MINUTES OF VIRTUAL REGULAR MEETING
DANIA BEACH CITY COMMISSION
TUESDAY, DECEMBER 14, 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.

3. Presentations and Special Event Approvals

3.1 Tamara James Foundation Thanksgiving Drive - requested by Mayor James

Mayor James presented a short video of the Tamara James Foundation Thanksgiving Drive, and thanked BSO and Fire Rescue, Public Services, and the administration. She noted they were able to give out 1,000 turkeys and food baskets to the needy.

3.2 American Rescue Plan Act (ARPA) funding and eligible uses/projects presentation by Government Services Group. Inc.

Chris Polischuck, Senior Advisor, Government Services Group, Inc. gave a PowerPoint presentation, which is attached to and incorporated into these minutes.

Mayor James referenced the item for the utilities program and noted the County had this, but the timeline was short and application process was difficult for some residents to adhere to the guidelines and paperwork. She asked Finance Director DiPaolo how much of a deficit we have with our utilities.

Finance Director DiPaolo responded when he last checked, it was in the high 20 percent compared to our baseline of 9-10% before COVID.

Mayor James asked if it is something that is like that, if he would recommend that we not utilize it even if we earmark some money and wait for a period to see if they could utilize the County's funding.

Mr. Polischuck explained that in other South Florida governments there are existing programs granted but some residents have trouble accessing the programs in a timely manner and they are choosing to use some of the ARPA money for that. It is an eligible use, and we would just make sure the duplication of benefits does not become a problem.

Finance Director DiPaolo said his recommendation regarding the utility payment assistance program is that if we can use some of the ARPA money to start our own public awareness program, then we could facilitate and help residents who are having trouble with the paperwork for assistance from the County. If we could make a strong effort to try to utilize and leverage the money that is out there from the County and then if that money dries up, we can investigate our own campaign with the funding.

Mr. Polischuck noted that the communication program would likely be an eligible use of the ARPA funds.

3.3 NW 1st Street Bridge Public Art Mural Presentation by CACAB/Candido Sosa-Cruz, Deputy City Manager

Deputy City Manager Sosa-Cruz gave a PowerPoint presentation, which is attached to and incorporated into these minutes. He introduced Marcos Conde, finalist A and Skyler Nador, finalist B, who made presentations utilizing the same PowerPoint presentation.

Mr. Conde presented his concept for the art mural.

Commissioner Odman asked what the plan is for maintenance of the artwork from wear and tear two, three or four years out.

Mr. Conde noted at the end of painting the mural, they add a clear coat that lasts a long time and is created for outdoor murals.

Mayor James questioned if coating could be applied to combat graffiti.

Mr. Conde explained that the anti-graffiti clear coat would be more expensive, and he has not had any graffiti problems in the past with his murals in Dania Beach.

Commissioner Davis asked about the detail of the mural.

Mr. Conde described his other artwork in Dania Beach and hopes he can create something beautiful for the City.

Ms. Nador presented her concept for the art mural.

Mayor James asked that whoever we go with that the mural be graffiti-proof and include our logo on either design.

Assistant City Manager Sosa-Cruz noted the CACAB wanted the Commission to select the finalist, either A or B.

Commissioner Davis chose A.
Commissioner Lewellen chose B.
Commissioner Odman chose A.
Vice-Mayor Salvino chose B.
Mayor James chose A.

The majority of the Commission selected finalist A, Marcos Conde.

Vice-Mayor Salvino said the designs were great on both and asked if it was possible to take the other design and have it put at the new Griffin Road bridge by the airport. He suggested that it be brought up at the next meeting.

3.4 Special Event request from Marina84 Sports Bar & Grill to host a recurring "Marina84 Bike Night" to be held at 2440 West State Road 84 every Wednesday beginning January 5, 2022 through December 28, 2022 from 5:00 p.m. - 11:00 p.m. *(Community Development)*

Commissioner Lewellen motioned to approve the Special Event request for Marina84 Bike Night; seconded by Vice-Mayor Salvino. The motion carried unanimously.

3.5 Special Event request from the Florida Recreation & Parks Association (FRPA) for the 2022 SE FRPA Turf Rodeo to be held at P.J. Meli Park & Aquatic Complex on Thursday, March 24, 2022 from 8:00 a.m. - 3:00 p.m. *(Parks & Recreation)*

Commissioner Lewellen motioned to approve the Special Event request for the 2022 SE FRPA Turf Rodeo; seconded by Vice-Mayor Salvino. The motion carried unanimously.

3.6 Amendment to the Special Event request from the City of Dania Beach Community Redevelopment Agency (CRA) to host "Dania After Dark" on December 4, 2021, and on the second Saturday of each month in 2022, up to and including November 12, 2022 from 5:00 p.m. - 10:00 p.m. *(Community Development)*

Commissioner Lewellen noted she must abstain from voting as she owns a business in this area; however, she is allowed to participate in the discussion.

Mayor James asked if the other business involved in this amendment are coming out to sell during Dania After Dark and if that is going to impact the other vendors who are paying the event producer to participate.

Michael Chen, CRA Director, stated that the change before the Commission is to include the adjacent local businesses to allow them to participate within the event. They have advised the production manager of this change and he did not have any problems with that.

Mayor James questioned if the other businesses named in the amendment are coming to sell at Dania After Dark and if they are going to be a vendor like the rest of the participants. She asked if everyone would be under the same umbrella to follow the same set of rules at Dania After Dark.

Director Chen clarified they are not vendors to the event but are participants in the event.

Mayor James asked if the businesses would be covered under the production company insurance or if this will be something separate outside of the vendors we have there.

Director Chen said we will have to make sure that is covered, and we will work with our Risk Manager as to what would be appropriate. If it requires an umbrella policy for the participating local businesses, then that is what we will require.

Mayor James asked if the event application must be changed or amended.

Director Chen responded no.

Mayor James asked what businesses have expressed interest in participating in Dania After Dark.

Director Chen noted he does not know of businesses that have expressed that interest, but this puts us in the position to proactively reach out and see if we can get more of the local businesses to engage with the event. The idea of this is to promote our local businesses as well as the event.

Mayor James added she wants to make sure we are working with the local businesses but also wants to be sure we are not competing with Dania After Dark.

Director Chen explained the event manager was part of the discussion for the amendment and he raised no issues other than wanting to make sure the insurance coverage was appropriate based on the Risk Manager's assessment.

Vice-Mayor Salvino said he is confused as he saw Jerry from the ice cream store and Artesanos out back of their property and he thought the CRA was to incorporate our local businesses. The Dello has a bar, and Artesano and Grampa's Bakery both have a restaurant. Earlier this year, we talked about extending Dania After Dark down the street. He does not understand why we would not incorporate every business that wants to be involved and what it has to do with risk management if people are going to be open for business anyway and they are self-insured. It has

no bearing on Dania after Dark. These businesses exist in Dania Beach and are paying their rent and taxes and he does not know why it is an issue. He questioned who put it on the agenda.

Mayor James said it was not her amendment.

Deputy City Manager Sosa-Cruz explained it was a combination of departments; the CRA and Community Development. The purpose was so it is clear as it was not clear in the site plan and the original permit whether the businesses could participate with outdoor seating. We agree Dania After Dark is to enhance the businesses and promote the downtown corridor. We wanted it to be clear that the businesses on First Avenue could participate, and we also extended it from Stirling Road to Dania Beach Boulevard. It is more of making it clear to everyone and to notify the businesses that they can participate or that we are welcoming them to participate. If approved, it is clear to everyone the businesses are encouraged to join.

Mayor James said a couple of years ago, Art in the Hall had wine and the event producer had a concern that it was impacting his sales of alcohol. The lines got blurred when we have businesses now that are operating without a special event permit or without a permit to sell alcohol on the outside. There has not been one alcohol vendor other than the centralized location where everyone goes to the bar unless attendees go inside of another business which operates the way it normally operates.

Vice-Mayor Salvino commented he thought the CRA was there to expand businesses and make it easier for businesses to grow. He is with what the Commission wants.

Commissioner Odman asked why we would not invite the new businesses to join as vendors.

Deputy City Manager Sosa-Cruz said the main streets to several of the businesses are closed starting at 3:00 p.m. so they are limited to what they can do. Businesses are required to get a BTR. That requirement is a specific license that allows them to sell, and they pay the City revenue for that. The food truck comes in for a couple hours and are not required to have a BTR but are to become a vendor under a similar criterion. Asking a business to now become a vendor is like asking them to get a second license when they are already paying taxes, BTR and for inspections.

Commissioner Odman questioned what the issue was about selling alcohol, whether it was that it was outside and if it is illegal.

Deputy City Manager Sosa-Cruz stated he did not know what the issue was.

Mayor James said the business that was selling alcohol outside did not have a permit, so yes it was illegal and went against code. She recalls the CACAB and the issues with a few bottles of wine. She wants to be consistent and fair. If one business can sit outside and sell alcohol, she wants to be consistent and fair to them all and everyone is abiding by the same set of rules.

Commissioner Odman asked if that is something we can do.

Deputy City Manager Sosa-Cruz explained the reason for amending the site plan was so that it was clear to everyone, the businesses and the vendors. There are private businesses that are already part of this site plan. It was understood to some of us that the businesses in the site plan could continue operating and were encouraged to participate in the event, like they do in other cities. The businesses open their doors, place chairs and tables, and whatever they serve inside they serve outdoors because they are participating in this event. When staff spoke to Director Chen about any issues or hurdles as far as the production manager and alcohol sales, he stated the production manager had an agreement with the vendors on who could sell alcohol but that did not preclude the businesses that are abutting First Avenue to sell what they normally sell outdoors.

Commissioner Odman questioned if we could allow the vendors to sell alcohol.

Deputy City Manager Sosa-Cruz noted that is already happening. Everyone that was approved by the production manager, which he believes is one vendor and the businesses abutting First Avenue.

Commissioner Odman asked whether other vendors wanting to sell alcohol could ask to sell it.

Deputy City Manager Sosa-Cruz responded that is between the production manager and the vendors; they have an agreement.

Commissioner Odman said she understands how that would be unfair and asked if it could not be an easy fix.

Deputy City Manager Sosa-Cruz noted that Director Chen met with the production manager after the event, and everyone was very happy.

Director Chen confirmed what Deputy City Manager Sosa-Cruz stated.

Director Chen explained the contract is set up for the production manager to control his vendors; he does not have the authority over the businesses. We will get with him to coordinate and collaborate with the businesses. He is very reasonable and understands how the event functions and if he sees issues, we will discuss them with him and the businesses involved. He was fully engaged because he drafted the revised site plan and knows the consequences of what we are talking about here.

Commissioner Davis motioned to approve the Amendment to the Special Event request for Dania After Dark; seconded by Vice-Mayor Salvino. The motion failed on the following 2-2 Roll Call vote:

Commissioner Davis	**Yes**	**Vice-Mayor Salvino**	**Yes**
Commissioner Lewellen	**Abstained**	**Mayor James**	**No**
Commissioner Odman	**No**		

Deputy City Manager Sosa-Cruz commented he knows Director Chen said previously that the goal was to expand the event, allowing additional businesses. If the vote remains 2-2, it dies, and no business will be able to participate.

Mayor James said she had a long conversation with Director Chen, the City Manager and Community Development Director Norena, and they discussed all the other businesses and most of them were not going to participate.

Vice-Mayor Salvino commented he thinks this was moot and now we are forcing all the businesses to apply for a special event permit, and it would be odd if we have five apply and one gets turned away from the event. He is surprised and disappointed in the vote and feels it is a slap in the face to businesses in Dania Beach. He felt the two no votes should reconsider that we are doing this for the betterment of the City.

Commissioner Davis said at the end of the day, we are here to support and expand Dania After Dark to include everyone. She would like to see us support the small businesses in Dania Beach. She thought the amendment would clarify everything for everyone who did not understand. She does not think this should be a closed case and we are smart enough to be able to support small businesses as well as Dania After Dark and the vendors that come with it.

