MINUTES OF REGULAR MEETING
DANIA BEACH CITY COMMISSION
TUESDAY, JUNE 27, 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 Recognition to Olsen Middle School Principal Valerie Harris for her 13 Years of Service - *Sponsored by Commissioner Davis*

Mayor Ryan introduced the item.

Commissioner Davis wanted to honor Principal Harris for her dedication and leadership to the students at Olsen Middle School. She has made such a great difference in the lives of the students that will live on forever and she is very thankful for her service.

Commissioner James commented that it is a bittersweet moment, and she is thankful for Ms. Harris's dedication and service to the school and the community.

Commissioner Salvino echoed the sentiments of Commissioner Davis and thanked Ms. Harris for her service.

Vice Mayor Lewellen stated that Ms. Harris will be missed and she has been a big part of the City. The next school is very lucky to have her and she thanked her for her service.

Mayor Ryan commented that Ms. Harris has always been so nice and welcoming, and he has seen the positive impact she has had on the school. He thanked her for her selfless service and wished her the best on her future endeavors.

Ms. Harris was presented with a certificate of recognition and an award.

Ms. Harris thanked the Commission. She said that is has been a blessing to serve the City and the students at Olsen Middle School.

3.2 Update from Broward MPO - Sponsored by *Vice Mayor Lewellen*

Vice Mayor Lewellen introduced the item.

Brian Calekta, Director of Transportation for MPO, spoke about the Federal discretionary grants such as the Safe Streets for All grant, Rail Crossing Elimination Program grant and the Thriving Communities grant. These grants will be in progress for completion over the next couple of years.

3.3 Building Safety Inspection Program - *Community Development*

Community Development Director Eleanor Norena provided a presentation discussing the Building Safety Inspection Program which outlined the City's enhanced efforts for compliance of the program.

Community Development Director Norena stated that due to the Surfside building collapse, the Broward County of Appeals has decided to require electrical and structural inspection reports for structures 3,500 sq. ft. or larger of 25 years and older. The City will receive a larger list than normal for structures. She has received a list from BORA of over 200 structures. Thirty-five of those buildings are condo residential units which would total to approximately 1,000 residential units within the list of thirty five structures.

Community Development Director Norena explained that the property owners have to submit the report to the City Building Official within 90 days. If that report indicates that there are repairs required, they will have an additional 180 days to complete those repairs and submit a new report to the City. The City will notify the property owners via certified mail and staff will also post the properties, so they are fully aware that they are not required to participate in this program this year. Staff will also send reminder notices every 30 days and if the City hasn't heard from that property owner another notice will be sent in 60 days and staff will also be sent out to communicate with the association presidents.

Commissioner James asked if there a scale of severity for when these buildings go to the Special Magistrate and Community Development Director Norena responded that if the Building Official finds that a building is unsafe, he will red tag that property immediately and require an evacuation.

3.4 Special Event request from RV Sales of Broward to host "Dania at Planet RV" beginning Friday, June 30, 2023 through Sunday, December 31, 2023, to be held at 2051 Griffin Rd. - *Community Development*

Gigi Statler of 2051 Griffin Road is explained what her business and what the event will entail and hopes to be able to host this event in the City.

Commissioner James made a motion to approve the event request. The motion was seconded by Commissioner Davis which carried unanimously on voice vote.

3.5 Request for Same Day Approval and Presentation - Alzheimer's Awareness Month - *Sponsored by Commissioner Davis*

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

Proclamations

4.1 Alzheimer's Awareness Month - *Sponsored by Commissioner Davis*

Commissioner Davis read the proclamation into the record.

4. Citizens' Comments

The following spoke under public comments:

- Joanna Granett of 450 SE 7th Street, #251

Discussion ensued regarding an event by the historical society to receive history of the City from the residents and documenting and digitally recording the information from those residents who attend. Ms. Granett also mentioned that there was a time capsule that was buried in approximately 1950 and it would be great to dig it up as part of the 120th birthday.

6. Public Safety Reports

Captain Tarala reported on incidents, traffic reports and events that took place over the last couple of weeks.

Brad Masters, District Chief on behalf of Chief Pellicer reported on training, standard operating procedures, and events that occurred in the last couple of weeks.

7. Consent Agenda

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

7.1 Minutes: None.

7.2 Travel Requests: None.

7.3 RESOLUTION NO. 2023-____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE CLOSE OUT OF THE FLORIDA RECREATIONAL DEVELOPMENT ASSISTANCE PROGRAM PROJECT AT FRANK C. "TOOTIE" ADLER PARK AS THE PROJECT IS COMPLETE, PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Parks & Recreation)*

Approved under consent agenda.

