

MINUTES OF HYBRID REGULAR MEETING
DANIA BEACH CITY COMMISSION
TUESDAY, JANUARY 25, 2022 – 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:	Eve Boutsis
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 Commendation for Josie's Too – Celebrating 60 Years in Business in Dania Beach - presented by Vice-Mayor Salvino

Vice-Mayor Salvino read the commendation for Josie's Too and presented it to Josie Bovie, owner of Josie's Too.

Ms. Bovie sang "You'll Never Know How Much I Love You" to the Commission and the audience.

- 3.2 Presentation on Green Building opportunities by Corinne Lajoie, Assistant Director of Community Development - requested by Commissioner Odman

Assistant Community Development Director Lajoie gave a PowerPoint presentation which is attached to and incorporated into these minutes.

Commissioner Odman asked if she spoke with Mr. Biondi.

Assistant Community Development Director Lajoie responded she spoke to Mr. Biondi with Energy Cost Solutions Group and Jesse Rittenhouse with the Spinnaker Group. They are specialists and could assist the City in drafting something specific to the City.

Commissioner Odman said she spoke with the City Manager and Larry Baum from Stellar and he was helpful in ways to do it, most of them based in incentives. In moving forward, how we want to aesthetically have more standards for what our buildings will look like, this is in line with that. When you are building in line with green building standards, you get higher quality buildings. This is in line with several of the things we have talked about. She wanted to know if the Commission is interested in hiring a consultant and perhaps put this as a discussion item on the next agenda. She said she would like to see what somebody could tailor to Dania Beach to up our game to the next level and help us get things moving forward.

Commissioner Lewellen noted we have a workshop on Friday and that may be the best place to discuss it. She asked City Attorney Boutsis about the Net Zero resolution and whether it is in line with this.

City Attorney Boutsis said yes.

Commissioner Lewellen commented this may be something we can coordinate together.

Vice-Mayor Salvino said he would like to do research on some of the things talked about before we hire a consultant; he is not opposed though.

Commissioner Davis felt it is good idea to discuss it further, but she also wants to hear from one of the experts to give us a bigger picture of all the options.

City Manager Garcia said having spoken to Commissioner Odman regarding this topic and to Commissioner Lewellen about aligning our investments with everything that is environmentally sound, she thinks it is a good idea to explore this and bring in an expert in the field. We will further discuss on Friday.

Assistant Community Development Director Lajoie noted our Comprehensive Plan and EAR based amendments are coming up as well. We were anticipating adding a climate change element to the Comprehensive Plan so this would include the initiatives and desires of the Commission.

Mayor James said doing something like this is vital considering all the development that is going on in Dania Beach. People have to live 30-40 years down the road with our decisions today. We should do anything that we can to ensure we are investing in our infrastructure via ordinances and resolutions that will cater to the types of development we want here. She is excited to continue the communication.

Commissioner Odman asked City Manager Garcia to discuss this week to put this up as a presentation for the Commission, so that they can ask their questions to Larry Baum and then

from there move on to deciding if it is the will of the Commission to invest the money for a consultant.

3.3 Public Art update by Corinne Lajoie, Assistant Director of Community Development, and Linda Flynn, Cultural Planning Group

Assistant Community Development Director Lajoie began a PowerPoint presentation which is attached to and incorporated into these minutes. She introduced our administrator, Ms. Flynn, who continued the PowerPoint presentation.

Commissioner Odman said we are in a place where we are starting to get excited, and we see funds coming in. She asked what Ms. Flynn's recommendation is, in periods where you have money there and projects are being brought forward. She questioned if you wait to make those your initial projects, do you hold off or does Ms. Flynn see people using the money before the foundation is laid.

Ms. Flynn responded she recommends not spending the money until the foundation is in place. Creating the public art board is the first step; all projects need to go through the process of going to the board and then to the Commission. Looking at the fund, you need to look toward the future and plan for maintenance. Certain percentages are put aside for administrative costs and long-term maintenance. The recommendation is we keep the Commission informed as to the progress we are making with the board and recommends a short workshop with the public art advisory board and the Commission to give them an overview of what the plan looks like.

Commissioner Davis said the Commission adopted the plan in 2019 and Ms. Flynn was hired in December 2021; the wheels are turning very slowly. She is wondering if there is an assessment of how long that process will take.

Ms. Flynn noted establishing the board should have happened within three months.

Assistant Community Development Director Lajoie explained it is a matter of getting a resolution in front of the Commission. She addressed the timeline since the ordinance was adopted and noted we are moving rather quickly with the process.

Mayor James said she looks forward to it. It has been a long time in the making; we wanted to get something passed so that we could start collecting money from developers. She is excited for the opportunities to come.

4. Proclamations

There were no proclamations at this meeting.

5. Citizen Comments

Thomas Angelos, 43 SW 13th Street, thanked the Commission for addressing climate change and making efforts to keep everything environmentally friendly. He said there are garbage cans everywhere and bulk trash is out all the time and asked if there is anything being done to strengthen enforcement of the trash pickup rules. He would also like to know if there are any rules for replacement of trees if one must be removed or dies.

Mayor James said there are rules in place and that Assistant Community Development Director Lajoie would be able to speak to him.

Mr. Angelos commented he is worried, and he is not sure why there is so much more rentals going in than condominiums along Dania Beach Boulevard.

