

MINUTES OF REGULAR MEETING
DANIA BEACH CITY COMMISSION
TUESDAY, MARCH 12, 2019 – 7:00 P.M.

1. Call to Order/Roll Call

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

Present:

Mayor:	Lori Lewellen
Vice-Mayor:	Lauren Odman
Commissioners:	Chickie Brandimarte
	Bill Harris
	Tamara James
Assistant City Manager:	Colin Donnelly
City Attorney:	Thomas Ansbrosio
City Clerk:	Thomas Schneider

2. Moment of Silence and Pledge of Allegiance

Mayor Lewellen called for a moment of silence after the Pledge of Allegiance to the United States Flag.

3. Presentations and Special Event Approvals

3.1 Administration of oath to City Manager Ana M. Garcia

Mayor Lewellen recognized dignitaries in the audience.

Judge Alberto Milian of the 11th Judicial Circuit Court administered the Oath of Office to City Manager Ana M. Garcia.

City Manager Garcia noted it is an extreme honor and privilege to be the new City Manager of Dania Beach.

Mayor Lewellen, Vice-Mayor Odman, and Commissioners Harris and James commented on and thanked City Manager Garcia.

3.2 Presentation of Artist Spotlight (Atrium Gallery) by J.D. Louis - Requested by Commissioner James

Commissioner James recognized J.D. Louis, who painted a portrait of her, to highlight his art as well as the artists who display in the Atrium Gallery.

- 3.3 Special Event Request from Marine Industries Association of South Florida for their “23rd Annual Plywood Regatta” to be held on April 6-7, 2019, at the north end of the Marina from 8:00 a.m. - 6:00 p.m. on Saturday and from 8:00 a.m. - 4:00 p.m. on Sunday. The applicant is requesting waiver of parking fees for volunteers.

Commissioner James motioned to approve the Special Event request for the 23rd Annual Plywood Regatta; seconded by Vice-Mayor Odman. The motion carried unanimously.

4. Proclamations

Women's History Month - Mayor Lewellen

Mayor Lewellen read the Women’s History Month Proclamation.

5. Citizen Comments

Linda Wilson, President of Friends of the Dania Beach Library, gave updates on library special events and activities, and announced the new branch manager is Chris Marhenke.

Elena Nikolasukina, 301 N Bryan Road, invited the Commission to the grand opening of her gymnastics facility in Dania Beach.

Steve Goldberg, 4010 SW 54th Street, noted the noise problem from the Dania Oaks project is continuing. Mayor Lewellen referred Mr. Goldberg to Attorney Dennis Mele, who was in the audience.

Gerald Clark, 134 SW 5th Court, provided illustrations to the Commission to facilitate understanding of his comments regarding traffic in his neighborhood, and asked for assistance.

James Scrima, 5040 King Arthur Avenue, Davie, A & A Drainage, expressed displeasure about his firm being maligned by City staff.

6. Public Safety Reports

Captain Daniel Marks, BSO Chief of Police, recognized Lieutenant Tarala, Sergeant Sepot and Deputies Ferruffino, Reyka, and Reyes for their outstanding crime-solving work.

Assistant Chief Holness, BSO Fire Rescue, commented on EMS call statistics.

Chief Busenbarrick, BSO Fire Marshall, commented on fire inspection statistics.

7. Consent Agenda

7.1 Minutes:
Approve Minutes of February 26, 2019 City Commission Meeting

7.2 Travel Requests: None

Resolutions

7.3 RESOLUTION #2019-022

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A MASTER SPONSORED RESEARCH AGREEMENT BETWEEN THE CITY OF DANIA BEACH AND FLORIDA ATLANTIC UNIVERSITY; APPROVING THE MOBILITY STUDY SCOPE OF SERVICES IN AN AMOUNT NOT TO EXCEED ONE HUNDRED SIXTEEN THOUSAND EIGHT HUNDRED DOLLARS (\$116,800.00); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.4 RESOLUTION #2019-023

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA PERTAINING TO ADVANCE APPROVAL TO PROCEED WITH A BID ADVERTISEMENT FOR A PUBLIC PRIVATE PARTNERSHIP FOR THE CITY CENTER REDEVELOPMENT PROJECT CONSISTING OF A MIXED-USE DEVELOPMENT WITH PUBLIC AND PRIVATE FACILITIES; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.5 RESOLUTION #2019-024

