

MINUTES OF MEETING
DANIA BEACH CITY COMMISSION
WORKSHOP – DANIA BEACH GRILL
WEDNESDAY, MAY 8, 2019 – 6:00 P.M.

1. Call to Order/Roll Call

Mayor Lewellen called the meeting to order at 6:01 p.m.

Present:

Mayor:	Lori Lewellen
Vice-Mayor:	Lauren Odman
Commissioners:	Chickie Brandimarte
	Bill Harris
	Tamara James
City Manager:	Ana M. Garcia, ICMA-CM
City Attorney:	Thomas J. Ansbro
City Clerk:	Thomas Schneider

2. Items for Discussion

2.1 Dania Beach Grill

Mayor Lewellen noted a presentation would be given and if residents' questions have not been answered during it, staff will be available after the workshop to answer the questions.

Vice-Mayor Odman said she appreciated the public's interest and commented on the Dania Beach Grill closure being historic and emotional.

Commissioner Harris thanked everyone for attending tonight.

Commissioner James commented she hopes by the end of the presentation, residents will understand the facts and details for the plans of the Dania Beach Grill.

Vice-Mayor Odman said aside from the questions received via email and the website, she wants to give Kellen Barth, the Grill tenant, the opportunity to speak.

City Manager Garcia thanked everyone for being here. She noted as soon as she began as City Manager, we began doing an assessment of all City facilities, and personnel, in order to ensure we are aligned with best practices and safety.

Marc LaFerrier, Director of Community Development, made brief comments, thanked the public for their participation and noted this meeting was being held to provide public information. He gave a PowerPoint presentation, which is attached to and incorporated into these minutes.

Commissioner Brandimarte asked about the coastal construction line.

Director of Community Development LaFerrier explained the coastal construction line, noting it is a national law along every shoreline in the United States and is regulated by the Federal Government.

Vice-Mayor Odman read residents' questions that she had received.

Vice-Mayor Odman: Is there any responsibility of the City of Dania Beach to fix any of the violations issues such as concrete walls, floors, and roof?

Director of Community Development LaFerrier said the only things the lease requires the City to be responsible for are the walls, floor, and roof.

Vice-Mayor Odman: Is there any option to declare this an historic landmark?

Director of Community Development LaFerrier said no; it was previously looked at by the County and State. It could be a local designation, but the building has to be in an historic district. He addressed the historic criteria and noted that just because a building is deemed historic, it does not mean it will be saved.

Vice-Mayor Odman: What was the timeframe from when you were notified by the Building Official it had to be closed to when you went over there?

Director of Community Development LaFerrier answered the inspection was done a week earlier; staff read the report upon receipt and went out the same day.

Mayor Lewellen noted there are rumors we have plans to turn this into a parking lot.

Director of Community Development LaFerrier noted both master plans show that this spot is to become a green space; there was never a plan to put a condominium or hotel there.

Mayor Lewellen noted there are plans to have a beach bar there in the Master Plan, whether it is the Dania Beach Grill or another place just like it.

Commissioner Brandimarte said in regard to the Master Plan, we even talked about making it higher so you can see the ocean.

City Manager Garcia noted both plans have less parking, less concrete, more green space and an elevated grill.

Mayor Lewellen commented the Commission talked about this in January and had discussed an RFP. At that time, the Commission wanted to keep it a beach bar. She added the lease was up in February.

City Attorney Ansbro said the lease expired February 19th, and we went on a month-to-month lease. We never got a written lease signed, but under State law it is a tenancy at will. He had begun to draft up an RLI for the beach grill, similar to what was done for the Quarterdeck, but then these circumstances arose.

Mayor Lewellen said she was very uncomfortable with the electrical wires, and questioned if this is something that could be addressed more quickly and maybe reopen the Grill.

Director of Community Development LaFerrier explained it is going to need a whole new electrical system, which triggers a lot of other repairs that are needed. If this were piecemealed, it would still be an unsafe structure.

Vice-Mayor Odman asked if there are any options, anything that can be done in a temporary way, for some provision for food or beverage in that space.

Director of Community Development LaFerrier responded if this is something the Commission wants, he will come back with a temporary option to host venues, such as a food truck. This is something he would look into with City staff and bring back a cost associated with it.

Vice-Mayor Odman suggested perhaps food trucks and a stage, and staff come back with a cost estimate. In the interim, we should find a way to get people back to work and entertained again.

Mayor Lewellen said it would be great with food trucks and music, but if that is expensive, perhaps look at doing it on the weekends or on a part-time basis.

