

**TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
REGULAR MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Tuesday, March 28, 2017
6:30 PM**

1. CALL TO ORDER, MAYOR SCOT SASSER

Mayor Scot Sasser called the meeting to order at 6:32 p.m. Also present were Vice Mayor Mark Brown, Commissioner Alfred "Buz" Oldaker, Commissioner Elliot Sokolow, Commissioner Chris Vincent, Town Manager Bud Bentley, Assistant Town Manager Tony Bryan, Development Services Director Linda Connors, Town Attorney Susan Trevarthen, Finance Director Lisa Fuentes, Special Projects Coordinator Debbie Hime, Public Information Officer Steve d'Oliveira, and Town Clerk Tedra Allen.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION

Father Michael Greer gave the Invocation.

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

None.

Mayor Sasser introduced Broward County Commissioner Chip LaMarca, who explained that the National Association of Counties has begun a local effort to promote the proper retirement of distressed or tattered United States flags. Organizations including the Sheriffs' Association and the Boy Scouts of America are participating in this campaign to ensure that flags are disposed of in an appropriate manner.

Commissioner LaMarca also thanked the Town Commissioners for their attendance at a recent event to thank the Broward County community for its ongoing efforts to replenish its beaches. He reported that the State Legislature has recently voted to help fund the renourishment of Florida's beaches.

5. PRESENTATIONS

a. Presentation on Broward County Shore Protection Project (Steve d'Oliveira)

Public Information Officer Steve d'Oliveira gave a presentation on the Broward County Shore Protection Project, which will seek to provide artificial reef mitigation. The project

is scheduled to begin in summer/fall 2017. When Broward County beaches were widened to protect upland properties and restore wildlife nesting areas, this widening had an adverse impact on coral reefs located near the shore.

Broward County plans to place approximately nine acres' worth of artificial reef material off the shores of Lauderdale-By-The-Sea, in areas both north and south of the pier, in roughly 18 ft. of water. They will be concrete modules of varying sizes, on which limestone rocks will be placed to mimic the hard bottom of natural reefs.

Public Information Officer d'Oliveira added that the National Oceanic and Atmospheric Administration (NOAA) hopes to place a monitoring buoy near the Town's bio-rock project. The Town is seeking a liability release from this agency before the buoy may be placed. These buoys are placed throughout the State to monitor temperatures and other conditions.

6. PUBLIC COMMENTS

At this time Mayor Sasser opened public comment.

Hamilton Souza, owner of Hamilton's Valet Services, stated that he has heard the concerns expressed by Town residents regarding the pilot valet parking program, and does not wish to extend the trial period further. He thanked Town Staff for their professionalism.

Mary Ellen Himes Renuart, resident, requested that a study be done to determine how pedestrian safety can be improved, particularly on Commercial Boulevard. She cited Complete Streets principles and the Best Foot Forward grassroots initiative as ways to heighten pedestrian safety, as well as the Vision Zero program, which seeks to eliminate all roadway deaths.

Yolanda Bernardini, representing the Garden Club, thanked the Commission and Town Staff for their assistance in adding 150 orchids to the Orchid Walk. The Garden Club plans a small indoor-outdoor event on April 6, 2017 at Christopher's Garden of Love on Commercial Boulevard. Ms. Bernardini requested that the Town waive the \$50 application fee for this event.

Ken Brenner, resident, stated that he wished to express his concerns regarding public parking spaces on Basin Drive, which were first raised during public comment at the March 14, 2017 meeting. He also felt the proposed payment in lieu of parking (PILOP) program was premature.

Hernan Bermudez, resident, thanked the Town Commission and Staff for allowing a fundraiser for his son, who suffers from spina bifida. The event is scheduled for April 8, 2017 at 6:30 p.m. to raise funds for treatment that contributes to the improvement of his condition. He invited all present to attend.

Edmund Malkoon, resident, stated that the addition of new flowers to the Orchid Walk has used all the funds raised for this purpose. He thanked the Garden Club and Town Staff for their work on this beautification project.

With no other individuals wishing to speak at this time, Mayor Sasser closed public comment.

7. PUBLIC SAFETY DISCUSSION

None.

