

CITY OF DANIA BEACH CITY COMMISSION MEETING
MARCH 9, 2021 at 7:00 PM
VIRTUAL MEETING AND PUBLIC COMMENTS PROCEDURE

The City of Dania Beach City Commission will be conducting a “Virtual” City Commission Meeting utilizing communications media technology (“CMT”), in accordance with Ordinance 2021-012, adopted February 9, 2021, and City Manager’s Order Adopting Rules for Use of Communications Media Technology for Public Meetings During Health Emergency, related to conducting public meetings while under the public health emergency related to the spread of Novel Coronavirus Disease 2019 (COVID-19). City Hall building is closed to the public.

Please visit www.daniabeachfl.gov/virtualmeetings for detailed instructions on how to attend and participate in virtual City Commission meetings. Public access to this virtual meeting can be accomplished as follows:

- Watch Meeting on the City’s YouTube Channel at www.daniabeachfl.gov/2654/Watch-DaniaTV
- Watch Meeting on Comcast Cable Channel 78
- Join the Meeting virtually or by telephone using RingCentral Meetings

Any member of the public wishing to comment publicly on any matter including on specific agenda items can do so by one of the following options:

Before 2:00 p.m. on the day of the meeting, comments can be submitted into the record by using the following link:

<https://daniabeach.seamlessdocs.com/f/PublicSpeakingFormCityCommission> *(all public comments submitted will be provided to the City Commission prior to the meeting and will be attached to the minutes of this meeting and become part of the official record)*

Participating in a public meeting using the video conference platform:

- Virtual attendance: download and install RingCentral Meetings and join using the meeting ID; to be recognized during public comment, click “Raise my hand” in the software
- Telephone attendee: dial meeting phone number and enter meeting ID; to be recognized during public comment, dial *9 to raise your hand

For more information about this City Commission meeting or submitting a public comment at the meeting, please contact:

Thomas Schneider, City Clerk
City of Dania Beach
100 W Dania Beach Boulevard
Dania Beach, FL 33004
954-924-6800 | tschneider@daniabeachfl.gov

NOTICE: This meeting is open to the public. In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact the Office of the City Clerk, 954-924-6800 ext. 3624, no later than two days prior to such proceeding. Anyone wishing to appeal any decision made by the Dania Beach City Commission with respect to any matter considered at such meeting or hearing will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Agenda items may be viewed online at www.daniabeachfl.gov.

**Instructions for Participating and Viewing
City of Dania Beach Virtual City Commission Meeting
March 9, 2021 at 7:00 PM**

Through the City's Website:

Please click the link below:

www.daniabeachfl.gov/2654/Watch-DaniaTV

Through Comcast Channel 78:

If you are a Comcast/Xfinity customer, please go to Channel 78 to view the meeting.

Before 2:00 p.m. on the day of the meeting, submit Public Comments by clicking this link:

<https://daniabeach.seamlessdocs.com/f/PublicSpeakingFormCityCommission> *(all public comments submitted will be provided to the City Commission prior to the meeting and will be attached to the minutes of this meeting and become part of the official record).*

Options for Viewing and Participating in the Meeting Using RingCentral Meetings software

Visit <https://www.ringcentral.com/apps/rc-meetings> to download and install the software on your device

Use this meeting link to join as an attendee:

<https://meetings.ringcentral.com/j/1467912250>

Using your telephone – for higher quality, dial a number based on your current US location:

+1(312)2630281
+1(470)8692200 (US East)
+1(646)3573664
+1(773)2319226 (US North)
+1(213)2505700
+1(346)9804201
+1(469)4450100 (US South)
+1(623)4049000 (US West)
+1(650)2424929
+1(720)9027700 (US Central)

Enter the meeting ID: 146-791-2250

To raise hand and be acknowledged to speak:

1. Users who call in can dial *9 to raise their hand
2. If using the meeting software, to raise hand click or tap "Participants", then choose the option to raise hand.
3. Once you have been selected to speak, you may be prompted to unmute your device or this will be done for you.

City of Dania Beach, Florida Virtual City Commission Meetings Quasi-Judicial Proceedings

Any member of the public wishing to make verbal comment during a meeting must pre-register to do so with the City Clerk's office using the form found on the City's website. This pre-registration applies to the public, and extends to the applicant and applicant's team. Once the registration has been processed, the registrant will receive instructions for participating in the meeting. Members of the public who attend the meeting by telephone will have their line muted at all times, except when acknowledged by the Mayor to speak on a particular agenda item, and only one individual will be permitted to speak at a time. **If either the applicant or a member of the public seeks to introduce documents into the record, that must be done at least five (5) days prior to the virtual public meeting, so that the City can upload the information. The City Clerk shall provide the Mayor and City Commission with the submittals prior to the hearing. All documents should be sent to the following email addresses: tschneider@daniabeachfl.gov and clajoie@daniabeachfl.gov. In the "Subject" line of the email please address the email as "documents to be included for public hearing" and list the public hearing applicant name and property address.**

On the date and at the time of the Virtual meeting, the City Attorney shall read the title of the quasi-judicial public hearing item when the Agenda item is ready to be presented. The City Attorney shall ask the City Commission to disclose any prior "ex parte" communications with any party that occurred prior to the meeting. Thereafter, the City Attorney will virtually swear in all staff persons speaking about an application as well as the applicant, applicant's team, and any persons in the public who intend to appear by telephone, email, or "live" during the virtual feed of the video presentation during the virtual City Commission meeting. The City Attorney will ask staff and applicant (including applicant's team) to raise their right hands to be sworn in. The City Attorney will then administer an oath. The City Attorney will ask each person to confirm audibly for the record that each speaker took the oath (all persons will identify themselves by name).

Thereafter, City staff will provide a presentation of the staff report and the Department recommendations, if any. Any power point presentations or documents shown or produced during the hearing shall be treated as evidence which the City Commission may consider in determining whether or not to approve the application. The applicant will then be provided the opportunity to make a presentation. Legal counsel for the applicant may make a presentation or assist with the applicant's presentation. Then members of the public, during the public hearing portion of the agenda item hearing, may speak to the application and may cross-examine witnesses (including City staff, the applicant, and applicant's team). During the Public Comments/Public Hearing portion of the meeting the City Attorney will individually swear in public speakers, who will acknowledge having taken the oath, and state their names for the record. Video of the virtual meeting will be streamed on the City's website at www.daniabeachfl.gov, the City's YouTube channel, and Dania Beach Comcast Channel 78. Additionally, a dedicated telephone line will be available so that any individual may listen to the meeting via telephone and may participate during the public comments portion of the hearing. If public comments were received in advance, they will be acknowledged by the City Clerk by mention of the names of those who submitted comments.

Once the public hearing is closed the Mayor and City Commission shall deliberate on the public hearing quasi-judicial item. A virtual quorum shall be required to take action on the application. Roll call vote of the City Commission shall be required.

**AGENDA
DANIA BEACH CITY COMMISSION
REGULAR MEETING
TUESDAY, MARCH 9, 2021 - 7:00 PM**

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE WITH REGARD TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING WILL NEED A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

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 TWO HUNDRED FIFTY DOLLARS (\$250.00) REGISTRATION FEE FOR EACH PRINCIPAL OR EMPLOYER. REGISTRATION FORMS ARE AVAILABLE ON THE CITY WEBSITE: WWW.DANIABEACHFL.GOV. (ORDINANCE #2012-019; AMENDED BY ORDINANCE #2019-019)

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY CLERK'S OFFICE, 100 W. DANIA BEACH BOULEVARD, DANIA BEACH, FL 33004, (954) 924-6800 EXTENSION 3624, AT LEAST 48 HOURS PRIOR TO THE MEETING.

**DECORUM POLICY FOR MEETINGS OF THE CITY COMMISSION
OF THE CITY OF DANIA BEACH, FLORIDA:**

INDIVIDUALS WHO WISH TO MAKE ANY "CITIZEN'S COMMENTS" UNDER THAT PORTION OF THE CITY COMMISSION AGENDA, OR WHO OTHERWISE WANT TO ADDRESS THE CITY COMMISSION, MUST FIRST BE REGISTERED WITH THE CITY CLERK (FORMS ARE AVAILABLE OUTSIDE OF THE CITY COMMISSION CHAMBERS AND MUST BE GIVEN TO THE CLERK BEFORE THE MEETING). OTHERS WHO WANT TO ADDRESS THE COMMISSION ON ANY MATTERS MUST FIRST BE RECOGNIZED BY THE MAYOR. ALL SUCH PERSONS MUST USE THE PODIUM IN THE COMMISSION CHAMBER. NO MORE THAN ONE PERSON AT A TIME MAY ADDRESS THE COMMISSION FROM THE PODIUM. COMMENTS ARE ONLY TO BE MADE TO THE CITY COMMISSION AND ARE NOT TO BE DIRECTED TO THE AUDIENCE OR CITY STAFF.

NO INDIVIDUAL SHALL MAKE ANY SLANDEROUS OR UNDULY REPETITIVE REMARKS, OR ENGAGE IN ANY OTHER FORM OF BEHAVIOR THAT DISRUPTS OR IMPEDES THE ORDERLY CONDUCT OF THE MEETING, AS DETERMINED BY THE MAYOR. NO INDIVIDUAL MAY SPEAK DIRECTLY TO OR ADDRESS THE MAYOR, CITY COMMISSIONER OR CITY STAFF: COMMENTS ARE TO BE ONLY DIRECTED TO THE COMMISSION AS A WHOLE. NO CLAPPING, APPLAUDING, HECKLING OR VERBAL OUTBURSTS IN SUPPORT OF OR OPPOSITION TO A SPEAKER OR HIS OR HER REMARKS SHALL BE PERMITTED. NO SIGNS OR PLACARDS SHALL BE PERMITTED IN THE COMMISSION CHAMBER.

IF ANY PERSON'S CONDUCT AS DETERMINED BY THE MAYOR IS FOUND TO BE DISRUPTIVE OR INTERFERES WITH THE ORDERLY CONDUCT OF THE MEETING, THE PERSON MAY BE ASKED BY THE MAYOR TO LEAVE THE COMMISSION CHAMBERS; IF THE PERSON DOES NOT LEAVE AND THE CONDUCT PERSISTS, THE CITY POLICE DEPARTMENT WILL BE REQUESTED TO ESCORT THE INDIVIDUAL FROM THE CITY COMMISSION CHAMBERS.

ALL CELLULAR TELEPHONES ARE TO BE SILENCED DURING THE MEETING. ALL PERSONS EXITING THE COMMISSION CHAMBER SHALL DO SO QUIETLY. (RESOLUTION #2020-032)

1. CALL TO ORDER/ROLL CALL

2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

3. PRESENTATIONS AND SPECIAL EVENT APPROVALS

1. Introduction of School Board Member Sarah Leonardi
2. Presentation on City website improvements by Frank DiPaolo, Director of Finance

4. PROCLAMATIONS

1. World Teen Mental Awareness Day - Mayor James

2. Women's History Month - Mayor James
3. COVID-19 Memorial Day - Mayor James

5. CITIZEN COMMENTS

Addressing the Commission: Comments by Dania Beach citizens, or other interested parties that are not part of the regular 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 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.

6. PUBLIC SAFETY REPORTS

7. CONSENT AGENDA

1. Minutes:

Approve Minutes of February 23, 2021 Virtual Workshop - City Hall West Wing
Approve Minutes of February 23, 2021 Virtual City Commission Meeting

2. Travel Requests: None
3. RESOLUTION NO. 2021-028

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS BY THE PUBLIC SERVICES DEPARTMENT FOR ENGINEERING SERVICES TO BE PURCHASED FROM CHEN MOORE AND ASSOCIATES FOR DESIGN, BIDDING ASSISTANCE AND CONSTRUCTION MANAGEMENT IN THE AMOUNT OF ONE HUNDRED TWENTY FOUR THOUSAND SEVEN HUNDRED FORTY DOLLARS (\$124,740.00) FOR THE SOUTHWEST 37TH TERRACE DRAINAGE IMPROVEMENT PROJECT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Public Services)*

4. RESOLUTION NO. 2021-029

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FOR MONTHLY SERVER MONITORING AND SUPPORT SERVICES INCLUDING ADDITIONAL CONTRACTED SUPPORT FROM LAN INFOTECH FOR FISCAL YEAR 2020-21, THAT EXCEED AN ANNUAL VENDOR TOTAL AMOUNT OF TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00); PROCEEDING WITHOUT COMPETITIVE BIDDING AND AUTHORIZING SUCH PURCHASES THAT ARE TO BE MADE

WITHIN THE FINANCE DEPARTMENT INFORMATION SYSTEMS DIVISION APPROVED ANNUAL BUDGET APPROPRIATIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Finance/IT)*

5. RESOLUTION NO. 2021-030

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DEVELOPMENT AND CONTRIBUTION AGREEMENT (“AGREEMENT”) ATTACHED AS EXHIBIT A, AND MADE A PART OF AND INCORPORATED INTO THIS RESOLUTION BY THIS REFERENCE, AND ANY ADDITIONAL DOCUMENTS PERTAINING TO THE AGREEMENT; TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT, WITH DANIA AIRPORT HOTELS, LLC FOR THE DEVELOPMENT OF THE TRU HOTEL; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE AGREEMENT; REIMBURSING DEVELOPER \$92,687.60 FOR THE COST OF CONSTRUCTING THE NE 1ST STREET WATER LINE, WHICH REIMBURSEMENT AMOUNT INCLUDES THE REIMBURSEMENT OF \$39,118.00 IN WATER IMPACT AND CONNECTION FEES; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(City Attorney)*

6. RESOLUTION NO. 2021-031

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS BY THE PUBLIC SERVICES DEPARTMENT FOR A DRAINAGE PIPE REPLACEMENT AND ROADWAY REPAIR SERVICES PROJECT, TO BE PERFORMED BY MAGGOLC, INC., TO BE MADE WITHIN THE PUBLIC SERVICES DEPARTMENT’S APPROVED ANNUAL BUDGET APPROPRIATIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Public Services)*

8. BIDS AND REQUESTS FOR PROPOSALS

9. PUBLIC HEARINGS

1. ORDINANCE NO. 2021-013

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 28, “LAND DEVELOPMENT CODE,” OF THE CITY CODE OF ORDINANCES BY AMENDING PART 6 “DEVELOPMENT REVIEW PROCEDURES AND REQUIREMENTS,” ARTICLE 675 “TEMPORARY USE AND SPECIAL EVENT PERMITS,” SECTION 675-20

“TEMPORARY USES AUTHORIZED,” AND SECTION 675-40 “ STANDARDS AND PROCEDURES FOR APPROVAL OF TEMPORARY USE,” TO MODIFY THE REGULATIONS FOR APPROVAL OF SPECIAL EVENT PERMITS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)** *(Community Development)*

2. ORDINANCE NO. 2021-014

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF CITY FUNDS EXCEEDING ONE MILLION DOLLARS (\$1,000,000.00) FOR MAN CON, INC. TO PROVIDE SERVICES RELATED TO CITY BID NO. 20-006 “SOUTHEAST 2ND AVENUE AND SOUTHEAST 7TH STREET WATER MAIN REPLACEMENT” PROJECT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)** *(Public Services)*

3. RESOLUTION NO. 2021-032

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING A VARIANCE (VA-100-20) TO SECTION 205-10(O) OF THE LAND DEVELOPMENT CODE ("CODE") TO PERMIT A BUILDING HEIGHT OF SIXTY-ONE POINT EIGHTY-THREE (61. 83) FEET WHERE A MAXIMUM BUILDING HEIGHT OF THIRTY-FIVE (35) FEET IS PERMITTED IN THE IG ZONING DISTRICT; AND APPROVING A MODIFICATION TO THE PREVIOUSLY APPROVED SITE PLAN FOR THE CONSTRUCTION OF AN APPROXIMATELY 115,000 SQUARE FOOT INDUSTRIAL BUILDING IN THE I-G (INDUSTRIAL) ZONING DISTRICT (SP-039-20MOD), SUBMITTED BY U.S. CRANE AND RIGGING, LLC, ON BEHALF OF THE PROPERTY OWNER PAMELA KAY HAYES, AS TRUSTEE OF THE ROBERT L. ELMORE JULY 2010 REVOCABLE TRUST, FOR PROPERTY LOCATED AT 2980 W STATE ROAD 84, IN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT “A”;; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Community Development)*

4. RESOLUTION NO. 2021-033

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING A VARIANCE (VA-080-20) TO SECTION 205-10(D) OF THE LAND DEVELOPMENT CODE TO PERMIT A BUILDING HEIGHT OF SIXTY-FOUR AND ONE-HALF (64.5) FEET WHERE A MAXIMUM BUILDING HEIGHT OF THIRTY-FIVE (35) FEET IS PERMITTED IN THE IG ZONING DISTRICT; AND APPROVING THE SITE PLAN (SP-071-20) FOR THE CONSTRUCTION OF A 112,931 SQUARE FOOT INDUSTRIAL WAREHOUSE

BUILDING IN THE I-G (INDUSTRIAL) ZONING DISTRICT, SUBMITTED BY DEENA GRAY, ESQ. FOR GREENSPOON MARDER LLP, ON BEHALF OF THE PROPERTY OWNER PAMELA E. HAYES, AS TRUSTEE UNDER TRUST DATED DECEMBER 24, 1991, FOR PROPERTY LOCATED AT 3035 SW 36 STREET, IN THE CITY OF DANIA BEACH, FLORIDA; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Community Development)*

10. DISCUSSION AND POSSIBLE ACTION

1. City Ceremonial Items Policy concerning Proclamations - Mayor James
2. Development Assessment - Mayor James
3. Memorial Tree Program - Commissioner Lewellen
4. Schedule City Commission Summer Recess
5. Volunteers and interns for the City Commission - Linda Gonzalez, Director of Human Resources

11. COMMISSION COMMENTS

1. Commissioner Davis
2. Commissioner Lewellen
3. Commissioner Odman
4. Vice-Mayor Salvino
5. Mayor James

12. APPOINTMENTS

1. Airport Advisory Board
Mayor James - 2 appointments
Commissioner Davis - 1 appointment
2. Creative Arts Council Advisory Board
Mayor James - 1 appointment
Commissioner Davis - 1 appointment
3. Education Advisory Board
Commissioner Davis - 1 appointment

4. General Employees Pension Board
 - 1 Commission Appointment - Luis Rimoli's term expires March 22, 2021 (Mr. Rimoli is interested in continuing to serve)
 - 1 Commission Appointment for a term beginning June 22, 2020 and ending June 22, 2022
5. Green Advisory Board
 - Mayor James - 1 appointment
6. Marine Advisory Board
 - Mayor James - 1 appointment
 - Commissioner Davis - 1 appointment
7. Parks, Recreation and Community Affairs Advisory Board
 - Mayor James - 1 appointment
 - Commissioner Lewellen - 1 appointment

13. ADMINISTRATIVE REPORTS

1. City Manager
2. City Attorney
 - Funding of Settlement in Poplin Code Compliance case
3. City Clerk - Reminders

Tuesday, March 23, 2021 - 7:00 p.m.	City Commission Meeting
Tuesday, April 13, 2021 - 5:30 p.m.	CRA Board Meeting
Tuesday, April 13, 2021 - 7:00 p.m.	City Commission Meeting

14. ADJOURNMENT

Proclamation

OFFICE OF THE MAYOR • CITY OF DANIA BEACH, FLORIDA

WHEREAS, World Teen Mental Wellness Day was founded in 2020 by Hollister Confidence Project to recognize and celebrate its commitment to ensuring that teens feel more confident, comfortable and capable. Now an annual event taking place on March 2nd, World Teen Mental Wellness Day aims to normalize conversations and dismantle stigmas around teen mental health issues; and

WHEREAS, World Teen Mental Wellness Day on March 2nd is the first day dedicated to mental wellness among the teen demographic; and

WHEREAS, World Teen Mental Wellness Day aims to raise greater awareness of mental health issues among teens, as well as provide education about removing stigmas surrounding preventative mental health; and

WHEREAS, according to the American Psychological Association, Gen Z has the worst mental health of any generation, struggling with issues such as loneliness, anxiety, and depression. However, teens are dedicated to making a difference. According to YPulse, 64 percent of Gen Z say they want to achieve a healthier lifestyle for overall happiness, including a stronger self-care routine. Also, 94 percent consider mental health very important to their well-being; and

WHEREAS, teens around the world are encouraged to use March 2nd as an opportunity to practice self-care and silence their self-doubt – whether that's through exercising, meditating, listening to music and more. Online, teens can demonstrate how they'll recharge on Instagram and Twitter with #WorldTeenMentalWellnessDay.

NOW, THEREFORE, on behalf of the Dania Beach City Commission, I, Tamara James, Mayor of the City of Dania Beach, Florida, do hereby proclaim March 2, 2021 as

WORLD TEEN MENTAL WELLNESS DAY

in the City of Dania Beach and call upon our residents to show their support for our teens to learn about and reflect on mental wellness.

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK



TAMARA JAMES
MAYOR

Proclamation

OFFICE OF THE MAYOR • CITY OF DANIA BEACH, FLORIDA

WHEREAS, each year, Women's History Month offers an important opportunity for us to shine a light on the extraordinary legacy of trailblazing American women and girls who have built, shaped, and improved upon our Nation; and

WHEREAS, American women have led movements for social and economic justice, made groundbreaking scientific discoveries, enriched our culture with stunning works of arts and literature, and charted bold directions in our foreign policy. American women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement; and

WHEREAS, American women have played and continue to play a critical economic, cultural, and social role in every sphere of the life of the Nation by constituting a significant portion of the labor force working inside and outside of the home; and

WHEREAS, women influential in Dania Beach's history, such as E.L. (Vera) Hill (the first female elected to the Dania Beach City Commission and the first female Mayor, appointed by the Commission), Leola Collins (community educator with Collins Elementary named after her), Mildred Jones (community activist), Rose Lizana (Publisher of Dania Beach Press), Bobbie H. Grace (the first African American female Mayor elected in Dania Beach), Ana M. Garcia (the first female City Manager of the City of Dania Beach), and Tamara James (the youngest female Mayor of Dania Beach) are just a few of the great women who helped change and shape the landscape of this great City; and

WHEREAS, during Women's History Month, let us honor the accomplished and visionary women who have helped build our country, including those whose contributions have not been adequately recognized and celebrated. And let us pay tribute to the trailblazers from the recent and distant past for daring to envision a future for which no past precedent existed, and for building a Nation of endless possibilities for all its women and girls; and

WHEREAS, this year's theme, "Valiant Women of the Vote: Refusing to Be Silenced" honors the brave women who fought to win suffrage rights for women, and the women who continue to fight for the voting rights of others.

NOW, THEREFORE, on behalf of the Dania Beach City Commission, I, Tamara James, Mayor of the City of Dania Beach, Florida, do hereby proclaim March 2021 as:

WOMEN'S HISTORY MONTH

and encourage all residents of Dania Beach to recognize and celebrate the many ways that women's history has become woven into the fabric of our national story.

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK



TAMARA JAMES
MAYOR

Proclamation

OFFICE OF THE MAYOR • CITY OF DANIA BEACH, FLORIDA

WHEREAS, the first Monday in March has been designated as COVID-19 Victims and Survivors Memorial Day; and

WHEREAS, COVID-19 (SARS-CoV-2) is an illness caused by a virus that can transmit from person to person and has spread across the world, creating a global pandemic that is having catastrophic effects on human life, our community, and our economy; and

WHEREAS, local and state governments, health departments, and public servants have taken bold actions to protect residents, support struggling local economies, and find innovative ways to provide services; and

WHEREAS, in response to rapid spread of COVID-19 and stay-at-home orders, essential workers have stepped up to provide critical services to help protect our communities and save lives, sacrificing their own health and safety; and

WHEREAS, COVID-19 has had a disproportionate impact on low-income communities and communities of color, exacerbating inequities already prevalent in our systems that we must address as a nation; and

WHEREAS, public health guidance and policies targeted at prevention, such as social distancing, wearing masks in public, and staying home help mitigate the spread of COVID-19, prevent illness, and lessen the burden on individuals and society; and

WHEREAS, the symptoms and severity of COVID-19 can vary dramatically by individual and the long-term health implications for survivors is largely unknown, as many survivors suffer with lingering side-effects of the disease long after they no longer test positive; and

WHEREAS, more than 2.55 million people worldwide and 516,000 in the United States have lost their lives due to COVID-19, and, in Dania Beach alone, more than 1,407 have tested positive for this deadly virus; and

WHEREAS, each life lost to COVID-19 mattered and leaves a hole in the hearts of loved ones, family members, and surrounding community.

NOW, THEREFORE, on behalf of the Dania Beach City Commission, I, Tamara James, Mayor of the City of Dania Beach, Florida, do hereby proclaim that Dania Beach supports the designation of the first Monday in March as

“COVID-19 MEMORIAL DAY”

in remembrance of those who have lost their lives and in honor of those who are forever marked By COVID and continue to suffer from the impact of this virus.

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK



TAMARA JAMES
MAYOR

MINUTES OF MEETING
DANIA BEACH CITY COMMISSION
VIRTUAL WORKSHOP – CITY HALL WEST WING
TUESDAY, FEBRUARY 23, 2021 - 5:00 PM

1. Call to Order/Roll Call

Mayor James called the meeting to order at 5:00 p.m.