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, FLORIDA, AS A SUB-RECIPIENT FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM THROUGH THE BROWARD SHERIFF'S OFFICE; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.6 RESOLUTION #2019-025

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE 43rd and 44th YEAR COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENT BETWEEN THE CITY OF DANIA BEACH AND BROWARD COUNTY IN THE AMOUNT OF THREE HUNDRED TWENTY SIX THOUSAND ONE HUNDRED FIFTY FIVE DOLLARS (\$326,155.00) TO PROVIDE FUNDING FOR A SOLAR STREET LIGHT IMPROVEMENT PROJECT; REQUESTING CITY COMMISSION APPROVAL TO ADVERTISE THE PROJECT FOR BIDS; PROVIDING FOR CONFLICTS; PROVIDING FOR FUNDING; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

7.7 RESOLUTION #2019-026

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, URGING ALL MEMBERS OF THE FLORIDA LEGISLATURE TO OPPOSE HOUSE BILL 3; REQUESTING THE BROWARD LEAGUE OF CITIES EXECUTIVE DIRECTOR TO TRANSMIT A COPY OF THIS RESOLUTION TO THE FLORIDA LEAGUE OF CITIES, THE MEMBERS OF THE BROWARD COUNTY LEGISLATIVE

DELEGATION, AND OTHER INTERESTED PARTIES; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Harris motioned to adopt the Consent Agenda; seconded by Commissioner James. The motion carried unanimously.

8. Bids and Requests for Proposals

8.1 RESOLUTION #2019-027

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH SAGARIS CORP. FOR THE PUBLIC RESTROOM RENOVATION – INTERIOR RENOVATION AND EXTERIOR IMPROVEMENTS PROJECT RELATED TO CITY INVITATION TO BID (“ITB”) NO. 18-012 IN AN AMOUNT NOT TO EXCEED TWO HUNDRED EIGHTEEN THOUSAND DOLLARS (\$218,000.00); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2019-027.

Commissioner James motioned to adopt Resolution #2019-027; seconded by Vice-Mayor Odman. The motion carried unanimously.

8.2 RESOLUTION #2019-028

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH STANFORD & SONS TRUCKING CORPORATION FOR THE OASIS XV INSTALLATION OF BIKE LANE, SIGNS AND SOLAR LIGHTS PROJECT RELATED TO CITY INVITATION TO BID (“ITB”) NO. 18-011 IN AN AMOUNT NOT TO EXCEED ONE HUNDRED SEVENTY FOUR THOUSAND ONE HUNDRED SEVENTY SEVEN DOLLARS AND EIGHTY CENTS (\$174,177.080); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2019-028.

Commissioner James motioned to adopt Resolution #2019-028; seconded by Commissioner Harris. The motion carried unanimously.

9. Public Hearings and Site Plans

9.1 ORDINANCE #2019-003

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, TO AMEND CHAPTER 28, THE “LAND DEVELOPMENT CODE,” OF THE CITY’S CODE OF ORDINANCES BY AMENDING PART 7, “CODE ADMINISTRATION,” ARTICLE 725, “DEFINITIONS,” SECTION 725-30, “TERMS DEFINED;” PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)**

City Attorney Ansbro read the title of Ordinance #2019-003.

Corinne Lajoie, Planning & Zoning Manager, gave a brief overview of the text amendment requested by Stirling Square for a proposed 7-Eleven store.

Dennis Mele, Greenspoon Marder, representing the applicant, was available for questions.

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

Commissioner James motioned to adopt Ordinance #2019-003, on second reading; seconded by Commissioner Harris. The motion carried unanimously.

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

9.2 RESOLUTION #2019-029

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE VARIANCE REQUEST (VA-12-19) SUBMITTED BY SHUTTS & BOWEN LLP, ON BEHALF OF PROPERTY OWNERS LAS OLAS STUDIOS, INC. AND INDUSTRY CONSULTING GROUP, INC. FOR PROPERTY LOCATED AT 300 E. DANIA BEACH BOULEVARD, IN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT "A," A COPY OF WHICH IS ATTACHED TO THIS RESOLUTION; PROVIDING FOR CONFLICTS; AND FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

City Attorney Ansbro read the title of Resolution #2019-029.

