be flame retardant. A certificate of flame retardency and a sample of the canopy fabric for field testing must be submitted for product approval with this application. This information can be obtained from the canopy manufacturer or the canopy rental company. Please apply for the permit at the Building Department located at 100 W. Dania Beach Blvd. Please allow 8-10 working days for permit approvals.

*Will Tents (With Sides) be used for this event? [] Yes [X] No

*Please Note - All tents in excess of 200 square feet [Per NFPA 1: Table 1.12.19(a)] require building permits and inspections. All tents must be flame retardant. A certificate of flame retardancy and a sample of the tent fabric for field testing must be submitted for product approval with this application. This information can be obtained from the tent manufacturer or the tent rental company. If the tents have sides, they are treated as buildings. They must have two separate exits remotely located from each other with electrically illuminated exit signs that have a battery back-up. In addition, they must have emergency egress lighting and fire extinguishers. Provide a life safety plan for these tents indicating the location of all Exits, Exit Signs, Emergency Lighting, Aisle Spacing, Fire Extinguisher locations, etc. Permits must be obtained for all tents and electrical work. Please apply for all permits at the Building Department

| located at 100 W. L | Jania Beach Bivo. Ple | ase allow 6-10 working | uays for permit app | Ji O Valis. | |
|---|---|--|--|--|-----|
| | required for this eve d, cooking, other pov | ent? wer needs, etc.) [] Yo | es [X] No | | |
| Please Note - The inspections. Please Beach Blvd. Even site. Please allow will there be live or Please Indicate the | e use of generators, the apply for the permits requiring electricity 8-10 working days for pentertainment at this | t(s) prior to setting up are the responsibility of permit approvals. Any gevent? [] Yes [X] re Performers, etc.): | orary electrical cor at the Building De the applicant and generator less than No | nnections, etc. require permits a partment located at 100 W. Dai must have a master electrician 5KW does not require a permit. | nia |
| DAY | DATE | START TIME | END TIME | TOTAL # OF HOURS | |
| | | | | | |
| | | | | | |

*Do you have adequate fire extinguishers for this event? [] Yes [] No (Not applicable)

*Please Note - Fire extinguishers must be supplied for each tent, canopy, cooking appliance and stage. They must be accessible from anywhere in the tent or on the stage without having to travel any further than 75 feet for access. Extinguishers must be easily accessible and not obscured from view. Fire extinguishers must be commercial "ABC Multi-Purpose" (minimum 5lbs.) fire extinguishers that are currently certified and tagged by a licensed company. You need to demonstrate that this requirement will be met by making a note on the site plan indicating compliance with all of the above requirements or providing a letter to the City fire prevention bureau to that effect.

^{*}Will a stage(s) be used in this event? [] Yes [X] No

^{*}Please note Fire Extinguisher Requirement in the next question.

| *Will there be concessions or sales of food at this event? [] Yes [X] No |
|--|
| Please specify: |
| *Please Note STATE HEALTH INSPECTIONS FOR FOOD: Pursuant to Florida law (Chapter 509, Florida Statutes) event sponsors are required to contact the State Health Inspector no less than 3 days prior to the event. Advance notification of 7 to 10 days is advisable. Please send a fax with your event plans and contact information to Fax Number (954) 956-5699. The inspector's office will contact you to discuss food vendors and amounts and types of food you plan to make available to the public, whether it is being given away or sold. |
| An original Certificate of Liability Insurance and Workers' Compensation Certificate is required from all vendors. You must ensure that the Liability Certificate is for this specific event, has the proper dates, and names the City of Dania Beach as an Additional Insured. No event will be approved without this insurance. |
| *Will any type of cooking appliances be used by either the Sponsor of the Event or any of its vendors? $[\]$ Yes $[\ X\]$ No |
| *If so, indicate the type of appliance(s) to be used and the number of each appliance to be used: [] N/A [] Electric Grill(s); # [] Gas Grill(s); # [] Charcoal Grill(s); # [] Smoker Grills(s); # [] Grease Fryer(s); # [] Oven(s); # [] Oven(s); # [] Electric Range Burner(s); # [] Gas Range Burner(s); # |
| *Please Note - Grease Fryers are not permitted indoors unless they are protected with an approved Hood and a UL300 Compliant Wet Chemical Automatic Fire Suppression System in accordance with NFPA 96. |
| *Does each cooking appliance have its own dedicated Fire Extinguisher? [] Yes [] No (Not applicable) *Please Note - Each cooking appliance must have its own dedicated fire extinguisher. Class K fire extinguishers are required for fryers. You need to demonstrate that this requirement will be met by making a note on the site plan indicating compliance with all of the above requirements or providing a letter to the fire prevention bureau. |
| *Does each cooking area have the proper clearances from all other event areas? [] Yes [] No (N/A) *Please Note - Cooking areas can be located no closer than 30 feet from any tent or canopy structure, event rides, stages, grandstands or bleachers, etc. Ensure that this measurement is demonstrated on the site plan. |
| *Will there be sales of alcohol at this event? [] Yes [X] No *Please Note — An original certificate of liquor liability insurance naming the City of Dania Beach as additional insured and a 1/2/3 Day Special Sales License is required to be submitted with this application. The license must be obtained from the State of Florida Department of Business and Professional Regulation. |
| If Yes, Please Specify Types of Alcohol to be Sold: [X] N/A [] Beer [] Wine [] Liquor [] Mixed Drinks [] Other: |
| If alcohol is being served, please Indicate how the beverages will be served: [X]N/A []Draft Truck []Cold Plate [] Mini-Bar [] Beer Tub [] Table Service Other: |
| Will there be alcohol given away at this event? [] Yes [X] No |

| Please Specify Types of Alcohol to be given away: [X] N/A [] Beer [] Wine [] Liquor [] Mixed Drinks [] Other: |
|---|
| Will there be retail sales at this event? [] Yes [X] No |
| Please Specify: |
| *Will there be any carnival rides, mechanical or vehicular rides, or animal rides at this event? [] Yes [X] No |
| *If yes, please describe: |
| What is the name of the vendor or vendors providing the rides? [X] N/A |
| *Please Note - If carnival rides are to be present, the rides must be inspected by a state inspector, city electrical inspector, and fire inspector 48 hours prior to the rides opening. |
| Are you providing to us a copy of the ride vendor's Certificate of Liability and Workers' Compensation Insurance with this application? [] Yes [] No (Not applicable) *Please Note - An original Certificate of Liability and Workers' Compensation Insurance is required for any and all rides. Ensure that the Certificate is for this specific event, has the proper dates, and names the City of Dania Beach as an Additional Insured. No event will be approved without this insurance. |
| *Will recreational vehicles be used for temporary overnight housing? [] Yes [X] No *Please Note - Indicate the locations of these on the site plan. |
| *Will there be any use of pyrotechnics or fireworks displays at this event? [] Yes [X] No *Please Note - Pyrotechnics fireworks displays require special applications, permits and inspections as well as an original Certificate of Liability and Workers' Compensation Insurance. In addition, a Fire Inspector will be required to be present during set-up and displays. This expense will be passed on to the event. (BSO or Fire Details may be required - refer to page 6) |
| *Will there be use of any Grandstands or Bleachers for seating at this event? [] Yes [X] No *Please Note* - Bleachers and Grandstands may have to meet special safety code requirements. Locations must be indicated on the site plan. Plumbing permit is required for portable toilets. |
| *Are portable, ADA compliant sanitary facilities being provided for this event? [] Yes [X] No |
| If so, How many? [X] N/A *Please Note – Provide the locations of all sanitary facilities on the site plan. |
| *Is there a request for any temporary signage for this event? [] Yes [X] No *Please Note – Any questions regarding temporary signage should be directed to City Code Compliance, (954) 924-3646. |
| Are there any services being requested from the City of Dania Beach? [X] Yes [] No |
| If yes, please explain: (1) Transportation for elected officials and school administrators; (2) City vehicles, fire engine to participate in parade; (3) Can all fees be waived? |
| Please list any other conditions, terms or relevant information related to this event that may be of interest to the City: Detective Richard Tarrant will be contacted to assist with (1) parade movement from Charlie Will Thomas Park to the Dr. Martin Luther King Jr. Community Center (2400 Charleston Street, Hollywood) and (2) temporary street |

closure at Stirling Road and Phippen-Waiters Road for parade procession.

到最过程是4月15

BSO DETAIL REQUIREMENT

Based upon anticipated attendance, site or building size, site location, and ability to safety requirements. a Broward Sheriff's Office Detail may be required.

FIRE WATCH REQUIREMENT

A Fire-Watch may be impossed depending on the type of every number of personnel and apparatus required may vary depend Mina on the typ are the current rates charged for the presence of a fire watch detail, fire inspecto

Off-Duty detail assignment services performed by Dania Beach Fire Re their current overtime rate of pay with benefits (3 Hour Minimum). In addit of 10% will also be charged based on the total cost of personnel and the licosts are currently estimated to be \$84.42 per hour, per person (3 hour minimum).

The cost of apparatus is as follows: Rescue Truck - \$32.00 per hour Engine (1500 gpm) - \$71.00 per hour Ladder (1500 gpm) - \$80.00 per hour

The City of Dania Beach requires payment 14 days in advance for the detail services and fees are to be made payable to The City of Dania Beach by means of cash advance or a cashier's check. Fees are based on individual employee's overtime rates which vary from person to person. The amount estimated is based on the highest overtime rate currently payable in addition to fees for FICA, Medicare, Worker's Compensation and Assimistrative fees. In the event that the entire estimated amount is not required for services, the City will refund the money, less the expenses incurred for the service. Should the amount of time required for the fire watch detail exceed that agreed upon before the event, the Event sponsor will be required to pay for any overage based on the actual cost to the Fire Watch. The Event sponsor will be responsible to pay the actual service price incurred.

The information I have provided on this application is true and complete to the base of my knowledge. I estand that approval of this event is contingent upon review and approval of all City Disciplines, the City ey's Office and the City Commission,

of Applicant

New Jerusalem Senior Pasion

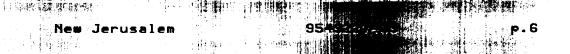
Michael K. Anderson Print name of Applicant

June 7, 2011 Date

STATE OF FLORIDA COUNTY OF BROWARD

| | 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 | | |
|---|---------------------------------------|--|-------------|
| The foregoing instrument was acknowledged before by Michael K. American , who is person | | TUNE 8th to me, or if not assessed to me | , 2011. |
| following form of identification: Arivers /1c | | - | roduced the |
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| | ार्वहें _{के} और स | Notary Public State of Florida Susan A Robinson My Commission EE038889 | |

The second second



Progress in the Park 2011 Event date: Saturda

Parade starts 9a.m.

SITE PLAN for Progress in the Park 2011 **Back-to-School** PARADE:

NW 1 Street

SW 1 Street

Parade LINE-UP at 8 a.m. along west side of CWT Park, at NW 10 Court Parade KICK-OFF at 9 ash; parade proceeds along parade route

Parade ends at MLK Center, 2400 Charleston Street in Hollywood. [Back-to-school Rally begins at 10 a.m. with Broward School Board members and elected officials speaking.]

Phippen-Waiters Road

2400 Charleston St.

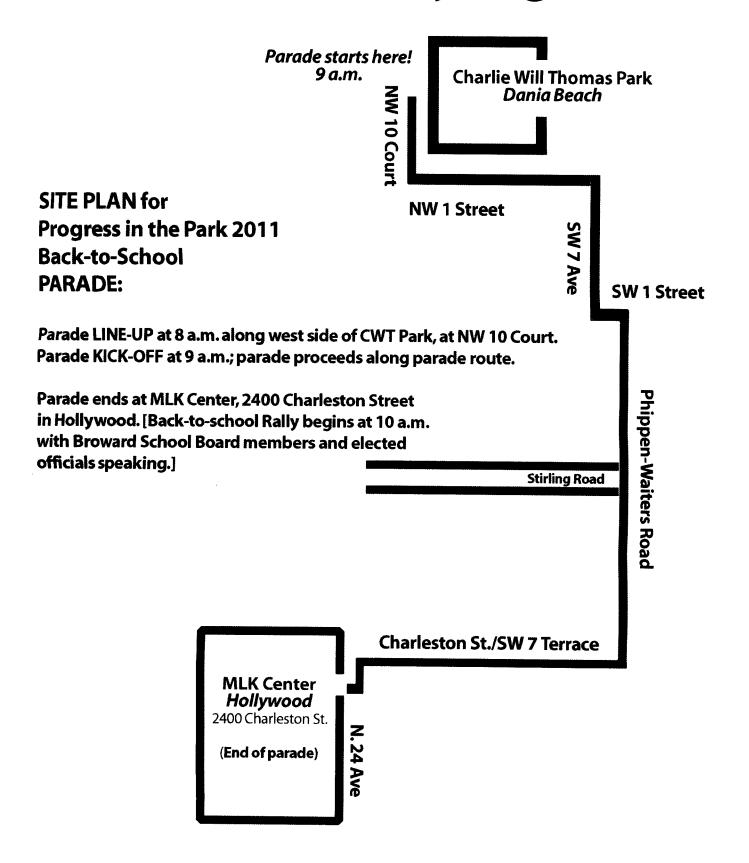
(End of parade)

MLK Center Hollywood

Charleston St./SW 7 Terraco

a semi

Progress in the Park 2011 PARADE Event date: Saturday, August 6th



To: Mayor Flury, Vice Mayor Grace, Commissioner McElyea,

Commissioner Castro and Commissioner Duke

Cc: Robert Baldwin, City Manager

Colin Donnelly, Assistant City Manager

From: Antoine Pollard, Department of Parks and Recreation

Date: July 1, 2011

Subject: Progress in the Park Back to School Parade

Event Date(s): Saturday, August 6, 2011

The Special Event is requested by United Churches of Liberia (UCOL) and New Jerusalem Church for a back to school parade. This event will feature members of the following; The Broward County School Board, elected officials, local churches, organizations and bands. School supplies will be handed out to students in the community. This will be a free event.

The following request has been made by the applicant, Kim Ford.

1. To waive the Special Event Application Fee of \$150.00.

Recommendation: Approval with the compliance of the conditions noted below.

| Staff | Comments/Conditions | Approved |
|----------------------------------|---|----------|
| Sean Brown/ BSO Fire Dept. | No Issues | Yes |
| Dominic Orlando/P.S. | No Issues | Yes |
| Corinne Lajoie/Community Dev. | No Issues | Yes |
| Tammie James/Community Dev. | No Issues | Yes |
| Tom Ansbro/City Attorney | No Issues | Yes |
| Jackie Beauzil/HR/Risk Mgmt | No Issues | Yes |
| Kristen Jones/Parks & Recreation | No Issues | Yes |
| Nick Lupo/Code | No Issues | Yes |
| Richard Tarrant/BSO | BSO will handle of traffic control/escorting of the parade. | Yes |

MINUTES OF SPECIAL MEETING DANIA BEACH CITY COMMISSION TUESDAY, JUNE 21, 2011 – 6:00 P.M.

1. Call to Order/Roll Call

Mayor Flury called the meeting to order at 6:00 p.m.

Present:

Mayor: Patricia A. Flury Vice-Mayor: Bobbie Grace Commissioners: Anne Castro

Walter Duke C. K. "Mac" McElyea

City Manager: Robert Baldwin
City Attorney: Thomas Ansbro
City Clerk: Louise Stilson

2. Beach Watch Litigation Settlement Agreement

City Attorney Ansbro introduced Alan Grossman, attorney for the Beach Watch Restaurant, and Dan Abbott, Special Counsel for the City of Dania Beach. He explained how the settlement came about. City Attorney Ansbro remarked that in every settlement case both sides are not completely happy but they are willing to resolve their differences and move on with their lives.

Dan Abbott, Special Counsel, provided a history of the suit with Allegria Entertainment. He explained that the settlement is for \$650,000.00 and the tenant will vacate the premises on July 14, 2011. The lease will continue as written until the tenant leaves, and the rent will be prorated. Attorney Abbott noted the tenant will only pay property taxes that have accrued until July 14, 2011. He said that under the terms of the settlement the tenant will give the City the amount of \$11,000.00 of the \$21,000.00 tax bill. Attorney Abbot advised that the tenant will take their personal property and leave the fixtures that are attached to the property. He indicated that arrangements will be made for closing on the settlement date and the City would have a representative to make sure that everything is done in an orderly fashion. Attorney Abbot noted that all claims will be released from both parties on this date. Lastly, he stated that if the settlement is not approved it will be scheduled for a future court date.

Commissioner Castro asked if we had checked for outstanding liens.

Attorney Abbott responded there are no liens. He added that a walk through will also be done on the closing date.

City Attorney Ansbro recommended approving the settlement agreement. He noted the Commission will need to discuss what to do with the property at a future Commission meeting.

Commissioner Castro asked to add this matter to the June 28 agenda as a discussion item.

Commissioner Duke noted that the restaurant has been a disservice to the residents and visitors. He remarked that we hired an excellent law firm; we spent a lot of money on legal fees and he thought we would have done well in court. Commissioner Duke further indicated that although he does not like the idea of using taxpayer money to settle this litigation, there is value in taking control of this asset. He stated he is not happy with the results of this case.

Vice-Mayor Grace noted she will not prolong having an agreement with the tenant for another 16 years. She would like the City to take photos before and after they leave to insure they do not damage the property.

Attorney Abbott noted the settlement would be a closing.

Vice-Mayor Grace noted that we need people who can run a quality operation at the Pier restaurant. She supported terminating this lease and getting them out as soon as possible.

Commissioner McElyea noted he always thought it was a bad idea. He supported the settlement agreement.

Mayor Flury supported the settlement agreement. She thanked the City Attorney and Attorney Abbott for their work on this case.

Commissioner Castro motioned to approve the Settlement Agreement with Beach Watch Restaurant for \$650,000.00; seconded by Vice-Mayor Grace. The motion carried on the following 4-1 Roll Call vote:

| Commissioner Castro | Yes | Vice-Mayor Grace | Yes |
|-----------------------------|-----|------------------|-----|
| Commissioner Duke | No | Mayor Flury | Yes |
| Commissioner McElyea | Yes | | |

3. Adjournment

Mayor Flury adjourned the meeting at 6:19 p.m.

| ATTEST: | CITY OF DANIA BEACH |
|---------------------|---------------------|
| | |
| LOUISE STILSON, CMC | PATRICIA A. FLURY |
| CITY CLERK | MAYOR |

MINUTES OF REGULAR MEETING DANIA BEACH CITY COMMISSION TUESDAY, JUNE 28, 2011 – 7:00 P.M.

1. Call to Order/Roll Call

Mayor Flury called the meeting to order at 7:00 p.m.

Present:

Mayor: Patricia A. Flury
Vice-Mayor: Bobbie Grace
Commissioners: Anne Castro
Walter Duke

C. K. "Mac" McElyea

City Manager: Robert Baldwin
City Attorney: Thomas Ansbro
City Clerk: Louise Stilson

2. <u>Invocation and Pledge of Allegiance</u>

Pastor Mario Cinelli, Lighthouse Community Church, gave the invocation followed by the Pledge of Allegiance to the United States Flag.

3. Presentations and Special Event Approvals

3.1 Senator Eleanor Sobel – Legislative Update

U.S. Senator Eleanor Sobel provided an update of this year's Legislative session. She noted that we need to address the internet issue because we are losing taxes due to businesses closing because information is available on the internet. Senator Sobel thanked the Commission for their continued fight against the Airport expansion. She was pleased to report that the Legislature approved the "Pill Mill" bill prohibiting on-site dispensing of controlled substances by pain management clinics.

- 3.2 Estate Auction Company Business Tax Receipt Annual Renewal
- 3.3 Kodner Galleries Business Tax Receipt Annual Renewal
- 3.4 Stampler Auction Business Tax Receipt Annual Renewal
- 3.5 Peggy Lee Business Tax Receipt Annual Renewal
- 3.6 Sophia's Psychic Shop Business Tax Receipt Annual Renewal

3.8 Psychic Boutique – Business Tax Receipt New Application

Vice-Mayor Grace motioned to approve the Business Tax Receipt for Items #3.2, #3.3, #3.4, #3.5, #3.6 and #3.8; seconded by Commissioner Castro. The motion carried on the following 5-0 Roll Call vote:

| Commissioner Castro | Yes | Vice-Mayor Grace | Yes |
|-----------------------------|-----|--------------------|-----|
| Commissioner Duke | Yes | Mayor Flury | Yes |
| Commissioner McElyea | Yes | | |

3.7 Psychic Life Reading – Business Tax Receipt Annual Renewal

Nick Lupo, Code Compliance Manager, explained that Psychic Life Reading has some code violations that need to be addressed. He said that their license should not be renewed until they are in compliance.

Commissioner Castro motioned to deny the Business Tax Receipt Annual Renewal for Psychic Life Reading; seconded by Vice-Mayor Grace. The motion carried on the following 5-0 Roll Call vote:

| Commissioner Castro | Yes | Vice-Mayor Grace | Yes |
|-----------------------------|-----|------------------|-----|
| Commissioner Duke | Yes | Mayor Flury | Yes |
| Commissioner McElvea | Yes | | |

4. Proclamations

There were no proclamations at this meeting.

5. Citizen Comments

Patrick McHugh, President of Finish Line Feed, Inc., 35 NW 3rd Avenue, noted they trimmed a tree that had excessive powerlines running through it. He said the cost for the permit was \$2,000.00 to remove a Mahogany tree. Mr. McHugh advised that the City arborist told him to remove the tree but he only wanted to have the branches trimmed. He thought this was an unnecessary burden to place on a business. Mr. McHugh remarked that his business has been in Dania Beach for over 20 years and he has never been cited for any violation.

Commissioner McElyea noted that most residents are unaware they are required to obtain a permit to trim or cut down a tree. He stated that Mr. McHugh has always been a good corporate citizen and should not have to expend this money during these difficult times.

Commissioner Castro said we need to get a policy and leave businesses and homeowners alone to maintain their properties and their trees.

Vice-Mayor Grace sympathized with Mr. McHugh.

Commissioner Duke noted the Commission is in agreement, and added that our arborist is out of control. He said that we have to unwind this for Mr. McHugh and help with his situation; then we need to revisit the whole policy.

Mayor Flury noted that Community Development Director Daniels will contact Mr. McHugh in the morning to discuss this matter. She remarked that the tree does not need to come down.

City Manager Baldwin clarified that the code needs to be revised.

Commissioner Castro questioned why a permit is needed to trim a tree.

City Attorney Ansbro explained the County passed a minimum landscape code and we need to abide by it.

Linda Sacco, 4481 SW 38th Terrace, addressed two items on the Broward County Commission agenda today, regarding wetland mitigation and a related agreement executed in 1996 which they are willing to honor. She commented that Broward County does not want to honor the Interlocal Agreement with the City concerning the Airport expansion which was signed in 1995. Ms. Sacco wished the County would treat citizens like they treat businesses.

6. Public Safety Reports

Donn Peterson, BSO Chief of Police, recognized Deputy Jennifer Weir for apprehending a criminal and for her dedication to duty. He also recognized Detective Randy Graham for a job well done. Chief Peterson reported the summer program for juveniles is a big success. Lastly, he presented Commander Michael Grimm with his longevity pin from BSO for 25 years of service.

Vice-Mayor Grace noted the Parks and Recreation Department will be posting signs stating alcohol and drugs are prohibited in our parks. She also thanked BSO for participating in the home and landscaping improvements in the NW section of the City.

Commissioner Castro thanked the BSO team for their immediate attention to the ongoing issues in the southeast area. She further expressed her appreciation to BSO and City Manager Baldwin for the opportunity to meet with their executive command and listening to our concerns. Commissioner Castro further thanked Commander Grimm for his continued service to the community.

7. Consent Agenda

Items added to Consent Agenda: #7.8

Items removed from Consent Agenda: #7.5, #7.8

7.1 Minutes:

Approve minutes of June 16, 2011 Attorney Client Session (Jutz) Approve minutes of June 16, 2011 Attorney Client Session (FLL) Approve minutes of June 14, 2011 City Commission Meeting

7.2 Travel Requests:

Request of Kristen Jones, Director of Parks and Recreation, to attend the FFEA Annual Convention and Trade Show in Naples, Florida, on August 10-12, 2011, for certification purposes (Estimated cost \$799)

Resolutions

7.3 RESOLUTION #2011-062

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH BROWARD COUNTY TO FURNISH AND INSTALL BUS SHELTER IMPROVEMENTS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.4 RESOLUTION #2011-063

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, DECLARING CERTAIN VEHICLES AND EQUIPMENT TO BE OBSOLETE, SURPLUS, AND OF NO FURTHER USE TO THE CITY OF DANIA BEACH; DECLARING THE INTENT OF THE CITY TO DISPOSE OF SAME AT THE DIRECTION OF THE CITY MANAGER; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

Ordinances (Titles read by City Attorney)

7.6 ORDINANCE #2011-021

AN ORDINANCE OF THE CITY OF DANIA BEACH, FLORIDA PERTAINING TO FLOOD REGULATIONS; AMENDING CHAPTER 12, "FLOOD DAMAGE PREVENTION" OF THE CITY CODE OF ORDINANCES; AMENDING SECTION 12-5 ("DEFINITIONS"); AMENDING ARTICLE II, "ADMINISTRATION", CODE SECTION 12-31 ("DESIGNATION OF BUILDING OFFICIAL"), SECTION 12-32 ("DUTIES AND RESPONSIBILITIES OF THE BUILDING OFFICIAL"), SECTION 12-34 ("VARIANCE PROCEDURES"), AND SECTION 12-52 ("SPECIFIC STANDARDS"); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (FIRST READING)

7.7 ORDINANCE #2011-022

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, ADOPTING A MODIFICATION TO THE CAPITAL IMPROVEMENT SCHEDULE OF THE CITY OF DANIA BEACH, PURSUANT TO SECTION 163.3177, FLORIDA STATUTES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (FIRST READING)

Vice-Mayor Grace motioned to adopt the Consent Agenda, with the addition of Item #7.8, and the exception of Items #7.5 and #7.8; seconded by Commissioner Castro. The motion carried on the following 5-0 Roll Call vote:

| Commissioner Castro | Yes | Vice-Mayor Grace | Yes |
|----------------------------|-----|--------------------|-----|
| Commissioner Duke | Yes | Mayor Flury | Yes |
| Commissioner McElyea | Yes | | |

7.5 ORDINANCE #2011-020

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING SECTION 6-15, ENTITLED "SURFING RESTRICTED TO SPECIFIED AREA, TIME", OF ARTICLE 1, ENTITLED "IN GENERAL", OF THE CODE OF ORDINANCES, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (FIRST READING) (Continued from June 14, 2011)

Javier Canut, Chief Ocean Rescue, explained where surfing would be allowed on Dania Beach. He further clarified this would expand the surfing area.

Commissioner Castro motioned to adopt Ordinance #2011-020, on first reading; seconded by Commissioner Duke. The motion carried on the following 5-0 Roll Call vote:

| Commissioner Castro | Yes | Vice-Mayor Grace | Yes |
|-----------------------------|-----|------------------|-----|
| Commissioner Duke | Yes | Mayor Flury | Yes |
| Commissioner McElyea | Yes | | |

Addendum

7.8 RESOLUTION #2011-064

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CHANGE ORDER RELATED TO THE US-1 RIGHT-OF-WAY IMPROVEMENTS PROJECT BY REDUCING AND DEDUCTING AN AMOUNT OF \$175,858.27 FROM THE ORIGINAL AGREEMENT TOTAL; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2011-064.

Dominic Orlando, Director of Public Services, noted that this is the first part of this project. He further said that the watermain issue was removed and is now a separate job. Director Orlando indicated that the referenced cost will include Stirling Road to Old Griffin Road.

Commissioner Castro confirmed with Director Orlando that Phase II of the project is being designed and would be re-bid.

Jeremy Earle, CRA Executive Director, explained the change in the scope of the project.

Commissioner Castro noted that the project will begin July 5, 2011, and would be completed by the end of the year. She warned residents that traffic will be interrupted during construction but the results will be a great enhancement to the US1 Corridor. Lastly, Commissioner Castro clarified that this is a project of over \$1M and will be done in two phases.

Commissioner Castro motioned to adopt Resolution #2011-064; seconded by Commissioner Duke. The motion carried on the following 5-0 Roll Call vote:

| Commissioner Castro | Yes | Vice-Mayor Grace | Yes |
|-----------------------------|-----|--------------------|-----|
| Commissioner Duke | Yes | Mayor Flury | Yes |
| Commissioner McElyea | Yes | | |

8. Bids and Requests for Proposals

8.1 RESOLUTION #2011-056

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, RELATING TO THE AWARD OF CONTRACT FOR THE CONSTRUCTION OF THE WATER AND FORCE MAIN SUBAQUEOUS CROSSINGS; AUTHORIZING THE AWARD TO INTERCOUNTY ENGINEERING, INC. FOR CONSTRUCTION ACTIVITIES IN AN AMOUNT NOT TO EXCEED \$755,449.00; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE AGREEMENT; DESIGNATING AUTHORIZED REPRESENTATIVES; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (Continued from June 14, 2011)

City Attorney Ansbro read the title of Resolution #2011-056.

Dominic Orlando, Director of Public Services, explained the scope of the project. He clarified the construction is under the Dania Cut-Off Canal at NE 7th Avenue. Director Orlando remarked this project needs to be done as soon as possible.

Commissioner Castro motioned to adopt Resolution #2011-056; seconded by Commissioner Duke. The motion carried on the following 5-0 Roll Call vote:

| Commissioner Castro | Yes | Vice-Mayor Grace | Yes |
|-----------------------------|-----|------------------|-----|
| Commissioner Duke | Yes | Mayor Flury | Yes |
| Commissioner McElyea | Yes | | |

9. Public Hearings and Site Plans

9.1 ORDINANCE #2011-019

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING SECTION 11-46.1, ENTITLED "ESTABLISHMENT OF FEES" OF CHAPTER 11, ENTITLED "FIRE PROTECTION AND PREVENTION", OF THE CITY CODE OF ORDINANCES, TO PROVIDE FOR FIRE SAFETY INSPECTION FEES TO BE PAID ANNUALLY IN CONJUNCTION WITH THE PAYMENT FOR ISSUANCE OF ANNUAL BUSINESS TAX RECEIPTS; PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (SECOND READING)

City Attorney Ansbro read the title of Ordinance #2011-019.

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

Commissioner Castro motioned to adopt Ordinance #2011-019, on second reading; seconded by Vice-Mayor Grace. The motion carried on the following 5-0 Roll Call vote:

| Commissioner Castro | Yes | Vice-Mayor Grace | Yes |
|-----------------------------|-----|------------------|-----|
| Commissioner Duke | Yes | Mayor Flury | Yes |
| Commissioner McElyea | Yes | | |

9.2 ORDINANCE #2011-016

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, ADOPTING THE ANNUAL UPDATE TO THE CAPITAL IMPROVEMENTS ELEMENT OF THE CITY OF DANIA BEACH COMPREHENSIVE PLAN IN ACCORDANCE WITH SECTION 163.3177, FLORIDA STATUTES, AND AMENDING THE PUBLIC SCHOOL FACILITIES ELEMENT TO REFLECT CHANGES MADE BY THE ANNUAL UPDATE TO THE CAPITAL IMPROVEMENTS ELEMENT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (SECOND READING) (Continued from May 24, 2011 and June 14, 2011) REQUEST TO WITHDRAW

City Attorney Ansbro read the title of Ordinance #2011-016. He noted that the Director of Community Development has requested that this item be withdrawn from the agenda.

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

9.3 ORDINANCE #2011-018

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING THE DEVELOPMENT ORDER FOR THE DESIGN CENTER OF THE AMERICAS DEVELOPMENT OF REGIONAL IMPACT ADOPTED BY CITY OF DANIA ORDINANCE NO. 20, AS AMENDED BY ORDINANCE NOS. 04-84; 22-84; 05-87; 02-88; 23-90; 47-91; 04-96; 2000-017; 2000-051; 2002-022 AND 2007-031 TO MODIFY THE PHASING SCHEDULE DESCRIBED IN THE DESIGN CENTER OF THE AMERICAS APPLICATION FOR DEVELOPMENT APPROVAL AND TO MODIFY THE DEVELOPMENT OF REGIONAL IMPACT MASTER PLAN (MAP H-1); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (SECOND READING)

City Attorney Ansbro read the title of Ordinance #2011-018.

Corinne Lajoie, AICP, Principal City Planner, provided an overview of the request. She noted that staff supports the request.

Mayor Flury opened the Public Hearing.

Commissioner Duke noted the building looks very nice. He questioned if they could do something about the vacant lot near the property which is an entrance to our City.

Bill Laystrom, attorney for Cohen Brothers Development Corporation, noted that they contacted the Florida Department of Transportation (FDOT) and they were unaware of the property. He said they will trim the property and try to maintain it as best as possible. Attorney Laystrom advised that they are currently re-landscaping their property.

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

Commissioner Castro motioned to adopt Ordinance #2011-018, on second reading; seconded by Commissioner Duke. The motion carried on the following 5-0 Roll Call vote:

| Commissioner Castro | Yes | Vice-Mayor Grace | Yes |
|-----------------------------|-----|------------------|-----|
| Commissioner Duke | Yes | Mayor Flury | Yes |
| Commissioner McElyea | Yes | | |

City Attorney Ansbro advised the remaining item was a quasi-judicial matter and swore-in those who would speak. He asked the Commission to disclose any communication they had on this matter.

Commissioner Duke recused himself from this matter.

9.4 RESOLUTION #2011-061

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUEST FOR MODIFICATIONS TO SITE PLAN SP-46-07, APPROVED BY RESOLUTION 2007-236 ON DECEMBER 11, 2007, SUBMITTED BY DAVID ZELCH, REPRESENTING THE PROPERTY OWNER AMERICAN MARITIME OFFICERS UNION FOR PROPERTY LOCATED AT 601 SOUTH FEDERAL HIGHWAY IN DANIA BEACH; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2011-061.

Corinne Lajoie, AICP, Principal Planner, noted that the applicant is requesting the following changes: the monument sign base from gray to black and the AMO logo from a white background to black. She provided an overview of the project. Ms. Lajoie advised that the CRA director as well as staff recommend approval of the request.

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

Commissioner Castro motioned to adopt Resolution #2011-061; seconded by Vice-Mayor Grace. The motion carried on the following 3-1 Roll Call vote:

| Commissioner Castro | Yes | Vice-Mayor Grace | Yes |
|--------------------------|---------|------------------|-----|
| Commissioner Duke | Recused | Mayor Flury | Yes |
| Commissioner McElyea | No | | |

10. Discussion and Possible Action

10.1 Financial Impacts for Airport Affected Properties – Responses to Request for Letters of Interest (*Continued from June 14, 2011*) **REQUEST TO WITHDRAW**

City Attorney Ansbro noted the Director of Community Development requested that this item be withdrawn from the agenda.

Commissioner Castro motioned to withdraw Item #10.1; seconded by Vice-Mayor Grace. The motion carried on the following 5-0 Roll Call vote:

| Commissioner Castro | Yes | Vice-Mayor Grace | Yes |
|-----------------------------|-----|------------------|-----|
| Commissioner Duke | Yes | Mayor Flury | Yes |
| Commissioner McElyea | Yes | | |

10.2 Discussion of Pier Restaurant

Vice-Mayor Grace said we should not have any outsiders come in to run the pier operation on a temporary basis. She requested that photographs be taken before and after the tenants move. Vice-Mayor Grace noted we need to get the people currently running the pier operations out of there. She suggested asking Mr. Streeter, a previous operator, to run the operation temporarily.

Commissioner Castro suggested we continue to use the present operators of the bait shop; they have no ties to the restaurant operators. She thought the City should initially maintain the operation of the pier until we have time to make our long term plans. Commissioner Castro stated that the proposed Request for Proposals should be for the restaurant only. She remarked that the City should never give up the operation of the pier or the concessions of the beach. Commissioner Castro noted that the Finance Department needs to implement a stringent accounting process to validate the receipts. She agreed with Commissioner Duke's recommendation to master plan the entire beach area.

Commissioner Duke noted we should master plan the beach. We should not dictate what restaurant goes in; we should let the market decide what will do well. He agreed with the suggestion made by City Manager Baldwin and City Attorney Ansbro to have Westrec manage the pier temporarily, because it would be a natural extension of what they are doing. Commissioner Duke would like consensus for the City Manager on what to do. He recommended the City Manager operate the temporary management of the pier. Commissioner Duke pointed out that we should try to have a new restaurant in operation by October.

Commissioner McElyea noted the location is not right for a top notch restaurant and thought it should be more casual.

Commissioner Duke noted it is important to let the Dania Beach Bar & Grill know that we intend to keep their lease.

City Manager Baldwin noted he contacted Westrec and they said they were willing to help secure the property and run it until we decide what to do with the property.

Commissioner Castro noted if we give it to Westrec they are independent contractors. She thought we could temporarily hire the current employees as independent contractors with no benefits.

Commissioner McElyea agreed with Commissioner Castro.

Mayor Flury agreed with Commissioner Castro because Westrec does not manage piers. She concurred that the Finance Department needs to get a clear understanding of the finances.

City Attorney Ansbro noted the labor attorneys are concerned about temporary employees due to FRS and other benefit issues. He indicated he will again be discussing the matter with them tomorrow and report back to the Commission.

It was the consensus of the Commission to hold on to the people who are currently operating the pier on a temporary basis.

City Attorney Ansbro stated that he wants the employees currently running the pier operation to be thoroughly interviewed.

It was the consensus of the Commission to RFP the restaurant lease.

Commissioner Castro wants to review the concessions regarding a possible discount for residents and seniors.

City Manager Baldwin noted that we will need to make some improvements to the bait shop.

Colin Donnelly, Assistant City Manager, explained that the settlement agreement with Allegria Entertainment stipulates that the tenants take their personal property without touching the fixtures. He pointed out that most of the equipment inside the bait shop belongs to Mr. Jutz. The concessions are part of the lease with Mr. Jutz so we can renegotiate with the vendor. Assistant City Manager Donnelly further noted that the parking will also change and a new parking meter machine will be added. The City will have control of the parking, making it available 24 hours a day.

11. Commission Comments

11.1 Commissioner Castro

Commissioner Castro confirmed the budget workshop would be Monday, July 18 at 6:00 p.m. in the Commission Chamber. She asked everyone to participate in the upcoming budget workshops.

Commissioner Castro referred to a video about our parking garage. She said the parking garage is a valuable asset and the report in the news was a disservice to the City. Commissioner Castro did not want the residents to believe that the parking garage is a waste of our citizens' money.

11.2 Commissioner Duke

Commissioner Duke thanked those who regularly attend our Commission meetings for their participation.

11.3 Commissioner McElyea

Commissioner McElyea commented on the tree permit issue discussed under Citizen Comments. He thought Mr. McHugh should not have to pay for any permit.

Commissioner McElyea spoke about a new company along 4th Avenue which is a junkyard. He noted they have a broken sidewalk and should be cited by Code.

Commissioner McElyea noted that the railroad has not been cited for not mowing their lawn next to the warehouse.

11.4 Vice-Mayor Grace

Vice-Mayor Grace thought the consensus was for Mr. McHugh to work with Community Development Director Daniels and there would be no charge.

Vice-Mayor Grace noted that Progress in the Park will take place on August 6, 2011. She indicated that we did not give any donations last year because we did not have any funding available. Vice-Mayor Grace would like someone on the Commission to attend this year's event because she will not be able to participate.

Vice-Mayor Grace expressed her disappointment about a phone call she received from a gentleman who was at City Hall. She noted that he has pending litigation against the City and was told to call her.

11.5 Mayor Flury

Mayor Flury noted she met John W. Scott, the new Broward County Inspector General. She advised that the County ethics code is moving along.

12. Appointments

Commissioner Castro appointed Jackye Clayton to the Marine Advisory Board.

Commissioner Duke appointed Jocelyn Lummis to the Airport Advisory Board.

Commissioner Castro motioned to approve the appointments; seconded by Vice-Mayor Grace. The motion carried on the following 5-0 Roll Call vote:

| Commissioner Castro | Yes | Vice-Mayor Grace | Yes |
|----------------------------|-----|------------------|-----|
| Commissioner Duke | Yes | Mayor Flury | Yes |
| Commissioner McElvea | Ves | • | |

13. Administrative Reports

13.1 City Manager

City Manager Baldwin spoke about the SE 5th Avenue traffic calming public survey. He noted that so far 94.2% of the residents have approved the proposal on the City's Web Site.

It was the consensus of the Commission to move forward with the project.

13.2 City Attorney

City Attorney Ansbro noted that the Commission had identified certain properties to be surplus. He said the next step would be to have them appraised as required by the Charter. City Attorney Ansbro recommended using Harry C. Newstreet and Associates or Edgar Woolslair and Associates for the appraisal of those properties.

It was the consensus of the Commission to move forward with the appraisals of the properties.

13.3 City Clerk - Reminders

| Wednesday, July 6, 2011 – 6:00 p.m. | CRA Board Meeting |
|-------------------------------------|-------------------------|
| Tuesday, July 12, 2011 – 7:00 p.m. | City Commission Meeting |
| Monday, July 18, 2011 – 6:00 p.m. | Special Budget Meeting |

Commissioner Castro commented it would be better to hold the Special Budget meeting during the first half of July, considering some Commissioners may have plans for their summer vacation. She suggested Thursday, July 14 at 6:00 p.m.

City Manager Baldwin noted staff will do their best to change the meeting to an earlier date.

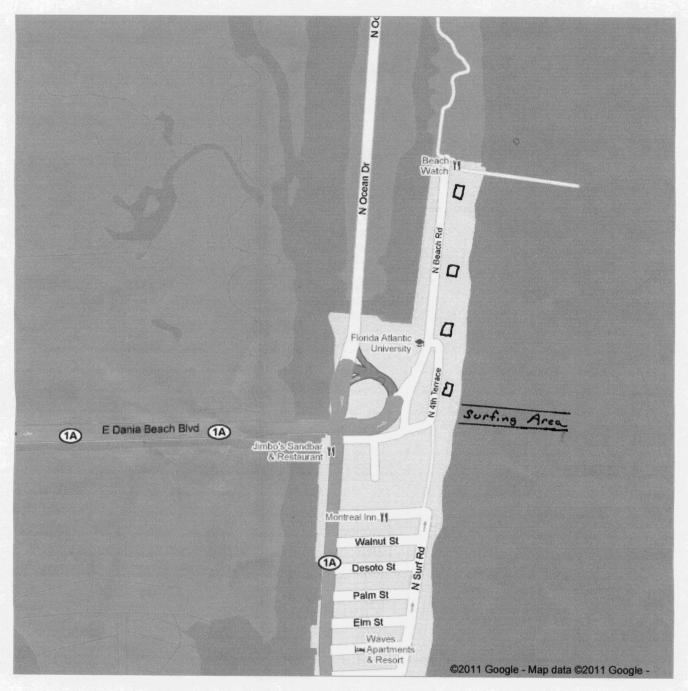
14. Adjournment

Mayor Flury adjourned the meeting at 9:03 p.m.

| ATTEST: | CITY OF DANIA BEACH |
|---------------------|---------------------|
| LOUISE STILSON, CMC | PATRICIA A. FLURY |
| CITY CLERK | MAYOR |

Google maps

To see all the details that are visible on the screen, use the "Print" link next to the map.





CITY OF DANIA BEACH PRE-APPROVED CONFERENCE OR TRAINING AUTHORIZATION/RECONCILIATION

| EMPLOYEE: | Commissioner Anne Castro | DEPARTMENT: | City C | ommission | |
|-----------------|---|----------------------------|--------------------|------------------|---------------|
| LOCATION: _ | Orlando, Florida | TRIP/TRAINING DATE | : Aug | ust 11-14, 20 |)11 |
| PURPOSE: _ | To attend the 2011 Florida Leagu | ıe of Cities 85th Annual (| Conference | | |
| _ | | | | | |
| | χ Γ Overnight | ☐ Out of State | ☐ Air Trave | l | |
| | TRAVEL EXPENS | ES ESTIMATED: (Po | olicy #2002-10- | 1) | |
| | REGISTRATION (attach conferen | nce brochure) | \$ | 325.00 | |
| | LODGING (# of nights 3) | • | | 459.00 | • |
| | MEALS (per diem) | | _ | 176.40 | • |
| | OTHER INCIDENTAL EXPENSE | ·S· | | 110.10 | - |
| | AIRFARE | Alamo Car Rental | | 174.26 | |
| | GAS/TOLLS (round trip) | | | 125.00 | • |
| | OTHER TRANSPORTATION | | <u></u> | | - |
| | SUPPLIES/MATERIALS | Hotel Parking Fees \$14 | 4@day | 42.00 | • |
| | TOTAL ESTIMATED EXPENSES | S: | \$ | 1,301.66 | • |
| | | | | , | |
| This seminar | is required for: | on General Trai | ning | | |
| | ☐ License | 「Other X | | | |
| Note any ove | ernight or out of state travel e | events attended in the | e last 12 months: | : | |
| Employee Sigr | nature: Line Co | • | | | |
| | | | | 14 | |
| | TRA | VEL AUTHORIZATIO | N: | Jul | $\overline{}$ |
| | | 11/18/12 6/28/11 | | XZ | |
| Departmen | t Director | Finance Director | CF | City Ma | nager |
| | nade through City's credit card, ple | | " under "Date" Col | umn | |
| . • | , | | | | II IATION |
| | Check Payee: | Amount: | Date: | RECONC Actual | Differences |
| Registration: | FLC | \$ 325.00 | Credit Card | | |
| Lodging: | Orlando World Center Marriott | 459.00 | Credit Card | | |
| Transportation: | Alamo Car Rental | 174.26 | Credit Card | | |
| Traveler: | Commissioner Anne Castro | 176.40 | 11 | | |

167.00

1,301.66

Others:

Account #:

001-1100-511.40-10

Name:

Commissioner Anne Castro

Location:

Orlando, Florida

Purpose:

FLC 85th Annual Conference

M&IE

IRS Pub 1542

\$56.00 (obtain from Per diem form on City's Intranet)

| | 8/ | 11/2011 | 8/12/2011 | 8/13/2011 | 8/: | 14/2011 | Tot | al Est Exps |
|--------------------|----|---------|-----------|-----------|--------------|---------|-----|-------------|
| Meal Provided: | | | | Lunch | | | | |
| Per Diem | \$ | 42.00 | \$56.00 | \$36.40 | \$ | 42.00 | \$ | 176.40 |
| Lodging | | 153.00 | 153.00 | 153.00 | | | | 459.00 |
| Gas/Tolls/Parking | | 167.00 | | | | | | 167.00 |
| Conf Fees | | 325.00 | | | | | | 325.00 |
| Airfare/Car Rental | | 174.26 | | | | | | 174.26 |
| | | | | | | | \$ | 1,301.66 |

* Travel day

per diem reductions

| Breakfast (B) 15% | \$8.40 |
|-------------------|---------|
| Lunch (L) 35% | \$19.60 |
| Dinner (D) 50% | \$28.00 |

Account Names Anne Castro

Signature:__

2011 FLC Annual Conference Registration Form

August 11-13, 2011 ∢ World Center Marriott > Orlando

Florida League of Cities | P.O. Box 1757 | Tallahassee, FL 32302 | (850) 222-9684 | Fax (850) 222-3806 | mhowe@floities.com

| DELEGATE INFORMATION | | 222-3000 | Timowe | wiiches,com |
|---|-----------------------------------|-----------------|----------------|------------------|
| Name: Anne | , Castr | ^ | | |
| First | M.I. | Last | | |
| First Name or Nickname: Hnne | | | | |
| As You Wish to Appear on Bac | / 10 / 10 / 1 | | Ω | ſ |
| Title: Lommissioner Affiliation | | ania | pea | <u>ch</u> |
| Mailing Address: 100 West Dania | Beach Blud. | | - | iny |
| Note: If you will be paying with a credit c | ard below, please use the billing | address for | that card. | . 1 |
| city: Dania Beach | State: _\tag{5} | <u>z</u> i | p: <u>33</u> | ∞ 4 |
| Phone Number: 954-914-9496 | Fax Number: 954. | <u>.921</u> | <u>- 260</u> | 24 |
| E-Mail Address (for confirmations): | - OCidania- | seach | <u>f1.</u> | us |
| If you wish to receive e-mail updates onsite at conferen | ce please provide us with | icceire !! | e conmind | non. |
| mail address: ACASTO@Sout | recomin ercom | your prei | елеа ре | rsonal e- |
| First-Time Attendee? Yes No Contact Pe | \sim | 077 | احم | |
| GUEST INFORMATION (Please complete only if registering | | रइंप-व | ३प - ७१ | 300×3606 |
| C U | | e .) | | |
| Guest's Name: | First Name: A: | You Wish | o Appear | on Badae |
| Child's Name: | Age: First Name: | | | |
| | As | You Wish | o Appear o | on Badge |
| Child's Name: | Age: First Name: | | | |
| | As | You Wish I | o Appear o | on Badge |
| special Needs | Registration Fees | No. | Fee | Total Fee |
| fyou require special services, or have special dietary needs, please attach a written description to your registration form. | City/County/Governmen | t 1 @ | \$325.00* | \$ 325.00 |
| Registration | Corporate | | \$495.00* | |
| Registration form must be accompanied by payment made | Guest | | | \$ |
| payable to Florida League of Cities . Mail this form to: Florida eague of Cities, P.O. Box 1757, Tallahassee, FL 32302-1757. | Guest (13-18 years) | | \$20.00 | \$ |
| egistration forms must be postmarked by July 25, 2011 | Guest (3-12 years) | | \$15.00 | \$ |
| demember: You will not receive housing information until we have received your PAID registration. | Exhibit Hall Pass | | • | \$ |
| | are men, train 1 days | | \$20.00 | 4 |
| ax Registration ax registrations can be accepted with credit card pay- | Optional Activities | No. | Fee | Total Fee |
| nent. Fax to (850) 222-3806. | Saturday, August 13 | 110. | 100 | ioidi ree |
| Online Registration | Extra Luncheon Ticket | @ | \$40.00 | \$ |
| ou can also register online by accessing the Florida | Extra "FLC Arts Festival" | | | |
| eague of Cities Web site at www.ficities.com. If you use this nethod, please do not send a hard copy registration form to | Ticket | @ | \$50.00 | |
| re League. This will duplicate your registration information. | | To | otal | \$ <u>325.00</u> |
| Credit Card Information | *Note: Registration fe | es will i | increas | e to \$355 |
| credit Card type: MasterCard Visa | for government and | 520 for | COIDO | ate for all |
| lumber: 4715 2900 0512 9064 Fxp. Date: 5/12 | registrations done on | cita | | . |

Lottier, Christine

From: Melanie Howe [MHowe@flcities.com]

Sent: Tuesday, June 21, 2011 3:18 PM

To: Lottier, Christine

Subject: FLC Conference Housing Info

Hi Commissioner Castro -

We have received your registration for the conference in August.

Due to some technical difficulties, we are unable to process the charge and send your official confirmation e-mail at this time. You will receive this as soon as possible. In the meantime, you are welcome to go ahead and contact the World Center Marriott to make your housing arrangements as noted below:

HOUSING INFORMATION: You may contact the Marriott's reservations department directly at (506) 474-2009 to make your reservations. You will need to use the special code **FLCATT0811JLL** to receive our reduced rate of **\$153/night**. Remember that the cut-off date for reservations is **July 20, 2011** and the block could sell out before then. Note that self-parking will be \$5/day and valet parking will be \$14/day.

NOTE: If you are an **FLC Board Member or Trustee**, please contact <u>Linda Bridges</u> with the specifics regarding your housing needs.

Melanie G. Howe, CAE, CMP Meeting Planner Florida League of Cities 850/222-9684 mhowe@flcities.com

Table 4. (Effective October 1, 2010 - September 30, 2011) (Continued)

| | Per Diem Locality | | | Computing Maximum Rate | | |
|-------|-------------------------------|---|-----------------------------|----------------------------|--------------|-----------------------------|
| State | Key City ² | County and/or Other Defined Location ^{3,4} | Effective Dates | Maximum Lodging Rate | M&IE Rate | Maximum Per Diem Rate |
| FL | Miami | Miami-Dade | 1/1 - 3/31 4/1 - 5/31 | \$151 128 | \$66 66 | \$217 194 |
| | | | 6/1 - 11/30 | 104 | 66 | 170 |
| | | | 12/1 - 12/31 | 151 | 66 | 217 |
| | Naples | Collier | 1/1 - 4/30 | 155 | 61 | 216 |
| | | | 5/1 - 9/30 10/1 - 12/31 | 101 | 61 61 | 162 172 |
| | Orlando | Orange | 1/1 - 5/31 | 104 | 56 | 160 |
| | | | 6/1 - 12/31 | 90 | 56 | 146 |
| | Panama City | Bay | 1/1 - 2/28 | 77 | 51 | 128 |
| | | | 3/1 - 7/31 | 110 | 51 | 161 |
| | | | 8/1 - 12/31 | 77 | 51 | 128 |
| | Pensacola, Pensacola Beach | Escambia | All year | 103 | 46 | 149 |
| | Punta Gorda | Charlotte | 1/1 - 1/31 | 77 | 51 | 128 |
| | | | 2/1 - 4/30 5/1 - 12/31 | 88 77 | 51 | 139 |
| | Corporto | Caracata | | | 51 | 128 |
| | Sarasota | Sarasota | 1/1 - 4/30 5/1 - 12/31 | 110 86 | 56 56 | 166 142 |
| | Sebring | Highlands | 1/1 - 3/31 4/1 - 12/31 | 123 82 | 46 46 | 169 128 |
| | St. Augustine | St. Johns | All year | 97 | 56 | 153 |
| | Stuart | Martin | 1/1 - 4/30 5/1 - 12/31 | 102 82 | 51 51 | 153 133 |
| | Tallahassee | Leon | All year | 87 | 46 | 133 |
| | Tampa, St. Petersburg | Pinellas, Hillsborough | 1/1 - 4/30 5/1 - 12/31 | 108 92 | 51 51 | 159 143 |
| | Vero Beach | Indian River | 1/1 - 1/31 | 83 | 51 | 134 |
| | | | 2/1 - 3/31 4/1 - 12/31 | 99 83 | 51 51 | 150 |
| GA | Athens | Clarke | | | - | 134 |
| GA | | | All year | 93 | 46 | 139 |
| | Atlanta | Fulton, DeKalb, Cobb | All year | 132 | 56 | 188 |
| | Augusta | Richmond | All year | 84 | 51 | 135 |
| | Columbus | Muscogee | All year | 85 | 46 | 131 |
| | Jekyll Island, Brunswick | Glynn | 1/1 - 3/31 | 92 | 56 | 148 |
| | | | 4/1 - 11/30 12/1 - 12/31 | 136 92 | 56 56 | 192 148 |
| | Savannah | Chatham | All year | 97 | 56 | 153 |
| IA | Cedar Rapids | Linn | All year | 81 | 51 | 132 |
| | Des Moines | Polk | All year | 83 | 51 | 134 |
| | West Des Moines | | | | | |
| ın | | Dallas | All year | 95 | 51 | 146 |
| ID | Bonner's Ferry, Sandpoint | Boundary, Bonner, Shoshone | 1/1 - 6/30 7/1 - 8/31 | 77 99 | 61 61 | 138 160 |
| | - Sanaponit | | 9/1 - 12/31 | 77 | 61 | 138 |
| | Coeur d'Alene | Kootenai | 1/1 - 5/31 | 77 | 61 | 138 |
| | | | 6/1 - 8/31 | 105 | 61 | 166 |
| | | | 9/1 - 12/31 | 77 | 61 | 138 |
| | Driggs, Idaho Falls | Teton, Bonneville, Fremont | All year | 78 | 46 | 124 |

Lottier, Christine

From: The Orlando World Center Marriott Resort Convention Center [groupcampaigns@pkghlrss.com]

Sent: Tuesday, June 21, 2011 3:31 PM

To: Lottier, Christine

Subject: The Orlando World Center Marriott Resort & Convention Center Reservation Confirmation

HOTEL CONFIRMATION ORLANDO WORLD CENTER MARRIOTT











Dear Anne,

We are pleased to confirm your reservations for the Florida League of Cities at the Orlando World Center Marriott. The entire staff of the Orlando World Center Marriott is looking forward to your arrival.

Below is a summary of your booking and room information. Should your travel plans change and you need to make changes to your reservation, please <u>click</u> <u>here</u> or call 800-266-9432.

We look forward to welcoming you to the Orlando World Center Marriott.

- The Staff of the Orlando World Center Marriott

Modify your reservation online or call 800-266-9432.



Reservation Details

| Online Confirmation Number: | 324TPFCX |
|-----------------------------------|---------------|
| Date Booked: | 06/21/2011 |
| Reservation Name: | Anne Castro |
| Arrival Date: | 08/11/2011 |
| Departure Date: | 08/14/2011 |
| Room Type: | Standard Room |
| Number of Rooms: | 1 |
| Number of Guests: | 1 |

| Date | Guest(s) | Status | Rate |
|------------|----------|-----------|--------|
| 08/11/2011 | 1 | Confirmed | 153.00 |
| 08/12/2011 | 1 | Confirmed | 153.00 |



08/13/2011 Confirmed 153.00

Nightly Rate Additional Guest Second Guest Third Guest Fourth Guest & Status: Fifth Guest

Total Charges:

459.00 *

Tax Disclosure: Room Rates shown do not include 12.50% Hotel Room Tax (subject to change). Total room charges will include all room fees and taxes. *

Cancel Policy:

Cancellations made within 72 hours of arrival will forfeit

one night's room and tax.

Promotional Email Unsubscribe

We respect your privacy. If you do not wish to receive offers from the Marriott.com and/or Marriott Rewards, please go to https://www.marriott.com/profile/email/unsubscribeRedirect.mi?uniqueId=0.

Please do not reply to this message to unsubscribe as we will be unable to process your request. If you prefer to contact us or unsubscribe by mail, please send your request to the postal address below. Please remember to include your name and email address so that we can process your request.

Internet Customer Care - Unsubscribe 1818 North 90 Street Omaha, Nebraska 68114-1315 USA

Please allow 10 business days for processing. If you unsubscribe from promotional email we will continue to send important, time sensitive transactional Marriott messages - like confirmation email - when you make reservations, use Marriott Rewards points, etc.

All contents ©2009 Marriott International

Lottier, Christine

From: Castro, Anne

Sent: Wednesday, June 22, 2011 10:04 AM

To: Lottier, Christine

Subject: FW: Alamo Reservation Confirmation 759658190 for Ft Lauderdale Intl Arpt/Shuttle

Commissioner Anne Castro City of Dania Beach (954) 914-9496 acastro@ci.dania-beach.fl.us

Dania Beach - Established in History, Preparing for Tomorrow

Dania Beach Mission Statement

"Dania Beach is committed to providing a unique small-town quality of living for all of its residents and guests. We do so by maintaining beautiful neighborhoods and vibrant commercial centers throughout the City whilebeing fiscally responsible and having a diverse population and business community."

http://www.visitdaniabeach.com http://www.greaterdania.org/

From: reservations@goalamo.com [reservations@goalamo.com]

Sent: Wednesday, June 22, 2011 10:02 AM

To: Castro, Anne

Subject: Alamo Reservation Confirmation 759658190 for Ft Lauderdale Intl Arpt/Shuttle



Dear Anne,

Thank you for using Alamo.com to make your Pre-Paid reservation.

Your confirmation number is: 759658190

Reserved rate reflects the pick up date and time, return date and time, and car class quoted at time of reservation. Any changes to the reservation may affect the rates quoted herein.

You will need this number to pickup your car, make any changes to, or cancel your reservation. Please print this e-mail message or record the confirmation number to pickup your rental.



Here's what you do to pick up your car:

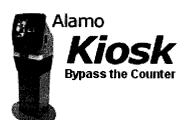
• Alamo is located on the second floor of the Airport Rental Car Center. Arrivals at Terminals 2, 3 and 4 proceed to the rental car shuttle pick up area. Arrivals at Terminal 1 should follow the Rental Car Center signage to the Concourse B pedestrian bridge. Proceed through the double doors to the counter to obtain your



Online Check-In allows you to complete your rental online, bypass the counter and choose your vehicle from the designated row of vehicles you have reserved.

Must meet minimum rental age requirements. Present an acceptable credit card with available credit, in your own name at the time of rental.

OR



Alamo's new *Self-Service Kiosk* makes the rental process quick and easy.

Here is how it works. Skip the rental counter line, check-in at the kiosk, pick out your car, show rental agreement and driver's license at exit booth, start your vacation!

Rental Information

Name: Anne Castro

E-mail: acastro@ci.dania-beach.fl.us

This reservation has been secured by my VISA(Ending in 9064)

Vehicle Type: Compact - 2 or 4-Door/Automatic/Air - Nissan Versa Or Similar

Pickup Information

Location: Ft Lauderdale Intl Arpt/Shuttle (FLLT71)

Date & Time: Thursday, August 11, 2011 @ 02:00 PM

Address: 600 Terminal Drive

Ft Lauderdale, FL 33315

Phone: (888)826-6893 ext:MAIN

Fax: (954)359-2540

Hours: Sun-Sat: 12:00 am - 11:59 pm

Dropoff Information

Location: Ft Lauderdale Intl Arpt/Shuttle (FLLT71)

Date & Time: Sunday, August 14, 2011 @ 02:00 PM

Base Rate - Compact (USD)
(3) Day Rate (\$43.70/day) \$131.10

Guaranteed Base Rate Included Unlimited Miles Included

| Subtotal\$131.10 |
|--|
| Taxes, Surcharges and Fees Rental Car Facility Chrg 3.95/day \$11.85 Concession Recoupment Fee 10 % \$13.32 Tire/battery Fee .02/day \$0.06 Florida Surcharge 2.00/day \$6.00 Vehicle License Fee .69/day \$2.07 State Tax (6.0%) \$9.86 |
| Subtotal\$43.16 |
| Estimated Total\$174.26 |
| Pre-Paid Amount |

Total may vary at time of rental based on the election of prepaid gas, optional coverage items or changes in taxes, surcharges and fees.

Thank you again for using Alamo.com to make your reservation.

This reservation cannot be Modified OR Cancelled on the web. To cancel this reservation, you must call 1-800 GO ALAMO - 1(800) 462-5266.

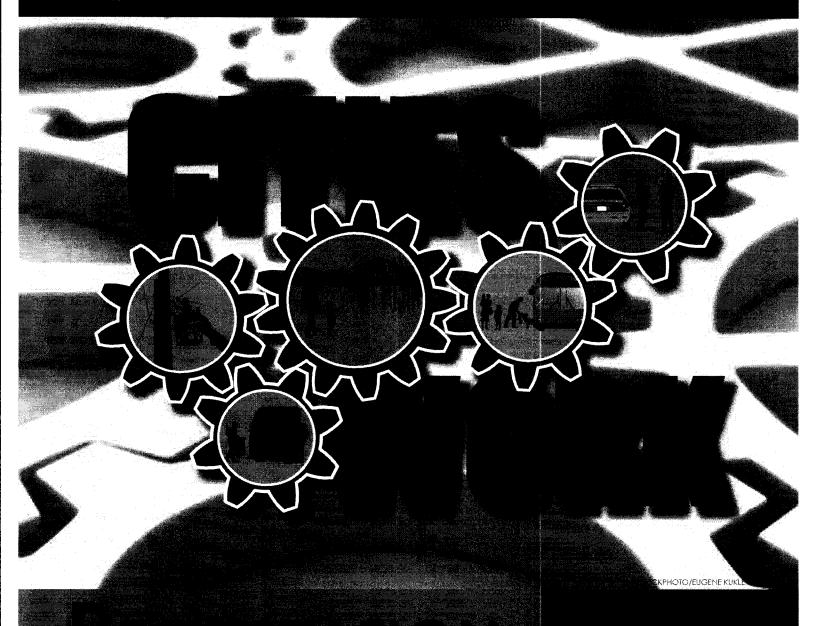
Pre-Pay Policy Information: If the reservation is cancelled more than 24 hours before the pick up time, a \$5 cancellation fee will be assessed. If the reservation is cancelled within 24 hours of the pick up or is not picked up at all, a \$10 no-show fee will be assessed. Any optional insurance or CDW product selected at the time of reservation may be cancelled at the counter at the time of rental without incurring a cancellation fee.

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FLORIDA LEAGUE OF CITIES SAME SELECTION OF CITIES SAME ANNUAL CONFERENCE

Augus: 11-12, 2611 : World Center Morriott - Orlando



Peld registration is required to receive the valed information. The sign up receive see ourse. It for our lefts.

President's Invitation to the Florida League of Cities 85th Annual Conference

Dear Friends:

The date is August 11-13, 2011. The location is Orlando, Fla. – World Center Marriott. The event is the best conference ever – the Florida League of Cities' 85th Annual Conference! I look forward to seeing you at this year's annual conference.

Cities Work is not only this year's conference theme, but it is a very true statement. Cities work to offer a better life for our citizens; cities work hard to provide the programs our citizens demand, often with little or no funding to provide for these programs; and, cities work as the government that is closest to the people. In general, CITIES WORK! It is as

This year, during my presidential initiative "Culture Builds Florida Communities," we have traveled around the state hosting regional workshops to give city officials, staff and cities' arts and culture partners the tools to bring their communities together and capitalize on their arts and cultural resources. We have taught workshop participants how to maximize their cultural assets to enhance and improve their economic development and how to utilize public and private partnerships to rejuvenate their communities through arts and cultural activities.

During these tough economic times, we must be creative. We must think outside the typical city government box. We must stretch our imaginations and our revenues. The Culture Builds Florida Communities workshops and this year's conference are designed to help city officials do just that — with ideas and innovations that can be incorporated into a cities' programs at low-to-no cost and through partnerships you may have not thought of in the past.

This conference will offer a wide variety of information-packed workshops, general sessions with powerful keynote speakers, timely information on Florida and technical assistance and resource materials from national, state, regional and non-governmental entities.

The schedule includes nationally recognized keynote speakers. Richard Florida is the author of *The Great Reset* and *The Rise of the Creative Class*, serves as director of the Martin Prosperity Institute at the Rotman School of Management, University of Toronto, and is the founder of the Creative Class Group. Captain Mark Adamshick, USN, Ph.D., serves as director of the Division of Leadership Education and Development and senior military professor of leadership and ethics at the United States Naval Academy.

We will hear from NLC President James Mitchell, Council Member from Charlotte, N.C. We will also have an opportunity to celebrate the presidential initiative "Culture Builds Florida Communities" during a workshop on Thursday afternoon that recaps the regional workshops held around the state and provides an insight into best practice programs outlining how culture can build and enhance any community.

Welcome to your annual conference – FLC's 85th Annual Conference. I look forward to seeing you and learning with you as we all benefit from the information-sharing designed to address our unique municipal challenges. Cities Work and Culture Builds Florida Communities!

Sincerely,

simple as that.

Joy Cooper, FLC President Mayor, City of Hallandale Beach

General Information

We hope you will join us in Orlando to celebrate all that is great about Florida communities! This year's conference will continue our focus on **learning**, **networking and idea-sharing**. The schedule is packed with an informative line-up of topical workshops, engaging speakers and chances to network and share ideas with your colleagues from throughout the state.

Location/Dates

World Center Marriott - Orlando, FloridaThursday, August 11 - Saturday, August 13, 2011

Registration Hours

| Thursday, August 11 | 8:00 a.m 7:00 p.m. |
|---------------------|--------------------|
| Friday, August 12 | 7:00 a.m 5:00 p.m. |
| Saturday, August 13 | 8:00 a.m 4:00 p.m. |

Deadlines

Registration: Conference registration forms must be postmarked on or before Monday, July 25, 2011. If you are unable to meet this deadline please register on-site. NOTE: Registration fees will increase to \$355 for government and \$520 for corporate registrants for all registrations done on-site, so we encourage you to register in advance.

Hotel Reservations: The cut-off date for reservations at the Marriott is July 20, 2011.

Reservations must be made via an FLC-provided security code only; no one will receive housing information until after their paid registration is received. Please see page 11 for more details.

Registration Fees

City/County/Government (\$325), Corporate (\$495) and Guest (\$75): These fees cover your name badge, admission to all conference sessions and the exhibit hall, refreshment breaks, Friday's membership networking event, Saturday's Past Presidents' Luncheon and the "FLC Arts Festival" closing night event.

NOTE: Registrants are defined as any elected government official, or any employee of

governments, organizations or corporations. **Guests** are defined as spouses, partners or other non-professional relations of conference delegates. Guest registration **may not** be used for other elected government officials, staff or company representatives. To assist our cities in these difficult economic times, registration fees remain at the 2008 rate.

Teen Guest 13-18 years (\$20) and Child Guest 3-12 years (\$15): These fees cover your name badge, admission to the exhibit hall, Friday's membership networking event and refreshment breaks. Teen and child guest registration does not include Saturday's Past Presidents' Luncheon or closing night event.

Exhibit Hall Pass (\$20): This pass allows family members and guests who are not registered for the conference to visit our vendors on Thursday and Friday. Passes permit access to the exhibit hall on Thursday afternoon, Thursday evening and Friday morning. The pass allows access to all events in the exhibit hall, as well as Friday's membership networking event. The pass is not good for any other conference events, and is not equivalent to a registration.

Youth Council Program (\$15): This fee covers all Youth Council Program activities on Saturday, plus lunch. See page 14 for details and registration information.

Cancellation Policy

Conference registration cancellations must be done in writing by mail, e-mail or fax to the Florida League of Cities, Inc., P.O. Box 1757, Tallahassee, FL 32302-1757; mhowe@flcities.com; or fax (850) 222-3806. All cancellations received in the FLC office by 5:00 p.m., Monday, August 1, 2011, will receive refunds, minus a \$50.00 cancellation fee. Refunds will be issued after the conference.

Hotel deposits will be refunded only if the hotel is given notification no later than **72 hours** prior to the scheduled arrival date.

Special Needs

If you are physically challenged and require special services, or if you have special dietary needs (i.e. allergies or kosher or vegetarian meals), please attach a written description to your registration form. Contact the hotel directly if you will need any special accommodations in your room.

FLC Bookstore

Our keynote speakers are the authors of several books. A "bookstore" will be open during the conference to purchase many of these titles, and you'll have the opportunity to have them signed after each presentation.

Live Feeds via Twitter and Facebook

The League will be offering live updates via Twitter and Facebook during the conference. Follow the League at www.twitter.com/flcities or become a fan of the League on Facebook to participate. If you would like to receive these conference updates via e-mail, be sure to provide your preferred on-site e-mail address on the enclosed registration form.

Thursday Is City Shirt Day!

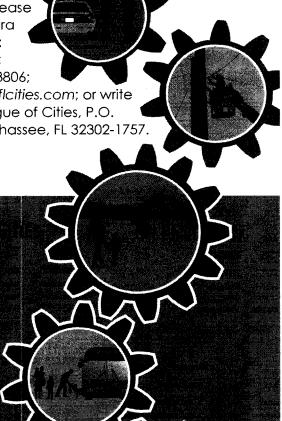
We encourage all of you to show your city spirit by wearing your city shirt on Thursday, August 11.

Contact Information

For additional information, please contact Barbara Solis by phone: (850) 222-9684;

fax: (850) 222-3806; e-mail: bsolis@flcities.com; or write to Florida League of Cities, P.O.

Box 1757, Tallahassee, FL 32302-1757.



WORKSHOP TOPICS

We are planning a variety of informative workshops to provide you with the tools to hop your city newyote the corest end nombs and political landshape. Jupius currently under development are risted balow, the linal list of workshops will be announced in the Datagram in total danc and will also be posted on our Web site at www.flatties.com.

Advocacy

- Dupdate on 2011 Session
- P. Monning for 2012

Communications

- Poolei Media Do's and
- > Effective Communication

Cooperation

- >Intergovernmenta: Cooldination
- >Problem Adving

Leadership

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Prosperity

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- Pulviconomic Development
- Picola and statieties

Transparency and Ethics

- -2/25th Garbinite
- DENING TENEDS

-Tentative Program

Thursday, August 11, 2011

8:00 a.m. - 9:00 a.m.