Mayor James said the developers say they try to build it in a way that it can be converted later but it is easier to finance rentals.

Mr. Angelos asked about ordinances in place for garbage and bulk trash.

Mayor James responded we have some programs in place regarding garbage cans and bulk pick up. We have been doing some proactive measures to ensure that we are taking it seriously. She will have Assistant Community Development Director Lajoie contact him.

City Manager Garcia noted there would be a presentation by Code Compliance and explained how the team will work. She said the City would rather work with the people violating the code, but we are at a point where we feel comfortable handing out a fine to the repeat violators.

Linda Wilson, First Vice President of Dania Beach Friends of the Library and member of the CACAB, expressed concern the City is waiving too many bid requirements since a procurement officer was hired. She asked how item 7.12 would be enforced. She agreed with Linda Flynn and felt item 10.1 is premature; she questioned using a call to artists to get people to volunteer to put the public art in place. She felt discussion should be held regarding possibly sunseting the CACAB or incorporating the public arts board. She questioned when Marcos Conde would begin his mural project and expressed concern about using Skyler Nador and the funding for this project. She said all these things being proposed are premature.

6. Public Safety Reports

Captain Daniel Marks, BSO Chief of Police, reported on recent criminal activity in the City, including burglaries at storage facilities and thefts of catalytic converters and beer from convenience stores. He also reported on homeless outreach, Neighborhood Support Unit, and the BSO/Dania Beach RISE Spring Camp at the end of March. He addressed a new scam where the caller claims the person missed jury duty and scams them for gift cards, etc.

Mayor James spoke of the Real Time Crime Center and possibly taking a tour of the facility. She felt we should promote the program on our social media.

Captain Marks noted he met with the captain at the Real Time Crime Center and received numerous flyers and cards where you can scan the barcode and go directly to the website to sign up.

City Manager Garcia said it is a great idea for Captain Marks to work with Public Information Officer Bordy on SEPTED as well as putting out a Code Red. All of these are good opportunities to make homes or businesses safer.

Captain Sergio Pellecer, BSO District Fire Chief, gave an update on departmental activities including call volumes and ladder and hose testing. He noted the resolution for the SAFER grant he spoke about at the last meeting is on tonight's agenda for Commission approval.

7. Consent Agenda

7.1 Minutes:

Approve Minutes of December 14, 2021 City Commission Virtual Meeting

7.2 Travel Requests: None

Resolutions

7.3 Approve funding for Broward League of Cities Board of Directors Meeting hosted by City of Dania Beach (*City Manager*)

7.4 RESOLUTION #2022-006

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, REQUESTING ADVANCE APPROVAL FROM THE CITY COMMISSION TO PROCEED WITH THE BID ADVERTISEMENT FOR THE SOUTHWEST 37TH TERRACE DRAINAGE IMPROVEMENT PROJECT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (*Public Services*)

7.5 RESOLUTION #2022-007

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, REQUESTING ADVANCE APPROVAL FROM THE CITY COMMISSION TO PROCEED WITH THE BID ADVERTISEMENT FOR THE SOUTHWEST 43RD TERRACE DRAINAGE IMPROVEMENT PROJECT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (*Public Services*)

7.6 RESOLUTION #2022-008

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, REQUESTING ADVANCE APPROVAL FROM THE CITY COMMISSION TO PROCEED WITH THE BID ADVERTISEMENT FOR THE SOUTHWEST 52ND STREET DRAINAGE IMPROVEMENT PROJECT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (*Public Services*)

7.7 RESOLUTION #2022-009

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, REQUESTING ADVANCE APPROVAL FROM THE CITY COMMISSION TO PROCEED WITH THE BID ADVERTISEMENT FOR THE SOUTHWEST 54TH COURT STORMWATER DRAINAGE IMPROVEMENT PROJECT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Public Services)*

7.8 RESOLUTION #2022-010

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN INTERLOCAL AGREEMENT (“ILA”) WITH BROWARD COUNTY RELATED TO THE GOVERNING USE OF THE BROWARD COUNTY REGIONAL OPIOID SETTLEMENT FUNDS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(City Attorney)*

7.9 RESOLUTION #2022-011

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, RELATING TO THE AWARD OF A CONTRACT FOR TWO (2) BEACH LIFEGUARD TOWERS TO BAUSCH ENTERPRISES, INC.; WAVING COMPETITIVE BIDDING TO AWARD THE CONTRACT TO THE SUCCESSFUL BIDDER UNDER THE CITY’S REQUEST FOR PROPOSAL (RFP) NO. 21-004 AND TO CONSTRUCT TWO (2) ADDITIONAL LIFEGUARD TOWERS THAT WERE NOT CONSIDERED IN THE ORIGINAL RFP; AUTHORIZING THE CITY TO EXCEED THE ANNUAL VENDOR THRESHOLD TOTAL AMOUNT OF TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) FOR THE TOTAL COST OF ONE HUNDRED THIRTY-NINE THOUSAND SEVEN HUNDRED DOLLARS (\$139,700.00); AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Parks & Recreation)*

