



MINUTES OF REGULAR MEETING
DANIA BEACH CITY COMMISSION
TUESDAY, JUNE 25, 2024 – 7:00 P.M.

1. CALL TO ORDER/ROLL CALL

Mayor Ryan called the meeting to order at 7:01 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
Deputy City Clerk:	Erin McClendon

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 Festival Viva Argentina - Special Event Application - Parks and Recreation
- 3.2 Request for Approval - Proclamation - Parks and Recreation Month - July 2024 - Sponsored by Commissioner James

There was Commission consensus to approve the special event application and proclamation approval.

- 3.3 Update on Noise Code Ordinance - Candido Sosa-Cruz, Deputy City Manager

Deputy City Manager Sosa-Cruz provided an update on the Noise Code Ordinance. He said complaints have increased to 40% during the day and by 20% at nighttime. The during the day to 40% and 20% in the evening. In the last 180 days, the city has received 352 noise

complaints. A copy of the report was provided to each Commission member by email and the city will provide another update in 6 months.

Commissioner James thanked Deputy City Manager Sosa-Cruz for following up and said she would like to set something up with City staff to workshop the small details. Deputy City Manager Sosa-Cruz said he will schedule a meeting with her and the team.

Vice Mayor Lewellen asked if the noise ordinance will be placed in the newest edition of the Pioneer magazine, as she has had a few people who didn't know there was one or that it had changed.

City Manager Garcia responded that she would inquire with the Marketing Team if there is still time. Deputy City Manager Sosa-Cruz said the city has begun their CORE meetings, the Pioneer, social media and through in-person meetings is a great way spread the information.

4. PROCLAMATIONS

4.1 None

5. ADMINISTRATIVE REPORTS

5.1 City Manager

City Manager Garcia presented her managers report and touched on the following topics:

- Storm event of June 12, 2024, involving 35 rescues with the new high-water vehicles
- Agreement from FDEM for the Southeast Drainage Project
- \$1,225,000.00 in grant funding from efforts in Tallahassee
 - o SW 34th Terrace Drainage @ \$500k
 - o Lift Station 11 @ \$275k
 - o Drainage Outfall Valve Retrofit @ \$250k
 - o FRDAP Chester Byrd Park Improvements @ \$200k

Deputy Director of Public Services, Dincer Ozaydin spoke about the flood issues. He said there was support from all departments and that with a group of people who will work together, his job is easy.

- SW 52nd Project
- 34th Terrace Project
- 1-million-dollar storm drainage master plan
- Sand bag distribution
- CORE meeting at Meadowbrook.
- EOC building is now in design mode
- 3 Sons Brewing Co. to blend a special beer in honor of the city's 120th Anniversary to be unveiled at Oktoberfest. They are seeking approval to use the city logo on the bottle.
Commission consensus was received to allow the use of the logo.
- Budget award for 4th consecutive year.

5.2 City Attorney

City Attorney Boutsis updated the Commission on newly enacted laws effective July 1, 2024.

5.3 City Clerk - Reminders

Deputy City Clerk McClendon reminded the Commission of the following upcoming meetings:

- July 9, 2024 CRA Board Meeting - 5:00 p.m.
- July 9, 2024 City Commission Meeting - 7:00 p.m.
- August 27, 2024 CRA Board Meeting - 5:00 p.m.
- August 27, 2024 City Commission Meeting - 7:00 p.m.

6. PUBLIC SAFETY REPORTS

Captain Tarala reported that there were 35-40 high-water vehicle rescues. He thanked the Commission for putting public safety as number one. He reported on recent criminal activity within the city to include a Shooting at 2180 SW 51st Place, a BAT team arrest of suspects burglarizing DUNKIN, and an incident at Motel 6 of a subject running a drug distribution center from the hotel room. He reported on another positive reunification story by the Homeless Outreach Team. He said they have identified an issue at Dania Pointe of an influx of juveniles coming in on the weekends. They are working with KIMCO to address the issue for Friday and Saturday nights. He noted a lot of the juveniles are coming from other cities and very few of those causing problems are from Dania Beach. They will be proactive and have a plan in place.

