



Town Commission

Jarvis Hall 4505 N. Ocean Drive

Regular Town Commission

REGULAR TOWN COMMISSION

Being held at Tuesday, February 11, 2020
Jarvis Hall 4505 N. Ocean Drive

1. **CALL TO ORDER, MAYOR CHRIS VINCENT**
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **INVOCATION – Rabbi Bienzion Singer**
4. **ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS**
5. **PRESENTATIONS**
 - 5.a Glass & Mixed Paper Market Update
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 - 5.b Sea Shorts Play Festival Presentation (Steve d'Oliveira, Public Information Officer/IT Director)
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6. **PUBLIC COMMENTS**
7. **PUBLIC SAFETY DISCUSSION**
 - 7.a BSO January 2020 Report (Captain Thomas Palmer, BSO)
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 - 7.b VFD January 2020 Report (Chief Judson Hopping, VFD)
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 - 7.c AMR January 2020 Report (Chief Brooke Liddle, AMR)
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8. **TOWN MANAGER REPORT**
 - 8.a Town Manager's Report (Bill Vance, Town Manager)
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9. **TOWN ATTORNEY REPORT**
10. **APPROVAL OF MINUTES**
 - 10.a January 14, 2020 Town Commission Meeting Minutes (Tedra Allen, Town Clerk)

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- 10.b January 28, 2020 Town Commission Meeting Minutes (Tedra Allen, Town Clerk)
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11. **CONSENT AGENDA**

- 11.a Building Fee Study (Linda Connors, Development Services Director)
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12. **OLD BUSINESS**

- 12.a Approval of a GMP with State Contracting for Friedt Park Courtyard (Ken Rubach, Municipal Services Director)
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13. **NEW BUSINESS**

- 13.a Town Manager's Performance Evaluation
[TM Eval CoverPage.pdf](#)
[LBTS Team Accomplishments.pdf](#)
[Evaluation Thank You.pdf](#)
[Overall Evaluation Score.pdf](#)
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- 13.b Election Day Regulations (Tedra Allen, Town Clerk)
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- 13.c Approval of a GMP with State Contracting for Jarvis Hall/Community Center Portico (Ken Rubach, Municipal Services Director)
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[EX 1- SCEC Jarvis Hall Portico GMP.pdf](#)
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14. **COMMISSIONER COMMENTS**

15. **ORDINANCES 1st Reading**

- 15.a** Ordinance 2020-03 - AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 20, "UTILITIES," OF THE TOWN'S CODE OF ORDINANCES BY AMENDING ARTICLE II, "SANITARY SEWER SYSTEM," SECTION 20-19 "RATES AND CHARGES"; AND PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE. (Lucila Lang, Finance Director)

[CoverPage.pdf](#)

[1st Reading LBTS 2020 Sewer Rate Ordinance.pdf](#)

[Annual Rate Adjustment Letter to Lauderdale-by-the-Sea.pdf](#)

16. ORDINANCES 2nd Reading

- 16.a** Ordinance 2020-02 - AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA AMENDING CHAPTER 17, "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES," ARTICLE VI, "SIDEWALK CAFÉS" TO MODIFY APPLICATION, PERMIT, LICENSE, AND OPERATION REGULATIONS RELATED TO SIDEWALK CAFES AND TO REORGANIZE THE ARTICLE TO STREAMLINE AND IMPROVE FUNCTIONALITY; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE (Linda Connors, Development Services Director)

[CoverPage.pdf](#)

[Ex1 Ord 2020-02 Sidewalk Cafe](#)

- 16.b** Ordinance 2020-01 - AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA AMENDING CHAPTER 30 "UNIFIED LAND DEVELOPMENT REGULATIONS," ARTICLE V "ZONING," DIVISION 2 "DISTRICTS," SUBDIVISION L "B-1-A DISTRICT REGULATIONS," AND SUBDIVISION M "B-1 DISTRICT REGULATIONS" TO MODIFY REGULATIONS AND STANDARDS RELATED TO OUTSIDE SEATING FOR RESTAURANTS ON PRIVATE PROPERTY, OTHER THAN A SIDEWALK; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE (Linda Connors, Development Services Director)

[CoverPage.pdf](#)

[Ex1 Ord 2020-01 Outdoor Dining 3GA1304.pdf](#)

17. RESOLUTIONS – PUBLIC COMMENTS

18. QUASI JUDICIAL PUBLIC HEARINGS

19. ADJOURNMENT

THE TOWN OF LAUDERDALE-BY-THE-SEA WILL FURNISH APPROPRIATE AUXILIARY AIDS AND SERVICES NECESSARY TO AFFORD INDIVIDUALS AN EQUAL OPPORTUNITY TO PARTICIPATE IN MEETINGS OF THE TOWN COMMISSION. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND FLORIDA STATUTE 286.26, PERSONS WITH

DISABILITIES NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE TOWN CLERK NO LATER THAN TWO (2) DAYS PRIOR TO THE MEETING AT (954) 640-4200 FOR ASSISTANCE.

IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE TOWN COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, HE/SHE WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSES MAY NEED TO INSURE THAT A VERBATIM RECORDING OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

PROCEDURES FOR PUBLIC COMMENTS:

Public Comments may address issues that are not on this meeting's agenda, but should relate to the business of the Town, and should not contain personal attacks. If your comment requires follow up, the Town Manager will have a staff person respond to your concerns, and will advise us of the outcome.

The Town Clerk will read off the names of those who have signed up to speak. When your name is called, please come to the podium, state your name for the record, and indicate whether you are a Town resident. Do not state your address. You have up to three minutes to make your comments, but there is no requirement to use the entire time. If you wish to address a particular Commissioner or member of Town Administration, please do so by use of their title.

If you wish to approach the Commission dais to hand out a document or for some other reason, please request permission and state your reason for doing so. All documents to be provided to the Commission should be handed to the Town Clerk for distribution.

These procedures have been developed to assure that the Town Commission meeting time is efficiently used, and that meetings are conducted in a polite and respectful manner. More information on the decorum rules for Town Commission meetings is available in Section 2-23 of the Town Code of Ordinances.



Town Commission Agenda Item Report

Meeting Date: February 11, 2020

Submitting Department: Administration

Item Type: Presentations

Agenda Section: PRESENTATIONS

Subject Title:

Glass & Mixed Paper Market Update

Explanation:

Dawn McCormick, Director of Communications for Waste Management will give a brief update on the glass and mixed paper markets.

Recommendation:

N/A



Town Commission Agenda Item Report

Meeting Date: February 11, 2020

Submitted by: Steve d'Olivera

Submitting Department: Administration

Item Type: Presentations

Agenda Section: PRESENTATIONS

Subject Title:

Sea Shorts Play Festival Presentation (Steve d'Olivera, Public Information Officer/IT Director)

Explanation: PIO Steve d'Olivera will make a brief presentation about this springs's Shorts Play Festival which starts February 14, 2020



Town Commission Agenda Item Report

Meeting Date: February 11, 2020

Submitted by: Thomas Palmer

Submitting Department: Public Safety

Item Type: Report

Agenda Section: PUBLIC SAFETY DISCUSSION

Subject Title:

BSO January 2020 Report (Captain Thomas Palmer, BSO)

Explanation:

BSO January 2020 Report

Recommendation:

Accept/Approve

Attachments:

1. January 2020 Report



Date: February 4, 2020

To: William Vance
Town Manager
Lauderdale-By-The-Sea

From: Captain Thomas Palmer 
Lauderdale-By-The-Sea District

Subject: Monthly Report to Commission – January 2020

PERSONNEL CHANGES:

Deputy Larry Klarman retired in January after serving Broward County residents and visitors for 30 years. He was assigned to the Lauderdale by the Sea District for the past six years.

Detective Eric Blevins was promoted to the rank of Sergeant and remains in the Lauderdale by the Sea District.

EMPLOYEE OF THE MONTH: Deputy Adam Yates

On January 26, 2020, at approx. 1800 hours, Deputy Adam Yates had just arrived in the district to begin his shift when he received an ALPR alert for a stolen vehicle traveling southbound on Ocean Drive from Pompano Beach. Deputy Yates immediately responded to the area of Commercial Boulevard and N. Ocean Drive in hopes of locating the reported stolen vehicle which was described as a blue in color 2003 Ford Explorer. The vehicle had been taken during a residential burglary in the City of Fort Lauderdale. Upon circulating the area, Deputy Yates observed the subject vehicle stopped in traffic at Commercial Boulevard and West Tradewinds Avenue. The vehicle was blocked both in front and the back due to the Intracoastal Bridge being in the up position. Deputy Yates notified dispatch of his observations and utilizing sound deputy safety tactics, approached the vehicle on foot. Deputy Yates immediately detained the driver of the vehicle.

Once the subjects and the vehicle were secured, Deputy Yates made contact with the owner of the vehicle, who advised that the vehicle had been stolen by her brother, when he had broken into her residence in Fort Lauderdale. The victim indicated that she had reported the burglary and auto theft to the Fort Lauderdale Police Department and wished to prosecute her brother for breaking into her residence and stealing her vehicle.

During questioning by Detective Genovese of the Lauderdale by the Sea District, the arrestee provided a post Miranda, video recorded confession to burglarizing his sister's residence and stealing her Ford Explorer. The arrestee also confessed to burglarizing several vehicles over the past day and stealing credit cards from a mailbox in the Terra Mar residential neighborhood.

Deputy Yates conducted an inventory of the vehicle and discovered additional property belonging to the victim. Also located in the suspect's wallet were newly issued credit cards in the name of a resident in Terra Mar. These credit cards were discovered to have been taken from the victim's mailbox and the suspect was additionally charged with the theft of the credit cards.

As a result of Deputy Yates' keen observation skills and sound law enforcement tactics, a brazen criminal who had victimized several persons in multiple jurisdictions was taken into custody and the victims' property recovered. The arrestee was criminally charged with auto theft and theft of the credit cards. The multi-jurisdictional investigation into the suspect's criminal activity continues. Due to his hard work, Deputy Adam Yates was awarded the Lauderdale by the Sea District, January 2020 Deputy of the Month.

COMMUNITY PROGRAMS AND SERVICES: These ancillary programs and services are available to residents on an ongoing basis.

- **Elder Links:** This program offers referral services to elderly residents and other senior citizens in need of medical and mental health care, meal delivery or other social services.
- **Business and Residential Security Surveys:** The Business and Residential Security Survey program teaches participants to secure their business, home or condominium to reduce the likelihood of burglary and theft. Security surveys, conducted by a certified law enforcement security specialist, are provided upon request, at no charge to the business owner or resident.
- **Vacation House Watch Program:** Residents who are traveling out-of-town may register for this program. Deputies will conduct periodic checks of their residence until their return.
- **Neighborhood Crime Prevention Program:** The Neighborhood Crime Prevention program liaison organizes and conducts crime prevention and security seminars at the request of neighborhood civic and condominium associations. We will also help facilitate any Neighborhood Crime Watch programs in which the residents wish to participate.
- **Identity Theft and Scam Prevention Program:** The Identity Theft and Scam Prevention program is designed to inform residents about identity theft and how to lessen their chances of becoming a victim of a scam. Residents are informed on the importance of shredding documents, awareness of suspicious individuals, protection of passwords and use of caution in revealing information. Our Shred-A-Thon to reduce identity theft event is incorporated into this program.

- **Enhanced Marine Law Enforcement Patrol Program:** The BSO Marine Patrol Unit participates in the Enhanced Marine Law Enforcement Grant on behalf of Lauderdale-by-the-Sea. This grant allows for additional maritime patrols throughout the Town's waterways and adjacent ocean area.
- **Citizen Observer Patrol (COP) Program:** COP volunteers are local residents who receive public safety training. They are a tremendous asset to the Town of Lauderdale-by-the-Sea. COP members alternate assisting in administrative duties or patrolling local neighborhoods as an extra pair of eyes and ears to supplement deputy sheriff patrols. COP members also attend monthly patrol information and criminal intelligence briefings. A summary of COP statistical activity is included at the end of this report.
- **Sexual Offender Tracking Program:** There are **no** individuals legally classified as a sexual offender residing within Town limits. The sex offender database is routinely checked by BSO to ensure compliance with State of Florida legal mandates. Existing municipal ordinances prohibit persons classified as sexual offenders or sexual predators from residing within Town limits.
- **Bicycle Patrol:** Deputies utilize specialized patrol bicycles to enhance public safety and community outreach. This mode of patrol allows the deputies to interact one-on-one with our residents and visitors. The patrol bicycles were utilized for a total of 18 hours this month.
- **All-Terrain Vehicle Patrol:** The ATV / Polaris are primarily utilized on the beach areas in order to conduct patrols to deter criminal activity and maintain the security of the beach-area properties. The ATV patrol is instrumental in marine fisheries regulation enforcement and protection. Deputies used the ATV / Polaris for 66 hours this month.
- **Crisis Intervention Team / Homeless Outreach Team Programs:** The C.I.T. / H.O.T. program is comprised of specially trained patrol deputies and supervisors who are able to intervene in situations involving persons with mental illness or are otherwise experiencing mental health crises or are homeless and in need of services. Five (5) individuals experiencing homelessness were contacted during the month. Three (3) of the individuals were trespassed from commercial properties and all refused free services offered by law enforcement.
- **Automated License Plate Reader Camera System:** The ALPR system installation was completed in October 2014. The system is proving to be an effective tool to Public Safety. **See Notable Incidents/Arrests below.**
- **e – Alerts:** This information initiative allows Town residents to stay informed, via email or text messages, of important topics such as criminal activity, traffic information, upcoming events, security issues and other important public safety information throughout Broward County and Lauderdale-by-the-Sea. Residents can register for this program through either the Lauderdale-by-the-Sea or the Broward Sheriff's Office internet website.
****PLEASE NOTE:** The e-Alert system is being phased out and will be replaced with the Sheriff's new BSO ALERTS. Users must register for the new ALERT system to receive notifications. Citizens can sign up by visiting the Sheriff's website www.sheriff.org and click on BSO ALERTS or I have provided a hyperlink below:
<https://member.everbridge.net/index/892807736729054#/login> **

- **Electronic Message Board:** The BSO Lauderdale-by-the-Sea district continues to utilize the electronic traffic safety message board at various locations within the Town. This allows the district to alert residents about any traffic problems and other important public safety issues impacting them.
- **SaferWatch:** SaferWatch is an application (app) that gives citizens the power to record or report non-emergency incidents as they happen. It provides another option to the "If you see something, say something" message and allows individuals that "If you see something, SEND something" via a mobile application (app) from your smartphone.
- **TWITTER:** The Broward Sheriff's Office has provided an official Twitter account to Captain Palmer and Lieutenant Wesolowski to provide information to the public via social media. Follow us @BSOLBTS.

SPECIAL EVENTS: These events required the participation of the BSO LBTS district.

A1A Marathon: BSO LBTS Special Detail Deputies assisted with road closures and crowd control for the annual event. COPs assisted with the event at no cost to the town.

NOTABLE INCIDENTS / ARRESTS:

CASE: 13-2001-000054

DATE/TIME: 01/02/20 @ 1907 hours

LOCATION: 4200 block of Sea Grape Dr.

SUSPECT(s): Unknown

INCIDENT: Burglary Residence

SUMMARY: The victim and his family (visiting from California) left the apartment secure at 1815 hours to go eat. Upon returning at 1907 hours, they entered the apartment and the victim observed the bedroom lamp on the floor as well as the window blinds on the bed. It appears that the burglary had occurred just prior to the resident returning. No items were reported missing and both bedrooms were left in disarray. No forced entry, point of entry either through bedroom window or either of the three unlocked entry doors. No security cameras on property, area canvass completed, no witnesses. Scene processed for latent fingerprints, investigation ongoing.

CASE: 13-2001-000086

DATE/TIME: 01/03/20 @ 0029hrs – 0741hrs

LOCATION: 4200 block of E. Tradewinds Ave

INCIDENT: Grand Theft

SUMMARY: The victim was waiting for missing luggage from Delta Airlines to be delivered, but did not know when. At 7:41am, she received a call from Delta asking if she was satisfied with her luggage. She said she did not receive it, at which time they told her it had been delivered at 12:29am. They also sent her a photograph of her 2 suitcases (1-soft Pink, 1-hard Green) at her front door. Inside the suitcases were men's and women's ski clothing, including helmets, boots and all other gear. Loss is approximately \$5000.00. Delta Airlines is disputing the delivery. Investigation ongoing.

CASE: 13-2001-000165

DATE/TIME: 01/06/2020 @ 1703 hours

LOCATION: North Ocean Dr / Commercial Blvd

ARREST: Stephen DiGiovanni, WM, 12-23-1951

INCIDENT: Hit & Run (unoccupied BSO unit damaged) (**ARREST**)

SUMMARY: Deputy Colon's marked Chevrolet Tahoe was parked unattended, parallel to northbound A1A traffic off the roadway while conducting foot patrol when witnesses saw a full-size black SUV sideswipe the unit knocking off the driver's mirror and scraping the left front fender. The subject vehicle briefly stopped, but fled when realizing he hit a law enforcement vehicle. During the investigation, the suspect was identified, and the suspect vehicle was located with damage consistent with the hit and run. The suspect turned himself in to law enforcement and was criminally charged.

CASE: 13-2001-000438

DATE/TIME: 01/15/20 @ 1600 hrs

LOCATION: 2000 block of Coral Reef Dr (Bel Air)

SUSPECT: Ivan Campos B/M 7/8/86

INCIDENT: Burglary Residence/Grand Theft (**ARREST**)

SUMMARY: The victim/homeowner is in the process of having his home remodeled and today had contractors there to pressure clean his roof. After the company completed their work and left the residence, the victim reviewed his home security cameras and observed that the company's employee, Ivan Campos, had entered his screened porch without permission and removed a Porter-Cable nail gun, valued at approx. \$250, and hid it in his backpack. Campos then left the jobsite and went to another. The victim contacted BSO and conferred with LBTS Criminal Investigations detectives who devised a ruse to have Campos return to the victim's residence to complete additional work. At approx. 1630 hrs, Campos returned to the scene, where he was taken into custody and later provided a post-Miranda statement admitting to the crime. The nail gun was recovered from Campos' backpack. He was charged with 1) Burglary Residence 2) Grand Theft and transported to the Main Jail.

CASE: 13-2001-000488

DATE/TIME: 01/17/20 @ 0145-0600 hrs

LOCATION: 1390 S. Ocean Blvd Pompano Beach & 2001 S Ocean Blvd
(Assumption Church)

SUSPECT(S): 7 Haitian males

INCIDENT: Migrant Landing

SUMMARY: A report was received of a white boat dropping off six to eight males who made landfall in Pompano. Seven Haitian males were located in Pompano and Lauderdale by the Sea fully clothed and soaking wet in the area and were detained and turned over to Border Patrol Units. Coast Guard Aviation, and vessels assisted with coastline searches. The vessel was not located.

CASE: 13-2001-000749
DATE/TIME: 01/25/20/ 2210 hrs
LOCATION: 4400 N. Ocean Drive
INCIDENT: Auto Theft (motor scooter) (**ARREST**)
ARRESTEES: Sheehan V. Hajaree (W/M, 01/12/1979) & Israel Sepulveda (W/M, 11/14/1976)
SUMMARY: Suspect Sepulveda was observed by a Taco Craft employee loitering behind the business in the alleyway talking on his cellular phone. Suspect Hajaree arrived in an Infiniti SUV at which time both suspects opened the rear door (lift gate) of the Infiniti and attempted to steal the victims 2019 Motor Scooter. The suspects opened the lift gate, lowered the rear seats of the Infiniti, and moved the Motor Scooter from an alcove behind the business to the rear of the Infiniti. As the suspects were loading the Motor Scooter into the Infiniti they were confronted by the victim who was alerted to the theft by his Taco Craft employee. Deputy Michael Kratz was working the downtown special patrol when he was alerted to the incident and apprehended both suspects without incident. The suspect vehicle was seized and submitted for confiscation, both suspects were transported to the BSO main jail. The victim's vehicle was recovered undamaged.

CASE: 13-2001-000665
DATE/TIME: 1/22/19 at approx. 0426 hrs.
LOCATION: 200 block Codrington Drive / 200 block Imperial Lane
SUSPECT: Under investigation
INCIDENT: Grand Theft Auto and Recovery x2, F/S Recovery (truck)
Green '18 Easy Go Golf Cart/Black '16 ASPT Valor Golf Cart
SUMMARY: Deputies received a call of a vehicle making noise while loading golf carts onto a trailer and pick-up truck. As deputies responded, Deputy Klier observed a Dodge Truck towing a trailer with two golf carts in tow leaving the area. Deputy Klier conducted a traffic stop on the vehicle and as he approached the vehicle on foot the vehicle fled travelling westbound in the eastbound lanes of Commercial Boulevard. Deputies were prohibited from initiating a pursuit due to being in violation of policy. Deputies checked the area and located the suspect vehicle, trailer and golf carts unoccupied on a side street. A search of the area yielded negative results for the suspect. Investigation reveals that the Dodge truck was an unreported stolen vehicle from Pompano Beach and both golf carts had just been stolen from Codrington Drive and Imperial Lane. All property was recovered and detectives are actively pursuing leads in this case. Investigation is ongoing.

CASE: 13-2001-000668
DATE/TIME: 1/23/20 @ 0729 Hrs.
LOCATION: 4500 blk. Bougainville Dr.
INCIDENT: Baker Act
SUMMARY: On 1/23/2020 at about 0729 hrs, Deputy Kratz was notified by a passer-by of a W/F walking on Bougainville Dr. near the Publix waving a knife around. Upon checking the area, the female was located walking south on the sidewalk at the 4500 block Bougainville Drive. She advised that it was legal to carry and wave a knife around. The knife was located in her waistband concealed under her t-shirt. She advised that she was waving it around because she is an artist and that it symbolizes that all dogs should be treated like humans and that they should be released from their leashes. She stated that she had planned to cut any leash that she observed on a dog. Upon asking her where she lived, she stated that the earth was her home. She does have Bi-Polar Disorder and is abusing her meds per her boyfriend. For her safety and the safety of others, she was Baker Acted and transported to IPH for treatment.

CASE: 13-2001-000547
DATE/TIME: 01/19/20 @ 0049 hrs
LOCATION: 4312 Seagrape Drive
SUSPECT(S): Michael Slater WM 07/03/59
INCIDENT: Burglary Residence (**ARREST**)
SUMMARY: The victim had responded to his multi-unit property to lock the doors of the unoccupied apartments after a cleaning crew had left. Upon entering one of the units, the victim located the listed suspect lying on the couch and immediately called 911. Deputies responded and placed the suspect into custody without incident.

CASE: 13-2001-000764 (**ALPR**)
DATE/TIME: 1/26/2020 @ 1800 hrs
LOCATION: 275 Commercial Blvd.
ARREST: Joseph Stafford WM 03/14/81
INCIDENT: GTA/Burglary (City of Fort Lauderdale) Theft of Credit Cards (**ARREST**)
SUMMARY: Deputy Adam Yates had just arrived in the district to begin his shift when he received an ALPR alert for a stolen vehicle traveling southbound on Ocean Drive from Pompano Beach. Deputy Yates immediately responded to the area and located the reported stolen vehicle. The driver was immediately arrested without incident. During questioning by Detective Genovese, the arrestee provided a post Miranda, video recorded confession to burglarizing his sister's residence and stealing her Ford Explorer. The arrestee also confessed to burglarizing several vehicles over the past day and stealing credit cards from a mailbox in the Terra Mar residential neighborhood. The victim in Terra Mar was located and the suspect was additionally charged.

MONTHLY ARREST LOGS:

Leave Scene of Crash w/ Property Damage	4300	N Ocean Dr
Burglary Unoccupied Dwelling	2030	Coral Reef Dr
Burglary Unoccupied Dwelling	4312	Seagrape DR
Grand Theft of Motor Vehicle	4400	N Ocean Dr
Grand Theft of Motor Vehicle	4400	N Ocean Dr
Warrant - Drive Under the Influence/Drive While License Suspended	233	Commercial Blvd

CRIME STATISTICS:

CRIME	CURRENT MONTH	PRIOR MONTH	2019 YTD	2020 YTD
AUTO THEFT	2	0	1	2
BURGLARY-BUSINESS	0	0	0	0
BURGLARY-CONVEYANCE	0	1	1	0
BURGLARY-RESIDENCE	3	0	0	3
BURGLARY-STRUCTURE	0	0	0	0
FORCIBLE SEX	0	0	0	0
ARSON	0	0	0	0
ASSAULT-AGGRAVATED	0	0	0	0
HOMICIDE	0	0	0	0
ROBBERY	0	0	0	0
THEFT-GRAND	1	0	1	1
THEFT-PETIT	6	2	0	6
TOTALS	12	3	4	12

CITIZEN OBSERVER PATROL STATISTICAL SUMMARY:

COP Activity	Total
Number of Volunteers	32
COP Hours Worked - Month	353
COP Patrol Miles - Month	626
COP Hours Worked - YTD	353
COP Patrol Miles - YTD	626

COP Bike Patrol Hours - Month	32
COP Bike Patrol Hours - YTD	32

COP Beach Patrol Hours – Month	36.5
COP Beach Patrol Hours - YTD	36.5

RESERVE DEPUTY ASSISTANCE: Reserve Deputies are part-time, fully-sworn deputies who provide supplemental staffing to LBTS, when available, at NO cost to the Town.

	Month	2020 YTD
Reserve Deputy - Days Worked	7	7
Reserve Deputy - Hours Worked	62.25	62.25

MONTHLY STAFFING AND STATISTICAL REPORT:

The January 2020 Monthly Staffing and Statistical Report is attached.



Lauderdale by the Sea Monthly Activity January 2020

Reports/Calls	
Miscellaneous Service	
Event Reports	48
Accidents	17
Calls for Service	931

Traffic	
Types of Citation	
Non-Moving / Moving Citation	78
Parking	0
Warnings	109
Total Citations	187

Arrests	
Type of Arrest	
Felony	5
Misdemeanor	0
NTA	0
Capias/Warrant	1
Traffic	1
NIC (Felony)	1
NIC (DV Misdemeanor)	1
NIC (Misdemeanor)	2
DUI	0
Total Arrests	11

Time Worked	
Hours Worked	
Bike Patrol	19
Court Overtime	24
Training	154
Detached	63
Other Overtime	331.75
Days Worked	31

General	
FI	22
Truant	0
Truant Debriefed	0
Elder Link	1

Narrative	
ATV: 218 Miles / 44.5 Hours Reserve Deputy worked 7 shifts (62.25 hrs)	



MONTHLY STAFFING AND STATISTICAL REPORT LAUDERDALE-BY-THE-SEA DISTRICT

January 31st, 2020

CURRENT STAFFING ALLOCATIONS

Position	Budgeted Positions	Actual Positions	Vacant Positions
District Chief	1	1	
Executive Lieutenant	1	1	
Sergeant	3	3	
Deputy Sheriff	19	17	2
Community Service Aide	1	1	
Administrative Specialist	1	1	
Clerical Specialist (P/T)	2	1	1
TOTAL	28	25	3

PERSONNEL ON LIGHT DUTY, PROMOTED, TRANSFERRED, ETC.

Name	CCN	Status	Circumstances
Sergeant Eric Blevins	16798	D13 - Sergeant	Promotion
Deputy Larry Klarman	6308	Retired	Retired after 30 years of service

DETACHED PERSONNEL / LOCATION

Name	CCN	Detached to	Reason	Hours
Deputy Javier Barrios	16797	Regional Traffic Unit	LEO Funeral Escort	11
CSIA Giovanna Anderson	18512	Pompano Beach Dist.	MLK Parade	4
Detective Glen Genovese	13738	QRF	Adjunct Training	10
Detective Glen Genovese	13738	QRF	Adjunct Training	30
Deputy Patrick Fletcher	9472	Human Resources	Oral Interview Board	8
TOTAL				63



Town Commission Agenda Item Report

Meeting Date: February 11, 2020

Submitted by: Judson Hopping

Submitting Department: Public Safety

Item Type: Report

Agenda Section: PUBLIC SAFETY DISCUSSION

Subject Title:

VFD January 2020 Report (Chief Judson Hopping, VFD)

Explanation:

January 2020 VFD Report

Attachments:

1. January 2020 Report



Lauderdale-By-The-Sea Volunteer Fire Department

Overview

During the month of January 2020, the Volunteer Fire Department continued its focus on fire prevention for high-rise buildings and commercial properties. There were 22 fire inspections with no re-inspection and one complaint that is set up for a Special Master hearing in March.

Responses:

The Volunteer Fire Department responded to 38 fire rescue calls within the limits of our contract.

- Of the 38 fire rescue calls received, there were 11 fire alarms/2 structure fires, 1 fire investigation, 1 gas odor, 1 hazmat, 1 electrical, 1 beach fire, 8 elevator rescues, 3 accidents w/injuries, 4 open water rescues, and 5 "other" fires.
- There were 107 emergency medical 911 calls for January 2020. The department was dispatched to 11 of those calls, of which 1 was cleared or cancelled by the Chief on Duty or Med12. The department assisted Med12/212 on 10 of the medical calls.

Training:

The Volunteer Fire Department had 14 regular in-town members, and 35 associate out of town members for a total of 49 active members.

The fire department held 6 fire drills/1 orientation, 2 ocean rescue spotter classes, 13 fire inspections, 2 outside specialty training exercises, and held 9 public safety awareness demonstrations consisting of the following:

- 196 Hrs - Fire Fighter & Orientation for new candidates
- 132 Hrs - Ocean Rescue training
- 157.75 Hrs - Pre-planning Fire Inspections
- 125 Hrs - Outside Specialty Training @CSFA
- 11.5 Hrs - Kid Safe "Child Passenger Safety" for the public

A total of 622.25+ hours were spent in the month of January on training.

In closing, the Volunteer Fire Department will continue to improve and increase its members training, as required by ISO and established state training curriculums.

Respectfully,

Judson Hopping,
Fire Chief



Town of Lauderdale-By-The-Sea Fire Department Monthly Report January 2020

	Regular In-town	Associate Out of Town
Active Member	14	35
Fire 1 non-certified	3	0
Fire 1 Certified	1	0
Fire II Certified	10	35
CPR/1 st Responder	8	1
EMT-B (FL)	1	15
Paramedic (FL)	4	19

Emergency Calls

Fire/Rescue	38
Total Medical 911 calls	107
Medical calls V.F.D. Not Dispatched	96
Medical calls V.F.D. Dispatched	11
Medical calls Canceled by COD/M12	1
Medical calls V.F.D. Assisted	10

Training

622.25+ Total Hrs.

Firefighter training & Orientation	196 Hrs
Ocean Rescue training	132 Hrs
Pre-planning Fire Inspections	157.75 Hrs
Outside Specialty Training @CSFA	125 Hrs
Public Service: Car Seat Installation/Instruction	11.5 Hrs

Station Watch/Community Service

3,772.25+ Total Hrs.

