

MINUTES OF HYBRID REGULAR MEETING
DANIA BEACH CITY COMMISSION
TUESDAY, SEPTEMBER 27, 2022 – 7:00 P.M.

1. Call to Order/Roll Call

Mayor James called the meeting to order at 7:03 p.m.

Present:

Mayor:	Tamara James
Vice-Mayor:	Marco A. Salvino, Sr.
Commissioners:	Joyce L. Davis
	Lori Lewellen
	Lauren Odman – via virtual attendance
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.

Mayor James moved out of the regular order of the agenda to take up items #4, #6, #7, #8, and #11.

3. Presentations, Special Event Approvals, and Final Budget Public Hearings

3.1 Advertising Dania Beach presentation – Commissioner Davis

Commissioner Davis requested this item be continued until the October 11, 2022 City Commission meeting.

City Attorney Boutsis noted this announcement is for tonight's Final Budget Hearing for the City of Dania Beach, Florida for Fiscal Year 2022-2023.

City Attorney Boutsis announced:

The OPERATING MUNICIPAL MILLAGE will be 5.9998 MILLS, which reflects no change from the City's current fiscal year millage rate. This operating millage rate represents a

10.53% increase over the rolled back rate of 5.4281 MILLS as computed in accordance with the provisions of Section 200.065(1), Florida Statutes.

The voter-approved debt service millage rate is 0.1330 mills in accordance with the provisions of law pursuant to Chapter 200, Florida Statutes.

The City's aggregate millage rate is 6.1328 mills (5.9998 mills for operating and 0.1330 mills for debt service).

3.2 RESOLUTION NO. 2022-150 PUBLIC HEARING

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AS REQUIRED BY THE CITY CHARTER AND SECTION 200.065, FLORIDA STATUTES, APPROVING THE MILLAGE RATE NECESSARY TO BE LEVIED FOR THE FISCAL YEAR 2022-2023 FOR OPERATING PURPOSES; ESTABLISHING THE DEBT MILLAGE APPROVED BY THE ELECTORATE; PROVIDING FOR A PUBLIC HEARING WHEN AND WHERE OBJECTIONS MAY BE HEARD AND QUESTIONS CONCERNING THE SAME WILL BE ANSWERED; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Finance)*

City Attorney Boutsis read the title of Resolution #2022-150.

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 Resolution #2022-150; seconded by Vice-Mayor Salvino. The motion carried unanimously.

3.3 RESOLUTION NO. 2022-151 PUBLIC HEARING

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AS REQUIRED BY THE CITY CHARTER AND SECTION 200.065, FLORIDA STATUTES, APPROVING ITS FINAL ANNUAL BUDGET FOR THE FISCAL YEAR 2022-2023; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Finance)*

City Attorney Boutsis read the title of Resolution #2022-151.

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 Resolution #2022-151; seconded by Vice-Mayor Salvino. The motion carried unanimously.

Items #5, #9, and #13 were taken up at this time.

4. Proclamations

4.1 Cybersecurity Awareness Month - Mayor James

Mayor James read the Cybersecurity Awareness Month proclamation and presented it to Chief Financial Officer DiPaolo, I.T. Division Director McFarlane, Information Systems Senior Manager Terrazas, and I.T. Systems Technician Martin.

Chief Financial Officer DiPaolo introduced I.T. Division Director McFarlane who spoke briefly about cybersecurity measures and noted everyone has a role in keeping our technology systems safe.

Items #6, #7 and #8 were taken up at this time.

5. Citizen Comments

Gloria Fernandez, 3831 SW 56th Street, spoke about 40th Avenue infrastructure being inadequate for the proposed future density and existing development.

Mayor James said we have the MPO and there are improvements coming.

City Manager Garcia addressed the Strategic Master Plan. Assessing this area and looking at the vacant land and what it is zoned for, it behooves us to take a better look at the safety and the infrastructure that exists there from a traffic engineer to see if we could create a better flow and address some of these concerns. This is something that we would have to take from our budget; we are going to have to come back and ask the Commission for a mid-year budget adjustment and she knows this is something that they would support.

Item #9 was taken up at this time.

6. Public Safety Reports

Captain Daniel Marks, BSO Chief of Police, reported on recent schemes involving phone calls from people claiming to be from a law enforcement agency trying to collect payments, security support for the Argentinian Soccer team, upcoming events including Coffee with a Cop at the Dania Pointe Starbucks, Annual National Night Out and Fall Festival at CW Thomas Park, Shred-a-Thon and Operation Medicine Cabinet at Bass Pro Shops, and the Halloween Pet Event at PJ Meli Dog Park. He noted he attended the BSO Awards Ceremony where several of our deputies received awards.

Captain Sergio Pellecer, BSO District Fire Chief, gave an update on Hurricane Ian and urged everyone to stay inside as conditions worsen. He also gave an update on departmental inspections. He addressed departmental policies in effect when winds reach over 40 mph.

City Manager Garcia gave an update on preparation measures taken and emphasized safety of our citizens is our priority. She addressed City services to be suspended on Wednesday and Thursday of this week.

7. Consent Agenda

7.1 Minutes: None

7.2 Travel Requests: None

Resolutions

7.3 RESOLUTION #2022-152

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE RENEWAL OF THE COMPREHENSIVE PROPERTY & CASUALTY INSURANCE PROGRAM FOR THE CITY THROUGH RISK MANAGEMENT ASSOCIATES, INC., A WHOLLY OWNED SUBSIDIARY OF BROWN & BROWN, INC., WITHOUT COMPETITIVE BIDDING AND WITHOUT ADVERTISEMENT FOR BIDS, WHICH INSURANCE PACKAGE SHALL INCLUDE COVERAGE FOR PROPERTY, CRIME, GENERAL LIABILITY (INCLUDING EMPLOYEE BENEFITS LIABILITY AND DEADLY WEAPON), AUTOMOBILE LIABILITY AND PHYSICAL DAMAGE, PUBLIC OFFICIALS LIABILITY, (INCLUDING EMPLOYMENT PRACTICES AND CYBER/PRIVACY LIABILITY), WORKERS' COMPENSATION, POLLUTION, MARINA DOCKS PROPERTY INSURANCE, STORAGE TANK, FPL GENERAL LIABILITY, POLICE SUBSTATION CONTRACT LIABILITY, ARTS & SEAFOOD EVENT, NATIONAL FLOOD INSURANCE PROGRAM ("NFIP"), PUBLIC SERVICES WORK BOAT (HULL) INSURANCE, SPORTS TEAMS INSURANCE, FOR A COMBINED ANNUAL PREMIUM AMOUNT OF ONE MILLION, THREE HUNDRED SIXTY FIVE THOUSAND, THREE HUNDRED THREE DOLLARS (\$1,365,303.00) FOR COVERAGE BEGINNING OCTOBER 1, 2022 THROUGH SEPTEMBER 30, 2023; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Human Resources)*

7.4 RESOLUTION #2022-153

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AND ACCEPT AN AGREEMENT FOR THE CITY'S MEDICARE SUPPLEMENTAL INSURANCE COVERAGE PROCURED BY THE GEHRING GROUP, AS BROKER OF RECORD FOR THE CITY OF DANIA BEACH, WITH UNITED HEALTHCARE, FOR INSURANCE COVERAGE BEGINNING JANUARY 1, 2023 THROUGH DECEMBER 31, 2023, FOR MEDICARE ELIGIBLE RETIRED EMPLOYEES AND THEIR MEDICARE ELIGIBLE DEPENDENTS THAT EXCEEDS AN ANNUAL VENDOR TOTAL AMOUNT OF TWENTY FIVE THOUSAND DOLLARS (\$25,000.00); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Human Resources)*

7.5 RESOLUTION #2022-154

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE FIRST AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF DANIA BEACH, FLORIDA, AND THE BROWARD COUNTY SHERIFF'S OFFICE FOR POLICE SERVICES DATED OCTOBER 1, 2020; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE FIRST AMENDMENT TO THE AGREEMENT FOR SUCH SERVICES; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Finance)*

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

8. Bids and Requests for Proposals

8.1 RESOLUTION #2022-155

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE AWARD OF INVITATION TO BID ("ITB") NO. 22-027, ENTITLED, "FRANK C. "TOOTIE" ADLER PARK IMPROVEMENTS" TO CONENGINEERS BUILDERS, LLC, IN AN AMOUNT NOT TO EXCEED EIGHT HUNDRED THIRTY-SEVEN THOUSAND NINETY DOLLARS AND THIRTY-FOUR CENTS (\$837,090.34) PLUS FIFTY THOUSAND DOLLARS (\$50,000.00) IN CONTINGENCY FUNDS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (*Parks & Recreation*)

City Attorney Boutsis read the title of Resolution #2022-155.