Commissioner Lewellen commented this is clearly about her business; they did everything legal and within their license. The unfortunate thing is they complemented the event as there were people coming specifically to the restaurant and they encouraged them to check out the event. She felt this is somewhat of a personal issue and unfortunately, this is going to affect other businesses. There are several places that could benefit from this. The issue with Art in Hall was that they were not licensed to serve wine and they were handing it out inside City Hall and there were concerns with liability. Her business has a license to serve wine and beer, which is what they were doing.

Mayor James said this was not a personal attack; she wants things to be fair and consistent. She is speaking about the businesses on the amendment only and wants to make sure we are fair. She agrees we can come together and come back with something that is consistent and fair for everyone involved in the event.

Commissioner Lewellen noted it cost her business money because Saturday night is their busiest night and shutting down the road and parking lot causes an issue. All the vendors used their trash dumpster causing a very full dumpster that had nothing to do with her business. It ends up costing money in the long run and they do not mind doing it if they can work with it, and she believes it was a complement to the event as a whole.

Commissioner Odman commented she was out of the loop; she could tell it was something with the alcohol. She did not know Commissioner Lewellen owned Artesano and felt her questions would have been different. She did not understand why we did not talk about it and wished someone would have said what the real issue was. She has a whole host of other questions now.

Mayor James asked if this changes Commissioner Odman's vote.

Commissioner Odman said everyone did strange things.

Vice-Mayor Salvino asked if we can reopen it again.

Mayor James said we have a large agenda, and we are not going to stay on this. We can bring this back with something that is fair and consistent.

Commissioner Odman noted she would like to bring it back at the next meeting.

Mayor James commented the problem with bringing it back at the first meeting in January is it would not allow Commissioner Lewellen to serve and sell alcohol outside at the January event.

City Manager Garcia said it is very important that we continue to have our words and our actions aligned, a global view of not just Dania After Dark today but Dania After Dark in the future. We are going from First Avenue to Dania Beach Boulevard with a goal to go from Stirling Road to where the Fish Grill is, to not only retain existing businesses but to recruit future businesses. She noted on a Saturday night we are shutting down the parking lot of local businesses that are still recovering from the pandemic, that are here 365 days of the year and are paying a BTR, and questioned why we would want to hurt them by not accommodating them and letting them participate in Dania After Dark.

City Manager Garcia added she would hope to see the Dello participate and maybe have an outdoor bar with high tops. Perhaps in the future, Grampa's can help and the antique shops of today could be little cafés and art shops. We are that City with a vision, and we want to continue to think outside of the box. We need to put ourselves in other people's shoes. She does not see where it makes sense to hurt an existing business rather than collaborate with them and have them participate in Dania After Dark, especially during these challenging times and in the future. We have limited outdoor dining and limited outdoor places where people can enjoy a beer or a glass of wine; if we can partner with local businesses, it is a win-win for everyone.

Commissioner Odman asked if she took back her vote if we could bring something back to vote on at the next meeting.

City Manager Garcia said yes, but it would prevent participation from the businesses in January.

Mayor James noted it means to go outside of their normal function; we are not saying the businesses must be closed.

City Manager Garcia commented we are shutting down their parking lot for use on Saturday night.

Mayor James said we are still shutting down the parking lot and she does not understand how we have a Commissioner who has said she does not want us to use the parking lot but in turn wants to sit outside and serve alcohol to be a part of the event.

City Manager Garcia noted we have been able to relocate those food trucks to other areas.

Mayor James said the original site plan had that area for food trucks; the updated site plan removed them as the Commissioner did not want them on her property. Instead, there were wooden barrels leading up to a table that was serving alcohol. Either you want to be a part of the event or not.

Director Chen commented the issue of the food trucks capacity for the event has nothing to do with any of the parking lots. The food trucks can be lined up and down the street. The reason that there were not more food trucks is that the event producer could not bring more to the event. There were two more spaces that were marked for food trucks, but he could not get them there.

Commissioner Lewellen noted they lease the parking lot; the issue with the food trucks is that if you add them to the lot, you are blocking the access to and from the business and that is illegal. The last time this event took place, the business was not open yet. When they did open, they were not open all night on Saturday night until midnight; it is a different set of circumstances. If you are going to put a bunch of large trucks in front of the entranceway to a location, you are just trying to harm the business. It is a Saturday night, the busiest night of the week and then to ask them to pay more money for special event permits, additional trash pick-up or whatever else comes along with it, is harmful. If other businesses are aware they can do this, she is sure some of them may want to participate.

Commissioner Odman said she understands the consequences that the businesses cannot do something next month. She would like something brought back that allows the businesses to do something with alcohol so that everyone is in compliance. As it is now, she is going to keep her vote the same.

4. Proclamations

There were no proclamations at this meeting.

5. Citizen Comments

Linda Wilson, 1st Vice President of Friends of the Dania Beach Library, announced they are holding a reorganization meeting of the Dania Beach Historical Society and Museum at WMODA on January 11th from 4:30 p.m. – 6:30 p.m. She would like to find out what happened to funds from the 115th celebration and wants to know the status of the charitable funds grants, the timeline, and the new regulations. She also spoke of the crosswalk painting proposals and addressed how they could be done; it would be wonderful to expand it to the neighborhoods.

Igal Hatanian, 6911 SW 36th Terrace, thanked City staff for everything they have done to make him a proud resident in Dania Beach. He spoke about the oak hammock overlay ordinance and noted some people are scared to do anything with their trees as they do not understand the

ordinance. He suggested the City hire an arborist who would take care of the trees in the community.

Sarit Lev-Tov, 5960 SW 37th Terrace, said she agreed with Mr. Hatanian in that everyone is afraid of touching or coming close to the trees. Everyone should have clarity on what they can do with trimming the trees.

Elias Bichachi, 5910 SW 37th Avenue, commented it is an easy process to call the arborist about trimming the trees and spoke in support of the tree ordinance.

Stephanie Jofe, 5880 SW 37th Terrace, spoke on behalf of numerous neighbors who support the tree overlay district ordinance.

6. Public Safety Reports

Captain Daniel Marks, BSO Chief of Police, noted he would start sharing the 240 Report, which is the Dania Pointe zone, and reported on recent criminal activity there and in the City in general. He gave updates on the traffic unit, commercial vehicle enforcement, homeless outreach, and 225 SW 15th Street.

Captain Sergio Pellecer, BSO District Fire Chief, gave an update on departmental activities including Fire Suppression Month inspections, Fire Rescue public education, officer development program, call volumes in November, and the Fire Fighters' Toy Drive held on November 26th and 27th at Dania Pointe.

7. Consent Agenda

Items removed from Consent Agenda: #7.13

7.1 Minutes:
Approve Minutes of October 26, 2021 City Commission Virtual Meeting
Approve Minutes of November 9, 2021 City Commission Virtual Meeting

7.2 Travel Requests: None

Resolutions

7.3 RESOLUTION #2021-180

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, JOINING THE ICLEI - LOCAL GOVERNMENTS FOR SUSTAINABILITY USA'S ("ILCEI USA'S") ICLEI150 RACE TO ZERO; COMMITTING TO PARTICIPATE IN THE REQUIRED RACE TO ZERO ACTIVITIES; AUTHORIZING THE MAYOR TO SIGN THE ICLEI150 COMMITMENT FORM; AUTHORIZING THE CITY MANAGER TO COMMIT SUFFICIENT STAFF TIME AND RESOURCES TO CARRY OUT RACE TO ZERO ACTIVITIES; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Commissioner Lewellen)*

7.4 RESOLUTION #2021-181

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A TWO (2) YEAR RENEWAL OF THE EXISTING AGREEMENT WITH MARTIN-GOLD COAST, LLC FOR BUS STOP AND SHELTER MAINTENANCE SERVICES AND AMENDING THAT AGREEMENT TO INCLUDE TWENTY-EIGHT (28) ADDITIONAL BUS STOPS AND BUS SHELTERS IN AN AMOUNT PAID TO THE CITY OF SIXTY-SIX THOUSAND TWO HUNDRED DOLLARS ($66,200.00); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Public Services)*

7.5 RESOLUTION #2021-182

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FOR DATA BACKUP AND DISASTER RECOVERY SERVICES, TO BE PROVIDED BY NET3 TECHNOLOGY, FOR FISCAL YEAR 2021-22, THAT EXCEED THE ANNUAL VENDOR THRESHOLD TOTAL AMOUNT OF TWENTY-FIVE THOUSAND DOLLARS ($25,000.00); PROCEEDING WITHOUT COMPETITIVE BIDDING AND AUTHORIZING PURCHASES THAT ARE TO BE MADE WITHIN THE INFORMATION TECHNOLOGY FUND APPROVED ANNUAL BUDGET APPROPRIATIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Finance)*

7.6 RESOLUTION #2021-183

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 2021-22, THAT EXCEED AN ANNUAL VENDOR TOTAL AMOUNT OF TWENTY-FIVE THOUSAND DOLLARS ($25,000.00); PROCEEDING WITHOUT COMPETITIVE BIDDING AND AUTHORIZING PURCHASES FROM THE INFORMATION TECHNOLOGY FUND APPROVED ANNUAL BUDGET APPROPRIATIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Finance)*

7.7 RESOLUTION #2021-184

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FOR LASERFICHE ELECTRONIC DOCUMENT STORAGE AND RETENTION SOFTWARE, TO BE PROVIDED BY MCCINNOVATIONS, FOR FISCAL YEAR 2021-22, THAT EXCEED THE ANNUAL VENDOR THRESHOLD 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 INFORMATION TECHNOLOGY FUND WITHIN THE CITY'S APPROVED ANNUAL BUDGET APPROPRIATIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Finance)*

7.8 RESOLUTION #2021-185

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO PURCHASE ONE (1) FORD VEHICLE FOR THE PUBLIC SERVICES DEPARTMENT IN AN AMOUNT NOT TO EXCEED ONE HUNDRED SIXTEEN THOUSAND THREE HUNDRED THIRTY NINE DOLLARS ($116,339.00) FROM PALMETTO FORD OF MIAMI, WITHOUT COMPETITIVE BIDDING AND WITHOUT ADVERTISEMENT FOR BIDS, BY UTILIZING THE PRICING UNDER THE FLORIDA SHERIFFS ASSOCIATION ("FSA") CONTRACT FSA20-VEL18.; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Public Services)*

7.9 RESOLUTION #2021-186

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO APPLY FOR THE BROWARD METROPOLITAN PLANNING ORGANIZATION's (MPO's) "2021/2022 COMPLETE STREETS AND OTHER LOCALIZED INITIATIVES PROGRAM" ("CSLIP"), TO SEEK GRANT FUNDING FOR THE IMPROVEMENT OF NW AND SW 1ST AVENUE, BETWEEN SW 3RD STREET AND NW 3RD STREET, WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF DANIA BEACH, FLORIDA; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Community Development)*

7.10 RESOLUTION #2021-187

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, ESTABLISHING THE OFFICIAL INTENT OF THE CITY TO ISSUE TAX-EXEMPT BONDS OR NOTES IN AN AMOUNT NOT EXCEEDING ONE MILLION DOLLARS ($1,000,000.00), TO FINANCE THE COSTS RELATING TO STREET LIGHTING IMPROVEMENT CAPITAL PROJECTS, AND TO USE A PORTION OF THE PROCEEDS OF SUCH BONDS OR NOTES TO REIMBURSE EXPENDITURES PAID OR INCURRED PRIOR TO THE DATE OF ISSUANCE OF SUCH BONDS OR NOTES; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Finance)*

7.11 RESOLUTION #2021-188

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, ADOPTING A CITY "DEBT MANAGEMENT POLICY"; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Finance)*

7.12 RESOLUTION #2021-189

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, ADOPTING A CITY "FUND BALANCE AND RESERVES POLICY"; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Finance)*