Florida League of Mayors Nominating Committee Meeting

8:00 a.m. - 7:00 p.m. Registration Desk Open

11:30 a.m. - 12:30 p.m.

Florida League of Mayors Business Meeting

For more information, contact Jenny Anderson at (850) 222-9684.

12:00 p.m. - 4:30 p.m.

Municipal Marketplace Open

12:00 p.m. - 5:00 p.m.

Technology Center Open

Need to check the local news? Are you looking for that important e-mail? Just want to browse the Internet or catch up on some work? The Florida League of Cities Technology Center provides you the perfect place to do all that with eight PCs and staff to assist you. Please note that children must be supervised while in this area.

12:30 p.m. - 1:30 p.m.

Florida League of Mayors Board of Directors Meeting

1:00 p.m. - 3:00 p.m.

"Cities 101" Workshop

If you are newly elected or newly appointed, this "crash course" is designed for you. Details about Florida municipalities, services and governing challenges will be discussed. This is a prequel to the popular Institute for Elected Municipal Officials, but is not a substitute for the three-day IEMO class.

1:00 p.m. - 3:00 p.m.

Legislative Policy Committee Meetings

- Energy and Environmental Quality
- Finance and Taxation
- ▶ Growth Management and Transportation
- ▶Intergovernmental Relations
- ▶ Urban Administration

3:00 p.m. - 4:00 p.m.

International Relations Committee Meeting

3:15 p.m. - 5:15 p.m.

Workshop: Culture Builds Florida Communities
Do you have a livable community? Are you
utilizing your community's assets to build a
vibrant sense of place? Will you be positioned to
compete in our 21st century creative economy?

When you participate in the *Culture Builds*Florida Communities workshop you will learn how to diversify your economy by enhancing arts and cultural resources even in challenging economic times; ensure the importance of strong and distinct quality places through design and development; and promote the building blocks of holistic youth education, community health and lifelong learning. Investments in the arts reap the additional benefits of jobs, economic growth and quality of life.

This workshop will be a celebration of, and a wrap-up for, our five very successful regional workshops this year. As a part of this session, you will receive ideas and take home knowledge to assist you in defining the appropriate definition of culture for your community as you learn from leaders and your peer communities about their best practices and successful initiatives.

3:15 p.m. - 5:15 p.m.

Workshop: The Ethical Leader

We've seen the headlines and the lead stories all too frequently of late; yet another local public official charged with a crime directly related to his or her public office. How can it be that so many of our colleagues are acting in violation of the law?

Part of the answer lies in the allure of power, which always has drawn some to public office for private gain. But part of the answer lies in a need for greater clarity about what it means to be ethical in the context of public service. And that answer is less about the law than it is about achieving a clear personal understanding of how to approach public service from the standpoint of an ethic of service. Come learn how.

Scott Paine, Ph.D., associate professor of communication/government and world affairs at the University of Tampa, will present this

workshop. His experience with public leadership includes eight years as a councilmember in Tampa and service on more than a dozen statewide committees, task forces and councils. Since 2000, Paine has been a regular contributor to Quality Cities and a frequent lecturer on leadership issues both statewide and nationally.

5:15 p.m. - 6:15 p.m. Resolutions Committee Meeting

5:15 p.m. – 6:15 p.m. First-Time Attendees' Orientation

If this is your first FLC Conference – **Welcome!** This workshop will acquaint you with the League, the conference program (with tips for the best use of your time), how to get involved in your local or regional league, FLC legislative policy committees and other municipal services.

6:00 p.m. - 7:00 p.m. President's Welcome Reception in the Municipal Marketplace

Friday, August 12, 2011

7:00 a.m. - 8:30 a.m.
Florida Black Caucus of
Local Elected Officials Breakfast

To be eligible to attend, a membership application and paid dues must be submitted. Membership applications can be obtained at www.fbcleo.com. For more information contact Leo Longworth at (863) 533-3136.

7:00 a.m. - 9:00 a.m. Continental Breakfast in Municipal Marketplace

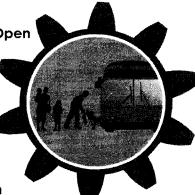
7:00 a.m. - 1:45 p.m. Municipal Marketplace Open

7:00 a.m. - 5:00 p.m. Registration Desk Open

8:00 a.m. - 9:15 a.m. Early Bird Workshops

8:00 a.m. - 5:00 p.m. Technology Center Open

See page 4 for more information.



Friday, August 12 (continued)

8:00 a.m. - 5:00 p.m.

Roundtable Discussions

A room will be available throughout the day for attendee-directed networking sessions. Have an issue you want to discuss with colleagues? Just attended a thought-provoking workshop and want to continue the dialogue after the session? We're giving you the place to do just that!

9:30 a.m. - 11:00 a.m.

Opening General Session

Featuring the presentation of the E. Harris Drew Award and a keynote presentation by **Richard Florida**.

11:00 a.m. - 11:45 a.m.

Workshops

These quick, "how-to" sessions will include plenty of Q&A time.

11:45 a.m. - 1:00 p.m.

Women Elected to Municipal Government Luncheon

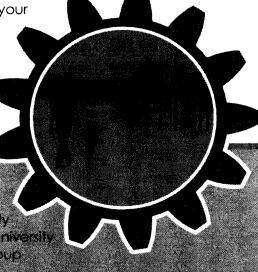
Luncheon by invitation only. If you do not receive your invitation, please contact WEMG at contact@wemg.org. See letter on page 16 for details.

11:30 a.m. - 3:00 p.m.

Grants and Technical Assistance Resource Center

This unique and valuable service provides you with grants information, technical assistance and other resources that are available to your city. The Resource Center is specifically

designed so that you may drop by at your convenience to meet with representatives from various state, federal and nonprofit





Richard Florida

Author. The Great Reset and The Rise of the Creative Class, Director, Martin Prosperity Institute. Rotman School of Martiagement, University of Toronto, and Founder, Creative Class Group

Richard Florida is one of the world's leading public intellectuals. Esquire Magazine recently named him one of the "Best and Brightest." He is author of the national and international best-selling book. The Rise of the Creative Class, which received the Washington Monthly's Political Book Award and was cited as a major břeaktřirough idea by the Harvard Business Review. His ideas have been featured in major ad campalans, such as BMW, and are being used globally to change the way regions, nations and companies

compete.

He is founder of the Creative Class Group; an advisory services firm that charts new trends in business and community.

Florida is a regular correspondent for The Atlantic and a regular columnist with the Globe and Mail newspapet. He has written numerous articles for the New York Times, the Wall Street Journal, the Harvard Business Review, the Baston Globe and the Financial Times. He is author of the book, Who's Your City?, which has been halled a National Best-Seller, arr International Best-Seller and Amazon Book of the Morth.

His new book, The Great Reset, explains how new ways of fiving and working will drive postcrash prosperity.

Recently named European
Ambassador for Creativity and
Innovation. Florida is director
of the Martin Prosperity institute
and Professor of Business and
Creativity at the Ratman School
of Management. University of
Igranto. Previously, he held
a professor of Harvard and Miland a visiting fellow at the
Brookings Institution. Florida
earned his bachelor's degree
from Rutgers College and his
Ph.D. from Golumbia University.

organizations that provide grants and other services. Preview the 2011 version of FLC's much sought after grants exchange guide, Financial and Technical Assistance for Florida Municipalities, which will be sent to your city.

11:45 a.m. - 1:15 p.m. Sidewalk Café in Municipal Marketplace (Cash Sales)

1:15 p.m. - 2:30 p.m.

Plenary Session:
The State of Florida's Economy
Featuring a presentation by
Sean Snaith, Ph.D.

2:45 p.m. - 4:00 p.m. Workshops

4:15 p.m. - 5:00 p.m. Workshops

6:00 p.m. - 7:00 p.m. FLC Membership Networking Event

Evening Open

Saturday, August 13, 2011

7:30 a.m. - 8:45 a.m.

Various Local/Regional League

Breakfast Meetings

Contact your local league for more information.

8:00 a.m. - 4:00 p.m. Registration Desk Open

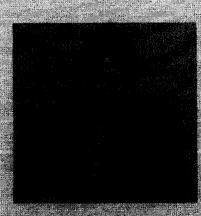
8:00 a.m. - 5:00 p.m.

Technology Center Open

See page 4 for more information.

8:30 a.m. - 9:00 a.m. Voting Delegate Registration Open

9:00 a.m. - 10:30 a.m. Annual Business Meeting



Sean Snaith, Ph.D.

Director, University of Central Florida, Institute for Economic Competitiveness

A nationally recognized economist in the field of business and economic

forecasting, an award-winning forecaster, a researcher and a professor. Snaith applies academic expertise to solve real-world problems. He has served as a consultant for local governments and multi-national corporations, such as Compaq, Deli and IBM. Before joining UCF's College of Business Administration, he held teaching positions at Pennsylvania State University, American University in Cairo, the University of North Dakota and the University of the Pacific

Smalth frequently is interviewed in national and regional media and is a sought-after speaker. He has been quoted in the Wall Street Journal, USA Today, the New York Times, The Economist and CNNMoney.com and has appeared on CNBC, Fox Business Network and Business News Network, based in Toronto.

Known for his engaging presentations, Snaith earned praise from one business editor for making economics not only understandable, but interesting.

Snaith is a member of several economic organizations and national economic forecasting panels, including the Wall Street Journal's Economic Forecasting Survey, the Associated Press' Economy Survey, CNNMoney, com's Survey of Leading Economists, USA Today's Survey of Top Economists, Federal Reserve Bank of Philadelphia's Survey of Professional Forecasters, Bloomberg and Reuters.

Snaith was named by Bloomberg News as one of the nation's most accurate forecasters in 2008. In 2007, he was named California's most accurate forecaster by the Western Blue Chip Consensus Forecast.

Snaith holds a B.S. in economics from Allegheny College and an M.A. and Ph.D. in economics from Pennsylvania State University.

Snaith is also the host of "Money Clips with Sean Snaith," a weekly segment produced by UCF TV, which aims to break down complex issues into digestible news about subjects and in the cost of food.

Saturday, August 13 (continued)

9:00 a.m. - 4:00 p.m.

Youth Council Program

See page 14 for details and registration information.

10:45 a.m. - 12:15 p.m. Second General Session

Featuring presentations by NLC President James E. Mitchell Jr. and Senate President Mike Haridopolos and a keynote presentation by Capt. Mark Adamschick.

12:30 p.m. - 2:15 p.m.
Past Presidents' Luncheon and
Installation of New President

2:30 p.m. - 4:00 p.m. Workshop

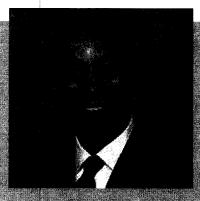
6:00 p.m. - 10:00 p.m. Childcare Provided

Pre-registration required. See form on page 15 for registration information.

6:30 p.m. - 9:30 p.m. FLC Arts Festival

Culture truly does build Florida's communities! Sample some of the best of Florida's visual, musical and culinary arts at this special event.

Schedule and speakers subject to change.



James E. Mitchell Jr.

Council Member, Charlotte, N.C., and
President, National League of Cities

James E. Mitchell Jr., is president of the National League of Cities (NLC), the nation's oldest and largest organization representing municipal government. As a council member, he represents Charlotte, N.C., City Council District Two, Elected in 1999, he is now serving his sixth term on the council.

Mitchell is the chair of the Charlotte Economic Development Committee, the vice chair of the Housing and Neighborhood Development Committee and a member of the Restructuring Government Committee. He is the council, representative to the Visitors Advisory Committee, the Charlotte Mecklenburg Housing Partnership and the Charlotte Regional Partnership Board.

He is the former chair of NLC's National Black Caucus of Local Elected Officials (NBC-LEO) Foundation, and participated in NLC's Leadership Training Council and Institute for Youth, Education and Families. He is the past president of the North Garolina Black Elected Municipal Officials (NCBEMO) and served on the board of the North Carolina League of Municipalities (NCLM).

His local activities include serving on the boards of the Police Activities League, the Right Moves for Youth Advisory Council, and the North Carolina Center for Afterschool Programs (NC-CAP). At East Stonewall AME Zion Church, he serves on the Stewards Board.

Mitchell is a graduate of the Harvard John F.
Kennedy School Program for Seniar Executives in
State and Local Government, the North Carolina
Institute of Political Leadership, Leadership
Charlotte and the Focus on Leadership, He
received his bachelar's degree in Business
Administration from North Carolina Central
University. He is employed as Managing Director
for Integrated Capital for Strategies, LLC and
is blessed with two wonderful daughters, Kayla
and Nicole.



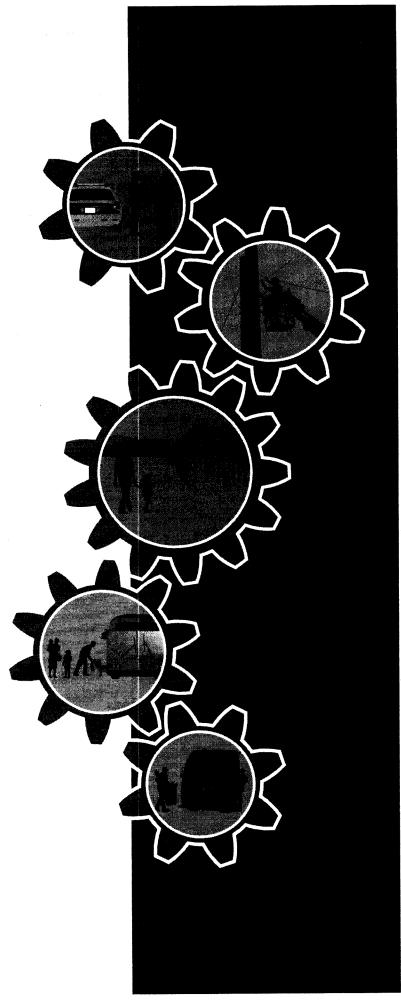
Captain Mark Adamschick, USN, Ph.D.

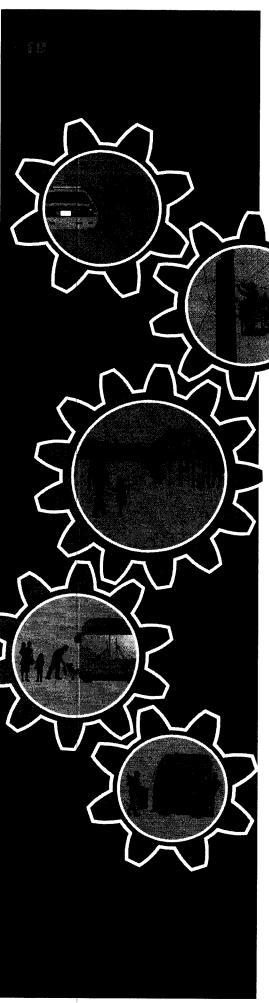
Capt. Mark Adamshick, USN, Ph.D., is director of the Division of Leadership Education and

Development and senior military professor of leadership and ethics at the U.S. Naval Academy.

A graduate of the Naval Academy class of 1981, he has been a commissioned officer in the U.S. Navy for more than 29 years and is a resident of Severna Park, Md., along with his wife and three children. Capt. Adamshick, a naval flight officer and a graduate of the Naval Test Pilot School (Class of 1993), has accumulated more than 3,000 flight hours in more than 25 different aircraft. A "TOPGUN" graduate, he has more than 1,000 carrier-arrested landings in fighter aircraft and has flown more than 100 combat missions over Libya, Iraq, Afghanistan and the former Yugoslavia. He has commanded an F-14D "Tomcat" squadron (VF-213) and an F-18E/F "Super Hornet" squadron (VFA-122) and was the operations officer of the nuclearpowered aircraft carrier USS Theodore Roosevelt CVN-70.

Adamschick has served in a variety of high-level staff positions, including the deputy flag assignment officer to the Chief of Naval Personnel and the head aviation warfare policy officer to the Chief of Naval Operations in the Pentagon. Capt. Adamshick has a master's degree in public administration from the Harvard Kennedy School of Government and earned his Ph.D. in policy studies, specializing in management, finance and leadership, from the University of Maryland, School of Public Policy.





Additional Activities

Off-Site and Children's Activities

The Marriott provides a professional concierge desk to answer all questions regarding what to do, where to dine and how to get there, as well as brochures on area attractions, shopping and restaurants. The Marriott also offers a wide range of children's activities that changes daily. For complete information, please contact the Marriott at (407) 239-4200 or visit their Web site at www.marriottworldcenter.com.

Saturday Night Childcare

Childcare services will be available on **Saturday**, **August 13**, **from 6:00 p.m. until 10:00 p.m.** during the FLC Arts Festival. This service, provided by the League through Sitter Solutions, will be offered at no charge, but preregistration is required.

The League will provide pizza, popcorn and drinks. Sitter Solutions will provide quality childcare with loads of activities and games. Toys will be provided for children 1-3 years old, as well as videos for quiet time. Pillows and blankets will also be available.

Agenda

♦ 6:00 p.m. - 6:30 p.m. Registration
 ♦ 6:30 p.m. - 7:30 p.m. Dinner
 ♦ 7:30 p.m. - 9:30 p.m. Activities
 ♦ 9:30 p.m. - 10:00 p.m. Quiet Time
 ♦ 10:00 p.m. Closes

Please be sure to pick up your child by 10:00 p.m.

In order for us to provide this service, you will need to fill out the Childcare Registration Form on page 15 so we can determine how many sitters will be needed. Please return childcare forms to Barbara Solis, P.O. Box 1757, Tallahassee, FL 32302-1757 or fax to (850) 222-3806.

This service is licensed, bonded, insured and CPR trained, and there is no cost to you.

Conference Housing Information

The **World Center Marriott** will serve as the conference hotel. It is located at 8701 World Center Drive in Orlando. The resort phone is (407) 239-4200. (**Note:** Reservations may be made via an FLC-provided security code only. Please **do not** call the resort to make reservations until you receive this code, which will be provided with your **paid** registration.) FLC has secured the reduced rate of \$5.00 per day for self parking, and \$14.00 per day for valet parking.

Located on 200 lush acres only minutes away from Orlando's main attractions, the Marriott features championship golf, award-winning cuisine and an exquisite spa. There are multiple restaurants and lounges, a lagoon pool and lots of activities for the family. Visit the hotel's Web site at www. marriottworldcenter.com for more details.

NOTE: The Marriott is a smoke-free property.

Directions

From Interstate 4: Exit 67 – hotel will be on the left.

From the Airport: Take south exit out of the airport to 417. Take 417 south to Exit 6, go straight at the light, cross 535 and the hotel will be on the right.

Room Reservations IMPORTANT – PLEASE READ

In order to protect our room blocks for conference registrants, it is our policy that no one will receive housing information until we have received your PAID registration.

Once your registration is paid, you will be sent housing information via e-mail. (If you do not have an e-mail address, we will mail or fax the information to you.) Note: If you register online, but choose to mail in your check, you will not receive your housing information until your registration is paid.

DAYTONA FLORIDA'S TURNPIKE **BEACH** UNIVERSAL STUDIOS INTERNATIONAL DR ORANGE COUNTY **BEACH** MAGIC CONVENTION KINGDOM CENTER 4 SEA ORLÁNDO **EPCOT** AIRPORT CENTER **WORLD CENTER** IARRIOTT RESORT & CONVENTION CENTER

Please note that the reservation cut-off date at the Marriott is **July 20**, **2011**, and the rate is **\$153/night**. It is important that you register for the conference early so you have plenty of time to make your reservations. **Availability is on a first-come**, **first-served basis**.

Remember that we are unable to guarantee reservations for anyone, nor the exact date on which the hotel block will sell out, **so please register early**.

Conference Registration Information

Note: All of the enclosed registration forms are available online at www.flcities.com.

Mail Registrations

Use the enclosed registration form to register for the conference. Register early to avoid delays. Mail your conference registration form with payment to the Florida League of Cities. No purchase orders or telephone registrations will be accepted.

Online Registration

You can register online by accessing the League's Web site at www.flcities.com. Simply fill out the online application, select your method of payment and your application will automatically be sent to the League.

Remember: A user name and password are required to access online conference registration. If you experience any problems logging-in, please contact Melanie Howe at (850) 222-9684.

If you register online there are two payment options. You can send your registration fees by check to the Florida League of Cities. (NOTE: You are not registered until we receive your payment and you will not receive your housing information until your registration is paid.) Or, you can pay online with your Visa or MasterCard. Registrations submitted and paid online via credit card will automatically be marked as paid and you will receive your conference confirmation immediately via e-mail. Please check your confirmation carefully to verify that all information is correct. Please inform the League immediately of any errors.

Registration Fees

City/County/Government (\$325), Corporate (\$495) and Guest (\$75): These fees cover your name badge, admission to all conference sessions and the exhibit hall, refreshment breaks, Friday's membership networking event, Saturday's Past Presidents' Luncheon and the FLC Arts Festival closing night event.

NOTE: Registrants are defined as any elected government official, or any employee of governments, organizations or corporations. **Guests** are defined as spouses, partners or other non-professional relations of conference delegates.

Guest registration **may not** be used for other elected government officials, staff or company representatives. To assist our cities in these difficult economic times, registration fees remain at the 2008 rate.

Teen Guest 13-18 years (\$20) and Child Guest 3-12 years (\$15): These fees cover your name badge, admission to the exhibit hall, Friday's membership networking event and refreshment breaks. Teen and child guest registration does not include Saturday's Past Presidents' Luncheon or closing night event.

Exhibit Hall Pass (\$20): This pass allows family members and guests who are not registered for the conference to visit our vendors on Thursday and Friday. Passes permit access to the exhibit hall on Thursday afternoon, Thursday evening and Friday morning. The pass allows access to all events in the exhibit hall, as well as Friday's membership networking event. The pass is not good for any other conference events, and is not equivalent to a registration.

Youth Council Program (\$15): This fee covers all Youth Council Program activities on Saturday, plus lunch. See page 14 for details and registration information.

*Registration fees will increase to \$355 for government and \$520 for corporate registrants for all registrations done on-site.

Deadlines/Cancellations

Advance registration forms must be postmarked **on or before Monday**, **July 25**, **2011**. If you are unable to meet this deadline, please register on-site at the conference registration desk.

Conference registration cancellations must be done in writing by mail, e-mail or fax to the Florida League of Cities, Inc., P.O. Box 1757, Tallahassee, FL 32302-1757; mhowe@flcities.com; or fax (850) 222-3806. All cancellations received in the FLC office by 5:00 p.m., Monday, August 1, 2011, will receive refunds, minus a \$50.00 cancellation fee. Refunds will be issued after the conference. No refunds can be made after August 1 or for early departure from the conference.

2011 FLC Annual Conference Registration Form

August 11-13, 2011 ∜World Center Marriott > Orlando

Florida League of Cities | P.O. Box 1757 | Tallahassee, FL 32302 | (850) 222-9684 | Fax (850) 222-3806 | mhowe@flcities.com

| DELEGATE INFORMATION | | | |
|---|--|-----------------------|--------------|
| Name: | M.I. | Last | |
| First Name or Nickname: | | LU3; | |
| As You Wish to Appear on Bac | dge | | |
| Title: Affiliati | on: | vernment or Compa | nv |
| Mailing Address: | City, Courty, Oo | verminem or compa | ''' |
| Note: If you will be paying with a credit c | ard below, please use the billing ad | ldress for that card. | |
| City: | State: | Zip: | |
| Phone Number: | _Fax Number: | | |
| E-Mail Address (for confirmations): | | | |
| E-Mail Address (for confirmations):Please provide the | address of the person who should re | eceive the confirma | tion. |
| If you wish to receive e-mail updates onsite at conferen | ice, please provide us with yo | our preferred pe | rsonal e- |
| First-Time Attendee? Yes No Contact Pe | erson: | | |
| GUEST INFORMATION (Please complete only if registerin | a a quest for the conference | .) | |
| Guest's Name: | | | |
| | As \ | You Wish to Appear | on Badae |
| Child's Name: | _Age: First Name: | You Wish to Annogr | on Radao |
| Child's Name: | | | |
| oma s wante. | | You Wish to Appear | |
| Special Needs | Registration Fees | No. Fee | Total Fee |
| If you require special services, or have special dietary needs, | City/County/Government | | \$ |
| please attach a written description to your registration form. | Corporate | @ \$495.00* | |
| Registration Registration form must be accompanied by payment made | Guest | @ \$75.00 | |
| payable to Florida League of Cities. Mail this form to: Florida | Guest (13-18 years) | @ \$20.00 | |
| League of Cities, P.O. Box 1757, Tallahassee, FL 32302-1757. Registration forms must be postmarked by July 25, 2011 . | Guest (3-12 years) | <pre> @ \$15.00</pre> | |
| Remember: You will not receive housing information until we | Exhibit Hall Pass | @ \$20.00 | |
| have received your PAID registration. | EXHIDII HAII FASS | @ \$20.00 | Ψ |
| Fax Registration | Optional Activities | No. Fee | Total Fee |
| Fax registrations can be accepted with credit card payment. Fax to (850) 222-3806. | Saturday, August 13 | | |
| Online Registration | Extra Luncheon Ticket Extra "FLC Arts Festival" Ticket | @ \$40.00 | \$ |
| You can also register online by accessing the Florida | | @ \$50.00 | \$ |
| League of Cities Web site at www.flcities.com. If you use this method, please do not send a hard copy registration form to | licket | | |
| the League. This will duplicate your registration information. | | Total | \$ |
| Credit Card Information | *Note: Registration fe | es will increa | se to \$355 |
| Credit Card type: □MasterCard □Visa | for government and \$ | _ | rate for all |
| Number: Exp. Date: | registrations done ons | site. | |
| Account Name: | | | |

2011 FLC YOUTH COUNCIL PROGRAM

Saturday, August 13, 2011 < 9:00 a.m. - 4:00 p.m. > World Center Marriott

Florida League of Cities | P.O. Box 1757 | Tallahassee, FL 32302 | (850) 222-9684 | Fax (850) 222-3806 | sberrian@flcities.com

We are pleased to invite youth councils from throughout the state to participate in the annual conference. Attendees will learn about issues facing municipalities across the country and have the opportunity to network with other Florida youth councils.

The registration fee for this program is only \$15 per person and includes lunch and specific workshops for council members on city governance and consensus building. For more information please contact Sharon Berrian at (850) 222-9684.

Please complete one form per youth council. The form may be duplicated if you are registering more than six people.

| Youth Council Name: | |
|--|---------------------|
| Contact Person: | |
| Address: | |
| City: | State:Zip: |
| Phone: Fax: | |
| E-Mail: | |
| | |
| Name: | Student 🔲 Chaperone |
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| Registration Fee = \$15.00 per person | |
| Total Amount Enclosed: \$ | |
| Method of Payment: | ☐ Visa ☐ MasterCard |
| Credit Card Number: | Exp. Date: |
| Billing Address (if different from above): | |
| City: | State:Zip: |
| Cardholder's Name: Cardhol | lder's Signature: |

Mail checks to Florida League of Cities, P.O. Box 1757, Tallahassee, FL 32302 **Fax** Visa or MasterCard payments to (850) 222-3806

Youth council registration cancellation must be done in writing by mail, fax or e-mail to sberrian@flcities.com. All cancellations received in the FLC office by 5:00 p.m., **Monday**, **August 1**, **2011**, will receive refunds. Refunds will be issued after the conference.

Florida League of Cities "FLC Arts Festival" Closing Night Event Childcare

Saturday, August 13, 2011 ∢6:00 p.m. - 10:00 p.m. > World Center Marriott



Sitter Solutions, Inc. Pre-Registration Form

| Parent Name: | | Phone () |
|--|---|--|
| Address: | | Cell Phone: |
| City: | S ₁ | State:Zip/Postal Code: |
| Please list each child's name, ag | e and any allergie | ies or special needs as indicated below. |
| Child Name | Age | Allergies/ Special Needs |
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| | | |
| | | |
| Who is authorized to pick up yo | ur child? | |
| Name: | | Relationship: |
| Name: | | Relationship: |
| whole or in connection wi by parent/guardian or th 2. Parent/guardian may not Solutions, Inc. will not be 3. Parent/guardian warrant above. | th directly or ind eir children at su bring toys, jewe e responsible for s that the child | elry, valuables or medications into child care facility. Sitter such items and will not administer medication of any kind. I has no allergies or disabilities, which have not been noted |
| of Florida. | · | construed under and in accordance with the laws of the State |
| emergency medical care called. | if warranted. If | Solutions, Inc. to take whatever steps necessary to obtain f the parent cannot be reached emergency personnel will be |
| | | s/video to be taken of my child (ren) while attending a Sitter |
| | | se photographs/video may be used for Sitter Solutions, Inc. |
| This will serve as my authorizat | ion to Sitter Sol | |
| | ion to Sitter Sol | |

Return completed form to Barbara Solis at: Florida League of Cities, Inc., P.O. Box 1757, Tallahassee, FL 32302-1757; or fax to (850) 222-3806.



Dear Members of Women Elected to Municipal Government and Conference Guests:

We invite you to join us at our 18^h Annual Luncheon held during the Florida League of Cities Conference, at the World Center Marriott in Orlando, Florida. This event will be on Friday, August 12th from 11:45 am to 1:00 pm in the Grand Ballroom. This year we will also have a business meeting the same day Friday, August 12th from 5:00 pm to 6:00 pm in the Miami Meeting Room.

The annual luncheon is designed to encourage fellowship and networking among our members and guests, and to increase awareness about our organizational goals for the year. Each year, we have a keynote address by a woman who is at the top of her chosen field and is making a significant difference in her community.

To reserve your place please complete the form below and mail it to the address shown below together with your check for \$40.00 (member rate) or \$45.00 (non-member rate) payable to Women Elected to Municipal Government or WEMG. We must have your reservation by August 5th.

We look forward to having you join us for lunch on August 12th!

| Sincerely, |
|---|
| fan WEST |
| Stephany Eley, President |
| Women Elected to Municipal Government |
| |
| Reservation Form Clip and return with your check to the address below |
| Reservation Form Cup and return with your check to the address below |
| Name |
| Title if Elected Official |
| |
| City |
| Mailing Address |
| |
| City, State and Zip Code |
| |

Send to: Mayor Susan Adams 100 S. Pine Street Fellsmere, Florida 32

Email: combct@wemg org Web site: with wemg org President's Email: seley@westmelbourne.org
Treasurer's Email: susanadams@cityoffellsmere.org

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Florida League of Cities P.O. Box 1757 Tallahassee, FL 32302-1757



CITY OF DANIA BEACH

Agenda Request Item

Type of Request: REsolution (Adopt Resolution, Adopt Ordinance (1st Reading) Adopt Ordinance (2nd Reading) Award Bid /RFP, Presentation, Public Hearing)

Continued from:

| Requested Action (Identify | y appropriate Action or Motion) | | | | |
|---|-------------------------------------|---------------------------------|--|--|--|
| Approval of Resoltuion | | | | | |
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| Description of Action | | | | | |
| Creates City Debt Policy provide | ing guidelines for the issuance and | l amount of City debt finaning. | | | |
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| Purchasing Requests ONLY | | | | | |
| Dept: | Acct #: | Amt: | | | |
| Fund: (Select from: General, Water, Sewer, Stormwater, Grants, Capital) | | | | | |

| Fiscal Impact/Cost Summary | | |
|----------------------------|--|--|
| none | | |
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| Exhibits Attached | | |
| Memo and Resolution | | |
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RESOLUTION NO. 2011-065

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.

WHEREAS, pursuant to Section 2-12, entitled "Debt Management Policy", of Article I, entitled "In General", of Chapter 2, entitled "Administration", of the City Code of Ordinances, the City Commission shall, from time to time adopt a City Debt Management Policy; and

WHEREAS, the City Finance Department has prepared a Debt Management Policy with the help and collaboration of the City's Financial Advisor and recommends such policy to the City Commission for approval and adoption;

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

Section 1. That pursuant to this Resolution, the City Commission adopts a City Debt Management Policy, a copy of which Policy is attached, marked as Exhibit "A", and it is made a part of and incorporated into this Resolution by this reference.

Section 2. That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 3. That this Resolution shall be in full force and take effect immediately upon its passage and adoption.

| PASSED AND ADOPTED on | , 2011. |
|--------------------------------------|-------------------|
| ATTEST: | |
| | |
| LOUISE STILSON, CMC | PATRICIA A. FLURY |
| CITY CLERK | MAYOR |
| | |
| APPROVED AS TO FORM AND CORRECTNESS: | |
| | |
| THOMAS J. ANSBRO | |

CITY ATTORNEY

EXHIBIT "A"

DEBT MANAGEMENT POLICY

Definitions:

Amortization means the schedule of debt principal to be paid over a period of time.

Banking Fund - See Internal Loan Fund.

Bond Disclosure Supplement means the City's annual report which provides market disclosure relating to the City's debt offerings.

Covenant Program means the City's debt program that is secured by covenant to budget and appropriate from non-ad valorem revenues and encompasses all debt that is defined as Covenant Obligations under the City's Debt Ordinance

Debt Hedging Products means interest rate risk mitigation products such as swaps, caps, floors, collars and options in connection with the incurrence of City debt obligations.

Debt Service means scheduled payments of interest and principal on debt obligations.

Fixed Rate Debt means a debt obligation issued with a predetermined interest rate.

General Government Debt means all Non Self Supporting debt. These are the programs whose expenditures for debt service are in direct competition with other General Fund expenditures (salaries, utilities, supplies, etc.).

Hedged Variable Rate Debt means total variable rate debt less any associated Debt Hedging Products and allocated Short-Term Investments.

Internal Loan Fund means a conduit financing device to distribute proceeds of debt into loans to various operating funds of the City. The goal of Internal Loan Fund is to provide funding for various projects around the City, with flexibility of loan terms and low, blended rate. The blended loan rate is achieved through a mix of variable, medium-term, and long-term Covenant backed debt instruments. In general, loan repayment schedules are established that are shorter than bond repayment provisions, in order to provide the City a revolving source of capital financing without needing to access the public markets for each capital need.

Maturity means the length of time until the principal amount of a bond must be repaid.

Medium Term Loans means debt issued with a fifteen year or less maturity that is Designated Maturity Debt as defined in the Covenant Program. See above, IX. Criteria for Evaluating Debt Options, B. Market Options, (i) Election to Issue Fixed Rate Debt.

Net Variable Rate Debt means total Variable Rate Debt less Hedged Variable Rate Debt.

Non-Self Supporting Debt means any indebtedness of the City other than Self Supporting Debt

Pay-As-You-Go refers to the payment of capital projects or other non operating projects using non-capitalized revenues.

Present Value means the amount that a future sum of money is worth today given a specified rate of return.

Ratings means ratings that are issued by Moody's Investors Service, Fitch and Standard & Poor's Corporation and any other nationally recognized rating agency, to the extent they have in effect a rating on City debt.

Self Supporting Debt means any indebtedness of the City for borrowed money that is either (a) secured by or payable exclusively from a source of revenues other than Covenant Revenues, or (b) primarily payable from revenues of the type described in clause (a) above and secondarily from Covenant Revenues if the Covenant Revenues have not been used (or, as provided below, deemed to have been used) to pay any portion of such indebtedness for the three Fiscal Years preceding the date of determination and if the City projects that the Covenant Revenues will not be so used during the next two Fiscal Years; and either (c) that is secured by a revenue source that has been in effect for at least three Fiscal Years and that would have provided coverage of at least 125% of the average annual debt service on such obligations secured by such revenue source in each of the three preceding Fiscal Years or, (d) if the revenue source has not been in existence for at least three Fiscal Years, that is secured by a revenue source that would have provided coverage of at least 150% of the average annual debt service on such obligations secured by such revenue source in at least the last full Fiscal Year preceding the issuance of such obligations and that is projected to provide at least 150% debt service coverage (based on revenue and debt service projections by the City) in each of the three ensuing Fiscal Years; and (e) in any such case, in the three preceding Fiscal Years, no debt service on which has been paid (or, as provided below, deemed to have been paid) from Covenant Revenues deposited in the General Fund or the Utilities Services Tax Fund. For purposes of calculating the coverage requirements described in this definition, the historical and projected receipts of a particular revenue source shall be adjusted retroactively to the initial date of the calculation period to reflect changes in rates, levies or impositions enacted prior to the date of calculation. For purposes of this definition, Covenant Revenues will be deemed to have been used to pay debt service on any debt if Covenant Revenues have been transferred in the relevant period, other than pursuant to a Capital Transfer, to a fund or account used to pay debt service on such debt.

Synthetic Refunding means refunding transactions that include the use of interest rate risk management products such as swaps, caps, floors, collars and options.

Short-term Investments means liquid investment assets of the City.

Tax-Supported Debt means General Government Debt programs plus Other Governmental Self-Supporting Debt. This creates two categories of debt which place direct or indirect burden on the taxpayers of the City.

Un-hedged Variable Rate Debt means Net Variable Rate Debt.

Variable Rate Debt means debt obligations entered into that use a variable, auction reset, adjustable, convertible or other similar interest rate which is not fixed in percentage at the date of issue.

Section 1 – Purpose and framework

I. Introduction

The Debt Management Policy for the City of Dania Beach is intended for the following purposes:

- (a) establish parameters for issuing and managing debt;
- (b) provide guidelines to decision makers relating to debt affordability standards; and
- (c) ensure that future generations of elected officials have reasonable latitude in addressing issues or problems of their tenure.

This Debt Management Policy sets forth the goals and objectives of the program and defines targets and benchmarks within these parameters.

II. Scope

This Debt Management Policy shall apply to all debt issued by the City of Dania Beach on behalf of the citizens, taxpayers and rate payers of the City of Dania Beach.

III. Objectives

The following goals shall define the objectives for the issuance of debt of the City of Dania Beach, which are subject to the scope of this Debt Management Policy.

- A. Balance multiple financial management objectives, including:
 - 1. Creativity: to examine new or different means to achieve established objectives at the lowest possible cost;
 - 2. Innovation: to address, consider or conceive new financing options which are either developed in the City's traditional municipal markets or adaptable from other existing financial markets;
 - 3. Flexibility: to retain the City's current and future options to meet its financing challenges;

- 4. Responsibility: to be fair, reasonable and equitable to each generation of taxpayers, rate payers, users and other beneficiaries when distributing the debt burden or costs of government;
- 5. Due Care: to pay timely attention to and comply with each and all of the agreements, laws, contracts, covenants, policies and obligations, which make up or are related to the City Debt Management Program(s).
- B. Define and categorize the City's current debt programs as governmental or proprietary within the self-supporting and non-self supporting categories.
- C, Enhance the City's ability to access the credit markets and enhance or maintain the credit ratings for each of its programs.
- D. Consider conditions of Debt Issuance (strategic, economic, financial, operational and environmental).
- E. Evaluate each of the following in anticipation of new borrowing initiatives:
 - 1. Appropriate final maturity (three (3) to thirty (30) years);
 - 2. Principal Amortization pattern (e.g., level principal, level debt service, etc.);
 - 3. Use of long-term fixed, intermediate term fixed or variable rate debt price and risks.
- F. Review benchmark at least once every three (3) years and recommend any changes in targets and proposition any amendments to City Manager for approval, including development of an appropriate time frame to implement such changes.

Section 2 – Guidelines

I. Categorize Debt Program(s)

The City of Dania Beach shall periodically establish standards for and, classify each, of the City's debt programs into one of the following categories:

A. Self-Supporting Debt:

Proprietary operations State Revolving Loan Revenue Bond Capital Leases Line of Credit

B. Non Self-supporting Debt:

General Governmental (including the General Fund)
Covenant Program
Revenue Bond
Capital Leases
Line of Credit
General Obligation

This distinction recognizes that self-supporting proprietary programs do not directly or indirectly place a burden on taxpayers in the form of increased taxes. As long as each system's user rates meet the needs of both operations and debt service, the debt program is not considered part of either the General Government or Tax-Supported Debt of the City of Dania Beach.

Having made these classifications, the City Administration shall commit to the following:

- A. Act in regard to self-supporting proprietary operations, when necessary, to increase rates to ensure that each operation maintains rate coverages (revenue to debt service ratios) as required by the higher of either City policy or related debt covenants.
- B. Limit the level of annual debt service as a percentage of available annual revenues to ensure a reasonable ability to address recurring operations and maintenance and capital requirements on a pay-as-you-go basis for all self-supporting governmental operations.
- C. Establish the annual subsidy required and compare it to the actual subsidy needed for all non self-supporting proprietary operations.
- D. Adhere to debt limits established in the Debt Management Policy to ensure current and future flexibility for all Non Self-Supporting Debt.

II. Credit Worthiness Objectives

Rating agencies issue credit rating based upon their ways to improve or maintain a municipal credit rating as published by Standard & Poor's Ratings are:

1) Establish or enhance rainy day/budget stabilization reserves.

Some considerations when establishing a reserve are as follows:

- a What the government's cash flow/operating requirements are;
- b The historic volatility of revenues and expenditures through economic cycles;

- c Are formal policies established outlining under what circumstances reserves can be drawn down; and
- d Will there be a mechanism to rebuild reserves once they are utilized.
- 2) Establish regular economic and revenue reviews to identify early potential budget problems
- Prioritize spending and establish contingency plans for operating budgets as a fallback financial strategy. When budget imbalances occur in a downfall situation, the following analysis should be conducted:
 - a What part of the budget is discretionary;
 - b What spending areas can be legally or practically reduced;
 - c The time frame necessary to achieve reductions for various programs;
 - e Which part of the revenue is flexible; and
 - f What action is to be adopted on the revenue side under different economic scenarios.

III. Conditions of Debt Issuance

- a Issuance of debt to fund operating deficits operations IS NOT permitted.
- b Debt issuance is permissible for fixed assets acquisition and infrastructure improvement.

IV. Final Maturity

The following is the guideline and is not a mandatory schedule; however, in no circumstances should the maturity of the loan be longer than the life of the assets.

- a Computer equipment: 3 to 7 years;
- b Vehicles: 5 to 7 years;
- c Fire Engine: 10 to 15 years;
- d Rescue Truck: 5 to 8 years;
- e Heavy Equipment such as loader, dump truck: 5 to 8 years;
- f Building: 20 to 30 years;
- g Infrastructure Improvement: 20 to 50 years; and
- h Land: 20 to 50 years.

V. Manage the Use and Commitment of Resources that may be pledged and the City Code of Ordinance

a. The City of Dania Beach has established through Ordinance that the maximum amount of outstanding revenue bond is not to exceed \$20,000,000.00 in any one Fund.

- b. The City of Dania Beach recognizes that the pledgable revenue sources are limited and that careful consideration must be exercised so as not to over extend the capability. The City is to limit future flexibility in using collateralization. Only the following revenues in the General Fund should be used for pledging:
 - 1) Electric Franchise Fees;
 - 2) Electric Utility Taxes; and
 - 3) Sales Tax.

VI. Measuring Inter-period Equity

When measuring its commitment to infrastructure and related service delivery potential, the City shall address both its capital, operating and maintenance requirements. For purposes of this Policy, the City shall focus on its capital portion. When measuring interperiod equity, the City must consider the need to allocate the burden between generations and, more specifically, between fiscal periods. The City will seek to measure the impact of proposed capital funding sources (debt and Pay-as-you-go) for both a single year and longer-term forward forecasts. This future capacity analysis shall consider debt service maturities and payment patterns, as well as the City's use of Pay-as-you-go budgetary capital allocations.

VII. Maintaining/Improving Credit Ratings

The City shall strive to maintain its ratings and enhance the overall credit standing of not only its general credit, but also each of its specific debt programs. When addressing efforts to enhance its current ratings, the City will seek to balance its current flexibility (and related ability to meet the challenges facing the community) with potential limitations or restrictions which may be required to enhance a bond rating. In light of the then current market conditions, the City will have to judge the enhanced market advantage of a projected rating by program against the potential loss of flexibility, which may be necessary to achieve the rating enhancement. The City's current ratings are regularly published by the Rating Agencies and are summarized annually in the City's Bond Disclosure Supplement.

The need for multiple ratings and merit of various rating services' ratings may be judged at the time and in the circumstances of the contemplated issue and in the perspective of the City's overall programs.

VIII. The Internal Loan Fund

The City shall establish a Loan Covenant Program, which will be used as the primary funding source for the Internal Loan Fund. The goal of the Internal Loan Fund is to provide funding for various projects around the City with the flexibility of loan terms and a low, fixed and stated interest rate. The fixed loan rate shall be 140% of the ten (10) year treasury yield. In general, loan repayment schedules are established that are shorter

than bond repayment provisions in order to provide the City an internal and revolving source of capital financing, without needing to access the public markets for small projects.

Loans may be provided to both proprietary and non-proprietary operations. Loan repayments from proprietary operations are subordinate to revenue bond debt issued for and secured by proprietary funds.

IX. Criteria for Evaluating Debt Options

The City Administration has authorized the Finance Department to establish specific target benchmarks for potential exercise of debt options. Further, within the framework established by the goals, objectives and established target benchmarks, the City Manager authorizes the Chief Financial Officer to act on behalf of the City in a manner intended to lower the effective cost of debt to the taxpayers and citizens of the City of Dania Beach. With regard to this delegation of authority to the Chief Financial Officer, the following criteria for evaluating debt options has been established:

A. Maturity Analysis

For self-supporting proprietary operations, the primary strategy is to use a long-term debt service maturity structure. Generally, level debt service is preferable, unless user capacity increases, which results in higher revenues and are planned and forecast in later years. To the extent that shorter maturities or alternative amortization strategies are utilized in an effort to reduce the effective borrowing costs, a comparative advantage must be considered in relationship to the potential negative impacts on user rates and charges.

For all other categories of debt, the City may consider opportunities to either shorten maturities or alter amortization structures. A level principal structure may be considered, versus level debt service generally, as long as the structure does not dramatically increase the maximum annual debt service (for example by more than 25%). Additionally, the City should consider a level principal maturity structure compared to shorter maturity level debt service structure when maximum annual debt service is similar.

B. Market Options

(i) Election to Issue Fixed Rate Debt

The City of Dania Beach has available to it two separate fixed rate programs:

1. Long-term Fixed Rate Debt and Medium Term Notes. Fixed Rate Debt is the traditional way municipalities have issued debt. Debt is offered to investors with a fixed maturity schedule at rates fixed in a single offering. Long-term Fixed Rate Debt issuance should be based upon a consideration of the following factors:

- (a) the level of long-term rates at the time of issuance versus the last 3 to 10 years,
- (b) a short to intermediate range forecast for long term rates to be trending upwards,
- (c) the ratio of short-term (or variable rate) debt to current program debt outstanding and/or (d) the amount of Variable Rate Debt outstanding by program.

(ii). Election to Issue Variable Rate

2. Issuing Variable Rate Debt permits the City to access rates on the very short end of the yield curve. The difference in short versus long-term rates varies with the shape of the yield curve and has typically ranged from 100-350 basis points (or 1.0% to 3.5%). By issuing Variable Rate Debt, the issuer is subject to interest rate risk; however, Variable Rate Debt has historically been at lower interest rate levels than recognized fixed rate indices, and is generally able to create a natural hedge against changes in the City's Short-Term Investment portfolio.

Variable Rate Debt should be used for two purposes:

- (1) as an interim financing device (during construction periods); and
- (2), subject to limitations, as an integral portion of a long-term strategy to lower the City's effective cost of capital. The City's interim Variable Rate Program allows the City to avoid the inefficiency of borrowing for small projects and allows for an aggregation of small projects and, thus, a more cost effective Debt Management Program. Under either circumstance, when the cycle of long-term rates moves down to or near historic lows, consideration should be given to fixing (converting to a fixed rate to maturity alternative) a portion of the then outstanding Variable Rate Debt to take advantage of the attractive long-term fixed rates.

(iii). **Hedging Election**

The City of Dania Beach will not participate in any hedging of its debt without prior Commission approval

(iv). **Debt Program Targets**

In general, the City seeks to lower its overall cost of funds through an issuance of Variable Rate Debt and Medium Term Notes, since these products are generally lower than fixed rates of interest. In addition, the Variable Rate Debt would simultaneously create a hedge against its variable rate investments to protect its financial condition in lower interest rate environments. The potential savings and benefits justify interest rate exposure, as long as the risk is mitigated by limiting the amount of the Net Variable Rate Debt.

In considering Net Variable Rate Debt, the rating agencies generally recognize the issuer's ability to match its assets and liabilities and generally exclude or net Variable Rate Debt equal to: (i) certain variable rate assets, and (ii) applied Debt Hedging Products, such as interest rate caps and swaps where appropriate.

The following targets are established for the overall debt portfolio for the City, including all Self-Supporting Debt and Non Self Supporting Debt:

Overall City and CRA Debt

| Overall City and CRA | Targets |
|--------------------------------|---------|
| Fixed Rate | |
| • Goal | 70-90% |
| Unhedged or Net Variable Rate: | |
| • Goal | 10-20% |
| Maximum | 30% |

Covenant Program

The following targets are established for the Covenant Program:

| Covenant Program | Targets |
|--------------------------------|---------|
| Fixed Rate | |
| • Goal | 40-50% |
| Unhedged or Net Variable Rate: | |
| • Goal | 25-35% |
| Maximum | 50% |

Other Debt Program Targets

In addition to the aforementioned targets for the overall City, CRA debt and the Covenant Program, specific targets regarding the limits on unhedged or Net Variable Rate Debt exposure for the senior debt of each separate borrowing program are set forth below:

| Other Debt Programs | Target Maximum Net |
|-------------------------|------------------------|
| | Variable Rate Debt (1) |
| | Exposure |
| Water/Sewer | 45% |
| Stormwater | 25% |
| Parking | 15% |
| CRA (Downtown District) | 25% |
| Special Assessment | N/A |
| New Debt Programs: | TBD |
| | |

(1) The maximum Net Variable Rate Debt exposure limits have been established in recognition of each program's variable rate exposure associated with the Internal Loan Fund exposure. The City's Wastewater program does not currently have Internal Loan Fund exposure and, therefore, a higher maximum is more appropriate compared to the Parking and the CRA (Downtown District) Programs, which have Internal Loan Fund (subordinate lien) variable rate exposure.

(v). **Refunding Options**

Targets for a Fixed Rate Debt to Fixed Rate Debt refunding should include the following criteria:

- 1. A maximum true interest cost;
- 2. A minimum economic present value of at least 5% of refunded bonds; and
- 3. A minimum annual average debt service savings of at least One Hundred Thousand Dollars (\$100,000.00).

Lower net present value cost savings and annual average debt service savings criteria may be appropriate for shorter term or smaller fixed rate refunding issues. Refunding Variable Rate Debt to Fixed Rate Debt cannot provide for the similar measurable benchmarks and should be based on the aforementioned election to Issue Fixed Rate Debt criteria.

Refunding of Variable Rate Debt to Variable Rate Debt should be based primarily on the economic or structured advantages of the new program.

Criteria and saving targets associated with Synthetic refundings that are consistent with the provisions of the City's Interest Rate Risk Management Policy, should be established on a case-by-case basis, and should generally be higher (more restrictive) than the criteria for Fixed Rate Debt refundings.

While a framework (a delegation of authority) has been established regarding the management of the City's debt portfolio, specific City Commission approval is still required prior to the issuance of any new debt.

X. Measures of Future Flexibility

As the City addresses its needs at any one period in time, the Mayor and City Commission must both be prepared to ensure the flexibility of this and future generations of elected officials to meet the then present needs and challenges, which face the community. Since neither State law nor the City Charter provide any fixed limits on the

amount of debt which may be incurred (other than the requirement to have G. O. debt approved in advance by referendum), the following targets or limits are established to ensure future flexibility.

The following goals and targets are set to ensure the current and future flexibility, and financial vitality of the City.

| Description | Targets |
|---|---------------|
| General Government Debt Service as a percentage of non-ad | |
| valorem General Fund expenditures: | |
| Debt Limit (within the covenant program limitation) | 20% max. |
| • Goal/Target | 10% max. |
| Weighted Average Maturity of Debt Program(s): | |
| • Self-supporting | 15 year max. |
| Non self-supporting | 20 year max. |
| Weighted Average Maturity of Internal Loan Program | 12 year max. |
| General Government Direct Debt per capita | \$1,250 max. |
| Enterprise Fund Direct Debt per Customer Account | \$4,000 max. |
| Net Direct Tax Supported Debt as a percentage of ad valorem | |
| property values: | |
| General Government | 5% max. |
| Total Tax Supported | 7.5% max. |
| Debt Service requirement as a percentage of a new governmental | 50% max. |
| revenue stream | 2 0 , 2 ===== |
| General Fund reserve, (as a percentage of the current year's | 20% to 25% |
| operating budget) | |

While the City currently operates well within these goals and targets, it is appropriate to use these various common measures of debt burden as a means of setting parameters for the overall Debt Management Program for the City of Dania Beach.

XI. Debt Management Policy Review and Modification

The City's Debt Management Policy will be submitted by the City Manager for ratification by the City Commission, and for it to authorize and effect any change, modification or amendment to this Debt Management Policy, which shall rest solely with City Commission.

Finance Department and staff recommendations for policy changes may be submitted in conjunction with the ratification or as deemed necessary. Policy changes initiated by the City Commission may be made as deemed appropriate. Policy changes will become effective on the date that the change or changes is/are adopted by the City Commission.

XII. Time-Line for Implementation of Amendments

Considering the then current position of the interest rate curve, recent movements and indication of possible short term direction, the City shall consider reasonable timelines to bring the then current debt program in line with amendments to this Debt Management Policy.

XIII. Effective Date

The Debt Management Policy of the City of Dania Beach will be effective upon the ratification and approval of the City Commission.

MEMORANDUM

TO: Patricia Flury, Mayor and City Commission

FROM: Robert Baldwin, City Manager

BY: Mark Bates, Finance Director

DATE: July 12, 2011

SUBJECT: City Debt Policy – Resolution & Ordinance Amendment

During the course of the past two years, there have been a number of City improvement projects undertaken that involve the use of loan financing. These included the following:

| • | Water Utility - | Nano Filtration Plant | \$8+ million |
|---|-----------------|---------------------------------------|--------------|
| | | Refurbishment of existing Water Plant | \$3+ million |
| • | Sewer Utility - | Lift Station replacements | \$2+ million |
| | | Inflow & Infiltration Improvements | \$1 million |
| • | General Fund - | New Library – G.O. Bonds | \$3+ million |
| | | Purchase of 2 new ladder fire trucks | \$2+ million |
| • | CRA - | Garage & Economic Development | \$6+ million |

Administration discussions with the City's external auditors embraced the need for establishing a City Debt policy. This City Debt policy will provide guidance and parameters for the City's use of future loan financing.

This Debt policy has been reviewed by and reflects edit recommendations provided by the City's Financial Advisory firm, Dunlap and Associates. Approval of the City Debt Policy is provided by the attached Resolution.

Discussions with the City Attorney also reflect the ministerial steps on existing Debt limitation guidelines by amending the current Ordinance to provide direct reference to the new City Debt Policy Resolution.

The Administration recommends Commission consideration and approval of the Resolution and Ordinance.

Attachments: Resolution – City Debt Policy

Ordinance – Referencing new Debt Policy

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Adopt Resolution (1st Reading)(Adopt Resolution, Adopt Ordinance (1st Reading) Adopt Ordinance (2nd Reading) Award Bid /RFP, Presentation, Public Hearing)

Continued from:

Requested Action (Identify appropriate Action or Motion)

To execute documents including a First Amendment to a Restrictive Covenant with Southern Waste Systems, Ltd for property located at 3251 SW 26 Terrace, Dania Beach, Florida

Description of Action

In 2009, Southern Waste Systems submitted site plan modifications seeking to allow the construction of an accessory storage building on the property for purposes of storing equipment. At that time, it was determined that the modification, while permitted by the zoning district, was not permitted based on the existing restrictive covenants on the property.

If the modification of the restrictive covenant is approved, the applicant will need to subsequently obtain approval from the City Commission for the site plan modification prior to obtaining building permits.

| Purchasing Requests ONLY | | | | | |
|-----------------------------|--|------|--|--|--|
| Dept: | Acct #: | Amt: | | | |
| Fund: (Select from: General | ıl, Water, Sewer, Stormwater, Grants, Capital) | | | | |

| Fiscal Impact/Cost Summary |
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| Resolution |
| Staff Report |
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| Exhibits Attached |
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RESOLUTION NO. 2011-066

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN "AGREEMENT FOR PERMIT" AND AN "AGREEMENT" WITH SOUTHERN WASTE SYSTEMS, LTD., AND APPROVING A "FIRST AMENDMENT TO RESTRICTIVE COVENANTS" TO BE EXECUTED BY THAT PROPERTY OWNER AND RECORDED AGAINST THE SUBJECT PROPERTY WHICH IS LOCATED IN THE 3200 BLOCK OF SW 26TH TERRACE IN THE CITY OF DANIA BEACH, TO ALLOW THE CONSTRUCTION OF AN ACCESSORY **EOUIPMENT STORAGE** STRUCTURE TO BE LOCATED ON THE PROPERTY, SUBJECT TO SUBSEQUENT SITE PLAN APPROVAL BY THE CITY COMMISSION; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1. That the proper City officials are authorized to execute an "Agreement for Permit" and an "Agreement" with Southern Waste Systems, Ltd., and a "First Amendment to Restrictive Covenants" which is to be executed and recorded by the company against its property located in the 3200 Block of SW 26th Terrace, in the City; the documents are approved, subject to subsequent site plan review and approval of the City Commission.

Section 2. That the City Manager and City Attorney are authorized to make revisions to the documents as are deemed necessary and proper for the best interests of the City.

Section 3. That if any section, clause, sentence or phrase of this Resolution 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 Resolution

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 sh | hall be in full force and take effect imm | iediately |
|------------------------|-------------------------|---|-----------|
| upon its passage and a | adoption. | | |
| PASSED AND | ADOPTED on | , 2011. | |
| ATTEST: | | | |
| | | | |
| LOUISE STILSON, O | CMC | PATRICIA A. FLURY | |
| CITY CLERK | | MAYOR | |
| APPROVED AS TO | FORM AND CORRECT | TNESS: | |
| | | | |
| THOMAS J. ANSBR | 0 | | |
| CITY ATTORNEY | | | |



CITY OF DANIA BEACH COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

DATE

July 12, 2011

TO

Robert Baldwin, City Manager

FROM:

Robert Daniels, Director TO

Tom Ansbro, City Attorney (

SUBJECT

To execute documents including a First Amendment to a Restrictive Covenant with Southern Waste Systems, Ltd for property located at 3251 SW 26 Terrace, Dania Beach, Florida

PROPERTY INFORMATION

EXISTING ZONING:

Industrial, Research, Office, Marine -

Airport Approach (IROM-AA)

LAND USE DESIGNATION:

Industrial

OVERLAY DISTRICT

Westside Master Plan Study Area - Sub

Area 2 Marine Mile

In 1999, a site plan for a construction and demolition debris recycling facility was approved consistent with a restrictive covenant that was established at the same time restricting the use of the property.

In 2009, Southern Waste Systems submitted site plan modifications seeking to allow the construction of an accessory storage building on the property for purposes of storing equipment. At that time, it was determined that the modification, while permitted by the zoning district, was not permitted based on the existing restrictive covenants on the property.

Currently the IROM-AA zoning permits some outdoor storage of materials and equipment provided the property has adequate landscape buffering. However, as stated previously, the restricted covenant prohibits the expansion of the use. At this time the applicant is requesting to modify the restrictive covenant.

If the modification of the restrictive covenant is approved, the applicant will need to subsequently obtain approval from the City Commission for the site plan modification prior to obtaining building permits.

The City Attorney has worked with the applicant to modify the restrictive covenant, therefore staff recommends approval.

STAFF RECOMMENDATION

Approval

CITY OF DANIA BEACH

Agenda Request Item

| Type of Request: Adopt Resolution (Adopt Resolution, Adopt Ordinance (1st Reading) Adopt Ordinance (2nd Reading) Award Bid /RFP, Presentation, Public Hearing) | | | |
|--|--|--|--|
| Continued from: | | | |
| • | Requested Action (Identify appropriate Action or Motion) | | |
| Interlocal Agreement for the monitoring of development activity and enforcement of permitted land uses within the Dania Beach Regional Activity Center. | | | |
| Description of Action | | | |
| In 2010, with the adoption of the Regional Activity Center (RAC), the city adopted amendments to the Comprehensive Plan. One of the amendments included a provision to establish an interlocal agreement (ILA) between the city and Broward County | | | |
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| Purchasing Requests ONLY | | | |
| Dept: Acct #: Amt: | | | |
| Fund: (Select from: General, Water, Sewer, Stormwater, Grants, Capital) | | | |

| Fiscal Impact/Cost Summary | | |
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| Exhibits Attached | | |
| Resolution with Exhibit A | | |
| Staff Report | | |
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RESOLUTION NO. 2011-068

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN INTERLOCAL AGREEMENT WITH BROWARD COUNTY PERTAINING TO THE MONITORING OF DEVELOPMENT ACTIVITY AND ENFORCEMENT OF PERMITTED LAND USES IN THE REGIONAL ACTIVITY CENTER ("RAC"); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1. That the proper City officials are authorized to execute an Interlocal Agreement with Broward County, pertaining to the monitoring of development activity and enforcement of permitted land uses in the Regional Activity Center ("RAC"), a copy of which Agreement is attached as Exhibit "A".

Section 2. That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 3. That this Resolution shall be in full force and take effect immediately upon passage and adoption.

PASSED AND ADOPTED on ______, 2011.

CITY ATTORNEY

| ATTEST | | |
|-------------------------------------|----------------------------|--|
| LOUISE STILSON, CMC CITY CLERK | PATRICIA A. FLURY MAYOR | |
| APPROVED AS TO FORM AND CORRECTNESS | | |
| THOMAS J. ANSBRO | | |

Return recorded document to:

Maite Azcoitia, Deputy County Attorney Broward County Attorney's Office 115 S. Andrews Avenue, Rm 423 Ft. Lauderdale, FL 33301

Document prepared by:

Maite Azcoitia, Deputy County Attorney Broward County Attorney's Office 115 S. Andrews Avenue, Rm 423 Ft. Lauderdale, FL 33301

INTERLOCAL AGREEMENT FOR THE MONITORING OF DEVELOPMENT ACTIVITY AND ENFORCEMENT OF PERMITTED LAND USES IN REGIONAL ACTIVITY CENTER

This is an Interlocal Agreement, made and entered into by and between: BROWARD COUNTY, a political subdivision of the state of Florida, hereinafter referred to as "COUNTY,"

AND

CITY OF DANIA BEACH, a Florida municipal corporation, created and existing under the laws of the state of Florida, hereinafter referred to as "CITY."

WHEREAS, this Agreement is entered into pursuant to Chapter 163.01, Florida Statutes, also known as the "Florida Interlocal Cooperation Act of 1969"; and

WHEREAS, it is the purpose and intent of the parties to this Interlocal Agreement, to permit COUNTY and CITY to make the most efficient use of their respective powers, resources and capabilities by enabling them to cooperate on the basis of mutual advantage and thereby accomplish the objectives provided for herein in the manner that will best accord with the existing resources available to each of them and with the needs and developments within their respective jurisdictions; and

WHEREAS, the density and intensity of land uses permitted within each Regional Activity Center (RAC) is specified within the Broward County Land Use Plan; and

WHEREAS, CITY has the Dania Beach Regional Activity Center (RAC) within its jurisdiction; and

WHEREAS, CITY and COUNTY wish to provide that the monitoring of development activity and the enforcement of permitted land uses shall be the responsibility of CITY; NOW, THEREFORE,

IN CONSIDERATION of the mutual terms, conditions, promises, covenants and payments hereinafter set forth, COUNTY and CITY agree as follows:

ARTICLE 1 BACKGROUND; PURPOSE AND INTENT

- 1.1 The above recitals are true and correct and incorporated herein as if set forth in full hereunder.
- 1.2 It is the purpose and intent of this Interlocal Agreement for COUNTY and CITY, pursuant to Section 163.01, Florida Statutes, as amended, to cooperate and provide for a means by which each governmental entity may exercise its respective powers, privileges, and authorities which they share in common and which each might exercise separately in order to further a common goal.

ARTICLE 2 MONITORING OF DEVELOPMENT ACTIVITY

- 2.1 CITY agrees to monitor development activity and to enforce permitted land use densities and intensities within the RAC consistent with the effective land use plan as certified by the Broward County Planning Council.
- 2.2 CITY agrees to submit quarterly reports to the Broward County Planning Council setting forth its monitoring and enforcement activities within the RAC to enable COUNTY to ensure that the density and intensity of land uses within the RAC are being complied with by CITY.

ARTICLE 3 INDEMNIFICATION

CITY is a state agency as defined in Chapter 768.28, Florida Statutes, as amended, and COUNTY is a political subdivision of the state of Florida. Each agrees to be fully responsible for acts and omissions of their elected officials, agents or employees to the extent permitted by law. Nothing herein is intended to serve as a waiver of sovereign immunity by any party to which sovereign immunity may be applicable. Nothing herein shall be construed as consent by a state agency or political subdivision of the state of Florida to be sued by third parties in any matter arising out of this Agreement or any other contract.

ARTICLE 4 MISCELLANEOUS

- 4.1 <u>Joint Preparation</u>: The preparation of this Interlocal Agreement 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 one of the parties than the other.
- 4.2 <u>Entire Agreement and Modification</u>: This Interlocal Agreement incorporates, supersedes and includes all prior negotiations, correspondence, conversations, agreements or understanding applicable to the matter contained herein. It is further agreed that no change, alteration or modification in the terms and conditions contained herein shall be effective unless contained in a written document executed with the same formality and of equal dignity herewith.
- 4.3 <u>Records</u>: In accordance with the Public Records Law, CITY agrees to permit COUNTY to examine all records and grants COUNTY the right to audit any books, documents and papers that were generated during the course of administration of the "Site". CITY shall maintain the records, books, documents and papers associated with this Interlocal Agreement in accordance with the Public Records Act.
- 4.4 <u>Recordation/Filing</u>: This Agreement shall be recorded in the public records of Broward County, in accordance with the Florida Interlocal Cooperation Act of 1969.
- 4.5 <u>Default:</u> In the event of any default or breach of any of the terms of this Interlocal Agreement, it is specifically acknowledged and agreed that either party shall, in addition to all other remedies which may be available in law or equity, have the right to enforce this Interlocal Agreement by specific performance, injunctive relief, prohibition or mandamus to compel the other party to abide by the terms of this Interlocal Agreement.
- 4.6 <u>Notices</u>: Whenever either party desires to give notice unto the other, such notice must be in writing, sent by certified United States mail, return receipt requested, addressed to the party for whom it is intended at the place last specified; and the place for giving of notice shall remain such until it shall have been changed by written notice in compliance with the provisions of this paragraph. For the present, the parties designate the following as the respective places for giving of notice:

FOR COUNTY:

Administrator Broward County Planning Council 115 S. Andrews Avenue, Rm. 307 Fort Lauderdale, Florida 33301-4801

FOR CITY:

City of Dania Beach, Florida

Attn: Robert Baldwin, City Manager 100 W. Dania Beach Boulevard Dania Beach, Florida 33004

- 4.7 <u>Choice of Law; Waiver of Jury Trial</u>: Any controversies or legal problems arising out of this transaction and any action involving the enforcement or interpretation of any rights hereunder shall be submitted to the jurisdiction of the state courts of the Seventeenth Judicial Circuit of Broward County, Florida, the venue situs, and shall be governed by the laws of the state of Florida. To encourage prompt and equitable resolution of any litigation that may arise hereunder, each party hereby waives any rights it may have to a trial by jury of any such litigation.
- 4.8 <u>Conflict</u>: In the event that this Interlocal Agreement conflicts with any other agreement pertaining to the monitoring of development activity and the enforcement of the density or intensity of permitted land uses within the RAC, CITY and COUNTY agree that the terms and conditions contained in this Interlocal Agreement shall prevail.
- 4.9 <u>Counterpart Originals</u>: The parties agree that this Agreement may be executed in counterparts, and that collectively the counterparts shall be considered an original agreement and shall be deemed legally sufficient and binding upon the parties.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]

| the respective dates under each signatur COUNTY COMMISSIONERS, signing I execute same by Board action on the | ties have made and executed this Interlocal Agreement on the: BROWARD COUNTY through its BOARD OF the by and through its Chair or Vice Chair, authorized to day of, 20, and CITY OF DANIA thits, duly authorized to execute |
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| | COUNTY |
| ATTEST: | BROWARD COUNTY, through its Board of County Commissioners |
| County Administrator and Ex-Officio Clerk of the Board of County Commissioners of Broward County, Florida | Mayor day of, 20 Approved as to form by Office of the Broward County Attorney Joni Armstrong Coffey, County Attorney Governmental Center, Suite 423 115 South Andrews Avenue Fort Lauderdale, Florida 33301 Telephone: (954) 357-7600 Telecopier: (954) 357-6968 |
| | By Deputy County Attorney |

INTERLOCAL AGREEMENT FOR MONITORING OF DEVELOPMENT ACTIVITY AND ENFORCEMENT OF PERMITTED LAND USES IN REGIONAL ACTIVITY CENTER

| | <u>CITY</u> |
|--|--|
| WITNESSES: | CITY OF DANIA BEACH, FLORIDA a Florida municipal corporation |
| | By PATRICIA A. FLURY MAYOR |
| | day of, 2011. |
| ATTEST: | |
| LOUISE STILSON, CMC CITY CLERK (CORPORATE SEAL) | ByROBERT BALDWIN CITY MANAGERday of, 2011. |
| | APPROVED AS TO FORM: By THOMAS J. ANSBRO CITY ATTORNEY |

MA/ 6/9/11 RACdania-a01 #10-401.05



CITY OF DANIA BEACH COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

DATE July 12, 2011

Robert Baldwin, City Manager
Robert Daniels, Director TO

VIA:

Corinne Lajoie, AICP, Principal Planner A Lajou FROM:

SUBJECT Interlocal Agreement for the monitoring of development activity

and enforcement of permitted land uses within the Dania Beach

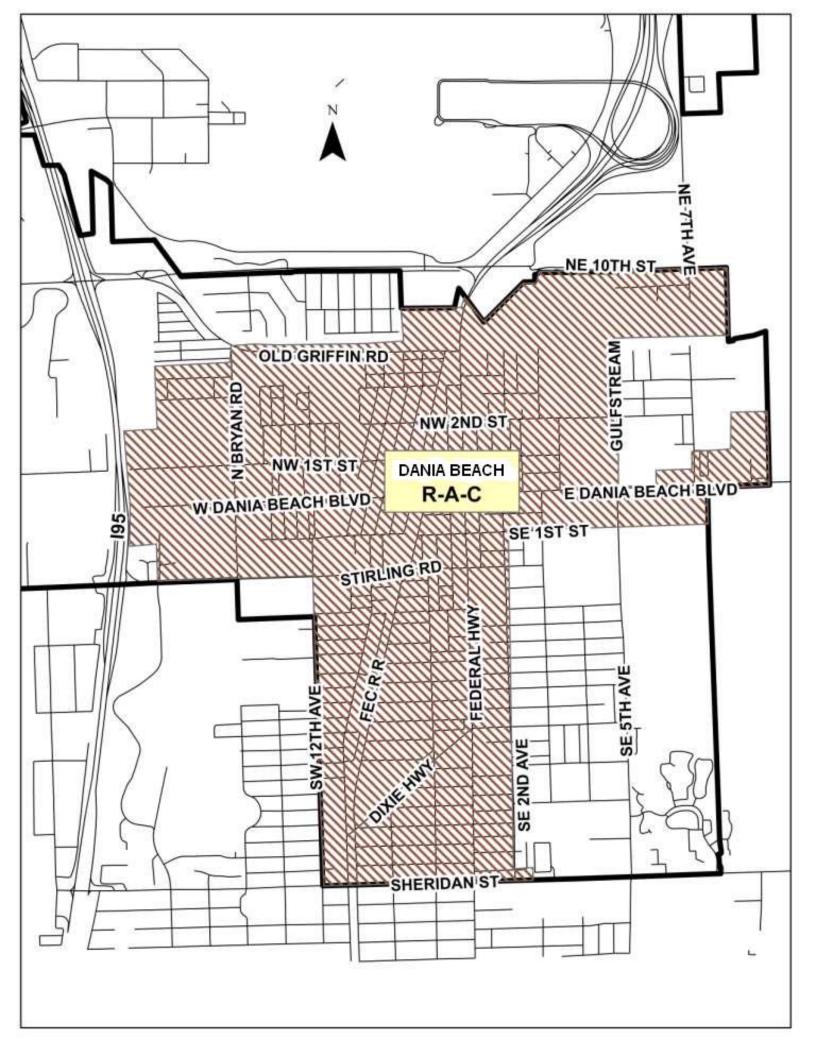
Regional Activity Center.