Commissioner Lewellen motioned to adopt Resolution #2022-155; seconded by Vice-Mayor Salvino. The motion carried unanimously.

Item #11 was taken up at this time.

9. Public Hearings

9.1 ORDINANCE #2022-027

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING THE CITY CODE OF ORDINANCES RELATING TO THE POLICE AND FIREFIGHTERS RETIREMENT SYSTEM; AMENDING CHAPTER 18, ENTITLED "PENSION AND RETIREMENT", AT ARTICLE IV, ENTITLED "POLICE AND FIREMEN", AT SECTION 18-42, ENTITLED "BENEFIT AMOUNTS AND ELIGIBILITY", TO PROVIDE FOR AN ADDITIONAL POLICE AND FIREFIGHTERS RETIREMENT BENEFIT; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A REPEALER; AND PROVIDING FOR AN EFFECTIVE DATE. (**SECOND READING**) (*Finance*)

City Attorney Boutsis read the title of Ordinance #2022-027.

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 #2022-027, on second reading; seconded by Commissioner Lewellen. The motion carried unanimously.

9.2 ORDINANCE #2022-028

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 2, ENTITLED "ADMINISTRATION," TO AMEND SECTION 2-10, ENTITLED "MONETARY

THRESHOLDS FOR CERTAIN PURCHASES AND PAYMENT DISBURSEMENT AUTHORIZATIONS" TO INCREASE THE MONETARY THRESHOLD FROM TWENTY FIVE THOUSAND DOLLARS (\$25,000.00) TO FIFTY THOUSAND DOLLARS (\$50,000.00); ALSO, AMENDING SECTION 2-17, ENTITLED "ADVANCE CITY COMMISSION APPROVAL OF CAPITAL PROJECTS AND PURCHASES INVOLVING BIDDING", TO INCREASE THE CAPITAL PROJECTS APPROVAL THRESHOLD FROM TWENTY FIVE THOUSAND DOLLARS (\$25,000.00) TO FIFTY THOUSAND DOLLARS (\$50,000.00) AND THE PROCESS FOR PROCURING SERVICES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)** *(Finance)*

City Attorney Boutsis read the title of Ordinance #2022-028.

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 #2022-028, on second reading; seconded by Vice-Mayor Salvino. The motion carried unanimously.

9.3 ORDINANCE #2022-029

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 22, ENTITLED "STREETS AND SIDEWALKS", AT SECTION 22-5, ENTITLED "PAVEMENT, IMPROVEMENT AND USE OF SWALE AREAS"; AMENDING CHAPTER 28, ENTITLED "LAND DEVELOPMENT CODE", AT ARTICLE 415 ENTITLED "SIDEWALKS AND SWALES" TO UPDATE ALLOWABLE SWALE TREATMENTS; AND AMENDING ARTICLE 725, ENTITLED "DEFINITIONS", AT SECTION 725-30 ENTITLED "TERMS DEFINED" TO INCLUDE FLORIDA FRIENDLY LANDSCAPING AND XERISCAPE; PROVIDING FOR CODIFICATION, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(SECOND READING)** *(Community Development)*

City Attorney Boutsis read the title of Ordinance #2022-029.

Eleanor Norena, Director of Community Development, gave a PowerPoint presentation on the text amendment for swale treatments which is attached to and incorporated into these minutes.

Mayor James questioned the top right example of Xeriscape for swale areas.

City Attorney Boutsis noted there is a state statute that provides for native plants, which are not weeds.

Mayor James said this looks like weeds to her and asked if this would be considered a violation or if this is acceptable since we are allowing Xeriscape.

Community Development Director Norena explained there is still a minimum ground covering and landscaping requirement for each property that will have to be met. We are discussing a Xeriscape material allowed to be used in the swale area.

Mayor James questioned if it must be a certain type of material.

Community Development Director Norena said yes.

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 #2022-029, on second reading; seconded by Commissioner Lewellen. The motion carried unanimously.

9.4 ORDINANCE #2022-030

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE RIGHT-OF-WAY VACATION REQUEST (VC-069-22) SUBMITTED BY THE PROPERTY OWNER, THE CITY OF DANIA BEACH, FOR THE PROPERTY GENERALLY LOCATED AT 100 NW 8TH AVENUE BETWEEN NW 2 STREET AND NW 1 STREET RESPECTIVELY, WHICH RIGHT OF WAY IS CONTAINED WITHIN THE PLAT OF WEST MOORLAND, RECORDED IN PLAT BOOK 19, PAGE 8, OF THE PUBLIC RECORDS BOOK FOR BROWARD COUNTY, WHICH RIGHT OF WAY IS GENERALLY DESCRIBED AS "NORTHWEST 10TH AVENUE," AND IS LOCATED WITHIN THE CITY OF DANIA BEACH, FLORIDA, WHICH RIGHT OF WAY IS LEGALLY DESCRIBED IN EXHIBIT A, A COPY OF WHICH IS ATTACHED TO THIS ORDINANCE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. **(FIRST READING)** *(Community Development)*

City Attorney Boutsis read the title of Ordinance #2022-030.

Corinne Lajoie, Assistant Director of Community Development, gave an overview of the request to vacate an unimproved Right-of-Way (a portion of NW 10 Avenue) located within C.W. Thomas Park.

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 #2022-030, on first reading; seconded by Commissioner Lewellen. The motion carried unanimously.

9.5 RESOLUTION #2022-156

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE SITE PLAN MODIFICATION (SP-015-18MOD), SUBMITTED BY BCD DANIA OAKS LLC, FOR THE PROPERTY LOCATED AT 5461 - 5525 SW 40th AVENUE, IN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Community Development)*

City Attorney Boutsis read the title of Resolution #2022-156.

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

Mayor James asked how it is decided if they can replace the trees or if they pay into the fund or if it can be a hybrid. She questioned if our priority is to get as many trees as possible out there, whether we are going to be okay with allowing them to just pay a fine.

Community Development Assistant Director Lajoie explained the priority is to get as many trees as possible on the site; we acknowledge we will probably run out of space on the property due to the number of trees. That is when we will start encouraging them to upsize the trees as a way of capturing some of that mitigation cost. Once we have exhausted location of possible trees and upsized what we can, we fall back on to the payment to the tree trust fund.

Mayor James said staff asked them to reach out to the community and they did not. She questioned if staff is satisfied with the response they gave.

Community Development Assistant Director Lajoie noted she was pleased that they reached out to the people who did have concerns and questions.

Mayor James asked if there would be heavy landscaping in between the wall and the next property.