7.10 RESOLUTION #2022-012

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FOR SERVICES TO BE PROVIDED BY AMC SURVEILLANCE; AND AUTHORIZING THE CITY TO EXCEED THE ANNUAL VENDOR THRESHOLD TOTAL AMOUNT OF TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) TO PROCURE MAINTENANCE OF THE CITY’S SURVEILLANCE CAMERA SYSTEM; AUTHORIZING THE PURCHASES PROVIDED THE PURCHASES ARE WITHIN THE RESPECTIVE DEPARTMENTS’ APPROVED ANNUAL BUDGET APPROPRIATIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Finance)*

7.11 RESOLUTION #2022-013

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, REQUESTING ADVANCE APPROVAL FROM THE CITY COMMISSION TO PROCEED WITH THE BID ADVERTISEMENT FOR THE SOLAR STREETLIGHT RETROFIT PROJECT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Public Services)*

7.12 RESOLUTION #2022-014

A RESOLUTION OF THE CITY OF DANIA BEACH, FLORIDA, URGING ALL MEMBERS OF THE FLORIDA LEGISLATURE AND GOVERNOR RON DESANTIS TO SUPPORT SENATE BILL NO. 224 AND HOUSE BILL NO. 105 IN THE 2022 LEGISLATIVE SESSION WHICH, IF ENACTED, WOULD AUTHORIZE COUNTIES AND MUNICIPALITIES TO RESTRICT SMOKING ON PUBLIC BEACHES AND IN PUBLIC PARKS, DIRECTING THE CITY’S STATE LOBBYISTS TO ADVOCATE IN FAVOR OF SENATE BILL 224

AND HOUSE BILL 105; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Commissioner Davis)*

7.13 RESOLUTION #2022-015

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE FIRST AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING WITH BROWARD COUNTY AND OTHER PARTICIPATING MUNICIPALITIES REGARDING A COLLABORATIVE STUDY AND SUBSEQUENT DEVELOPMENT OF AN INTEGRATED SOLID WASTE AND RECYCLING SYSTEM, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE MEMORANDUM OF UNDERSTANDING; AUTHORIZING THE EXPENDITURE OF FUNDS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Public Services)*

7.14 RESOLUTION #2022-016

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO APPLY TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY ("FEMA") FOR A 2021 STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE ("SAFER") GRANT; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE APPLICATION; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Fire Rescue)*

Commissioner Lewellen motioned to adopt the Consent Agenda; seconded by Vice-Mayor Salvino. The motion carried unanimously.

8. Bids and Requests for Proposals

8.1 RESOLUTION #2022-017

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. 21-033, ENTITLED "FRANK C. 'TOOTIE' ADLER PARK IMPROVEMENTS", FOR DESIGN SERVICES RELATED TO CONSTRUCTION AT FRANK C. 'TOOTIE' ADLER 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 Boutsis read the title of Resolution #2022-017.

Commissioner Lewellen motioned to adopt Resolution #2022-017; seconded by Vice-Mayor Salvino. The motion carried unanimously.

9. Public Hearings and Site Plans

9.1 ORDINANCE #2022-007

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 28, ENTITLED "LAND DEVELOPMENT CODE (LDC)," PART 7, ENTITLED "CODE ADMINISTRATION", ARTICLE 725 ENTITLED "DEFINITIONS," TO AMEND SECTION 725-30, ENTITLED "TERMS DEFINED," BY AMENDING THE DEFINITION OF FAMILY; AMENDING PART 1 OF

THE LDC, ENTITLED "USE REGULATIONS," ARTICLE 105, ENTITLED "USE REGULATIONS FOR RESIDENTIAL AND OPEN SPACE ZONING DISTRICTS," TO CREATE A NEW SECTION 105-250 ENTITLED "REASONABLE ACCOMMODATION PROCEDURES AMENDING CHAPTER 28 ENTITLED "LAND DEVELOPMENT CODE", PART 6, ENTITLED "DEVELOPMENT REVIEW PROCEDURES AND REQUIREMENTS," ARTICLE 610, ENTITLED "PUBLIC HEARING NOTICES," AT SECTION 610-20, ENTITLED "TABLE OF PUBLIC NOTICE REQUIREMENTS." TO INCLUDE THE NOTICE REQUIREMENTS FOR A REASONABLE ACCOMMODATION HEARING BEFORE THE SPECIAL MAGISTRATE; AND AMENDING CHAPTER 2, ENTITLED "ADMINISTRATION;" ARTICLE IV, ENTITLED "CODE ENFORCEMENT;" SECTION 2-84, ENTITLED "POWERS OF SPECIAL MAGISTRATE," TO AMEND THE POWERS OF THE SPECIAL MAGISTRATE TO AUTHORIZE THE SPECIAL MAGISTRATE TO HEAR APPEALS RELATING TO A REASONABLE ACCOMMODATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)** *(City Attorney)*

City Attorney Boutsis read the title of Ordinance #2022-007 and gave a summary of the text amendment concerning reasonable accommodation procedures.

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 #2022-007, on second reading; seconded by Vice-Mayor Salvino. The motion carried unanimously.