7.4 RESOLUTION NO. 2023-____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE INTERLOCAL AGREEMENT FOR A SECOND AMENDMENT TO THE STANDARD FORM PARTICIPATION AGREEMENT AND REGIONAL INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF DANIA BEACH, WHICH CITY PARTICIPATES IN BROWARD COUNTY'S REGIONAL CONSOLIDATED E-911 COMMUNICATIONS SYSTEM; 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 APPROVAL FOR THE USE OF FUNDING RECEIVED FROM LANDMARK DEVELOPMENT, INC. TOWARDS THE CONSTRUCTION OF THE CITY HALL PARK PROJECT AND AUTHORIZATION TO BID PORTIONS OF THE PROJECT CONSTRUCTION; 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 CITY COMMISSION TO RANK THE FOUR FIRMS THAT RESPONDED TO THE CITY'S REQUEST FOR QUALIFICATIONS ("RFQ") NO. 23-005, ENTITLED "DESIGN SERVICES FOR MULLIKIN PARK IMPROVEMENT",

FOR DESIGN SERVICES RELATED TO CONSTRUCTION AT MULLIKIN PARK, AND TO AUTHORIZE CONTRACT NEGOTIATIONS TO BEGIN WITH THE TOP-RANKED CONSULTANT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(Parks and Recreation)*

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

Parks and Recreation Director Eric Brown introduced the item and stated that this is a FRDAP awarded project that will begin at Mullikin Park this year.

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

8.2 RESOLUTION NO. 2023 - ____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE AWARD OF THE CITY INVITATION TO BID ("ITB") NO. 23-004, ENTITLED "COMMUNITY SHUTTLE TRANSPORTATION SERVICES" TO LIMOUSINES OF SOUTH FLORIDA, INC. d/b/a LSF SHUTTLE; 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 Director Fernando Rodriguez introduced the item.

Commissioner James asked if there is anything different this year and Public Services Director Rodriguez responded that routes will be improved to be more efficient, GPS's will be installed in the buses so an app could be used on the phone and there will also be surveillance cameras inside and outside of the buses.

Commissioner James inquired about the efforts for ridership and Public Services Director Rodriguez responded that in addition to the improvements he just mentioned, other improvements have been made such as the exterior bus graphics and updates to the bus stop signage.

City Manager Ana Garcia commented that they began working with the Corradino Group given the lack of ridership on the buses that they witnessed. She also mentioned that the first ever newsletter, "The Pioneer", will be mailed out City-wide to all the residents in September and this bus information will be a part of the newsletter along with a lot of information about what is happening within the City.

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

9. <u>Public Hearings</u>

9.1 ORDINANCE NO. 2023-____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE REQUEST FOR A WAIVER (OT-043-23) FROM THE ONE THOUSAND (1,000) FOOT DISTANCE SEPARATION REQUIREMENT PERTAINING TO THE SALE OF ALCOHOLIC BEVERAGES, SUBMITTED BY THE APPLICANT, IVAN SEMIKIN/DANIA BEACH DISTILLERY LLC, FOR THE PROPERTY LOCATED AT 110 NW 1 STREET, UNIT 17 & 18, WITHIN 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; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. *(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 is requesting that this item be continued to the July 11th Commission meeting since at the time of preparing the item, the applicant had not completed the community outreach and staff would like the results of the outreach before bringing this before the Commission.

Commissioner James made a motion to continue the item to the July 11th Commission Meeting. The motion was seconded by Vice Mayor Lewellen which carried unanimously on voice vote.

9.2 ORDINANCE NO. 2023-____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE RIGHT-OF-WAY VACATION REQUEST (VC-095-22) SUBMITTED BY PROPERTY OWNER THE CITY OF DANIA BEACH, FOR THE PROPERTY (PORTION OF SW 2ND TERRACE OF SW 2ND PLACE) GENERALLY LOCATED NORTH AND SOUTH OF MULLIKIN PARK AT 230 SW 1ST COURT, 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. (SECOND READING) *(Community Development)*

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

Community Development Deputy Director Corinne Lajoie introduced 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 unanimously on voice vote.

9.3 ORDINANCE NO. 2023-____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 12.5, ENTITLED "FORTUNETELLERS, PALMISTS, CLAIRVOYANTS AND ASTROLOGERS"; BY AMENDING SECTIONS 12.5-2. ENTITLED "ISSUANCE AND REVOCATION OF BUSINESS TAX RECEIPT"; AND SECTION 12.5-3, ENTITLED "JUDICIAL REMEDY BY CIRCUIT COURT"; AND AMENDING CHAPTER 21 ENTITLED "SALES AND AUCTIONS; AT ARTICLE IV ENTITLED "AUCTIONS AND AUCTIONEERS"; AT SECTION 21-52 ENTITLED "ISSUANCE AND REVOCATION OF LICENSE" TO REQUIRE ALL THE FOLLOWING USES: FORTUNETELLERS, PALMISTS, CLAIRVOYANTS, ASTROLOGERS, AND AUCTIONEERS ADHERE TO SPECIAL BUSINESS TAX RECEIPT REQUIREMENTS; WHICH REQUIREMENTS ARE AMENDED TO PROVIDE ADMINISTRATIVE REVIEW BY STAFF AND DE NOVO APPEAL TO THE CITY COMMISSION, AFTER PUBLIC HEARING, AND AN APPEAL TO COURT OF THE CITY COMMISSION DECISION; SALES AND AUCTIONS"; PROVIDING FOR CODIFICATION, PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (SECOND READING) *(City Attorney)*

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

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

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

10. Discussion and Possible Action

10.1 RESOLUTIO NO. 2023-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, PURSUANT TO SECTION 811-140, OF THE LAND DEVELOPMENT CODE, THE APPLICANT, LAURA GASPER, REQUESTS APPROVAL OF ITS MURAL LOCATED AT 250 S. FEDERAL HIGHWAY, 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. *(Community Development)*

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

Community Development Deputy Director Corinne Lajoie provided a presentation on the application request.

