

MINUTES OF REGULAR MEETING
DANIA BEACH CITY COMMISSION
TUESDAY, MAY 23, 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

3.1 U. S. Small Business Administration Presentation - *Sponsored by Mayor Ryan*

Public Affairs Specialist, Timothy Watson from U.S. Small Business Administration provided information on the disaster assistance being provided outside of City Hall.

3.2 Education Advisory Board Announcement of the Winner for the City Commission & City Manager Reader's Challenge - *Parks and Recreation*

Parks and Recreation Assistant Director Cassi Waren introduced the item.

Education Advisory Board Chair Mary Jane Guerra discussed the readers challenge procedures and announced that the winner of the reader's challenge was Commissioner James and presented her with an award.

3.3 Broward County Transportation Department Premium Mobility Plan "PREMO" Update - *Deputy City Manager*

Deputy City Manager Candido Sosa-Cruz introduced Calilah French from Broward County Transit.

Ms. French provided a PowerPoint presentation which provided an overview of the Premium Mobility Plan “PREMO” which outlined the background, the plan overview, the implementation of the plan, program risks and next steps on the program.

Deputy City Manager Sosa-Cruz commented that the components that would directly affect the City in terms of the PREMO Plan are the shuttle bus service, the micro transit and high frequency bus line which will run up and down federal highway.

To answer Commissioner James’s question, Ms. French commented that this is only the planning phase, and any input will be taken into consideration for the next phase of studying.

Commissioner James inquired about the number of buses and their frequency, a campaign to attract ridership and the City’s current shuttle buses. Ms. French provided responses to the questions.

Vice Mayor Lewellen commented that she saw this presentation at an event and some concerns were raised about connectivity and she hopes that those concerns can be looked at further and addressed. She also mentioned the concern for reliability in terms of buses being late and safety issues on the buses and she commented that those should be looked at and studied further.

Vice Mayor Lewellen commented on the hours that the buses run because there are many people work at night and need the buses and cannot use them because they are no longer running at that time.

4. Proclamations

4.1 Presentation - Lupus Awareness Month - May 2023 - *Sponsored by Mayor Ryan*

Mayor Ryan read the proclamation into the record and presented it to Jolanda Jones who is a member of the community and is affected with Lupus.

4.2 Request for Same Day Approval and Presentation - Jewish American Heritage Month - May 2023 - *Sponsored by Commissioner James*

There was consensus by the Commission to approve the proclamation request.

Commissioner James read the proclamation into the record.

Mr. Murietti thanked the Commission for the recognition.

Commissioner Davis requested approval of a proclamation for the Mundi’s Italian Restaurant 30th Anniversary to be presented at the June 13th Commission meeting.

There was consensus by the Commission to approve the proclamation request.

5. Citizens' Comments

None.

6. Public Safety Reports

Lieutenant Tarala reported on incidents and arrests that took place over the last couple of weeks. Lieutenant Tarala introduced Lieutenant Cooper who will be taking his position as Executive Officer for Dania Beach once he moves to his position as Captain.

Lieutenant Cooper thanked Lieutenant Tarala and stated that she looks forward to meeting everyone and working with the City.

The Commission congratulated Lieutenant Tarala on his promotion and welcomed Lieutenant Cooper to her new position.

Fire Chief Pellecer reported on fire and medical responses that took place over the last couple of weeks.

7. Consent Agenda

Commissioner James made a motion to adopt the consent agenda. The motion was seconded by Vice Mayor Lewellen which carried unanimously on voice vote.

7.1 Minutes:

Approve Minutes of March 28, 2023 City Commission Meeting

Approved under consent agenda.

7.2 Travel Requests: City Attorney Eve Boutsis to Attend Florida Municipal Attorneys Association Annual Seminar, July 6-8, 2023, Boca Raton

Approved under consent agenda.

7.3 RESOLUTION NO. 2023-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, REQUESTING THE CITY COMMISSION APPROVE THE THIRD ADDENDUM TO THE 1996 LEASE AND LICENSING AGREEMENT DATED MAY 31, 1996, IN ORDER FOR THE CITY TO USE THE PARKING LOT OF FLORIDA ATLANTIC UNIVERSITY (FAU) ON THE WEEKENDS FOR CITY EMPLOYEES, AND THE EMPLOYEES OF LUCKY FISH AND QUARTERDECK; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(City Attorney)*

Approved under consent agenda.