9.2 ORDINANCE #2022-008

AN ORDINANCE OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 28, ENTITLED THE "LAND DEVELOPMENT CODE", PART 8 ENTITLED "TECHNICAL APPENDIX, ARTICLE 835, ENTITLED "TELECOMMUNICATION TOWERS AND ANTENNAS", OF THE CITY'S CODE OF ORDINANCES, TO UPDATE THE CITY'S TELECOMMUNICATIONS ORDINANCES TO BE CONSISTENT WITH STATE AND FEDERAL LAW; CREATING STANDARDS FOR COMMUNICATIONS FACILITIES' DESIGN, LOCATION AND COLLOCATION; ADDING CRITERIA FOR REVIEW OF TELECOMMUNICATIONS EQUIPMENT AND FACILITIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)** *(City Attorney)*

City Attorney Boutsis read the title of Ordinance #2022-008 and noted she was contacted by the Telecommunication Working Group who requested a one-month continuance of the ordinance to allow time to review it and to address with her any concerns they may have. She has no objection to, and recommends, a one-month continuance of the item until February 22, 2022.

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

Commissioner Lewellen motioned to continue Ordinance #2022-008, on second reading, until the February 22, 2022 City Commission meeting at 7:00 p.m.; seconded by Vice-Mayor Salvino. The motion carried unanimously.

9.3 ORDINANCE #2022-009

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA RELATING TO THE CITY'S CODE OF ORDINANCES AMENDING CERTAIN PROVISIONS TO FURTHER ESTABLISH IRRIGATION RESTRICTIONS BY AMENDING CHAPTER 27, ENTITLED "WATER AND SEWERS", AT ARTICLE II, ENTITLED "WATER SHORTAGE REGULATIONS," AT SECTION 27-43, ENTITLED "PERMANENT RESTRICTIONS FOR LAWN AND LANDSCAPING IRRIGATION", PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)** *(Public Services)*

City Attorney Boutsis read the title of Ordinance #2022-009 and noted this amendment is to conform with Broward County regulations.

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 #2022-009, on first reading; seconded by Commissioner Odman. The motion carried unanimously.

10. Discussion and Possible Action

10.1 RESOLUTION NO. 2022-018

No action taken

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO WAIVE COMPETITIVE BIDDING REQUIREMENTS AND AUTHORIZE THE PROPER CITY OFFICIALS TO ENTER INTO AN AGREEMENT TO PURCHASE THE SCULPTURE ENTITLED "LET LOVE GUIDE YOUR WAY," DESIGNED BY THE PUBLIC ARTIST LLOYD GORADESKY, IN A NOT TO EXCEED AMOUNT OF ONE HUNDRED FORTY-THREE THOUSAND DOLLARS (\$143,000.00); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Commissioner Davis)*

City Attorney Boutsis read the title of Resolution #2022-018.

Commissioner Davis referenced the discussion at the last Commission meeting and noted she was optimistic about it and now there are questions about it. She read over the goals of the Art in Public Places Plan and said she is a process-oriented person and loves process. She believes there are times in life when opportunities present themselves before the process is complete. She wants us to look at this as a holistic opportunity. She has worked with the City Manager, the City Attorney and the artist to make sure that legally we can bring this forward. It is a universal message to unify our community. While we are in the process, this is one particular item she would like to move forward with; we should think about being leaders and spread love and kindness throughout our community. She would like to hear the Commission's thoughts on it.

Commissioner Odman said her thoughts did not change at all on the artist or the art; it cannot come this way from the art fund. It was never just a fund as the number one goal of the plan was to protect the fund. This is a very worthy project, and it requires oversight. She does not want to do the project dirty. She does not want it to go through a way that it was not intended to. Linda Flynn validated that it was indeed the way we should be doing it. Her thoughts are we each have \$25,000.00 allocated to us; she would be willing to give up \$5,400.00 of her own allocation to get it going. Maybe we can all come together with a holistic kind of thing for the City for what

has been going on for the last two years. She would really like to see if her colleagues want to entertain that idea.

Mayor James noted her concern was not so much about the art in public places; art is not her number one passion. Her issues are more the procurement process of it. She can remember doing something similar and wants to be consistent. This has not been vetted and there has been no input from the community; at this time, she cannot support it. Through the process, he may be the artist selected. She asked what types of items or situations is it known to waive bidding.

Frank DiPaolo, Director of Finance, explained this case is different from our normal procurement process. The City currently does not have a process for a call to artists; there is the art fund. This came forward organically, and while the Commission has the authority to waive procurement procedures, we do not recommend it unless it falls into certain circumstances. There are other bid waivers, but we are relying on other contracts that are already in place. In this case, the best practice would be to do some sort of procurement process.

Mayor James asked what we did with the bridge art and if it was a call to artists.

City Manager Garcia responded we made a presentation to the CACAB; she came to the Commission with her funding just to get it done. The CACAB went through the process.

Corinne Lajoie, Assistant Director of Community Development, explained for the bridge mural, the CACAB identified the artists, reviewed the art, and narrowed it down to two to bring to the Commission.

Mayor James said she is not comfortable investing \$143,000.00 of taxpayer's money. She is more comfortable using the Commissioners' \$25,000.00 and the rest from contingency; she would be willing to do that versus spending \$143,000.00 on something that was not vetted.

Commissioner Lewellen commented she had a similar suggestion, that we each put a portion of our own money towards this, primarily for the concept that we all do it together. It does not appear to be the will of everyone on the Commission, so she thinks we should take a step back and go forward with the proper procedures. She is worried about the cost and without each individual member of the Commission putting the money in, it does not serve the same purpose. The whole idea is being unified and wanting to put this together as one, but if that is not the way it is going to go, then perhaps we do something next year instead.