Dennis Mele, Greenspoon Marder, representing the applicant, responded yes, they would be planting every single tree they can; they would only pay into the fund if there was no more room for one more tree. They are focusing on the southern property line where a lot of this is happening for the concentration of those trees. They have to lower their property to a lower level than the neighbor so that it will hold all the retention that is required. He gave a PowerPoint presentation which is attached to and incorporated into these minutes.

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 asked by making these changes and increasing the elevation if that would put more water on the applicant's property and not on the other properties.

Attorney Mele responded that is correct; they will hold the water on their property, and it will not overflow onto anyone else.

Vice-Mayor Salvino motioned to adopt Resolution #2022-156; seconded by Commissioner Lewellen. The motion carried unanimously.

9.6 RESOLUTION #2022-157

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING VARIANCE (VA-072-22) AND SITE PLAN (SP-034-22), SUBMITTED BY FIRST DANIA BEACH, LLC, FOR PROPERTY LOCATED AT 101-117 SW 1 STREET, 105, 111, 119, 125-127 SW 1 COURT, 110, 118, 124, 126 PARK AVENUE EAST IN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT "A", A COPY OF WHICH IS ATTACHED TO THIS RESOLUTION; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (*Community Development*)

City Attorney Boutsis read the title of Resolution #2022-157 and advised the item, as well as the previous item, was a quasi-judicial hearing and swore-in those who would speak.

Corinne Lajoie, Assistant Director of Community Development, gave an overview of the site plan and variance requests for 101 Dania Beach Apartments.

Mayor James asked if we have gone through any additional measures with another rooftop pool.

Community Development Assistant Director Lajoie responded no, not yet. The Building Department is not part of the Development Review Committee so we are not looking at that level of detail on the plans yet; we can look at that when it comes in to building permit.

Mayor James noted we need to have something different than what we had before.

City Attorney Boutsis asked the Commission to disclose any communications they had on this matter and if they could remain impartial.

Mayor James said she had conversation with the developer and could remain impartial.

Commissioner Davis said she communicated with the community and the developer and could remain impartial.

Commissioner Lewellen said she communicated with the developer and members of the community and could remain impartial.

Javier Vazquez, Berger Singerman, representing the applicant, described the proposed development.

Edward Abbo, The Apollo Companies, principal and applicant, commented on the warm reception he has received from the City. He addressed the company's developments and the necessary variance required due to site triangles. He gave a PowerPoint presentation which is attached to incorporated into these minutes.

Mayor James said she spoke to him about a program he said he would be willing to do to give eligible people a discount on their rent. She wants him to work with her and staff if this is approved. Two issues are adding more traffic when we do not know what incomplete projects will contribute to the count. Staff said he was to provide 445 parking spaces and he is going down to 363 because of bus routes and community shuttles. The community shuttles are not well-occupied. The people who are paying this type of rent will not be utilizing the community shuttles.

Mr. Abbo explained reducing the parking spaces reduces the traffic. They had the study done and it was done based on the ITE 5th Generation Manual. The ITE requests 25 less parking spots than they are providing; this will help alleviate the traffic. They still have more parking than they need. It has to do with the unit mix; they try to keep their units a bit smaller to make it more affordable for Dania Beach. By code, they could have built another floor for parking, but it was more that they wanted to keep it to the amount of units needed. People are using Uber, Freebies, bus routes and bicycles.

Mayor James asked what his plan is to help traffic flow. He said people are not parking. We have done that and now they have parking challenges; for example, Saratoga down Dania Beach Boulevard, people do not have the means to park. She is telling him that it is going to be a nightmare; this is almost an 80-100 space reduction. She does not know who is going to walk to the grocery store. She does not see a plan to address the traffic flow at peak hours in our City near a major corridor.

Mr. Abbo responded they have designed this project in collaboration with City leaders and staff. They started with a ramp at 1st Avenue, and they placed it at SW 1st Court on the south side closest to Stirling to alleviate traffic. The reason there is more traffic is more the development from Dania Beach Boulevard that has to pass through Federal Highway.

Attorney Vazquez noted they are not trying to provide less parking than what is required.

Mr. Abbo further described the amenities. They are a family-based business and used a study similar for how many parking spaces they need; they are not deficient. All the cities are starting to lower their calculations because people are using all these transportation alternatives.

Karl Peterson, KBP Consulting, 8400 N. University Drive, Tamarac, Florida, addressed the traffic impact study performed. They looked at eight intersections, the two driveways and two roadways and follow the industry standard.

Mayor James commented with all the developments we have coming up, she cannot believe we are not going to have traffic complications.

Vice-Mayor Salvino said it is a matter of opinions. Some of the things he learned about transportation, the elements of traffic that are out there, no matter where you go, there is traffic everywhere. As far as traffic goes, he does not like it, but he tolerates it. He has an opinion on parking garages; they are getting smaller. He converses at Dania Pointe with people who live in the Avery. He drove through the garage and thinks people live there and walk. His son Ubers at night; people are using transportation services more today than before. As far as our transit systems, he thinks once we establish all our transit routes, more people will be using them. He likes the amenities they are bringing to this place. He is sure if the Commission does not approve it, the developer will make changes. Transportation is changing in general.

Commissioner Lewellen asked Mr. Abbo about the other locations he has built and if they have asked people how it impacts the traffic, how many parking spaces they use, how many cars they use, and what the traffic is like.

Mr. Abbo responded he has three other projects and addressed Uber use and people not parking in the garages. He spoke about incentives and the green building incentives. They are donating an open park to the public which will have signage and it will be beautifully maintained. Their name is on the line, and they are very excited about being part of the community.

Commissioner Davis asked about the couple they talked about who attended the community meeting, and noted she wanted to know the outcome of those conversations.

Mr. Abbo said the fellow loved the renderings and he wanted to make sure the project was built like the renderings; they spent a lot of time talking. They have made commitments that it will be a clean, safe place, and they are committed to using the Athena Curtain system during construction and have committed to making a plywood wall to keep debris out. Once they build somewhere, they sprout their roots and make it their long-term home, so everyone will see more out of them here.

Attorney Vazquez noted the alternative parking standard that has been used in this development is not unique to this development. Most every development in Dania Beach has used this alternative parking standard.

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 #2022-157; seconded by Commissioner Lewellen. The motion carried on the following 4-1 Roll Call vote:

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

Item #13 was taken up at this time.

10. Discussion and Possible Action

There were no discussion items on the agenda.

11. Commission Comments

11.1 Commissioner Davis

Commissioner Davis encouraged her colleagues to read the book, Strength Finders, given to them by the City Manager and she spoke briefly about her own strengths.

11.2 Commissioner Lewellen

Commissioner Lewellen said she saw the performance piece put on by Jose Armand at My Mama's. She found it interesting and is happy to see we are doing different types of art in the City. She thanked the Public Services Department for picking up bulk trash and garbage in preparation for the hurricane. She said there are a lot of questions about flooding and noted the City has been clearing drains; she encouraged residents to report flooding.

11.3 Commissioner Odman

Commissioner Odman apologized for not attending in person. She said she missed Mr. Armand's show, and he is a wonderful example of things we want to see in the City.

11.4 Vice-Mayor Salvino

Vice-Mayor Salvino spoke about the City's pizza day for the employees; he is very proud of what our City has become. He drives around the City; the streets are cleaner than they have ever been, and City Hall landscaping looks great. He is proud of our City.

11.5 Mayor James

Mayor James thanked FPL and City staff for addressing the complaints from residents, in particular, for the family in need on Rosh Hashanah. She noted she attended the ribbon cutting at Liberty Health Sciences for their grand re-opening.