In 2010, with the adoption of the Regional Activity Center (RAC), the city adopted amendments to the Comprehensive Plan. One of the amendments included a provision to establish an interlocal agreement (ILA) between the city and Broward County.

The ILA requires the city to submit quarterly reports to the Broward County Planning Council to enable the county to ensure that the density and intensity of land uses within the RAC are being complied with by the city.

STAFF RECOMMENDATION

Approve.



CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Adopt Resolution
(Adopt Resolution, Adopt Ordinance (1st Reading) Adopt Ordinance (2nd Reading)
Award Bid /RFP, Presentation, Public Hearing)

Continued from: n/a

| Requested Action (Identify | y appropriate Action or Motion) | | |
|---|-------------------------------------|-----------|--|
| Approve | | | |
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| Description of Action | | | |
| Description of Action | | | |
| Approve resolution to add 2 mor | re Special Magistrates to the City' | s roster. | |
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| Purchasing Requests ONLY | | | |
| Dept: | Acct #: | Amt: | |
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| Fund: (Select from: General, Water, Sewer, Stormwater, Grants, Capital) | | | |

| Fiscal Impact/Cost Summary | | |
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| None | | |
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| Exhibits Attached | | |
| 1- Memo for Resolution | | |
| 2- Resolution 3- R. Conner Agreement | | |
| 4- M. Tell Agreement | | |
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CITY OF DANIA BEACH CODE COMPLIANCE UNIT

TO: Robert Baldwin, City Manager

VIA: Colin Donnelly, Assistant City Manager

Tom Ansbro, City Attorney

Robert Daniels, Community Development Director

FROM: Nicholas Lupo, Code Compliance Unit Manager

RE: Resolution for back-up Special Magistrates

DATE: June 20, 2011

The resolution attached is for the addition of 2 Special Magistrates to the City's roster. The need for spare magistrates does not come up often, but with the removal of one of our magistrates due to legal issues and ongoing litigation, a need surfaced when the assigned magistrate had an emergency and the other was out of town. In addition, both of our current Special Magistrates are staff attorneys for the City of Pompano Beach, which if hearing a case in our City that has any litigation with their City and are represented by their attorneys, we would be unable to receive any perceived impartial order due to the conflict of interest. I have vetted the 2 candidates, which their retainers are attached, and found them to be capable alternates to our roster. There are no additional costs to the City, as they will only hear cases as needed, and would be paid from the same fund as the 2 regular magistrates are paid from. All rates and fees match our existing magistrates as well. In addition I have their submitted personal resumes, but have not attached them due to Public Records Law restrictions. They are available to view in my office as needed. The resolution has been approved by the City Attorney as to form and content.

I will be available at the Commission meeting on July 12th to answer any additional questions as need be.

STAFF RECOMMENDATION: Approve

RESOLUTION NO. 2011-069

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, APPOINTING RICHARD CONNER AND MEAH TELL TO ACT AS CODE ENFORCEMENT SPECIAL MAGISTRATES FOR MUNICIPAL CODE ENFORCEMENT PROCEEDINGS AND SETTING THE COMPENSATION FOR THEIR SERVICES; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1. That the City Commission of the City of Dania Beach appoints Richard Conner and Meah Tell to act as Code Enforcement Special Magistrates for municipal code enforcement proceedings. A copy of the terms and conditions of the appointments, including the compensation for their services is attached and incorporated by this reference. The appointees shall serve at the pleasure of the City Commission.

Section 2. That all resolutions or parts of resolutions in conflict with this Resolution are be repealed to the extent of such conflict.

Section 3. That this Resolution shall be in force and take effect immediately upon its passage and adoption and shall be retroactive to May 2, 2011.

| PASSED and ADOPTED on | , 2011. |
|-----------------------------------|----------------------------|
| ATTEST | |
| LOUISE STILSON, CMC CITY CLERK | PATRICIA A. FLURY MAYOR |
| APPROVED AS TO FORM AND CORRECTN | ESS |
| THOMAS J. ANSBRO | |

CITY ATTORNEY

City of Dania Beach FLORIDA

From the Office of the City Attorney

May 5, 2011

Re: Special Magistrate Retainer Agreement

Dear RICHARD E. GNUER,

This Retainer Agreement shall confirm that you agree to act as a Code Enforcement Special Magistrate for the City of Dania Beach ("City") under the following terms and conditions;

- 1. Pursuant to the authority provided by City Resolution, to be adopted by the City Commission, this will serve as your appointment as a Special Magistrate for Code Enforcement commencing retroactively as of MAY 2,2011. You will serve at the pleasure of the City Commission.
- 2. It is agreed that you will be compensated for your services on an hourly basis at the rate of \$125.00 per hour, excluding travel time to and from Special Magistrate hearings and meetings.
- 3. It is agreed that you may bill for actual reasonable out-of-pocket expenses in connection with your Special Magistrate duties, including but not limited to, such ordinary expenses as postage, telephone calls (a copy of the telephone bill must be submitted with the request), photocopy charges (\$0.15 per page) and courier charges.
- 4. As a Code Enforcement Special Magistrate, you will be responsible for preparation for and attendance at scheduled Special Magistrate Hearings, review of the final order(s) and such other duties as the City may assign. Additionally, you will adhere to Chapter 162, Florida Statutes, Chapter 2 of the City Code of Ordinances and the City's Zoning and Land Development Codes as they relate to Code Enforcement matters, the Florida Rules of Civil Procedure, rules of evidence and all other City ordinances relevant to code enforcement.

5/5, 2011 Page 2 of 2

- 5. It is agreed that you will submit a detailed invoice to the City Code Enforcement Department, Attention: Nick Lupo, Code Compliance Manager within fifteen (15) days of after the end of the preceding month. Invoices shall include: the date of each hearing over which you presided, the total number of hours worked (rounded to the nearest tenth), and a brief summary of the work performed. Any reimbursement for out-of-pocket expenses outlined above requires the submission of invoices, bills, receipts, etc.
- 6. Each invoice will be reviewed and submitted to the Finance office for processing. In the event that there is a question or dispute as to a certain invoice, either the Code Enforcement Office or the City Attorney's office will contact you to resolve the matter.
- 7. This Agreement may be cancelled by the City upon five (5) days' prior written notice with or without cause. Upon such termination, you shall be entitled only to such fees and costs earned as of the date of termination. In the event you deem it necessary to cancel this agreement, you shall give thirty (30) days' prior written notice to the City Attorney's office.
- 8. In connection with the Special Magistrate duties, it is understood and agreed that you shall not represent clients in lawsuits, quasi-judicial proceedings, or administrative matters involving the City, nor shall you represent any client in a property-related matter with a reasonable potential of becoming a respondent before the Code Enforcement Board, a Special Magistrate or both. Further, you shall not receive a referral fee for referring a current or future potential client to another attorney, if such client is pursuing or intends to pursue any claim against the City in a court of law, any arbitration hearing, or before a state or local government administrative board.
- 9. The City will indemnify and defend you in your capacity as a Special Magistrate for Municipal Code Enforcement proceedings, from any cause of action that may arise from the performance of your duties as Special Magistrate on behalf of the City, within the scope and course of your employment.

Please sign in the space provided below and send the original to my office.

Very truly yours,

Thomas J. Ansbro, City Attorney City of Dania Beach

Agreed and accepted by:

FLANCO & COMPRE, Esq.

Date: MAY 5 2011

City of Dania Beach FLORIDA

From the Office of the City Attorney

May 5, 2011

| Re: | Special | Magistrate | Retainer | Agreement |
|-----|---------|------------|----------|-----------|
| | | | | |

Dear MEAH TELL:

This Retainer Agreement shall confirm that you agree to act as a Code Enforcement Special Magistrate for the City of Dania Beach ("City") under the following terms and conditions:

- 1. Pursuant to the authority provided by City Resolution, to be adopted by the City Commission, this will serve as your appointment as a Special Magistrate for Code Enforcement commencing retroactively as of 12, 2011. You will serve at the pleasure of the City Commission.
- 2. It is agreed that you will be compensated for your services on an hourly basis at the rate of \$125.00 per hour, excluding travel time to and from Special Magistrate hearings and meetings.
- 3. It is agreed that you may bill for actual reasonable out-of-pocket expenses in connection with your Special Magistrate duties, including but not limited to, such ordinary expenses as postage, telephone calls (a copy of the telephone bill must be submitted with the request), photocopy charges (\$0.15 per page) and courier charges.
- 4. As a Code Enforcement Special Magistrate, you will be responsible for preparation for and attendance at scheduled Special Magistrate Hearings, review of the final order(s) and such other duties as the City may assign. Additionally, you will adhere to Chapter 162, Florida Statutes, Chapter 2 of the City Code of Ordinances and the City's Zoning and Land Development Codes as they relate to Code Enforcement matters, the Florida Rules of Civil Procedure, rules of evidence and all other City ordinances relevant to code enforcement.

- It is agreed that you will submit a detailed invoice to the City Code Enforcement Department, Attention: Nick Lupo, Code Compliance Manager within fifteen (15) days of after the end of the preceding month. Invoices shall include: the date of each hearing over which you presided, the total number of hours worked (rounded to the nearest tenth), and a brief summary of the work performed. Any reimbursement for out-of-pocket expenses outlined above requires the submission of invoices, bills, receipts, etc.
- Each invoice will be reviewed and submitted to the Finance office for processing. 6. In the event that there is a question or dispute as to a certain invoice, either the Code Enforcement Office or the City Attorney's office will contact you to resolve the matter.
- This Agreement may be cancelled by the City upon five (5) days' prior written 7. notice with or without cause. Upon such termination, you shall be entitled only to such fees and costs earned as of the date of termination. In the event you deem it necessary to cancel this agreement, you shall give thirty (30) days' prior written notice to the City Attorney's office.
- In connection with the Special Magistrate duties, it is understood and agreed that So long as year you shall not represent clients in lawsuits, quasi-judicial proceedings, or administrative matters serve as a involving the City, nor shall you represent any client in a property-related matter with a Special reasonable potential of becoming a respondent before the Code Enforcement Board, a Special Magistrate Magistrate or both. Further, you shall not receive a referral fee for referring a current or future potential client to another attorney, if such client is pursuing or intends to pursue any claim against the City in a court of law, any arbitration hearing, or before a state or local government administrative board.

The City will indemnify and defend you in your capacity as a Special Magistrate 9. for Municipal Code Enforcement proceedings, from any cause of action that may arise from the performance of your duties as Special Magistrate on behalf of the City, within the scope and course of your employment.

Please sign in the space provided below and send the original to my office.

Very truly yours,

Thomas J. Ansbro, City Attorney City of Dania Beach

Agreed and accepted by:

Date: 5/6/11

CITY OF DANIA BEACH

Agenda Request Item

| Type of Request: Adopt Resolution |
|---|
| (Adopt Resolution, Adopt Ordinance (1st Reading) Adopt Ordinance (2nd Reading |

Award Bid /RFP, Presentation, Public Hearing)

Continued from:

Requested Action (Identify appropriate Action or Motion)

Approval of Resolution for accepting the amendment sanitary sewer easement from Palmetto Hospitality of Dania. Amended Resolution is intended to correct the error by replacing the incorrect legal description and surveys.

Description of Action

It is recommended that the City Commission approve the attached amendment resolution from Palmetto Hospitality, under terms and conditions and authorize the City Manager to execute same.

| Purchasing Requests ONLY | | | |
|--------------------------------|--|------|--|
| Dept: | Acct #: | Amt: | |
| Fund: (Select from: General, V | Vater, Sewer, Stormwater, Grants, Capital) | | |

| Fiscal Impact/Cost Summary |
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| Exhibits Attached |
| Resolution Memo |
| Supporting Documents |
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RESOLUTION NO. 2011-070

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, ACCEPTING THE AMENDMENT TO THE SANITARY SEWER EASEMENT FROM PALMETTO HOSPITALITY OF DANIA BEACH HP, LLC, A FLORIDA LIMITED LIABILITY COMPANY AND PALMETTO HOSPITALITY OF DANIA BEACH SS, LLC, A FLORIDA LIMITED LIABILITY COMPANY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on September 14, 2010, the City Commission adopted Resolution No. 2010-152 in connection with the Water and Sewer System Improvements, Absolute Bill of Sale, Water Easement and Sanitary Sewer Easement from PALMETTO HOSPITALITY OF DANIA BEACH HP, LLC, a Florida Limited Liability Company and PALMETTO HOSPITALITY OF DANIA BEACH SS, LLC, a Florida Limited Liability Company, which Resolution with a copy of the recorded Sanitary Sewer Easement is attached as Exhibit "A", and is made a part of and is incorporated into this Resolution by this reference; and

WHEREAS, in the interim of John L. England, P.E., Senior Project Manager waiting to receive field data from the contractor's surveyor for the previously existing sewer mains within the project limits unaffected by the hotel site improvements, the Sanitary Sewer Easement was inadvertently recorded with the incorrect legal description and surveys attached to it; and

WHEREAS, this amended Resolution is intended to correct the error by replacing the correct legal description and surveys as Exhibit "B", which exhibits reflect the Sanitary Sewer Easement;

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

Section 1. That the City Commission of the City of Dania Beach, Florida, accepts the amendment to the Sanitary Sewer Easement, in that the legal description and surveys to the previously recorded Sanitary Sewer Easement from PALMETTO HOSPITALITY OF DANIA BEACH HP, LLC, a Florida Limited Liability Company and PALMETTO HOSPITALITY OF DANIA BEACH SS, LLC, a Florida Limited Liability Company is replaced with Exhibit "B", which exhibit reflects the correct legal description and surveys for the Sanitary Sewer Easement.

Section 2. The City Manager and City Attorney are authorized to make minor revisions to the attached document as are deemed necessary and proper for the best interests of the City.

Section 3. That the Amended Sanitary Sewer Easement shall be recorded in the Public Records of Broward County, Florida. The cost of recording shall be paid for by the grantor and the actual recording shall be done by the City.

<u>Section 4.</u> That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

<u>Section 5.</u> That this Resolution shall be in full force and take effect immediately upon its passage and adoption.

PASSED AND ADOPTED on _______, 2011.

CITY ATTORNEY

| ATTEST: | PATRICIA A. FLURY MAYOR |
|--------------------------------------|----------------------------|
| LOUISE STILSON, CMC CITY CLERK | |
| APPROVED AS TO FORM AND CORRECTNESS: | |
| THOMAS J. ANSBRO | |



City of Dania Beach

Department of Public Services

100 West Dania Beach Blvd · Dania Beach, FL 33004 · (954) 924-3741 · (954) - 923-1109 (fax)

MEMORANDUM

TO: Mayor Patricia Flury

Vice Mayor Bobbie Grace Commissioner Anne Castro Commissioner Walter Duke Commissioner C.K. McElyea

FROM: Robert Baldwin, City Manager

BY: Dominic F. Orlando, P.E. Director of Public Services

BY: Leo Williams, Public Works Superintendent

Date: June 28, 2011

RE: Sanitary Sewer Easement Amendment from Palmetto Hospitality of Dania Beach

Introduction and Background

On Sepetember 14, 2010, the City Commission adopted Resolution No. 2010-152 in connection with the Water and Sewer System Improvements, Absolute Bill of Sale, Water Easement and Sanitary Sewer Easement from Palmetto Hospitality of Dania Beach. The Sanitary Sewer Easement was inadvertently recorded with the incorrect legal description and surveys attached to it and this amended Resolution is intended to correct the error by replacing the correct legal description and surveys as Exhibit "B", which exhibits reflect the Sanitary Sewer Easement.

Recommendation

It is recommended that the City Commission accepts the amendment to the sanitary sewer easement from Palmetto Hospitality of Dania Beach under the terms and conditions therein and authorize the City Manager to execute same.

RESOLUTION NO. 2010-152

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, ACCEPTING THE WATER AND SEWER SYSTEM IMPROVEMENTS, ABSOLUTE BILL OF SALE, WATER EASEMENT AND SANITARY SEWER EASEMENT FROM PALMETTO HOSPITALITY OF DANIA BEACH HP, LLC, A FLORIDA LIMITED LIABILITY COMPANY AND PALMETTO HOSPITALITY OF DANIA BEACH SS, LLC, A FLORIDA LIMITED LIABILITY COMPANY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1. That, subject to the approval of as-built plans to be reviewed by the Pubic Services Department Director, the proper City officials are authorized to accept the water and sewer improvements, an Absolute Bill of Sale, Water Easement and Sanitary Sewer Easement, from PALMETTO HOSPITALITY OF DANIA BEACH HP, LLC, a Florida Limited Liability Company and PALMETTO HOSPITALITY OF DANIA BEACH SS, LLC, a Florida Limited Liability Company, which documents are attached as composite Exhibit "A", which Exhibit is made a part of this Resolution by its reference.

<u>Section 2.</u> The City Manager and City Attorney are authorized to make minor revisions to the attached documents as are deemed necessary and proper for the best interests of the City.

<u>Section 3.</u> That the Absolute Bill of Sale, Water Easement and Sanitary Sewer Easement shall be recorded in the Public Records of Broward County, Florida. The cost of recording shall be paid for by the grantor and the actual recording shall be done by the City.

<u>Section 4.</u> 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 September 14, 2010.

Exhibit "A"

ATTEST:

LOUISE STILSON, CMC

CITY CLERK

C. K. McE

MAYOR-COMMISSIONER

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBR

This Instrument Prepared By

John L. England, P.E. Consul-Tech Enterprises, Inc. 3141 Commerce Parkway Miramar, FL 33025 (954) 752-9323

SEWER EASEMENT

This SEWER EASEMENT (hereafter known as the "Easement") dated this 29th day of July, 2010 from PALMETTO HOSPITALITY OF DANIA BEACH HP, LLC, a Florida limited liability company and PALMETTO HOSPITALITY OF DANIA BEACH SS, LLC, a Florida limited liability company, both having an address of 340 East Main Street, Suite 300, Spartanburg, SC 29302 (hereinafter known as the "Grantor"), to the CITY OF DANIA BEACH, a Florida municipal corporation, having an address at 100 West Dania Beach Boulevard, Dania Beach, Florida 33004 (hereinafter known as the "Grantee").

RECITALS:

Grantor owns fee simple title to certain real property located in Broward County, Florida, as more particularly described in Exhibit "A" attached hereto and by this reference made a part hereof (hereafter known as the "Servient Estate"); and

Grantor has agreed to convey/grant to Grantee this Easement, subject to the terms and conditions hereinafter set forth.

NOW, for and in consideration of the premises and the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto do hereby agree as follows:

Grantor hereby conveys/grants, bargains and sells to Grantee, its successors and assigns, a perpetual Easement under, over and across a parcel of real property, the legal description and sketch of which are attached hereto as Exhibit "C" and incorporated by reference herein (hereinafter known as the "Easement Area" or " Easement"). Grantor has full power and authority to convey the rights and Easement conveyed herein, and will defend the title to same from and against the claims of all persons whomsoever, subject however, to Easement, covenants and restrictions of record as of the date hereof, real estate taxes and assessments not yet due and payable and zoning, building and other applicable laws, codes and regulations.

Grantee may use the Easement Area for the installation, use and maintenance of sewer mains and associated appurtenances.

Grantee's right to utilize the Easement Area shall be exclusive to the extent that Grantor shall grant no Easement or license, nor make any covenants, having the effect of permitting use of the Easement Area by anyone other than Grantee, except Grantor may grant an easement to other utilities that cross this Easement Area so long as such utility easements do not interfere with Grantee's use of the Easement Area.

Grantor may, for its own purpose, utilize the surface area of the Easement Area except in such areas as are used by Grantee in the exercise of its rights under this Easement. The Grantee's use of the surface area of the Easement shall be further limited to the use of the surface area of the Easement for landscaped areas (no trees), parking, driveways, open space recreation areas and other uses and improvements in accordance with plans as are approved by Grantee or its utilities/public services department; but shall not include the establishment of permanent buildings or other structures (such as walls, pools, tennis courts, handball courts, etc.). The Grantor shall typically maintain the surface area of the Easement.

Grantor conveys/grants to Grantee a perpetual non-exclusive Easement upon the Servient Estate described in attached Exhibit "A" whereby the Grantee shall have the free right to enter upon and depart over and across the Servient Estate and the Easement Area to the extent necessary to fully exercise the Grantee's rights within the Easement Area, for purposes including but not limited to, inspection, maintenance, repair, and replacement or reinstallation of sewer main improvements and appurtenances, but the Grantee shall be responsible to restore the Easement Area to its original natural surface state only.

The provisions of this Easement shall be binding on the parties hereto and their respective successors and assigns as a covenant running with the land and binding upon the Servient Estate.

The Easement shall not be released or amended without consent of the Grantee as evidenced by a document signed with the same formalities as this document.

Grantee and/or Grantor shall record this document in the Public Records of Broward County, Florida.

This instrument contains the entire agreement between the parties relating to the rights granted and the obligation assumed pursuant to this instrument. Any oral representations or modifications concerning this instrument shall be of no force and effect, excepting a subsequent modification reduced to writing, signed by the parties to be charged therewith.

IN WITNESS WHEREOF, the undersigned has hereunto set its authorized hand this

Signed in the presence of:

PALMETTO HOSPITALITY OF DANIA BEACH HP, LLC, a Florida Limited Liability Company

By Its Manager:

PALMETTO HOSPITALITY GM, LLC. a South Carolina Limited Liability Company

By: 1- (Beech)

Name: Dan C. Breeden, Jr.

Title: Manager

ethanna

itness – Printed Name

PALMETTO HOSPITALITY OF DANIA BEACH SS, LLC, a Florida Limited Liability Company

By Its Manager:

PALMETTO HOSPITALITY GM, LLC, a South Carolina Limited Liability Company

Name: Dan C. Breeden, Jr.

Title: Manager

Further Affiant Sayeth Naught:

tness Signature

Witness - Printed Name

STATE OF FLORIDA gartan burgss COUNTY OF BROWARD

> The foregoing instrument was acknowledged before me on March , 2010 by DAN C. BREEDEN, JR., as MANAGER of PALMETTO HOSPITALITY OF DANIA BEACH GM, LLC, a South Carolina limited liability company, the MANAGER of PALMETTO HOSPITALITY OF DANIA BEACH HP, LLC, a Florida limited liability company, on behalf of the company, who is personally known to me and who did not take an oath.

> > Notary Public, State of Florida

Print Name: Mama

Print Name.

My Commission Promanna Harvey
Notary Public, South Carolina
My Commission Expires
June 99, 2019

STATE OF COUNTY OF BROWARD

> The foregoing instrument was acknowledged before me on March-, 2010 by DAN C. BREEDEN, JR., as MANAGER of PALMETTO HOSPITALITY OF DANIA BEACH GM, LLC, a South Carolina limited liability company, the MANAGER of PALMETTO HOSPITALITY OF DANIA BEACH SS, LLC, a Florida limited liability company, on behalf of the company, who is personally known to me and who did not take an oath.

> > Notary Public, State of Florida

Print Name:

My Commission ANNAHARVEY

Notary Public, South Carolina My Commission Expires

LEGAL DESCRIPTION (EXHIBIT 'A')

ALL THAT PORTION OF THE NORTH 1/2 OF THE SE 1/4 OF THE SW 1/4 OF SECTION 33, TOWNSHIP 50 SOUTH, RANGE 42 EAST, LYING EAST OF THE EAST RIGHT-OF-WAY LINE OF STATE ROAD #9 (I-95), SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA, (A/K/A THE NORTH 664.12 FEET OF PARCEL A OF DUKE & DUKE SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 124, PAGE 48, BROWARD COUNTY PUBLIC RECORDS).

TOGETHER WITH

THE EAST 1/2 OF THE WEST 1/2 OF THE SE 1/4 OF THE SW 1/4, EXCEPTING THE SOUTH 306 FEET THEREOF AND THE NORTH 113.0 FEET OF THE SOUTH 306.0 FEET OF THE EAST 1/2 OF THE W 1/2 OF THE SE 1/4 OF THE SE 1/4 OF THE SW 1/4 OF SECTION 33, TOWNSHIP 50 SOUTH, RANGE 42 EAST, BROWARD COUNTY, FLORIDA.(A/K/A A PORTION OF PARCEL "A", KRILICH PLAT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 142, PAGE 19, BROWARD COUNTY PUBLIC RECORDS).

TOGETHER WITH LOTS 1 THROUGH 10, WITH PORTIONS OF LOTS 11 & 12 AS DESCRIBED IN O.R. BOOK 13335 AT PAGE 90, BLOCK 2, (A/K/A A PORTION OF PARCEL A, KRILICH PLAT, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 142, PAGE 19, BROWARD COUNTY PUBLIC RECORDS) AND LOTS 1 THROUGH 6 AND 18 THROUGH 24 (A/K/A PARCEL "B", KRILICH PLAT, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 142, PAGE 19, BROWARD COUNTY PUBLIC RECORDS) IN BLOCK 1 OF DOUGLAS HILL, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 12, PAGE 45, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

TOGETHER WITH

THAT CERTAIN RIGHT-OF-WAY AND PUBLIC UTILITY EASEMENT ABANDONED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA AS RECORDED IN OFFICIAL RECORD BOOK 29499, PAGE 803 OF THE PUBLIC RECORDS OF BROWARD COUNTY FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF SOUTHWEST 18TH COURT (FORMERLY FERN STREET) TOGETHER WITH A PORTION OF SOUTHWEST 1ST STREET (FORMERLY FIRST AVENUE SOUTHWEST) AS SHOWN ON DOUGLAS HILL, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 12, PAGE 45, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING NORTH OF THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT 17, BLOCK 1 OF SAID DOUGLAS HILL, AND LYING WEST OF THE NORTHERLY EXTENSION OF THE EAST LINE OF SAID BLOCK 1.

TOGETHER WITH

THE NORTH 351 FEET OF PARCEL 1 (AS HEREINAFTER DESCRIBED) AS MEASURED PERPENDICULAR TO THE NORTH LINE OF SAID PARCEL 1. PARCEL 1 IS DESCRIBED AS FOLLOWS: ALL THAT PART OF THE W 1/2 OF THE WEST 1/2 OF THE SE 1/4 OF THE SE 1/4 OF THE SW 1/4 OF SECTION 33, TOWNSHIP 50 SOUTH, RANGE 42 EAST, LYING EAST OF THE EAST RIGHT-OF-WAY LINE OF STATE ROAD NO. 9, EAST OF THE EAST LIMITED ACCESS RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 9, AND NORTH OF THE NORTH RIGHT-OF-WAY LINE OF STIRLING ROAD, SAID LAND SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA

TOGETHER WITH A NON-EXCLUSIVE PERSONAL EASEMENT OF INGRESS AND EGRESS AND PUBLIC UTILITIES OVER THE WESTERLY 10 FEET AND SOUTHERLY 10 FEET OF THAT PORTION OF SAID PARCEL 1 LYING SOUTH OF THE NORTH 351 FEET THEREOF.

LESS FROM ALL THE ABOVE DESCRIPTIONS THOSE PORTIONS CONVEYED TO OAKRIDGE HOTEL I IN O.R. BOOK 27620, PAGE 199 AND O.R. BOOK 28331, PAGE 321, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

SAID LANDS LYING IN THE CITY OF DANIA, BROWARD COUNTY, FLORIDA, CONTAINING 422,281.37 SQUARE FEET (9.694 ACRES), MORE OR LESS.

EXHIBIT "C" LEGAL DESCRIPTION UTILITY EASEMENT (SANITARY SEWER)

PALMETTO HOSPITALITY OF DANIA BEACH CONDOMINIUM CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA

Parcels of land being a portion of Parcel 'A' of the Plat of "DUKE & DUKE SUBDIVISION", according to the Plat thereof as recorded in Plat Book 124 at Page 48 and the Vacated Right-of-Way of SW 1st Street as recorded in Official Records Book 29499 at Page 803; all previous recorded documents being a part of the Public Records of Broward County, Florida and together being more particularly described as follows:

Commence at the Southeast Corner of Lot 6, Block 1 of "DOUGLAS HILL", as shown on the ALTA/ACSM LAND TITLE SURVEY as prepared by Mr. Michael D. Rose from the firm of Shah Drotos & Associates, under Job no. 04-0712A, Sheet 2 of 2, with a last revision date of 01/25/07 as provided to Consul Tech Surveying & Mapping, Inc.;

Thence North 01°17'38" West along the East line of said Block 1, and its Northerly prolongation, for a distance of 336.98 feet to the **POINT OF BEGINNING**;

Thence North 88°47'50" West, for a distance of 178.76 feet to the **POINT OF BEGINNING** of the centerline of a 15.00 foot wide Sanitary Sewer Easement;

Thence continue North 88°47'50" West, for a distance of 84.17 feet;

Thence North 01°15'56" West, for a distance of 412.39 to the Point of Termination of said centerline.

Said Parcel of land lying and being in the City of Dania Beach, Broward County, Florida and containing 7560.89 Square Feet, more or less.

SURVEYOR'S NOTES:

- This Sketch To Accompany Legal Description does not represent a field Boundary 1. Survey.
- No field work was performed with the preparation of this Sketch To Accompany Legal 2. Description.
- Bearings as shown hereon are based on the East line of Block 1, Lot 6 of the Plat of 3. "DOUGLAS HILL", according to the Plat thereof as recorded in Plat Book 12 at Page 45 of the Public Records of Broward County, Florida and as depicted in a CADD file of an ALTA/ACSM Land Title Survey prepared by Michael D. Rose from the firm of SHAH DROTOS & ASSOCIATES. Said ALTA/ACSM Land Title Survey was prepared under JOB NO. 04-0712A, with a final revision date of 01/25/07 as supplied to this Surveyor by the client via E-Mail. Said line bears North 01°17'38" West.
- Lands shown hereon were not abstracted for Easements, Ownership, Rights-of-Way or other matters of records that may be found in the public records of Broward County, Florida.
- No Title Commitment, Opinion Of Title or Loan Policy was reviewed in the preparation 5. of this Sketch To Accompany Legal Description.
- Linework used in the preparation of this Sketch To Accompany Legal Description is 6. based on As-Built location data that was supplied to this Surveyor via AutoCAD drawing file named "3408 Summerfield-Hyatt-Dania Beach OnsiteWaterMainAlignment.dwg" as prepared by Paramount Engineering Group, Inc. and delivered to Consul Tech Enterprises, Inc. via Compact Disc, (CD), dated 12/07/09.
- The size of the Easement is based on the "SEWER PLAN" as prepared by Mr. John L. 7. England from the firm of Consul Tech Development Services, Inc. under Project No. 06-101540.A, Sheet C-10 of C-22 with a last revision date of 10/10/08. It is the intention of this Easement to approximately center the As-Built Utility locations with the Easement. Any potential conflicts with this Easement due to changes / modifications / revisions to the field location of the Utility are not the responsibility of this firm.
- This Sketch To Accompany Legal Description is not valid without the signature and the 8. original raised seal of a Florida licensed Surveyor and Mapper.
- The Legal Description as shown hereon is based on information obtained from a CADD file of an ALTA/ACSM Land Title Survey prepared by Michael D. Rose from the firm of SHAH DROTOS & ASSOCIATES. Said ALTA/ACSM Land Title Survey was prepared under JOB NO. 04-0712A, with a final revision date of 01/25/07 as supplied to Consul Tech Surveying & Mapping, Inc. by the client via E-Mail.
- Underlying Plat and Recording information is based on the ALTA/ACSM Land Title Survey described in Numbers 3. and 9. above and was not verified by this Surveyor and is shown for information purposes only.

CONSUL-TECH SURVEYING & MAPPING, INC.

Professional Surveyor and Mapper

Dangle Kauser

Florida Registration Number LS 6277

Date: 05/18/10



Surveying & Mapping, Inc. CONSULTING ENGINEERS PLANNERS LAND SURVEYORS

3141 Commerce Parkway Miramar, Florida 33025

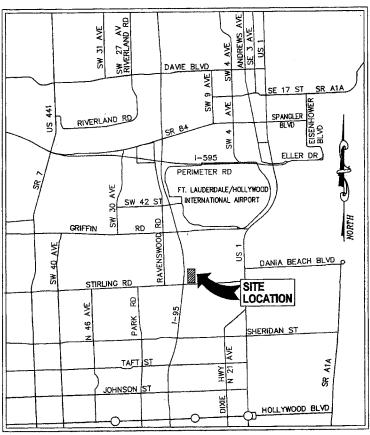
Phone (954) 438-4300 Fax (954) 438-1433

SKETCH OF SURVEY

SEE ATTACHED LEGAL DESCRIPTION

TYPE OF SURVEY: SKETCH TO ACCOMPANY LEGAL DESCRIPTION
FOR: PALMETTO HOSPITALITY OF DANIA BEACH CONDOMINUM

SANITARY SEWER EASEMENT



LOCATION SKETCH

ABBREVIATIONS:

Broward County Records Central Angle B.C.R.

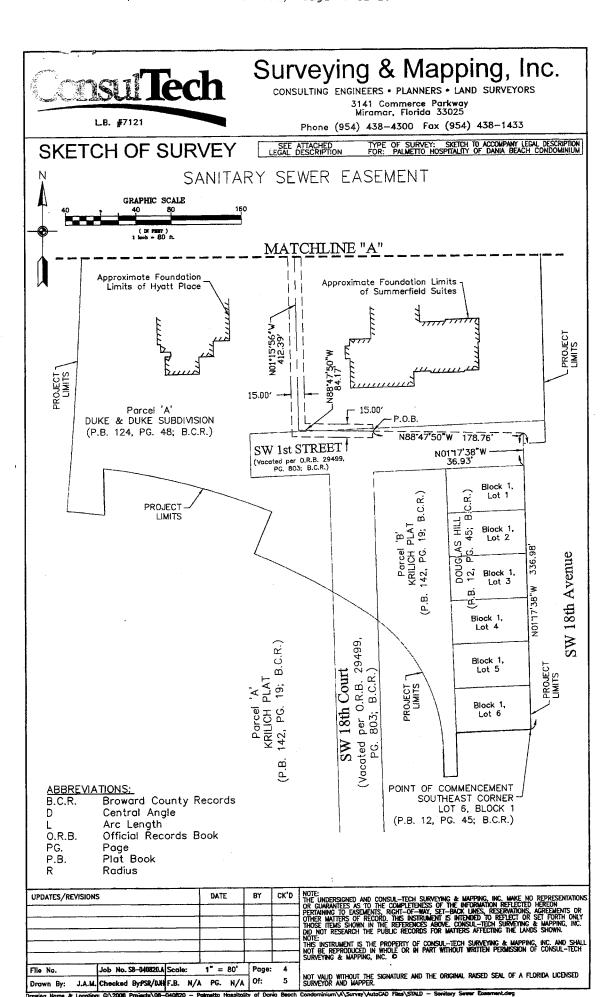
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Arc Length Official Records Book 0.R.B.

PG. Page Plat Book

P.B. R Radius

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| UPDATES/REVISIO | DATE | BY | CK,D | NOTE: THE UNDERSIGNED AND CONSULTECH SURVEYING & MAPPING, INC. MAKE NO REPRESENTATIONS | |
| | | | | | OR GUARANTEES AS TO THE COMPLETENESS OF THE INFORMATION REFLECTED HEREON PERTAINING TO EASEMENTS, RIGHT-OF-WAY, SET-BACK LINES, RESERVATIONS, AGREEMENTS OR PERTAINING TO EASEMENTS. |
| | | | | | OTHER MATTERS OF RECORD. THIS INSTRUMENT IS INTENDED TO REPLECT OR SET FORTH ONLY THOSE ITEMS SHOWN IN THE REFERENCES ABOVE. CONSULT—TECH SURVEYING & MAPPING, INC. DID NOT RESEARCH THE PUBLIC RECORDS FOR MATTERS AFFECTING THE LANDS SHOWN. |
| | | | | | NOTE: THE INCIDENT IS THE PROPERTY OF COMPUTE TECH SURVEYING & MAPPING, INC. AND SHALL |
| | | | | | NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN PERMISSION OF CONSULTECH SURVEYING & MAPPING, INC. O |
| File No. | Job No. S8-040820.A Scale: | N/ | A Page: | : 3 | NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED |
| Drawn By: J.A.M. | Checked ByPSR/DJH F.B. N | /A PG. N/ | A Of: | 5 | SURVEYOR AND MAPPER. |
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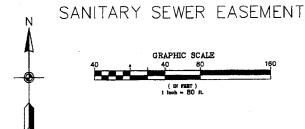
Surveying & Mapping, Inc. CONSULTING ENGINEERS PLANNERS LAND SURVEYORS

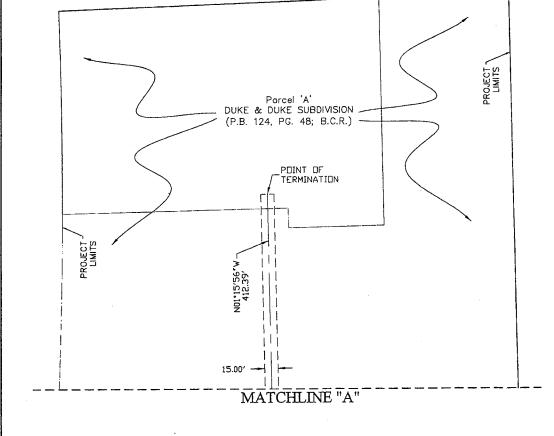
3141 Commerce Parkway Miramar, Florida 33025

Phone (954) 438-4300 Fax (954) 438-1433

SKETCH OF SURVEY

SEE ATTACHED LEGAL DESCRIPTION





ABBREVIATIONS:

Broward County Records

Central Angle

Arc Length Official Records Book L O.R.B.

PG. Page

Plat Book P.B.

Radius

| UPDATES/REVISIONS DATE | | | | BY CK'I | | NOTE: THE UNDERSIGNED AND CONSUL-TECH SURVEYING & MAPPING, INC. MAKE NO REPRESENT. | |
|------------------------|---------------------|----------|--------|---------|-------|--|--|
| | | | | | | | OF CLUARANTESS AS TO THE COMPLETENESS OF THE INFORMATION REFLECTED HEREON PEPTRAINNE, OF ESSEMENTS, RICHI-OF-WAY, SET-BACK LINES, RESERVATIONS, AGREGAMENTS OR OTHER MATTERS OF RECORD, THIS INSTRUMENT IS MITEMBED TO REFLECT OR SET FORTH ONLY THOSE ITEMS SHOWN IN THE REPERENCES ABOVE. CONSUL—TECH SURVEYING & MAPPING, INC. DID NOT RESEARCH THE PUBLIC RECORDS FOR MATTERS AFFECTING THE LANDS SHOWN. HOTE: THIS INSTRUMENT IS THE PROPERTY OF CONSUL—TECH SURVEYING & MAPPING, INC. AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT WRITTEN PERMISSION OF CONSUL—TECH SURVEYING & MAPPING, INC. |
| | Job No. 58-040820.A | | 1" = 8 | | Page: | 5 | NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED |
| Drawn By: J.A.M. | Checked ByPSR/9JH | F.B. N/A | PG. I | N/A | Of: | 5 | SURVEYOR AND MAPPER. |

EXHIBIT "C" LEGAL DESCRIPTION UTILITY EASEMENT (SANITARY SEWER)

PALMETTO HOSPITALITY OF DANIA BEACH CONDOMINIUM CITY OF DANIA BEACH, BROWARD COUNTY, FLORIDA

Parcels of land being a portion of Parcel 'A' of the Plat of "DUKE & DUKE SUBDIVISION", according to the Plat thereof as recorded in Plat Book 124 at Page 48 and the Vacated Right-of-Way of SW 1st Street as recorded in Official Records Book 29499 at Page 803; all previous recorded documents being a part of the Public Records of Broward County, Florida and together being more particularly described as follows:

Commence at the Southeast Corner of Lot 6, Block 1 of "DOUGLAS HILL", as shown on the ALTA/ACSM LAND TITLE SURVEY as prepared by Mr. Michael D. Rose from the firm of Shah Drotos & Associates, under Job no. 04-0712A, Sheet 2 of 2, with a last revision date of 01/25/07 as provided to Consul Tech Surveying & Mapping, Inc.;

Thence North 01°17'38" West along the East line of said Block 1, and its Northerly prolongation, for a distance of 325.04 feet;

Thence North 87°54'08" East, for a distance of 24.98 feet;

Thence North 01°20'16" West, for a distance of 20.13 feet to the **POINT OF BEGINNING** of the centerline of a 15.00 foot wide Sanitary Sewer Easement;

Thence South 88°29'44" West, for a distance of 203.93 feet to a Point; said Point hereinafter referred to as Point "A";

Thence North 88°47'50" West, for a distance of 76.30 feet;

Thence North 01°15'56" West, for a distance of 419.89 to the Point of Termination of said centerline.

And

Beginning at said Point ``A"; Thence South 00°35'22" West, for a distance of 204.90 feet to a Point of Termination.

Said Parcel of land lying and being in the City of Dania Beach, Broward County, Florida and containing 13,464 Square Feet, (0.31 Acres), more or less.

Said easement lines to be lengthened or shortened to form a closed contiguous figure not to extend beyond the Project Limits

Exhibit "B"

SURVEYOR'S NOTES:

- This Sketch To Accompany Legal Description does not represent a field Boundary Survey.
- 2. No field work was performed with the preparation of this Sketch To Accompany Legal Description.
- 3. Bearings as shown hereon are based on the East line of Block 1, Lot 6 of the Plat of "DOUGLAS HILL", according to the Plat thereof as recorded in Plat Book 12 at Page 45 of the Public Records of Broward County, Florida and as depicted in a CADD file of an ALTA/ACSM Land Title Survey prepared by Michael D. Rose from the firm of SHAH DROTOS & ASSOCIATES. Said ALTA/ACSM Land Title Survey was prepared under JOB NO. 04-0712A, with a final revision date of 01/25/07 as supplied to this Surveyor by the client via E-Mail. Said line bears North 01°17'38" West.
- Lands shown hereon were not abstracted for Easements, Ownership, Rights-of-Way or
 other matters of records that may be found in the public records of Broward County,
 Florida.
- 5. No Title Commitment, Opinion Of Title or Loan Policy was reviewed in the preparation of this Sketch To Accompany Legal Description.
- 6. Linework used in the preparation of this Sketch To Accompany Legal Description is based on As-Built location data that was supplied to this Surveyor via AutoCAD drawing file named "3408 Summerfield-Hyatt-Dania Beach_OnsiteWaterMainAlignment.dwg" as prepared by Paramount Engineering Group, Inc. and delivered to Consul Tech Enterprises, Inc. via Compact Disc, (CD), dated 12/07/09.
- 7. The size of the Easement is based on the "SEWER PLAN" as prepared by Mr. John L. England from the firm of Consul Tech Development Services, Inc. under Project No. 06-101540.A, Sheet C-10 of C-22 with a last revision date of 10/10/08. It is the intention of this Easement to approximately center the As-Built Utility locations with the Easement. Any potential conflicts with this Easement due to changes / modifications / revisions to the field location of the Utility are not the responsibility of this firm.
- 8. This Sketch To Accompany Legal Description is not valid without the signature and the original raised seal of a Florida licensed Surveyor and Mapper.
- 9. The Legal Description as shown hereon is based on information obtained from a CADD file of an ALTA/ACSM Land Title Survey prepared by Michael D. Rose from the firm of SHAH DROTOS & ASSOCIATES. Said ALTA/ACSM Land Title Survey was prepared under JOB NO. 04-0712A, with a final revision date of 01/25/07 as supplied to Consul Tech Surveying & Mapping, Inc. by the client via E-Mail.
- 10. Underlying Plat and Recording information is based on the ALTA/ACSM Land Title Survey described in Numbers 3. and 9. above and was not verified by this Surveyor and is shown for information purposes only.

CONSUL-TECH SURVEYING & MAPPING, INC.

| · · · · · · · · · · · · · · · · · · · | Date: | |
|---------------------------------------|-------|--|
| Darryl J. Hauser | | |
| Professional Surveyor and Mapper | | |
| Florida Registration Number LS 6277 | | |

Prepared by: CONSUL-TECH SURVEYING & MAPPING, INC. 3141 Commerce Parkway Mirmanr, Florida 33025 Ph. (954) 4138–4300 Fax: (954) 4138–1413 May 12, 2011



Surveying & Mapping, Inc.

CONSULTING ENGINEERS . PLANNERS . LAND SURVEYORS

3141 Commerce Parkway Miramar, Florida 33025

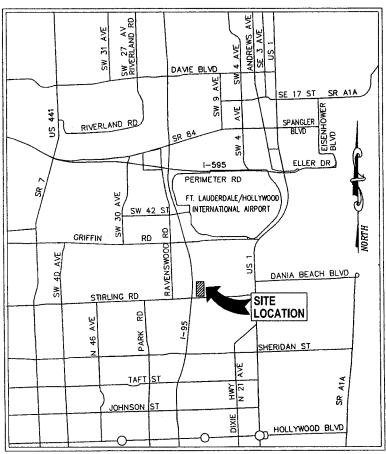
Phone (954) 438-4300 Fax (954) 438-1433

SKETCH OF SURVEY

SEE ATTACHED LEGAL DESCRIPTION

TYPE OF SURVEY: SKETCH TO ACCOMPANY LEGAL DESCRIPTION FOR: PALMETTO HOSPITALITY OF DANIA BEACH CONDOMINIUM

SANITARY SEWER EASEMENT



LOCATION SKETCH (NOT TO SCALE)

ABBREVIATIONS:

Broward County Records Central Angle

D

Arc Length

0.R.B. Official Records Book

Page PG. Plat Book P.B.

R Radius DATE BY CK'D NOTE:

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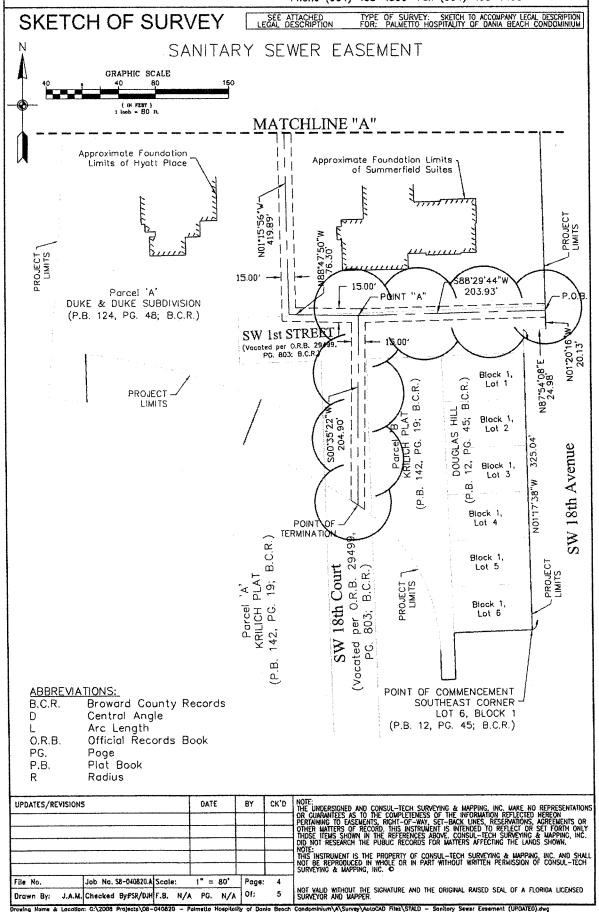
Consul Tech

Surveying & Mapping, Inc.

CONSULTING ENGINEERS . PLANNERS . LAND SURVEYORS

3141 Commerce Parkway Miramar, Florida 33025

Phone (954) 438-4300 Fax (954) 438-1433





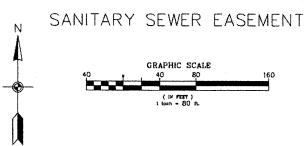
Surveying & Mapping, Inc. CONSULTING ENGINEERS PLANNERS LAND SURVEYORS

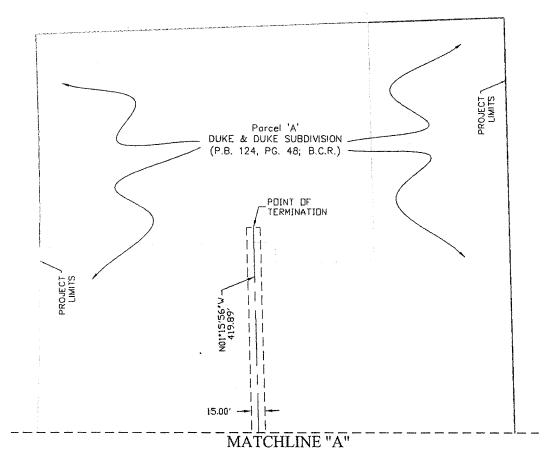
3141 Commerce Parkway Miramar, Florida 33025

Phone (954) 438-4300 Fax (954) 438-1433



SEE ATTACHED LEGAL DESCRIPTION





ABBREVIATIONS:

Broward County Records B.C.R.

Central Angle Arc Length D

0.R.B. Official Records Book

PG. Page P.B. Plat Book Radius

| UPDATES/REVISIONS | | | | | | | DATE | | ск'р | Ī |
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NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Adopt Resolution
(Adopt Resolution, Adopt Ordinance (1st Reading) Adopt Ordinance (2nd Reading)
Award Bid /RFP, Presentation, Public Hearing)

Continued from:

| Requested Action (Ident | ify appropriate Action or Motion | | | | |
|-------------------------------------|---|--------------|--|--|--|
| Approve Resolution | | | | | |
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| Description of Action | | | | | |
| Request for additional approp | riation of funds to pay legal consulti | ng expenses. | | | |
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| Purchasing Requests ONLY | | | | | |
| Dept: | Acct #: | Amt: | | | |
| * | | | | | |
| Fund: General (Select from: General | l, Water, Sewer, Stormwater, Grants, Capital) | | | | |

| Fiscal Impact/Cost Summary |
|---|
| Requesting addition of \$175,000 in funding appropriation for legal consulting service costs. |
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| Exhibits Attached |
| Memo, Resolution |
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RESOLUTION NO. 2011-071

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, PROVIDING FOR FUND TRANSFERS AND APPROPRIATION OF FUNDS FOR PAYMENT OF LITIGATION EXPENSES TO WEISS SEROTA HELFMAN, PASTORIZA, COLE & BONISKE, P.L., AND TO RYAN & RYAN, LLC FOR CODE/LIEN LEGAL SERVICES; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission for the City of Dania Beach approved a legal budget for fiscal year 2011 in September 2010; and

WHEREAS, the Other Legal Services account is expected to exceed its original approved budget of \$125,000.00 by an amount of \$180,000.00 up to and through the fiscal year ending September 30, 2011 due to fees and costs associated with the Beach Watch Pier Restaurant litigation; and

WHEREAS, it is also expected that the Ryan and Ryan firm will need an additional \$10,000.00 to cover fees through the end of the Fiscal Year. \$123,000.00 was originally budgeted. Fortunately, the City received \$41,000.00 this week due to the firm's efforts from the sale of a property by the County due to tax liens, which will help to defray some of the costs mentioned above; and

WHEREAS, it is recommended that other accounts be used to obtain funds to fund the shortfalls;

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

Section 1. That the City Administration is authorized and directed to amend the approved 2011 fiscal year City budget as follows:

For Weiss, Serota, Helfman, Pastoriza, Cole and Boniske, P.L.

Appropriation of funds from:

| General Fund – Appropriation of Undesignated Fund Balance | \$190,000.00 |
|---|--------------|
| Appropriation of funds to: | |
| Other Legal Services account #: 001-1400-514-31.20 | \$180,000.00 |
| Code/Lien Legal account #: 001-1400-514-31.40 | \$10,000.00 |

| Section 2. | That all resolutions or parts of resolutions in conflict with this Resolution | | | | |
|---------------------------------|---|---|--|--|--|
| are repealed to the e | extent of such conflict. | | | | |
| Section 3. | That this Resolution shall be | in force and take effect immediately upon its | | | |
| passage and adoptio | n. | | | | |
| PASSED A | ND ADOPTED on | , 2011. | | | |
| ATTEST: | | | | | |
| LOUISE STILSON, CITY CLERK | , CMC | PATRICIA A. FLURY MAYOR | | | |
| APPROVED AS TO | O FORM AND CORRECTNES | S: | | | |
| THOMAS J. ANSB CITY ATTORNEY | | | | | |

MEMORANDUM

TO: Patricia Flury, Mayor and City Commission

CC: Robert Baldwin, City Manager

Mark Bates, Finance Director

FROM: Thomas J. Ansbro, City Attorney

DATE: June 30, 2011

RE: Fund transfer for Legal Budget Account;

"Beach Watch Pier Restaurant Litigation"

As a result of the litigation involving the "Beach Watch Pier Restaurant" matter, the legal budget will need to be replenished to pay for fees and costs that are outstanding and anticipated to conclude that litigation.

It is also expected that the Ryan and Ryan firm will need an additional \$10,000.00 to cover fees through the end of the Fiscal Year. \$123,000.00 was originally budgeted. Fortunately, the City received \$41,000.00 this week due to the firm's efforts from the sale of a property by the County due to tax liens, which will help to defray some of the costs mentioned above.

Attached is a Resolution proposing a fund transfer for the replenishment of the account. City Commission approval is requested.

Attachment: Resolution

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Adopt Resolution
(Adopt Resolution, Adopt Ordinance (1st Reading) Adopt Ordinance (2nd Reading)
Award Bid /RFP, Presentation, Public Hearing)

Continued from:

| Requested Action (Identify | y appropriate Action or Motion) | | | | |
|---|---------------------------------|------|--|--|--|
| Motion to adopt Resolution. | | | | | |
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| Description of Action | | | | | |
| Appoints James A. Cherof as Sp | ecial Labor Counsel | | | | |
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| Purchasing Requests ONLY | | | | | |
| Dept: | Acct #: | Amt: | | | |
| Fund: (Select from: General, Water, Sewer, Stormwater, Grants, Capital) | | | | | |

| Fiscal Impact/Cost Summary |
|----------------------------|
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| Exhibits Attached |
| Resolution |
| Memo Letter |
| Letter |
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RESOLUTION NO. 2011-072

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPOINTING JAMES A. CHEROF, ESQUIRE, OF THE LAW FIRM OF GOREN, CHEROF, DOODY & EZROL, P.A., AS SPECIAL LABOR COUNSEL; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Dania Beach City Charter, Part III, Art. 5, Section 3, authorizes the City Commission to employ special counsel who shall serve under terms and conditions as may be determined by the City Commission; and

WHEREAS, the Dania Beach City Commission desires to appoint James A. Cherof, Esquire of the Law Firm of Goren, Cherof, Doody & Ezrol, P.A. to represent the City's interests in matters relating to labor issues;

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

- <u>Section 1.</u> That the Law Firm of Goren, Cherof, Doody & Ezrol, P.A. is appointed as special labor counsel to represent the City and James A. Cherof, Esquire shall perform the services.
- Section 2. That compensation shall be \$195.00 per hour as set forth in the letter from the firm, a copy of which is attached and incorporated into this Resolution by this reference.
- <u>Section 3.</u> 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 sl | hall be in force and take effect immediately upon its |
|------------------------------------|---|
| passage and adoption. | |
| PASSED AND ADOPTED on | , 2011. |
| ATTEST: | |
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| LOUIGE CTH CON CMC | DATEDICIA A EL LIDA |
| LOUISE STILSON, CMC CITY CLERK | PATRICIA A. FLURY MAYOR |
| | |
| APPROVED AS TO FORM AND CORRECT | CTNESS: |
| | |
| THOMAS J. ANSBRO | |
| CITY ATTORNEY | |

GOREN, CHEROF, DOODY & EZROL, P.A.

ATTORNEYS AT LAW

SUITE 200

3099 EAST COMMERCIAL BOULEVARD

FORT LAUDERDALE, FLORIDA 33308
PHONE: (954) 771-4500
FAX: (954) 771-4923
www.cityatty.com

SAMUEL S. GOREN JAMES A. CHEROF DONALD J. DOODY KERRY L. EZROL MICHAEL D. CIRULLO, JR. JULIE F. KLAHR

DELRAY BEACH OFFICE: 76 N.E. FIFTH AVENUE DELRAY BEACH, FL 33483 PHONE: (561) 276-9400 DAVID N. TOLCES
JAMILA V. ALEXANDER
JACOB G. HOROWITZ
SHANA H. BRIDGEMAN
ANNABELLA BARBOZA

STEVEN L. JOSIAS, OF COUNSEL

PLEASE REPLY TO FORT LAUDERDALE

ATTORNEY-CLIENT FEE CONTRACT

This document (the "Agreement") is the written fee contract between Goren, Cherof, Doody & Ezrol, P.A. ("Counsel") and_______, Florida ("Client").

- 1. <u>CONDITIONS</u>. This Agreement will not take effect until a signed copy of this Agreement is returned by client to the offices of Goren, Cherof, Doody & Ezrol, P.A.
- 2. <u>SCOPE OF SERVICES</u>. The Client is hiring the law firm of Goren, Cherof, Doody and Ezrol, P.A., for legal services related to the following matter: Labor contract consultation and negotiations. Specific assignments will be as directed by the City Manager or his designee. James A. Cherof will be the firm shareholder assigned to his matter.
- 3. <u>CLIENTS DUTIES</u>. The Client agrees and acknowledges that it has a duty to cooperate with the undersigned Counsel by keeping Counsel informed of operational and fiscal developments relative to employee wages, benefits and conditions of employment.
- 4. PROFESSIONAL FEES. Charges for professional services will be paid by Client as follows: By the hour at the rate of \$22500 per hour for time spent by James A. Cherof for research, preparation, drafting, attendance at strategy and closed door meetings, bargaining sessions, and related matters. Hourly rate work will be accounted for and billed in tenth of an hour components with detail of activity shown on the billing statement. Legal work performed by attorneys of the firm other than James A. Cherof or by paralegals of the firm will be billed as follows: Attorneys-\$185.00; Paralegals-\$85.00.
- 5. <u>COSTS AND OTHER CHARGES</u>. The law firm may incur various costs and expenses, other than travel, on Client's behalf in performing legal services under this Agreement. The Client agrees to pay for those costs and expenses in addition to the hourly fees. The costs and expenses that are billable are limited to:

Messenger and other delivery fees (actual cost)

Excessive postage for volume mailing (actual cost)

Outside photocopy- actual cost (large projects only with prior consent of Client)

- 6. <u>BILLING STATEMENTS</u>. Periodic statements will be sent for fees and costs incurred. Each statement will be due within forty-five (45) days of its date, pursuant to § 218.70, Florida Statutes, the *Local Government Prompt Payment Act*.
- 7. <u>DISCHARGE, MODIFICATION OF WORK, AND WITHDRAWAL</u>. Counsel serves at the discretion of Client. Client has the right to terminate Counsel's representation at any time for any reason without prior notice, subject to payment for all services and expenses rendered to the date of termination. The Client may limit or expand the scope of work as Client deems appropriate. The law firm may withdraw with the Client's consent or for good cause. Good cause includes a breach of this Agreement, expansion of the scope of work beyond Counsel's expertise or ability, the Client's refusal to cooperate with the law firm or to follow advice on a material matter or any fact or circumstance that would render the law firm's continuing representation unlawful or unethical.
 - 8. <u>EFFECTIVE DATE</u>. This Agreement will take effect once signed by both parties.

| | GOREN, CHEROF, DOODY & EZROL, P.A. |
|-------|---------------------------------------|
| Date: | By: |
| | , FLORIDA |
| Date: | BY: |

H:\1988\880508\labor\Retainer Labor Negotiations.doc



City of Dania Beach

Date:

July 6, 2011

To:

Mayor Flury, Commissioner Castro, Commissioner Duke,

Commissioner McElyea and Commissioner Grace

Through:

Robert Baldwin, City Manager

From:

Colin Donnelly, Assistant City Manager

Subject:

Resolution appointing labor counsel

The administration desires to change labor counsel to assist in the negotiation of the collective bargaining agreement.

A resolution appointing Goren, Cherof, Doody & Ezrol, P.A. as special counsel is attached for your consideration.

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Adopt Ordinance (1st Reading) (Adopt Resolution, Adopt Ordinance (1st Reading) Adopt Ordinance (2nd Reading) Award Bid /RFP, Presentation, Public Hearing) **Continued from: Requested Action** (Identify appropriate Action or Motion) The applicant, Alex Nichols, is requesting to rezone property from Residential Single Family to Industrial, Research, Office, Marine – Airport Approach zoning district for a property located at the NW corner of SW 31st Street and SW 26th Terrace (Tram Road), South of State Road 84. **Description of Action** To rezone the property from Residential Single Family (RS-6000) to Industrial, Research, Office, Marine – Airport Approach (IROM-AA) zoning district. **Purchasing Requests ONLY** Dept: Acct #: Amt:

(Select from: General, Water, Sewer, Stormwater, Grants, Capital)

Fund:

| Fiscal Impact/Cost Summary |
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| Exhibits Attached |
| Ordinance |
| Staff Report |
| Application |
| Map Diphlic Hearing Notice |
| Public Hearing Notice Mailing confirmation |
| Maning Commination |

ORDINANCE NO. 2011-025

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA APPROVING THE REQUEST MADE BY ALEX NICHOLS, PROPERTY OWNER, TO REZONE PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF SW 31ST STREET AND SW 26TH TERRACE (TRAM ROAD), SOUTH OF STATE ROAD 84 IN THE CITY OF DANIA BEACH, FLORIDA, AND LEGALLY DESCRIBED IN EXHIBIT "A", A COPY OF WHICH IS ATTACHED TO THIS ORDINANCE; CHANGING THE CURRENT ZONING CLASSIFICATION OF THE PROPERTY FROM RESIDENTIAL SINGLE FAMILY (RS-6000) TO INDUSTRIAL RESEARCH OFFICE MARINE – AIRPORT APPROACH (IROM-AA), SUBJECT TO CERTAIN RESTRICTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Planning and Zoning Advisory Board, sitting as the local planning agency, has reviewed this Ordinance and made a recommendation to approve the request set forth as stated in the title above, to the City Commission; and

WHEREAS, the City Commission has considered this Ordinance at a duly noticed public hearing according to law;

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

Section 1. That the rezoning request (RZ-15-11) filed by Alex Nichols, property owner, for property generally located at the Northwest corner of SW 31st Street and SW 26th Terrace (Tram Road), south of State Road 84, in Dania Beach, Florida, is granted and the parcel legally described in Exhibit "A" is rezoned from the "RS-6000" (Residential Single Family) zoning classification to the "IROM-AA" (Industrial Research, Office Marine – Airport Approach) zoning classification, a copy of which request is attached to this Ordinance.

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 | , 2011. |
|-----------------------------------|----------------------------|
| PASSED AND ADOPTED on secon | nd reading on, 2011. |
| ATTEST: | PATRICIA A. FLURY MAYOR |
| LOUISE STILSON, CMC CITY CLERK | |
| APPROVED AS TO FORM AND CORREC | CTNESS: |
| THOMAS J. ANSBRO CITY ATTORNEY | |

EXHIBIT "A" LEGAL DESCRIPTION

PARCEL A, RUNWAY LAKES FLL AIRPORT PLAT (PLAT3), ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 158, PAGE 2 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. SAID LANDS SITUATE WITHIN BROWARD COUNTY, FLORIDA CONTAINING 1.765 ACRES (71,850 SQUARE FEET) MORE OR LESS.



CITY OF DANIA BEACH COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

DATE July 12, 2011

Robert Baldwin, City Manager
Robert Daniels, Director TO

VIA:

Corinne Lajoie, AICP, Principal Planner CA Lajoci FROM:

SUBJECT RZ-15-11: The applicant, Alex Nichols, is requesting to rezone

> property from Residential Single Family to Industrial, Research, Office, Marine - Airport Approach zoning district for a property located at the NW corner of SW 31st Street and SW 26th Terrace

(Tram Road), South of State Road 84 (FIRST READING).

REZONING

To rezone the property from Residential Single Family (RS-6000) to Industrial, Research, Office, Marine - Airport Approach (IROM-AA) zoning district.

PROPERTY INFORMATION

EXISTING ZONING: Residential Single Family (RS-6000)/

> Industrial, Research, Office, Marine -

Airport Approach (IROM-AA)

LAND USE DESIGNATION: Industrial

Westside Master Plan Study Area - Sub OVERLAY DISTRICT

Area 2 Marine Mile

The subject property is approximately 1.65 acres, located between the Police Benevolent Association (PBA) and the overpass of Interstate 595 on SW 26 Terrace. In 2005 the property owner purchased the property from Broward County with the current zoning and land use designations. Currently the northern portion of the property has a residential zoning designation (RS-6000), the southern portion is zoned industrial (IROM-AA). The entire property has a future land use designation of Industrial. Before development can occur on the property, the zoning and land use designations must be compatible.

The property is currently vacant, except for a billboard located in the south east corner of the property, directed at vehicles traveling on Interstate 595. The owner has indicated that he would like to use the property for new and used boat sales and storage to compliment the New River Marina, a full service marina facility located on State Road 84, also owned by the applicant. New and used boat sales and storage is a permitted use in the IROM-AA zoning district provided a wall or fence and ten (10) foot perimeter landscape buffer is provided. This use and required landscaping is consistent with the recommendations of the Westside Master Plan.

In 1995 the City entered into an interlocal agreement with Broward County regarding certain property identified to be within the flight path of the north runway, of which this property was one. In the agreement, the city "agrees to support by all reasonable and legal means the platting, rezoning, and other such actions necessary to prepare certain lands in the vicinity of the Airport for development or redevelopment for airport-related uses or airport compatible uses".

In addition, the subject property is located within Study Area 2, Marina Mile of the Westside Master Plan (WMP). The future use map in the WMP identifies this subarea as Commercial Employment; however one of the top priorities outlined for this subarea is to provide landscape screening and business retention which this request will help to achieve.

PLANNING AND ZONING BOARD RECOMMENDATION

On June 15, 2011 the Planning and Zoning Board, sitting as the Local Planning Agency, heard this item and recommended approval.

STAFF RECOMMENDATION

Approve.



□ Administrative Variance

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

General Development Application

| Assignment of Flex/Reserve Units , | | |
|---|--|--|
| ☐ Land Use Amendment | RECEIVED | |
| □ Plat | | |
| Plat Delegation Request | | - v rlinks |
| Rezoning Site Plan | MAY 1 9 2011 | Date Rec'd: <u>5/19/11</u> |
| | _ | Petition No.: RZ-15/11 |
| ☐ Special Exception | Planning | Petition No.: KZ (2/1) |
| ☐ Trafficway Waiver | Department | |
| ☐ Variance | Characteristic Community of Characteristic Characte | To the state of th |
| ☐ Roadway Vacation ☐ Other: | | |
| - Caroni | | |
| THIS APPLICATION WILL NOT BE ACC | EPTED UNTIL IT IS | COMPLETE AND SUBMITTED WITH |
| ALL NECESARRY DOCUMENTS. Refer to | | |
| Documentation" checklist to determine the | | • |
| For after the fact applications, the responsil | ole contractor of recon | d shall be present at the board hearing. |
| Their failure to attend may impact upon the | disposition of your appi | lication. As always, the applicant or their |
| authorized legal agent must be present at al | | |
| the City's Building Department. For mo | | |
| Development Code Part 6, Development | : Review Procedures | and Requirements. |
| Location Address: WEST 5 IDF 0F | sw 26 terr. 550 | D± SOUTH OF STATE ROAD 84 |
| Lot(s): Block: Subo | division: | |
| Recorded Plat Name: PARCEL A , RUNV | VAY LAKES FLL AT | REPORT PLAT (PLAT 3) BOOK 158 |
| Folio Number(s): 50-42-20-49-00 | 10 Legal Description: | PAGE 2 |
| | | |
| Applicant/Consultant/Legal Representative (c | irde one)ALE | X NICHOLS |
| Address of Applicant: 3001 STATE | ROAD 84 | FORT CAVORINGE, FL 33312 |
| Business Telephone: 584-2500 Fem | e:954-816-599 | 13 Fax: 954-791-7522 |
| Name of Property Owner: ALEX N | ICHOLS | |
| Address of Property Owner: | TATE POWD SY | FORT LAVOERDALE 33304 |
| Business Telephone: 954 584 2500 Hom | | |
| Explanation of Request: <u>ReZone T</u> | IROM-1 | 1,4 |
| Explanation of Request: <u>Re Zone To</u> For Plats please provide proposed Plat Na. Section 625,40 of the Land Development | me for Variances ple | ase attach Criteria Statement as per |
| Prop. Net Acreage: 1.65 Gross Acreag | e: Prop. Squ | are Footage: 71,850 |
| Existing Use: VACANT | Proposed Use: | MARINE SALES & STORAGE |
| Is property owned individually, by a corporation | | |

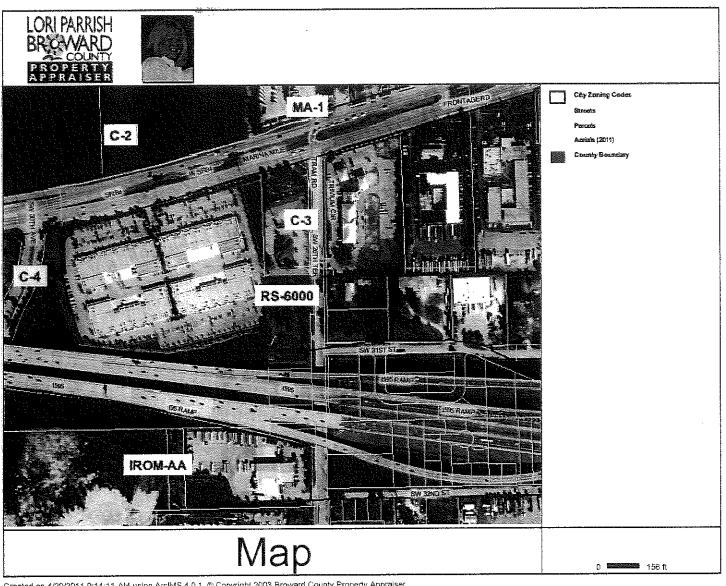
CORPORATION NOTARIZED SIGNATURE:

| | ferenced corporation is the owner of subject lands described above rized officer, have authorized (Applicant/Consultant/Represent to make and file the aforesaid application. | tative) |
|--|---|----------------|
| Sworn to and subscribed before m | Corporation Name: | |
| This day of 20 | Signature: | - |
| | Date: | |
| | (Print Name) | |
| Sign Name of Notary Public State of () | (Print Title) | |
| Print Name of Notary | Street Address, City, State and Zip Code | _ |
| Commission Expires: Seal: | Telephone No. & Fax No. | |
| This is to certify that the below ref | HIP NOTARIZED SIGNATURE: erenced that the duly authorized persons are the owners of subject | lands |
| described above and that | all partners have authorized (Applicant/Consultant/Represent to make and file the aforesaid application. | auve) |
| Sworn to and subscribed before methods 17 day of $May 20$ | | - |
| | Date: 5/17/11 | - |
| J. Ru | (Print Name)** N1CHOLS | _ |
| Sign Name of Notary Public State of () Heather Bolto | 2308 SUNRISE KIEY FT. LAUBERDAUE FL. 33 | 3304 |
| Print Nango Notary Public State of Notary Public State of Heather Bolton Commission Dose | Street Address, City, State and Zip Code Florida 954-8/6-5993 | - . |
| Seal: \$ 7000 Expires 08/02/2014 | Telephone No. & Fax No. | |

^{**}Each partner must sign. Attach duplicate sheets as required.

| Commission approval, or pursuant to | the expiration timeframe listed in Part 6 of the ALIAX NICHOLS 5/16/11 Name Date |
|--|---|
| | REPRESENTATIVE NOTARIZED SIGNATURE |
| | |
| Sworn to and subscribed before me | Applicant/Consultant/Representative: |
| This day of 20 | Signature: |
| | Date: |
| Sign Name of Notary Public State of () | (Print Name) |
| Print Name of Notary | Street Address, City, State and Zip Code |
| Commission Expires: Seal: | Telephone No. & Fax No. |
| INDIVIDUAL OWNER NOTARIZED SIG | |
| This is to certify that I am the fee simple owner (Applicant/Consultant/Representative) aforesaid application. | er of subject lands described above and that I have authorized to make and file the |
| Sworn to and subscribed before me This 17 day of May 20 11 | Owner: MUDIUMOLS Signature: MEX NICHOLS |
| 1 lbc | Date: 5/17/17 ALEX WICH (S) (Print Name) |
| Sign Name of Notary Public State of () | 2308 SUNRISE KEY FIL 33304 |
| Print Name of Notary | Street Address, City, State and Zip Code |
| Commission Expires: 6/2/14 Seal: | 954-816-5993 Telephone No. & Fax No. |





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RZ-15-11 REZONING NOTICE OF PUBLIC HEARING CITY OF DANIA BEACH

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Dania Beach Planning and Zoning Board sitting as the Local Planning Agency, on Wednesday June 15, 2011 at 7:00 p.m., or as soon thereafter as possible in the Dania Beach City Commission Room, Administrative Center, 100 West Dania Beach Blvd., Dania Beach, Florida 33004, for the purpose of hearing any comments which might be made to the following request:

RZ-15-11: The applicant, Alex Nichols, property Owner is requesting a rezoning from Residential Single Eamily (RS-6000) to Industrial Research Office Marine – Airport Approach (IROM-AA) for the property general located at the NW corner of SW 31st Street and SW 26th Terrace (Tram Road), South of State Road 84 in Dania Beach, Florida.