Vice-Mayor Salvino said for the longest time he has seen conflict over art in the City. His recommendation is not do any art at this time and to seek a program of some type and bring it forward in a proper manner. Also, there is the fact that we have the money in the art fund; we are collecting it and he does not understand why we cannot use it. We are in a stagnant situation if we are not putting the funds in the right way. Until we can figure out what we are doing with it, we should not do anything. It is a process we need to start over with it. He asked why some of these funds could not come to us.

Assistant Director of Community Development Lajoie explained the Public Art Plan identifies a process for distributing the funds; part of process is first establishing the Public Art Board and they would present a budget for how to spend the monies, including maintenance, preservation and a call to artists. That would be identified by a budget and that budget is envisioned to be the work plan for that year.

Vice-Mayor Salvino said this was just thrown out there; we are not planning things. He wanted this project badly, and thinks it is a great project. He felt until we get a proper standard on how to disburse funds, everything should stop.

Mayor James noted that the City Manager sent an email saying no more projects unless they go through the right type of process.

Commissioner Davis said it is not only the \$143,000.00 option; we also have the \$100,000.00 reimbursement from the Mermaid's project. She also wants to let the Commission know we have the ability to bring the project here for a year and then to see about procuring it long term. She wanted to give Mr. Goradesky the opportunity to speak on it.

City Attorney Boutsis noted the one-year option is basically the cost of installation which is \$7,000.00.

City Manager Garcia said the \$7,000.00 for the year would give an opportunity for the process to be put in place and to see if people like it.

Mayor James commented she is not sure how we go through this and questioned the process for the Commissioners to spend their contingency.

Finance Director DiPaolo said we have not really come up with a process. For something monumental, the Commission would want to discuss it with their colleagues.

Mayor James commented we have done that process; we all have our own funds.

Commissioner Odman said she is always going to push art, good art; she will split her contingency for the \$3,500.00.

Commissioner Lewellen noted she would put some of her contingency in.

Lloyd Goradesky, artist, explained his original art piece and addressed concerns. He noted he gave the City other options in order to move the piece by the end of January. The City has the option to use the piece but then they would not have the option to buy the piece; that is the way his investors work.

Jose Armand, 50 SE 3rd Avenue, said he advocated for a cultural arts center and if we could do \$143,000.00 for this piece of art, although it is commendable, we could do something for a cultural arts center.

Linda Wilson, 1st Vice President of Friends of the Dania Beach Library, commented from what the artist discussed and what she is getting a feel for, she wants to know if this is a permanent or temporary installation.

Mayor James said it would be \$143,000.00 for permanent installation and \$7,000.00 for renting it one year.

Thomas Angelos, 43 SW 13th Street, commented it is great to introduce art in the City, but people would be unhappy if a process was not followed. He spoke in favor of making the art a temporary piece; \$7,000.00 for the year sounds pretty good to him.

Commissioner Davis said she does believe in the project for \$143,000.00; she would rather have it on a temporary basis than not at all. At the bare minimum, we should bring some love to the City. She is a realist and wants to move forward. She thanked Commissioners Odman and Lewellen for contributing their funds.

The Commission consensus was to move forward with a one-year rental of the art piece with the \$7,000 cost split evenly among Commissioners Davis, Lewellen and Odman's contingency funds.

10.2 Update on Water Utility Account delinquencies - Adam Segal, Deputy Director of Finance

Deputy Finance Director Segal noted Finance is requesting the Commission approve the resumption of normal water utility operations, which would include fees and shut offs for nonpayment of delinquent accounts. Since March 2020, the City has not shut off any of its water utility customers because of the pandemic. Finance has surveyed most of the other cities within Broward County and all have resumed normal operations, some as far back as the beginning of 2021.

The City has continued to provide water services to its residents without interruption, even though delinquencies have increased from around 9% pre-March 2020 to over 25% as of today, which equates to an increase of more than \$250,000 in delinquency on active accounts. The longer this continues, the greater the burden on the utility funds because the City still must continue to provide clean drinking water as well as sanitary sewer services.

Finance understands and recognizes that some residents may still be experiencing severe hardships because of COVID-19 and has already directed all utility customers to seek assistance if they qualify for the "Our Florida Program" which is run by the Florida Department of Children and Families. We have already received more than \$10,000 from this program. Where applicants do not qualify for assistance, Customer Service will work with residents on a case-by-case basis and provide payment plans from six months and up to one year if necessary.

Finance would like to begin this process within the next 45 days, with a target date of mid-March or the closest billing cycle to that time frame. This will give the residents plenty of time to seek financial assistance and allow Customer Service staff to work with them on a one-to-one basis if

a repayment plan is required. Finance will notify all customers as soon as possible so that they are made aware of these upcoming changes. The recommendation of the Finance Department is that the Commission approve the resumption of normal delinquency processing for its water and sewer utility services at this time.

Mayor James questioned if we would be giving people who are currently delinquent until March to pay.

Deputy Finance Director Segal said 45 days from today we would start to resume normal turn off processes, which would be toward the end of March; if they contact Our Florida and qualify, they could get assistance with the payments. If they cannot afford to make the payment, we would work with them and establish some sort of payment plan so that they can get current, and we would not cut them off.