7.14 RESOLUTION #2021-191

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, RELATING TO THE ASSIGNMENT AND ASSUMPTION OF THE WESTREC LEASE AND CONSENT TO ASSUMPTION TO HARBOUR TOWNE SMI WESTREC, LLC, A DELAWARE LIMITED LIABILITY COMPANY, THAT IS A WHOLLY-OWNED SUBSIDIARY OF SUNTEX MARINA INVESTORS, LLC.; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE ASSIGNMENT AGREEMENT AND ESTOPPEL LETTER; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(City Attorney)*

7.15 RESOLUTION #2021-192

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, RELATING TO THE ASSIGNMENT AND ASSUMPTION OF (1) THE MARINA MANAGEMENT AGREEMENT DATED OCTOBER 1, 2016 BETWEEN THE CITY OF DANIA BEACH AND WESTREC MARINA MANAGEMENT, INC., AS MANAGER AND OPERATOR OF THE MARINA LOCATED AT 151 NORTH BEACH ROAD, DANIA BEACH ("MARINA"), AND (2) THE FISHING PIER MANAGEMENT AND BAIT SHOP OPERATIONS AGREEMENT, DATED AUGUST 1, 2014 (THE PIER MANAGEMENT AGREEMENT), WHICH AGREEMENTS COLLECTIVELY SHALL BE KNOWN AS THE "MANAGEMENT AGREEMENTS", TO BE ASSIGNED TO WESTREC SMI OPCO, LLC, A DELAWARE LIMITED LIABILITY COMPANY

("ASSIGNEE"), WHICH IS A SUBSIDIARY OF SUNTEX MARINA INVESTORS, LLC, A DELAWARE LIMITED LIABILITY COMPANY.; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE ASSIGNMENT AND ASSUMPTION OF THE MANAGEMENT AGREEMENTS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(City Attorney)*

Commissioner Odman motioned to adopt the Consent Agenda, with the exception of Item #7.13; seconded by Commissioner Lewellen. The motion carried unanimously.

7.13 RESOLUTION #2021-190

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH CAREERSOURCE BROWARD ("CSBD") FOR A SUMMER YOUTH EMPLOYMENT PROGRAM; TO PROVIDE SUMMER EMPLOYMENT OPPORTUNITIES TO FOURTEEN (14) YOUTH RESIDENTS OF DANIA BEACH, IN AN AMOUNT NOT TO EXCEED FIFTY THOUSAND DOLLARS ($50,000.00); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Finance)*

City Attorney Ansbro read the title of Resolution #2021-190.

Commissioner Davis said she pulled this item because during the last presentation on this program, she had questions about documentation and ensuring this was an evidence-based program. She was told that the Commission would be provided with the evaluations given during the fifth week of the program to demonstrate that the program was working. She said the Mayor requested a testimonial. The pre/post tests are to allow us to get the perspective from the children and the employers. The Vice-Mayor and City Manager wanted to ensure the kids were placed in Dania Beach businesses to the furthest extent possible. She has no problem supporting or funding this, but we do not have the documentation yet. She suggested we hold off on this item until we receive the documentation. She noted she called Ms. King and left her a detailed message and she has not heard from her since.

Mayor James commented she did have one young lady come in and speak. She did have a conversation and Ms. King said she tries to place the kids at businesses in Dania Beach and if not, it would be in the surrounding businesses. She also had a conversation with the City Manager and stated maybe we could look to see if we would want to open up job opportunities for the summer. This is still in the works. The priority of ours is to make sure these students are placed in Dania Beach.

Commissioner Davis explained the documentation she is seeking; the 5th week evaluation and pre and post tests on the 6th week of the program as this gives us written documentation that the program was successful.

Mayor James said she would speak with Ms. King to get the documentation; we need to get our brand/logo on the printed materials.

Commissioner Davis noted her issue is this was in August, and it is now December; she is not comfortable moving forward with this now.

Commissioner Davis motioned to wait until the documentation is received prior to moving forward with funding the $50,000 under Resolution #2021-190; seconded by Commissioner Lewellen. The motion carried on the following 5-0 Roll Call vote:

Commissioner Davis	**Yes**	**Vice-Mayor Salvino**	**Yes**
Commissioner Lewellen	**Yes**	**Mayor James**	**Yes**
Commissioner Odman	**Yes**		

8. Bids and Requests for Proposals

8.1 RESOLUTION #2021-193

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE AWARD OF INVITATION TO BID ("ITB") NO. 21-025, ENTITLED "PIER REFURBISHING PROJECT" TO INDUSTRIAL MAINTENANCE SERVICES, INC., (D/B/A IMS CONTRACTING INC.) ("INDUSTRIAL") AT A COST OF TWO MILLION NINE THOUSAND NINE HUNDRED SEVENTY-ONE DOLLARS AND SEVENTY-TWO CENTS ($2,009,971.72); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Public Services)*

City Attorney Ansbro read the title of Resolution #2021-193.

Vice-Mayor Salvino motioned to adopt Resolution #2021-193; seconded by Commissioner Davis. The motion carried on the following 5-0 Roll Call vote:

Commissioner Davis	**Yes**	**Vice-Mayor Salvino**	**Yes**
Commissioner Lewellen	**Yes**	**Mayor James**	**Yes**
Commissioner Odman	**Yes**		

8.2 RESOLUTION #2021-194

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE AWARD OF REQUEST FOR PROPOSALS ("RFP") NO. 21-030, ENTITLED "PUBLIC ART PLAN ADMINISTRATOR" TO THE CULTURAL PLANNING GROUP, LLC, IN AN ANNUAL AMOUNT NOT TO EXCEED FIFTY THOUSAND DOLLARS ($50,000.00); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Community Development)*

City Attorney Ansbro read the title of Resolution #2021-194.

Commissioner Lewellen motioned to adopt Resolution #2021-194; seconded by Commissioner Davis. The motion carried unanimously.

8.3 RESOLUTION #2021-195

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE AWARD OF REQUEST FOR PROPOSALS ("RFP") NO. 21-029, ENTITLED "BEACH CLEANING SERVICES", TO BEACH RAKER LLC, IN AN ANNUAL AMOUNT NOT TO EXCEED ONE HUNDRED SIX THOUSAND TWO HUNDRED DOLLARS ($106,200,00); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Parks & Recreation)*

City Attorney Ansbro read the title of Resolution #2021-195.

Vice-Mayor Salvino asked if we are raking it up now or burying it.

City Manager Garcia responded burying it.

Eric Brown, Director of Parks & Recreation, explained the company that would have removed the seaweed did not bid during the re-bid process. Removing it is an extra cost and he will follow up with Beach Raker to ensure that plastic is not being buried. We have reached out to other cities to see what they are doing.

Commissioner Davis noted we are spending over $100,000 and they are not doing a good job; we are not getting the service that our beach deserves and she has a problem with doing this for another two years.

Parks & Recreation Director Brown explained that is what we did by re-opening the second time when we went out to bid. The language we put in the bid the second time was for the removal of the seaweed. We will meet with our contractor to make sure we are doing best practices.

Mayor James asked if there is a way to do away with the contract if we are not happy with the service.

City Manager Garcia said it is very important that we put them on notice that we are okay with burying seaweed, but not okay with burying plastic and fishing line. We could have our City Attorney add that language to the contract that we must be mutually satisfied.

Mayor James asked City Attorney Ansbro if that is language that we could add.

City Attorney Ansbro responded yes; we could add that but the company does not know about it yet so we would have to negotiate with them.

Parks & Recreation Director Brown said it is time sensitive and he will get with the City Attorney tomorrow to add that language.

City Attorney Ansbro noted it would be good to know what it would cost to have it removed.

City Manager Garcia clarified we do not have a problem with burying the seaweed; we just do not want them burying plastics and things that are detrimental to the environment.

Vice-Mayor Salvino asked if there are not many companies out there.

Parks & Recreation Director Brown responded he knows of three. Hollywood uses Beach Raker, but some municipalities rake the beach themselves through their Public Services Department.

Vice-Mayor Salvino motioned to adopt Resolution #2021-195; seconded by Mayor James. The motion carried unanimously.

8.4 RESOLUTION #2021-196

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CITY COMMISSION TO RANK THE THREE FIRMS THAT RESPONDED TO THE CITY'S REQUEST FOR QUALIFICATIONS ("RFQ") NO. 21-024, ENTITLED "CONSTRUCTION MANAGER AT RISK SERVICES", FOR CONSTRUCTION MANAGEMENT SERVICES RELATED TO NEW CONSTRUCTION AT CW THOMAS PARK, AND TO AUTHORIZE CONTRACT NEGOTIATIONS TO BEGIN WITH THE TOP-RANKED CONSULTANT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Parks & Recreation)*

City Attorney Ansbro read the title of Resolution #2021-196.

Commissioner Lewellen motioned to adopt Resolution #2021-196; seconded by Vice-Mayor Salvino. The motion carried unanimously.

9. Public Hearings and Site Plans

9.1 ORDINANCE #2021-029

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 6, OF THE CITY CODE OF ORDINANCES, WHICH CHAPTER IS ENTITLED "BEACHES, PARKS, WATERWAYS AND RECREATION" AT ARTICLE IV, ENTITLED "REGULATION OF MARINE VEHICLES IN CITY WATERWAYS" BY AMENDING SECTION 6-42(s) ENTITLED "REGULATION OF CITY WATERWAYS" TO CHANGE THE REFERENCE TO FLORIDA STATUTES CHAPTER 371 TO FLORIDA STATUTES 328; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)** *(City Attorney)*

City Attorney Ansbro read the title of Ordinance #2021-029 and noted the amendment is to correct the reference to Florida statutes.

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 adopt Ordinance #2021-029, on second reading; seconded by Vice-Mayor Salvino. The motion carried unanimously.

9.2 ORDINANCE #2021-030

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), WHICH EXPENDITURE IS NOT TO EXCEED THE PROJECT ESTIMATE APPROVED BY THE CITY COMMISSION, TO FUND THE DANIA BEACH OCEAN PARK PIER REFURBISHING PROJECT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)** *(Public Services)*

City Attorney Ansbro read the title of Ordinance #2021-030 and noted the Charter requires two public hearings for expenditure of City funds exceeding $1 million.

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 #2021-030, on second reading; seconded by Commissioner Lewellen. The motion carried unanimously.

9.3 ORDINANCE #2021-031

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, RELATING TO THE LAND DEVELOPMENT CODE (LDC); AMENDING SECTION 725-30, ENTITLED "TERMS DEFINED" BY (1) CREATING A DEFINITION FOR "LABORATORY"; (2) AMENDING THE DEFINITION OF "OFFICE, MEDICAL" TO INCLUDE SPECIFIC NON-LABORATORY USES; AND (3) AMENDING SECTION 115-40, ENTITLED "SCHEDULE OF PERMITTED USES" FOR INDUSTRIAL ZONED DISTRICTS RELATING TO LABORATORIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)** *(Community Development)*

City Attorney Ansbro read the title of Ordinance #2021-031.

Corinne Lajoie, Assistant Director of Community Development, gave a brief overview of the text amendment requested by Lab Gurus, LLC.

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 #2021-031, on second reading; seconded by Commissioner Lewellen. The motion carried unanimously.

9.4 ORDINANCE #2022-001

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 28 OF THE CITY CODE OF ORDINANCES WHICH CHAPTER IS ENTITLED "LAND DEVELOPMENT CODE," SUBPART 1, ENTITLED "COMMUNITY REDEVELOPMENT AREA (CRA) FORM-BASED ZONING DISTRICTS", ARTICLE 300, ENTITLED "HOW TO USE," AT SECTION 300-10, ENTITLED "THE CRA INCLUDES SIX FORM-BASED DISTRICTS"; AMENDING SECTION 300-30, ENTITLED "HOW TO DETERMINE THE BUILDABLE AREA OF A LOT, ALLOWABLE DENSITY AND BUILDING HEIGHT;" AMENDING ARTICLE 301, ENTITLED "LEGAL AND ADMINISTRATIVE PROVISIONS," AT SECTION 301-20, ENTITLED "APPLICABILITY" TO FURTHER ADDRESS REGIONAL ACTIVITY CENTER (RAC) FUTURE LAND USE DESIGNATIONS AS IDENTIFIED IN THE CITY'S COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)** *(Community Development)*

City Attorney Ansbro read the title of Ordinance #2022-001.