Corinne Lajoie, Planning & Zoning Manager, gave an overview of the variance request.

Commissioner Brandimarte questioned if the owners of the dispensary located on Phippen Waiters were required to meet with the neighbors.

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

Commissioner James motioned to adopt Resolution #2019-029; seconded by Commissioner Brandimarte.

Commissioner Harris commented there needs to be additional landscaping at this location.

Attorney Ed Stacker, Shutts & Bowen, representing the applicant, spoke about the request and indicated landscaping would be added to the property.

The motion carried unanimously.

10. Discussion and Possible Action

10.1 Modification of City Hall Atrium - Vice-Mayor Odman

Vice-Mayor Odman noted the atrium has potential to be beautiful. There are obstacles that can be easily remedied, which include the TV console, the fish on the outside of the elevator shaft and the wooden bird near Community Development. These items could be relocated, and she asked for a consensus of the Commission.

Mayor Lewellen questioned whether the TV console was removable, and whether the computers could be moved to a different location.

Colin Donnelly, Assistant City Manager, answered yes.

Mayor Lewellen felt we should not move the old photographs in the Northwest Conference Room; however, she agreed the fish could be moved to another City building.

Commissioner James noted she is okay with the items being relocated. The photographs in the NW Conference Room are not strategically placed.

Vice-Mayor Odman said the Women's Club would take the photographs.

Commissioner James spoke of having a display screen available where you could view the scanned photographs.

Commissioner Harris confirmed the fish would be relocated to the IT Parker Center.

Vice-Mayor Odman noted the bird could be relocated somewhere on the second floor and we should converse with the Chamber of Commerce, Women's Club and library about who wants it the most.

Mayor Lewellen felt that scanning the historical photographs before relocating them and keeping the history inside City Hall via digital display is a good idea. This way, they would still be available to the public.

The consensus of the Commission was to remove the center TV console out of the atrium, and relocate the hanging fish and wooden bird to another City building.

Vice-Mayor Odman said she would like to get this done over the next two weeks.

10.2 Schedule City Commission Summer Break

The Commission consensus was to cancel the first meeting in the months of July and August.

10.3 Schedule training for new parliamentary system

The Commission agreed to schedule a training session for Thursday, March 28, 2019 at 11:00 a.m.

11. Commission Comments

11.1 Commissioner Brandimarte

Commissioner Brandimarte noted the seniors had a successful St. Patrick's luncheon today.

11.2 Commissioner Harris

Commissioner Harris spoke about the National League of Cities Conference in Washington, D.C. he had just returned from.

Commissioner Harris noted that he, Assistant City Manager Donnelly, and Commissioner James met with the School Board about the Olsen School property.

11.3 Commissioner James

Commissioner James also spoke of the meeting on the Olsen School property. She questioned putting an RFP out to demolish the site to see how much it would cost, and whether the Commission would be in favor of doing this.

Assistant City Manager Donnelly explained his understanding of the School Board's timetable for the property; no money was actually assigned to the demolition in their capital projects. He explained the 5-year idea and noted it is a no-go for five years for them.

Commissioner Brandimarte voiced concerns of the cost estimates for demolition, and felt we should put this on a ballot for the residents to decide.

Robert Shapiro, Master Development, spoke in support of putting out a demolition RFP for additional estimates.

Mayor Lewellen questioned the timeline to put out an RFP and if there are time restrictions to take action.

Assistant City Manager Donnelly indicated our conversations have not gone that far; there is not a clock on this.

Commissioner James would not recommend going back to the School Board unless we have a concrete plan of what we are willing to do.

Assistant City Manager Donnelly suggested not going forward until we have the terms, use and how this is going to work locked down.

Commissioner Harris asked if we could condemn the property and take it from the School Board.

City Attorney Ansbro responded the City does not have the ability to declare the building unsafe or the ability to demolish the property.

The Commission consensus was to put out an RFP for demolition to see what it would cost.

Assistant City Manager Donnelly noted this is something that should be spoken about with the new City Manager, and he explained what would need to be done before undertaking a bid process. More discussion is needed before an RFP is developed; staff had talked about workshopping this with the Parks & Recreation Master Plan to get better direction.