The Commission consensus was to move forward with the resumption of normal water and sewer utility services delinquency processing as outlined by Deputy Finance Director Segal.

11. Commission Comments

11.1 Commissioner Davis

Commissioner Davis thanked Commissioners Odman and Lewellen for their support of the art project. She spoke about recent events she attended and noted she is very excited about the beach; she sees it coming together. She was disappointed we did not get to have the Martin Luther King Jr. Parade but understands it was done for the safety of the people. She thanked staff for the FRDAP Grant, noted Lucky Fish is coming, and we have colorful lifeguard stands. She commended the new temporary employee, Arthur on keeping the beach pristine. She thanked the Commission's Assistant Maxine Singh with helping her write letters and with initiatives and stated she is a welcomed addition to our team.

11.2 Commissioner Lewellen

Commissioner Lewellen thanked Commission's Assistant Maxine Singh, who is always available. She noted at the CRA Workshop, one item addressed was crosswalks at the railroad crossing. At the last MPO meeting, a Brightline representative said they are in the process of putting together a list of crosswalks for improvements. She did not hear a timeline, but she has a call in to him and would request a presentation from him. She said her family moved to Dania Beach in 2005; after Wilma hit, it was a mess and people could not get around. Josie's was open, they had no power, but they were serving people. It was a nice positive community setting and is a nice place for people to get together and help one another. She wanted to share that story of Josie and what she means to the community.

11.3 Commissioner Odman

Commissioner Odman said it is nice having all of us here back together and having the residents attending.

11.4 Vice-Mayor Salvino

Vice-Mayor Salvino noted he went to the groundbreaking at Griffin Living on Griffin Road; it is going to be a nice multi-use project out by Tropical Acres. He participated in the Joe DiMaggio golf tournament for the children's hospital, attended the Lions Club street cleanup on 4th Avenue, and went to the Prestige Club gala at the Signature Grand. He also wanted to thank Commission's Assistant Maxine Singh for putting together a wonderful certificate for Josie tonight and reminded everyone about the motorcycle show Saturday at Frost Park.

11.5 Mayor James

Mayor James said she attended Junior Achievement World which is required of all 5th graders. All our Broward County schools have mandated this and she encouraged the Commission to attend; she is looking at the City doing a sponsorship.

Mayor James noted she could not remember what was decided on the Lighthouse Church charitable donation.

Commissioner Davis recalled that it was decided to wait until the process of finalizing the policy. We were going to put it out to everyone so that everyone had equal opportunity.

City Manager Garcia said Finance Director DiPaolo could come to the next meeting to give a presentation on the charitable donations policy.

Mayor James thanked the testing site we have. She also thanked Commission's Assistant Maxine Singh for all her assistance and support; she has done an amazing job.

12. Appointments

12.1 General Employees Pension Board

There were no appointments at this meeting.

13. Administrative Reports

13.1 City Manager

City Manager Garcia addressed our testing site. She will soon have conversations regarding whether the site needs to be extended beyond March. She also thanked Commission's Assistant Maxine Singh and noted she works well with Executive Assistant Lottier. She said she had discussions with Mayor James regarding JA Ely and the importance of safety on that project;

based on advocacy and the importance of the project, FDOT has elevated and upgraded the project as a top priority and is going to be leading the way. Once a design is ready to go it will be presented.

Mayor James asked about the timeline of it being expedited and having FDOT make a presentation.

City Manager Garcia said it is expedited to next year. She noted as to ARPA and the Federal Infrastructure Bill, Finance Director DiPaolo will make a presentation at the next meeting; we have positioned ourselves very well and we were able to bring a consultant on board. We have a very viable and sound CIP project list, and we will be able to begin to move those projects forward. City Manager Garcia reported she met with Arnaldo Suarez and has secured 100 parking spaces at zero cost to the City at the Casino for the employees of Lucky Fish and we will also be talking with the Quarterdeck. We want to enter into a contract with Freebie and be able to move people up and down the Dania Beach Boulevard corridor. There is an opportunity to have Dania Beach Boulevard be all that it could be. This is the beginning of something very exciting for us.

City Manager Garcia advised on January 18th, Vice-Mayor Salvino, City Attorney Boutsis and she met with Commissioner Ryan; we are the closest we have been to the garage at the beach. She would like to bring Commissioner Ryan to the next meeting to give an update. She reported she met with Francisco Rojo, the principal for the City Place Apartments behind City Hall. We will be bringing an amendment to the contract to better position ourselves to get funding from the city, state and county to move this project forward quicker with more money. There are multiple opportunities to bring more projects forward that are already in process. We are bringing back RFPs and she felt we could resume projects after a short hiatus as we are back on track.

City Manager Garcia reported the RFQ for design services for CW Thomas Park will close January 31st. Our goal will be to put a shovel in the ground this year. The RFQ for Tootie Adler Park is in place. The rankings and recommendation for selection for this project is on this agenda so we look forward to also having a shovel in the ground within the next 30-45 days. This city is moving like no other city in south Florida. The Pier Refurbishing project was awarded at the end of December and construction will begin March 2022.

City Manager Garcia noted the Ocean Park Drainage project is complete. We were able to get \$6 million for the SE drainage project and we are 90% complete on the design. We are working with lobbyist Ron Book and the team in Tallahassee to see if we will be able to take some state money.