Firefighter Station Watch hours	2,996.25+ Hrs
Ocean Rescue patrol	32 Hrs
Chief on Duty/Command	744 Hrs

LBTS Volunteer Fire Department - January 2020, Active Roster

Last Name	First Name	LBTS FF No.	Membership	Town Resident	Rank	Fire Cert	EMS Certification	MTD Calls	YTD Calls
Atkinson	Kevin	175765	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	3	12
Aubrey	Keith	163	Regular Member		Firefighter	Firefighter II	Paramedic (FL)	5	25
Bilicich	Andro	169909	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	9	23
Caldas	William	160812	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	8	22
Carlton	Ryan	186384	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	21	29
Chavez	Alexander	153544	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	1	15
Cowles	James	186248	Regular Member	*	Trainee	Trainee	CPR for healthcare provider	0	4
Dwyer	Michael	187475	Regular Member	*	Trainee	Trainee	CPR for healthcare provider	36	126
Edouard	Myriam	708	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	2	7
Fajkis	Ireneusz	7022	Associate Member		Firefighter	Firefighter II-D/E	Paramedic (FL)	0	3
Franceschini	Rafael	166674	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	8	23
Garcia	Alli	166036	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	6	17
Garcia	Natasha	178781	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	7	22
Gonzalez	Christopher	182178	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	3	7
Gonzalez	Rosemary	7005	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	6	14
Gray	Dontae	172460	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	3	12
Grunow	Samuel	186257	Regular Member	*	Trainee	Trainee		0	0
Hoelderlin	Logan	174642	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	7	18
Hopping	Judson	054	Regular Member		Fire Chief	Firefighter II - D/E	EMT-B (FL)	11	40
Johnson	Kenneth	123	Regular Member	*	Firefighter	Firefighter I	CPR for healthcare provider	34	117
Johnson	Scott	33742	Regular Member	*	Firefighter	Firefighter II-D/E - Officer I	Paramedic (FL)	10	36
Justice	Jennifer	171	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	3	11
Kane	Mark	155	Associate Member		Captain	Firefighter II-D/E - Officer I	EMT-B (FL)	14	40
Karley	Robert	101	Regular Member	*	Firefighter	Firefighter II - D/E	CPR for healthcare provider	23	23
King	Noah	174484	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	1	13
Levine	Eric	7012	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	4	11
Levy	Steven	163949	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	5	21
Lira	Jorge	179380	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	10	20
Louvaris	John	078	Regular Member		Deputy Chief	Firefighter II-D/E - Officer I	CPR for healthcare provider	30	111
Mangin	Andrew	735	Associate Member		Firefighter	Firefighter II - D/E	Paramedic (FL)	3	17
Marin	Christopher	173778	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	6	18
Martindale	Daniel	7009	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	2	17
Martinez	Luis	172813	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	5	25
McFarlane	Harrison	170230	Associate Member		Firefighter	Firefighter II	CPR for healthcare provider	3	9
MacKenzie	Jacquievas	7015	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	13	27

Last Name	First Name	LBTS FF No.	Membership	Town Resident	Rank	Fire Cert	EMS Certification	MTD Calls	YTD Calls
Miklosh	Joseph	7013	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	9	15
Obsaint	Antoinette	165334	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	7	28
Paine	Kyle	173	Regular Member		Firefighter	Firefighter II	EMT-B (FL)	10	43
Paine	Riley	704	Regular Member		Battallon Chief	Firefighter II-D/E - Officer I	Paramedic (FL)	31	83
Paine	Stephen	140	Regular Member		Fire Marshal	Firefighter II	CPR for healthcare provider	18	57
Scott, III	Kenneth	7011	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	3	12
Scriver	Ian	170350	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	1	9
Silverstone	James	25	Regular Member	*	Firefighter	Firefighter II	CPR for healthcare provider	24	80
St. Thomas	Jeffrey	176	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	2	23
Thomas	Scott	186073	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	15	21
Vogel	Richard	130	Regular Member		Firefighter	Firefighter II	Paramedic (FL)	6	38
Weisberg	Lee	6034	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	3	13
Woods	Devon	7018	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	6	18
Young	Alexa	6031	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	3	13

Monthly Activity Report - January 2020

Date	Fire/Rescue Calls	Event Description	Start Time	End Time	No. of FF
01-Jan-20	3800 North Ocean Drive	Elevator rescue	9:29:00 PM	9:55:00 PM	5
01-Jan-20	1981 W. Terra Mar Drive	Fire alarm	10:05:00 PM	10:17:00 PM	5
03-Jan-20	2 Commercial Blvd.	Open water drowning	11:30:00 AM	11:37:00 AM	9
03-Jan-20	5200 North Ocean Drive	Fire alarm	5:33:00 PM	6:03:00 PM	8
03-Jan-20	Belair/Windward	Gas odor	6:36:00 PM	7:03:00 PM	8
03-Jan-20	3900 North Ocean	Fire/smoke investigation	9:15:00 PM	9:32:00 PM	9
04-Jan-20	Commercial & Ocean	Accident w/injuries	4:46:00 PM	5:36:00 PM	10
07-Jan-20	4140 El Mar Drive	Fire alarm	11:30:00 AM		11
10-Jan-20	1800 South Ocean Blvd.	Other fire - welfare check	4:39:00 PM	4:54:00 PM	7
11-Jan-20	4500 El Mar Drive	Open water drowning	2:05:00 PM	2:26:00 PM	9
13-Jan-20	265 Commercial Blvd.	Fire alarm	8:17:00 AM	8:50:00 AM	13
13-Jan-20	4900 North Ocean Blvd.	Elevator rescue	8:49:00 PM	9:00:00 PM	9
14-Jan-20	5100 North Ocean Blvd.	Fire alarm	11:08:00 PM	10:23:00 PM	8
15-Jan-20	1770 South Ocean Blvd.	Elevator rescue	1:55:00 PM	2:10:00 PM	9
15-Jan-20	1 Commercial Blvd.	Other fire - pt on the beach	3:26:00 PM	4:08:00 PM	9
15-Jan-20	4540 North Ocean Blvd.	Elevator rescue	4:21:00 PM	4:54:00 PM	10
17-Jan-20	1430 South Ocean Blvd.	Fire alarm	11:43:00 AM	11:59:00 AM	11
17-Jan-20	4900 North Ocean Drive	Structure fire	2:07:00 PM	3:15:00 PM	10
17-Jan-20	1800 South Ocean Blvd.	Elevator rescue	11:58:00 PM	12:34:00 AM	9
18-Jan-20	Datura/Beach	Other fire - trash fire	9:00:00 AM	9:10:00 AM	13
19-Jan-20	4200 El Mar Drive	Open water rescue	1:35:00 PM	1:51:00 PM	9
19-Jan-20	1480 South Ocean Blvd.	Open water drowning	4:10:00 PM	4:18:00 PM	7
19-Jan-20	4660 El Mar Drive	Elevator rescue	4:13:00 PM	4:30:00 PM	7
19-Jan-20	1800 South Ocean Blvd.	Elevator rescue	4:19:00 PM	4:41:00 PM	7
20-Jan-20	285 Tropic Drive	Hazmat - fuel leak waterway	4:05:00 PM		9
20-Jan-20	1460 South Ocean Blvd.	Fire on the beach	5:57:00 PM	6:04:00 PM	9
21-Jan-20	258 S. Tradewinds Ave.	Other fire - A/C pvc pipe break	10:46:00 AM	11:00:00 AM	12
23-Jan-20	238 Hibiscus	Structure fire	11:40:00 AM	12:43:00 PM	15
24-Jan-20	4050 North Ocean Drive	Fire alarm	5:47:00 PM	6:04:00 PM	9
24-Jan-20	4050 North Ocean Drive	Fire alarm	6:18:00 PM	6:57:00 PM	9
26-Jan-20	Ocean Dr./Datura	Accident w/injuries	4:52:00 PM	5:02:00 PM	8
27-Jan-20	4013 North Ocean Drive	Elevator rescue	10:22:00 AM	10:32:00 AM	10
27-Jan-20	238 Hibiscus Avenue	Fire alarm	1:06:00 PM	1:37:00 PM	9
27-Jan-20	4504 Bougainville Drive	MVA/motorcycle	8:12:00 PM	8:58:00 PM	9
28-Jan-20	4660 North Ocean Drive	Fire alarm	10:11:00 AM	10:19:00 AM	12
28-Jan-20	5000 North Ocean Blvd.	Fire alarm	3:08:00 PM	3:35:00 PM	10
31-Jan-20	4140 North Ocean Drive	Electrical hazard	2:51:00 PM	4:17:00 PM	12
31-Jan-20	1 Commercial Blvd.	Other fire - pt on the beach	4:37:00 PM	5:31:00 PM	6

Total Calls 38

Date	1st Responder Calls	Event Description	Start Time	End Time	No. of FF
03-Jan-20	South Ocean Blvd.	medical, E12 assisted M12	11:56:00 AM	12:13:00 PM	10
06-Jan-20	North Ocean Blvd.	medical, E12 assisted M12	5:54:00 PM	6:52:00 PM	16
09-Jan-20	South Ocean Blvd.	medical, E12 assisted M12	9:50:00 AM	10:08:00 AM	7
09-Jan-20	Lombardy Avenue	medical, E12 cleared by M312	1:59:00 PM	2:55:00 PM	6
17-Jan-20	South Ocean Blvd.	medical, E12 assisted M212	8:08:00 AM	9:24:00 AM	6
19-Jan-20	South Ocean Blvd.	medical, E12 assisted M212	6:52:00 PM	8:24:00 PM	6
20-Jan-20	North Ocean Blvd.	medical, E12 assisted M12	11:34:00 PM	12:33:00 AM	6
21-Jan-20	North Ocean Drive	medical, E12 assisted M12	6:30:00 PM	6:44:00 PM	8
25-Jan-20	El Mar Drive	medical, OR12 assisted M12	12:07:00 PM	12:30:00 PM	8
26-Jan-20	Bombay Avenue	medical, E12 assisted M12	1:13:00 PM	2:06:00 PM	8
31-Jan-20	North Ocean Drive	medical, E12 assisted M12	1:18:00 PM	2:17:00 PM	9

Total Calls 11

Date	Public Service	Event Description	Start Time	End Time	No. of FF
04-Jan-20	Station 12	Installed a rearfacing car seat	10:00:00 AM	11:00:00 AM	1
08-Jan-20	Station 12	Installed (2) forward facing booster seats	2:00:00 PM	3:00:00 PM	1
10-Jan-20	Station 12	Installed a rearfacing car seat	3:30:00 PM	4:30:00 PM	1
11-Jan-20	Station 12	Fire prevention/education tour family from Canada	5:30:00 PM	6:00:00 PM	2
12-Jan-20	Station 12	Installed (2) rearfacing car seats	10:00:00 AM	11:00:00 AM	1
12-Jan-20	Station 12	Installed a rearfacing car seat	11:00:00 AM	12:30:00 PM	1
18-Jan-20	Station 12	Installed a rearfacing car seat	10:30:00 AM	11:30:00 AM	1
22-Jan-20	Station 12	Installed a rearfacing car seat	11:00:00 AM	12:00:00 PM	1
25-Jan-20	Station 12	Fire prevention/education tour	3:00:00 PM	3:30:00 PM	3
27-Jan-20	Tropic & Tradewind	Removed water boones from behind homes in canal	8:30:00 AM	10:00:00 AM	3
29-Jan-20	Station 12	Installed a forward facing car seat	11:00:00 AM	12:00:00 PM	1

Date	Drill/Training	Event Description	Start Time	End Time	No. of FF
02-Jan-20	1530 South Ocean Blvd.	Pre-planning fire inspection @Ocean East Condo	10:00:00 AM	11:30:00 AM	6
04-Jan-20	Station 12	Facility maintenance	9:00:00 AM	12:00:00 PM	7
06-Jan-20	1500 South Ocean Blvd.	Pre-planning fire inspection @Leisure Tower	10:00:00 AM	12:00:00 PM	6
06-Jan-20	CSFA	Live Fire training - highrise	5:00:00 PM	11:30:00 PM	10
07-Jan-20	4140 El Mar Drive	Pre-planning fire inspection @Sea Lord Motel	10:00:00 AM	12:15:00 PM	7
08-Jan-20	1620 South Ocean Blvd.	Pre-planning fire inspection @Ocean Colony Condo	10:00:00 AM	12:30:00 PM	7
08-Jan-20	Coral Springs Fire Academy	Live burn; highrise	5:00:00 PM	11:00:00 PM	10
09-Jan-20	4405 North Ocean Drive	Pre-planning fire inspection @7-Six store & A1A LLC	10:00:00 AM	11:30:00 AM	5
11-Jan-20	1131 N. 35th Avenue	Attended "Safe Kids Car Seat Event" @Joe DiMaggio Childrens Hospital	10:00:00 AM	1:00:00 PM	1
11-Jan-20	Station 12	Hose deployment/foam	9:00:00 AM	12:00:00 PM	5
13-Jan-20	4343 North Ocean	Pre-planning fire inspection @BurgerFi	10:00:00 AM	10:30:00 AM	6
14-Jan-20	1700 South Ocean Blvd.	Pre-planning fire inspection @Cristelle Condo	10:00:00 AM	12:30:00 PM	6
15-Jan-20	1480 South Ocean Blvd.	Pre-planning fire inspection @International Studios	10:00:00 AM	11:30:00 AM	7
16-Jan-20	4225 El Mar Drive	Pre-planning fire inspection @Bueno Vista	10:00:00 AM	11:30:00 AM	6
16-Jan-20	Station 12	Air consumption	6:00:00 PM	10:00:00 PM	5
18-Jan-20	Station/Beach	Ocean Rescue Spotter class; zone familiarization, SOP's, radio communications & rescue equipment	8:00:00 AM	12:00:00 PM	10
21-Jan-20	1460 South Ocean Blvd.	Pre-planning fire inspection @Europa By the Sea	10:00:00 AM	12:30:00 PM	7
22-Jan-20	2000 South Ocean Blvd.	Pre-planning fire inspection @Royal Coast Condo	10:00:00 AM	11:30:00 AM	5
23-Jan-20	1600 South Ocean Blvd.	Pre-planning fire inspection @Aquarezul Condo	10:00:00 AM	12:00:00 PM	7
23-Jan-20	Station 12	Air consumption	6:00:00 PM	10:00:00 PM	15
24-Jan-20	1480 South Ocean Blvd.	Pre-planning fire inspection @International Studio Apts	10:00:00 AM	11:30:00 AM	6
25-Jan-20	Station 12/Beach	Ocean Rescue Spotter class; zone familiarization, SOP's, radio communications & rescue equipment	8:00:00 AM	12:00:00 PM	23
27-Jan-20	Station 12	Air Consumption	6:00:00 PM	10:00:00 PM	9
28-Jan-20	4540 North Ocean Drive	Pre-planning fire inspection @Leisure Mar Condo	10:00:00 AM	11:30:00 AM	7
29-Jan-20	Admin Office	New class orientation	6:00:00 PM	10:00:00 PM	18
30-Jan-20	Station 12	Air Consumption	6:00:00 PM	10:00:00 PM	11

Date	Ocean Rescue Patrol	Event Description	Start Time	End Time	No. of FF
02-Jan-20	Beach	Ocean rescue patrol & trng	12:00:00 PM	2:00:00 PM	2
04-Jan-20	Beach	Ocean rescue patrol & trng	1:00:00 PM	5:00:00 PM	2
11-Jan-20	Beach	Ocean rescue patrol & trng	1:30:00 PM	5:30:00 PM	2
20-Jan-20	Beach	Ocean rescue patrol & trng	10:00:00 AM	1:00:00 PM	4

*Ocean Rescue patrol consist of checking poles/life rings, educating public on flags, rips currents & any fire related issued near or on the beach.

Unit Response Time 3- Month Average

Jan-20

Apparatus	Batt. Chief 12	Engine 12	Engine 212	Squirt 12
Call Count	38	46	11	6
Response Time	0:05:32	0:05:40	0:00:00	0:00:00

Total Average Response Time : 4:46

Dec-19

Apparatus	Batt. Chief 12	Engine 12	Engine 212	Squirt 12
Call Count	30	34	9	3
Response Time	0:05:07	0:05:37	0:00:00	0:00:00

Total Average Response Time : 4:44

Nov-19

Apparatus	Batt. Chief 12	Engine 12	Engine 212	Squirt 12
Call Count	29	32	9	8
Response Time	0:05:42	0:05:56	0:00:00	0:00:00

Total Average Response Time : 4:35



Town Commission Agenda Item Report

Meeting Date: February 11, 2020

Submitted by: Brooke Liddle

Submitting Department: Public Safety

Item Type: Report

Agenda Section: PUBLIC SAFETY DISCUSSION

Subject Title:

AMR January 2020 Report (Chief Brooke Liddle, AMR)

Explanation:

January 2020 AMR Report

Recommendation:

Accept/Approve

Attachments:

1. AMR 2020 January Report

Response Date	Address	Dispatched	Enroute	On Scene	Response Time
1/1/2020	4000 Blk N Ocean Dr	00:20:31	00:23:23	00:23:25	0:02:54
1/1/2020	5100 Blk N Ocean Blvd	12:01:53	12:03:06	12:05:21	0:03:28
1/2/2020	4500 Blk N Ocean Dr	17:35:28	17:36:01	17:37:33	0:02:05
1/3/2020	4500 Blk N Ocean Dr	01:56:14	01:56:30	01:58:51	0:02:37
1/3/2020	100 Blk Commercial Blvd	11:33:30	11:35:16	11:35:19	0:01:49
1/3/2020	1900 Blk S Ocean Blvd	15:28:50	15:29:22	15:31:24	0:02:34
1/4/2020	4300 Blk N Ocean Dr	00:57:58	00:58:12	01:00:43	0:02:45
1/4/2020	Commercial Blvd/N Ocean Dr	16:49:18	16:50:59	16:51:01	0:01:43
1/4/2020	100 Blk Commercial Blvd	20:36:57	20:37:30	20:39:40	0:02:43
1/6/2020	5200 Blk N Ocean Blvd	08:01:39	08:03:55	08:03:57	0:02:18
1/6/2020	4200 Blk El Mar Dr	09:25:37	09:28:33	09:28:39	0:03:02
1/6/2020	1900 Blk S Ocean Blvd	13:20:57	13:24:16	13:25:54	0:04:57
1/6/2020	4500 Blk Bougainvillea Dr	14:38:45	14:41:43	14:41:53	0:03:08
1/6/2020	6000 Blk N Ocean Blvd	17:56:29	17:56:55	17:59:12	0:02:43
1/7/2020	4400 Blk N Ocean Dr	21:22:30	21:23:12	21:24:43	0:02:13
1/8/2020	4600 Blk Poinciana St	09:33:06	09:33:44	09:35:24	0:02:18
1/8/2020	4400 Blk El Mar Dr	16:14:48	16:15:24	16:18:04	0:03:16
1/8/2020	4900 Blk N Ocean Blvd	17:41:57	17:43:31	17:43:34	0:01:37
1/8/2020	100 Blk Commercial Blvd	19:54:01	19:55:47	19:56:46	0:02:45
1/8/2020	4400 Blk El Mar Dr	22:35:16	22:37:46	22:37:49	0:02:33
1/8/2020	100 Blk Marine Ct	22:47:14	22:49:27	22:49:38	0:02:24
1/9/2020	4000 Blk N Ocean Dr	06:01:03	06:03:26	06:05:15	0:04:12
1/9/2020	4100 Blk Bougainvillea Dr	13:55:37	13:56:48	13:57:42	0:02:05
1/9/2020	100 Blk Commercial Blvd	15:32:11	15:32:56	15:34:45	0:02:34
1/9/2020	1800 Blk S Ocean Blvd	20:15:44	20:16:19	20:20:21	0:04:37
1/9/2020	1800 Blk S Ocean Blvd	23:11:24	23:13:16	23:15:58	0:04:34
1/10/2020	4900 Blk N Ocean Blvd	00:03:05	00:03:25	00:04:12	0:01:07
1/10/2020	1900 Blk S Ocean Blvd	09:52:58	09:53:05	09:54:33	0:01:35
1/10/2020	4000 Blk N Ocean Dr	19:29:37	19:30:34	19:33:28	0:03:51
1/11/2020	1700 Blk S Ocean Blvd	09:26:39	09:27:25	09:28:58	0:02:19
1/11/2020	4500 Blk El Mar Dr	14:06:14	14:09:23	14:10:45	0:04:31
1/11/2020	6000 Blk N Ocean Blvd	16:11:41	16:12:37	16:13:53	0:02:12
1/11/2020	100 Blk Sunset Ln	17:28:43	17:30:00	17:32:26	0:03:43
1/11/2020	4100 Blk Bougainvillea Dr	17:49:04	17:50:45	17:51:45	0:02:41
1/12/2020	4400 Blk El Mar Dr	17:04:13	17:05:07	17:08:13	0:04:00
1/13/2020	1700 Blk S Ocean Blvd	02:20:48	02:22:13	02:24:49	0:04:01
1/13/2020	4000 Blk N Ocean Dr	03:24:52	03:25:48	03:27:36	0:02:44
1/13/2020	200 Blk Commercial Blvd	08:19:55	08:20:00	08:23:17	0:03:22
1/13/2020	4500 Blk Poinciana St	12:15:48	12:17:48	12:18:13	0:02:25
1/13/2020	4400 Blk N Ocean Dr	21:52:36	21:53:24	21:54:58	0:02:22
1/14/2020	4600 Blk El Mar Dr	08:37:58	08:39:16	08:40:00	0:02:02
1/14/2020	4000 Blk N Ocean Dr	11:17:53	11:43:16	11:21:48	0:03:55
1/15/2020	4100 Blk Bougainvillea Dr	03:21:56	03:23:03	03:24:59	0:03:03
1/15/2020	100 Blk Commercial Blvd	15:27:10	15:28:14	15:30:22	0:03:12
1/15/2020	100 Blk Commercial Blvd	17:21:04	17:24:30	17:24:36	0:03:32
1/15/2020	4300 Blk N Ocean Dr	20:38:06	20:38:16	20:40:58	0:02:52
1/16/2020	4600 Blk Poinciana St	00:21:29	00:21:48	00:25:13	0:03:44
1/16/2020	4100 Blk N Ocean Dr	10:09:55	10:10:00	10:11:17	0:01:22
1/16/2020	200 Blk Algiers Ave	11:34:42	11:34:46	11:36:41	0:01:59
1/16/2020	4500 Blk El Mar Dr	13:13:49	13:18:38	13:18:41	0:04:52
1/16/2020	5100 Blk N Ocean Blvd	18:24:39	18:25:35	18:27:53	0:03:14
1/16/2020	1800 Blk S Ocean Blvd	20:30:33	20:31:19	20:34:57	0:04:24
1/17/2020	4400 Blk El Mar Dr	03:59:20	04:00:20	04:01:43	0:02:23
1/17/2020	4500 Blk N Ocean Dr	06:24:55	06:25:05	06:25:59	0:01:04
1/17/2020	1700 Blk S Ocean Blvd	08:08:40	08:09:50	08:12:00	0:03:20
1/17/2020	200 Blk Commercial Blvd	13:02:03	13:05:03	13:05:52	0:03:49
1/17/2020	4900 Blk N Ocean Blvd	14:09:14	14:09:29	14:12:20	0:03:06

1/17/2020	1600 Blk S Ocean Blvd	21:48:17	21:49:21	21:51:56	0:03:39
1/18/2020	100 Blk Datura Ave	09:01:00	09:02:46	09:06:10	0:05:10
1/18/2020	5000 Blk N Ocean Blvd	09:41:06	09:42:22	09:44:09	0:03:03
1/19/2020	100 Blk Sunset Ln	10:50:57	10:51:28	10:54:57	0:04:00
1/19/2020	El Mar Dr/Commercial Blvd	13:08:10	13:09:16	13:11:09	0:02:59
1/19/2020	5200 Blk N Ocean Blvd	15:42:09	15:43:15	15:45:20	0:03:11
1/19/2020	1900 Blk S Ocean Blvd	17:06:09	17:06:20	17:09:48	0:03:39
1/19/2020	1800 Blk S Ocean Blvd	18:44:17	18:44:54	18:47:06	0:02:49
1/19/2020	5100 Blk N Ocean Blvd	23:14:56	23:16:46	23:18:21	0:03:25
1/20/2020	5000 Blk N Ocean Blvd	09:36:39	09:38:20	09:39:29	0:02:50
1/20/2020	5200 Blk N Ocean Blvd	11:39:52	11:41:52	11:43:18	0:03:26
1/20/2020	200 blk Commercial Blvd	16:26:29	16:26:46	16:28:40	0:02:11
1/20/2020	1400 Blk S Ocean Blvd	17:59:09	18:00:10	18:04:20	0:05:11
1/20/2020	5500 Blk N Ocean Blvd	23:37:33	23:42:38	23:42:45	0:05:12
1/21/2020	3900 Blk N Ocean Dr	10:33:57	10:34:19	10:36:12	0:02:15
1/21/2020	1800 Blk S Ocean Blvd	13:45:53	13:46:17	13:48:34	0:02:41
1/21/2020	6000 Blk N Ocean Blvd	18:18:03	18:18:13	18:22:11	0:04:08
1/22/2020	4600 Blk El Mar Dr	02:51:36	02:51:43	02:53:54	0:02:18
1/22/2020	3900 Blk N Ocean Dr	07:13:29	07:13:42	07:15:50	0:02:21
1/22/2020	4600 Blk N Ocean Dr	21:10:24	21:10:27	21:13:12	0:02:48
1/23/2020	4200 Blk El Mar Dr	02:12:39	02:12:51	02:18:15	0:05:36
1/23/2020	4400 Blk N Ocean Dr	05:27:29	05:29:01	05:31:23	0:03:54
1/23/2020	200 Blk Hibiscus Ave	11:42:27	11:43:14	11:45:45	0:03:18
1/23/2020	6000 Blk N Ocean Blvd	23:19:10	23:19:44	23:23:27	0:04:17
1/24/2020	1300 Blk S Ocean Blvd	00:23:09	00:25:42	00:29:18	0:06:09
1/24/2020	4600 Blk Poinciana St	02:46:39	02:48:25	02:50:42	0:04:03
1/24/2020	4900 Blk N Ocean Blvd	12:07:37	12:08:38	12:10:43	0:03:06
1/24/2020	4400 Blk El Mar Dr	17:52:40	17:54:05	17:56:29	0:03:49
1/24/2020	4900 Blk N Ocean Blvd	18:18:09	18:19:08	18:20:55	0:02:46
1/25/2020	4600 Blk El Mar Dr	12:08:24	12:09:28	12:11:51	0:03:27
1/25/2020	6000 Blk N Ocean Blvd	14:55:34	14:56:18	14:59:02	0:03:28
1/26/2020	4300 Blk N Ocean Dr	03:10:25	03:11:59	03:13:42	0:03:17
1/26/2020	200 Blk Bombay Ave	13:16:25	13:17:04	13:18:58	0:02:33
1/26/2020	Datura Ave/N Ocean Dr	16:52:44	16:55:09	16:57:17	0:04:33
1/26/2020	4500 Blk Poinciana St	20:51:33	20:53:37	20:55:37	0:04:04
1/27/2020	5100 N Ocean Blvd	03:18:48	03:20:43	03:22:25	0:03:37
1/0/1900	4600 Blk El Mar Dr	09:38:43	09:40:35	09:41:49	0:03:06
1/27/2020	4400 Blk N Ocean Dr	15:57:16	15:57:34	15:58:57	0:01:41
1/27/2020	4200 Blk El Mar Dr	16:55:35	16:57:10	16:58:44	0:03:09
1/27/2020	4000 Blk Bougainvillea Dr	20:13:41	20:15:26	20:18:44	0:05:03
1/28/2020	1400 Blk S Ocean Blvd	08:54:58	08:55:58	08:57:59	0:03:01
1/28/2020	5100 Blk N Ocean Blvd	10:00:58	10:02:02	10:03:26	0:02:28
1/28/2020	4500 Blk Bougainvillea Dr	13:51:16	13:51:33	13:51:39	0:00:23
1/29/2020	4500 Blk Bougainvillea Dr	02:03:09	02:05:01	02:06:45	0:03:36
1/29/2020	2000 Blk S Ocean Blvd	09:57:36	09:57:53	10:00:42	0:03:06
1/29/2020	1400 Blk S Ocean Blvd	15:43:02	15:43:14	15:46:40	0:03:38
1/30/2020	2000 Blk S Ocean Blvd	06:16:48	06:17:00	06:19:34	0:02:46
1/30/2020	4200 Blk Seagrape Dr	17:59:07	17:59:19	18:02:54	0:03:47
1/31/2020	5000 Blk N Ocean Blvd	11:45:38	11:46:10	11:48:07	0:02:29
1/31/2020	5000 Blk N Ocean Blvd	13:17:45	13:19:38	13:20:54	0:03:09
1/31/2020	100 Blk Commercial Blvd	16:38:04	16:39:27	16:41:59	0:03:55
1/31/2020	1500 Blk S Ocean Blvd	22:58:35	22:58:41	23:03:36	0:05:01
6 Min or less = 99%				Average =	0:03:11



Town Commission Agenda Item Report

Meeting Date: February 11, 2020

Submitted by: Bill Vance

Submitting Department: Administration

Item Type: Report

Agenda Section: TOWN MANAGER REPORT

Subject Title:

Town Manager's Report (Bill Vance, Town Manager)

Explanation:

Pedestrian plan efforts were initiated in late January and the collection and review of pertinent data has begun. A community workshop will be one of the next significant steps prior to the development of the Draft plan and its presentation to the LBTS Planning and Zoning Commission in April-May time-frame.

Recommendation:

N/A



Town Commission Agenda Item Report

Meeting Date: February 11, 2020

Submitted by: Tedra Allen

Submitting Department: Administration

Item Type: Minutes

Agenda Section: APPROVAL OF MINUTES

Subject Title:

January 14, 2020 Town Commission Meeting Minutes (Tedra Allen, Town Clerk)

Explanation:

January 14, 2020 Town Commission Meeting Minutes

Recommendation:

Accept/Approve

Attachments:

1. January 14, 2020 Town Commission Meeting Minutes



**MEETING MINUTES
TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
REGULAR MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Tuesday, January 14, 2020
6:30 PM**

1. CALL TO ORDER

Mayor Chris Vincent called the meeting to order at 6:34 p.m. Also present were Vice Mayor Elliot Sokolow, Commissioner Edmund Malkoon, Commissioner Alfred “Buz” Oldaker, Commissioner Randy Strauss, Town Manager Bill Vance, Town Attorney Susan L. Trevarthen, Assistant to the Town Manager Neysa Herrera, Finance Director Lucila Lang, Municipal Services Director Ken Rubach, Development Services Director Linda Connors, 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

Pauline Brooks McGuinness gave the Invocation.

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

Mayor Vincent advised that Agenda Items 11c and 17b would be deferred at Staff’s request.

Town Manager Bill Vance explained that Item 17b, which is a Resolution addressing the proposed dog beach, is being deferred because a vote would be premature at this time. There is additional work that must be done to create a new Ordinance on this topic. He noted, however, that there were individuals present in the audience who wished to provide feedback on this topic.

At this time Mayor Vincent opened public comment on the subject of a dog beach.

Lizzie Mack, resident, spoke in favor of creating a dog beach, and proposed a fenced dog park. She reviewed the benefits of a dog beach/dog park, including multigenerational recreation and social interaction.

Jeffrey Yocom, resident, also spoke in favor of a dog park or beach. He recommended that an area south of the Washington Avenue portal be converted to a dog beach and open before 9 a.m. and after 4 p.m.

Summer Goldstein, resident, was also in favor of a dog beach, and requested that the Commission consider evening hours during the trial period.

George Hagstoz, resident, spoke in favor of a dog beach and felt owners would self-police regarding cleanup.

Richard Felago, resident, stated he was opposed to a dog beach, as not all pets are well-behaved in public.

George Herrera, resident, also spoke against a dog beach. He did not believe owners would clean up after their pets.

Denise Patreghani, resident, spoke in favor of a dog park, and pointed out that dogs are already on the beach in non-designated areas.

Dr. Pam Herrera, resident, opposed a dog beach for reasons related to infection control, as dog waste is an environmental pollutant.

