



City of Hallandale Beach City Commission Agenda Cover Memo

Meeting Date:	Item Type:		1 st Reading	2 nd Reading
12/2/2020	<input checked="" type="checkbox"/> Resolution	Ordinance Reading	N/A	N/A
File No.:	<input type="checkbox"/> Ordinance	Public Hearing	<input type="checkbox"/>	<input type="checkbox"/>
20-486	<input type="checkbox"/> Other	Advertising Required	<input type="checkbox"/>	<input type="checkbox"/>
		Quasi Judicial:	<input type="checkbox"/>	<input type="checkbox"/>
Fiscal Impact (\$):	Account Balance (\$):	Funding Source:	Project Number :	
Unknown	N/A	N/A	N/A	
Contract/P.O. Required	RFP/RFQ/Bid Number:	Sponsor Name:	Department:	
<input type="checkbox"/> Yes <input type="checkbox"/> No	N/A	City Attorney	Office of the City Attorney	
Strategic Plan Focus Areas:				
<input type="checkbox"/> Financial	<input type="checkbox"/> Organizational Capacity	<input checked="" type="checkbox"/> Infrastructure	<input type="checkbox"/> Development, Redevelopment and Economic Development	
Implementation Timeline				
Estimated Start Date: 12/2/2020 Estimated End Date: 4/30/2021				

SHORT TITLE:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AUTHORIZING DRAFTING OF AN ORDINANCE AND APPLICATION TO THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION TO DESIGNATE A YEAR-ROUND SLOW SPEED ZONE IN THE INTRACOASTAL WATERWAY IN HALLANDALE BEACH; SEEKING CONSULTATION AND COORDINATION WITH BROWARD COUNTY AND OTHER APPLICABLE ENTITIES FOR SLOW SPEED ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

STAFF SUMMARY:

SUMMARY:

SlowHB, a group of residents in Golden Isles, has requested that the City initiate the process of obtaining approval for a slow speed, minimum wake zone along the Intercoastal Waterway Area (area specifically identified in Exhibit A).

BACKGROUND:

For many years prior to 1996, the Intracoastal Waterway in Hallandale Beach was designated a slow speed, minimum wake zone from shore to shore. The Hallandale Beach slow speed zone was thereafter redesignated as a bifurcated boating restricted area where commercial and recreational vessels and personal watercraft can legally speed up to 25 miles per hour in the center of the Intracoastal Waterway, but must maintain slow speed in the 50-foot buffers of either shore of the Intracoastal to protect manatees and help ensure boating safety.

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

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

Further, the Intracoastal Waterway in Hallandale Beach is a narrow waterway measuring just under 300-feet from shore to shore, the wakes reverberate off the seawalls creating a peril particularly for small vessels.

WHY ACTION IS NECESSARY:

Florida Statutes Section 327.46(1)(c)(2) authorizes municipalities, upon approval of the FWC, to establish a slow speed, minimum wake zone for 1) an area within 300 feet of a blind corner and for 2) an area that presents a significant risk of collision or threat to boating safety as demonstrated by uniform boating citations, both conditions present in the subject waterway.

The Police Department has stated that over 200 boating citations have been issued between the months of August through November alone. SlowHB has also provided news accounts of accidents occurring in area. Blind corners are documented in Exhibit B.

In order to enact a slow speed zone, the City must demonstrate that, prior to presenting language to the City Commission for adoption, the ordinance was developed in consultation and coordination with: the governing body of every other county or municipality sharing jurisdiction over the area in which the boating-restricted area is located (Broward County); the United States Coast Guard (USCG) if the boating-restricted area is to be established on navigable waters of the United States as defined in 33 C.F.R. § 2.36(a)(2009); and the United States Army Corps of

Engineers (USCOE) if the boating-restricted area is to be established on navigable waters of the United States as defined in 33 C.F.R. § 329.4(2009).

If the proposed resolution is approved, the City Attorney will proceed to create an initial draft ordinance. The City Manager will arrange for coordination with the applicable entities by submitting a copy of the approved resolution and proposed ordinance and obtaining feedback. Upon receipt of any feedback from the applicable entities. The City Attorney and City Administration will work with Slow HB to finalize proposed ordinance and bring it to the City Commission for approval. If approved, the proposed ordinance will be submitted, as part of a larger application, to the FWC for approval.

FISCAL IMPACT:

Unknown. The immediate resolution will only impact staff time. However, if the zone is authorized there may be a cost for required postings, which will have to be determined by City Administration.

PROPOSED ACTION:

Consideration of the attached resolution.

ATTACHMENT(S):

Exhibit 1 – Resolution
Exhibit A- Proposed New Slow Speed Zone
Exhibit B- Surveys of Blind Corners
Exhibit C- Letter of Support from GIHOA