Corinne Lajoie, Assistant Director of Community Development, gave a presentation on the text amendment to address RAC future land use designations.

Mayor James asked if we do not currently have #2 in the presentation in place.

Assistant Director of Community Development Lajoie responded no and explained the governor has been issuing executive orders that allow for extensions for hurricanes, Zika, COVID, etc., and a lot of developers utilize that. This provision would ask that they not do that and instead follow the land development code.

Mayor James questioned if this is something we can have moving forward.

Assistant Director of Community Development Lajoie said this would be put in place immediately because we are so low on the units. As we use them and see what works well for us, we may consider holding onto them for the future as well.

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 #2022-001, on first reading; seconded by Commissioner Davis. The motion carried unanimously.

9.5 ORDINANCE #2022-002

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, PURSUANT TO FLORIDA STATUTE SECTIONS 163.3184, 163.3161(10) AND 187.101(3), THE CITY AMENDS ITS COMPREHENSIVE PLAN, TO CREATE ELEMENT 11, ENTITLED "PROPERTY RIGHTS ELEMENT;" PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)** *(Community Development)*

City Attorney Ansbro read the title of Ordinance #2022-002.

Corinne Lajoie, Assistant Director of Community Development, gave an overview of the Comprehensive Plan amendment to create a property rights element.

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 adopt Ordinance #2022-002, on first reading; seconded by Mayor James. The motion carried on the following 5-0 Roll Call vote:

Commissioner Davis	**Yes**	**Vice-Mayor Salvino**	**Yes**
Commissioner Lewellen	**Yes**	**Mayor James**	**Yes**
Commissioner Odman	**Yes**		

9.6 ORDINANCE #2022-003

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, TO ADOPT AN AMENDMENT TO THE CITY OF DANIA BEACH COMPREHENSIVE PLAN TO UPDATE THE WATER SUPPLY PLANNING PROVISION, BY AMENDING THE TEXT FOR THE "SANITARY SEWER, SOLID WASTE, DRAINAGE, POTABLE WATER, NATURAL GROUNDWATER AQUIFER RECHARGE

ELEMENT," THE "CAPITAL IMPROVEMENTS ELEMENT," THE "CONSERVATION ELEMENT," AND THE "FUTURE LAND USE ELEMENT" ATTACHED AS COMPOSITE EXHIBIT "A," AND INCORPORATED BY REFERENCE INTO THIS ORDINANCE; PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY (DEO) AND ALL OTHER UNITS OF LOCAL GOVERNMENT AND OTHER GOVERNMENTAL AGENCIES, AS REQUIRED BY LAW; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)** *(Community Development)*

City Attorney Ansbro read the title of Ordinance #2022-003.

Corinne Lajoie, Assistant Director of Community Development, gave a presentation on the Comprehensive Plan amendment to update the water supply planning provision.

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 adopt Ordinance #2022-003, on first reading; seconded by Vice-Mayor Salvino. The motion carried unanimously.

9.7 ORDINANCE #2022-004

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, RELATING TO UPDATE OF CERTAIN PROVISIONS OF CHAPTER 28, ENTITLED "LAND DEVELOPMENT CODE" (THE "LDC") BY: (1) AMENDING SECTION 105-180, ENTITLED "E-1 DISTRICT;" TO ADD REFERENCE TO NEWLY ENACTED STATE LEGISLATION AFFECTING THE ESTATE RESIDENTIAL USE DISTRICTS; (2) BY AMENDING SECTION 110-20, ENTITLED "LIST OF PERMITTED, SPECIAL EXCEPTION AND PROHIBITED USES" TO CLARIFY REGULATIONS FOR KENNELS AND VETERINARIANS; (3) BY AMENDING SECTION 110-100, ENTITLED "HOTELS" TO PERMIT HOTEL SHUTTLE VEHICLES TO PARK AT HOTELS; (4) BY AMENDING SECTION 110-320, ENTITLED "MOBILE FOOD VENDING CONDITIONS OF USE" TO ADDRESS THE SUNSET PROVISION; (5) BY AMENDING SECTION 110-190, ENTITLED "USES SUBJECT TO MINIMUM SEPARATION DISTANCES" TO SPECIFY DOOR-TO-DOOR DISTANCE SEPARATION MEASUREMENT; (6) BY AMENDING SECTION 215-50, ENTITLED "PERMITTED YARD ENCROACHMENTS IN THE E-1, RS-18000, RS-12000, RS-8000, RS-6000, NBHD-RES, AND RD-8000 DISTRICTS;" (7) BY AMENDING SECTION 215-60, ENTITLED "PERMITTED YARD ENCROACHMENTS IN THE RM, RM-1 AND RM-2 DISTRICTS;" (8) BY AMENDING SECTION 215-90, ENTITLED "ACCESSORY STRUCTURE SETBACKS" TO CLARIFY AIR CONDITIONING UNIT SETBACKS FOR MOBILE HOMES; (9) BY AMENDING SECTION 220-65, ENTITLED "ROOFTOP PHOTOVOLTAIC SOLAR SYSTEMS; GO SOLAR- BROWARD ROOFTOP SOLAR CHALLENGE PERMITTING PROCESS;" TO CLARIFY RULES FOR ROOFTOP SOLAR PANELS; (10) BY AMENDING SECTION 275-90, ENTITLED "PERIMETER BUFFER LANDSCAPE REQUIREMENTS FOR VEHICULAR USE AREAS (VUAS)" TO CONFORM WALL HEIGHT REGULATIONS WITH OTHER SECTIONS OF THE LAND DEVELOPMENT CODE; (11) BY AMENDING SECTION 303-40, ENTITLED "CITY CENTER (CC) DISTRICT" TO CORRECT FIGURE 303-7 CITY CENTER DISTRICT MAP; (12) BY AMENDING SECTION 610-20, ENTITLED "TABLE OF PUBLIC NOTICE REQUIREMENTS" TO MODIFY THE REQUIREMENT FOR POSTING AT CITY HALL AND ON CITY WEBSITE FROM TEN (10) DAYS TO FIVE (5) DAYS; (13) BY AMENDING SECTION 620-40, ENTITLED "LIST OF AUTHORIZED ADMINISTRATIVE VARIANCES" TO CLARIFY PERMITTED ADMINISTRATIVE VARIANCES; AND (14) BY AMENDING SECTION 675-20, ENTITLED "TEMPORARY USES AUTHORIZED" TO CLARIFY RULES FOR TEMPORARY USES AND SPECIAL EVENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)** *(Community Development)*

City Attorney Ansbro read the title of Ordinance #2022-004.

Richard Lorber, Planning & Zoning Manager, gave an overview of the text amendments.

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 adopt Ordinance #2022-004, on first reading; seconded by Commissioner Davis. The motion carried unanimously.

9.8 ORDINANCE #2022-005

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING BY VOLUNTARY PETITION THE ANNEXATION OF LAND (22,425 SQUARE FEET, LOCATED BETWEEN ANGLERS AVENUE ALSO KNOWN AS RAVENSWOOD ROAD AND SW 22ND AVENUE, SW 42ND STREET, AND SW 39TH STREET), WHICH REAL PROPERTY IS OWNED BY SMS OF SOUTH FLORIDA, INC., A FLORIDA CORPORATION, INTO THE CORPORATE LIMITS OF THE CITY OF DANIA BEACH, FLORIDA, PURSUANT TO SECTION 171.044, FLORIDA STATUTES, AND PROVIDING A LEGAL DESCRIPTION OF THE PROPERTY SUBJECT TO THE VOLUNTARY ANNEXATION; PROVIDING FOR PUBLICATION OF NOTICE; PROVIDING FOR FILINGS WITH THE APPROPRIATE GOVERNMENTAL AGENCIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)** *(Community Development/City Attorney)*

City Attorney Ansbro read the title of Ordinance #2022-005.

Eve Boutsis, Assistant City Attorney, gave a presentation on the voluntary annexation request for Franmar (Academy Bus).

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 adopt Ordinance #2022-005, on first reading; seconded by Vice-Mayor Salvino. The motion carried unanimously.

9.9 ORDINANCE #2022-006

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, ADOPTING ARTICLE 826 ENTITLED "OAK HAMMOCK TREE PROTECTION OVERLAY" UNDER THE CITY'S LAND DEVELOPMENT CODE (LDC) OF THE CITY OF DANIA BEACH CODE TO BECOME A PERMANENT ORDINANCE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)** *(Community Development/City Attorney)*

City Attorney Ansbro read the title of Ordinance #2022-006.

Eve Boutsis, Assistant City Attorney, gave an overview of the creation of an article in the LDC to make the Oak Hammock Tree Protection Overlay district permanent.

Mayor James opened the Public Hearing.

Michael Jofe, 5880 SW 37th Terrace, spoke in favor of the ordinance.

Sean Ritterman questioned the November 17th meeting referenced on the first page of the ordinance.

Assistant City Attorney Boutsis noted the reference would be removed.

Commissioner Lewellen questioned if the ordinance has really worked.

Assistant City Attorney Boutsis described one issue that occurred; she is not aware of any other issues.

Assistant Director of Community Development Lajoie noted since the ordinance was put in place, our landscape consultant has been tracking activity; people are complying with the requirements of the ordinance. We are achieving the goal set for this area.

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

Commissioner Odman motioned to adopt Ordinance #2022-006, on first reading; seconded by Commissioner Davis. The motion carried on the following 5-0 Roll Call vote:

Commissioner Davis	**Yes**	**Vice-Mayor Salvino**	**Yes**
Commissioner Lewellen	**Yes**	**Mayor James**	**Yes**
Commissioner Odman	**Yes**		

9.10 RESOLUTION #2021-197

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE SITE PLAN MODIFICATION (SP-46-21MOD), SUBMITTED BY KIMLEY-HORN & ASSOCIATES, INC., FOR PROPERTY GENERALLY LOCATED WEST OF BRYAN ROAD, BETWEEN NW 2 STREET AND RADIANT DRIVE, WITHIN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT "A" ("PROPERTY"), WHICH EXHIBIT IS MADE A PART OF AND INCORPORATED BY REFERENCE INTO THIS RESOLUTION; PROVIDING FOR CONDITIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Community Development)*

City Attorney Ansbro read the title of Resolution #2021-197 and advised this item was a quasi-judicial hearing and swore-in those who would speak as they came forward. He asked the Commission to disclose any communication they had on this matter.

Corinne Lajoie, Assistant Director of Community Development, gave a presentation on the site plan modification request for Spirit Airlines headquarters.

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 Resolution #2021-197; seconded by Commissioner Lewellen. The motion carried unanimously.

9.11 RESOLUTION #2021-198

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE SITE PLAN (SP-035-20), VARIANCE (VA-055-20), AND DESIGN VARIATION (OT-054-20) SUBMITTED BY GREENSPOON MARDER, LLP, ON BEHALF OF PRH-DANIA BEACH, LLC, FOR PROPERTY LOCATED AT 901 E. DANIA BEACH BOULEVARD IN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT "A", A COPY OF WHICH IS ATTACHED TO AND INCORPORATED INTO TO THIS RESOLUTION; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Community Development)*

City Attorney Ansbro read the title of Resolution #2021-198 and Resolution #2021-199 as they relate to the same property. He advised these items were quasi-judicial hearings and swore-in those who would speak as they came forward. He asked the Commission to disclose any communication they had on these matters.

Richard Lorber, Planning & Zoning Manager, gave an overview of the site plan, design variation, and plat requests for Parkview Place. He noted the applicant had withdrawn the variance request and the resolution would be amended to remove it.