Commissioner James stated that the art along the side looks incomplete. She feels that the City criteria should be reviewed.

Commissioner Davis stated that the Public Art Board had similar comments, but the applicant confirmed that it was complete. She clarified that this art was already painted, and it is coming to the Board and Commission after-the-fact.

Commissioner Salvino stated that he is not happy with look of the art on the south side of the building. He believes that the applicant should come back with another art option.

Discussion ensued regarding the art on the south side of the building.

Commissioner James made a motion to approve the front of the building and deny the back of the building as presented and for the south side art to go back to the Public Art Advisory Board for further review. The motion was seconded by Commissioner Davis. The motion carried 4-1 with Mayor Ryan voting no.

11. Commission Comments

11.1 Commissioner Davis

Commissioner Davis reported on the Juneteenth event, Broward League of Cities event, opportunity to be keynote speaker at Dan Marino Foundation, how beautiful the parks and the beach looks, flags throughout the City for the Independence Day holiday, possible upgrade of the City business cards.

There was consensus by the Commission to upgrade the City's business cards.

Commissioner Davis commented on the Seaview service and the Celeste ribbon cutting event.

11.2 Commissioner James

Commissioner James is happy to see the continuous upgrades to the City parks. She would like to see if something can be done with fireworks on the beach in the future for the Independence Day holiday. She wished everyone a Happy 4th of July.

11.3 Commissioner Salvino

Commissioner Salvino commented that the parks are looking great and thanked staff for their hard work. He reminded everyone about the ribbon cutting for Melaleuca Park.

11.4 Vice-Mayor Lewellen

Vice Mayor Lewellen commented on the parks, and she was happy to see the Jones family celebrate their mother at Mildred Jones Park, the park on the beach, she attended the Broward League of Cities event, Celeste ribbon cutting, Seaview tour and she wished resident Leslie a happy birthday. She wished everyone a Happy and safe 4th of July.

11.5 Mayor Ryan

Mayor Ryan reminded staff of the break and to ensure everyone get's any pending matters completed for the next meeting. He commented that it was great to honor the Jones family.

Mayor Ryan stated that he would like consensus from the Commission to donate $500 to Project Home Ministries through the Greater Mount Zion Church from his contingency fund. **There was consensus from Commission.**

12. Appointments

None.

13. Administrative Reports

13.1 City Manager

City Manager Garcia commented on a comment she received from a new employee and how they were very happy with the culture of the City team and it made her very happy to hear.

Deputy City Manager provided information on a new event taking place with Memorial Regional. Memorial Regional will provide free medical services through two buses, one of them will be dedicated for adults the second one for children and residents will not need insurance and they will not be requiring any insurance. If you are a citizen and you need health services, you can go to the bus, and they will provide it to you as well as mental health services and hey will also refer you for other services. The parking lot next to the substation will be dedicated for them to park the bus at and they are going to start with three days a week for approximately two months then they are going to go to one day a week for two years. They will be able to provide these services for everyone in the community The kickoff of this event will be on August 19th from 10:00 a.m. to 2:00 p.m. He thanked Commission Salvino for his assistance in bringing this service to the City.

City Manager Garcia touched on the following topics from her report provided to the Commission in their agenda packets:

- Career Fair taking place on July 15th
- Phase 1 of the Drainage Project beginning in August
- Nyberg Swanson house
- Unveiling of Totor Sculpture at Dania Pointe

- Opportunity to move forward with Sister Cities
- Recognition to City of Miami Beach for their assistance with the Flooding
- Seaview 1 Grand Opening Ribbon Cutting

13.2 City Attorney

City Attorney Boutsis stated that she is looking for authorization to settle the cases including any appeals on the two litigation matters presented in their packets. **Commission gave authorization for City Attorney Boutsis to settle the two cases.**

City Attorney Boutsis commented that a Charter Review Board member requested to use the city logo on their personal email.

After some discussion, there was consensus from the Commission for all board members to go through City Clerk to relay any Board related messages and that Board members are not to use the city logo in their personal emails.

13.3 City Clerk - Reminders

City Clerk Riera informed the Commission of the upcoming meetings:

- July 11 2023 - CRA Board Meeting - 4:30 p.m.
- July 11, 2023 - CRA Budget Workshop - 5:00 p.m.
- July 11, 2023 - City Commission Meeting - 7:00 p.m.

14. Adjournment

Mayor Ryan adjourned the meeting at 8:44 p.m.

ATTEST:

ELORA RIERA, MMC
CITY CLERK

CITY OF DANIA BEACH

ARCHIBALD J. RYAN IV
MAYOR

Approved: July 11, 2023