

MINUTES OF REGULAR MEETING
DANIA BEACH CITY COMMISSION
TUESDAY, MAY 9, 2023 – 7:00 P.M.

1. Call to Order/Roll Call

Mayor Ryan called the meeting to order at 7:00 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:	Elora Riera, MMC

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 welcomed and introduced Broward County Mayor Lamar Fisher. Mayor Fisher addressed the Commission.

- 3.1 Recognition of Junice Beau Brun, Rising Star, C. W. Thomas Park, Winner of the 2023 Earth Day Art Competition – *Sponsored by Commissioner Davis*

Junice Beau Brun explained her art piece and where her inspiration came from.

This item was heard after item 3.2.

At this time, Mayor Ryan welcomed and introduced Senator Jason Pizzo. Senator Pizzo introduced himself and spoke about bills such as unsafe and historic structures and the short-term rental bill. He thanked the City Manager for being very responsive during the floods and provided his cell phone number to the Commission and community.

- 3.2 Education Advisory Board to Give Awards to the Teacher of the Year, Employee of the Year, Parent of the Year, and Kid of Character from Collins Elementary, Dania Elementary, and Olsen Middle School - Parks and Recreation

This item was heard after item 2.

Parks and Recreation Director Eric Brown introduced the Education Advisory Board members to present the awards.

Commissioner James thanked and congratulated all of the staff, teachers and parents.

Commissioner Davis thanked the teachers for all they do in the community and their sacrifice.

Vice Mayor Lewellen congratulated the parents for doing an awesome job in supporting their children and she congratulated the children, teachers and administrative staff.

3.3 Height/Density Reduction Presentation - *Community Development*

Community Development Director Eleanor Norena provided a presentation to the Commission on the height/density reduction within the City. She touched on the purpose of the RAC Code and what the proposed zoning codes would be for each area.

There was consensus by all to prepare a text amendment and return it to the Commission in the summer.

3.4 Presentation of Proposed Design for CW Thomas Park - *Parks and Recreation*

Parks and Recreation Director Eric Brown introduced the item and provided a presentation of the proposed design for the CW Thomas Park. The design included a walking trail with exercise equipment, an additional classroom, a press box and turf field.

Randy Hollingworth of Bermello Ajamil & Partners, Inc. reviewed and explained the facility design and answered questions from the Commission.

Chief Financial Officer Frank DiPaolo provided some financial background and clarification on the costs.

Mr. Hollingworth addressed concerns regarding the parking.

Mayor Ryan moved up the citizens comments for those who wished to speak on this item.

The following citizens provided comments on the item:

- Rickie Young - 225 NW 7th Avenue
- Lorraine Reed – 80 SW 8th Avenue, Apt. 102

City Manager Garcia stated for the record that she did not state that anyone was bickering or whining.

- Pastor Paul R. Wiggins – 215 NW 5th Avenue

- Bobbie H. Grace – 110 NW 8th Avenue
- Name Inaudible – 260 NW 14th Way
- Gail Davison – 140 14th Avenue

Mayor Ryan commented that this project has been in place for five years. He requested to move up item 10.1 to hear it with this item at this time.

Commissioner James motioned to approve item 10.1 with an amendment to include the parking lot, 2 bleachers and a covered exercise area. The motion failed for lack of a second.

Mayor Ryan made a motion to approve item 10.1 as presented. Vice Mayor Lewellen seconded the motion.

Parks and Recreation Director Brown commented that staff will look at adding bleachers back into the plans if possible. Markers will be placed on the wall for distance as well as outside.

The motion passed 4-1 on roll call vote as follows:

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

3.5 Nyberg Swanson House Update - *Public Services*

Public Services Deputy Director Dincer Ozaydin provided an update on the Nyberg Swanson house. Mayor Ryan clarified that this is for exterior and interior updates.

Vice Mayor Lewellen asked what the timeline is for the updates and Deputy Director Ozaydin responded it will be about 14 months from today.

Mayor Ryan asked if we have a cost estimate and Deputy Director Ozaydin responded approximately \$100,000.00 for design but they do not have the construction cost estimate at this time.

3.6 Discussion of Interlocal Agreement for Solid Waste Disposal and Recyclable Materials Processing Authority by Broward League of Cities President, Bob Mayersohn - Public Services

Commissioner Davis made a motion to continue item 3.6 and 7.3 to the May 23, 2023, Commission meeting and Vice Mayor Lewellen seconded the motion which carried unanimously on voice vote. Commissioner Salvino was absent for the vote.

4. Proclamations

4.1 National Safe Boating Week - *Sponsored by Mayor Ryan*

Mayor Ryan read the proclamation into the record.