Ron Piersante, resident, also opposed to a dog beach due to health concerns. He felt it would be difficult to regulate this type of facility and was in favor of a fenced dog park.

Deborah London, resident, stated that a pet-friendly environment would increase property values, and added that she visits dog beaches in other towns.

Dorothy Perrotta, was not in favor of a dog beach due to health and noise concerns. She pointed out that dogs could disturb sea turtle nesting sites on the beach.

Kim Birch, resident, also opposed a dog beach and expressed concern with the health issues that could be created by dog waste. She was also concerned with the proposed location near the former Holiday Inn property.

Steven (last name inaudible), resident, opposed the dog beach, as it would add no value to local properties or the community at large.

Karen Fontano, resident, opposed the dog beach at the currently proposed location, and expressed concern with potential health issues related to dog waste.

Mark Goldstein, resident, suggested that an enclosed park area would be better for dogs.

Bobbie Kelly, resident, felt creating a dog beach would be inconsistent with the Town's Ordinances addressing single-use plastic and protecting sea turtle nesting sites.

Melissa Patucci, resident, stated that she was in favor of an enclosed area for dogs, as well as assurance that dogs allowed in the area must be vaccinated.

With no other individuals wishing to speak at this time, Mayor Vincent closed public comment. He reiterated that the Item was deferred from tonight's Agenda.

Commissioner Strauss advised that he has spoken to several residents regarding the potential creation of a dog beach. He noted that a pilot program with restrictive rules regarding location, hours, and time frame could help determine if a dog beach is in the best interest of the Town. The proposed regulations would require dogs on the beach to be controlled and would limit hours of operation from 6 a.m. to 10 a.m. in a restricted location. Owners must obtain permits for dogs using the beach and clean up after their pets as necessary. Dogs would not be allowed in protected areas where sea turtle nests are located.

Commissioner Strauss continued that a pilot program for a dog beach is proposed from February 1, 2020 until September 30, 2020. If rules are violated, the area would be shut down. He pointed out that dogs currently on the beach may be service animals, which may not be prohibited. He also felt that dog owners would police themselves regarding cleanup and other potential concerns on a dog beach.

Vice Mayor Sokolow stated that further discussion of an Item that has been pulled from the Agenda is not appropriate.

Mayor Vincent read an email from individuals who were opposed to a dog beach, as they were concerned with the possibility of nuisances, waste, and dog bites.

5. PRESENTATIONS

None.

6. PUBLIC COMMENTS

At this time Mayor Vincent opened public comment.

Barbara Cole, resident, addressed the Town's beach management plans, stating that multiple entities, departments, and consultants should walk the beach to determine how it is best maintained and protected.

John Graziano, resident, thanked the Town Commission for opposing state legislation that would eliminate the Town's vacation rental regulations. He requested that the Town's legal team continue to oppose legislation that would limit home rule.

Charles Mangano, resident, addressed Agenda Item 11a, explaining that he was informed by the Florida Department of Transportation (FDOT) that a crosswalk could not be constructed in proximity to his property or to another nearby crosswalk.

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

7. PUBLIC SAFETY DISCUSSION

7.a VFD December 2019 Report (Chief Judson Hopping)

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

7.b AMR December 2019 Report (Chief Brooke Liddle)

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

7.c BSO December 2019 Report (Captain Thomas Palmer)

Mayor Vincent thanked Broward Sheriff's Office (BSO) Staff and additional security personnel for their assistance with the Town's New Year's Eve event.

Commissioner Oldaker noted that the Town's license plate reader (LPR) cameras are often a contributing factor to the solution of crimes. Captain Thomas Palmer of BSO

advised that this information can be accessed at the regional level, and the Town shares information with other nearby cities such as Pompano Beach.

Captain Palmer added that in recent weeks there has been an increase in reports of attempted scams, including Internal Revenue Service (IRS) scams. He encouraged individuals who suspect fraud to contact BSO.

Commissioner Malkoon addressed the presence of homeless individuals near the Palm Avenue portal. Captain Palmer replied that this issue is being monitored. He noted that while services and assistance are offered to these individuals, homelessness is not a crime in and of itself.

Commissioner Strauss requested an update on Safer Watch. Captain Palmer explained that this is a mobile app that allows individuals to report crimes. It is monitored by BSO's dispatch center and can upload photos or video. The app is not intended for use in emergencies.

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

8. TOWN MANAGER REPORT

8.a Town Manager Report (Bill Vance, Town Manager)

Town Manager Vance recognized Assistant to the Town Manager Neysa Herrera and Information Technology (IT) Administrator/Public Information Officer Steve d'Oliveira for their work on communications equipment improvements, including new phones and microphones.

The Town Manager and Municipal Services Director are seeking to develop a five-year Beach Re-nourishment and Maintenance Plan, which will be proposed at the January 28, 2020 meeting.

The El Mar Drive project continues to move forward, with a Request for Qualifications (RFQ) advertised beginning January 9, 2020. Public input throughout 2020 will be a key aspect of this project.

The Lauderdale-By-The-Sea Chamber of Commerce is in the process of establishing a Town representative to actively support their efforts. Town Manager Vance emphasized the importance of a positive working relationship between the Chamber and the Town.

The Development Services Department, in conjunction with Broward County Transportation officials, hopes to expedite efforts to construct numerous bus shelters in the Town throughout 2020 and 2021. They are pursuing assistance with resources for this project, including the possibility of using Broward County transportation surtax revenue.

Arbor Day will be celebrated on Friday, January 17, 2020 at 10 a.m. in front of Town Hall. The Town is pursuing designation as a Tree City, USA by the National Arbor Day Foundation. Municipal Services Director Ken Rubach is working with the Friedt Park Advisory Group to coordinate revitalization proposals associated with improvements to this park. Informal discussions of a confined dog park are included in this process.

Mayor Vincent noted that the Town understands its responsibilities for Code enforcement regarding beach maintenance and re-nourishment. He emphasized the importance of communication between all agencies involved in the maintenance process.

Mayor Vincent requested more information on the Chamber of Commerce's *ex officio* position for a Town representative on its Board of Directors. Ann Marchetti, representing the Chamber of Commerce, explained that several Chambers throughout the nation work cooperatively with the towns in which they operate. They plan to further discuss this concept.

Commissioner Malkoon requested an update on the closure of the qualifying period for the March 2020 elections. Town Clerk Tedra Allen advised that three seats are up for reelection in 2020: the Mayor, Seat 3 (occupied by Commissioner Malkoon) and Seat 4 (occupied by Commissioner Oldaker). Because the Commissioners are unopposed, they will not participate in the election process. Mayor Vincent and resident John Graziano will each run for the position of Mayor.

8.b CIP Updates (Bill Vance, Town Manager)

Commissioner Malkoon also requested an update on the pier. Town Manager Vance replied that he has discussed options with Development Services Director Linda Connors to support and expedite completion of this project. Approximately 20 of 45 pylons have been restored or replaced thus far.

Commissioner Strauss recalled that he had requested information on the state of the Town's sewer infrastructure. Town Manager Vance advised that he has met with management representatives and utility leaders in Pompano Beach regarding a significant increase in rates, which will be passed on to sewer customers in Lauderdale-By-The-Sea. It was noted that the Town's investments in lining their sewer system has provided significant dividends, with low infiltration and inflow in the system.

Commissioner Oldaker asked if the Town is permitted input on the design of Broward County bus shelters. Town Manager Vance confirmed that the Town is actively involved in this process. Planner Susan Leven will serve as the contact person for Broward County.

8.c Action Plan (Bill Vance, Town Manager)

Town Manager Vance explained that he is still working with Department Heads on the Action Plan, with a deadline of January 15, 2020.

9. TOWN ATTORNEY REPORT

None.

10. APPROVAL OF MINUTES

10.a December 10, 2019 Commission Workshop Minutes

10.b December 10, 2019 Town Commission Meeting Minutes

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

11. CONSENT AGENDA

11.a Granting an Easement to the Florida Department of Transportation ("FDOT") in association with the Installation of a Crosswalk at A1A / N Ocean Drive and Hibiscus Avenue (Ken Rubach, Municipal Services Director)

Municipal Services Director Ken Rubach addressed the concerns raised by Mr. Mangano during Public Comment regarding the crosswalk proposed for A1A/N Ocean Drive and

Hibiscus Avenue, south of the Chamber of Commerce building and providing access to and from the beach.

Vice Mayor Sokolow made a motion, seconded by Commissioner Oldaker, to approve 11a. Motion carried 5-0.

11.b Approving Piggyback Agreement for Licensed Electrical Contract with Kilowatt Company (Ken Rubach, Municipal Services Director)

Vice Mayor Sokolow made a motion, seconded by Commissioner Oldaker, to approve 11b. Motion carried 5-0.

11.c ADA Sidewalk Compliance Study (Ken Rubach, Municipal Services Director)

Item 11c was withdrawn at Staff's request.

12. OLD BUSINESS

12.a Census Update (Linda Connors, Development Services Director)

Development Services Director Linda Connors advised that Development Services Staff, led by Planner Jhanelle Campbell, is working with Broward County on the upcoming 2020 U.S. Census. The Town has established a Complete Count Committee, which has met for the past three months. She strongly emphasized the importance of counting as many individuals as possible. Residents who are present in April, when the census process begins, are encouraged to complete their census information in Lauderdale-By-The-Sea.

13. NEW BUSINESS

13.a Sewer Rates (Bill Vance, Town Manager / Lucila Lang, Finance Director / Ken Rubach, Municipal Services Director)

Town Manager Vance advised that because there is no wastewater treatment plant in Lauderdale-By-The-Sea, the city of Pompano Beach permits the Town's wastewater to travel through its system to reach the County's treatment plant. In December 2019, the Town received a letter informing them that their sewer rate increases from Broward County will be passed on to Lauderdale-By-The-Sea, increasing the flat rate by approximately 25%. The typical monthly payment of roughly \$26,000 will increase to

\$33,000. Sewer volume costs will also increase. These increases were a result of new management at the Broward County wastewater treatment plant.

Town Manager Vance stated that Town Staff, including Finance Director Lucila Lang and Municipal Services Director Rubach, reviewed current rates and arrived at an across-the-board proposal to increase sewer rates by 15%, which would result in projected revenues of approximately \$33,000 more than the Town will need to pay Pompano Beach to cover their increased treatment costs. Two public hearings are scheduled in February 2020 to discuss the 15% sewer rate increase.

Town Manager Vance continued that the Town is working closely with both Fort Lauderdale and Pompano Beach to make \$500,000 worth of water meter improvements in order to activate a 16 in. water line that extends through the Town.

Finance Director Lucila Lang noted that residents will receive notice that sewer rates will increase, and will be informed of the two hearings scheduled for February 2020. The average cost per residential household will be approximately \$9. These increased revenues will begin in April 2020. From that month forward, the Town will be able to exceed the amount budgeted for service by roughly \$33,000.

13.b Application for Relief of Code Enforcement Lien at 4312 Seagrape Drive (Code Case 17-110014) (Linda Connors, Development Services Director)

Development Services Director Connors stated that 4312 Seagrape Drive is a five-unit multi-family residential property. A notice of violation for work without a permit was issued in November 2017. After several extensions were granted by the Special Magistrate, the property came into compliance in November 2019. There are \$56,100 in liens on the property. The Applicant is requesting that these fines be reduced by 95% and has offered a settlement of \$2805.

Certain criteria are used by the Town to analyze mitigation, including:

- Nature and gravity of the violation
- Action taken to correct the violation

The property came into compliance 561 days after a second extension was granted by the Special Magistrate and a total of 652 days from the date of the original notice of violation. The permit cost the Applicant approximately \$1100. The Applicant expended

roughly \$60,000 in costs by hiring a new contractor who had to redo most of the work. The permit was applied for in March 2018 but not issued until July 2018.

R.D. Lottie, Applicant, asserted that he took full responsibility for the issue. He was unaware of the Code violation for some time, as he was in and out of town and could not check his mail regularly. The original contractor did not perform the work correctly, including failure to secure permits in a timely manner.

Mayor Vincent asked if Mr. Lottie had been required to pull permits for work on investment properties prior to this incident. Mr. Lottie replied that work done on his other properties was minor and had not necessitated permits.

Vice Mayor Sokolow commented that because the fine is significantly more than the cost of the project, he was willing to consider mitigation of up to 90%. Development Services Director Connors further clarified that the notices sent to Mr. Lottie's address were returned. Mr. Lottie replied that while a certified letter had been sent to his home address, he was not in town to sign for its receipt.

Development Services Director Connors advised that Staff recently received complaints from neighbors of the property that construction material was left in the subject property's side yard; however, this was addressed immediately.

Vice Mayor Sokolow made a motion, seconded by Commissioner Oldaker, for a 90% reduction of the lien to \$5610 within 30 days. Motion carried 4-1 (Commissioner Malkoon dissenting).

13.c Letter requesting Broward County to fund the ADA improvements to the bus stops and sidewalks at Town Intersections through the Transportation Surtax Program (Bill Vance, Town Manager)

Town Manager Vance stated that this Item reflects the Town's continued pursuit of transportation surtax funding for bus shelters. He recognized Assistant to the Town Manager Neysa Herrera for her diligence in seeking these funds. As shelters and stops are added or enhanced, they will also be brought into compliance with the Americans with Disabilities Act (ADA).

The Commissioners approved the Item by unanimous consensus.

**13.d Future Charter Questions for the November 2020 Election
(Commissioner Malkoon)**

Commissioner Malkoon explained that while it is too late to add any Charter Amendments to the March 2020 elections, it is still possible to place them on the November 2020 ballot. This proposed Amendment would honor the right for a purchaser to construct new development to the current five-story height if an existing structure is demolished.

Town Attorney Susan Trevarthen advised that the Town's Charter currently requires construction to begin within six to 12 months following site plan approval. The Item proposed by Commissioner Malkoon would remove this time constraint and allow nonconformity to remain in place regardless of the delay between demolition and new construction.

To proceed with a Charter Amendment, the Town would need to draft an Ordinance and bring it before the Town Commission for first and second reading with public hearings. This information would then be sent to the Supervisor of Elections for inclusion on the November 2020 ballot.

The Commissioners discussed the proposal further, with Commissioner Strauss requesting clarification of whether the Commission could continue to vote for extensions for the subject property or if the number of extensions is limited. Town Attorney Trevarthen noted that the current Charter language allows the Commission to grant "one or more six-month extensions" to the time period. There is no maximum number of extensions.

Town Attorney Trevarthen continued that the proposal brought forward by Commissioner Malkoon applies to the two gateway properties on El Mar Drive, as they currently include structures that exceed the height limit and are situated in proximity to one another.

Commissioner Malkoon stated that he had received emails proposing other Charter Amendments. Information on these items is included in the backup materials, and these items could be placed on the November 2020 ballot as well.

Mayor Vincent requested Town Attorney Trevarthen's opinion on the proposal. Town Attorney Trevarthen replied that the current Charter requirement(s) may have been drafted out of a desire to prevent the redevelopment process from being completely open-ended. There are different potential approaches to the Amendment, including removal of the time limit altogether or replacing the existing limit with a longer time period.

Vice Mayor Sokolow observed that the proposed Amendment could result in the possibility of more buildings over three stories in height on the northern end of the Town. Town Attorney Trevarthen advised that if the Commission wishes to pursue the proposed Amendment, she will work to keep its parameters as narrow as possible in keeping with Commissioner Malkoon's suggestion.

The Commissioners agreed by consensus to explore the possibility of the Charter Amendment by directing the Town Attorney to draft the subject Ordinance and hearing it presented before the public.

13.e Neighborhood Lighting (Commissioner Malkoon)

Commissioner Malkoon recalled that several public comments in the past have raised the issue of neighborhood lighting. While temporary solutions have been implemented in some areas, he recommended pursuing a formal neighborhood lighting plan.

Commissioner Oldaker noted that there has been resistance in some neighborhoods to increased lighting. Mayor Vincent emphasized the importance of communication with residents who would be affected by the proposed plan. Municipal Services Director Rubach advised that while no studies or surveys have been done thus far, the Town could gather this information. Commissioner Malkoon noted that there has been no professional lighting plan to show to neighborhood associations in the past.

Town Manager Vance stated that he and Municipal Services Director Rubach would be working closely with FDOT and Florida Power and Light (FPL) on commercial lighting enhancements on Ocean Drive, Commercial Boulevard, and other locations.

13.f Historic Anglin Home (Commissioner Malkoon)

Commissioner Malkoon commented that the Anglin family home on North Ocean Drive is currently on the market. The Commissioners' backup materials include files from the state of Florida which recognize the home as a historic property. Before the Town adopted a Historic Preservation Ordinance, the property was under preliminary site approval for historic designation. The property owner is aware that this Item is on tonight's Commission Agenda, and the realtor for the property has indicated that they would prefer the Town consider purchasing the building.

Town Attorney Trevarthen advised that the Town's purchasing manual includes a process for the acquisition of property. Requirements include obtaining appraisals and providing public notice.

Commissioner Malkoon further clarified that the subject property includes three lots, including one vacant lot, the house itself, and a lot south of the house with a wooden structure.

Mayor Vincent requested additional information on the issue of historic preservation within Lauderdale-By-The-Sea. Development Services Director Connors replied that the Town has jurisdiction over historic preservation. Broward County is moving forward with an Ordinance that would allow it to preempt local jurisdiction unless a community becomes a Broward Certified Local Government (CLG).

For a property to be designated as historic, an applicant must submit a report stating why it is historic. The Town's Historic Preservation Board, which is also the Town's Board of Adjustment, then makes a recommendation, and the property comes before the Commission for final deliberation. Alternatively, the County could designate a property as historic without requiring an application to the Town. Lauderdale-By-The-Sea would need to become a CLG in order to preserve home rule on this issue.

It was suggested that Staff look further into the possibility of purchasing the Anglin property. Vice Mayor Sokolow cautioned that there are significant costs involved in this process, including the cost of appraisal as well as legal fees. Commissioner Malkoon noted that the Anglin family may be waiting to hear the Town's response before deciding about the disposition of the property.

Development Services Director Connors advised that a building with a historic designation in the National Register is not protected from demolition. Buildings with historic designations at the County or municipal level, however, must typically meet certain criteria before they may be demolished. She concluded that it would not be impossible for a purchaser to demolish the Anglin home if they wished.

Commissioner Oldaker pointed out that the Town has multiple major projects on the horizon, including the El Mar Drive, Terra Mar Island, Fire Department, and Palm Club projects, which are likely to be costly.

There was no consensus to take steps toward the purchase of the Anglin property currently.

14. COMMISSIONER COMMENTS

Vice Mayor Sokolow, Commissioner Strauss, and Mayor Vincent congratulated Commissioners Malkoon and Oldaker on their reelection to the Town Commission.

Commissioner Oldaker recognized the work of public safety personnel in making the Town a safe and pleasant environment.

Commissioner Strauss reminded all present to exclude glass from their recyclable materials. He also noted that the Hillsboro Inlet District has rebuilt its south jetty at a cost of roughly \$1.8 million, with great success.

15. ORDINANCES 1ST READING

15.a Ordinance 2020-02 – AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 17, “STREETS, SIDEWALKS AND OTHER PUBLIC PLACES,” ARTICLE VI, “SIDEWALK CAFÉS,” TO MODIFY APPLICATION, PERMIT, LICENSE, AND OPERATION REGULATIONS RELATED TO SIDEWALK CAFÉS AND TO REORGANIZE THE ARTICLE TO STREAMLINE AND IMPROVE FUNCTIONALITY; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE (Linda Connors, Development Services Director)

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

Development Services Director Connors recalled that in May 2019, a public workshop was held to discuss various Downtown issues, including regulation of sidewalk cafés under the current Ordinance. Since that time, the Town Attorney and Development Services Director have worked to reorganize these regulations, incorporating some of the policies and procedures discussed at that workshop.

The Ordinance was reorganized to make it easier to read, which included deletion of existing regulations. Another change was the addition of standards previously regulated as policies. These policies are now being incorporated into Code. They include the following:

- Size and sidewalk distance requirements for umbrellas

- Prohibition of tents and canopies in a sidewalk café area
- Establishing buffer zones from landscaping
- Establishing a pedestrian path of 7.5 ft. on Commercial Boulevard east of A1A and 5 ft. in other areas
- Establishing density at one person per 10 sq. ft. of sidewalk café area

The Ordinance also deletes the following Code provisions:

- Reference to an additional fee no longer charged by the Town
- Prohibition against fixed furniture

Definitions were amended and added for clarity, and procedures and requirements were added for both review of applications and response of applicant to staff in a timely manner. Fire Department review is required to ensure safe ingress/egress to buildings.

Another topic discussed at the 2019 workshop was music. Ordinance 2020-02 prohibits live or amplified music in the sidewalk café area and requires that speakers projecting onto the sidewalk café to be turned inward. The Ordinance prohibits the tying of lights or other decorations onto Town property, including trees and landscaping. Storage is allowed on the sidewalk in a neat and orderly manner, with tables and chairs to be secured within a set time frame.

This Ordinance was presented to the Planning and Zoning Board in December 2019 and was unanimously approved.

The Commissioners discussed the Item, with Commissioner Oldaker asking if most businesses have their own audio infrastructure for music that would be subject to the new Ordinance. Development Services Director Connors replied that the Ordinance was sent to the Chamber of Commerce as well as the owners of businesses with sidewalk cafés, but no feedback was received. Town Manager Vance added that he was not aware of any locations in which speakers were pointed away from the business itself.

Development Services Director Connors continued that she had received one response to the Ordinance from a business, but the individual had not expressed concern.

Commissioner Strauss advised that his concern was for inadvertent violations, such as businesses with speakers beneath their eaves. Development Services Director Connors stated that Staff would review the Ordinance to determine if this could be further clarified.

Mayor Vincent commented that he would like to see the size of sidewalk café umbrellas limited to 9 ft. rather than 8.5 ft., as most umbrellas available for purchase are within a range of 8 to 9 ft. Development Services Director Connors explained that the Town hoped to encourage use of smaller umbrellas to maintain the ambience of the area as well as consistency. She felt 8.5 ft. was as large a size as the area could accommodate.

Vice Mayor Sokolow made a motion, seconded by Commissioner Malkoon, to approve the Ordinance on first reading as written. Motion carried 4-1 (Mayor Vincent dissenting).

15.b Ordinance 2020-01 – AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 30, “UNIFIED LAND DEVELOPMENT REGULATIONS,” ARTICLE V, “ZONING,” DIVISION 2, “DISTRICTS,” SUBDIVISION L, “B-1-A DISTRICT REGULATIONS,” AND SUBDIVISION M, “B-1 DISTRICT REGULATIONS,” TO MODIFY REGULATIONS AND STANDARDS RELATED TO OUTSIDE SEATING FOR RESTAURANTS ON PRIVATE PROPERTY, OTHER THAN A SIDEWALK; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE (Linda Connors, Development Services Director)

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

Development Services Director Connors advised that this Ordinance is a companion Item to the regulation of sidewalk cafés, although it refers to regulations for outside dining on private rather than public property. These regulations were made consistent with those of Ordinance 2020-02. The Planning and Zoning Board voted unanimously to approve the Item as written.

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

16. ORDINANCES 2ND READING

16.a Ordinance 2019-11 – AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, GRANTING TO PEOPLE’S GAS SYSTEM, A DIVISION OF TAMPA ELECTRIC COMPANY, A

FLORIDA CORPORATION, A NONEXCLUSIVE FRANCHISE IN THE TOWN OF LAUDERDALE-BY-THE-SEA; AUTHORIZING PEOPLE'S GAS SYSTEM TO USE THE PUBLIC RIGHTS-OF-WAY AND STREETS OF THE TOWN, FOR THE PURPOSE OF CONSTRUCTING, MAINTAINING, OPERATING, AND EXTENDING GAS LINES IN THE STREETS AND PUBLIC PLACES OF SAID TOWN; PROVIDING FOR A FRANCHISE FEE; PROVIDING FOR TERMS AND CONDITIONS OF SUCH GRANT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE (Bill Vance, Town Manager)

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

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

17. RESOLUTIONS – PUBLIC COMMENTS

17.a Resolution 2020-01 – A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING A GRANT AGREEMENT FOR THE FUNDING OF \$18,507.00 THROUGH THE BROWARD COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR FISCAL YEAR 2019 / 2020 FOR THE SENIOR CENTER ACTIVITIES PROGRAM; AUTHORIZING AND DIRECTING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE THE GRANT AGREEMENT; AUTHORIZING THE EXPENDITURE OF TOWN MATCHING FUNDS IN THE AMOUNT OF \$55,623.00 TO COVER THE REMAINING COSTS OF THE PROGRAM; PROVIDING FOR CONFLICT, SEVERABILITY, AND FOR AN EFFECTIVE DATE (Lucila Lang, Finance Director)

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

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

- 17.b Resolution 2020-04 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, ESTABLISHING A LIMITED SUSPENSION OF ITS ENFORCEMENT OF THE PROHIBITION AGAINST DOGS ON THE BEACH AS SPECIFIED HEREIN, WHILE CONSIDERING OPTIONS FOR LEGALIZATION; ESTABLISHING THE SCOPE OF THE TRIAL DOG BEACH AND AUTHORIZING TOWN STAFF TO REFRAIN FROM REINFORCING AGAINST CONDUCT THAT CONFORMS WITH THIS RESOLUTION; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE (Neysa Herrera, Assistant to the Town Manager)**

Item 17b was withdrawn at Staff's request.

- 17.c Resolution 2020-05 – A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, URGING THE FLORIDA LEGISLATURE AND THE FLORIDA GOVERNOR TO OPPOSE LEGISLATIVE CHANGES PROHIBITING THE LOCAL REGULATION OF VACATION RENTALS; PROVIDING DIRECTION TO TOWN OFFICIALS; PROVIDING FOR AN EFFECTIVE DATE**

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

Commissioner Oldaker explained that he had placed this Item on the Agenda in response to the state's attempts to override home rule and prevent local regulation of vacation rental properties. He noted that the subject bill has passed Committee in the Florida Legislature and has advanced to the Senate.

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

18. QUASI JUDICIAL PUBLIC HEARINGS

None.

19. ADJOURNMENT

With no other business to come before the Commission at this time, the meeting was adjourned at 9:40 p.m.

Lauderdale-By-The-Sea
Regular Town Commission Meeting
January 14, 2020

Mayor Chris Vincent

ATTEST:

Town Clerk Tedra Allen

Date



Town Commission Agenda Item Report

Meeting Date: February 11, 2020

Submitted by: Tedra Allen

Submitting Department: Administration

Item Type: Minutes

Agenda Section: APPROVAL OF MINUTES

Subject Title:

January 28, 2020 Town Commission Meeting Minutes (Tedra Allen, Town Clerk)

Explanation:

January 28, 2020 Town Commission Meeting Minutes

Recommendation:

Accept/Approve

Attachments:

1. January 28, 2020 Town Commission Meeting Minutes

**MEETING MINUTES
TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
REGULAR MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Tuesday, January 28, 2020
6:30 PM**

1. CALL TO ORDER

Mayor Chris Vincent called the meeting to order at 6:31 p.m. Also present were Vice Mayor Elliot Sokolow, Commissioner Edmund Malkoon, Commissioner Alfred “Buz” Oldaker, Commissioner Randy Strauss, Town Manager Bill Vance, Town Attorney Susan L. Trevarthen, Assistant to the Town Manager Neysa Herrera, Finance Director Lucila Lang, Municipal Services Director Ken Rubach, Development Services Director Linda Connors, Public Information Officer Steve d’Oliveira, and Town Clerk Tedra Allen.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION

Pauline Brooks McGuinness gave the Invocation.

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

None.

5. PRESENTATIONS

5.a Proclamation Presentation for Armilio Bien-Aime (Steve d’Oliveira, Public Information Officer)

Mayor Vincent read a Proclamation honoring Armilio Bien-Aime for over 21 years of service to the Town as Director of the Community Center.

5.b Citizens Observer Patrol (COP) Annual Awards and Promotions (Captain Thomas Palmer, BSO)

Broward Sheriff’s Office (BSO) Captain Thomas Palmer recognized participants in the Citizens Observer Patrol (COP) program, who serve as volunteers to assist with public

safety. He presented service awards to COP members and recognized promotions in rank.

6. PUBLIC COMMENTS

At this time Mayor Vincent opened public comment.

John Graziano, resident, noted that significant Code fines have accrued for the former Holiday Inn property and other parcels in Town, and encouraged the Commission to “follow through in a reasonable manner” and apply pressure to collect funds.

Barbara Cole, resident, congratulated Armilio Bien-Aime on his Proclamation, and suggested that he be provided with a regular platform at Commission meetings to discuss events at the Community Center.

Stuart Dodd, resident, recommended opposition to any development that does not comply with Town Code, including rights-of-way and setbacks.

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

7. PUBLIC SAFETY DISCUSSION

None.

8. TOWN MANAGER REPORT

8.a Town Manager Report (Bill Vance, Town Manager)

Town Manager Bill Vance recommended that the Town pursue foreclosure on the properties recently involved with the potential Concord Wilshire hotel development, which are owned by Florida Development Group (FDG) South. This will include pursuit of \$7.1 million in Code Enforcement liens, as well as raising and removal of all previous hotel structures on the subject parcels.

New Pelican Hopper routes will go into effect on February 8, 2020.

The Town’s 2020 Arbor Day celebration was a success and represented the first step toward Lauderdale-By-The-Sea’s attainment of National Tree City designation.

The Town hopes to create a five-year Beach Maintenance and Re-nourishment Plan, which may include creation of a Beach Preservation Advisory Group to support the ongoing efforts of consultants and staff.

The Town Manager and Municipal Services Director have met with Florida Power and Light (FPL) to initiate a public process for the replacement of every streetlight pole and fixture on A1A within the Town's corporate limits. The Municipal Services Director has initiated the contract and installation of new electrical services in the West Commercial/Downtown parking lot in support of improved lighting in these Downtown lots.

Town Manager evaluation forms have been provided to the Commission members. The Town Manager plans to identify team accomplishments for the Town, as well as continuing goals throughout 2020.

Commissioner Malkoon requested clarification of the reference to raising the existing hotel structure(s) on FDG properties. Town Manager Vance explained that Code Enforcement can document that these structures are not safe and are not in compliance with Florida Building Code or local property maintenance requirements.

Commissioner Malkoon also asked if the light poles on A1A were determined to no longer be safe. Town Manager Vance replied that the Town has budgeted \$250,000 in fiscal year (FY) 2020 to assist with streetlight removal and replacement. The Town may lease rather than purchase this infrastructure and take advantage of maintenance contracts through FPL.

Commissioner Oldaker commented that there has been discussion at prior meetings of adding pedestrian lighting on A1A as well as replacing streetlights. He recommended that pedestrian lighting in a lower position on these poles be part of this continuing discussion as well.

8.b First Quarter FY20 Financial Report (Lucila Lang, Finance Director)

The report was accepted without discussion.

8.c 4th Quarter Welcome Center Report

The report was accepted without discussion.

8.d Action Plan

The Action Plan was accepted without discussion.

9. TOWN ATTORNEY REPORT

9.a Town Attorney Report: Update on Florida Development Group (FDG) Lien Foreclosure Litigation (Susan Trevarthen, Town Attorney)

Town Attorney Susan Trevarthen stated that when repeated attempts to stimulate redevelopment of the former Holiday Inn and Villa Caprice sites were unsuccessful, the Commission voted in December 2018 to foreclose on the properties. This led to the former Villa Caprice property being brought into compliance, while the building on another property was left in place.