City Manager Garcia said we have started the recruitment program, providing incentives for our existing team members. Employees will receive \$100 bonus for referring an applicant who is hired, an additional \$100 after 90 days and an opportunity for another \$100 upon successful completion of the probationary period. We are thinking outside the box, working together and looking at what people are doing both nationally and internationally.

13.2 City Attorney

City Attorney Boutsis said the agreement for Lucky Fish will be coming to the first meeting in February; she had previously circulated a draft agreement with the basic points.

City Attorney Boutsis noted she is seeking a special Commission meeting at 4:30 p.m. on February 8, 2022 in order to hold an Executive Session, which will be closed to the public, for Citizens for Responsible Development versus the City of Dania Beach.

Commissioner Davis said this was originally set up as a half-hour meeting and she will not be able to attend for a full hour.

City Attorney Boutsis commented it is coming to trial soon and she wants to move forward.

Discussion ensued about re-scheduling the special meeting so Commissioner Davis could attend the full Executive Session.

The Commission agreed on tentative dates of February 1st at 5:00 p.m. or February 7th at 4:00 p.m., pending outside counsel's availability.

13.3 City Clerk - Reminders

Friday, January 28, 2022 - 10:00 a.m.

City Commission Workshop - RAC Units &
Moratorium on Development

Tuesday, February 8, 2022 - 5:30 p.m.

CRA Board Meeting

Tuesday, February 8, 2022 - 7:00 p.m.

City Commission Meeting

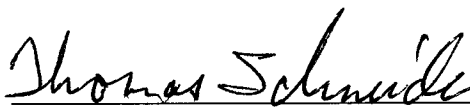
Tuesday, February 22, 2022 - 7:00 p.m.

City Commission Meeting

14. Adjournment

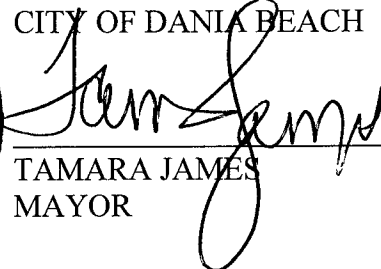
Mayor James adjourned the meeting at 9:16 p.m.

ATTEST:

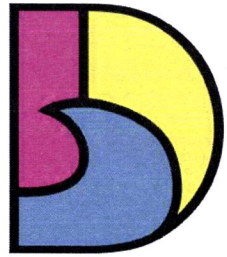

THOMAS SCHNEIDER, CMC
CITY CLERK



CITY OF DANIA BEACH


TAMARA JAMES
MAYOR

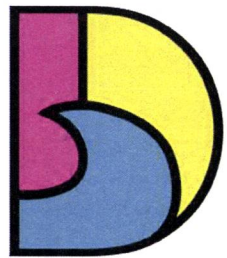
Approved: March 8, 2022



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Green Building Initiatives

Corinne Lajoie, AICP
Assistant Director, Community Development
January 25, 2022



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Types of Green regulations

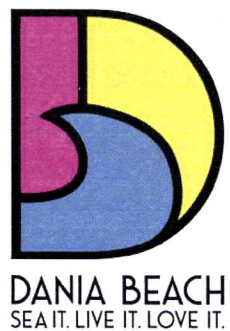
There are several ways to achieve green building in the City.

- Entice/encourage
 - Like our current Incentives
- Require
 - Make them a regulatory requirement prior to construction

Well crafted regulations will focus on City priorities such as:

- Stormwater
- Resiliency
- Sea level rise
- Redevelopment

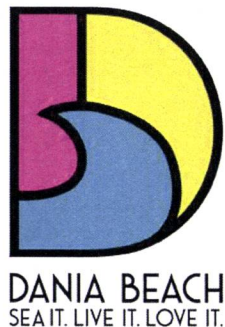




Green Building Regulations in other Cities

- **St. Petersburg** requires new and renovated buildings, including city buildings and infrastructure projects, to achieve LEED Gold certification.
- **Hollywood** requires new construction and major renovations of city owned buildings to be LEED Silver certified.
- **Broward County** requires all new county owned and operated buildings to achieve LEED certification.

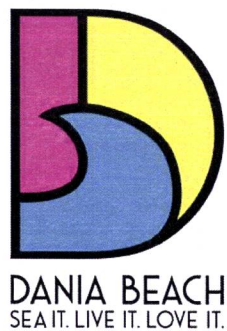




Dania Beach's current Green Regulations

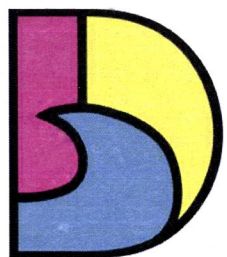
- **Solar panels** – The adopted ordinance identifies solar panels as a permitted use and identifies locational requirements. Section 220-65, adopted 2012.
- **Green roofs** – This ordinance identified green roofs as an acceptable method for increasing required pervious area on site. Section 215-130, adopted 2015.
- **Sustainable buildings; voluntary green building/development program (RAC only)** – This provision is an incentive that encourages certified green buildings in exchange for density and height bonuses. Section 305-50, adopted 2010.
- **Transportation Demand Management (RAC only)** – This provision allows for parking reductions when transportation demand strategies, such as carpool programs and mass transit programs, exist and are encouraged. Section 265-91, adopted 2010.
- **Seawall** – This is a new ordinance requires property owners to raise the seawall height to 5' by 2035. Article 17, adopted 2021.
- **Irrigation** – This propose ordinance restriction irrigation to night hours and on limited days. Section 27-43, anticipated adoption 2022.