Mayor James asked what the traffic would do to streets other than Dania Beach Boulevard. There will be at least 530 parking spaces for 355 residences, and she does not agree with the number of parking spaces. She has been to other complexes with problems with parking. She has seen it at Saratoga and The Place at Dania Beach and wants to know the plan to stop giving 1.5 parking spaces and asked if it is the norm for all south Florida.

Planning & Zoning Manager Lorber said this meets the parking requirements; there is no reduction like there was at Saratoga and pointed out there is a bus stop in the front.

Dennis Mele, Greenspoon Marder, representing the applicant, addressed the location of the site, stacking of cars onsite, and parking. He noted the variance has been removed and described the onsite-parking garage.

Commissioner Davis said traffic is a huge thing for her; it truly changes the lives of the residents. She asked when a traffic study is done whether it is done on the current situation or whether it includes other developments that are not online yet. Our beach gets shut down all the time for being overcrowded.

Attorney Mele explained how traffic studies are conducted; they add in what is going to be there in the future as well as the current situation, then add their own project.

Commissioner Lewellen asked if the units are part of the old RAC units sitting out there or are new ones.

Attorney Mele responded this application has been in the works since 2020.

Commissioner Lewellen asked if the lot to the east is owned by the same developer.

Attorney Mele said no.

Commissioner Lewellen questioned the reserve areas.

Attorney Mele addressed the locations of the reserve areas and clearing the tier one items; the tier two items are included as conditions of approval in the resolution. Infrastructure items have been cleared in the tier one items.

Commissioner Lewellen said the residents are not wrong being concerned with all the rental units coming in and it is not just the traffic concerns. She is concerned about a 14-story building and asked if it has to be that many stories.

Attorney Mele addressed preserving the reserve areas and the limitations on spreading out on this site. He noted they are not right next to any neighbors and all access is out of and into Dania Beach Boulevard; no side streets are involved. He reiterated they are not asking for any variances.

Mayor James noted the project looks great and is pleasing to the eye. Once we set the precedent and changed the code, development of this type ensued. She is as concerned as anyone about traffic as it impacts all of us and our quality of life.

Mayor James opened the Public Hearings.

Stephanie Jofe, 5880 SW 37th Terrace, said it makes her sad as this causes a domino effect with the loss of trees.

Attorney Mele noted they are meeting all the City's landscaping requirements and had extra review by the Broward County Environmental Department, so he assures all requirements have been met.

Seeing as there was no one else to speak in favor or opposition, Mayor James closed the Public Hearings.

Vice-Mayor Salvino motioned to adopt Resolution #2021-198 as amended; seconded by Commissioner Lewellen. On Roll Call vote:

Commissioner Davis	**No**	**Vice-Mayor Salvino**	**Yes**
Commissioner Lewellen	**Yes**		
Commissioner Odman	**No**		

Mayor James said she would like to continue this item as she has not had a chance to speak with the developer and we have not heard from the community.

Attorney Mele noted if the motion does not pass, the statute requires a statement be made for the reason for denial. The developer is not asking for variances, and they are meeting the code, so he is not sure what the basis for denial would be.

Vice-Mayor Salvino commented we are in a position today that was created years ago. We cannot be afraid to follow the rule; the codes were made. If we tell them no, we are going to be sued. He got this from the City Attorney many years with the Calm Project; anytime we turn down a project that has met the requirements, we are subject to a lawsuit.

Mayor James said she dislikes being told we will be sued. They would probably just sue us for change over the decision, and not necessarily for money. She asked Commissioners Davis and Odman why they voted no.

Commissioner Odman explained her concerns about our development are far reaching; infrastructure, traffic, and environment. Most projects she supported addressed the environmental impact to the area or the entire City. There have been developers that specialize in that sort of thing to lessen their environmental impact to the area.

Attorney Mele noted in the staff reports, it shows they have met the environmental, traffic and tree preservation requirements. The applicant has met all the City's requirements.

Commissioner Odman said it is a conflict with her because she was not here when the rules were put into place. We are in a predicament where we feel we must push projects through that meet the legal requirements but do not meet the requirements that we feel should be in place for the City.

Commissioner Davis agreed that is her struggle; she was not here when the codes were changed. Meeting the requirements is one thing, but the quality of life is something else. She wants to avoid Dania Beach becoming a high-rise community. She has to listen to her residents and to her gut feeling. For her, it is the speed of it; it is too fast, and it is bothering her consciously because she was not here to change those codes. It is the concern of the residents. She knows because she sees it and hears about it every day.

Attorney Mele reiterated they complied with what they were asked to do.

Assistant City Attorney Boutsis noted the Commission has every right to re-evaluate their ordinances. Her concern here is that there is a record where staff and Planning & Zoning is recommending approval but there is no testimony that what was imposed is being violated. If there is a true concern, then maybe look at getting a moratorium for future projects.

Mayor James said what we all are hearing from the residents is that it is scary and concerning and she gets that. That was her concern with going back to the County for more units to build. If we want to do something about the amount of development coming, we should change the code. This person is building what they purchased the property for. The community has not shown up and that is what she makes her decisions based on.

Mayor James voted yes. The motion carried 3-2.

9.12 RESOLUTION #2021-199

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE "ADLER" PLAT (PL-034-20) SUBMITTED BY GREENSPOON MARDER, LLP , ON BEHALF OF PRH-DANIA BEACH, LLC FOR THE PROPERTY LOCATED AT 901 E. DANIA BEACH BOULEVARD IN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN AND INCORPORATED BY REFERENCE INTO THIS RESOLUTION AS EXHIBIT "A"; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Community Development)*

Vice-Mayor Salvino motioned to adopt Resolution #2021-199; seconded by Commissioner Lewellen. The motion carried on the following 3-2 Roll Call vote:

Commissioner Davis	**No**	**Vice-Mayor Salvino**	**Yes**
Commissioner Lewellen	**Yes**	**Mayor James**	**Yes**
Commissioner Odman	**No**		

Vice-Mayor Salvino felt some of the projects that the Commission has approved that have not come up out of the ground are liable to a change of the zoning codes. Whatever is out there now, let us finish those but he would rather see us stop it at this point where we can. We are at a maximum now and we have to change the code.

Commissioner Odman agreed and asked the City Manager to put an item, moratorium on development, on the January agenda for discussion and possible action. She said we may need to workshop this and questioned what we want to do about it. Every time this comes up, we should have that consistency if the expectations are met of the City, that the developer and their project will be able to go through. Let us discuss changing the code. The item could be under her name or Vice-Mayor Salvino's name. Let us have this conversation so we are not going through this every time for the next year.

10. Discussion and Possible Action

There were no items on this agenda.

11. Commission Comments

11.1 Commissioner Davis

Commissioner Davis noted she attended the City's holiday events and thanked the entire Parks & Recreation team. She spoke of all the holiday events she attended and noted there were conflicts in the scheduling. She would like the events to be coordinated. She wished everyone happy holidays.

11.2 Commissioner Lewellen

Commissioner Lewellen thanked City Attorney Ansbro for his service, as this is his last meeting with the City. She wished everyone happy holidays.

11.3 Commissioner Odman

Commissioner Odman confirmed her discussion item would be added to the January agenda and asked if Assistant Director of Community Development Lajoie could get an update on our green building standards for the first meeting in January. She looks forward to seeing everyone back in person.

11.4 Vice-Mayor Salvino

Vice-Mayor Salvino spoke of attending all the same events as the other Commissioners and wished everyone happy holidays.

11.5 Mayor James

Mayor James reminded everyone of the Kwanza celebration this Thursday at 6:00 p.m. at City Hall and commended the Parks Department on the tree lighting ceremony. She would also like to see the events better coordinated and wished everyone a happy new year.

12. Appointments

12.1 Education Advisory Board

12.2 General Employees Pension Board

There were no appointments at this meeting.

13. Administrative Reports

13.1 City Manager

City Manager Garcia reported the Ocean Park Beach Drainage Project is nearing completion and would end by the end of the month; new catch basins and tidal valves will reduce the impact of high tides and minimize flooding in the north end of the parking lot.

City Manager Garcia also reported the Southeast Watermain Replacement Project is nearing completion as well. With 9,000 linear feet of new pipes and valves, it will improve the service, reliability and water quality and decrease line repairs for our residents.

City Manager Garcia advised the Speed Hump Improvement Project Phase I east of I-95 is completed. Phase II west of I-95 will begin in March and is expected to be completed by mid-May.

City Manager Garcia said the Lucky Fish negotiations are going well. She looks forward to bringing the contract for this project on January 25th.

City Manager Garcia reported we received some great news from Francisco Rojo with the City Place project directly behind the City Hall garage. This is a very exciting project and we supported them with a loan. This is affordable housing and will help with the inventory, addressing all the needs in our community.

City Manager Garcia noted out of more than 60 cities in Dade and Broward County, we are only one of five where both the City Manager and Deputy City Manager are both credentialed certified professional managers recognized by the International City Managers Association. We are committed to developing our team and she wished everyone happy holidays and a remarkable 2022.

13.2 City Attorney

City Attorney Ansbro said he has been with the City since January of 1998. In that time, we have only had three court challenges to the hundreds of land use, zoning, and development decisions. All three trial courts ruled in the City's favor. One case involving the Casino's development agreement is on appeal. Of the hundreds of ordinances, none have ever been challenged in the courts. Of the hundreds of bids, request for proposals and other similar solicitations over that period, we had two bid protests, and both were decided by the City Commission in the City's favor and none of them or any solicitations were ever challenged in court.

City Attorney Ansbro noted of the hundreds of contracts and agreements to which the City has been a party over those years, none have ever been disputed in a court. Of the hundreds of construction, engineering, architectural and other capital project contracts processed by the City over all those years, none have ever resulted in a court dispute. He said he thinks he has done a pretty decent job with the help of a lot of people to protect us. He appreciates the opportunity to have served; it has been an honor and a pleasure. He wished Assistant City Attorney Boutsis all the best, wished the City continued progress, and thanked everyone.

13.3 City Clerk - Reminders

Tuesday, January 11, 2022 - 5:30 p.m.	CRA Board Meeting
Tuesday, January 11, 2022 - 7:00 p.m.	City Commission Meeting
Thursday, January 13, 2022 - 5:00 p.m.	CRA Board Workshop - Board Priorities
Tuesday, January 25, 2022 - 7:00 p.m.	City Commission Meeting

14. Adjournment

Mayor James adjourned the meeting at 11:00 p.m.