ORDINANCE NO. 2011 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA APPROVING THE REQUEST MADE BY ALEX NICHOLS PROPERTY OWNER TO REZONE PROPERTY GENERALLY LOCATED AT THE NW CORNER OF SW 31ST STREET AND SW 26TH TERRACE (TRAM ROAD), SOUTH OF STATE ROAD 84 IN THE CITY OF DANIA BEACH, FLORIDA, AND LEGALLY DESCRIBED IN EXHIBIT "A", A COPY OF WHICH IS ATTACHED TO THIS ORDINANCE; CHANGING THE CURRENT ZONING CLASSIFICATION OF THE PROPERTY FROM RESIDENTIAL SINGLE FAMILY (RS-6000) TO INDUSTRIAL RESEARCH OFFICE MARINA – AIRPORT APPROACH (IROM-AA), SUBJECT TO CERTAIN RESTRICTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

EXHIBIT "A" - Legal Description: PARCEL A, RUNWAY LAKES FLL AIRPORT PLAT (PLAT3), ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 158, PAGE 2 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. SAID LANDS SITUATE WITHIN BROWARD COUNTY, FLORIDA CONTAINING 1.765 ACRES (71,850 SQUARE FEET) MORE OR LESS.

Copies of the proposed request are available for viewing in the Community Development Department, 100 West Dania Beach Blvd., Dania Beach, Florida between the hours of 8:00 a.m. and 4:00 p.m., Monday – Friday please call (954) 924-6805 x3645 for more information. Interested parties may appear at the public hearing and be heard with respect to the proposed petition.

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 Blvd. Dania Beach, FL 33004, (954) 924-6800 x3623, at least 48 hours prior to the meeting.

Please be advised that if a person decides to appeal any decision made by the Local Planning Agency, the Planning and Zoning Board or the City Commission with respect to any matter considered at this hearing, such person will need a verbatim record of the proceedings and for this purpose such person 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 based. The city does not provide or prepare such record pursuant to f.s. 286.0105.

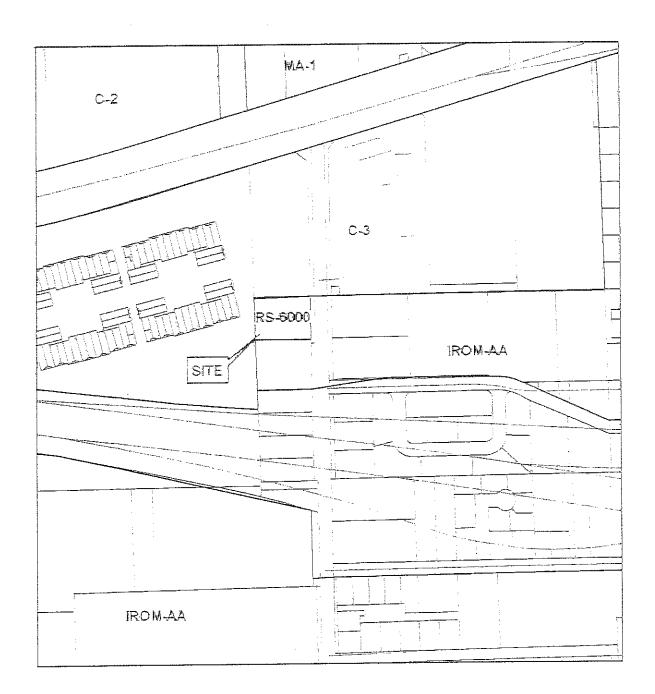
Lou Ann Patellaro Building and Planning Operations Mgr.

Mail Friday June 3, 2011

LOCATION MAP



Rezoning RZ-15-11 Alex Nichols Runway Lakes FLL Airiport Plat 3



| ty of Dania I 10 W. Dania ania Beach, |
|---|
|---|

FIRM MAI LIST CITY COM., SSION JUNE 14, 2011

MEX NICHOLS West side of SW 26 Terr, 550+ $\omega \sigma$ of State Rd. 8A RZ-15/19

| OLIO_NUMBNAME_LINENAME_LINENAME_LINEADDRESS_I:04220000124BROWARD COUNTYBOARD OF CTY COMMISSIONERS115 S ANDREWS AVE RM 326FORT LAUDERDALE:04220000124FL DEPT OF TRANSPORTATIONOFFICE OF RIGHT OF WAY3400 W COMMERCIAL BLVDFORT LAUDERDALE:04220000434FL DEPT OF TRANSPORTATIONOFFICE OF RIGHT OF WAY3400 W COMMERCIAL BLVDFORT LAUDERDALE:042200600435FL DEPT OF TRANSPORTATIONPEARL, DAVID S II & PEARL, J E2850 RAVENSWOOD ROADDANIA BEACH:042200600430PEARL, DOUGLAS B &PEARL, DAVID S II & PEARL, J E2850 RAVENSWOOD ROADDANIA BEACH:042200600430PEARL, DOUGLAS B &PEARL, DAVID S II & PEARL, J E2850 RAVENSWOOD ROADDANIA BEACH:04220060040PEARL, DAVID S II & PEARL, J E2850 RAVENSWOOD ROADDANIA BEACH:04220130240FL DEPT OF TRANSPORTATIONOFFICE OF RIGHT OF WAY3400 W COMMERCIAL BLVDDANIA BEACH:04220160010BROWARD CTY POLICE BENEVOLENT2650 W STATE ROAD 84DANIA BEACH:04220130240PEARL, DAVID S II & PEARL2850 W STATE ROAD 84DANIA BEACH | 504220460010 MARINA MILE BUSINESS PARK MASTER ASSOCIATION INC 3081 E COMMERCIAL BLVD #105 FORT LAUDERDALE 504220460010 ALEX NICHOLS FORT LAUDERDALE 504220AD0160 SFC PROPERTIES II LLC 2830 STATE ROAD 84 UNIT 117 DANIA BEACH 504220AD0170 CANDAS GL LLC 2830 STATE ROAD 84 UNIT 118 DANIA BEACH |
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FL 33312 FL 33312 FL 33312 FL 33312 FL 33312 FL 33309 FL 33308 FL 33304 FL 33312 FL 33126 FL 33301 FL 33309 FL 33309 FL 33309



CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Ordinance (Adopt Resolution, Adopt Ordinance (1st Reading) Adopt Ordinance (2nd Reading) Award Bid /RFP, Presentation, Public Hearing)

Continued from:

| Requested Action | (Identify appropriate Action | or Motion) |
|--|--|-------------|
| Approval of Ordinance | | |
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| | | |
| Description of Action | | |
| Amends City Ordinance establishing a 10% solid waste franchise fee based upon gross service billing collections. | | |
| C | | |
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| | | |
| Purchasing Requests | ONLY | |
| Dept: | Acct #: | Amt: |
| Fund: General (Select fro | m: General, Water, Sewer, Stormwater, Grants | s, Capital) |

| Fiscal Impact/Cost Summary |
|--|
| Will provide City General Fund a 10% franchise fee from Solid Waste billing collections of contractors providing service in Dania Beach. |
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| Exhibits Attached |
| Memo, Resolution |
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ORDINANCE NO. 2011-026

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING **SECTIONS** 13-68 **ENTITLED** "DEFINITIONS" AND 13-74, ENTITLED "GARBAGE COLLECTION BY REQUIRED", PRIVATE HAULERS, **PERMITS** BY**AMENDING** PARAGRAPH 2 ENTITLED "FRANCHISE FEE REQUIRED" AND PARAGRAPH 5, OF ARTICLE IV, ENTITLED "GARBAGE AND TRASH" CITY CODE OF ORDINANCES: **PROVIDING** SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1. Section 13-68, entitled "Definitions", of Article IV, entitled "Garbage and Trash", of the Code of Ordinances is amended to read as follows:

Sec. 13-68. Definitions.

• • •

<u>Designated disposal facility</u>, as used in this Section, shall mean Reuter Recycling, Pembroke Pines, Florida, or such other facility designated by the City manager.

• • •

Section 2. Section 13-74, entitled "Garbage collection by private haulers, permits required", Paragraph 2 entitled "Franchise fee required" of Article IV, entitled "Garbage and Trash", of the Code of Ordinances is amended to read as follows:

Sec. 13-74. Garbage collection by private haulers, permits required.

• • •

(2) Franchise fee required.

The minimum <u>franchise</u> fee for a permit shall be <u>cost</u> one thousand dollars (\$1,000.00) per year payable in advance on or before October 1 of each year; provided that if more is due for the quarter commencing October 1 based on the cubic yards collected, then such greater amount shall be paid. All permits shall expire each September 30. <u>Hhowever</u>, that if a permit is granted for a period of less than six (6) months, the minimum fee shall be five hundred dollars (\$500.00) in addition to the application fee of one hundred fifty dollars (\$150.00). A renewal application and a seventy-five dollar (\$75.00) application fee is required each year. <u>All permits shall expire</u>

each September 30. The fee for a hauling permit shall be twenty seven cents (\$0.27) per cubic yard of uncompacted containers and eighty cents (\$0.80) per cubic yard of compacted containers collected in the City of Dania Beach by such private haulers payable in advance. The franchise fee shall be equal to ten percent (10%) of the total gross revenues collected by the permittee for the services provided pursuant to Section 13-74.

Such fee shall be payable on a quarterly monthly basis in advance arrears within thirty (30) days of the beginning end of each quarter month and the minimum fee due under this subsection shall be credited against the fee collected on a per cubic yard basis as reported to the city by the hauler in accordance with paragraph (5) of this subsection of the City of Dania Beach. Monthly fees must coincide with monthly revenue collections and permittee is required to create and maintain all billing, adjustment and collection documentation for a period of no less than five (5) years for subsequent audit, review or examination by the City orf their its licensed Florida C.P.A. designee. Failure to timely provide information required under paragraph (5) of this subsection or to remit the fee required under this paragraph shall be cause for revocation of any issued hauling permit and a violation of this Code punishable as provided in section 1-8 of this Code.

The City may increase adjust the franchise fee annually with prior written notice to all permittees. to reflect the increase, if any, in the Consumer Price Index. The City shall notify in writing the permit holders prior to October 1 of each year of any such change in the franchise fee.

- (3) All changes in customer accounts, whether additions or deletions, shall be reported in writing to the city manager or designee within five (5) days of such change, including giving the name of such customer and the disposal permit number of such customer.
- (4) The city manager is hereby authorized to designate a disposal facility or facilities named in any interlocal or private waste disposal agreement entered into by the city, and to require holders of hauling permits to dispose of waste equivalent and of a similar nature to that collected in the city at such location. Failure by a private hauling permit holder to dispose of waste at such location shall be in violation of this Code, punishable as provided in section 1-8 of this Code and shall be cause for revocation of the violator's hauling permit.

• • •

(5) It shall be a condition of issuance or renewal of any hauling permit that the holder of such hauling permit shall report <u>in summary</u> to the city on a quarterly basis at or before a date fixed by

the city manager or designee, the bulk tonnage of all materials originating within the city <u>and the holder shall obtain and retain evidence of its summary material tonnaged by copies of weight tickets issued by the disposal facility for a period of no less than five (5) years for subsequent audit, review or examination by City or City's licensed Florida C.P.A. designee Designated by the city manager, <u>as to materials</u> conveyed, transported or disposed of by such private hauler and the following information about individual customers served by the hauler within the city:</u>

• • •

This requirement shall also apply to persons currently holding a hauling permit and it shall be deemed unlawful and a violation of this Code to fail to timely make the report required herein this subsection.

At least once each year, the permittee shall provide the City with an audited financial statement to demonstrate that the permittee has fully paid the applicable franchise fee and is retaining all required billing, collection and disposal weight documentation. The financial statement shall be prepared by a licensed independent public accounting firm in accordance with generally accepted accounting principles. Unless the City instructs the permittee otherwise, the permittee shall deliver the audited financial statement to the City by February 28th following the end of each permit year. The City may waive the request for permittee to provide the audited financial statement upon good cause as determined by the City Finance Director in the exercise of reasonable discretion.

Each month, the permittee shall deliver to the City a true and correct report identifying the gross revenues collected by the permittee during the previous month for the services provided by the permittee. Each monthly report shall be submitted on the 15th day of the month following the end of the quarter. Each monthly payment of the franchise fee shall be accompanied by a true and accurate report demonstrating that the franchise fee has been paid in full for the preceding calendar month. The monthly report shall set forth the gross revenue billed and collected for the month; the number of cubic yards or tons disposed at the designated facility (cubic yards may be converted to tons and tons may be converted to cubic yards by using the conversion factor of one hundred pounds (100 lbs) per cubic yard); and such other information as the City may from time to time require.

The permittee shall allow the City or its licensed, independent Florida C.P.A. to inspect and examine the permittee's financial books, records, billings, adjustments, collections and disposal

tonnage documentation, to confirm the permittee's compliance. The permittee shall be solely responsible for keeping all of the records, logs and documents necessary to demonstrate that permittee has complied with the requirements in this paragraph. The permittee shall maintain records and a log concerning all collection services the permittee provides each customer in the City. The records shall be sufficient to calculate the franchise fees which should be remitted to the City. At a minimum, the records shall identify the following: the date(s) when service(s) was/were provided; the size and frequency of collection for the containers used by the customer and the charges for such service. The inspections shall be allowed by the permittee at any time following reasonable prior written notice, which shall not exceed seven (7) calendar days. Additionally, the City may communicate directly with customers of the permittee for the purpose of confirming the permittee's compliance. To the extent authorized by Section 119.165, Florida Statutes, or other applicable laws, the information obtained by the City shall remain confidential. If the permittee fails to pay the full amount of the franchisee fee in a timely manner, the City may declare the permit null and void. The permittee shall pay any and all of the City's expenses for the collection of the franchise fees, including but not limited to court costs and attorney fees. The City reserves the right to conduct an audit of permittee's accounts when and if it is necessary, by using a licensed independent Florida C.P.A. as its auditor. Every holder of a hauling permit agrees to the City's use of a licensed independent Florida C.P.A. as its auditor, which will be hired by the City to verify the information and calculations that are provided by the hauling permit holder and used to establish the hauling permit fee. Should the audit reveal an underpayment of fees greater than two percent (2%) in any year, the cost of the audit shall be borne by the permit holder.

• • •

Section 3. That if any section, clause, sentence or phrase of this Ordinance is for any jurisdiction 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 and all resolutions or parts of resolutions in conflict with this Ordinance are repealed to the extent of such conflict.

| Section 5. That this Ordinance shall be in full for | ce and take effec | t immediately upon |
|---|-------------------|--------------------|
| its passage and adoption. | | |
| PASSED on first reading on | , 2011. | |
| PASSED AND ADOPTED on second reading on | | , 2011. |
| | | |
| ATTEST: | | |
| | | |
| | | |
| LOUISE STILSON, CMC | PATRICIA | A FLURY |
| CITY CLERK | MAYOR | |
| | | |
| APPROVED AS TO FORM AND CORRECTNESS: | | |
| | | |
| THOMAS J. ANSBRO | | |
| CITY ATTORNEY | | |



CITY OF DANIA BEACH MEMORANDUM

TO: Honorable Mayor and Commissioners

FROM: Robert Baldwin, City Manager

BY: Mark Bates, Finance Director

DATE: July 12, 2011

SUBJECT: Franchise Fee – Solid Waste Services

Summary:

The Administration recommends Commission consideration and approval to change and enhance the computation of City solid waste (garbage) franchise fees. It is recommended that Dania Beach adopt a process for calculating franchise fees as a direct percentage of billing collections on solid waste service. The Administration recommends that the franchise percentage be established at 10% of the gross service billing collections.

Discussion:

Franchise fees are imposed by municipal governments to guide and monitor commerce along and within its rights-of-way. Generally, these fees help to pay for the use and maintenance of these rights-of-way including curbs and streets.

Dania Beach has long been calculated its solid waste franchise based solely on disposal weight. This tonnage method is complex, requires an array of inter-related disposal documents and a subsequent manual calculation of franchise fee that is unrelated to actual service billings. These tonnage franchise complexities and the extensive array of delivery tickets and disposal documents, in large part, is why Dania Beach was unable to perform a franchise review of commercial waste contractors when it was requested by the Commission last year.

In order to make solid waste franchise fee collections more transparent and available for audit review, the vast majority of Florida municipalities long ago embraced a process for calculating solid waste franchise fees as a direct percentage of their service billing collections. Not only is this computation transparent and simple but since collections can be directly traced to contractor bank accounts, it allows for relatively straightforward audit review of the contractor should the City wish to do so.

Presently, solid waste franchise fees are only being assessed for Commercial service. Many Broward cities utilize a single franchise percentage for all service. A few others use a lower percentage -or- no franchise for residential service as shown below:

| | <u>Residential</u> | Commercial |
|------------------|--------------------|------------|
| Hollywood | -0- % | 20 % |
| Davie | 19.5% | 19.5% |
| Hallandale Beach | 17.5% | 17.5% |
| North Lauderdale | 20 % | 20 % |
| Sunrise | 20 % | 20 % |

The Administration estimates that using this improved solid waste franchise fee calculation at a level of 10% will greatly improve compliance and City revenue collections from waste haulers. Currently, the City's annual commercial waste franchise fees are planned at a level of \$78,000. The Administration believes this may double in the coming year due to increased remittance compliance by waste providers.

Recommendation:

The Administration recommends Commission consideration and approval of the attached Resolution modifying and improving the City's computation of franchise fees for solid waste providers at a level of 10%. Consideration is also requested for possible inclusion of residential service in the City solid waste franchise fee.

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Ordinance (Adopt Resolution, Adopt Ordinance (1st Reading) Adopt Ordinance (2nd Reading) Award Bid /RFP, Presentation, Public Hearing)

Continued from:

| Requested Action | (Identify appropriate Action | on or Motion) |
|---|---|---|
| Approval of Ordinance | | |
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| | | |
| Description of Action | | |
| Amends existing Debt l Resolution at tonight's | | to new City Debt Policy being considered by |
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| Dunahaging Daguagts | ONI V | |
| Purchasing Requests (| JNL1 | |
| Dept: | Acct #: | Amt: |
| Fund: (Select from | : General, Water, Sewer, Stormwater, Gran | ats, Capital) |

| Fiscal Impact/Cost Summary | | | |
|--|--|--|--|
| Provides Debt limit guidelines through new Resolution creating City Debt Policy. | | | |
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| Exhibits Attached | | | |
| Memo and Ordinance | | | |
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ORDINANCE NO. 2011-027

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, REPEALING SECTION 2-12 IN ITS ENTIRETY, ENTITLED "ISSUANCE OF PROMISSORY OBLIGATIONS", OF ARTICLE I, ENTITLED "IN GENERAL" OF CHAPTER 2, ENTITLED "ADMINISTRATION" AND CREATING A NEW SECTION 2-12 OF ARTICLE 1 TO BE ENTITLED "DEBT MANAGEMENT POLICY"; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

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

<u>Section 1.</u> Section 2-12, entitled "Issuance of promissory obligations", of Article 1, entitled "In General", of Chapter 2, entitled "Administration", of the City Code of Ordinances is repealed in its entirety.

<u>Section 2.</u> That a new Section 2-12 of Article 1, Chapter 2, entitled "Debt Management Policy", of the City Code of Ordinances is created to read as follows:

Sec. 2-12. <u>Debt Management Policy.</u>

The City Commission shall, from time to time, adopt a Resolution establishing a City Debt Management Policy, which will be prepared by the City Finance Department.

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 full | effect immediately at t | he time of its |
|-----------------------|---------------------------------------|-------------------------|----------------|
| passage and adoption. | | | |
| PASSED on f | irst reading on | _, 2011. | |
| PASSED AN | D ADOPTED on second reading on | | 2011. |
| | | | |
| ATTEST: | | | |
| | | | |
| | | | |
| LOUISE STILSON, O | CMC | PATRICIA A. FLURY | |
| CITY CLERK | | MAYOR | |
| A DDD OVED A C TO | | | |
| APPROVED AS TO | FORM AND CORRECTNESS: | | |
| | | | |
| THOMAS J. ANSBR | 0 | | |
| CITY ATTORNEY | | | |

MEMORANDUM

TO: Patricia Flury, Mayor and City Commission

FROM: Robert Baldwin, City Manager

BY: Mark Bates, Finance Director

DATE: July 12, 2011

SUBJECT: City Debt Policy – Resolution & Ordinance Amendment

During the course of the past two years, there have been a number of City improvement projects undertaken that involve the use of loan financing. These included the following:

| • | Water Utility - | Nano Filtration Plant | \$8+ million |
|---|-----------------|---------------------------------------|--------------|
| | | Refurbishment of existing Water Plant | \$3+ million |
| • | Sewer Utility - | Lift Station replacements | \$2+ million |
| | | Inflow & Infiltration Improvements | \$1 million |
| • | General Fund - | New Library – G.O. Bonds | \$3+ million |
| | | Purchase of 2 new ladder fire trucks | \$2+ million |
| • | CRA - | Garage & Economic Development | \$6+ million |

Administration discussions with the City's external auditors embraced the need for establishing a City Debt policy. This City Debt policy will provide guidance and parameters for the City's use of future loan financing.

This Debt policy has been reviewed by and reflects edit recommendations provided by the City's Financial Advisory firm, Dunlap and Associates. Approval of the City Debt Policy is provided by the attached Resolution.

Discussions with the City Attorney also reflect the ministerial steps on existing Debt limitation guidelines by amending the current Ordinance to provide direct reference to the new City Debt Policy Resolution.

The Administration recommends Commission consideration and approval of the Resolution and Ordinance.

Attachments: Resolution – City Debt Policy

Ordinance – Referencing new Debt Policy

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Adopt Ordinance 2nd Reading
(Adopt Resolution, Adopt Ordinance (1st Reading) Adopt Ordinance (2nd Reading)
Award Bid /RFP, Presentation, Public Hearing)

Continued from:

| Requested Action (Identi | fy appropriate Action or Motion | |
|---------------------------------|--|------|
| Adopt Ordinance | | |
| | | |
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| Description of Action | | |
| Allows additional surfing area | at beach | |
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| | | |
| | | |
| Purchasing Requests ONLY | | |
| Dept: | Acct #: | Amt: |
| Fund: (Select from: General, V | Water, Sewer, Stormwater, Grants, Capital) | |

| Fiscal Impact/Cost Summary |
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| Exhibits Attached |
| Ordinance |
| Memo Site Plan |
| Site I fair |
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ORDINANCE NO. 2011-020

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING SECTION 6-15, ENTITLED "SURFING RESTRICTED TO SPECIFIED AREA, TIME", OF ARTICLE 1, ENTITLED "IN GENERAL", OF THE CODE OF ORDINANCES, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1. Section 6-15, entitled "Surfing restricted to specified area, time", of Article 1, entitled "In General", of the Code of Ordinances is amended to read as follows:

Sec. 6-15. Surfing restricted to specified area, time.

It shall be unlawful for any person to engage in surfing in the waters adjacent to Dania Beach, except in the area beginning one hundred (100) feet north of the municipally-owned fishing pier and extending from that point to the northern extremity of the City beach. <u>Surfing will also be allowed in the designated guarded area of the southern end of the beach, but only during the times when a black flag is being flown from the lifeguard tower used for that area.</u> Surfing will be permitted only during the time between sunrise and sunset.

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 take effect | t immediately at the time of its passage |
|---|--|
| and adoption. | |
| PASSED on first reading on June 28, 2011. | |
| PASSED AND ADOPTED on second reading on | , 2011. |
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| | |
| | PATRICIA A. FLURY |
| ATTEST: | MAYOR |
| 1111201. | |
| | |
| LOUISE STILSON, CMC | |
| CITY CLERK | |
| | |
| APPROVED AS TO FORM AND CORRECTNESS: | |
| | |
| THOMAS J. ANSBRO | |
| CITY ATTORNEY | |



To: Robert Baldwin, City Manager

From: Kristen Jones, Director of Parks and Recreation

Date: May 26, 2011

Subject: Request to Amend Ordinance

This is a request for an Ordinance Amendment regarding surfing on the southern border of Dania Beach. The current Ordinance permits surfing on the north side of the pier only. We have issues with our local surfers trying to use the break on the southern end of our beach. Surfers arrive, pay the meter and then are asked to leave by the lifeguards due to the way the Ordinance is currently written. We have received numerous citizens' complaints and they continuously mention that a more organized policy needs to be in place before someone gets hurt.

A revised version of the Ordinance will allow surfers to use our southern border to surf only if a black flag is flying from the lifeguard tower. This will help to establish harmony on the beach allowing surfers to enjoy themselves and restrict the bathers to the shoreline for safety. Bathers will not be allowed into ocean waters if the black flag is being flown in that area, due to the extreme hazardous conditions, which is a surfers dream.

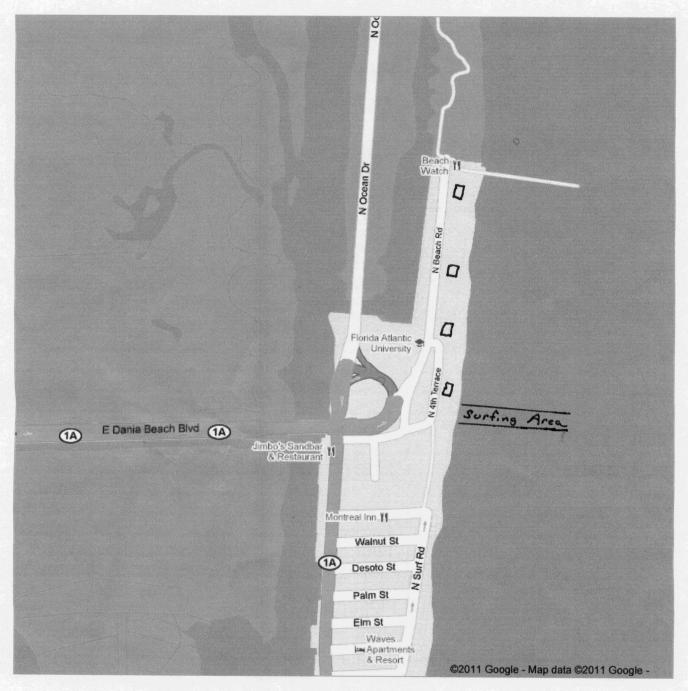
Thank you,

Kristen L. Jones
Director of Parks and Recreation

Cc: Colin Donnelly, Assistant City Manager

Google maps

To see all the details that are visible on the screen, use the "Print" link next to the map.



CITY OF DANIA BEACH

Agenda Request Item

| Type of Request: Adopt Ordinance (2 nd Reading) (Adopt Resolution, Adopt Ordinance (1st Reading) Adopt Ordinance (2nd Reading) Award Bid /RFP, Presentation, Public Hearing) | | | |
|---|---------------------------------|-------------------------|------|
| Continued from: | | | |
| Requested Action | (Identify appropria | te Action or Motion) | |
| Ordinance amending | Chapter 12 "Flood | Damage Prevention | |
| Description of Action | | | |
| In December of 2010, the State of Florida's Floodplain Management Specialist met with Phil Reeves, Chief of Building, serving as the City of Dania Beach Floodplain Manager and Lou Ann Patellaro, Building and Planning Operations Manager to review the floodplain management regulations for compliance with the National Flood Insurance Program. | | | |
| | | | |
| Purchasing Requests | ONLY | | |
| Dept: | Acct #: | | Amt: |
| Fund: (Select from | n: General, Water, Sewer, Storm | water, Grants, Capital) | |

| Fiscal Impact/Cost Summary | | |
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| Exhibits Attached | | |
| Ordinance | | |
| Staff Report Florida Ordinance Review Checklist | | |
| Community Assistance Contact Report | | |
| Public Hearing Notice | | |
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ORDINANCE NO. 2011-021

AN ORDINANCE OF THE CITY OF DANIA BEACH. FLORIDA PERTAINING TO FLOOD REGULATIONS: AMENDING CHAPTER 12. DAMAGE PREVENTION" **CITY** OF THE CODE ORDINANCES; AMENDING SECTION 12-5 ("DEFINITIONS"); AMENDING ARTICLE "ADMINISTRATION", **CODE SECTION** ("DESIGNATION OF BUILDING OFFICIAL"), SECTION 12-32 ("DUTIES AND RESPONSIBILITIES OF THE BUILDING OFFICIAL"), SECTION 12-34 ("VARIANCE PROCEDURES"), AND **SECTION** 12-52 ("SPECIFIC PROVIDING STANDARDS"): FOR CONFLICTS: PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1. That Section 12-5, "Definitions" of the City Code of Ordinances is amended to read as follows:

• • •

Elevated building means a non-basement building (i) built, in the case of a building in Zones A1-30, AE, A, A99, AO, AH, B, C, X, or D, to have the top of the elevated floor, or in the case of a building in Zones V1-30, VE, or V, to have the bottom of the lowest horizontal structural member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the flow of the water and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the cases of Zones A1-30, AE, A, A99, AO, AH, B, C, X, or D, "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with opening sufficient to facilitate the unimpeded movement of floodwaters. In the case of Zones V1-30, VE, or V, "elevated building" also includes a building otherwise meeting the definition of "elevated building", even though the lower area is enclosed by means of breakaway walls if the breakaway walls meet the standards of section 12-52. built to have the lowest floor elevated above the ground level by foundation walls, posts, piers, columns, pilings or shear walls.

• •

Existing construction means for the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction may also be referred to as "existing structures." floodplain management, structures for which "the start of construction" commenced before February 15, 1978. The term may also be referred to as "existing structures."

• •

Free of Obstruction means any type of lower area enclosure or other construction element will not obstruct the flow of velocity water and wave action beneath the lowest horizontal structural member of the lowest floor of an elevated building during a base flood event. This requirement applies to the structures in velocity zones (V-Zones).

• • •

New construction means, for the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after February 15, 1978, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures. floodplain management purposes, any structure for which the "start of construction" commenced on or after February 15, 1978. The term also includes any subsequent improvements to such structures.

• •

<u>Reasonably Safe from Flooding</u> means base flood waters will not inundate the land or damage structures to be removed from the SFHA and that any subsurface waters related to the base flood will not damage existing or proposed buildings.

• • •

Regulatory floodway means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot a designated height.

• • •

Structure means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. "Structure" for insurance coverage purposes, means a walled and roofed building, other than a gas or liquid storage tank that is principally above ground and affixed to a permanent site, as well as a manufactured home on a permanent foundation. For the latter purpose, the term includes a building while in the course of construction, alteration or repair, but does not include building materials or supplies intended for use in such construction, alteration or repair, unless such materials or supplies are within an enclosed building on the premises.

Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred. Substantial damage also means flood related damages sustained by a structure on two (2) separate occasions during a tenyear period for which the cost of repairs at the time of each such flood event, on the average,

equals or exceeds twenty-five (25) percent of the market value of the structure before the damage occurred. This term also includes "repetitive loss" structures as defined herein.

• • •

<u>Violation</u> means the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications or other evidence of compliance required in this Chapter is presumed to be in violation until such time as that documentation is provided.

• • •

Section 2. That Article II, "Administration", Section 12-31 of the City Code of Ordinances is amended to read as follows:

Sec. 12-31. Designation of building official.

The building official is hereby appointed to administer and implement the provisions of this eChapter- and is herein referred to in this Chapter as the Floodplain Administrator.

• • •

Section 3. That Section 12-32 of the City Code of Ordinances is amended to read as follows:

Sec. 12-32. Duties and responsibilities of the building official.

Duties of the building official shall include, but not be limited to:

- (a) Review all development permits to assure <u>sites are reasonably safe from flooding and that the permit requirements of this chapter have been satisfied.</u>
- (b) Advise Assure permittee that additional federal or state permits may be required, and if specific federal or state permits are known, require that copies of such permits be provided and maintained on file with the development permit.

• •

(e) Verify and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement), or the lowest horizontal structural member (V-Zones) or both of all new or substantially improved structures, in accordance with subsection 12-33(2).

• • •

(m) Within 6 months notify FEMA of any changes in the base flood elevation by submitting technical or scientific data so insurance and floodplain management can be based on current data.

Section 4. That Section 12-34 of the City Code of Ordinances is amended to read as follows:

Sec. 12-34. Variance procedures.

• •

(h) Conditions for variances:

• •

(4) Variances shall not be granted after it has been determined that the construction does not meet the requirements of this Chapter.

(4)(5) The building official shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.

Section 5. That Section 12-52 of the City Code of Ordinances is amended to read as follows:

Sec. 12-52. Specific standards.

In all areas of special flood hazard where base flood elevation data have been provided, as set forth in section 12-7, or section 12-32(k), the following provisions are required:

• •

- (4) *Floodways*. Located within areas of special flood hazard established in section 12-7, are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and has erosion potential, the following provisions shall apply:
 - (a) Prohibit encroachments, including fill, new construction, substantial improvements and other developments unless certification (with supporting technical data) by a registered professional engineer is provided <u>hydrologic and hydraulic analyses performed in accordance with standard engineering practice</u> demonstrating that encroachments shall not result in any increase in flood levels during occurrence of the base flood discharge;

• •

Section 6. 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 7. That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are repealed.

| Section 8. That this Ordinance shall be effecti | ve immediately at adopt | tion on second |
|--|----------------------------|----------------|
| reading. | | |
| PASSED on first reading on, 2 | 2011. | |
| PASSED AND ADOPTED on second reading on | | _, 2011. |
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| | PATRICIA A. FLURY MAYOR | |
| ATTEST: | | |
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| LOURGE CERT CONT. CIVIC | | |
| LOUISE STILSON, CMC CITY CLERK | | |
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| APPROVED AS TO FORM AND CORRECTNESS: | | |
| | | |
| | | |
| THOMAS J. ANSBRO | | |
| CITY ATTORNEY | | |



CITY OF DANIA BEACH COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

DATE July 12, 2011

TO Robert Baldwin, City Manager

VIA: Robert Daniels, Director Kuhl Allund

FROM: Lou Ann Patellaro, Planning / Building Operations Mgg

SUBJECT: Ordinance amending Chapter 12 "Flood Damage Prevention"

In December of 2010, the State of Florida's Floodplain Management Specialist met with Phil Reeves, Chief of Building, serving as the City of Dania Beach Floodplain Manager and Lou Ann Patellaro, Building and Planning Operations Manager to review the floodplain management regulations for compliance with the National Flood Insurance Program. A copy of the resulting report from that meeting is attached.

The report summary indicates that the city's floodplain management activities are in compliance with FEMA's National Flood Insurance Program Rules and Regulations. The report also identified minor revisions to the City's Flood Damage Prevention code (Chapter 12) as outlined in the proposed ordinance.

Text revisions are of a minor nature and do not change the city's current regulations associated with finished floor elevation standards.

STAFF RECCOMENDATION

Approve ordinance on second reading.

July 12, 2011 - Second reading. Once adopted, ordinance will be forwarded to the State of Florida's Bureau of Mitigation, Division of Emergency Management.

Florida Ordinance Review Checklist

| Level of Regulations: b (with approx A Zone) ☐; c (with BFE) ☐; d (with floodway) ☐; e (with V Zone) ☒ | | | | | | |
|--|-----------|-------------------------------------|----------------|--|--|--|
| Community ID#: | 120034 | Community Name: City of Dania Beach | | | | |
| Ordinance Citation: Ch. 12 | | | | | | |
| Date of Review: | 4/11/2011 | Reviewer: Richard Benton, CFM | FEMA ☐ STATE 🔀 | | | |

<u>NOTE</u>: The "Item Description" is a synopsis of the regulatory requirement and should not be construed as a complete description. Refer to the actual language contained in the National Flood Insurance Program Rules and Regulations for complete descriptions of the required standards.

| Item Description (Section reference of NFIP Regulations follows) | Ordinance Section | Comments |
|---|--|---|
| Required provisions for all ordinances | | |
| Citation of Statutory Authorization. [59.22(a)(2)] | 12-1 | |
| Purpose section citing health, safety, and welfare reasons for adoption. [59.22(1)] | 12-3 | |
| 3. Adopt definitions of: ☐ Base Flood ☐ Lowest Floor ☐ Manufactured Home ☐ Development ☐ Manufactured Home Park or ☐ Subdivision | NOTE: Definitions for Existing, Expansion to An Existing or New Manufactured Home Park are not required if community requires elevation of all manufactured homes to the BFE (1986 regulations). | |
| Park or Subdivision ☐ Expansion to an Existing ☐ Manufactured Home Park or ☐ Subdivision ☐ Recreational Vehicle ☐ Flood Insurance Rate Map ☐ Flood Insurance Study ☐ Floodproofing ☐ Subdivision ☐ Recreational Vehicle ☐ Special Flood Hazard Area ☐ Start of Construction ☐ Structure ☐ Structure ☐ Substantial Damage ☐ Substantial Improvement ☐ Historic Structure ☐ Violation | 12-5 | See end of checklist (additions and minor revisions) |
| and other definitions as appropriate. [59.1] 4. Adopt or reference correct Flood Insurance Study, Flood Insurance Rate Map (where applicable, Flood Boundary Floodway Map) and date [see Note]. Include a reference to all subsequent revisions and amendments to above-referenced FIS and flood maps. [60.2(h)] [Note: If a community has annexed territory (e.g. county land) not covered on its flood maps or FIS, the FIS and appropriate FIRM panels (usually County) must be adopted.] | 12-7 | |
| Adequate enforcement provisions including a violations/penalty section specifying community actions to assure compliance. [60.2(e)] | 12-13 | |
| Abrogation and Greater Restriction section. [60.1(b)] | 12-10 | |
| Disclaimer of Liability (Degree of flood protection required by the ordinance is considered reasonable but does not imply total flood protection.) | 12-12 | |

| | n Description ction reference of NFIP Regulations follows) | Ordinance Section | Comments |
|-----|--|-----------------------------------|---|
| 10. | Severability section. (If any section, provision or portion of the ordinance is deemed unconstitutional or invalid by a court, the remainder of the ordinance shall be effective.) | To be included | This is not for addition to Chapter 12, just for inclusion within the formal ordinance. |
| 11. | Framework for administering the ordinance (permit system, establish office for administering the ordinance, etc.) [59.22(b)(1)] | Art. 2 | |
| 12. | Designate title of community Floodplain Administrator [59.22 (b)] | 12-31 | See end of checklist; should reference official as Floodplain Administrator. |
| 13. | Requirement to submit new technical data: within 6 months, notify FEMA of changes in the base flood elevation by submitting technical or scientific data so insurance & floodplain management can be based on current data. [65.3] | 12-32 | Recommend to add as a duty of the administrator, rather than a standalone section. |
| 14. | Variance section with evaluation criteria & insurance notice. [60.6(a)] | 12-34 | Reference to condition that variances not be granted after-the-fact, not included. |
| 15. | For adopted ordinance. Signature of appropriate official and certification. Date ordinance adopted: | To be included | B-7-1 |
| 16. | Require permits for all proposed construction or other development including placement of manufactured homes. [60.3(a)(1)] | 12-8 | |
| 60. | 3 (a) When no SFHA's have been identified, no water surface eleveral floodways and coastal high hazards areas have not been identified participation in the NFIP, the following are required: | ration data has bentified and the | peen provided, and community applies for |
| 17. | Assure that all other State and Federal permits are obtained. [60.3(a)(2)] | 12-32 | Revision under separate cover noted. |
| 18. | Review permits to assure sites are reasonably safe from flooding and require for new construction and substantial improvements in flood-prone areas: [60.3(a)(3)] | 12-32 | Add: Review permits to assure sites are reasonably safe from flooding. |
| - | (a) Anchoring (including manufactured homes) to prevent flotation, collapse, or lateral movement. [60.3(a)(3)(i)] | 12-51 | |
| | (b) Use of flood-resistant materials. [60.3(a)(3)(ii)] | 12-51 | |
| | (c) Construction methods/practices that minimize flood damage. [60.3(a)(3)(iii)] | 12-51 | |
| | (d) Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities designed and/or located to prevent water entry or accumulation. [60.3(a)(3)(iv)] | 12-51 | |
| | (e) Require new and replacement water supply and sanitary sewer systems to be designed to minimize or eliminate infiltration. [60.3(a)(5) & (6)] | 12-51 | |
| | (f) Require on-site waste disposal systems be located to avoid impairment or contamination. [60.3(a)(6)(ii)] | 12-51 | |
| 19. | Review subdivision proposals to assure that: (a) Such proposals minimize flood damage. [60.3(a)(4)(i)] | 12-53 | |
| | (b) Public utilities and facilities are located & constructed so as to minimize flood damage. [60.3(a)(4)(ii)] | 12-53 | |
| | (c) Adequate drainage is provided. [60.3(a)(4)(iii)] | 12-53 | |
| 50 | .3(b) When SFHA's are identified by the publication of a commun elevation data have not been provided or a floodway or coal identified, then all the above ordinance provisions for 60.3(a) | sial high hazaro | area has not been |
| 20, | Require base flood elevation data for subdivision proposals or other developments greater than 50 lots or 5 acres. [60.3(b)(3)] | 12-53 | |

| Item Description (Section reference of NFIP Regulations follows) | | Ordinance Section | Comments |
|--|---|---|---|
| 21. | Require permits for all proposed construction and other development within SFHAs on the FIRM. [60.3(b)(1)] | 12-8 | |
| 22. | In A Zones, in the absence of FEMA BFE data and floodway data, consider other available data as basis for elevating residential structures to or above base flood level, and for floodproofing or elevating nonresidential structures to or above base flood level. [60.3(b)(4)] | 12-32 | - |
| 23. | Where BFE data are utilized, obtain and maintain records of lowest floor and floodproofing elevations for new construction and substantial improvements. [60.3(b)(5)] | 12-32 | Revise to include verification of also lowest horizontal structural member (V-Zones). |
| 24. | Notify neighboring communities of watercourse alterations or relocations. [60.3(b)(6)] | 12-32 | |
| 25. | Maintain carrying capacity of altered or relocated watercourse. [60.3(b)(7)] | 12-32 | |
| 26. | Require all manufactured homes to be elevated and anchored to resist flotation, collapse, or lateral movement. [60.3(b)(8)] | 12-51 | |
| | 3(c) When final flood elevations, but no floodways or coastal hig community's FIRM, then all the above ordinance provisions required: | for 60.3(a) & 60.3 | |
| 27. | Require all new and substantially improved <u>residential</u> structures within A1-30, AE, and AH Zones have their lowest floor (including basement) elevated to or above the BFE. [60.3(c)(2)] | 12-52 | ` |
| 28. | In AO Zones, require that new and substantially improved <u>residential</u> structures have their lowest floor (including basement) at or above the highest adjacent | NOTE: Item 28 is not required if community has no AO zones. | |
| | grade at least as high as the FIRM's depth number. [60.3(c)(7)] | N/A | |
| 29. | Require that new and substantially improved <u>nonresidential</u> structures within A1-30, AE, and AH Zones have their lowest floor elevated or floodproofed to or above the base flood elevation. [60.3(c)(3)] | 12-52 | |
| 30. | In AO Zones, require new and substantially improved nonresidential structures | | not required if community has no AO |
| | have their lowest floor elevated or completely floodproofed above the highest adjacent grade to at least as high as the depth number on the FIRM. | zones. N/A | |
| | [60.3(c)(8)] | 1477 | |
| 31. | Require that, for floodproofed non-residential structures, a registered professional/architect certify that the design and methods of construction meet requirements at (c) (3) (ii). [60.3(c)(4)] | 12-52 | |
| 32. | Require, for all new construction and substantial improvements, that fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage have permanent openings designed to allow the entry and exit of flood waters in accordance with specifications of 60.3(c)(5). | 12-52 | |
| 33. | Within Zones A1-30 and AE without a designated floodway, new development shall not be permitted unless it is demonstrated that the cumulative effect of all past and projected development will not increase the BFE by more than 1 foot. [60.3(c)(10)] | floodways designat N/A | |
| 34. | In Zones AO and AH, require drainage paths around structures on slopes to guide water away from structures. [60.3(c)(11)] | AO nor AH zones. | not required if community has neither |
| | | N/A | |

(1.7

| | Ordinance | Comments |
|--|--|---|
| Item Description (Section reference of NFIP Regulations follows) | Section | 100 |
| 35. Require that manufactured homes placed or substantially improved within A1-30, AH, and AE Zones, which meet one of the following location criteria, to be elevated such that the lowest floor is at or above the BFE and be securely | NOTE: Item 35 is not required if community requires elevation of all manufactured homes to the BFE (1986 regulations). | |
| anchored: i. outside a manufactured home park or subdivision; ii. in a new manufactured home park or subdivision; iii. in an expansion to an existing manufactured home park or subdivision; iv. on a site in an existing park which a manufactured home has incurred substantial damage as a result of flood. [60.3(c)(6)] | 12-52 | - |
| 36. In A1-30, AH, and AE Zones, require that manufactured homes to be placed or substantially improved in an <u>existing</u> manufactured home park to be elevated so that: | elevation of all mar regulations). | not required if community requires suffectured homes to the BFE (1986 |
| i. the lowest floor is at or above the BFE <u>or</u> ii. the chassis is supported by reinforced piers no less than 36 inches above grade and securely anchored. [60.3(c)(12)] | 12-52 | Revision under separate cover noted. |
| 37. In A1-30, AH, and AE Zones, all recreational vehicles to be placed on a site must be elevated and anchored <u>or</u> be on the site for less than 180 consecutive days <u>or</u> be fully licensed and highway ready. [60.3(c)(14)] | 12-52 | |
| 60.3(d) When final flood elevations and floodway delineations have then all the above ordinance provisions for 60.3(a), 60.3(b) is | & 60.3(c) and the | following are required: |
| 38. In a regulatory floodway, prohibit any encroachment which would cause any increase in the base flood level unless hydrologic and hydraulic analyses prove that the proposed encroachment would not increase flood levels during the base flood discharge. [60.3(d)(3)] | 12-52 | Revision under separate cover noted. |
| 60.3(e) When final flood elevations and coastal high hazard areas high then all the above ordinance provisions for 60.3(a), 60.3(b) & | ave been provide $60.3(c)$ and the f | d on a community's FIRM, |
| | | ollowing are required: |
| <u>NOTE</u> : If a community has both floodways and coastal high both 60.3(d) and 60.3(e). | | |
| NOTE: If a community has both floodways and coastal high both 60.3(d) and 60.3(e). 39. In V1-30, VE, and V Zones, obtain and maintain the elevation of the bottom of the lowest structural member of the lowest floor of all new and substantially improved structures. [60.3(e)(2)] | | |
| both 60.3(d) and 60.3(e). 39. In V1-30, VE, and V Zones, obtain and maintain the elevation of the bottom of the lowest structural member of the lowest floor of all new and substantially | hazard areas, it i | |
| both 60.3(d) and 60.3(e). 39. In V1-30, VE, and V Zones, obtain and maintain the elevation of the bottom of the lowest structural member of the lowest floor of all new and substantially improved structures. [60.3(e)(2)] 40. In V1-30, VE, and V Zones, require that all new construction and substantial improvements: (a) Are elevated and secured to anchored pilings or columns so that the lowest portion of the lowest horizontal structural member is at or above | hazard areas, it i | |
| both 60.3(d) and 60.3(e). 39. In V1-30, VE, and V Zones, obtain and maintain the elevation of the bottom of the lowest structural member of the lowest floor of all new and substantially improved structures. [60.3(e)(2)] 40. In V1-30, VE, and V Zones, require that all new construction and substantial improvements: (a) Are elevated and secured to anchored pilings or columns so that the lowest portion of the lowest horizontal structural member is at or above the BFE. [60.3(e)(4)] (b) A registered professional engineer/architect certify that the design and methods of construction meet elevation and anchoring requirements at | hazard areas, it | must meet the requirements of |
| both 60.3(d) and 60.3(e). 39. In V1-30, VE, and V Zones, obtain and maintain the elevation of the bottom of the lowest structural member of the lowest floor of all new and substantially improved structures. [60.3(e)(2)] 40. In V1-30, VE, and V Zones, require that all new construction and substantial improvements: (a) Are elevated and secured to anchored pilings or columns so that the lowest portion of the lowest horizontal structural member is at or above the BFE. [60.3(e)(4)] (b) A registered professional engineer/architect certify that the design and methods of construction meet elevation and anchoring requirements at (e)(4)(i) and (ii). [60.3(e)(4)] (c) Have the space below the lowest floor constructed with breakaway walls | 12-52 12-52 | must meet the requirements of |

a a a a with a

| Item Description (Section reference of NFIP Regulations follows) | Ordinance Section | Comments |
|--|--|---|
| (f) Prohibit alteration of sand dunes and mangrove stands which would increase potential flood damage. [60.3(e)(7)] | 12-52 | |
| 41. Require that manufactured homes placed or substantially improved within V1-30, VE, and V Zones, which meet one of the following location criteria, meet the V Zone standards in 60.3(e)(2) through (e)(7): | NOTE: Item 41 is not required if community requires all manufactured homes meet the V Zone standards (1986 regulations). | |
| i. outside a manufactured home park or subdivision; ii. in a new manufactured home park or subdivision; iii. in an expansion to an existing manufactured home park or subdivision; iv. on a site in an existing park which a manufactured home has incurred substantial damage as a result of flood. [60.3(e)(8)] | 12-52 | •• |
| 42. In V1-30, VE and V Zones, require that manufactured homes to be placed or substantially improved in an <u>existing</u> manufactured home park to be elevated so that: i. the lowest floor is at or above the BFE, <u>or</u> ii. the chassis is supported by reinforced piers no less than 36 inches | | not required if community requires all les meet the V Zone standards (1986 |
| above grade and securely anchored. [60.3(e)(8)(iv); 60.3(c)(12)] 43. In V1-30, VE, and V Zones, all recreational vehicles to be placed on a site must be elevated and anchored or be on the site for less than 180 consecutive days or be fully licensed and highway ready. [60.3(e)(9)] | 12-52 | |

DETAILED COMMENTS (IF APPLICABLE):

Item Number

Comment

3

Elevated Building: simplify

Means a non-basement building built to have the lowest floor elevated above the ground level by foundation walls, posts, piers, columns, pilings or shear walls.

Existing Construction: revise

Means, for the purposes of floodplain management, structures for which "the start of construction" commenced before February 15, 1978. The term may also be referred to as "existing structures".

Free of Obstruction: add

Means any type of lower area enclosure or other construction element will not obstruct the flow of velocity water and wave action beneath the lowest horizontal structural member of the lowest floor of an elevated building during a base flood event. This requirement applies to the structures in velocity zones (V-Zones).

New Construction: revise

Means for floodplain management purposes, any structure for which the "start of construction" commenced on or after February 15, 1978. The term also includes any subsequent improvements to such structures.

Reasonably Safe from Flooding: add

Means base flood waters will not inundate the land or damage structures to be removed from the SFHA and that any subsurface waters related to the base flood will not damage existing or proposed buildings.

Regulatory Floodway: revise

...more than a designated height.

Structure: simplify

12

Retain only sentence one.

Substantial Damage: simplify

Retain sentence one. Add the following: This term also includes "repetitive loss" structures as defined herein.

Violation: I note your proposed language

Also add the following: A structure or other development without the elevation certificate, other certifications or other evidence of compliance required in this Chapter is presumed to be in violation until such time as that documentation is provided.

Revise text as follows: ...the provisions of this Chapter and is herein referred to as the Floodplain Administrator.

COMMUNITY ASSISTANCE CONTACT REPORT National Flood Insurance Program

| Name of Community | County | Community ID | | |
|---|----------------------------|---|--|--|
| _ | | 120034 | | |
| City of Dania Beach | Broward | 120034 | | |
| Conducted By | Agency | Date of Contact | | |
| Steve Martin | DEM | 10/20/2010 | | |
| | | , , | | |
| Floodplain Manager (FPM) | Telephone | E-Mail | | |
| Phillip Reeves | 954.924.3740 | preeves@ci.dania-beach.fl.us | | |
| | | | | |
| Address of Local Official (bo | | • • | | |
| City of Dania Beach, 100 Wes | t Dania Beach Blvd, Floric | la 33304 | | |
| Name of CEO (and address, if | different) and phone/ema | <u> </u> | | |
| • | _ | 0 Dania Beach Blvd, FL 33304 | | |
| 954.924.6800 rbaldwin@ci.da | | 0 2 11 11 2 0 11 11 11 11 11 11 11 11 11 11 11 11 1 | | |
| ibara i i i i i i i i i i i i i i i i i i | | | | |
| SUMMARY OF FINDINGS | 3 | | | |
| 1. Are there any problems v | with the community's | None Minor | | |
| floodplain management reg | | Serious | | |
| The outplant management reg | | | | |
| 2. Are there problems with | administrative and | None Minor | | |
| enforcement procedures? | | Serious | | |
| 2 4 1 | | Name Name | | |
| 3. Are there engineering or other problems with the | | None Minor | | |
| maps or Flood Insurance Study? | | Serious | | |
| 4. Are there other problems | with the local floodplain | None Minor | | |
| management program? | | Serious | | |
| Indiagonate programm | | | | |
| 5. Are there problems with | the Biennial Report data? | ⊠ No □ Yes | | |
| | | Not available | | |
| 6. Are there any programm | atic issues or problems | No Yes | | |
| identified (not specific to th | _ | 7 140 Tes | | |
| | | Potential violations | | |
| 7. Are there any potential violations of the community's floodplain management regulations? | | have been identified. | | |
| Community S noodplain ma | magement regulations: | No violations have | | |
| | | been identified. | | |
| | | 1 | | |
| | | Actions are in progress | | |
| | | to remedy any noted | | |
| ll . | | problems. | | |

NARRATIVE FOR QUESTIONS 1-7 ABOVE

The Community Assistance Contact telephone call was attended by: Phil Reeves, Chief of Structural; LouAnn Patellero, Building and Planning Operations Manager; and Steve Martin, State Floodplain Management Specialist

1. Are there any problems with the community's floodplain management regulations? Minor. The ordinance is missing certain required language as identified below. The ordinance was last updated with assistance by FEMA in 2008.

Definitions should be added for the following terms in accordance with Title 44 CFR59.1:

Violation

Severability clause should be added unless it is contained elsewhere in the Code of Ordinances and applies to the Flood Prevention and Protection ordinance.

FEMA requires communities to notify them when new technical data is obtained through special studies, water management or control projects or engineering concerning large developments or subdivisions, etc. Add language that requires the community to:

'Send FEMA within 6 months, changes in the base flood elevation by submitting technical or scientific data so insurance & floodplain management can be based on current data.' (see Title 44, CFR65.3).

Revise Article II. Section 12-32 (b) by replacing the word "Advise" with "Assure" to ensure that the Community verifies that all other state and federal permits are issued before issuing a permit for construction.

Add the following language regarding manufactured homes in existing parks:

'In A1-30, AH, and AE Zones, require that manufactured homes to be placed or substantially improved in an existing manufactured home park to be elevated so that: i. the lowest floor is at or above the BFE or, ii. The chassis is supported by reinforced piers no less than 36 inches above grade and securely anchored.' (see Title 44 CFR 60.3(c)(12))

Add the following language regarding regulatory floodways:

'In a regulatory floodway, prohibit any encroachment that would cause any increase in the base flood level unless hydrologic and hydraulic analyses prove that the proposed encroachment would not increase flood levels during the base flood discharge.' (see Title 44 CFR 60.3(d)(3))

- 2. Are there problems with administrative and enforcement procedures?
- No. There are new construction projects in flood hazard areas, however, most new work consists of building renovations, but are typically not substantial improvements. No new subdivisions are proposed in flood zones but a Habitat for Humanities project was recently permitted and Elevation Certificates were required. The Community Development, Public Works (utilities) and Code Enforcement monitor neighborhoods for any unpermitted activities. No variances from the floodplain regulations have been approved in the past several years and no variances for historic buildings have been requested. No potential code violations have been identified.
- 3. Are there engineering or other problems with the maps or Flood Insurance Study? No. The maps seem to be appropriate according to the Floodplain Manager, but could be more detailed and specific. The floodplain manager and Community Development Department uses the FEMA Map Service Center to access flood map information.
- 4. Are there other problems with the local floodplain management program? No. In addition to the regulatory program, the city public works department and contracted engineer ensure that storm water management structures are well maintained and functioning as designed. The community actively maintains its storm water lines and has retained contractors to perform this work. On new developments or repaving projects, contemporary storm water management standards must be met. Catch basins are required and are used in road turnabouts, and the storm water drainage system also includes well injection of excess water. The community participates in the LMS program with the county and attends meetings. Though there are 22 repetitive loss properties, none have applied for grant funds because the amount of losses are minimal.
- 5. Are there problems with the Biennial Report data?

No. FEMA no longer sends communities the report forms.

6. Are there any programmatic issues or problems identified? No.

7. Are there any potential violations of the community's floodplain management regulations?

No. The Floodplain Manager is not aware of any compliance issues being addressed by the communities' code enforcement department.

BACKGROUND

a) Last CAC/ By Whom/ Results

The last Community Assistance Visit was conducted by the State on June 21, 2002. Findings required community to add a definition for "Lowest Floor". The report referred to a variance from the base flood elevation by 1.6 feet for a park facility without

establishing a "hardship" to justify the variance. No follow up actions were noted in the FEMA's community information system database.

b.) History of Flood Problems/ Population/ Development / Administration

The City of Dania Beach, located within the general area of Ft. Lauderdale, was the first incorporated area in Broward County and dates to the 1880s. The community was incorporated in 1904 and is nearly built-out with few large vacant parcels remaining. The city is was one of the earliest communities in Florida to establish antiques businesses in historic commercial buildings. Up until the late 1940s, the community prospered through production of tomatoes and created a cultural event surrounding the crop called "Tomato Day Celebration". The tomato boom ended when saltwater intrusion began to contaminate well water and the fields became more suitable for

development. Today, the thriving community has a large marina on the intra-coastal waterway and includes beach front commercial property on the Atlantic Ocean. The population has grown steadily with 28,425 citizens by April 2008 according to the UF Bureau of Economic and Business Research. Between 2000 and 2008, the city grew by

There have been three flood conditions during the past 12 months all related to high amounts of rainfall. Flooding impacts affected streets and parking lots, and no damage was caused to residences (including repetitive loss properties) or businesses. There are some 6,000 mobile home units in the community but none have flooded in recent years because they are elevated. The community issues no variances in flood hazard zones. Redevelopment activities are the primary source of new construction. The community has participated in the CRS program since 1992 and is active in the county's LMS program.

c.) Insurance Information

There are 4,866 NFIP policies in the community generating nearly \$2 million in premiums and over \$820 million in coverage. There are 10 minus-rated policies, 142 total closed paid losses, and four substantial damage closed paid loss.

d.) Repetitive Loss

8.364 residents.

There are 22 repetitive losses in the community, but because they are relatively minor losses, they do not participate in the mitigation grants program.

MITIGATION GRANT ACTIVITY & INTEREST

The community is currently not participating in the Mitigation Grant program, but would like the State to send information to assist with pre-disaster mitigation activities.

OTHER FINDINGS

Possible topics under "OTHER FINDINGS"

- The Community has adopted an across-the-board one-foot freeboard for all flood zones above the BFE as a higher standard.
- During permitting activities for new development, the community coordinates closely with Broward County Department of Environmental Protection to ensure consistency with county environmental policies and standards.
- The Building Department examines costs of improvements, flood openings, elevation certificates, and conducts inspections during construction.

COMMUNITY ACTION

The following actions are required to be completed by the Community by March 30. 2011.

• Update Flood Damage Prevention Ordinance to correct minor deficiencies outlined in paragraph 1 on page 2 above.

FOLLOW-UP BY STATE

The State has done or will do the following by *January 15, 2011*:

- Provide information on the State's pre- and post- disaster mitigation grant programs.
- Send information on overlaying FEMA flood maps on Google Earth.
- Provide information for staff to take training to become a Certified Floodplain Manager.

NOTICE OF HEARING BEFORE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, REGARDING ADOPTION OF THE FOLLOWING PROPOSED ORDINANCES:

NOTICE IS GIVEN that on July 12, 2011 at 7.00 p.m. or as soon thereafter as the matter may be heard, the City Commission of the City of Dania Beach, Florida, will conduct a public hearing in the Commission Chamber at Dania Beach City Hall, 100 West Dania Beach Boulevard, Dania Beach, Florida, to consider the proposed adoption of the following ordinances:

ORDINANCE NO. 2011-022

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, ADOPTING A MODIFICATION TO THE CAPITAL IMPROVEMENT SCHEDULE OF THE CITY OF DANIA BEACH, PURSUANT TO SECTION 163.3177, FLORIDA STATUTES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE NO. 2011-021

AN ORDINANCE OF THE CITY OF DANIA BEACH, FLORIDA PERTAINING TO FLOOD REGULATIONS; AMENDING CHAPTER 12, "FLOOD DAMAGE PREVENTION" OF THE CITY CODE OF ORDINANCES; AMENDING SECTION 12-5 ("DEFINITIONS"); AMENDING ARTICLE II, "ADMINISTRATION", CODE SECTION 12-31 ("DESIGNATION OF BUILDING OFFICIAL"), SECTION 12-32 ("DUTIES AND RESPONSIBILITIES OF THE BUILDING OFFICIAL"), SECTION 12-34 ("VARIANCE PROCEDURES"), AND SECTION 12-52 ("SPECIFIC STANDARDS"); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

A copy of the proposed ordinances and backup are on file in the Community Development Office, City Hall, 100 West Dania Beach Boulevard, Dania Beach, Florida, and may be inspected by the public during normal business hours.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinances. Any person who decides to appeal any decision made with respect to any matter considered at this 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.

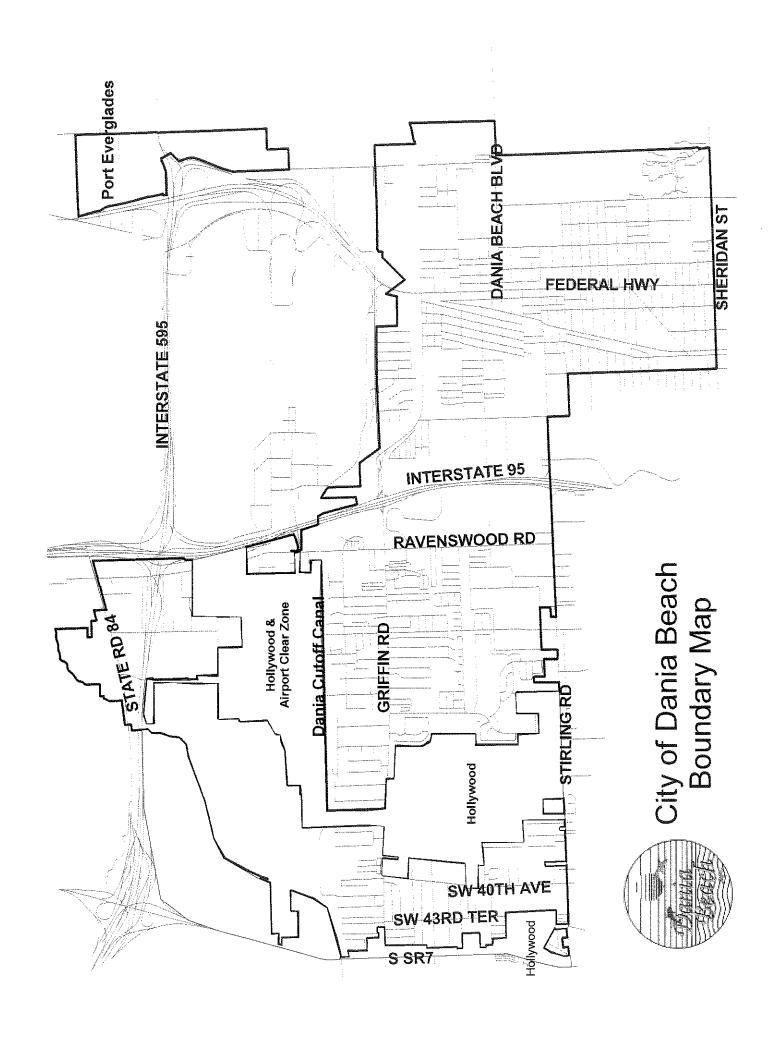
In accordance with the American with Disabilities Act, persons needing assistance to participate in any of the proceedings should contact the City Clerk's Office, 100 West Dania Beach Boulevard, Dania Beach, Florida 33004, (954) 924-6800 Ext. 3624 at least 48 hours prior to the meeting.

Please be advised that if a person decides to appeal any decision made by the Local Planning Agency, the Planning and Zoning Board or the City Commission with respect to any matter considered at this hearing, such person will need a verbatim record of the proceedings and for this purpose such person 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 based. The city does not provide or prepare such record pursuant to f.s. 286.0105.

- Co.A. Section 1

/s/ Lou Ann Patellaro Community Development Planning

Publish Sun Sentinel: Friday, July 1, 2011



CITY OF DANIA BEACH

Agenda Request Item

| Type of Request: Adopt Ordinance (2 nd Reading) (Adopt Resolution, Adopt Ordinance (1st Reading) Adopt Ordinance (2nd Reading) Award Bid /RFP, Presentation, Public Hearing) | | | | |
|---|---|------|--|--|
| Continued from: | | | | |
| Requested Action (Identify | y appropriate Action or Motion) | | | |
| Annual update of the Capital Im | Annual update of the Capital Improvement Element within the City's Comprehensive Plan | | | |
| Description of Action | | | | |
| The Florida Legislature passed Senate Bill 360 in 2005, which required that local governments annually update the Capital Improvement Element (CIE) within their comprehensive plans in order to ensure that the required level of service standard for the public facilities listed in Section 163, Florida Statues is achieved and maintained over the planning period. | | | | |
| | | | | |
| Purchasing Requests ONLY | | | | |
| Dept: | Acct #: | Amt: | | |
| Fund: (Select from: General, Water, Sewer, Stormwater, Grants, Capital) | | | | |

| Fiscal Impact/Cost Summary |
|------------------------------------|
| |
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| |
| |
| Exhibits Attached |
| Ordinance with Exhibit A |
| Staff Report Public Hearing Notice |
| Tublic Hearing Notice |
| |
| |
| |

ORDINANCE NO. 2011-022

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, ADOPTING A MODIFICATION TO THE CAPITAL IMPROVEMENT SCHEDULE OF THE CITY OF DANIA BEACH, PURSUANT TO SECTION 163.3177, FLORIDA STATUTES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to amendments to Section 163.3177(3)(b), Florida Statutes, adopted during the 2011 legislative session, modifications to the City's 5-year capital improvement schedule may be accomplished by ordinance and may be deemed not to be amendments to the local government comprehensive plan; and

WHEREAS, the City has conducted an annual review of the Capital Improvements Element of its Comprehensive Plan, and desires to modify its capital improvement schedule in accordance with Section 163.3177 (3)(b), Florida Statutes; and

WHEREAS, the City Commission of the City of Dania Beach held a duly noticed public hearing regarding the proposed ordinance, and determined that the modification of the 5-year capital improvement schedule is in the best interest of the City's public health, safety and welfare.

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

<u>Section 1.</u> Intent. That the preceding WHEREAS clauses are ratified and incorporated as the legislative intent of this Ordinance.

Section 2. That the modification of the 5-year capital improvement schedule of the City of Dania Beach, as attached in Exhibit "A" and incorporated by this reference, is adopted.

| Section 3. The section 1. | hat this Ordinance shall take effect | t immediately at the time of its passage |
|----------------------------------|--------------------------------------|--|
| and adoption. | | |
| PASSED on first | t reading on, 2011. | |
| PASSED AND A | ADOPTED on second reading on | , 2011. |
| | | |
| | | |
| | | PATRICIA A. FLURY MAYOR |
| ATTEST: | | |
| | | |
| LOUISE STILSON, CM CITY CLERK | IC | |
| | | |
| APPROVED AS TO FO | ORM AND CORRECTNESS: | |
| | | |
| THOMAS J. ANSBRO | | |
| CITY ATTORNEY | | |

REVISED June 27, 2011

| TABLE I Capital Improvement Needs Required to Meet Adopted Level of Service | | | | | | |
|---|-------------|-------------|-------------|-----------|-------------|-------------|
| Element | FY 09/10 | FY 10/11 | FY 11/12 | FY 12/13 | FY 13/14 | FY 14/15 |
| Land Use | N/A | N/A | N/A | N/A | N/A | N/A |
| Housing | N/A | N/A | N/A | N/A | N/A | N/A |
| Traffic Circulation | None | None | None | None | None | None |
| Sanitary Sewer | None | None | None | None | None | None |
| Solid Waste | None | None | None | None | None | None |
| Drainage & Water Recharge | \$250,000 | \$1,500,000 | \$5,500,000 | \$500,000 | \$1,000,000 | \$1,000,000 |
| Conservation | None | None | None | None | None | None |
| Coastal | N/A | N/A | N/A | N/A | N/A | N/A |
| Recreation | None | None | None | None | None | None |
| Intergovernmental Coordination | N/A | N/A | N/A | N/A | N/A | N/A |

| TABLE I-B Potable Water Supply Plan Projects | | | | | | |
|--|-------------|-----------|----------|----------|-------------|-------------|
| Water Utilities Dept. Projects | FY 09/10 | FY 10/11 | FY 11/12 | FY 12/13 | FY 13/14 | FY 14/15 |
| Water Plant Upgrade | | | | | | |
| Design Services (not SRF Fundable) | 0 | 0 | 0 | 0 | 0 | 0 |
| Construction Services (SRF fundable) | 0 | 0 | 0 | 0 | 0 | 0 |
| Refurbish Existing Water Treatment Plant | 0 | 0 | 0 | 0 | 0 | 0 |
| Design Services (not SRF Fundable) | 0 | 0 | 0 | 0 | 0 | 0 |
| Construction Services (SRF fundable) | 0 | 0 | 0 | 0 | 0 | 0 |
| Construction of Well "I" | \$25,000 | \$100,000 | 0 | 0 | 0 | 0 |
| Design Services (not SRF Fundable) | 0 | 0 | 0 | 0 | 0 | 0 |
| Construction Services (SRF fundable) | 0 | 0 | 0 | 0 | 0 | 0 |
| Water Tank Removal | 0 | | 0 | 0 | 0 | 0 |
| Total | \$25,000 | \$100,000 | 0 | 0 | 0 | 0 |



CITY OF DANIA BEACH COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

DATE: July 12, 2011

Debut Dund TO: Robert Baldwin, City Manager

Robert Daniels, Director FROM:

Annual update of the Capital Improvement Element within the SUBJECT:

City's Comprehensive Plan (SECOND READING).