Present:

Mayor:	Tamara James
Vice-Mayor:	Marco A. Salvino, Sr.
Commissioners:	Joyce L. Davis
	Lori Lewellen
	Lauren Odman
City Manager:	Ana M. Garcia, ICMA-CM
City Attorney:	Thomas Ansbro
City Clerk:	Thomas Schneider

2. Items for Discussion

2.1 City Hall West Wing

City Manager Garcia gave a brief history of the assessment of the West Wing, which revealed mold, which was remediated. Per the Commission's direction, an ADA assessment was performed.

Merrill Romanik, Synalovski Architects, gave a PowerPoint presentation on their ADA compliance assessment which is attached to and incorporated into these minutes. She addressed the probable cost, depicted in the chart below, for the code compliance upgrades only (ADA, life safety, et al.) to make the 2nd Floor of the West Wing a usable space. She noted this does not include any interior upgrades for programmatic use and/or the finish, lighting, mechanical, power/data, et al., required for occupancy.

Demolition Allowance	\$ 10,000.00
New Bridge Connection from Elevator to new 2nd Floor West Wing Entry	\$ 20,000.00
New Entry Door at 2nd Floor Entries (2)	\$ 15,000.00
New Railings at existing Atrium Stair	\$ 5,500.00
Atrium 2 hour Fire Rated Enclosure (First and Second Floor)	\$ 15,000.00

	0
1 hour Fire Rated Enclosure (Existing Interior Stair)	\$ 5,000.0
Exit Signs (10)	0
New Exterior Stair (2nd Means of Egress)	\$ 30,000.0
New Interior Non-Rated Doors (2)	0
New 2 hour Fire Rated Doors (3)	\$ 2,500.0
New Interior Non-Rated Walls	0
New ADA Compliant Restrooms (2)	\$ 7,500.0
	0
Sub-TOTAL	\$ 180,500.0
	0
Contractors General Conditions (13%)	\$ 23,465.00
Overhead/Profit (9%)	\$ 16,245.00
Insurances (1.5%)	\$ 2,707.50
Bond (1.5%)	\$ 2,707.50
TOTAL	\$ 225,625.00
Contingency (10%)	\$ 22,562.50
PHASE 1 GRAND TOTAL	\$ 248,187.50

Mayor James noted she did not think this would be so costly and foresees it could be very expensive with the interior upgrades. She questioned if the building fund could be used to offset the costs.

Vice-Mayor Salvino felt the building fund could be used; he questioned what we would do with the 2500 square feet.

Mayor James described offices for the Commissioners and an administrative assistant.

Vice-Mayor Salvino noted he does not have a problem with whatever the Commission chooses to do, but the cost is concerning.

Commissioner Odman said she knew it would be expensive to renovate, but with not going forward with the new City Hall, she felt it is reasonable.

City Manager Garcia compared the cost of a new City Hall to the cost of gaining 2500 square feet. Right now, we do not have the proper space for Human Resources and the PIO. She addressed the funds we have available to use.

Mayor James would like to see how much money is coming from where, whether it is from the Building Fund or fire fees from Dania Pointe.

City Manager Garcia said she could come back with a financial breakdown at the March meeting if the Commission agrees to move forward.

Commissioner Lewellen thought the funds from Dania Pointe were to be used for fire purposes; she would rather see that money go toward a new fire station.

City Manager Garcia responded the Commission has flexibility and there are other funding sources that could be used.

Commissioner Lewellen said we definitely need more office space and has no problem moving forward with this, especially with money from the Building Fund.

City Manager Garcia addressed the needs for the space and said she would bring forward funding sources.

Mayor James noted she does not mind the money coming from Dania Pointe as we do not know when a new City Hall or fire station would be built. She would like to move forward with this and to have it brought back as an action item.

Commissioner Davis agreed we should move forward with this; the benefits would far outweigh the costs. She questioned the timeframe involved.

Architect Romanik said the ADA compliance improvements would take four months and it would take five to six months if the interior work was done during this same timeframe.

City Manager Garcia confirmed she would come back with funding sources for the first meeting in March.

Vice-Mayor Salvino would like to know the costs of the interior improvements as well, along with the funding to be brought forward.

City Manager Garcia responded the estimate for interior improvements of the west wing would also be provided along with the funding sources at the March 9th Commission meeting.

The Commission consensus was to move forward with renovations to the west wing.

3. Adjournment

Mayor James adjourned the meeting at 5:35 p.m.

ATTEST:

CITY OF DANIA BEACH

THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

MINUTES OF VIRTUAL REGULAR MEETING
DANIA BEACH CITY COMMISSION
TUESDAY, FEBRUARY 23, 2021 – 7:00 P.M.

1. Call to Order/Roll Call

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

Present:

Mayor:	Tamara James
Vice-Mayor:	Marco A. Salvino, Sr.
Commissioners:	Joyce L. Davis
	Lori Lewellen
	Lauren Odman
City Manager:	Ana M. Garcia, ICMA-CM
City Attorney:	Thomas Ansbro
City Clerk:	Thomas Schneider

2. Moment of Silence and Pledge of Allegiance

Mayor James called for a moment of silence followed by the Pledge of Allegiance to the United States Flag led by Dania Beach Girl Scout Troop 10982.

3. Presentations and Special Event Approvals

3.1 Presentation on Dania Pointe Special Event Annual Program by Kim Butler, Dania Pointe Marketing Director

Ms. Butler reviewed the performance entertainment application submitted by Dania Pointe for events to be held on Friday evenings, Saturday afternoons and evenings, and Sunday afternoons. She reviewed the comprehensive calendar included in the agenda packet and confirmed this would be every weekend through June.

Mayor James asked if there is a plan for an increase in public safety calls.

Ms. Butler responded the security at Dania Pointe has been looked at and is constantly tweaked; additional security will be utilized during this program.

Mayor James noted security would have to contact BSO if there is an incident. She wanted to know if anyone sat down with Captain Marks about what this potentially means.

Ms. Butler felt there is nothing they do at the property that does not take this into consideration. She explained this would be strolling entertainment throughout the complex; it would not be a sit-down concert where people congregate.

Commissioner Lewellen asked if this would be similar to what they did at Dania Pointe prior to COVID.

Ms. Butler responded yes, they have done this before, and this would be more upscale and engage people.

Commissioner Davis commended Ms. Butler for the security and police she sees at Dania Pointe around the clock.

Ms. Butler confirmed they have 24/7 security which is supplemented with BSO details.

Mayor James wanted issues addressed as they arise and thanked Ms. Butler for their marketing.

Commissioner Odman motioned to approve the Dania Pointe Special Event Annual Program application; seconded by Commissioner Davis. The motion carried unanimously.

3.2 Presentation on Oasis Pointe Waterfront Residences by Asi Cymbal, Cymbal Development

Mr. Cymbal gave a brief overview on Oasis Pointe Waterfront Residences and invited everyone to the groundbreaking ceremony on March 12th at 4:30 p.m. at the site.

3.3 City of Dania Beach Job Training & Career Development Financial Assistance Pilot Program - Commissioner Lewellen and Joshua Gaboton

Commissioner Lewellen introduced Carla Pinto with Broward College, Tony Ash with CareerSource Broward, and Mr. Gaboton. She noted this pilot program was approved in our budget for \$75,000 and she addressed the impact of COVID on the program. Commissioner Lewellen, Mr. Ash and Ms. Pinto gave a PowerPoint presentation which is attached to and incorporated into these minutes. Commissioner Lewellen noted a resolution would be brought to the next meeting to finalize details of the program with the intent to start it in mid-March. Thereafter, quarterly updates would be provided to the Commission.

3.4 We Keep Dania Beach Pristine Presentation - Commissioner Davis

Commissioner Davis spoke of her idea for a beach clean-up campaign and gave a PowerPoint presentation which is attached to and incorporated into these minutes. She noted Rightway Funding would donate the baskets to be used for picking up trash, and we would come up with the signage and campaign. She introduced volunteer Lucas Sastre.

Mayor James questioned if a workshop was needed to discuss this item.

Commissioner Davis noted she wanted to present this item first and would bring it back under Discussion and Possible Action. She would like to implement the beach basket idea as soon as possible.

Mr. Sastre, a Senior in High School, spoke in favor of the baskets to encourage people to use them for their trash rather than littering the beach. This idea could be extended to the City parks.

Commissioner Davis continued the presentation and commended the team who clean up daily. She repeated she would bring this back under Discussion and Possible Action.

Mayor James felt Commissioner Davis could move forward with the baskets since they are being donated.

City Manager Garcia noted she would work with Commissioner Davis since the Commission supports having a pristine beach.

3.5 Presentation on citywide safety and beautification measures - Assistant City Manager Candido Sosa-Cruz & Public Services Director Fernando Rodriguez

Public Services Director Rodriguez and Assistant City Manager Sosa-Cruz gave a PowerPoint presentation which is attached to and incorporated into these minutes.

Mayor James noted she has also seen park rangers in other cities who could also do beach monitoring. It is important that we have park rangers, and this should also be included when this is brought to the budget workshop.

Commissioner Davis said she is excited about the BEAM Team and the Beach Rangers, and asked if the violations would include fines. She suggested the lifeguards should be included to give their input for the training of the Beach Rangers.

Assistant City Manager Sosa-Cruz responded there would be fines attached to the violations issued by the Beach Rangers.

3.6 Special Event request from Sharon Sharaby to host a "Community Food Donation" on every Wednesday beginning February 10-July 7, 2021 at 2750 Griffin Road, from 12:00 p.m. - 7:00 p.m. (*Community Development*)

Commissioner Odman motioned to approve the Special Event request for the Community Food Donation; seconded by Commissioner Lewellen. The motion carried unanimously.

4. Proclamations

4.1 International Women's Day - Commissioner Odman

Commissioner Odman read the proclamation for International Women's Day.

4.2 Black History Month - Commissioner Lewellen

Commissioner Lewellen read the proclamation for Black History Month.

5. Citizen Comments

Hortense Chai, 4217 SW 52nd Street, spoke of a flooding issue on her street and questioned if there is anything planned for improving the drainage on the street.

Mayor James noted there are many projects in the que, but Ms. Chai's street would be taken into consideration for improvements; staff would follow up with her.

Brother Terrance McElroy, Lighthouse 4Students, thanked the Commission and staff and noted he is proud to be part of Dania Beach. He stated he never hears anything about programs for children and asked if the Commission knows of any partners out there who could join with him. He also asked about the City's COVID status.

Mayor James suggested Brother McElroy get with Eric Brown, Parks & Recreation Director.

Commissioner Odman suggested information could be available from the Broward County Schools.

6. Public Safety Reports

Captain Daniel Marks, BSO Chief of Police, reported on recent criminal activity, crime statistics, and activity of the Crime Suppression Team and Traffic Enforcement.

Captain Sergio Pellecer, BSO District Fire Chief, reported he has received 100 bicycle helmets and training will soon be underway for the residents. He thanked HR for the training program and addressed EOC training. He also reported on Station 1 call statistics.

7. Consent Agenda

7.1 Minutes:
Approve Minutes of February 9, 2021 Virtual City Commission Meeting

7.2 Travel Requests: None

Resolutions

7.3 RESOLUTION #2021-021

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, REVISING AND UPDATING THE SCHEDULE OF BUILDING PERMIT AND OTHER DEPARTMENT FEES, PURSUANT TO ARTICLE I, SECTION 8-3, "BUILDING PERMIT FEES" OF CHAPTER 8, "BUILDING" OF THE CITY CODE OF ORDINANCES; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Community Development)*

7.4 RESOLUTION #2021-022

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA ESTABLISHING SPECIAL EVENT APPLICATION FEES FOR EVENTS HELD WITHIN THE CITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Community Development)*

7.5 RESOLUTION #2021-023

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, REGARDING DEFERRED COMPENSATION PLAN BENEFITS; ADOPTING PLAN DOCUMENTS AND APPROVING PLAN ADMINISTRATOR; PROVIDING FOR AUTHORITY; PROVIDING FOR CONFLICTS; FURTHER PROVIDING FOR AN EFFECTIVE DATE. *(Human Resources)*

7.6 RESOLUTION #2021-024

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A THREE (3) YEAR RENEWAL OF THE EXISTING AGREEMENT WITH ONSOLVE, LLC, FOR CODERED EMERGENCY NOTIFICATION SERVICES FOR AN AMOUNT NOT TO EXCEED FORTY TWO THOUSAND FOUR HUNDRED EIGHTY DOLLARS (\$42,480.00) TO BE PAID IN ANNUAL INSTALLMENTS OF FOURTEEN THOUSAND ONE HUNDRED SIXTY DOLLARS (\$14,160.00); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(City Manager)*

7.7 RESOLUTION #2021-025

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PUBLIC SERVICES DEPARTMENT TO WAIVE THE FORMAL BID PROCESS TO UTILIZE THE ORANGE COUNTY CONTRACT NO. Y16-1094-MR WITH HYDRA SERVICE(S), INC. VALID AUGUST 1, 2020 THROUGH JULY 31, 2021 IN THE AMOUNT OF EIGHTY EIGHT THOUSAND TWO HUNDRED TWO DOLLARS (\$88,202.00) WHICH PURCHASES EXCEED AN ANNUAL VENDOR TOTAL AMOUNT OF TWENTY FIVE THOUSAND DOLLARS (\$25,000.00); AUTHORIZING SUCH PURCHASES TO BE MADE WITHIN THE PUBLIC SERVICES DEPARTMENT'S APPROVED ANNUAL BUDGET APPROPRIATIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Public Services)*

Commissioner Odman motioned to adopt the Consent Agenda; seconded by Commissioner Lewellen. The motion carried unanimously.

8. Bids and Requests for Proposals

8.1 RESOLUTION #2021-026

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, PERTAINING TO AN INVITATION TO BID ("ITB") ENTITLED, "QUOTES FOR AIR PURIFIERS;" AUTHORIZING THE

AWARD OF THE BID TO MEDICAL DECISION, LLC FOR AN AMOUNT NOT TO EXCEED TWENTY-SEVEN THOUSAND THREE HUNDRED NINETY DOLLARS (\$27,390.00) PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (*Human Resources*)

City Attorney Ansbro read the title of Resolution #2021-026.

Vice-Mayor Salvino motioned to adopt Resolution #2021-026; seconded by Commissioner Lewellen. The motion carried unanimously.

9. Public Hearings and Site Plans

9.1 ORDINANCE #2021-013

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 28, "LAND DEVELOPMENT CODE," OF THE CITY CODE OF ORDINANCES BY AMENDING PART 6 "DEVELOPMENT REVIEW PROCEDURES AND REQUIREMENTS," ARTICLE 675 "TEMPORARY USE AND SPECIAL EVENT PERMITS," SECTION 675-20 "TEMPORARY USES AUTHORIZED," AND SECTION 675-40 "STANDARDS AND PROCEDURES FOR APPROVAL OF TEMPORARY USE," TO MODIFY THE REGULATIONS FOR APPROVAL OF SPECIAL EVENT PERMITS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (**FIRST READING**) (*Community Development*)

City Attorney Ansbro read the title of Ordinance #2021-013.

Corinne Lajoie, Assistant Director of Community Development, gave a presentation on the text amendment for approval of special event permits and reviewed the changes recommended by the Planning & Zoning Board, which will be incorporated into the ordinance for second reading.

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

Vice-Mayor Salvino motioned to adopt Ordinance #2021-013, on first reading; seconded by Commissioner Lewellen. The motion carried unanimously.

9.2 RESOLUTION #2021-027

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE APPEAL REQUEST FOR APPLICATIONS SP-007-20 (SITE PLAN) AND VA-078-20 (VARIANCE) SUBMITTED BY B&B INVESTMENT SOLUTIONS LLC, OWNER OF 3321 SW 44TH STREET, DANIA BEACH; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (*Community Development*)

City Attorney Ansbro read the title of Resolution #2021-027 and noted the applicant has requested this item be continued until March 23, 2021 so they can continue community outreach to work toward an agreement with their neighbors.

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

Commissioner Lewellen motioned to continue Resolution #2021-027 until the March 23, 2021 City Commission meeting at 7:00 p.m.; seconded by Vice-Mayor Salvino. The motion carried unanimously.

10. Discussion and Possible Action

Addendum

10.1 Rodeway Inn – Mayor James

Mayor James noted she had a conversation with the owner of the hotel regarding the issue of utilizing a grant to allow Fort Lauderdale homeless to work at the hotel, therefore she wanted to know the Commission's thoughts as she does not make decisions alone. We cannot stop Fort Lauderdale from going forward with the program and after speaking with Captain Marks with noted concerns, she wanted the Commission to discuss.

Commissioner Lewellen said last year Fort Lauderdale gave out a bunch of vouchers for homeless to stay at the hotel prior to the homicide taking place and did this without contacting Dania Beach. She recollected an agreement was previously created and understood Fort Lauderdale was to hire a BSO deputy for the high volume of calls at this location. She asked the City Attorney if we could create another agreement requiring Fort Lauderdale to hire an officer or what could be done.

City Attorney Ansbro said he understands that there is no inclination on their part to do that.

Commissioner Lewellen questioned how many people they are talking about for the program.

City Attorney Ansbro said 75; we do not have any codes or ordinance provision to stop it.

Vice-Mayor Salvino commented after so many calls at the property, it turns into a nuisance abatement. He recalled the City did have an ordinance to enforce for repeated calls, that you could start fining the owner and ultimately put a lien on the property.

City Attorney Ansbro said we adopted an ordinance a couple years ago for Motel 6 per the Police Chief's request, which still needs to be done with added details. If this becomes a public nuisance, it gives us the ability to take the owner to the Special Magistrate. A first offense would be \$250 for the first day and \$500 every day after upon proving the case to the Special Magistrate.

Mayor James noted we do not have the Nuisance Abatement Board anymore.

City Attorney Ansbro explained it is a different law. It is based on limited circumstances where two acts or actions are committed in the same month, such as drug offenses, felonies, or stolen property.

Commissioner Davis understood there were over 383 calls to this place and questioned what constitutes a nuisance if it is not about the numbers. 383 call in a year must be taken very seriously.

Commissioner Lewellen noted the 383 calls were not even a total for a full year and questioned whether we have a choice and what our options are.

Mayor James stated we cannot tell them they cannot do it. They reached out wanting to be transparent with the City and wanting to have a meeting with her. She told the owner she could not give him her blessing without meeting with the entire City Commission and the leadership team. Legally, we do not have the authority to say this may or may not happen, but she wanted everyone to be aware of it.

Commissioner Lewellen said it was a major concern that caused controversy and did not look good for our City or the City Fort Lauderdale. It was not serving the homeless people. She cannot give it her blessing and does not know if we can do anything legally about it; the concern is what it will do to our resources.

Commissioner Odman questioned what giving it a blessing means.

Mayor James explained they wanted our support to go out and have this program and say we support it.

Commissioner Odman noted it does not have her support.

City Manager Garcia stated they have a certain bottom line of money they will make for having the program. The value of having BSO there to augment security is extremely important; specifically, with 383 calls it means we are taking our police off our streets to go over there. Legally, we cannot do anything, but putting it on the record we recommend he follows the guidance of our Chief of Police and have a BSO officer there is important.

Mayor James felt the support would not change if they had one designated officer there.

City Manager Garcia agreed; she does not recommend it. She questioned if they are going to do it anyway whether we can say we want an officer.

City Attorney Ansbro responded we cannot.

Commissioner Lewellen asked if they could be billed for our additional resources spent on this.

City Attorney Ansbro said they have an option to use a hotel across the street which is in Ft. Lauderdale. His suggestion to the property owner was to have them go across the street to that hotel so they could utilize Fort Lauderdale police resources to deal with these calls. The owner did not like that suggestion because he is losing money from cruise travel being down. City Attorney Ansbro noted Mayor James could possibly meet with the Mayor of Fort Lauderdale.

Mayor James added she did not agree with how it was handled. They are going forward with this without addressing our City through a workshop or discussion before they made their decision. She does not know how we are going to handle this.

Commissioner Davis said if they have the ability to do it anyway, we say okay, but having a BSO officer there 24/7 is the Commission's recommendation. She would prefer some sort of pressure to make them have BSO there 24/7.

Mayor James asked Captain Marks to join the discussion with his recommendation.

Captain Marks said BSO cannot support this; there is no way they are going to do background checks on these people. The last time this occurred, half were not even homeless. It is a horrible program and is not done right. It is not for the homeless; they are purely in it for the money. It has been made perfectly clear they will not have BSO there 24/7 and they already have a start date.

Mayor James stated they wanted to move forward at her meeting with them and she informed them they had to wait until the entire Commission met.

Captain Marks added they already had it planned out and are doing it regardless of what we say.

Commissioner Davis said she appreciated the Chief joining in; she was trying to find a way to pressure them to have a police presence.

Captain Marks noted we have deputies dedicated to helping the homeless in our City; this is not the case over there. BSO's calls for service were out of control at that location.

Vice-Mayor Salvino questioned why we cannot start putting fines on them and getting them to the Special Magistrate. The pressure would be bringing them into court and shutting them down.

City Attorney Ansbro said that is the only resource we have, and we will use it.

Commissioner Lewellen asked Chief Marks what the plan is to deal with them since they are likely in there.

Captain Marks noted BSO will take care of it and keep the Commission apprised.

11. Commission Comments

11.1 Commissioner Davis

Commissioner Davis spoke of recent and upcoming events in the community, including the food distribution event, the Olsen Middle School demolition event, and the girls' softball game.

Commissioner Davis said the City of Hollywood contacted her regarding a hate crime, a Star of David with a swastika located in our City. She thanked City Manager Garcia for the speedy removal of it and noted the crime is being investigated.

Commissioner Davis reminded everyone of the United Way of Broward County's 29th Annual Day of Caring and the various ways to participate.

11.2 Commissioner Lewellen

Commissioner Lewellen also spoke of the food distribution and Olsen events, and the girls' softball game.

Commissioner Lewellen noted there is a pending order likely coming from the Governor to lower flags to half-staff in honor of Rush Limbaugh's passing. She felt we need to ignore or object to the order as it is political and not being used for the proper reasons. There are other cities that are going to refuse to lower the flags to half-staff. This order would not follow the state policy for lowering flags. She wanted to bring this to the Commission to see if they support not lowering the flags should the order be issued.

Mayor James wanted to know if there would be any implications for not following the order.

City Attorney Ansbro said there are no penalties to not enforcing the order as it is the City's choice. He noted there is no current order as a date has not been picked yet.

Mayor James favored ignoring the Governor's order.

Commissioner Odman asked if the President issued an order to lower flags in honor of the 500,000 who died of COVID-19. We could put out on our social media that our flags are lowered because of COVID victims.

11.3 Commissioner Odman

Commissioner Odman had no comments.

11.4 Vice-Mayor Salvino

Vice-Mayor Salvino noted Commissioner Davis might want to get with the coaches of the girls' softball team for volunteers for the beach cleanup.

Vice-Mayor Salvino spoke of the girls' softball game held recently. He looks forward to working with the Commission on our new parks program.

Vice-Mayor Salvino also spoke of attending the Olsen event.

11.5 Mayor James

Mayor James noted she is glad to see sports coming back; she would love for us to have a baseball program. She felt staff could facilitate thriving sports programs.

Mayor James also noted we already budgeted for the west wing of City Hall and felt the Commission could approve it without the City Manager having to bring the item back at the next meeting.

The Commission consensus was to move forward with the west wing improvements.

Mayor James spoke of the Olsen demolition and the future of the site.

Mayor James questioned the landscaping of the welcome sign near the airport; there are holiday lights still in the trees which should be removed or replaced.

Mayor James reminded every one of the Lighthouse Church drive-thru fundraising event.

Mayor James noted the Tamara James Foundation has adopted the portion of JA Ely Boulevard in Dania Beach for a joint street cleaning with the City of Hollywood. She questioned if we are going to resume the Oasis cleanups and asked the City Manager to look into it.

12. Appointments

12.1 Airport Advisory Board

Commissioner Davis appointed: Patricia De La Fuente

12.2 Creative Arts Council Advisory Board

Vice-Mayor Salvino noted he has been asked if the CACAB could be combined with the Art in Public Places committee. If it is, he suggested raising the number of members to ten; he would go along with whatever the Commission wishes to do.

Mayor James said she has also been asked about combining the two boards.

Vice-Mayor Salvino appointed: Patricia Chukerman

12.3 Education Advisory Board – no appointments

12.4 General Employees Pension Board – no appointments

12.5 Green Advisory Board

Commissioner Davis appointed: Kasia Johnson

12.6 Marine Advisory Board

Commissioner Davis appointed: Martin Proulx

12.7 Parks, Recreation and Community Affairs Advisory Board

Commissioner Davis appointed Mary Giovani and Morris Goldwire.

Mayor James appointed Ivie Cure (subsequently withdrawn) and Debra Bell.

12.8 Planning & Zoning Board

The Commission appointed Daniel Sohn as an Alternate Member.

Vice-Mayor Salvino motioned to approve the appointments; seconded by Commissioner Lewellen. The motion carried unanimously.

13. Administrative Reports

13.1 City Manager

City Manager Garcia asked if the BSO substation ribbon cutting could be rescheduled to Monday, March 8th at 5:00 p.m. The Commission agreed to this date.

