

MINUTES OF HYBRID REGULAR MEETING
DANIA BEACH CITY COMMISSION
TUESDAY, DECEMBER 13, 2022 – 7:00 P.M.

1. Call to Order/Roll Call

Mayor Ryan called the meeting to order at 7:02 p.m.

Present:

Mayor:	A. J. Ryan IV
Vice-Mayor:	Lori Lewellen
Commissioners:	Joyce L. Davis
	Tamara James
	Marco A. Salvino, Sr.
City Manager:	Ana M. Garcia, ICMA-CM
City Attorney:	Eve Boutsis
City Clerk:	Thomas Schneider

2. Moment of Silence and Pledge of Allegiance

Mayor Ryan called for a moment of silence followed by the Pledge of Allegiance to the United States Flag.

3. Presentations and Special Event Approvals

Mayor Ryan moved out of the regular order of the agenda to take up items 3.2 and 5.

3.1 Presentation to former Commissioner, Robert ‘Bo’ Donly, by Commissioner Joyce L. Davis

Commissioner Davis spoke of the Florida League of Cities and recognized former Commissioner, Robert “Bo” Donly, who is the only elected official from the City of Dania Beach to serve as the FLC President. Commissioner Davis also recognized Port St. Lucie Vice-Mayor Jolien Caraballo, the current president of the FLC and its first Latina president. Vice-Mayor Caraballo read a proclamation proclaiming December 13, 2022 “Bo Donly Day”. Mr. Donly spoke of his service and expressed thanks for the recognition. The Commission unveiled a handcrafted piece of art, which is part of the Magnetic Geodes collection by artist Rochonda, and dedicated it to Mr. Donly in recognition of his service to the City of Dania Beach and the Florida League of Cities. The artwork will be displayed in the City Hall atrium.

3.2 Love Our Nation - Commissioner Joyce L. Davis

Commissioner Davis introduced the Love Our Nation organization and its co-founder and noted Love Our Nation has served the Dania Beach community since 2015. It began with the Earth 2 Table gardening program at C.W. Thomas Community Center and the Dania Beach PATCH. It expanded to an after-school safe-zone resource to support the children with homework assistance through the help of volunteer tutors, health and nutrition education, dance classes, financial literacy, and golf classes.

The students gave presentations describing how their lives have been transformed through the Love Our Nation program.

4. Proclamations

There were no proclamations on the agenda.

5. Citizen Comments

David Kaplan, 111 SE 3rd, complained about the requirement of having to provide a name and address when submitting a code complaint. He distributed a photo of trash at SW 1st Avenue and SW 1st Court and a photo of trash at SE 3rd Avenue.

Janos Weisz, 619 E. Sheridan Street, asked about the City providing a kayak launch before sunrise next to the pier.

Robert Buzaki, 4201 Grant Street, Hollywood, Florida, noted there is now a security guard at the beach and launching kayaks off the beach can only be done before sunrise.

John Aristei, 909 Citrus Isle, Fort Lauderdale, spoke of early launches of kayak anglers off Dania Beach that are now being prevented because of the security guard. He would like an exception to be made.

Mayor Ryan noted staff would discuss this matter.

Janet McCombs, 41 SW 5th Street, noted she has called numerous times about streetlights out on N. Federal Highway. She distributed an email regarding the outages in Dania Beach, which is attached and incorporated into these minutes, and noted staff could reach out to her for additional information.

Item 3.1 was taken up at this time.

6. Public Safety Reports

Captain Daniel Marks, BSO Chief of Police, thanked everyone who came out for the BSO Shred-a-Thon, and noted BSO participated in the Law Enforcement Parade for Joe DiMaggio Children's Hospital. He recognized Detectives Perez and Mirada and Field Training Deputy Brian Meneses. He noted he will try to have the deputies present at the next meeting and will bring in their new narcotics dog as well.

Captain Sergio Pellecer, BSO District Fire Chief, noted he is thankful for the leadership in the City. He gave an update on departmental activities including high-rise building fire training at Dania Pointe, and participation in various holiday events, including the annual toy drive at Dania Pointe. He noted he is grateful for all the City departmental cooperation and leadership.

7. Consent Agenda

Items removed from Consent Agenda: #7.3, #7.9, #7.10

7.1 Minutes:

Approve Minutes of November 21, 2022 Organization Meeting

Approve Minutes of November 21, 2022 City Commission Hybrid Meeting

7.2 Travel Requests:

Request from City Manager Ana M. Garcia to attend the Florida City County Manager's Association (FCCMA) 2023 Winter Institute in Clearwater Beach, Florida, on February 8-11, 2023 (Estimated cost \$1,406.50) *(City Manager)*

Resolutions

7.4 RESOLUTION #2022-182

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE TERMINATION BY MUTUAL AGREEMENT OF A LEASE OF PARKING SPACES IN THE CITY GARAGE AT 49 PARK AVENUE EAST TO CITY PLACE APARTMENTS, LTD.; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE PARKING LEASE TERMINATION AGREEMENT; PROVIDING FOR CONFLICTS; FURTHER PROVIDING FOR AN EFFECTIVE DATE.
(Community Development)

7.5 RESOLUTION #2022-183

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CITY TO ACCEPT THE DONATION OF A PARCEL OF LAND TO BE USED AS PART OF THE CITY'S RIGHT OF WAY, AT SOUTHWEST 3RD AVENUE, WHICH PARCEL OF LAND IS IDENTIFIED IN ATTACHED EXHIBIT "A" AND IS INCORPORATED BY REFERENCE INTO THIS RESOLUTION; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.
(Community Development)

7.6 RESOLUTION #2022-184

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FOR MONTHLY SERVER MONITORING AND SUPPORT SERVICES, INCLUDING ADDITIONAL CONTRACTED SUPPORT FROM LAN INFOTECH, FOR FISCAL YEAR 2022-23, THAT EXCEED AN ANNUAL VENDOR TOTAL AMOUNT OF FIFTY THOUSAND DOLLARS (\$50,000.00); PROCEEDING WITHOUT COMPETITIVE BIDDING AND AUTHORIZING PURCHASES FROM THE INFORMATION TECHNOLOGY FUND APPROVED ANNUAL BUDGET APPROPRIATIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.
(Finance)