Mayor James addressed her contingency funds and displayed artist Ashley Hodder's renderings for artwork on the wall beneath the Dania Beach Quarterdeck. She would like authorization to work with the artist to bring back something more detailed.

Maxence Doytier thanked the Mayor for sharing the artist's renderings for art at the pier and addressed her endless summer themed art.

Vice-Mayor Salvino said he knows there is some rush, but he would like to see what it looks like first. The Quarterdeck is a business and he thought we were not promoting a business, even though it was said that the Quarterdeck property is ours. He does not think we are allowed to put City money to a private business.

City Attorney Boutsis noted the elevator is the City's; we paid for it, maintain it and it is a City facility. Although the Mayor is saying she is doing on behalf of the Quarterdeck, if it is not advertising and it is art in a public place, she believes it qualifies for the use of her contingency funds.

Vice-Mayor Salvino commented he just wants to be clear on it as "endless summer" is a quote that is part of the Quarterdeck's logo. He is just looking past any problem that may occur down the road.

City Attorney Boutsis said she will look into it further; we may have to remove the endless summer quote.

Vice-Mayor Salvino added he does not want it coming back to haunt us.

City Attorney Boutsis noted she will look into the rules.

Commissioner Davis said she initiated art on the beach. We have the Public Art Advisory Board and they have been working since June to come up with a comprehensive program of art for the City. She addressed the actions undertaken by the board. The Miami theme is not consistent with what the board has been doing or discussing. She was appointed the Art Liaison and she is the one responsible to bring art from the board to the Commission per the public art plan. This is interfering with the process that has already been started. We have had so many problems with our boards and people have stopped coming to the meetings because they do not feel respected. We have the expertise to create a comprehensive plan. A Miami theme is not consistent with what the board has been doing all along. She asked Mayor James if she still plans to circumvent the established process outlined in the public art plan.

Mayor James commented she thought at the last Commission meeting it had been cleared up by the City Attorney. She is not in violation of anything regarding the Public Art Advisory Board or anything that the policy states.

City Attorney Boutsis explained we have created the board and are working on the review of different places for public art. That being said, this is not from the art fund, this is from contingency funds. We have created a mural process for the board to review even if it is not funded by the Art in Public Places funding; however, the City was not included on that. So currently, the Commission can use their funds for that provided there is a consensus.

Commissioner Davis said she is not talking about funds. The Miami theme is not consistent with what we are doing with the board. Her problem is the consistency of not being consistent with what the board is doing. She asked Mayor James if she referred to the public art plan to ensure her process would be in alignment and consistent with Ocean Park guidelines in the public art plan.

Mayor James noted there is contention here. She is asking for approval to spend her contingency money. She is the Mayor of this City, and we all have our different visions, and we all think differently. There was room to collaborate, but she does not appreciate the barrage that is going on; she does not want to be interrogated.

Commissioner Davis asked artist Hodder if she has experience painting murals on the beach.

Artist Hodder responded not exactly on the beach, but she has painted many outdoor murals.

Commissioner Davis asked what the life span of her mural is.

Artist Hodder said five years with the preparation work that they do, and she described the process.

Mr. Doytier commented he supports what the artist said. A mural it set to last five years and conditions that would degrade a mural would include the sun. This mural is on the first floor, so five years is accurate. There can also be additional layers of protection that can be applied to the mural as well.

Commissioner Davis said she has gone through the process, and she wants to ensure the high quality that is already there is going to be consistent with the muralist. She asked how the artist plans to ensure the sustainability and maintenance of the mural.

Mr. Doytier explained we can look at a maintenance program. Their agency will support this mural and follow up with the City to make sure it is maintained. They will protect the mural. If there are revisions that need to be made, they are open to it. The endless summer can be changed to the Dania Beach mantra of Sea It, Live it, Love It. Their agency specializes in adding art in public spaces that provides branding a landmark and positive ROI.

Commissioner Davis asked what the price per square foot is.

Mr. Doytier said a price point of \$30.00 per square foot has been proposed; however, the stipend for this project has been allocated at \$7,000.00.

Commissioner Davis asked what the expected date of installation is.

Mayor James noted there is not an expected start date. She wanted to make sure she had approval to be able to move forward with her contingency funds and she did not expect this to happen in a week. She just wanted support to go back to the artist to get a defined piece.

Commissioner Davis asked if the Commission could see the final piece once they have had the opportunity to finish.

Mayor James said yes.

Commissioner Davis thanked the presenters and said she wanted to ensure the high quality and is only going through the process she went through when she put her mural up.

Mr. Doytier thanked the Commission and said they look forward to their support in this public art mural for the City of Dania Beach.

Commissioner Odman questioned when a Commissioner wants to do an art piece with their funds, what the responsibility is with that process as it relates to the public art fund.

City Attorney Boutsis explained we are looking to change the code going forward to clarify any issues. Any murals going forward after all this would be approved by the board. Currently, the art board does not have any review of City murals outside of the Art in Public Places funding.

Commissioner Odman asked Mayor James if Mr. Doytier would work with the board; she does not know what the board and liaison have in mind for the beach. She asked if Mayor James would be sure that conversation happens to ensure that it is not going to clash with anything down there.

Mayor James said she does not think she is required to go through the board.

Commissioner Odman noted she knows, but Mayor James is a person who appreciates the art. She thinks it is reasonable that someone checks to make sure it all works together. Maybe the line of questioning came out of concern that what she was presenting was not going to look nice with something they had planned down there.

Mayor James said she has been speaking with Kelly Sharaby, who is on the board.

Vice-Mayor Salvino commented what Mayor James is looking to do now is to use up her contingency before the end of the year. He is in support of the contingency money; he just thinks we can all come together as a team to agree to the artwork.

Mayor James noted she would bring back the final rendering of the design; there was not time to do this before now.

Commissioner Lewellen said she is not disapproving of the art, and she likes the idea of using contingency money. In the spirit of cooperation, it would be better to go through the board to make sure it is consistent with what they are doing. If they do have plans for the beach, she would not want to see it go down the drain. In the spirit of cooperation and what we are trying to do with the Public Art Advisory Board, this should be done to ensure that everyone is on the same page.

Mayor James commented she is going to work with one person and not all of the board. That one member can take it back to the board.

Commissioner Lewellen noted she cannot support this then. She needs it to go through all of the board and not just one member.

Commissioner Odman had no problem with Mayor James working with one board member.

Vice-Mayor Salvino had no problem with Mayor James working with one board member.

Vice-Mayor Salvino said he has a contingency request for the employee appreciation picnic. He would like to use his contingency in the amount of \$4,500.00.

The Commission agreed to the request.

Mayor James and Commissioner Lewellen noted they would be willing to give money if more is needed.

Item #3 was taken up at this time.

12. Appointments

There were no appointments at this meeting.

13. Administrative Reports

13.1 City Manager

City Manager Garcia noted due to the weather conditions, she would defer her report until the next meeting.

13.2 City Attorney

Use of City and CRA logos at 25 N Federal Highway CRA office

City Attorney Boutsis explained the request from the CRA.

The Commission consensus was to approve the use of the City and CRA logos at 25 N Federal Highway CRA office.

13.3 City Clerk - Reminders

Tuesday, October 11, 2022 - 5:30 p.m.

CRA Board Meeting

Tuesday, October 11, 2022 - 7:00 p.m.

City Commission Meeting

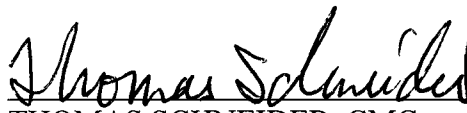
Tuesday, October 25, 2022 - 7:00 p.m.