City Manager Garcia spoke of the meeting with the School Board and Superintendent Runcie. They would like to enter into some sort of an agreement with the City for a possible partnership involving the Olsen property.

The Commission consensus was to move forward with pursuing a partnership with the School Board regarding the old Olsen Middle School property.

City Manager Garcia noted the moratorium put in place for new speed humps.

City Manager Garcia addressed re-opening City Hall at 50% on March 1st from 8:30 a.m. to 5:00 p.m., Monday through Thursday. She noted it is up to the Commission whether to hold virtual or in-person Commission meetings.

Mayor James said she is ready.

Commissioner Lewellen suggested waiting until the second meeting in March to see how it is going.

Vice-Mayor Salvino suggested waiting until the first meeting in April; we do not want to overwhelm staff.

Commissioner Davis stated she is okay with coming back into the Chamber if we hold off including the public at this time.

Mayor James said we could have people register to attend the meeting to control the number.

Commissioner Odman asked if we could tentatively plan to have an in-person meeting on April 13.

City Manager Garcia noted we will be ready.

City Manager Garcia added a meeting was held with City staff regarding food truck vendors at the beach and that RFP would be underway within the next two weeks, along with the RFQ for the design, maintenance and hosting of the City's website.

13.2 City Attorney

City Attorney Ansbro had no comments.

13.3 City Clerk - Reminders

Thursday, February 25, 2021 - 10:00 a.m.

Saturday, March 6, 2021 - 10:00 a.m.

Tuesday, March 9, 2021 - 5:30 p.m.

Tuesday, March 9, 2021 - 7:00 p.m.

CRA Board Workshop

Strategic Plan Session

CRA Board Meeting

City Commission Meeting

14. Adjournment

Mayor James adjourned the meeting at 9:54 p.m.

ATTEST:

CITY OF DANIA BEACH

THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Consent Agenda

Continued from:

Requested Action (Identify appropriate Action or Motion)

TO APPROVE AND ADOPT A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS BY THE PUBLIC SERVICES DEPARTMENT FOR ENGINEERING SERVICES TO BE PURCHASED FROM CHEN MOORE AND ASSOCIATES FOR DESIGN, BIDDING ASSISTANCE AND CONSTRUCTION MANAGEMENT IN THE AMOUNT OF ONE HUNDRED TWENTY FOUR THOUSAND SEVEN HUNDRED FORTY DOLLARS (\$124,740.00) FOR THE SOUTHWEST 37TH TERRACE DRAINAGE IMPROVEMENT PROJECT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.*(Public Services)*

Purchasing Requests ONLY

Dept:	Acct #:	Amt:
Fund:		

Fiscal Impact/Cost Summary

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Exhibits Attached

C-MEMO-SW37TER-DRAINAGEDESIGN-CMA-022321 (004), R-2021- Chen Moore Engineering Services for SW 37th Terrace Drainage Improvement Project, 210201 Dania SW 37 Terr Scope of Services completeR



**CITY OF DANIA BEACH
PUBLIC SERVICES DEPARTMENT**

MEMORANDUM

DATE: March 9, 2021

TO: Honorable Mayor and Commissioners

VIA: Ana M. Garcia, ICMA- CM, City Manager

FROM: Fernando J. Rodriguez, Public Services Director

**RE: APPROVAL OF A RESOLUTION TO PROCURE PROFESSIONAL ENGINEERING SERVICES
FROM CHEN MOORE AND ASSOCIATES FOR THE DESIGN, BID ASSISTANCE, AND
CONSTRUCTION ENGINEERING SERVICES OF THE SW 37th TERRACE DRAINAGE
IMPROVEMENT PROJECT**

Request

The Public Services Department (PSD) requests approval of a resolution to issue a work order for professional services to Chen Moore and Associates (CMA) for the design, bidding assistance, and construction engineering services of the SW 37th Terrace Drainage Improvement Project in the amount of \$124,740.

Background

Chen Moore and Associates was one of fifteen firms chosen as an engineering consultant for continuing services under RFQ 20-005, per the Consultants Competitive Negotiation Act (CCNA). The City Commission approved the list on January 12, 2021, via Resolution 2021-007.

On December 8, 2020, PSD presented new and much-needed stormwater projects to the Dania Beach City Commission. Included in the presentation was the SW 37th Terrace Drainage Improvement Project. The Commission authorized the project along with the others presented at that meeting.

CMA has provided the PSD a proposal for professional planning and design services, bid assistance, and construction engineering services for SW 37th Terrace Drainage Improvements at the cost of \$124,740. The proposal is attached.

\continued...



**RESOLUTION TO PROCURE PROFESSIONAL ENGINEERING SERVICES
CHEN MOORE AND ASSOCIATES FOR SW 37th TERRACE DRAINAGE
VEMENT PROJECT- DESIGN, BIDDING ASSISTANCE, AND
RUCTION ENGINEERING SERVICES**

Budgetary Impact

The Stormwater Capital Budget provides funding for the SW 43rd Terrace Drainage Project. Since Broward Transportation Surtax will fund the construction of the SW 43 Terrace Drainage Project, funds are available in Account No. 403-38-31-538-63-10 for the SW 37th Terrace Drainage Improvement Project - Design in the amount of 124,740.

Recommendation

It is recommended that the City Commission adopt the resolution to procure professional engineering services from Chen Moore and Associates to design the SW 37th Terrace Drainage Project.

RESOLUTION NO. 2021-028

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS BY THE PUBLIC SERVICES DEPARTMENT FOR ENGINEERING SERVICES TO BE PURCHASED FROM CHEN MOORE AND ASSOCIATES FOR DESIGN, BIDDING ASSISTANCE AND CONSTRUCTION MANAGEMENT IN THE AMOUNT OF ONE HUNDRED TWENTY FOUR THOUSAND SEVEN HUNDRED FORTY DOLLARS (\$124,740.00) FOR THE SOUTHWEST 37TH TERRACE DRAINAGE IMPROVEMENT PROJECT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Charter of the City of Dania Beach, Part III, Article 3, Section 4, Subsection (j), authorizes the City Manager to purchase supplies, services, equipment, and materials for the City government in amounts in excess of the established monetary threshold without competitive bidding and without advertisement for bids if she is authorized to do so in advance by a resolution adopted by the City Commission; and

WHEREAS, Chen Moore and Associates (CMA) was chosen as one of fifteen firms approved as an engineering consultant for continuing contract services by the City Commission on January 12, 2021 under RFQ No. 20-005 pursuant to Resolution No. 2021-007: and

WHEREAS, the Dania Beach Code of Ordinances, Chapter 2, Article 1, Section 2-10, "Monetary thresholds for certain purchases and payment disbursement authorizations", Subsection (a), sets the monetary threshold at Twenty-Five Thousand Dollars (\$25,000.00) for a vendor each fiscal year; and

WHEREAS, the City has determined that the SW 37th Terrace neighborhood is in need of drainage improvements and the Public Services Department Director has determined that CMA is best able to provide professional engineering services to design the needed drainage improvements; and

WHEREAS, CMA has provided the Public Services Department a proposal for professional planning and design services, bidding assistance, and construction management services for the SW 37th Terrace Drainage Improvements at the cost of \$124,740.00;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

Section 1. That the above “Whereas” clauses are ratified and confirmed, and they are made a part of and incorporated into this Resolution by this reference.

Section 2. That the City Commission authorizes the purchase of professional engineering and planning services from CMA in the amount of One Hundred Twenty-Four Thousand Seven Hundred Forty Dollars (\$124,740.00) to design, provide bid assistance and construction management services for the SW 37th Terrace Drainage Improvement Project; funds are available in the Stormwater Capital Projects Account No. 403-38-31-538-63-10.

Section 3. That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 4. That this Resolution shall become effective upon its passage and adoption.

PASSED AND ADOPTED on March 9, 2021.

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY



February 1, 2021

City of Dania Beach
100 W Dania Beach Blvd
Dania Beach, FL 33004
ATTN: Dincer Ozaydin

**Subject: SW 37th Terrace Stormwater Improvements
Scope of Services for Professional Planning and Design Services**

Dear Mr. Ozaydin:

Chen Moore and Associates (CMA) is pleased to submit the attached Agreement for Professional Services and Scope of Services to provide professional services on the SW 37th Terrace Stormwater Improvements. CMA will provide site investigation, engineering design services, regulatory permitting, bidding assistance and construction engineering services for this stormwater improvement project.

PROJECT INTRODUCTION

The general boundaries of the project area is along SW 37th Terrace from Stirling Road north to the end of the cul-de-sac, displayed in Figure 1 – Location Map. The neighborhood is composed of residential single-family homes with no existing drainage infrastructure. Runoff from neighborhood is stored within the neighborhood's topography. The City has received resident complaints of flooding along this roadway.

CMA will prepare construction documents for recommended improvements for this SW 37th Terrace, which is displayed in Figure 2 – Recommended Improvements. CMA will proceed with the detailed design, regulatory permitting, bidding assistance and construction engineering services for the recommended stormwater improvements according to the scope of services outlined within the following sections.

SCOPE OF SERVICES

Task 1: Site Investigation Task

Task 1.1 Topographic Survey

CMA shall retain a licensed surveyor to complete the topographic survey of the project limits within SW 37th Terrace Stormwater Improvements. The surveyor will be responsible for providing the topographic survey of the project limits in PDF and CAD formats along with any signed and sealed surveys required during the permitting process. CMA shall coordinate directly with the surveyor to ensure all appropriate data is gathered during the completion of the topographic survey. CMA shall review topographic data upon completion of the survey and provide any comments to the surveyor if necessary. CMA shall update the CAD settings of the topographic survey as necessary and incorporate survey information into the base plans for the project. CMA shall complete this task within 30 calendar days from the issuance of the Notice to Proceed by the City. All work under this task will be billed on a lump sum basis.

Task 1.2 Subsurface Utility Verification

CMA shall retain a subsurface utility engineering consultant to conduct up to 5 utility testholes to confirm the location of any existing underground utilities within the project limits. The completion of utility testholes will be necessary to avoid conflicts between the proposed underground improvements and any existing underground utility infrastructure within the public right of way. CMA shall review the utility testhole report upon completion and provide any comments to the subsurface utility engineering consultant if necessary. CMA shall incorporate the existing underground utilities into the base plans for the project based on the information included within the utility testhole reports. CMA shall complete this task within 30 calendar days from the issuance of the Notice to Proceed by the City. All work under this task will be billed on a lump sum basis.

Task 1.3 Geotechnical Investigation

CMA shall retain a geotechnical engineering firm to acquire the relevant soils information required to estimate subsurface soil conditions, soil infiltration rates, and soil permeability, which is necessary to properly design the proposed improvements within SW 37th Terrace Stormwater Improvements. This task includes the completion of up to two FDOT Standard Exfiltration Tests within the project area to verify the subsurface soil permeability, and up to two Standard Penetration Test (SPT) soil borings to verify the subsurface soil conditions within SW 37th Terrace Stormwater Improvements. CMA shall complete this task within 30 calendar days from the issuance of the Notice to Proceed by the City. All work under this task will be billed on a lump sum basis.

Task 1.4 Document Research/Review

CMA shall review all available topographic surveys, atlases, design drawings, record drawings, shop drawings, permit documents, reports and/or master plans relevant to the SW 37th Terrace project limits. CMA will use this information to determine and verify the configuration of existing conditions along with any limitations on the proposed improvements. CMA will also review all plat maps for the project areas to confirm the presence of any utility easements. CMA shall contact the Sunshine State One Call Service to determine the existing utilities which are located in the project area. As necessary, CMA will coordinate directly with all utility providers with existing infrastructure within the project area to obtain any available system maps. CMA shall incorporate the approximate location of all existing underground utilities into the design plans based on any available drawings. CMA shall complete this task within 30 calendar days from the issuance of the Notice to Proceed by the City. All work under this task will be billed on a lump sum basis.

Task 1.5 Project Site Visits

CMA shall perform necessary site visits to the project area to verify the impact of the existing conditions on the configuration of the proposed improvements. CMA shall walk the entire site within the SW 37th Terrace project limits and obtain photographs of all potential obstructions and encroachments that may impact the proposed improvements. CMA will conduct site visits to confirm the accuracy of the topographic survey and to identify any potential impacts on the proposed improvements. As necessary, CMA shall conduct site visits throughout the design process to confirm and inspect the existing conditions from the issuance of Notice to Proceed by the City until the completion of the 100% Design Submittal. All work under this task will be billed on a lump sum basis.

Task 2: 60% Design Submittal Task

CMA will prepare and submit 60% design project documents for SW 37th Terrace Stormwater Improvements to the City for review and approval. All work under this task will be billed on a lump sum basis. The project documents for this task shall include the following items:

- Design Plans – CMA will prepare 60% design drawings, which will consist of the existing condition plans, stormwater plans (plan view only), paving and grading plans, pavement markings and signage plans and any relevant detail drawings.
- Cost Estimate – CMA will prepare a preliminary cost estimate of the probable construction costs which will reflect the proposed work included within the 60% Design Submittal.

In addition to plan development, CMA shall develop an updated ICPR4 stormwater model to conduct a more detailed analysis of the project area. CMA will subdivide the project area into multiple drainage basins to allow for the more detailed analysis of the project area. CMA will tabulate the model parameters of the relevant nodes and links within the stormwater model to reflect the basin boundaries within the project area. CMA will run the updated stormwater model to obtain peak flood stages, flood durations, and peak discharges for the existing conditions within the project area. CMA will also use the stormwater model to assess the effectiveness of the potential system improvement. CMA will utilize this stormwater model during the permitting phase of the project.

CMA shall be responsible for all civil engineering design services necessary to prepare the 60% Design Submittal. CMA shall be responsible for the preparation of existing conditions plans, stormwater plans, paving and grading plans, and pavement markings and signage plans within the 60% Design Submittal. CMA shall submit 60% design plans to the City for review within 30 calendar days from the completion of Task 1 – Site Investigation.

Task 3: 90% Design Submittal Task

CMA will prepare and submit 90% design project documents for SW 37th Terrace Stormwater Improvements to the City for review and approval. All work under this task will be billed on a lump sum basis. The project documents for this task shall include the following items:

- Design Plans – CMA will prepare these 90% design drawings, which will consist of the existing condition plans, stormwater plans, paving and grading plans, pavement markings and signage plans, landscape restoration plans and any relevant detail drawings.
- Technical Specifications – CMA will prepare technical specifications for the proposed work included within the 90% Design Submittal.
- Cost Estimate – CMA will prepare a cost estimate of the probable construction costs which will reflect the proposed work included within the 90% Design Submittal.

CMA shall be responsible for all civil engineering design services necessary to prepare the 90% Design Submittal. CMA shall be responsible for the preparation of existing conditions plans, stormwater plans, paving and grading plans, and pavement markings and signage plans within the 90% Design Submittal. CMA shall submit 90% design plans to the City for review within 30 calendar days upon the receipt of the City review comments on the 60% Design Submittal.

Task 4: Regulatory Permitting Task

CMA will obtain, review, and complete permit applications and will prepare backup documentation required by the regulatory permitting agencies. CMA will be responsible for coordination with all regulatory agencies during the permitting process. Upon the receipt of City review comments on the 90% Design Submittal, CMA will send the application forms to the City for signature along with requesting check(s) for all permit and application fees. CMA shall submit all required permit applications to the relevant regulatory agencies. The regulatory agencies

typically complete their initial review within 30 calendar days after the permit submittal. Upon obtaining review comments from the regulatory agencies, CMA will revise applications, plans, and technical specifications as per comments from these regulatory agencies and re-submit to the regulatory agencies for permit approval. The permit approvals can be expected within 60 days of submittal to the regulatory agencies. All required permit approvals must be obtained from the regulatory agencies prior to submitting the 100% Design Submittal to the City. All work under this task will be billed on a lump sum basis.

CMA shall obtain the relevant surface water permits required for the proposed stormwater improvements within the project area. CMA shall submit permit application packages to the South Florida Water Management District (SFWMD) for an Environmental Resource Permit and to Broward County Environmental Protection and Growth Management (BCEPGM) for a Surface Water License as necessary. CMA shall also coordinate with Broward County Traffic Engineering Division for pavement marking and signage approval and SFWMD/BCEPGM for water use dewatering approval. CMA shall also coordinate with BC EPGM for any associated impacts to the existing trees. CMA shall update the stormwater plans based on any review comments received during the permitting process.

Task 5: 100% Design Submittal Task

CMA will prepare and submit 100% design documents for SW 37th Terrace Stormwater Improvements to the City for review and approval. All work under this task will be billed on a lump sum basis. The project documents for this task shall include the following items:

- Design Plans – CMA will prepare these final design drawings, which will consist of the existing condition plans, stormwater plans, paving and grading plans, pavement markings and signage plans, landscape restoration and any relevant detail drawings.
- Technical Specifications – CMA will prepare the final technical specifications, which will include each discipline of the proposed work defined within the 100% Design Submittal.
- Cost Estimate – CMA will prepare a final cost estimate of the probable construction costs, which will reflect the proposed work defined within the 100% Design Submittal.
- Bid Schedule – CMA will prepare a final bid schedule, which will include all line items for the proposed work defined within the 100% Design Submittal.

CMA shall be responsible for all civil engineering design services necessary to prepare the 100% Design Submittal. CMA shall be responsible for the preparation of existing conditions plans, stormwater plans, paving and grading plans, and pavement markings and signage plans within the 100% Design Submittal. CMA shall submit 100% design plans to the City for incorporation into the bidding documents within 30 calendar days from the receipt of all permit approvals.

Task 6: Bidding Assistance

CMA will assist the City with the preparation of the bid advertisement and bid documents for SW 37th Terrace Stormwater Improvements. CMA will attend the Pre-Bid Meeting and will answer all questions and clarifications from potential bidders that are technical in nature. CMA will respond to all written questions requesting clarification of the technical documents for this project. The City shall be responsible for bid advertisement, distribution of bid documents to interested bidders, processing all bid submittals, and verification that each bid submittal meets all Purchasing related requirements. CMA shall complete this task according to the schedule defined by the City for the bidding process.

CMA will review the final bid results and make a recommendation for bid award. CMA shall evaluate the qualifications and prior project performance of the low bidder. CMA shall prepare and submit a bid recommendation letter to the City. CMA shall complete this task according to the schedule defined by the City for the bidding process.

Task 7: Construction Engineering Services

Task 7.1 Shop Drawing Review

CMA will review all shop drawings submitted by the contractor prior to commencement of construction. CMA shall review and respond to each shop drawings within 5 work days of the submittal by the contractor. Upon review of each shop drawing, CMA will submit the shop drawings to City staff for their review and approval. CMA shall complete this task according to the schedule established for the contractor. All work under this task will be billed on a hourly not to exceed basis.

Task 7.2 Construction Meeting Attendance

CMA will attend one preconstruction meeting and up to 10 construction progress meetings with the contractor, City staff, and other project stakeholders over the construction duration. CMA will attend a walk-through inspection meeting to prepare a punch list at the substantial completion stage. CMA will attend a final inspection meeting to review the punch list for completion prior to final acceptance of the project. CMA shall complete this task according to the schedule established for the contractor. All work under this task will be billed on a hourly not to exceed basis.

Task 7.3 Respond to Requests for Information

CMA will review and respond to Requests For Information (RFI) from the contractor during construction operations. CMA shall review and respond to each RFI within 3 work days of the submittal by the contractor. As necessary, CMA shall prepare any documentation required to clarify issues included within a RFI from the contractor. CMA will review all pay applications from the contractor to verify the accuracy of their progress. CMA shall complete this task according to the schedule established for the contractor. All work under this task will be billed on a hourly not to exceed basis.

Task 7.4 Construction Inspections

CMA shall assist the City with the inspection of the project implementation during construction operations. CMA will be available to conduct site inspections of the work during construction operations throughout the construction duration. Construction inspection services defined within this task were estimated based on a construction inspector on-site approximately 200 total hours, estimated to 10 hours per week times 20 weeks for the project. The fees for this task will be paid on an hourly not to exceed basis.

Task 7.5 Certification and Contract Closeout

CMA shall assist the CITY with the closeout of the contractor's contract. CMA shall review and approve all final documents submitted by the contractor, which will include the project as-built drawings. CMA shall update the Stormwater GIS Atlas based on the as-built drawings for the proposed stormwater improvements constructed under this project. CMA shall submit project certifications to the relevant regulatory agencies per permit

requirements. CMA shall submit a project certification letter to the City upon the final acceptance of the project. All work under this task will be billed on a hourly not to exceed basis.

Task 8: Reimbursable Expenses

Task 8.1 Document Reproduction

CMA shall provide all document reproduction required for each project deliverable to the City and regulatory agencies as defined within the scope. All printing costs for deliverable will be reimbursed by the City at cost.

Task 9: Miscellaneous Services

Task 9.1 Additional Services

Additional services as requested by the City outside of the items defined within scope above, including but not limited to additional engineering services, geotechnical services, environmental services, permitting and construction services. All work under this task will be billed on a hourly not to exceed basis.

DELIVERABLES

CMA will provide the following deliverables at each submittal:

Design Plans:

- 3 half size sets (11"x17") at each submittal
- 1 digital copy (CAD format) at each submittal
- 1 digital copy (PDF format) at each submittal

Technical Specifications:

- 1 hard copy at each submittal
- 1 digital copy (PDF format) at each phase submittal

SCOPE ASSUMPTIONS

- The City will provide all available topographic surveys, atlases, design drawings, record drawings, shop drawings, permit documents, reports and/or master plans relevant to the project area.
- This scope does not include any services required for easement or right-of-way acquisitions.
- The City shall provide all required permit fees.
- The selected contractor will be responsible for obtaining any City Building Permit required for this project along with all related coordination and preparation of any backup documentation required for the City Building Permit. CMA will only be responsible for any revisions to the design plans required by the City of Dania Beach Building Department.
- The City will provide timely responses to information included within each submittal.
- The City shall be responsible for bid advertisement, distribution of bid documents to interested bidders, processing all bid submittals, and verification that each bid submittal meets all Purchasing related requirements.
- CMA will submit monthly invoices, which will be payable by Client within 30 days.
- The City will reimburse CMA for any document reproduction costs for all submittals to Client and to regulatory agencies.

- Reimbursable expenses for mileage for any site visits have been included in the lump sum fees.
- Additional reimbursable expenses requested by the City outside of the items defined within scope, such as additional land surveying, geotechnical testing, utility testholes, laboratory testing, permit fees, additional document reproduction, or express delivery of documents, shall be invoiced at cost as defined in our contract agreement with the City.
- Any additional engineering services from CMA requested by the City outside of the items defined within scope will be billed at hourly rates according the attached Rate Schedule.

PROJECT SCHEDULE

CMA shall start work immediately upon receipt of Notice to Proceed and official authorization from the City of Dania Beach.

Task	Task Description	Duration
1	Site Investigation	30 days
2	60% Design Submittal	30 days
3	90% Design Submittal	30 days
4	Regulatory Permitting	60 days
5	100% Design Submittal	30 days
6	Bidding Assistance	N/A
7	Construction Engineering Services	N/A
8	Reimbursable Expenses	N/A
9	Miscellaneous Services	N/A

PROJECT FEES

CMA has prepared this proposal for the professional services necessary to accomplish this scope of services on this project. The total fees for this project are **\$124,740**, which are summarized within the table below:

Task	Task Description	Lump Sum Fees	Hourly NTE Fees
1	Site Investigation	\$23,060	N/A
2	60% Design Submittal	\$19,580	N/A
3	90% Design Submittal	\$13,350	N/A
4	Regulatory Permitting	\$6,020	N/A
5	100% Design Submittal	\$5,480	N/A
6	Bidding Assistance	\$3,560	N/A
7	Construction Engineering Services	N/A	\$44,190
8	Reimbursable Expenses	\$500	N/A
9	Miscellaneous Services	N/A	\$9,000
	Total:	\$71,550	\$53,190

Should you have any questions, please do not hesitate to contact me at my office at (954) 730-0707 – Extension 1030 or on my cell phone at (954) 818-5804 or send me an electronic message at jsmith@chenmoore.com

Respectfully submitted,

A handwritten signature in black ink that reads "Jennifer Smith". The script is fluid and cursive, with the first letters of each word being capitalized and prominent.

CHEN MOORE AND ASSOCIATES

Jennifer Smith, PE

Senior Engineer

EXHIBIT A

GENERAL CONDITIONS/PROVISIONS

These general conditions are attached and made part of proposals and Agreements for services rendered by Chen Moore and Associates (CMA), the Consultant.

1.0 Standard of Care

Consultant, providing services under the Agreement, will endeavor to perform in a manner consistent with the degree of care and skill exercised by members of the same profession under similar current circumstances. The Consultant cannot and does not warrant or guarantee that the Client's project will comply with all interpretations of the Americans with Disabilities Act (ADA) requirements.

2.0 Basic Services

Consultant shall provide the mutually agreed-upon services outlined in this Agreement. Any services not specifically outlined in this Agreement are specifically excluded from the scope of Consultant's services. Consultant assumes no responsibility to perform any services not specifically addressed in the Agreement.