Commissioner James questioned what we are going to do about the 2020 Census.

Mayor Lewellen noted she has been trying to get volunteers from different communities to help with this in our City. We need to set up a system to figure out where we are going to do several online settings to accommodate the residents.

Vice-Mayor Odman noted she plans to bring a PowerPoint on the topic for discussion at the next Commission meeting.

Commissioner James said she regularly attends the Port Everglades Association meetings. They will be renovating the Fort Lauderdale Yacht Club and begin meeting at Tropical Acres in August. She felt it would be a good opportunity for the Commission to attend and represent the City at a luncheon meeting there.

Commissioner James noted our internship program is up and running.

Commissioner James asked about the Airbnb workshop being scheduled.

Commissioner Harris said he will coordinate availability with Mr. Benzer.

Commissioner James spoke of the beach re-nourishment project and noted issues should be addressed with Parks & Recreation Director Brown.

Vice Mayor Odman questioned sea turtle nests being disturbed.

Assistant City Manager Donnelly explained the turtle nesting season protocol as it relates to the Army Corps of Engineers.

11.4 Vice-Mayor Odman

Vice-Mayor Odman asked about the status of the Westlawn Cemetery monument.

Commissioner James explained the timeline and noted she would provide details as they are available.

11.5 Mayor Lewellen

Mayor Lewellen thanked Assistant City Manager Donnelly for his work during the last two months.

12. Appointments

12.1 Airport Advisory Board

Commissioner Harris appointed: Jorge Ferrer

12.2 Marine Advisory Board

Commissioner Brandimarte appointed: Thomas Angelos

Commissioner James appointed: Gregg Galyo

12.3 Parks, Recreation and Community Affairs Advisory Board

Vice-Mayor Odman appointed: Samantha Angelos

Commissioner James motioned to approve the appointments; seconded by Commissioner Brandimarte. The motion carried unanimously.

13. Administrative Reports

13.1 City Manager

Assistant City Manager Donnelly reported that Broward County decided not to appropriate the penny sales tax based on population. The City Managers have asked the County to notify them when the hearings are held in order to monitor the progress of the oversight board.

Commissioner Harris noted the County is meeting for the fourth amendment of the Interlocal Agreement; some meetings have been postponed until the County gets a plan together.

Assistant City Manager Donnelly thanked the City Commission for the pleasure of working with them.

13.2 City Attorney

City Attorney Ansbro had no comments.

13.3 City Clerk - Reminders

Tuesday, March 26, 2019 - 7:00 p.m.

City Commission Meeting

Tuesday, April 9, 2019 - 5:30 p.m.

CRA Board Meeting

Tuesday, April 9, 2019 - 7:00 p.m.

City Commission Meeting

14. Adjournment

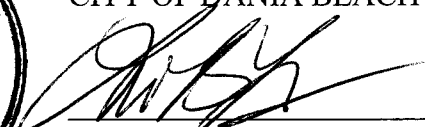
Mayor Lewellen adjourned the meeting at 9:09 p.m.

ATTEST:

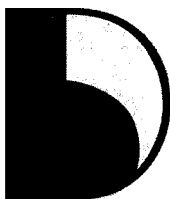

THOMAS SCHNEIDER, CMC
CITY CLERK



CITY OF DANIA BEACH


LORI LEWELLEN
MAYOR

Approved: March 26, 2019



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REQUEST TO ADDRESS CITY COMMISSION AT REGULAR OR SPECIAL MEETINGS

The City is required by state law to keep minutes of City Commission meetings. To properly identify persons who address the City Commission in those minutes, the City requests that this form be completed and provided to the City Clerk, before the meeting begins.

DATE OF COMMISSION MEETING: 3/12, 2019

PRINT NAME: Linda Wilson

ADDRESS: Friends of Dania Beach Paul DeMarco
Febra

PHONE NO. (optional): 954-929-8712

PLEASE CHECK ONE OR BOTH OF THE BOXES BELOW:

1) ☒ CITIZEN COMMENTS:

Comments by Dania Beach citizens or interested parties that are not part of the regular printed 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 immediately 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.

