

MINUTES OF VIRTUAL REGULAR MEETING
DANIA BEACH CITY COMMISSION
TUESDAY, APRIL 28, 2020 – 7:00 P.M.

1. Call to Order/Roll Call

Mayor Lewellen called the meeting to order at 7:06 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 Ansbro
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.

Motion to adopt resolution adopting public meeting procedures utilizing Communications Media Technology during declared public health emergency

1. RESOLUTION NO. 2020-031

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, PURSUANT TO THE GOVERNOR'S EXECUTIVE ORDER 20-69, AND FLORIDA STATUTES SECTION 120.45(5)(b)(2), ADOPTING A PROCESS AND RULES FOR THE USE OF COMMUNICATIONS MEDIA TECHNOLOGY FOR PUBLIC MEETINGS DURING THE DECLARED PUBLIC HEALTH EMERGENCY (COVID-19); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(City Attorney)*

City Attorney Ansbro read the title of Resolution #2020-031.

Vice-Mayor Odman motioned to adopt Resolution #2020-031; seconded by Commissioner Brandimarte. The motion carried unanimously.

3. Presentations and Special Event Approvals

- 3.1 Update on COVID-19 issues by Aurelio Fernandez, CEO of Memorial Healthcare Systems - Requested by Mayor Lewellen

Mr. Fernandez gave an overview of COVID-19 cases, issues, testing, and availability of hospital beds.

- 3.2 Dania Pointe update by Kim Butler, Director of Marketing, Dania Pointe (to be deferred)

This item was deferred.

- 3.3 Presentation on cities in Broward and Dade Counties and their successes and failures with General Obligation Bond issuances - Assistant City Manager Sosa-Cruz (to be deferred)

This item was deferred.

- 3.4 Presentation on the reporting and tracking via an app of everything from a pot hole to a light out - Assistant City Manager Sosa-Cruz (to be deferred)

This item was deferred.

4. Proclamations

There were no proclamations at this meeting.

5. Citizen Comments

There were no comments at this meeting.

6. Public Safety Reports

Captain Sergio Pellecer, BSO District Fire Chief, gave an update on COVID-19 impacts, precautions, and emergency call numbers.

Captain Daniel Marks, BSO Chief of Police, reported beaches remain closed but parks will begin to be opened, so there will be an additional deputy stationed at the beach near the Quarterdeck. He provided a general update on all protocols that are in place.

Mayor Lewellen noted the Broward County order just came out and she has sent it to City Attorney Ansbro for review.

City Attorney Ansbro clarified the order calls for social distancing, but not for masks to be worn in the parks.

7. Consent Agenda

Items removed from Consent Agenda: #7.4, #7.5, #7.8

- 7.1 Minutes:
Approve Minutes of March 10, 2020 City Commission Meeting
- 7.2 Travel Requests: None
- 7.3 Motion to approve an extra bulk waste collection service in May 2020 due to COVID-19 (Coronavirus) impact (Public Services)

Resolutions

7.6 RESOLUTION #2020-033

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING EXECUTION BY THE PROPER CITY OFFICIALS OF THE 2020 AMENDMENT TO AN INTERLOCAL AGREEMENT EXISTING BETWEEN BROWARD COUNTY, FLORIDA AND THE CITY OF DANIA BEACH, FLORIDA; PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE (3) CENT LOCAL OPTION GAS TAX ON MOTOR FUEL ORDINANCE; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Finance)*

7.7 RESOLUTION #2020-034

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE EXECUTION BY THE PROPER CITY OFFICIALS OF THE 2020 AMENDMENT TO AN INTERLOCAL AGREEMENT EXISTING BETWEEN BROWARD COUNTY, FLORIDA AND THE CITY OF DANIA BEACH, FLORIDA; PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIVE (5) CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Finance)*