8. TOWN MANAGER REPORT

a. February Finance Report (Lisa Fuentes, Finance Director)

The Commissioners accepted the report without discussion.

b. Town Manager Report (Bud Bentley, Town Manager)

Town Manager Bud Bentley addressed the request made by Ms. Bernardini during public comment, noting that Item 16a is a Resolution that would apply to special event and rental fees. He distributed copies of proposed language that would consider a new category for volunteer events that provide a direct public benefit to the community. There would be no fee for these events, although most would be required to carry insurance.

Mayor Sasser proposed a motion to waive the fee specific to the Garden Club, as requested.

Commissioner Sokolow made a motion, seconded by Commissioner Vincent, to waive the \$50 fee for the Garden Club. Motion carried 5-0.

Town Manager Bentley also acknowledged the Garden Club for their work in adding new blooms to the Orchid Walk and Special Events Coordinator Debbie Hime for her work on the Town's new walking map.

With regard to the Town's Action Plan, Town Manager Bentley addressed goal 5.3(a), noting that a survey is planned for summer 2017 to determine recreational and economic development events that residents and businesses might like to see in the future. He suggested that this survey be postponed until summer 2018 in order to first address other priorities. The Commissioners agreed with this suggestion by unanimous consensus.

Improvements on Friedt Park are underway on the outside and south end of the facility. Town Manager Bentley advised that the proposed perimeter design would result in the addition of three parking spaces to the south and four spaces to the west, and requested

permission to seek concurrence from a neighboring church property on this plan. The Commissioners also agreed to this request by unanimous consensus.

Mayor Sasser asked if Town Staff plans to continue the pilot valet parking program west of A1A. Assistant Town Manager Tony Bryan explained that after Mr. Souza of Hamilton's Valet Parking communicated his intent to discontinue service, Town Staff planned to discuss the possibility of securing another valet provider with interest in this program.

Mayor Sasser also addressed the concerns raised during public comment with regard to improving pedestrian safety on A1A. Town Manager Bentley replied that Town Staff has petitioned the Florida Department of Transportation (FDOT) to install a crosswalk at Hampton Beach, and a new crosswalk has been approved at A1A and Pine Avenue. The latter crosswalk will include flashing lights.

Town Manager Bentley concluded that Town Staff will review information related to this topic, noting that pedestrian safety on A1A could be included as an item for the proposed transportation workshop. Mayor Sasser emphasized the need to look at new technologies that could be used to improve safety.

Vice Mayor Brown commented that the Broward Metropolitan Planning Organization (MPO) has discussed pedestrian safety for some time, as south Florida leads the nation in pedestrian and bicycle fatalities. They have retained a consultant to determine new recommendations on how to improve safety at key intersections throughout Broward County. He anticipated that once the study is completed, he would be able to bring back suggestions on how to implement these improvements within the Town.

Commissioner Oldaker pointed out that a crosswalk is under consideration at the intersection of Hibiscus Drive, A1A, and Bougainvillea Drive. He also cited the Fort Lauderdale Beach corridor as an area where orderly crossings have recently been enforced. Commissioner Sokolow commented that the greatest difficulty in improving safety will be in changing pedestrian habits, as people often do not use crosswalks but expect traffic to stop for them.

Town Manager Bentley also addressed the parking spaces on Basin Drive, confirming that Town Staff is continuing to evaluate this situation and will bring the results of their evaluation to a future Town Commission meeting. Staff has discussed the possibility of placing traffic counters on this street with BSO, among other measures.

Mayor Sasser concluded that the Lauderdale-By-The-Sea Volunteer Fire Department's (VFD's) Safety Awareness Pancake Breakfast will be held at Jarvis Hall on Saturday, April 1, 2017, from 8 a.m. to 10:30 a.m.

9. TOWN ATTORNEY REPORT

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Town Attorney Susan Trevarthen requested that an Executive Session be scheduled regarding the litigation of the *Consolidated Palm Yacht, and Beach Club v. Town of Lauderdale-By-The-Sea* case. It was tentatively determined that this meeting would be held at 5:30 p.m. on April 18, 2017.

Town Attorney Trevarthen continued that a hearing was held earlier today in the Florida Legislature on House Bill (HB) 425, which addresses vacation rental properties. The bill moved forward with discussion regarding potential amendments. Both HB 425 and the similar Senate Bill (SB) 188 propose allowing local governments to regulate vacation rentals as long as the regulations also apply to every residential property, including long-term rentals and owner-occupied residences.