4.2 Turquoise Takeover Week – *Sponsored by Vice Mayor Lewellen*

Vice Mayor Lewellen read the proclamation into the record.

4.3 Teacher's Appreciation Week

Commissioner Davis read the proclamation into the record.

4.4 Request for Proclamation Approval - National Poppy Day - May 26, 2023 - for presentation on May 22, 2023 - *Sponsored by Mayor Ryan*

There was consensus from the Commission to approve items 4.4 and 4.5 collectively.

4.5 Request for Proclamation Approval - National Maritime Day - May 22, 2023 - for presentation May 22, 2023 - *Sponsored by Mayor Ryan*

This item was approved under item #4.4.

5. Citizens' Comments

The following spoke under citizens comments:

- Brian Haber - 4496 SW 49 Court
- Joanna Granett – 450 SE 7th Street #251
- Joshua Arpin – 1044 NE 16th Avenue
- Michaela Conca – Broward Trust for Historic Preservation
- Linda Wilson – 1547 Adams Street
- Ted Kay – 355 SW 2nd Avenue
- Laura Lombardo – 1401 NW 10th Street
- Christine Douglas – 4665 SW 38th Terrace
- Janet McCombs – 41 SW 5th Street

6. Public Safety Reports

Captain Daniel Marks, BSO Chief of Police, recognized Deputy of the Month, Deputy Pack. Captain Marks provided an update on homeless outreach and discussed upcoming events happening in the City. He also provided an update on the new deputies coming to the City.

Captain Sergio Pellecer, BSO District Fire Chief, explained their vulnerable population registry and encouraged the community to reach out if they know someone who should be on the

registry. He stated they have completed their City Emergency Management Plan and have submitted it to the City. He gave an update on call volumes for the month of April.

7. Consent Agenda

Commissioner Davis made a motion to adopt the consent agenda minus item #7.3. The motion was seconded by Vice Mayor Lewellen which carried unanimously on voice vote.

7.1 Minutes:

Approve Minutes of February 28, 2023 City Commission Meeting

Approved under consent agenda.

7.2 Travel Requests: None

7.3 RESOLUTION NO. 2023-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT FOR A SOLID WASTE DISPOSAL AND RECYCLABLE MATERIALS PROCESSING AUTHORITY OF BROWARD COUNTY, FLORIDA; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Public Services)*

This item continued to May 23, 2023.

7.4 RESOLUTION NO. 2023-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO AGREEMENTS WITH THE TWELVE (12) FIRMS THAT SUBMITTED RESPONSES TO THE CITY'S REQUEST FOR QUALIFICATIONS ("RFQ") NO. 22-031 ENTITLED, "OUTSIDE LEGAL COUNSEL IN VARIOUS PRACTICE AREAS"; WHICH MAY EXCEED AN ANNUAL VENDOR THRESHOLD TOTAL AMOUNT OF FIFTY THOUSAND DOLLARS (\$50,000.00); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(City Attorney)*

Approved under consent agenda.

7.5 RESOLUTION NO. 2023-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT WITH BROWARD COUNTY RELATING TO AIRPORT ZONING REGULATIONS, FLORIDA; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(City Attorney)*

Approved under consent agenda.

7.6 RESOLUTION NO. 2023-____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, REQUESTING THE APPROVAL OF A MID-YEAR BUDGET AMENDMENT; WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE PURCHASE OF A VAC-CON TRUCK AND OTHER EQUIPMENT UTILIZING SOURCEWELL CONTRACT RFP NO. 101221-VAC AND FLORIDA SHERIFFS ASSOCIATION CONTRACT BID AWARD #FSA20-EQU18.0 FOR STORM PREPARATION AND RECOVERY AND TO EXCEED THE CITY'S ANNUAL VENDOR THRESHOLD TOTAL AMOUNT OF FIFTY THOUSAND DOLLARS (\$50,000.00); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Public Services)*

Approved under consent agenda.

8. Bids and Requests for Proposals

8.1 RESOLUTION NO. 2023 - ____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PREPARATION OF A COMPREHENSIVE PLAN UPDATE, IN ACCORDANCE WITH REQUEST FOR PROPOSALS ("RFP") NO. 23-002, WHICH PROJECT SHALL NOT EXCEED THE BUDGETED AMOUNT OF ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00); AUTHORIZING APPROVED DEPARTMENTAL BUDGET APPROPRIATIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Community Development)*

City Attorney Boutsis read the title of the resolution into the record.

Eleanor Norena, Director of Community Development gave a brief update on the request for proposal.