7.9 RESOLUTION #2020-036

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO SUBMIT AN ALTERNATE PROJECT FOR THE 45TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM IN AN AMOUNT NOT TO EXCEED ONE HUNDRED SEVENTY TWO THOUSAND FIVE HUNDRED FORTY NINE DOLLARS (\$172,549.00) TO PROVIDE FUNDING FOR THE OASIS XIV PROJECT PROVIDING STREET IMPROVEMENTS ON SOUTHEAST 13th STREET AND SOUTHEAST 13th TERRACE BETWEEN FEDERAL HIGHWAY AND SOUTHEAST 2ND AVENUE; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Public Services)*

7.10 RESOLUTION #2020-037

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, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, TO PROVIDE COST SHARE SUPPORT OF A COUNTY-WIDE WATER CONSERVATION INITIATIVE CALLED THE NATURESCAPE IRRIGATION EVALUATION PROGRAM TO BE IMPLEMENTED WITHIN A

DESIGNATED WATER UTILITY SERVICE AREA AND AUTHORIZING BROWARD COUNTY TO CONDUCT SPECIFIC TECHNICAL ACTIVITIES REQUIRED AS PART OF LANDSCAPE AND IRRIGATION SYSTEM EVALUATIONS, IN AN AMOUNT NOT TO EXCEED FIFTY-SEVEN THOUSAND, EIGHT HUNDRED DOLLARS AND THIRTY-EIGHT CENTS (\$57,800.38) OVER THE NEXT FIVE (5) YEARS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Public Services)*

7.11 RESOLUTION #2020-038

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING APPROVAL TO DECLARE SURPLUS CERTAIN VEHICLES AND EQUIPMENT THAT ARE NO LONGER USEFUL TO THE CITY; DECLARING THE INTENT OF THE CITY TO DISPOSE OF THE VEHICLES AND EQUIPMENT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Public Services)*

Vice-Mayor Odman motioned to adopt the Consent Agenda, with the exception of Item #7.4, #7.5, and #7.8; seconded by Commissioner James. The motion carried unanimously.

7.4 RESOLUTION #2020-029

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, CREATING A CITY CEREMONIAL ITEMS POLICY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Continued from March 10, 2020) (Commissioner James)*

City Attorney Ansbro read the title of Resolution #2020-029.

Mayor Lewellen noted she still has some concerns; there are a few things that are not necessary and some things need to be added. Proclamations come from the Mayor and there have not been any problems with it; we do not need a procedure on it and should not vote on it. Regarding Keys to the City, she is concerned there could be a 3-2 vote. There should be criteria; and if an individual does not meet the criteria there is nothing to award. She is okay with #1, #2, and #3; in addition to adding the word Organizations/businesses, not just citizens, and something in there about historical significance. She has a problem with #1B because it could become political in nature.

Commissioner James stated we could amend the motion.

Mayor Lewellen mentioned getting to the items on the agenda of significance.

Commissioner James said she is not comfortable deferring this again. She asked City Attorney Ansbro get feedback from the Commission and he received nothing. The Commission has not met for a while and this is the third meeting for this item. She wants to hear what the rest of the Commission wants.

Mayor Lewellen said if we can agree the proclamations should not be included, then the item could move ahead.

Commissioner James agrees the proclamations should come from the Mayor. At this point, everything needs a policy; the process could be simpler, but proclamations are to be included.

Vice-Mayor Odman asked if we could go through each item and knock it out for time efficiency.

Mayor Lewellen felt it would not be time efficient. She would edit a WORD document later if provided with one.

Commissioner James noted a consensus was needed on proclamations.

Commissioner Brandimarte asked if the next Commission could change the policy.

City Attorney Ansbro replied yes.

Mayor Lewellen asked if the item should be deferred, and no one agreed.

Mayor Lewellen noted she does not think a Key to the City should be voted on. If it meets the criteria, then a Key is given.; if not, it is not given.

Commissioner James said she had it that way because in the past, a street was renamed, then there were allegations, and the name was taken away. She would prefer having a say on a Key to the City; perhaps it not be done publicly at a meeting, but through email.

Mayor Lewellen noted there is a policy for street naming. This is situation that we are giving someone a ceremonial thing and she does not see how the two relate to each other. She further explained why she is opposed to voting on this; it will become a public record and voting is not the best way to do it.