Prospective developer Concord Wilshire has withdrawn its applications for site plans and mitigation. This means the current stay of foreclosure litigation, which was approved in December 2019, expires automatically on February 7, 2020, and the litigation processes begin once more. FDG has 20 days to respond to this action. An active demolition permit remains on file for the subject property; however, it will be up to the applicant to determine whether or not to proceed with this action.

After the withdrawal of Concord Wilshire's applications, the Development Services Director has requested the Town's Building Official and Fire Marshal determine if conditions exist that would render the structure on the former Holiday Inn property unsafe. The County's Unsafe Structures Board would follow a process with potential outcomes including demolition or redevelopment. Fines on the property have continued to accrue and will do so until the property comes into compliance.

Town Attorney Trevarthen confirmed that if the Town must go through the Unsafe Structures Board to seek demolition of the building, fines will continue to accrue. There may be other options open to the Town as well. It was also confirmed that demolition of the structure would include its parking lot, and the result would be a fenced grass area similar to that on the former Villa Caprice property.

10. APPROVAL OF MINUTES

None.

11. CONSENT AGENDA

- 11.a ADA Sidewalk Compliance Study (Ken Rubach, Development Services Director)**
- 11.b Stormwater Master Plan Update (Ken Rubach, Municipal Services Director)**
- 11.c Moffat & Nichol Proposal for Consulting Services Related to LBTS Beach-Dune System (Bill Vance, Town Manager / Ken Rubach, Municipal Services Director / Neysa Herrera, Assistant to the Town Manager)**

Commissioner Oldaker emphasized the importance of hiring a consulting service to help with beach maintenance and re-nourishment, due to the effects of sea level rise and other environmental concerns. Mayor Vincent added that it will also be important to appoint a resilience officer for the Town to keep the Commission and the public apprised of its progress.

Commissioner Oldaker asked if the Town's canal system will be included in this effort as well. Municipal Services Director Ken Rubach replied that the consultant has experience in dealing with canals and was recommended by the Town Engineer. Town Manager Vance noted that in addition to responses to requests for proposal (RFPs), there were discussions with other firms before the Town arrived at a decision.

Vice Mayor Sokolow clarified that neither the proposed resilience officer nor a beach management advisory body is part of approval of the Item.

Commissioner Oldaker made a motion, seconded by Commissioner Strauss, to approve 11c. Motion carried 5-0.

- 11.d DESMAN Parking Consulting Services (Bill Vance, Town Manager / Ken Rubach, Municipal Services Director / Neysa Herrera, Assistant to the Town Manager)**
- 11.e Public Safety Facility Study Proposal (Bill Vance, Town Manager / Ken Rubach, Municipal Services Director / Neysa Herrera, Assistant to the Town Manager)**

Commissioner Oldaker made a motion, seconded by Commissioner Strauss, to pass 11a, 11b, 11d, and 11e. Motion carried 5-0.

12. OLD BUSINESS

12.a Ride Sharing Services – Designated Pick Up Location (Linda Connors, Development Services Director)

Development Services Director Connors recalled that when expansion of the Town's A1A parking lot was approved, there was also discussion of creating pickup/drop-off location(s) for ride-sharing services such as Uber or Lyft. Town Staff consulted with Uber and BSO and determined that a parking lot near Walgreen's would be the best location. Staff recommends that this be the permanent pickup location.

The area will be designated for pickups only, as a drop-off location is not needed on a regular basis. Ride-sharing services will be asked to use this location on Friday and Saturday nights and during special events. The Town is considering using an umbrella or other marker to designate this location. Commissioner Strauss emphasized the importance of clearly designating the pickup spot.

Commissioner Malkoon expressed concern with access to the location when traffic is heavy on weekends, as well as the fact that the lot is not Town-owned. He asked if Town-owned lots were evaluated as potential pickup locations. Development Services Director Connors advised that the El Prado lot is often full and lacks a visible waiting area, while the El Mar lot is also heavily used. The intent was to create a space outside the Downtown area.

Captain Palmer advised that prior to the New Year's Eve events, different locations within the Town were considered as potential pickup locations. Deciding factors included the lot's location on the east side of A1A as well as a prospective waiting area and sufficient lighting.

Development Services Director Connors noted that the Town is working with Broward County to provide a bus shelter at the subject location as well. The Town will request an easement for this shelter, which would provide additional space for riders to sit while awaiting their vehicles.

12.b Purchase of Light Fixtures for Bougainvillea / Poinciana Island (Ken Rubach, Municipal Services Director)

Municipal Services Director Rubach provided examples of the bollards proposed for Poinciana Island and Bougainvillea Drive. There would be nine bollards as well as three column fixtures. They are constructed of sealed wood that is guaranteed against rot for up to 15 years.

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

13. NEW BUSINESS

13.a Town Election 2020 Candidates Night (Tedra Allen, Town Clerk)

Town Clerk Tedra Allen advised that the League of Women Voters will host the upcoming Candidates' Night forum on a date and time of the Commissioners' choosing. The Commissioners agreed by consensus to discuss this event at their February 11, 2020 meeting and schedule a date.

14. COMMISSIONER COMMENTS

Commissioner Malkoon stated that a local charity event was held on Saturday, January 25, 2020 at the Coral Ridge Yacht Club to benefit the World Foundation.

Commissioner Oldaker recalled that he had recently reported a fuel slick, and noted the speed of the response from BSO, the Fire Department, and Fort Lauderdale's HAZMAT unit. The spill was contained.

Mayor Vincent thanked Town Attorney Trevarthen for clarifying the Town's position regarding the former Holiday Inn property.

Vice Mayor Sokolow advised that no decision has been made regarding the ultimate disposition of the former Holiday Inn property. He cautioned that the foreclosure process may be lengthy.

Commissioner Strauss stated that he had heard consensus from residents at the January 14, 2020 meeting on the need for a dog park in the Town. He planned to bring discussion of a dog park back before the Commission as a future Agenda Item.

15. ORDINANCES 1ST READING

None.

16. ORDINANCES 2ND READING

None.

17. RESOLUTIONS – PUBLIC COMMENTS

None.

18. QUASI JUDICIAL PUBLIC HEARINGS

None.

19. ADJOURNMENT

With no other business to come before the Commission at this time, the meeting was adjourned at 7:40 p.m.

Mayor Chris Vincent

ATTEST:

Town Clerk Tedra Allen

Date



Town Commission Agenda Item Report

Meeting Date: February 11, 2020

Submitted by: Linda Connors

Submitting Department: Development Services

Item Type: Consent

Agenda Section: CONSENT AGENDA

Subject Title:

Building Fee Study (Linda Connors, Development Services Director)

Explanation:

During the 2019 Florida Session, the Florida Legislature passed SB 142, which now mandates that the Town create a "building permit and inspection utilization report" (the report) and post the report on its website by December 31, 2020. The information in the report must "be derived from relevant information available in the most recently completed financial audit." After December 31, 2020, Town must "update its building permit and inspection utilization report before making any adjustments to the fee schedule." Section 553.80(7)(b).

In order to meet the requirements of SB142, Town staff has been in discussions with PMG Associates to provide the following services to the town:

- Review the Town's existing fee schedule
- Determine the actual cost of services provided
- Provide a fee comparison to other cities for providing similar services
- Review the Fee schedule to ensure that the fees are simple to understand
- Review the Town's analysis of indirect costs associated with providing building services

The cost of the study is not to exceed \$12,900 and will be completed within four months. This agreement is exempt from competitive solicitation requirements as a professional service pursuant to Section IV.D. of the Town's Purchasing Manual. This agreement is under the Town Manager's purchasing authority.

Recommendation:

Support the Town Manager's approval of an agreement with PMG Associates, Inc.

Attachments:

1. PMG Associates Proposal



PMG Associates, Inc.

Economic, Marketing and Management Consultants

January 3, 2020

Mr. William Vance, Town Administrator
Lauderdale By-The-Sea
4501 North Ocean Drive
Lauderdale By-The-Sea, Florida 33308

PMG Associates, Inc. is pleased to submit this proposal to evaluate the Building Permit Fees for the Town of Lauderdale By-The-Sea. Our proposal is submitted in two parts. The first is a preliminary review to determine the best course of action for the Town. The second phase is the full study, which will be initiated only upon the authorization of the Town. Attachments define the scope of both phases.

Mr. Corey O’Gorman of PLACE Planning and Design will be a sub-contractor on this project.

SCOPE

The scope for both phases are defined in the attachments

FEE

For Phase 1, Preliminary Review	\$600
For Phase 2, Full Study	\$12,300

TIME FRAME

For Phase 1, Preliminary Review	Two Weeks
For Phase 2, Full Study	Three Months

Thank you for the opportunity to submit this proposal.

Very truly yours
PMG Associates, Inc.

Philip M. Gonot

Philip M. Gonot
President

**PHASE 1 SCOPE
LAUDERDALE-BY-THE SEA
PRELIMINARY REVIEW OF BUILDING PERMITS**

Task 1 – Review Existing Fee Schedule

Examine the existing Fee Schedule for completeness and appropriateness. Make recommendations regarding type of modifications. (Actual modifications will be included in later authorizations)

Task 2 – Review Contract with Permit Firm

Examine the contract and make recommendations regarding the impact on the Fees and application of the new State Legislation.

Task 3 – Confirm Annual Revenue Collected by Permit Service Provider

Collect Data from the Town's Finance Department identifying the annual revenue generated from Building Permits and the payments to the Service Provider. Data will be collected for the past three years.

Task 4 – Identify Plan of Action

Identify the steps necessary for the Town to comply with State Law and to properly examine the Building Permit Fee Schedule (the analysis of the Fee Schedule will be included in later authorizations)

Hours to complete tasks

Task	Hours
1	.5
2	.5
3	1
4	2
Total	4

4 Hours @ \$150/hour = \$600

PHASE 2 SCOPE FULL STUDY FEE ANALYSIS

UNDERSTANDING OF THE PROJECT

The Town of Lauderdale-By-The-Sea issues Building Permits which includes the services of review of the application, approval of the activity, inspection and record keeping. Lauderdale-By-The-Sea uses a private company to provide the professional and clerical services. The Town provides the facilities located in the Town Hall to provide services to the public. The Fees assigned to this activity should recover the cost to provide this service. Lauderdale-By-The-Sea must review their current fees and determine if the fee structure is appropriate and ensure that the fees comply with State Law.

PROJECT TASKS

The basic philosophy used by PMG Associates, Inc. (PMGA) regarding the establishment of proper Building Permit Fees is to examine the fee structure from two aspects: Actual Cost to deliver the service and Comparison with other neighboring communities. By using this two-pronged approach to the analysis, Lauderdale-By-The-Sea can implement fees that recover costs at an appropriate level, but also ensure that they have not priced themselves out of the market as compared to other municipalities. The services to be performed include:

- Determine the actual cost of services provided.
- Analyzing a technology and education fee to fund increasing technology costs and future projects.
- Fee comparison to other cities of similar size providing similar services.
- Ensure that the fees are simple to understand to make it easier for customers to estimate their permit fees.

Specific tasks to be addressed are as follows.

TASK 1. KICK-OFF MEETING

The Consultant will review the current conditions with staff to establish the parameters of the study. The elements of this task are:

- Meet with staff to establish parameters including a policy on cost recovery
- Examine the current fee structure for Lauderdale-By-The-Sea
- Determine if any items are not included in the structure that should be added
- Determine if staff or service provider has any problems with the current system and fee structure
- Identify neighboring communities that are comparable to Lauderdale-By-The-Sea
- Obtain information regarding the verification of values submitted by permit holder
- Meet with the service provider to determine the functioning of the permit process

TASK 2. MEASURE COST OF SERVICE DELIVERY

Due to the fact that Lauderdale-By-The-Sea contracts the Building Permit process to a private company, the costs accrued by the Town are limited to the management and monitoring of the contract and representation of the Town in official proceedings. The costs to the Town are also the payments to the contractor. This analysis will begin with an identification of the personnel assigned for this function and the impact on the Town's Budget. Specific tasks are:

- Working with staff, determine the personnel by job title that perform duties associated with Building Permits. Personnel include all departments and divisions including Administration, Attorney, Development Services, Finance, Town Clerk and others.
- Determine the time commitment by these personnel classes.
- Identify the salary rates for each personnel class.
- Determine overhead and fringes rates for the Town.
- Identify direct expenses that apply to the Building Permit function.

TASK 3. INDIRECT COST ANALYSIS

Indirect costs will measure the Overhead and Fringe Benefits that are part of the total cost of operating the permitting system. The Indirect Costs typically fall into three categories:

- Salary Overhead and Fringes such as FICA, Unemployment, Insurance and other benefits to employees
- Department Overhead which includes support services and other related expenses
- Cost allocations from Other General Budget categories that are applied to the individual Department.

The Overhead and Indirect costs will be added to the salary costs to determine The Full Cost to the Town for providing the service.

TASK 4. CONDUCT A COMPARISON OF FEES BETWEEN LAUDERDALE-BY-THE-SEA AND APPROPRIATE NEIGHBORING COMMUNITIES

A matrix will be prepared that compares the fees in Lauderdale-By-The-Sea with other subject municipalities that are similar to Lauderdale-By-The-Sea in geography and size. This comparison will establish the position held by Lauderdale-By-The-Sea in the range of fees and determine the "market" for this service. The comparison should be with communities that are similar in nature to Lauderdale-By-The-Sea.

The end result of the analysis will be a matrix that makes a direct comparison, where possible, with the similar communities.

TASK 5. PROPOSE CHANGES TO RATE STRUCTURE

Based on the analyses of actual costs and comparison with other communities, a proposed rate structure will be presented to staff for review. This structure should also be compared to the policy developed regarding cost recovery to determine if any changes are required in these policies. In addition, the cost recovery ratio for the projected rates must be calculated and measured against the policy.

TASK 6. PERIODIC UPDATES

A system for periodic review should be established so that Lauderdale-By-The-Sea can determine if they are meeting the goals of the fee policy.

Discuss with the departments to determine how the changes will impact the fees that they implement.

TASK 7. REPORT

A draft report illustrating all of the analysis and recommendations will be completed and presented to staff. After review, a final report will be completed.

TASK 8. PRESENTATION

A presentation of the report including methodology, cost determination and recommendations will be made before the Town Commission.

FEE

\$12,300



Town Commission Agenda Item Report

Meeting Date: February 11, 2020

Submitted by: Ken Rubach

Submitting Department: Municipal Services

Item Type: Discussion Item

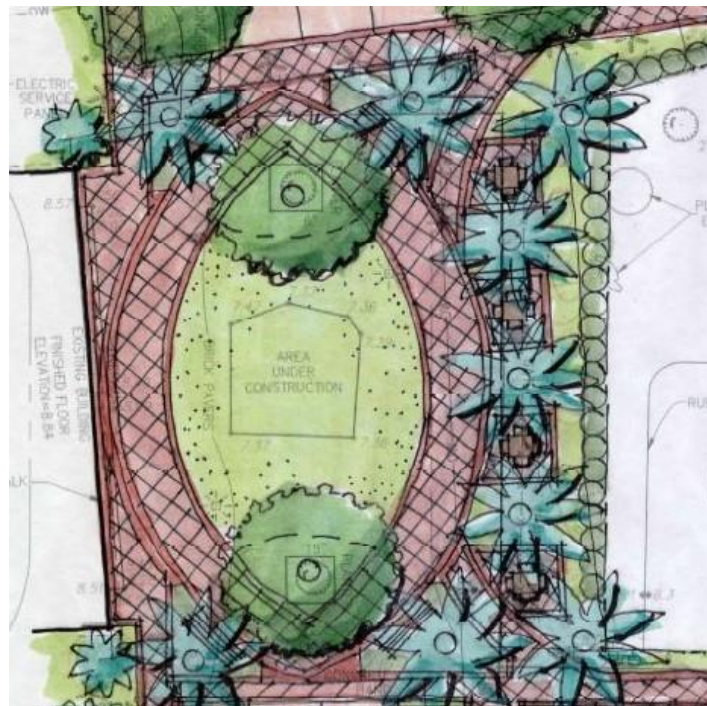
Agenda Section: OLD BUSINESS

Subject Title:

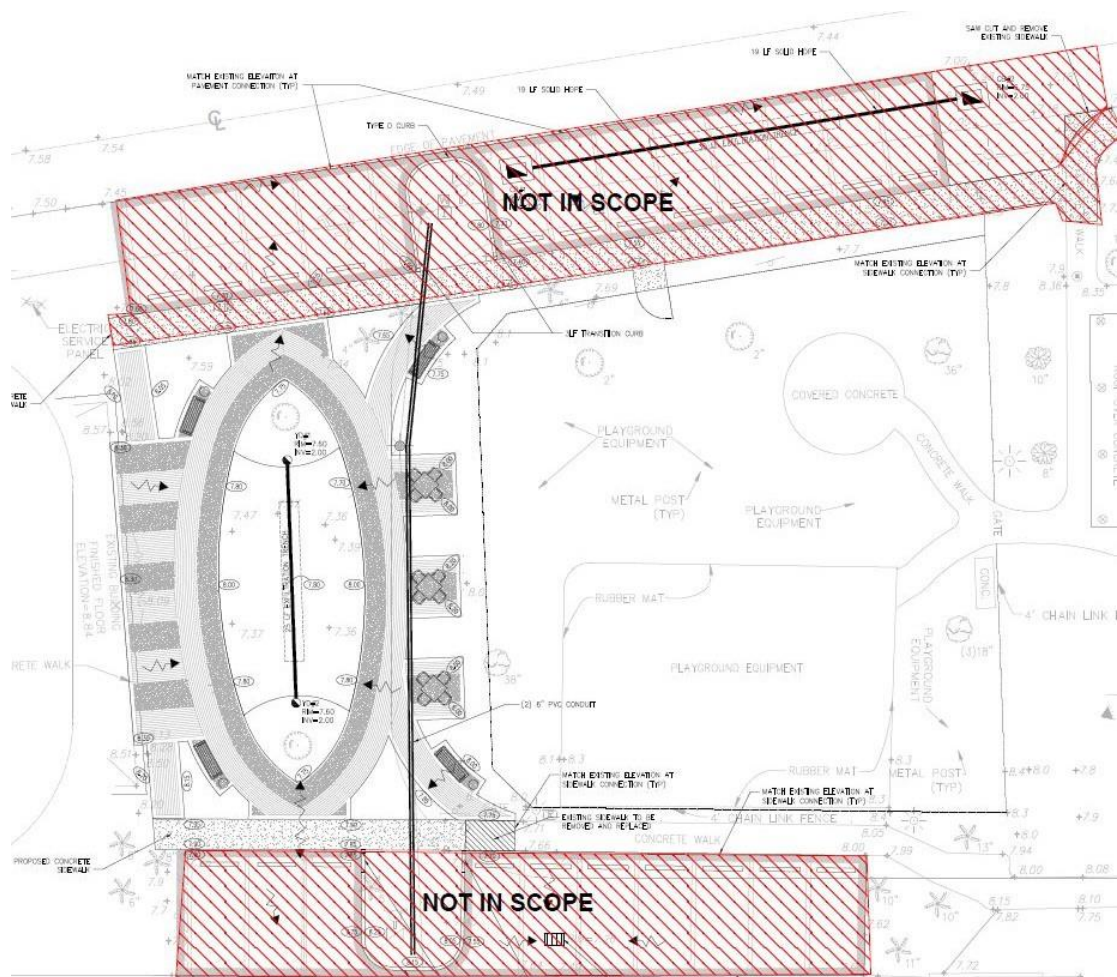
Approval of a GMP with State Contracting for Friedt Park Courtyard (Ken Rubach, Municipal Services Director)

Explanation: On November 28, 2017, the Town issued Request for Qualifications 17-11-10 ("RFQ"), requesting that qualified general contractor submit their qualifications to the Town to perform as a construction manager at risk for Town projects. On February 27, 2018, pursuant to the RFQ, the Commission awarded State Contracting & Engineering Corporation ("SCEC") a Construction Manager-At-Risk Contract for Continuing Services ("Contract").

At the July 9, 2019 Commission Meeting, Staff presented a paired down concept of the Friedt Park Courtyard ("Courtyard") renovation to the Town Commission that would make modest enhancements to the Courtyard. The Commission provided feedback to staff that they would like to revisit an initial concept that was selected by the Friedt Park Improvement Plan Committee ("Committee"). Staff then met with the Committee members on January 28, 2020 to review the plan and seek input. During that meeting, staff recommended removing the parking enhancements, which required additional storm water drainage infrastructure and added significantly to the cost of the project. The Committee members confirmed this was the design that was selected and agreed with the staff recommendation to remove the parking enhancements due to cost. The concept that was chosen adds new lighting, pavers, upgraded landscaping, seating areas, and an elliptical shaped green space that can be used by residents and visitors for various activities. Pursuant to the Contract, staff requested from SCEC a Guaranteed Maximum Price for the Courtyard renovation.



Approved Concept



Revised Project Scope

SCEC has provided a GMP of \$235,060.00 to perform the work. This project will take approximately 3 months to complete.

Recommendation: Staff recommends that the Commission approve the GMP and authorize the Town Manager to execute agreement work authorization with SCEC for the Courtyard renovations, subject to the terms of the work authorization being acceptable to the Town Manager and approved as to form and legal sufficiency by the Town Attorney.

Attachments:

1. SCEC GMP
2. Resolution 2020-07



SCEC
State Contracting & Engineering Corporation



Guaranteed Maximum Price Proposal
Construction Management at Risk
Continuing Contract Services
Anglin Square at Friedt Family Park

Submitted Sept. 5 2019
5391 N. Nob Hill Rd.
Sunrise, FL 33351
P: 954.923.4747, ext 103
Contact: Paul Carty, LEED AP
pcarty@statecontracting.com

- 1. Proposal & Cost Summary**
- 2. Qualifications**
- 3. Bid Results Breakdown**
- 4. Drawings**

SECTION:

1.

**GMP PROPOSAL
AND COST SUMMARY**



ESTIMATE SUMMARY

GMP

LBTS Friedt Park Upgrades

ESTIMATE NO./REF. GMP_09.05.19
 TIME TO COMPLETE (days): 120
 PROJECT NUMBER: \$0
 LOCATION/OWNER: Town of Lauderdale by Sea
 BID DATE: 9.5.19

GMP

1	2	3	4	5	6	7	8	60.62	10
Div. No.	CSI Cost Code	Bid Package	Description of Work	Plaza & Landscape Bid Amount	Name of Bidder	Number Bids	% Low	Bid Package	MWBE
Division 01 - General Requirements									
01	01 00 00	01100	Construction Phase Fee	21,855	SCEC	1	-	-	-
01	-	01450	Testing Services	600	Nutting Eng.	1	-	-	-
01	-	00360	Permits	1	By LBTS	1	-	-	-
01	-	01105	General Conditions	1,444		0	-	-	-
01	-	01110	General Requirements (Site)	4,620	SCEC	1	-	-	-
Division 02 - Existing Conditions									
02	02 40 00	02220	Site Demolition	1	None	1	-	0.00	-
02	-	-	MOT	1,000	SCEC	1	-	0.10	-
Division 03 - Concrete									
03	03 30 00	03300	Concrete Shell	1	None	1	-	0.00	-
Division 12 - Furnishings									
12	-	-	Install Site Furniture	1	by LBTS	1	-	0.00	-
Division 26 - Electrical									
26	26 00 00	16050	Electrical	21,200	Just Electric	2	62.40%	2.12	-
Division 31 - Earthwork									
31	31 00 00	02300	Earthwork	59,435	Stanford	1	-	-	-
31	31 10 00	02370	Erosion & Sedimentation Controls	1	None	1	-	-	-
31	31 00 00	02360	Termite Control - Soil Treatment	1	None	1	-	-	-
Division 32 - Exterior Improvements									
32	32 10 00	02370	Concrete Paving	6,190	Homestead Paving	2	31.79%	-	-
32	32 00 00	02780	Brick Unit Pavers	13,743	Crossroads	3	1.84%	1.37	-
32	32 30 00	02790	Synthetic Grass	12,718	GoForeverGreen	2	2.80%	1.27	-
32	32 00 00	02820	Chain Link Fencing	9,945	Carlson	1	-	0.99	-
32	32 80 00	02810	Irrigation	3,500	Allowance	1	-	-	-
32	32 90 00	02945	Landscape Plants	23,794	Tindall	1	-	-	-
32	32 00 00	02920	Misc Patching and Site Restoration	2,605	SCEC	1	-	-	-
Estimate Sub Total Direct Cost =				182,647					
GENERAL LIABILITY INSURANCE				1.200%	2,192				
OCP INSURANCE				1.000%	1,826				
BUILDERS RISK									
SUB TOTAL WITH INSURANCE					186,665				
BOND				1.304%	2,434				
SUB TOTAL WITH BOND					189,099				
CM FEE					17,351				
SUB TOTAL WITH FEE					206,450				
OWNERS CONTINGENCY					10,323				
Estimate Grand Total =					216,773				

LBTS Friedt Park Upgrades

ESTIMATE NO./REF. GMP_09.05.19
 TIME TO COMPLETE (days): 90
 PROJECT NUMBER: 0
 LOCATION/OWNER: Town of Lauderdale by Sea

1	2	3	4	5	6	7	8	9	10	11
Div. No.	CSI Cost Code	Enter Quantity	Unit	Description of Work	Unit Cost	Labor Burden	not used	not used	Total Unit w/Tax & Burden	TOTAL
Construction Phase Fee (CM Staff)										
01	01 30 00	1	Week	Project Executive	2,500.00	28%			3,200.00	\$ 3,200
01	01 30 05	1	Week	Project Manager	2,308.00	28%			2,954.24	\$ 2,954
01	01 30 15		Week	APM/Project Engineer	1,800.00	30%			2,340.00	\$ -
01	01 30 20	6	Week	Superintendent	1,770.00	35%			2,389.50	\$ 14,337
01	01 30 25		Week	Assistant Superintendent	1,500.00	35%			2,025.00	\$ -
01	01 30 30	1	Week	Project Coordinator	1,057.00	29%			1,363.53	\$ 1,364
01	01 30 35		Week	Project Accountant	1,538.46	29%			1,984.62	\$ -
01	01 30 40		Week	Safety/Quality Control	2,000.00	30%			2,600.00	\$ -
									-	\$ -

Subtotal Direct Supervision CM Staff \$ 21,855

Div. No.	CSI Cost Code	Enter Quantity	Unit Measure	Description of Work	Unit Cost				Total Unit w/Tax	TOTAL
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General Conditions

Support - Field Staff

01			Month	Vehicle and Mileage - PM	1,000.00				1,000.00	\$ -
01		1	Month	Vehicle and Mileage - Super	1,000.00				1,000.00	\$ 1,000
01			Month	Vehicle and Mileage - Assistant Super	800.00				800.00	\$ -
01		1	Month	Communications (cellular)	120.00				120.00	\$ 120
01	01 52 20		Month	Field Office Rental	500.00				500.00	\$ -
01	01 52 21		LS	Field Office Setup	2,200.00				2,200.00	\$ -
	01 52 26		Month	Computer Systems	500.00				500.00	\$ -
01	01 31 02		Month	Postage & Courier	50.00				50.00	\$ -
01	01 31 01		Month	Office Supplies	106.00				106.00	\$ -
01	01 51 40	1	Month	Water, Ice and Cups	124.00				124.00	\$ 124
01	01 35 02		Month	Safety Supplies	79.50				79.50	\$ -
01	01 52 16		Month	First Aid Supplies	79.50				79.50	\$ -
01	01 35 03		Each	Fire Extinguishers	88.50				88.50	\$ -
01	01 30 03	1	LS	Blueprints & Copies	200.00				200.00	\$ 200

Subtotal General Conditions \$ 1,444

Division 01 - General Requirements

Field Office & Yard

01	01 74 13	2	Week	Daily Cleanup	900.00	45%			1,305.00	\$ 2,610
01	01 52 13		Month	Temporary Storage Containers	150.00				150.00	\$ -
01	01 52 13		Each	Temporary Storage Delivery/Pickup)	200.00				200.00	\$ -
01	01 56 26	200	LF	Temporary Fencing	3.50				3.50	\$ 700
01	01 56 26		Each	Temporary Fence Gates	600.00				600.00	\$ -
01	01 56 29	200	LF	Temporary Wind Screen	3.00				3.00	\$ 600
01	01 58 13		LS	Job Signs	1,000.00				1,000.00	\$ -
01	01 51 19	1	Month	Portable Toilets	110.00				110.00	\$ 110
01	01 74 19	1	Load	Trash Dumpsters & Fees	600.00				600.00	\$ 600
01	01 95 01		LS	Misc. GC Expense	500.00				500.00	\$ -
01	01 74 23		LS	Final Cleaning					-	\$ -
01			LS	Pressure Cleaning	2,500.00				2,500.00	\$ -

Subtotal General Requirements \$ 4,620

TOTAL 27,919

SECTION: 2.

QUALIFICATIONS

The following outlines the documents and general qualifications of our GMP proposal.

Bid Documents as follows:

Permit Plans prepared by Architectural Alliance Landscape dated March 27, 2018 and revised per discussions with LBTS with SCEC attached.

Clarifications, qualifications, and exclusions stated by SCEC in this document take precedence over the Permit Set Documents.

Division 01 - GENERAL:

1. Cost estimate does not include Builders Risk or Professional Liability Insurance.
2. Cost estimate does not include any permit fees, capital improvement fees, connection fees or impact fees.
3. General Conditions are based on the simultaneous construction of the Fire Station scope of work under separate GMP.
4. Staging of materials will utilize existing parking areas at Friedt Park.
5. Tree removal permit by LBTS.
6. GMP does not include parking areas which includes but not limited to earthwork, pavers, west sidewalk, and landscaping. See attached plans.

Division 12 – SITE FURNISHINGS:

1. No installation of site furniture is included.

Division 26 – ELECTRICAL:

1. Bollards and precast base to be provided by LBTS.
2. LLF-3 Light Fixture and Pole to be provided by LBTS.
3. Cost assumes removal of 2 existing metal light poles.
4. Cost does not include guy wire relocation to existing FPL Pole.
5. Cost does not include removal of FPL pole.

Division 32 – LANDSCAPE:

1. Cost includes removal of 5 trees.
2. Cost does not include relocation of trees.

Division 32 – IRRIGATION:

1. Allowance for irrigation has been included in this GMP.

SECTION:

3.

BID RESULTS BREAKDOWN

LBTS Friedt Park Upgrades

SCEC

SUBCONTRACTOR BID EVALUATION

Date of Bid:	9.5.19
Scope of Work:	Electrical
Bid Package Number:	16050
Cost Code:	26 00 00
Division:	26

SCEC Estimate No/Ref: GMP_09.05.19
Project Number: 0
Cost per SF: \$2.12

SCOPE OF WORK		SUBCONTRACTOR:						
Description	Quantity	Ever Ready	Just Electric	C&F	Universal	One Call	Bidder 6	*Estimate*
Subcontractor Bid Proposal	1 LS	NO BID	21,200	56,380	NO BID	NO BID		
Bond Premium							n/a	n/a
Remove existing poles			incl	incl				
Installation of 4 new bollards			no	incl				
New panel			incl	incl				
2 6" PVC conduits			no	incl				
Installation of LLF-3			incl	incl				
Bond Premium Adjustment								
Final Price Adjustment								
MWBE Participation (A,W,H,O)		-	-	-	-	-	-	-
TOTALS:		0	21,200	56,380	0	0	0	0

BEST COMBINATION: 21,200 Just Electric

SELECTED SUBCONTRACTOR: Just Electric

Estimate Prepared by: PAC
Estimate Reviewed by: BT

Notes:

- 1)
- 2)
- 3)
- 4)
- 5)



09/09/19

State Contracting
5391 N. Nob Hill Road
Sunrise, FL 33351

REVISED PROPOSAL FRIEDT PARK

Just Electric and Solar LLC is pleased to provide the following proposal to furnish materials and labor to comply with the projects submitted specifications and customer approval.