3.0 Additional Services

If mutually agreed to in writing by the parties, in advance, Consultant will provide additional services, which shall be documented and appended hereto. Additional services are not included as part of the basic scope of services and shall be paid for by Client in addition to the payment for basic services. Payment for additional services shall be as mutually agreed to by the parties.

4.0 Client Responsibilities

Unless otherwise designated in writing, the Client's representative with respect to the services to be rendered under the Agreement shall be the individual designated for the authorized signature. Client shall provide all criteria and information required for Consultant to perform services under the Agreement. Client shall provide for access to and make all provisions for Consultant to enter upon public and private property as required to perform services under the Agreement.

5.0 Compensation

- a) Monthly progress invoices for basic services and additional services shall be submitted to the Client by Consultant based on percentage complete for each project task. Hourly services shall be invoiced based on applicable hourly rates in accordance with the Rate Schedule which is subject to semi-annual adjustment.
- b) These invoices are due upon presentation and shall be considered past due if not paid within thirty (30) calendar days.
- c) In order to provide uninterrupted service by Consultant, Client is required to promptly pay submitted invoices. Client shall have a fourteen (14) day review period to request clarification or additional information regarding an invoice. If no request is made during the review period, the invoice is deemed approved and payment shall be made in the full amount of the invoice.
- d) If Client fails to make payments when due or otherwise breaches the Agreement, Consultant may suspend performance of services with *seven (7) days written* notice to Client. Consultant shall have no liability whatsoever to Client for any costs or damages whatsoever as a result of such suspension caused by any breach of the Agreement by Client. Upon payment in full by Client, Consultant may, upon written agreement of both parties, resume services under the Agreement and the time schedule and compensation shall be equitably adjusted to compensate for the period of suspension plus any other reasonable time and expense necessary for Consultant to resume performance.
- e) Payment of invoices is in no case subject to unilateral discounting or setoffs by Client and payment is due regardless of suspension or termination of the Agreement by either party.

6.0 Permit, Agency and Application Fees

Client shall be responsible for and pay all project-related fees including, but not limited to, permitting, filing, recording, inspection, plan review, DRI, PUD, rezoning and other related fees.

7.0 Collection Costs

In the event that any invoice or portion thereof remains unpaid for more than thirty (30) days following the invoice date, Consultant may initiate legal action to enforce the compensation provision of the Agreement. Consultant is entitled to collect any judgment or settlement sums due, reasonable attorney fees, court costs, interest and expenses incurred by Consultant in connection with the collection of any amount due under the Agreement.

8.0 Reimbursables

Project-related expenses such as travel, lodging, per diem, long distance communications, postage, shipping, reproductions, approved subcontracted services and other necessary and customary costs shall be paid to Consultant by Client. These reimbursables shall be compensated at:

- Unit prices per Consultant's Rate Schedule.
- Out-of-pocket expenses billed at a multiplier of 1.15 to cover processing costs.

9.0 Taxes

Any government-imposed taxes or fees shall be added to the invoice and paid by Client to Consultant for services under the Agreement.

10.0 Indemnification

- Client agrees, to the fullest extent permitted by law, to indemnify and hold harmless Consultant, its officers, employees and independent subconsultants against all damages, liabilities or costs, including reasonable attorneys' fees and defense costs, arising out of or connected with the Agreement or performance by any of the parties above-named, of the services performed under the Agreement, except (i) those damages, liabilities or costs attributed to the negligent acts or negligent failures to act by Consultant specifically in the performance of the Agreement, or (ii) those liabilities or costs attributed to grossly negligent or intentional acts by Consultant occurring other than in the specific performance of the Agreement.
- Client agrees that as Client's sole and exclusive remedy, any claim, demand or suit shall be directed and/or asserted only against Consultant, a Florida corporation, and not against any of Consultant's employees, officers or directors, and specifically waives the bringing of any such claims against said individuals.
- In the event that any third party, whether or not such third party is a party to this Agreement, should bring an action, assert a claim, or have imposed upon Consultant, its officers, directors, employees and independent subconsultants any judgment, damages or liability where such claim is, in any way whatsoever, asserted due to the existence of this Agreement or any services rendered or performed by Consultant, its officers, employees and independent subconsultants in connection therewith, Client agrees to indemnify and hold Consultant, its officers, employees and independent subconsultants harmless of and from any and all claims, liabilities, damages, costs, judgment or other amounts which may be awarded against Consultant, its officers, directors, employees and independent subconsultants, or any of the foregoing.

11.0 Limitation of Liability

In recognition of the relative risks and benefits of the project to both Client and Consultant, Client agrees to the fullest extent permitted by law, to limit the liability of Consultant and/or its employees, officers, directors, partners, agents and/or representatives to Client and/or any person and/or entity claiming by and/or through Client for any and all claims, losses, costs, damages or claim's expenses from any cause or causes, including, but not limited to, attorney fees and costs resulting from Consultant's negligent acts, errors and/or omissions. The total liability of Consultant to Client shall in no event exceed \$100,000.

12.0 Instruments of Service Ownership

- All reports, plans, specifications, electronic files, field data, notes and other documents and instruments prepared by Consultant as the Agreement's instruments of service shall remain the property of Consultant. Consultant shall retain all common law, statutory and other reserved rights, including the copyright thereto.
- Instruments of service by Consultant are for the sole use of Client and are not to be copied or distributed, in any manner, to a third party, without the express written permission of Consultant. Electronic information or files are for informational purposes only. It is the responsibility of Client to verify the accuracy of the information therein and to hold Consultant harmless for any damages that may result from the use of the information. Client at his own cost shall be responsible for validating any and all electronic information provided.

13.0 Governing Law

Client and Consultant agree that the Agreement and any legal actions concerning said Agreement shall be governed by the laws of the State of Florida.

14.0 Mediation/Dispute Resolution

- To resolve any conflict which might arise during the performance of the Consultant's services under the Agreement, or during the construction of the Project, and/or following the completion of the project, Client and Consultant agree that all disputes, pertaining to the performance of services by Consultant, shall be first submitted to non-binding mediation. Failure by any party to fully comply with the pre-suit mediation provision shall, upon finding by a court and/or jury, constitute a waiver of this condition precedent. The fees and/or costs of mediation shall be equally borne by the parties to the Agreement.
- In the event of litigation, disputes shall be resolved in the circuit court of the Florida County in which the Project is located under the Agreement. The prevailing party in such litigation shall be entitled to recover from the non-prevailing party all reasonable attorney fees, taxable court costs, expert witness fees and costs, demonstrative evidence costs, and such other reasonable fees and/or costs generally associated with the litigation of such matters, as determined upon hearing, post-trial, by the court.
- Irrespective of any contract provision or obligation of either party hereunder pursuant to contract or agreement with person(s) and/or entity(ies) not specifically named herein, Consultant shall not be obligated to participate in, nor be a named party in, any arbitration proceeding without the express written consent of Consultant.

15.0 Delays

- a) In the event the project under the Agreement is delayed by any act or omission by Client or any other causes beyond Consultant's exclusive control, Client agrees that Consultant is not responsible for any and all damages arising directly or indirectly from such delays. If the delays resulting from any such causes are fifteen (15) days or more, or increase the cost or time required by Consultant to perform its services in an orderly and efficient manner, Consultant shall be entitled to an equitable adjustment in schedule and/or compensation prior to re-commencing work on the project.
- a) Client recognizes and agrees that factors both within and without Consultant's control may delay the work performance, permit issuance, design and construction of the project. Client agrees that it shall not be entitled to any claim for damages due to hindrances or delays from any cause whatsoever including, but not limited to: the production of contract documents; review of documents by any government agency; issuance of permits from any government agency, beginning of completion of construction; or performance of any task of the work pursuant to the Agreement. Permitting is a regulatory function and Consultant does not guarantee issuance of any permit. Agency reviews and permitting are deemed 'factors' outside of the Consultant's control.

16.0 Termination

The Agreement and the obligation to provide further services under the Agreement may be terminated by either party upon seven (7) days written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof through no fault of the terminating party. Consultant shall have the right to terminate this Agreement for Consultant's convenience and without cause upon giving the Client seven (7) days written notice. In the event of termination of the Agreement by either party, Client shall within fifteen (15) calendar days of termination, pay Consultant for all services rendered to date, all reimbursable costs and termination expenses incurred by Consultant up to the date of termination, in accordance with the payment provisions of the Agreement.

17.0 Renegotiation of Fees

Consultant reserves the right to renegotiate fixed fees to reflect changes in price indices and pay scales applicable to the period when services are rendered.

18.0 Construction Phase

- a) Consultant shall not, during any site visits or as a result of observing Contractor's work in progress, supervise, manage, direct or have control over Contractor's work. Nor shall Consultant have any authority or responsibility for the means, methods, techniques, sequences or procedures of construction selected by Contractor(s) for safety precautions and programs incident to the work of Contractor(s) or for any failure of Contractor(s) to comply with laws, rules, regulations, ordinances, codes or orders applicable to Contractor(s) furnishing and performing its work. Consultant can neither guarantee the performance of the construction contracts by Contractor(s) nor assume any responsibility for Contractor's failure to finish and perform its work in accordance with the contract documents.
- b) If construction phase services including project observation or review of the Contractor's performance are not part of this Agreement, such services shall be provided for by the Client. The Client assumes all responsibility for interpretations of the Contract Documents and for construction observation; and the Client waives any claims against the Consultant that may be in any way connected thereto.

19.0 Signage

Client agrees to provide Consultant with a location for Consultant's temporary construction signage on the project site before and during construction activities.

20.0 Notice

That, whenever either party desires to give notice unto the other, it must be given by written notice, sent by registered United States mail, with return receipt requested, addressed to the party for whom it is intended, at the place last specified, and the place for giving of notice shall remain such until it shall have been changed by written notice in compliance with the provisions of this paragraph. For the present, the parties designate the following as the respective places for giving of notice, to-wit.

FOR CMA

Peter Moore P.E., President
Chen Moore and Associates
500 W. Cypress Creek Road,, Suite 630
Fort Lauderdale, FL33309

21.0 Successors and Assigns

Neither party to the Agreement shall transfer, sublet or assign any rights under or interest in the Agreement (including, but without limitation, monies that may become due or monies that are due) without the prior written consent of the other party. Subcontracting to subconsultants normally contemplated by Consultant shall not be considered as an assignment for purposes of the Agreement.

EXHIBIT B

AGREEMENT FOR PROFESSIONAL SERVICES - WORK AUTHORIZATION

CMA Project Name: SW 37th Terrace Stormwater Improvements
Client Name: City of Dania Beach
Client Contact: Dincer Ozaydin
Client Address: 100 West Dania Beach Boulevard
Client Phone/Fax: (954) 924-6808
Client E-mail: dozaydin@daniabeachfl.gov
CMA Project No. 090.038
Agreement Date: Approval Date
FEE: \$124,740
RETAINER: N/A

The undersigned agree to the attached General Conditions/Provisions which are incorporated and made a part of this Agreement. Any additional requested services will be addressed in a separate agreement.

**CHEN MOORE AND ASSOCIATES
D/B/A CHEN AND ASSOCIATES CONSULTING ENGINEERS, INC. (CONSULTANT)**



Authorized Signature

Jennifer Smith / Senior Engineer

Print Name/Title

2/1/2021

Date

CITY OF DANIA BEACH (CLIENT)

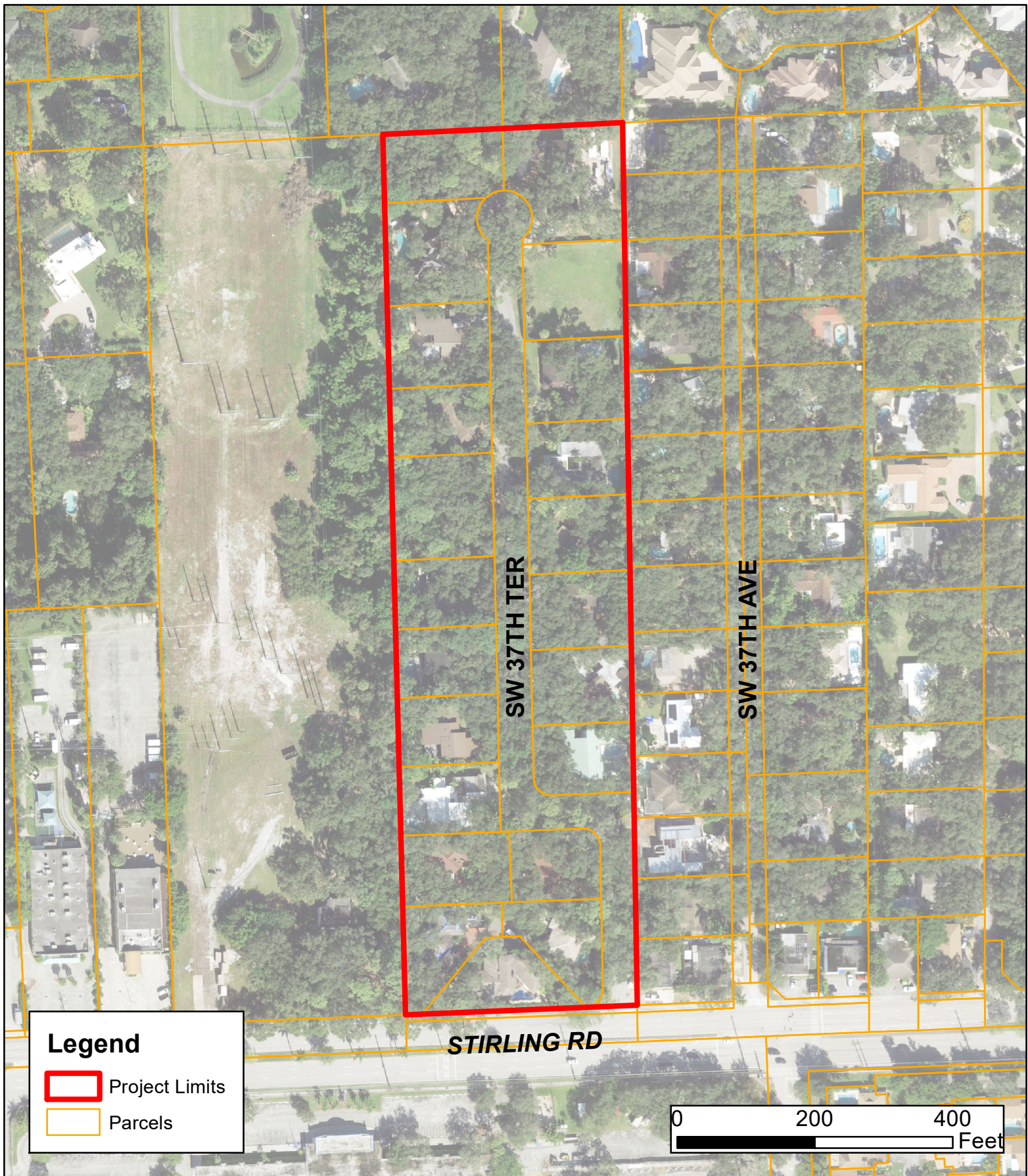
Authorized Signature

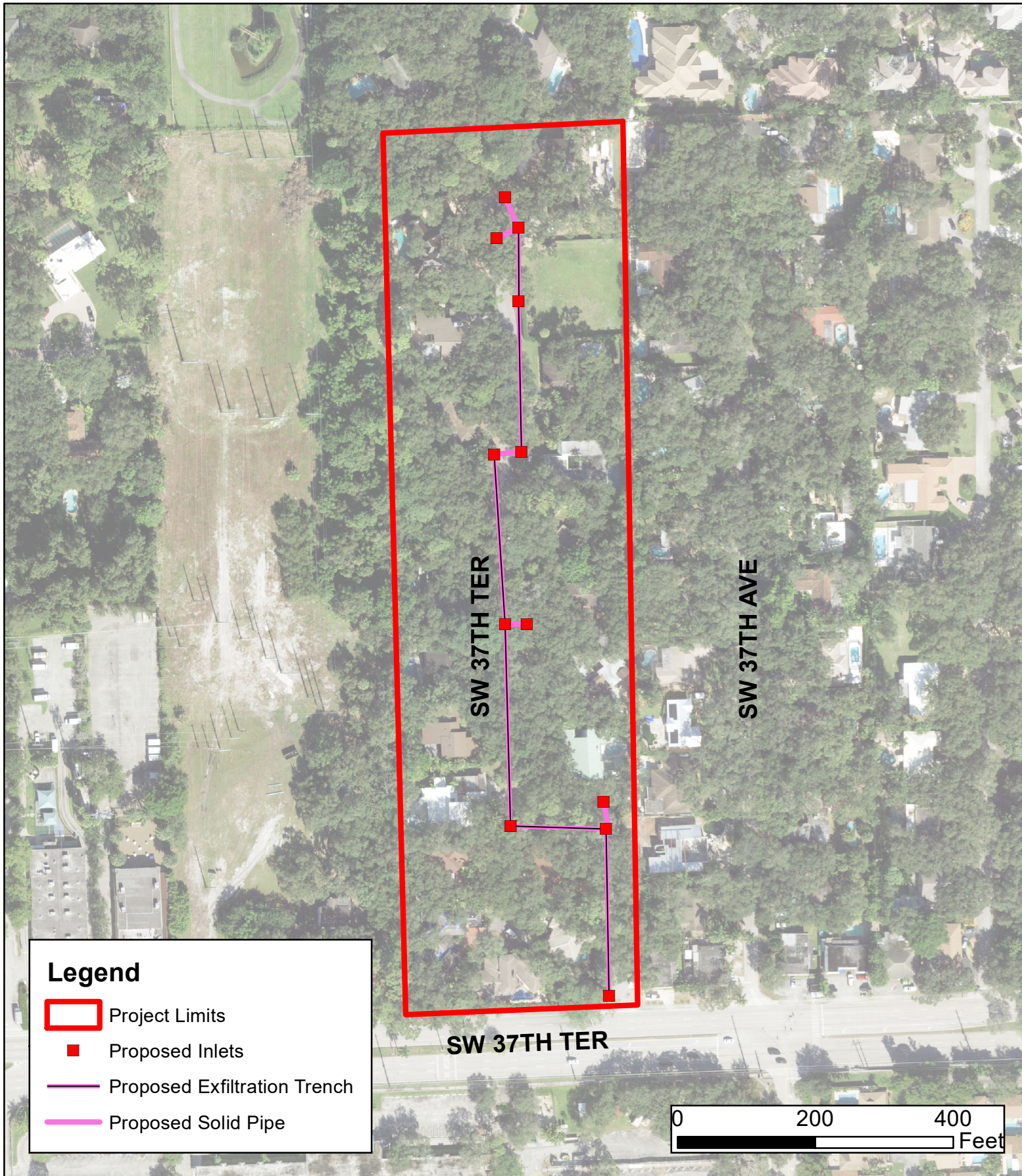
Print Name/Title

Date

**SW 37TH TERRACE STORMWATER IMPROVEMENTS
EXHIBIT D - FEE PROPOSAL**

TASK NO.	TASK DESCRIPTION	SUBCONSULTANT (\$)	PRINCIPAL	SENIOR PROJECT MANAGER	PROJECT MANAGER	SENIOR ENGINEER	SENIOR PLANNER/ SENIOR LANDSCAPE ARCHITECT	ENGINEER / DESIGNER	SENIOR TECHNICIAN	TECHNICIAN	CONSTRUCTION SPECIALIST	CLERICAL / INTERN	TOTAL HOURS	TOTAL COST
1.0	Site Investigation Task													
1.1	Topographic Survey	\$ 9,950.00			4				6				10	\$11,020
1.2	Subsurface Utility Verification	\$ 3,000.00			4			8					12	\$4,300
1.3	Geotechnical Investigation	\$ 2,600.00			4								4	\$3,220
1.4	Document Research/Review				4			8		20			32	\$2,600
1.5	Project Site Visits				8			8					16	\$1,920
	TOTAL - TASK 1													\$23,060
2.0	60% Design Submittal Task		2	4	20		16	80		100			222	\$19,580
	TOTAL - TASK 2													\$19,580
3.0	90% Design Submittal Task		2	4	14		8	60		60			148	\$13,350
	TOTAL - TASK 3													\$13,350
4.0	Regulatory Permitting Task				14			30		20			64	\$6,020
	TOTAL - TASK 4													\$6,020
5.0	100% Design Submittal Task		1	4	10			20		20			55	\$5,480
	TOTAL - TASK 5													\$5,480
6.0	Bidding Assistance				12			20					32	\$3,560
	TOTAL - TASK 6													\$3,560
7.0	Construction Engineering Services													
7.1	Shop Drawing Review				4			20			10		34	\$3,170
7.2	Construction Meeting Attendance				25						25		50	\$6,000
7.3	Respond to Requests for Information				40			40					80	\$9,600
7.4	Construction Inspections				20			20			200		240	\$21,800
7.5	Certification and Contract Closeout				4			20		20			44	\$3,620
	TOTAL - TASK 7													\$44,190
8.0	Reimbursable Expenses	\$ 500.00											0	\$500
	TOTAL - TASK 8													\$500
9.0	Miscellaneous Services	\$ 9,000.00											0	\$9,000
	TOTAL - TASK 8													\$9,000
	SUBTOTAL HOURS		5	12	187	0	24	334	6	240	235	0	1,043	
	TOTAL FEE ESTIMATE													\$124,740
	Dania Beach Hourly Rates		\$250.00	\$170.00	\$155.00	\$140.00	\$125.00	\$85.00	\$75.00	\$65.00	\$85.00	\$60.00		





CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Consent Agenda

Continued from:

Requested Action (Identify appropriate Action or Motion)

APPROVE THE RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS FOR MONTHLY SERVER MONITORING AND SUPPORT SERVICES INCLUDING ADDITIONAL CONTRACTED SUPPORT FROM LAN INFOTECH FOR FISCAL YEAR 2020-21, THAT EXCEED AN ANNUAL VENDOR TOTAL AMOUNT OF TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00); PROCEEDING WITHOUT COMPETITIVE BIDDING AND AUTHORIZING SUCH PURCHASES THAT ARE TO BE MADE WITHIN THE FINANCE DEPARTMENT INFORMATION SYSTEMS DIVISION APPROVED ANNUAL BUDGET APPROPRIATIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

Purchasing Requests ONLY

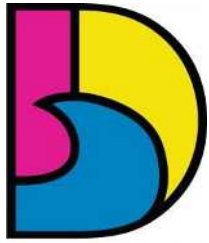
Dept:	Acct #:	Amt:
Fund:		

Fiscal Impact/Cost Summary

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Exhibits Attached

Memo R-2021 LanInfotech to Exceed 25K, R-2021- LAN Infotech Monthly Server Monitoring and Support Services to Exceed \$25K



DANIA BEACH
SEA IT. LIVE IT. LOVE IT.

CITY OF DANIA BEACH FINANCE DEPARTMENT

MEMORANDUM

DATE: March 9, 2021

TO: Honorable Mayor and Commissioners

FROM: Ana M. Garcia, City Manager, ICMA-CM

VIA: Frank DiPaolo, Finance Director

SUBJECT: Resolution approving monthly server monitoring and support services, including additional contracted support from LAN Infotech, exceeding the \$25,000 vendor threshold

REQUEST

The Finance Department requests approval of a resolution authorizing monthly server monitoring and support services, including additional contracted support from LAN Infotech, exceeding the \$25,000 vendor threshold

BACKGROUND

LAN Infotech is the City's trusted partner for monthly server monitoring and support services and additional contractual staffing. The City Administration believes it is in the best interest of the City to have continuity in the monitoring and maintenance of the City's computer servers and network infrastructure, and to continue utilizing LAN Infotech for fiscal year 2020-21, for an amount exceeding the annual vendor threshold of \$25,000.

ATTACHMENTS

Resolution

BUDGETARY IMPACT

Funding for these services shall be made from the City's planned appropriations from the General Fund Finance Department - Information Systems Division.

RECOMMENDATION

Approve the resolution authorizing monthly server monitoring and support services, including additional contracted support from LAN Infotech, exceeding the \$25,000 vendor threshold.

RESOLUTION 2021-029

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FOR MONTHLY SERVER MONITORING AND SUPPORT SERVICES INCLUDING ADDITIONAL CONTRACTED SUPPORT FROM LAN INFOTECH FOR FISCAL YEAR 2020-21, THAT EXCEED AN ANNUAL VENDOR TOTAL AMOUNT OF TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00); PROCEEDING WITHOUT COMPETITIVE BIDDING AND AUTHORIZING SUCH PURCHASES THAT ARE TO BE MADE WITHIN THE FINANCE DEPARTMENT INFORMATION SYSTEMS DIVISION APPROVED ANNUAL BUDGET APPROPRIATIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Charter of the City of Dania Beach, Part III, Article 3, Section 4, Subsection (j), authorizes the City Manager to purchase supplies, services, equipment and materials for the City government in amounts in excess of the established monetary threshold without competitive bidding and without advertisement for bids, if she is authorized to do so in advance by a resolution adopted by the City Commission; and

WHEREAS, the Dania Beach Code of Ordinances, Chapter 2, Article 1, Section 2-10, “Monetary thresholds for certain purchases and payment disbursement authorizations”, Subsection (a), sets the monetary threshold at Twenty-Five Thousand Dollars (\$25,000.00) for a vendor each fiscal year; and

WHEREAS, LAN Infotech is the City’s trusted partner for monthly server monitoring and support services and additional contractual staffing, and the City Administration believes it is in the best interest of the City to have continuity in the monitoring and maintenance of the City’s computer servers and network infrastructure; and

WHEREAS, the total expenditures will exceed the annual Twenty-Five Thousand Dollars (\$25,000.00) City purchase threshold for a single vendor and, therefore, City Commission approval is required;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

Section 1. That the above “Whereas” clauses are ratified and confirmed, and they are made a part of and incorporated into this Resolution by this reference.