Commissioner Brandimarte noted the City is not purposely picking on the Dania Beach Grill. She spoke about the former Lorenzo's, later known as the 80s Club, which was open 40 years but was closed due to a vent over the stove.

Commissioner James commented every day we are receiving new information. She noted she asked how much money it would cost to rehabilitate the building to make it safe until an RFP is issued and a shovel put in the ground or an upgrade is made to what currently exists. She was told an estimate of a minimum of \$500,000.00. She was hopeful and optimistic as well for the Grill reopening. When she asked how long it would take to get it open, the answer was more than a year. The Commission still has to discuss and decide on this; she does not want to see residents with false hope. She noted the second inspection is coming back, and thinks spending \$500,000.00 to patch up something will not be done.

Kellen Barth, Dania Beach Grill tenant, commented he hired a general contractor who was not capable of doing the job. He then talked to the owner of Decota Construction who would not do anything until all the violations were brought up to code. Mr. Barth mentioned making repairs that are not by the book and he apologized for doing so. Over the last five years, there have been various issues interfering with grill revenue such as hurricanes, the bridge repair, beach steps and parking. He is trying to figure out a way to fix the violations.

Vice Mayor Odman noted questions would be answered after the meeting.

Mayor Lewellen commented as is, the building is a public safety hazard. It is not a safe structure for people to be in and will take a significant amount of time and money to fix.

Director of Community Development LaFerrier agreed. He noted the Ocean Park Waterfront Revitalization Plan was previously approved and we also have a new parks master plan in the works; even if \$500,000.00 of repairs were made now, sometime down the road this will be a different building.

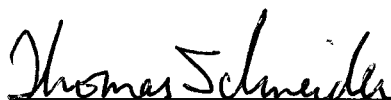
Commissioner Harris questioned doing something like Dania After Dark at the beach. He mentioned the building not being ADA compliant and spoke of environmental hazards and sea level rise concerns.

Mayor Lewellen noted we are concerned about the safety of the people who come to the City; this is not a safe structure and we do not want to see anything bad happen here. We are trying to deal with these issues. Nobody wanted to see this happen, but the bottom line is the Grill is just not a safe place to be.

3. Adjournment

Mayor Lewellen adjourned the meeting at 7:24 p.m.

ATTEST:


THOMAS SCHNEIDER, CMC
CITY CLERK



CITY OF DANIA BEACH


LORI LEWELLEN
MAYOR

Approved: May 28, 2019

DANIA BEACH GRILL - 65 N. BEACH RD.



HISTORY OF THE DANIA BEACH GRILL



- Annexation of the Beach
- Construction of the Beach Grill



BEACH MASTER PLAN 2014



DANIA BEACH OCEAN PARK

Final Master Plan
January 28, 2014

BEACH MASTER PLAN 2014



BEACH MASTER PLAN 2014



Enlargement Plan



Legend

- ① Dania Beach Grill
- ② Covered Outdoor Deck
- ③ Event Lawn
- ④ Picnic Pavilion
- ⑤ Beach Walk
- ⑥ Public Parking
- ⑦ Drop Off Area
- ⑧ Native Beach Dunes
- ⑨ Beach Portal
- ⑩ Lifeguard Station
- ⑪ Beach Area
- ⑫ Dune Wall
- ⑬ Access to Dania Beach Grill
- ⑭ Dania Beach Grill - Service Area



LEASE AGREEMENT



Key Lease Terms:

Initial Date - February 14, 1999
Tenant - Louie Demas
Term - February 14, 2014

Extended lease to February 15, 2019 and assigned to Dania Beach Grill Inc.

March/April 2019 – month to month lease
Current Lease amount - \$2,691 per month

Landlord (City): Maintenance and repair of the structure defined as roof, exterior walls and floor slab.

Tenant: All MEP components and structural elements not the responsibility of the Landlord.

Center for Health Equity Promotion
School of Public Health
University of Michigan



RECENT INSPECTION HISTORY



- **Fire Annual Safety Inspection**

- 2008 Multiple Violations found
- 2010 Multiple Violations found
- 2011 No violations found
- 2012 No violations found
- 2014 No violations found
- 2015 Multiple Violations found
- 2018 Multiple Violations found

- **Building Assessment Inspection**

- 2017 Multiple building code violations
- 2018 Multiple building code violations

- **Health Department Inspection reports**

- 2015 Multiple Violations found
- 2016 Multiple Violations found
- 2017 Multiple Violations found
- 2018 Multiple Violations found
- 2019 Multiple Violations found

CITY BUILDING ASSESSMENT PROGRAM



March 2019, The City Manager initiated a new program to comprehensively and regularly assess all city buildings to determine public safety and maintenance issues.