SCOPE OF WORK

Friedt Park Lauderdale By The Sea: Provide installation and labor and required misc. components for a complete and functional electrical system, as specified on the drawings (as provided through State Contracting) and in accordance with the 2017 National Electrical Code®, the Florida Building Code, and standard electrical practices. *NOTE: This bid does not include any of the items or components listed as being supplied by Owner.*

REVISED PRICING

Total Cost for Equipment and Labor: **\$21,200.00**

INCLUDED IN THIS BID:

A. Panel, demo, trenching, install concrete bollard bases and bollards (bollards by owner) , LLF-3 light pole base and pole installation (pole and light head by owner) wire, misc materials and labor.

Payment Terms and Conditions and Scheduling to be negotiated at time of contract signing.

Any work above and beyond the listed scope of work will be written as time and material, and approved by owner prior to any additional work being performed. Owner agrees to pay for additional materials not foreseen in scope.

Just Electric and Solar LLC Will warranty materials for a period of one year from date of acceptance, however, items furnished or installed by others, persons altering items without the prior approval of Just Electric and Solar LLC , or damages due to improper care or maintenance are not included. (Individual parts warranty is to be covered by equipment manufacturer.)

The above proposal is accepted and Just Electric and Solar LLC, is authorized to proceed with the above stated work. This proposal becomes a binding contractual agreement when signed by both parties.

Date: _____ Signature: _____ Title: _____

Note: This proposal is subject to revocation if not accepted within 30 days. Just Electric and Solar LLC reserves the right to reject this contract if any major discrepancies between the drawings as reviewed and the actual installation are found to be considerably different at the time of installation.

Just Electric and Solar LLC looks forward to the opportunity to work with you!

Regards,

Aaron T. Just
Just Electric and Solar LLC
EC#13005282



August 20, 2019

ELECTRICAL BID & SCOPE SHEET FOR Freidt Family Park Improvements REVISED

Base Bid: \$ 56,380.00

- Per revised plans received. Site visit noted of existing conditions.
- All FPL work excluded.
- All temporary power if required included.
- All patching and restoration excluded.
- Installation of specified light fixtures as shown per plan quantities and configuration. Site lighting concrete foundations included in base cost proposal.
- Switchgear as specified. Base cost proposal includes new Nema3R panel.
- MOT and Directional drilling, if required, is not included in this cost proposal.
- Electrical permit fees excluded from base bid.
- Electrical bond fees excluded from base bid. We are bondable at 1.4%.
- See attached SCEC Electrical Scope Sheet dated 8/20/19.
- Add Alternate cost to include all light fixtures as per the lighting fixture schedule **ADD: \$5470.00** to BASE electrical cost proposal.



BID PACKAGE

Scope of Work

Freidt Family Park Improvements - ELECTRICAL

Bids Due: ~~Tuesday, March 22, 2017~~ by 5 pm

8/20/19

Item Description		
No.	GENERAL ITEMS:	Y/N
1	Install a complete and operational electrical system per plans and specifications.	✓
2	Provide DAILY jobsite cleanup within scope of work, into dumpsters supplied by SCEC.	✓
3	Furnish and install temporary electric for construction use. Provide maintenance of these systems throughout project duration.	✓
No.	JOB SPECIFIC:	Y/N
4	Remove and discard existing lighting/electrical fixtures as per plans	✓
5	Install and wire new lighting fixtures per plans.	✓
6	Repair existing deteriorated panel enclosure as shown. PROVIDE NEW + FPL	✓
7.	ADD LLF-3 + GFI POWER / POLE BY OTHER	✓
8.	ADD X2 6" PVC PER CIVIL	✓
No.	OTHER:	Y/N
	N/A	
No.	SCHEDULE	
7	Work to be done concurrently with Bougainvillea Parking project.	No
No.	ALTERNATES AND UNIT PRICES	
	N/A	

C/E
ELECTRIC
8/20/19

LBTS Friedt Park Upgrades



SUBCONTRACTOR BID EVALUATION

Date of Bid: 08.16.19
 Scope of Work: **Earthwork**
 Bid Package Number: 02300
 Cost Code: 31 00 00
 Division: 31

SCEC Estimate No/Ref: GMP_08.16.19
 Project Number: 0
 Cost per SF: -

SCOPE OF WORK		SUBCONTRACTOR:						
Description	Quantity	All County	Stanford	Ronlo	Sunline	WSD/SCEC		*Estimate*
Subcontractor Bid Proposal	1 LS			NO BID	NO BID			
Bond Premium		n/a	n/a	n/a	n/a		n/a	n/a
Moblization			2,000					
Survey			5,175					
As Builts			incl					
Erosion Control			754					
MOT			by SCEC					
Clearing & Demolition			8,099					
Remove Light Poles			by electrical					
Earthwork & Limrock			12,708					
Paving			5,458					
Concrete								
Strip& Sign								
Drainage			15,660					
Tree Removal			3,736					
6" PVC Conduits			5,845					
Bond Premium Adjustment								
Final Price Adjustment								
MWBE Participation (A,W,H,O)		-	-	-	-	-	-	-

TOTALS:	0	59,435	0	0	0	0	0	0
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BEST COMBINATION:	59,435	Stanford						
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SELECTED SUBCONTRACTOR:				Stanford				
Estimate Prepared by: PAC				Notes:				
Estimate Reviewed by: BT				1)				
				2)				
				3)				
				4)				
				5)				



STANFORD
CONSTRUCTION CO.

Broward Office: 1081 NW 12th Terrace,
Pompano Beach, FL, 33069
Tel: (954) 783-6922/ Fax: (954) 783-6925
Miami Office: 99 NW 183rd, Suite # 239B (1),
Miami Gardens, FL, 33169
Tel: (305) 770-1476

PALM BEACH COUNTY SCHOOL BOARD CERTIFIED SBE - STATE OF FLORIDA CERTIFIED MBE - BROWARD COUNTY CERTIFIED DBE
BROWARD COUNTY SCHOOL BOARD MWBE - MIAMI-DADE COUNTY SCHOOL BOARD MWBE - PALM BEACH COUNTY SCHOOL BOARD MWBE

BID PROPOSAL

TO: SCEC STATE CONTRACTING & ENGINEERING CORPORATION
3800 NORTH 29th AVENUE
HOLLYWOOD, FL 33020
TEL: (954) 923-4747
FAX: (954) 922-3755
ATTN: LEAH GRIFFIN

8/20/2019

PROJECT: FRIEDT PARK
LOCATION: LAUDERDALE BY THE SEA

PLANS & SPECIFICATIONS: AS PER PLANS BY: FLYNN ENGINEERING SERVICES, P.A.

PLAN SHEETS	
SHEETS	DATED
L-000-L-201	3/27/2018
D-1	9/25/2017
C-1 THRU C-2	9/25/2017

- NO GEOTECHNICAL SOILS REPORT PROVIDED AT THIS TIME

MOBILIZATION:

\$ 2,000.00

- INCLUDES: - MOBILIZATION AND DEMOBILIZATION OF CREWS AND EQUIPMENT FOR OUR SCOPE OF THE PROJECT

- EXCLUDES: - ANY ADDITIONAL MOBILIZATIONS NOT LISTED ABOVE

EROSION CONTROL:

\$ 754.00

- INCLUDES: - 400'+/- OF SILT FENCE

MAINTENANCE OF TRAFFIC:

EXCLUDED

- MAINTENANCE OF TRAFFIC FOR STANFORD CONSTRUCTION'S SCOPE OF WORK

SURVEY LAYOUT & ASBUILTS:

\$ 5,175.00

- SURVEY LAYOUT FOR STANFORD CONSTRUCTION'S SCOPE OF WORK

- ASBUILTS FOR STANFORD CONSTRUCTION'S SCOPE OF WORK

TREE CLEARING:

\$ 3,736.00

- INCLUDES: - REMOVAL OF (8) EXISTING TREES

- EXCLUDES: - ANY RELOCATION OR PROTECTION OF ANY EXISTING TREES TO REMAIN ON THE SITE
- ANY PROPOSED LANDSCAPING OR TREES

GRUBBING:

\$ 1,920.00

- INCLUDES: - SURFICIAL STRIPPING FOR UP TO 6" OF EXISTING VEGETATION IN THE PAVEMENT SUBGRADE AREAS AND THE BUILDING PAD

DEMOLITION:

\$ 6,179.00

- INCLUDES THE FOLLOWING:
160 LF DEMOLISH THE EXISTING GALVANIZED FENCING
14 LF DEMOLISH THE EXISTING "F" CURB
40 SF DEMOLISH THE EXISTING CONCRETE SIDEWALK
3,830 SF DEMOLISH THE EXISTING DEMOLISH THE EXISTING BRICK PAVERS

- EXCLUDES: - ANY REMOVAL OF ANY EXISTING UTILITIES NOT LISTED BELOW
- ANY REMOVAL OF THE EXISTING LIGHTING
- ANY REMOVAL OF THE EXISTING CONCRETE MASONRY WALL
- ANY REMOVAL OF THE EXISTING GALVANIZED FENCING
- ANY REMOVAL OF THE EXISTING BUILDINGS
- ANY REMOVAL OF THE EXISTING DUMPSTER ENCLOSURE WALLS

CONDUIT

\$ 5,845.00

240' +/- 6" PVC CONDUIT

DRAINAGE:

\$ 15,660.00

2 - 15" YARD DRAINS
13' +/- 15" HDPE SOLID
25' +/- 15" HDPE PERFORATED FRENCH DRAIN

EARTHWORK:

\$ 12,708.00

- PROOF ROLLING OF THE SITE
- CUT, BALANCE, BACKFILL, AND FINE GRADE THE SIDEWALK'S SUBGRADE WITH THE EXISTING SITE MATERIAL
- CUT, BALANCE, BACKFILL, AND FINE GRADE THE BRICK PAVER SIDEWALK AREA'S SUBGRADE WITH THE EXISTING SITE MATERIAL
- BACKFILL THE PLANTER ISLANDS WITH THE EXISTING SITE MATERIAL
- REMOVAL OF ANY SUITABLE EXCESS EXISTING MATERIAL GENERATED BY OUR SCOPE OF WORK

- INCLUDES THE FOLLOWING FOR QUANTITIES:
290 SF SIDEWALK SUBGRADE W/ 6" LBR MATERIAL
290 SY PEDESTRIAN PAVER SUBGRADE W/ 8" LBR
88 SY SYNTHETIC TURF SUBGRADE
2,201 SF BUILDING GREEN AREAS
166 CY EXCAVATE / CUT THE EXISTING SITE MATERIAL
166 CY HAUL OFF THE EXCESS SITE MATERIAL

- EXCLUDES: - ANY PROCESSED TOPSOIL OR SODDING FOR THE PLANTER ISLANDS OR LANDSCAPED AREAS

PAVEMENT:

\$ 5,458.00

- INCLUDES THE FOLLOWING FOR QUANTITIES:
290 SY LIGHT DUTY 4" LIMEROCK BASE PAVERS
88 SY 4" PEA GRAVEL EXCLUDES SYNTHETIC TURF

CONCRETE:

EXCLUDED

STRIPING & SIGNAGE:

N/A

- INCLUDES: - STRIPING, SIGNAGE, AND CAR STOPS AS SHOWN ON THE PLANS

GENERAL SITE INCLUSIONS:
- INCLUDES DUST CONTROL MEASURES WITH WATER TRUCK

GENERAL SITE EXCLUSIONS:
- EXCLUDES ANY PUBLIC WORKS PERMIT FEES REQUIRED
- EXCLUDES ANY OVERLAY OR MILLING OF THE EXISTING ASPHALT FOR THE RESTORATION IN THE RIGHT OF WAY
- EXCLUDES ANY PROCESSED TOPSOIL OR SODDING FOR THE LANDSCAPED AREAS
- EXCLUDES ANY SOILS OR DENSITY TESTING
- EXCLUDES ANY DERM OR FDOT PERMIT FEES (TO BE FURNISHED BY THE OWNER)

FIFTY NINE THOUSAND FOUR HUNDRED & THIRTY FIVE DOLLARS

BASE BID TOTAL: \$ 59,435.00

TERMS AND CONDITIONS OF AGREEMENT TO PROPOSAL

All prices quoted are subject to Florida sales tax where applicable. This quotation is subject to acceptance within thirty (30) days.

Our terms are net, no discount. Invoices will be submitted as work progresses, based upon approximate quantities of work completed. Statements will be submitted by the 25th and will be due and payable by the 10th of the following month. If account remains unpaid after thirty (30) days from date of statement, Customer agrees to pay the maximum interest rate allowed by law on the unpaid moneys, and further agrees to pay all court cost and/or reasonable attorney fees incurred in collection of the account.

AUTHORIZED SIGNATURE: STANFORD AMRITT

DATE

ALTERNATES

PAYMENT & PERFORMANCE BOND ADD

ADD 2%

- ADD 2% TO THE BASE BID AND ANY ALTERNATES TAKEN IF A PAYMENT & PERFORMANCE BOND IS REQUIRED

LBTS Friedt Park Upgrades

SCEC

SUBCONTRACTOR BID EVALUATION

Date of Bid:	9.5.19
Scope of Work:	Concrete Paving
Bid Package Number:	02370
Cost Code:	32 10 00
Division:	32

SCEC Estimate No/Ref: GMP_09.05.19
Project Number: 0
Cost per SF: -

SCOPE OF WORK		SUBCONTRACTOR:						
Description	Quantity	Homestead Paving	H&R	Stanford	Bidder 4	Bidder 5	Bidder 6	*Estimate*
Subcontractor Bid Proposal	1 LS			NO BID				
Bond Premium		n/a	n/a	n/a	n/a	n/a	n/a	n/a
D Curb	90							
Synthetic Grass header Curb	135	2,465	6,075					
Concrete Sidewalk	500	2,525	3,000					
Two Mobilizations		1,200	incl					
Bond Premium Adjustment								
Final Price Adjustment								
MWBE Participation (A,W,H,O)		-	-	-	-	-	-	-
TOTALS:		6,190	9,075	0	0	0	0	0

BEST COMBINATION: 6,190 Homestead Paving

SELECTED SUBCONTRACTOR: Homestead Paving

Estimate Prepared by: PAC
Estimate Reviewed by: BT

Notes:

- 1)
- 2)
- 3)
- 4)
- 5)





Homestead Paving, Co.

14550 Mable Street, Naranja, FL 33032
Phone: 305-258-1972, Fax: 305-258-2267

Project: Lauderdale By The Sea Freidt Park
Ft. Lauderdale, FL

Revised - 1

Company: State Contracting
Phone: 954-923-4747
Fax:

Attn: Estimating

Date: August 8, 2019

By: Matt Rhodes

Prepared by: Kurt Schilk

Bid Item	Description	Quantity	Unit	Unit Price	Amount
1	6" x 18" Type 'D' Curb	90	LF	30.00	2,700.00
2	4" Picture Frame Sidewalk - 4" Troweled Edges - Unreinforced	1100 500	SF	5.05	5,555.00 2525
3	8" x 8" Header Curb where Synthetic Turf meets Pavers	85	LF	29.00	2,465.00
Notes Work to be completed in 1 Mobilization. If work does require more than 1 MOB, than a \$1200.00 charge will be applied Joint Sealant by excluded On Sheet L-500, Detail 01, Typical Concrete Walk Detail shows where S/W is to be Reinf with 4x4" WWM. As per email dated on 6-7-2018, Reinf as been excluded from S/W.					
				TOTAL	\$ 10,220.00 6190

Plans Dated: _____

Prices good through: February 2020

Specs provided?: _____

Through Adden, #: _____

Initial: _____



Homestead Paving, Co.
14550 Mable Street, Naranja, FL 33032
Phone: 305-258-1972, Fax: 305-258-2267

Terms and Conditions

- 1 All Layout, Surveying and Engineering are not included
- 2 Unless otherwise stated, concrete is 3000 psi
- 3 All testing to be provided by others.
- 4 Grading, subbase compaction completed by others
- 5 Utility locates to be the responsibility of the contractor.
- 6 Permits and inspections are the responsibility of the contractor.
- 7 Class V finished, reflectors and maintenance of traffic is the contractor's responsibility.
- 8 Unless otherwise stated, excavation (unless trench is specified), waterproofing, demolition, and backfill are excluded.
- 9 General Contractor/Owner must provide a concrete truck washout area on site.
- 10 ID Badges, biometrics, background checks and special pay wages are not included
- 11 Unless included as a line item, bond in not included.
- 12 Unless included as a line item, joint sealant is not included.
- 13 The General Contractor will incur additional costs for night or weekend work unless otherwise mentioned in the quote.
- 14 Any quote given without plans and/or specs are subject to changes once plans and/or specs are made available.
- 15 Unless mentioned as a line item, any decorative treatment (stamp, scoring, etc.) are excluded.
- 16 Curb Pad are not included.
- 17 Unless specified in quote, reinforcement does not include galvanized or epoxy coated.
- 18 Lift or walkway behind traffic railing to finish is to be supplied by others.
- 19 Proposal must be included as an attachment to the contract documents.
- 20 Any alteration or deviation from the above specifications involving extra cost of labor will only be executed upon written orders of the same and will become an extra charge over the sum mention in this contract. All agreements must be made in writing.
- 21 Payments are to be made within 45 days of billing date, thereafter a 1.5% interest rate will be charge to your account, on a monthly basis. If payment is not received by 60 days after date billed, we will Lien/Notice of non-payment on that job. Any Legal Fees will also be paid by Contractor.
- 22 On site mock-ups not included, unless stated on proposal.

APPROVED BY: _____

DATE: _____

Note: Please sign and return back to us in order to begin process of submittal and scheduling

LBTS Friedt Park Upgrades

SCEC

SUBCONTRACTOR BID EVALUATION

Date of Bid:	9.5.19
Scope of Work:	Brick Unit Pavers
Bid Package Number:	02780
Cost Code:	32 00 00
Division:	32

SCEC Estimate No/Ref: GMP_09.05.19
Project Number: 0
Cost per SF: \$1.37

[illegible]

TOTALS:	13,743	14,000	14,205	0	0	0	0
----------------	--------	--------	--------	---	---	---	---

BEST COMBINATION: 13,743 Crossroads

SELECTED SUBCONTRACTOR: Crossroads

Estimate Prepared by: PAC

Estimate Reviewed by: BT

Notes:

1)

2)

3)

4)

5)

Scope Sheet For: State Contracting & Engineering-Freidt Park

Date 8/7/2019

SHEET	AREA	SPEC	COLOR ON PLAN	SETTING BED	RFI'S NUMBER
				1" MAX SCOPE	
L-100	Walkway Pavers-Specs P1-P4		Lt. Green/Maroon	Sand Bed	BASE BID \$ 11,939.77
ADD ALTERNATE	CLEAN AND SEAL BRICK PAVERS			NA	ADD \$ 1,803.75

NOTES & RFI'S

NOTE:Sub grade to be provided by others at 3.5" below final grade.
NOTE:Any required header curbs, footers, or other concrete pours are excluded and the responsibility of others.
NOTE:Any required PVC, conduit, or other sleeving to be done by others prior to brick paver installation.
NOTE:Bid based on 1" maximum bedding sand per ASTM standards.
NOTE:Step work is excluded from this proposal and additional, if requested.
NOTE:Price subject to changed based on final material selections.

CONTRACT BASED ON PLANS: I-100

SIGNATURES

SCEC

Date of Bid:	9.5.19
Scope of Work:	Synthetic Grass
Bid Package Number:	02790
Cost Code:	32 30 00
Division:	32

SCEC Estimate No/Ref: GMP_09.05.19
Project Number: 0
Cost per SF: \$1.27

SCOPE OF WORK		SUBCONTRACTOR:						
Description	Quantity	US BRICK	GoForeverGreen		Bidder 4	Bidder 5	Bidder 6	*Estimate*
Subcontractor Bid Proposal	1 LS	13,085	7,560	NO BID				
Bond Premium		n/a	n/a	n/a	n/a	n/a	n/a	n/a
Limerock base		by others	by others					
Pea Gravel		incl	incl					
Filter Fabric		incl	2,125					
Screen sand layer		incl	1,785					
Composite Nailer board		incl	1,248					
Bond Premium Adjustment								
Final Price Adjustment								
MWBE Participation (A,W,H,O)		-	-	-	-	-	-	-

TOTALS:	13,085	12,718	0	0	0	0	0
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BEST COMBINATION: 12,718 GoForeverGreen

SELECTED SUBCONTRACTOR: GoForeverGreen

Estimate Prepared by: PAC

Estimate Reviewed by: BT

Notes:

1)

2)

3)

4)

5)



FINANCING AVAILABLE



WE ACCEPT CASH, CHECKS AND ALL MAJOR CREDIT CARDS



Office 888-882-1778

1905 10th Ave N., Lake Worth, FL 33461

Fax 888-507-0688

www.GoForeverGreenFL.com

Date: 8/6/19	SC: ☐ D ☐ GC/NW ☐ 10thAve CT: ☐ S ☐ E ☐ D ☐ A ☐ L	Target: TBD	PROJECT #:
Project Name: Freidt Family Park/Park Hardscape & Landscape	Consultant: Yvette	Phone: 561-847-1734	
Project Contact: Eileen See	BILLING Address: Same		
SITE Address: 4500 Bougainvilla Drive	BILLING City/St/Zip: Same		
SITE City/St/Zip: Lauderdale by the Sea, FL 33308	Other:		
Client Phone #: 954-923-4747, ext 107 or 954-802-6578	Email: esee@statecontracting.com		
Community:	HOW Found GFG? PG	IF Referral:	
DESCRIPTION	DIM	UNIT	TOTAL
PROJECT AREA: Play Area			
PG Optimal DF	840 Sq Ft	\$ 9.00	\$ 7,560.00
4" Pea Gravel – Add On - Optional	840 Sq Ft	\$ 1.00	\$ 840.00
** CONTINGENT UPON PHYSICAL FINAL MEASUREMENTS AND SITE REVIEW ** SQUARE FOOTAGE TO BE ADJUSTED AND PRICING WILL BE UPDATED ACCORDINGLY PER FINAL MEASUREMENTS PRIOR TO INSTALL**			
NOTE: Removal or Relocation of Bushes, Hedges, Trees, Stumps, Rocks, Pavers, Sprinklers are NOT INCLUDED.		SELECT PAYMENT BELOW:	



☐ Project is ready

☐ Cash
☐ Check

If NO, Why? _____

☐ **TOTAL** **\$ 7,560.00**

Add Ons **\$ 840.00**

☐ **FINAL TOTAL** **\$ 8,400.00**

50% DEPOSIT **\$ 4,200.00**

FINAL DUE **\$ 4,200.00**

NOTE: _____

	TAPAR SPRINKLERS	/ Cap Sprinklers
	TAMANO CIRCULOS	/ Tree Ring Size
	PLAIWOOD NECESSARIO	/ Plywood Needed
	DISTANCIA APROX	/ Approx Distance

Signature: _____ **Print:** _____ **Date:** _____ 89

***** GFG REP PROJECT SITE INFORMATION *****											
CUSTOMER TYPE:		Residential	☒	Commercial		Government		Educational		Contractor	Other
PROJECT TYPE:		Lawn Grass		K9 Pet Turf		Strips	☒	Playground		Put Green	IVY
SURFACE TYPE:	☒	Grass		Soil ONLY		Sand		Concrete		Other:	
INFILL TYPE:	☒	Silica Sand		EnviroFill		CorcaNut		ZeoFill		# of Dogs Weight:	
PARKING:		Open / Abierto		Street		Driveway		3	<-GFGINSTW #	15	<-MFGRW#
ACCESS/ ACCESO:		Gated/Guard		Left/Right		() Sat or () Sun		Limited Hours Y/N - TIME: _____			
EDGER TYPE:		Aluminum		Bend BD		Wonder Edge		Other:			
TURF STRIPS AREA:		LxWxD _____		Concrete		Sand or Paver Sand		Other:			
PUTTING GREEN:		# Cups, Poles, Flags		Chip Pad		Sand Trap		Other:			
IVY PROJECTS:		Lattice Needed		Direct Wall		A/C Unit IVY		Other:			

***** DRAW PROPERTY LAYOUT BELOW *****

Eileen Sue (754) 210-6818

Signature: _____ Print: _____ Date: _____

Terms of Sale: *Pricing valid for 30 days from date on proposal. When signed by the Customer and approved by GoForeverGreen this becomes a non-cancelable contract and the Customer hereby agrees to pay the contract price according to the terms detailed above. The price(s) quoted above are subject to change if not accepted within 30 days or if the work does not commence within 90 days. The Customer agrees to pay total cash payment reflected above according to the following payment schedule: (50%) deposit due upon signing of contract and (50%) due upon completion of the project as quoted. All past due accounts will be charged interest at 18% per annum (1 1/2% per month). Interest will begin to accrue 7 days after the date of completion when the final invoice or statement is presented to customer. All material is guaranteed to be as specified. All work to be completed in a workman like manner according to standard practices. Any alteration or deviation from the above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above this proposal. All agreements are contingent upon no strikes, accidents or delays beyond our control. Owner is to carry general property insurance. Approvals/Permits by HOA or local municipalities are the client's responsibility. Sprinklers being turned off during installation, Swales and Septic systems are the owners' responsibility. Turf grass may have tendency to reflect increased temperature in direct sunlight similarly to all artificial landscape products. Occasional weeds/grass growth is not covered under the warranty. Scope of work must be in the contract, anything additional will be charged such as Root and/or Tree removal, Stumps, Sprinkler re-routing, etc. All quotes subject to final filed measurements. In the event of an agreed upon cancelled order there is a 20% restocking fee. This is schedule "A" per agreement document, Warranty is per GFG standard for Installation, Manufacturers' materials warranty per product standard, Ivy per manufacturer. GFG holds the rights to material until paid in full. By signing this proposal, you are granting GFG the right to use any pictures or video of your property in its' promotional advertising or materials. Client also grants GFG permission to install yard sign(s) in or around the property to promote ^^^ Please note the removal or relocation of Bushes, Hedges, Stumps, Trees, Rocks, Pavers, Sprinklers are NOT INCLUDED unless specified in writing.

90

LBTS Friedt Park Upgrades



SUBCONTRACTOR BID EVALUATION

Date of Bid:	9.5.19
Scope of Work:	Chain Link Fencing
Bid Package Number:	02820
Cost Code:	32 00 00
Division:	32

SCEC Estimate No/Ref: GMP_09.05.19
Project Number: 0
Cost per SF: \$0.99

SCOPE OF WORK		SUBCONTRACTOR:						
Description	Quantity	Carlson	Tropic	Bidder 3	Bidder 4	Bidder 5	Bidder 6	*Estimate*
Subcontractor Bid Proposal	1 LS	9,945						
Bond Premium		n/a	n/a	n/a	n/a	n/a	n/a	n/a
New 4' High Black Vinyl		incl	incl					
Gates in Black Vinyl		incl	incl					
Remove existing fence		no	no					
Bond Premium Adjustment								
Final Price Adjustment								
MWBE Participation (A,W,H,O)		-	-	-	-	-	-	-

	TOTALS:	9,945	0	0	0	0	0	0	0
--	----------------	-------	---	---	---	---	---	---	---

BEST COMBINATION: 9,945 Carlson

SELECTED SUBCONTRACTOR: Carlson

Estimate Prepared by: PAC
Estimate Reviewed by: BT

Notes:

- 1)
- 2)
- 3)
- 4)
- 5)

Carlson Fence Company Inc.

8491 N.W. 64th Street

MIAMI, FL. 33166

PHONE: 305-593-8590

To: State Contracting and Engineering

July 31, 2019

Attn: Leah

Email: lgriffin@statecontracting.com

Job Reference: Lauderdale By The Sea – Lisa Freidt Park - Revised

Carlson Fence Company, Inc. will deliver and install the fencing per the specifications and location provided. The below bid includes both materials and labor.

Bid Estimate:

Provide and Install **324 LF of 4' H Black Vinyl Coated Chain Link Fence** with top rail and bottom tension wire.

Line Posts: **2 ½"** , Corner/End/Gate Posts: **3"**

Provide and Install **(2) 5' W x 4' H Black Vinyl Coated Single Swing Gates** and **(1) 8' W x 4' H Black Vinyl Coated Double Swing Service Gate.**

Total Cost: **\$9,945.00**

Additional Items:

Estimated Permit Fee (If Necessary): **\$1,500.00**

Estimated Engineering Cost (If Necessary): **\$1,500.00**

From: Eric Davis

Carlson Fence Company, Inc.

The above quote is valid for 30 days. Due to the unavailability of many steel products and the constant increase in our products cost we are no longer able to hold our pricing any longer than 30 days. We are also experiencing long lead times and shortages of some of our products. Quote does not include permit fees or engineering if required. Quote is only for scope listed. Quote does not include additional insurance requirements if required. Quote does not include wage rates unless noted. Quote does not include permit fees.

LBTS Friedt Park Upgrades



SUBCONTRACTOR BID EVALUATION

Date of Bid:	9.5.19
Scope of Work:	Irrigation
Bid Package Number:	02810
Cost Code:	32 80 00
Division:	32

SCEC Estimate No/Ref: GMP_09.05.19
Project Number: 0
Cost per SF: -

SCOPE OF WORK		SUBCONTRACTOR:						
Description	Quantity	Allowance	Bidder 2	Bidder 3	Bidder 4	Bidder 5	Bidder 6	*Estimate*
Subcontractor Bid Proposal	1 LS	3,500						
Bond Premium		n/a	n/a	n/a	n/a	n/a	n/a	n/a
Bond Premium Adjustment								
Final Price Adjustment								
MWBE Participation (A,W,H,O)		-	-	-	-	-	-	-
TOTALS:		3,500	0	0	0	0	0	0

BEST COMBINATION: 3,500 Allowance

SELECTED SUBCONTRACTOR:	Allowance
-------------------------	-----------

Estimate Prepared by: PAC
Estimate Reviewed by: BT

Notes:

- 1)
- 2)
- 3)
- 4)
- 5)

LBTS Friedt Park Upgrades

SCEC

SUBCONTRACTOR BID EVALUATION

Date of Bid:	9.5.19
Scope of Work:	Landscape Plants
Bid Package Number:	02945
Cost Code:	32 90 00
Division:	32

SCEC Estimate No/Ref: GMP_09.05.19
Project Number: 0
Cost per SF: -

SCOPE OF WORK		SUBCONTRACTOR:						
Description	Quantity	LSP	Tindall	Arazoza	A1 Sod	Bidder 5	Bidder 6	*Estimate*
Subcontractor Bid Proposal	1 LS	NO BID	23,794		NO BID			
Bond Premium		n/a			n/a	n/a	n/a	n/a
Trees & Palms			incl					
Shrubs & Ground			incl					
Mulch			incl					
Soil			incl					
Tree Protect			incl					
Lava Rocks			incl					
Restoration			incl					
Root Prune Oaks			incl					
Root Barrier Oaks			incl					
Bond Premium Adjustment								
Final Price Adjustment								
MWBE Participation (A,W,H,O)		-	-	-	-	-	-	-
TOTALS:		0	23,794	0	0	0	0	0

BEST COMBINATION: 23,794 Tindall

SELECTED SUBCONTRACTOR: Tindall

Estimate Prepared by: PAC
Estimate Reviewed by: BT

Notes:

- 1)
- 2)
- 3)
- 4)
- 5)

TINDALL GROWERS INC.
5340 SW 64 AVE
DAVIE, FL 33314
954 792 1181

Date:	Proposal #
8/19/2019	

Customer:

State Contracting

Job Name:
LBTs Friedt park

REVISED 8-19-2019 I AM NOT SURE IF THE SITE PLAN
MATCHES THE LANDSCAPE PLAN

QTY	DESCRIPTION	UNIT	TOTAL
2	Gumbo Limbo 3" cal 14'x6'	\$ 695.00	\$ 1,390.00
0	Rainbow Eucalyptus 45 gal 14' sng ***VERY LIMITED**	\$ 500.00	\$ -
5	Crape myrtle natchez, 14' ht triple trk	\$ 425.00	\$ 2,125.00
2	Spindle palm 45 gal, 8' oa double	\$ 480.00	\$ 960.00
2	Latania blue palm, 45 gal, 8' ht heavy	\$ 650.00	\$ 1,300.00
81	Clusia small leaf, 7 gal, 30" ht	\$ 28.00	\$ 2,268.00
25	Silver buttonwood, 3 gal 30" ht ***hard to find that tall in 3gal	\$ 9.00	\$ 225.00
253	Green island ficus 3 gal, 14"x16"	\$ 9.00	\$ 2,277.00
0	Carissa, green carpet, 3 gal 8"x8"	\$ 11.00	\$ -
122	Cocoplum horizontalis 3gal, 12"x16"	\$ 11.00	\$ 1,342.00
60	Pink muhly 3 gal, 24"x24"	\$ 8.00	\$ 480.00
100	Planting soil (1' deep in all planting areas, existing soil removal by others	\$ 49.00	\$ 4,900.00
231	mulch (bags)	\$ 4.50	\$ 1,039.50
2	Root prune existing Oaks and root barrier	\$ 785.00	\$ 1,570.00
6	Lava boulders	\$ 165.00	\$ 990.00
850	Floritam sod (sq ft)	\$ 0.95	\$ 807.50
40	Root barrier, if needed (per linear feet, 18" deep) any tree within 6' of public infrastructure, new trees only. 2 existing oaks	\$ 14.00	\$ 560.00
2	Relocate 2 oaks in park.	\$ 780.00	\$ 1,560.00
TOTAL			\$ 23,794.00

Due to hurricane Irma, some material may not be available. At the time of planting, the city, owner, and landscape contractor may need to adjust species or sizes. Adjustments in pricing may need to be made.