Commissioner Davis thanked City Manager Garcia for the action taken on the recent storms. She said Broward Sheriff's Office and Fire Rescue were there to help and that there is a lot of false information permeating the city, that we are not addressing the issues.

Commissioner James said the truth will outrun a lie. She suggested putting together a video for the SW drainage project to provide visibility to the community. She thanked Deputy Spicer and Deputy Reyes for what they willingly deal with and said it takes a special type of person.

Fire Chief Pellecer reported on partnering with Brother Mack and Lighthouse Community Church for CPR and first aid classes. He spoke about the flooding event and said the communication was seamless. He commented that Deputy Spicer also assisted him with the Rapid Impact Assessment and said the Fire inspectors must do a yearly evaluation of the schools, they completed Olsen Middle School last week and will continue with the remaining schools throughout the summer. He commented that the fire rescue crews are finishing up their BLS and ACLS training and said they will be preparing for the next CAS accreditation.

7. CITIZENS' COMMENTS

The following spoke under citizens' comments:

- Joseph Federico – 419 SE 6th Street
- Shawn DeRosa – 408 SE 5th Street
- Diana Cesario – 415 SE 4th Street

Commissioner James advised Ms. Cesario to follow the cities pages and to enroll in Code RED.

8. CONSENT AGENDA

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

- 8.1 Minutes: May 28, 2024 City Commission Meeting
June 11, 2024 City Commission Meeting

Approved under consent agenda.

- 8.2 Travel Requests: None.

- 8.3 RESOLUTION NO. 2024-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY, THE BROWARD COUNTY SCHOOL BOARD, AND CITY OF DANIA BEACH FOR AN INTERLOCAL AGREEMENT EDUCATIONAL MITIGATION AGREEMENT DUE TO THE APPROVAL OF THE REGIONAL ACTIVITY CENTER (RAC) UNIT EXPANSION UNDER LAND USE PLAN AMENDMENT PCT 22-07, RATIFYING EDUCATIONAL MITIGATION AGREEMENTS RELATED TO PC 03-6 AND PC 09-5; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE (Community Development)

Approved under consent agenda.

- 8.4 RESOLUTION NO. 2024-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO WAIVE COMPETITIVE BIDDING FOR BUS STOP SHELTER ADVERTISING, MAINTENANCE AND REPAIR SERVICES UTILIZING FLORIDA STATUTE 337.408 ENTITLED “REGULATION OF BUS STOPS, BENCHES, TRANSIT SHELTERS, STREETLIGHTS POLES, WASTE DISPOSAL RECEPTACLES, AND MODULAR NEWS RACK WITHIN RIGHT-OF-WAY” AND TO ENTER INTO AN AGREEMENT WITH INSITE MARTIN STREET ADS, LLC; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.(Public Services)

Approved under consent agenda.

- 8.5 RESOLUTION NO. 2024-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SECOND AMENDMENT TO THE AGREEMENT BETWEEN THE CITY AND WESTREC SMI OPCO

LLC (“WESTREC”) EXTENDING PIER CONCESSION MANAGEMENT SERVICES ON A MONTH-TO-MONTH BASIS FOR A MAXIMUM OF NINETY (90) DAYS, UNDER THE EXISTING PRICING, TERMS, AND CONDITIONS; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE (Parks & Recreation)

Approved under consent agenda.

8.6 RESOLUTION NO. 2024-____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, SUPPORTING AN APPLICATION TO THE BROWARD METROPOLITAN PLANNING ORGANIZATION AS PART OF THE COMPLETE STREETS AND OTHER LOCALIZED INITIATIVE PROGRAM FOR THE CONSTRUCTION OF SW 1ST AVENUE/NORTHWEST 1ST AVENUE COMPLETE STREETS PROJECT ALONG SOUTHWEST 1ST AVENUE/NORTHWEST 1ST AVENUE FROM NORTHWEST 3RD STREET TO STIRLING ROAD; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (Community Development)

Approved under consent agenda.