Buildings Inspected since March 2019:

- Beach Grill
- Nyberg Swanson
- Frost Park
- CW Thomas



CALC ENGINEERING REPORTS



Phase I MEP Report –	Completed
Phase I Structural Report –	Completed
Phase II Structural Report –	In progress

MEP CONCLUSION AND RECOMMENDATIONS



Calc Engineering recommends and the Building Official concurs:

- Replace intake, exhaust and ducts for the kitchen hood equipment.
- Remove and replace all the corroded electrical and mechanical components. Corroded electrical components create unsafe electrical conditions.
- Removing all un-structured loose wiring and provide an approved wiring system.
- All mechanical equipment must be connected to a dedicated electrical circuit.
- All kitchen and bar exposed hand sink drains must be replaced.
- Upgrade the electrical main disconnect grounding wiring and conduits.
- Rewire the panel circuitry in an organized dedicated order.
- Provide electrical panel requirement clearances.

MEP CONDITIONS



FIGURE 16

MEP Issues Observed:

- Corroded outlets and wiring, extension cords, and no dedicated circuits

MEP CONDITIONS

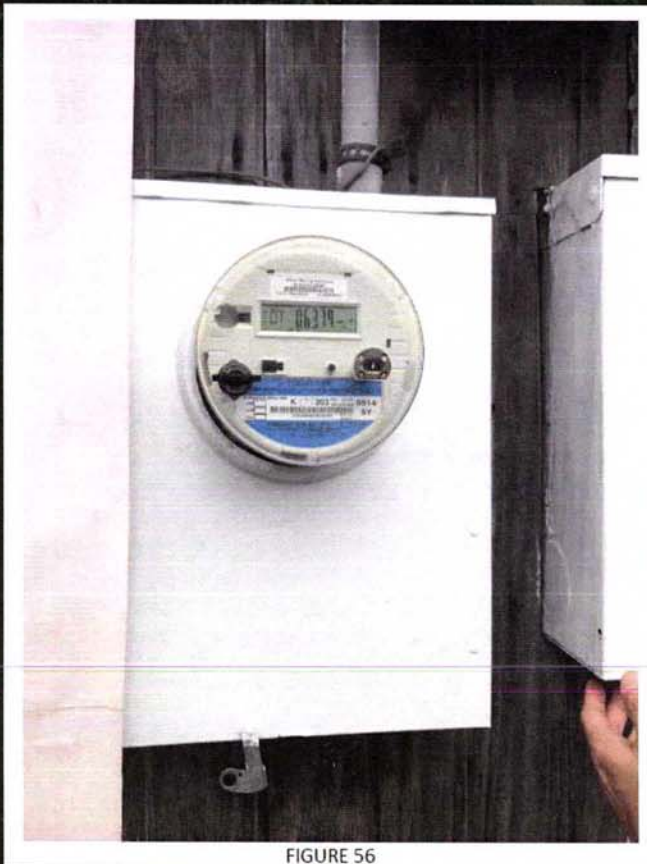


FIGURE 56

MEP Issues Observed:

- Main disconnect and meter can corroded

MEP CONDITIONS

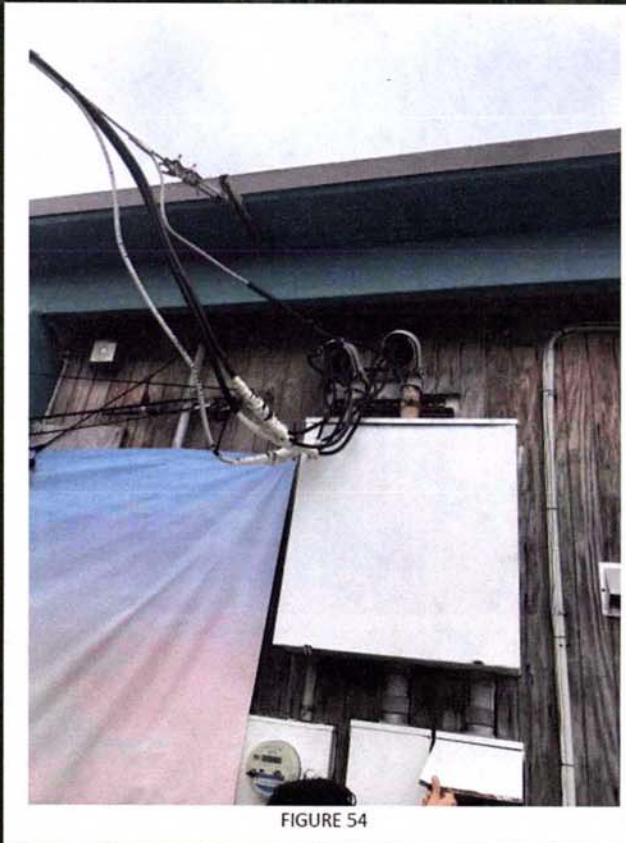


FIGURE 54

MEP Issues Observed:

- Electrical overhead service protection is corroded

MEP CONDITIONS

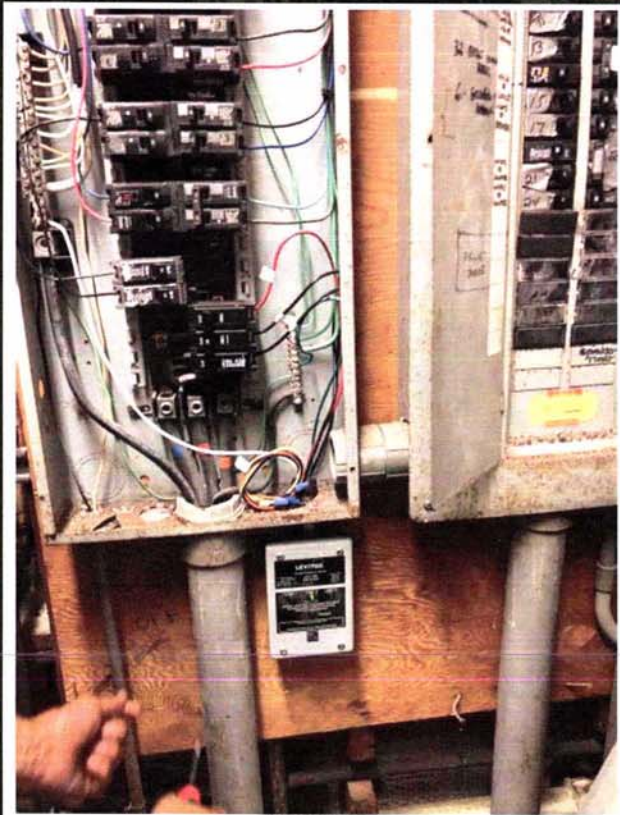


FIGURE 52

MEP Issues Observed:

- Corroded panel boxes and connectors

MEP CONDITIONS

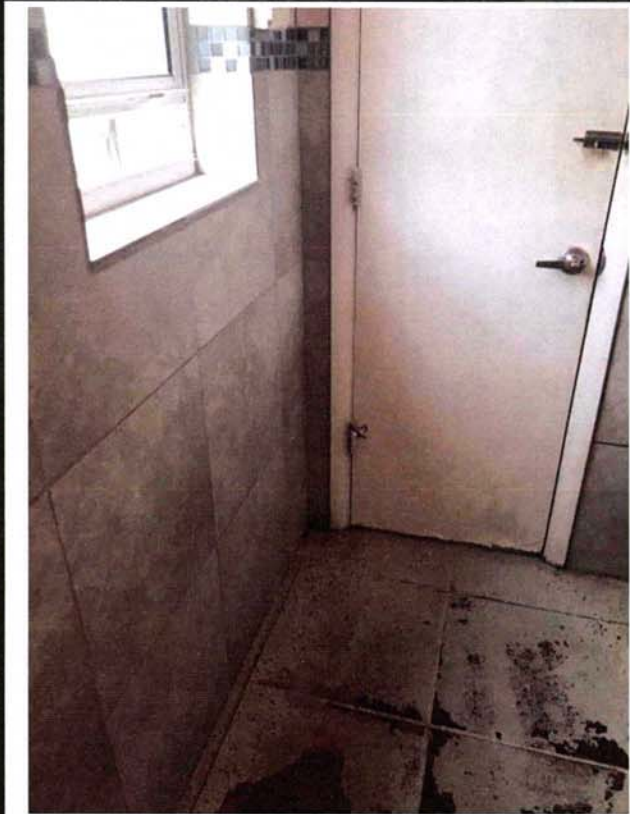


FIGURE 28

MEP Issues Observed:

- Women's bathroom door width not handicap accessible

MEP CONDITIONS



FIGURE 2

MEP Issues Observed:

- Rooftop equipment corroded

MEP CONDITIONS



Figure 23

MEP Issue Observed:

- Griddle and fryer gas connection in bad condition

STRUCTURAL CONCLUSION AND RECOMMENDATIONS



Calc Engineering recommends and the Building Official concurs:

- Remove and replace all the awning structures around the building; all the existing awning existing structures are unsafe and must be replaced.
- Remove and replace all the wood fences and the wooden deck structures outside of the building.
- Replace all of the wood benches and seating in front of the restaurant, which are not safely attached to the decking system and require repair.
- Repair the broken interior and exterior concrete walls, and the broken and damaged concrete tie beams and concrete T-beams as soon as possible.
- Repair or replace broken and damaged doors, windows and framing.
- Remove mechanical units on the roof that are not safely attached to the roof structure as soon as possible.