The Florida Legislature passed Senate Bill 360 in 2005, which required that local governments annually update the Capital Improvement Element (CIE) within their comprehensive plans in order to ensure that the required level of service standard for the public facilities listed in Section 163, Florida Statues is achieved and maintained over the planning period. Each annual update was required to demonstrate a financially feasible 5-year schedule of capital improvements necessary to maintain adopted level of service standards. The Legislature subsequently extended the deadline for compliance with the financial feasibility requirement to December 1, 2011.

The changes in the CIE have incorporated information received from the Public Services Department and has been reviewed by the Director of Finance.

CURRENT STATUTORY REQUIREMENTS

On June 3, 2011 Governor Scott signed into law House Bill 7207 (enrolled as Chapter 2011-139, Laws of Florida), which removed the requirement for the 5-year schedule of capital improvements to be adopted as a comprehensive plan amendment. The law continues to require an annual update, but allows it to be adopted by ordinance at the local government level with no further review by the state. The new law also removes the requirement for financial feasibility, but the 5-year schedule that has been prepared for this annual update is financially feasible.

LOCAL PLANNING AGENCY

On April 20, 2011 the Local Planning Agency recommended approval of the amendments.

PREVIOUS CITY COMMISSION ACTION

On June 28, 2011 the City Commission heard this item on first reading.

On June 14, 2011 the City Commission continued this item at staff's request.

On May 24, 2011 the City Commission continued this item at staff's request.

On April 14, 2010 the City Commission approved the Second Amendment to the Broward County School Board Interlocal Agreement.

On January 15, 2008 the City Commission approved the first amendment to the Broward County School Board Interlocal Agreement that was amended to comply with amendments to the Florida Statues resulting from Senate Bill 360.

On April 22, 2003, the City Commission approved a resolution adopting the Broward County School Board Interlocal Agreement.

STAFF RECOMMENDATION

Approve.

NOTICE OF HEARING BEFORE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, REGARDING ADOPTION OF THE FOLLOWING PROPOSED ORDINANCES:

NOTICE IS GIVEN that on July 12, 2011 at 7.00 p.m. or as soon thereafter as the matter may be heard, the City Commission of the City of Dania Beach, Florida, will conduct a public hearing in the Commission Chamber at Dania Beach City Hall, 100 West Dania Beach Boulevard, Dania Beach, Florida, to consider the proposed adoption of the following ordinances:

ORDINANCE NO. 2011-022

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, ADOPTING A MODIFICATION TO THE CAPITAL IMPROVEMENT SCHEDULE OF THE CITY OF DANIA BEACH, PURSUANT TO SECTION 163.3177, FLORIDA STATUTES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE NO. 2011-021

AN ORDINANCE OF THE CITY OF DANIA BEACH, FLORIDA PERTAINING TO FLOOD REGULATIONS; AMENDING CHAPTER 12, "FLOOD DAMAGE PREVENTION" OF THE CITY CODE OF ORDINANCES; AMENDING SECTION 12-5 ("DEFINITIONS"); AMENDING ARTICLE II, "ADMINISTRATION", CODE SECTION 12-31 ("DESIGNATION OF BUILDING OFFICIAL"), SECTION 12-32 ("DUTIES AND RESPONSIBILITIES OF THE BUILDING OFFICIAL"), SECTION 12-34 ("VARIANCE PROCEDURES"), AND SECTION 12-52 ("SPECIFIC STANDARDS"); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

A copy of the proposed ordinances and backup are on file in the Community Development Office, City Hall, 100 West Dania Beach Boulevard, Dania Beach, Florida, and may be inspected by the public during normal business hours.

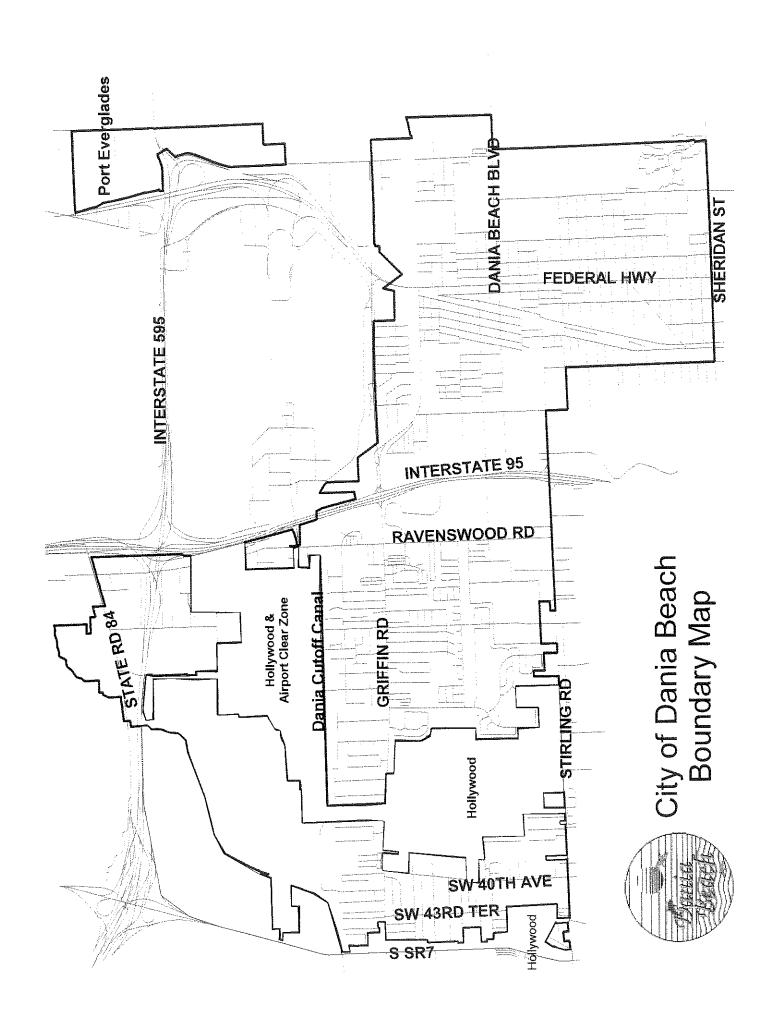
Interested parties may appear at the meeting and be heard with respect to the proposed ordinances. Any person who decides to appeal any decision made with respect to any matter considered at this hearing will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the American with Disabilities Act, persons needing assistance to participate in any of the proceedings should contact the City Clerk's Office, 100 West Dania Beach Boulevard, Dania Beach, Florida 33004, (954) 924-6800 Ext. 3624 at least 48 hours prior to the meeting.

Please be advised that if a person decides to appeal any decision made by the Local Planning Agency, the Planning and Zoning Board or the City Commission with respect to any matter considered at this hearing, such person will need a verbatim record of the proceedings and for this purpose such person 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 based. The city does not provide or prepare such record pursuant to f.s. 286.0105.

/s/ Lou Ann Patellaro Community Development Planning

Publish Sun Sentinel: Friday, July 1, 2011



CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Adopt Ordinance (1st Reading)

(Adopt Resolution, Adopt Ordinance (1st Reading) Adopt Ordinance (2nd Reading) Award Bid /RFP, Presentation, Public Hearing)

Continued from:

Requested Action (Identify appropriate Action or Motion)

Update the Public School Facilities Element of the City's Comprehensive Plan, reflecting the second amendment to the Broward County School Board Interlocal Agreement and approval of the annual update of the Capital Improvement Element within the City's Comprehensive Plan

Description of Action

Broward County School Board, Board of County Commissioners, and 26 Broward municipalities, including the City of Dania Beach, executed the original Interlocal Agreement (ILA) for Public School Concurrency. On January 15, 2008, it was amended to comply with amendments to the Florida Statues resulting from Senate Bill 360. On April 14, 2010, the City Commission approved the Second Amendment to the Broward County School Board ILA, along with 23 municipalities and Broward County.

| Purchasing Reques | sts ONLY | | |
|--------------------------|---|-------------|--|
| Dept: | Acct #: | Amt: | |
| Fund: (Select | from: General, Water, Sewer, Stormwater, Grants | s, Capital) | |

| Fiscal Impact/Cost Summary |
|----------------------------|
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| |
| |
| Exhibits Attached |
| Ordinance |
| Exhibit A1 Exhibit A2 |
| Staff Report |
| Public Hearing Notice |
| |

ORDINANCE NO. 2011-023

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING THE COMPREHENSIVE PLAN BY AMENDING THE TEXT OF THE CAPITAL IMPROVEMENTS ELEMENT AND THE PUBLIC SCHOOL FACILITIES ELEMENT; PROVIDING FOR TRANSMITTAL AND ADOPTION PURSUANT TO SECTION 163.3184, FLORIDA STATUTES; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, the City of Dania Beach (the "City") proposes to amend its Comprehensive Plan (the "Comprehensive Plan") as provided for in the attached Exhibit "A1" and Exhibit "A2"; and

WHEREAS, Section 163.3184, Florida Statutes, provides for amendments to the Comprehensive Plan; and

WHEREAS, the City desires to amend the text of the Public School Facilities Element (PSFE) and the Capital Improvements Element (CIE) of the Comprehensive Plan in order to reflect recent changes to the Level of Service (LOS) standards of the Broward County School Board Interlocal Agreement with Broward County and the municipalities in the County; and

WHEREAS, staff has recommended approval of the requested amendment; and

WHEREAS, the Planning and Zoning Board, sitting as the Local Planning Agency, has reviewed this Ordinance and proposed Comprehensive Plan amendment at a duly noticed hearing, and recommended its approval and transmittal of the amendment to the Florida Department of Community Affairs ("DCA") in its capacity as the state land planning agency; and

WHEREAS, the City Commission of the City of Dania Beach conducted a first and second reading of this Ordinance at duly noticed public hearings, as required by law, and determined that the amendment is consistent with the Comprehensive Plan and is in the best interest of the City's public health, safety and welfare.

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

Section 1. Intent.

That the preceding WHEREAS clauses are ratified and incorporated as the legislative intent of this Ordinance.

Section 2. Approval.

That the amendment to the Capital Improvements Element and Public School Facilities Element of the City of Dania Beach Comprehensive Plan, as attached in Exhibits "A1" and "A2" and incorporated by this reference, is approved.

Section 3. Transmittal.

Pursuant to Section 163.3184, Florida Statutes, the City Clerk shall timely transmit this amendment to the City's Comprehensive Plan to the DCA in its capacity as the state land planning agency, and all other governmental entities as may be required by statute.

Section 4. Inclusion in the Comprehensive Plan.

It is the intention of the City Commission and it is hereby ordained that the amendment to the Comprehensive Plan made by this Ordinance shall become part of the Comprehensive Plan of the City of Dania Beach.

Section 5. Conflicts.

All ordinances or parts of Ordinances and all Resolutions or parts of Resolutions in conflict with the provisions of this Ordinance are hereby repealed.

Section 6. Severability.

If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 7. Effective Date.

This Ordinance shall become effective immediately upon passage on second reading. In accordance with Section 163.3184, Florida Statutes, the amendment to the Comprehensive Plan shall take effect 31 days after the state land planning agency notifies the City that the plan amendment package is complete; however, if timely challenged, the amendment shall not become effective until the state land planning agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance.

| PASSED on first reading on, | 2011. |
|---|---------|
| | |
| PASSED AND ADOPTED on second reading on | , 2011. |

| ATTEST: | PATRICIA A. FLURY MAYOR |
|------------------------------------|----------------------------|
| LOUISE STILSON, CMC CITY CLERK | |
| APPROVED AS TO FORM AND CORRECTNES | SS: |
| THOMAS J. ANSBRO CITY ATTORNEY | |

IV. REQUIREMENTS FOR CAPITAL IMPROVEMENTS GOALS, OBJECTIVES AND POLICIES

The goal of the Capital Improvements Element of the Dania Beach Comprehensive Plan is to ensure the timely and efficient provision of public facilities and to ensure that sound fiscal policies are adhered to in the provision of these facilities

Objective I

All land use decisions shall be coordinated with fiscal resources and will maintain adopted levels of service.

Policy 1.1 Requests for amendments to the Comprehensive Plan shall be based upon analysis of the infrastructure planned to support the affected area.

Objective II

The capital improvements element will be utilized as a vehicle for the construction of capital facilities to address the existing deficiencies, to accommodate future growth and to replace obsolete facilities.

- Policy 2.1 Continue to evaluate local capital improvement projects. The criteria shall include as a priority those projects which must be implemented to maintain an adequate level of service for the elements of the Comprehensive Plan. The criteria will also address the following:
 - 1. Elimination of any public hazards
 - 2. Elimination of an existing capacity deficiency
 - 3. Impact on local budget
 - 4. Financial feasibility
- Policy 2.2 The City shall manage its debt to limit instruments for funding in the following manner:

Revenue bonds shall be limited to 20% of total debt.

Policy 2.3 A program for the replacement of capital beaks shall include the following:

Review by Department Heads Review by City Manager and Finance Director Approved by City Commission

- Policy 2.4 Public facility deficiencies will be addressed consistent with the schedule in II (A)(3).
- Policy 2.5 Fiscal policies utilized to direct expenditures for capital improvements shall be consistent with the policies of other elements within the Comprehensive Plan
- Policy 2.6 Local capital improvements projects shall be prioritized by locational needs based upon projected growth patterns; a combination of new development/redevelopment facility demand; and plans of state agencies and Water management districts.
- Policy 2.7 Local option fuel tax shall be used for transportation expenditures needed to meet the requirements of the capital improvements element.
- Policy 2.8 Local option fuel tax shall be used for expenditures needed to meet immediate local transportation needs and for other transportation related expenditures that are critical to building a comprehensive roadway network.
- Policy 2.9 Local option fuel tax can be used for the construction of new roads, the reconstruction or resurfacing of existing paved roads, or the paving of existing graded roads for purposes of increasing roadway capacity or improving traffic safety. Expenditures for purposes of this paragraph shall not include routine maintenance of roads.
- Policy 2.10 Local option fuel tax can be used for the construction of new sidewalks or bike paths or the reconstruction or resurfacing of existing sidewalks or bike paths for purposes of improving pedestrian/bike accessibility or safety or for complying with the Americans with Disabilities Act ("ADA"). Expenditures for purposes of

this paragraph shall not include routine maintenance of sidewalks or bikepaths.

Policy 2.11 Local option fuel tax can be used to fund traffic related improvements necessary to improve traffic and pedestrian safety. Traffic related improvements shall include but not be limited to, driveway relocation/modification, traffic control devices, intersection improvements, and traffic calming related improvements, improved lighting (replacement or modification lighting), median improvements (including landscaping and irrigation), and seawall improvements relating to road stabilization near waterways.

Objective III

Future development shall bear its proportional share of the cost of facility improvements which are necessary to the development. All new developments shall conform to the level of service standards outlined in the Comprehensive Plan.

Policy 3.1 Level of service standards outlined in this Comprehensive Plan shall be adhered to as follows:

A. Sanitary Sewer

- Dwellings: Each Single Family Unit =1 ERC
- Condominium:
 3 bedroom 300 gpd 1 ERC
 1 & 2 bedroom 250 gpd
 0.71 ERC
- 3. Motel/Hotel:
 150 gpd per room
 200 gpd per pool
 350 gpd per mgr. apt.
- 4. <u>Mobile Home:</u> 100 gpd per space
- 5. Office

0.2 gpd per square feet

6. Retail:

0.1 gpd per square foot

7. <u>Laundries:</u>

400 gpd per machine

8. <u>Bar (no food service):</u>

20 gpd per seat

9. Restaurants:

24 hour - 50 gpd per seat (Including bar) Less than 24 hours -30 gpd per (Including bar)

10. Theaters:

5 gpd per seat

11. Assembly Hall:

2 gpd per seat

12. <u>Park:</u>

10 gpd per person

13. <u>Factories:</u>

15 gpd per person per shift

14. <u>Institutions:</u>

100 gpd per person

15. Church:

7 gpd per seat

16. Service Station:

Full Service Station
First Two Bays - 750 gpd
Each Additional Bay - 300 gpd
Per Fuel Pump - 100 gpd

Self Service Station Per Fuel Pump 50 gpd

17. Elementary School:

10 gpd per pupil 5 gpd per shower per pupil 5 gpd per cafeteria per pupil

18. High School:

15 gpd per pupil 5 gpd per shower per pupil 5 gpd per cafeteria per pupil

19. Hospital and Nursing Home:

200 gpd per bed 100 gpd per staff

20. Warehouse:

0.1 gpd per square foot

B. Solid Waste

1. <u>Residential</u>

8.9 lbs/unit/day

2. <u>Industrial/Commercial</u>

Factory/Warehouse 2 lbs/100 sf/day
Office 1 lb/100 sf/day
Department Store 4 lbs/100 sf/day
Supermarket 9 lbs/100 sf/day
Restaurant 2 lbs/meal/day
Drug Store 5 lbs/100 sf/day

3. Schools

Grade School 10 lbs/room & ¼ lb/pupil/day
High School 8 lbs/ room & ¼ lb/pupil/day

4. <u>Institution</u>

Hospital 8 lbs/bed/day
Nursing Home 3 lbs/bed/day
Home for Aged 3 lbs/person/day
Rest Homes 3 lbs/person/day

C. Drainage

1. Road Protection

Residential and primary streets crown elevation meet the minimum elevations as published on the Broward County 10 year Flood Criteria Map.

2. Buildings

The lowest floor elevation shall not be lower than the elevation published on the Broward County 100 year flood elevation map plus 1 foot for residential and for commercial/industrial. For marina facilities shall not be lower than 100 year flood elevation plus 1 inch.

3. Storm Sewers

Shall be designed using the Florida Department of Transportation Zone 10 rainfall curves.

4. Flood Plain Routing

Modified SCS routing method as established by the SFWMD "Basis of Review".

5. Best Management Practice

Efforts shall be utilized to use best management practice to reduce pollutants entering the groundwater.

D. Potable Water

Dwellings:

Each Single Family Unit = 1 ERC

2. Condominium:

3 bedroom 300 gpd 1 ERC 1&2 bedroom 250 gpd 0.71 ERC

3. Motel/Hotel:

150 gpd per room/200 gpd per pool 350 gpd per mgr. apt.

4. Mobile Home:

100 qpd per space

- 5. Office 0.2 gpd per square feet
- 6. Retail: 0.1 gpd per square foot
- 7. <u>Laundries:</u> 400 gpd per machine
- 8. <u>Bar (no food service):</u> 20 gpd per seat
- 9. Restaurants:
 24 hour 50 gpd per seat (Including bar)
 Less than 24 hours -30 gpd per seat
 (Including bar)
- 10. <u>Theaters:</u> 5 gpd per scat
- 11. <u>Assembly Hall:</u> 2 gpd per seat
- 12. <u>Park</u> 10 gpd per person
- 13. <u>Factories:</u>
 15 gpd per person per shift
- 14. <u>Institutions:</u> 100 gpd per person
- 15. <u>Church:</u> 7 gpd per seat
- 16. Service Station:
 Full Service Station
 First Two Bays 750 gpd
 Each Additional Bay 300 gpd
 Per Fuel Pump 100 gpd

Self Service Station Per Fuel Pump 50 gpd

17. <u>Elementary School:</u>

10 gpd per pupil

5 gpd per shower per pupil

5 gpd per cafeteria per pupil

18. High School:

15 gpd per pupil

5 gpd per shower per pupil

5 gpd per cafeteria per pupil

19. Hospital and Nursing Home:

200 gpd per bed

100 gpd per staff

20. Warehouse:

0.1 gpd per square foot

E. Transportation

The City of Dania Beach shall adopt the following LOS standards for roadways on the SIS, including connectors, and roadway facilities funded in accordance with Section 339.2819 F.S., the Transportation Regional Incentive Program (TRIP), shall be set forth in Rule 14-94, FAC, summarized below. These standards shall apply for the purpose of issuing development orders and permits.

1. SIS Facilities

| | DANIA BEACH | SIS FACILITIES | |
|-------------------|---|--|------------------|
| | Roadway | Roadway Segment | LOS Standard* |
| SIS CORRIDORS | I-95 | Miami-Dade County Line to Palm Beach County Line | E |
| | I-595 | I-75 to US1 | D |
| | Port Everglades | I-595 east straight into entrance (Eller Drive) | |
| SIS CONNECTORS | Ft. Lauderdale- Hollywood International Airport | I-95 to Griffin Road to Ravenswood Road to Gulfstream Way to | D |

| TRIP-FUNDED FACILITIES** | None | None | D |
|--------------------------|------------------|------------------|------------------|
| | Tri-Rail Station | entrance. | |
| | Roadway | Roadway Segment | LOS Standard* |
| | DANIA BEAC | H SIS FACILITIES | |

^{*} The level of service letter designations are defined in FDOT's 2002 Quality/Level of Service Handbook unless an alternate (as refined through identified mobility strategies) standard is agreed to in writing by FDOT.

- a. When LOS standards are developed for SIS connectors, the City will evaluate adoption of the standards.
- b. To assist in maintaining SIS levels of service standards in the future, the City shall also consider strategies such as improvements to or the creation of parallel facilities, encouraging use of alternate modes of travel, and supporting travel demand management techniques.
- 2. Non-SIS/FIHS Roadways and Roadways Functionally Classified as Collector Roads or Higher: "D".

3. Concurrency Districts

The County is divided into Concurrency Districts. Each District shall be one of the following:

a. A Transportation Concurrency Management Area (TCMA) shall be a compact geographic area with an existing network of roads where multiple, viable alternative travel paths or modes are available for common trips. An area-wide level of service standard shall be established for this District, for the purpose of issuing development orders and permits, based on how mobility will be accomplished within the Area.

^{**} Broward County should coordinate with FDOT on the setting of the level of service standard for facilities that receive TRIP funding. The presumption is that LOS D will apply as soon as the improvement is programmed for implementation; however, an alternate standard may be adopted in TCMAs if agreed to in writing by FDOT.

The City incorporates the Transportation Concurrency Management Areas (TCMAs) as per the Broward County Transportation Element. Development and redevelopment within TCMAs (includes the entire City of Dania Beach) shall comply with the concurrency regulations as defined in Policies 1.20 and 1.21 of the Transportation Element and the City's Zoning and Land Development Regulations.

The City of Dania Beach lies within the following Transportation Concurrency Management Area (TCMA) Concurrency Districts. Within Transportation Concurrency Management Areas, the transportation LOS standards, for the purpose of issuing development orders and permits, are to achieve and maintain the following by FY 2013:

- Southeast District (includes area larger than Dania Beach) – Achieve/maintain headways of 30 minutes or less on 80% of routes. Establish and maintain service at least one neighborhood transit center. Increase peak-hour weekday fixed-route ridership by 24 percent from FY2009-FY2013.
- ii. Central District (includes area larger than Dania Beach) Maintain headways of 30 minutes or less on 80% of routes. Establish and maintain service at one or more neighborhood transit centers. Reduce traffic signal communication failures by 50% by FY 2013. Increase hour weekday fixed-route transit ridership by 19% from FY 2009 to FY 2013. Maintain the current number of community bus routes (24) through 2013.

- iii. Port/Airport District (includes area larger than Dania Beach) - Increase peak-hour weekday fixed-route transit ridership by 20% from FY 2009 - FY 2013. Continue to pursue the ongoing Project Development Environment study to define facilitate direct alternatives that movement of people and goods between Port Everglades and Fort Lauderdale International Airport. This study also includes an intermodal center to facilitate this connectivity along with connections to local and regional transit services including county transit routes, Tri-rail and potential passenger transit services on the Florida East Coast rail corridor. Implementation of these improvements would serve to ensure efficient operations within the port and airport while addressing traffic congestion on Strategic Intermodal System facilities and other roadways. The results of this study will be incorporated into the Master Plans for the Port and Airport by FY 2013. Funding for this project has not yet been identified. Also continue to pursue, as a potential condition of proposed amendments to the Northport DRI, a by-pass roadway for Port Everglades, that would provide a connection between U.S.1 and S.E.17th Notwithstanding the above, Street. County had no affirmative obligation to find or construct this by-pass roadway.
- iv. Overall Increase number of bus stop shelters by 25 percent from FY2009 to FY2013. Traffic volumes on arterial roadways in each District shall remain less than the maximum service volumes as displayed below. These volumes do not apply to Strategic Intermodal System (SIS) and Transportation Regional Incentive Program-funded roadway facilities and can not be used in a

manner that would result in interference with mainline operations on SIS roadway corridors.

| Peak Hour Two Way N Volume | |
|-------------------------------|-------|
| Two-lane arterials | 2555 |
| Four-lane arterials | 5442 |
| Six-lane arterials | 8190 |
| Eight-lane arterials | 10605 |

The Maximum Service Volumes are calculated from "Generalized Peak Hour Two-Way Volumes for Florida's Urbanized Areas", published by the Florida Department of Transportation, as 75% above the volumes for Class IV State Two-Way Arterials, for Level of Service E, for the Eastern Core District; and as 75% above the volumes for Class II State Two-Way Arterials, for Level of Service D, for all other Districts.

Based on recommendations by the MPO, the Broward County Commission shall adopt a five-year County Transit Program (CTP) that is projected to achieve the level of service standards for each District listed in Policies 1.20 and 1.21 of the City's Transportation Element. The County Commission shall ensure that the CTP is a financially feasible plan. The CTP shall be updated annually. Any change in the level of service standards requires an amendment to the Transportation Element of the Broward County and City Comprehensive Plans.

b. A Standard Concurrency District shall be an area where roadway improvements are anticipated to be the dominant form of transportation enhancement. A roadway level of service standard shall be

established for each such District, based on the peak-hour standard volumes contained in the Florida Department of Transportation Level of Service Manual

There are no Standard Concurrency Districts lying within the City of Dania Beach.

F. Schools

The level of service standard is based upon the capacity of the school facility, which is the number of pupils to be served by the facility. The level of service is expressed as the percentage (ratio) of student enrollment to the student capacity of the school. The level of service is standard and is expressed in terms of Florida Inventory of School Houses (FISH) capacityas follows:

The level of service standard is uniformly setatshall be-10±0 percent of gross capacity (with relocatable classrooms) for each school type (elementary, middle, high and special purpose schools)concurrency service areas (CSA) throughout Broward County's School District until the end of the 2018/19 school year; and commencing at the 2019/20 school year, the level of service for each CSA shall be 110% of permanent Florida Inventory of School Houses (FISH) capacity for each public elementary, middle and high school..

G. Parks and Recreation

The level of service standard for parks and recreation and is 3 acres / 1,000 population

Policy 3.2 Public facilities shall be available to support development concurrent with the impacts of said development. No development permits shall be issued for new development or new redevelopment unless adequate public facilities consistent with the

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level of service standards outlined in the comprehensive Plan are in place.

Policy 3.3 New developments will be assessed a pro rata share of the costs associated with new public facility needs to support the new growth.

Objective IV

Public expenditures in the coastal high hazard areas will be limited to maintenance and repair.

Policy 4.1 Expenditures for infrastructure shall be made only to maintain and repair existing infrastructure.

Objective V

Public facility construction provided for in Plan Elements shall be monitored through the land development review process to ensure that the City is not required to construct improvements beyond its financial capacity.

Policy 5.1 Revise land development regulations to ensure that objectives of the Comprehensive Plan are accomplished.

Objective VI

The City of Dania Beach, in collaboration with the School Board and Broward County, shall ensure that public school facilities are available for current and future students consistent with available financial resources and the adopted Level of Service (LOS) standard.

Policy 6.1

Consistent with policies and procedures within the Interlocal Agreement, the District Educational Facilities Plan (DEFP) shall contain a 5 year financially feasible schedule of capital improvements to address existing deficiencies and achieve and maintain the adopted LOS standard in all Concurrency Service Areas. This financially feasible schedule shall be updated on an annual basis and annually adopted into the Capital Improvement Element (CIE).

Policy 6.2

The uniform, district-wide LOS shall be <u>100 percent of gross</u> capacity (with relocatable classrooms) for each concurrency service

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areas (CSA) until the end of the 2018/19 school year; and commencing at the 2019/20 school year, the level of service for each CSA shall be 110% of permanent Florida Inventory of School Houses (FISH) capacity for each public elementary, middle and high school.

110% of the permanent FISH capacity for each public elementary, middle and high school.

Policy 6.3

The adopted LOS shall be applied consistently by the City of Dania Beach, Broward County and the School Board, district-wide to all schools of the same type.

Policy 6.4

The School Board's DEFP FY 09/10-13/14/10/11-14/15, as adopted and amended by the School Board on August 25, 2009September 7, 2010, is adopted by reference into the CIE.

Objective VII Explore additional fresh raw water supplies

- Policy 7.1 Investigate additional well locations in the City's current wellfield. This will require drilling of test wells, additional monitoring wells (completed 2007) and modeling of proposed locations to determine if additional raw water is available in Dania Beach.
- Policy 7.2 Participate with the County of efforts to recharge the County wellfield on a utilization basis. This may include additional wells, storm water recharge or reuse recharge.

EXHIBIT A2



City of Dania Beach

Chapter 11 Public School Facilities Element

9J-5.025 Adopted April 8, 2008 Revised January 2011

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PUBLIC SCHOOL FACILITIES ELEMENT

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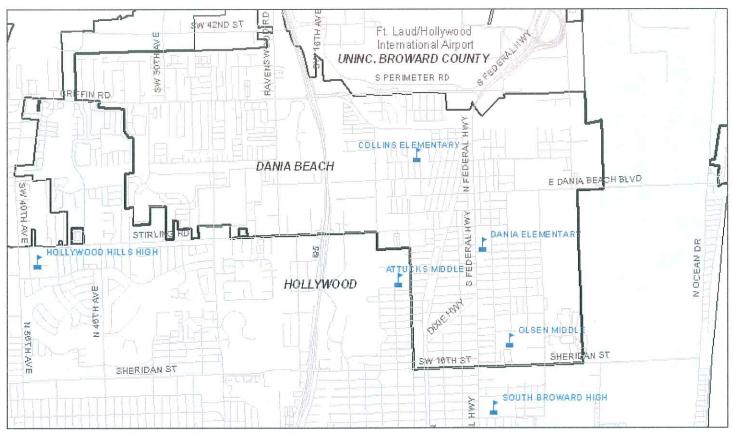
Public School Facilities Element Update

Ord. _____

__/__/__

EXECUTIVE SUMMARY

Schools serving the City of Dania Beach include Dania Beach Elementary, Collins Elementary, Olsen Middle, Attucks Middle, Hollywood Hills High, and South Broward High. Collins Elementary, Dania Beach Elementary and Olsen Middle School are situated within the city limits. There are no Charter or Special schools located within the city. The below figure depicts the location of the schools serving the city.



source: Leigh Robinson Kerr & Associates, Inc.; Broward County GIS data

The service area for Dania Beach Elementary generally includes the area east of the FEC Railroad. Collins Elementary serves the balance of the City. Olsen Middle serves the majority of the City with some students attending Attucks Middle. South Broward and Hollywood Hills High Schools serve the City and are located within 2 miles of the City limits.

Below is a summary of the current and projected capacity and enrollment data for schools serving the city.

| School | Curre | ent | Projected | | | | | | | |
|-------------------------|-------------------------|------|-----------|------|---------|------|---------|------|---------|------|
| | 10/1 | 1 | 11/ | 12 | 12/ | 13 | 13/ | 14 | 14/ | 15 |
| | 20 th day | Cap. | Enroll. | Cap. | Enroll. | Cap. | Enroll. | Cap. | Enroll. | Cap. |
| Collins Elementary | 349 | 399 | 363 | 399 | 367 | 399 | 377 | 399 | 387 | 399 |
| Dania Elementary | 443 | 623 | 461 | 623 | 468 | 623 | 472 | 623 | 476 | 623 |
| Attucks Middle | 895 | 1227 | 905 | 1227 | 910 | 1227 | 905 | 1227 | 931 | 1227 |
| Olsen Middle | 1122 | 1698 | 1147 | 1698 | 1166 | 1698 | 1175 | 1698 | 1150 | 1698 |
| Hollywood Hills High | 1855 | 2786 | 1899 | 2786 | 1866 | 2786 | 1883 | 2786 | 1838 | 2786 |
| South Brwrd High | 2085 | 2289 | 2165 | 2289 | 2123 | 2289 | 2163 | 2289 | 2141 | 2289 |

Source: School Board of Broward County Adopted District Educational Facilities Plan 10/11-14/15, Attachment G.

No schools serving the City of Dania Beach are projected to be over capacity through the current planning horizon (14/15).

I. INTRODUCTION

Over the past decade the Florida Legislature has progressively strengthened the ties between school planning and general land use and comprehensive planning through amendments to Chapters 163 and 1013, Florida Statutes. The 2005 Legislature mandated that the availability of public schools be made a prerequisite for the approval of residential construction and directed a closer integration of planning for school capacity with comprehensive planning. Under the provisions adopted with Senate Bill 360:

- Existing Interlocal Agreements between school boards and local governments will be updated and expanded to comply with the legislation.
- Each local government is to adopt a Public School Facilities Element as part of its comprehensive plan.
- Mandates school concurrency
- Local governments must update their Intergovernmental Coordination Element and Capital Improvements Element to coordinate public school planning
- Procedures for comprehensive plan amendments
- Establish a process and uniform methodology for proportionate share mitigation.

Public School Facilities Element Requirements

The law requires that local governments adopt a public school facility element as a part of their comprehensive plans to establish a framework for the planning of public schools. (s. 163.3177(12), F.S.). Local governments were granted approximately three years to adopt a public school facilities element. As directed by the legislation, the Florida Department of Community Affairs has established a phased schedule for adoption of the elements with each local government adopting no later than December 1, 2008. This schedule established due dates which are staggered throughout the course of the 2008 calendar year. Broward County is required to adopt it no later than February 1, 2008. In addition, the Legislature established enforcement mechanisms should a local

government and school district fail to adopt a public school concurrency program.

The legislation prescribed the following minimum content requirements for goals, objectives, and policies:

- procedure of annual update process;
- procedure for school site selection;
- procedure for school permitting;
- provision of infrastructure necessary to support proposed schools;
- provision for collocation of other public facilities in proximity to public schools;
- provision for location of schools proximate to residential areas and to complement patterns of development;
- measures to ensure compatibility of school sites and surrounding land uses; and
- coordination with adjacent local governments and the school district on emergency preparedness issues.

In addition, the element is to include one or more future conditions maps which generally depict;

- The anticipated location of educational and ancillary plants anticipated over the five-year and long-term planning period.
- Depict the anticipated location of educational and ancillary plants, including the general location of improvements to existing schools or new schools anticipated over the 5-year or long-term planning period; and
- Out of necessity, the maps will be general for the long-term planning period and more specific for the 5-year period. Maps indicating general locations of future schools or school improvements may not prescribe a land use on a particular parcel of land.

The data and analysis portion of the Public School Facilities Element must address:

- how level-of-service standards will be achieved and maintained;
- the interlocal agreement adopted pursuant to s. 163.31777 and the 5-year school district facilities work program adopted pursuant to s. 1013.35;

- the educational plant survey prepared pursuant to s. 1013.31 and an existing educational and ancillary plant map or map series;
- projected future population and associated demographics, including development patterns year by year for the upcoming 5-year and long-term planning periods; and
- Anticipated educational and ancillary plants with land area requirements.
- information on existing development and development anticipated for the next 5 years and the long-term planning period;
- an analysis of problems and opportunities for existing schools and schools anticipated in the future;
- an analysis of opportunities to collocate future schools with other public facilities such as parks, libraries, and community centers;
- an analysis of the need for supporting public facilities for existing and future schools;
- an analysis of opportunities to locate schools to serve as community focal points

A. Concurrency Management System (CMS)

The concurrency management system for Broward County is an intergovernmental effort that is grounded in the provisions of the Broward County Charter, which provide for county-wide planning processes implemented through the County's Land Development Code. The public school facility Concurrency Management System operates according to the state mandated requirements (Section 163.31777 F.S. and 163.3180 F.S.) for the implementation of school concurrency and the adopted School Board's Interlocal Agreement for Public School Facility Planning (Interlocal Agreement). These require Broward County, the School Board and non-exempt municipalities to ensure that the adopted Level of Service Standard (LOS) to be achieved and maintained for each school type and Concurrency Service Area (CSA).

Unlike existing concurrency services (roads, sanitary sewer, solid waste, drainage, potable water, recreation and mass transit) which are the responsibility of local governments, the School Board, by constitutional mandate, has the responsibility of providing educational facilities to meet the needs of current and future students as represented in the School Board's adopted

Five Year District Educational Facilities Plan (DEFP). The local governments, therefore, do not have control of the funding sources or the allocation of funds for new or renovated schools which would add student capacity. However, since the School Board isn't empowered to implement a Concurrency Management System on its own, it must rely upon the local governments to do so through their Land Development Regulations.

The Broward County Land Development Code contains the County's Concurrency Management System. The Code requires plat approval of all parcels of land prior to receiving a Development Order. Plat approval applies to land within the municipal boundaries as well as that in the unincorporated areas. Per State requirements, the point of review for Public School Concurrency is at plat or site plan (or functional equivalent).

When a development application is reviewed for school concurrency, it must be determined if the development is exempted or vested (as per Section 8.11 of the Interlocal Agreement) or has been issued a School Capacity Availability Determination Letter (SCAD) by the School Board indicating that adequate school capacity exists. If so, it can be accepted by the County for further processing.

If the development application is not exempted or vested, it is subject to school concurrency and the applicant must submit a Public School Impact Application (PSIA) to the applicable local government for review by the School District according to the provisions and processes outlined in Section 8.13 of the Interlocal Agreement.

B. Collaborative Planning Process & Intergovernmental Coordination

The collaborative planning process has greatly increased with the passage of the 2005 Infrastructure and Planning Act (SB 360) which mandated the adoption of a Broward County Public School Facility Element and implementation of public school concurrency by February 1, 2008.

Since the beginning of 2006, School Board staff has been working collaboratively with the County and municipalities through the School Board's Staff Working Group and Oversight

Committee to form consensus on the amendments to the Interlocal Agreement and the preparation of a model Public School Facilities Element. Several Staff Working Group Subcommittees were also established to deal with issues including collocation of school facilities, land use changes and developing urban school standards. These committees continue to meet on a regular basis in order to implement the state mandated requirements to coordinate and collaborate on updates to the District Educational Financially Feasible Plan (DEFP), Concurrency Service Areas (CSAs) and amendments to the Comprehensive Plans of the County and non-exempt municipalities for the implementation of public school concurrency.

C. Level of Service Standard Methodology

The level of service standard is based upon the capacity of the school facility, which is the number of pupils to be served by the facility. The level of service is expressed as the percentage (ratio) of student enrollment to the student capacity of the school. The level of service is standard and is expressed in terms of Florida Inventory of School Houses (FISH) capacity. FISH capacity is determined by Florida Department of Education quidelines and represents a measure of the physical capacity of the facility itself. FISH capacity includes satisfactory student stations in classrooms. Based upon the second amendment to the Interlocal Agreement for Public School Facility Planning, which became effective in September 2010, the level of service standard is uniformly set at 100 percent of gross capacity (with relocatable classrooms) for each CSA until the end of the 2018/19 school year; and commencing at the 2019/20 school year, the LOS for each CSA shall be 110% of the permanent FISH capacity.

The relationship of enrollment to capacity, for individual schools and for concurrency service areas, is derived directly from the five-year schedule of capital improvements that incorporates the Five-Year District Educational Facilities Work Program adopted annually by the School Board. The school capacity and level of service analysis is assigned in a capacity/enrollment and level of service table. This table provides a year-by-year projection of capacity, enrollment, levels of service and available capacity, illustrating surpluses and deficiencies, based on the financially feasible capital program adopted by the school district.

Student enrollment is projected annually based on the specific function of the educational facility and the characteristics of the school attendance area, historical trends, the current and projected pace of development and the potential of vacant lands.

Other factors such as students attending schools outside their assigned attendance areas due to reassignments, magnet programs, charter schools and other educational choices are factored into the methodology for enrollment projections and for allocating school capacity.

Student enrollment projections are geographically based using local development trend data and the District's historic student enrollment data. School-by-school enrollment projections by concurrency service areas are applied. General locations of future public schools to be constructed within the District over five years are applied to concurrency service areas relative to the location serving the anticipated capacity deficit. In addition, as stated in School Board Policy 5000, the School Board will maximize the use of existing space throughout the District, not to exceed capacity equal to or greater than 100% of gross FISH capacity, through boundary changes in order to meet school concurrency. As a temporary solution, the implementation of as identified alternative enrollment options Superintendant will be the sole discretion of the School Board to ease overcrowding until permanent capacity becomes available through the building of additional facilities on site, boundary change, or new schools.

School enrollments exceeding the available capacity resulting in a level of service greater than 100% of gross FISH capacity in the first fiscal year, achieve the level of service standard by the fifth year due to planned capital improvements not yet available until the final year.

D. Problems and Opportunities for Existing and Future Schools

1. Land Availability

A major issue facing the School Board is land availability. Existing schools recovering from the last thirty years of rapid growth have seen the school sites become crowded with

classroom additions and relocatables. Additions/relocatables have taken over playfields, playgrounds, green space, and parking areas. The demand for larger water retention areas and more parking facilities has also reduced the useable area for the educational program.

Due to this land crisis, the School Board has worked with staff to develop strategies to reduce the site size requirement to build new schools and expand an already aggressive collocation model. In February 2009, the School Board adopted the Guidelines for Urban Concepts via Resolution #09-66. The resolution encourages designing a tighter building footprint, sharing parking and playfields, as well as exploring the use of parking garages verse surface parking, this will be possible. In addition, as a standard practice, the School District tries to purchase school sites adjacent to parks and recreation areas.

2. Construction Costs & Revenue Sources

Another major issue is the shrinking of capital revenue and the rising cost of construction. The School Board annually tackles the tough task of balancing the needs for capacity additions versus capacity maintenance at the existing schools. In a district that must maintain an estimated 34 million square feet of space the need is great to fund the life cycle replacement of major infrastructure systems such as roofing, air conditioning, plumbing, and electrical distribution. The School Board has the challenge to not only add capacity but to maintain the existing capacity and its infrastructure.

3. Enrollment Projections

Enrollment is not uniform throughout the District as local communities go through their aging cycles at different rates. The District is still experiencing growth in certain areas of the county that has stressed the educational facility capacities in that area. Planning based on sound enrollment projections has proven to be a crucial component especially in times of financial

The updated five-year student enrollment projections provide a basis for determining capital needs. Table 1 below,

summarizes the actual enrollment, by level, for the 2010-2011 and the projected enrollment for 2015-2016 school years. The enrollment projections are compared to the 20th day figures for the current (2010-2011) school year. As indicated in the table, an increase of 1,669 students occurred between 2009-2010 and 2010-2011.

| Table 1: Summary of Enrollment Projections | | | | | | | | | |
|--|---|---|---|--|---|--|--|--|--|
| School Type | 2009-2010 20 th Day Enrollment | 2010-2011 20 th Day Enrollment | 2010-2011 Increase (Decrease) Over 2009- 10 20 th Day Enrollment | 2015-2016 Projected 20 th Day Enrollment | 2015-2016 Increase (Decrease) Over 2010- 2011 20 th Day | | | | |
| Pre- | 4,244 | 4,465 | 221 | 4,465 | 0 | | | | |
| Kindergarten | | | | | | | | | |
| Elementary (K-5) | 102,495 | 101,344 | (1,151) | 103,338 | 1,994 | | | | |
| Middle | 52,952 | 52,369 | (583) | 53,108 | 739 | | | | |
| High | 70,234 | 69,516 | (718) | 69,276 | (240) | | | | |
| Centers | 4,676 | 5,904 | 1,228 | 5,904 | 0 | | | | |
| Charters | 20,602 | 23,274 | 12,672 | 23,2744 | 0 | | | | |
| TOTAL | 255,203 | 256,872 | 1,669 | 259,365 | 2,493) | | | | |
| Source: School Board of Broward County, 2010 | | | | | | | | | |

The District is projected to decrease by 2,493 total prekindergarten through twelfth grade students, including those in centers and charter schools, by the 2015-2016 school year. Enrollment in charter schools is 23,274 this year, with an number of additional charter undetermined anticipated in the next year. The increase in charter school enrollment will reduce the number of potential students that will need to be housed in existing or new District facilities. If the charter school trend does not continue, then these projected students will impact the capital needs of other public schools in the District. Recent trends and current birth data indicate that elementary (pre-kindergarten through grade 5) enrollment in District owned facilities will increase over the next five years by 1,994 students. Middle school enrollment in District owned facilities is projected to show an increase of 739 students and high school enrollment will

decrease by 240 students. By the end of the five-year period, Broward County School District's projected enrollment will total 259,365 students.

4. Class Size Reduction Requirements

In 2002, citizens approved an amendment to the Florida Constitution that set limits on the number of students in core classes (such as Math, English, Science, etc.) in the state's public schools. Beginning with the 2010-2011 school year, the maximum number of students in each core class would be:

- 18 students in prekindergarten through grade 3;
- 22 students in grades 4 through 8; and
- 25 students in grades 9 through 12.

In 2003, the Florida Legislature enacted Senate Bill 30-A that implemented the amendment by requiring the number of students in each classroom be reduced by at least two students per year beginning in the 2003-04 school year, until the maximum number of students per classroom did not exceed the requirements in law. The amendment would be calculated as follows:

- 2003-2004, 2004-2005 and 2005-2006 at the district level
- 2006-2007 and 2008-2009 at the school level
- The 2009 Legislature extended the calculation at the school level for an additional year to include 2009-2010.
- 2010-2011 at the classroom level

The District has achieved compliance during all years except for 2006-07. In 2007, the Superintendent established the Class Size Reduction Action Committee (CSRAC) to address compliance and prepare the District for period-by-period implementation. It is currently estimated that our cost to fully implement period-by-period class size is \$70 million dollars.

Florida's Class Size Amendment - 2010 Legislative Session

In 2010, the Florida Legislature approved a constitutional amendment to be placed on the ballot that will ask voters to

change the state constitution's current maximum class sizes to "school-wide average class sizes." If the amendment is approved by voters, maximum class size would be calculated based on the school-wide average of the number of students in core classes assigned to each teacher beginning with the 2010-2011 school year and be:

- 18 students in prekindergarten through grade 3;
- · 22 students in grades 4 through 8; and
- 25 students in grades 9 through 12.

In addition, the proposed change to the constitution would set the maximum number of students assigned to each teacher, while not exceeding the school-wide average, to be:

- 21 students in prekindergarten through grade 3;
- 27 students in grades 4 through 8; and
- 30 students in grades 9 through 12.

Florida State Statute 1003.03 subsections (1)-(4), will be amended effective upon approval by the electors of Senate Joint Resolution 2 in the 2010 General Election and will be retroactive to the beginning of the 2010-2011 school year.

To ensure that BCPS will continue to address accurately the period-by-period Class Size Reduction Amendment implementation in 2010-11, the Class Size Reduction Action Committee (CSRAC) continues to meet and refine timelines, processes, and tools associated with the District's classroom space utilization process. The committee is comprised of Principals and District Administrative staff from Facilities, Budget, Curriculum, Instructional Staffing, and Educational Technology Services.

- In 2007-08 the CSRAC met and prepared the groundwork for period-by-period implementation of Class Size Reduction legislation.
- In 2008-09 the CSRAC identified 42 full implementation schools, continued development of a more robust online data monitoring tool of period-by-period class size compliance that incorporated classroom utilization functionality, and further aligned the District's calculations to FDOE average class size calculations.

- In 2009-10 further integration of school-by-school analysis of unassigned classrooms, floating teachers, programs, scheduling, and classroom student-station utilization continued.
- In 2010-11, it is expected that further development and refinement of the tools to determine District resource utilization (Budget, Personnel Staffing, Facilities, Boundaries, and ETS system modifications) will occur.

5. Options for Reducing Capacity

Broward County Schools has considered options to optimize the usage of educational facilities within the District. Each year the District undergoes an extensive boundary process and considers the effectiveness of programs that are being utilized as an alternative to adding capacity.

Boundary Process: Each year the District undergoes a boundary process that considers the demographic changes in student populations, available and future facility capacity, programming components, as well as the diversity at each school. As part of the annual boundary process the District relies on input from the communities and stakeholders. Through the boundary process, every effort is made to maintain equal educational opportunities.

Multi-track Scheduling: Broward County Schools has utilized multi-track schedules for an elementary school successfully. In that school, this multi-track schedule accommodated up to 150% of the school's FISH capacity in the 2005-06 school year. The community was content with the multi-track scheduling and has shown increases in student achievement, attendance and less discipline situations. The District has continued to utilize this method to increase the utilization of schools.

Grade Level Organization: Various grade level configurations are examined to reduce or add capacity. Presently we have one primary school with grade levels of K-3 and one K-8.

Block Scheduling: Broward County Schools have been in the forefront of implementing and evaluating block

scheduling. Broward County Schools utilize block schedules at several schools.

High School Options: Dual enrollment gives high school juniors and seniors the opportunity to take college level courses and receive credits towards high school graduation. If a student qualifies for this it can free up capacity while benefiting student achievement. The early admissions and 18 credit diploma option allows for high school students to apply for early graduation, which will also relieve enrollment at our high schools.

Other Alternatives: Broward County Schools has also been using creative alternative methods to assist in distributing the student population by allowing parents and students the choice of school assignment. Some examples are:

Broward Virtual School: Broward Virtual School offers full-time enrollment to students in grades K-12 through an online educational delivery system. Students in grades 6-12 may enroll part-time as well. BVS offers equitable access to high quality, individualized education, through the Internet and other distance learning technologies. The virtual environment provides flexibility of time and location, and promotes development of the skills, the attitudes, and the self-discipline necessary to achieve success in the 21st century. Broward Virtual School offers students the opportunity to earn a standard high school diploma entirely online. http://www.bved.net/

Magnet Schools: The District offers magnet programs in several locations largely in schools where space is available. These programs offer a thematic educational program; which entices students/parents to choose a school and fill available seats. They have been a popular choice alternative option.

<u>Charter Schools:</u> The District has led the state in the number of students attending charter schools. During the 1999-00 school year 3,873 students attended charter schools. Since that time charter

school enrollment has increased an additional 13,249 students, enrolling a total of 17,122 students during the 2007-08 school year.

| Table 2 Charter Schools Serving Elementary, Middle and High School Students | | | | | | | |
|---|---|---|--|--|--|--|--|
| Charters Serving Elementary School Students | Charters Serving Middle School Students: | Charters Serving High School Students: | | | | | |
| Ben Gamla Charter | Ben Gamla Charter | City of Coral Springs | | | | | |
| Ben Gamla Charter North Broward | Ben Gamla Charter North Broward | City of Pembroke Pines | | | | | |
| Ben Gamla Charter South Broward | Ben Gamla Charter South Broward | Dolphin Park High | | | | | |
| Broward Community Charter | Broward Community Charter | Eagle Academy | | | | | |
| Broward Community Charter West | City of Coral Springs | International School of Broward | | | | | |
| Central Charter School | City of Pembroke Pines - W/C | Lauderhill High | | | | | |
| Charter Institute Training Center | Discovery Middle Charter | Life Skills | | | | | |
| Charter School of Excellence | Eagle Academy | Mavericks High Central Broward | | | | | |
| Charter School of Excellence @ Davie | Eagles' Nest | North University High | | | | | |
| Charter School of Excellence @ Davie 2 | Florida Intercultural Academy Middle | Parkway Academy | | | | | |
| Charter School of Excellence, Ft Lauderdale 2 | Hollywood Acad. of Arts & Science | Somerset Academy | | | | | |
| Charter School of Excellence @ Tamarac 1 | Imagine School at Broward Middle | Somerset Conservatory | | | | | |
| Charter School of Excellence @ Tamarac 2 | Imagine School at North Lauderdale | Somerset Prep Charter High | | | | | |
| Charter School of Excellence @ Riverland | International School of Broward | | | | | | |
| Charter School of Excellence @ Riverland 2 | North Broward Acad. of Excellence | | | | | | |
| City of Pembroke Pines - E/W/C | Paragon Academy of Technology | | | | | | |
| Eagles' Nest | Pompano Charter Middle | | | | | | |
| Excelsior Charter of Broward | RISE Acad. School of Science and Tech., Tamarac | | | | | | |
| Florida Intercultural Academy | Smart School | | | | | | |
| Henry McNeal Turner Learning Academy | Somerset Academy | | | | | | |
| Hollywood Acad. of Arts & Science | Somerset at Miramar | | | | | | |
| Imagine School at Broward | Somerset Pines Academy | | | | | | |
| Imagine School at North Lauderdale | Somerset Prep Charter School @ N Lauderdale | | | | | | |
| Imagine School at Weston | Somerset Preparatory Charter Middle | | | | | | |

| Table 2 Charter Schools Serving Elementary, Middle and High School Students | | | | | | |
|---|---|---|--|--|--|--|
| Charters Serving Elementary School Students | Charters Serving Middle School Students: | Charters Serving High School Students: | | | | |
| Kidz Choice Charter | Somerset Village Academy Middle | | | | | |
| North Broward Acad. of Excellence | Touchdowns4Life | | | | | |
| Paragon | | | | | | |
| RISE Academy School of Science and Tech. | | | | | | |
| RISE Acad. School of Science and Tech., Tamarac | | | | | | |
| Somerset Academy | | | | | | |
| Somerset Academy Davie | | | | | | |
| Somerset Academy East | | | | | | |
| Somerset at Miramar | | | | | | |
| Somerset Neighborhood | | | | | | |
| Somerset Pines Academy Somerset Prep Charter School @ N Lauderdale | | | | | | |
| Somerset Village Academy | | | | | | |
| Sunshine Elementary Charter | | | | | | |
| Source: School Board of Broward County, 2010 | | | | | | |

E. Need to Support Public Facilities for Existing and Future Schools

1. Public & Private Partnerships

The Broward County Public School District understands how essential community involvement is to the success of its students. Developing partnerships with private as well as public entities helps to insure that the entire community becomes a part of and enhances the educational process for both K-12 and adult students. The school system has identified community involvement as one of the key areas within the school system's strategic plan. The district believes that community involvement is vital to student achievement.

The District has more than 45,000 volunteers and 2,700 school level partners that support Broward Schools. The District has launched the Speakers Bureau offering businesses, community groups and organizations the

opportunity to have education experts speak about Broward County Public Schools. The Speaker's Bureau is a component of the District's Strategic Communications Plan. It is designed to facilitate an understanding of the purpose, structures and effectiveness of Broward County Public Schools. This outreach project will increase the dissemination of positive information about the District and enhance relations with the community. The Speakers Bureau takes the dissemination of information to a personal level that allows discussion and encourages community input. The district also coordinates educational programs with the Museum of Discovery and Science, the Broward County Library System, as well as Broward County and local parks and recreation departments.

2. Student Enrichment in the Arts (SEAS)

The Student Enrichment in the Arts (SEAS) program was formed from collaboration between Broward County Public Schools and the Broward Center for the Performing Arts in March 1990. According to the partnership, the school system has a forty-year rent-free lease, which includes exclusive use of the Broward Center Amaturo Theater during the day throughout the school year. The SEAS program offers a different style of learning by integrating theatrical performances, such as music, dance and drama into the students' education. Since inception of the program, over 1.7 million students have attended. The Broward County Public School system and the Broward Center for the Performing Arts continue to be on the cutting edge of education. To complement SEAS, the Reading Residency program was designed to improve reading and verbal understanding for economically disadvantaged students.

F. Analysis of Infrastructure Needs for Existing and Proposed School Facilities (Rule 9J-5.025(2) (f), F.A.C).

Broward County currently has 302 public school facilities, including elementary, middle, high, charter and special schools. There are 22 additional school facilities which are planned to open within the next five years. Due to the fact that Broward County is predominately built out, the major infrastructure, including; roads, drainage, sanitary sewer and potable water

facilities are available to support existing and proposed school facilities.

One area which needs attention however, is pedestrian infrastructure. The County has some areas where sidewalks and unobstructed access to schools can be improved. To address this, Broward County promotes safe routes to schools through the Broward County MPO 2030 Long Range Transportation Plan. A goal to "ensure and where possible enhance safety and security" in transportation projects near schools is intended to reduce hazards by providing the necessary infrastructure for pedestrians within a 2 mile radius of schools deemed "hazardous" for school children. In furthering this goal, the 2030 Plan proposes sidewalk infrastructure improvements in areas which are deemed hazardous and/or enhance the safety and security of pedestrians.

In addition, during the development review and site selection process of any proposed school, all infrastructure needs are taken into consideration. These procedures and processes are outlined in Sections V and VI of the ILA. The School Board also requires that all major expansion, remodeling and/or replacements projects (exceeding \$1,000,000) go through a Master Planning process. This process, which involves public input, must evaluate infrastructure issues such as; site circulation, parking, retention areas and public utility locations.

II.DATA AND ANALYSIS

A. Population and Housing Conditions

1. Population Growth in Broward County

As displayed in Table 3 below, Broward County has experienced significant population growth since 1970. In 1970 Broward County had a population of 620,100 and i the 2010 population is estimated to be 1,772,060, a growth of almost 186%. Though the County is approaching "build-out", expectations are that growth will continue. The future pace of growth will be less than in past years, both in terms of percentage and in absolute growth as Broward makes the transition from large tracts of "Greenfield" development to "redevelopment". At the same time the demographics of the population will continue to change. A larger percentage of

growth will come as result of in-migration from abroad. Generally, migrants are younger and less likely to have a family. The "Median Age" and "% 65 or over" columns from Table 3 below are indicators of this change in the short term. Broward's median age increased as it became home to larger numbers of retirees during the 1970's and early 1980's. Since that time, the median age decreased and is expected to continue to do so. The population ages 65 or greater peaked in the early 1980's with 22%; but, as international migration to Broward increases that percentage drops significantly to 15% in 2010. At 13% of the total in 2010, it approaches its lowest level since 1960, before the migration of the retirees.

| ST | Ро | pulation Bro | Table 3 oward County | y 1970-20 | 35 | |
|-----------|-------------------|------------------|--------------------------|---------------|------------------|------------|
| Year | Total | | ng Years' nual Change | Median Age | % 18 or Under | % 65 or |
| | | Percent | Population | | | over |
| 1970 | 620,100 | 8.6% | 28,615 | 38.7 | 29% | 18% |
| 1980 | 1,018,257 | 6.4% | 39,816 | 38.7 | 22% | 22% |
| 1990 | 1,255,531 | 2.3% | 23,727 | 37.8 | 21% | 21% |
| 2000 | 1,623,018 | 2.9% | 36,749 | 37.8 | 24% | 16% |
| 2005 | 1,765,855 | 0.9% | 14,284 | 36.5 | 26% | 14% |
| 2010 | 1,772,060 | 0.9% | 14,904 | 39.1 | 24% | 15% |
| 2015 | 1,876,261 | 1.2% | 20,840 | 38.9 | 24% | 15% |
| 2020 | 2,000,888 | 1.3% | 24,925 | 36.5 | 25% | 16% |
| 2025 | 2,114,586 | 1.1% | 22,740 | 36.9 | 26% | 18% |
| 2030 | 2,214,420 | 0.9% | 19,967 | 37.5 | 25% | 20% |
| 2035 | 2,298,006 | 0.8% | 16,717 | 37.7 | 25% | 21% |
| Source: U | .S. Bureau of the | Census, Decennia | Census for years | 1970, 1980, | 1990, and 2000 | -t |

Note: Populations for years 2005, 2010, 2015, 2020, 2025, 2030, and 2035 are taken from the

2. School Age Population

Broward County Population Forecasting Model, 2009

As with population growth in general, Broward's school age population has experienced considerable growth since 1970. In some ways it reflects the overall demographics of the population growth. The influx of retirees through the early 1980's caused a drop in the Kindergarten through 12th Grade population to decrease by more than 5% of the total. The decline continued into 1990; but, by 2000 the K-12

population's percentage of the total increased. Though the current economic and housing condition eroded the population increases, increases are expected to resume in 2010. As the population grows larger the K-12 population is expected to stabilize at around 17% of the total population through 2020. By 2020, the school age population (elementary through high school) will have grown by 22%, compared to 2000. Most of the growth will occur in the elementary and middle school age groups as the younger inmigrating population begins establishing families.

The Higher Education-age group grows more rapidly in the short-term and by 2020 is nearly 30% larger than its 2000 equivalent. More than anything, this large growth reflects a lower than average 2000 count of population for this age group in conjunction with the younger, international migration. According to the American Community Survey for 2005, this is happening in Broward County (though to a lesser degree than displayed by the Broward County Population Forecasting Model); a change that is consistent with neighboring counties and with the State of Florida as a whole.

| Table 4 School Age Population Broward County 1970-2035 | | | | | | | | | |
|--|---------|---------------|---------|--------|---------------|-----------|--|--|--|
| | School | Age Popu | lation | Percen | t of Total P | opulation | | | |
| Year | K-12 | Higher Ed. | Total | K-12 | Higher Ed. | Total | | | |
| 1970 | 133,064 | 118,673 | 251,737 | 21.5% | 19.1% | 40.6% | | | |
| 1980 | 164,431 | 250,044 | 414,475 | 16.1% | 24.6% | 40.7% | | | |
| 1990 | 177,638 | 317,283 | 494,921 | 14.1% | 25.3% | 39.4% | | | |
| 2000 | 279,888 | 348,245 | 628,133 | 17.2% | 21.5% | 38.7% | | | |
| 2010 | 275,186 | 381,513 | 656,599 | 15.5% | 21.4% | 37.1% | | | |
| 2015 | 302,831 | 428,588 | 731,419 | 16.1% | 22.8% | 38.9% | | | |
| 2020 | 340,856 | 453,320 | 794,176 | 17.0% | 22.7% | 39.7% | | | |
| 2025 | 367,412 | 458,367 | 825,779 | 17.4% | 21.7% | 39.1% | | | |
| 2030 | 380,525 | 476,064 | 856,589 | 17.2% | 21.5% | 38.7% | | | |
| 2035 | 391,376 | 504,130 | 895,506 | 17.0% | 21.9% | 38.9% | | | |

Source: U.S. Bureau of the Census, Decennial Census for years 1970, 1980, 1990, and 2000 Broward County Population Forecasting Model, 2009 for years 2010, 2015, 2020, 2025, 2030 and 2035 Note: All populations are for April 1.

K-12 is the population ages 5 through 17, Higher Education population consists of 18 through 34

3. Housing Characteristics

While Broward's housing inventory once was dominated by the single-family, detached home; that no longer is the case. The housing industry responded to the influx of retirees during the 1970's and 1980's by building large numbers of multi-family condominiums and apartments. Between 1970 and 1990, single family homes grew by nearly 87,000. During that same time period, multi-family homes grew by 264,000 units (averaging 13,000 per year). Expansion in the southwest and northwest portions of Broward brought about an increased emphasis on single-family homes. They increased by nearly as much during the decade of the 1990's as they did for the twenty years prior. Still, there are 38% more multi-family units than single-family.

Despite the changes in housing unit type, the percentage of owner-occupied units remains relatively stable at between 68% and 72.8%. As more multi-family homes are built, the tendency has been for the percentage of renter to increase; but, only slightly.

Reported vacancy rates are influenced primarily by the number of seasonally-occupied units and magnitude of current residential construction. Because Broward has been a destination for many seasonal residents and these units have been counted as vacant regardless of the actual status, the vacancy rate is higher in Broward than is traditionally thought of as acceptable. Also keeping the vacancy rate high is the U.S. Bureau of the Census practice of counting incomplete homes as vacant. At times of elevated building activity with significant numbers of units nearing completion, the Bureau may count them as vacant even though they are not yet ready for occupation. Both these influences on vacancy rates are expected decrease; costs of maintaining seasonal units are beyond what many could previously afford and future residential construction will seldom reach the level of activity experienced during the previous decades.

| | Table 5 Housing Characteristics Broward County 1970-2009 | | | | | | | | | |
|------|--|------------------|-----------------|------------------|--------|-------------------|--------------------|-------------|------------------|--|
| Year | Total Units | Single Family | % Single Family | Multi- Family | Other | Owner Occupied | Renter Occupied | % Vacant | % Owner Occupied | |
| 1970 | 253,325 | 149,447 | 59.0% | 94,017 | 9,861 | 161,962 | 60,601 | 12.1% | 72.8% | |
| 1980 | 477,468 | 202,898 | 42.5% | 258,987 | 15,583 | 299,730 | 117,787 | 12.6% | 71.8% | |
| 1990 | 628,660 | 236,321 | 37.6% | 358,665 | 33,674 | 359,570 | 168,872 | 15.9% | 68.0% | |
| 2000 | 741,043 | 303,357 | 40.9% | 409,756 | 27,930 | 454,750 | 199,695 | 11.7% | 69.5% | |
| 2005 | 790,308 | 329,142 | 41.6% | 436,313 | 24,853 | 481,133 | 206,198 | 13.0% | 70.0% | |
| 2009 | 807,137 | 330,403 | 40.9% | 454,969 | 21,765 | 445,958 | 205,519 | 19.3% | 68.5% | |

Source: 2009 American Community Survey, U.S. Bureau of the Census All other years U.S. Bureau of the Census, Decennial Census

4. Development Trends

As Broward County approaches "build-out" while still feeling the pressure of population growth; new residential construction will be predominantly multi-family. Table 6 on the following page depicts forecasted Certificates of Occupancy, prepared by applying housing unit growth rates to municipally-provided data on unit type, shows that approximately 90% of dwelling unit growth will be multifamily. While the actual numbers will deviate from this, the general trend will apply. Most new units will be in the form of "redevelopment"; attempting to maximize the number of households accommodated and, at the same time, attempting to minimize the costs of construction.

| Table 6 Residential Certificates of Occupancy Issued by Type 2008-2019 | | | | | | | | | |
|--|---|--------------|-------|---------------------------|--|--|--|--|--|
| Year, | Residential Units Certificates of Occupancy | | | | | | | | |
| Beginning April 1st | Single Family | Multi-Family | Total | Change from previous year | | | | | |
| 2008 | 182 | 1,942 | 2,124 | | | | | | |
| 2009 | 283 | 2,452 | 2,735 | 611 | | | | | |
| 2010 | 554 | 2,560 | 3,114 | 379 | | | | | |
| 2011 | 491 | 2,917 | 3,408 | 294 | | | | | |
| 2012 | 385 | 4,115 | 4,500 | 1,092 | | | | | |
| 2013 | 847 | 4,781 | 6,528 | 2,028 | | | | | |
| 2014 | 917 | 9,128 | 7,066 | 538 | | | | | |
| 2015 | 903 | 6,054 | 6,957 | -109 | | | | | |

| 2016 | 872 | 5,849 | 6,721 | -236 |
|-----------------|-----------------------|------------------------|--------|------|
| 2017 | 838 | 5,623 | 6,461 | -260 |
| 2018 | 802 | 5,383 | 6,185 | -276 |
| 2019 | 777 | 5,690 | 5,988 | -197 |
| Total | 7,851 | 56,494 | 61,787 | |
| Source: Broward | County Planning and F | Redevelopment Division | on | |

B. Current Profile of Broward County Public Schools

1. Summary Profile of Public Schools in Broward County

The numbers of school buildings, student stations and classrooms are reflected in Table 7. The majority of buildings and student stations are utilized for elementary students, 55% and 39% respectively as compared to the total for the School District. High Schools have the highest level of relocatable stations (11,515) and elementary schools have the highest level of relocatabe classrooms (529). As noted in Table 8, most of the school facility buildings were constructed in the last 10 years. Map 1 depicts the locations of all Public Schools and ancillary locations in Broward County.