- 1) Sitework to prep for sod not included.
- 2) Permits are not included.
- 3) All work will be installed on Contractors grade.
- 4) Some material is not available as FL #1 in sizes specified.
- 5) Sod is not included, unless stated.
- 6) Sod, shrub and tree maintenance by others.

- 8) Hand watering of all material is only while install is being done.
- 9) All existing plant removal by others, if needed.

LBTS Friedt Park Upgrades

SCEC

SUBCONTRACTOR BID EVALUATION

Date of Bid: 9.5.19
 Scope of Work: **Misc Patching and Site Restoration**
 Bid Package Number: 02920
 Cost Code: 32 00 00
 Division: 32

SCEC Estimate No/Ref: GMP_09.05.19
 Project Number: 0
 Cost per SF: -

SCOPE OF WORK			SUBCONTRACTOR:					
Description	Quantity	Measure	Unit	SCEC	Bidder 4	Bidder 5	Bidder 6	*Estimate*
<u>RESTORATION</u>								
Concrete Paving	50	SF	8.50	425				
Sod (At Staging)		SF	0.45	0				
Sod	500	SF	0.45	225				
New Concrete Curbing	0	LF	30.00	0				
Irrigation	0	LS	1,500.00	0				
Asphalt 1.5" S-1	0	SY	35.00	0				
Limerock base	0	SY	32.00	0				
Seal Coating	0	SF	0.16	0				
New Striping	0	LS	800.00	0				
Dumpsters	0	loads	450.00	0				
Patching - Materials	1	LS	500.00	500				
<u>CREW & EQUIPMENT</u>								
Skilled Labor	0	Weeks	1,595.00	0				
Labor	1	Weeks	1,305.00	1,305				
Bobcat	0	Months	1,100.00	0				
Concrete Buggy	0	Months	600.00	0				
Fuel	0	LS	200.00	0				
Pressure Cleaner	0	Lump Sum		w/GC				
Concrete Saw Cuttign - Sub	0	Days	650	0				
Asphalt Saw	1	Days	150	150	-	-	-	-
TOTALS:				2,605	0	0	0	0
BEST COMBINATION:				2,605 SCEC				
SELECTED SUBCONTRACTOR: SCEC					Notes:			
Estimate Prepared by: PAC Estimate Reviewed by: BT					1)			
					2)			
					3)			
					4)			
					5)			

4.

SECTION:

DRAWINGS

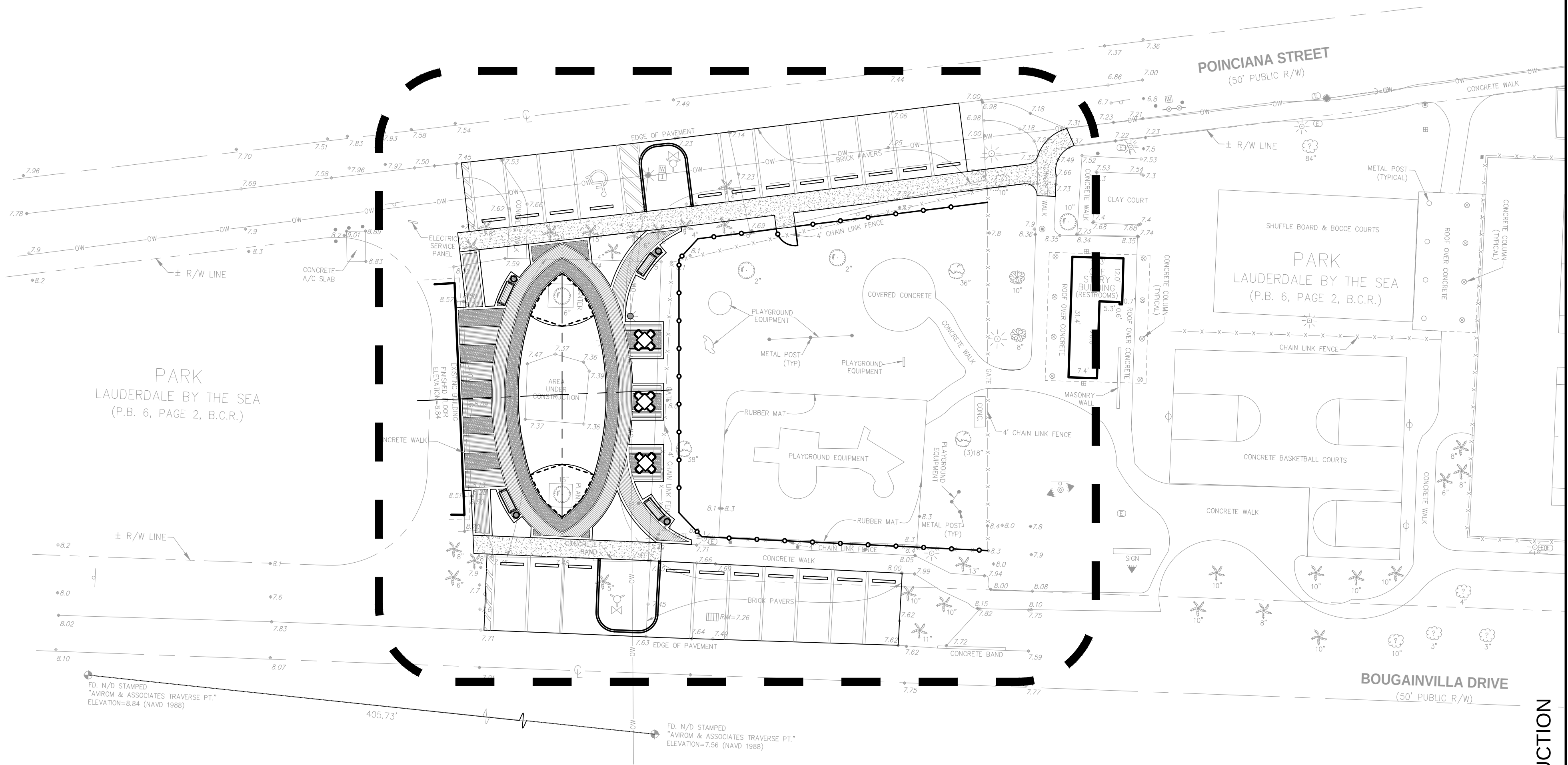
LANDSCAPE PLANS

FREIDT PARK

PROGRESS SET 03-27-18

INDEX SHEETS

SHEET No.	TITLE
L-000	COVER SHEET
L-100	LAYOUT PLAN
L-200	LANDSCAPE PLAN
L-201	LANDSCAPE DETAILS AND NOTES
	IRRIGATION NIC (BY TOWN OF LBTS)
L-400	LIGHTING PLAN
L-401	LIGHTING CUT SHEETS
L-500	SITE DETAILS
D-1	DEMOLITION PLAN
C-1	PAVING, GRADING, DRAINAGE PLAN
C-2	PAVING MARKING, PAVING, GRADING & DRAINAGE DETAIL
E-1	PARK ELECTRICAL PLAN
E-2	RISER DIAGRAM, PNL SCHEDULES AND NOTES



PROJECT DATA

SCOPE OF WORK

PROPOSED PARK HARDSCAPE AND LANDSCAPE

ENGINEER

FLYNN ENGINEERING SERVICES, P.A.
241 COMMERCIAL BLVD.
LAUDERDALE-BY-THE-SEA, FL 33308
954.522.1004 (VOICE)
954.522.7630 (FAX)
WWW.FLYNNENGINEERING.COM

LANDSCAPE ARCHITECT

ARCHITECTURAL ALLIANCE LANDSCAPE
612 SW 4TH AVENUE
FORT LAUDERDALE, FL 33315
TEL: (954) 764-8858
FAX: (954) 764-0731

PROGRESS PRINT - NOT FOR CONSTRUCTION

Sheet Description

COVER
SHEET

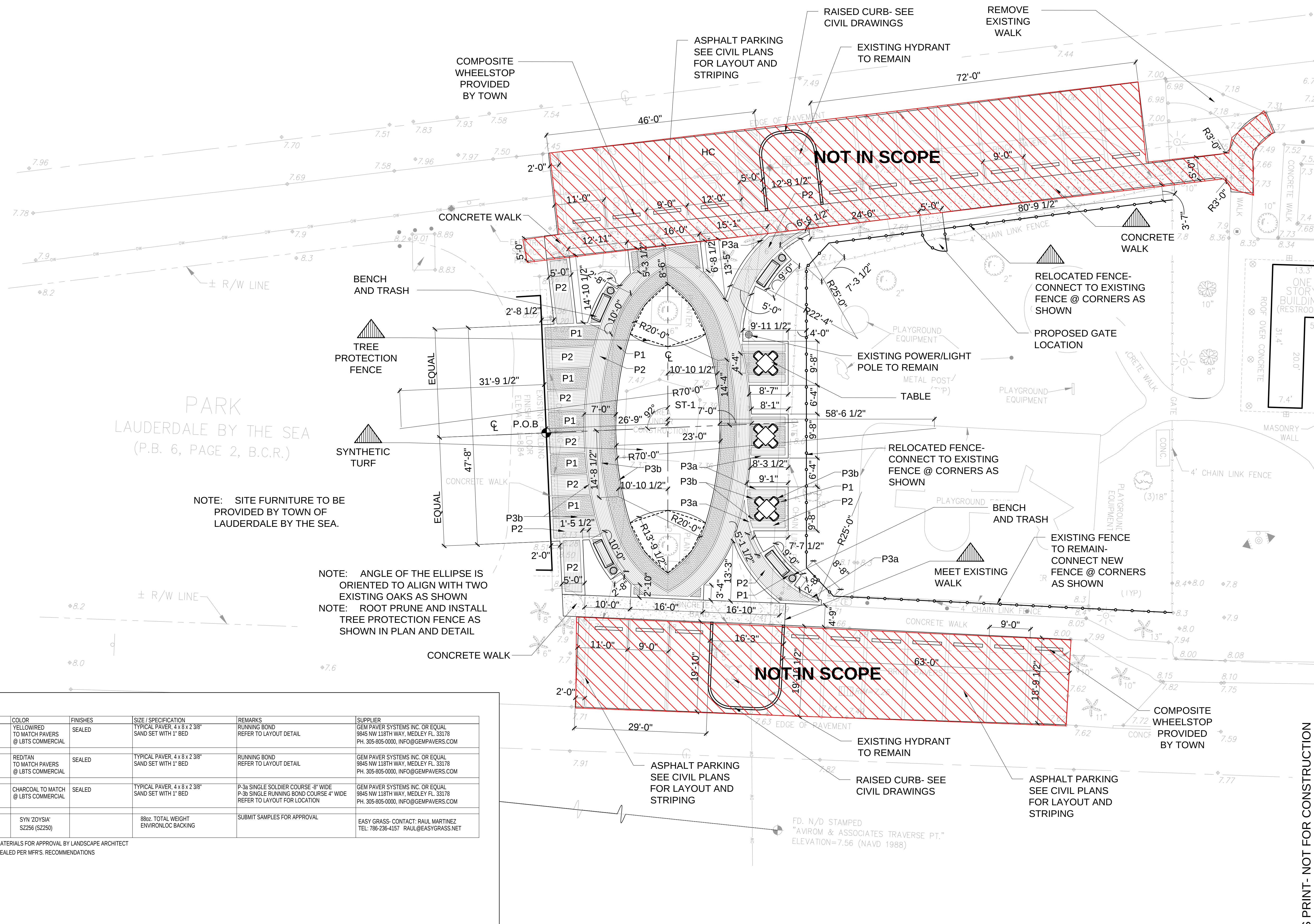
Release Date
03-27-18

Project Number
1707B

Drawing Number

_.000

PROGRESS PRINT- NOT FOR CONSTRUCTION



PARK
LAUDERDALE BY THE SEA
(P.B. 6, PAGE 2, B.C.R.)

NOTE: SITE FURNITURE TO BE
PROVIDED BY TOWN OF
LAUDERDALE BY THE SEA.

NOTE: ANGLE OF THE ELLIPSE IS
ORIENTED TO ALIGN WITH TWO
EXISTING OAKS AS SHOWN
NOTE: ROOT PRUNE AND INSTALL
TREE PROTECTION FENCE AS
SHOWN IN PLAN AND DETAIL

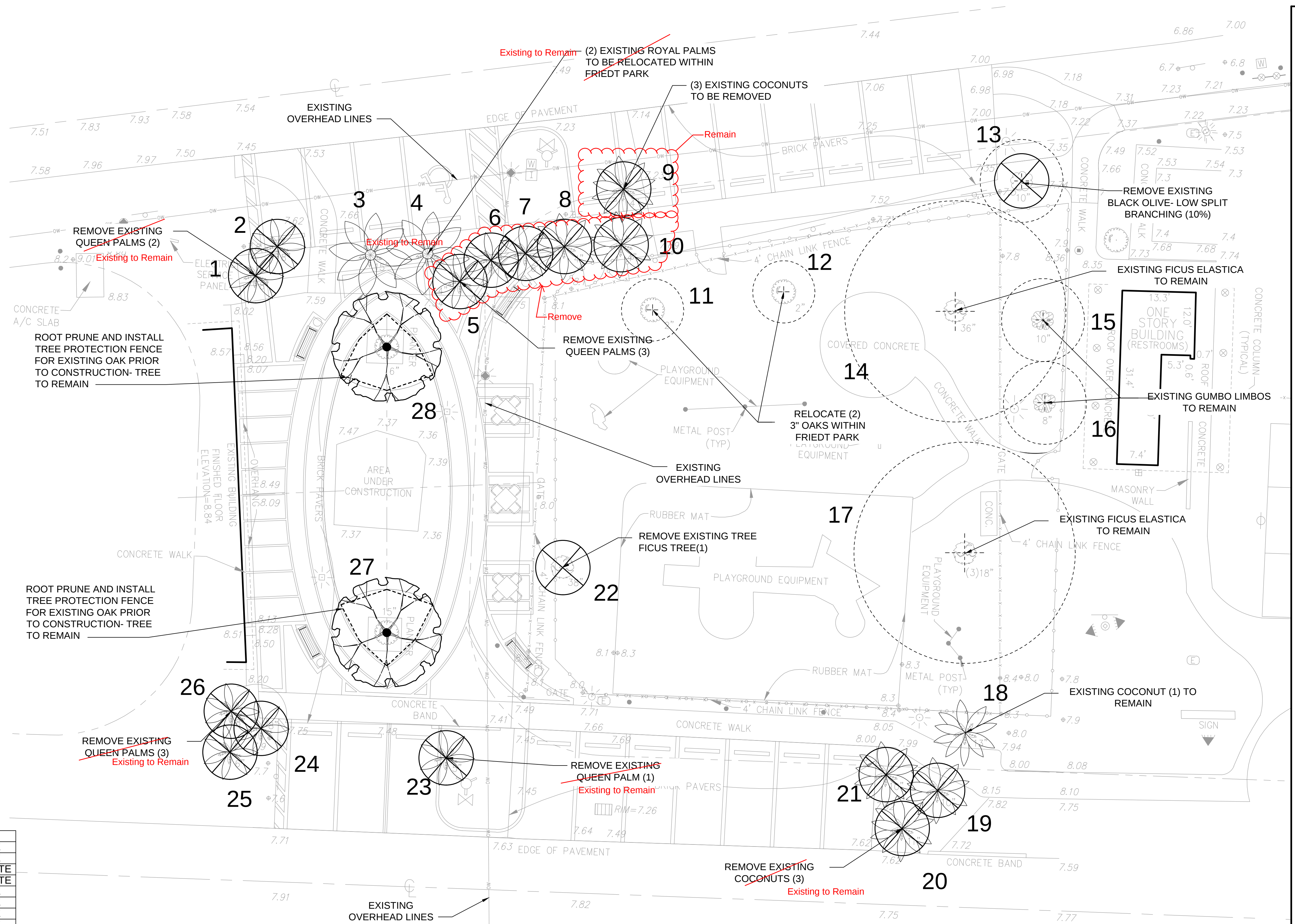
MATERIAL SCHEDULE

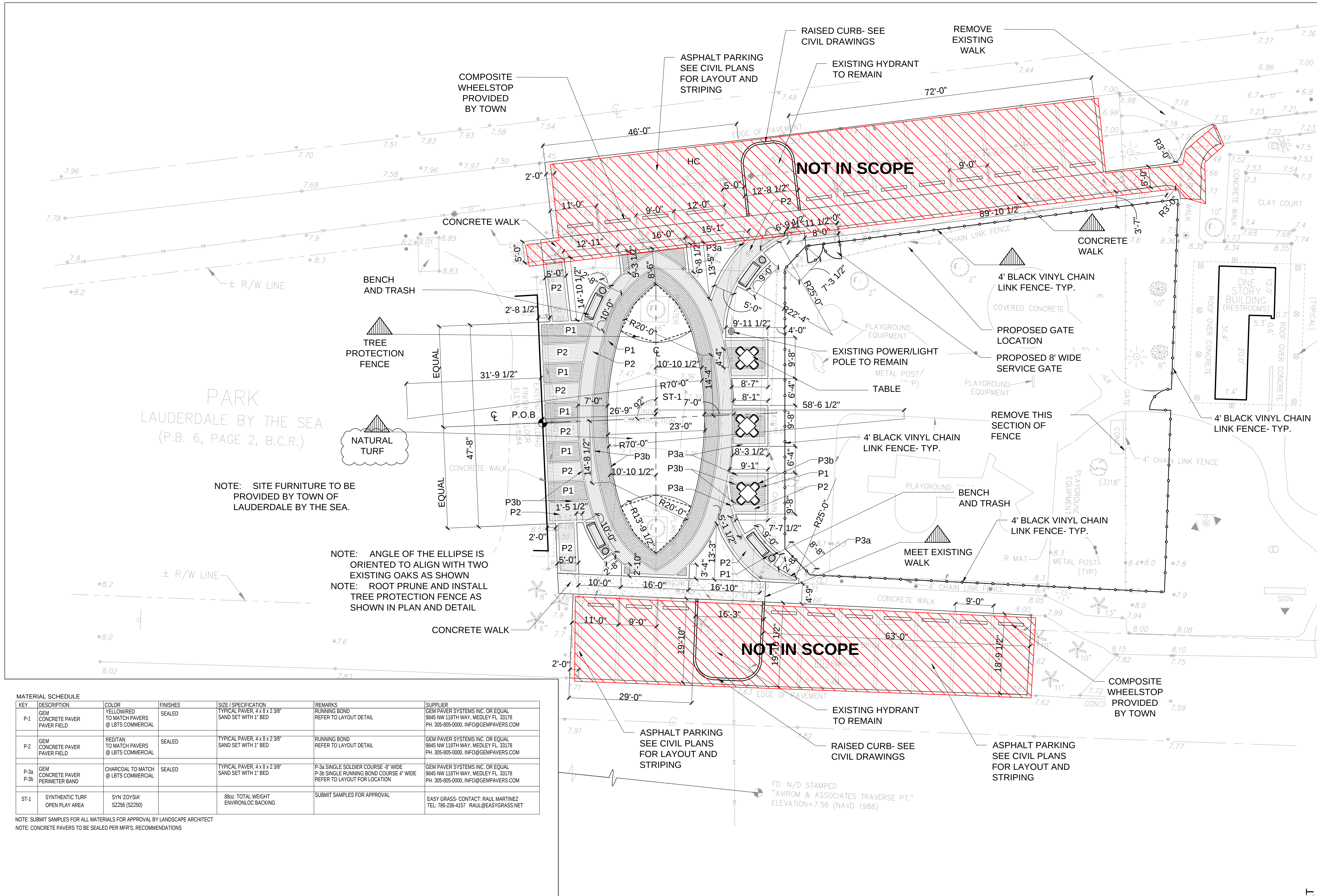
KEY	DESCRIPTION	COLOR	FINISHES	SIZE / SPECIFICATION	REMARKS	SUPPLIER
P-1	GEM CONCRETE PAVER PAVEMENT FIELD	YELLOW/RED TO MATCH PAVERS @ LBTS COMMERCIAL	SEALED	TYPICAL PAVER, 4 x 8 x 2 3/8" SAND SET WITH 1" BED	RUNNING BOND REFER TO LAYOUT DETAIL	GEM PAVER SYSTEMS INC. OR EQUAL 9845 NW 118TH WAY, MEDLEY FL 33178 PH. 305-805-0000, INFO@GEMPAVERS.COM
P-2	GEM CONCRETE PAVER PAVEMENT FIELD	RED/TAN TO MATCH PAVERS @ LBTS COMMERCIAL	SEALED	TYPICAL PAVER, 4 x 8 x 2 3/8" SAND SET WITH 1" BED	RUNNING BOND REFER TO LAYOUT DETAIL	GEM PAVER SYSTEMS INC. OR EQUAL 9845 NW 118TH WAY, MEDLEY FL 33178 PH. 305-805-0000, INFO@GEMPAVERS.COM
P-3a P-3b	GEM CONCRETE PAVER PERIMETER BAND	CHARCOAL TO MATCH @ LBTS COMMERCIAL	SEALED	TYPICAL PAVER, 4 x 8 x 2 3/8" SAND SET WITH 1" BED	P-3a SINGLE SOLDIER COURSE 3" WIDE P-3b SINGLE RUNNING BOND COURSE 4" WIDE REFER TO LAYOUT FOR LOCATION	GEM PAVER SYSTEMS INC. OR EQUAL 9845 NW 118TH WAY, MEDLEY FL 33178 PH. 305-805-0000, INFO@GEMPAVERS.COM
ST-1	SYNTHETIC TURF OPEN PLAY AREA	SYN 'ZOYSIA' SZ256 (SZ250)		88oz. TOTAL WEIGHT ENVIRONLOC BACKING	SUBMIT SAMPLES FOR APPROVAL	EASY GRASS- CONTACT: RAUL MARTINEZ TEL: 786-236-4157 RAUL@EASYGRASS.NET

NOTE: SUBMIT SAMPLES FOR ALL MATERIALS FOR APPROVAL BY LANDSCAPE ARCHITECT
NOTE: CONCRETE PAVERS TO BE SEALED PER MFR'S RECOMMENDATIONS

LAYOUT PLAN
SCALE: 1"= 10'

TREE #	TREE TYPE	DBH	C.T.	% Cond.	DISP.
1	Syagrus romanzoffiana / Queen Palm	8"	9'	80%	REMOVE
2	Syagrus romanzoffiana / Queen Palm	8"	10'	70%	REMOVE
3	Roystonia Regia / Royal Palm	15"	17'	60%	RELOCATE
4	Roystonia Regia / Royal Palm	15"	17'	60%	RELOCATE
5	Syagrus romanzoffiana / Queen Palm	4"	8'	40%	REMOVE
6	Syagrus romanzoffiana / Queen Palm	6"	10'	40%	REMOVE
7	Syagrus romanzoffiana / Queen Palm	6"	9'	40%	REMOVE
8	Cocos nucifera / Coconut	6"	20'	70%	REMOVE
9	Cocos nucifera / Coconut	6"	20'	70%	REMOVE
10	Cocos nucifera / Coconut	6"	20'	70%	REMOVE
11	Quercus virginiana / Live Oak	3"	N/A	80%	RELOCATE
12	Quercus virginiana / Live Oak	3"	N/A	80%	RELOCATE
13	Bucida buceras / Black Olive	10"	N/A	20%	REMOVE
14	Ficus elastica / Rubber Tree	36"	N/A	60%	REMAIN
15	Bursera simaruba / Gumbo Limbo Tree	10"	N/A	70%	REMAIN
16	Bursera simaruba / Gumbo Limbo Tree	6.5"	N/A	60%	REMAIN
17	Ficus elastica / Rubber Tree	(3) 18"	N/A	N/A	REMAIN
18	Cocos nucifera / Coconut	13"	N/A	N/A	REMAIN
19	Cocos nucifera / Coconut	10"	N/A	20%	REMOVE
20	Cocos nucifera / Coconut	11"	N/A	20%	REMOVE
21	Cocos nucifera / Coconut	10"	N/A	20%	REMOVE
22	Ficus elastica / Rubber Tree	38"	N/A	10%	REMOVE
23	Syagrus romanzoffiana / Queen Palm	5"	8'	50%	REMOVE
24	Syagrus romanzoffiana / Queen Palm	8"	10'	75%	REMOVE
25	Syagrus romanzoffiana / Queen Palm	6"	10'	40%	REMOVE
26	Syagrus romanzoffiana / Queen Palm	8"	10'	N/A	REMOVE
27	Quercus virginiana / Live Oak	15"	N/A	70%	REMAIN
28	Quercus virginiana / Live Oak	6"	N/A	70%	REMAIN





KEY	DESCRIPTION	COLOR	FINISHES	SIZE / SPECIFICATION	REMARKS	SUPPLIER
P-1	GEM CONCRETE PAVER PAVEMENT FIELD	YELLOW/RED TO MATCH PAVERS @ LBTS COMMERCIAL	SEALED	TYPICAL PAVER, 4 x 8 x 2 3/8" SAND SET WITH 1" BED	RUNNING BOND REFER TO LAYOUT DETAIL	GEM PAVER SYSTEMS INC. OR EQUAL 9645 NW 118TH WAY, MEDLEY FL 33178 PH. 305-805-0000, INFO@GEMPAVERS.COM
P-2	GEM CONCRETE PAVER PAVEMENT FIELD	RED/TAN TO MATCH PAVERS @ LBTS COMMERCIAL	SEALED	TYPICAL PAVER, 4 x 8 x 2 3/8" SAND SET WITH 1" BED	RUNNING BOND REFER TO LAYOUT DETAIL	GEM PAVER SYSTEMS INC. OR EQUAL 9645 NW 118TH WAY, MEDLEY FL 33178 PH. 305-805-0000, INFO@GEMPAVERS.COM
P-3a P-3b	GEM CONCRETE PAVER PERIMETER BAND	CHARCOAL TO MATCH @ LBTS COMMERCIAL	SEALED	TYPICAL PAVER, 4 x 8 x 2 3/8" SAND SET WITH 1" BED	P-3a SINGLE SOLDIER COURSE 3" WIDE P-3b SINGLE RUNNING BOND COURSE 4" WIDE REFER TO LAYOUT FOR LOCATION	GEM PAVER SYSTEMS INC. OR EQUAL 9645 NW 118TH WAY, MEDLEY FL 33178 PH. 305-805-0000, INFO@GEMPAVERS.COM
ST-1	SYNTHETIC TURF OPEN PLAY AREA	SYN 'ZOYSIA' S2256 (S2250)		88oz. TOTAL WEIGHT ENVIRONLOC BACKING	SUBMIT SAMPLES FOR APPROVAL	EASY GRASS- CONTACT: RAUL MARTINEZ TEL: 786-236-4157 RAUL@EASYGRASS.NET

NOTE: SUBMIT SAMPLES FOR ALL MATERIALS FOR APPROVAL BY LANDSCAPE ARCHITECT
NOTE: CONCRETE PAVERS TO BE SEALED PER MFR'S RECOMMENDATIONS

LAYOUT PLAN
SCALE: 1"= 10'

TREES	QTY	BOTANICAL NAME	COMMON NAME	CONT	DBH	SIZE	NATIVE	DROUGHT	REMARKS
BS	2	BURSERA SIMARUBA	GUMBO LIMBO	FG/B&B	3" CAL	14' HT. X 6" SPD X 6" CT	YES	HIGH	
ED2	2	EUCALYPTUS DEGLUPTA	RAINBOW EUCALYPTUS	45 GAL.		14-16' HT. SINGLE LEADER	NO	HIGH	
ET	1	EXISTING TREE	EXISTING TREE	EXISTING					TO REMAIN
QVE	2	QUERCUS VIRGINIANA	SOUTHERN LIVE OAK	EXISTING					

PALM TREES	QTY	BOTANICAL NAME	COMMON NAME	CONT	DBH	SIZE	NATIVE	DROUGHT		REMARKS
HV	2	HYOPHORBE VERSCHAFFELTII	SPINDLE PALM	45 GAL		8' OA, DOUBLE TRUNK	NO	HIGH		
LL	2	LATANIA LODDIGESII	BLUE LATAN PALM	45 GAL		8'-10' OA, HEAVY	NO	HIGH		

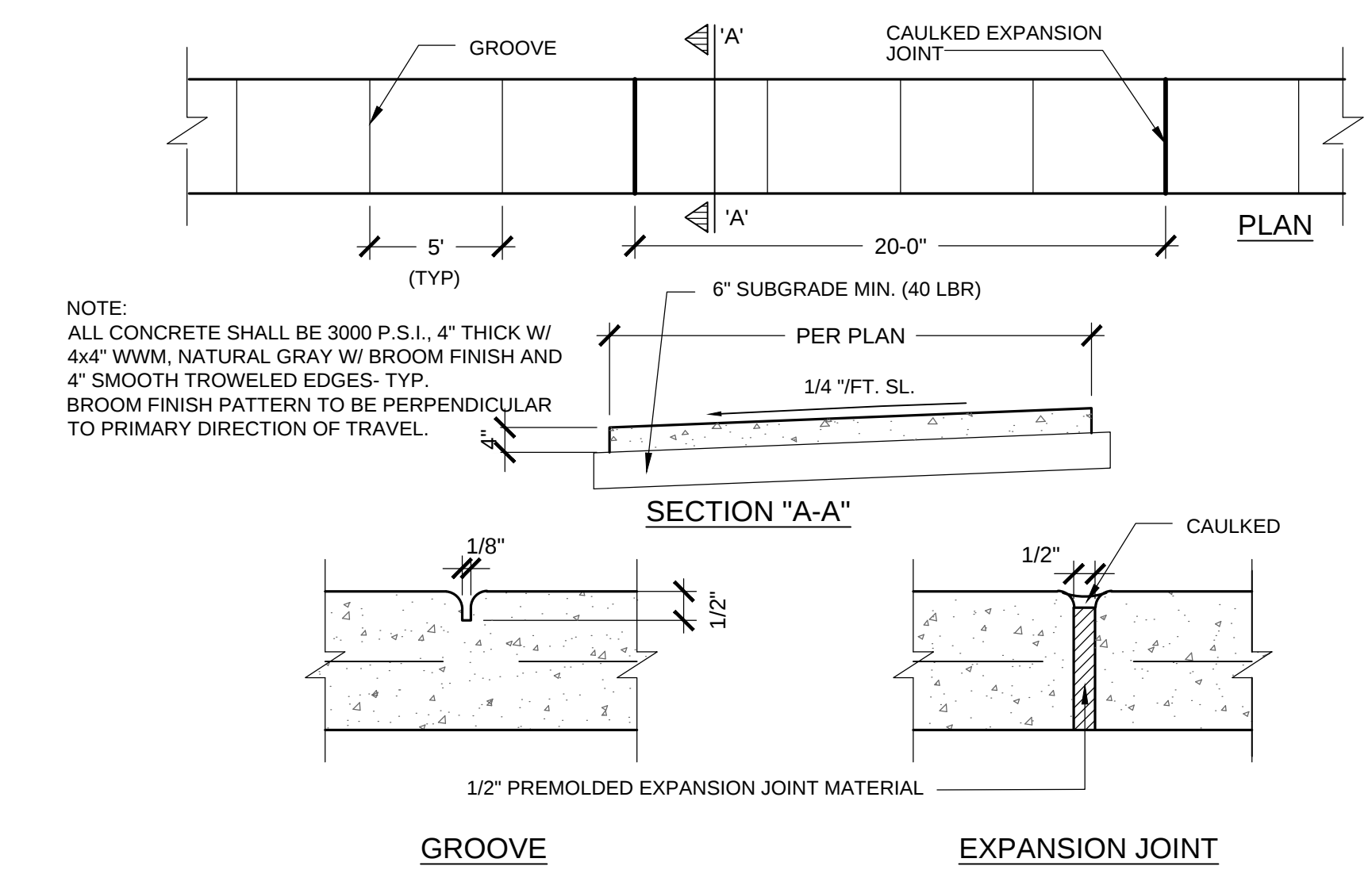
SHRUB AREAS	QTY	BOTANICAL NAME	COMMON NAME	CONT	CAL	SIZE	NATIVE	DROUGHT	SPACING	REMARKS
CES	25	CONOCARPUS ERECTUS SERICEUS	SILVER BUTTON WOOD	3 GAL., FULL		30"HT x 24"SPR	YES	HIGH	24" o.c.	
FMG	535	FICUS MICROCARPA 'GREEN ISLAND'	GREEN ISLAND FICUS	3 GAL.,		14" HT. X 16" SPR.,	NO	HIGH	18" o.c.	