City Commission Meeting

14. Adjournment

Mayor James adjourned the meeting at 9:36 p.m.

ATTEST:



THOMAS SCHNEIDER, CMC
CITY CLERK

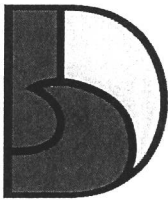


CITY OF DANIA BEACH



TAMARA JAMES
MAYOR

Approved: October 25, 2022



DANIA BEACH
SEA IT. LIVE IT. LOVE IT.

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: 9/27, 2022

PRINT NAME: Gloria Fernandez

ADDRESS: 3831 SW 56th St Dania FL 33312

PHONE NO. (optional): 954 2959120

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:

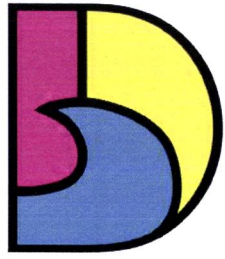
40m Avenue in frastucture inadequate
For proposed future density / existing development

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 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)



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#2.3

Swale Treatments

City-Wide Text Amendment

TX -062-22

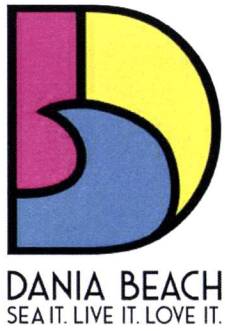
September 27, 2022

City of Dania Beach

City Commission

Eleanor Norena, CFM - Director

Corinne Lajoie, AICP - Assistant Director



Xeriscape

- Landscaping designed to require little or no irrigation with site-appropriate plants, stormwater filtration, and water conservation.
- Minimum ground coverage still applies for meeting the city's landscape requirements (1 - 2 bushes over gravel would not be acceptable)



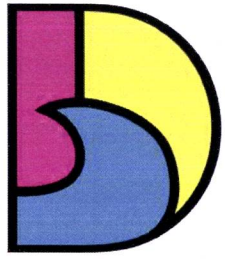
Proposed Examples of
acceptable Xeriscape:





Xeriscape or Florida Friendly Landscaping





DANIA BEACH
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City Commission Action

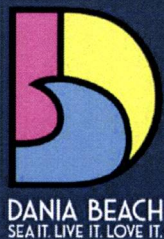
PLANNING & ZONING BOARD:

Approved 5-0 and supportive of new methods of swale landscaping

STAFF RECOMMENDATION:

Board to recommend approval of the text amendment on second reading.

Questions?



Eleanor Norena, CFM

Community Development

Director

Phone: 954-924-6805 x3645

Email: enorena@daniabeachfl.gov

Corinne Lajoie, AICP

Community Development

Assistant Director

Phone: 954-924-6805 x3704

Email: clajoie@daniabeachfl.gov

BROWARD'S FIRST CITY
daniabeachfl.gov

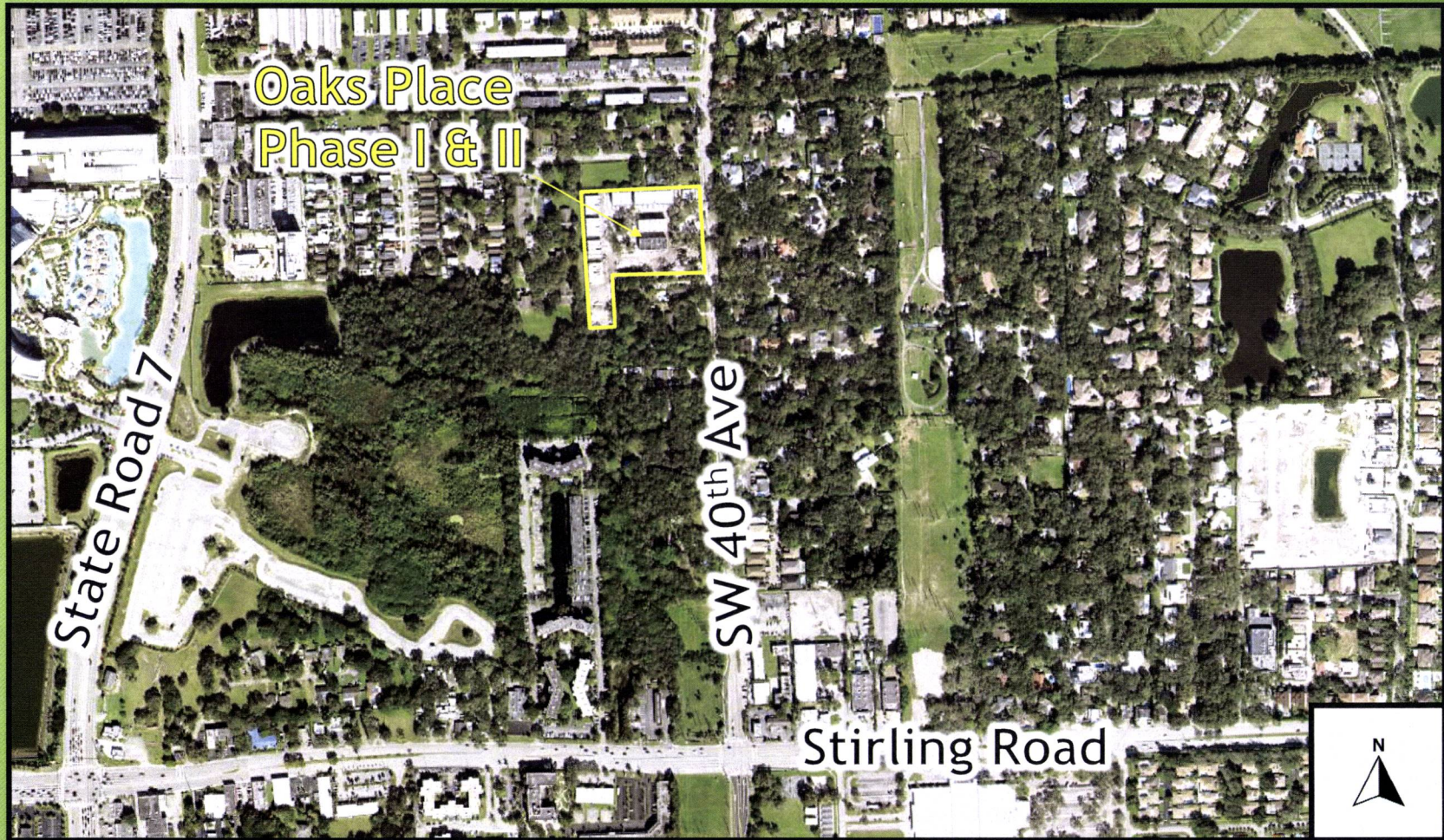
Dania Oaks Place Phase I & II Landscape Amendment

City of Dania Beach City Commission



Location Map

2



Aerial

3



Project History

4

- Site plan approved by City Commission in July 2018
- Began land clearing and construction summer 2019
- Change in grading plans necessitated additional tree removal (more detail in next slides)
- Site plan amendment application submitted to City of Dania Beach on April 2022

NET CHANGE

- 90 additional trees to be planted
- 35 additional trees to be removed (including 11 live oaks, three of which are specimens)
- 1 additional live oak preserved (that was previously slated for removal)