7.7 RESOLUTION #2022-185

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PURCHASE OF HARDWARE, SOFTWARE AND PROFESSIONAL SERVICES FROM DELL TECHNOLOGIES THAT EXCEED THE ANNUAL VENDOR THRESHOLD TOTAL AMOUNT OF FIFTY THOUSAND DOLLARS (\$50,000.00); AUTHORIZING SUCH PURCHASES WITHIN THE INFORMATION TECHNOLOGY FUND FISCAL YEAR 2022-23 APPROVED ANNUAL BUDGET APPROPRIATIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.
(Finance)

7.8 RESOLUTION #2022-186

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO AN “ASSIGNMENT AND ASSUMPTION AGREEMENT WITH NOVATION” WITH TRANSYSTEMS CORPORATION D/B/A/ TRANSYSTEMS CONSULTANTS (“TRANSYSTEMS”), WHICH FIRM PURCHASED SEPI, INC., WHICH HAS A CONTINUING AGREEMENT UNDER THE CITY REQUEST FOR QUALIFICATIONS (“RFQ”) NO. 22-010 FOR PLANNING CONSULTING SERVICES POOL; WHICH ASSIGNMENT AND ASSUMPTION AGREEMENT IS ATTACHED TO AND INCORPORATED BY REFERENCE INTO THIS RESOLUTION AS EXHIBIT “A”; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.
(Community Development)

Commissioner James motioned to adopt the Consent Agenda, with the exception of Item #7.3, #7.9 and #7.10; seconded by Commissioner Lewellen. The motion carried unanimously.

7.3 RESOLUTION #2022-181

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING REVISIONS TO THE LOAN DOCUMENTS PREVIOUSLY APPROVED IN RESOLUTION NO. 2022-049 TO CORRECT SCRIVENER’S ERRORS, SET AN AMORTIZATION PERIOD, AND OTHER CHANGES, TO ENTER INTO A SUBORDINATION AGREEMENT WITH THE CONSTRUCTION LENDER AND TO AMEND A REFERENCE TO THE NUMBER OF UNITS IN THE PROJECT BEING DEVELOPED BY CITY PLACE APARTMENTS, LTD., AT 75 PARK AVENUE WEST, IN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT “A”; AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE THE MORTGAGE DOCUMENTS; PROVIDING FOR CONFLICTS; AND FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (City Attorney)

City Attorney Boutsis read the title of Resolution #2022-181.

Commissioner James noted a revision to the resolution was distributed and she asked for clarification on the length of the loan period.

City Attorney Boutsis addressed the loan terms.

Commissioner James asked if we get interest on the lump sum that comes to us or on just the small amounts.

City Attorney Boutsis said we are getting the small amounts and then the lump sum full payment.

Commissioner James motioned to adopt Resolution #2022-181; seconded by Commissioner Salvino. The motion carried unanimously.

7.9 RESOLUTION #2022-187

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO WAIVE COMPETITIVE BIDDING AND CALL TO ARTIST 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 SEVENTY-FIVE THOUSAND DOLLARS (\$175,000.00); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (*Community Development*)

City Attorney Boutsis read the title of Resolution #2022-187.

Commissioner James said we had discussed this before, and we said it would come back for discussion if we decided to purchase it. She asked if this went through the Public Art Advisory Board and asked how the public art ordinance works. She thought we would get final say on how it is presented, but this is on the consent agenda for \$175,000.00.

Eleanor Norena, Director of Community Development, noted this is the recommendation that the Public Art Advisory Board made for the Commission to approve.

Commissioner James asked why it was put on the Consent Agenda; it is \$175,000.00 that we are spending. She loves the sculpture but questioned just placing such an item on Consent and what the process is moving forward. We are lucky to have seen this piece of art. She thought it was supposed to come back to the Commission for discussion before they decided to spend money on it. She asked if something else comes up, how the Commission is to have input on what the board presents to them if it just goes under Consent.

City Manager Garcia said \$175,000.00 is not at the threshold to not be on Consent; nothing has been violated.

Commissioner James commented the items on Consent should just be administrative; they should have already been discussed. With the Public Art Advisory Board, she asked how the Commission is going to review the different items presented to them and whether the Commission is going to have to do an agenda review to view the different art presented to them.

City Manager Garcia noted we could not place it on Consent.

City Attorney Boutsis explained it is for the board itself to do the call to artists. The Commission's policies direct how the agenda is written; there is not a separate section for non-Consent items. In the future, we could create another section for items not under Consent or put it under Discussion and Possible Action for all art pieces.

Commissioner James said she wanted to be consistent with what we are doing; she does not agree with the process.

Vice-Mayor Lewellen commented she has a different concern; we can always pull an item off Consent. We have a budget for these art pieces, and she questioned what the annual budget is.

Community Development Director Norena responded discussion of the budget would be at the next Public Art Advisory Board meeting.

Vice-Mayor Lewellen said her concern is that it is a lot of money to spend on one piece. She loves the piece but wonders if there is another option to look at. Perhaps split it over a couple fiscal years so it does not limit us with what else we can purchase with the budget.

Commissioner Salvino asked if the money is coming in from the Building Department.

Community Development Director Norena responded yes; it is the impact fee from large developments.

Commissioner Salvino asked how much money is in there right now.

Community Development Director Norena said \$1.4 million.

Commissioner Salvino commented even though it is the first piece, it has been out there, and people have acknowledged it. He agrees it is expensive, but it is out there. If we turn this down, we are not believing in our board. He does not disagree with Commissioner James but thinks we should agree on it to support our Public Art Advisory Board and do a process for the future.

Commissioner Davis spoke of the Public Art Advisory Board members, who include subject matter experts. She wants to make sure we value the people we put on boards. She loves the piece, and it goes with our Strategic Master Plan. This is an award winning, nationally recognized piece. The board voted unanimously to keep it here and she is in favor of keeping the piece.

Commissioner James agreed with Vice-Mayor Lewellen about the budget. It does not take away any respect for board members; we must represent the citizens. She thinks we need a process to discuss the items recommended to the Commission.