PLEASE BRIEFLY DESCRIBE THE SUBJECT MATTER OF YOUR COMMENT:

Friends Library Program & Special Events
Mar 2019 & New Branch Mgr

2) ☐ PUBLIC HEARINGS – ITEM # (AS PRINTED ON AGENDA)

PLEASE NOTE: IF YOU WISH TO SPEAK ON AN ITEM THAT PERTAINS TO A "ZONING" TYPE OF MATTER (FOR EXAMPLE, A SITE PLAN, VARIANCE, SPECIAL EXCEPTION OR SIMILAR TYPE OF ITEM KNOWN AS A "QUASI-JUDICIAL" MATTER, YOU ARE SUBJECT TO BEING ASKED TO SWEAR OR AFFIRM THAT YOU WILL BE TRUTHFUL AS TO YOUR COMMENTS OR TESTIMONY. YOU MAY ALSO BE SUBJECT TO QUESTIONS ASKED OF YOU BY AN APPLICANT OR AN APPLICANT'S REPRESENTATIVE OR ATTORNEY WHICH RELATE TO THE ITEM.

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DATE OF COMMISSION MEETING: March 12, 2019

PRINT NAME: ELENA NIKOLASHKINA

ADDRESS: 301 N Bayou Rd Dania 33004

PHONE NO. (optional): _____

PLEASE CHECK ONE OR BOTH OF THE BOXES BELOW:

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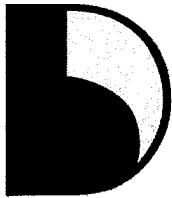
RHYTHMIC GYMNASTICS INTERNATIONAL
COMPETITION on May 10-12, 2019

2) ☐ PUBLIC HEARINGS – ITEM # _____ (AS PRINTED ON AGENDA)

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DATE OF COMMISSION MEETING: March 14, 2015
PRINT NAME: Steve Goldberg
ADDRESS: 4010 SW 34th
PHONE NO. (optional): 786 402 1301

PLEASE CHECK ONE OR BOTH OF THE BOXES BELOW:

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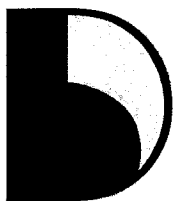
Noise Abatement
Dania Oaks Project

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DATE OF COMMISSION MEETING: 03/12/, 2017

PRINT NAME: GERALD Clerk

ADDRESS: 13420 S.W. 5TH Court

PHONE NO. (optional): 240-441-8437

PLEASE CHECK ONE OR BOTH OF THE BOXES BELOW:

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5TH Court Traffic

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LOBBYIST REGISTRATION IS REQUIRED. PRIOR TO ENGAGING IN ANY LOBBYING ACTIVITIES, WHETHER OR NOT COMPENSATION IS PAID OR RECEIVED IN CONNECTION WITH THOSE ACTIVITIES, EACH LOBBYIST SHALL FILE WITH THE CITY CLERK AN ANNUAL REGISTRATION STATEMENT AND PAY AN ANNUAL ONE HUNDRED DOLLARS (\$100.00) REGISTRATION FEE FOR EACH PRINCIPAL OR EMPLOYER. REGISTRATION FORMS ARE AVAILABLE ON THE CITY WEBSITE: WWW.DANIABEACHFL.GOV. (ORDINANCE #2012-019)



REQUEST TO ADDRESS CITY COMMISSION AT REGULAR OR SPECIAL MEETINGS

The City is required by state law to keep minutes of City Commission meetings. To properly identify persons who address the City Commission in those minutes, the City requests that this form be completed and provided to the City Clerk, before the meeting begins.

DATE OF COMMISSION MEETING: MARCH 12, 2019

PRINT NAME: JAMES SCRIMA

ADDRESS: 5040 KING ARTHUR AVE Dania

PHONE NO. (optional): _____

PLEASE CHECK ONE OR BOTH OF THE BOXES BELOW:

1) ☒ CITIZEN COMMENTS:

Comments by Dania Beach citizens or interested parties that are not part of the regular printed 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 immediately 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.

PLEASE BRIEFLY DESCRIBE THE SUBJECT MATTER OF YOUR COMMENT:

ISSUE INvolving the CITY AND MYJUK & COMPANY

2) ☐ PUBLIC HEARINGS – ITEM # _____ (AS PRINTED ON AGENDA)

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