8.7 RESOLUTION NO. 2024-____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LANDSCAPE MAINTENANCE MEMORANDUM OF AGREEMENT (“MMOA”) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (“FDOT”) FOR THE PURPOSE OF THE CITY TO MAINTAIN THE A1A RIGHT OF WAY FROM US-1/SR-5 TO GULFSTREAM ROAD (SEAVIEW I); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (Community Development)

Approved under consent agenda.

8.8 RESOLUTION NO. 2024-____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A RIGHT-OF-WAY LANDSCAPE MAINTENANCE AGREEMENT (“AGREEMENT”) WITH DANIA BEACH RENTALS LLC, (“THE DEVELOPER”) FOR THE PURPOSE OF THE DEVELOPER TO MAINTAIN THE A1A RIGHT OF WAY FROM US-1/SR-5 TO GULF STREAM ROAD (SEA VIEW I); PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (Community Development)

Approved under consent agenda.

8.9 RESOLUTION NO. 2024-____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN

AGREEMENT BETWEEN THE CITY OF DANIA BEACH AND THE FLORIDA DIVISION OF EMERGENCY MANAGEMENT FOR THE CONSTRUCTION OF THE SOUTHEAST DRAINAGE RETROFIT PROJECT; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (Public Services)

Approved under consent agenda.

9. BIDS AND REQUESTS FOR PROPOSALS

None.

10. QUASI-JUDICIAL HEARINGS

10.1 RESOLUTION NO. 2024-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, APPROVING THE SITE PLAN (SP-025-22MOD), SUBMITTED BY FIRST DANIA BEACH LLC, FOR PROPERTY LOCATED AT 46 SW 1ST AVENUE IN THE CITY OF DANIA BEACH, FLORIDA, PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (Community Development)

City Attorney Boutsis read the title of the resolution.

Mayor Ryan opened the floor to public comments, and the following spoke:

- Paula Gadol- 406 SE 3rd St.

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

11. FIRST READING ORDINANCES

11.1 ORDINANCE NO. 2024-_____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 28, "LAND DEVELOPMENT REGULATIONS" AT PART 1. ENTITLED "USE REGULATIONS", ARTICLE 105 ENTITLED "USE REGULATIONS FOR RESIDENTIAL AND OPEN SPACE ZONING DISTRICTS"; AT SECTION 105-90, ENTITLED "OUTDOOR STORAGE CONTAINERS", PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (*Community Development*)

City Attorney Boutsis read the title of the ordinance.

Deputy Director of Community Development Corinne Lajoie introduced the item and gave a PowerPoint presentation.

Mayor Ryan opened the floor to public comments, there being none, public hearing was closed.

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

11.2 ORDINANCE NO. 2024-_____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 27, "WATER AND SEWER", ARTICLE VI, "STORMWATER UTILITY"; AT SECTION 27-304, ENTITLED "STORMWATER ASSESSMENTS AUTHORIZATION", OF THE CITY CODE OF ORDINANCES TO AUTHORIZE THE CITY TO ADMINISTRATIVELY ALLOW THE CITY TO MODIFY AND EQUITABLY ASSESS STORMWATER UTILITY CHARGES, AFTER REVIEW OF THE ASSESSMENT ROLL, PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (*Finance*)

City Attorney Boutsis read the title of the ordinance.

Chief Financial Officer Frank DiPaolo introduced the item.

Commissioner James asked if he was going to come back with the specific changes or are they already set in stone and what is the highest rate a condo/townhome would potentially pay. Chief Financial Officer DiPaolo responded that he does not have the assessment roll in front of him, but the changes that are being recommended are to two specific property types. He provided an explanation on the types and said there will be different rates for different units.

Commissioner James responded that she would trust the team.

Mayor Ryan asked when the last time was that the rates were raised, and Chief Financial Officer DiPaolo responded, in 2009. Mayor Ryan inquired of the increase in rates for the surrounding cities and Chief Financial Officer DiPaolo provided the increases for surrounding cities. Mayor Ryan said he would like the Commission to consider a higher increase to fix this issue for the long term.