Commissioner Davis made a motion to approve the resolution. The motion was seconded by Vice Mayor Lewellen which carried unanimously on voice vote.

9. Public Hearings

9.1 ORDINANCE NO. 2023-____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, RELATING TO UPDATING CERTAIN PROVISIONS OF CHAPTER 27, ENTITLED "WATER AND SEWERS;" AT ARTICLE V, ENTITLED "STORMWATER REGULATIONS," AT SECTION 27-227, ENTITLED "STORMWATER MANAGEMENT PLAN REQUIREMENTS;" TO PROVIDE FOR CITY-WIDE INTERIM DESIGN

STANDARDS FOR ALL CONSTRUCTION APPROVED AFTER THE DATE OF ADOPTION OF THIS ORDINANCE; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (SECOND READING) (*Community Development*)

City Attorney Boutsis read the title of the ordinance into the record.

Director of Community Development Eleanor Norena explained that this item is interim design standards put in place at the last meeting holding the development to the higher standard for stormwater management.

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

Vice Mayor Lewellen made a motion to approve the ordinance on second reading. The motion was seconded by Commissioner Davis which carried unanimously on voice vote.

9.2 ORDINANCE NO. 2023-____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 17, ENTITLED "OFFENSES – MISCELLANEOUS" AT ARTICLE IV ENTITLED "NOISE" AMENDING SECTION 17-81, ENTITLED "UNREASONABLY LOUD NOISE PROHIBITED"; AMENDING NOISE PROHIBITION HOURS; PROVIDING FOR CODIFICATION, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (FIRST READING) (*Community Development*)

City Attorney Boutsis read the title of the ordinance into the record.

Director of Community Development Norena explained they are recommending to amend the code to assist with enforcement and to be consistent with other jurisdictions and the construction noise hours.

Commissioner Salvino asked if this would prevent the construction sites from having an early start. Director of Community Development Norena responded they would have to request it. It would be on a case-by-case basis, they would need to obtain approval and there is a fee for it.

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

Vice Mayor Lewellen made a motion to approve the ordinance on first reading. The motion was seconded by Commissioner Salvino which passed 4-0 on roll call vote as follows:

Commissioner Davis – Absent

Commissioner James – Yes

Commissioner Salvino – Yes

Vice Mayor Lewellen - Yes
Mayor Ryan - Yes

9.3 ORDINANCE NO. 2023-____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 2, OF THE CITY CODE OF ORDINANCES, ENTITLED "ADMINISTRATION" AT ARTICLE V, ENTITLED "RESERVED" BY AMENDING THE ARTICLE NAME TO "NAMING OF CITY FACILITIES", AND CREATING SECTION 2-101, ENTITLED "NAMING OF CITY OWNED FACILITIES" PROVIDING THE AUTHORITY TO THE CITY COMMISSION TO NAME OR RENAME CITY OWNED FACILITIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (SECOND READING) *(Sponsored by Commissioner James)*

City Attorney Boutsis read the title of the ordinance into the record and gave an update on the change to require a 4/5 vote to name a facility after a person or to remove the name from the facility after a person and to reduce notice to 1000 feet.

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 made a motion to approve the ordinance on second reading. The motion was seconded by Commissioner James. The motion passed 4-1 on roll call vote as follows:

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

9.4 ORDINANCE NO. 2023-____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 6, OF THE CITY'S CODE OF ORDINANCES ENTITLED "BEACHES, PARKS, WATERWAYS AND RECREATION," TO AMEND THE TITLE AS FOLLOWS: "BEACHES, PARKS, WATERWAYS, RECREATION AND PARKING"; AMENDING ARTICLE II, ENTITLED "BEACH PARKING", TO "PARKING"; AND AMENDING SECTIONS: 6-32, ENTITLED "METHOD OF IMPOSING CHARGES; AND 6-33, ENTITLED "SCHEDULE OF CHARGES" TO AMEND PARKING PERMIT FEES APPLICABLE TO THE CITY GARAGE PARKING AREA; AMENDING CHAPTER 25 OF THE CITY'S CODE OF ORDINANCES ENTITLED, "TRAFFIC", ARTICLE III. ENTITLED "PARKING, STOPPING AND STANDING", DIVISION 3, ENTITLED "PARKING METERS" TO REFERENCE PARKING METERS/PARKING CONTROL

TECHNOLOGY; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (SECOND READING) (*Community Development*)

City Attorney Boutsis read the title of the ordinance into the record.

Director of Community Development Norena gave a brief overview of the ordinance.

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

Vice Mayor Lewellen made a motion to approve the ordinance on second reading. The motion was seconded by Commissioner Davis which carried 5-0 on roll call vote.