Commissioner Brandimarte referenced #1B and said years ago this is what the Key was meant for, citizens or individuals who have provided long and dedicated service to the City. It is not meant for newbies just arriving, but meant to be given out for longevity. She would include individuals and throw everything else out; a Key should not be given to a dignitary.

Commissioner James asked the Commissioners if they thought there should be voting on the Key.

Commissioner Brandimarte said yes.

Vice-Mayor Odman said no.

Commissioner Harris said no.

The Commission consensus was to take off the voting procedure for giving a Key to the City.

The Commission consensus was to add organizations to A through C.

Mayor Lewellen requested to remove letter D.

The Commission consensus was to remove letter D.

Mayor Lewellen requested to add historical significance under letter B.

The Commission consensus was to make this addition to letter B.

Mayor Lewellen referenced the proclamations provisions of the policy and noted proclamations should be the Mayor's decision.

Commissioner James questioned what would happen if a Commissioner had a proclamation they would like to give and the Mayor will not sign it.

Mayor Lewellen requested the language, other similar events and causes, be added to letter B. She suggested under 3A, what it would not be issued for, commercial/professional services portion could be removed; it is not a problem in theory, but there are new businesses coming in that could have a huge impact.

Commissioner James asked the Commission whether 3A should be removed.

Vice-Mayor Odman answered no.

Commissioner Brandimarte said no.

Mayor Lewellen referred to 3B and suggested adding unless associated with a specific significant event.

Mayor Lewellen noted 3E conflicts with 3B.

Commissioner James said it should be removed.

Mayor Lewellen noted she is fine with 3F.

Mayor Lewellen asked for clarification of #4, request form, whether it would be an actual form or an email.

Commissioner James said she is fine with email.

Mayor Lewellen suggested under 4E, nationally recognized non-profit organization be removed.

Commissioner James said she is fine with removing it.

Vice-Mayor Odman motioned to adopt Resolution #2020-029, as amended; seconded by Commissioner Harris. The motion carried unanimously.

7.5 RESOLUTION #2020-032

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, CREATING A DECORUM POLICY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Vice-Mayor Odman)*

City Attorney Ansbro read the title of Resolution #2020-032.

Commissioner James asked if the policy would be attached to the agenda.

City Attorney Ansbro said it would be part of the printed agenda and shown on the screen at Commission meetings.

Commissioner James felt it should be everywhere, including virtual meetings, and always be visibly accessible.

Commissioner James motioned to adopt Resolution #2020-032; seconded by Vice-Mayor Odman. The motion carried unanimously.

7.8 RESOLUTION #2020-035

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO OBTAIN SUPPLEMENTAL PLAN REVIEW, INSPECTION AND ADMINISTRATIVE SERVICES FROM C.A.P. GOVERNMENT, INC. AUTHORIZING SUCH PURCHASE TO BE MADE FROM THE BUILDING FUND'S APPROVED ANNUAL BUDGET APPROPRIATIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Community Development)*

City Attorney Ansbro read the title of Resolution #2020-035.

Commissioner James asked if this is a new contract and said she has a lot of questions about it.

City Attorney Ansbro replied yes.

City Manager Garcia explained last year we went out to RFP and two qualified companies submitted their proposals. The lowest responsible responsive bidder was CAP Government. She noted Eleanor Norena, Acting Community Development Director, we went back to CAP to obtain a lower rate because of the pandemic, ultimately lowering the rates by \$100,000.00.

Commissioner James said she knows CAP is by the hour and that they charge more than other cities.

City Manager Garcia said staff came to the Commission last year to extend the contract at the same rates; at that time, the Commission directive was to complete the RFP process rather than continue this contract.

Acting Director of Community Development Norena explained the piggyback contract, which was for two years, and the Commission only wanted a 12-month agreement so an RFP process could be completed. The current contract is up in June.

Commissioner James noted she is concerned about the entire contract; she wants to see a dollar figure. It looks like CAP is taking over; the amount of employees increases yearly.