Section 2. That the City Commission authorizes monthly support, maintenance, and contractual services from LAN Infotech in an amount exceeding the annual amount of the Twenty-

Five Thousand Dollars (\$25,000.00) purchase threshold for a single vendor for fiscal year 2020-21; further, the proper City officials are authorized to execute any documents related to this approval.

Section 3. That funding for these services shall be made from the City's planned appropriations from the General Fund Finance Department - Information Systems Division.

Section 4. That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 5. That this Resolution shall become effective upon its passage and adoption.

PASSED and ADOPTED on March 9, 2021.

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Resolution

Continued from: N/A

Requested Action (Identify appropriate Action or Motion)

ADOPT RESOLUTION AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DEVELOPMENT AND CONTRIBUTION AGREEMENT (“AGREEMENT”) ATTACHED AS EXHIBIT A, AND MADE A PART OF AND INCORPORATED INTO THIS RESOLUTION BY THIS REFERENCE, AND ANY ADDITIONAL DOCUMENTS PERTAINING TO THE AGREEMENT; TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT, WITH DANIA AIRPORT HOTELS, LLC FOR THE DEVELOPMENT OF THE TRU HOTEL; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE AGREEMENT; REIMBURSING DEVELOPER \$92,687.60 FOR THE COST OF CONSTRUCTING THE NE 1ST STREET WATER LINE, WHICH REIMBURSEMENT AMOUNT INCLUDES THE REIMBURSEMENT OF \$39,118.00 IN WATER IMPACT AND CONNECTION FEES

Purchasing Requests ONLY

Dept:	Acct #:	Amt:
Fund:		

Fiscal Impact/Cost Summary

Exhibits Attached

Memo - Development and Contribution Agreement Tru Hotel (final 2-23-21), R-2021- Dania Airport Hotels Development and Contribution Agreement for Tru Hotel



CITY OF DANIA BEACH CITY ATTORNEY'S OFFICE

MEMORANDUM

DATE: March 9, 2021
TO: Honorable Mayor and Commissioners
FROM: Thomas J. Ansbro, City Attorney
SUBJECT: Development and Contribution Agreement with the Tru Hotel

The Request

City Commission approval by Resolution for City officials to enter into a Development and Contribution Agreement, as authorized by City Ordinances, with the owner of the Tru Hotel on 44 North Federal Highway. This will afford a credit for water and connection impact fees paid by the owner and reimburse the owner for an upgrade to a new water liner that serves the hotel and will accommodate other new development. The line extends from East Dania Beach Boulevard to NE 1st Street.

Background

Developer owns real property located at 44 N. Federal Highway in the City. On October 24, 2017, the City passed and adopted Resolution No. 2017-135 (the "Resolution") approving Developer's site plan, with conditions, to construct a hotel and associated uses (the "Hotel") on the Property. As a condition to approval of the Resolution, Developer agreed to construct a new water line in the right-of-way of NE 1st Avenue in order to serve the Hotel. Prior to building permit, the City requested and Developer agreed to increase the size of the new water line and extend the water line along the full length of NE 1st Avenue between Dania Beach Boulevard and NE 1st Street. Developer agreed to construct the New Water Line subject to the City contributing to the cost and fees associated with construction and installation.

Developer has constructed the new water line from East Dania Beach Boulevard to NE 1st Street and the City has inspected and accepted the new water line. Developer provided documentation to the City demonstrating that the total cost of the new water line was \$175,012.09 (the "Installation Costs"). The portion of the Installation Costs are subject to reimbursement and contribution by the City in the amount of \$92,687.60 as set forth in the attached Development and Contribution Agreement ("City's Contribution").

Section 27-212 of the City Code of Ordinances (the “City Code”) provides that a Developer contribution credit against City-imposed water connection fees and impact fees may be granted in exchange for the construction and installation of water system facilities or improvements and additions to them. Under the City Code, the Developer paid \$39,118.00 in water connection fees and impact fees the reimbursement of which, is addressed in the attached Agreement. The construction and installation of the New Water Line is in conformity with the City’s contemplated improvements and additions to the regional water system. The New Water Line is consistent with both the public interest and with the City’s Comprehensive Plan.

Developer and City agree that there is sufficient water capacity in the existing water lines to service the Property throughout the development and construction of the Hotel, including sufficient water service for fire safety, without the need for additional new lines or service during that time. Developer and City agree that since the new water line was installed, there will be sufficient water capacity to provide operational service for the Hotel.

As the water line extension has been installed and approved by the City, the City Commission, pursuant to the Agreement Attached as Exhibit A, will authorize the reimbursement to DEVELOPER of \$92,687.60 for the cost of extending the NE 1st street water line, and which amount includes reimbursement of \$39,118 in water impact fees. (Total payment by the CITY to DEVELOPER of \$92,687.60).

Budgetary Impact

There is a budgetary impact to this item of \$92,687.60.

Recommendation

It is recommended that the City Commission adopt the proposed resolution and authorize the execution of the Development and Contribution Agreement with the Tru Hotel.

TJA/EAB/la

cc: Ana M. Garcia, ICMA-CM, City Manager
Candido Sosa-Cruz, Assistant City Manager
Thomas Schneider, City Clerk
Eleanor Norena, Director, Community Development Department
Frank DiPaolo, Director, Finance Department
Fernando Rodriguez, Director, Public Services Department
Corinne Lajoie, Assistant Director, Community Development Department
Adam Segal, Assistant Director, Finance Department
Dincer Ozaydin, Assistant Director, Public Services Department

Attachments: Resolution
Development and Contribution Agreement.

RESOLUTION NO. 2021-030

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DEVELOPMENT AND CONTRIBUTION AGREEMENT (“AGREEMENT”) ATTACHED AS EXHIBIT A, AND MADE A PART OF AND INCORPORATED INTO THIS RESOLUTION BY THIS REFERENCE, AND ANY ADDITIONAL DOCUMENTS PERTAINING TO THE AGREEMENT; TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE TERMS AND CONDITIONS OF THE AGREEMENT, WITH DANIA AIRPORT HOTELS, LLC FOR THE DEVELOPMENT OF THE TRU HOTEL; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE AGREEMENT; REIMBURSING DEVELOPER \$92,687.60 FOR THE COST OF CONSTRUCTING THE NE 1ST STREET WATER LINE, WHICH REIMBURSEMENT AMOUNT INCLUDES THE REIMBURSEMENT OF \$39,118.00 IN WATER IMPACT AND CONNECTION FEES; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Dania Airport Hotels, LLC, a Florida limited liability company, as the hotel Developer, owns real property located at 44 N. Federal Highway in the City; and

WHEREAS, on October 24, 2017, the City passed and adopted Resolution No. 2017-135 (the “Resolution”) approving Developer’s site plan, with conditions, to construct a hotel and associated uses (the “Hotel”) on the Property; and

WHEREAS, as a condition to approval of the Resolution, Developer agreed to construct a new water line in the right-of-way of NE 1st Avenue in order to serve the Hotel; and

WHEREAS, prior to building permit, the City requested and Developer agreed to increase the size of the new water line and extend the water line along the full length of NE 1st Avenue between Dania Beach Boulevard and NE 1st Street (the “New Water Line”); and

WHEREAS, Developer agreed to construct the New Water Line subject to the City contributing to the cost and fees associated with construction and installation; and

WHEREAS, Developer has constructed the New Water Line from East Dania Beach Boulevard to NE 1st Street and the City has inspected and accepted the New Water Line; and

WHEREAS, Developer provided documentation to the City demonstrating that the total cost of the New Water Line was \$175,012.09 (the “Installation Costs”); and

WHEREAS, the portion of the Installation Costs that are subject to reimbursement and contribution by the City are in the amount of \$92,687.60 as set forth in the Agreement (“City’s

Contribution”) (total reimbursement under the agreement is \$92,687.60, including water impact and connection fee reimbursement); and

WHEREAS, Section 27-212 of the City Code of Ordinances (the “City Code”), provides that a Developer contribution credit against City-imposed water impact and connection fees may be granted in exchange for the construction and installation of water system facilities or improvements and additions to them; and

WHEREAS, under the City Code, the Developer paid \$39,118.00 in water impact and connection fees the reimbursement of which is addressed in the Agreement; and

WHEREAS, the construction and installation of the New Water Line is in conformity with the City’s contemplated improvements and additions to the regional water system; and

WHEREAS, the New Water Line is consistent with both the public interest and with the City’s Comprehensive Plan; and

WHEREAS, the City and Developer agree and acknowledge this Agreement shall not be construed or characterized as a development agreement under Chapter 163.3220 through 163.3243, Florida Statutes (the "Florida Local Government Development Agreement Act"); and

WHEREAS, the contributions contemplated under the Agreement shall be construed and characterized as work done and property rights acquired by the City utility system; and

WHEREAS, Developer and City agree that there is sufficient water capacity in the existing water lines to service the Property developed with the Hotel, including sufficient water service for fire safety, without the need for additional new lines; and

WHEREAS, the water line extension has been installed and approved by the City, therefore, the City Commission, pursuant to the Agreement attached as Exhibit A, authorizes the reimbursement to Developer of \$92,687.60 for the cost of extending the NE 1st street water line, which amount includes reimbursement of \$39,118.00 in water impact and connection fees (total payment to Developer of \$92,687.60); and

WHEREAS, Developer and City agree that since the New Water Line was installed, there will be sufficient water capacity to provide operational service for the Hotel;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

Section 1. That the foregoing “Whereas” clauses are ratified and confirmed to be true and correct, and they are made a part of and are incorporated into this Resolution by this reference.

Section 2. That the City Commission approves the execution of the Agreement, a copy of which is attached as Exhibit “A” and made a part of and incorporated into this Resolution by this reference, authorizing reimbursement of the costs associated with the design, construction and installation of the New Water Line related to the development of the Tru Hotel.

Section 3. That the appropriate City officials including the Mayor, City Manager and City Attorney, are authorized to execute the Agreement providing for payment to the Developer of a total sum of \$92,687.60, inclusive of water impact and connection fee credits of \$39,118.00.

Section 4. That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 5. That this Resolution shall be in force and take effect immediately upon its passage and adoption.

PASSED AND ADOPTED on March 9, 2021.

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY

EXHIBIT A

DEVELOPMENT AND CONTRIBUTION AGREEMENT

THIS IS A DEVELOPMENT AND CONTRIBUTION AGREEMENT (“Agreement”) entered into on _____, 2021, by and between **DANIA AIRPORT HOTELS, LLC**, a Florida limited liability company (“DEVELOPER”) and the **CITY OF DANIA BEACH, FLORIDA**, a Florida municipal corporation and a political subdivision of the State of Florida (the “CITY”).

WHEREAS, DEVELOPER owns real property located at 44 N. Federal Highway in the CITY, the legal description of which is attached and made a part of this Agreement as **Exhibit “A”** (the “Property”); and

WHEREAS, on October 24, 2017, the CITY passed and adopted Resolution No. 2017-135 (the “Resolution”) approving DEVELOPER’s site plan, with conditions, to construct a hotel and associated uses (the “Hotel”) on the Property; and

WHEREAS, as a condition to approval of the Resolution, DEVELOPER agreed to construct a new water line in the right-of-way of NE 1st Avenue in order to serve the Hotel; and

WHEREAS, prior to building permit, the CITY requested and DEVELOPER agreed to increase the size of the new water line and extend the water line along the full length of NE 1st Avenue between Dania Beach Blvd and NE 1st Street (the “New Water Line”); and

WHEREAS, DEVELOPER agreed to construct the New Water Line subject to the CITY contributing to the cost and fees associated with construction and installation; and

WHEREAS, DEVELOPER has constructed the New Water Line from East Dania Beach Blvd to NE 1st Street and the CITY has inspected and accepted the New Water Line; and

WHEREAS, DEVELOPER provided documentation to the CITY demonstrating that the total cost of the New Water Line was \$175,012.09 (the “Installation Costs”); and

WHEREAS, the portion of the Installation Costs which are subject to reimbursement and contribution by the CITY are in the amount of \$92,687.60 as set forth in this Agreement (“City’s Contribution”); and

WHEREAS, Section 27-212 of the CITY Code of Ordinances (the “CITY Code”), provides that a DEVELOPER contribution credit against CITY-imposed water connection fees and impact fees may be granted in exchange for the construction and installation of water system facilities or improvements and additions to them; and

WHEREAS, under the CITY Code, the DEVELOPER paid **\$39, 118.00** in water connection fees and impact fees the reimbursement of which is addressed in this Agreement and are included in the amount of \$92,687.60; and

WHEREAS, the construction and installation of the New Water Line is in conformity with the CITY's contemplated improvements and additions to the regional water system; and

WHEREAS, the New Water Line is consistent with both the public interest and with the CITY's Comprehensive Plan; and

WHEREAS, the CITY and DEVELOPER agree and acknowledge this Agreement shall not be construed or characterized as a development agreement under Chapter 163.3220 through 163.3243, Florida Statutes (the "Florida Local Government Development Agreement Act"); and

WHEREAS, the contributions contemplated under this Agreement shall be construed and characterized as work done and property rights acquired by the City utility system; and

WHEREAS, DEVELOPER and CITY agree that there is sufficient water capacity in the existing water lines to service the Property and the Hotel, including sufficient water service for fire safety, without the need for additional new lines or service; and

WHEREAS, DEVELOPER AND CITY agree that since the New Water Line was installed, there will be sufficient water capacity to provide operational service for the Hotel;

NOW, THEREFORE, for and in consideration of the mutual exchange of the promises and agreements contained in this Agreement and other good and valuable consideration, the adequacy and receipt of which are acknowledged and agreed upon, DEVELOPER and CITY agree as follows:

1. **Incorporation of Whereas Clauses.** The "WHEREAS" clauses of this Agreement are true and correct and are incorporated into and made a part of this Agreement as if specifically set forth in it.

2. **Existing Water Line.** There is sufficient water capacity in the new existing water line to service the Property and Hotel, including sufficient water service for fire safety, without the need for additional new lines or service.

3. **Impact Fee Credit/Reimbursement.** DEVELOPER designed, permitted and constructed the New Water Line. The New Water Line was completed prior to the issuance of a Final Certificate of Occupancy for the Hotel. The New Water Line has been inspected and accepted by the CITY.

DEVELOPER'S costs and fees associated with constructing the New Water Line are credited or refunded against all CITY-imposed water impact fees, which include connection fees as defined in the CITY Code, because DEVELOPER completed the New Water Line and further provided that *(1) New Water Line has been constructed and installed in accordance with plans accepted and approved by CITY and certified by the Broward County Department of Health and (2) the total amount of water impact fee credits granted shall not exceed the total amount of CITY-imposed water impact fees due for the Hotel as set forth within the terms of Section*

5 of this Agreement between CITY and DEVELOPER, as authorized pursuant to Section 27-212 of the CITY Code of Ordinances.

DEVELOPER completed the New Water Line prior to the issuance of the final certificate of occupancy for the Hotel. DEVELOPER acknowledges and agrees that although the New Water Line is located in the CITY of Dania Beach, other Governmental Authorities have jurisdiction over certain aspects of the New Water Line. DEVELOPER was and remains responsible for all applications and submissions required by other Governmental Authorities, and for obtaining all Governmental Approvals which were required for the development, construction and completion of the New Water Line.

4. **City Contribution/Reimbursement.** CITY shall reimburse DEVELOPER the amount of \$92,687.60 within 30 days of execution of this Agreement (which amount includes the \$39,118.00 in credited water impact fees).

5. DEVELOPER installed the New Water Line and represents to CITY that it paid all Installation Costs. Records and supporting documentation which concern or reflect the New Water Line and the Installation Costs have been provided to and accepted by the CITY for purposes of calculating the City Contribution toward the New Water Line. In consideration of the installation of the New Water Line and payment of Installation Costs, CITY agrees to apply the City's Contribution toward the Installation Costs as a credit/reimbursement against the CITY-imposed water impact fees, which include connection fees as defined in the CITY Code, arising from the development of the Hotel, subject to the standards of valuation and limitations set forth in Section 27-212 of the CITY Code. The parties to this Agreement have participated fully in the negotiation and preparation of it and accordingly, this Agreement shall not be more strictly construed against any one of the parties. The parties agree particularly that this Section 5 is bound by the terms of Chapter 27, ARTICLE IV "Water and Sewer Impact Fees" of the CITY Code (the "Impact Fee Ordinance") and any other applicable CITY Ordinances (collectively "Ordinances"). Any and all applicable terms of those Ordinances shall be considered incorporated into this Agreement by this reference. If there is any inconsistency found between this Section 5 and such Ordinances or applicable law, those Ordinances or law shall prevail and be applicable; provided, however, that if such an inconsistency is found, CITY and DEVELOPER shall, in good faith and with reasonable diligence, modify this provision to comply with such Ordinances or applicable law in a manner which best reflects the intent of this Section 5. The parties agree the total for credited water impact fees and construction of the New Water Line Extension shall not exceed the one-time payment of **\$92,687.60** by the CITY.

6. **Amendments.** No modification, amendment, or release of the terms or conditions contained in this Agreement shall be effective unless contained in a written document executed by CITY and DEVELOPER.

7. **Notices.** Any notice, demand or other communication required or permitted under the terms of this Agreement shall be in writing, made by overnight delivery services or certified mail, return receipt requested, and shall be deemed to be received by the addressee one (1) business day after sending by overnight delivery services, and three (3) business days after mailing, if sent by certified mail. Notices shall be addressed as provided below:

As to CITY:

Ana M. Garcia, ICMA-CM, City Manager
City of Dania Beach
100 W. Dania Beach Boulevard
Dania Beach, Florida 33004

with a copy to:

Thomas J. Ansbro, City Attorney
City of Dania Beach
100 W. Dania Beach Boulevard
Dania Beach, Florida 33004

As to DEVELOPER:

Attn: Manager
Dania Airport Hotels, LLC and
AD 1 Management, Inc.
1955 Harrison Street, Suite 200
Hollywood, FL 33020

with a copy to:

Nectaria M. Chakas, Esq.
Lochrie & Chakas, P.A.
1401 E. Broward Boulevard, Suite 303
Fort Lauderdale, FL 33301

8. **Effective Date of the Agreement.** This Agreement shall become effective upon CITY Commission approval and execution by the DEVELOPER and CITY.

9. **Recording.** This Agreement shall be recorded in the Public Records of Broward County, Florida, and shall run with the land. The DEVELOPER shall pay the cost of recording this Agreement.

10. **Term of Agreement; Termination.** This Agreement shall run with the land, remain in full force and effect, and be binding on all parties and all persons claiming under it for a term of two (2) years from the Effective Date, which may be extended upon the mutual consent of CITY and DEVELOPER pursuant to joint execution and recording of a document modifying the term of this Agreement. Upon request by DEVELOPER, CITY, through the City Manager (and without further notice from or action by CITY), shall promptly cause to be executed and delivered to DEVELOPER to record in the Public Records of Broward County, Florida, a certificate that is binding on the CITY stating that all of the improvements referenced in this Agreement, relating to the New Water Line, have been completed to CITY'S satisfaction, and DEVELOPER has no further obligations with respect to them (the "Certificate of Completion"). The Certificate of Completion, when executed and recorded, shall be conclusive evidence of the termination of the Agreement and all obligations under it. In the event that DEVELOPER reasonably believes that all of its obligations under this Agreement have been satisfied, then DEVELOPER may deliver written notice to CITY asserting the completion of all

such obligations (the "Notice"). CITY shall consider such Notice and inspect the work or proof of completion as it deems reasonably necessary, and within ninety (90) days of delivery of the Notice shall either deliver the Certificate of Completion to DEVELOPER, or, if CITY in good faith believes that any of the express obligations of DEVELOPER under this Agreement have not been completed, deliver a detailed and comprehensive list of all such unfinished obligations to DEVELOPER. Where the list of unfinished obligations is delivered to DEVELOPER, CITY and DEVELOPER shall diligently work together, in good faith and with best efforts, to resolve all such unfinished obligations and cause the Certificate of Completion to be issued as soon as possible thereafter.

11. **Entire Agreement.** This Agreement constitutes the entire understanding and agreement between the parties and supersedes all prior negotiations and agreements between them with respect to all or any of the matters contained in this Agreement.

12. **Waiver.** The failure of any party to this Agreement to object to or to take affirmative action with respect to any conduct of the other which is in violation of the terms of this Agreement shall not be construed as a waiver of the violation or breach or of any future violation, breach, or wrongful conduct.

13. **Governing Law and Venue.** This Agreement will be interpreted and enforced in accordance with Florida and federal law. Venue for any litigation arising out of this Agreement will be Broward County, Florida. The parties voluntarily waive any right to a trial by jury in any litigation which may arise out of or in connection with this Agreement or the performance of obligations in it.

14. **Attorneys' Fees.** In the event of any controversy arising under or related to the interpretation or implementation of this Agreement or any breach of it, each party shall bear its own attorney fees and costs, both at the trial and appellate levels.

15. **CITY's Tort Liability.** Any tort liability to which the CITY is exposed under this Agreement will be limited to the extent permitted by applicable law and subject to the provisions and monetary limitations of Section 768.28, Florida Statutes, as it may be amended, which statutory limitations will be applied as if the parties had not entered into this Agreement. The CITY expressly does not waive any of its rights and immunities under applicable law.

16. **Miscellaneous.**

a) **Counterpart.** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall together constitute one and the same instrument.

b) **Construction of Agreement.** Both parties to this Agreement have substantially contributed to the drafting and negotiation of this Agreement, and this Agreement shall not, solely as a matter of judicial construction, be construed more severely against one of the parties than the other. The parties acknowledge that they have

thoroughly read this Agreement, including all exhibits and attachments, and have sought and received whatever competent legal advice and counsel was necessary for them to form a full and complete understanding of all rights and obligations set forth in this Agreement.

c) No Personal Liability of CITY. The CITY is a municipal government, and no individual elected official, employee, agent, or representative of CITY will have any personal liability under this Agreement or any document executed in connection with this Agreement.

d) No Third-Party Rights. Nothing in this Agreement, express or implied, is intended to confer upon any person, other than the parties and their respective successors and assigns, any rights or remedies under or by reason of this Agreement.

e) Section and Paragraph Headings. The section and paragraph headings contained in this Agreement are for purposes of identification only and are not to be considered in construing this Agreement.

f) Severability. This Agreement is intended to be performed in accordance with and only to the extent permitted by applicable law. If any provisions of this Agreement, or the application of any provisions of this Agreement, to any person or circumstance is for any reason and to any extent, invalid or unenforceable, but the extent of the invalidity or unenforceability does not destroy the basis of the bargain between the parties contained in this Agreement, then the remainder of this Agreement and the application of any such provisions to other persons or circumstances will not be affected, and will be enforced to the fullest extent permitted by law.

g) Signatories' Authority. The individuals signing this Agreement represent and warrant that they have the authority and approval to execute this Agreement on behalf of the party they are identified as representing below. The undersigned representatives represent that they are agents of their respective parties duly authorized to execute contracts generally and this Agreement in particular.

h) Successors and Assigns. This Agreement and all obligations of the parties under this Agreement will be binding upon and will inure to the benefit of the CITY and the DEVELOPER, and their legal representatives, successors, and assigns.

i) Time of the Essence. All time limits and obligations in this Agreement are of the essence.

[SIGNATURE BLOCKS ON FOLLOWING PAGES]

IN WITNESS OF THE FOREGOING, the parties have made this Agreement on the date first above written.

ATTEST:

CITY:
CITY OF DANIA BEACH, FLORIDA
a Florida Municipal Corporation

THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

ANA M. GARCIA, ICMA-CM
CITY MANAGER

APPROVED FOR FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY

DEVELOPER:
DANIA AIRPORT HOTELS, LLC, a
Florida limited liability company
BY: AD 1 Management, Inc., a Florida
corporation, its manager

WITNESSES:

SIGNATURE

SIGNATURE

PRINT Name

PRINT Name

SIGNATURE

Title

PRINT Name

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me by means of ☐ physical presence
or ☐ online notarization, on _____, 2021, by _____,
as _____ of AD 1 Management, Inc., a Florida
corporation, the manager of Dania Airport Hotels, LLC, a Florida limited liability company, on
behalf of the company. He/she is personally known to me or has
produced _____ as identification.

NOTARY PUBLIC
State of Florida

My Commission Expires:

Exhibit “A”
PROPERTY

All of Lot 9, Lots 10 and 11, Less street right-of-way, ,and all of Lot 12, in Block 12 of TOWN OF MODELO (NOW TOWN OF DANIA) according to the Plat thereof as recorded in Plat Book B, Page 49, of the Public Records of Miami-Dade County, Florida, said lands now situate lying and being in Broward County, Florida.