Mayor Sasser strongly encouraged residents to email their State Representatives and State Senators to express their opinions on these bills. Town Manager Bentley recommended that individuals in need of contact information for these representatives contact Town Hall for the appropriate email addresses and telephone numbers. House and Senate bills that would restore home rule have not had any hearings thus far.

10. APPROVAL OF MINUTES

- a. March 14, 2017 Town Commission Meeting Minutes (Tedra Allen, Town Clerk)**

Commissioner Vincent made a motion, seconded by Commissioner Oldaker, to approve. Motion carried 5-0.

11. CONSENT AGENDA

Town Manager Bentley requested that Item 11b be withdrawn from the Consent Agenda.

- a. Special Event Application for LBTS Volunteer Fire Department Hosting an Easter Egg Hunt Saturday, April 15, 2017 (Mayor Scot Sasser)**
- b. Extension of Trial Public Valet (Tony Bryan, Assistant Town Manager)**
- c. Anglin Square Traffic Congestion UPDATE (Captain Tom Palmer)**

Commissioner Sokolow made a motion, seconded by Vice Mayor Brown, to approve Items 11a and 11c. Motion carried 5-0.

12. OLD BUSINESS

- a. Update on Distressed Properties (Susan Trevarthen, Town Attorney)**

Town Attorney Trevarthen recalled that in 2016, the Town Commission requested that the Town assume a more active role regarding certain distressed properties. A memorandum in the backup materials provides detailed information on key cases, including properties that have the greatest impacts on the surrounding community or the most intractable situations.

Cases in Lauderdale-By-The-Sea include 1724 Bel Air Drive, on which the Town has foreclosed. The property has 15 pending liens by multiple creditors amounting to over \$1.4 million; however, the only entity seriously contesting the Town's right to foreclose is DeutscheBank, which first sued to foreclose on the property in 2009.

Another such property is located at 2011 SE 19th Street. In this case, the lack of maintenance of the property led to a seawall failure, after which the Town pursued and attained appointment of a receiver. Several repairs have been completed, including seawall and sewer repairs, using revenues from rental of the property. The Town advanced funds for repairs through a receivership certificate.

The third property on which the Town requested updates is located at 240 Imperial Lane. In this case, HSBC Bank is pursuing foreclosure on the property, and the Town has responded by asserting its lien rights. The Town's primary role in this case is to attempt to move the case forward, although multiple delays have been granted. The property is now in compliance.

The final case for which updates were presented is *Ober v. Lauderdale-By-The-Sea*, for which the Town eventually amended its lien mitigation process so the owner would be eligible to take advantage of it. When the owner did not feel the approved mitigation amount was acceptable, he sued to overturn the liens. The Town was successful in both trial court and appellate court until the Fourth District Court of Appeal ultimately reversed its decision. The Town has requested review by the Florida Supreme Court to determine if its liens between the time of foreclosure judgment and judicial sale are enforceable.

13. NEW BUSINESS

a. Application for Relief of Code Enforcement Lien at Garden Court (folio #494318270300) (Development Services Director Linda Connors)

Development Services Director Linda Connors showed a PowerPoint presentation on this item, which is a request for relief of liens against 230 Garden Court. The Applicant was cited in August 2016 for Code Enforcement violations related to trash and debris, lack of rolling container, storage of materials, and an inoperable vehicle with an expired tag, among others.

A Special Magistrate hearing was held in October, at which an order was issued for the property to come into compliance by November 17, 2017. When this compliance deadline was not met, \$300/day fines began to accrue for site maintenance and lack of a

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construction container. Other issues were brought into compliance. At a meeting on December 8, 2016, the Special Magistrate certified fines for lack of a construction container for 38 days at \$150/day and site maintenance for 45 days at \$150/day. Total fines for the property have accrued to \$12,450. This total increases to \$12,700 when outstanding administrative fees of \$250 are added. The Applicant has requested mitigation of 67% of the fine, which would come to a payment of \$4450 including the administrative fee.