Table 7: Summary Profile of School Capacity

| School Type | Permanent Buildings | Relocatable Buildings | Permanent Stations | Relocatable Stations | Permanent Classrooms | Relocatable Classrooms | Permanent Net Sq. Ft. | Relocatable Net Sq. Ft. |
|----------------|------------------------|--------------------------|---|-------------------------|-------------------------|---------------------------|--------------------------|----------------------------|
| Elementary | 1,117 | 594 | 115,800 | 9,892 | 6,171 | 529 | 15,466,767 | 509,307 |
| Middle | 376 | 491 | 62,478 | 9,742 | 2,626 | 445 | 7,577,816 | 393,619 |
| High | 465 | 596 | 76,541 | 11,515 | 3,069 | 455 | 9,715,693 | 485,997 |
| Special | 158 | 120 | 10,636 | 2,262 | 560 | 100 | 1,884,069 | 98,356 |
| Charter | N/A | N/A | 33,915 | 0 | 1003 | N/A | N/A | N/A |
| Total | 2,116 | 1,801 | 299,370 | 33,411 | 13,429 | 1,529 | 34,644,345 | 1,487,279 |
| Source: Scho | ool Board of Bro | ward County, Flo | Source: School Board of Broward County, Florida inventory of School Houses (FISH), 2010 | School Houses (| FISH), 2010 | | | |

Table 8: Age of School Facility Buildings

| School Type | % of sq.ft. | % of sq.ft. | % of sq.ft. | % of sq.ft. | % of sq.ft. | |
|---|------------------|---------------------|-------------------|-------------|-------------|---------------|
| | I-IO years | | ZI-30 years | | 4T-20 years | over 50 years |
| Elementary Schools 27% | 27% | 37% | 12% | 12% | 9%6 | 3% |
| Middle Schools | 20% | 35% | 14% | 15% | 13% | 3% |
| High Schools | 35% | 10% | 5% | 26% | 18% | 9/09 |
| Special Schools | 22% | 11% | 19% | 28% | 12% | 8% |
| Charter Schools | N/A | N/A | N/A | N/A | N/A | N/A |
| Source: School Board of Broward County Florida inventory of School Houses (FISH) 2010 | oward County Flo | rida inventory of S | Chool Houses (FTS | H) 2010 | | |

2. Elementary Schools

There are 141 public elementary schools in Broward County as of 2010/2011 not including Broward Virtual Elementary. There is one K-8 Combination school which opened August 2010. A profile of the existing schools is depicted in Table 9.

| Cu | rrent P | rofile- | Broward C | Table 9 county Eler | mentary So | chools 20 | 10/11 | |
|------------------------------------|-------------------------|---------------|------------------------|--------------------------|-----------------------------------|--|--------------------------------------|------------------|
| Facility Name | Site Size (Acres) | Age Range | Permanent Buildings | Relocatable Buildings | Current Enrollment (20 Day) | 100% Gross FISH (Student Capacity) | LOS (100% of gross FISH) | % of Capacity |
| Atlantic West | | 1974- | | | | | | 74.60/ |
| Elementary | 8 | 2004 | 6 | 13 | 747 | 1,009 | 1 | 74.0% |
| Banyan | 4.5 | 1980- | - | 4.7 | 742 | 983 | 1 | 75.6% |
| Elementary | 10 | 2009 1958- | 5 | 13 | 743 | 963 | 1 | /3.0% |
| Bayview Elementary | 2 | 2000 | 4 | 0 | 551 | 500 | 2 | 110.2% |
| Bennett | | 1952- | 7 | | 331 | 300 | _ | 22012.0 |
| Elementary | 8 | 2007 | 11 | 0 | 396 | 542 | 1 | 73.1% |
| Bethune, Mary Elementary | 18 | 1961- 2008 | 13 | 17 | 689 | 1,313 | 1 | 52.5% |
| Boulevard Heights Elementary | 10 | 1961- 2008 | 15 | 0 | 827 | 812 | 2 | 101.8% |
| Broadview Elementary | 10 | 1965- 2006 | 7 | 11 | 970 | 1,130 | 1 | 85.8% |
| Broward Estates Elementary | 10 | 1957- 2007 | 18 | 7 | 623 | 799 | 1. | 78.0% |
| Castle Hill Elementary | 9 | 1969- 2007 | 8 | 22 | 595 | 901 | 1 | 66.0% |
| Central Park Elementary | 13 | 1990- 2004 | 10 | 10 | 1,146 | 1,123 | 2 | 102.0% |
| Challenger Elementary | 8 | 2000- 2004 | 3 | 0 | 851 | 1,000 | 1 | 85.1% |
| Chapel Trail Elementary | 10 | 1994- 2003 | 7 | 6 | 927 | 1,170 | 1 | 79.2% |
| Coconut Creek Elementary | 10 | 1969- 2002 | 6 | 3 | 845 | 803 | 2 | 105.2% |
| Coconut Palm Elementary | 12 | 2000- 2000 | 2 | 13 | 1,047 | 1,058 | 1 | 99.0% |
| Colbert Elementary | 10 | 1952- 2008 | 5 | 0 | 590 | 812 | 1 | 72.7% |
| Collins Elementary | 10 | 1957- 2005 | 13 | 2 | 349 | 399 | 1 | 87.5% |
| Cooper City Elementary | 10 | 1970- 2007 | 5 | 2 | 711 | 745 | 1 | 95.4% |

| Cu | rrent P | rofile- | Broward C | Table 9 County Eler | nentary So | chools 20 | 10/11 | |
|------------------------------------|-------------------------|---------------|------------------------|--------------------------|-----------------------------------|--|--------------------------------------|------------------|
| Facility Name | Site Size (Acres) | Age Range | Permanent Buildings | Relocatable Buildings | Current Enrollment (20 Day) | 100% Gross FISH (Student Capacity) | LOS (100% of gross FISH) | % of Capacity |
| Coral Cove | 100 | 2004- | | | | | | |
| Elementary | 12 | 2004 | 3 | 0 | 837 | 830 | 2 | 100.8% |
| Coral Park Elementary | 11 | 1989- 2007 | 13 | 6 | 598 | 825 | 1 | 72.5% |
| Coral Springs Elementary | 10 | 1974- 2006 | 7 | 2 | 677 | 943 | 1 | 71.8% |
| Country Hills | 4.5 | 1990- | | 4.5 | 0.57 | 1 107 | - | 77.40/ |
| Elementary | 15 | 2006 | 11 | 15 | 857 | 1,107 | 1 | 77.4% |
| Country Isles Elementary | 9 | 1987- 2004 | 13 | 6 | 938 | 1,096 | 1 | 85.6% |
| Cresthaven Elementary | 10 | 1992- 2008 | 8 | 0 | 546 | 705 | 1 | 77.4% |
| Croissant Park Elementary | 12 | 1992- 2003 | 8 | 2 | 712 | 846 | 1 | 84.2% |
| Cypress | 12 | 1969- | - | | / 12 | 0,10 | | 0 1.2 70 |
| Elementary | 13 | 2010 | 11 | 2 | 788 | 909 | 1 | 86.7% |
| Dania Elementary | 7 | 1958- 2007 | 11 | 3 | 443 | 623 | 1 | 71.1% |
| Davie | 4.4 | 1977- | | 5 | 603 | 024 | 4 | 92.20/ |
| Elementary Deerfield | 14 | 2003 | 7 | 5 | 692 | 831 | 1 | 83.3% |
| Beach Elementary | 14 | 1927- 2010 | 11 | 3 | 757 | 797 | 1 | 95.0% |
| Deerfield Park Elementary | 11 | 1978- 2005 | 10 | 0 | 618 | 805 | 1 | 76.8% |
| Dillard | | 1994- | 0-2 | _ | | | | |
| Elementary | 10 | 1994 | 7 | 2 | 674 | 795 | 1 | 84.8% |
| Dolphin Bay Elementary | 12 | 2005- 2005 | 3 | 0 | 851 | 830 | 2 | 102.5% |
| Drew Elementary | 15 | 1990- 1990 | 9 | 0 | 622 | 579 | 2 | 107.4% |
| Driftwood | 13 | 1960- | | | | | | |
| Elementary | 10 | 2003 | 13 | 12 | 644 | 780 | 1 | 82.6% |
| Eagle Point Elementary | 12 | 1994- 2009 | 9 | 4 | 1,176 | 1,304 | 1 | 90.2% |
| Eagle Ridge Elementary | 12 | 1994- 1994 | 7 | 0 | 773 | 872 | 1 | 88.6% |
| Embassy Creek | | 1991- | | | | | | |
| Elementary Endeavour Primary | 14 | 2008 | 8 | 0 | 955 | 1,087 | 1 | 87.9% |
| Learning Center | 12 | 2002- 2002 | 2 | 2 | 406 | 496 | 1 | 81.9% |
| Everglades Elementary | 10 | 1998- 2005 | 4 | 8 | 1,033 | 1,220 | 1 | 84.7% |

| Cu | ırrent Pı | rofile- l | Broward C | Table 9 ounty Elen | nentary So | chools 20 | 10/11 | |
|--------------------------------------|-------------------------|------------------------|------------------------|--------------------------|-----------------------------------|--|--------------------------------------|---------------|
| Facility Name | Site Size (Acres) | Age Range | Permanent Buildings | Relocatable Buildings | Current Enrollment (20 Day) | 100% Gross FISH (Student Capacity) | LOS (100% of gross FISH) | % of Capacity |
| Fairway Elementary | 11 | 1968- 2005 | 11 | 0 | 914 | 970 | 1 | 94.2% |
| Flamingo Elementary | 14 | 1975- 2006 | 5 | 9 | 743 | 779 | 1 | 95.4% |
| Floranada Elementary | 11 | 1999- 1999 | 2 | 0 | 700 | 814 | 1 | 86.0% |
| Forest Hills Elementary | 8 | 1975- 2004 | 4 | 2 | 590 | 831 | 1 | 71.0% |
| Foster, Stephen Elementary | 9 | 1961- 2007 1997- | 16 | 8 | 624 | 895 | 1 | 69.7% |
| Fox Trail Elementary | 26 | 2004 | 4 | 7 | 1,240 | 1,304 | 1 | 95.1% |
| Gator Run Elementary | 12 | 1998- 2004 | 3 | 16 | 1,270 | 1,452 | 1 | 87.5% |
| Griffin Elementary | 10 | 1979- 1991 | 4 | 4 | 540 | 687 | 1 | 78.6% |
| Hallandale Elementary | 14 | 2003- | 3 | 5 | 1,106 | 1,212 | 11_ | 91.3% |
| Harbordale Elementary | 4 | 1959- 2008 | 13 | 0 | 399 | 480 | 1 | 83.1% |
| Hawkes Bluff Elementary | 12 | 1990- 2006 | 11 | 11 | 873 | 1,062 | 1 | 82.2% |
| Hollywood Central Elementary | 7 | 1992- 1995 | 9 | 1 | 600 | 709 | 1 | 84.6% |
| Hollywood Hills Elementary | 12 | 1959- 2007 | 9 | 2 | 738 | 768 | 1 | 96.1% |
| Hollywood Park Elementary | 12 | 1969- 1991 | 4 | 0 | 440 | 593 | 1 | 74.2% |
| Horizon Elementary | 8 | 1974- 2001 | 6 | 9 | 555 | 699 | 1 | 79.4% |
| Hunt, James Elementary | 13 | 1973- 2004 | 6 | 0 | 881 | 841 | 2 | 104.8% |
| Indian Trace Elementary | 12 | 1990- 1990 | 9 | 10 | 708 | 843 | 1 | 84.0% |
| King, Martin Luther Elementary | 11 | 1968- 2007 | 9 | 4 | 410 | 881 | 1 | 46.5% |
| Lake Forest Elementary | 11 | 1961- 2006 | 11 | 12 | 877 | 946 | 1 | 92.7% |
| Lakeside Elementary | 12 | 1997- 2001 | 3 | 3 | 858 | 798 | 2 | 107.5% |
| Larkdale Elementary | 10 | 1961- 2008 | 16 | 5 | 385 | 713 | 1 | 54.0% |

| Cu | rrent P | rofile- | Broward C | Table 9 County Eler | nentary S | chools 20 | 10/11 | |
|--|-------------------------|------------------------|------------------------|--------------------------|-----------------------------------|--|--------------------------------------|------------------|
| Facility Name | Site Size (Acres) | Age Range | Permanent Buildings | Relocatable Buildings | Current Enrollment (20 Day) | 100% Gross FISH (Student Capacity) | LOS (100% of gross FISH) | % of Capacity |
| Lauderdale Manors Elementary | 13 | 1954- 2008 | 13 | 4 | 555 | 1,116 | 1 | 49.7% |
| Lauderhill, Paul Turner Elementary | 11 | 1995- 1995 | 6 | 0 | 560 | 872 | 1 | 64.2% |
| Liberty Elementary | 12 | 2001- 2004 | 3 | 1 | 1,042 | 1,282 | 1 | 81.3% |
| Lloyd Estates Elementary | 8 | 1968- 2008 | 9 | 10 | 476 | 727 | 1 | 65.5% |
| Manatee Bay Elementary | 7 | 2001- | 3 | 10 | 1,235 | 1,320 | 1 | 93.6% |
| Maplewood Elementary | 11 | 1980- 2004 1962- | 7 | 8 | 754 | 961 | 1 | 78.5% |
| Margate Elementary Markham, | 11 | 2007 | 19 | 0 | 1,086 | 1,305 | 1 | 83.2% |
| Robert C Elementary | 9 | 1967- 2004 | 11 | 4 | 561 | 709 | 1 | 79.1% |
| Marshall, Thurgood Elementary | 8 | 1991- 2002 | 7 | 1 | 356 | 763 | 1 | 46.7% |
| McNab Elementary | 10 | 1993- 2002 | 8 | 1 | 797 | 695 | 2 | 114.7% |
| Meadowbrook Elementary | 15 | 1958- 2009 | 13 | 9 | 590 | 858 | 1 | 68.8% |
| Miramar Elementary Mirror Lake | 10 | 1991- 2004 1969- | 7 | 1 | 945 | 947 | 1 | 99.8% |
| Elementary Morrow | 13 | 2009 | 9 | 7 | 574 | 737 | 1 | 77.9% |
| Elementary Nob Hill | 10 | 2008 | 7 | 0 | 553 | 831 | 1 | 66.5% |
| Elementary Norcrest | 8 | 2004 | 4 | 7 | 686 | 857 | 1 | 80.0% |
| Elementary North | 10 | 2008 | 11 | 0 | 809 | 921 | 1 | 87.8% |
| Andrews Gardens Elementary | 10 | 1996- 2006 | 8 | 6 | 840 | 921 | 1 | 91.2% |
| North Fork Elementary | 10 | 1965- 2007 | 10 | 3 | 406 | 771 | 1 | 52.7% |
| North Lauderdale Elementary | 13 | 1974- 2006 | 9 | 0 | 625 | 948 | 1 | 65.9% |
| North Side Elementary | 5 | 1927- 2001 | 8 | 0 | 447 | 608 | 1 | 73.5% |
| Nova, | 10 | 1965- | 6 | 3 | 767 | 836 | 1 | 91.7% |

| Cu | rrent Pi | rofile- | Broward C | ounty Eler | nentary So | cnools 20 | 10/11 | |
|---------------------------------------|-------------------------|---------------|------------------------|--------------------------|-----------------------------------|------------------------------------|--------------------------------------|------------------|
| Facility Name | Site Size (Acres) | Age Range | Permanent Buildings | Relocatable Buildings | Current Enrollment (20 Day) | 100% Gross FISH (Student Capacity) | LOS (100% of gross FISH) | % of Capacity |
| Blanche Forman Elementary | | 2003 | | | | | | |
| Nova, Eisenhower D D Elementary | 10 | 1969- 2003 | 9 | 0 | 777 | 777 | 2 | 100.0% |
| Oakland Park Elementary | 7 | 1927- 2004 | 13 | 0 | 573 | 828 | 1 | 69.2% |
| Oakridge Elementary | 8 | 1959- 1993 | 13 | 6 | 718 | 721 | 1 | 99.6% |
| Orange Brook Elementary | 9 | 2006- 2006 | 3 | 0 | 848 | 830 | 2 | 102.2% |
| Oriole Elementary | 9 | 1971- 2005 | 6 | 2 | 694 | 758 | 1 | 91.6% |
| Palm Cove Elementary | 12 | 1992- 2008 | 10 | 9 | 926 | 1,049 | 1 | 88.3% |
| Palmview Elementary | 10 | 1969- 2009 | 8 | 3 | 604 | 711 | 1 | 85.0% |
| Panther Run Elementary | 12 | 1997- 1997 | 2 | 1 | 686 | 800 | 1 | 85.8% |
| Park Lakes Elementary | 15 | 2000- 2006 | 6 | 5 | 1,200 | 1,304 | 1 | 92.0% |
| Park Ridge Elementary | 10 | 1972- 2008 | 7 | 4 | 400 | 610 | 1 | 65.6% |
| Park Springs Elementary | 12 | 1990- 2004 | 10 | 0 | 981 | 1,201 | 1 | 81.7% |
| Park Trails Elementary | 12 | 2000- 2008 | 4 | 0 | 871 | 1,276 | 1 | 68.3% |
| Parkside Elementary | 10 | 1999- 2008 | 4 | 2 | 817 | 980 | 1 | 83.4% |
| Pasadena Lakes Elementary | 10 | 1971- 2008 | 9 | 7 | 763 | 884 | 1 | 86.3% |
| Pembroke Lakes Elementary | 8 | 1976- 2007 | 5 | 4 | 690 | 741 | 1 | 93.1% |
| Pembroke Pines Elementary | 9 | 1965- 2008 | 6 | 8 | 613 | 763 | 1 | 80.3% |
| Perry, Annabel C Elementary | 10 | 1969- 2005 | 10 | 9 | 725 | 1,073 | 1 | 67.6% |
| Peters Elementary | 11 | 1958- 2008 | 17 | 12 | 645 | 845 | 1 | 76.3% |
| Pines Lakes Elementary | 10 | 1979- 2009 | 8 | 2 | 795 | 963 | 1 | 82.6% |
| Pinewood Elementary | 10 | 1979- 2001 | 7 | 11 | 765 | 1,038 | 1 | 73.7% |

| Cu | rrent Pı | rofile- | Broward C | Table 9 ounty Elen | nentary Se | chools 20 | 10/11 | |
|----------------------------------|-------------------------|---------------|------------------------|--------------------------|-----------------------------------|--|--------------------------------------|---------------|
| Facility Name | Site Size (Acres) | Age Range | Permanent Buildings | Relocatable Buildings | Current Enrollment (20 Day) | 100% Gross FISH (Student Capacity) | LOS (100% of gross FISH) | % of Capacity |
| Plantation | 4.0 | 1999- | 2 | 0 | 621 | 814 | 1 | 76.3% |
| Elementary | 12 | 1999 | 2 | U | 021 | 014 | 1 | 70.370 |
| Plantation Park Elementary | 10 | 1967- 2002 | 5 | 0 | 514 | 579 | 1 | 88.8% |
| Pompano | 10 | 2002 | 3 | | | | | |
| Beach Elementary | 19 | 1992- 1992 | 9 | 2 | 589 | 615 | 1 | 95.8% |
| Quiet Waters Elementary | 18 | 1990- 2008 | 13 | 17 | 1,414 | 1,388 | 2 | 101.9% |
| Ramblewood | 10 | 1977- | | | | | | |
| Elementary | 10 | 2004 | 5 | 1 | 908 | 1,003 | 1 | 90.5% |
| Riverglades Elementary | 10 | 1991- 1991 | 6 | 8 | 618 | 813 | 1 | 76.0% |
| Riverland Elementary | 10 | 1991- 2008 | 8 | 0 | 598 | 633 | 1 | 94.5% |
| Riverside | 10 | 1987- | | | | | | |
| Elementary | 10 | 2001 | 12 | 6 | 761 | 843 | 1 | 90.3% |
| Rock Island | | 2001- | | | | | _ | |
| Elementary | 14 | 2008 | 4 | 0 | 672 | 580 | 2 | 115.9% |
| Royal Palm Elementary | 12 | 1971- 2004 | 10 | 8 | 754 | 1,034 | 1 | 72.9% |
| Sanders Park Elementary | 12 | 1965- 2004 | 9 | 7 | 506 | 791 | 1 | 64.0% |
| Sandpiper | | 1989- | | | | | | Taran was |
| Elementary | 14 | 2006 | 12 | 1 | 774 | 931 | 1 | 83.1% |
| Sawgrass Elementary | 12 | 1993- 2007 | 9 | 0 | 952 | 1,184 | 1 | 80.4% |
| Sea Castle | | 1990- | | | 923 | 1,109 | 1 | 83.2% |
| Elementary | 12 | 2004 1971- | 11 | 1 | 923 | 1,109 | 1 | 85.270 |
| Sheridan Hills Elementary | 7 | 2001 | 6 | 0 | 584 | 607 | 1 | 96.2% |
| Sheridan | ' | 2001 | | | | | | |
| Park Elementary | 13 | 1966- 2008 | 7 | 4 | 644 | 820 | 1 | 78.5% |
| Silver Lakes | | 1997- | | | | | | |
| Elementary | 12 | 1997 | 2 | 5 | 743 | 850 | 1 | 87.4% |
| Silver Palms | | 1995- | 2 | _ | 016 | 906 | - | 01 10/- |
| Elementary | 14 | | 3 | 5 | 816 | 896 | 1 | 91.1% |
| Silver Ridge | 13 | 1989- 2008 | 14 | 9 | 976 | 1,056 | 1 | 92.4% |
| Elementary Silver Shores | 15 | 2008 | 14 | 3 | 5/0 | 1,030 | 1 | 52.170 |
| Elementary | 12 | 2003 | 3 | 0 | 674 | 820 | 1 | 82.2% |
| Stirling Elementary | 9 | 1991- 2007 | 8 | 4 | 677 | 789 | 1 | 85.8% |
| Sunland Park Elementary | 4 | 1992- 1994 | 3 | 1 | 308 | 539 | 1 | 57.1% |

Table 9
Current Profile- Broward County Elementary Schools 2010/11

| Facility Name | Site Size (Acres) | Age Range | Permanent Buildings | Relocatable Buildings | Current Enrollment (20 Day) | 100% Gross FISH (Student Capacity) | LOS (100% of gross FISH) | % of Capacity |
|--|-------------------------|---------------|------------------------|--------------------------|-----------------------------------|--|--------------------------------------|------------------|
| Sunset Lakes Elementary | 12 | 2002- 2008 | 4 | 0 | 1,026 | 1,300 | 1 | 78.9% |
| Sunshine Elementary | 9 | 1964- 2002 | 15 | 5 | 805 | 893 | 1 | 90.1% |
| Tamarac Elementary | 8 | 1974- 2004 | 7 | 0 | 1,173 | 1,290 | 1 | 90.9% |
| Tedder Elementary | 12 | 1964- 2004 | 14 | 0 | 770 | 1,240 | 1 | 62.1% |
| Tradewinds Elementary | 17 | 1995- 2008 | 6 | 17 | 1,074 | 1,214 | 1 | 88.5% |
| Tropical Elementary | 10 | 1971- 2008 | 7 | 1 | 930 | 943 | 1 | 98.6% |
| Village Elementary | 12 | 1968- 2009 | 14 | 5 | 759 | 946 | 1 | 80.2% |
| Walker Elementary | 10 | 1959- 2009 | 9 | 2 | 599 | 1,017 | 1 | 58.9% |
| Watkins Elementary | 10 | 1995- 1995 | 2 | 3 | 763 | 868 | 1 | 87.9% |
| Welleby Elementary | 13 | 1991- 2004 | 7 | 6 | 811 | 915 | 1 | 88.6% |
| West Hollywood Elementary | 11 | 1991- 1991 | 5 | 5 | 612 | 687 | 1 | 89.1% |
| Westchester Elementary | 10 | 1976- 2009 | 12 | 8 | 1,156 | 1,184 | 1 | 97.6% |
| Westwood Heights Elementary | 9 | 1958- 2008 | 12 | 4 | 594 | 855 | 1 | 69.5% |
| Wilton Manors Elementary | 8 | 1995- 1998 | 5 | 0 | 596 | 615 | 1 | 96.9% |
| Winston Park Elementary | 12 | 1990- 2004 | 13 | 0 | 1,215 | 1,191 | 2 | 102.0% |
| Young, Virginia Shuman Elementary | 8 | 1993- 1993 | 8 | 0 | 724 | 687 | 2 | 105.4% |
| Discovery Elementary | 15 | 2008- | 3 | 0 | 849 | 942 | 1 | 90.1% |
| Beachside Montessori C Elementary | 6 | 2008- 2008 | 2 | 0 | 650 | 747 | 1 | 87.0% |
| Heron Heights Elementary | 12 | 2007- 2008 | 3 | 0 | 818 | 942 | 1 | 86.8% |
| Total | 1533 | | 1115 | 594 | 105,360 | 117,568 | | 92.1% |

Source: School Board of Broward County, 2010

Elementary school locations and attendance zones/concurrency service areas (CSAs) are illustrated in Map 2. Elementary school enrollment, including prekindergarten, for 2010/2011, not including Broward Virtual Elementary, centers or charters is 105,360 students. There are 16 elementary schools with enrollment greater than 100% of their gross FISH capacity, which is the adopted LOS standard (LOS). For the 2010/2011 school year, this translates into 11% of elementary schools in Broward County not meeting the LOS.

3. Middle Schools

There are 41 public middle schools in Broward County as of 2010/2011 not including Broward Virtual Middle. T A profile of these schools is shown by Table 9A.

| (| Current | Profile | e - Browar | Table 9A d County N | 1iddle Sch | ools 201 | .0/11 | |
|---------------------------------|-------------------------|---------------|------------------------|--------------------------|-----------------------------------|--|--------------------------------------|------------------|
| Facility Name | Site Size (Acres) | Age Range | Permanent Buildings | Relocatable Buildings | Current Enrollment (20 Day) | 100% Gross FISH (Student Capacity) | LOS (100% of gross FISH) | % of Capacity |
| Apollo Middle | 15 | 1969- 2007 | 8 | 22 | 938 | 1,657 | 1 | 56.6% |
| Arthur R. Ashe, Jr Middle | 24 | 2001- 2001 | 2 | 0 | 652 | 1,052 | 1 | 62.0% |
| Attucks Middle | 24 | 1960- 1997 | 8 | 0 | 895 | 1,227 | 1 | 72.9% |
| Bair Middle | 10 | 1975- 1993 | 4 | 18 | 978 | 1,297 | 1 | 75.4% |
| Coral Springs Middle | 19 | 1975- 2005 | 4 | 0 | 1,746 | 1,899 | 1 | 91.9% |
| Crystal Lake Middle | 14 | 1971- 2002 | 4 | 16 | 1,427 | 1,640 | 1 | 87.0% |
| Dandy, William Middle | 19 | 1991- 1995 | 19 | 8 | 991 | 1,291 | 1 | 76.8% |
| Deerfield Beach Middle | 32 | 1960- 2003 | 10 | 12 | 1,188 | 1,681 | 1 | 70.7% |
| Driftwood Middle | 22 | 1961- 2005 | 17 | 9 | 1,552 | 1,729 | 1 | 89.8% |
| Falcon Cove Middle | 21 | 1999- 1999 | 2 | 48 | 2,463 | 2,239 | 2 | 110.0% |
| Forest Glen Middle | 20 | 1990- 2004 | 19 | 8 | 1,515 | 1,783 | 1 | 85.0% |

| | Current | Profile | e - Browar | Table 9A d County N | 1iddle Sch | ools 201 | .0/11 | |
|-------------------------------|-------------------------|---------------|------------------------|--------------------------|-----------------------------------|--|--------------------------------------|------------------|
| Facility Name | Site Size (Acres) | Age Range | Permanent Buildings | Relocatable Buildings | Current Enrollment (20 Day) | 100% Gross FISH (Student Capacity) | LOS (100% of gross FISH) | % of Capacity |
| Glades Middle | 20 | 2006- 2008 | 4 | 11 | 1,821 | 2,060 | 1 | 88.4% |
| Gulfstream Middle | 7 | 1959- 2010 | 17 | 15 | 334 | 692 | 1 | 48.3% |
| Indian Ridge Middle | 26 | 1995- 2005 | 5 | 28 | 2,123 | 2,233 | 1 | 95.1% |
| Lauderdale Lakes Middle | 14 | 1969- 1976 | 4 | 17 | 901 | 1,258 | 1 | 71.6% |
| Lauderhill Middle | 22 | 1969- 1995 | 7 | 9 | 586 | 1,202 | 1 | 48.8% |
| Lyons Creek Middle | 22 | 1999- 2006 | 3 | 14 | 2,056 | 2,135 | 1 | 96.3% |
| Margate Middle | 23 | 1966- 2001 | 9 | 2 | 1,047 | 1,354 | 1 | 77.3% |
| McNicol Middle | 12 | 1997- 1997 | 2 | 0 | 707 | 1,323 | 1 | 53.4% |
| Millennium Middle | 11 | 2001- 2006 | 4 | 8 | 1,725 | 1,776 | 1 | 97.1% |
| New Renaissance Middle | 20 | 2000- 2000 | 4 | 0 | 1,372 | 1,547 | 1 | 88.7% |
| New River Middle | 18 | 1995- 1995 | 3 | 6 | 1,322 | 1,493 | 1 | 88.5% |
| Nova Middle | 14 | 1962- 2008 | 12 | 7 | 1,281 | 1,344 | 1 | 95.3% |
| Olsen Middle | 20 | 1954- 1991 | 28 | 0 | 1,122 | 1,698 | 1 | 66.1% |
| Parkway Middle | 15 | 1958- 2010 | 28 | 2 | 1,160 | 1,670 | 1 | 69.5% |
| Perry, Henry D Middle | 20 | 1991- 1991 | 6 | 9 | 815 | 1,326 | 1 | 61.5% |
| Pines Middle | 21 | 1993- 2005 | 3 | 0 | 1,754 | 1,769 | 1 | 99.2% |
| Pioneer Middle | 16 | 1975- 1991 | 5 | 22 | 1,412 | 1,591 | 1 | 88.7% |
| Plantation Middle | 22 | 1969- 2004 | 5 | 6 | 949 | 1,504 | 1 | 63.1% |
| Pompano Beach Middle | 12 | 1964- 2008 | 10 | 10 | 1,109 | 1,235 | 1 | 89.8% |
| Ramblewood Middle | 17 | 1976- 2005 | 4 | 20 | 1,563 | 1,742 | 1 | 89.7% |
| Rickards, James Middle | 13 | 1968- 2004 | 5 | 10 | 880 | 1,267 | 1 | 69.5% |
| Sawgrass Springs Middle | 20 | 1995- 1998 | 8 | 13 | 1,305 | 1,473 | 1 | 88.6% |

| | Current | Profile | e - Browar | Table 9A d County N | liddle Sch | ools 201 | .0/11 | |
|------------------------------|-------------------------|---------------|------------------------|--------------------------|-----------------------------------|--|--------------------------------------|------------------|
| Facility Name | Site Size (Acres) | Age Range | Permanent Buildings | Relocatable Buildings | Current Enrollment (20 Day) | 100% Gross FISH (Student Capacity) | LOS (100% of gross FISH) | % of Capacity |
| Seminole Middle | 21 | 1958- 2009 | 8 | 16 | 1,286 | 1,555 | 1 | 82.7% |
| Silver Lakes Middle | 20 | 1983- 2002 | 16 | 11 | 451 | 1,295 | 1 | 34.8% |
| Silver Trail Middle | 22 | 1995- 2009 | 3 | 35 | 1,666 | 2,059 | 1 | 80.9% |
| Sunrise Middle | 18 | 1991- 1999 | 15 | 8 | 1,124 | 1,403 | 1 | 80.1% |
| Tequesta Trace Middle | 23 | 1990- 2006 | 19 | 15 | 1,547 | 1,650 | 1 | 93.8% |
| Westglades Middle | 24 | 2001- 2001 | 4 | 16 | 1,524 | 1,766 | 1 | 86.3% |
| Westpine Middle | 18 | 1990- 2006 | 19 | 11 | 1,389 | 1,530 | 1 | 90.8% |
| Young, Walter C Middle | 30 | 1987- 2008 | 17 | 29 | 1,488 | 1,990 | 1 | 74.8% |
| Total | 781 | | 374 | 491 | 52,164 | 56,423 | | 94.9% |

Middle school locations and attendance zones/ concurrency service areas (CSAs) are illustrated in Map 3. Middle school enrollment for 2010/2011 is 52,164 students not including Broward Virtual Middle, centers or charters. There is 1 middle school with enrollment greater than 100% of its gross FISH capacity, which is the adopted LOS standard (LOS). For the 2010/2011 school year, this translates into 2% of middle schools in Broward County not meeting the LOS.

4. High Schools

There are 32 public high schools in Broward County as of 2010/2011 not including Broward Virtual High. A profile of these schools is shown by Table 9B.

| | Ta | ble 9B | | | |
|--------------------------|----------------|--------|------|----------------|---------|
| Current Profile - | Broward | County | High | Schools | 2010/11 |

| Facility Name | Site Size (Acres) | Age Range | Permanent Buildings | Relocatable Buildings | Current Enrollment (20 Day) | 100% Gross FISH (Student Capacity) | LOS (100% of gross FISH) | % of Capacity |
|---|-------------------------|---------------|------------------------|--------------------------|-----------------------------------|--|--------------------------------------|------------------------------|
| Anderson, | | 1972- | | | | | | es ferreiros de defendadorio |
| Boyd High | 32 | 2010 | 12 | 5 | 2,093 | 2,924 | 1 | 71.6% |
| Atlantic Tech. | | 2004- | | 21/0 | | F.C.C | _ | 105 10/ |
| (Bldg 24) | N/A | 2004 | 1 | N/A | 595 | 566 | 2 | 105.1% |
| Coconut Creek | 40 | 1964- 2000 | 13 | 34 | 2,028 | 2,884 | 1 | 70.3% |
| High College | 40 | 2000 | 13 | 34 | 2,020 | 2,004 | 1 | 70.376 |
| Academy @ BCC | NI/A | NI/A | N1/A | N/A | 349 | N/A | N/A | N/A |
| Cooper City | N/A | N/A 1971- | N/A | N/A | 349 | N/A | IN/A | IN/A |
| High | 30 | 2009 | 31 | 2 | 2,259 | 2,567 | 1 | 88.0% |
| Coral Glades | 4.5 | 2003- | _ | _ | 2 200 | 2 627 | 4 | 96.90/ |
| High | 45 | 2008 1975- | 5 | 0 | 2,290 | 2,637 | 1 | 86.8% |
| Coral Springs High | 37 | 2005 | 9 | 13 | 2,319 | 3,206 | 1 | 72.3% |
| Cypress Bay | 3/ | 2003 | 3 | 13 | 2,319 | 3,200 | 1 | 72.570 |
| High | 45 | 2001 | 9 | 145 | 4,099 | 4,642 | 1 | 88.3% |
| Deerfield | 15 | 1969- | | 113 | 1,000 | 1,012 | - | 33.3 /6 |
| Beach High | 41 | 2010 | 15 | 22 | 2,402 | 2,848 | 1 | 84.3% |
| | | 1959- | | | | | | |
| Dillard High | 51 | 2001 | 14 | 0 | 1,498 | 2,738 | 1 | 54.7% |
| Ely, Blanche | | 1952- | | | | | | |
| High | 39 | 2010 | 28 | 7 | 1,947 | 3,639 | 1 | 53.5% |
| Everglades | | 2002- | | | | | | 2 1 221 |
| High | 45 | 2010 | 4 | 22 | 2,802 | 2,980 | 1 | 94.0% |
| Flanagan, | 45 | 1995- | | 31 | 2 241 | 2 024 | 2 | 106.8% |
| Charles W High Fort | 45 | 1995 | 11 | 31 | 3,241 | 3,034 | | 100.0% |
| Lauderdale High | 27 | 1958- 2007 | 16 | 6 | 1,811 | 2,633 | 1 | 68.8% |
| Hallandale | | 1976- | | | | | | |
| High | 28 | 1976 | 6 | 10 | 1,507 | 1,829 | 1 | 82.4% |
| Hollywood Hills | | 1968- | | | | | | |
| High | 30 | 2006 | 7 | 24 | 1,855 | 2,786 | 1 | 66.6% |
| William No. | 50 00000 | 1958- | | | | | | |
| McArthur High | 40 | 2002 | 30 | 5 | 2,117 | 2,335 | 1 | 90.7% |
| McFatter | 51/6 | 1997- | - | 61.76 | F04 | 500 | | 104 40/ |
| Technical | N/A | 1997 | 1 | N/A | 591 | 566 | 2 | 104.4% |
| Miramar High | 38 | 1969- 2005 | 13 | 30 | 2,760 | 3,235 | 1 | 85.3% |
| rmamar mgn | 36 | 2003 | 1.3 | 30 | 2,700 | 3,233 | 1 | 03.370 |
| Monarch High | 55 | 2002- | 5 | 10 | 2,123 | 2,360 | 1 | 90.0% |
| | - 55 | 1958- | | | | | | / - |
| Northeast High | 52 | 2010 | 29 | 3 | 2,196 | 2,389 | 1 | 91.9% |
| | | 1962- | | | | | | |
| Nova High | 51 | 2009 | 24 | 41 | 2,233 | 2,474 | 1 | 90.3% |

| | Та | ble 9B | | | |
|--------------------------|----------------|--------|------|----------------|---------|
| Current Profile - | Broward | County | High | Schools | 2010/11 |

| Facility Name | Site Size (Acres) | Age Range | Permanent Buildings | Relocatable Buildings | Current Enrollment (20 Day) | 100% Gross FISH (Student Capacity) | LOS (100% of gross FISH) | % of Capacity |
|---|-------------------------|---------------|------------------------|--------------------------|-----------------------------------|------------------------------------|--------------------------------------|------------------|
| D. C. | 20 | 1971- | 20 | 46 | 2.667 | 3 550 | 4 | 75 10/ |
| Piper High | 30 | 2007 | 20 | 46 | 2,667 | 3,550 | 1 | 75.1% |
| Plantation High | 35 | 1963- 2009 | 25 | 23 | 2,166 | 3,170 | 1 | 68.3% |
| Pompano Beach Inst. Int'l Studies | 18 | 1952- 2002 | 17 | 4 | 1,271 | 1,229 | 2 | 103.4% |
| South Broward High | 25 | 1947- 2008 | 29 | 0 | 2,085 | 2,289 | 1 | 91.1% |
| South Plantation High | 32 | 1969- 2006 | 15 | 19 | 2,371 | 2,778 | 1 | 85.3% |
| Stoneman Douglas High | 45 | 1990- 2008 | 13 | 44 | 3,176 | 3,571 | 1 | 88.9% |
| Stranahan High | 38 | 1951- 2004 | 27 | 9 | 1,730 | 2,541 | 1 | 68.1% |
| Taravella, J P High | 31 | 1979- 2006 | 10 | 18 | 3,009 | 3,809 | 1 | 79.0% |
| West Broward High | 43 | 2007- 2008 | 8 | 0 | 2,695 | 2,755 | 1 | 97.8% |
| Western High | 40 | 1979- 2009 | 19 | 23 | 3,008 | 3,754 | 1 | 80.1% |
| Total | 1108 | | 466 | 596 | 69,293 | 73124 | | 102.30% |

Source: School Board of Broward County, 2010

High school locations and attendance zones/ concurrency service areas (CSAs) are illustrated in Map 4. High school enrollment for 2010/2011 was 69,293 students not including Broward Virtual High. There is 1 high school with enrollment greater than 100% of its gross FISH capacity, which is the adopted LOS standard (LOS). This translates into 3% of high schools in Broward County not meeting the LOS.

5. Charter Schools

There are 68 charter schools operating in Broward County as of 2010/2011. The profiles of these schools are shown in Table 10.

Table 10 Current Profile – Broward County Charter Schools 2010/2011

| Facility Name & Location | Contract Capacity | Current Enrollment 2009/10 | Surplus or Deficit Capacity | Projected Enrollment 2014/15 |
|---|----------------------|----------------------------------|-----------------------------------|------------------------------------|
| Ben Gamla Charter | | | | |
| 2620 Hollywood Blvd | | | | |
| Hollywood, FL 33020 | 610 | 576 | 34 | 576 |
| Ben Gamla Charter North Broward | | | | |
| 2620 Hollywood Boulevard | | | | |
| Hollywood, FL 33020 | 900 | 17 | 883 | 17 |
| Ben Gamla Charter South Broward 6501 W. Sunrise Blvd. | | | | |
| Sunrise, FL 33313 | 900 | 223 | 677 | 223 |
| Broward Community Charter 11421 NW 56th Drive | | | | |
| Coral Springs, FL 33076 | 1,000 | 198 | 802 | 198 |
| Broward Community Charter West 11421 NW 56th Drive | | | | |
| Coral Springs, FL 33076 | 500 | 358 | 142 | 358 |
| Central Charter School | | | | |
| 4525 N. State Road 7 | | | | |
| Lauderdale Lakes, FL 33319 | 630 | 620 | 10 | 620 |
| Charter Inst Training Ctr | | | | |
| 5420 N. State Road 7 | | | | |
| Ft. Lauderdale, FL 33319 | 350 | 114 | 236 | 114 |
| Charter School of Excellence 1217 SE 3 Avenue | | | | |
| Ft. Lauderdale, FL 33316 | 310 | 288 | 22 | 288 |
| Charter School of Excellence @ Davie 2801 N. University Drive | | | | |
| Pembroke Pines, FL 33024 | 350 | 168 | 182 | 168 |
| Charter School of Excellence @ Davie2 | | | | |
| 1217 SE 3rd Avenue | | | | |
| Ft. Lauderdale, FL 33316 | 500 | 156 | 344 | 156 |
| Charter School of Excellence, Ft Lauderdale2 | | | | |
| 1217 SE 3rd Avenue | | | | |
| Ft. Lauderdale, FL 33316 | 500 | 30 | 470 | 30 |
| Charter School of Excellence @ Riverland | | | | |
| 3550 Davie Boulevard | | | | |
| Ft. Lauderdale, FL 33312 | 350 | 132 | 218 | 132 |
| Charter School of Excellence @ Riverland 2 | | | | |
| 3550 Davie Boulevard | 500 | 94 | 406 | 94 |

Table 10 Current Profile - Broward County Charter Schools 2010/2011

| Facility Name & Location | Contract Capacity | Current Enrollment 2009/10 | Surplus or Deficit Capacity | Projected Enrollment 2014/15 |
|---|----------------------|----------------------------------|-----------------------------------|------------------------------------|
| Ft. Lauderdale, FL 33312 | | | | 41 141 141 141 |
| Charter School of Excellence @ Tamarac 1 | | | | |
| 7595 NW 61 Street | | | | |
| Tamarac, FL 33321 | 500 | 221 | 279 | 221 |
| Charter School of Excellence @ Tamarac 2 | | | | |
| 7595 NW 61 Street | | | | |
| Tamarac, FL 33321 | 500 | 195 | 305 | 195 |
| City of Coral Springs 3205 N. University Drive | | | | |
| Coral Springs, FL 33065 | 1,600 | 1,640 | (40) | 1,640 |
| City of Pembroke Pines High 17189 Sheridan Street | | | | |
| Pembroke Pines, FL 33331 | 1,600 | 1,721 | (121) | 1,721 |
| City of Pembroke Pines Elementary 10801 Pembroke Road (East) Pembroke Pines, FL 33025 | | | | |
| 1680 SW 184 Avenue (West) Pembroke Pines, FL 33025 | | | | |
| 12350 Sheridan Street (Central) | W 40 70 | | 70 (10000000) | |
| Pembroke Pines, FL 33026 | 1,800 | 1,926 | (126) | 1,926 |
| City of Pembroke Pines Middle | | | | |
| 18500 Pembroke Road (West) Pembroke Pines, FL 33029 | | | | |
| 12350 Sheridan Street (Central) | 4 200 | 4 220 | (20) | 1 220 |
| Pembroke Pines, FL 33026 | 1,200 | 1,239 | (39) | 1,239 |
| Discovery Middle Charter | | | | |
| 11421 NW 56th Drive | | | F00 | 0.1 |
| Coral Springs, FL 33076 | 600 | 91 | 509 | 91 |
| Dolphin Park High | | | | |
| 3206 S. University Drive | 500 | 202 | 107 | 202 |
| Miramar, FL 33025 | 500 | 303 | 197 | 303 |
| Eagle Academy | | | | |
| 3020 NW 33 Avenue | 600 | 140 | 224 | 440 |
| Lauderdale Lakes, FL 33311 | 680 | 449 | 231 | 449 |
| Eagles' Nest Elementary 201 N. University Drive | 400 | 159 | 241 | 159 |

Table 10 Current Profile – Broward County Charter Schools 2010/2011

| Facility Name & Location | Contract Capacity | Current Enrollment 2009/10 | Surplus or Deficit Capacity | Projected Enrollment 2014/15 |
|--|----------------------|----------------------------------|-----------------------------------|------------------------------------|
| Coral Springs, FL 33071 | | | | |
| Eagles' Nest Middle | | | | |
| 201 N. University Drive | | | | |
| Coral Springs, FL 33071 | 420 | 55 | 365 | 55 |
| Excelsior Charter of Broward (K-4) | | | | |
| 10046 W. McNab Road | | | | |
| Tamarac, FL 33321 | 500 | 160 | 340 | 160 |
| Florida Intercultural Academy | | | | |
| 1704 Buchanan Street | | | | |
| Hollywood, FL 33019 | 130 | 258 | (128) | 258 |
| Florida Intercultural Academy Middle | | | | |
| 1704 Buchanan Street | | | | |
| Hollywood, FL 33019 | 120 | 32 | 88 | 32 |
| Henry McNeal Turner Learning Academy | | | | |
| 404 NW 7th Terrace | 250 | 7.5 | 175 | 7.5 |
| Ft. Lauderdale, FL 33311 | 250 | 75 | 175 | 75 |
| Hollywood Acad of Arts & Science | | | | |
| 1720 Harrison Street | | 455 | 201 | 422 |
| Hollywood, FL 33020 | 734 | 433 | 301 | 433 |
| Hollywood Acad of Arts & Science Middle | | | | |
| 1720 Harrison Street | | 244 | 656 | 244 |
| Hollywood, FL 33020 | 900 | 244 | 656 | 244 |
| Imagine School at Broward | 1 | | | |
| 9001 Westview Drive | 750 | 610 | 120 | 613 |
| Coral Springs, FL 33067 | 750 | 612 | 138 | 612 |
| Imagine School at Broward Middle | | | | |
| 9001 Westview Drive | 220 | | 264 | |
| Coral Springs, FL 33067 | 330 | 66 | 264 | 66 |
| Imagine School at North Lauderdale | | | | |
| 1395 S. State Road 7 | | 274 | 226 | 274 |
| North Lauderdale, FL 33068 Imagine School at North Lauderdale Middle | 600 | 374 | 226 | 374 |
| 1395 S. State Road 7 | | | | |
| North Lauderdale, FL 33068 | 600 | 175 | 425 | 175 |
| Imagine School at Weston | | | | |
| 2500 Glades Circle | | | | |
| Weston, FL 33327 | 1,050 | 833 | 217 | 833 |
| International School of Broward | 1,275 | 324 | 951 | 324 |

Table 10 Current Profile - Broward County Charter Schools 2010/2011

| Facility Name & Location | Contract Capacity | Current Enrollment 2009/10 | Surplus or Deficit Capacity | Projected Enrollment 2014/15 |
|--|----------------------|----------------------------------|-----------------------------------|------------------------------------|
| 3100 N. 75th Avenue | | | | |
| Hollywood, FL 33024 | | | | |
| Kidz Choice Charter | | | | |
| 9063 Taft Street | | | | |
| Pembroke Pines, FL 33024 | 750 | 101 | 649 | 101 |
| Lauderhill High | | | | |
| 4131 NW 16th Street | | | | |
| Lauderhill, FL 33313 | 500 | 268 | 232 | 268 |
| Life Skills | | | | |
| 2360 W. Oakland Park Blvd. | | | | |
| Oakland Park, Florida 33311 | 400 | 270 | 130 | 270 |
| Mavericks High Central Charter Broward | | | | |
| 424 W Sunrise Blvd. | | | | 1000 |
| Ft Lauderdale, FL 33311 | 550 | 126 | 424 | 126 |
| North Broward Acad of Excellence | | | | |
| 8200 SW 17 Street | | | | |
| N. Lauderdale, FL 33068 | 250 | 625 | (375) | 625 |
| North Broward Acad of Excellence Middle | | | | |
| 8200 SW 17 Street | | | | |
| N. Lauderdale, FL 33068 | 800 | 328 | 472 | 328 |
| North University High | | | | |
| 4800 N. University Drive | | | 2.02 | |
| Sunrise, FL 33351 | 500 | 290 | 210 | 290 |
| Paragon | | | | |
| 3311 N. Andrews Avenue | | | | |
| Pompano Bch, FL 33064 | 450 | 162 | 288 | 162 |
| Paragon Academy of Technology | | | | |
| 2210 Pierce Street | | | 5.54 | |
| Hollywood, FL 33020 | 350 | 99 | 251 | 99 |
| Parkway Academy | | | | |
| 7451 Riviera Blvd | | | | |
| Miramar, FL 33028 | 650 | 491 | 159 | 491 |
| Pompano Charter Middle | | | | |
| 3311 N. Andrews Avenue | 12.12.12 | | | |
| Pompano Bch, FL 33064 RISE Academy School of Science and Tech. (K-4) | 600 | 68 | 532 | 68 |
| 3698 NW 15 Street | | | | |
| Lauderhill, FL 33313 | 150 | 272 | (122) | 272 |

Table 10 Current Profile – Broward County Charter Schools 2010/2011

| Facility Name & Location | Contract Capacity | Current Enrollment 2009/10 | Surplus or Deficit Capacity | Projected Enrollment 2014/15 |
|---|----------------------|----------------------------------|-----------------------------------|------------------------------------|
| RISE Acad. School of Sci. and Tech. | | | | |
| Tamarac (5-7) | | | | |
| 3698 NW 15th Street | | | ora o | |
| Lauderhill, FL 33311 | 300 | 106 | 194 | 106 |
| Smart School (Middle) | | | | |
| 3020 NW 33 Avenue | | | | |
| Lauderhill, FL 33311 | 500 | 146 | 354 | 146 |
| Somerset Academy Elementary 20801 Johnson Street | | 55 | | |
| Pembroke Pines, FL 33029 | 500 | 861 | (361) | 861 |
| Somerset Academy Middle | | | | |
| 20803 Johnson Street | | | | |
| Pembroke Pines, FL 33029 | 600 | 798 | (198) | 798 |
| Somerset Academy Davie | | | | |
| 3788 Davie Road | | | | |
| Davie, FL 33314 | 800 | 141 | 659 | 141 |
| Somerset Academy East Prepatory | | | | |
| 2000 South State Road 7 | | | | |
| Mirarmar, FL 33027 | 801 | 234 | 567 | 234 |
| Somerset Academy High | | | | |
| 20805 Johnson Street | | | | |
| Pembroke Pines, FL 33029 | 1,200 | 708 | 492 | 708 |
| Somerset Academy Miramar | | | | |
| 12601 Somerset Blvd. | | | | |
| Miramar, FL 33027 | 675 | 694 | (19) | 694 |
| Somerset Academy Miramar Middle | | | | |
| 12601 Somerset Blvd. | | | | |
| Miramar, FL 33027 | 325 | 391 | (66) | 391 |
| Somerset Conservatory | | | | |
| 20807 Johnson Street | | | | |
| Pembroke Pines, FL 33029 | 200 | 78 | 122 | 78 |
| Somerset Neighborhood | | | | |
| 225 NW 29 Street | | | | |
| Wilton Manors, FL 33311 | 175 | 78 | 97 | 78 |
| Somerset Pines Academy | | | | |
| 901 NE 3rd Street | | | | |
| Pompano Beach, FL 33064 | 900 | 256 | 644 | 256 |
| Somerset Prep Charter School @ N Lauderdale | | | | |
| 7101 Kimberly Boulevard | | | | |
| North Lauderdale, FL 33068 | 900 | 413 | 487 | 413 |

| | Table 10 | | | | |
|----------------------------------|-----------------|----------|--------|------|-------|
| Current Profile - Broward | County C | harter S | chools | 2010 | /2011 |

| Facility Name & Location | Contract Capacity | Current Enrollment 2009/10 | Surplus or Deficit Capacity | Projected Enrollment 2014/15 |
|--|----------------------|----------------------------------|-----------------------------------|------------------------------------|
| Somerset Preparatory Charter Middle | | | | |
| 2000 State Road 7 | | | | |
| Miramar, FL 33023 | 750 | 74 | 676 | 74 |
| Somerset Prep Charter High @ N Lauderdale | | | | |
| 7101 Kimberly Blvd. | | | | |
| North Lauderdale, FL 33068 | 1,000 | 54 | 946 | 54 |
| Somerset Village Academy Middle | | | | |
| 225 NW 29h Street | | | | |
| Wilton Manors, FL 33311 | 750 | 100 | 650 | 100 |
| Somerset Village Academy | | | | |
| 225 NW 29h Street | | | | |
| Wilton Manors, FL 33311 | 750 | 305 | 445 | 305 |
| Sunshine Elementary Charter | | | | |
| 2210 Pierce Street | | | | |
| Hollywood, FL 33020 | 500 | 113 | 387 | 113 |
| Touchdowns4Life | | | | |
| 10044 W. McNab Road, #28 | | | | |
| Tamarac, FL 33321 | 175 | 65 | 110 | 65 |
| Total | 42,190 | 23,274 | 18,916 | 23,274 |

Source: School Board of Broward County, September 21, 2010 Twentieth Day student enrollment from TERMS

Contract Capacity reported by Charter Schools Support

Charter school locations are illustrated in Map 1. They have a district-wide attendance zone/concurrency service area, which means their LOS is measured on a county-wide basis. Charter school enrollment for 2010/2011 was 23.274 students.

6. Special Schools

There are 20 special schools in Broward County as of 2010/2011. Special schools are comprised of vocational and educational centers. There are no additional special schools planned in the near future. A profile of these schools is shown by Table 11 below.

| Table 11 Current Profile - Broward County Special Schools 2010/11 | | | | | | | | |
|---|-------------------------|---------------|------------------------|--------------------------|-----------------------------------|--|-----------------------------|------------------|
| Facility Name | Site Size (Acres) | Age Range | Permanent Buildings | Relocatable Buildings | Current Enrollment (20 Day) | 100% Gross FISH (Student Capacity) | LOS (100% of FISH) | % of Capacity |
| Atlantic Tech Center* | 30 | 1972- 2004 | 24 | 33 | 595 | 566 | 2 | 105.1% |
| Bright Horizons Center | 6 | 1977- 1995 | 5 | 0 | 128 | 325 | 1 | 39.4% |
| Cross Creek Center | 15 | 1990 | 6 | 4 | 113 | 228 | 1 | 49.6% |
| Cypress Run Alt Excep Center Dave Thomas | 6 | 2007 | 1 | 0 | 142 | 240 | 1 | 59.2% |
| Education Center | 3 | 1997 | 1 | 0 | 752 | 330 | 2 | 227.9% |
| Dave Thomas Education Center-West** | 10 | 2003 | 3 | 0 | NA | NA | NA | NA |
| Drew, Charles Resource Center | 10 | 1960- 1998 | 13 | 21 | NA | NA | NA | NA |
| Hallandale Adult Center* | 13 | 1964- 2001 | 18 | 21 | 1,054 | 2,101 | 1 | 50.2% |
| Lanier-James Education Center | 5 | 1960- 2009 | 5 | 0 | 95 | 298 | 1 | 31.9% |
| McFatter, William Tech Center* | 34 | 1985- 2001 | 11 | 0 | 591 | 566 | 2 | 104.4% |
| Pine Ridge Center | 5 | 2005 | 2 | 0 | 93 | 252 | 1 | 36.9% |
| Seagull School | 3 | 1961- 2009 | 4 | 26 | 335 | 1,025 | 1 | 32.7% |
| Sheridan Tech Center* | 18 | 1967- 2007 | 19 | 3 | 58 | 1,298 | 1 | 4.5% |
| Sunset Learning Center | 13 | 1996 | 2 | 0 | 170 | 273 | 1 | 62.3% |
| The Quest Center | 9 | 1977- 1993 | 4 | 0 | 229 | 313 | 1 | 73.2% |
| Whiddon Rogers Ed Center | 15 | 1959- 2004 | 20 | 2 | 633 | 1,560 | 1 | 40.6% |
| Whispering Pines Ex Ed | 16 | 1990 | 9 | 3 | 183 | 210 | 1 | 87.1% |

| Total | 258 | | 159 | 141 | 5,251 | 9,942 | 1 | 52.8% |
|------------------------|-----|---------------|-----|-----|-------|-------|---|-------|
| Wingate Oaks Center | 20 | 1974- 1991 | 5 | 0 | 80 | 357 | 1 | 22.4% |
| Center | | | | | | | | |

^{*}Adult enrollment is not reflected

Special school locations are illustrated in **Map 1**. Similar to charter schools, special schools also have a district-wide attendance zone/concurrency service area. Current enrollment for 2010/2011 for the Broward County special schools is 5,251.

7. Ancillary Facilities

Ancillary facilities provide general support for the operation of the district, not related to individual schools. There are 27 ancillary facilities in Broward County. Locations of these facilities are list in Table 12 and illustrated in Map 1.

| Table 12 Ancillary Facility Inventory | | | | |
|---------------------------------------|-------------------------|--------------------|--|--|
| Facility | Address | City | | |
| B.E.C.O.N. | 6600 SW Nova Dr | Davie | | |
| Coral Springs Aquatic Ctr | 12441 Royal Palm Blvd | Coral Springs | | |
| E.C.I.A / Title 1 | 701 NW 31 Ave | Oakland Park | | |
| HORTT Admin | 1700 SW 14 Ct | Fort Lauderdale | | |
| ITV Relay | Hammondville & Turnpike | Coconut Creek | | |
| KC Wright | 600 SE 3 Ave | Fort Lauderdale | | |
| KC Wright / HRD | 3521 Davie Rd | Davie | | |
| Lockhart Stadium | 5301 NW 12 Ave | Fort Lauderdale | | |
| M.E.T.R.I.C Multilingual/ | 1441 S Federal Hwy | Fort Lauderdale | | |
| North Area Bus Complex | 2200 NW 18 St | Pompano Beach | | |
| North Area Bus Garage | 2600 NW 18 Terr | Pompano Beach | | |
| North Area Maint.& Warehouse | 6501 NW 15 Ave | Fort Lauderdale | | |
| North Area Superintendent-Pomp. | 1400 NE 6 St | Pompano Beach | | |
| North Central Super. Office | 7770 W Oakland Park | Sunrise | | |

^{**}Includes Charles Drew Resource Center, Dave Thos-West Source: School Board of Broward County, 2010

| | Blvd | |
|---------------------------------------|-----------------------------|--------------------|
| Rock Island Annex (Prof Dev Ctr) | 2301 NW 26 St | Oakland Park |
| South Area Bus Garage | 900 S University Dr | Pembroke Pines |
| South Area Maintenance | 1295 N 21 Ave | Hollywood |
| Pioneer MS Annex | 5350 SW 90 Ave | Cooper City |
| South Area Portable Annex | 201 SW 172 Ave | Pembroke Pines |
| South Central Area Super. Office | 1619 NE 4 Ave | Fort Lauderdale |
| Southwest Area Bus Complex | 20251 Stirling Rd | Pembroke Pines |
| Tech & Support Srvs | 7720 W Oakland Park Blvd | Sunrise |
| Twin Lakes Admin | 4200 NW 10 Ave | Oakland Park |
| Twin Lakes Annex | 4140 NW 10 Ave | Oakland Park |
| Twin Lakes Warehouse & Transportation | 3810 NW 10 Ave | Oakland Park |
| West Central Bus Compound | 2500 College Ave | Davie |
| Edgewood Admin (Whiddon Rogers) | 1300 SW 32 Ct | Fort Lauderdale |

Source: School Board of Broward County, 2010

C. Projected 5 Year (S/T) School Enrollment, Capacity, LOS & Improvement Costs

The analysis of the current and five (5) year projected data of school facilities is compiled in the Proposed Level of Service Plan (Attachment D) and Attachment G. They both represent information for the years 2010/2011 through 2014/2015, except the table contains detail costs associated with capacity The table shows the current & projected improvements. enrollment; gross Florida Inventory of School Houses (FISH) capacity; Level of Service (LOS) percentage; surplus/deficit capacity to attain the gross FISH; improvement strategy; the cost; cost per student station; and the school district's funding source. The current and projected enrollment is shown for each school. Schools are sorted by administrative area (North, North Central, South Central, and South) and by grade level (elementary, middle, and high). The LOS was calculated for each school and for each year of the five year period. The district's major improvement strategy is to add new schools and additions to the existing schools. Classroom additions are being added to 46 of the district's 138 elementary schools; 19 of the district's 42 middle schools; and 9 of the district's 31 high schools. Using this strategy of adding permanent additions, new schools, and along with the School District's Policy 5000, the data confirms that the all schools will meet the LOS within the five year planning period. It should be noted that school centers are not listed that is because the enrollment at the centers is relatively constant since the enrollment can be controlled by capping to insure they do not exceed their capacities.

Concurrency Costs - Affected Parties The costs associated with achieving and maintaining the LOS during the five (5) year period are paid for and shared by public and private funding sources. Table 16 details the primary public and private entities which pay for the capacity improvements. These include; Millage - funds collected through property taxes which are the primary revenue source. Public Education and Capital Outlay (PECO) is another source which is a fund allocation by the State. This is the third largest revenue source for the School Board. These are funds based on bonding capacity provided by the State from Impact Fees/Mitigation Funds is another gross receipts tax. developers to address collected from capacity improvement costs.

The cost associated with the capacity additions for those school facilities not currently meeting the LOS are depicted in Table 11 which is attached as Attachment G. The improvement costs are derived from the financially feasible DEFP. There may be additional costs to meet concurrency which are addressed through Proportionate Share Mitigation provisions. These provisions and requirements are outlined in the Interlocal Agreement, specifically, Sections 8.14 and 8.15.

<u>Land Area Requirements</u> T There are currently no new schools planned which would require additional land to meet capacity improvements.

| Table 13 Land Area Requirements | | | | | |
|---------------------------------|-------------------|---------------------------------|----------------------|------------------|--|
| | Estima Acres N | # of Improvements | Improvement Type | School Type | |
| | 0 | 0 | New school | Elementary | |
| | 0 | 0 | New School | Middle | |
| | 0 | 0 | New School | High | |
| | 0 | 0 | None | Special | |
| | 0 | 0 | | Total | |
| ec | 0 | 0 0 ounty, September 7, 2 | l Board of Broward C | Special Total | |

As previously states, the School Board adopted new "urban school" standards intended to reduce the acreage amounts required to build schools given the diminishing availability of land in Broward County.

Student Membership Projection Methodology The School District's primary projection tool for enrollment projections is a geographically based Cohort Survival model, which projects future students by grade. The Cohort Survival method is considered a very reliable procedure and is utilized by the State of Florida in their projections and the U.S. Census Bureau for their projections and reports. The model uses an "aging" concept that moves a group or cohort of people into the future and increases or decreases their numbers according to past experience through history.

The Cohort Survival methodology relies on historical enrollment and birth data to capture the effects of in and out-migration, housing changes, and natural trends in population. In essence, the model derives a growth factor or ratio for student survival matriculation to the next grade based upon previous survival numbers to the same grade of students in each Traffic Analysis Zone (TAZ), the basic geographic area for the model. In most cases, TAZ areas represent neighborhoods. There are over 900 TAZ areas in Broward County. TAZ areas are further divided into smaller geographic areas to account for schools that matriculate to more than one school at each grade level, (e.g. an elementary school that feeds into 2 different middle schools). combination of elementary, middle and high school attendance zones and TAZ areas create a unique identifiable area called a Study Area Identification or SAID. SAIDs capture the grade cohorts more accurately by including feeder patterns. example, if elementary school A matriculates to 2 different middle schools B and C and one high school D, there would be 2 different SAIDs for elementary school A-one SAID to represent matriculation from elementary A to middle school B to high school D and another SAID to represent matriculation from elementary A to middle school C to high school D.

Once the model has been run for the small geographic units or SAIDs, the projections are then summarized by TAZ. In some instances, individual TAZ areas are corrected to reflect changes in growth which are not picked up in the projection model's

histories. A few examples where corrections are required include areas where:

- 1. new construction is anticipated to exceed the pace of historical construction for an area,
- 2. an area is reaching build-out and all new construction will cease or slow down,
- 3. an unprecedented slow-down in the economic market, or
- 4. a boundary change has artificially increased/decreased the area.

Birth Data

The historical number of births is a good indicator of future kindergarten class size. Birth data is acquired from the Florida Department of Health Vital Records by U. S. Census tract. Several steps are taken to interpolate future kindergarten enrollment based on births, as not all children born will enter kindergarten. To project kindergarten enrollment, births by census tract have to be estimated for a five year period i.e., births from 2005 will potentially enter kindergarten in 2010-11. Data is then increased or decreased based on past kindergarten populations by census tract. Once the number of births is adjusted, the percentage of students that are in each census tract is broken down to the SAID level. Since the census tract may intersect more than one SAID, a unique identifier is created between the census tracts and SAIDs. The percentage of actual attending kindergarten students for the past two years is calculated for each unique SAID/census tract. This percentage is used to extrapolate the number of kindergarten from the total number of kindergarten aged students within a given unique SAID/census tract. The SAIDs are then summarized to obtain the estimated number of kindergarten students by SAID for five years.

Residential Development Data

Each year Broward County municipal planning staff provides current and forecasted certificates of occupancy to assist county and BCPS demographic staff in estimating population changes. Residential growth is also shared and monitored through the Facility Management, Planning, and Site Acquisition Department. BCPS requests city and county planning staff to

estimate future certificates of occupancy over the next five years.

Other Data

Other information is analyzed to determine if the Cohort Survival rates may need to be adjusted to align with a shorter or longer historical time horizon. These data may include:

- 1. Existing home sales (source: Florida Association of Realtors)
- 2. Population Projections (source: U.S. Census, Broward County, Bureau of Economic and Business Research, and Florida Department of Education)

Attrition Rate of Attending Students

BCPS includes four years of attending enrollment to calculate the rate of attrition or rate of students matriculating to the next level within their SAID by grade. Attending enrollment is the total number of students within the attendance zone that are attending their geographically assigned school. Determining the attrition rate by SAID, keeps the feeder patterns intact as the grades matriculate to each specific school. For example:

| (# of 2007-08 attending 2 nd graders) by SAID (# of 2006-07 attending 1 st graders) by SAID | = SAID 2^{nd} grade attrition rate 2007-08 to 2007-08 |
|--|--|
| (# of 2008-09 attending 2 nd graders) by SAID (# of 2007-08 attending 1 st graders) by SAID | = SAID 2^{nd} grade attrition rate 2008-09 to 2008-09 |
| (# of 2009-10 attending 2 nd graders) by SAID (# of 2008-09 attending 1 st graders) by SAID | = SAID 2 nd grade attrition rate 2009-10 to 2009-10 |

Once the attrition rate is calculated for each grade, grades one through twelve, over the past three years, it is then averaged and used as a factor to obtain next year's projections for that grade. For example:

Average SAID 2^{nd} grade # of 2009-10 attending = projected 2010-11 2^{nd} attrition rate from 2007-2010 # 2^{nd} graders by SAID graders by SAID

To calculate subsequent years of projections by grade, the model uses the projected rate of attrition based on the projected enrollment of the previous year to calculate the next projection year. For example:

Average SAID 2nd grade projected attrition rate from 2008-2011

of projected 2010-11

* attending 2nd graders
by SAID

= projected 2011-12 2nd graders by SAID

Projections by SAID for each grade are then reviewed school-byschool. Attrition rates can cause projections to be exceedingly high or low in which case they will have to be adjusted so as not to cause an exponential effect in outer projection years. The following are possible corrections to rates:

Out-of-Boundary Students (OOB)

Out-of-boundary (OOB) students are students attending a school from outside their attendance area (i.e. approved reassignments).

BCPS assumes that OOB students at each grade level at each school will be the same as the existing year and will have a survival rate of 100% as they matriculate through the grade levels. For example, Middle School A currently has the following OOB students: 35-6th grade, 38-7th grade, and 42-8th grade. For all projected years, Middle School A will have 35-6th grade, 38-7th grade, and 42-8th grade OOB students.

However, adjustments can be made to OOB students if enrollments naturally decline based on the calculated cohort survival rate yet economic or other conditions may suggest enrollment should increase or if schools are eligible to receive assignment transfers. Since assignment data is determined after the release of the projections and is subject to change, the OOB students typically remain constant in the model based on the current year's data.

The school-by-school Cohort Survival model projections, by grade, are compared and tested for reasonableness with other models such as the Florida Department of Education (FDOE) projections and the Broward County Planning and Redevelopment Division school-aged population projections.

Accordingly, adjustments may be made to the Cohort Survival model based on the following factors:

- changes in the rate or type of new housing development within Broward county
- 2. changes in economic conditions (e.g. the creation of jobs usually means families are moving in whereas a recession usually means families are moving out)
- 3. immigration
- 4. natural phenomena (e.g. Hurricanes)

There are also decisions made within BCPS, which may have a dramatic effect upon projections. These include:

- 1. future placement of English Language Learners (ELL) clusters
- 2. future placement of Exceptional Student Education (ESE) clusters
- opening and closing of magnet programs (first year projections are difficult because of the lack of a "track record")
- 4. Adequate Yearly Progress (AYP) choice reassignments
- 5. other approved reassignments
- 6. opening and closing of charter schools throughout the year

D. Projected 10 Year (L/T) School Enrollment, Capacity, LOS & Improvement Costs

The long-term planning period for school facilities is ten years. Table 14, below, represents capacity needs information for the end of the ten year period through 2020/2021. The data compares the School District's LOS by grade level and Planning Area to the 2020 – 2021 projected student enrollments and the needed permanent capacity. As mentioned earlier, commencing at the 2019/20 school year, the LOS is calculated at 110% of permanent FISH capacity. The cumulative information presents a total permanent capacity plus 10% of 261,051 versus a projected enrollment of 223,053 or an excess of 37,998 seats. The cumulative total solely based upon permanent capacity is 237,319 with an excess of 14,266 seats.

Table 14
Projected 10 Year School Facilities by Planning Area and District-Wide

| Planning Area | School Type | LOS (110% Perm. Capacity) | Projected Enrollment 2020-21 | Surplus or (Deficit) Capacity | Improvement Strategy | Projected Cost | Projected Added Capacity |
|------------------|----------------------|------------------------------------|------------------------------------|--|-------------------------|-------------------|--------------------------------|
| | Elementary School | 16,364 | 14,954 | 1,409 | None | N/A | N/A |
| | Middle School | 8,289 | 7,699 | 590 | None | N/A | N/A |
| | High School | 13,197 | 10,607 | 2,589 | None | N/A | N/A |
| | Charter | N/A | N/A | N/A | N/A | N/A | N/A |
| Area A | Special School | N/A | N/A | N/A | None | N/A | N/A |
| | Elementary School | 21,157 | 19,116 | 2,042 | New School | \$25,000,000 | 830 |
| | Middle School | 8,923 | 7,793 | 1,130 | None | N/A | N/A |
| | High School | 11,048 | 7,955 | 3,093 | None | N/A | N/A |
| | Charter | N/A | N/A | N/A | N/A | N/A | N/A |
| Area B | Special School | N/A | N/A | N/A | None | N/A | N/A |
| | Elementary School | 16,775 | 14,379 | 2,396 | None | N/A | N/A |
| | Middle School | 9,125 | 7,806 | 1,319 | None | N/A | N/a |
| | High School | 8,469 | 7,147 | 1,322 | None | N/A | N/A |
| | Charter | N/A | N/A | N/A | N/A | N/A | N/A |
| Area C | Special School | N/A | N/A | N/A | None | N/A | N/A |
| | Elementary School | 18,734 | 17,494 | 1,240 | New School | \$50,000,000 | 1660 |
| | Middle School | 7,726 | 8,594 | (867) | None | N/A | N/A |
| | High School | 12,643 | 12,310 | 334 | New School | \$130,000,000 | 2,850 |
| | Charter | N/A | N/A | N/A | N/A | N/A | N/A |
| Area D | Special School | N/A | N/A | N/A | None | N/A | N/A |
| | Elementary School | 14,529 | 10,397 | 4,132 | None | N/A | N/A |
| | Middle School | 5,875 | 4,387 | 1,488 | None | N/A | N/A |
| | High School | 8,521 | 5,200 | 3,321 | None | N/A | N/A |
| Area E | Charter | N/A | N/A | N/A | N/A | N/A | N/A |

Table 14
Projected 10 Year School Facilities by Planning Area and District-Wide

| Planning Area | School Type | LOS (110% Perm. Capacity) | Projected Enrollment 2020-21 | Surplus or (Deficit) Capacity | Improvement Strategy | Projected Cost | Projected Added Capacity |
|-------------------|----------------------|------------------------------------|------------------------------------|--|--------------------------|-------------------|--------------------------------|
| | Special School | N/A | N/A | N/A | None | N/A | N/A |
| | Elementary School | 20,137 | 15,909 | 4,228 | New School | \$50,000,000 | 1660 |
| | Middle School | 11,398 | 10,176 | 1,222 | New School | \$50,000,000 | 1,754 |
| | High School | 13,885 | 13,689 | 197 | None | N/A | N/A |
| | Charter | N/A | N/A | N/A | N/A | N/A | N/A |
| Area F | Special School | N/A | N/A | N/A | None | N/A | N/A |
| | Elementary School | 16,488 | 14,310 | 2,178 | None | N/A | N/A |
| | Middle School | 8,572 | 5,949 | 2,623 | None | N/A | N/A |
| | High School | 9,196 | 7,183 | 2,013 | None | N/A | N/A |
| | Charter | N/A | N/A | N/A | N/A | N/A | N/A |
| Area G | Special School | N/A | N/A | N/A | None | N/A | N/A |
| | Elementary School | 124,183 | 106,559 | 17,625 | New School | \$125,000,000 | 4,150 |
| | Middle School | 59,908 | 52,404 | 7,504 | New School & Addition | \$50,000,000 | 1,754 |
| | High School | 76,959 | 64,090 | 12,869 | New School & Addition | \$132,400,000 | 2,850 |
| | Charter | N/A | N/A | N/A | N/A | N/A | N/A |
| District- Wide | Special School | N/A | N/A | N/A | None | N/A | N/A |
| Total | | 261,051 | 223,053 | 37,998 | | \$53,900,000 | 8,853 |

Source: School Board of Broward County, 2010

Based on permanent capacity plus 10% (LOS) there are seat deficiencies only in Planning Area D at the middle and high school level. The range of seat availability by grade level is depicted in **Table 14A** below.

| Table 14A | | | | | |
|---|------------------|----------------------|---------------------|--|--|
| Analysis of Planning Area / Seat Availability | | | | | |
| School Level | Planning Area | Seat Availability | Range | | |
| Elementary | А | 1,409 | High | | |
| | В | 2,042 | High | | |
| | С | 2,396 | High | | |
| | D | 1,240 | Medium | | |
| | E | 4,132 | High | | |
| | F | 4,228 | High | | |
| | G | 2,178 | High | | |
| Middle | Α | 590 | Medium | | |
| | В | 1,130 | Medium | | |
| | С | 1,319 | Medium | | |
| | D | (867) | Low/Seat Deficit | | |
| | Е | 1,488 | Medium | | |
| | F | 1,222 | Medium | | |
| | G | 2,623 | High | | |
| High | Α | 2,589 | Medium | | |
| | В | 3,093 | High | | |
| | С | 1,322 | Medium | | |
| | D | 334 | Low/Seat Deficit | | |
| | Е | 3,321 | High | | |
| | F | 197 | Medium | | |
| | G | 2,013 | Medium | | |

Source: School Board of Broward County, 2010

Table 14A isolates seating availability by grade level in each planning area. The planning area ranking of low, medium, and high for each grade level is determined by the relationship between seat availability total and the district grade level new school capacity standard that is defined in the State Plant Survey. The capacity standards are: Elementary – 1191, Middle – 1781, and High – 2883. The grade level ranking determinations are set by the following:

Elementary

1191 and above is high 1190 to 0 is medium 0 and below is low

Middle

1781 and above is high 1781 to 0 is medium 0 and below is low

High

2883 and above is high 2883 to 0 is medium 0 and below is low

A low ranking or seating deficit (negative number indicated by parenthesis) means a planning area's projected enrollment exceeds the planning area's total LOS. A high ranking indicates that seats are available that exceed the size of a new school.

