

1 EXHIBIT 1
2 RESOLUTION NO: 2020-
3

4 A RESOLUTION OF THE MAYOR AND CITY
5 COMMISSION OF THE CITY OF HALLANDALE
6 BEACH, FLORIDA, AUTHORIZING DRAFTING OF
7 AN ORDINANCE AND APPLICATION TO THE
8 FLORIDA FISH AND WILDLIFE CONSERVATION
9 COMMISSION TO DESIGNATE A YEAR-ROUND
10 SLOW SPEED ZONE IN THE INTRACOASTAL
11 WATERWAY IN HALLANDALE BEACH; SEEKING
12 CONSULTATION AND COORDINATION WITH
13 BROWARD COUNTY AND OTHER APPLICABLE
14 ENTITIES FOR SLOW SPEED ORDINANCE; AND
15 PROVIDING FOR AN EFFECTIVE DATE.
16

17 **WHEREAS**, for many years prior to 1996 the Intracoastal Waterway in Hallandale Beach
18 was designated a slow speed, minimum wake zone from shore to shore; and
19

20 **WHEREAS**, the Hallandale Beach slow speed zone was thereafter redesignated as a
21 bifurcated boating restricted area where commercial and recreational vessels and personal
22 watercraft can legally speed up to 25 miles per hour in the center of the Intracoastal Waterway,
23 but must maintain slow speed in the 50-foot buffers of either shore of the Intracoastal to protect
24 manatees and help ensure boating safety;
25

26 **WHEREAS**, directly south of Hallandale Beach, in the Intracoastal Waterway bounded
27 by the Town of Golden Beach and the City of Aventura, the Florida Fish and Wildlife
28 Commission (FWC) maintained a slow speed zone, even though that segment of Intracoastal
29 Waterway is wider and lacks dangerous blind corners and launching/landing facilities present in
30 Hallandale Beach; many boaters enter the Hallandale Beach Intracoastal Waterway at
31 significant speeds sometimes in excess of the legal limit; and
32

33 **WHEREAS**, in the intervening years the Intracoastal Waterway in Hallandale Beach has
34 attracted increasing levels of usage from residents and tourists alike; there has been a
35 proliferation of livery operations that send numerous boaters into this narrow thoroughfare;
36 dangerous blind corners and unregulated launching/landing facilities create perils for boaters;
37 rising sea levels overflow residential seawalls and boaters often enter the existing 50-foot
38 buffers at high speeds throwing large wakes onto the contiguous properties; and
39

40 **WHEREAS**, the Intracoastal Waterway in Hallandale Beach is a narrow waterway
41 measuring just under 300-feet from shore to shore, the wakes reverberate off the seawalls
42 creating a peril particularly for small vessels; and
43

44 **WHEREAS**, the year-round presence of boats and personal watercrafts, oftentimes
45 which are operated recklessly, without regard to the slow speed zone buffers, sometimes by
46 operators under the influence of alcohol and/or drugs, and other times operated by
47 inexperienced individuals, results in unsafe levels of vessel traffic congestion that create a
48 significant risk of collision, and a significant threat to boating safety and to the manatees; and
49

50 **WHEREAS**, a over 200 boating citations have been issued between the months of
51 August through November alone; and
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53 **WHEREAS**, Florida Statutes Section 327.46(1)(c)(2) authorizes municipalities, upon
54 approval of the FWC, to establish a slow speed, minimum wake zone for 1) an area within 300
55 feet of a blind corner and for 2) an area that presents a significant risk of collision or threat to
56 boating safety as demonstrated by uniform boating citations, both conditions present in the
57 subject waterway; and
58

59 **WHEREAS**, the Mayor and City Commission find it is in the best interest of the residents
60 to pursue an ordinance and application to the Florida Fish and Wildlife Conservation
61 Commission to designate a year-round slow speed zone in the waterway more specifically
62 identified in Exhibit A.
63

64 **NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND THE CITY**
65 **COMMISSION OF THE CITY OF HALLANDALE BEACH FLORIDA:**
66

67 **SECTION 1.** The foregoing "Whereas" clauses are hereby confirmed as true and
68 incorporated herein.
69

70 **SECTION 2.** The Mayor and City Commission urge the Florida Fish and Wildlife
71 Conservation Commission to expressly designate the Intracoastal Waterway in Hallandale
72 Beach as a year-round slow speed minimum wake zone.
73

SECTION 3. The Mayor and City Commission hereby authorize the City Attorney to prepare a draft ordinance for the consideration of the City Commission to enact a slow speed, minimum wake zone in the area identified in Exhibit A. The City Manager is further directed to submit the instant resolution and an initial draft of the proposed ordinance to Broward County, and, if applicable, to the United States Coast Guard, and the United States Army Corps of Engineers for consultation and coordination prior to the City Commission's consideration of the ordinance.

SECTION 4. Effective Date. This Resolution shall take effect immediately upon its passage and adoption.

APPROVED AND ADOPTED this 2nd day of December, 2020.

JOY F. COOPER
MAYOR

SPONSORED BY: CITY ATTORNEY

ATTEST:

JENORGEN GUILLEN, CMC
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY
FORM

JENNIFER MERINO
CITY ATTORNEY