7.4 RESOLUTION NO. 2023-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, REQUESTING THE CITY COMMISSION APPROVE THE THIRD ADDENDUM TO THE 1996 LEASE AND LICENSING AGREEMENT DATED MAY 31, 1996, IN ORDER FOR THE CITY TO USE THE PARKING LOT OF FLORIDA ATLANTIC UNIVERSITY (FAU) ON THE WEEKENDS FOR CITY EMPLOYEES, AND THE EMPLOYEES OF LUCKY FISH AND QUARTERDECK; 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, AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE PURCHASE OF WATER TREATMENT PLANT CHEMICAL, OXIDE (QUICKLIME), FROM LHOIST NORTH AMERICA OF ALABAMA, LLC, UNDER THE SOUTHEAST FLORIDA GOVERNMENT PURCHASING COOPERATIVE GROUP CONTRACT BID/RFP NO. 20-21B, "FURNISH, DELIVER AND DISCHARGE OF QUICKLIME", PRICING EFFECTIVE THROUGH OCTOBER 31, 2023, AND TO EXCEED THE ANNUAL SINGLE VENDOR PURCHASING POLICY OF FIFTY THOUSAND DOLLARS (\$50,000.00); AND FURTHER PROVIDING THAT SUCH PURCHASES ARE TO BE MADE WITHIN THE WATER DIVISION'S APPROVED CHEMICAL BUDGET APPROPRIATIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Public Services)*

Approved under consent agenda.

7.6 RESOLUTION NO. 2023-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING A GRANT AGREEMENT WITH THE FLORIDA DEPARTMENT OF MANAGEMENT SERVICES (DMS) UNDER THE LOCAL GOVERNMENT CYBERSECURITY PROGRAM; PROVIDING FOR CONFLICTS; PROVIDING FOR FUNDING, FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Finance)*

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 TERMINATION OF THE AGREEMENT WITH SOUTHERN UNDERGROUND INDUSTRIES, INC. FOR THE "REHABILITATION OF LIFT STATIONS 1, 2 AND 3"; AUTHORIZING THE RE-ISSUE OF AN INVITATION

TO BID NO. 2022-026 FOR THE “REHABILITATION OF LIFT STATIONS 1, 2 AND 3”; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.(Public Services)

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

Public Services Deputy Director Dincer Ozaydin provided a brief overview of the item.

Commissioner James 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, AUTHORIZING THE EXPENDITURE OF CITY FUNDS EXCEEDING ONE MILLION DOLLARS (\$1,000,000.00), WHICH EXPENDITURE IS NOT TO EXCEED THE PROJECT ESTIMATE OF TWO MILLION FORTY-ONE THOUSAND FOUR HUNDRED FIFTY DOLLARS (\$2,041,450.00) APPROVED BY THE CITY COMMISSION, TO FUND THE INFILTRATION AND INFLOW REMOVAL PHASE II - MAINLINE REPAIRS PROJECT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.(FIRST READING) (Public Services)

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

Public Services Deputy Director Dincer Ozaydin provided a brief overview of the item.

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

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

9.2 ORDINANCE NO. 2023-_____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 28 ENTITLED “LAND DEVELOPMENT CODE”, PART 8 ENTITLED “TECHNICAL APPENDIX”, ARTICLE 811, ENTITLED “PUBLIC ART PROGRAM” AT SECTIONS 811-15”, AND SECTION 811-70 ENTITLED “BUILDING PERMITS” TO CLARIFY THAT FOR A DEVELOPER TO PLACE PUBLIC ART ON DEVELOPER’S PROPERTY THE DEVELOPER IS TO (1) PAY .25% TOWARDS THE ART FUND, AND (2) PAY AN ADDITIONAL .25% TO ESCROW TO ENSURE THE CONSTRUCTION AND TIMELY PLACEMENT OF THE PUBLIC ART ON THE DEVELOPER’S PROPERTY IN COMPLIANCE WITH THE PUBLIC ART PROGRAM, AND (3) CLARIFYING THAT THE ESCROW FUNDS ARE RETURNED TO THE

DEVELOPER IF COMPLIANCE IS ACHIEVED, OTHERWISE THE ESCROW FUNDS ARE DEPOSITED INTO THE CITY'S ART FUND FOR USE IN THE CITY'S PUBLIC ART PROGRAM; 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 and swore in anyone who may be speaking on the item. She also asked for any disclosures as to the application and there were none.

Community Development Deputy Director Corinne Lajoie provided a brief overview on the item.

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 first reading. The motion was seconded by Commissioner Davis which carried 5-0 on roll call vote.

9.3 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. (SECOND READING) (*Community Development*)

City Attorney Boutsis read the title of the ordinance into the record and swore in anyone who may be speaking on the item. She also asked for any disclosures as to the application and there were none.