Since the time of mitigation, Code Enforcement has cited the property again for both repeat and new violations, including condition of the site and condition of the fence. These violations were corrected as of March 23, 2017. Work originally commenced on the property in 2005 but was halted for nine years due to the economic downturn. Since 2007, the property has been cited 38 times; however, it was purchased in 2013, which means only 13 of these citations occurred under its current ownership. Staff requests that the Commission determine an appropriate mitigation amount and require payment by April 28, 2017.

Development Services Director Connors clarified that the new violations against the property have not yet gone before the Special Magistrate. Property owners can be charged up to \$500/day for repeat violations until they come into compliance. The Town has requested that the Special Magistrate find the property responsible for 10 days' violation at this rate for a total of \$5000 in separate violations.

Terry Paterson, representing Paterson Project Management, contractor/developer for the property, stated that he has met multiple times with Town Staff to discuss the issue; however, he did not receive notices of the violations, which were sent to a development partner's office. He described the repeat offenses found on the site and the circumstances contributing to these violations, including container and fencing violations.

Development Services Director Connors confirmed that Staff communicated with the developer and his staff regarding the violations, and that these communications were noted in the record. Town Manager Bentley added that the Town sent notice of violation to the address provided by the Broward County Appraiser's Office.

The Commissioners discussed the Application, with Vice Mayor Brown citing the length of time in which violations have occurred, the impact of the site on neighboring properties, and previous permissions provided to the Applicant by the Commission. He felt mitigation should not be considered while work on the property remains incomplete. Commissioner Vincent concurred, emphasizing the importance of communication between the Applicant and Town Staff to address violations.

Commissioner Oldaker also commented on the duration of the violations, pointing out that the Applicant has another ongoing construction site less than one block away. Commissioner Sokolow requested clarification of whether or not fines continue to accrue

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for the property. Development Services Director Connors replied that the property has come into compliance for the second set of violations.

Mr. Paterson advised that the violations came into and out of compliance multiple times over the seven-month time period. He asserted that his request was primarily for the container violation. Commissioner Vincent noted that most companies that provide dumpsters do not want to provide them if they are not being filled and pulled. Commissioner Sokolow suggested that relief be granted for the container portion of the lien.

Commissioner Sokolow made a motion, seconded by Commissioner Vincent, to approve a mitigation amount of \$6750 plus a \$250 administrative fee, to be paid by April 28, 2017.

Commissioner Sokolow clarified that his motion would erase the full fine for the container violation and collect the full balance for the second violation.

Motion carried 3-2 (Vice Mayor Brown and Commissioner Oldaker dissenting).

**b. FY 2017-18 Broward League of Cities Board of Director Appointments
(Tedra Allen, Town Clerk)**

Vice Mayor Brown made a motion, seconded by Commissioner Oldaker, to appoint Commissioner Sokolow as Director, Commissioner Vincent as First Alternate, and Vice Mayor Brown as Second Alternate. Motion carried 5-0.

c. Proposed Transportation Workshop (Vice Mayor Brown)

Vice Mayor Brown recalled that he had first proposed at the March 14, 2017 meeting that a transportation workshop be scheduled for summer 2017 in order to address multiple interrelated transportation issues in the Town. He felt a more extensive informal discussion of these issues, including Pelican Hopper and Sun Trolley service, the payment in lieu of parking (PILOP) program, valet service, and others. He concluded that the Town needs an overall strategic vision to address transportation.

Vice Mayor Brown added that he would like a representative of Broward County Transit (BCT) to be present at the workshop, as BCT subsidizes the Town's Pelican Hopper system and could contribute to the discussion. Staff would also reach out to a variety of members of the community who may be interested in attending.

It was determined that the transportation workshop would be scheduled for May 2, 2017 at 6 p.m.

14. COMMISSIONER COMMENTS

Commissioner Vincent recognized volunteer firefighter Mark Conn, who recently retired after 37 years of service.

Mayor Sasser thanked all involved in the recent additions to the Orchid Walk.

Commissioner Oldaker noted that the fundraiser described by Mr. Bermudez during public comment also has a website, matiasbermudez.com, as well as a GoFundMe page through which interested parties can contribute to his treatment.