OVERALL

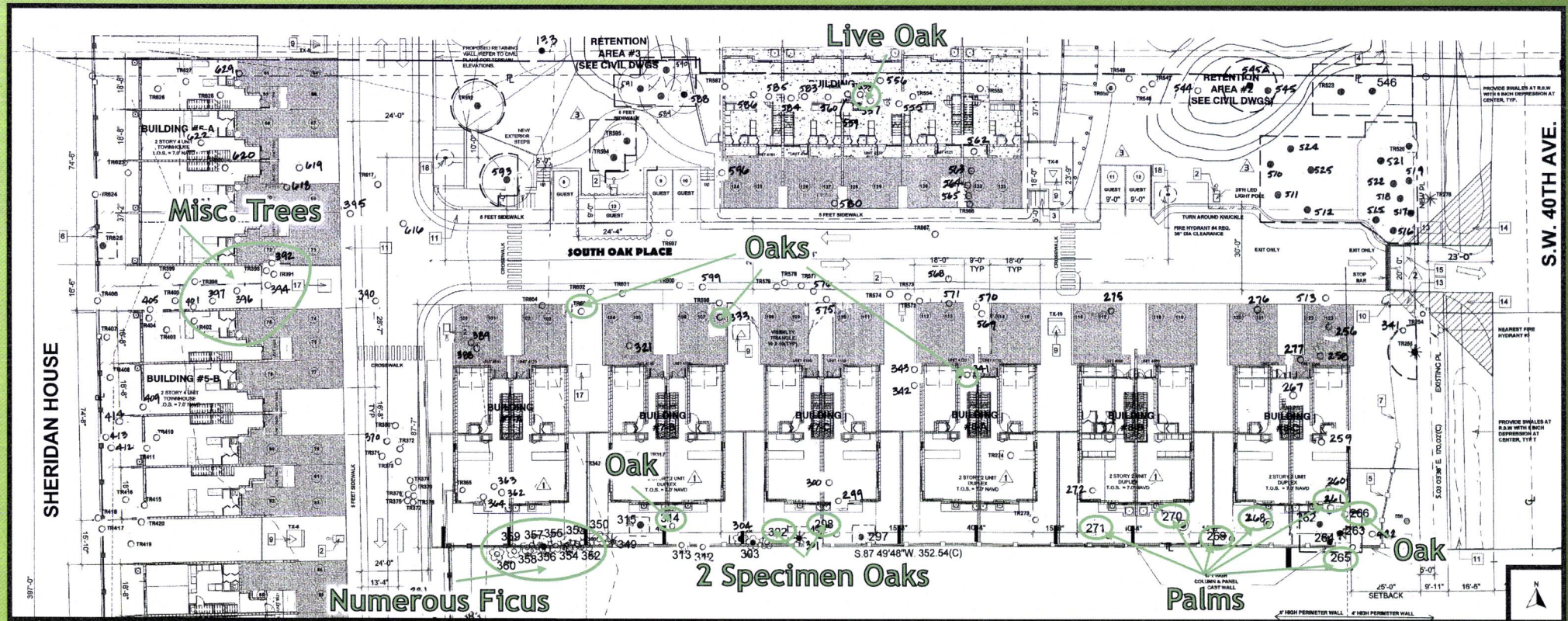
- 65 trees saved (3 of which will be relocated)
- 269 new trees to be planted* (most planted at greater height than Code requires)
- 334 trees total on-site
- Additional mitigation fees to be paid into City's Trust Fund

* 3 palms are equivalent to 1 tree

- Eastern portion of site originally designed at 8' to 9' NAVD FFE. Plans approved by City Commission had these elevations.
- During permitting, County and SFWMD permits required to lower the elevation of the property to meet drainage
- Grading plan had to change to 7' NAVD FFE to accommodate the additional drainage. Due to elevation change, trees could no longer be saved.

Additional trees required to be removed

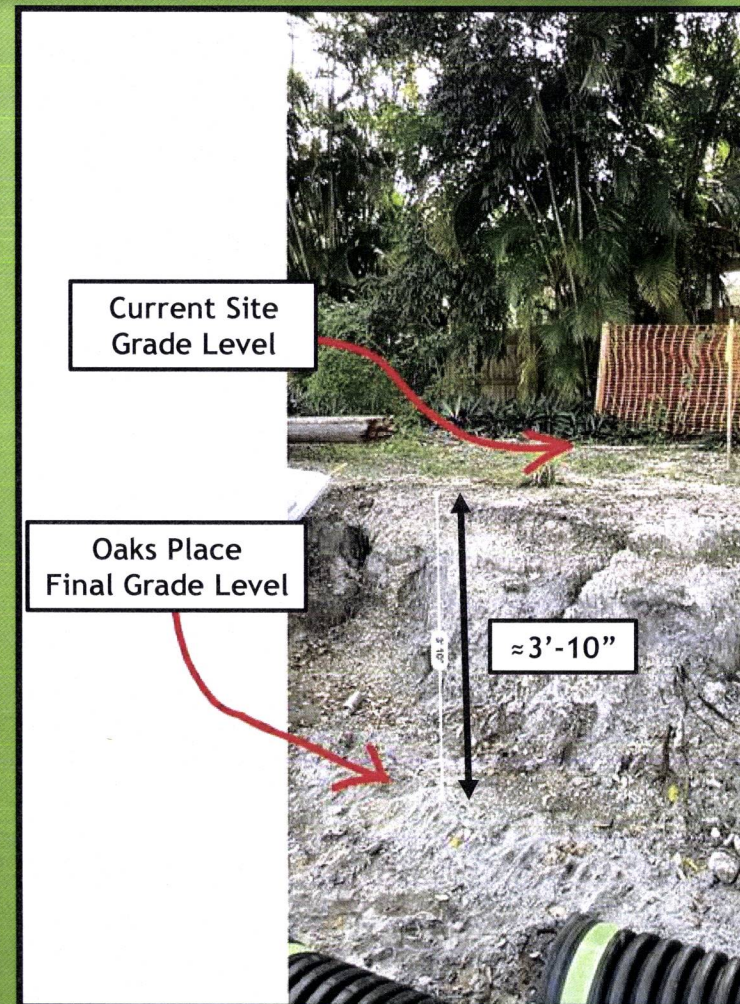
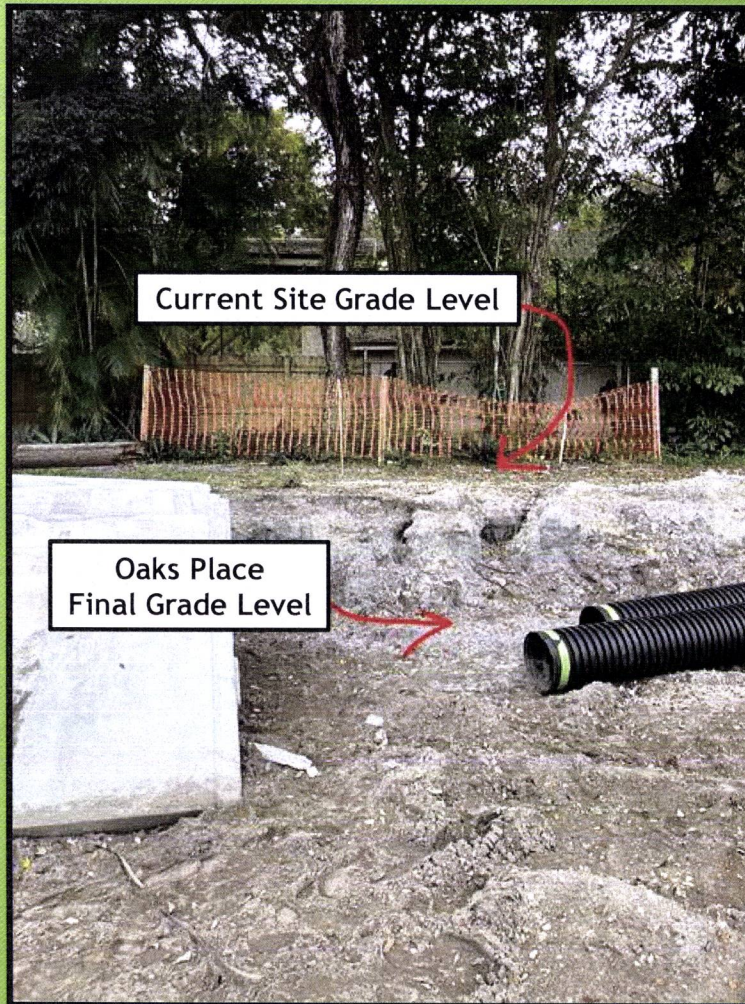
7