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK

CITY OF DANIA BEACH

TAMARA JAMES
MAYOR

Approved: January 25, 2022

#3.2

AMERICAN RESCUE PLAN ACT

PROJECT UPDATE

DECEMBER 14, 2021

PRESENTED TO:
THE CITY OF
DANIA BEACH

SEE IT
LIVE IT
LOVE IT

DANIA BEACH

GSG
GOVERNMENT SERVICES GROUP, LLC
An Anser Advisory Company

CONTENTS

- Lessons Learned from the CARES Act
- American Rescue Plan Act (ARPA) Overview
- Period of Performance
- Use of ARPA Funds
- Wrap Up

LESSONS LEARNED FROM THE CARES ACT

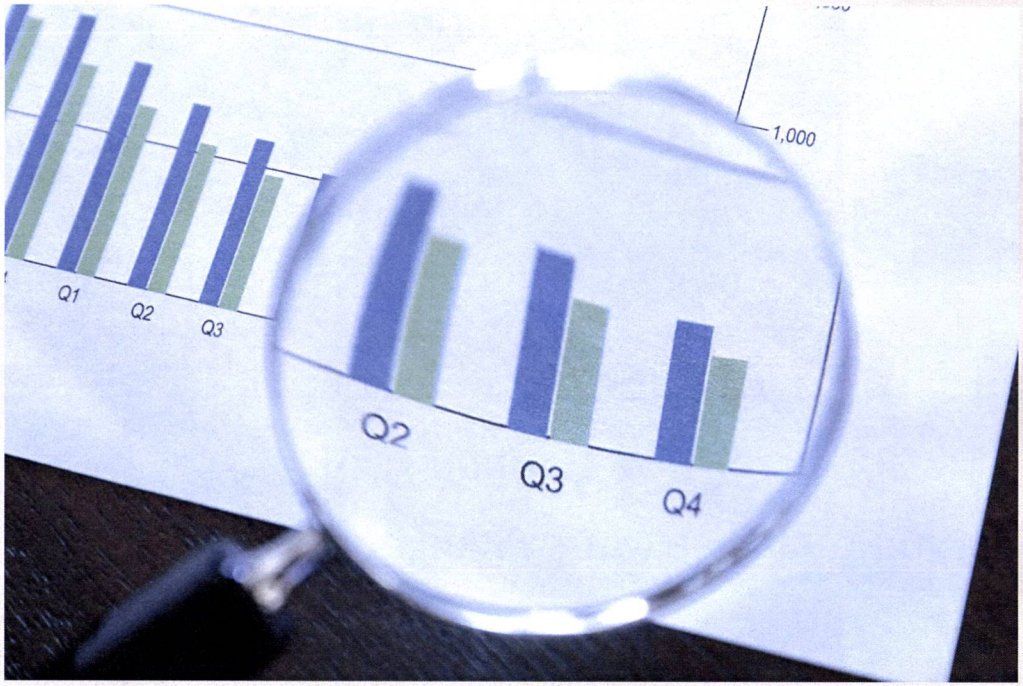
Leverage CARES Act Experiences for ARPA

- U.S. Treasury providing frequent guidance updates
- Coordinate internally and link ARPA Funding to Operating and Capital Budgeting Processes
- Prioritize Needs and Maintain Flexibility
- Increase Intergovernmental Communication and Coordination

Lessons Learned from the CARES ACT

MITIGATE COMMON AUDIT FINDINGS

- Eligibility Determination
- Duplication of Benefits
- Consistent Treatment
- Adequate Documentation



AMERICAN RESCUE PLAN ACT OVERVIEW – BACKGROUND

State, Tribe, and Territory and Local Government Relief
- State, Tribal, and Territory Fiscal Relief
- Local Fiscal Relief

Education and Child Care
- ESSER Fund
- HEER Fund
- Childcare Development Grants

Public Health I
- Vaccination Funding
- Genomic Sequencing
- Testing & Tracing

Public Health II
- Pediatric Mental Health Care
- Public Health Workforce

Housing and Rental
- Rental Assistance
- Mortgage Assistance

Small Business Assistance
- Paycheck Protection
- Restaurant Revitalization

Infrastructure
- Coronavirus Capital Projects
- Emergency Connectivity Fund

Food Assistance
- Emergency Food and Shelter Program

- On March 11, 2021, Congress signed into law the American Rescue Plan Act (ARPA)
- The $1.9 trillion package includes **$362 billion** in federal fiscal recovery aid for state and local governments through the **State & Local Fiscal Recovery Fund (SLFRF)**
- The Act also provides billions to education, public health, housing, small business, infrastructure, and food assistance

ARPA OVERVIEW – ELIGIBLE USES

Support Public Health Response

- **COVID-19 Mitigation & Containment:** vaccination programs, ventilation improvements in congregate or health care settings, contact tracing
- **Medical Expenses:** care and services to address near and long-term needs
- **Behavioral Healthcare:** mental health treatment, crisis intervention, substance misuse treatment
- **Public Health & Safety Staff:** payroll & benefits

ARPA OVERVIEW – ELIGIBLE USES

Address Negative Economic Impacts

- **Support to Residents:** assistance to unemployed workers, job training, food, housing, survivor's benefits
- **Small Business:** loans, grants, in-kind and technical assistance
- **Public Sector:** rehire staff, replenish state unemployment insurance, economic relief programs
- **Impacted Industries:** tourism, travel and hospitality, and other affected sectors

ARPA OVERVIEW – ELIGIBLE USES

Premium Pay for Essential Workers

Provide premium pay to eligible workers performing essential work or to provide grants to third party employers with eligible workers

- **Essential Employees:** janitors/sanitation, public health, social service & safety, childcare & educators, nursing home/hospital staff, government
- **Essential Work:** involving regular in-person interactions
- **Other Provisions:** including retroactive premium pay

ARPA OVERVIEW – ELIGIBLE USES

Replace Public Sector Revenue Loss

Use funds to provide government services to the extent of the reduction in revenue experienced due to the pandemic

- Lost revenues may be used to **support general government services and infrastructure**

ARPA OVERVIEW – ELIGIBLE USES

Water and Sewer Infrastructure

Make necessary investment to improve access to clean drinking water and invest in wastewater and stormwater infrastructure

Eligible uses aligned to EPA project categories in:

- Clean Water State Revolving Fund (CWSRF)
- Drinking Water State Revolving Fund (DWSRF)

ARPA OVERVIEW – ELIGIBLE USES

Broadband Infrastructure

Make necessary investment to provide unserved or underserved locations with new or expanded broadband access

› Fund projects that deliver reliable services – **minimum 100 Mbps download/upload speed**

ARPA OVERVIEW – INELIGIBLE USES

- Deposits to 'Rainy Day' Funds or Financial Reserves
- Deposits into Defined Pension Funds
- Debt Service
- Legal Settlements or Judgements
- General Infrastructure Spending
- Non-Federal Match for Federal Programs

ARPA OVERVIEW

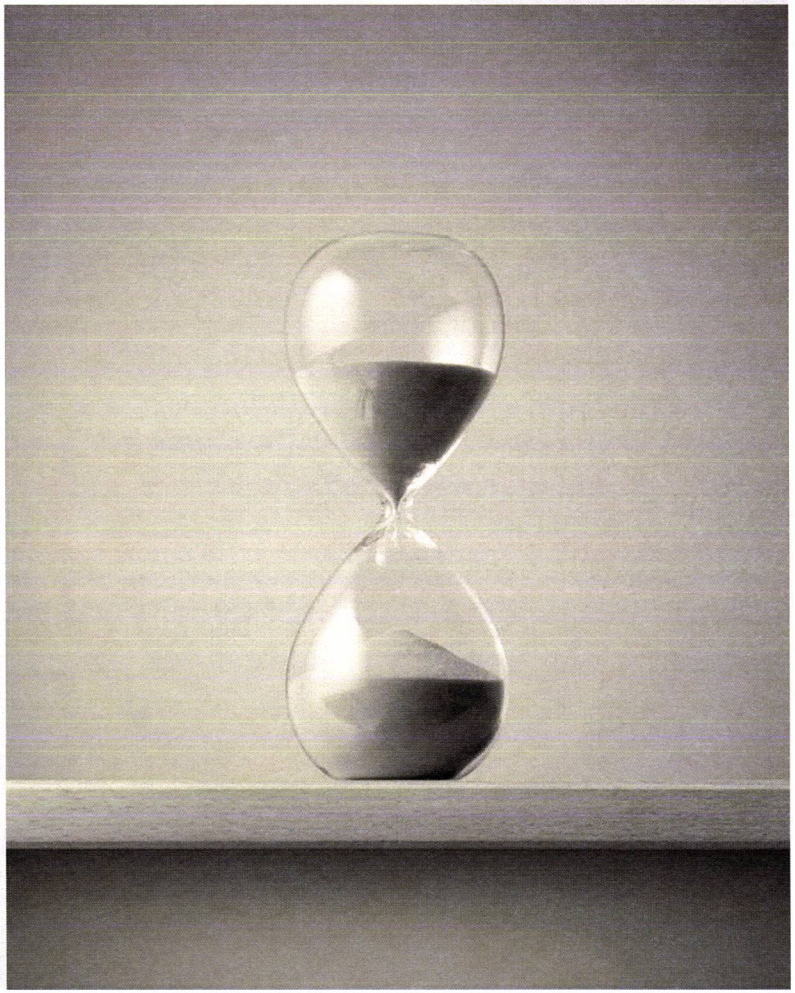
What ARPA Means to Local Governments

- Patience –final guidance is forthcoming
- Planning – prioritize the use of funds

Funds may be used for:

•Costs incurred under the covered period March 3, 2021, through December 31, 2024.

•May be expended through December 31, 2026.



CITY'S USE OF ARPA FUNDS

Strengthen the Local Community

Economic Impact by Hiring and Retaining Local Employees, Assisting Non-Profits, and Serving Residents

Projects Include:

- Community Participation Grant for Non-Profits
- Shore Protection Project
- Nyberg Swanson House Preservation
- Information Technology Master Plan and City Website Redesign

Invest in Key Infrastructure

High-priority Infrastructure Projects that Positively Impact Residents and Businesses

Projects Include:

- Neighborhood Stormwater Drainage Improvements
- Canal Water Supply Project
- New and Replacement Vehicles
- Water Plant Improvements
- Water Line Replacements

Support Public Health

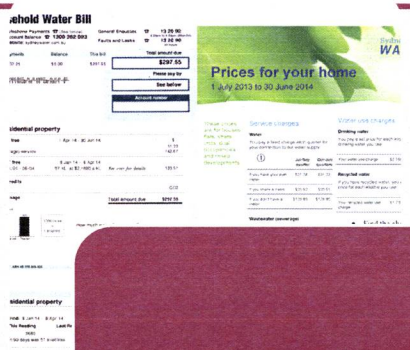
Governments across the region have a collective interest in working together to support Public Health Initiatives

Projects Include:

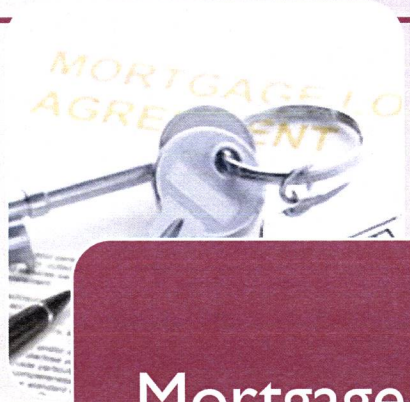
- PJ Meli Pool Upgrades
- City Hall Restroom improvements
- Replacement Lifeguard Towers
- Pier Refurbishment Project
- Beach Facility Improvement

STRETCHING THE CITY'S ARP ALLOCATION

Emergency Rental Assistance*



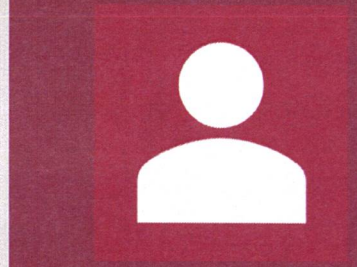
Utility Assistance*



Mortgage Assistance+

* Broward County COVID-19 Emergency Rental Assistance & Utility Assistance
www.broward.org/rentassistance/Pages/default.aspx

ADDITIONAL FEDERAL & STATE PROGRAMS



Individuals

Florida Department of Health Programs

Households
(via the State)