SOD/SEED	QTY	BOTANICAL NAME	COMMON NAME	CONT	CAL	SIZE	NATIVE	DROUGHT	SPACING	REMARKS
SOD	829 SF	STENOTAPHRUM SECUNDATUM 'FLORITAM'	'FLORITAM' ST. AUGUSTINE SOD	SOD						



PERMIT SET

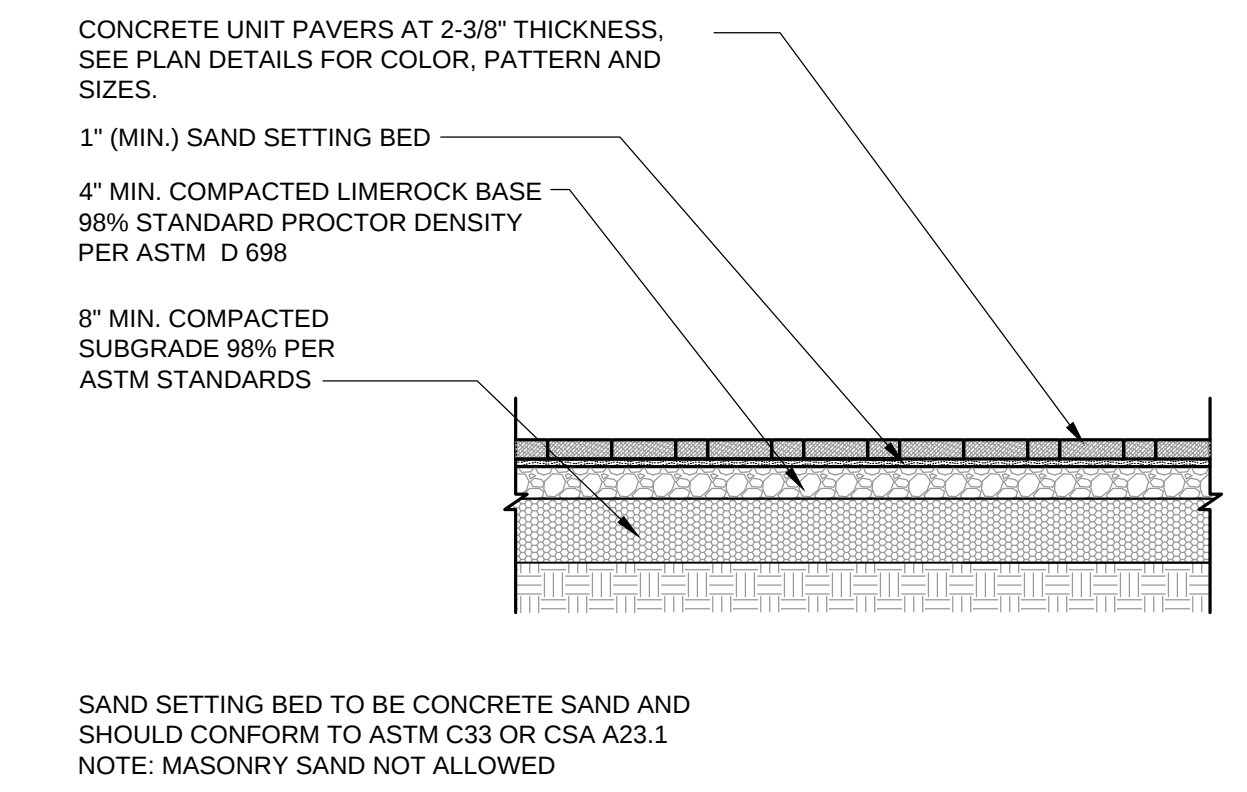




01- TYPICAL CONCRETE WALK DETAIL

PLAN & SECTIONS

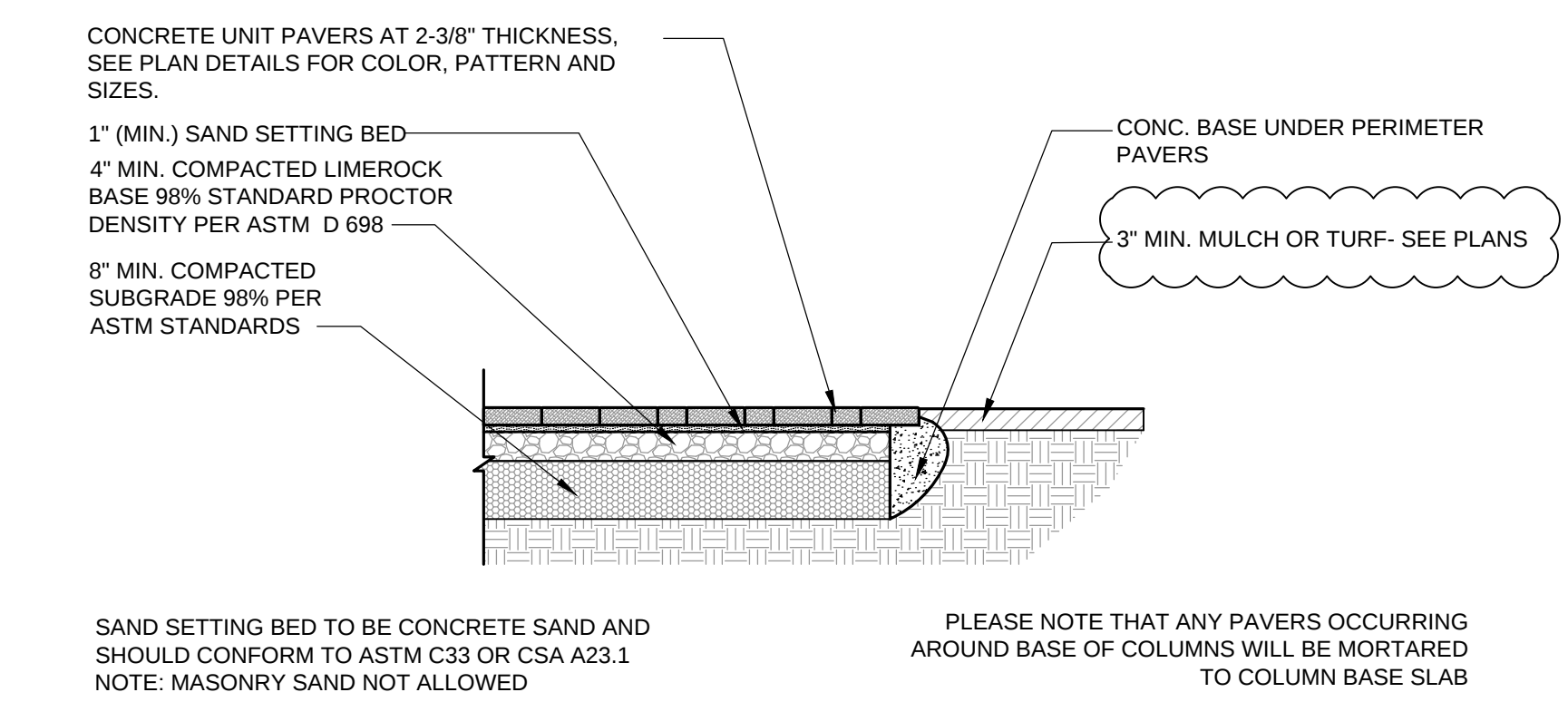
NTS



02- TYPICAL CONCRETE PAVERS

SECTION

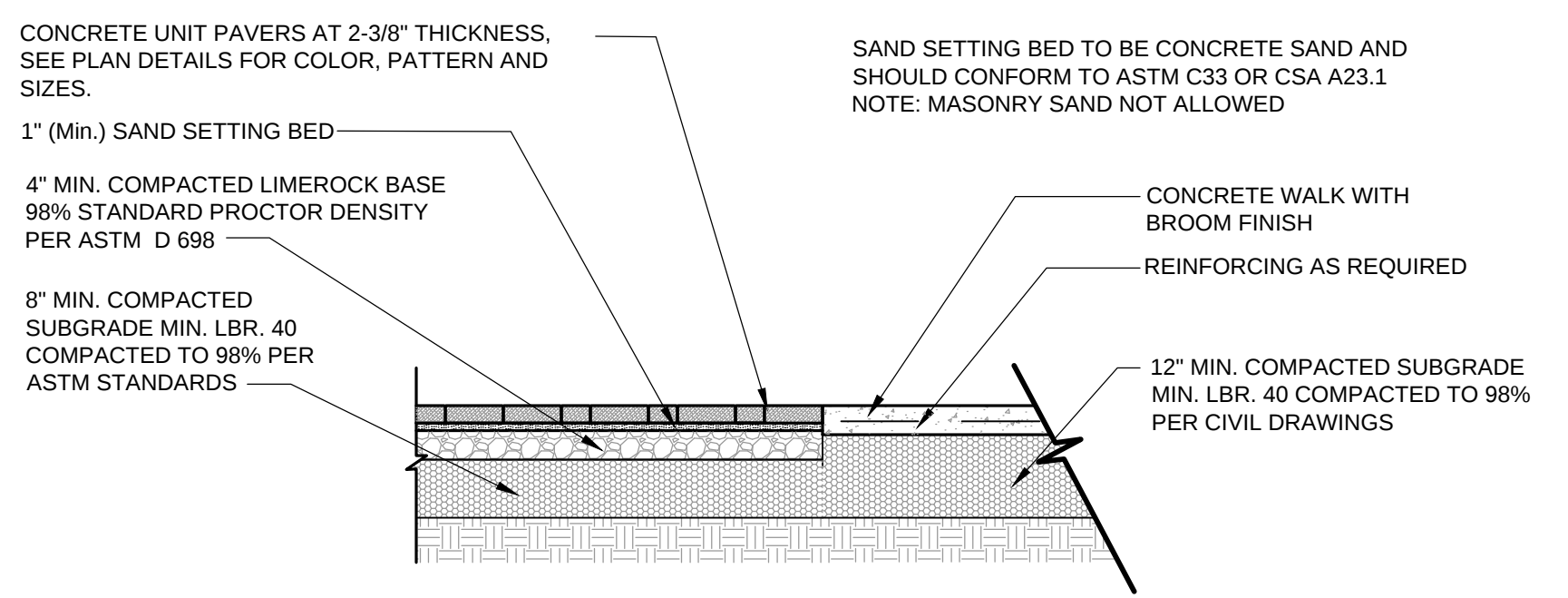
SCALE: 1/2"= 1'-0"



03- CONCRETE PAVERS AT LANDSCAPING

SECTION

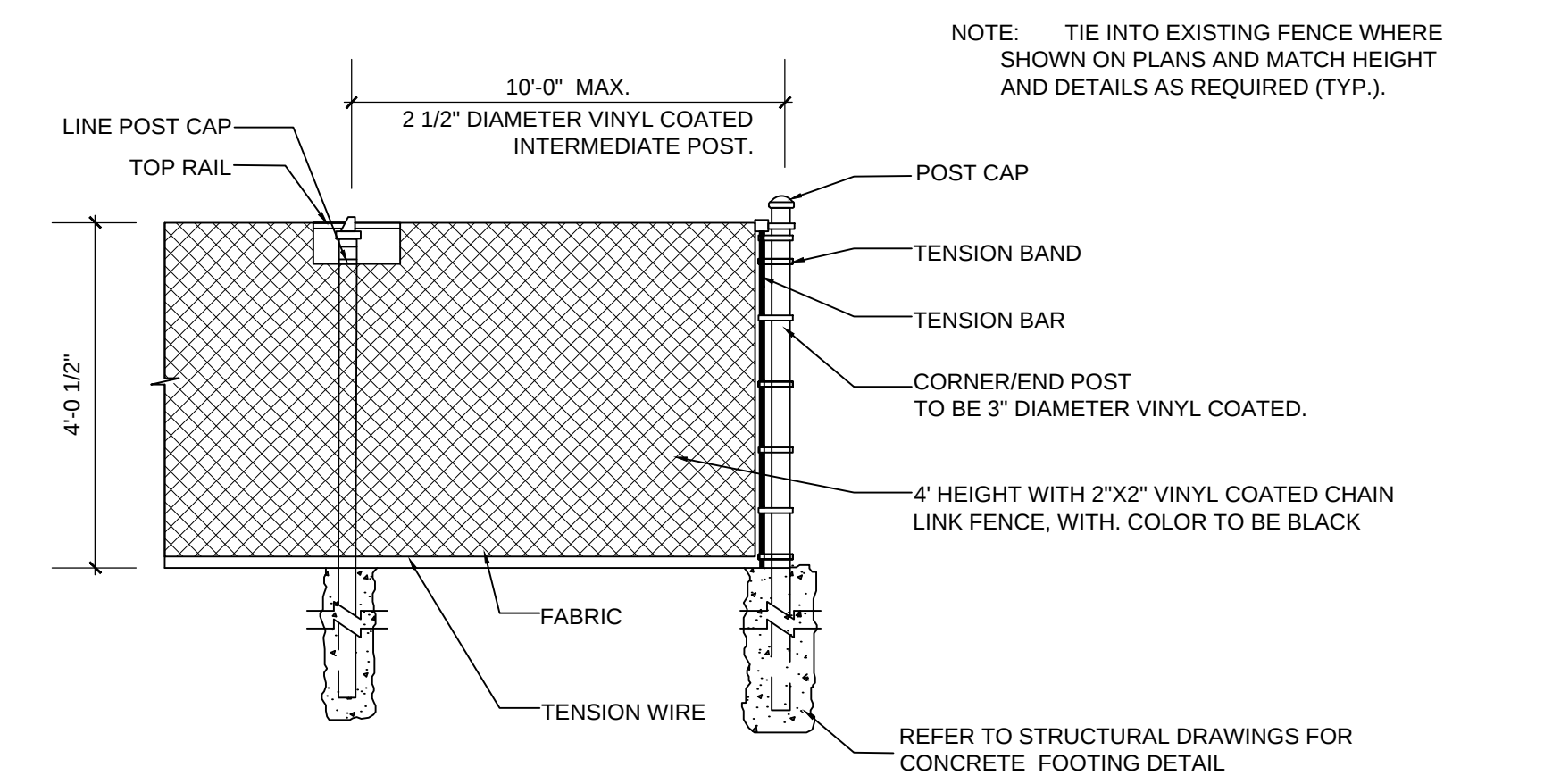
SCALE: 1/2"= 1'-0"



04- CONCRETE PAVERS AT SIDEWALK

SECTION

SCALE: 1/2"= 1'-0"

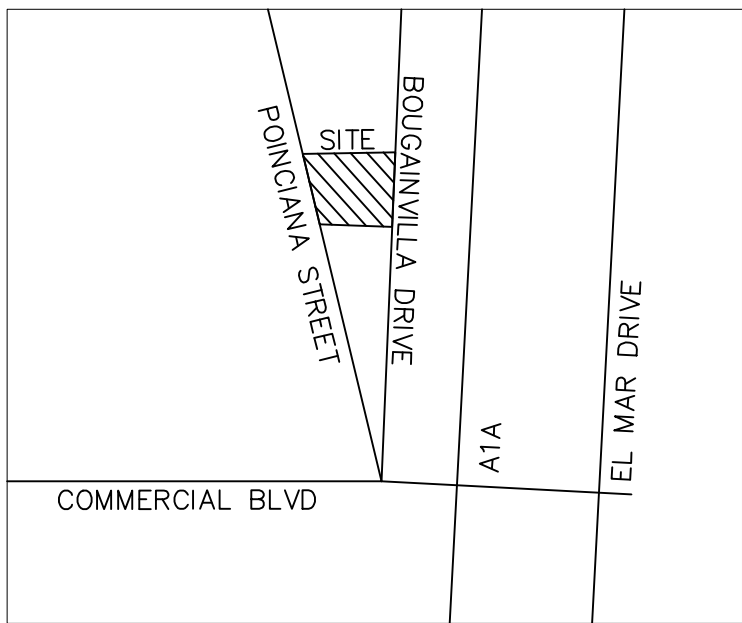
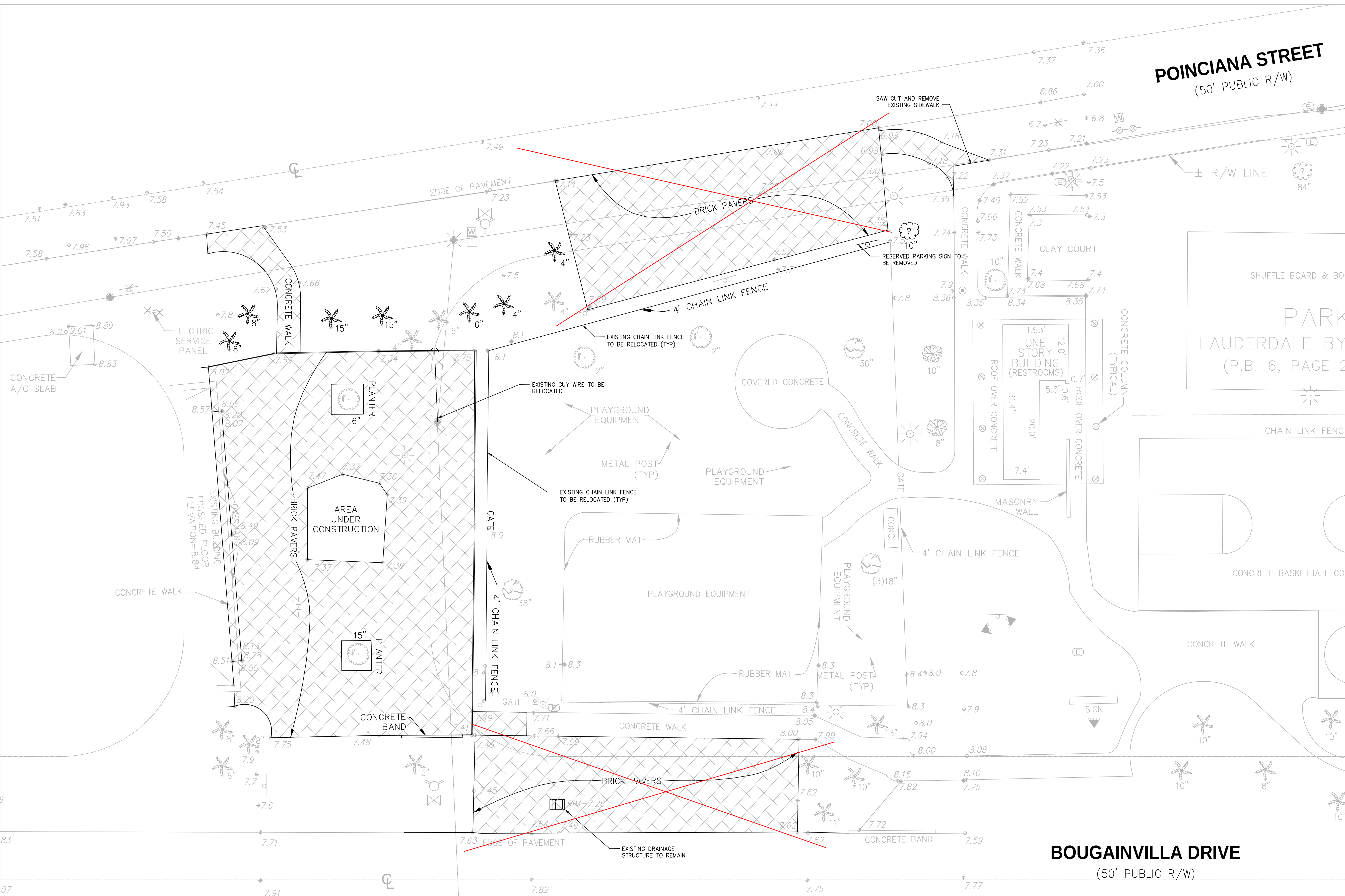


07- CHAIN LINKED FENCE DETAIL

SECTION

SCALE: 1/2"= 1'-0"

DETAILS DELETED FROM PROJECT



LOCATION MAP

NTS

NORTH

LEGEND:

- PROPOSED ELEVATION
- EXISTING ELEVATION
- EXISTING POWER POLE
- EXISTING CATCH BASIN
- PROPOSED CATCH BASIN
- RECTANGULAR GRATE
- PROPOSED CATCH BASIN
- ROUND GRATE
- SIAMSESE FIRE DEPARTMENT CONNECTION
- TEE
- WATER METER
- DOUBLE DETECTOR
- CHECK VALVE
- REDUCED PRESSURE BACKFLOW PREVENTOR
- DIRECTIONAL FLOW ARROW AND GRAVITY SEWER
- PROPOSED MANHOLE
- WATER MAIN
- VALVE
- FIRE HYDRANT
- CLEANOUT
- EDGE OF PAVEMENT (ASPHALT)
- DIRECTION OF SURFACE DRAINAGE
- SAMPLE POINT
- EXIST. WATER MAIN
- YARD DRAIN (SQUARE)
- YARD DRAIN (CIRCULAR)

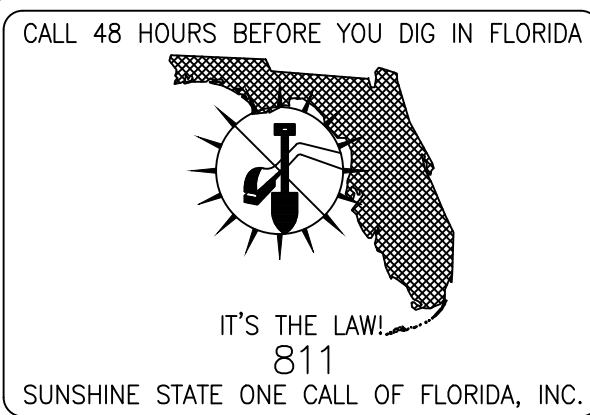
DEMOLITION LEGEND

- PAVER/CONCRETE/PAVEMENT REMOVAL
- UTILITY REMOVAL

DEMOLITION NOTES

- THE EXISTING BASE MATERIAL REMOVED BY DEMOLITION WORK MAY BE STOCK PILED AND REUSED AS AS BASE AND SUBBASE MATERIAL. APPROVAL OF STOCK PILED BASE MATERIAL FOR REUSE WILL BE PER FIELD EXAMINATION BY THE OWNER, THE TESTING LABORATORY, AND THE ENGINEER OF RECORD.
- CONTRACTOR SHALL REMOVE EXISTING PAVEMENT STRUCTURE BASED UPON FINAL FINISHED SURFACE (GRASS OR PAVEMENT) AS REQUIRED PER THE FOLLOWING PROPOSED IMPROVEMENTS
PAVEMENT: REMOVE ASPHALT/ CONCRETE SURFACE ONLY
GRASS: REMOVE ASPHALT AND ROCK BASE AND REGRADE AS REQUIRED PER PLAN.
- THE CONTRACTOR SHALL SAWCUT ALONG A NEAT STRAIGHT LINE AT ALL POINTS OF CONNECTION WITH EXISTING PAVEMENT TO REMAIN.
- CONTRACTOR SHALL PROVIDE, ERECT AND MAINTAIN TEMPORARY BARRIERS ALONG DEMOLITION AREAS, AND MAINTAIN IN PLACE A F.D.O.T. APPROVED MAINTENANCE OF TRAFFIC PLAN.
- ALL UTILITY COMPANIES (FP&L, BELL SOUTH, GAS CO, ETC.) SHALL BE NOTIFIED 2 WEEKS PRIOR TO BEGINNING OF DEMOLITION FOR REMOVAL AND/OR DISCONNECTION OF ON-SITE SERVICE LINES/ POLES. ANY REMNANTS LEFT BY UTILITY COMPANIES SHALL BE REMOVED BY CONTRACTOR.
- ALL DEMOLITION DEBRIS NOT OTHERWISE NOTED ON THE PLANS OR IN THESE NOTES SHALL BECOME THE PROPERTY OF THE CONTRACTOR AND SHALL BE REMOVED FROM THE SITE IN ACCORDANCE WITH THE GOVERNING MUNICIPALITY REQUIREMENTS.
- ALL EXISTING ONSITE TREES/ BUSHES TO BE REMOVED/ RELOCATED AT DIRECTION OF OWNER UNLESS OTHERWISE NOTED ON LANDSCAPE PLANS. ALL SOO AND TOP SOIL SHALL BE STRIPPED SO SUBGRADE AND BASE ROCK CAN BE ADDED.
- CONTRACTOR IS RESPONSIBLE FOR ANY TEMPORARY DRAINAGE REQUIRED DURING CONSTRUCTION
- RELOCATION/REMOVAL OF ELECTRICAL POLES & OVERHEAD WIRES TO BE COORDINATED W/ BROWARD COUNTY TRAFFIC ENGINEERING DEPT. & F.P.& L AS REQUIRED.
- BACKFILL FOR ANY VOIDS LEFT BY REMOVAL OF UNDERGROUND UTILITIES SHALL BE AS NOTED IN BY GEOTECHNICAL ENGINEER RECOMMENDATIONS FOR SUCH BACKFILL
- PRESSURE TESTING AND CERTIFICATION SHALL FOLLOW THE TOWN OF LBTS & F.E.S. MINIMUM ENGINEERING AND CONSTRUCTION STANDARDS.
- CONTRACTOR SHALL COORDINATE W/ TOWN THE REMOVAL/RELOCATION OF ANY WATER METERS.
- CONTRACTOR SHALL COORDINATE W/ FP&L FOR REMOVAL/RELOCATION OF ANY POWER POLES.
- CONTRACTOR SHALL COORDINATE W/ B.C.T.E.D. FOR THE RELOCATION OF ANY TRAFFIC POLES.