Mayor Ryan said the art has been here for a year; \$6,000.00 for the whole year. Now we are going to purchase it. He added the artist had it appraised and asked who appraised it.

Community Development Director Norena responded it was Linda Saft, an appraiser recommended by the Public Art Advisory Board.

Mayor Ryan noted he would like a second appraisal and would like to see previous artwork from this artist and would like to do more research on this before moving forward with it.

Vice-Mayor Lewellen asked if there is a time frame.

Community Development Director Norena said the lease expires January 4th.

Commissioner Davis commented the artist and members of the Public Art Advisory Board are in attendance if they want to speak.

Kelley Sharabe, Chair of Public Art Advisory Board, said she understands there is confusion about the process; you have put qualified persons on the board. This piece is exactly what Dania Beach asked for, it is nationally recognized, and only 144 pieces qualified to be placed on the nationally recognized website. Lloyd Goradesky and his work have proven themselves to the City.

Commissioner Salvino commented he is having tough time. Going back to the first time he was elected, he was taught at that time, if we are going micromanage every decision, what is the point of having a board. It is not all of our money, and it is not in the general budget; it is in the Art In Public Places fund. He questioned why we are having more of a discussion on this; we have it out there and it has been appraised. He thinks the Commission should approve this and move on.

Mayor Ryan noted his biggest concern is that we will have less than \$100,000.00 for the whole year to try to find more public art. He would like another appraisal; perhaps we could extend the lease for one more meeting.

Commissioner Davis said this is a government-approved appraisal and reiterated to the public that we are not spending taxpayers' dollars. These are developer dollars that our team set aside. We have \$1.4 million in the entire fund. This goes with our sea it, live it, love it theme and she does not want to lose this piece based on lack of information.

Commissioner Salvino motioned to adopt Resolution #2022-187; seconded by Commissioner Davis. The motion carried on the following 3-2 Roll Call vote:

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

7.10 RESOLUTION #2022-188

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE SCHOOL BOARD OF BROWARD

COUNTY, FLORIDA, AND THE CITY FOR A RECREATION LICENSE AGREEMENT OF SCHOOL BOARD PROPERTY KNOWN AS “SITE NO. 47.1 A/K/A OLSEN MIDDLE SCHOOL”, FOR THE CITY TO MAKE IMPROVEMENTS ON THE PROPERTY FOR RECREATIONAL AND PARKING PURPOSES; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (*Parks & Recreation*)

City Attorney Boutsis read the title of Resolution #2022-188.

Commissioner James said this is another item that is vague; to make improvements and provide parking. She questioned the budgetary impact on us.

City Manager Garcia explained for decades the City had been trying to get the building demolished. We came full circle, and we were able to get the building demolished. We are where we are at; the Commission priority is to augment our green space and parks. There is nothing regarding what will be designed and what will be constructed. It is to secure this 25-year agreement so that we have those seven acres available to use for a future plan.

Commissioner James noted she knows the history; she just wants to know what happened to the Parks Master Plan that we had for this.

Eric Brown, Director of Parks & Recreation, explained Olsen was not part of the City of Dania Beach when the Master Plan was completed. Once the Commission approves the concept with a secured 50-year lease, we can make the concept a reality. All we want to do now is to secure the land. Right now, staff provided a concept of what could go on the land.

City Attorney Boutsis added the proposed item is for the land. This has not been workshopped or approved, which is why they made the language as tentative.

Parks & Recreation Director Brown noted there is not a dollar amount tied to this, it is only to secure the land.

City Manager Garcia said we used words like “may” and not “shall”. This is just a concept.

Commissioner James commented there was a different site plan prior to this one that had aquatics and cabanas and asked what happened to it.

Parks & Recreation Director Brown responded that was a concept, but it was not part of the Master Plan.

Vice-Mayor Lewellen said we should add more pickleball because that is all she hears about.

Commissioner Davis noted it has changed so much; before the concept is final, she asks that the Commission be involved in the conversation before the final concept.

Parks & Recreation Director Brown said they would be involved.

Commissioner James motioned to adopt Resolution #2022-188; seconded by Commissioner Davis. The motion carried unanimously.

8. Bids and Requests for Proposals

There were no bids or requests for proposals on the agenda.

9. Public Hearings

9.1 RESOLUTION #2022-180 *Amended*

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE HILTON EMBASSY SUITES SITE PLAN (SP-36-19), DESIGN VARIATIONS (OT-13-20, OT-14-20, OT-15-20 AND OT-88-22) AND VARIANCES (VA-11-20 AND VA-12-20), FOR PROPERTY OWNER B&JMC DANIA PLAZA, LLC, WHOSE PROPERTY IS LOCATED AT 233 N. FEDERAL HIGHWAY, IN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT "A," A COPY OF WHICH IS ATTACHED TO AND INCORPORATED BY REFERENCE INTO THIS RESOLUTION; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Continued from November 21, 2022)*
(Community Development)

City Attorney Boutsis read the title of Resolution #2022-180 and advised the item was a quasi-judicial hearing and swore-in those who would speak. She asked the Commission to disclose any communication they had on this matter.

Eleanor Norena, Director of Community Development, introduced Claudia Viviana Batista, the new Planning & Zoning Manager.

Planning & Zoning Manager Batista gave a presentation on the site plan, design variations and variances requests for Embassy Suites.

Richard Coker, Attorney, representing the applicant, gave a PowerPoint presentation which is attached to and incorporated into these minutes.

Commissioner James asked if this is part of the RAC units.

Corinne Lajoie, Assistant Director of Community Development, explained it is not a residential project, so RAC units are not involved. She addressed the incentives they can choose from in the City Center designation.

Commissioner James asked how many stories they can build by right without incentives.

Community Development Assistant Director Lajoie said seven in the City Center.

Commissioner James noted, per our code, we do not like to have more than 10% valet.

Community Development Assistant Director Lajoie said correct, it was never envisioned in our code that it would be 100% valet. It may be a bit antiquated; it just was not envisioned that there would be that much demand for valet. Valet is professionally parked and does allow for

tighter spaces, so they would lose spaces if they ended up converting and eliminating that valet. It is a hotel so there is not a foreseeable scenario where it would convert or need to change over.

Mayor Ryan asked what restaurant will be put in.