Table 14A shows that the elementary grade level rankings are Medium and High with Areas A, B, C, D, and G being Medium and Areas E and F being High. The middle schools rankings show all levels. Middle school Area D is low/seat deficit, Area G is high and all other area middle schools are medium. High school areas also show all levels. High school Area D is low/Seat deficit, Area E is high, and all other high school areas are medium.

Long Term Impact on Ancillary Facilities. With an increase of student enrollment comes the increase in operational costs to provide the needed support. School buses, custodial support, utility charges, and maintenance staff are all impacted as students and square footages increase. The school district owns 26 administrative sites totaling 648,960 square footage of permanent space. This space houses the district and area staffs. The total includes six bus lots that house approximately 1,546 school buses.

E. Collocation of School Facilities

The collocation of public school facilities with local government public/civic facilities, and shared use is used in the context of this analysis as public facilities collocated or located adjacent to each other, and used by both the School Board and local governments. Shared use facilities are facilities that are not located adjacent to each other, but owned by either the School Board or the local government, but shared by both parties through mutual agreement or understanding.

The School Board, Broward County and local governments currently have numerous collocated facilities, and the 2004 Annual Report on the implementation of the Interlocal Agreement indicated that further study might be needed to determine how the collocation of such facilities can be enhanced in Broward County. The Report further required an inventory of existing collocated facilities to determine if such a study is needed.

1. Existing Collocated Public School Facilities with Local Government Public/Civic Facilities, and Shared Use Facilities

The Collocation of Public School Facilities with Local Government Public/Civic facilities and Shared Use Report indicate that there are approximately 216 existing instances where public school facilities are collocated with local government public/civic facilities, and include shared use. Of this number, the School Board or local governments share use of 186 public school facilities or local government public/civic facilities. However, majority of such facilities are School Board owned facilities. The remaining 30 facilities are collocated.

Attachment E lists the existing collocation/shared use facilities. Map 8 depicts the location of collocation/shared use facilities

2. Potential Sites for the Collocation/Shared Use of Public School Facilities with Local Government Public/Civic Facilities and Shared Use Facilities

Information provided by the local governments did not identify any potential sites that might enable the collocation/shared use of public school facilities with local government public/civic facilities. Further, the information provided lists 19 instances that might potentially allow for the shared use of public school facilities and local government public/civic facilities. Nine (9) of the facilities are County owned, six (6) are School Board owned and four (4) are municipal owned.

Attachment F lists the potential collocation/shared use facilities. Map 9 depicts the location of potential collocation/shared use facilities

F. Opportunities to Locate Schools to Serve as Community Focal Points

Schools can act as an anchor in the community. They are a symbol of a neighborhood's stability and attract families to the community. They transmit knowledge to new generations, advance knowledge, display the achievements of society, plus bring neighbors together for Parent Teacher Association meetings, school plays, and sporting events. They offer their classrooms and media centers to residents for adult education classes, and community and club meetings. They are key determinants of the quality of life and are valued symbols of community identity and achievement. Moreover, the community is often evaluated on the basis of the quality of its schools.

Historically, the School District and the County's municipalities have successfully worked together to utilize school facilities for purposes. Master Recreational Lease (MRL) community Agreements provides local community residents and municipalities a shared use of school playgrounds recreational fields after school hours and on non-school days. The Agreement recognized the School District's requirement to spend most of the available money on the operation of the classroom and limited funds on the development of school recreational grounds. The municipality's purpose and policy is to develop, operate and maintain parks and community recreational facilities. The municipalities were willing to expend monies to equip and maintain these recreational grounds in exchange for the use. A Reciprocal Use Agreement (RUA) is the mechanism used to accomplish shared use between the municipalities and the School District. Several municipalities have RUAs with the School District. These municipalities include: Cooper City, Coral Springs, Dania Beach, Deerfield Beach, Fort Lauderdale, Hallandale Beach, Hollywood, Lauderdale Lakes, Lauderhill, Miramar, North Lauderdale, Oakland Park, Parkland, Pembroke Pines, Plantation, Pompano Beach, Sunrise, and Tamarac. The agreements enable the entities to exchange use of their facilities without entering into a lease for such use. The agreements address each party's liability, operating and maintenance costs, scheduling of use, and other issues that may arise. School facilities are often used as meeting places for community associations and house several community programs such as summer youth programs.

G. Emergency Shelters

New educational facilities located outside a category 1, 2 or 3 evacuation zone are required to have core facility areas designed as Enhanced Hurricane Protection Areas unless the facility is exempted based on a recommendation by the local emergency management agency or the Department of Community Affairs. Certain factors are considered to qualify for the exemption, such as low evacuation demand, size, location, accessibility and storm surge. For example, if the County has adequate shelter capacity, a school may be exempt Table 15 is an inventory of schools within Broward County that serve as emergency shelters. They are designated either Primary (P), Secondary (S), Tertiary (T), Pet Friendly (PF), Employee (E), or Special Needs (SN) facilities. Map 10 depicts the location of the emergency shelters.

| Table 15 List of Emergency Shelters | | | | |
|-------------------------------------|---|--|--|--|
| SCHOOL NAME | ADDRESS | | | |
| Arthur Robert Ashe, Jr. Middle | 1701 NW 23rd Avenue, Ft. Lauderdale 33311 | | | |
| Challenger Elementary | 5703 NW 94th Avenue, Tamarac 33321 | | | |
| Coconut Palm Elementary | 13601 Monarch Lakes Blvd., Miramar 33027 | | | |
| Coral Cove Elementary | 5100 SW 148th Avenue, Miramar 33027 | | | |
| Coral Glades High | 2700 Sportsplex Drive., Coral Springs 33065 | | | |
| Everglades Elementary | 2900 Bonaventure Blvd., Weston 33331 | | | |
| Everglades High | 17100 SW 48th Court, Miramar 33027 | | | |
| Falcon Cove Elementary | 4251 Bonaventure Blvd., Weston 33332 | | | |
| Floranada Elementary | 5251 NE 14th Way, Ft. Lauderdale 33334 | | | |
| Fox Trail Elementary | 1250 Nob Hill Road, Davie 33324 | | | |
| Gator Run Elementary | 1101 Arvida Parkway, Weston 33327 | | | |
| Hallandale Elementary | 900 SW 8th Street, Hallandale 33009 | | | |
| Indian Ridge Middle | 1355 Nob Hill Road, Davie 33324 | | | |
| Lakeside Elementary | 900 NW 136th Avenue, Pembroke Pines 33028 | | | |
| Liberty Elementary | 2450 Banks Road, Margate 33063 | | | |
| Lyons Creek Middle | 4333 Sol Press Blvd., Coconut Creek 33073 | | | |
| Manatee Bay Elementary | 19200 SW 36th Street, Weston 33332 | | | |
| McNicol Middle | 1602 South 27th Avenue, Hollywood 33020 | | | |
| Millennium Middle | 5803 NW 94 Avenue, Tamarac 33321 | | | |

| Table 15 List of Emergency Shelters | | | | |
|-------------------------------------|--|--|--|--|
| SCHOOL NAME | ADDRESS | | | |
| Monarch High | 5050 Wiles Road, Coconut Creek 33073 | | | |
| New Renaissance Middle | 10701 Miramar Blvd., Miramar 33027 | | | |
| New River Middle | 3100 Riverland Road, Ft. Lauderdale 33312 | | | |
| Orangebrook Elementary | 715 S. 46 Avenue, Hollywood 33021 | | | |
| Panther Run Elementary | 801 NW 172nd Avenue, Pembroke Pines 33029 | | | |
| Park Lakes Elementary | 3925 N. State Road 7, Lauderdale Lakes 33319 | | | |
| Park Trails Elementary | 10700 Trails End, Parkland 33076 | | | |
| Parkside Elementary | 10257 NW 29th Street, Coral Springs 33065 | | | |
| Pines Middle | 200 N. Douglas Road, Pembroke Pines 33024 | | | |
| Plantation Elementary | 651 NW 42nd Avenue, Plantation 33317 | | | |
| Pompano Beach High | 600 NE 13th Avenue, Pompano Beach 33060 | | | |
| Rock Island Elementary | 2350 NW 19th Street, Ft. Lauderdale 33311 | | | |
| Silver Lakes Elementary | 2300 SW 173rd Avenue, Miramar 33029 | | | |
| Silver Palms Elementary | 1209 NW 155th Avenue, Pembroke Pines 33028 | | | |
| Silver Shores Elementary | 1701 SW 160th Avenue, Miramar 33027 | | | |
| Silver Trail Middle | 18300 Sheridan Street, Pembroke Pines 33331 | | | |
| Sunset Lakes Elementary | 18400 SW 25th Street, Miramar 33029 | | | |
| Sunset School Center | 3775 SW 16th Street, Ft. Lauderdale 33312 | | | |
| Tradewinds Elementary | 5400 Johnson Road, Coconut Creek 33073 | | | |
| Watkins Elementary | 3520 SW 52nd Avenue, Pembroke Park 33023 | | | |
| West Broward High | 500 NW 209 Avenue, Pembroke Pines 33029 | | | |

Source: School Board of Broward County 2010

H. Funding Sources for Capital Improvements

The School Board of Broward County has total projected revenue, and financing sources of \$1,343,928,000 for public school capital improvements for the 5 year period ending 2014-2015 as depicted in Table 16. The major source of revenue is 2010-11 millage, which is collected from local property taxes and comprises 76% of total revenue. The projected appropriations for those funds are depicted in Table 17. The primary appropriation is for debt service, which comprises 56% of total appropriations.

| | Table 16 |
|------------------------------|---|
| Estimated Revenue and | Financing Sources2010/11to 2014/15 (stated in |
| | thousands) |

| | | | | | | | Machine Comment of the Comment |
|--|------------|------------|------------|------------|------------|-------------|--------------------------------|
| | 1.50 mills | | |
| Revenue & Financing Sources | 2010-11 | 2011-12 | 2012-13 | 2013-14 | 2014-15 | Total | % |
| Millage & Interest | 200,440 | 198,503 | 201,348 | 205,711 | 211,402 | 1,017,404 | 75.71% |
| COPs Interest | 2,000 | 1,000 | 500 | 500 | 500 | 4,500 | 0.33% |
| Quality School Construction Bonds (Federal Stimulus) | 0 | 0 | 0 | 0 | 0 | 0 | 0.00% |
| Capital Equipment Lease (E-Rate) | 0 | 0 | 0 | 0 | 0 | 0 | 0.00% |
| Impact/Mitigation Fees and Interest | 1,300 | 1,400 | 1,700 | 2,400 | 2,400 | 9,200 | 0.68% |
| Miscellaneous Local | 155 | 155 | 155 | 155 | 155 | 775 | 0.06% |
| Sale of Land | 5,000 | 5,000 | 0 | 0 | 0 | 10,000 | 0.74% |
| PECO - Construction | 0 | 698 | 2,783 | 7,664 | 5,299 | 16,444 | 1.22% |
| PECO - SSMA | 11,688 | 15,393 | 16,498 | 18,531 | 19,584 | 81,694 | 6.08% |
| PECO - Charter School Capital Outlay | 10,000 | 10,000 | 10,000 | 10,000 | 10,000 | 50,000 | 3.72% |
| CO & DS & Interest | 1,211 | 1,210 | 1,211 | 1,210 | 1,211 | 6,053 | 0.45% |
| COBI | 2,000 | 0 | 0 | 0 | 0 | 2,000 | 0.15% |
| Class Size Reduction | 0 | 0 | 0 | 0 | 0 | 0 | 0.00% |
| FEMA | 2,000 | 2,000 | 0 | 0 | 0 | 4,000 | 0.30% |
| Designated Reserve | 71,997 | 48,502 | 21,359 | 0 | 0 | 141,858 | 10.56% |
| | \$307,791 | \$283,861 | \$255,554 | \$246,171 | \$250,551 | \$1,343,928 | 100.00% |

Source: The School Board of Broward County -2010-2011 Adopted 5-Year DEFP, 2010

| Table 17 Estimated Appropriations: 2010/11 to 2014/15 (stated in thousands) | | | | | | | | | | |
|---|-----------|-----------|-----------|-----------|-----------|-------------|---------|--|--|--|
| Estimated Appropriations | 2010-11 | 2011-12 | 2012-13 | 2013-14 | 2014-15 | Total | % | | | |
| Capacity Additions | \$5,162 | \$0 | \$0 | \$0 | \$0 | \$5,162 | 0.38% | | | |
| Remodeling & Renovations | 3,655 | 0 | 0 | 0 | 0 | 3,655 | 0.27% | | | |
| Debt Service | 149,599 | 146,978 | 146,987 | 152,080 | 152,074 | 747,718 | 55.64% | | | |
| Indoor Air Quality | 6,095 | 4,000 | 5,000 | 1,000 | 2,000 | 18,095 | 1.35% | | | |
| Technology & Equipment | 806 | 200 | 1,200 | 3,200 | 0 | 5,406 | 0.40% | | | |
| Safety | 2,000 | 4,893 | 7,000 | 4,000 | 10,000 | 27,893 | 2.08% | | | |
| Capital Improvements | 34,500 | 27,107 | 6,494 | 5,170 | 12,034 | 85,305 | 6.35% | | | |
| ADA Compliance | 1,450 | 1,000 | 2,000 | 500 | 1,000 | 5,950 | 0.44% | | | |
| Vehicles | 107 | 0 | 2,000 | 3,000 | 0 | 5,107 | 0.38% | | | |
| Facility Leases & Sites | 6,233 | 3,025 | 3,102 | 1,111 | 1,120 | 14,591 | 1.09% | | | |
| Facilities/Capital Salaries | 20,282 | 20,282 | 14,603 | 12,600 | 12,600 | 80,367 | 5.98% | | | |
| Legal & Contingency | 1,262 | 1,397 | 2,427 | 2,519 | 7,032 | 14,637 | 1.09% | | | |
| Lease Payments (Tech/Vehicles) | 9,140 | 6,229 | 4,991 | 4,991 | 4,991 | 30,342 | 2.26% | | | |
| Maintenance Transfer | 54,000 | 54,000 | 45,000 | 41,300 | 33,000 | 227,300 | 16.91% | | | |
| PECO Charter Schools Transfer | 10,000 | 10,000 | 10,000 | 10,000 | 10,000 | 50,000 | 3.72% | | | |
| Property & Casualty Insurance | 3,500 | 4,750 | 4,750 | 4,700 | 4,700 | 22,400 | 1.67% | | | |
| | \$307,791 | \$283,861 | \$255,554 | \$246,171 | \$250,551 | \$1,343,928 | 100.00% | | | |

Source: The School Board of Broward County -2010-2011 Adopted 5-Year DEFP, 2010

The projected capital outlays, by school facility for the 5 year period are depicted in Appendix E, Schedule 5 of the Adopted 5-Year DEFP, Attachment B. The projected millage rate and debt capacity over the 5 year period are included in Table 18 below.

Drampton Sente 1967H Sente 1967A Sente 2001 QZAB Sente 2001 QZAB Sente 2001 QZAB 2011-12 2014-15 2043-13 5-Year Total 1,650,000 353.71 341,71 266,12 8 653,64 1,625,643 21,357,51 5,673,61 5,329,613 2,271,938 14,558,413 5.271,828 14,567,213 70,515,152 70,516,848 14,561,034 14,561 74 15 448, 160 Senso 2303B Seaso 2304A Senso 2304B Seaso 2304C Senso 2304C Senso 2304 GZAE Senso 2304 GZAE 1,722,055 5,725,891 8,721,383 41,623,515 9,725,698 13,191,750 10,125,010 4,767,87 39,458,250 50,552,793 4,767,370 10 127,651 = 767,176 28,816,528 4,75°,870 53,082 14,992,869 1,775,495 18,122,268 2,912,009 21,061 14,931,961 #3,082 14,521,283 53 062 14,929 080 14,952,600 1,775,400 248,510 74,626,881 9,862,990 82,314,451 14,260,990 100,571,981 1,775,422 9,641,068 2,612,022 20,418,174 2,912,000 Seem 2 Sames 2005 Sames 2005 A-1 (COPs) 21,431,963 20,411,460 94,636,282 13,577,593 45,391.39 Series 2009 A-27(BAB) E \$ 10,000 2.747,830 2,595 800 2.500,600 1,396,800 3,506,500 13,554,000 Total Outstanding OOPs Debt Service Payments 162,261,206 151,055,091 351,056,637 161,166,143 156,149,006 766,700,082 Last Date Service Associated with RRITE SAF ERF Projection to Serviced by the General Fund (2.426, 198) (2.345, 317) (786,352) Sever 2008 A.J. ERP (7,241,062) (2,231,212) 2.201 2775 (9,787,810) Lend Outstanding Capital Funded - COPs Date Service Payments 151,452,944 144.672.382 8-rs 2010 A-1 (QN(B) 51,007.71 51.00*717 5,047,29 Senso 2711 Senso 2717 Senso 2717 152,079,604 51,007,717 51,000,717 149.538,958 146,871,990 146.957.348 152,073,717 747.717 1.5 54Bs 1.5 Mills 1.5 Mills Millage Rate 1.5 Note: 1.5 Mils Assemptions
1. 25 years financing term
1. 25 years financing term
1. 25 years financing term
1. Vestable Grazeli in Property Vidues (see Millage Growth Factor above)
1. 37 2 million of data services per 5100 million of data.
1. Terli ference apposity of choldred of 45 76 in figurated capital millage et 52 % Notes: The standard form for CCP's debt service in \$2% of the

Table 18: Estimated Expenditures - Debt Service/Capacity

Source: The School Board of Broward County 2010-2011 Adopted 5-Year DEFP, 2010

Operating Cost Considerations: Transportation costs to operate the 1,586 buses which transport more than 90,307 students to and from school every day are significant in the operation of school facilities. Over the next five years it is estimated the district will spend approximately \$423 million dollars on transportation and \$1.3 billion dollars on maintenance. Utility costs are included as part of the maintenance estimate. The administrative sites also include the housing for four area maintenance departments, a district maintenance staff as well as the facilities and construction management departments that totals over a thousand employees.

III. GOALS, OBJECTIVES AND POLICIES

The city of Dania Beach (City) and the Broward County Board of County Commissioners (Broward County) in collaboration with the School Board of Broward County (School Board) and Broward County municipalities (municipalities) shall ensure that public school facilities will be available for current and future students consistent with available financial resources and adopted level of service standards (LOS). This will be accomplished recognizing the School Board's statutory and constitutional responsibility to provide a uniform system of adequate public school facilities and the authority of the City, Broward County and the municipalities for development permitting and comprehensive planning.

The goal is also to maximize collaboration and coordination between the City, Broward County, the School Board and the municipalities, to effectively plan for public elementary and secondary school facilities to meet the current and future needs of Broward County's public school population. Pursuant to Chapter 163.3177 F.S., the City, Broward County and all non-exempt municipalities within the County, shall coordinate and cooperate to ensure the adopted public school facilities elements are consistent with each other.

Objective I

The School Board, pursuant to Chapters 163.3177 and 163.3180 F.S. and the Interlocal Agreement for Public School Facility Planning (ILA), shall prepare and annually update and adopt the Five-Year District Educational Facilities Plan (DEFP) which shall contain a five-year financially feasible schedule of capital improvements to address existing deficiencies and achieve and maintain the adopted level of service in all concurrency service areas (CSAs). The DEFP shall also contain an LOS plan which reflects the data required to demonstrate the achievement and maintenance of the adopted LOS. The School Board shall also ensure that school facilities are planned to meet the long-term planning period of the Public School Facility Element (PSFE) of the Broward County Comprehensive Plan.

Policy 1.1 The DEFP shall include a financially feasible schedule of capacity additions to existing schools and construction of new schools to eliminate existing level of service deficiencies and meet the needs of

projected growth for the five-year planning period. This financially feasible schedule shall be annually adopted into the City's, Broward County Comprehensive Plan Capital Improvements Element (CIE) and the capital improvement elements of the municipalities. This adoption may either be by reference or by restatement of the relevant portions of the adopted DEFP, but in no event shall the County or municipality attempt to modify the adopted DEFP.

- Policy 1.2 The DEFP shall provide year-by-year projections of the capacity needed to achieve and maintain the adopted LOS within the CSA for each school for the five- year planning period. These projections are included in the supporting documents of the PSFE.
- Policy 1.3 The DEFP's five-year financially feasible schedule shall provide for the remodeling/renovation of existing schools to meet the identified needs of aging schools and replace worn facilities.
- Policy 1.4 The DEFP shall be amended on an annual basis to:
 1) add a new fifth year; 2) reflect changes in estimated capital revenues, planned capital appropriations costs, planned capital facilities projects, CSAs and school usage; and, 3) ensure the DEFP continues to be financially feasible for the five-year planning period.
- Policy 1.5 Annually adopted updates to the DEFP and CSA maps shall be coordinated with annual plan amendments to the CIE of the City's, Broward County Comprehensive Plan and comprehensive plans of the municipalities. The annual plan amendments shall ensure that the schedule of capital improvements within the CIE continues to be financially feasible and the LOS will be achieved and maintained.

Objective II

Broward County shall adopt a county-wide public school facilities concurrency management system for implementation of public school concurrency to ensure that

public school facilities are available at the adopted level of service standard concurrent with the impact of proposed residential development.

- Policy 2.1 The City, Broward County and the municipalities, in collaboration with the School Board shall implement concurrency management systems consistent with the policies included in the Broward County and municipal public school facility elements, procedures and requirements included within the ILA and Broward County and municipal land development regulations (LDRs).
- Policy 2.2 The CSAs shall be the annually adopted school attendance boundaries for each elementary, middle and high school. The maps of the CSAs are maintained in the data and analysis section of the PSFE.
- Policy 2.3 The Level of Service standard shall be 100% of gross capacity (with relocatable classrooms) for each CSA until the end of the 2018/19 school year; and commencing at the 2019/20 school year, the LOS for each CSA shall be 110% of the permanent Florida Inventory of School Housing (FISH) capacity for each public elementary, middle and high school.
- Policy 2.4 If adequate capacity is not available in a CSA for a proposed residential development, but capacity exists in one or more contiguous CSAs, the development may proceed consistent with the provisions and procedures in the ILA and County and municipal LDRs.
- Policy 2.5 If adequate capacity is not currently available in a CSA or contiguous CSA, for a proposed residential development, but capacity is scheduled in the DEFP to be available within 3 years after the issuance of final subdivision or site plan approval, (or functional equivalent), development of the project may proceed in accordance with the provisions and procedures in the ILA and County and municipal LDRs.

- Policy 2.6 The City, Broward County and the municipalities shall not approve a residential plat or site plan (or functional equivalent) until the School Board has reported that the school concurrency requirement has been satisfied consistent with the provisions and procedures in the ILA and County and municipal LDRs.
- The CSAs shall be established and subsequently Policy 2.7 modified to maximize available school capacity and make efficient use of new and existing public schools in accordance with the level of service standards and the taking into account special capacity, considerations such as, core capacity, special transportation costs, programs, impediments, diversity programs, and class size requirements prevent to enrollment levels between schools of the same type (elementary, middle, high) and provide an equitable distribution of student enrollment district-wide.
- Policy 2.8 The projected student impact of a proposed residential development shall be determined using the student generation rates approved by the School Board and adopted within the Broward County Land Development Code. The student generation rates shall be reviewed and updated at least every 3 years.
- Policy 2.9 The public school concurrency approval for residential plats shall expire if development within the plat does not commence within 5 years following the date of County Commission approval.

Objective III

The School Board, pursuant to Chapter 163.3180 F.S. and the ILA, shall adopt proportionate share mitigation alternatives which provide an option for residential developments unable to meet the public school concurrency requirement. Upon approval of a proportionate share mitigation alternative by the School Board and completion of necessary binding agreements, a development will be deemed to have met the public school concurrency requirement and may proceed.

- Policy 3.1 A residential development's proportionate share mitigation value shall be determined by multiplying the number of additional student stations needed to mitigate the impact of the proposed development on schools within the affected CSA(s) not meeting the adopted LOS standards by the State cost per student station for each school type plus a land impact cost share, if any. Pursuant to Section 163.3180 (13) (e) (2), F.S., the applicant's proportionate share mitigation obligation shall be credited toward any other impact or exaction fee imposed by local ordinance for the same need, on a dollar-for dollar basis, at fair market value.
- Policy 3.2 Proportionate share mitigation shall enhance the capacity of the schools (or provide for the construction of new schools) serving the proposed residential development. The mitigation shall equate to at least one permanent classroom, which may be funded by one or more residential developments, or other identified funding sources. Mitigation that results in the need for school site(s) shall primarily be the dedication of land. Proportionate share mitigation shall include the following options, as further defined and subject to, procedures and requirements in the ILA;
 - 1. Purchase or dedication of needed elementary, middle or high school sites.
 - 2. Construction of capacity improvements identified in years four (4) or five (5) of the DEFP including advancement of such improvements into the first three years of the DEFP.
 - Construction of previously unplanned schools, classroom additions, modular classrooms or similar facilities. Such facility capacity shall be included in the first three years of the DEFP through an amendment approved by the School Board.
 - 4. Construction of the needed capacity at one or

more charter schools.

5. Other mitigation options approved by the School Board on a case by case basis contingent upon a School Board finding that the option mitigates the impact of the proposed development.

Policy 3.3

Mitigation shall be assured by a legally binding agreement between the School Board, the applicant and the County and the City (as applicable), which shall be executed prior to the issuance of the final subdivision plat or the final site plan approval (or functional equivalent). If the School Board agrees to the mitigation, the School Board must commit in the agreement to placing the improvement required for mitigation in the first three years of the DEFP.

Objective IV

The City, Broward County, the School Board, and the municipalities shall establish coordination mechanisms to ensure that the locations of existing and proposed school sites are compatible with and proximate to the existing and planned land uses they serve. Such coordination shall also ensure there is adequate public infrastructure available to serve existing and planned school sites including infrastructure which provides safe access to schools.

- Policy 4.1 The City, Broward County, the School Board, and the municipalities will coordinate through the procedures established in the ILA and the Broward County and municipal land use planning process to ensure that existing and proposed public school facility sites are consistent and compatible with the land use categories, future land use maps and policies of the County and municipal comprehensive plans and enable a close integration between existing and planned schools and surrounding land uses.
- Policy 4.2 The City, Broward County, the School Board and the municipalities shall coordinate to prepare projections of future development and public school enrollment growth and to ensure such projections are consistent

with the Broward County and the City's future land use maps and the School Board's Long Range Public School Facilities Map consistent with the procedures and requirements identified in the ILA.

- Policy 4.3 Consistent with Section 163.3177 (12) (g), F.S., the Broward County PSFE shall include future conditions maps showing existing and anticipated school facilities for the short-term (5 year) and long-term (10 year) planning time frames. Maps 11 through 22 depict the short and long term existing and anticipated public school facilities and ancillary plants.
- Policy 4.4 Consistent with provisions and procedures in the ILA, the School Board will advise Broward County and the municipalities of inconsistencies in comprehensive plans and plan amendments with the DEFP and Long-Range School Facilities Plan.
- Policy 4.5 The School Board shall monitor and participate in the Broward County and/or the City's plat review and site plan review processes, the Development of Regional Impact (DRI) process, the land use plan amendment process and other development order/permit processes that may have an impact on current or planned public educational facilities in Broward County.
- Policy 4.6 The City, Broward County, the School Board and the municipalities shall utilize the procedures identified within the ILA, including the Staff Working Group and Oversight Committee established by the ILA, to coordinate the annual review of school enrollment projections in addition to the preparation and annual reviews of public school facilities elements and ensure that the elements are consistent with each other.
- Policy 4.7 The School Board shall annually update and adopt the DEFP and transmit it, including any supplemental amendments, to Broward County and the municipalities, which then shall amend their CIEs to

incorporate the updated DEFP consistent with the provisions and procedures of the ILA.

Policy 4.8

The City, Broward County, the School Board and the municipalities shall share and coordinate information through the plat, site plan and school siting processes and procedures identified in the ILA to ensure the location, phasing, and development of public school facilities, including additions to existing facilities, is coordinated with the provision of necessary public infrastructure including water and sewer, roads, drainage, sidewalks, mass transit and other infrastructure required to support the public school facilities.

Policy 4.9

Broward County shall coordinate with the School Board and the municipalities through the school siting process identified in the ILA and Broward County and municipal platting and site plan approval processes to implement strategies, consistent with Florida's Safe Ways to School Program, which reduce hazardous conditions and provide direct, unobstructed and safe access for pedestrian travel (including sidewalks, bicycle paths, signage and signalization) to existing and new school facilities.

Objective V

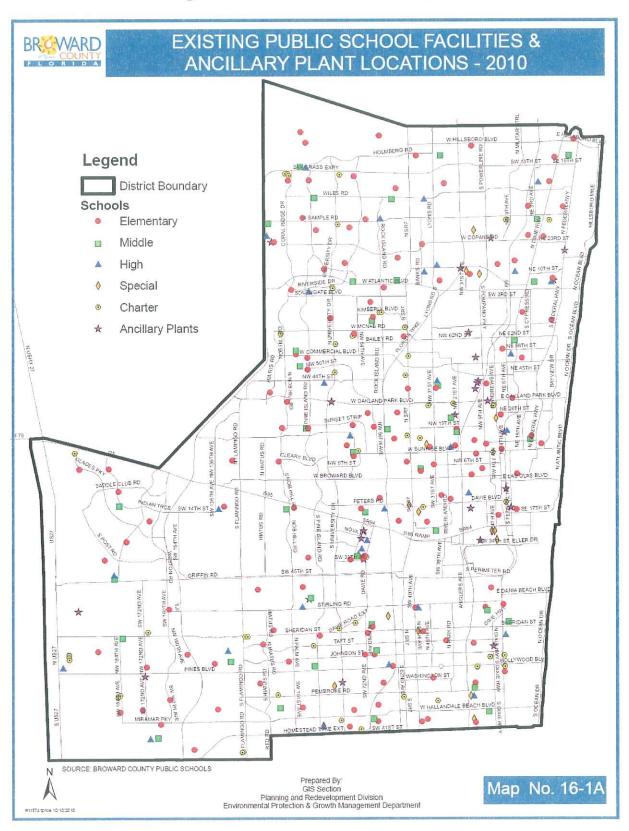
The City, Broward County, the School Board and the municipalities, pursuant to the ILA, shall coordinate the location of public school facilities relative to the location of other public facilities such as parks, libraries and community centers and promote schools to be focal points within the community.

Policy 5.1

In the planning, siting, land acquisition, permitting and development of a new school facility or significant renovation or expansion, the School Board shall coordinate with the City, Broward County and the municipalities on the availability of public facilities, services and grounds (especially for the purposes of collocating parks, libraries, ball fields, community centers, public safety facilities, parking facilities, drainage facilities and other appropriate facilities).

- Policy 5.2 The City, Broward County, the School Board and the municipalities shall pursue shared-use and colocation of school sites with County and municipal facilities having similar facility needs, such as libraries, parks, ball fields, other recreation facilities. Per the ILA, the City will look for opportunities to collocate and share use of City facilities when preparing updates to the Schedule of Capital Improvements within the Comprehensive Plan and planning and designing new or renovated facilities.
- Policy 5.3 Through the design of school facilities, establishment of school siting standards and pursuit of collocation opportunities, the School Board shall encourage school facilities to serve as community focal points.
- Policy 5.4 Broward County will coordinate with the School Board and the municipalities on efforts to build new school facilities, which are designed to serve as emergency shelters as required by Section 1013.372, F.S., Broward County will also collaborate and coordinate with the School Board and the municipalities on emergency preparedness issues through the County's Emergency Operating Center.

MAP 1: Existing Public Schools & Ancillary Facilities - 2010



2010-2011 ELEMENTARY SCHOOL BROWARD LEVEL OF SERVICE ANALYSIS FLORIDA Heights Riverglades Tradewinds Deerfield Quiet Waters Beach Park Trails Legend Park Pudge Eagle, Ridge Park Winston Park MEETS LEVEL OF SERVICE Norcrest Hills DOES NOT MEET LEVEL OF SERVICE Springs ■ DISTRICT BOUNDARY Drew, Cresthaven Parkside - CONCURRENCY SERVICE AREA (CSA) BOUNDARY Margate Mapiewoo SCHOOL LOCATION Pompano Beach Westchester Creek West Riverside Tamarac North Cypress McNab McNat Broadvie Challenger Lloyd Oriole Estates Oakland Park Lakes Castle Hill Horizon Mirror Lake . Sawgrass Central Gator Park Run Eagle Point Peters Plantation Flamingo L Indian Tropical Harbordale Fox Trail Croissant Park Country Isles Foster Stephi Manatee Everglades Davie Silver Ridge Collins Silver Ridge Griffin Cooper City Stirling Embassy Creek Driftwood Dania Hawkes Bluff Sheridan Park Sheridan Pembroke Lakes Pasadena Lakes Chapel Trail Silver Hilis Panther Lakeside Boulevard Heights Run Hollywood Pines Lakes Colbert Pembroke Pines Orange Brook Silver Palm Cove Miramar Sunshind Forest Hallandale Shores Coconut Palm Sea Castie Sunset Lakes Fairway Dolphin Coral Cove N SOURCE: BROWARD COUNTY PUBLIC SCHOOLS Prepared By GIS Section
Planning and Redevelopment Division Map No. 16-2A Environmental Protection & Growth Management Department #11591 tonce 15/13/15

MAP 2: Elementary School LOS - 2010-2011

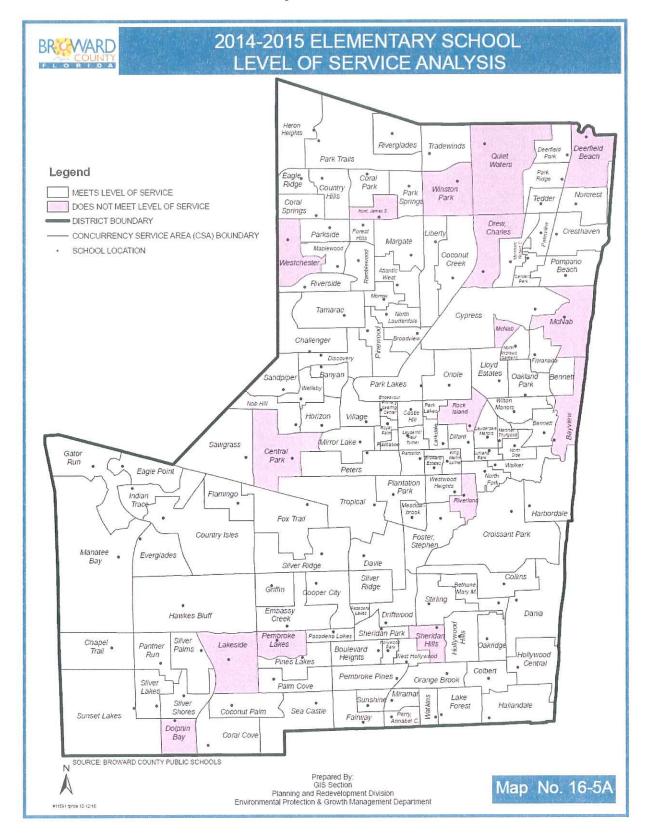
2010-2011 MIDDLE SCHOOL BROWARD FLORIDA LEVEL OF SERVICE ANALYSIS Legend Coral MEETS LEVEL OF SERVICE Forest Glen DOES NOT MEET LEVEL OF SERVICE DISTRICT BOUNDARY Crystal Lake CONCURRENCY SERVICE AREA (CSA) BOUNDARY Sawgrass Springs SCHOOL LOCATION Margate Millennium Lakes Westpine Lauderhill Ashe, Arthur R. Sunnse Tequesta Trace Seminole Indian Ridge New River Pioneer Silver Trail Apollo Young Walter Pines McNicol Perry, Henry D. New Renaissance Gulfstream N SOURCE: BROWARD COUNTY PUBLIC SCHOOLS Prepared By:
GIS Section
Planning and Redevelopment Division
Environmental Protection & Growth Management Department Map No. 16-3A #11595 tprice 10/12/10

MAP 3: Middle School LOS - 2010- 2011

2010-2011 HIGH SCHOOL BROWARD LEVEL OF SERVICE ANALYSIS FLORIDA STONEMAN DOUGLAS DEERFIELD BEACH MONARCH Legend HIGH CORAL MEETS LEVEL OF SERVICE SPRINGS DOES NOT MEET LEVEL OF SERVICE HIGH DISTRICT BOUNDARY CORAL GLADES HIGH - CONCURRENCY SERVICE AREA (CSA) BOUNDARY SCHOOL LOCATION COCONUT CREEK ELY, BLANCHE HIGH TARAVELLA, J.P. HIGH ANDERSON, BOYD H. PIPER HIGH NORTHEAST HIGH HIGH DILLARD HIGH FORT LAUDERDALE PLANTATION HIGH HIGH SOUTH PLANTATION HIGH STRANAHAN HIGH WESTERN CYPRESS BAY HOLLYWOOD COOPER . HILLS CITY SOUTH BROWARD WEST FLANAGAN, CHARLES W McARTHUR BROWARD HIGH HIGH HIGH HIGH HALLANDALE * HIGH **EVERGLADES** MIRAMAR HIGH SOURCE: BROWARD COUNTY PUBLIC SCHOOLS N Prepared By:
GIS Section
Planning and Redevelopment Division
Environmental Protection & Growth Management Department Map No. 16-4A #11500 price 10/12/10

MAP 4: High School LOS - 2010- 2011

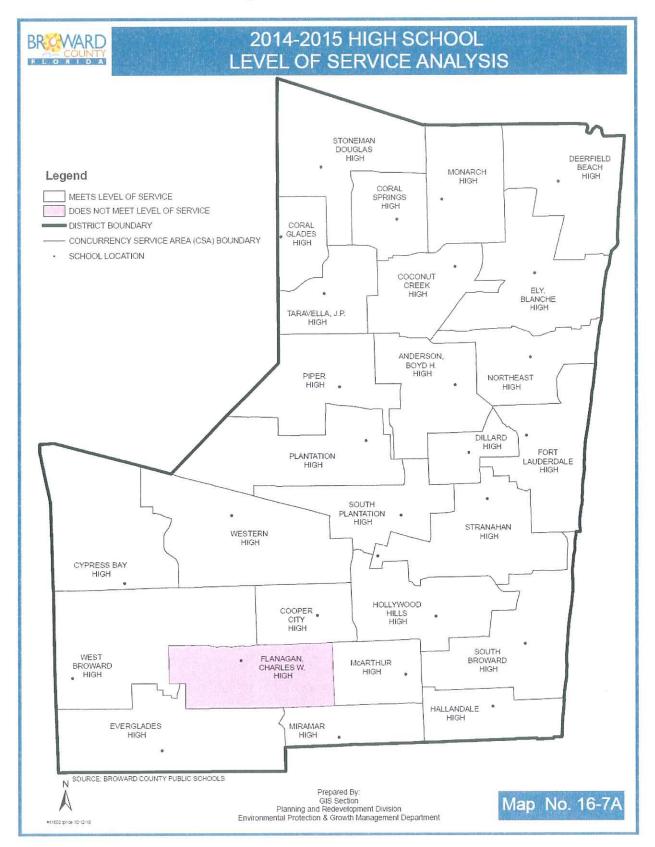
MAP 5: Elementary School LOS - 2014-2015



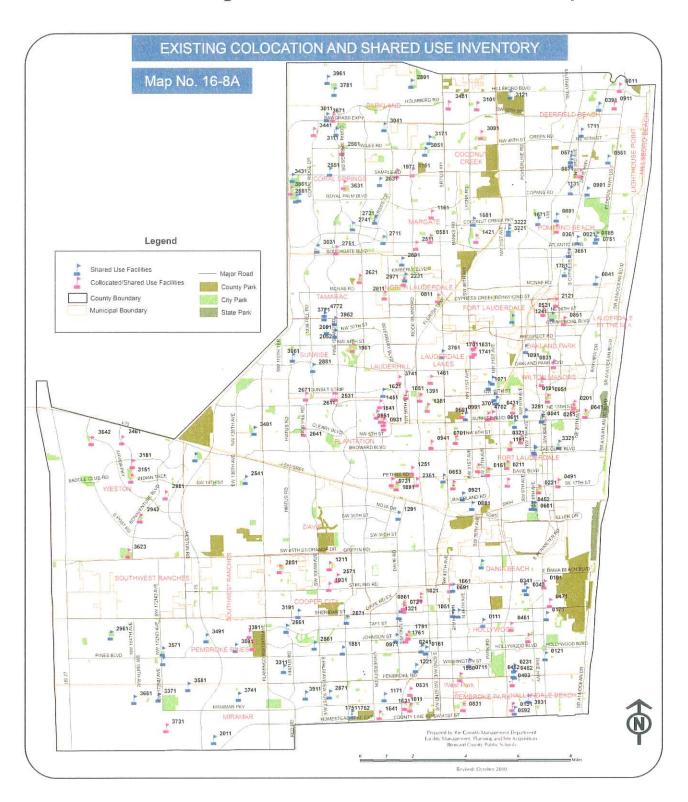
BROWARD 2014-2015 MIDDLE SCHOOL LEVEL OF SERVICE ANALYSIS FLORIDA Westglades Legend Deerfield Beach MEETS LEVEL OF SERVICE DOES NOT MEET LEVEL OF SERVICE DISTRICT BOUNDARY Crystal Lake CONCURRENCY SERVICE AREA (CSA) BOUNDARY SCHOOL LOCATION Ramblewood Beach Westpine Laudernill Ashe, Arthur R. Plantation Parkway Tequesta Trace Seminole Indian Ridge New River Attucks Pioneer Silver Trail Olsen Applio Young, Walter Pines McNicol Репу, Henry D. New Renaissance Glades SOURCE: BROWARD COUNTY PUBLIC SCHOOLS Map No. 16-6A GIS Section
Planning and Redevelopment Division
Environmental Protection & Growth Management Department #11596 torice 12/13/09

MAP 6: Middle School LOS - 2014 - 2015

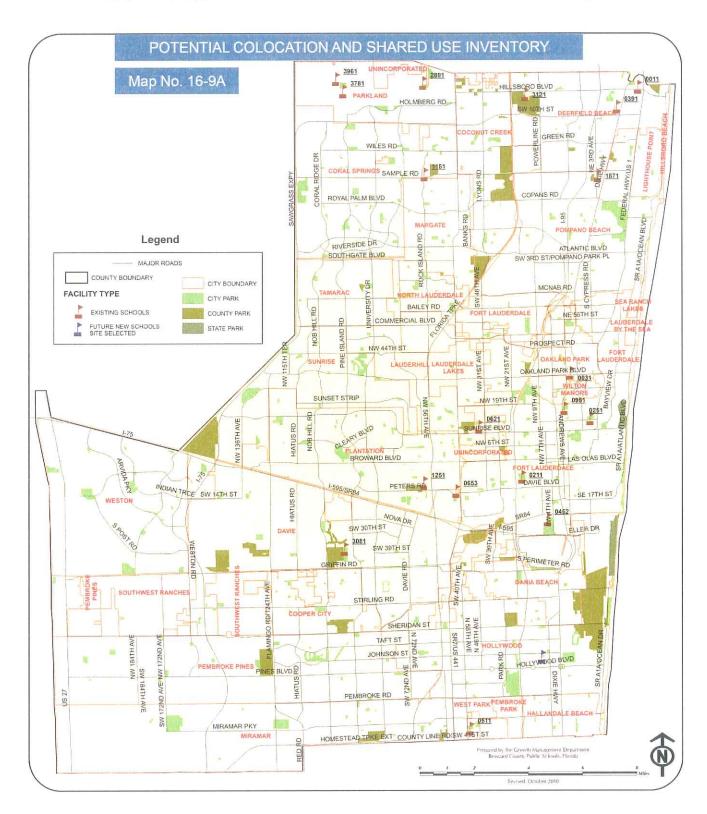
MAP 7: High School LOS - 2014- 2015



MAP 8: Existing Collocation and Shared Use Inventory



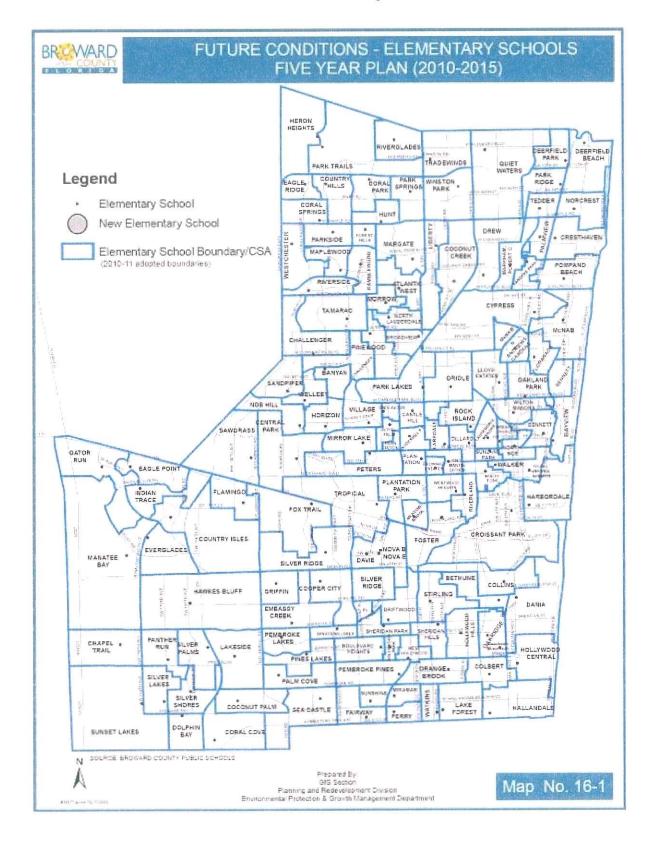
MAP 9: Potential Collocation and Shared Use Inventory



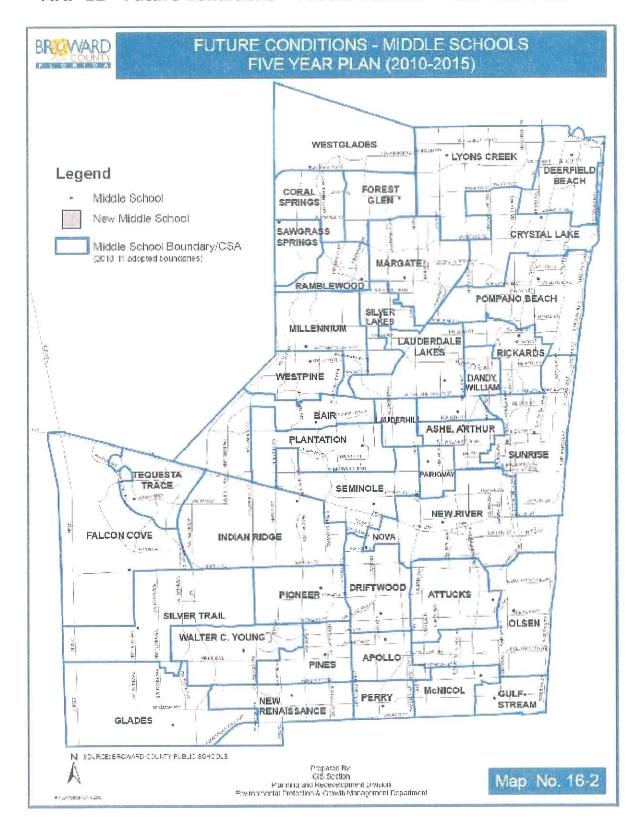
BROWARD **EMERGENCY SHELTERS** Legend PARK TRAILS LYONS CREEK ELEMENTARY MIDDLE District Boundary WESTGITABES TRADEWINDS MIDDLE **Emergency Shelters** MONARCH Primary Secondary CORAL PARKSIDE ELEMENTAR LIBERTY Tertiary HIGH ELEMENTARY POMPANO BEACH Special Needs INSTITUTE FOR INTERNATIONAL STUDIES FIIGH NTIC BLYD & DUTHS TE BLV MILLENIUM FLORANADA ELEMENTARY ALLENGER PARK LAKES ELEMENTARY ELEMENTARY ARTHUR ASHE MIDDLE/ROCK ISLAND ELEMENTARY PLANTATION ELEMENTARY GATOR RUN **ELEMENTARY** FOX TRAIL ELEMENTARY SUNSET INDIAN-SCHOOL RIDGE MIDDLE NEW RIVER EVERGLADES ELEMENTARY MANATEE BAY **ELEMENTARY** FALCON MIDDLE SILVER MIDDLE SILVER PALMS PINES PANTHER RUN WEST MIDDLE ORANGE BROOK BROWARD HIGH ELEMENTARY LAKESIDE ELEMENTARY ELEMENTARY . MCNIGOL SILVER SHORES MIDDLE SUNSET LAKES ELEMENTARY RENAISSANCE WATKINS ELEMENTARY HALLANDALE ELEMENTARY COCONUT SILVER LAKES PALM ELEMENTARY ELEMENTARY EVERGLADES OHIGH CORAL COVE N Prepared By: Map No. 16-10A GIS Section
Planning and Redevelopment Division Environmental Protection & Growth Management Department F11614 space 10/11/2010

MAP 10: Emergency Shelters

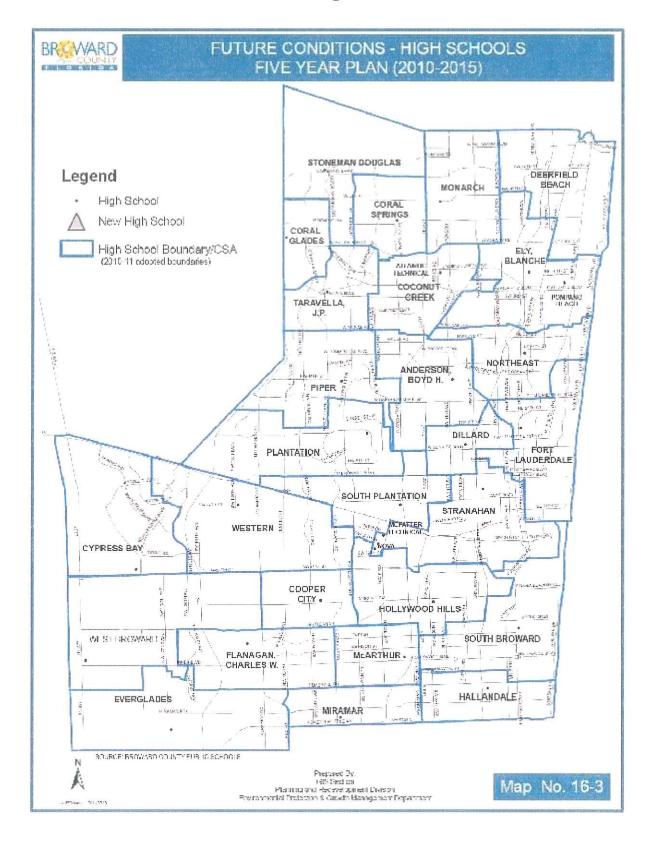
MAP 11 - Future Conditions - Elementary Schools - Five Year Plan



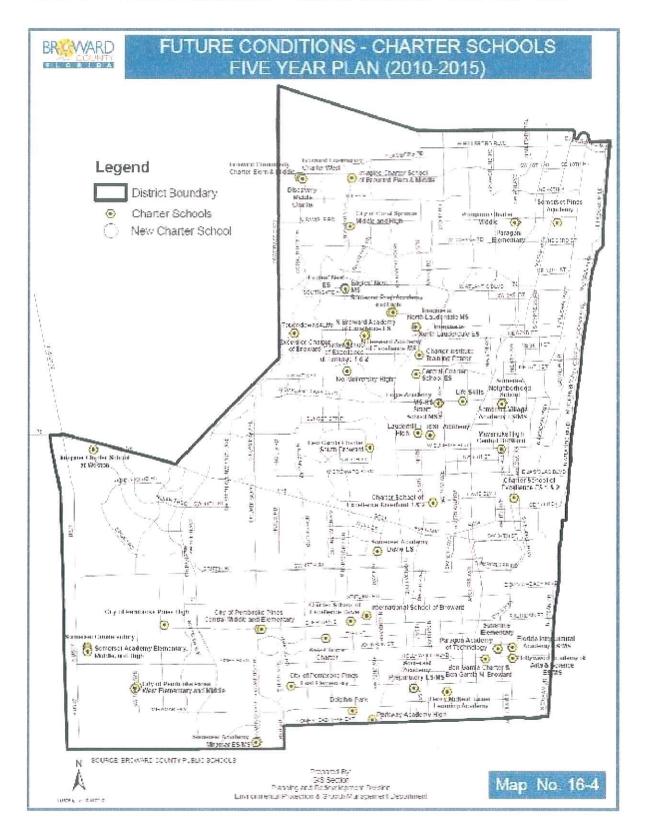
MAP 12 - Future Conditions - Middle Schools - Five Year Plan



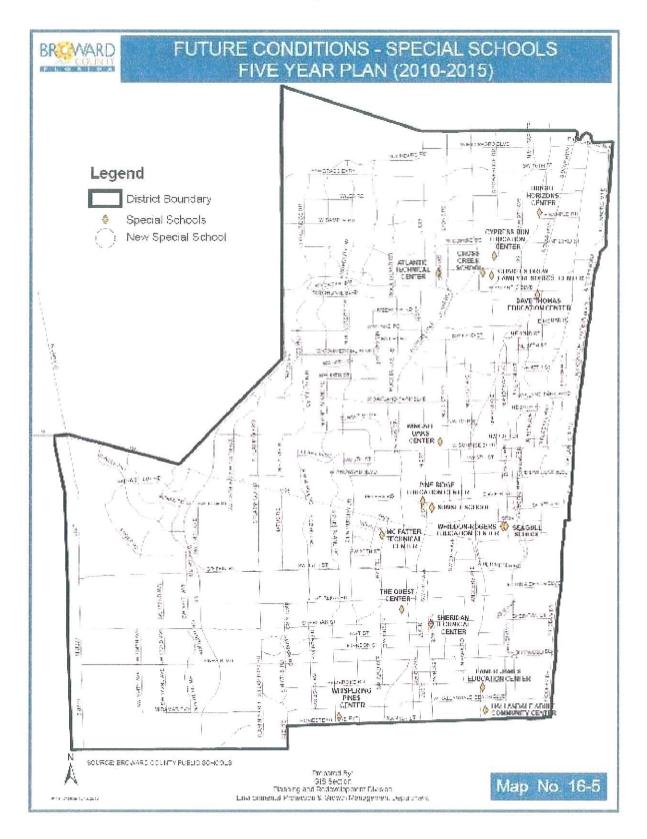
MAP 13 - Future Conditions - High Schools - Five Year Plan



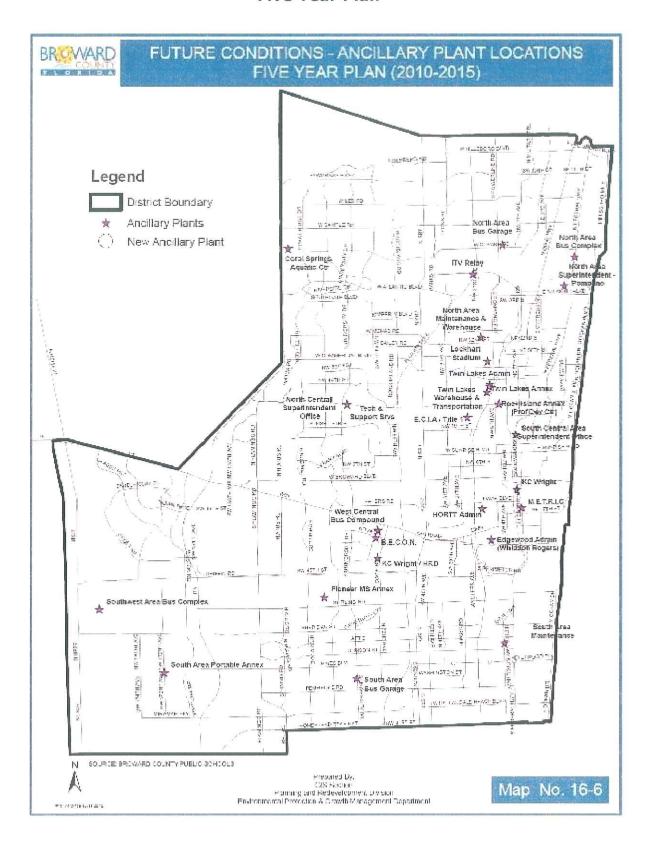
MAP 14 - Future Conditions - Charter Schools - Five Year Plan



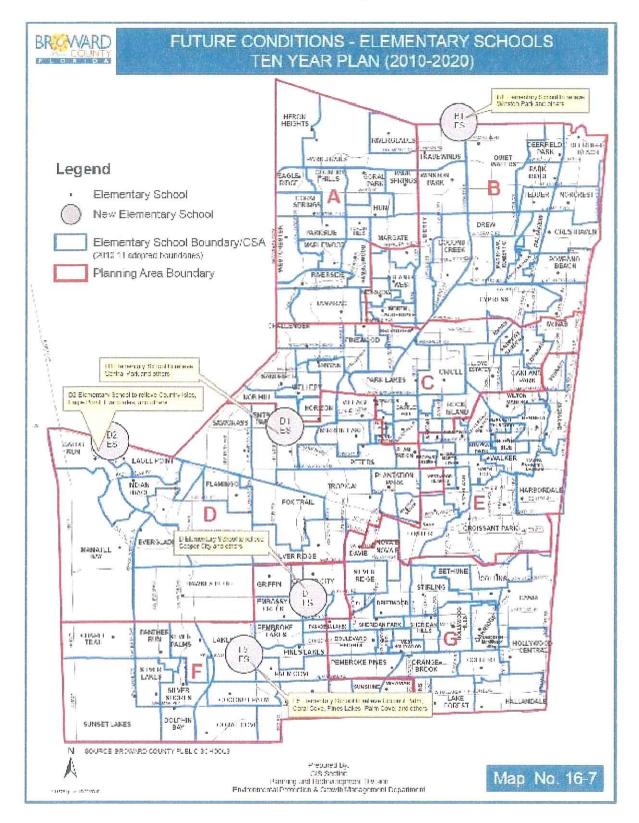
MAP 15 - Future Conditions - Special Schools - Five Year Plan



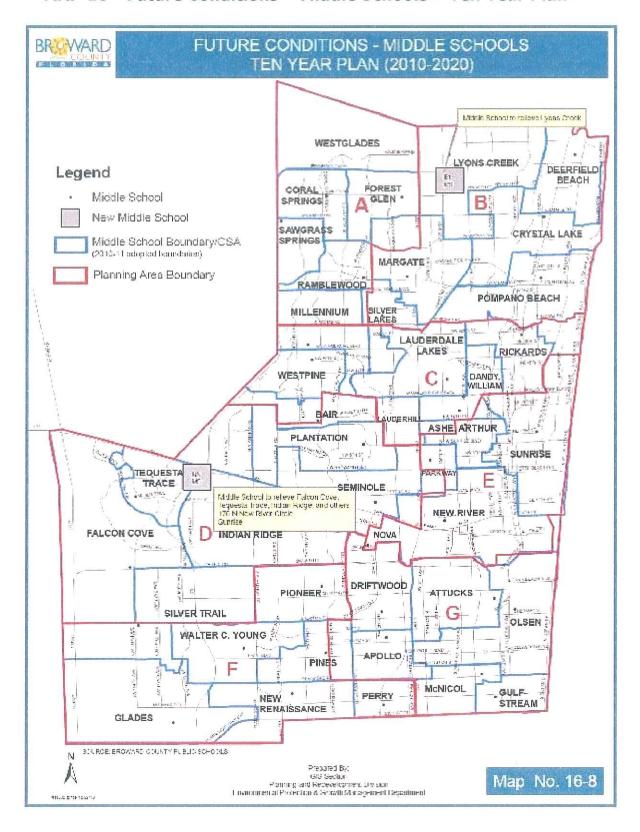
MAP 16 - Future Conditions - Ancillary Plant Locations - Five Year Plan



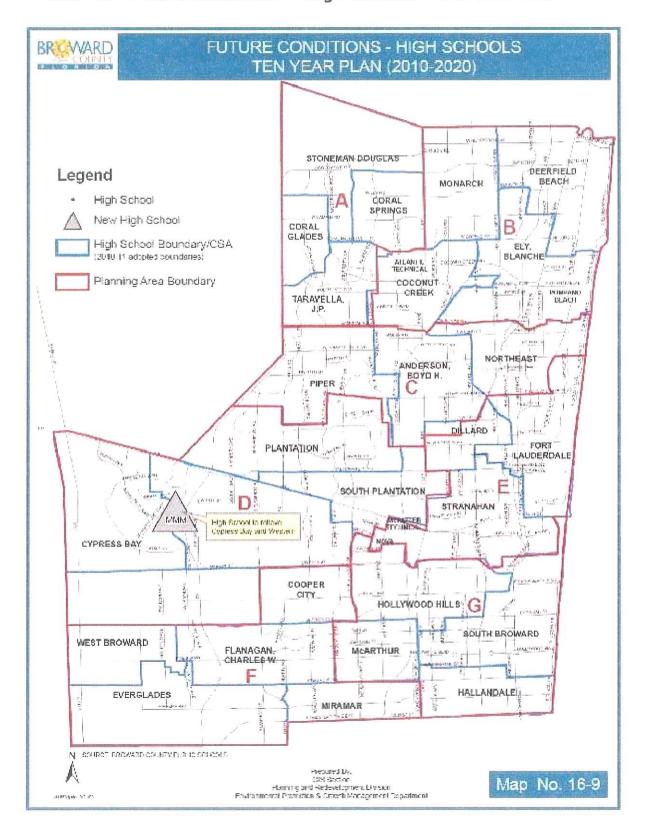
MAP 17 - Future Conditions - Elementary Schools - Ten Year Plan



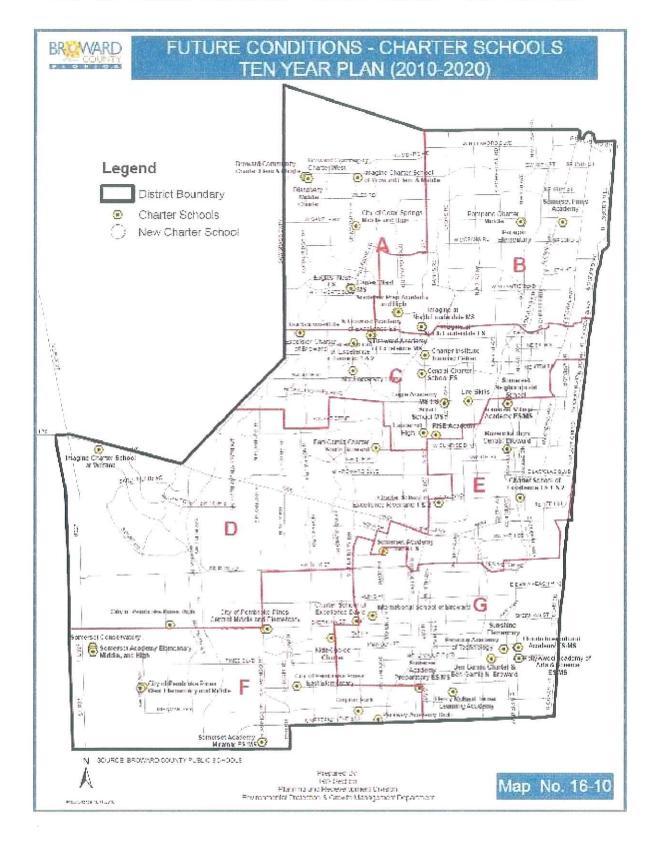
MAP 18 - Future Conditions - Middle Schools - Ten Year Plan



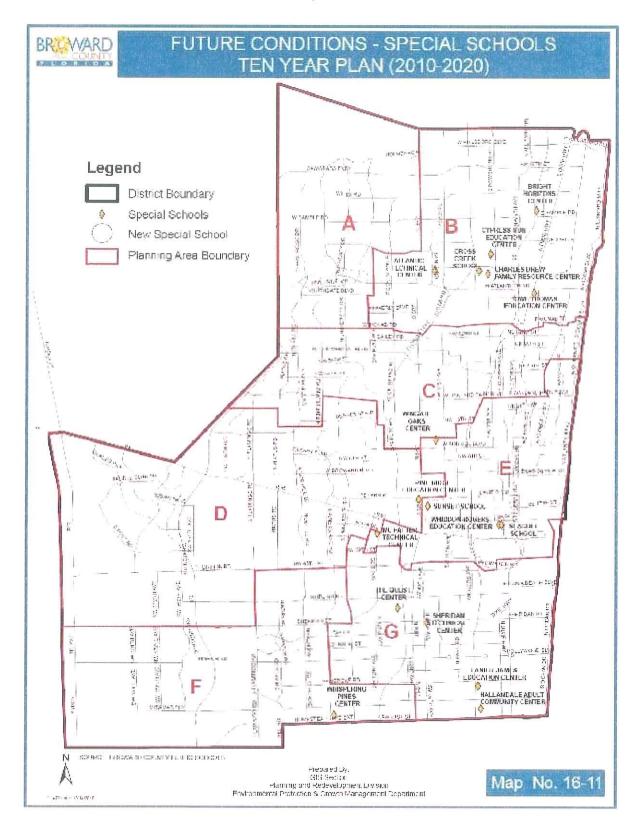
MAP 19 - Future Conditions - High Schools - Ten Year Plan



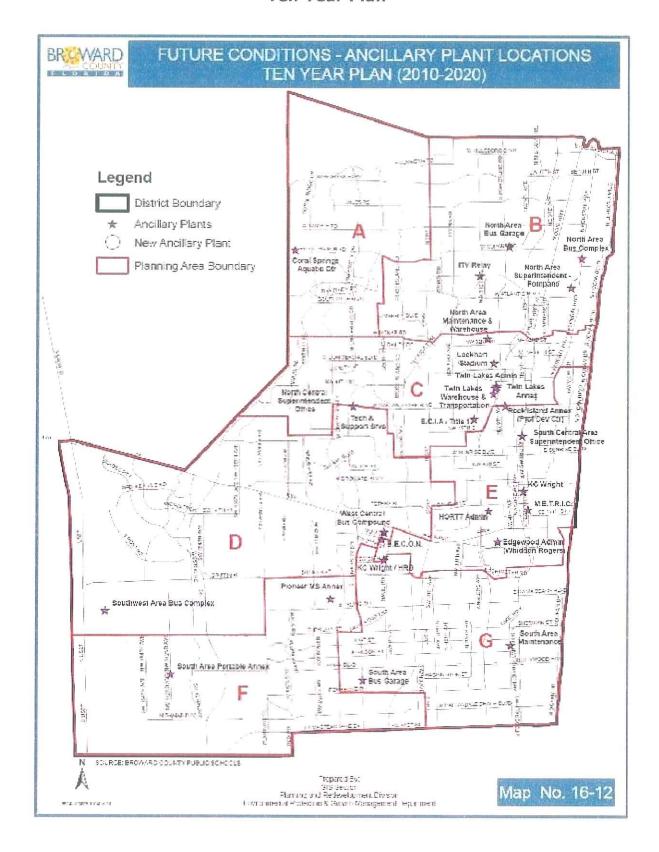
MAP 20 - Future Conditions - Charter Schools - Ten Year Plan



MAP 21 - Future Conditions - Special Schools - Ten Year Plan



MAP 22 - Future Conditions - Ancillary Plant Locations - Ten Year Plan





CITY OF DANIA BEACH COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

July 12, 2011 DATE:

Robert Baldwin, City Manager
Robert Daniels, Director TO:

FROM:

SUBJECT: LU-08-11: Update the Public School Facilities Element of the

City's Comprehensive Plan, reflecting the second amendment to the Broward County School Board Interlocal Agreement and approval of the annual update of the Capital Improvement Element within the City's Comprehensive Plan (FIRST READING).

In 2003, the Broward County School Board, Board of County Commissioners, and 26 Broward municipalities, including the City of Dania Beach, executed the original Interlocal Agreement (ILA) for Public School Concurrency. On January 15, 2008, it was amended to comply with amendments to the Florida Statues resulting from Senate Bill 360. On April 14, 2010, the City Commission approved the Second Amendment to the Broward County School Board ILA, along with 23 municipalities and Broward County.

The second amended ILA includes changing the Level of Service (LOS) standard for all public schools from the current 110% of permanent student capacity to 100% of gross capacity and to sunset the use of relocatables in the year 2018 while retaining the Concurrency Service Areas (CSA's) as individual school boundaries. The County's Staff Working Group and Oversight Committee believe that the proposed changes as reflected in the second amended ILA are a manageable solution to the complex issues of school concurrency, which also avoids multiple school boundary changes across Broward County.

These changes must be incorporated into the Public School Facilities Element (PSFE) and the Capital Improvements Element (CIE) of the City's Comprehensive Plan to be consistent with similar changes made by Broward County and the Broward County School Board to their Comprehensive Plans. This amendment includes projected ten year school enrollment, capacity, level of service standards and improvement costs. The amendment updates the current profile for elementary, middle and high schools in the county in the PSFE. It also updates the Five Year District Educational Facilities Plan and the School Board of Broward County Educational Plant Survey, which must be consistent with Broward County and the School Board.

The Florida Legislature passed Senate Bill 360 in 2005. This Bill requires that local governments annually update the Capital Improvement Element (CIE) within the City's Comprehensive Plan in order to ensure that the required level of service standard for the public facilities listed in Section 163 of Florida Statues is achieved and maintained over the planning period. Pursuant to changes in the legislation in 2011 (HB7207, aka Chapter 2011-139 - Laws of Florida), there is no longer a requirement to transmit the five year schedule of Capital Improvements Element as a comprehensive plan plan amendment. It is, however, necessary to transmit the amended goals, objectives and policies to the CIE that reflect the changes that are being processed to the PSFE.

The changes in the CIE have incorporated information received from the Public Services Department and have been reviewed by the Director of Finance.

LOCAL PLANNING AGENCY

On April 20, 2011, the Local Planning Agency recommended approval of the amendments.

PREVIOUS CITY COMMISSION ACTION

On April 14, 2010, the City Commission approved the Second Amendment to the Broward County School Board Interlocal Agreement.

On January 15, 2008, the City Commission approved the first amendment to the Broward County School Board Interlocal Agreement that was amended to comply with amendments to the Florida Statues resulting from Senate Bill 360.

On April 22, 2003, the City Commission approved a resolution adopting the Broward County School Board Interlocal Agreement.

STAFF RECOMMENDATION

Approve.