US Treasury's Small Business Credit Initiative

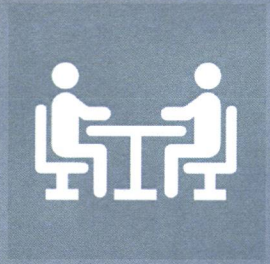
Non-Profits

Institute for Nonprofit Innovation and Excellence
Florida Community Loan Fund

Businesses

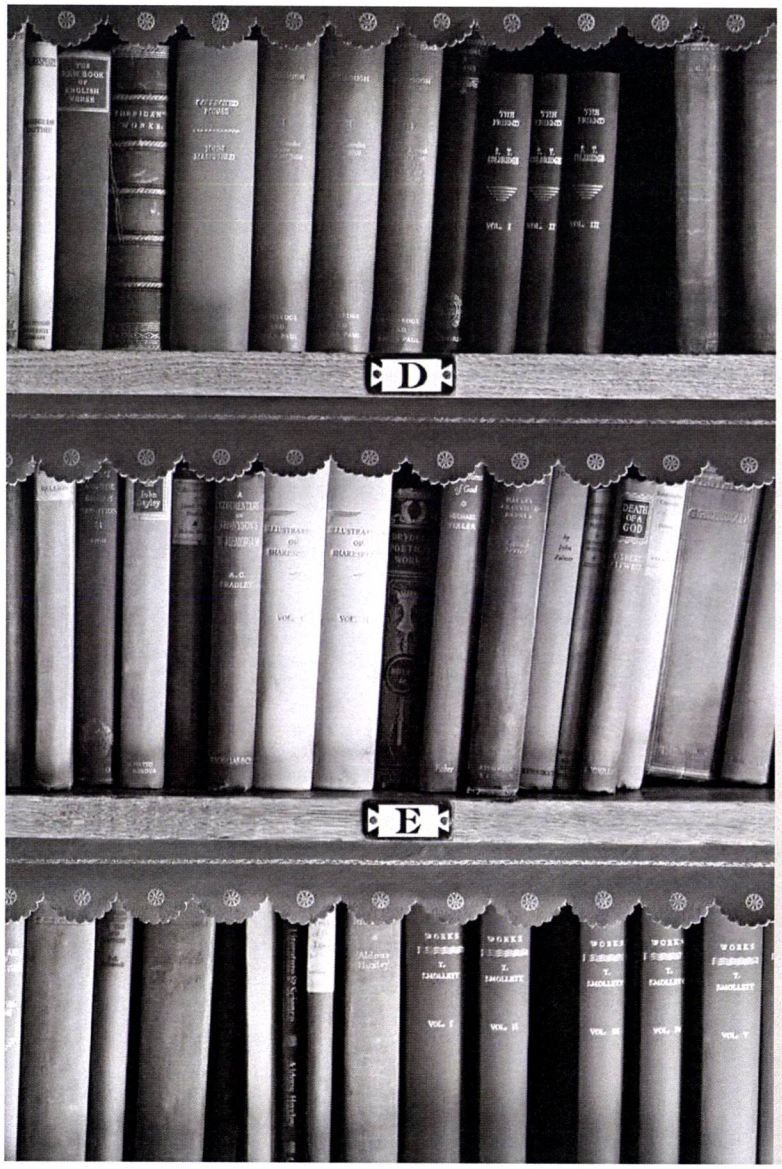
Employee Retention Credit & Paid Leave Credit (IRS)

Florida Community Loan Fund (SBA)



NEXT STEPS

- Determine Use of ARPA Funds by fine tuning the city's priorities, including:
  - ✓Key Infrastructure Projects
  - ✓Strengthening the Local Community
  - ✓Supporting Public Health
- Review Proposed ARPA Projects List for Consideration
- Commission Approved ARPA Project List and Conceptual Framework



REFERENCES

	U.S. Treasury	https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/state-and-local-fiscal-recovery-funds
	National League of Cities	https://www.nlc.org/covid-19-pandemic-response/
	Government Finance Officer's Association	https://www.gfoa.org/materials/the-american-rescue-plan-what-gfoa-members-need-to

THANK YOU

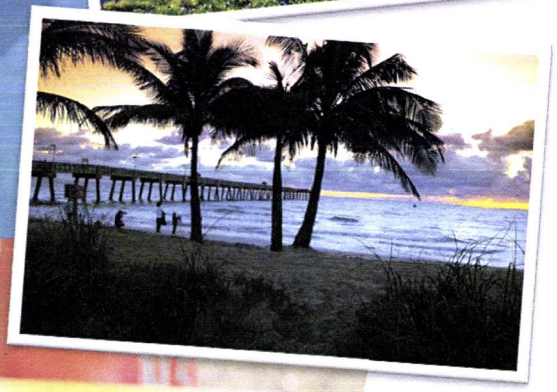
David Jahosky, Vice President
850-681-2717
djahosky@govserve.com
www.WeServeGovernments.com

#3.3

THE CITY OF Dania Beach

BROWARD'S FIRST CITY

NW 1st STREET BRIDGE PUBLIC ART MURAL



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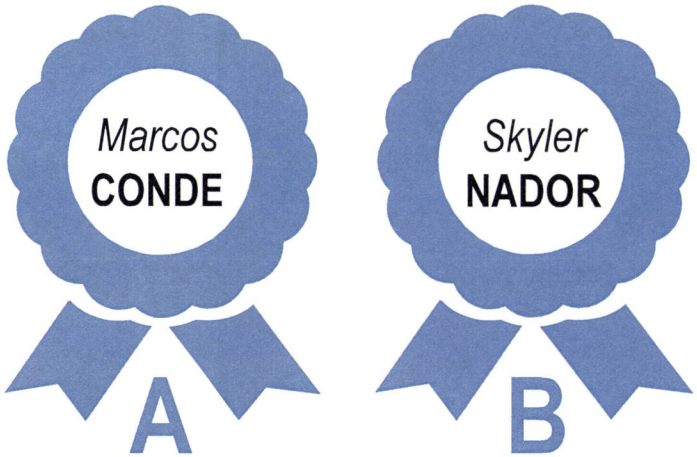
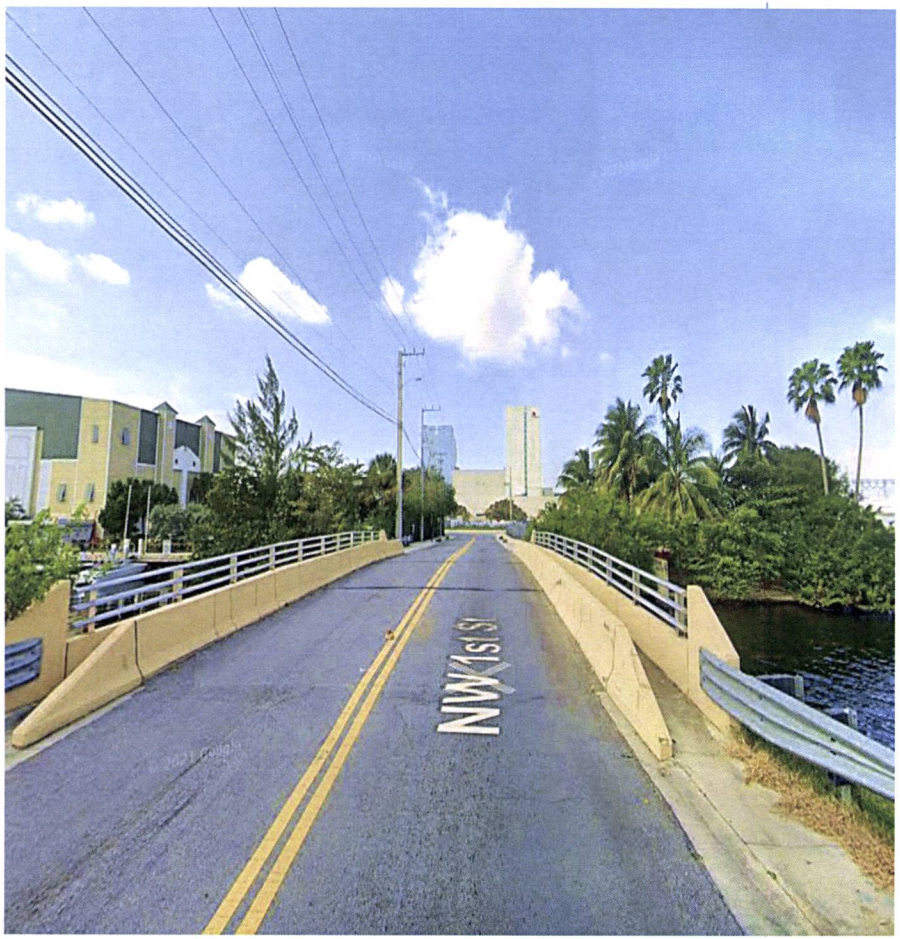
Creative Arts Council Advisory Board (CACAB)

CACAB reviewed all artist submissions for the NW 1st Street Bridge Public Art Project.

Two (2) finalists were selected.





Marcus Conde

Bio Summary:

Marcos Conde is a visual artist in South Florida focusing on painting and public art projects. He develops surreal, abstract and colorful bodies of work that portrays a sense of movement and has emanating energy through the use of color. He has worked with private and community organizations to develop multiple public art installations. He has developed creative commissioned projects for multiple city municipalities, public schools, corporate offices, festivals and more.

Proposal:

The concept is to create a vibrant mural that celebrates the natural plants and animals that surround the bridge, using unique effects with characteristics and tropical colors that reflect the natural landscape of Dania Beach.

Marcus Conde

Skyler Nador

Bio Summary:

Skyler Jade Nador has been artistic for as long as she can remember. She loves to dance, draw, paint, sculpt and make things that inspire her...and hopefully others.

From Broadway musicals to the induction into one of the top high school art programs in the Southwest (NESA), she's been very fortunate to be trained by some of the best teachers and professionals. She graduated from the University of South Florida with a BA in studio arts and hopes to find work in the set design, mural or animation business. She has completed over 20 murals in the residential and commercial art community.

Proposal:

Two different sketch options were created with three different background options. Either wall 1 and 2 with your chosen wave style or the combo option that will go on both walls.

Skyler Nador

Wall 1:

Wall 2:

Both sketches combined, will be mirrored on both walls:

1

Wall 1:

Wall 2:

Both sketches combined, will be mirrored on both walls:

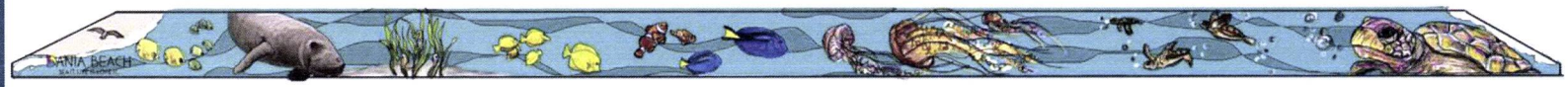
2

Skyler Nador

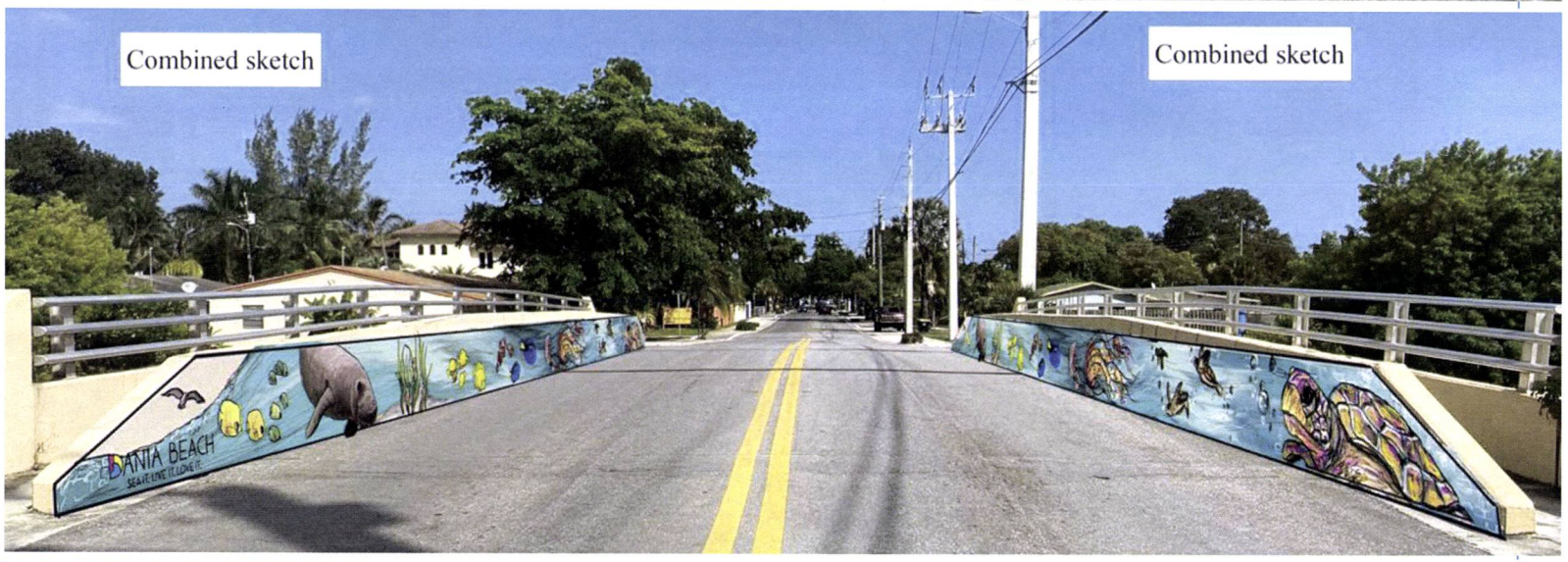
Wall 2:

3

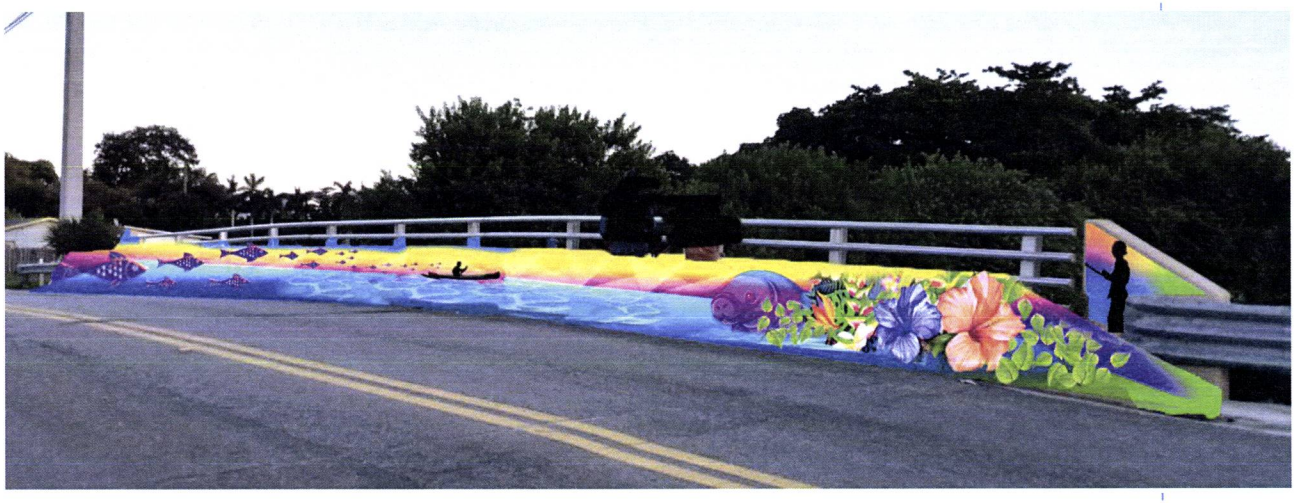
Both sketches combined, will be mirrored on both walls:

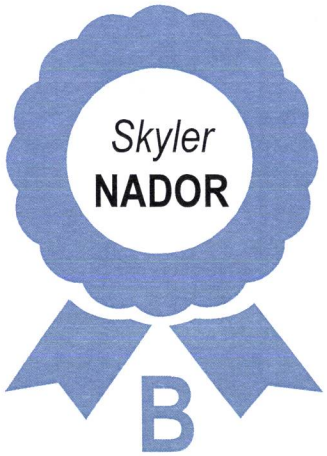


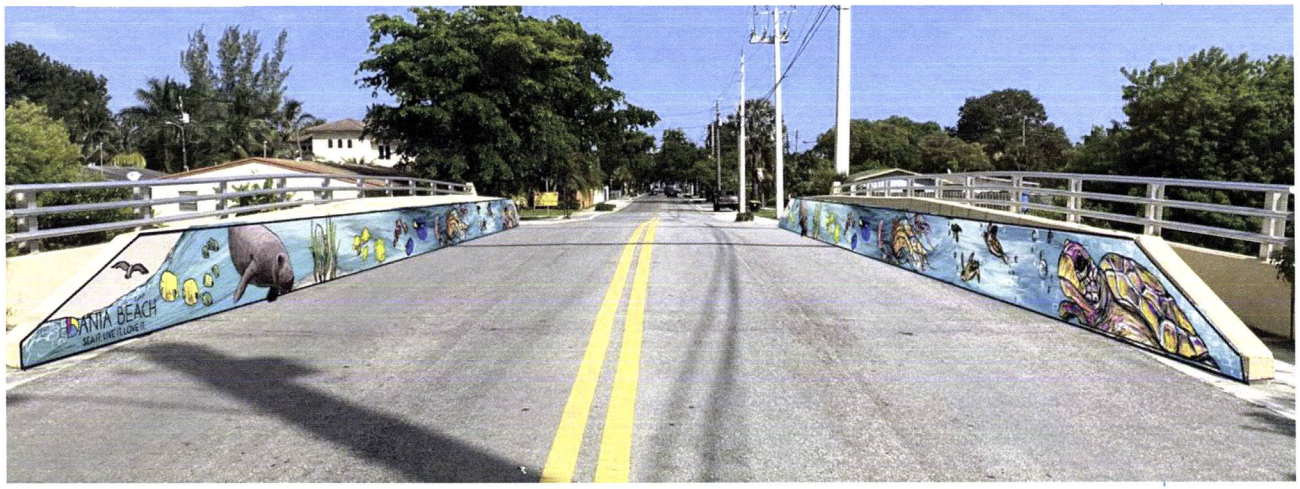
Skyler Nador



Selection of Artists







Questions?

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BROWARD'S FIRST CITY
daniabeachfl.gov

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Lewellen Lori Brooke	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Dania Beach City Commission
MAILING ADDRESS 4541 SW 27th Terrace	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF ☑ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
CITY Dania Beach COUNTY Broward	NAME OF POLITICAL SUBDIVISION N/A
DATE ON WHICH VOTE OCCURRED 12/14/2021	MY POSITION IS ☑ ELECTIVE ☐ APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also MUST ABSTAIN from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained), to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * * * * * * * * * * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * * * * * * * * * * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Lori Lewellen, hereby disclose that on December 14, 20 21 :

(a) A measure came or will come before my agency which (check one or more)

✓ inured to my special private gain or loss;

___ inured to the special gain or loss of my business associate, ___ ;

___ inured to the special gain or loss of my relative, ___ ;

___ inured to the special gain or loss of ___, by whom I am retained; or

___ inured to the special gain or loss of ___, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows.

Agenda Item 3.6 - Amendment to the Special Event Request from the City of Dania Beach Community Redevelopment Agency to host Dania After Dark on December 4, 2021, and on the second Saturday of each month in 2022. I abstained from voting and disclosed that I was a business owner who was ~~identified~~ ~~as~~ impacted by the event since we are located on SW 1st Ave.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

12/15/2021
Date Filed

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED $10,000.

#9.9

DANIA BEACH
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REQUEST TO ADDRESS CITY COMMISSION AT REGULAR OR SPECIAL VIRTUAL MEETINGS

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

DATE OF COMMISSION MEETING: December 14, 2021

PRINT NAME: Michael Jofel

ADDRESS: 5880 SW 37th, Ft Lauderdale, FL 33312

PHONE NO. (Optional): (954)445-6800

PLEASE CHECK ONE OR BOTH OF THE BOXES BELOW:

1) ☑ ____ CITIZEN COMMENTS:

Comments by Dania Beach citizens or interested parties that are not part of the regular printed agenda may be made during each Commission meeting during the period set aside for "Citizen Comments." A thirty (30) minute "Citizen Comments" period shall be designated on the agenda for citizens and interested persons to speak on matters not scheduled on that day's agenda. Each speaker shall be limited to 3 minutes for his or her comments. Persons desiring to speak during the citizen comment period shall inform the City Clerk immediately prior to the beginning of the meeting of their intention to speak. If more than 10 speakers express a desire to speak, the Commission shall determine on a meeting by meeting basis whether to (a) extend the time allotted for citizen comments to accommodate all speakers, or (b) whether to limit the number of speakers or amount of time per speaker. A speaker's time shall not be transferable to another speaker.

PLEASE BRIEFLY DESCRIBE THE SUBJECT MATTER OF YOUR COMMENT:

Support of TX-065-20R

2) ☑ ____ PUBLIC HEARINGS – ITEM # 9.9 (AS PRINTED ON AGENDA)

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

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)

eSigned via SeamlessDocs.com
Michael Jofe
Key: 29baa7c44b2020cd70542d9dff8711b41

12/07/2021

DID NOT SPEAK

DANIA BEACH
SEA IT. LIVE IT. LOVE IT.

REQUEST TO ADDRESS CITY COMMISSION AT REGULAR OR SPECIAL VIRTUAL MEETINGS

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

DATE OF COMMISSION MEETING: December 07, 2021

PRINT NAME: Harvey Sepler

ADDRESS: 5840 S.W. 37th Terrace

PHONE NO. (Optional): 9546631599

PLEASE CHECK ONE OR BOTH OF THE BOXES BELOW:

1) ☐ ____ CITIZEN COMMENTS:

Comments by Dania Beach citizens or interested parties that are not part of the regular printed agenda may be made during each Commission meeting during the period set aside for "Citizen Comments." A thirty (30) minute "Citizen Comments" period shall be designated on the agenda for citizens and interested persons to speak on matters not scheduled on that day's agenda. Each speaker shall be limited to 3 minutes for his or her comments. Persons desiring to speak during the citizen comment period shall inform the City Clerk immediately prior to the beginning of the meeting of their intention to speak. If more than 10 speakers express a desire to speak, the Commission shall determine on a meeting by meeting basis whether to (a) extend the time allotted for citizen comments to accommodate all speakers, or (b) whether to limit the number of speakers or amount of time per speaker. A speaker's time shall not be transferable to another speaker.

PLEASE BRIEFLY DESCRIBE THE SUBJECT MATTER OF YOUR COMMENT:

_____

_____

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

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eSigned via SeamlessDocs.com
Harvey Joel Sepler
Key: 29baa7c44b2020cd70542d9dfff711b41

12/07/2021

#9.11
DID NOT SPEAK

DANIA BEACH
SEA IT. LIVE IT. LOVE IT.

REQUEST TO ADDRESS CITY COMMISSION AT REGULAR OR SPECIAL VIRTUAL MEETINGS

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DATE OF COMMISSION MEETING: December 14, 2021

PRINT NAME: Chris Rabil

ADDRESS: 302 SE 3rd Pl Dania Beach, FL 33004

PHONE NO. (Optional): 3014614476

PLEASE CHECK ONE OR BOTH OF THE BOXES BELOW:

1) ☑ ____ CITIZEN COMMENTS:

Comments by Dania Beach citizens or interested parties that are not part of the regular printed agenda may be made during each Commission meeting during the period set aside for "Citizen Comments." A thirty (30) minute "Citizen Comments" period shall be designated on the agenda for citizens and interested persons to speak on matters not scheduled on that day's agenda. Each speaker shall be limited to 3 minutes for his or her comments. Persons desiring to speak during the citizen comment period shall inform the City Clerk immediately prior to the beginning of the meeting of their intention to speak. If more than 10 speakers express a desire to speak, the Commission shall determine on a meeting by meeting basis whether to (a) extend the time allotted for citizen comments to accommodate all speakers, or (b) whether to limit the number of speakers or amount of time per speaker. A speaker's time shall not be transferable to another speaker.

PLEASE BRIEFLY DESCRIBE THE SUBJECT MATTER OF YOUR COMMENT:

There is no reason to add more apartment buildings, there are enough on Dania Beach Blvd.

The traffic on Federal Highway turning onto DB-BLVD is horrible. Citizens are constantly

the commission that keeps approving these. Enough is enough. We need people with roots, not

2) ☑ ____ PUBLIC HEARINGS – ITEM #2021-198 (AS PRINTED ON AGENDA)

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eSigned via SeamlessDocs.com
Chris Rabil
Key: 29baa7c44b2020cd70542d9df8711b41

12/14/2021