Attorney Coker said Embassy Suites provides a full-service restaurant for its patrons, conference rooms, meeting rooms and a ballroom.

Benito Irastorza explained the restaurant would be open to the public. They would also have meeting rooms and ballrooms that are open to any guests or anyone in Dania Beach. The restaurant itself is part of the program of Embassy Suites. In some other cases they have franchises, but this has its own restaurant.

Mayor Ryan asked if we will still have space for locals to valet their own car and be patrons of the restaurant as well.

Mr. Irastorza said correct, it is open to the public. They are not doing any valet for the employees. For meetings rooms and ballrooms, it is typical to have valet service.

Mayor Ryan questioned why Sabal Palms would be used.

Mr. Irastorza noted he thinks it was the code and it was required. They proposed Medjools at the main entrance, but the code asked for Royal Palms. Their preference is Medjools as they are self-cleaning palms.

Vice-Mayor Lewellen asked why gray and white; all we see now is gray and white.

Mr. Irastorza said they are creating the main corner as the main focal point.

Vice-Mayor Lewellen suggested perhaps something with a splash of color. She does like the glass; everything that comes before us seems to be gray.

Mr. Irastorza noted some of the colors are dictated by the brand itself.

Mayor Ryan commented it is the first thing you see when you enter our City from the airport.

Mr. Irastorza responded there is a lot that they have put into it.

Vice-Mayor Lewellen said she would just like to see it pop a little more.

Javier Negroni, DLW Architects, explained the building is going to be lit up. The perspective of the pedestrian is the glass and the wood ceiling; little sparkles of elements that bring people's attention.

Mayor Ryan thanked them for choosing our City for this project and said it would be nice for the name Embassy Suites at Dania Beach on the hotel if it is a possibility.

Mr. Irastorza explained there are certain items that need to be run by corporate. In general, you see Embassy Suites by Hilton. As far as the logo and other promoted materials, they can incorporate in those types of things but on the image on the building itself, they are controlled by Hilton.

Mayor Ryan said it does not have to be our logo; they could use their style.

Mr. Irastorza responded perhaps they can do something on the pedestrian level; art or something.

Mayor Ryan opened the Public Hearing.

Gunnar Magliocca, 317 SE 4th Terrace, commented the developers who come up here get past the first step, then come up and ask for seven more stories on the night of approval. He hopes we stop approving the extra seven for every building.

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

Commissioner Davis said she wants to be sure the elements that were brought out are going to be implemented.

City Attorney Boutsis noted a condition could be added to the resolution as #9, stating the applicant is to work on developing and shall install an art piece at ground level to document “Dania Beach” as the location of the hotel. The applicant shall request from Corporate Hilton Headquarters for the ability to name the hotel (signage) as “Embassy Suites at Dania Beach”. Should Corporate deny the request, applicant shall advise the City of same in writing; however, the denial by Corporate does not preclude the site plan from being constructed under this resolution.

Commissioner Davis motioned to adopt Resolution #2022-180, as amended, to include the condition crafted by the City Attorney; seconded by Commissioner Salvino. The motion carried on the following 4-1 Roll Call vote:

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

9.2 RESOLUTION #2022-189

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUESTS SUBMITTED BY CITY PLACE APARTMENTS, LTD., THE PROPERTY OWNER, FOR A SITE PLAN MODIFICATION (SP-078-21MOD) AND DESIGN VARIATION (OT-080-22) FOR THE PROPERTY LOCATED AT 75 PARK AVENUE WEST, IN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT “A”, AND LIFT STATION EASEMENT AND OPERATING AGREEMENT AT THE PROPERTY LOCATED AT 49 PARK AVENUE EAST, IN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT “B”, COPIES OF WHICH ARE ATTACHED TO

THIS RESOLUTION; PROVIDING FOR CONFLICTS; AND FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (*Community Development*)

City Attorney Boutsis read the title of Resolution #2022-189 and advised the item was a quasi-judicial hearing and swore-in those who would speak. She asked the Commission to disclose any communication they had on this matter.

Mayor Ryan noted he spoke with Attorney Mele and Francisco Rojo, and he could remain impartial.

A brief discussion ensued regarding RAC units and incentives.

Commissioner James noted she spoke with Attorney Mele, and she could remain impartial.

Commissioner Davis noted she spoke with Attorney Mele, and she could remain impartial.

Corinne Lajoie, Assistant Director of Community Development, gave an overview of the site plan modification, design variation, and lift station easement and operating agreement requests for City Place Apartments.

Commissioner James asked what the RAC transportation funds go for.

Community Development Assistant Director Lajoie explained it is based on \$21.26 per trip and is assessed in the RAC and is a fund for the County.

Commissioner James asked if we could change that. We could have our own programs here with our own residents.

Community Development Assistant Director Lajoie said she does not think it is something we can get back. It is a conversation we can have with the County inquiring where the improvements are being made and how they are being implemented in the region.

Commissioner James noted she wants to have that conversation. We have developments that are coming up and they are going to pay into something. She wants to see a return on our monies for our City and our residents.

Dennis Mele, Greenspoon Marder, representing the applicant, gave a PowerPoint presentation which is attached to and incorporated into these minutes.

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

Commissioner Salvino motioned to adopt Resolution #2022-189; seconded by Commissioner Davis. The motion carried on the following 5-0 Roll Call vote:

Commissioner Davis	Yes	Vice-Mayor Lewellen	Yes
Commissioner James	Yes	Mayor Ryan	Yes

Commissioner Salvino

Yes

9.3 RESOLUTION #2022-190 *Continued*

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE SITE PLAN (SP-055-22) AND VARIANCES (VA-079-22 AND VA-080-22) FOR PROPERTY OWNER HYDRASOURCE CORP., FOR PROPERTY LOCATED AT 3581 SW 26TH TERRACE, IN THE CITY OF DANIA BEACH, FLORIDA, AS LEGALLY DESCRIBED IN EXHIBIT "A", A COPY OF WHICH IS ATTACHED AND INCORPORATED BY REFERENCE INTO THIS RESOLUTION; PROVIDING FOR CONDITIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.
(Community Development)

City Attorney Boutsis read the title of Resolution #2022-190 and noted staff is requesting the item be continued to January 10th.