*Removal locations are approximate and are not intended to show every tree newly proposed for removal

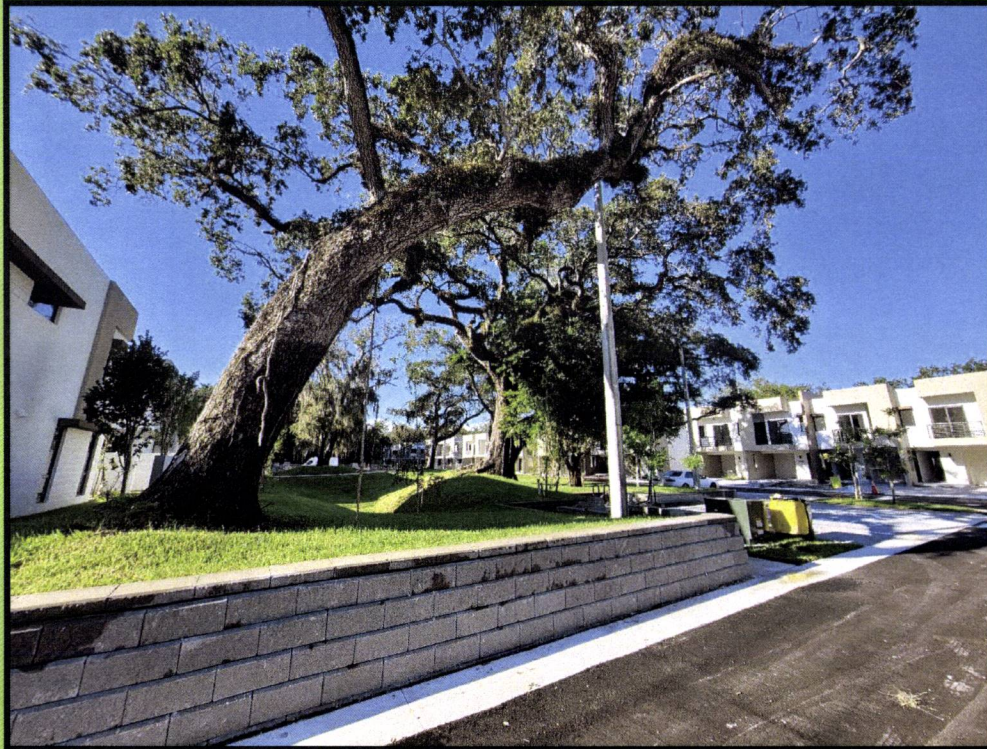
Grade Differential at South Property Line

9



Existing Tree / Elevation Challenges

10



Portions of Project Already Built

11



Trees Saved as Part of Project

12



Thank You



#9.6



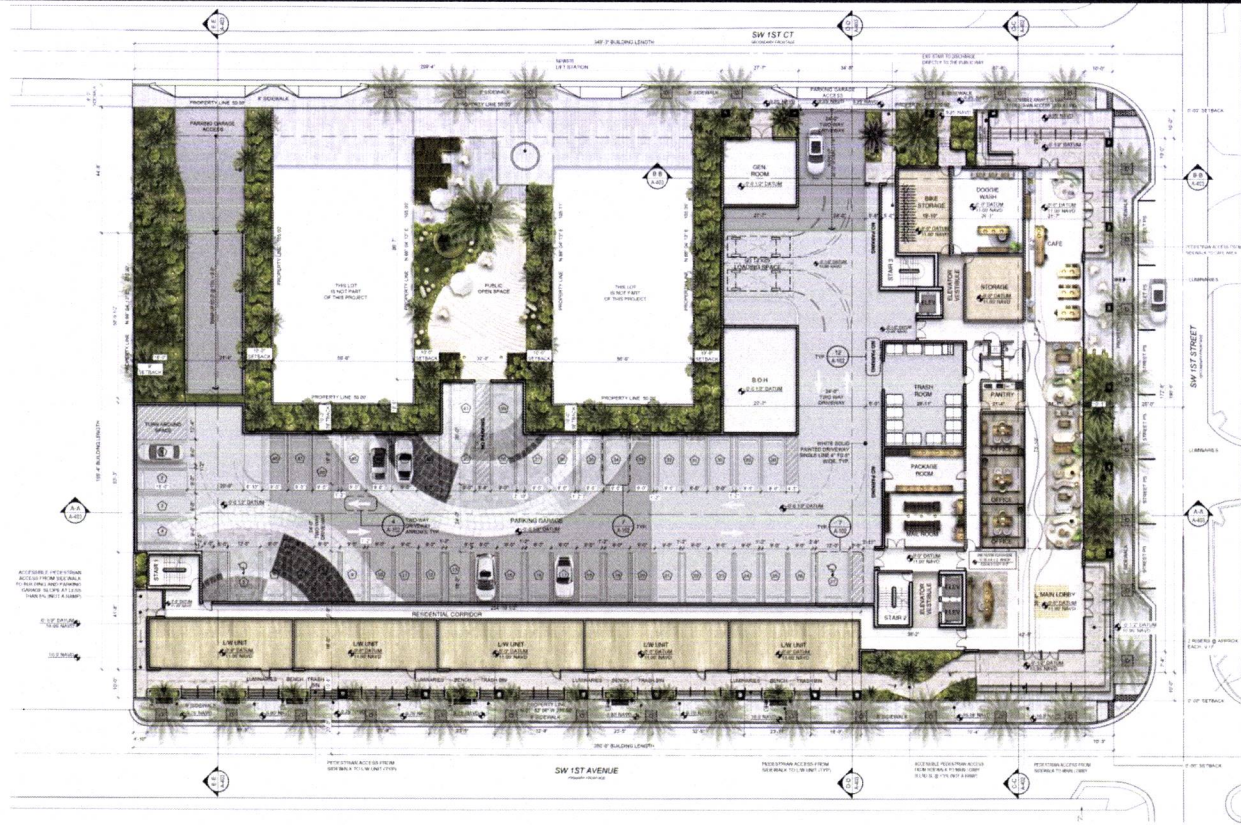
101 Danio beach

101 Dania Beach

THE APOLLO
COMPANIES



SITE PLAN



- PARKING BREAKDOWN -

FLOOR/PARKING TYPE	REG. PS (9'x18')	TANDEM PS (2x9'x18')	HC PS (17'x18')	TOTAL PS
GROUND FLOOR	42	2	2	48

- UNIT BREAKDOWN -

FLOOR/UNIT TYPE	STUDIO	L/W 1B-1B	2B-2B UNIT	3B-2B UNIT	TOTAL UNITS
GROUND FLOOR	5				5

GROUND LEVEL
SCALE 1/8" = 1'-0"