And

Lots 13 and 14, Block 12, Town of Modelo (now DANIA BEACH), according to the Plat thereof recorded in Plat Book B, at Page 49, of the Public Records Dade County, Florida; Said lands situate, lying and being in Broward County, Florida, LESS the West 24 feet of said Lot 14 which has been heretofore conveyed to the State of Florida for highway purposes.

Folio #: 50-4234-01-1790

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Consent Agenda

Continued from:

Requested Action (Identify appropriate Action or Motion)

TO APPROVE AND ADOPT A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS BY THE PUBLIC SERVICES DEPARTMENT FOR A DRAINAGE PIPE REPLACEMENT AND ROADWAY REPAIR SERVICES PROJECT, TO BE PERFORMED BY MAGGOLC, INC., TO BE MADE WITHIN THE PUBLIC SERVICES DEPARTMENT'S APPROVED ANNUAL BUDGET APPROPRIATIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Public Services)*

Purchasing Requests ONLY

Dept:

Acct #:

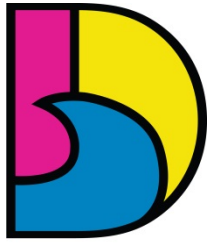
Amt:

Fund:

Fiscal Impact/Cost Summary

Exhibits Attached

C-MEMO-NW 1st ST-REPAIR-MAGGOLC-030921 (3), QUOTES- NW1 ST & NW 14 WAY, R-2021- Maggolc, Inc. Authorization to Exceed \$25K for Drainage Pipe Replacement and Roadway Repair



DANIA BEACH
SEA IT. LIVE IT. LOVE IT.

CITY OF DANIA BEACH PUBLIC SERVICES DEPARTMENT

MEMORANDUM

DATE: March 9, 2021

TO: Honorable Mayor and Commissioners

VIA: Ana M. Garcia, ICMA- CM, City Manager

FROM: Fernando J. Rodriguez, Public Services Director
Dincer A. Ozaydin, P.E., Deputy Director/City Engineer

**RE: APPROVAL OF A REPAIR FOR THE ROADWAY SEGMENT ON
NW 1ST STREET FROM NW 14TH WAY TO EAST OF THE C-10 CANAL
BRIDGE**

Request

The Public Services Department (PSD) is requesting the adoption of a resolution authorizing the award of drainage pipe and roadway repair project located on NW 1st Street, from NW 14th Way to east of the C-10 Canal bridge to Maggoc, Inc.

Background

The roadway located on NW 1st Street between east of the bridge and NW 14th Way may be unsafe for cars, emergency vehicles, motorcycles, and bicycles due to the wavy road surface condition. It appears that a collapsed drainage pipe under the street disturbed the roadway base, resulting in an elevation drop along a section of the roadway.

Although PSD has a contract with Metro Express, Inc., the agreement's scope does not provide the services needed to correct this issue. PSD obtained three proposals from contractors to replace the drainage pipe and restore the roadway. This process will result in a smoother and safer roadway. The proposals are as follows:

- | | |
|-------------------------|----------|
| • Maggoc, Inc | \$24,985 |
| • ATC Engineering, Inc. | \$36,240 |
| • Metro Express, Inc. | \$67,315 |

Dania Beach Code of Ordinances, Chapter 2, Article 1, Section 2-10, "Monetary thresholds for certain purchases and payment disbursement authorizations", Subsection (a), sets the monetary threshold at Twenty Five Thousand Dollars (\$25,000.00) for a vendor each fiscal year; and Maggoc, Inc. has already exceeded \$25,000 threshold.

\continued...



DANIA BEACH
SEA IT. LIVE IT. LOVE IT.

APPROVAL OF A REPAIR OF THE ROADWAY SEGMENT ON NW 1ST STREET FROM NW 14TH WAY TO EAST OF THE C-10 CANAL BRIDGE

Budgetary Impact

The \$24,985 cost of the repairs will be funded from the Street Maintenance Repair & Maintenance Services Street Account No. 001-39-06-541-46-60.

Recommendation

PSD recommends that the City Commission adopt the resolution to award the drainage pipe and roadway repair project located on NE 1st Street, from NW 14th Way to east of the C-10 Canal bridge to Maggole, Inc. for an amount not to exceed \$24,985.

MAGGOLC INC.

ENGINEERING CONTRACTOR – LIC: E-251302
11020 SW 55 ST., MIAMI, FL 33165
PHONE: 786-291-2949 FAX: 786-472-8831
maggolc@yahoo.com

PROPOSAL

Date	QUOTATION #
11/5/2020	20201105

PROJECT INFORMATION

Project Name: Drainage Improvements NW 1 ST & NW 14 Way -Phase I
Owner: City of Dania Beach
Project Location: NW 1 ST and NW 14 Way City of Dania Beach

Company Name: MAGGOLC INC.
Contact Person: MARIO GONZALEZ
Fax / Phone: 786-472 8831 / 786-291 2949

Item #	Description	Unit	Quantity	Unit Price	Total
1	Mobilization	LS	1.00	\$1,500.00	\$1,500.00
2	MOT	LS	1.00	\$570.00	\$570.00
3	Clearing & Grubbing (Cut, removal and disposal Asphalt, Concrete, Pipes)	LS	1.00	\$3,000.00	\$3,000.00
4	Install new Pipe (Solid HDPE 36" diameter)	LF	86.00	\$105.00	\$9,030.00
5	Subgrade, Grading, compaction, stabilization 12"	SY	70.00	\$6.00	\$420.00
6	Limerock Base 8" thickness	SY	70.00	\$18.00	\$1,260.00
7	Temporary asphalt (cold or hot asphalt)	SY	65.00	\$9.00	\$585.00
8	Milling Existing Asphalt (1" depth)	SY	70.00	\$10.00	\$700.00
9	Asphalt Pavement SP-9.5 (2" thickness)	Ton	17.00	\$210.00	\$3,570.00
10	Concrete sidewalk or slab (4" thick) 3000 psi	SY	50.00	\$50.00	\$2,500.00
11	Concrete Curb & Gutter Type F	LF	74.00	\$25.00	\$1,850.00

Grand Total
\$24,985.00

ATC ENGINEERING INC.

2222 NW 14 St Miami FL 33125

Due Date

2/2/2021

NW 14 Way and NW 1st Street Phase 1

QTY	U/M	DESCRIPTION	EXTENSION
1	LS	Mobilization	\$ 3,000.00
1	LS	MOT	\$ 4,500.00
1	LS	Clearing and Grubbing	\$ 2,500.00
86	LF	Intall New Pipe (Solid HDPE 36" Diameter)	\$ 7,740.00
70	SY	Subgrade, Grading, compaction, stabilization 12"	\$ 2,450.00
70	SY	Limerock base 8"	\$ 2,450.00
65	SY	Temporary asphalt (cold or hot asphalt)	\$ 1,950.00
70	SY	Milling 1" existing asphalt	\$ 3,500.00
18	TON	Asphalt Pavement SP-9.5	\$ 3,600.00
50	SY	Concrete Sidewalk or slab (4" thick)	\$ 2,700.00
74	LF	Concrete Curb & Gutter type F	\$ 1,850.00
		Sub Total	\$ 36,240.00
		TOTAL	\$ 36,240.00

INCLUDED ON THIS PROPOSAL

>>>> All Labor and materials in conection with this scope of work

NOT INCLUDED ON THIS PROPOSAL

>>>>> Permit fee by WASA, Public work, or any other Department, Any BOND, if it is requested by government entity , Any Sidewalk or D curb Repair requested by Inspectors More that any Broken during our Construction. Police Officer is not included

Johnson, Antoine

From: Angel Fernandez (Metro Express) <angel@metroexpresscorp.com>
Sent: Friday, February 12, 2021 3:30 PM
To: Ozaydin, Dincer A.; Taylor, Corry
Cc: Rodriguez, Fernando J.; Greene, Darren; delio@metroexpresscorp.com
Subject: RE: NW 1st phase 1

Importance: High

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

Good Afternoon,

This is with the format you sent per your email.

Regards.

PROJECT INFORMATION	
Project Name: Drainage Improvements NW 1 ST & NW 14 Way -Phase I	
Owner: City of Dania Beach	
Project Location: NW 1 ST and NW 14 Way City of Dania Beach	

Item #	Description	Unit	Quantity	Unit Price	
1	Mobilization	LS	1.00	15,000.00	
2	MOT	LS	1.00	5,000.00	
3	Clearing & Grubbing (Cut, removal and disposal Asphalt, Concrete, Pipes)	LS	1.00	5,000.00	
4	Install new Pipe (Solid HDPE 36" diameter)	LF	86.00	180.00	
5	Subgrade, Grading, compaction, stabilization 12"	SY	70.00	9.00	
6	Limerock Base 8" thickness	SY	70.00	20.00	
7	Temporary asphalt (cold or hot asphalt)	SY	65.00	10.00	
8	Milling Existing Asphalt (1" depth)	SY	70.00	2.50	
9	Asphalt Pavement SP-9.5 (2" thickness)	Ton	18.00	150.00	
10	Concrete sidewalk or slab (4" thick) 3000 psi	SY	50.00	36.00	
11	Concrete Curb & Gutter Type F	LF	74.00	20.00	

G

Angel Fernandez
Project Manager
Metro Express Inc.

From: Angel Fernandez (Metro Express) <angel@metroexpresscorp.com>
Sent: Friday, February 12, 2021 12:55 PM
To: 'Ozaydin, Dincer A.' <dozaydin@daniabeachfl.gov>; 'Taylor, Corry' <ctaylor@daniabeachfl.gov>
Cc: 'Rodriguez, Fernando J.' <frodriguez@daniabeachfl.gov>; 'Greene, Darren' <dgreene@daniabeachfl.gov>;
'delio@metroexpresscorp.com' <delio@metroexpresscorp.com>
Subject: RE: NW 1st phase 1

Dincer, I understand you may have a different opinion but what I included in our proposal is what in our experience is needed to do this job.

Just wanted to clarify this is not apple vs oranges as you stated. Either way you have your right to look for alternatives.

Thank you for the opportunity and good luck.

Regards,

Angel Fernandez
Project Manager
Metro Express Inc.

From: Ozaydin, Dincer A. <dozaydin@daniabeachfl.gov>
Sent: Friday, February 12, 2021 11:49 AM
To: Angel Fernandez (Metro Express) <angel@metroexpresscorp.com>; Taylor, Corry <ctaylor@daniabeachfl.gov>
Cc: Rodriguez, Fernando J. <frodriguez@daniabeachfl.gov>; Greene, Darren <dgreene@daniabeachfl.gov>;
delio@metroexpresscorp.com
Subject: RE: NW 1st phase 1

Thank you, Angel, but the attached quote is not the quote that I asked for. I gave you specific instructions to provide me a quote for the below items on February 3 2020. You provided me a quote for completely different items and quantities on February 12. In other words, I was asking you to provide me a quote for an apple, and you gave me a quote for (2) oranges; therefore, I can not use it.

Hello Corry,

Please find another company that follows my instructions to provide the below items.

Thank you

PROJECT INFORMATION

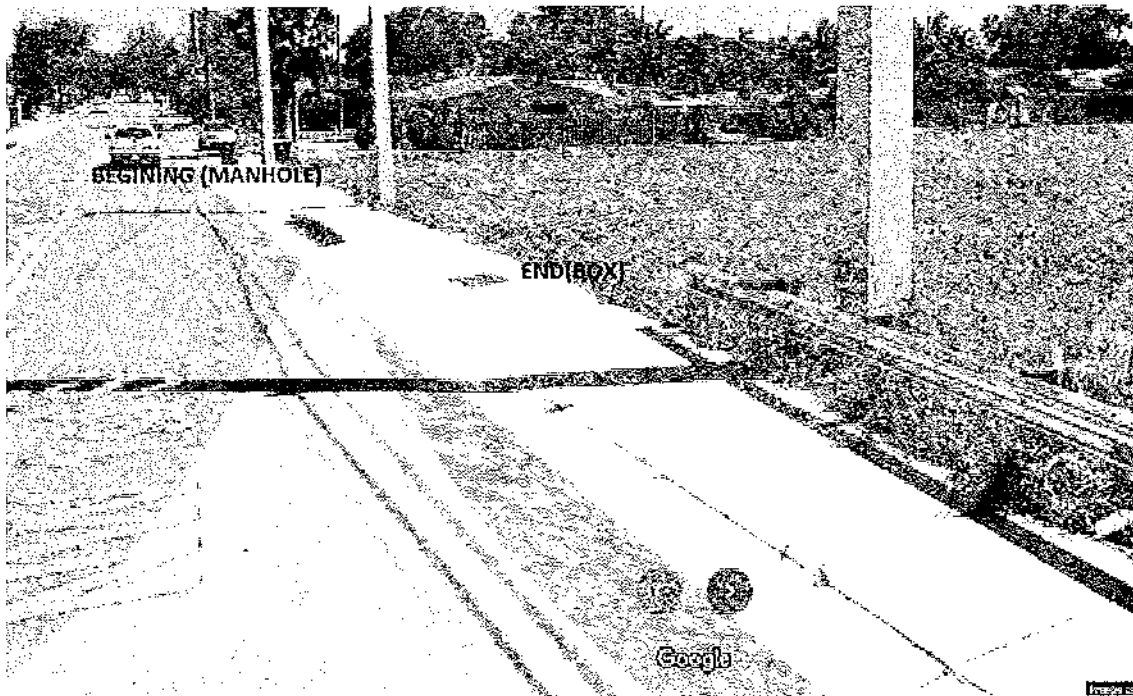
Project Name: Drainage Improvements NW 1 ST & NW 14 Way -Phase I

Owner: City of Dania Beach

Project Location: NW 1 ST and NW 14 Way City of Dania Beach

Item #	Description	Unit	Quantity	Unit Price
1	Mobilization	LS	1.00	
2	MOT	LS	1.00	
3	Clearing & Grubbing (Cut, removal and disposal Asphalt, Concrete, Pipes)	LS	1.00	
4	Install new Pipe (Solid HDPE 36" diameter)	LF	86.00	
5	Subgrade, Grading, compaction, stabilization 12"	SY	70.00	
6	Limerock Base 8" thickness	SY	70.00	
7	Temporary asphalt (cold or hot asphalt)	SY	65.00	
8	Milling Existing Asphalt (1" depth)	SY	70.00	
9	Asphalt Pavement SP-9.5 (2" thickness)	Ton	18.00	
10	Concrete sidewalk or slab (4" thick) 3000 psi	SY	50.00	
11	Concrete Curb & Gutter Type F	LF	74.00	

G



Dincer Akin Ozaydin

Deputy Public Services Director/City Engineer | City of Dania Beach

dozaydin@daniabeachfl.gov | daniabeachfl.gov

1201 Stirling Rd. | Dania Beach, FL 33004

Phone: 954-924-6808 x3617 |

Web: daniabeachfl.gov | FB: [cityofdaniabeach](https://www.facebook.com/cityofdaniabeach)

Please note: Florida has a very broad public records law. Most written communications to or from City Officials regarding City business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.

From: Angel Fernandez (Metro Express) <angel@metroexpresscorp.com>
Sent: Friday, February 12, 2021 11:35 AM
To: Ozaydin, Dincer A. <dozaydin@daniabeachfl.gov>
Cc: Greene, Darren <dgreene@daniabeachfl.gov>; Taylor, Corry <ctaylor@daniabeachfl.gov>;
delio@metroexpresscorp.com
Subject: RE: NW 1st phase 1
Importance: High

****CAUTION**** This email has originated from outside this organization, so proceed with extra caution when communicating with the sender or opening any attachments.

Good Morning:

Attached proposal requested.

Thank you.

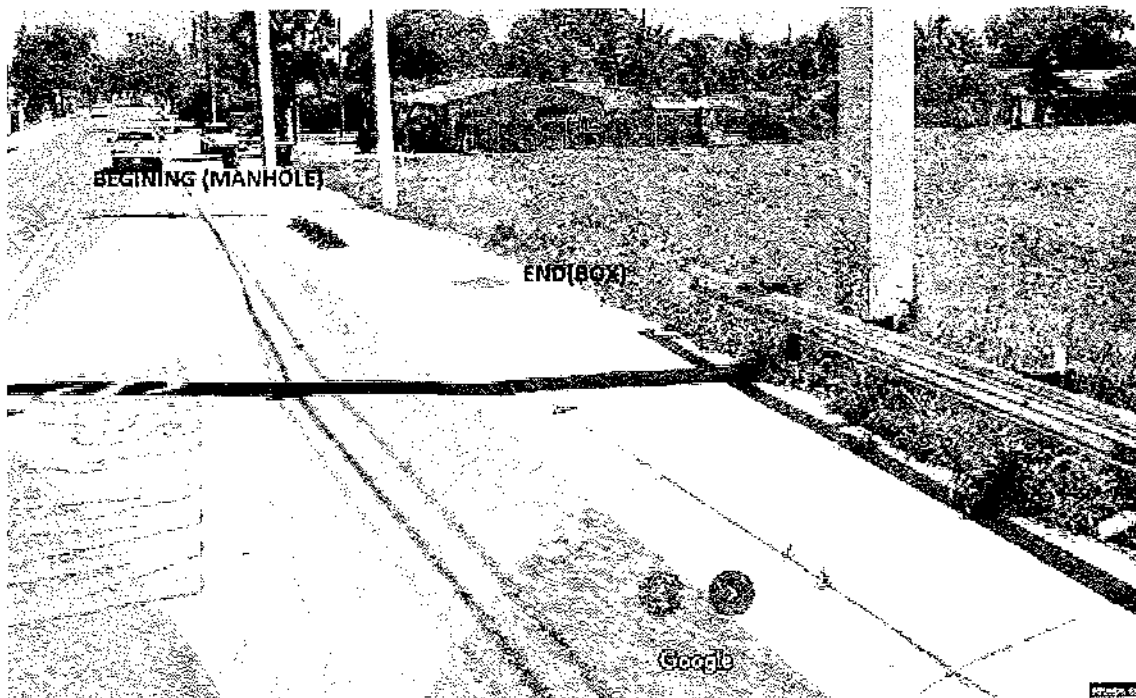
Angel Fernandez
Project Manager
Metro Express Inc.

From: Ozaydin, Dincer A. <dozaydin@daniabeachfl.gov>
Sent: Wednesday, February 3, 2021 8:01 AM
To: angel@metroexpresscorp.com
Cc: Greene, Darren <dgreene@daniabeachfl.gov>; Taylor, Corry <ctaylor@daniabeachfl.gov>
Subject: RE: NW 1st phase 1

Hello Angel,

Please see below the map and items for the proposal. If you have any questions, please contact Corry.

Thank you so much



PROJECT INFORMATION

Project Name: Drainage Improvements NW 1 ST & NW 14 Way -Phase 1

Owner: City of Dania Beach

Project Location: NW 1 ST and NW 14 Way City of Dania Beach

Item #	Description	Unit	Quantity	Unit Price
1	Mobilization	LS	1.00	
2	MOT	LS	1.00	
3	Clearing & Grubbing (Cut, removal and disposal Asphalt, Concrete, Pipes)	LS	1.00	
4	Install new Pipe (Solid HDPE 36" diameter)	LF	86.00	
5	Subgrade, Grading, compaction, stabilization 12"	SY	70.00	
6	Limerock Base 8" thickness	SY	70.00	
7	Temporary asphalt (cold or hot asphalt)	SY	65.00	
8	Milling Existing Asphalt (1" depth)	SY	70.00	
9	Asphalt Pavement SP-9.5 (2" thickness)	Ton	18.00	
10	Concrete sidewalk or slab (4" thick) 3000 psi	SY	50.00	
11	Concrete Curb & Gutter Type F	LF	74.00	



Dincer Akin Ozaydin, P.E.

Deputy Public Services Director/City Engineer | City of Dania Beach

dozaydin@daniabeachfl.gov | daniabeachfl.gov

1201 Stirling Rd. | Dania Beach, FL 33004

Phone: 954-924-6808 x3617 |

Web: daniabeachfl.gov | FB: [cityofdaniabeach](https://www.facebook.com/cityofdaniabeach)

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From: Ozaydin, Dincer A.
Sent: Saturday, January 30, 2021 10:26 PM
To: angel@metroexpresscorp.com
Cc: Greene, Darren <dgreene@daniabeachfl.gov>; Taylor, Corry <ctaylor@daniabeachfl.gov>
Subject: NW 1st phase 1
Importance: High

Good evening Angel,

Please provide us the quote based on the below items only.

Thank you so much

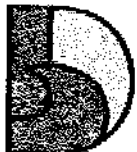
PROJECT INFORMATION

Project Name: Drainage Improvements NW 1 ST & NW 14 Way -Phase I

Owner: City of Dania Beach

Project Location: NW 1 ST and NW 14 Way City of Dania Beach

Item #	Description
1	Mobilization
2	MOT
3	Clearing & Grubbing (Cut, removal and disposal Asphalt, Concrete, Pipes)
4	Install new Pipe (Solid HDPE 36" diameter)
5	Subgrade, Grading, compaction, stabilization 12"
6	Limerock Base 8" thickness
7	Temporary asphalt (cold or hot asphalt)
8	Milling Existing Asphalt (1" depth)
9	Asphalt Pavement SP-9.5 (2" thickness)
10	Concrete sidewalk or slab (4" thick) 3000 psi
11	Concrete Curb & Gutter Type F



DANIA BEACH
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Dincer Akin Ozaydin
Deputy Public Services Director/City Engineer | City of Dania Beach
dozaydin@daniabeachfl.gov | daniabeachfl.gov
1201 Stirling Rd. | Dania Beach, FL 33004
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RESOLUTION NO. 2021-031

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS BY THE PUBLIC SERVICES DEPARTMENT FOR A DRAINAGE PIPE REPLACEMENT AND ROADWAY REPAIR SERVICES PROJECT, TO BE PERFORMED BY MAGGOLC, INC., TO BE MADE WITHIN THE PUBLIC SERVICES DEPARTMENT'S APPROVED ANNUAL BUDGET APPROPRIATIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Charter of the City of Dania Beach, Part III, Article 3, Section 4, Subsection (j), authorizes the City Manager to purchase supplies, services, equipment and materials for the City government in amounts in excess of the established monetary threshold without competitive bidding and without advertisement for bids if she is authorized to do so in advance by a resolution adopted by the City Commission; and

WHEREAS, the Dania Beach Code of Ordinances, Chapter 2, Article 1, Section 2-10, "Monetary thresholds for certain purchases and payment disbursement authorizations", Subsection (a), sets the monetary threshold at Twenty Five Thousand Dollars (\$25,000.00) for a vendor each fiscal year; and

WHEREAS, the Public Services Department is in the process of replacing a drainage pipe and restoring the roadway along NW 1st Street, from NW 14th Way to east of the C-10 Canal bridge; services needed will exceed the annual Twenty Five Thousand Dollars (\$25,000.00) City threshold for a single vendor which will require City Commission approval; and

WHEREAS, three quotes were received, with Maggolc, Inc. being the lowest responsible responsive bidder for the drainage pipe and NW 1st Street repairs; and

WHEREAS, the Public Services Department is seeking approval to exceed Twenty Five Thousand (\$25,000.00) for any necessary future Project services for Fiscal Year 2020-2021 provided funding is available and appropriated in the current budget year and made in accordance with the City of Dania Beach Purchasing Policy for each fiscal year;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

Section 1. That the above "Whereas" clauses are ratified and confirmed, and they are made a part of and incorporated into this Resolution by this reference.

Section 2. That the City Commission authorizes drainage pipe replacement and road repair services to be performed by Maggolg, Inc. for a cost exceeding the annual amount of Twenty-Five Thousand Dollars (\$25,000.00) purchase threshold for a single vendor.

Section 3. That Department purchases shall be subject to and made within the Department's approved level of its annual budget appropriations and in accordance with the City of Dania Beach Purchasing Policy for each fiscal year.

Section 4. That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 5. That this Resolution shall become effective upon its passage and adoption.

PASSED and ADOPTED on March 9, 2021.

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Ordinance

Continued from:

Requested Action (Identify appropriate Action or Motion)

ADOPT ORDINANCE AMENDING CHAPTER 28, "LAND DEVELOPMENT CODE," OF THE CITY CODE OF ORDINANCES BY AMENDING PART 6 "DEVELOPMENT REVIEW PROCEDURES AND REQUIREMENTS," ARTICLE 675 "TEMPORARY USE AND SPECIAL EVENT PERMITS," SECTION 675-20 "TEMPORARY USES AUTHORIZED," AND SECTION 675-40 "STANDARDS AND PROCEDURES FOR APPROVAL OF TEMPORARY USE," TO MODIFY THE REGULATIONS FOR APPROVAL OF SPECIAL EVENT PERMITS

Purchasing Requests ONLY

Dept:

Acct #:

Amt:

Fund:

Fiscal Impact/Cost Summary

Exhibits Attached

CM TX-004-21 Special Event, SR TX-004-21 Special Event 2nd reading, O-2021-013 Text Amendment (TX-004-21) Art. 675 Temporary Use and Special Event Permits to Modify Special Events Approval Regulations SECOND READING



**CITY OF DANIA BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
MEMORANDUM**

DATE: March 9, 2021

TO: Honorable Mayor and Commissioners

FROM: Ana M. Garcia, City Manager, ICMA-CM

VIA: Candido Sosa-Cruz, Assistant City Manager
Eleanor Norena, CFM, Director
Corinne Lajoie, AICP, Assistant Director

SUBJECT: **TX-004-21:** The applicant, City of Dania Beach, is requesting a text amendment to the City's Land Development Code modifying the regulations for approval of special event permits (SECOND READING).