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

Commissioner Salvino motioned to continue Resolution #2022-190 until the January 10, 2023 City Commission meeting at 7:00 p.m.; seconded by Commissioner James. The motion carried unanimously.

10. Discussion and Possible Action

There were no discussion items on the agenda.

11. Commission Comments

11.1 Commissioner Davis

Commissioner Davis spoke about the Thanksgiving celebration at City Hall, Art Basel, Climate Leadership Summit (she suggested we budget for a Chief Resiliency Officer position), and the Historical Society holiday party at the Lions Club.

11.2 Commissioner James

Commissioner James thanked Parks & Recreation and BSO for their help with the Tamara James Thanksgiving Drive and congratulated Parks & Recreation for the Holiday Tree Lighting event.

Commissioner James noted Akiba, a new African furniture store, approached her. They had their grand opening a few nights ago and have many beautiful solid wood pieces. She looks forward to having them do some work here with the City.

Commissioner James spoke of the Nike ribbon cutting and how people had been sleeping in their cars for two days prior to the event.

Commissioner James questioned if Saito's will be having a grand opening and recommended the CRA reach out to them to try to do a grand opening.

11.3 Commissioner Salvino

Commissioner Salvino spoke about the REACH program at Olsen Middle School. He said the Mayor did a good job giving a talk on O.J. McDuffie Day; all the students were impressed. It was a nice job that they have started with the landscaping; along with the \$7,000.00 given, it is a start, and he thinks it will catch on with others as well. It was inspiring and he got his special recognition as he went to Olsen.

Commissioner Salvino noted the Christmas holiday tree lighting was amazing and it has come a long way since he first started attending.

Commissioner Salvino asked the Commission what they thought of removing the dividers on the dais. He would like approval to have them removed.

City Manager Garcia said we could make it happen.

11.4 Vice-Mayor Lewellen

Vice-Mayor Lewellen spoke of the tree lighting event. It was spectacular and people, who usually do not come to events, came to this, and want to come to more.

Commissioner Lewellen noted she stopped by the Lighthouse Church thanksgiving dinner. They gave out 300-400 hot meals and did a great job.

Commissioner Lewellen congratulated Rabbi Eckstein on the birth of his new baby.

Commissioner Lewellen said we have a resident who is music promoter for blues and national/international groups in South Florida. He is looking to get a grant from the Levitt Foundation that does grants for blues festivals for small cities. He would like to partner with Dania Beach; the grant would cover most expenses, but we would provide police/security. It is a 3-day event with blues artists coming in, 1st day for registration, then the rest of the days for the event. The closest city that has done this is Fort Pierce. He has asked if we could support this idea and perhaps write a letter from the City Manager saying it is something the City is interested in, and he could use it for his grant. She is asking for consensus from the Commission.

Mayor Ryan asked if we are only to provide a venue and security.

Vice-Mayor Lewellen explained the grant would pay for the artists to come; hotel stay; talent, staging sound, and hotels. We would need necessary police for street security and availability of the parking garage. His idea is to do it at the same location as Dania after Dark or the Arts & Entertainment District and it would be promoted as Dania Beach. He is looking for support of the Commission to apply for the grant.

Commissioner James noted she is in support of it and wondered if this is something they could partner with the CRA.

Vice-Mayor Lewellen said she knows the individual well; she does not want to necessarily partner herself. She thinks it would do the City good as a whole; it says a lot if the majority agrees to it and then we write a nice letter.

Mayor Ryan noted he supported the event.

The Commission consensus was to move forward with having City Manager Garcia write a letter of interest for the event.

11.5 Mayor Ryan

Mayor Ryan spoke of the Parks & Recreation Department and the tree lighting with the police force and firefighters. It was wonderful on stage. He noted he attended the Kwanzaa event; it was special, and it showed us how a community comes together. He attended the Climate Summit, and it touched on many subjects that he deals with in the private sector. It touched on our City as being a coastal city with climate change and what affects us. His first proclamation was at Olsen Middle School for O.J. McDuffy Day on December 1st. It was great what we did for the REACH Program. As a team, they attended the Hollywood City Commission meeting; the City of Hollywood unanimously voted for the .2 acres for the parking garage. We should attend more meetings in other cities.

Mayor Ryan noted he has been working with the City Attorney and Assistant City Attorney on the issue of derelict boats in our waterways. This is a big issue that needs to be addressed and we are putting our best foot forward.

Mayor Ryan said he has been Mayor for a month now, and he has learned a wealth of knowledge, and everyone has been very welcoming. The City has taken leaps and we still have a lot of work to do. He is confident in his City team and his team of Commissioners. He has confidence that we will propel the City in the right direction.

12. Appointments

12.1 Education Advisory Board

Mayor Ryan appointed: Patricia Silva

12.2 Green Advisory Board

Mayor Ryan appointed: Michael Porter

12.3 Marine Advisory Board

Mayor Ryan appointed: Gregory Ralston

12.4 Parks, Recreation and Community Affairs Advisory Board

Mayor Ryan appointed: Gunnar Sage Magliocca

12.5 Planning & Zoning Board

Mayor Ryan appointed: Morris Vaughn Stowers

The Commission appointed Charlotte Sloboda and Kimberly Ford as alternate members to the board.

Commissioner James motioned to approve the appointments; seconded by Commissioner Lewellen. The motion carried unanimously.

13. Administrative Reports

13.1 City Manager

City Manager Garcia thanked the City team that participated in the Climate Summit. We are looking to form our own resiliency team and have some money set aside for a consultant. This is extremely important to us as a coastal city.

City Manager Garcia thanked everyone for making it happen with the City of Hollywood; in addition, they will be meeting Thursday with FAU about using the surface parking lot.

City Manager Garcia gave kudos to Parks & Recreation. After every event, they do a post event assessment. They are creating a special event division in Parks & Recreation. They are going to continue to invest in the special events and in the education and training of those individuals. There will be special events put together by Parks and Recreation but there will be other events with Parks and Recreation and the rest of the City.

City Manager Garcia reported we are 90% complete with the landscaping project on the Griffin Road corridor. This is totally paid for by FDOT.