DWELLINGS 278

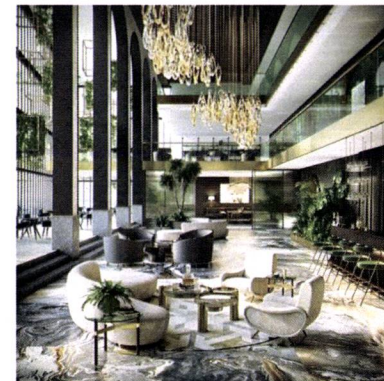
LOBBY BAR & CAFE



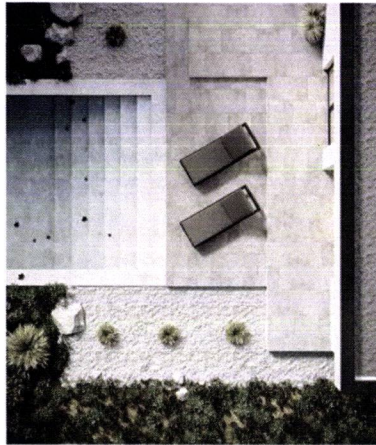
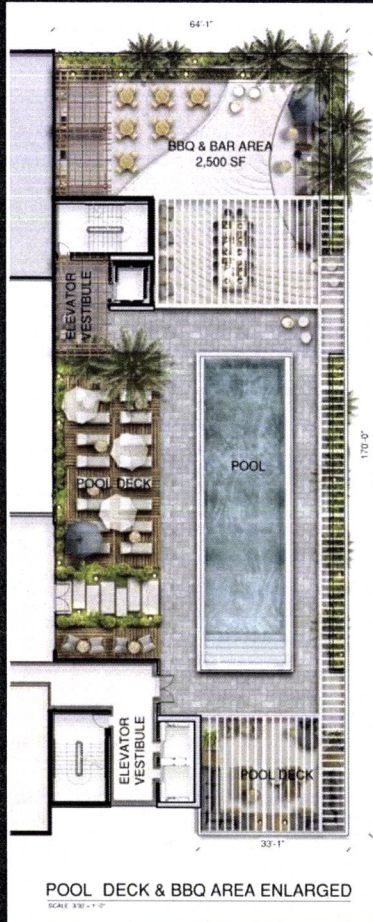
LOBBY BAR & CAFE ENLARGED
SCALE: 3/32" = 1'-0"



INSPIRATION



POOL DECK & BBQ area



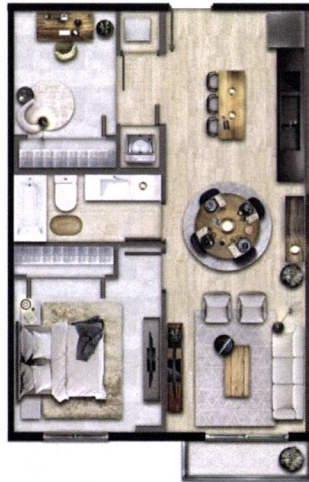
INSPIRATION



TYPICAL UNIT



TYPICAL UNIT IB-IB



TYPICAL UNIT IB-IB - ID



TYPICAL UNIT 2B-2B



TYPICAL UNIT 2B-2B



STUDIO

TYPICAL UNIT



TYPICAL UNIT A - 1B-1B

SCALE 1/4" = 1'-0"

UNIT TYPE: 1 BEDROOM / 1 BATHROOM
(TOTAL AC AREA - 1001 SQ. FT.)



TYPICAL UNIT B - 2B-2B

SCALE 1/4" = 1'-0"

UNIT TYPE: 2 BEDROOM / 2 BATHROOM
(TOTAL AC AREA - 1001 SQ. FT.)



INSPIRATION

ELEVATIONS



EAST



NORTH

ELEVATIONS



WEST



SOUTH

NORTHEAST VIEW



NORTHWEST view



EAST VIEW



PEDESTRIAN VIEW



PEDESTRIAN VIEW



PEDESTRIAN VIEW



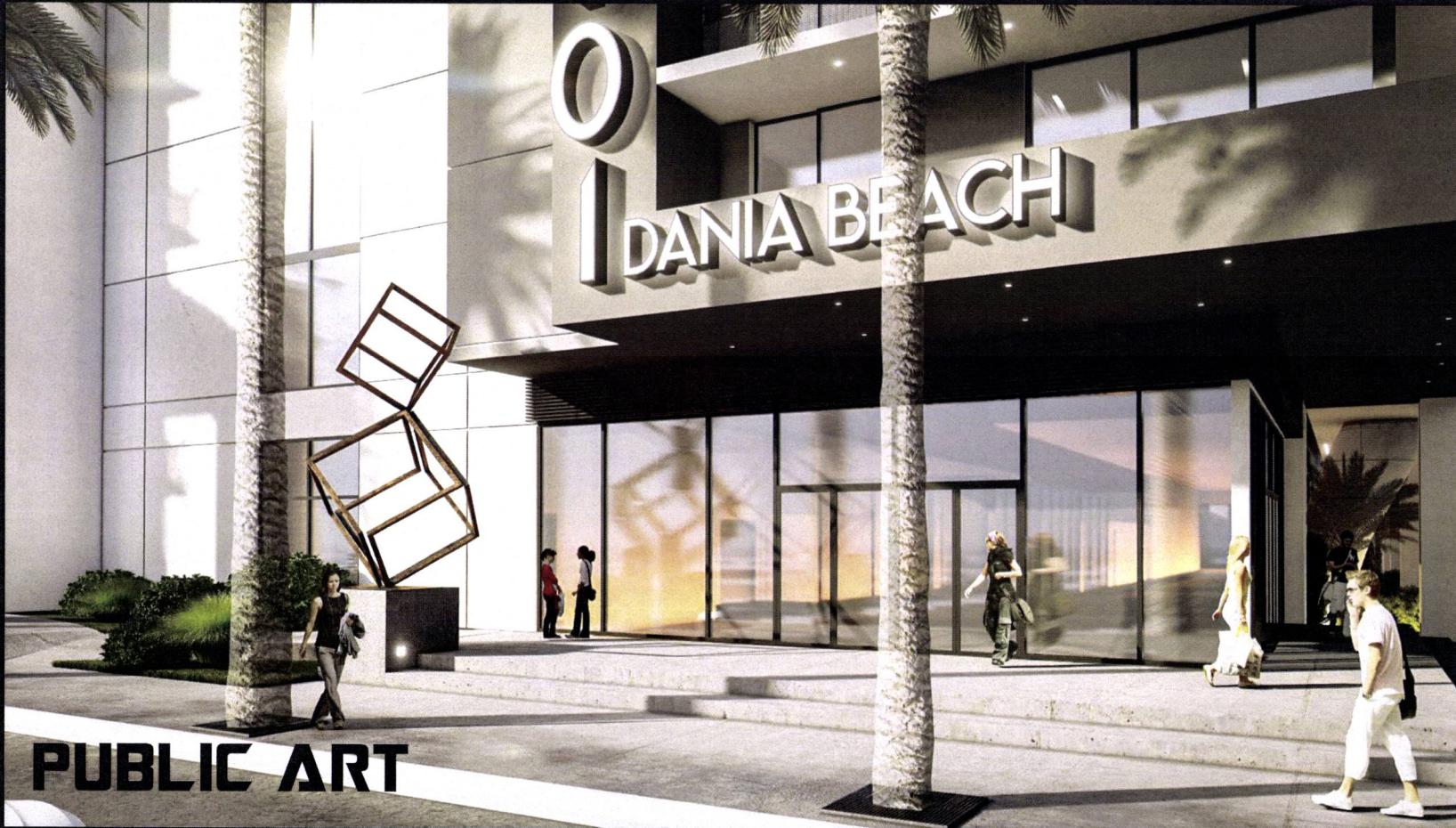
PEDESTRIAN VIEW



PEDESTRIAN VIEW



PEDESTRIAN VIEW



PUBLIC ART