Request

To amend the Temporary Use and Special Events regulations.

Background

Community Development staff proposes amending the Temporary Use and Special Events regulations to simplify, streamline, make corrections, and improve clarity to the existing regulations.

February 17, 2021 the Planning and Zoning Board heard this item and recommended approval with modifications to identify groundbreaking ceremonies as a permitted Special Event by a unanimous vote of 5 - 0.

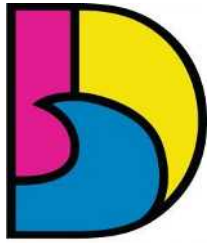
February 23, 2021 the City Commission heard this item on first reading.

Budgetary Impact

None.

Recommendation

Approve the resolution on second and final reading.



DANIA BEACH
SEA IT. LIVE IT. LOVE IT.

CITY OF DANIA BEACH COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT

DATE: March 9, 2021

TO: Ana M. Garcia, City Manager, ICMA-CM

VIA: Candido Sosa-Cruz, Assistant City Manager
Eleanor Norena, CFM, Director
Corinne Lajoie, AICP, Assistant Director

SUBJECT: **TX-004-21:** The applicant, City of Dania Beach, is requesting a text amendment to the City's Land Development Code modifying the regulations for approval of special event permits (SECOND READING).

Request

TEXT AMENDMENT

To amend the current Temporary Use and Special Event regulations.

Background

Staff proposes amending the current Temporary Use and Special Events regulations to simplify, streamline, make corrections, and improve clarity to the existing regulations.

The ordinance proposes to allow the following special events without City Commission approval:

- Events that occur over a 5-hour period or longer
- Events requiring street closure
- Any event that requires an outside agency review
- Any event involving the sales or use of fireworks or sparklers
- Temporary assembly uses such as commercial carnivals, fairs, exhibitions, craft shows, concerts, promotional activities or similar events.
- Garage sales located on property within a nonresidential zoning district.

Special Events that would require City Commission approval include:

- Events with more than 500 persons in attendance (increase from 50 persons)
- Consecutive, multi-day events ('consecutive' added).

Another change includes replacement of all references to the 'Parks and Recreation Director' with 'City Manager or designee'.

In addition, new language was added to allow a temporary structure for up to 180 days to be approved and permitted by the Building Official, with the submittal of an affidavit by the contractor stating all the required information.

Finally, the amendment proposes new language to require an applicant to provide a “Special Event Annual Program” package for Special Events that exceed four (4) times per year. The Special Event Annual Program shall include information identifying each of the proposed events, with a description and parameters of each use, the dates and times for each event for the entire calendar year, and the location or zone of all events. These changes will improve and simplify the application process for special events for applicants who propose a large number of events per year.

On February 17, 2021 the Planning and Zoning Board recommended approval of the ordinance provided a provision was added to identify ground-breaking ceremonies as a Special Event by a unanimous vote of 5 - 0.

City Commission Previous Action

One February 23, 2021 the City Commission heard this item on first reading.

Staff Recommendation

Approve the ordinance on second and final reading.

ORDINANCE NO. 2021-013

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 28, "LAND DEVELOPMENT CODE," OF THE CITY CODE OF ORDINANCES BY AMENDING PART 6 "DEVELOPMENT REVIEW PROCEDURES AND REQUIREMENTS," ARTICLE 675 "TEMPORARY USE AND SPECIAL EVENT PERMITS," SECTION 675-20 "TEMPORARY USES AUTHORIZED," AND SECTION 675-40 "STANDARDS AND PROCEDURES FOR APPROVAL OF TEMPORARY USE," TO MODIFY THE REGULATIONS FOR APPROVAL OF SPECIAL EVENT PERMITS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article 675 of the City of Dania Beach Land Development Regulations contains regulations for Temporary Use and Special Event Permits; and

WHEREAS, Section 675-20 lays out the types of temporary uses that are authorized, and Section 675-40 contains standards and procedures for approval of temporary uses; and

WHEREAS, the City Commission desires to amend its Code of Ordinances and Land Development Code ("Code") in order to update regulations and procedures regarding special events and temporary uses; and

WHEREAS, City staff recommends approval of a proposed change to the Code as shown below; and

WHEREAS, the City Commission finds that adoption of this Ordinance through its police powers will protect the public health, safety, and welfare of the residents of the City, and furthers the purpose, goals, objectives, and policies of the City's Comprehensive Plan;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

Section 1. That the preceding "WHEREAS" clauses are ratified and incorporated as a record of the legislative intent of this Ordinance.

Section 2. That Part 6, "Development Review Procedures and Requirements," Article 675, "Temporary Use and Special Event Permits," Section 675-20 Section 675-20 "Temporary Uses Authorized," of the City of Dania Beach Land Development Code is amended to read as follows:

ARTICLE 675. - TEMPORARY USE AND SPECIAL EVENT PERMITS

Sec. 675-20. - Temporary uses authorized.

(A) All temporary uses or special events must be located on developed property with an active business tax receipt issued by the City, or upon city property as authorized in accordance with this article, and must meet one of the following criteria:

- (1) The temporary use or special event must benefit a business currently licensed and occupying a permanent place of business in the City; or
- (2) The temporary use or special event must benefit a not-for-profit entity or charitable organization; or
- (3) The temporary use or special event must be organized and operated solely for charitable purposes; or
- (4) The temporary use or special event must be a private gathering.

This section does not to apply to local shows or amusements held in theaters, auditoriums or permanent buildings designed and permitted for assembly uses.

City sponsored events and any single day event associated with a place of worship located within the city are exempt from this requirement.

(B) ~~In addition to a temporary use or special event that is required to be approved by the City Commission under subsection (A),~~ The following temporary uses and special events shall be approved by the City Commission after staff review and recommendation, as provided in this subsection:

- (1) Events with more than fifty five hundred (500) persons in attendance, as estimated by the parks and recreation director;
- (2) ~~Events that occur over a five-hour period or longer;~~
- (3) Consecutive Multi-day events; or
- (4) ~~Events requiring street closures;~~
- (5) ~~Any event that requires an outside agency to review the proposed event;~~
- (6) ~~Any event involving the sales or use of fireworks or sparklers;~~
- (7) ~~Temporary assembly uses such as commercial carnivals, fairs, exhibitions, craft shows, concerts, promotional activities or similar events;~~
- (8) ~~Garage sales located on property within a nonresidential zoning district pursuant to section 21-42; and~~
- (9) ~~Other uses of a similar and temporary nature where the period of use will not extend beyond sixty (60) days during any calendar year.~~

The City Commission may, in its initial resolution approving a temporary use, authorize the subsequent administrative approval by the ~~parks and recreation director~~ City Manager or designee of a future event or use that recurs on a regular basis (e.g., approved events or uses recurring annually, or approved events or uses recurring seasonally but no more than four (4) times per calendar year) at specific locations except as provided in section 675-20(F) and section 675-20(G). Recurring events subject to administrative approval shall be consistent with all terms and conditions provided in the original resolution providing for temporary use approval.

- (C) Notwithstanding the provisions of this section, the following temporary uses are authorized in the commercial, industrial and CRA mixed-use districts, and on lots developed for assembly and institutional uses in other zoning districts subject to approval of the ~~the parks and recreation director~~ City Manager or designee after staff review and recommendation, as provided in this subsection. The ~~the parks and recreation director~~ City Manager or designee may require eCity eCommission approval of any temporary use or special event which is normally subject to administrative approval under this subsection, if the ~~the parks and recreation director~~ City Manager or designee has determined that neighboring property may be impacted by the proposed event.
- (1) Temporary sales of a seasonal nature (e.g., holiday sales of Christmas trees, pumpkins for Halloween), excluding fireworks and sparklers; and
 - (2) Events with less than ~~fifty~~ five-hundred (500) persons in attendance, ~~as estimated by the parks and recreation director.~~
- (D) The following temporary uses are permitted without further review, in connection with development projects which are subject to eCity eCommission approval, unless the use was previously reviewed during the site plan approval process, in which case administrative approval is authorized.
- (1) Offices for sale of real estate or for persons engaged in the development, within temporary buildings or office trailers which are approved consistent with all building permit submittal requirements for temporary structures.
 - (2) Construction materials storage and processing.
 - (3) Equipment storage.
 - (4) Model homes or sample apartments.
 - (5) Activities of religious, institutional, or governmental entity under construction, reconstruction, renovation or enlargement.
 - (6) Ground-breaking ceremonies on the site of a future development.
- (E) Garage (yard) sales are permitted subject to the limitation on frequency and license requirement set forth in chapter 21, article 3 of the Code of Ordinances, and the signage allowance in section 505-170(I). Garages sales located on property within a non-residential zoning district shall be subject to temporary use approval by the eCity eCommission in accordance with the procedure provided in this section.
- (F) Notwithstanding the above standards and regulations, eCommunity ~~r~~Redevelopment aAgency (CRA) and eCity sponsored special events, along with properties which are zoned PMUD or properties subject to a Florida pari-mutuel license and a development agreement with the eCity, may exceed the maximum limit of four (4) times per calendar year for recurring events or uses, subject to administrative review and approval by the ~~Parks and Recreation Director~~ City Manager or designee. Applications for recurring temporary uses and special events exceeding four (4) times per calendar year shall provide a ~~schedule of events~~ Special Event Annual Program package that shall include information identifying each of the proposed events, with a description and parameters of each use, the dates and times for each event for the entire calendar year, and the location or zone of all events. ~~of all proposed temporary uses and special events to be approved annually.~~ The ~~Parks and Recreation Director~~ City Manager or designee may impose reasonable conditions as provided for in section 675-40(c) necessary to ensure the public health, safety, and general welfare. In addition to the foregoing, properties subject to a Florida pari-mutuel license and a development agreement with the city may also request approval for the temporary use of up to three hundred (300) parking spaces constituting surplus parking located within the pari-mutuel facility for the parking of licensed and operational passenger vehicles by a third party with an active business license within the eCity subject to the following conditions:
- (1) All passenger vehicles must be parked in a designated parking space;
 - (2) The parking of recreational vehicles, panel truck or construction vehicles are not permitted in any area designated for temporary parking pursuant to this subsection;

- (3) Any temporary parking approved pursuant to this subsection shall be located at least one hundred twenty-five (125) feet from the property line of any property zoned or used for residential uses and not owned by the pari-mutuel.

Any such approval may be granted by the eCity eCommission for up to eighteen (18) months. The dDirector of eCommunity dDevelopment has the discretion to approve further consecutive one hundred eighty (180) days extensions for the temporary use upon further written request. In no event shall more than two (2) consecutive extensions be granted for any temporary use approved by this subsection unless extended by the eCity eCommission.

- (G) All temporary uses and special events approved subject to the standards and requirements set forth under this article are deemed to be a privilege and not a right, which may be revoked by the eCity for failure to comply with any of the provisions of this article or any other local, state or federal law governing the event. Approved temporary uses and special events may also be revoked if such revocation is in the best interest of the eCity based on emergency, disorder or other unforeseen conditions.
- (H) All temporary uses or special events for mobile food vendor events shall be approved by the City Commission pursuant to the criteria set forth in subsections (A) and (B). The City Commission may, in its initial resolution approving a temporary use, authorize the subsequent administrative approval by the ~~Parks and Recreation Director~~ City Manager or designee of a future event or use that recurs on a regular basis (e.g., approved events or uses recurring annually, or approved events or uses recurring seasonally but no more than eight (8) times per calendar year) at specific locations. Recurring events subject to administrative approval shall be consistent with all terms and conditions provided in the original resolution providing for temporary use approval.
- (I) A temporary structure permit for up to 180 days can be approved by the Building Official with the submittal of an affidavit stating all the required information and time limits.

Section 3. That That Part 6, “Development Review Procedures and Requirements,” Article 675, “Temporary Use and Special Event Permits,” Section 675-40 “Standards and Procedures for Approval of Temporary Use,” of the City of Dania Beach Land Development Code is amended to read as follows:

Sec. 675-40. - Standards and procedures for approval of temporary use.

- (A) The eCity mManager or designee shall review the application and all support documents for completeness. The city manager or designee shall notify the applicant of any deficiencies in the application or support documents and specify what additional requirements must be met. Once the city manager or designee has determined that the application and support documents are complete, the application and support documents shall be distributed for staff review.
- (B) Once the required documentation has been provided, the application will be scheduled for hearing on the agenda of the next available eCity eCommission meeting, if eCity eCommission approval is required pursuant to section 675-20.
- (C) For applications subject to eCity eCommission review pursuant to section 675-20, the eCity eCommission shall approve, approve with conditions, or deny the proposed application at a public hearing based upon the applicant's demonstration that the use will be in compliance with the terms of this article and all pertinent code requirements, and that adequate provision and assurance has been made for traffic control, trash cleanup, special event signage, public safety considerations, and compatibility with adjacent uses. For applications subject to administrative review and approval by the

~~parks and recreation director~~ City Manager or designee, ~~the parks and recreation director staff~~ shall determine that the foregoing requirements are met prior to approval of the application. The ~~e~~City ~~e~~Commission, or ~~parks and recreation director~~ City Manager or designee (as applicable under section 675-20), may impose reasonable conditions as are necessary to ensure compliance with the applicable standards of these land development regulations.

Section 4. That if any section, clause, sentence or phrase of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

Section 5. That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are repealed to such extent of the conflict.

Section 6. That this Ordinance shall take full effect immediately upon its passage and adoption.

PASSED on first reading on February 23, 2021.

PASSED AND ADOPTED on second reading on March 9, 2021.

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Public Hearing

Continued from:

Requested Action (Identify appropriate Action or Motion)

TO APPROVE AND ADOPT AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF CITY FUNDS EXCEEDING ONE MILLION DOLLARS (\$1,000,000.00) FOR MAN CON, INC. TO PROVIDE SERVICES RELATED TO CITY BID NO. 20-006 “SOUTHEAST 2ND AVENUE AND SOUTHEAST 7TH STREET WATER MAIN REPLACEMENT” PROJECT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)** *(Public Services)*

Purchasing Requests ONLY

Dept:

Acct #:

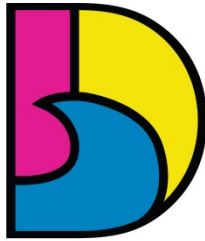
Amt:

Fund:

Fiscal Impact/Cost Summary

Exhibits Attached

C-MEMO-ORDINANCE-TO EXCEED 1M FOR THE SE2AV-WTRMAINRPLCMT (003), O-2021- Authorize Expenditure of Funds Exceeding \$1M for Man Con for SE 2nd Avenue and SE 7th Street Watermain Replacement Project (ITB 20-006)



DANIA BEACH
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CITY OF DANIA BEACH PUBLIC SERVICES DEPARTMENT

MEMORANDUM

DATE: March 9, 2021

TO: Honorable Mayor and Commissioners

VIA: Ana M. Garcia, ICMA- CM, City Manager

FROM: Fernando J. Rodriguez, Public Services Director
Dincer A. Ozaydin, Deputy Public Service Director/City Engineer

**RE: EXPENDITURE OF CITY FUNDS TO EXCEED 1M FOR THE SOUTHEAST 2nd AVENUE AND
SOUTHEAST 7th STREET WATER MAIN REPLACEMENT PROJECT**

Request

Public Services is requesting expenditure authorization of City funds that will exceed One Million Dollars for the Southeast 2nd Avenue and Southeast 7th Street Water Main Replacement Project.

Background

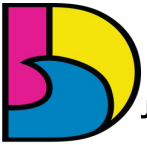
The water pipes (mains) in SE 2nd Avenue and some of the surrounding area were installed circa 1952 and constructed of cast iron. The pipe was never lined to extend its life cycle. Frequent pipe breaks and leaks within the past 18 months indicated the need to replace the 70-plus year-old pipes. This project will replace approximately 8,800 lineal feet (LF) of 8-inch cast iron water pipe with 12-inch C-900 PVC water pipe in SE 2nd Avenue and SE 7th Street.

Approval to bid construction of the SE 2nd Avenue and 7th Street Water Main Replacement Project was granted via Resolution 2020-041, passed, and adopted on May 12, 2020. The project's Invitation to Bid (ITB) was advertised in the Sun-Sentinel on November 23, 2020 and posted on the City's website and on Demand-Star. The City received three responses, which were opened publicly on December 28, 2020. The ITB evaluation committee reviewed all proposals from responsive and responsible bidders. The committee ranked Man Con, Inc. as the most qualified, and therefore recommends this contractor's selection for the project.

Budgetary Impact

Man Con, Inc.'s bid of \$2,163,955 for construction of this project exceeds the originally projected cost amount that was used for the CIP budget. The additional \$941,955 required will be appropriated via a budget transfer to the following accounts: Revenue - 401-00-00-389-90-02 Appropriated Net Position, Expense - 401-33-02-533-63-10 Water Distribution Improvements.

\continued...



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EXPENDITURE OF CITY FUNDS TO EXCEED 1M FOR THE SOUTHEAST 2nd AVENUE AND SOUTHEAST 7th STREET WATER MAIN REPLACEMENT PROJECT

Recommendation

City Administration recommends that the City Commission adopt an Ordinance to authorize the expenditure of City fund exceeding One Million Dollars for the Southeast 2nd Avenue and Southeast 7th Street Water Main Replacement Project.

ORDINANCE NO. 2021-014

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF CITY FUNDS EXCEEDING ONE MILLION DOLLARS (\$1,000,000.00) FOR MAN CON, INC. TO PROVIDE SERVICES RELATED TO CITY BID NO. 20-006 “SOUTHEAST 2ND AVENUE AND SOUTHEAST 7TH STREET WATER MAIN REPLACEMENT” PROJECT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 2, “Certain Expenditures” of Article 3, “Powers of the City”, of the City Charter, the City Commission must, by ordinance approve any expenditure of City funds that exceeds One Million Dollars (\$1,000,000.00) after two (2) advertised public hearings of the ordinance; and

WHEREAS, City staff anticipates that funding for Southeast Second Avenue and Seventh Street Water Main Replacement Project will exceed the monetary threshold; and

WHEREAS, the expenditure is expected to exceed One Million Dollars (\$1,000,000.00) for Water Main Replacement Project specifically for Southeast 2nd Avenue and Southeast 7th Street ;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

Section 1. That the proper City officials are authorized to expend more than One Million Dollars (\$1,000,000.00) relating to Southeast Second Avenue and Seventh Street Water Main Replacement Project identified above.

Section 2. That the authorization by the City Commission to exceed more than One Million Dollars (\$1,000,000.00) applies only to Southeast 2nd Avenue and Southeast 7th Street Water Main Replacement Project.

Section 3. That if any section, clause, sentence or phrase of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

Section 4. That all ordinances or parts of ordinances in conflict with the provisions of this Ordinance are repealed.

Section 5. That this Ordinance shall take effect immediately at the time of its passage and adoption.

PASSED on first reading on March 9, 2021.

PASSED AND ADOPTED on second reading on _____, 2021.

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK

TAMARA JAMES
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Resolution

Continued from:

Requested Action (Identify appropriate Action or Motion)

Continue until March 23, 2021

Purchasing Requests ONLY

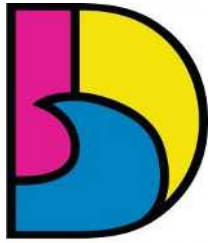
Dept:	Acct #:	Amt:
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Fund:

Fiscal Impact/Cost Summary

Exhibits Attached

CM SP-039-20MOD VA-100-20 US Crane and Rigging (Site Plan Mod and Variance), SP-039-20MOD ; VA-100-20 Location Map
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DANIA BEACH
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**CITY OF DANIA BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
MEMORANDUM**

DATE: March 9, 2021

TO: Honorable Mayor and Commissioners

FROM: Ana M. Garcia, City Manager, ICMA-CM

VIA: Candido Sosa-Cruz, Assistant City Manager
Eleanor Norena, CFM, Director
Corinne Lajoie, AICP, Assistant Director
Richard Lorber, AICP, Planning and Zoning Manager

SUBJECT: **SP-039-20MOD/VA-100-20:** The applicant, U.S. Crane and Rigging, LLC, on behalf of the property owner Pamela Kay Hayes, as Trustee of the Robert L. Elmore July 2010 Revocable Trust, is requesting a variance and modification of a previously approved site plan for the construction of an industrial warehouse building, for property located at 2980 W State Road 84.

Request

VARIANCE – The applicant is requesting a variance to permit a building height of sixty-one point eighty-three (61.83) feet where a maximum building height of thirty-five (35) feet is permitted, per Section 205-10(D) of the Land Development Code (LDC).

SITE PLAN - The applicant is requesting a Site Plan approval for the construction of an 115,000 square foot industrial warehouse building.

Background

The site plan was reviewed by the Development Review Committee (DRC) on November 25, 2020, which includes personnel from the BSO Fire, Public Services, the City's landscape consultant and Community Development Department's Planning Division. There are a few outstanding DRC comments, which will be included in the resolution as conditions of approval.

Budgetary Impact

Approval of the Variance and Site Plan will allow the opportunity for the redevelopment of the site.

Recommendation

Continue the resolution for the Variance and Site Plan to a date certain of March 23, 2021 to ensure corrective notice.



LOCATION MAP

**SP-039-20MOD
VA-100-20**

**SITE PLAN MODIFICATION
VARIANCE**

US CRANE AND RIGGING

2980 W STATE ROAD 84

Legend

-  1,000' BUFFER
-  SUBJECT PROPERTY



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0 162.5 325 650 975 1,300 Feet



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

2021-01-15 10:00:00 AM Folder: \\GIS\Projects\2021\SP-039-20MOD\2021-01-15 10:00:00 AM

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Resolution

Continued from:

Requested Action (Identify appropriate Action or Motion)

Continue until March 23, 2021

Purchasing Requests ONLY

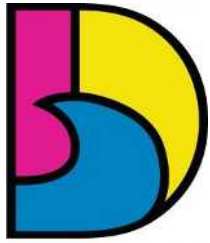
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Fund:

Fiscal Impact/Cost Summary

Exhibits Attached

CM SP-071-20 VA-080-20 US Crane and Rigging Runway Site (Site Plan and Variance), SP-071-20; Location Map



DANIA BEACH
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**CITY OF DANIA BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
MEMORANDUM**

DATE: March 9, 2021

TO: Honorable Mayor and Commissioners

FROM: Ana M. Garcia, City Manager, ICMA-CM

VIA: Candido Sosa-Cruz, Assistant City Manager
Eleanor Norena, CFM, Director
Corinne Lajoie, AICP, Assistant Director
Richard Lorber, AICP, Planning and Zoning Manager

SUBJECT: **SP-071-20/VA-080-20:** The applicant, Deena Gray, Esq. For Greenspoon Marder LLP, on behalf of the property owner Pamela E. Hayes, as trustee under trust dated December 24, 1991, is requesting a variance (VA-080-20); and requesting site plan approval for the construction of a 112,931 square foot industrial warehouse building, for property located at 3035 SW 36 Street.

Request

VARIANCE – The applicant is requesting a variance to permit a building height of sixty-four and one-half (64.5) feet where a maximum building height of thirty-five (35) feet is permitted, per Section 205-10(D) of the Land Development Code (LDC).

SITE PLAN - The applicant is requesting a Site Plan approval for the construction of an 112,931 square foot industrial warehouse building.

Background

The site plan was reviewed by the Development Review Committee (DRC) on September 24, 2020 and again on November 25, 2020, which includes personnel from the BSO Fire, Public Services, the City's landscape consultant and Community Development Department's Planning Division. There are a few outstanding DRC comments, which will be included in the resolution as conditions of approval. The item should be continued to the next City Commission meeting to ensure the correct notice.

Budgetary Impact

Approval of the Variance and Site Plan will allow the opportunity for the redevelopment of the site.

Recommendation

Continue the resolution for the Variance and Site Plan to a date certain of March 23, 2021 to ensure corrective notice.



LOCATION MAP

SP-071-20
VA-080-20

SITE PLAN
VARIANCE

US CRANE AND RIGGING
3035 SW 36 STREET

Legend

-  1,000' BUFFER
-  SUBJECT PROPERTY



DANIA BEACH
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0 162.5 325 650 975 1,300 Feet



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

RESOLUTION NO. 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.

WHEREAS, the City Commission wishes to create and adopt a “Ceremonial Items Policy” (the “Policy”) to outline a process that will be followed when items such as “Proclamations” and a “Key to the City” are bestowed upon individuals or organizations; and

WHEREAS, such Policy will define a standard procedure that will be consistent when such ceremonial items are requested to be issued by elected officials;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

Section 1. That the above “WHEREAS” clauses are ratified and confirmed, and they are made a part of and incorporated into this Resolution by this reference.

Section 2. That the City Commission creates and adopts a “Ceremonial Items Policy” which will be applicable to City elected officials and determine a standardized process that will provide for consistency. A copy of the Policy is attached as Exhibit “A”, which is made a part of and is incorporated into this Resolution by this reference.