STRUCTURAL CONDITIONS



Figure 22

Structural Issues Observed:

- Damaged free standing awning
- Corroded awning frame

STRUCTURAL CONDITIONS



Figure 24

Structural Issues Observed:

- Corroded and damaged post bracket
- Unsafe attachment of awning post bracket to top decking

STRUCTURAL CONDITIONS



Figure 69

Structural Issues Observed:

- Broken and damaged stucco wall
- Exposed wire mesh

STRUCTURAL CONDITIONS



Figure 88

Structural Issues Observed:

- Damaged attachment for awning structure

STRUCTURAL CONDITIONS



Figure 94

Structural Issues Observed:

- Broken and damaged floor surface

STRUCTURAL CONDITIONS



Figure 95

Structural Issues Observed:

- Damaged concrete wall

STRUCTURAL CONDITIONS



Figure 150

Structural Issues Observed:

- Corroded and damaged mounting bracket for roof top equipment

STRUCTURAL CONDITIONS



Figure 159

Structural Issues Observed:

- Damaged concrete tie-beam

STRUCTURAL CONDITIONS



Figure 186

Structural Issues Observed:

- Benches are not properly secure to wood deck
- Uneven deck surface due to structural damage under wood deck

STRUCTURAL CONDITIONS

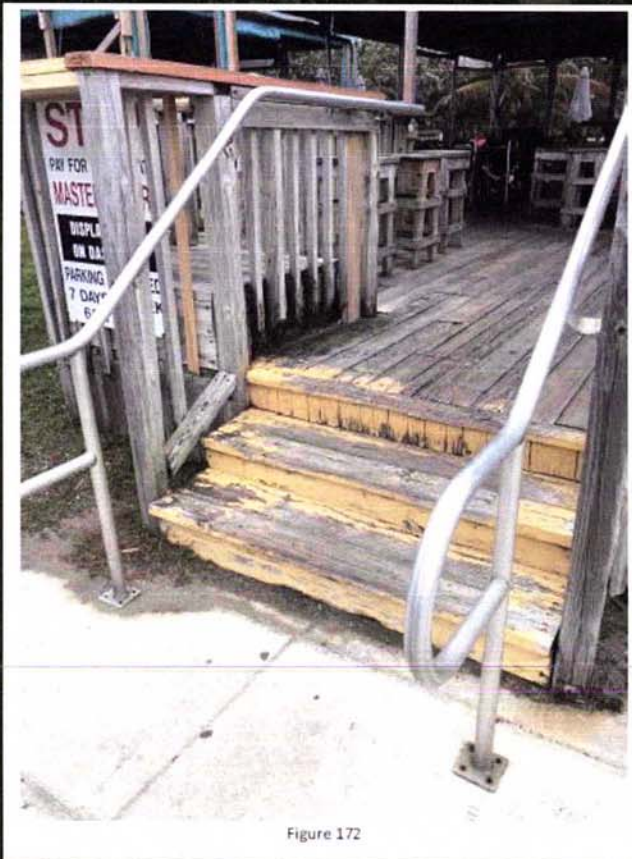


Figure 172

Structural Issues Observed:

- Stair treads are damaged

TEMPORARY CLOSURE – April 11, 2019



“Emergency action needs to be taken based on 2017 Florida Building Code sec. 116.5 to ensure the safety of the public and the employees. I am requiring as the Building Official that the Dania Beach Grill be closed until the necessary repairs have been made to bring this building back to a safe condition. The emergency repairs identified in the Engineers report shall be done as expeditiously as possible.”

Jack Fisher, Building Official

REPAIR/RENOVATION – NEW CONSTRUCTION



REGULATORY FRAMEWORK

FEMA:

DFE is 10.0 NAVD 88.
Structure located in AE 9.

DEP CCCL:

Reference monument 100. Elevation required is 19.0 NGVD (17.5 NAVD) - bottom of lowest horizontal structural member.

CITY COMMISSION



QUESTIONS AND COMMENTS