Acting Director of Community Development Norena responded CAP averaged \$1.2 million last year; the County was about the same.

Commissioner James asked if the contract allows for more CAP employees than we currently have.

Acting Director of Community Development Norena responded the RFP was for building services.

City Manager Garcia explained if we did not contract services, we would have to pay more benefits from bringing in our own employees.

Commissioner James said CAP was extended because of Dania Pointe. She was specifically told CAP would decrease, but it has increased, and Dania Pointe is on the decline right now. She questioned what our plan is for scaling back because she sees more and more of their people working for the City. She added we are not going to get another Dania Pointe in the City, and asked how many years the contract is for.

City Manager Garcia responded we are extremely serious about our finances. Not only were they the lowest bidder, but we circled back with them to lower their fees. We have subject matter experts that bring this recommendation.

Commissioner James motioned to continue Resolution #2020-035 until the May 12, 2020 City Commission meeting at 7:00 p.m.

Commissioner James said she will meet with City Manager Garcia, Acting Director of Community Development Norena and Frank DiPaolo, Director of Finance.

Assistant City Manager Sosa-Cruz noted the dollar amount is the hourly rate. The total dollar amount will be in the budget, but the actual dollar amount is what was used.

City Manager Garcia reiterated the contract saves the City an additional \$100,000.00.

Acting Director of Community Development Norena added CAP is our supplemental service; they are here to help us if we need them. If not, they are not required to be here, and they are not here to take away positions or fill vacancies.

Mayor Lewellen confirmed her understanding of where we stand with CAP. Her concern is how long they are willing to sit on this lower amount, and if this does not get approved tonight, will they want the additional money.

City Manager Garcia noted they were the lowest bidder on the RFP. Additionally, Acting Director of Community Development Norena went back and renegotiated to lower price.

Commissioner Brandimarte seconded the motion.

Commissioner Brandimarte confirmed there is a Commission meeting before the contract expires and felt this is respectful to Commissioner James.

The motion carried on the following 4-1 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Odman	Yes
Commissioner Harris	No	Mayor Lewellen	Yes
Commissioner James	Yes		

8. Bids and Requests for Proposals

There were no proposals on this agenda.

9. Public Hearings and Site Plans

9.1 RESOLUTION #2020-039

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO APPLY FOR THE 46TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM IN THE AMOUNT OF ONE HUNDRED SEVENTY NINE THOUSAND THREE HUNDRED NINETEEN DOLLARS (\$179,319.00), TO PROVIDE FUNDING FOR DRAINAGE IMPROVEMENTS IN THE NORTHWEST NEIGHBORHOOD DRAINAGE BASINS PROJECT LOCATED IN CENSUS TRACT 805- BLOCK GROUP 1 AND CENSUS TRACT 805- BLOCK GROUP 2; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Public Services)*

City Attorney Ansbro read the title of Resolution #2020-039.

Fernando Rodriguez, Director of Public Services, gave a brief presentation.

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

Commissioner Harris motioned to adopt Resolution #2020-039; seconded by Vice-Mayor Odman. The motion carried on the following 5-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Odman	Yes
Commissioner Harris	Yes	Mayor Lewellen	Yes

Commissioner James **Yes**

9.2 ORDINANCE #2020-006

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 4 "ALCOHOLIC BEVERAGES," OF THE CITY'S CODE OF ORDINANCES BY AMENDING ARTICLE II "OPERATION REGULATIONS," SECTION 4-18 "HOURS OF SALE" MODIFYING THE HOURS OF PACKAGE SALES FOR ALCOHOLIC BEVERAGES FOR OFF-SITE CONSUMPTION WHICH SALES ARE CONDUCTED AT A RETAIL GROCERY STORE USE WITH A MINIMUM 27,500 SQUARE FEET; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)** *(Community Development)*

City Attorney Ansbro read the title of Ordinance #2020-006.

Corinne Lajoie, Planning & Zoning Manager, gave a brief overview of the code amendment requested by Publix.