Green Regulation Consultants

Anticipated cost of a consultant to draft regulations specifically to address Dania Beach's environmental goals is anticipated to be \$55,000.00.



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DANIA BEACH PUBLIC ART PLAN



Public Art Plan Update

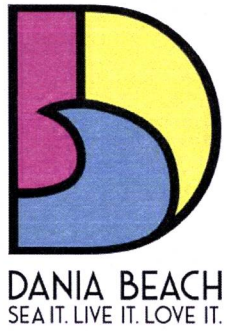
Community Development Department
January 25, 2022



Public Art Program

Art movement in Dania Beach:

- 2004 – CRA Downtown Redevelopment Plan adopted.
- 2012 – Cultural Arts Council Advisory Board created.
- 2019 – Public Art Ordinance adopted.
- February 2020 – City began to collect .5% of construction value for development projects on \$1M in value or greater.
- October 2020 – Broward County Cultural Arts Division (consultant) began work on a Public Art plan for Dania Beach



Public Art Program

Recent activities:

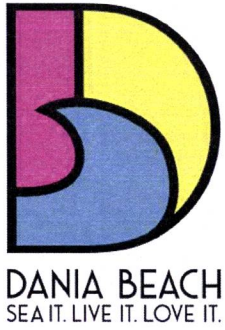
- December 2021 – City Commission approved Public Art Consultant
- January 2022 – City executed contract for Public Art Consultant
to The Cultural Planning Group
- January 2022 – Community Development held orientation meeting
Public Art Consultant, Linda Flynn, Ph.D



Public Art Program

The Public Art Plan includes:

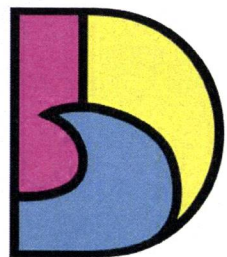
- The establishment of a Public Art Advisory Board (PAAB)
- The use of Artist Selection Panels for select projects
- Alignment of processes and guidelines with national best practices.
- Donation policies
- Maintenance and conservation policies
- Private development guidelines
- A long-term road map for public art throughout the city



Public Art Program

- Public Art Fund Balance = \$1.1M
- Development projects proposing on-site public art:
 1. Trion (a.k.a. Dania Beach Solecity)
 2. Seaview (a.k.a. Calm)



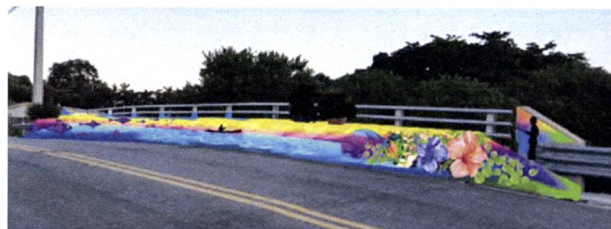


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Public Art Program

Recently Proposed Art Projects:

- Mural on Bridge at NW 2 Street



- Crosswalk at intersection of EDBB/Fed. Hwy
- Mural on FDOT Bridge



- Let LOVE Guide Your Way





Public Art Program

Linda Flynn, Ph.D., Partner with Cultural Planning Group

- National firm specializing in public art planning and management and cultural planning.
- Member of Broward County Public Art Committee
- Significant experience with creating and managing public art programs in Florida and nationally

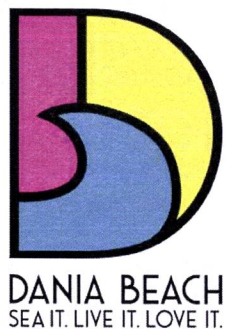


Public Art Plan Program

Next Steps

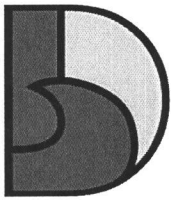
- Formation of the Public Art Advisory Board (PAAB)
- Identification of select public art projects for the City
- Working with developers on resources

“An exceptional public art program is curated with intention and represent a diversity of thought, art, and artist”



Public Art Today

Provides opportunity to engage communities and bring vibrancy both to public places and private development. It is a powerful tool and partner for artistic self-expression, community identity, equity and inclusion, community dialogue and problem-solving. It promotes the appreciation of art, enhances infrastructure and environment, and celebrates place. Public art is not just permanent sculpture – it is temporary, interactive, functional and may even be performance-oriented.



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REQUEST TO ADDRESS CITY COMMISSION AT REGULAR OR SPECIAL MEETINGS

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

DATE OF COMMISSION MEETING: January 25, 2022

PRINT NAME: Thomas Angelo

ADDRESS: 43 SW 13th Street

PHONE NO. (optional): 954 670 6099 Email: T.Angelo@yahoo.com

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:

Code violation enforcement. Development.

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

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

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 ONE HUNDRED DOLLARS (\$100.00) REGISTRATION FEE FOR EACH PRINCIPAL OR EMPLOYER. REGISTRATION FORMS ARE AVAILABLE ON THE CITY WEBSITE: WWW.DANIABEACHFL.GOV. (ORDINANCE #2012-019)