15. ORDINANCES – PUBLIC COMMENTS

a. Ordinances 1st Reading

- i. Ordinance 2017-04 – AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 30, UNIFIED LAND DEVELOPMENT REGULATIONS, OF THE CODE OF ORDINANCES, TO ELIMINATE THE USE OF PARKING WAIVERS IN THE B-1 AND B-1-A ZONING DISTRICTS AND CREATE A “PAYMENT IN LIEU OF PARKING” PROGRAM TO ADDRESS PARKING ALTERNATIVES; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE (Linda Connors, Development Services Director)**

At this time Mayor Sasser opened public comment.

Edmund Malkoon, resident, stated that he felt discussion of a PILOP program may be premature at this time, as the proposed system may require further consideration. He pointed out that the areas of town in which this parking might exist have not yet been identified. He also requested that the Town update its parking study.

With no other individuals wishing to speak at this time, Mayor Sasser closed public comment.

Development Services Director Connors explained that this Ordinance was originally discussed in January 2017, at which time the Commission had several questions. Town Staff has addressed these concerns, making only one major change: properties that have already participated in the parking exemption program would be allowed to participate in PILOP. She also responded to the concern expressed by Mr. Malkoon during public comment, stating that the Ordinance would require mixed-use developments with a residential component to make on-site parking available for its residents.

The Commissioners discussed the proposed Ordinance, with Mayor Sasser emphasizing the need to determine what the PILOP might hope to accomplish. He pointed out that at present, businesses are prevented from coming into the Town due to the limited parking

available and the lack of an exemption or PILOP program. He cautioned that if discussion of a PILOP is postponed, something must be implemented in the interim to accommodate incoming businesses.

Commissioner Sokolow observed that although he had originally objected to the Ordinance in January 2017, many of the Commission's questions from that meeting have been answered. He noted, however, that the section of the Ordinance related to withdrawal only addresses withdrawal in the event of default. He concluded that he was in favor of approving the Ordinance upon first reading, although it would be ineffective without a Resolution establishing fees.

Vice Mayor Brown advised that the Town's original parking exemption program awarded waivers of parking requirements to restaurants, some of which are no longer in existence. He pointed out that the termination of the exemption program has not eliminated these waivers. For this reason, he asserted that creation of a PILOP while waivers still exist would result in a two-tiered system that places properties without waivers at a disadvantage. He proposed the interim solution of waiving parking requirements that apply to ground-floor properties seeking to redevelop in the near future and applying a PILOP to businesses that add a second story.

Commissioner Oldaker requested explanation of how the exemption/waiver program would work in conjunction with the proposed PILOP program. Development Services Director Connors clarified that both PILOP and waivers belong to property owners rather than businesses: the PILOP proposes that property owners would apply for spaces as an investment in their buildings, and the spaces would remain with the property rather than the business.

Development Services Director Connors continued that the exemption program was begun as an incentive program to attract restaurants to the Town. A parking study identified a number of underused spaces on the east and west sides of town, and exemptions were allocated based on these spaces. Spaces remained with the properties to which they were allocated.

Development Services Director Connors advised that if the Ordinance passes first reading at tonight's meeting, it will be presented for second reading on April 25, 2017, along with an accompanying Resolution regarding PILOP fees.

Commissioner Vincent commented that it may not be certain that the Town has enough PILOP spaces to result in financial gain. He also noted that creation of a PILOP does not solve the Town's parking issues, as it cannot create spaces, and that a refund policy may not be possible.

Town Manager Bentley advised that Code allows the Town Manager to continue to authorize a limited number of waivers, although this process requires approval by the Board of Adjustment as well as the Commission. This would result in a two- to three-

month process. Staff recommends approval of the Ordinance on first reading, with most of the issues raised by Commissioners to be dealt with by Resolution. He felt the best action for the business community is the creation of clear policy.

Town Attorney Trevarthen clarified that if the Commission decides against a PILOP program, they may reduce or eliminate the parking requirement through a zoning Ordinance, which would be a longer process than moving the proposed Ordinance forward to a second reading. The parking adjustment process referred to by Town Manager Bentley is capped at 3 spaces or 10%, with a number of accompanying criteria. This would also be a lengthy process. She explained that advancing the proposed PILOP Ordinance for adoption would be the quickest way to achieve relief, with the clarification that it would not go into effect until an accompanying fee Resolution has been adopted.