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 #2020-006, on second reading; seconded by Commissioner Harris. The motion carried on the following 5-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Odman	Yes
Commissioner Harris	Yes	Mayor Lewellen	Yes
Commissioner James	Yes		

9.3 ORDINANCE #2020-007

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUEST MADE BY ROD A. FEINER, ESQ., ON BEHALF OF 2750 GRIFFIN HOLDINGS, LLC, TO AMEND CHAPTER 28, "LAND DEVELOPMENT CODE," OF THE CITY CODE OF ORDINANCES BY AMENDING PART 1 "USE REGULATIONS," ARTICLE 105, "USE REGULATIONS FOR RESIDENTIAL AND OPEN SPACE ZONING DISTRICTS," SECTION 105-20 "LIST OF RESIDENTIAL AND OPEN SPACE DISTRICTS PERMITTED, SPECIAL EXCEPTION AND PROHIBITED USES" AND SECTION 105-220, "PRD-1 DISTRICT SUPPLEMENTAL REGULATIONS;" AMENDING PART 2, "SITE DEVELOPMENT REGULATIONS," ARTICLE 205, "TABULAR SUMMARY OF SITE DEVELOPMENT STANDARDS FOR ALL ZONING DISTRICTS," SECTION 205-10(B) "PRD-1 AND MULTIPLE-FAMILY DISTRICTS;" PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)** *(Community Development)*

City Attorney Ansbro read the title of Ordinance #2020-007.

Corinne Lajoie, Planning & Zoning Manager, gave a brief presentation on the text amendment, and noted changes made after first reading, as requested of the applicant by residents, included excluding smoke shops, cannabidiol (CDB) sales, and discount retail.

Attorney Rod Feiner, representing the applicant, gave a brief presentation.

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

Commissioner Harris motioned to adopt Ordinance #2020-007, on second reading; seconded by Commissioner Brandimarte. The motion carried on the following 5-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Odman	Yes
Commissioner Harris	Yes	Mayor Lewellen	Yes
Commissioner James	Yes		

9.4 RESOLUTION #2020-019

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE "GRIFFIN LIVING PLAT" (PL-99-19) SUBMITTED BY THE PROPERTY OWNER 2750 GRIFFIN HOLDINGS, LLLP FOR PROPERTY LOCATED AT 2750 GRIFFIN ROAD, 2730 GRIFFIN ROAD AND 4850 SW 28TH AVENUE, 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; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Continued from February 11, 2020) (Community Development)*

City Attorney Ansbro read the title of Resolution #2020-019 and noted the applicant had requested this item be continued until May 26th.

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 continue Resolution #2020-019 until the May 26, 2020 City Commission meeting at 7:00 p.m.; seconded by Commissioner Harris. The motion carried on the following 5-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Odman	Yes
Commissioner Harris	Yes	Mayor Lewellen	Yes
Commissioner James	Yes		

9.5 ORDINANCE #2020-008

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUEST MADE BY 2900 SW 45TH DANIA BEACH, LLC, FOR A REZONING (RZ-103-19) AND FLEXIBILITY UNITS ALLOCATION (OT-164-19) FOR PROPERTIES GENERALLY LOCATED AT 2900 SW 45TH STREET IN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT "A," A COPY OF WHICH IS ATTACHED TO THIS ORDINANCE; CHANGING THE CURRENT ZONING CLASSIFICATION OF THE PROPERTIES FROM SINGLE-FAMILY 6000 RESIDENTIAL DISTRICT (RS-6000) TO PLANNED RESIDENTIAL DEVELOPMENT DISTRICT (PRD-1), SUBJECT TO CERTAIN RESTRICTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)** *(Community Development)*

City Attorney Ansbro read the title of Ordinance #2020-008 and noted the applicant had requested this item be continued until May 12th.