City Manager Garcia noted the Pier project is a two-tier project; it is a multi-million-dollar project that will be completed next fiscal year. We could not have done it without the help and support of our Public Services team. It could not have been completed in one phase as that would require closing the pier.

City Manager Garcia said we are already planning to do the best event ever as we celebrate Broward's first City's 120th birthday.

13.2 City Attorney

City Attorney Boutsis reported she is looking at bringing first reading of the Hollywood annexation to the January 10th meeting.

13.3 City Clerk - Reminders

City Clerk Schneider recommended that hybrid Commission meetings be discontinued beginning January 2023. The Commission agreed to eliminate the virtual component of the meetings.

Tuesday, January 10, 2023 - 5:30 p.m.

CRA Board Meeting

Tuesday, January 10, 2023 - 7:00 p.m.

City Commission Meeting

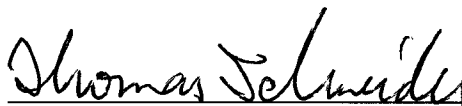
Tuesday, January 24, 2023 - 7:00 p.m.

City Commission Meeting

14. Adjournment

Mayor Ryan adjourned the meeting at 10:13 p.m.

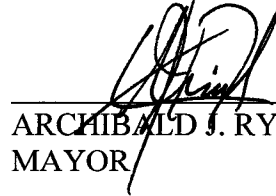
ATTEST:



THOMAS SCHNEIDER, CMC
CITY CLERK



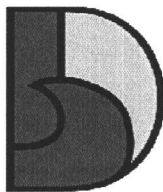
CITY OF DANIA BEACH



ARCHIBALD J. RYAN IV
MAYOR

Approved: January 10, 2023

#5



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

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DATE OF COMMISSION MEETING: December 13, 2022

PRINT NAME: Janos weisz

ADDRESS: 619 E Sheridan st

PHONE NO. (Optional): 9547090632

PLEASE CHECK ONE OR BOTH OF THE BOXES BELOW:

1) ☐ CITIZEN COMMENTS:

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PLEASE BRIEFLY DESCRIBE THE SUBJECT MATTER OF YOUR COMMENT:

I would like to ask the City about the kayak launch next to Dania pier. We have been using that

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.

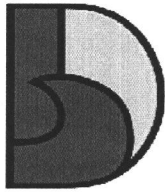
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Key: 29baa7c44b2020cd70542d9df9711b41

11-29-2022



DANIA BEACH
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DATE OF COMMISSION MEETING: December 13, 2022

PRINT NAME: Robert Buzaki

ADDRESS: 4201 grant st hollywood fl 33021

PHONE NO. (Optional): 9549809928

PLEASE CHECK ONE OR BOTH OF THE BOXES BELOW:

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PLEASE BRIEFLY DESCRIBE THE SUBJECT MATTER OF YOUR COMMENT:

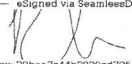
Security guard and launching kayaks off the beach before sunrise

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

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11-29-2022

Did Not Speak



**REQUEST TO ADDRESS
CITY COMMISSION AT REGULAR
OR SPECIAL
VIRTUAL MEETINGS**

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DATE OF COMMISSION MEETING: December 13, 2022

PRINT NAME: Adrian mauricio Giosa

ADDRESS: 8550 byron ave apt 1 H ,Miami Beach,FL,33141

PHONE NO. (Optional): 7863553601

PLEASE CHECK ONE OR BOTH OF THE BOXES BELOW:

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PLEASE BRIEFLY DESCRIBE THE SUBJECT MATTER OF YOUR COMMENT:

Please i want to continue kayak fishing launching the kayak from dania beach pier before the

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

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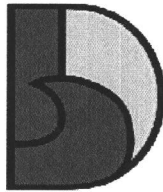
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Key: 29baa7c44b2020cd70542d9df8711b41

11-29-2022



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DATE OF COMMISSION MEETING: December 13, 2022

PRINT NAME: John Aristei

ADDRESS: 909 Citrus Isle

PHONE NO. (Optional): 5613028551

PLEASE CHECK ONE OR BOTH OF THE BOXES BELOW:

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PLEASE BRIEFLY DESCRIBE THE SUBJECT MATTER OF YOUR COMMENT:

Early launch of Kayak anglers off Dania Beach.

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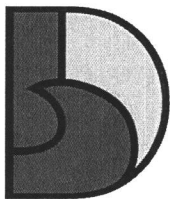
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John Carson Aristei

Key: 29baa7c44b2020cd70542d9d18711b4f

12-11-2022



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

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DATE OF COMMISSION MEETING: 12/13/22, 2022

PRINT NAME: Janet McCombs

ADDRESS: 41 SW 5 Street

PHONE NO. (optional): 954-830-7722

PLEASE CHECK ONE OR BOTH OF THE BOXES BELOW:

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PLEASE BRIEFLY DESCRIBE THE SUBJECT MATTER OF YOUR COMMENT:

Street lights out

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

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From: Chanel, Christopher <Christopher.Chanel@dot.state.fl.us>

Sent: Tuesday, July 5, 2022 7:49 AM

To: Morris, Dean <Dean.Morris@dot.state.fl.us>; Sosa, Oscar <Oscar.Sosa@dot.state.fl.us>

Cc: Upright Electrical Services LLC <upright_es@outlook.com>; Stanberry, Dellis <Dellis.Stanberry@dot.state.fl.us>; Goodwin, Dani <Dani.Goodwin@dot.state.fl.us>; Bosket, Brian <Brian.Bosket@dot.state.fl.us>; Sheu, Chi-yu <Chi-yu.Sheu@dot.state.fl.us>; Leskovykh, Inna <Inna.Leskovykh@dot.state.fl.us>; Hernandez, Ivanohe <Ivanohe.Hernandez@dot.state.fl.us>; Gangadhar, Kavya <Kavya.Gangadhar@dot.state.fl.us>

Subject: FDOT 4th Quarter FY 2021-2022 Lighting Outage Report Broward

Importance: High

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Per FDOT Maintenance Procedure 850-000-015 Section 8.0, we are required to perform a lighting inspection on all municipally maintained roadway lights along our State Highway System, on a quarterly basis, with results reported to each specific municipality for corrective actions. Within our attached documentation, you will find the results of your agency's maintenance area, broken down by roadway, milepost, lighting quantity, lighting type and pole number/location.