Section 3. That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 4. That this Resolution shall be in force and take effect immediately upon its passage and adoption.

PASSED AND ADOPTED on April 28, 2020.

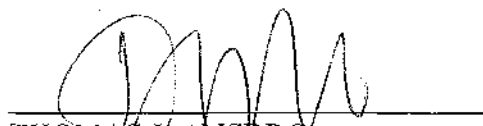
ATTEST:


THOMAS SCHNEIDER, CMC
CITY CLERK




LORI LEWELLEN
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:


THOMAS J. ANSBROSIO
CITY ATTORNEY

Ceremonial Items Policy

The City Commission has established a procedure to be adhered to by the City Commission, the City Manager and organizations relative, but not limited to, the issuance and distribution of proclamations, keys to the City, awards, certificates and other ceremonial items or documents, effective April 28, 2020.

The Mayor, Commissioners, City Manager and organizations may request ceremonial items from the City Commission by submitting a written request to the City Clerk using the request form or a written communication before the publishing of the next City Commission meeting agenda. Upon receipt, the City Clerk will place it on the next agenda for discussion and seek a motion to approve the request to be placed on a future meeting agenda. The individual or organization making the request will have the opportunity to explain the reason for the request for the City Commission's consideration and discussion. Upon City Commission approval, the City Clerk will prepare the item and, if applicable, will invite the party to be recognized to the next appropriate City Commission meeting or invite a representative of the event of the organization requesting the item.

Ceremonial item request requirements. The criteria and types of ceremonial items available for presentation identified below shall serve as a reference for the City Commission.

The following types of ceremonial items are available for presentation:

- (1) *Keys to the City.* A key to the city is the most prestigious award presented by the City Commission and shall be generally limited to the following criteria. They may be issued:
 - a. To citizens, organizations or entities of the City who or which brought regional, national or international acclaim to the City;
 - b. To citizens, organizations or entities who or which have provided service of significant historical value to the City; and
 - c. To individuals, organizations or entities for meritorious acts that occurred within the City.
- (2) *Proclamations.* A proclamation is a formal public statement presented at a Commission meeting by the City Commission to recognize certain causes and events to include but not limited to the following:
 - a. For organizations with widespread community interest;
 - b. For a national event or cause such as the American Cancer Society, Breast Cancer Awareness, Black History Month, Women's History Month, National Library Week and other similar events and causes;
 - c. For organizations to commemorate a special event/activity having a positive impact on the City such as Code Enforcement Week, Parks & Recreation Month, City Clerk Week, Public Service Recognition Week;
 - d. For historic milestones such as Centenarian (100th) Birthdays; and

- e. For events supported by proclamations issued by the President of the United States, U.S. Congress, Governor of the State of Florida or the Florida State Legislature.

(3) Proclamations will not be issued for the following:

- a. Commercial purposes such as opening of a new business, a new service, a new product or a new professional service;
- b. Deceased persons unless the person was associated with a specific significant event;
- c. Birthdays less than 100 years;
- d. Family reunions, class reunions, or wedding anniversaries;
- e. Personal political or business endorsement of individuals or for-profit businesses.

(4) The request form or written communication for ceremonial items such as keys, proclamations and certificates must include the following:

- a. Specific title of what will be honored with a ceremonial item;
- b. Requested type of ceremonial items and date to be presented or picked up;
- c. Facts about the subject matter, cause or event;
- d. Contact information of the person or official making the request including: name, mailing address, telephone number, cell telephone number and email if applicable;
- e. Specify whether the ceremonial item is requested to be issued or presented at a Commission meeting or an event; and
- f. Proclamations and other ceremonial items or documents approved by the City Commission shall be read or presented by the Mayor, Vice Mayor or Commissioner who requested the item. Proclamations can only be signed by the Mayor.



**CITY OF DANIA BEACH
OFFICE OF THE CITY CLERK**

MEMORANDUM

DATE: March 9, 2021
TO: Honorable Mayor and Commissioners
FROM: Ana M. Garcia, ICMA-CM, City Manager
VIA: Thomas Schneider, City Clerk
SUBJECT: City Commission Summer Recess

The Request

The City Administration is requesting input from the City Commission as to scheduling of the summer recess.

Background

Following release of the July 1 taxable value certification, the proposed budget is released to the City Commission.

The budget process requires that during July the City Commission set the Tentative Millage Rate and Proposed Residential Solid Waste, Stormwater, and Fire Assessment Rates. These rates must be transmitted to the Property Appraiser's Office by the end of July.

For the last few years, the City Commission cancelled the first meeting in the months of July and August.

Budgetary Impact

None

Recommendation

Provide input to the City Administration as to scheduling of the summer recess.

June 2021

June 2021							July 2021						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
6	7	1	2	3	4	5	4	5	6	7	1	2	3
13	14	8	9	10	11	12	11	12	13	14	8	9	10
20	21	15	16	17	18	19	18	19	20	21	15	16	17
27	28	22	23	24	25	26	25	26	27	28	22	23	24
		29	30						29	30	29	30	31

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
May 30	31	Jun 1	2	3	4	5
6	7	8 5:30pm CRA Board Meeting 7:00pm City Commission Meeting	9	10 10:00am Special Magistrate	11	12
13	14	15	16	17	18	19
20	21	22 7:00pm City Commission Meeting	23	24	25	26
27	28	29	30	Jul 1	2	3

July 2021

July 2021							August 2021						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
4	5	6	7	1	2	3	1	2	3	4	5	6	7
11	12	13	14	8	9	10	8	9	10	11	12	13	14
18	19	20	21	15	16	17	15	16	17	18	19	20	21
25	26	27	28	22	23	24	22	23	24	25	26	27	28
				29	30	31	29	30	31				

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Jun 27	28	29	30	Jul 1	2	3
4	5	6	7	8	9	10
11	12	13 5:30pm CRA Board Meeting 7:00pm City Commission Meeting	14	15 10:00am Special Magistrate	16	17
18	19	20	21	22	23	24
25	26	27 7:00pm City Commission Meeting	28	29	30	31

August 2021

August 2021							September 2021						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7				1	2	3	4
8	9	10	11	12	13	14	5	6	7	8	9	10	11
15	16	17	18	19	20	21	12	13	14	15	16	17	18
22	23	24	25	26	27	28	19	20	21	22	23	24	25
29	30	31					26	27	28	29	30		

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Aug 1	2	3	4	5	6	7
8	9	10 5:30pm CRA Board Meeting 7:00pm City Commission Meeting	11	12 10:00am Special Magistrate	13	14
15	16	17	18	19	20	21
22	23	24 7:00pm City Commission Meeting	25	26	27	28
29	30	31	Sep 1	2	3	4

**AIRPORT ADVISORY BOARD
MEMBERSHIP
Friday, February 26, 2021**

Name/Address Phone Number	Date Appointed	Term	Commission Appointment
		November 2020 through November 2022	James
		November 2020 through November 2022	James
Dean Harley 606 NW 8 th Street Dania Beach, FL 33004-2320 513-652-5140 धारley@broward.edu	February 9, 2021	November 2020 through November 2022	Lewellen
Keith Roberts 4417 SW 27 th Terrace Dania Beach, FL 33312 954-309-5555 bkars2020@aol.com	February 9, 2021	November 2020 through November 2022	Lewellen
Patricia De La Fuente 195 NE 2 nd Street Dania Beach, FL 33004 401-206-1976 Patricia.dlfz@gmail.com	February 23, 2020	November 2020 through November 2022	Davis
		November 2020 through November 2022	Davis
Randy Wright 4391 SW 34 th Lane Ft. Lauderdale, FL 33312 954-983-6920 rcwpaw@juno.com	February 9, 2021	November 2020 through November 2022	Salvino
Gary Luedtke 4461 SW 34 Drive Fort Lauderdale, FL 33312-5513 954-966-8013 gluedtke@gmail.com	February 9, 2021	November 2020 through November 2022	Salvino

**AIRPORT ADVISORY BOARD
MEMBERSHIP
Friday, February 26, 2021**

Name/Address Phone Number	Date Appointed	Term	Commission Appointment
Charlene Tanner 1024 SE 5th Avenue, Unit 1 PL 954-817-4541 Charlenetanner@comcast.net	February 9, 2021	November 2020 through November 2022	Odman
Dolores Boegli 173 NE 6 Court Dania Beach, FL 33004 954-549-5854 doloresboegli@bellsouth.net	February 9, 2021	November 2020 through November 2022	Odman

**CREATIVE ARTS COUNCIL ADVISORY BOARD
MEMBERSHIP**

Friday, February 26, 2021

Name/Address Phone Number	Date Appointed	Term	Appointment
Patricia Chukerman 545 SE 4 th Court Dania Beach, FL 33004 954.552.9996 (C) 954.929.8289 (H) bykermom@me.com	February 23, 2021	November 2020 through November 2024	Salvino
		November 2020 through November 2024	Davis
Lilli Schipper 716 SE 3 rd Court Dania Beach, FL 33004 954.347.7402 lilli@lillirachel.com	January 14, 2020	November 2018 through November 2022	Lewellen
Roseprimevere Jacques 501 E Dania Beach Boulevard, 3J Dania Beach, FL 33004 954.261.4325 jroseprimevere@gmail.com	September 23, 2019	November 2018 through November 2022	Odman
		November 2020 through November 2024	James

CREATIVE ARTS COUNCIL ADVISORY BOARD MEMBERSHIP

Friday, February 26, 2021

Name/Address Phone Number	Date Appointed	Term	Appointment
Laura Lombardo 1401 NW 10 th Street, Apt. South Dania Beach, FL 33004 954.258.1985 Laurarosey17@gmail.com	February 16, 2019	February 16, 2019 through February 16, 2021	Ad Hoc Committee
Tony Walsh 235 SE 9 th Street Dania Beach, FL 33004 904.252.1118 TWalshArts@aol.com	February 16, 2019	February 16, 2019 through February 16, 2021	Ad Hoc Committee
			Ad Hoc Committee
			Ad Hoc Committee
			Ad Hoc Committee
			Ad Hoc Committee
Rose Lizana Dania Beach Press P.O. Box 128 Dania Beach, FL 33004 954.925.4227 daniapress@aol.com	July 16, 2012 July 16, 2013	July 16, 2013 through July 16, 2014	Associate Member 1 Year Term
Executive Director of the Dania Beach Chamber of Commerce Randie Shane P.O. Box 1017 Dania Beach, FL 33004 954.926.2323 rshane@daniabeachchamber.org	NA	NA	Associate Member

CREATIVE ARTS COUNCIL ADVISORY BOARD MEMBERSHIP

Friday, February 26, 2021

Name/Address Phone Number	Date Appointed	Term	Appointment
President of the Dania Beach Paul DeMaio Friends of the Library Linda Wilson 1547 Adams Street Hollywood, FL 33020 954.929.8712 lb_wilson@bellsouth.net	NA	NA	Associate Member
President of the Dania Beach Tourism Council Joe Van Eron 1500 S.W. Second Ave. Dania Beach, FL 33004-4209 954.925.6935 Cell: 954.383.5548 info@visitdaniabeach.com	NA	NA	Associate Member
Dania Beach Improvement Committee Representative Patricia Hart 954.922.8179 Cell: 954.895.8179 pbubbahart@bellsouth.net	NA	NA	Associate Member
Director of the City Parks and Recreation Department Eric Brown, Director 100 W. Dania Beach Blvd. Dania Beach, FL 33004 954.924.6800 x3730 ebrown@daniabeachfl.gov	NA	NA	Associate Member
City of Dania Beach CRA Economic Development Manager Muriel Bryan 100 W. Dania Beach Blvd. Dania Beach, FL 33004 954.924.6801 x3667 mbryan@daniabeachfl.gov	NA	NA	Associate Member

**CREATIVE ARTS COUNCIL ADVISORY BOARD
MEMBERSHIP**

Friday, February 26, 2021

Name/Address Phone Number	Date Appointed	Term	Appointment
Don Mizell 187 NE 6 Ct. Dania Beach, FL 33004 310.343.3547 dmaceco@gmail.com	February 2013	NA	Honorary Member
Carolyn Jones 722 SW 3 rd Street P.O. Box 1242 Dania Beach, FL 33004 954.920.0727 Cj2002@bellsouth.net	March 2016	NA	Honorary Member

**EDUCATION ADVISORY BOARD
MEMBERSHIP
Friday, February 26, 2021**

Name/Address Phone Number	Date Appointed	Term	Commission Appointment
		November 2020 through November 2024	Davis
Rev. Paul R. Wiggins 321 SE 3rd Street, #905 Dania Beach, FL 33004 954-927-6703 – Office 954-644-2648 – Cell pastorgreatermtzioname@aol.com	January 12, 2021	November 2020 through November 2024	James
Mandraker Jagroop 4490 SW 24 th Avenue Dania Beach, FL 33312 646-334-5743 mandray1989@aol.com	May 28, 2019	November 2018 through November 2022	Odman
Amy Urdaneta 261 SW 4th Street Dania Beach, FL 33004 954-558-7408 amyurdanetadv@gmail.com	January 28, 2020	November 2018 through November 2022	Lewellen
Bonnie Carlton 1025 SE 2nd Avenue, #203 Dania Beach FL 33004 954-629-6006 (Cell) 954-920-8847 (Home) Bcarlton917@gmail.com	February 9, 2021	November 2020 through November 2024	Salvino
Principal Tracey Jackson 754-323-5150 tracy.jackson@browardschools.com Assistant Principal Maureen Keenan maureen.keenan@browardschools.com		February 2013 through	Ex-Officio Collins Elementary School

**EDUCATION ADVISORY BOARD
MEMBERSHIP
Friday, February 26, 2021**

Name/Address Phone Number	Date Appointed	Term	Commission Appointment
Principal Lewis Jackson 754-323-5350 lewis.jackson@browardschools.com Assistant Principal Leslie Phillips leslie.phillips@browardschools.com		February 2013 through	Ex-Officio Dania Beach Elementary School
Principal Valerie Harris 754-323-3800 valerie.harris@browardschools.com		February 2013 through	Ex-Officio Olsen Middle School
		February 2013 through	Ad-Hoc

GENERAL EMPLOYEES PENSION BOARD
MEMBERSHIP
Friday, February 26, 2021

Name/Address Phone Number	Date Appointed	Term	Position
		June 22, 2020 through June 22, 2022	Commission Appointment
Luis G. Rimoli 902 Natures Cove Road Dania Beach, FL 33004 954-927-7161 954-478-0653 luis@stagedrightevents.com	February 26, 2019	March 22, 2019 through March 22, 2021	Commission Appointment
Adam Segal City of Dania Beach 100 W. Dania Beach Boulevard Dania Beach, FL 33309 954-924-6800 x 3620 asegal@daniabeachfl.gov	May 23, 2017	Open	Commission Appointment (Finance Director or Designee)
Leo Williams 8761 NW 10 th Street Pembroke Pines, FL 33024 954-651-5031 leosupt@aol.com	May 2, 2018	June 21, 2018 through June 21, 2021	Employee Elected
Corinne Lajoie, Chair 3546 Coco Lake Drive Coconut Creek, FL 33073 954-651-5016 954-924-6805 x3704 corichurch.lajoie@gmail.com	August 14, 2019	June 21, 2019 through June 21, 2022	Employee Elected

**GREEN ADVISORY BOARD
MEMBERSHIP
Friday, February 26, 2021**

Name/Address Phone Number	Date Appointed	Term	Commission Appointment
Charlene Hogan 233 SE 4th Street Dania Beach, FL 33004 954-802-1527 Chargator233@aol.com	February 9, 2021	November 2020 through November 2022	Odman
Kasia Johnson 466 SE 14 th Street Dania Beach, FL 33004 954-300-6764 Kasia_johnson@comcast.net	February 23, 2021	November 2020 through November 2024	Davis
		November 2020 through November 2024	James
Patricia Chukerman 545 SE 4 th Court Dania Beach, FL 33004 954-552-9996 (C) 954-929-8289 (H) bykermom@me.com	February 9, 2021	November 2020 through November 2024	Salvino
Laura Lombardo 1401 NW 10 th Street, Apt. South Dania Beach, FL 33004 954-258-1985 Laurarosey17@gmail.com	January 14, 2020	November 2018 through November 2022	Lewellen
David Simonetta 908 E Las Olas Boulevard Fort Lauderdale, FL 33301 954-837-3090 davidjsimonetta@gmail.com	January 8, 2019	November 2018 through November 2020	Ad Hoc (James)

**MARINE ADVISORY BOARD
MEMBERSHIP
Friday, February 26, 2021**

Name/Address Phone Number	Date Appointed	Term	Commission Appointment
Chris Barile 5099 SW 28 th Avenue Dania Beach, FL 33312 954-989-8260 (Home) 954-494-1920 (Cell) chrisbarile@bellsouth.net	February 9, 2021	November 2020 through November 2024	Salvino
Thomas G. Angelos 218 SW 13th Street Dania Beach, FL 33004 954-670-6099 T_Angelos@yahoo.com	February 9, 2021	November 2020 through November 2024	Salvino
Jason Clark 661 SE 15th Street, Apt. 107 Dania Beach, FL 33004 571-235-7192 305-800-2677 (Alternate) clarkjasonr@gmail.com	January 12, 2021	November 2020 through November 2024	James
		November 2020 through November 2024	James
Clive Taylor 642 NE 3 rd Street Dania Beach, FL 33004 954-923-4439 (Home) 954-830-8855 (Cell) cetriumph@aol.com	December 11, 2018	November 2018 through November 2022	Lewellen
Sharon Malone 111 SE 1st Street #117 Dania Beach, FL 33004 954-662-9537 Sharon@thedestinationconnection.com	December 11, 2018	November 2018 through November 2022	Lewellen

**MARINE ADVISORY BOARD
MEMBERSHIP
Friday, February 26, 2021**

Name/Address Phone Number	Date Appointed	Term	Commission Appointment
Dean Grant 503 N 2 nd Place Dania Beach, FL 33004 954-868-6247 deanggrant@bellsouth.net	December 11, 2018	November 2018 through November 2022	Odman
Craig Valentine 1982 Tigertail Boulevard, Bldg. #9 Dania Beach, FL 33004 954-505-3201 954-258-4848 (Cell) craig@gwaflorida.com	September 10, 2019	November 2018 through November 2022	Odman
Martin Proulx 195 NE 2 nd St. Dania Beach, FL 33004 954-321-0200 martina@aprecast.com	February 23, 2021	November 2020 through November 2024	Davis
		November 2020 through November 2024	Davis

**PARKS, RECREATION & COMMUNITY AFFAIRS
ADVISORY BOARD MEMBERSHIP
Friday, February 26, 2021**

Name/Address Phone Number	Date Appointed	Term	Commission Appointment
		November 2020 through November 2022	Lewellen
Pilar Rodriguez 5189 SW 28th Avenue Dania Beach, FL 33004 305-632-0493 thankyoupillar@att.net	February 9, 2021	November 2020 through November 2022	Lewellen
		November 2020 through November 2022	James
Deborah Bell 713 SW 3 rd Street Dania Beach, FL 33004 954-292-0757 Deborock87@gmail.com	February 23, 2021	November 2020 through November 2022	James
Mary Giovanini 500 NE 2 nd Street, #126 Dania Beach, FL 33004 954-292-0091 MaryGiovanini@hotmail.com	February 23, 2021	November 2020 through November 2022	Davis
Morris Goldwire 20 NW 13 th Avenue Dania Beach, FL 33004 234-223-6467 Goldwire75@gmail.com	February 23, 2021	November 2020 through November 2022	Davis

**PARKS, RECREATION & COMMUNITY AFFAIRS
ADVISORY BOARD MEMBERSHIP
Friday, February 26, 2021**

Name/Address Phone Number	Date Appointed	Term	Commission Appointment
Christine LaBarca 235 SE 8 th Street Dania Beach, FL 33004 954-292-1441 christinelabarca@aol.com	February 9, 2021	November 2020 through November 2022	Salvino
Richard "Rich" Aube 675 SE 2 nd Avenue Dania Beach, FL 33004 954-922-9411 954-336-5110 (Cell) raube@forliferealty.com	February 9, 2021	November 2020 through November 2022	Salvino
Sheila Moorehead McCray 46 NW 14th Court Dania Beach, FL 33004 786-422-3707 sofftekk@gmail.com	February 9, 2021	November 2020 through November 2022	Odman
Markus Slamanig 311 SE 3rd Street Apt. 501 Bldg. F Dania Beach, FL 33004 901-335-5740 markus.slamanig@gmx.at	February 9, 2021	November 2020 through November 2022	Odman



CITY OF DANIA BEACH

OFFICE OF THE CITY MANGER

100 West Dania Beach Blvd · Dania Beach, FL 33004 · (954) 924-6800 · (954) 921-2604 (fax)

MEMORANDUM

Date: March 9, 2021

To: Mayor Tamara James
Vice Mayor Marco A. Salvino, Sr.
Commissioner Joyce L. Davis
Commissioner Lori Lewellen
Commissioner Lauren Odman

From: Ana M. Garcia, ICMA-CM, City Manager

Subject: Manager's Report

On Monday, March 1st, at 8:30 a.m., we successfully opened City Hall to the Public. To date, all continues to run smoothly with our ongoing proactive measures consistently being adhered to.

We submitted a funding request for the NW/SW 1st Avenue Water Infrastructure Revitalization Project, which includes a request for \$250,000 in state funding and the City's 52% local match.

Working with the Book Team in Tallahassee, we were able to secure Representative Geller as the sponsor, and Representative Jenne who is co-sponsoring our request. In the House, the form we submitted creates a bill, which is numbered HB 2503. I have included the form and House bill links below. The Senate process differs completely from the House, as no bill is created. We secured Senator Farmer as our Senate funding request sponsor, the link to the Senate form is below as well. The House hearing process has also changed this year; the House will hear and pass all funding request bills on consent calendars, which can only occur once the attestation form is filed, which I signed, and we submitted on 2/2. This means that there are no committee presentations occurring for these funding requests.

COVID-19 continues to shape a very different experience in the session that just commenced per my communication with Rana Brown from the Ron Book team, our partners in Tallahassee. Physical access to the Capitol is largely zero, most meetings with members are via zoom. The Senate strongly discourages any in person meetings at all. Senate committee meetings are held in the Capitol, but all public testimony is held at the Tallahassee Civic Center and is live streamed into the actual committee meeting. In the House, to testify in committee on an item is by appointment only and is extremely limited.

In light of the ongoing COVID-19 issues and limitations to in-person meetings at the Capitol, we will not be going to Tallahassee this Session per the recommendation of our state advocacy team. The solution they offer is to do meetings on our funding request with the bill sponsors, (Farmer, Geller, Jenne) via zoom, and as we move through the Session and the appropriations process begins, we can schedule zoom meetings with appropriate subcommittee chairs at the right time.

Dania Beach NW/SW 1 Avenue Water Infrastructure Revitalization (HB 2503, Senate form #1836)

Sponsors: Senator Farmer, Representatives Geller, Jenne

Amount Requested: \$250,000 Local Match: 52%

House

form: https://myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName=347_v1.pdf&DocumentType=MemberBudgetRequests&Session=2021&BillNumber=2503

House

bill: <https://myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName=h2503.docx&DocumentType=Bill&BillNumber=2503&Session=2021>

Senate form: https://flsenate.gov/PublishedContent/Session/FiscalYear/FY2021-22/LocalFundingInitiativeRequests/FY2021-22_S1836.PDF

We continue to provide PPM training to our City Team, with the first phase of over 50 employees successfully completing the training program in three different sessions. The Personnel Policy Manual elevates our professional work culture and provides for clarity of direction and the guidance needed and recommended as we continue on a path of investing in our employees, with our main objective of providing excellence in all areas of municipal services as we seek to retain and recruit the very best for Dania Beach.

On March 16th, we will be meeting with BSO Sheriff Tony. Our agenda for discussion includes Crime Prevention Initiatives, Youth Programming, Marine Patrol, the Homeless, and the future improvements to our NW BSO Station.

The "I love local" business marketing and promotion campaign has commenced, and we are grateful to all of you for your excitement, enthusiasm, and willingness to participate in this endeavor. The aforementioned is another great example of innovative teamwork and our efforts to continue to think outside the box for the benefit of the stakeholders in Dania Beach. Wednesday, March 3rd, was our official first live taping.

The RISE roll-out is underway as we take another giant step in the direction of creating the play book that defines our work culture and our commitment to Respect, Integrity and a Standard of Excellence as a City Team representing Dania Beach.

As I write this, we are preparing for a very meaningful and productive strategic planning session on Saturday, March 6th. Our goal is to complete this very much needed and anticipated endeavor that will be used as our compass guiding us for many years to come.

Our Finance Director is preparing a brief presentation for the second meeting in March as we prepare to commence our Fiscal Year 2022 Budget process.

We are completing our preparation for the anticipated grand opening of our Dania Pointe BSO Police substation on March the 8th. Per your direction, we are focusing more on seizing opportunities to market and promote all the initiatives and exciting things occurring in Dania Beach.

All departments continue to move forward with the planning of upcoming initiatives and programs, from Parks and Recreation with an upcoming presentation on all new programs, to Public Services planning a series of Earth Week events.