CITY COMMISSION CITY OF DANIA BEACH, FLORIDA PUBLIC HEARING NOTICE OF COMPREHENSIVE PLAN AMENDMENT

A Public Hearing will be conducted by the Dania Beach City Commission to amend the text of its Comprehensive Plan by adopting the following ordinance:

DATE: Tuesday, July 12, 2011

TIME: 7:00 p.m. or as soon thereafter as the same may be heard

PLACE: City Commission Chambers

Dania Beach Administrative Center

100 West Dania Beach Blvd. Dania Beach, FL 33004

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING THE COMPREHENSIVE PLAN BY AMENDING THE TEXT OF THE CAPITAL IMPROVEMENTS ELEMENT AND THE PUBLIC SCHOOL FACILITIES ELEMENT; PROVIDING FOR TRANSMITTAL AND ADOPTION PURSUANT TO SECTION 163.3184, FLORIDA STATUTES; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

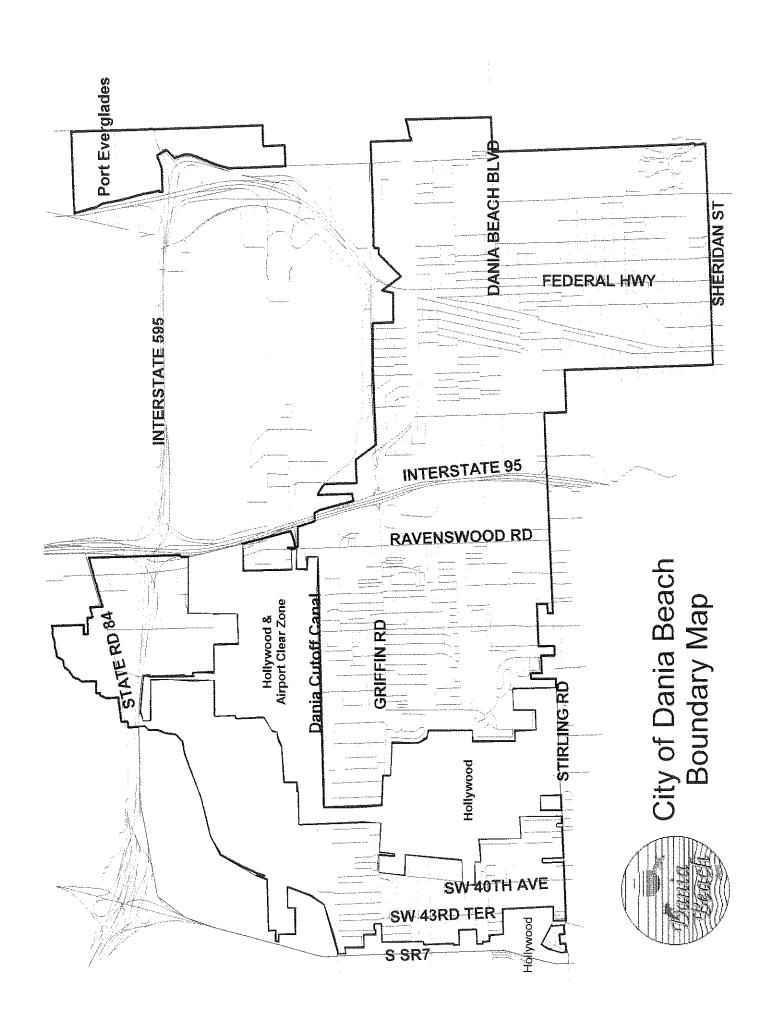
This ordinance updates the Public Schools Facility and Capital Improvement Elements of Comprehensive Plan of the City of Dania Beach. This hearing will propose updates to the Comprehensive Plan of the City of Dania Beach. A copy of the ordinance and proposed updates are available for viewing in the Community Development Department, 100 West Dania Beach Boulevard, Dania Beach, Florida, and may be inspected by the public during normal business hours

Insert Map here

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 Blvd, Dania Beach, FL 33004, (954) 924-6800 x3623, at least 48 hours prior to the meeting.

Please be advised that if a person decides to appeal any decision made by the Local Planning Agency, the Planning and Zoning Board or the City Commission with respect to any matter considered at this hearing, such person will need a verbatim record of the proceedings and for this purpose such person 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 based. The city does not provide or prepare such record pursuant to f.s. 286.0105.

//Lou Ann Patellaro, Building and Planning Operations Mgr. June 30, 2011



CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Adopt Ordinance (1st Reading)

(Adopt Resolution, Adopt Ordinance (1st Reading) Adopt Ordinance (2nd Reading) Award Bid /RFP, Presentation, Public Hearing)

Continued from:

Requested Action (Identify appropriate Action or Motion)

The applicant, the City of Dania Beach is requesting to amend the OneCode by creating a historic marker program, reinstituting regulations for Community Facility zoning district, making changes to the City Center zoning district, as well as other text amendments to the Unified Land Development Code

Description of Action

- 1. To permit as home daycare use and permit temporary above ground pools; Article 105.
- 2. To amend definitions related to mobility program, density, and permitted use; Article 725-30.
- 3. To allow a greater height via a Special Exception and increasing density to 150 units per acre in the City Center with density bonus; Article 303.
- 4. Adding the Community Facilities zoning district back into the code; Article 330.
- 5. To clarify distance separation requirements for liquor within CRA; Article 110-50(A).
- 6. To add scooter and electric cart rental as a permitted use in the SFED-MU zoning district; Article 110-20 & 110-240.
- 7. To create historic marker and plaque regulations and to include a list of the properties designated historic in 2005; Chapter 8, Section 8-155.1 & Section 8-162.
- 8. To create noise mitigation requirements for residential properties within the accepted Federal Aviation Administration long range noise exposure; Article 221.
- 9. To clarify the prohibition of roadside vendors and list catering as a permitted use in the permitted use table; Article 110 & Article 115.
- 10. To allow building height in IROM and IROM-AA to be 6 stories maximum; Article 205.
- 11. Permitting nursery uses, and requiring landscaping to be located on the outside of fence/walls in the IROM-AA; Article 115.
- 12. To reduce driveway setbacks from 5 feet to 2 feet and to change the pervious area requires matching those approved in Ordinance No. 2008-010; Article 215 and Section 205-10.
- 13. Removing certified mailing and firm mailing from notice requirements, consistent with state statutes; Article 610-30.
- 14. Amending sign regulations for transit-related signage; Article 505.
- 15. Amending parking requirements for properties within the Design District; Article 265-50.
- 16. Creating a voluntary mobility program to manage vehicle traffic demand and support multimodal transit; Article 295 and Article 605.
- 17. To amend the procedures for right-of-way vacations; Article 655.
- 18. To amend the code to identify the Fire Marshal as the person who assigns property addresses; Section 700-150.

| Purchasing Requests ONLY | | |
|---|---------|------|
| Dept: | Acct #: | Amt: |
| Fund: (Select from: General, Water, Sewer, Stormwater, Grants, Capital) | | |
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| Fiscal Impact/Cost Summary | | |
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| Exhibits Attached | | |
| Ordinance Staff Report | | |
| Public Hearing Notice | | |
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ORDINANCE NO. 2011-024

AN ORDINANCE OF THE CITY OF DANIA BEACH, FLORIDA, TO AMEND THE CODE OF ORDINANCES AND LAND DEVELOPMENT CODE BY AMENDING ARTICLE IX "HISTORIC PRESERVATION" OF CHAPTER 8 "BUILDINGS" OF THE CODE OF ORDINANCES CONCERNING THE CITY'S HISTORIC MARKER AND PLAOUE PROGRAM; AMENDING ARTICLE 105 "USE REGULATIONS FOR RESIDENTIAL AND OPEN SPACE ZONING DISTRICTS" REGARDING PERMITTED ACCESSORY USES AND STRUCTURES: AMENDING ARTICLE 110 "USE REGULATIONS FOR COMMERCIAL AND MIXED-USE DISTRICTS" CONCERNING PERMITTED USES IN ZONING DISTRICTS AND **PROVIDING** FOR SUPPLEMENTAL REGULATIONS: AMENDING ARTICLE 115 "INDUSTRIAL DISTRICTS: PERMITTED. PROHIBITED. SPECIAL EXCEPTION CONDITIONS OF USE" CONCERNING PERMITTED USES IN ZONING DISTRICTS AND CONDITIONS OF USE: AMENDING ARTICLE 205 "TABULAR SUMMARY OF SITE DEVELOPMENT STANDARDS FOR ALL ZONING DISTRICTS" TO AMEND DEVELOPMENT STANDARDS FOR ZONING DISTRICTS; AMENDING ARTICLE 215 "SUPPLEMENTAL REGULATIONS FOR YARDS, LOT COVERAGE, IMPERVIOUS AREA AND SPACE" TO AMEND YARD AND IMPERVIOUS REGULATIONS: CREATING ARTICLE 221 "NOISE MITIGATION" TO PROVIDE FOR NOISE MITIGATION REQUIREMENTS FOR RESIDENTIAL **PROPERTIES** WITHIN **ACCEPTED** FEDERAL AVIATION ADMINISTRATION LONG-RANGE **NOISE EXPOSURE** AMENDING ARTICLE 265 "OFF-STREET PARKING REQUIREMENTS" TO AMEND PARKING REQUIREMENTS FOR PROPERTIES WITHIN THE DESIGN DISTRICT OVERLAY; CREATING ARTICLE 295 "VOLUNTARY MOBILITY PROGRAM" IN ORDER TO PROVIDE FOR A MOBILITY PROGRAM TO MANAGE VEHICULAR TRAFFIC DEMAND AND SUPPORT MULTIMODAL TRANSIT; AMENDING ARTICLE "DISTRICT DEVELOPMENT STANDARDS" TO AMEND DENSITY AND DEVELOPMENT STANDARDS FOR THE CITY CENTER ZONING DISTRICT; CREATING ARTICLE 330 "COMMUNITY FACILITIES (CF) DISTRICT" TO ESTABLISH THE COMMUNITY FACILITIES ZONING DISTRICT: **AMENDING ARTICLE** "SIGN 505 **REGULATIONS**" CONCERNING REGULATIONS OF TRANSIT-RELATED SIGNAGE; AMENDING ARTICLE 605 "GENERAL APPLICATION REQUIREMENTS" TO IMPLEMENT THE VOLUNTARY MOBILITY PROGRAM: AMENDING ARTICLE 610 "PUBLIC HEARING NOTICES" TO PROVIDE FOR AMENDMENTS TO PUBLIC NOTICE MAILING REQUIREMENTS FOR APPLICATIONS; DEVELOPMENT AMENDING **ARTICLE** "VACATIONS OF RIGHT-OF-WAY" TO AMEND THE PROCEDURES FOR RIGHT-OF-WAY VACATIONS; AMENDING ARTICLE 725 "DEFINITIONS" TO AMEND DEFINITIONS RELATED TO MOBILITY PROGRAM.

DENSITY AND PERMITTED USES; PROVIDING FOR AMENDMENTS THROUGHOUT THE LAND DEVELOPMENT CODE TO CORRECT SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article VIII, Section 2 of the Florida Constitution, and Chapter 166, Florida Statutes, provide municipalities the authority to exercise any power for municipal purposes, except where prohibited by law, and to adopt ordinances in furtherance thereof; and

WHEREAS, Objective V of the Future Land Use Element of the City of Dania Beach Comprehensive Plan provides that the City of Dania Beach will maintain land development regulations and zoning regulations to implement the City's Comprehensive Plan; and

WHEREAS, the City Commission of the City of Dania Beach ("City Commission") finds it periodically necessary to amend its Code of Ordinances and Land Development Code ("Code") in order to update regulations and procedures to implement municipal goals and objectives; and

WHEREAS, on September 14, 2010, the City Commission adopted a comprehensive amendment to the City's land development regulations known as "OneCode", to unify the City's regulations of zoning and land development in a single comprehensive Land Development Code; and

WHEREAS, in implementing the new Land Development Code, City Community Development Department staff identified the need to adopt certain additional clarifications and corrections to improve the Land Development Code; and

WHEREAS, in recognition of the value of the City's historic resources and their contribution to the community's pride of place, amendments to Article IX "Historic Preservation" of Chapter 8 "Buildings" of the Code of Ordinances is necessary to provide for procedures for approval of historic markers and plaques to be located at historic buildings, sites and landmarks within the City, and also to update the City's list of designated historic buildings and landmarks; and

WHEREAS, to encourage development and redevelopment related to the design industry within the City, Community Development Department staff desires to provide for supplemental development regulations intended to facilitate the development and redevelopment of design-related businesses located within the identified "Design District" overlay area; and

WHEREAS, Community Development Department staff has identified amendments to the Land Development Code which are necessary to provide for noise mitigation for residential development located within the accepted Federal Aviation Administration long-range noise exposure areas; and

WHEREAS, Community Development Department staff desires to clarify the use and development standards applicable to accessory uses and structures located on property within the City's residential and open space zoning districts; and

WHEREAS, further, clarifications and amendments regarding the permitted uses within the City's commercial and mixed use zoning districts are necessary to address additional commercial uses and to provide standards for such uses; and

WHEREAS, Community Development Department staff desires to clarify the list of permitted uses within the City's industrial districts, and to provide for revised development standards for property located within the IROM ("Industrial-Research-Office-Marine") and IROM-AA ("Industrial-Research-Office-Marine Airport Approach") zoning district, and the Design District Overlay area; and

WHEREAS, Community Development Department staff desires to provide for revisions to yard, lot and bulk development standards within various zoning districts of the City; and

WHEREAS, Community Development Department staff recommends clarification of public notice requirements for development applications in order to provide for efficient administration of such requirements while maintaining public notice which informs property owners and the public of pending development applications; and

WHEREAS, in an effort to improve travel in and through the City, consistent with the city's on-going effort to improve liveability and support multi-modal transportation options, Community Development Department staff desires to provide for a voluntary mobility program to support implementation of multi-modal mobility strategies; and

WHEREAS, in support of the City's redevelopment goals within the City's core "City Center district" of the Community Redevelopment Area, Community Development Department staff recommends the amendment of density and development standards within this zoning district; and

WHEREAS, in support of the goal of encouraging multi-modal transportation, amendments of the City's sign regulations are recommended in order to provide for signage needed to support multi-modal transportation facilities; and

WHEREAS, additionally, Community Development Department staff recommends amendments to clarify the procedure for vacation and abandonment of platted public rights-of-way and easements; and

WHEREAS, in recognition of the need to establish regulations for community facility uses consistent with the City's Comprehensive Plan, Community Development Department staff recommends the re-establishment of the Community Facilities zoning district consistent with the Future Land Use Element of the Comprehensive Plan; and

WHEREAS, Community Development Department staff has identified a need to clarify the definitions within Article 725 "Definitions" of the Land Development Code related to permitted density and specific land uses, and to implement the additional amendments included in this Ordinance; and

WHEREAS, the Planning and Zoning Board, sitting as the City's Local Planning Agency, has reviewed this Ordinance, and has determined that it is consistent with the City's Comprehensive Plan; and

WHEREAS, pursuant to Section 166.041 (c)(2), Florida Statutes, notice has been given by publication in a paper of general circulation in the City, notifying the public of this proposed Ordinance and of the time and dates of the public hearings; and

WHEREAS, two public hearings were held before the City Commission pursuant to the published notice described above; and

WHEREAS, the City Commission finds that adoption of this Ordinance through its police powers will protect the public health, safety, and welfare of the residents of the City, and furthers the purpose, goals, objectives, and policies 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 Article IX "Historic Preservation" of Chapter 8 "Buildings" of the City of Dania Beach Code of Ordinances is amended as follows:

ARTICLE IX. HISTORIC PRESERVATION

Sec. 8-155.1 Historic Marker and Plaque Program

The City's historic marker and plaque program recognizes the increased value of its historic resources and the impact of their contribution to the community's pride of place. This architectural heritage is an important asset in the City's increasing attractiveness to visitors and investors. This program was created as a way to promote the City's rich past and recognize the investments made to preserve Dania Beach's heritage and provide for a standard method, in the form of a metal standing marker or wall mounted metal plaque, to display the significance of contributing structures and sites.

(A) Historic Marker Program. The City's historic marker program recognizes historic resources, persons and events that are significant in the areas of architecture, archaeology, Florida or Dania Beach history, and traditional culture by promoting the placing of historic markers at sites of historical and visual interest to residents and visitors. The purpose of the program is to increase public awareness of the rich cultural heritage of the City and to enhance the enjoyment of historic sites in Dania Beach by its residents and visitors.

(1) Subjects of Historic Markers.

- a. The City encourages applications on subjects of historically significant people, places, and events in the City's history. Historic residential structures are more adequately recognized by the Plaque Program discussed in (B) below.
- b. Unless there is sufficient documentary evidence to establish authenticity, no markers shall be approved to recognize "firsts".
- c. Approval of markers recognizing persons shall be considered only when the subject has been deceased for at least twenty-five (25) years.
- d. Markers recognizing events shall be considered only when the event in question took place at least twenty-five (25) years prior to the date of the application.
- (2) Approval of historic markers for buildings, sites, or other structures. Buildings, sites or other structures should be at least fifty (50) years old in order to be considered for a historic marker. Any property previously designated historic by the City Commission shall automatically be deemed eligible for placement of a historic marker. The following criteria shall apply to consideration of a request for approval of a historic marker for a building, site or other structure. Prior to approving a historic marker for a building, site or

structure, the City Commission shall find that at least one or more of the following criteria are met:

- a. The site is associated with the events that have made a significant contribution to the broad pattern of the City's history.
- b. The site is associated with the lives of persons no longer living, who have made significant contributions to the patterns of history and culture in the city.
- c. The site embodies the distinctive characteristics of a type, style, period, or method of construction or architecture, or is representative of the work of a master, or that possesses high artistic value.
- <u>d.</u> The site yields, or is likely to yield, information important in prehistory or history.
- e. The site is associated with ethnic groups who have made distinctive and significant contributions to history.
- f. The site embodies the characteristics of the city representing significant aspects of the physical or natural history of the earth and its life.
- (3) Location. The following criteria shall apply to City Commission approval of the location of a historic marker which is approved in accordance with the standards of subsection (2) above:
 - a. The site selected for the marker must be accessible to the public and visible from a public right-of-way.
 - b. An applicant requesting placement of a marker within a public right-of-way must obtain written approval from the appropriate transportation official or governing body with jurisdiction over that public right-of-way.
 - c. If the marker is to be placed on private property, an easement agreement that permits public access for as long as the marker stands must be included as part of the marker application, and approved as to form by the city attorney.
 - <u>d.</u> The relocation of any city historic marker requires approval of the City Commission.
 - e. Once a historic marker approved in accordance with this section has been located or relocated, written notification, including photographs, must be furnished to the Community Development Department.
- (4) Application. The historic marker application package shall provide the following information:

- <u>a.</u> A completed application. Application shall be made using the most current form obtained from the Community Development Department.
- b. A signed easement agreement from the property owner(s) of the proposed marker site, if the marker is located upon private property. The easement agreement shall permit public access for as long as the marker stands, and shall be approved as to form by the city attorney.
- c. The proposed text to be on the marker of approximately one hundred words. The marker's narrative text must be clear, concise and well documented. The Community Development Department reserves the right to request editorial changes he or she considers necessary for accuracy and to ensure that the marker serves its intended purpose.
- d. Historical documents regarding the person, building or location, as applicable. It is vital that the facts and assertions contained within the historical document can be authenticated or verified.
- e. The application package shall include at least two (2) images of differing views of the proposed marker site, plus a least two (2) images if the marker subject is a structure, at least one (1) image if the marker subject is a person. Images should be submitted digitally. A brief description of each image should also be included. The submitted pictures will not be returned; they will remain on file at the city.
- (5) Ordering the Marker and Placement of the Marker. The City shall administer the ordering of historic markers which are approved in accordance with this section.
 - a. Costs of the installation of historic markers shall generally be recovered from the recommending person or organization. However, when municipal funds are available the request may be funded by a matching grant to defray half the cost of markers. The matching grant will be approved by resolution of the City Commission.
 - b. A marker application shall be approved by the City Commission before the grant application may be considered.
 - c. Use of the city seal is only permitted on a marker which has been approved by the City Commission.

- d. A marker application must be approved by the City Commission before the City will place the order for the marker.
- e. After the marker application is approved by the City Commission, payment in full of the applicant's share for the marker is required prior to the order being placed with the marker foundry.
- (6) *Installation and Maintenance*. The following requirements shall apply to the installation and maintenance of historic markers approved in accordance with this section:
 - a. The marker installation will be the responsibility of the applicant.
 - b. Once the marker has been installed, the applicant shall submit three (3) high-resolution digital images of the marker and marker location to the Community Development Department.
 - c. The applicant is responsible for maintenance and repair of the marker, as well as replacement of the marker if necessary.

(7) Restrictions.

- a. The name of the current owner of the property or the name of any living person cannot be listed on the marker.
- b. Only sites approved by the City Commission may be marked with a marker displaying the city seal.
- c. Buildings, locations or sites already displaying a marker are not eligible for a second marker.
- d. No person may erect or use a marker which has not been approved pursuant to this section, and that is identical to or misleadingly resembles the markers issued by the City.
- (B) Historic Plaque Program. The City's residential architecture spans several decades and the City's neighborhoods offer a unique look at historic homes adapted by today's families and lifestyles. The plaque program offers a way to identify these homes to the public.
 - (1) Applicability. Only properties that have been designated as a historic building or landmark site by the City Commission pursuant to Sec. 8-155 may apply for a historic plaque.
 - (2) *Application*. A photo of the property shall be submitted to the Community Development department with the application.
 - (3) *Ordering Plaques*. Before ordering the plaque, the owner must comply with the following:
 - a. The owner shall obtain approval by the City Commission.
 - b. Upon approval of the historic plaque by the City Commission, the recipient shall sign a letter of agreement with the City in which the owner agrees to provide for continued maintenance of the historic plaque.

(4) Costs. Costs of the installation of historic markers shall generally be recovered from the requesting person or organization. However, when funds are available the request may be funded by a matching grant to defray half the cost of plaques. The application for the plaque must be approved by the City Commission before the grant application may be submitted.

* * *

Sec. 8-162. Designated historic buildings and landmarks.

The following properties in the City of Dania Beach are hereby designated as historic buildings and landmarks:

A.J. Ryan House, 215 SW 6 Street

Crudup-Hansen House, 38 SW 5 Street

Ocean Waterway, 1500 W. Griffin Road

Private Residence, 101 SE 2 Street

Nyberg-Swanson House, 101 West Dania Beach Boulevard

Dania Woman's Club, 117 N.W. 1st Avenue

Bank of Dania, 2 South Federal Highway

Dania Beach Hotel, 180 East Dania Beach Boulevard

Hotel Poinciana, 141 N.W. 1st Avenue

Martin C. Frost Residence, 400 South Federal Highway

<u>Section 3.</u> That Article 105 "Use Regulations for Residential and Open Space Zoning Districts" of the City of Dania Beach Land Development Code is amended as follows:

Sec. 105-60. Swimming pools.

(C) No part of a pool or pool deck may protrude more than six (6) inches above the finished floor elevation of the principal building. This requirement shall not apply to temporary above ground pools.

Sec. 105-80. Home occupations.

- (C) The following home occupations are specifically permitted. The director may permit additional home occupations upon determination that the home occupations are consistent with this section.
 - * * *
 - (10) Home day care.
 - * * *

<u>Section 4.</u> That Article 110 "Use Regulations for Commercial and Mixed-Use Districts" of the City of Dania Beach Land Development Code is amended as follows:

ARTICLE 110. USE REGULATIONS FOR COMMERCIAL AND MIXED-USE DISTRICTS.

Sec. 110-20. List of permitted, special exception and prohibited uses.

Included in the table below are permitted, special exception and prohibited uses within commercial districts, the residential office (RO) district, and *generalized* permitted and special exception uses within the mixed-use CRA form-based districts. Permitted and special exception uses shown in this table for the CRA form-based districts are not allowed in all areas of a district; therefore, the more detailed regulations of article 302 must be consulted to determine whether a particular use is permitted in any given location. Article 302 shall take precedence over this table.

| Legend P – permitted P(#) – permitted subject to numbered footnote A – permitted accessory use only SE – permitted special exception use only | MIXED-USE DISTRICTS | | | | | COMMERCIAL ZONING DISTRICTS | | | | |
|---|---------------------|--------------------------|-------------|-------------|-------------|-----------------------------------|-----------|-----------|-----------|-----------|
| NP - Not permitted USES | | CRA FORM-BASED DISTRICTS | | | | | | | | |
| | RO (see sec | 20 | EDBB- MU | SFED- MU | GTWY- MU | NBHD- MU | C-1 | C-2 | C-3 | C-4 |
| * * * | | | | | | | | | | |
| <u>Catering establishments</u> | NP NP NP NP NP | | | | | <u>NP</u> | <u>NP</u> | <u>P</u> | <u>P</u> | |
| Roadside vendors | <u>NP</u> | <u>NP</u> | <u>NP</u> | <u>NP</u> | <u>NP</u> | <u>NP</u> | <u>NP</u> | <u>NP</u> | <u>NP</u> | <u>NP</u> |

Sec. 110-20. List of permitted, special exception and prohibited uses.

| Legend P – permitted P(#) – permitted subject to numbered footnote | INDUST RIAL | | MIX | MIXED-USE DISTRICTS | | | | | COMMERCIAL ZONING DISTRICTS | | |
|---|----------------|-------------------------|----------|---------------------|----------|----------|-----------|-----------|-----------------------------------|-----------|-----------|
| A – permitted accessory use | | | CRA | FORM- | BASED | DISTR | ICTS | | | | |
| only SE – permitted special exception use only NP - Not permitted USES * * * | Marine | RO (see sec 110-180) | 22 | EDBB-MU | SFED-MU | GTWY-MU | NBHD-MU | C-1 | C-2 | C-3 | C-4 |
| Scooter or motorized/electric car rental [subject to Sec. 110-240] | NP | NP | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>NP</u> | <u>NP</u> | <u>NP</u> | <u>NP</u> | <u>NP</u> |

Sec. 110-50. Proximity of alcoholic beverage establishments to other establishments and uses.

- (A) The distance separation requirements of this section shall not apply to:
 - (1) The sale of beer for consumption off-premises; and
 - (2) Restaurants and cafes (including outdoor or open-air cafes specifically approved by the city commission) serving beer, and wine, and but not liquor, for consumption on the premises only, that are located within the Community Redevelopment Area form-based code districts.

* * *

Sec. 110-100. Hotels.

- (A) Hotels shall comply with the following conditions:
 - (1) Guestroom access shall be via interior corridors.
 - (2) Individual wall or window mounted air conditioners (if used) shall not project beyond any exterior wall of the building.
 - (3) Must have a minimum of 100 guess rooms.

* * *

Sec. 110-240. Motorized Scooter/Electric Car rentals.

Motorized scooter or electric car rentals permitted by this section must be located on Federal Highway or Dania Beach Boulevard. The business must distribute a pamphlet to renters on safe operations of the rental vehicle. Outdoor display at such uses requires a special exception, in accordance with article 630.

Section 5. That Article 115 "Industrial Districts: Permitted, Prohibited, Special Exception Uses, and Conditions of Use" of the City of Dania Beach Land Development Code is amended as

| USES | IROM | IROM- AA | IROC | IRO | IG | IR | PEDD | MA-1 | |
|---|-----------|------------------------------|-----------|-----------|-----------|-----------|-----------|--------------------------|--|
| COMMERCIAL USES | | | | | | | | | |
| <u>Catering</u> <u>establishments</u> | <u>P</u> | <u>NP</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>NP</u> | <u>P</u> | |
| * * * | | | | | | | | | |
| Roadside vendors * * * | <u>NP</u> | <u>NP</u> | <u>NP</u> | <u>NP</u> | <u>NP</u> | <u>NP</u> | <u>NP</u> | <u>NP</u> | |
| Outdoor sales, leasing rental, display of new and used boats and marine vessels | NP | 17, 73, 74, 79 | NP | NP | NP | NP | NP | 17, 73, 79 | |
| MISCELLANEOUS | | | | | | | | | |
| Commercial recreation facilities (indoors) | NP | NP | NP | SE (46) | SE | NP | NP | NP | |
| Crop raising and plant nursery (commercial and non-commercial) | <u>NP</u> | <u>P</u> | <u>NP</u> | <u>NP</u> | <u>NP</u> | <u>NP</u> | <u>NP</u> | <u>NP</u> | |
| Indoor private sports or athletic training facility without spectator seating | NP | NP | Р | NP | NP | NP | NP | NP | |
| Parking garage | NP | Р | NP | NP | NP | NP | Р | NP | |
| Recreational facilities | NP | NP | NP | NP | NP | NP | Р | NP | |

follows:

Section 115-40. Schedule of permitted uses.

Sec. 115-50. Conditions of use.

- Provided the area is secured and screened by an opaque fence or wall (chain link with slat not permitted) with a 10' wide landscape buffer with a continuous hedge and a tree planted every 40 linear feet and is separated from adjacent roadways or right-of-ways by landscaping pursuant to the requirements of Article 275 "Landscaping Requirements". The fence or wall must be located on the inside of the landscape buffer area.
- Provided the area is secured and screened by an opaque fence or wall (chain link with slat not permitted) with a 10' wide landscape buffer with a 5 foot high meandering or winding berm along the front property line and a 3 foot high meandering or winding berm along the side and rear property lines. The berm shall also have a continuous hedge screen with a minimum height of 3 feet on top of the berm and trees planted every 40 linear feet. The opaque fence or wall must be located on the inside of the landscape buffer area. Properties larger that 5 net acres shall provide a 15 foot wide landscape buffer with a 5 foot high meandering or winding berm along the front property line.
- A 15' wide landscape buffer with a 5' high meandering or winding berm and <u>an opaque fence or wall (chain link with slat not permitted) or wall equaling</u> 8' total height is required adjacent to residentially zoned or used land. <u>The fence or wall must be located on the inside of the landscape buffer area.</u>

Section 6. That Article 205 "Tabular Summary of Site Development Standards For All Zoning Districts" of the City of Dania Beach Land Development Code is amended as follows:

ARTICLE 205. TABULAR SUMMARY OF SITE DEVELOPMENT STANDARDS FOR ALL ZONING DISTRICTS.

Sec. 205-10. Schedule of lot, yard and bulk regulations.

*Excluding the CRA form-based districts (see part 3 of code)

| (D) LOT DENSITY BULK YAR | | | | | | D | | | | | | |
|--------------------------|---------------|-------------|-------------|---------------------------|---------------------------|--------------------|---------------------------|---|--|--|---|---|
| (D) INDUST | NDUST MINIMUM | | | MAXIMUM | MAXIMUM | | | | | MINIM | UM | |
| RIAL DISTRIC TS | Area | Width (Ft.) | Depth (Ft.) | Density DU's/ Gross Acre) | Height (Stories/Ft.) | Coverage (Percent) | Impervious area (Percent) | Front (Ft.) | Interior side both/One (Ft.) | Rear (Ft.) | Corner side & other street frontage(Ft.) | Setback adjoining* residential zoning or land use designation |
| *** IROM | N/A | N/A | N/A | N/A | <u>56</u> /62 | 70 | 70 | Greater of 30 or 1x buildin g height | Greater of 20 or ½ buildin g height ea. side | Greater of 20 or ½ buildin g height | Greater of 30 or 1x building height | Greater of 50 or 1x building height |
| * * * IROM- AA | N/A | N/A | N/A | N/A | 5 <u>6</u> /62 | 70 | 70 | Greater of 30 or 1x buildin g height | Greater of 20 or ½ buildin g height ea. side | Greater of 20 or ½ buildin g height | Greater of 30 or 1x building height | Greater of 50 or 1x building height |

* * *

* * *

| (C) RO AND | LOT | | | DENSITY | DENSITY | | | |
|--|----------------|-------------|-------------|------------------------------|----------------------|--------------------|------------------------------|-----|
| COMMERCIA L DISTRICTS | MIN | IMUM | | MAXIMU M | N | MAXIMUM | | |
| | Area | Width (Ft.) | Depth (Ft.) | Density DU's/ Gross Acre) | Height (Stories/Ft.) | Coverage (Percent) | Impervious area (Percent) | *** |
| RO [subject to sec. 110- 180] | | n/a | n/a | (²) | 2/2 5 | 70 | 70 <u>85</u> | *** |
| C-1 | 15,000 s.f. | 10 0 | 15 0 | N/A | 2/3 5 3/4 0 | 65 50 | 70 <u>75</u> | *** |
| C-2, C-3, C-4 | 4,000 s.f. | 30 | 90 | N/A | 2/3 5 3/4 0 | 70 70 | 70 <u>75</u> | *** |

* * *

| (D) INDUSTRIAL | | LOT | | DENSITY | | BULK | | |
|-------------------|----------------|-------------|-------------|------------------------------|----------------------|--------------------|------------------------------|-------|
| DISTRICTS | MI | NIMUI | М | MAXIMUM | М | AXIMUI | М | |
| | Area (Sq. Ft.) | Width (Ft.) | Depth (Ft.) | Density (DU's/Gross Acre) | Height (Stories/Ft.) | Coverage (Percent) | Impervious area (Percent) | *** |
| IRO | 87,120 | 200 | n/a | n/a | 5/62 | 60 | 60 <u>80</u> | * * * |
| I-R | 10,000 | 75 | 100 | n/a | 3/35 | 50 | 85 80 | *** |
| I-G | 20,000 | 100 | 150 | n/a | n/a35 | 70 | 70 80 | *** |
| IROC | N/A | N/A | N/A | N/A | 5/62 | 70 | 70 <u>80</u> | *** |
| PEDD | None | None | None | N/A | Per FAA | None | None | *** |
| MA-1 | 5,000 | 100 | 50 | N/A | NA/ 62 | 70 | 70 <u>80</u> | *** |
| IROM | N/A | N/A | N/A | N/A | 5/62 | 70 | 70 <u>80</u> | *** |

<u>Section 7.</u> That Article 215 "Supplemental Regulations for Yards, Lot Coverage, Impervious Area and Open Space" of the City of Dania Beach Land Development Code shall be amended as follows:

Sec. 215-50. Permitted yard encroachments in the E-1, RS-18000, RS-12000, RS-8000, RS-6000, NBHD-RES, and RD-8000 Districts.

(I) Driveways shall not be located within five (5) two (2) feet of an interior side lot line.

* * *

Sec. 215-130. Impervious area standards.

(A) Maximum allowable impervious area. To effectively provide for the drainage of stormwater the area of land covered by buildings, structures and impervious surfaces shall not exceed seventy (70) percent for industrial and commercial uses and sixty (60) percent for residential uses, 63% for open space, residential and mobile home zoning districts, 75% for commercial, 80% for industrial and 85% for residential office zoning districts, excluding the CRA form-based zoning districts for which open space standards are provided in the district regulations of article 303. PEDD requirements are provided in the district regulations in article 320.

Section 8. That Article 221 "Noise Mitigation" shall be created within the City of Dania Beach Land Development Code to read as follows:

ARTICLE 221. NOISE MITIGATION.

Section 221-10. Noise Mitigation.

- (A) Residential properties located within the 60+ DNL noise contour shown on the most recent FAA accepted long range noise exposure contours for the Fort Lauderdale-Hollywood International Airport shall be subject to the following requirements:
 - (1) An application for a building permit for a new residential dwelling unit or an existing residential structure making a substantial improvement to the main living structure or unit, as defined in sec. 725-30, shall provide evidence that appropriate noise mitigation measures will be provided in order to achieve a maximum indoor level of forty-five decibels (45 dB).
 - (2) The application for residential building permit shall provide a certified engineered program identifying existing conditions, methods to be utilized, and the impact of each proposed upgrade.

Section 9. That Article 265 "Off-Street Parking Requirements" of the City of Dania Beach Land Development Code shall be amended as follows:

ARTICLE 265. OFF-STREET PARKING REQUIREMENTS.

Sec. 265-50. Off-street parking required; on-street parking credit.

* * *

(D) Abbreviations used in the off-street parking requirement table.

CSA = customer service area

Pkg = parking

Requ. = requirement, required

I/B = inbound

O/B = outbound

Schedule of minimum off-street parking requirements

| | Use | Minimum Off-Street Parking Requirement | | | | | | |
|-----|--|---|--------------------------|--|--|--|--|--|
| | USE | All Districts | CRA Form-Based Districts | | | | | |
| (C) | Commercial Uses | | | | | | | |
| 34 | Furniture, large appliance, or decorator | One (1) per five hundred (500) sf | | | | | | |
| | showroom | One (1) per six hundred (600) s.f if located in the Design District overlay | | | | | | |

Section 10. That Article 295 "Voluntary Mobility Program" of the City of Dania Beach Land Development Code shall be created to read as follows:

ARTICLE 295. VOLUNTARY MOBILITY PROGRAM.

Sec. 295-10. Generally.

Intent. Maintaining and improving travel in and through the city is an important responsibility and consistent with the city's on-going effort to improve liveability and support transportation options. Broadening the previous focus on motorized vehicular travel to include transit, bicycle and pedestrian movement is a key objective in accomplishing this goal, since increasing the number of transportation options reduces demand for any one option. This approach is viewed as an aid in managing increasing vehicular traffic demand, but will also support broader diversity within the City and offer healthy lifestyle choices by providing infrastructure that supports active transportation modes. This section institutes a policy to encourage development projects to utilize, incorporate and extend mobility options to its users and the general public through implementation of various voluntary design features and techniques that facilitate or enhance multimodal transportation options. The voluntary mobility program is a multimodal transportation program that is consistent with and implements Broward County's and the State of Florida's multimodal efforts, and the Transportation Element of the city's Comprehensive Plan.

- (B) Opportunity. Development applicants that would otherwise be required, under this Code, to complete a traffic impact study or other traffic analyses as a part of their development application are offered the opportunity to, instead, choose to identify, in conjunction with City staff, right-sized mobility improvements from a non-static list of pre-approved mobility improvements that enhance the mobility of the city and are physically and financially feasible. A development applicant may also propose original mobility improvements which are consistent with citywide mobility goals and approved by the director. Upon meeting with the applicant and review of the applicant's proposed mobility improvements, the director, with input from the City's transportation consultant, shall determine whether the proposed improvements will substantially address the transportation impacts of the proposed development.
- (C) Definitions. The following terms, as used in this Article, shall have the meanings given below:
- (1) "Programmatic mobility improvements" consist of programs and strategies that support mobility. They may be citywide or may primarily impact a subcomponent of the city's physical area or population. Programmatic mobility improvements may operate both within and outside of city boundaries.
- (2) "Capital mobility improvements" or non-programmatic mobility improvements may take the form of physical mobility improvements or may consist of the maintenance of physical mobility improvements, or may be in the form of operational mobility improvements or the maintenance of operational mobility improvements.

Sec. 295-20. Location of mobility improvements.

Mobility improvements may be located off-site or on-site. Off-site mobility improvements may be located within the right-of-way of the local roadway network or within the right-of-way of roadways designated in the Broward County Trafficways Plan, with required County and state approval if applicable. Off-site mobility improvements may also be located on adjacent or nearby private property, with the approval of the property owner(s). Mobility improvements may be programmatic or capital, as defined herein.

Sec. 295-30. Support for established mobility improvements.

Where the city has established a need for a capital or programmatic mobility improvement, development projects may contribute funding toward such improvements. The director may also accept contributions to mobility improvements which are determined to be consistent with citywide mobility goals and the adopted Mobility Program Guidelines.

Sec. 295-40. Mobility Program Guidelines

A detailed description of the voluntary Mobility Program and the streamlined development approval process associated with this option is provided in *Mobility Program Guidelines*, a handbook published and maintained by the Department of Community Development.

Sec. 295-50. Enforcement.

(A) Off-site improvements. To ensure implementation of agreed-upon off-site capital or programmatic mobility improvements at the time of application for the first principal building permit for a development participating in the voluntary mobility program, the applicant shall post a performance bond, letter of credit or other form of surety approved by the city attorney in the amount of 125% of the estimated cost to construct or implement city-approved mobility improvements in compliance with the agreed-upon terms of the improvement or enhancement, regulations of the City, and any other permitting agencies. However, in the event that the director determines that all of the agreed-upon off-site mobility improvements have been completed prior to the time of application for the first principal building permit for a development participating in the program, this surety requirement may be waived. If, at the deadline established in the agreed-upon terms of the improvements, all agreed-upon improvements have not been fully implemented, the issuer of the performance bond shall forfeit an amount equal to 125% of the remaining cost to complete implementation.

(B) On-site improvements. The director shall ensure implementation of agreed-upon mobility improvements which are located on the development project site by requiring that such improvements be completed prior to the issuance of a certificate of occupancy for any principal building.

Sec. 295-60. Acceptance of mobility improvements, and release of performance bond.

A mobility improvement shall not be deemed to be accepted by the city until all agreed-upon improvements, maintenance or enhancement work is determined by the director to be complete. Acceptance of a capital mobility improvement shall occur three hundred sixty-five (365) days after the date that the improvement passes all final city inspections. In the case of a programmatic mobility improvement or a mobility improvement involving ongoing obligations for maintenance or future performance tasks, the date of city acceptance for such improvement shall be as provided in the agreed-upon terms of the improvement. Upon the date of city acceptance, the director shall provide for the release of the performance bond or other surety.

<u>Section 11.</u> That Article 303 "District Development Regulations" of the City of Dania Beach Land Development Code shall be amended as follows:

Sec. 303-40. City center (CC) district.

- (A) *Intent and purpose:* to establish a mixed use downtown with transit supportive densities and intensities where citizens can work, live, and shop in the economic, governmental, entertainment and cultural focal point of Dania Beach. This district is designed to encourage accessible, active, pedestrian-oriented areas within walking distance of a prospective transit station on the FEC railway.
- (B) *Density:* max. 50 du/ac by right; up to 100 150 du/ac with density bonus (see article 305).

<u>Section 12.</u> That Article 330 "Community Facilities District" of the City of Dania Beach Land Development Code shall be created to read as follows:

ARTICLE 330. COMMUNITY FACILITIES DISTRICT (CF)

Sec. 330-10. Purpose.

The Community Facilities zoning district is intended to accommodate land uses providing governmentally owned or operated services and facilities, public or private health-related facilities, cemeteries, educational and cultural facilities and certain not-for-profit organizational services.

Sec. 330-20. Uses permitted.

- (a) Accessory dwelling [see subsection 330-40(a)]
- (b) Auditoriums
- (c) Child care center, pre-school or adult day care, including commercial facilities [see subsection 330-40(b)]
- (d) Civic and cultural center
- (e) Special residential facilities [see subsection (c)]
- (f) Courts facilities
- (g) Educational centers [see subsection (d)]
- (h) Essential services
- (i) Fire protection facilities
- (j) Governmental administrative offices
- (k) Library, museum, art gallery and other such exhibitions
- (l) Special residential facilities [see subsection (c)]
- (m)Parks, public
- (n) Police protection facilities
- (o) Rehabilitation centers
- (p) Water and wastewater treatment plans and pumping stations
- (q) Wireless communication facilities (see Article 835)

Sec. 330-30. Special exception uses.

- (a) Health clinics
- (b) Hospitals
- (c) Institutions for the homeless or indigent [see subsection (e)]

Sec. 330-40. Limitation of uses.

- (a) Accessory dwellings. Accessory dwellings for caretaker or security quarters for the property where the dwelling is located shall be permitted, subject to the availability and allocation of reserve units in accordance with the Future Land Use Element. Each dwelling unit shall not exceed one thousand five hundred (1,500) square feet in gross floor area or fifty percent (50%) of the gross floor area of the building where the unit is located, whichever is less, and shall not be less than four hundred (400) square feet in gross floor area. Such dwelling unit shall be located within the building to which the dwelling is accessory, on an upper story of the building.
- (b) Child care centers and pre-schools. All child care centers and pre-schools shall be designed to accommodate an outdoor play area that is separated and buffered from off-street parking areas, drive aisles, streets and alleys. Such play areas shall be completely enclosed with a fence at least five (5) feet in height.
- (c) Special residential facilities. Density for special residential facilities shall be calculated as two (2) bedrooms equals one dwelling unit. The Future Land Use Element shall determine the maximum permissible density for such use. If the proposed facility is not within an area designated residential by the Future Land Use Element, any such proposed facility will be subject to availability and allocation of reserve units.
- (d) <u>Educational centers</u>. Educational centers may have dormitory facilities as an accessory use.
- (e) <u>Institutions for the homeless or indigent</u>. Such institutions may include shelters for housing, kitchen and dining facilities, rehabilitative, medical emergency, medical and dental outpatient facilities, counseling and administrative offices. Such facilities shall be separated from any residentially zoned district by a minimum of five hundred (500) feet.

Sec. 330-50. Development regulations.

- (a) <u>Plot size</u>. The minimum plot size shall be thirty thousand (30,000) square feet with one hundred fifty (150) feet of property frontage on all streets.
- (b) *Height*. Maximum height of buildings and structures shall be as follows:
 - 1. No building or structure located within two hundred (200) feet of any plot zoned for detached one-family dwellings, two-family dwellings or townhouses shall be constructed to a height exceeding two (2) stories.
 - 2. A building or structure may be constructed to a height of four (4) stories, provided the building is located more than two hundred (200) feet from any plot zoned for detached one-family dwelling, two-family dwelling or townhouse.
 - 3. A building or structure may be constructed to a height of ten (10) stories, provided the building is located more than five hundred (500) feet from any residentially zoned plot.
- (c) <u>Setbacks and buffers</u>. The minimum setback for the construction or erection of any building or structure, except fences and walls, in any CF zoning district, which is contiguous to a residentially zoned plot shall be one hundred (100) feet, unless a greater setback is required for a specific use in this article. A landscape

buffer as required shall be provided within the setback area, including a visual barrier in the form of a fence (chain link with slats is not permitted), wall or hedge a minimum of six (6) feet in height constructed or planted and maintained as require by this code.

<u>Section 13.</u> That Article 505 "Sign Regulations" of the City of Dania Beach Land Development Code shall be amended as follows:

Sec. 505-20. Definitions.

Directional or instructional sign. A sign erected on private property, or within public right-of-way or on public property as specifically provided for a facility licensed with the City giving for the purpose of providing directions or instructions for vehicles traversing the premises, pedestrians or users of multi-modal transportation; on which it is located, multi-modal transportation facility ownership and operational directions; orientation maps and related information, but shall and not containing any advertising or commercial copy. (e.g., Such signs may include, but are not limited to, signs indicating parking, exit, entrance, loading only, indicating directions within a development premises, signs providing payment instructions for public parking or multi-modal transportation facility usage, or telephone signs identifying transportation facilities and routes).

* * *

<u>Multi-modal transportation facility.</u> A permanent facility approved through license by the City, located within the public right-of-way or upon public or private property, and used for the storage of vehicles which are utilized in a city-wide rental and sharing system for such vehicles.

<u>Multi-modal transportation information sign.</u> A sign specifically provided for as part of a license with the City for a designated multi-modal transportation facility, which is attached to said facility for the purpose of providing information for users of the facility, and information identifying sponsors of the facility or system.

* * *

Vehicle sign. Any sign attached to or placed on a vehicle, including automobiles, trucks, boats, campers, and trailers, that is parked on or otherwise utilizing a public right-of-way, public property or on private property so as to be intended to be viewed from a vehicular right-of-way for the purpose of providing advertisement of products or services or directing people to a business or activity. This definition is not to be construed to include those signs that identify a firm or its principal products on a vehicle or such advertising devices as may be attached to and within the normal unaltered lines of the a vehicle of a transit carrier holding a business tax receipt, or a vehicle which is offered for temporary rental through a citywide rental and sharing program, when and during that period of time such vehicle is regularly and customarily used to traverse the public highways during the normal course of business. Nor shall it include signs affixed to vehicles identifying the make and model of the vehicle.

Sec. 505-30. General signage regulations.

* * *

- (I) Signs may be displayed on multi-modal transportation facilities in accordance with the following requirements:
 - (1) A single multi-modal transportation information sign, including no more than two (2) sign faces of not more than 30" by 30" in area per sign face per facility, may identify sponsors of the facility and system on one sign face. The sign faces shall be oriented towards users of the multi-modal transportation facility and not toward the motorized vehicle traffic.
 - (2) No more than four (4) additional single-faced multi-modal transportation information signs, of not more than one square foot in area per sign, may be attached to the multi-modal transportation facility.
 - (3) Directional or instructional signs may be attached to the multi-modal transportation facility, provided that the total square footage shall not exceed ten (10) square feet in sign area for all such signs, and any individual directional or instructional sign attached to the facility shall not exceed a maximum of four (4) square feet in sign area.
 - (4) The signs permitted by this subsection shall not be illuminated and shall not include any flashing, moving, digital, video display or electronic changeable copy features.

Sec. 505-40. Prohibited signs.

* * *

(X) Bus bench and bus shelter signs except as , and other signs on transportation facilities, unless specifically provided for through contract the license with the city only for the facility at designated bus stops transit stops and multi-modal transportation facilities. and iIn no event are such signs allowed in residentially zoned areas.

* * *

<u>Section 14.</u> That Article 605 "General Application Requirements" of the City of Dania Beach Land Development Code shall be amended as follows:

Sec. 605-30. Application submittal requirements.

The community development director shall establish standardized application submittal requirements for each type of development application, which shall at a minimum include the following.

* * *

(K) The community development director may require a A traffic impact study is required to supplement a development application that, if approved, would generate in excess of five hundred (500) daily 25 gross peak hour trips according

to the based on applicable trip generation rate(s) in the Institute of Transportation Engineers' Trip Generation M Trip Generation manual, most recent edition. The requirement for a traffic impact study shall be based upon the community development director's determination that additional information is appropriate with regard to any or all of the following: prepared using the roadway level of service standards and trip generation rates. A traffic impact study shall be prepared in accordance with methods outlined in Transportation Impact Analysis for Site Development: An ITE Recommended Practice (RP-020D) published by the Institute of Transportation Engineers in 2010. A memorandum of agreement summarizing the study's proposed project-specific methodology, including any deviations from guidelines contained in the Recommended Practice, must be approved in writing by the director prior to preparation of the study. Additional information may be required by the director if deemed necessary for review of the application's traffic impacts. The memorandum of agreement and the traffic impact study must be prepared by a professional engineer (PE) registered in the State of Florida, a Professional Transportation Planner (PTP) certified by the Institute of Transportation Engineers (ITE), or a planner certified by the American Institute of Certified Planners (AICP).

- (1) Potential turning movement conflicts;
- (2) Proper functioning of intersections;
- (3) On-site and off-site circulation, including but not limited to: potential conflicts between vehicle, pedestrian and bicycle circulation; adequacy of stacking spaces; accessibility of garbage dumpsters to collection vehicles; and, the appropriate number and spacing of driveways;
- (4) Analysis of proposed roadway or easement vacations or road closures, whether permanent or temporary for construction purposes;
- (5) Off-site roadway impacts, including those within adjacent neighborhoods.
- (6) The community development director may waive all or part of the traffic study requirement upon a finding that sufficient recent data already exists.

<u>Section 15.</u> That Article 610 "Public Hearing Notices" of the City of Dania Beach Land Development Code shall be amended as follows:

ARTICLE 610. PUBLIC HEARING NOTICES

Sec. 610-30. Detailed notice provisions.

* * *

- (C) *Mail Notices*.
 - (1) The mail notice radius in table 610-20 shall be measured from the boundaries of the land that is the subject of the application
 - (2) Mail notice shall be sent <u>by</u> U.S. Mail <u>to the following</u>, <u>eertificate of mailing</u>, <u>or firm mailing</u>:

- (a) the owner(s) of the subject property(ies), as well as the petitioner(s); and
- (b) the persons shown on the current tax rolls of Broward County to be the respective owners; or
- (c) in the case of a condominium, notice shall be sent to the board of directors of the applicable condominium association.
- (d) Mail notice shall only be required to owners of land located within the city's boundaries.

* * *

Section 16. That Article 655 "Vacations of Right-of-Way" of the City of Dania Beach Land Development Code shall be amended as follows:

ARTICLE 655. VACATIONS OF RIGHT-OF-WAY.

* * *

Sec. 655-30. Application processing.

- (A) Any person requesting a vacation must submit the appropriate application, copies, and fee to the community development department. Before any street, alley or other public place appearing on any plat of record and dedicated to the public use can be vacated or abandoned, the person or parties so desiring the vacation or abandonment shall make application to the community development department for such vacation and abandonment. The application shall be made on an application form as provided by the community development director, and the applicant shall submit all required documentation and pay a fee as adopted by the city commission.
- (B) The community development director shall prepare a report after reviewing the application.
- (C) Public notice shall be made in accordance with article 610.
- (D) The city commission shall conduct a public hearing and shall decide on the request after considering the application, staff findings, and information presented at the public hearing. In order for the city commission to approve the vacation, it must waive the replatting requirement of the city charter. The request for waiver may be processed concurrently with the petition for vacation. No platted street, alley or other property dedicated to the public use shall be vacated or abandoned except by a new plat submitted to and approved by the city commission, showing the condition of the area after such vacation and abandonment; however, if it is determined by the city commission that the submission and approval of such new plat would cause an undue hardship to the property owner requesting such a vacation or abandonment, the submission and approval of such new plat may be waived by the city commission.
- (E) All vacation applications shall be processed as ordinances of the city in accordance with the applicable city and state requirements. The application shall be referred to the city planning and zoning board for its recommendation.

Sec. 655-40. Review criteria; city commission action.

(A) The city commission shall hold a public hearing on the application, with notice published once in a newspaper of general circulation published in the City and as provided in Article 610, at a regular meeting of the city commission. The public hearing

shall be held following not less than thirty (30) days after the presentation of the application to the planning and zoning board. The city commission shall conduct a public hearing and shall decide on the request after considering the application, staff findings, and information presented at the public hearing. The city commission may approve, approve with mitigating conditions, or deny an application to vacate right-of-way or the city's interest in an easement based upon the following criteria:

- (1) Whether the vacation will adversely affect access to neighboring properties.
- (2) Whether the subject right-of-way or easement is needed for any public purpose.
- (B) Notice of the passage of such an ordinance by the city commission shall be published one time, within thirty (30) days following its passage, in one issue of a newspaper of general circulation published in Broward County. Proof of publication of public notification, the adopted ordinance, and the proof of publication of the notice of the passage of such ordinance shall be recorded in the public records of Broward County, Florida, with certified copies of same to the board of county commissioners and the property appraiser of Broward County, Florida.

Section 17. That Article 700 "Code Administration" of the City of Dania Beach Land Development Code shall be amended as follows:

Sec. 700-150. Authority of city commission to name, rename, number or renumber roads, alleys, etc.

The city commission is authorized and empowered to name or number any road, subdivision street, alley or other thoroughfare within the city limits and to change such names or numbers. The community development director fire marshal is authorized to designate and issue house numbers for properties abutting upon such roads, subdivision streets, alleys or other thoroughfares.

<u>Section 18.</u> That Article 725 "Definitions" of the City of Dania Beach Land Development Code shall be amended as follows:

ARTICLE 725. DEFINITIONS.

Sec. 725-30. Terms defined.

Any term not defined in this section shall have the meaning given by the most recent edition of Webster's Unabridged Dictionary.

* * *

Density. The result of the number of dwelling units on a lot divided by the area of the lot expressed in acres. The acreage of land area used in density calculations shall be the gross acreage of the land area, unless otherwise specified in these regulations.

<u>Density</u>, <u>permitted</u>. The acreage of land area used in density calculations shall be the gross acreage of the land area, plus half of the adjacent right-of-way, unless otherwise specified in this Code.

* * *

CITY ATTORNEY

Roadside vendor. A non-permanent vendor of merchandise or food located within or adjacent to a public right-of-way, the primary source of customers for which is generated from passing traffic.

Section 19. 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 20. This Ordinance specifically repeals and replaces Ordinance Number 2011-014, which created Section 9.70 of Chapter 28 "Zoning" of the Code of Ordinances. All other ordinances or parts of ordinances in conflict with this Ordinance are repealed to the extent of said conflict.

Section 21. That the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Dania Beach, Florida, that the sections of the Ordinance may be renumbered or relettered to accomplish such intentions, and that the word "Ordinance" shall be changed to "Section," "Article" or other appropriate word.

Section 22. That this Ordinance shall take effect immediately at the time of its passage and adoption.

| PASSED on first reading on | , 2011. |
|---|----------------------------|
| PASSED AND ADOPTED on second reading on | , 2011. |
| ATTEST: | |
| LOUISE STILSON, CMC CITY CLERK | PATRICIA A. FLURY MAYOR |
| APPROVED AS TO FORM AND CORRECTNESS: | |
| THOMAS J. ANSBRO | |



CITY OF DANIA BEACH COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

DATE: July 12, 2011

Robert Baldwin, City Manager

Robert Daniels, Director TO:

VIA:

Corinne Lajoie, AICP, Principal Planner Culdajai FROM:

SUBJECT: TX-16-11: The applicant, the City of Dania Beach is requesting to

> amend the OneCode by creating a historic marker program, reinstituting regulations for Community Facility zoning district, making changes to the City Center zoning district, as well as other text amendments to the Unified Land Development Code (FIRST

READING).

TEXT AMENDMENTS

1. To permit as home daycare use and permit temporary above ground pools; Article 105.

- 2. To amend definitions related to mobility program, density, and permitted use; Article 725-30.
- 3. To allow a greater height via a Special Exception and increasing density to 150 units per acre in the City Center with density bonus; Article 303.
- 4. Adding the Community Facilities zoning district back into the code; Article 330.
- 5. To clarify distance separation requirements for liquor within CRA; Article 110-50(A).
- 6. To add scooter and electric cart rental as a permitted use in the SFED-MU zoning district; Article 110-20 & 110-240.
- 7. To create historic marker and plaque regulations and to include a list of the properties designated historic in 2005; Chapter 8, Section 8-155.1 & Section 8-162.
- 8. To create noise mitigation requirements for residential properties within the accepted Federal Aviation Administration long range noise exposure; Article 221.
- 9. To clarify the prohibition of roadside vendors and list catering as a permitted use in the permitted use table; Article 110 & Article 115.
- 10. To allow building height in IROM and IROM-AA to be 6 stories maximum; Article 205.

- 11. Permitting nursery uses, and requiring landscaping to be located on the outside of fence/walls in the IROM-AA: Article 115.
- 12. To reduce driveway setbacks from 5 feet to 2 feet and to change the pervious area requires matching those approved in Ordinance No. 2008-010; Article 215 and Section 205-10.
- 13. Removing certified mailing and firm mailing from notice requirements, consistent with state statutes; Article 610-30.
- 14. Amending sign regulations for transit-related signage; Article 505.
- 15. Amending parking requirements for properties within the Design District; Article 265-50.
- 16. Creating a voluntary mobility program to manage vehicle traffic demand and support multimodal transit; Article 295 and Article 605.
- 17. To amend the procedures for right-of-way vacations; Article 655.
- 18. To amend the code to identify the Fire Marshal as the person who assigns property addresses; Section 700-150.

On September 14, 2010, the City Commission approved the City's new Land Development Code, referred to as OneCode. As staff continues to use the new regulations scrivener's errors, inaccuracies and vague, imprecise or ambiguous language begins to emerge, some of which staff is proposing to address at this time.

TEXT AMENDMENT

1. HOME DAYCARE/ABOVE GROUND POOLS

Currently the code prohibits at home day care uses. This amendment will permit home daycare use in residentially zoned areas.

2. MOBILITY/DENSITY/PERMITTED USE

The definition for density is being amended to identify gross acreage when calculation density consistent with the city's Comprehensive Plan. New definitions for mobility and scooter/electric cart are also being added.

3. HEIGHT/DENSITY IN CITY CENTER

Currently the code allows a maximum building height of 14 stories with design bonuses in the City Center zoning district. This amendment will allow greater height if a Special Exception is approved by the City Commission. The maximum density of 100 units per acre in the City Center zoning district has proved limiting. This amendment will allow a maximum density of 150 units per acre with density bonuses within the City Center. This change is at the request of the CRA Director.

4. COMMUNITY FACILITY ZONING DISTRICT

The Community Facility (CF) zoning district that was previously located in the Broward County Zoning Code was not included in the newly adopted OneCode. This amendment will reinstitute the CF zoning district.

5. DISTANCE SEPARATION FOR ALCOHOL

This text amendment includes identifying liquor as an exemption from distance separation requirements within Community Redevelopment Agency (CRA); Section 110-50(A). This change is at the request of the CRA Director.

6. SCOOTER/ELECTRIC CART RENTAL

To add scooter and electric cart rental as a permitted use in the South Federal Highway-Mixed Use (SFED_MU), City Center, East Dania Beach Boulevard – Mixed Use (EDBB_MU) and Gateway – Mixed Use (GTWY-MU) zoning districts. This change is at the request of the CRA Director.

7. HISTORIC MARKER AND PLAQUE/HISTORIC PROPERTIES

This text amendment will create historic marker and plaque program regulations. The regulations establish a process for requesting a historic marker or plaque for a property. The amendment will also include a list of the properties designated historic in 2005 via Ordinance No. 2005-028.

8. NOISE MITIGATION

To create noise mitigation language requiring residential property within 60+ DNL to achieve a maximum indoor level of 45 decibels when applying for a permit to construct a new unit or when making substantial improvements to the main living structure must make improvements. Substantial improvements are defined in Section 710-210. This change is at the request of Broward County Aviation Division.

9. ROADSIDE VENDORS/CATERING

This text amendment will clarify the prohibition of roadside vendors and list catering as a permitted use in the permitted use table.

10. IROM-AA SCREENING/BUILDING HEIGHT

To clarify IROM-AA fence/wall screening requirements in footnotes 74, 75 and 76 to require the landscaping be located on the outside of any fence or wall, as was intended. This amendment will also allow building height in IROM and IROM-AA to be 6 stories maximum instead of 5 stories, consistent with the 62 foot height permitted.

11. NURSERY USE

This text amendment will add crop growing and nursery use as a permitted use in the IROM-AA zoning district.

12. DRIVEWAYS/PERVIOUS AREA

This text amendment will reduce the required driveway setback from five (5) feet to two (2) feet, consistent with previous code requirements. In 2008 in the city reduced the required pervious area for many zoning districts in the city. The newly adopted OneCode reversed those reductions. This amendment will reinstate the pervious area required in the amendment adopted by Ordinance No. 2008-010.

13. MAILED NOTICE REQUIREMENTS

This text amendment will remove certified mailing and firm mailing from notice requirements consistent with state statute and providing a cost savings to the city.

14. SIGNS

Amending the sign regulations to allow signage on transit structures, such as bus benches and bicycle sharing stations. This change is at the request of the CRA Director.

15. PARKING IN DESIGN DISTRICT

To allow one (1) parking space per 600 square feet of showroom use for properties within the Design District Overlay. One (1) parking space per 500 square feet of showroom use is required everywhere else.

16. VOLUNTARY MOBILITY PROGRAM

To establish a voluntary mobility program that would allow the developer to negotiate with city staff to provide site upgrades and community amenities in lieu of providing a traffic study identifying the impact a project will have on the city's local streets. This process will occur prior to a project being presented at a public hearing for site plan approval.

17. ROW VACATIONS

This text amendment will change the processing requirements for requests for vacation of right-of-way.

18. ASSIGNING ADDRESSES

To amend the code to identify the Fire Marshal as the person who assigns property addresses instead of the Community Development Director. The assigning of property addresses occurs in the Fire Marshal's Office to ensure that rescue vehicle can locate a property in case of an emergency.

PLANNING AND ZONING RECOMMENDATION

On June 15, 2011, the Planning and Zoning Board sitting as the Local Planning Agency, heard this item and recommended approval.

STAFF RECOMMENDATION

Approve.

CITY COMMISSION CITY OF DANIA BEACH, FLORIDA TX-16-11 - PUBLIC HEARING

A Public Hearing will be conducted by the City of Dania Beach City Commission to amend the text of Dania Beach Code of Ordinances and the Land Development Code:

DATE

Tuesday, July 12, 2011

TIME:

7:00 p.m. or as soon thereafter as the same may be heard

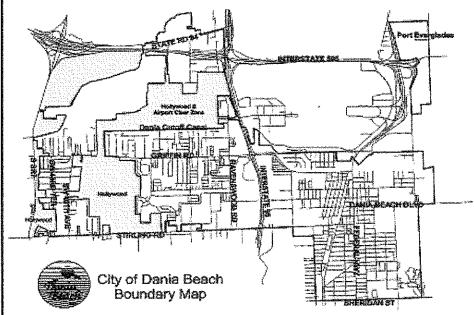
PLACE:

City Commission Chambers Dania Beach Administrative Center 100 West Dania Beach Bivd. Dania Beach, FL 33004

This ordinance amends the various articles of the City of Dania Beach Code of Ordinances and the City's Land Development Code as follows:

AN ORDINANCE OF THE CITY OF DANIA BEACH, FLORIDA, TO AMEND THE CODE OF ORDINANCES AND LAND DEVELOPMENT CODE BY AMENDING ARTICLE IX "HISTORIC PRESERVATION" OF CHAPTER 8 "BUILDINGS" OF THE CODE OF ORDINANCES CONCERNING THE CITY'S HISTORIC MARKER AND PLAQUE PROGRAM; AMENDING ARTICLE 105 "USE REGULATIONS FOR RESIDENTIAL AND OPEN SPACE ZONING DISTRICTS" REGARDING PERMITTED ACCESSORY USES AND STRUCTURES; SPACE ZONING DISTRICTS" REGARDING PERMITTED ACCESSORY USES AND STRUCTURES; AMENDING ARTICLE 110 "USE REGULATIONS FOR COMMERCIAL AND MIXED-USE DISTRICTS" CONCERNING PERMITTED USES IN ZONING DISTRICTS AND PROVIDING FOR SUPPLEMENTAL USE REGULATIONS; AMENDING ARTICLE 115 "INDUSTRIAL DISTRICTS: PERMITTED, PROHIBITED, SPECIAL EXCEPTION USES, AND CONDITIONS OF USE" CONCERNING PERMITTED USES IN ZONING DISTRICTS AND CONDITIONS OF USE; AMENDING ARTICLE 205 "TABULAR SUMMARY OF SITE DEVELOPMENT STANDARDS FOR ALL ZONING DISTRICTS" TO AMEND DEVELOPMENT STANDARDS FOR ZONING DISTRICTS; AMENDING ARTICLE 215 "SUPPLEMENTAL REGULATIONS FOR YARDS, LOT COVERAGE, IMPERVIOUS AREA AND OPEN SPACE" TO AMEND YARD AND IMPERVIOUS AREA REGULATIONS;

CREATING ARTICLE 221 "NOISE MITIGATION" TO PROVIDE FOR NOISE MITIGATION REQUIREMENTS CREATING ARTICLE 221 "NOISE MITIGATION" TO PROVIDE FOR NOISE MITIGATION REQUIREMENTS FOR RESIDENTIAL PROPERTIES WITHIN ACCEPTED FEDERAL AVIATION ADMINISTRATION LONG PROVIDE AREAS; AMENDING ARTICLE 265 "OFF-STREET PARKING REQUIREMENTS" TO AMEND PARKING REQUIREMENTS FOR PROPERTIES WITHIN THE DESIGN DISTRICT OVERLAY; CREATING ARTICLE 295 "VOLUNTARY MOBILITY PROGRAM" IN ORDER TO PROVIDE FOR A MOBILITY PROGRAM TO MANAGE VEHICULAR TRAFFIC DEMAND AND SUPPORT MULTIMODAL TRANSIT; AMENDING ARTICLE 303 "DISTRICT DEVELOPMENT STANDARDS" TO AMEND DENSITY AND DEVELOPMENT STANDARDS FOR THE CITY CENTER ZONING DISTRICT; CREATING ARTICLE 330 AND DEVELOPMENT STANDARDS FOR THE CITY CENTER ZONING DISTRICT; CREATING ARTICLE 330 "COMMUNITY FACILITIES (CF) DISTRICT" TO ESTABLISH THE COMMUNITY FACILITIES ZONING DISTRICT; AMENDING ARTICLE 505 "SIGN REGULATIONS" CONCERNING REGULATIONS OF TRANSIT-RELATED SIGNAGE; AMENDING ARTICLE 605 "GENERAL APPLICATION REQUIREMENTS" TO IMPLEMENT THE VOLUNTARY MOBILITY PROGRAM; AMENDING ARTICLE 610 "PUBLIC HEARING NOTICES" TO PROVIDE FOR AMENDING ARTICLE 655 "VACATIONS OF RIGHT-OF-WAY" TO AMEND THE PROCEDURES FOR RIGHT-OF-WAY VACATIONS; AMENDING ARTICLE 725 "DEFINITIONS" TO AMEND DEFINITIONS RELATED TO MOBILITY PROGRAM, DENSITY AND PERMITTED USES; PROVIDING FOR AMENDMENTS THROUGHOUT THE LAND DEVELOPMENT CODE TO CORRECT SCRIVENERS'S PROVIDING FOR CONFLICTS: THE LAND DEVELOPMENT CODE TO CORRECT SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.



A copy of the ordinance and proposed updates are available for viewing in the Community Development Department, 100 West Dania Beach Boulevard, Dania Beach, Florida, and may be inspected by the public during normal business hours.

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 Blvd, Dania Beach, FL 33004. (954) 924-6800 x3623, at least 48 hours prior to the meeting

Please be advised that if a person decides to appeal any decision made by the Local Planning Agency, the Planning and Zoning Board or the City Commission with respect to any matter considered at this hearing, such person will need a verbatim record of the proceedings and for this purpose, such person 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. The city does not provide or prepare such record pursuant to f.s.

Lou Ann Patellaro, Building and Planning Operations Mgr.

Published: Thursday, June 30, 2011

MARINE ADVISORY BOARD MEMBERSHIP Thursday, July 07, 2011

| Name/Address Phone Number | Date Appointed | Term | Commission Appointment |
|---|-------------------|--|---------------------------|
| Rhonda Buckner 4601 SW 30 th Way Dania Beach, FL 33312 954-650-6005 954-981-6144 Roro1me@yahoo.com | April 12, 2011 | March 2011 through November 2012 | Flury |
| Richard Sacco 4481 SW 38 th Terrace Dania Beach, FL 33312 954-966-4028 Lsacco@bellsouth.net | April 12, 2011 | March 2011 through November 2012 | Flury |
| Mike Grady 4501 SW 42 nd Avenue Ft. Lauderdale, FL 33314 954-303-0823 (Cell) mikesdok@bellsouth.net | April 12, 2011 | March 2011 through November 2012 | Flury |
| Jackye Clayton 250 SW 9 th Street Dania Beach, FL 33004 954-600-1873 jackyeclayton@live.com | June 28, 2011 | March 2011 through November 2012 | Castro |
| Clive Taylor 642 NE 3 rd Street Dania Beach, FL 33004 954-923-4439 (Home) 954-830-8855 (Cell) cetriumph@aol.com | March 22, 2011 | March 2011 through November 2012 | Castro |
| Ronald Brozic 634 NE 3 rd Street Dania Beach, FL 33004 954-923-6632 954-602-0592 rbrozic@bellsouth.net | March 22, 2011 | March 2011 through November 2012 | Castro |

MARINE ADVISORY BOARD MEMBERSHIP Thursday, July 07, 2011

| Name/Address Phone Number | Date Appointed | Term | Commission Appointment |
|--|-------------------|--|---------------------------|
| James Reckert 520 SE 12 th Street #104 Dania Beach, FL 33004 954-391-9270 (Home) 954-531-2274 (Cell) JRAAssociates@gmail.com | April 12, 2011 | March 2011 through November 2012 | Duke |
| Peggy McKenna 34 SE 10 Terrace Dania Beach, FL 33004 954-920-3168 peggybree@webtv.net | May 24, 2011 | March 2011 through November 2012 | Duke |
| | | March 2011 through November 2012 | Duke |
| Albert Owler Clobus, McLemore & Duke, Inc. 2860 Marina Mile, Suite 109 Dania Beach, FL 33312 954-587-2701 (W) 954-873-6268 (C) aowler@CMDflorida.com | March 22, 2011 | March 2011 through November 2012 | Grace |
| Patrick Phipps 31 SW 12 th Street Dania Beach, FL 33004 954-214-9299 954-214-9301 daniabeech@gmail.com | May 10, 2011 | March 2011 through November 2012 | Grace |
| Clayton Bailey 4843 SW 44 Terrace Fort Lauderdale, FL 33314 954-325-6086 (C) | March 22, 2011 | March 2011 through November 2012 | Grace |

MARINE ADVISORY BOARD MEMBERSHIP Thursday, July 07, 2011

| Name/Address Phone Number | Date Appointed | Term | Commission Appointment |
|--|-------------------|--|---------------------------|
| Carol Stokrocki 450 SE 7 th Street #246 Dania Beach, FL 33004 954-920-2838 (Home) 954-321-7581 (Work) cmsdania@bellsouth.net | March 22, 2011 | March 2011 through November 2012 | McElyea |
| Craig McAdams 320 NE 2 nd Court Dania Beach, FL 33004 954-328-1742 craiga68@cs.com | March 22, 2011 | March 2011 through November 2012 | McElyea |
| | | March 2011 through November 2012 | McElyea |