During the 4th Quarter 2022 inspection performed on 6/30/2022, FDOT contractor have continually monitored the lights throughout your jurisdictional area and have found a percentage of lights that are not working (please see the attached report). Per procedure your agency is required to ensure that outages do not exceed 10% for any lighting type, no more than two consecutive outages (lights) are present, and that lights do not remain out for two or more consecutive quarters. As required under your Maintenance Memorandum of Agreement (MMOA) and FDOT Maintenance Procedure 850-000-015 Section 8.0, repairs would need to be performed within the next 30 days of receiving the email. If there are any reasons that your agency can not meet these requirements, please contact FDOT, Broward Operations Center (BOPS) as soon as possible.

The FDOT MMOA, Light Count Inspection Spread Sheets, has been updated to reflect 3rd Quarter 2022, The light count numbers reflect the Final Light Count. And the Final Light Count will reflect on the signed MMOA Agreements and or Contract. If you have any questions or concern related to the report, please fill free to contact FDOT personnel listed below.

Brian Bosket - Brian.Bosket@dot.state.fl.us – 954-270-6204

Christopher Chanel – Christopher.Chanel@dot.state.fl.us – 954-892-2331

The following information will help you to navigate the Google Earth Pole Locator:

https://earth.google.com/earth/d/1Yw1b0_bu7oMj9gfK-BYWaz23T7BgtFXj?usp=sharing

To see your city:

- Double the city name
- Left click hide/unhide icon

To see specific pole location:

- Double click GPS coordinate

To see enlarged photo:

- Double click on the photo
- Left click X to go back

Plan your work for today and every day, then work your plan.

Margaret Thatcher

Foot

(57) out

submitted Lighting Patrol 2023FY - ...

Inspection of street light out throughout Broward County. Organized and reported by city.

Upright Electrical

New Feature

Present

26°02'25.3"N 80°14'58.9"W

City of Dania Beach (55)