Community Development Deputy Director Corinne Lajoie provided an overview on the item.

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

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

10. Discussion and Possible Action

10.1 Dania Pointe Art Exhibition of Totor Sculpture - *City Manager*

This item was heard after item #6 Public Safety Reports.

City Manager Garcia introduced the item. She commented that it would be placed in between the two Marriott Hotels for approximately 4-6 months for the exhibition and it will be moved to the Tiger Tail Dog Park as previously determined by the Commission.

Commissioner Salvino inquired about changing the location of the dog park where there is more population when this comes back to the Commission.

Discussion ensued regarding the permanent location of the sculpture.

11. Commission Comments

11.1 Commissioner Davis

Commissioner Davis thanked staff for working with the FEMA team that is providing services outside of City Hall. She commented on the "Together We Shine" Visit Lauderdale event and the Dan Marino Foundation.

11.2 Commissioner James

Commissioner James requested consensus for a permit fee waiver if the fee was necessary for the Juneteenth event.

There was consensus from the Commission to waive the permit fee.

11.3 Commissioner Salvino

Commissioner Salvino requested consensus for City Manager Garcia to speak with reps from the powerboat races and to look into the event further for the possibility to host an event in Dania Beach.

There was consensus from the Commission to look into the event further.

Commissioner Salvino inquired if parking could be requested at FAU for the memorial weekend. City Attorney Boutsis commented that she would ask.

11.4 Vice-Mayor Lewellen

Vice Mayor Lewellen mentioned that she attended the Greater Ft. Lauderdale Alliance Mid-Year meeting. She spoke with Carol Hilton from Career Source Broward about possible FEMA funding that could be used within the City. She commented that the Estates of Ft. Lauderdale Women's Club donated \$300 towards the summer youth program and thanked them for their donation.

11.5 Mayor Ryan

Mayor Ryan commented that he would like to reconsider item 7.4 from the May 9th Commission meeting to be reheard at the June 13th Commission meeting and that he would be recusing himself.

Vice Mayor motion to reconsider item 7.4 from the May 9th Commission meeting to be reheard at the June 13, 2023. Commissioner James seconded the motion which carried unanimously on voice vote.

Mayor Ryan would like to discuss the City slogan with the Commission and the possibility of changing it.

Discussion ensued regarding the City slogan of “Small City, Big Possibilities”.

There was consensus from the Commission to bring back the City slogan to discuss further.

Mayor Ryan commented about the BBQ celebration for Memorial Day.

Mayor Ryan requested \$1,000.00 from his contingency fund to contribute \$500.00 each to Post 304 and Post 209. Vice Mayor Lewellen commented that she would also like to contribute \$500.00 from her contingency fund for each post.

12. Appointments

12.1 Dania Beach Housing Authority - 2 Seat Appointments

This item was heard under item #11 Mayor Ryan's Comments.

Mayor Ryan reappointed Celeste Oatman and Bob Adams to the Board.

Vice Mayor Lewellen motion to approve. Commissioner Salvino seconded the motion. The motion carried 4-1 with Commissioner James voting no.

13. Administrative Reports

13.1 City Manager

City Manager Garcia informed the Commission of the three ribbon cuttings for the three parks and the push-in ceremony for the new fire truck and requested some dates in June.

City Manager Garcia discussed her report which was provided to the Commission in their packets. She touched on the following topics:

- State appropriations
- City Hall facilities post the April 12th storm
- Timeframe for C.W. Thomas Park

- Tree pruning for hurricane preparation
- Marketing Director commencing on June 5th
- Partnership with Visit Lauderdale
- Meeting with Atlantic Pacific and
- Partnership with BSO to host two recruitment events

13.2 City Attorney

City Attorney Boutsis commented that she emailed the Commission with information regarding her request to the Attorney General to issue an opinion on the new law so that the City can understand it better. They are requiring Commission approval to have the Attorney General respond. She is requesting consensus from the Commission to have the Attorney General respond and provide an opinion.

The Commission gave consensus for the Attorney General to respond and provide an opinion.

13.3 City Clerk - Reminders

City Clerk Riera reminded the Commission of their upcoming CRA Board meeting at 5:30 p.m. and Commission meeting at 7:00 p.m. on June 13, 2023, and the City Commission meeting on June 27, 2023, at 7:00 p.m.

14. Adjournment

Mayor Ryan adjourned the meeting at 8:28 p.m.

ATTEST:



ELORA RIERA, MMC
CITY CLERK



CITY OF DANIA BEACH



ARCHIBALD J. RYAN IV
MAYOR

Approved: July 11, 2023