10. Discussion and Possible Action

10.1 CW Thomas Park Construction Project - *Sponsored by Mayor Ryan*

This item was heard with item #3.4.

11. Commission Comments

11.1 Commissioner Davis

Commissioner Davis spoke about the events she attended since the last meeting to include the Rick Case Habitat Community, Fleet Week, and the Mayor's Gala. She would like to congratulate Lighthouse for Students on receiving a nomination from Broward County for their community involvement. She requested consensus to utilize \$2,500.00 of her personal contingency funds to support the organization and asked if any of her colleagues would also like to support the organization. Commissioner James stated she would also like to contribute \$2,500.00. Mayor Ryan, Vice Mayor Lewellen, Commissioner Salvino and City Manager Garcia all agreed to give \$1,000.00 each.

11.2 Commissioner James

Commissioner James spoke about the events she attended since the last meeting to include Fleet Week, the Unite Way Gala and her opportunity to give International Dance Hall Reggae Artist, Spice, a key to the region with the Vice Mayor of the City of Tamarac. She wished everyone a Happy Mother's Day.

11.3 Commissioner Salvino

Commissioner Salvino spoke about the events he attended since the last meeting to include Elevate and the Mayor's Gala.

The Commission wished Commissioner Salvino a Happy Birthday.

11.4 Vice-Mayor Lewellen

Vice Mayor Lewellen commented that she went to a lot of the same events and spoke about going to Post 304 during Fleet Week. She thanked the service members for their service and wished everyone a Happy Mother's Day.

11.5 Mayor Ryan

Mayor Ryan commented that he enjoyed hearing what his constituents are doing throughout the community. He commented on the opportunity he had to be brought in by the port to board the Coast Guard Ship and bring the boat in to Port Everglades. He thanked the Coast Guard for their hospitality and wished everyone a Happy Mother's Day.

12. Appointments

12.1 Charter Review Board - 1 Alternate Member

Mayor Ryan suggested Jay Dick as an alternate member.

There was consensus to appoint Jay Dick as an Alternate to the Charter Review Board.

12.2 Broward League of Cities 2023-2024 Director Appointments

- 1 Director
- 1 Alternate
- 1 Second Alternate

Commissioner Salvino made a motion to appoint Commissioner Davis as the Director. The motion was seconded by Vice Mayor Lewellen which carried unanimously on voice vote.

Mayor Ryan made a motion to appoint Vice Mayor Lewellen as the Alternate. The motion was seconded by Commissioner Davis which carried unanimously on voice vote.

Mayor Ryan made a motion to appoint himself as the second alternate. Vice Mayor Lewellen seconded the motion. The motion carried unanimously on voice vote.

13. Administrative Reports

13.1 City Manager

City Manager Garcia commented that the interviews have been completed for the Communications and Marketing Director. She thanked those involved in the selection committee. She is excited to be bringing Dania After Dark back to the City and getting started on the 120th Birthday Celebration. She commented that the City put out the first employee newsletter and this September staff will be distributing the City's first ever community newsletter. She spoke about the upcoming ribbon cutting ceremonies, renourishment project at the beach and the Back-to-School event.

Discussion ensued regarding the back packs for the Back-to-School event.

City Manager Garcia continued with her report and said she had a conference with County Administrator, Monica Cepero, to bring FEMA to City Hall to meet with our residents. Her and Eve had a great meeting with the Housing Authority in regards how the City can work better together. She said hurricane season is around the corner and the City is ready. She wished Commissioner Salvino and Commissioner James Happy Birthday's and wished everyone a Happy Mother's Day.

City Manager Garcia ended her report by saying she received a phone call from Ron Book's office and the SW 52nd Street Stormwater project and the Fire Rescue Command Center and Training Facility at Station 1 has been fully funded.

13.2 City Attorney

City Attorney Boutsis commented that she has been working with Code Compliance on some of the Code Cases and she has collected over \$357,000.00 over the past two years on the City's behalf. Regarding 606 W. Dania Beach Blvd., there is a \$55,000.00 lien on property, you must wait 90 days before you can begin the foreclosure process and 90 days will be the end of June. She stated that she will be preparing the complaint to begin the foreclosure process on that property.

13.3 City Clerk - Reminders

City Clerk Riera reminded the Commission of their upcoming CRA Board and Commission meeting on May 23, 2023.

14. Adjournment

Mayor Ryan adjourned the meeting at 10:14 p.m.

ATTEST:



ELORA RIERA, MMC
CITY CLERK



CITY OF DANIA BEACH



ARCHIBALD J. RYAN IV
MAYOR

Approved: July 11, 2023