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

Commissioner Harris motioned to continue Ordinance #2020-008, on first reading, until the May 12, 2020 City Commission meeting at 7:00 p.m.; seconded by Vice Mayor-Odman. The motion carried on the following 5-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Odman	Yes
Commissioner Harris	Yes	Mayor Lewellen	Yes
Commissioner James	Yes		

9.6 RESOLUTION #2020-040

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE SITE PLAN MODIFICATION (SP-003-15-MOD2) AND DESIGN VARIATION (OT-016-20), SUBMITTED BY 4 N. FEDERAL DANIA, LLC, FOR PROPERTY LOCATED ON THE NORTHEAST CORNER OF FEDERAL HIGHWAY AND 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 CONDITIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Community Development)*

City Attorney Ansbro read the title of Resolution #2020-040 and noted staff had requested this item be continued until May 12th.

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 continue Resolution #2020-040 until the May 12, 2020 City Commission meeting at 7:00 p.m.; seconded by Vice-Mayor Odman. The motion carried on the following 5-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Odman	Yes
Commissioner Harris	Yes	Mayor Lewellen	Yes
Commissioner James	Yes		

10. Discussion and Possible Action

10.1 City Manager one-year anniversary - Mayor Lewellen

Mayor Lewellen noted that she felt we should defer the City Manager's review in order to evaluate where we are with the budget to know whether an increase would be possible.

Commissioner James asked if there would be some type of form for the review.

Mayor Lewellen said if there is not a form, Human Resources could put something together for the Commission.

Linda Gonzalez, Human Resources Director, said she will find out if there is a form; if one does not exist, they would create one.

Commissioner James asked if the Commission could look at the form for input and questions.

Mayor Lewellen noted there was a form for the CRA Director and the Commission could refer to it.

The Commission consensus was to defer the City Manager's review until the May 26th meeting.

10.2 Budgeting concerns - Mayor Lewellen

Mayor Lewellen asked that information be shared with everyone regarding where we are with revenue loss due to the COVID-19 pandemic and the impact on the budget.

City Manager Garcia responded Frank DiPaolo, Director of Finance, is ready to give a presentation at the May 12th meeting. She noted last year, a more conservative approach was taken for the budget, there is carry over and she mentioned the reimbursements of FEMA funding.

Director of Finance DiPaolo reviewed the budget components and impacts on them caused by the coronavirus.

Commissioner James asked where our revenues stand today and if they all are down by 15%.

Finance Director DiPaolo responded the 15% refers to the water billing cycle for April.

Commissioner James questioned the City's loss of revenue and ability of the City to recover once the Governor reopens Florida.

Finance Director DiPaolo said from everything he is seeing, there will be a slow, gradual phasing in of social interaction. He is seeing it on the national level that this could be the next big depression; some businesses will recover and some will not. The recovery usually takes longer than it did to get into the predicament.

Commissioner James asked if property values would change.

Finance Director DiPaolo responded there is a big issue with commercial properties and unemployment. There will be an impact on the housing market, which would affect the 2021/2022 budget, and he explained the overall outlook on the economy.

Mayor Lewellen asked if he would meet with the Directors regarding budgeting items, and about revisiting our contracts, to see if there are any savings.

Finance Director DiPaolo said we need to work with the Directors about what can and cannot be done to save money.

City Manager Garcia noted the cruise industry has come to a complete halt. These are revenues from restaurants and tourism that will not be seen for the rest of the year.

10.3 Update on reopening Dania Beach - Mayor Lewellen

Mayor Lewellen noted she had a meeting on Friday with the County and mayors, and at that time, it sounded like re-opening would start out slowly and the four adjoining counties would be working together. The focus was on re-opening the parks, golf courses, and boat ramps, not beaches. Yesterday, the Mayor of Miami Dade County issued an order, as well as Palm Beach. There was no more discussion until today, and while in the meeting today, there was a draft order. Now, the County issued the order that goes into effect at 12:01 a.m. tomorrow. She has been getting a lot of phone calls and there were a number of things requested by the mayors that are not included in the order.

City Attorney Ansbro explained the order applies to parks in Broward County, passive use, and he read the list. Any activity that deviates from the guidelines is strictly prohibited. He addressed all of the allowed uses, from 6:00 a.m. to 7:00 p.m., unless we set our own hours. Pools in multifamily and condos are limited to be used by current residents, 6-foot social distancing, 50% occupancy, and supervised by employees of the housing development during the hours used to ensure compliance. He would recommend to the Commission that every time someone leaves a chair, the chair will need to be cleaned.

