



# MEMORANDUM PARKS AND RECREATION DEPARTMENT

## MEMORANDUM 20-A059

DATE: March 23, 2020  
TO: Greg Harrison, City Manager  
FROM: Mark Beaudreau, Recreation Programs Administrator  
SUBJECT: Resolution to Rescind Agreement with Dania Management Corp.

At the City Commission Meeting on January 14, 2020 two items were considered for approval specific to the operation of the new Pier. The first item, P.H. 2020-32 (Public Hearing 1<sup>st</sup> Reading) was to discuss various amendments to the Code of Ordinances, Chapter 98 Parks and Playgrounds (Pier Fees) below. The City Commission (Commission) engaged in a discussion regarding the fees and Commission directed staff to come back with additional information/recommendations at the next meeting.

### **Fees Proposed By Staff (1/14/2020):**

(R) Municipal Fishing Pier. All persons using the municipal fishing pier shall pay for the following activities:

- (1) Sightseeing Daily Pass \$2.00 per person
- (2) Fishing Daily Pass \$5.00 per person

The second companion item was 20-182, a Resolution approving and authorizing a License Agreement with Dania Pier Management Corp. (Licensee) for the operation of the Pier and its Bait & Tackle Shop. The item was approved unanimously. However, the language in the approved document reflected a fee structure that was consistent with the Pier Fees that were requested by staff to Commission. As both items were companion items, any changes to the Pier Fees would have to be reflected within the Licensee's agreement.

On January 28, 2020 staff came back to the Commission as directed, with the following proposed language. Commission debated the revisions and the Pier Fees below were ultimately adopted.

### **Proposed Pier Fees (1/28/2020)**

(R) Municipal Fishing Pier. All persons using the municipal fishing pier shall pay for the following activities:

- (1) Sightseeing Daily Pass \$2.00 per person
- (2) Fishing Daily Pass \$5.00 per person
- (3) Sightseeing Annual Resident Only Pass \$100 per person



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### Adopted Pier Fees (1/28/2020)

(R) Municipal Fishing Pier. All persons using the municipal fishing pier shall pay for the following activities:

- |   |                                      |
|---|--------------------------------------|
| (1) Sightseeing Daily Pass (Adults)   | \$2.00 per person                    |
| (2) Sightseeing Daily Pass (Children 10 and under, Veterans and active duty military with proof of service) | Free                                 |
| (3) Fishing Daily Pass  | \$6.00 per person                    |
| (4) Sightseeing Annual Resident Only Pass<br>(with evidence of residency as provided in § 98.01)            | \$20.00 for use by up to ten persons |

All fees include sales tax.

The City Manager or his designee may provide discount passes for promotional and business incentive purposes for beachside hotel, motels and restaurants in the pier vicinity for use by their patrons.

The adopted amended Pier Fee structure substantially and materially differed from the Licensee's Agreement, invalidating said agreement, and therefore necessitating the rescission of the Licensee's Agreement. In the mean time staff has executed a six-month service agreement with Dania Pier Management Corp. to operate the pier and collect entrance fees. This will allow staff to collect accurate empirical data on the number of visitors, fishermen and revenue generation from the pier. Upon the completion of the service agreement Staff will reengage Dania Pier Management Corp. to negotiate terms and conditions that are fair and equitable to both parties and are mutually agreed upon.

If you have any questions or concerns regarding rescinding the agreement please feel free to call me at 954-786-4191.

MB/afh