OUTAGE

26°02'56.0"N 80°08'39.2"W

26°02'54.4"N 80°09'26.3"W

26°02'53.9"N 80°09'34.8"W

26°02'54.0"N 80°09'32.8"W

26°02'54.6"N 80°09'19.1"W

26°02'53.9"N 80°09'37.3"W

26°02'55.0"N 80°08'57.8"W

26°02'54.4"N 80°09'17.4"W

26°02'54.4"N 80°09'22.3"W

26°02'54.4"N 80°09'15.6"W

26°03'44.1"N 80°10'57.8"W

26°03'43.9"N 80°11'15.1"W

26°03'43.8"N 80°11'02.3"W

26°03'43.9"N 80°11'04.5"W

26°02'31.1"N 80°08'35.8"W

26°03'45.4"N 80°10'01.0"W

26°02'12.8"N 80°08'35.7"W

26°02'14.6"N 80°08'35.9"W

26°02'18.2"N 80°08'35.4"W

26°02'21.9"N 80°08'35.7"W

26°02'37.4"N 80°08'36.1"W

26°02'41.1"N 80°08'36.0"W

26°03'05.0"N 80°08'36.9"W

26°03'03.2"N 80°08'36.9"W

26°02'59.4"N 80°08'36.7"W

26°03'08.3"N 80°08'31.9"W

26°03'08.7"N 80°08'21.4"W

26°03'10.2"N 80°07'57.7"W

26°03'09.6"N 80°08'17.7"W

26°03'09.5"N 80°08'15.9"W

26°03'09.6"N 80°08'14.9"W

SIGN
HERE

26°03'09.5"N 80°08'11.4"W

26°03'09.7"N 80°07'57.9"W

26°03'09.2"N 80°07'59.2"W

26°03'09.3"N 80°08'01.5"W

26°03'08.7"N 80°08'14.1"W

26°03'08.8"N 80°08'12.3"W

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26°03'08.8"N 80°08'02.9"W

26°03'09.0"N 80°08'15.2"W

26°03'08.5"N 80°08'16.8"W

26°03'08.7"N 80°08'17.9"W

26°03'08.6"N 80°08'20.3"W

26°03'08.5"N 80°08'23.5"W

26°03'08.4"N 80°08'27.2"W

26°03'09.3"N 80°07'57.8"W

26°02'02.9"N 80°07'36.7"W

26°02'02.5"N 80°07'52.8"W

26°02'02.2"N 80°08'06.7"W

26°02'01.9"N 80°08'14.6"W

26°02'01.8"N 80°08'21.3"W

26°02'54.2"N 80°09'30.6"W

26°02'54.3"N 80°09'28.9"W

26°02'52.6"N 80°10'13.2"W

26°03'44.6"N 80°10'11.3"W

#9.1



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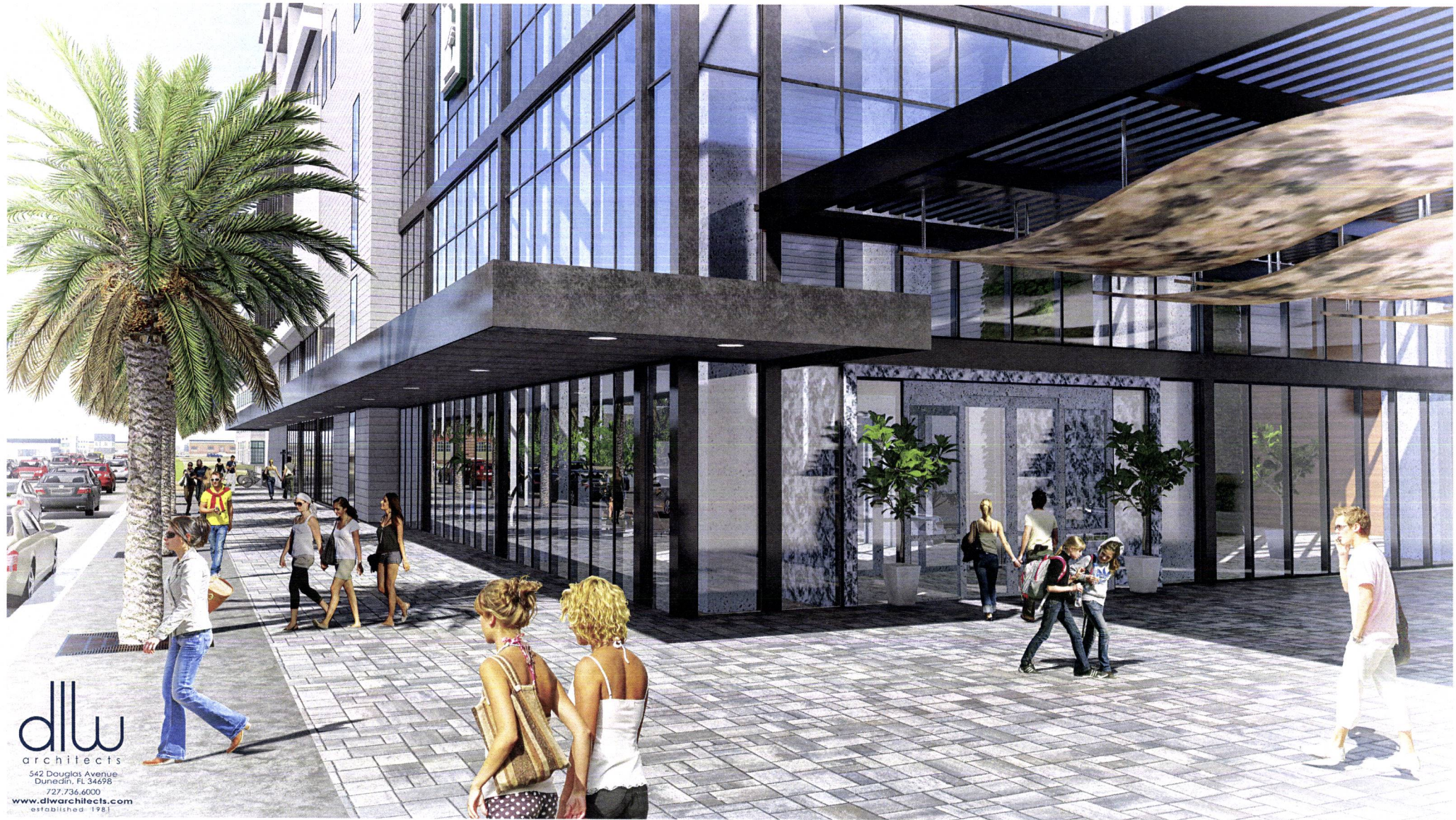
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#9.2



City Place Apartments

75 Park Avenue West, Dania Beach, FL 33004

City Commission Meeting
December 13, 2022

Building Landmarks is our Business

CITY PLACE
Dania Beach

CITY PLACE
Dania Beach



City Place Property Features

Building Description

- ✓ 8-story building with 2-story structured parking

Amenities / Features

- ✓ Control Access Building & Parking
- ✓ Fitness Center
- ✓ Business Center
- ✓ On-site Leasing Office & Staff
- ✓ Leasing/Clubroom
- ✓ Community Laundry Room
- ✓ Mail & Package Rooms
- ✓ Bike Storage
- ✓ Development will meet National Green Building Certification Standards (NGBS)



City Place Apartments

City Place

Unit Summary

No. of Units ¹	Set-Aside (% of AMI) ²	Unit Type	Estimated Rent ^{3,4}	Income Limit at Move-In ^{4,5}
19	60%	1/1	\$952	\$43,560
69		2/2	\$1,144	\$49,020
3	28%	1/1	\$408	\$20,328
8		2/2	\$490	\$22,876
99 Units				

Notes:

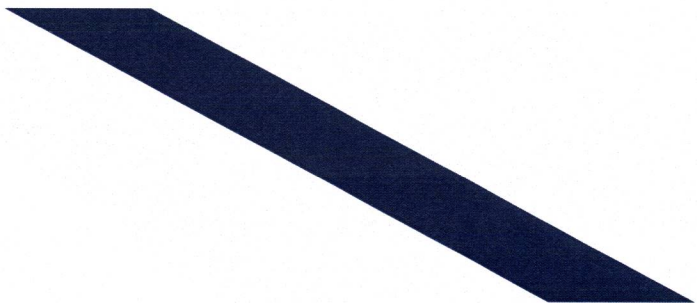
1. Income restrictions on the 99 affordable units to remain in place for no less than 50 years.
2. AMI = Broward County Area Median Income.
3. Rents are subject to change.
4. Based on FHFC – Broward County 2022 Income and Rent Limits, issued on 4/18/2022.
5. Assume: 1 bedroom – 2 person occupancy; 2 bedroom – 3 person occupancy.

City Place Funding Sources

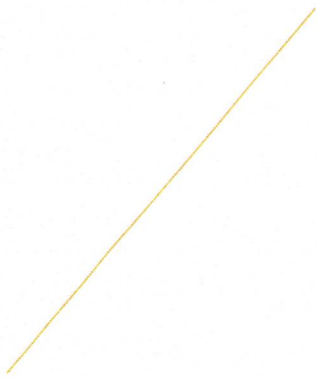
Funding Source	Amount
Tax Credit Equity – Truist Community Capital (Truist) ¹	\$30,793,180
1 st Mortgage – Neighborhood Lending Partners (NLP) ²	\$3,700,000
2 nd Mortgage – Dania Beach Loan ³	\$1,000,000
3 rd Mortgage – United Way of Broward County ⁴	\$2,000,000
4 th Mortgage – NLP ⁴	\$945,000
5 th Mortgage – Broward County ⁴	\$3,000,000
TOTAL	\$41,438,180

Notes:

1. Truist is providing a \$26,000,000 construction loan, which will be paid off at conversion to the permanent financing of the development.
2. NLP permanent loan amount may vary (up or down) based on interest rates.
3. A 15-year amortization of the Dania Beach Loan was approved under Resolution No. 2022-049. City Place is requesting approval of 30-year amortization of the Loan at 12/13/22 Dania Beach City Commission Meeting.
4. City Place has obtained commitments for these funds in 2022 in order to address unanticipated cost increases.



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