Mayor Lewellen's concerns included the timing, pools would be impossible for us to police as well as the sport of basketball with such close contact in parks.

Vice-Mayor Odman noted Hollywood decided to not open up for another week. She wonders if there is a space for us between Hollywood and what the County is doing. The difference six days would make is nothing measurable. The time would allow us to gauge compliance. We do not have a large body of previous data; perhaps we allow for Dania Beach something that is in the middle for a balance. There is room in the discussion for more than just opened or closed.

Commissioner Brandimarte said the items read by City Attorney Ansbro would not be done properly. Removing pool furniture is a good idea as there will be no sanitizing and 50% occupancy will not be obeyed. We cannot police whether these rules are followed, and she likes what Hollywood is doing for a week. She added the club houses have no one to clean the decks during the day.

City Attorney Ansbro re-read the County order regarding pools. We would have to require the furniture be removed.

Commissioner Brandimarte asked if City boat ramps would be opened following guidelines of the County Order.

Mayor Lewellen noted technically, the County order does go in effect at 12:00 p.m. tonight. She has no qualms about being more restrictive in a separate order, but her fear is the City order will seem more restrictive and we are going backward.

Vice-Mayor Odman said we have to take into consideration what Hollywood is doing. It should be seen as a measured step forward, and the pool ideas from Commissioner Brandimarte are good.

Commissioner Brandimarte believed removing pool furniture is a good answer.

Commissioner James noted it is hard to enforce things that we do differently from the County. She wants to remind us how cautious we were when we canceled the Arts & Seafood Celebration, and she is not scared of what other people think. We do not want to have a complete relapse. She questioned who would come back to the table after the data has been measured and make a decision after the assessment. There needs to be some sort of communication from all of the Commission.

Vice-Mayor Odman said Hollywood is the one that really affects us, and we should take that week and see how it goes.

Mayor Lewellen agreed; she does not mind waiting for other cities' outcome.

Commissioner James questioned how the Commission would come together after investigation to discuss everyone's assessment.

Vice-Mayor Odman explained it would be at the next Commission meeting. She would like to do something this week so we can gauge compliance, and then next week open up like the County.

City Manager Garcia reminded the Commission they were one of the leaders in telework, shutting down City Hall, and closing the beaches. This has contributed to keeping the virus down in the City. She thought we should be careful and a hybrid would be the way to go; open up our parks for walking and then take a look and circle back on May 12th.

Mayor Lewellen noted our Legal Department is to put together an order opening up passive parks and boat ramps, and taking away the chairs at pools. We need the order highlighted and handed out to the communities.

Vice-Mayor Odman asked if it would include playgrounds in parks and all amenities.

Mayor Lewellen responded no courts and no playgrounds, just the exterior for walking/jogging.

Eve Boutsis, Assistant City Attorney, noted she was working on a draft order and suggested looking at the hours for parks to be opened and closed.

City Attorney Ansbro said the County set hours for parks and boat ramps. He reviewed the details of the draft order sent to him by the Assistant City Attorney, and felt we should use the County hours and regulations, but require housing developments to remove their pool furniture.

Mayor Lewellen asked if County Order limits groups to no more than 10 people.

City Attorney Ansbro responded no, the limit is 50% capacity.

Assistant City Attorney Boutsis suggested we should be consistent with the Governor's Order which sets the limit to 10 people.

Commissioner James said people are still having funerals, and asked if American Legion Post #209 could have a Repass.

City Attorney Ansbro responded he could not recommend people eating and sharing food together; this should be the same as a restaurant.

The Commission consensus was to move forward as discussed.

City Attorney Ansbro reviewed points to be included in the order and noted it would be finalized tonight.

Mayor Lewellen noted the declaration would be executed tonight and distributed through City staff.

11. Commission Comments

11.1 Commissioner Brandimarte

Commissioner Brandimarte questioned if restaurants could use outside seating, and discussion ensued.