Vice Mayor Brown made a motion to reconstitute the parking exemption program with a limit of 50 spaces that are only applicable to ground-floor parking requirements, and to proceed with the development of a PILOP program as it would apply to second- or third-story parking requirements, with the fees to be determined.

Mayor Sasser asked if the parking exemption program still exists at present. Town Attorney Trevarthen stated that it has sunsetted, although its language remains part of Code. A Code Amendment would be required to renew this program. She confirmed, however, that the exemption program did not use all the potential parking spaces on the west side of town before sunseting.

Town Attorney Trevarthen continued that if the Ordinance is approved upon first reading and amended prior to second reading, it could pass by the April 25, 2017 meeting; however, if an entirely new Ordinance must be written, it must go before the Planning and Zoning Board before being presented for first reading, which would delay the process further.

The motion died for lack of second.

Commissioner Sokolow made a motion, seconded by Commissioner Vincent, to adopt the Ordinance on first reading as presented. Motion carried 5-0.

It was confirmed that the issues raised by the Commission at tonight's meeting would be addressed before the Ordinance is presented for second reading.

The Commission took a brief recess at this time.

b. Ordinances 2nd Reading

i. Ordinance 2017-03 – AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER

30, UNIFIED LAND DEVELOPMENT REGULATIONS, OF THE CODE OF ORDINANCES, BY AMENDING ARTICLE II, "DEVELOPMENT REVIEW," TO REVISE FLEXIBILITY RULES FOR RESIDENTIAL UNITS ON PROPERTIES DESIGNATED FOR COMMERCIAL LAND USE; AND BY AMENDING THE BUSINESS DISTRICTS TO REVISE DEVELOPMENT REQUIREMENTS, REORGANIZE THE SECTIONS, ADD NEW CONDITIONAL USES, ADDRESS REQUIREMENTS FOR MIXED USE DEVELOPMENT, AND MOVE RELEVANT SUBSECTIONS TO SECTION 30-11, "DEFINITIONS," AND SECTION 30-313, "GENERAL PROVISIONS"; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE (Linda Connors, Development Services Director)

At this time Mayor Sasser opened public comment, which he closed upon receiving no input.

Development Services Director Connors explained that this Ordinance amends the Town's business districts. The Ordinance was reviewed by the Planning and Zoning Board, which recommended approval of all requested changes with one exception: requiring short-term rentals with more than four units and located west of Seagrape Drive to have a minimum rental of 120 days. The Planning and Zoning Board recommended that the 120-day minimum be required throughout the district. Staff's recommendation, however, is that the Ordinance be approved as presented at first reading, with the designation to the west of Seagrape Drive.

Town Manager Bentley noted that the amended language makes it clear that structures of three stories cannot be built on lots less than 50 ft. in width. While Code does not presently define the height of a story, it was clarified that this will be addressed at another time.

Town Attorney Trevarthen further explained that the Town is not preempted from regulation in this case because the scope of statutory preemption applies to buildings with one to four units: if regulation applies to a building with more than four units, the Town is not preempted. She added that short-term rentals are legal everywhere, including in all districts where residential uses are allowed. This means regulation is not being introduced into the business districts for the first time.

Commissioner Sokolow made a motion, seconded by Commissioner Vincent, to adopt Ordinance 2017-03 upon second reading as Staff recommends. Motion carried 5-0.

16. RESOLUTIONS – PUBLIC COMMENTS

a. Resolution 2017-06 – A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, ADOPTING AN UPDATED FEE SCHEDULE THAT AMENDS THE FEES FOR THE USE OF JARVIS HALL; PROVIDING FOR LIMITATIONS ON THE FREQUENCY OF THE USE OF JARVIS HALL; PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE (Bud Bentley, Town Manager)

Town Manager Bentley explained that this Resolution relates to the activities of community-based groups that rent Jarvis Hall. The Resolution suggests that voluntary events which provide direct benefits to the community and do not charge fees be exempt from the application fee, and that the Town Manager may authorize application fee exceptions within 30 days. The request must still go before the Commission and carry an insurance requirement. The intent is to move away from Staff recommendations that the Commission waive fees, which could set an unwanted precedent. Another aspect of the Resolution addresses whether or not commercial activity should occur in Jarvis Hall.