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

12. SECOND READING ORDINANCES

12.1 ORDINANCE NO. 2024-_____

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AMENDING CHAPTER 13 ENTITLED "HEALTH AND SANITATION", AT SECTION 13-21 ENTITLED "DEFINITIONS" TO PROVIDE FURTHER CLARITY TO THE DEFINITION OF NUISANCE; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (*City Attorney*)

City Attorney Boutsis read the title of the ordinance and introduced the item. She noted that there was one amendment between first and second reading and clarified that this ordinance does not supersede a more specific ordinance.

Vice Mayor Lewellen explained this was to prohibit people from piggybacking multiple laws and citing people for multiple things.

Mayor Ryan opened the floor to public comments, there being none, public hearing was closed.

Commissioner James thanked City Attorney Boutsis for the clarification.

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

13. DISCUSSION AND POSSIBLE ACTION

13.1 RESOLUTION NO. 2024-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO APPROVE PUBLIC ART INSTALLATION REQUEST MADE BY THE PROPERTY OWNER FIRST DANIA BEACH LLC FOR 101 DANIA APARTMENTS, TO BE LOCATED AT 101 SW 1ST AVENUE; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE. (Community Development)

City Attorney Boutsis read the title of the resolution.

Deputy Director of Community Development Corinne Lajoie introduced the item.

Commissioner James asked if the previously continued item was going to impact this. Deputy Director of Community Development Lajoie responded no, the developer already has two site plan approvals and both phases are approved.

Commissioner James made a motion to adopt the resolution. The motion was seconded by Commissioner Davis which carried unanimously on voice vote.

14. APPOINTMENTS

None.

15. COMMISSION COMMENTS

15.1 Commissioner Davis

Commissioner Davis thanked the Public Services team for coming out and staying throughout the night during the rain event. She thanked Deputy City Manager Sosa-Cruz for the sandbag distribution event; she had a lot of residents call and say thank you. She said congratulations and Go Cats!

15.2 Commissioner James

Commissioner James said Go Panthers! Unfortunately, the Juneteenth celebration had to be cancelled but she thanked everyone for the work put into it. The Key to the City at Dania Pointe was very nice and a memorable moment. She thanked everyone involved. The financial literacy program is starting a summer program and she thanked everyone for making the sandbag event more efficient. She wished everyone a Happy 4th of July and commended the Mayor on how he conducts the meetings.

15.3 Commissioner Salvino

Commissioner Salvino commented that he was at the sandbag distribution event, and it was nice to see everyone working together. He thanked all city staff for attending. We complimented Broward Sheriff's Office on a job well done. He thanked Commissioner James for doing the presentation and sponsoring the Key to the City for Dania Pointe. He is proud of everyone who had a part in the development of Dania Pointe.

15.4 Vice-Mayor Lewellen

Vice Mayor Lewellen reminded everyone of the CORE meetings; it gives people a chance to meet everyone and get information. She said the city team is very good at following up and she is looking forward to seeing how the other meetings go. Regarding the flooding, she reiterated Chief Pellecer's comment on communication, and said the entire team did a great job at keeping everyone informed. She wished everyone a Happy 4th of July.

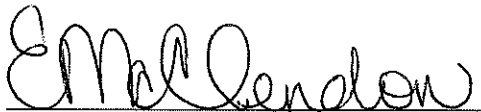
15.5 Mayor Ryan

Mayor Ryan touched on the trip to Tallahassee and said the city went 4 for 4 on obtaining grants for projects in the city. He thanked the City Manager for her leadership and expertise. Regarding the flooding, he could not be any prouder to be a leader of the City of Dania Beach. He said this city was founded on resilience and 120 years later our theme is still resilience. He wished everyone a Happy 4th of July and said Go Panthers!

16. ADJOURNMENT

Mayor Ryan adjourned the meeting at 8:23 p.m.

ATTEST:



ERIN McCLENDON
DEPUTY CITY CLERK

CITY OF DANIA BEACH


ARCHIBALD J. RYAN-IV
MAYOR

Approved: 7/9/2024