Commissioner Brandimarte expressed concerns about hurricane preparedness.

City Manager Garcia noted we can put a document together so residents have direction on where to receive key information through social media or Code Red to ensure readiness.

11.2 Commissioner Harris

Commissioner Harris suggested perhaps we could do a hurricane expo outside in the circle at City Hall.

Commissioner Harris thanked the Commission for their determination and collaboration during the pandemic.

11.3 Commissioner James

Commissioner James thanked the Tamara James Foundation for feeding 400 residents so far during this time. She asked if the City is reaching out to any local organizations for additional resources.

Commissioner James spoke of the Town Hall meeting she held several weeks ago.

Commissioner James addressed comments made about her at the virtual meeting training workshop.

Commissioner James questioned reaching out to local non-profits to assist or volunteer with upcoming City efforts.

Commissioner James addressed bulk waste pickup and the effects of how it will make our City look.

11.4 Vice-Mayor Odman

Vice-Mayor Odman spoke on the positive collaboration efforts of the Commission and the low numbers of positive Covid-19 statistics as a result of the City's proactive measures.

11.5 Mayor Lewellen

Mayor Lewellen commented about additional testing sites for Covid-19, and thanked the employees and Commission for their collaboration. She noted she is proud of our residents, and thanked them for their social distancing.

12. Appointments

12.1 Broward League of Cities 2020-2021 Director Appointments

Director – Vice-Mayor Odman

Alternate – Mayor Lewellen

Second Alternate – Commissioner James

12.2 Complete Count Advisory Committee

Commissioner Harris appointed: Mia Kelava

12.3 Creative Arts Council Advisory Board – no appointments

12.4 General Employees Pension Board – no appointments

12.5 Green Advisory Board – no appointments

12.6 Police and Fire Pension Board – no appointments

Commissioner James motioned to approve the appointments; seconded by Commissioner Brandimarte. The motion carried on the following 5-0 Roll Call vote:

Commissioner Brandimarte	Yes	Vice-Mayor Odman	Yes
Commissioner Harris	Yes	Mayor Lewellen	Yes
Commissioner James	Yes		

13. Administrative Reports

13.1 City Manager

City Manager Garcia reviewed her Manager's Report and departmental memos included in the agenda packet. She noted early in March, a cleaning crew was contracted for cleaning services at three facilities; ratification of the contract will come back to the Commission. She spoke of the efforts of Code Compliance and Parking Enforcement during this time.

City Manager Garcia noted the community partnership with local agencies and Parks and Recreation to provide hot meals to local residents. She spoke of the upcoming Adopt a Box event to be held on May 8th at the Dania Beach Casino and noted on May 22nd, there will be a Farm Share distribution for the community.

City Manager Garcia reported that within 24 hours of receiving word residents were having issues with completing unemployment claims electronically, staff printed forms in English Spanish and Creole and made them available outside City Hall.

City Manager Garcia stated the City is attempting to obtain an \$105,000.00 appropriation from the CARES Act, in addition to receiving \$250,000.00 for a water infrastructure and revitalization project which would allow new linear piping and fire hydrants for the City.

City Manager Garcia reported on the beach camera recently installed, the benefits of an additional bulk pick up, and the new Customer Service hotline established to augment resident assistance during Covid-19.

Mayor Lewellen thanked City Manager Garcia for her hard work and efforts.

13.2 City Attorney

City Attorney Ansbro had no comments.

13.3 City Clerk - Reminders

Tuesday, May 12, 2020 - 5:30 p.m.
Tuesday, May 12, 2020 - 7:00 p.m.
Tuesday, May 26, 2020 - 7:00 p.m.

CRA Board Meeting
City Commission Meeting
City Commission Meeting

14. Adjournment

Mayor Lewellen adjourned the meeting at 10:51 p.m.

ATTEST:


THOMAS SCHNEIDER, CMC
CITY CLERK



CITY OF DANIA BEACH


LORI LEWELLEN
MAYOR

Approved: May 12, 2020