Vice Mayor Brown recalled that the Commission recently granted permission for a church to meet weekly in Jarvis Hall for a four-month period, and asked if the church is considered a community group, nonprofit organization, or another type of entity. Town Manager Bentley replied that the church is operated by a Town resident, and may be considered a nonprofit or community group depending upon how it chooses to organize. When an entity applies to rent the facility, they inform Town Staff of what type of organization it represents, and Staff makes the final decision.

Commissioner Sokolow noted portions of the Resolution that prohibit sale of commercial items as a primary use when renting the facility, although it does not prohibit this activity outright or as an incidental use.

Commissioner Sokolow made a motion, seconded by Commissioner Vincent, to adopt the Resolution as modified. Motion carried 5-0.

It was noted that no individuals expressed interest in public comment on this Item.

b. Resolution 2017-10 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, SUPPORTING THE COMBINED EFFORTS OF THE UNITED STATES CENTER FOR DISEASE CONTROL AND PREVENTION (“CDC”) AND THE DEPARTMENT OF JUSTICE (“DOJ”) TO CURTAIL THE OVERPRESCRIBING OF OPIOIDS BY PHYSICIANS THROUGH MORE PHYSICIAN EDUCATION AS WELL AS BETTER RISK ASSESSMENT OF PATIENTS; STRENGTHENING OF PRESCRIPTION DRUG MONITORING PROGRAMS IN EVERY STATE; AND ENSURING SAFE DRUG DISPOSAL; SUPPORTING THE EFFORTS OF THE CITY-COUNTY NATIONAL TASK FORCE ON THE OPIOID AND HEROIN

ABUSE EPIDEMIC TO PROVIDE EDUCATIONAL OPPORTUNITIES AND INFORMATION SHARING FOR CITIES AND COUNTIES; AND DIRECTING THE APPROPRIATE TOWN OFFICIALS TO TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; DIRECTING THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO EVERY CITY IN BROWARD COUNTY, TO THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS, THE BROWARD COUNTY LEAGUE OF CITIES, THE FLORIDA LEAGUE OF CITIES, GOVERNOR RICK SCOTT, STATE SENATOR GARY FARMER, JR., STATE REPRESENTATIVE GEORGE MORAITIS, JR., THE NATIONAL LEAGUE OF CITIES, U.S. SENATOR WILLIAM NELSON, U.S. SENATOR MARCO RUBIO, AND U.S. REPRESENTATIVE THEODORE DEUTCH; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE (Tedra Allen, Town Clerk)

At this time Mayor Sasser opened public comment, which he closed upon receiving no input.

Vice Mayor Brown made a motion, seconded by Commissioner Oldaker, to approve. Motion carried 5-0.

- c. Resolution 2017-11 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, SUPPORTING THE FINDINGS AND RECOMMENDATIONS OF THE PALM BEACH COUNTY SOBER HOMES TASK FORCE REPORT AND THE PALM BEACH COUNTY GRAND JURY, AND URGING SUPPORT OF SENATE BILL 788 AND HOUSE BILL 807; DIRECTING THE TOWN CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO GOVERNOR RICK SCOTT, THE FLORIDA SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE FLORIDA PRESIDENT OF THE SENATE, THE BROWARD COUNTY LEGISLATIVE DELEGATION, THE FLORIDA LEAGUE OF CITIES, AND THE BROWARD LEAGUE OF CITIES; AND PROVIDING AN EFFECTIVE DATE (Tedra Allen, Town Clerk)**

At this time Mayor Sasser opened public comment, which he closed upon receiving no input.

Vice Mayor Brown made a motion, seconded by Commissioner Oldaker, to approve. Motion carried 5-0.

17. QUASI JUDICIAL PUBLIC HEARINGS

None.

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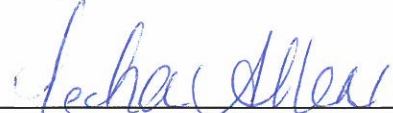
18. ADJOURNMENT

With no further business to come before the Commission at this time, the meeting was adjourned at 9:50 p.m.



Mayor Scot Sasser

ATTEST:



Town Clerk Tedra Allen



Date