FD. N/D STAMPED
"AVIROM & ASSOCIATES TRAVERSE
PT."
ELEVATION=7.56 (NAVD 1988)



VERTICAL DATUM CONVERSION

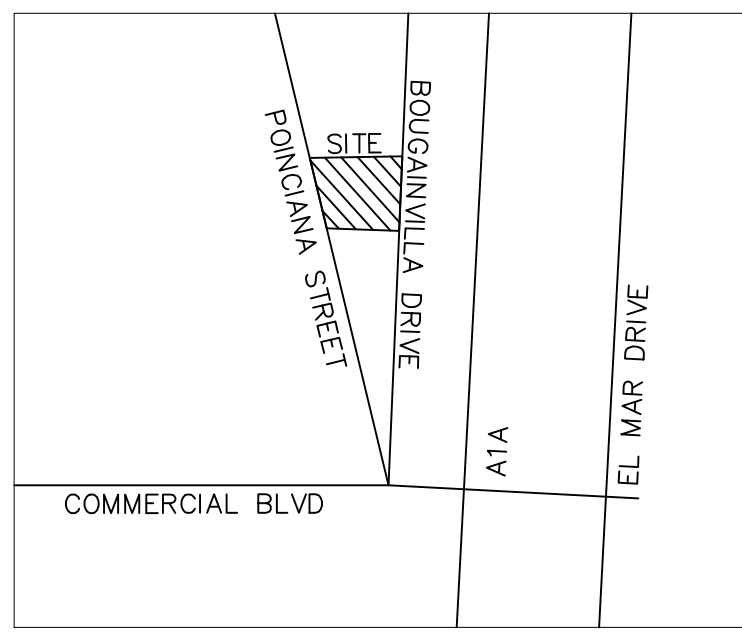
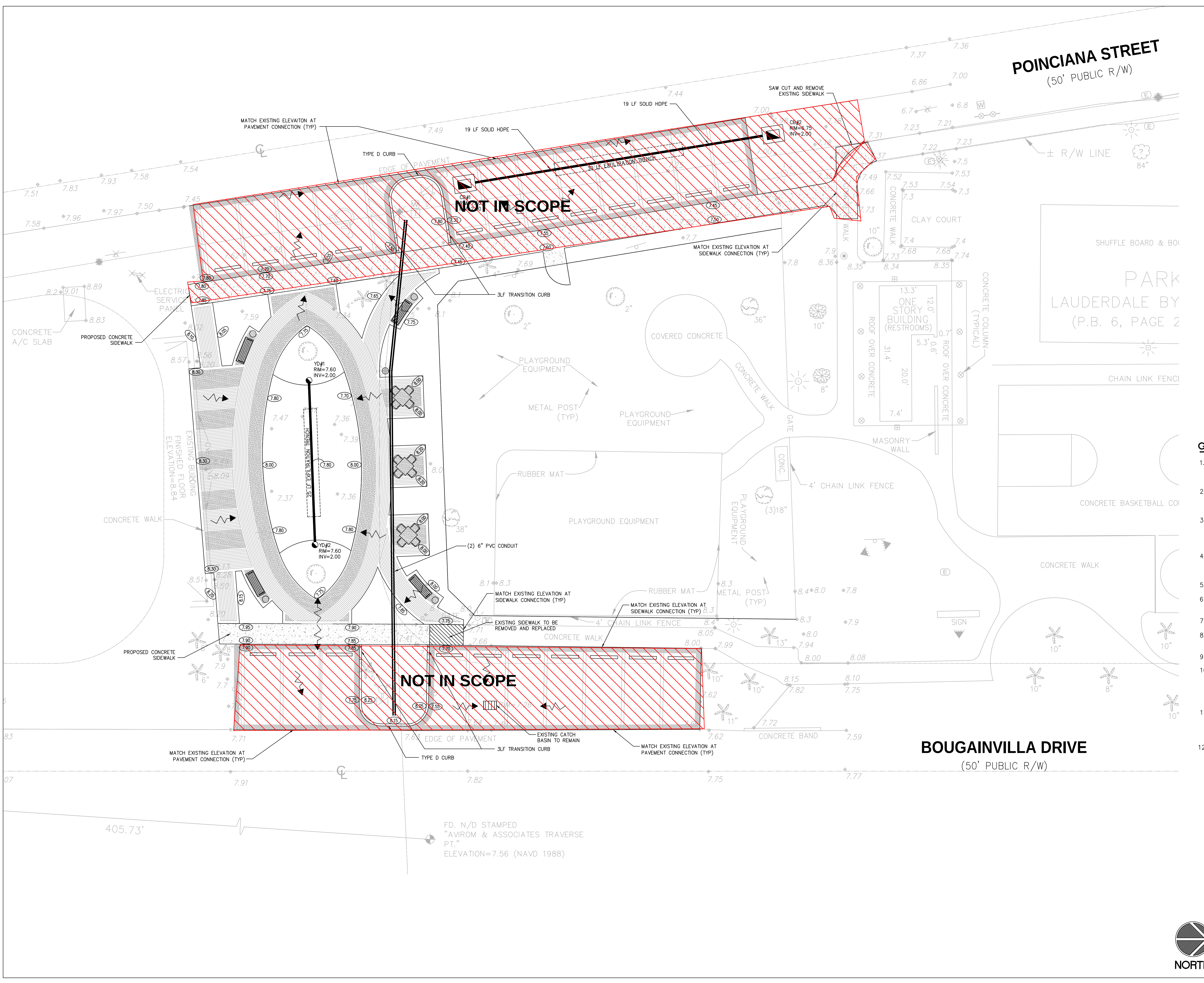
GRADING SHOWN UTILIZES N.A.V.D. 88

N.G.V.D. 29

N.A.V.D. 88

N.A.V.D. 88 = N.G.V.D. 29 - 1.5'
N.G.V.D. 29 = N.A.V.D. 88 + 1.5'



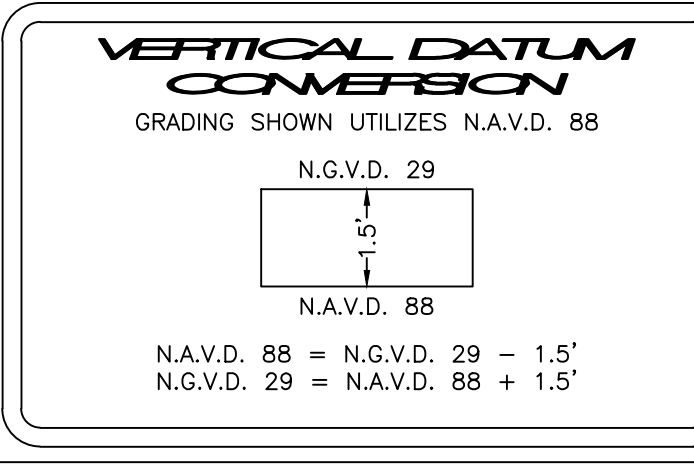
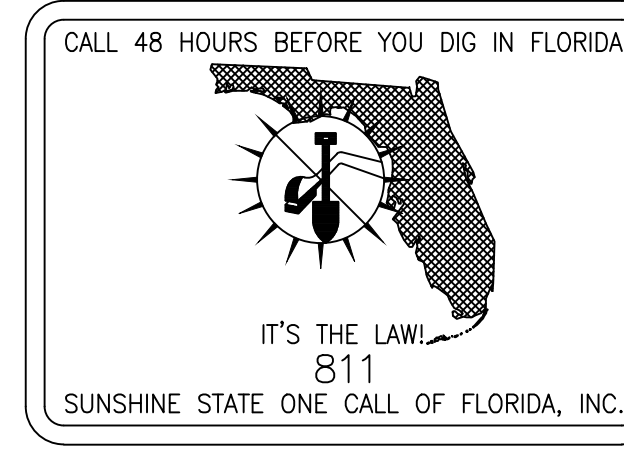


LOCATION MAP

- LEGEND:
- PROPOSED ELEVATION
 - EXISTING ELEVATION
 - EXISTING POWER POLE
 - EXISTING CATCH BASIN
 - PROPOSED CATCH BASIN
 - RECTANGULAR GRATE
 - PROPOSED CATCH BASIN
 - ROUND GRATE
 - SIAMSESE FIRE DEPARTMENT CONNECTION
 - TEE
 - WATER METER
 - DOUBLE DETECTOR
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 - PROPOSED MANHOLE
 - WATER MAIN
 - FIRE HYDRANT
 - CLEANOUT
 - EDGE OF PAVEMENT (ASPHALT)
 - DIRECTION OF SURFACE DRAINAGE
 - SAMPLE POINT
 - EXIST. WATER MAIN
 - YARD DRAIN (SQUARE)
 - YARD DRAIN (CIRCULAR)

GENERAL NOTES:

- ALL CONSTRUCTION SHALL CONFORM TO THE STANDARDS AND SPECIFICATIONS OF THE CITY OF LAUDERDALE BY THE SEA.
- PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL GIVE TIMELY NOTIFICATION TO ALL UTILITY COMPANIES WITH FACILITIES IN THE AREA.
- THE LOCATION OF EXISTING FACILITIES WERE PLOTTED FROM AVAILABLE RECORDS. THE CONTRACTOR SHALL FIELD LOCATE ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION.
- THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO SAFEGUARD ALL EXISTING STRUCTURES, UTILITIES, AND SURVEY MARKERS.
- MAXIMUM GRASS SLOPES SHALL NOT EXCEED 4:1.
- CONTRACTOR SHALL COORDINATE GRADING PLAN WITH LANDSCAPE ARCHITECT.
- SEE SITE PLAN FOR SITE DATA BREAKDOWN.
- SURVEY INFORMATION BASED ON SURVEY PROVIDED BY AVIROM & ASSOCIATES, INC.
- ELEVATIONS SHOWN ARE NAVD88
- RECTANGULAR CATCH BASIN AND YARD DRAIN GRATES SHALL BE INSTALLED SUCH THAT THE LONG AXIS OF GRATE PARALLELS THE CLOSEST ADJACENT WALK, BLDG., PROPERTY LINE, OR ROADWAY.
- COORDINATE LOCATION IN FIELD OF ALL CATCH BASINS & YARD DRAINS WITH LANDSCAPE CONTRACTOR TO AVOID CONFLICTS.
- THIS PROPERTY LIES IN FLOOD ZONE X, ELEV = N/A ON FIRM PANEL 12011 C0378 H, DATED 8/18/14.



FLYNN ENGINEERING SERVICES, P.A.
CIVIL ENGINEERS

241 COMMERCIAL BLVD.
LAUDERDALE BY THE SEA, FL 33308
PHONE: (954) 522-1004
FAX: (954) 522-7630
www.flynnengineering.com
EB# 6578

Sheet Title

PAVING, GRADING, & DRAINAGE PLAN

Job Title

FREIDT PARK

Phase:

CONSTRUCTION DOCUMENTS

Revisions

Scale:	Date
1"=10'	09/25/17
Job No.	Plot Date
17-1386.00	09/25/17
Drawn by	Sheet No.
BMK	
Proj. Mgr.	
JMF	
Appr. by	
JMF	

109

LAUDERDALE BY THE SEA, BROWARD COUNTY, FLORIDA

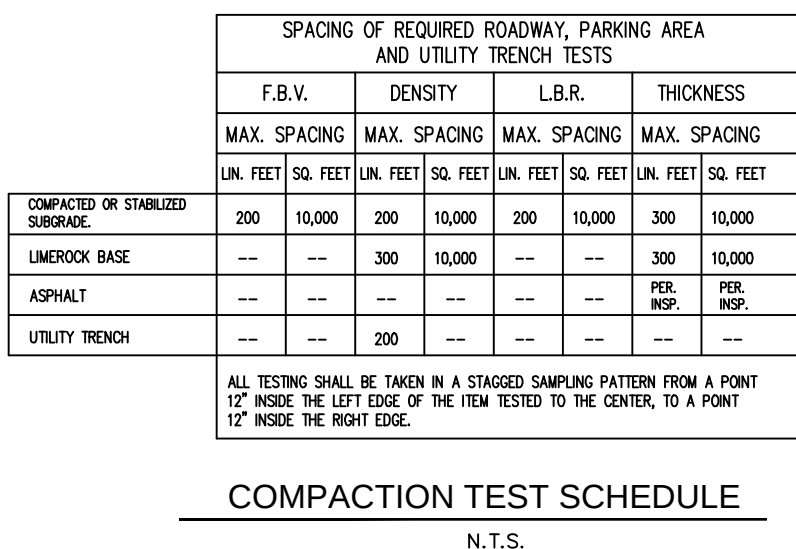
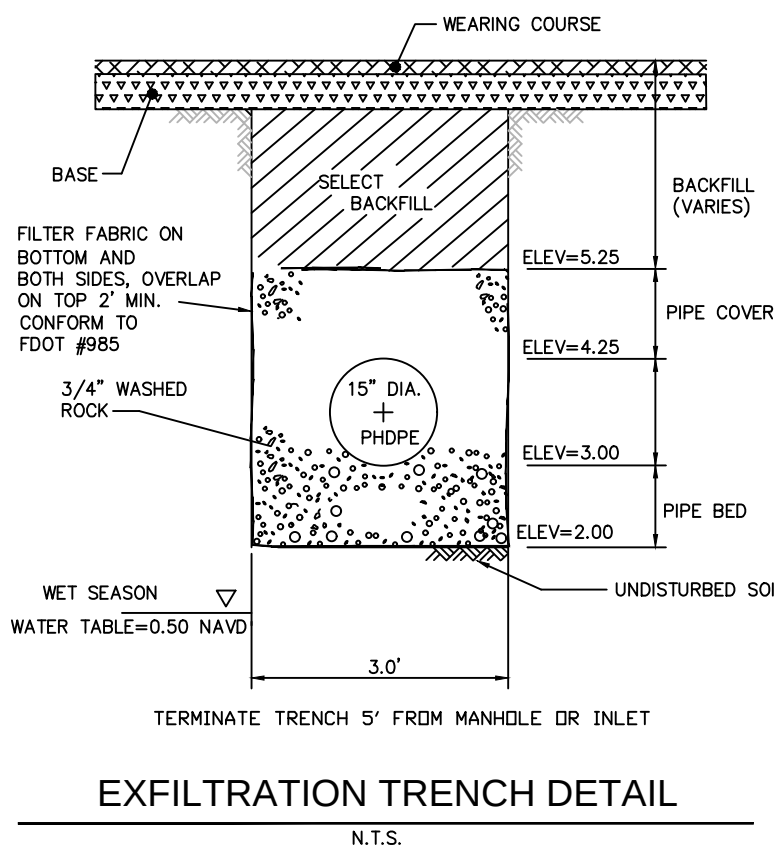


Diagram illustrating the cross-section of a road pavement structure, showing layers from top to bottom:

- ASPHALTIC CONCRETE WEARING SURFACE
- LIMEROCK BASE
- SUBBASE

A dashed line indicates the VEHICULAR SURFACE COURSE.

15" ASPHALTIC CONCRETE WEARING SURFACE, F.D.O.T. TYPE SP-12.5 SURFACE COURSE SHALL CONFORM TO THE REQUIREMENTS OF F.D.O.T. STANDARD SPECIFICATIONS SECTIONS 339 & 334

PRIME & TACK COAT : PRIME & TACK COAT FOR THE LIMEROCK BASE COURSE SHALL CONFORM TO THE REQUIREMENTS OF F.D.O.T. STANDARD SPECIFICATIONS SECTION 200

APPLICATION RATES - PRIME COAT-0.25 GALLONS PER SQ. YD. TACK COAT-0.08 GALLONS PER SQ. YD.

STANDARD BASE : 8" LIMEROCK BASE COMPACTED TO 98% OF MAXIMUM DENSITY (GASHTD-180).LIMEROCK BASE TO CONFORM WITH THE REQUIREMENTS OF F.D.O.T. SPECIFICATION SECTIONS 200 & 911.

MINIMUM L.B.R. = 100

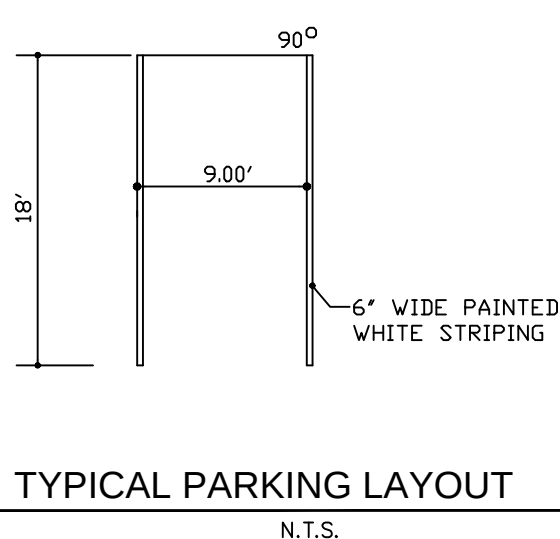
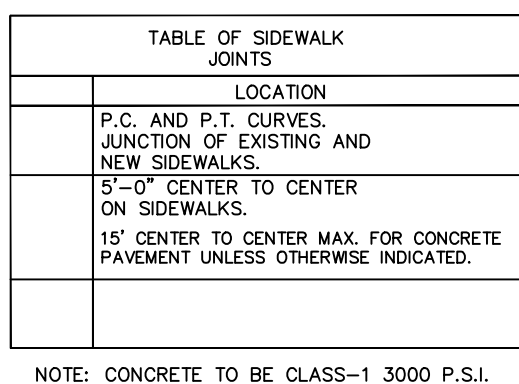
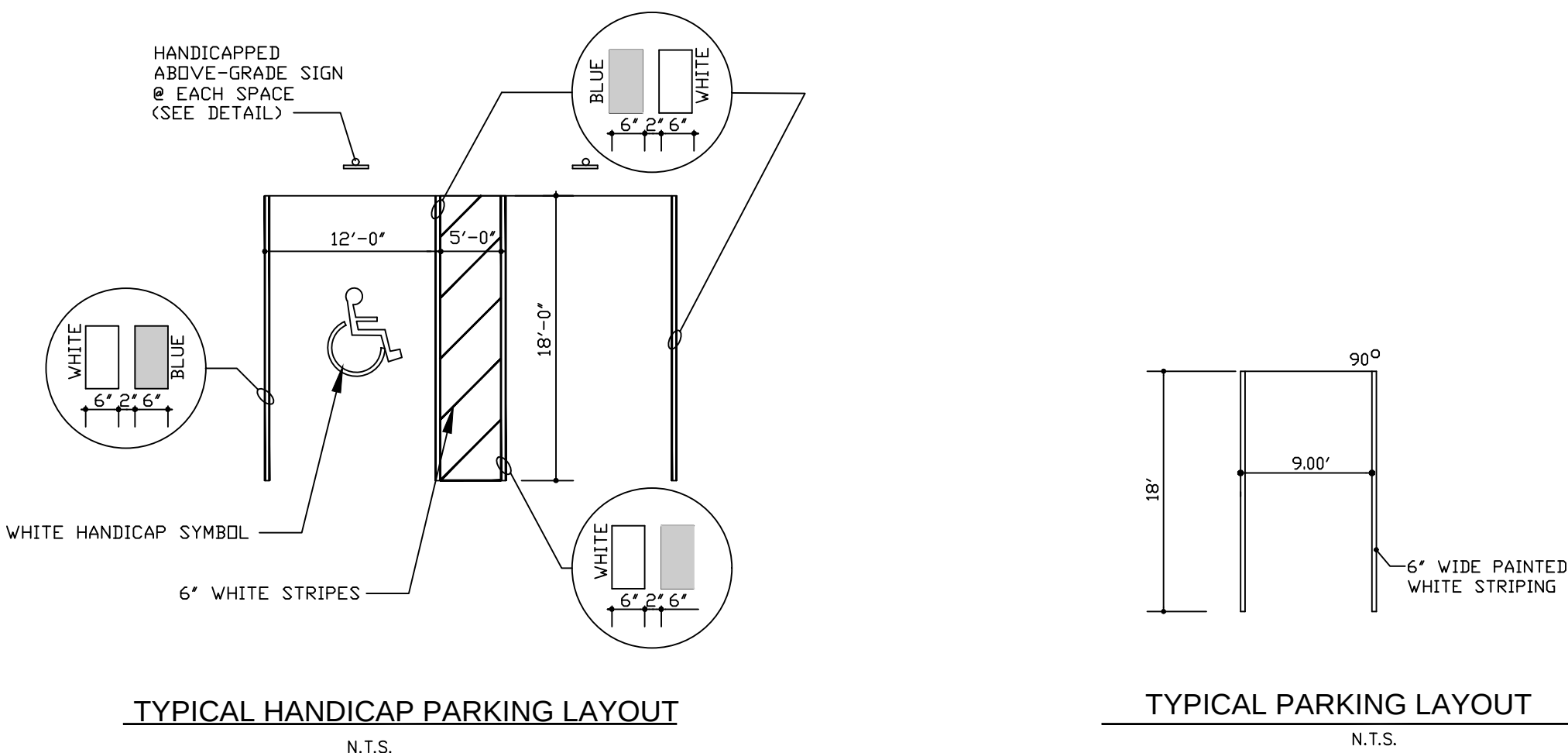
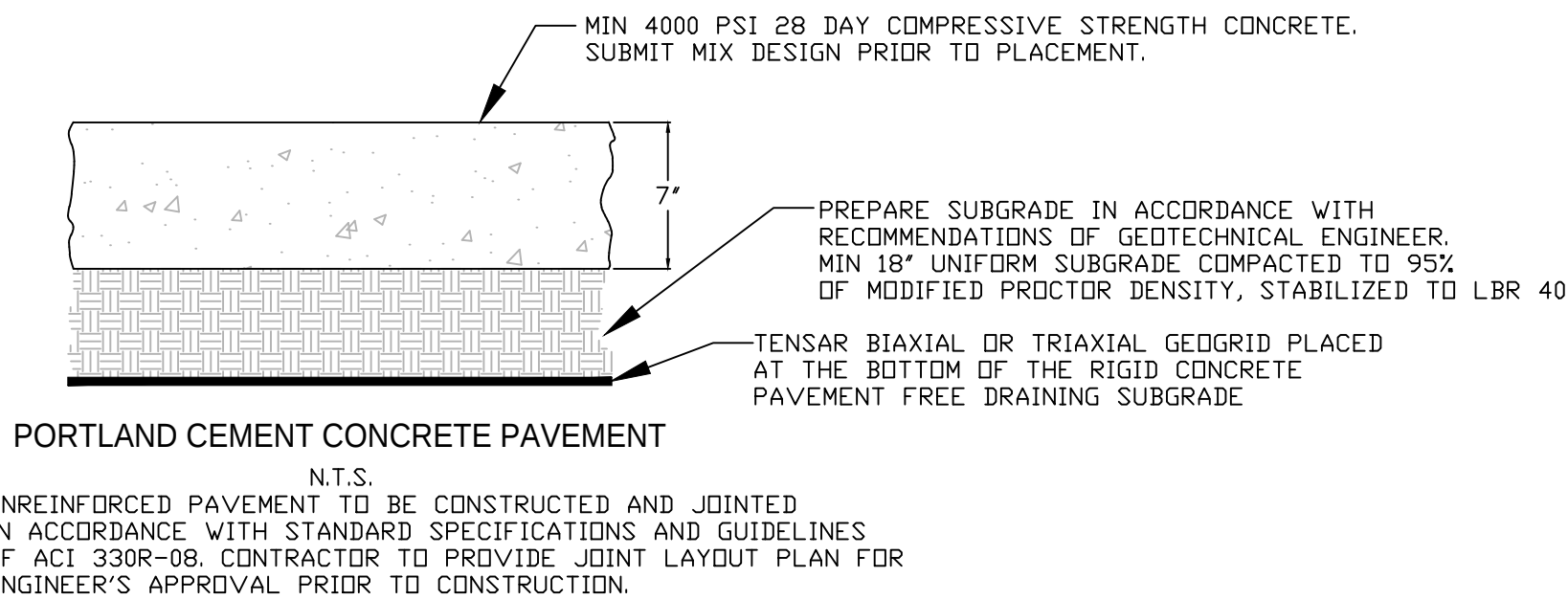
SUBBASE : 12" SUBBASE COMPACTED TO 98% OF MAXIMUM DENSITY (GASHTD-180). MINIMUM L.B.R. = 40

GEGRID : TENAX BIAXIAL OR TRIAXIAL GEGRID (DAE) PLACED AT THE BOTTOM OF THE ASPHALT PAVEMENT BASE COURSE.

NOTE: 1. LOWER ADJACENT TO PAVEMENT HAVING RUNOFF SHALL BE GRADED TWO INCHES LOWER THAN THE EDGE OF PAVEMENT TO ALLOW FOR THE PLACEMENT OF SSD.

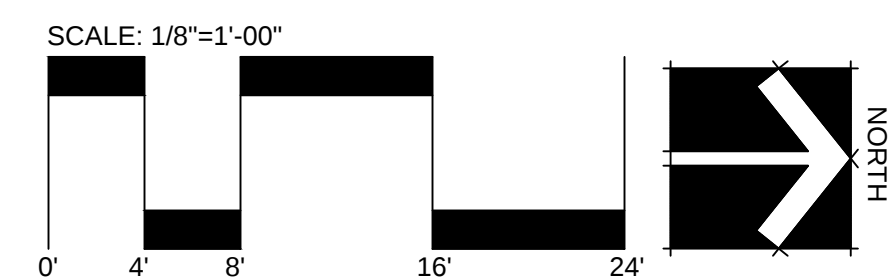
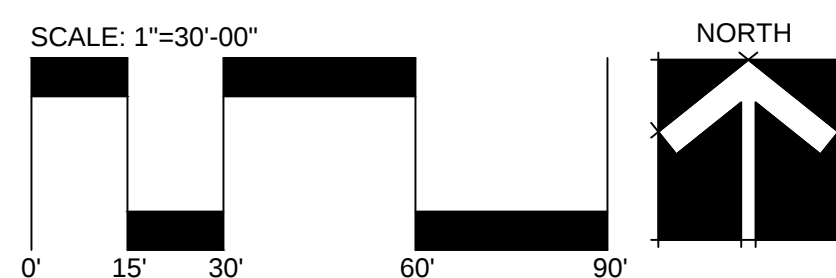
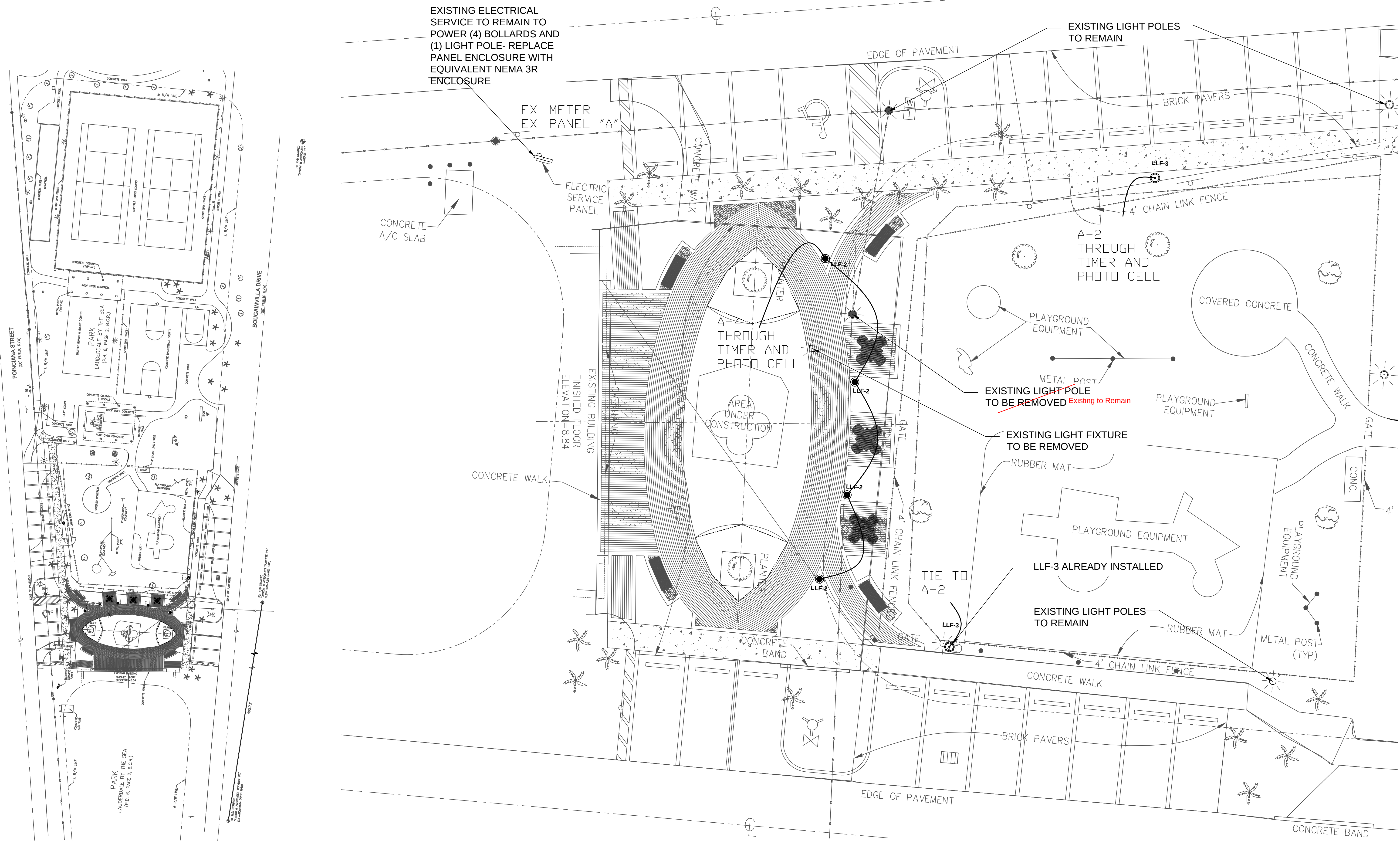
TYPICAL PAVEMENT DETAIL

N.T.S.



1. INSTALL NEW AND EXISTING LIGHTS AS SHOWN ON THIS PLAN.
2. REPAIRING EXISTING DETERIORATED PANEL ENCLOSURE

LIGHTING FIXTURE SCHEDULE									
	TYPE	DESCRIPTION	MFR	CATALOG NUMBER	VOLTS	LAMPS	INPUT WATTS	MOUNTING	REMARKS
(4)		LLF-2 AMBER LED BOLLARD	KIM	VSBI-20L2KU/WH PROVIDED BY TOWN				ON CONCRETE BASE	42" HIGH BOLLARD- COLOR WHITE
(1)		LLF-3 BLACK POLE LIGHT	LUMENPULSE	PROVIDED BY TOWN					SEE CUT SHEET



YAHYA CONSULTANTS, INC.

5516 NW 58TH AVE
CORAL SPRINGS FL 33067
TEL. (954) 263-9308
RYEHIA@MYACC.NET

QUALITY & PROFIT
DIVERSIFIED SERVICES

RAMZI R. YEHIA
FLORIDA LICENSE #64833
CERT. OF AUTH. #27115
PROJECT #18-015



RESOLUTION NO. 2020-07

**A RESOLUTION OF THE TOWN COMMISSION OF THE
TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA,
APPROVING A GUARANTEED MAXIMUM PRICE FROM
STATE CONTRACTING & ENGINEERING
CORPORATION FOR THE FRIEDT PARK COURTYARD
PROJECT; AUTHORIZING THE TOWN MANAGER TO
EXECUTE A WORK AUTHORIZATION; AND PROVIDING
FOR AN EFFECTIVE DATE.**

WHEREAS, on November 28, 2017, the Town issued Request for Qualifications 17-11-10 (“RFQ”), requesting that qualified general contractors submit their qualifications to the Town to perform as a construction manager at risk for Town projects; and

WHEREAS, on February 27, 2018, pursuant to the RFQ, the Commission awarded State Contracting & Engineering Corporation (“SCEC”) a Construction Manager-At-Risk Contract for Continuing Services (“Contract”); and

WHEREAS, at the July 9, 2019 Commission Meeting, Staff presented a paired down concept of the Friedt Park Courtyard (“Courtyard”) renovation to the Town Commission that would make modest enhancements to the Courtyard; and

WHEREAS, on January 28, 2020, staff met with the Friedt Park Improvement Plan Committee (“Committee”) and recommended removing the parking enhancements, which required additional storm water drainage infrastructure and added significantly to the cost of the project, to which the Committee agreed; and

WHEREAS, pursuant to the Contract, staff requested from SCEC a Guaranteed Maximum Price (“GMP”) for the Courtyard renovation; and

WHEREAS, SCEC has provided a GMP of \$235,060.00 to perform the work, which will take approximately 3 months to complete; and

1 **WHEREAS**, the Town Commission deems it to be in the best interest of the Town and its
2 residents to approve the GMP and authorize the Town Manager to execute a work authorization
3 with SCEC.

4 **NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE**
5 **TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, THAT:**

6 **SECTION 1. Recitals.** The foregoing “Whereas” clauses are hereby ratified and
7 confirmed as being true and correct and incorporated herein by this reference.

8 **SECTION 2. GMP Approved.** The GMP from SCEC in the amount of \$235,060.00
9 for the Friedt Park Courtyard Renovation Project, is hereby approved.

10 **SECTION 3. Authorization to Execute a Work Authorization.** The Town authorizes
11 the Town Manager or his designee to execute a work authorization for an amount not to exceed
12 \$235,060.00, subject to the terms of the work authorization being acceptable to the Town Manager
13 and approved as to form and legal sufficiency by the Town Attorney.

14 **SECTION 4. Authorization to Implement.** The appropriate Town officials are
15 authorized to execute all necessary documents and to take any necessary action to effectuate the
16 intent of this Resolution.

17 **SECTION 5. Effective Date.** This Resolution shall become effective immediately
18 upon passage and adoption.

19 **PASSED AND ADOPTED** on this ____ day of February, 2020.

MAYOR CHRIS VINCENT

Attest:

Tedra Allen, Town Clerk

APPROVED AS TO FORM:

Susan L. Trevarthen, Town Attorney



Town Commission Agenda Item Report

Meeting Date: February 11, 2020

Submitted by: Tedra Allen

Submitting Department: Administration

Item Type: Discussion Item

Agenda Section: NEW BUSINESS

Subject Title:

Town Manager Performance Evaluation

Explanation:

The Town Manager's contract requires that a written performance evaluation be performed annually and that the Commission meet to discuss the results of the evaluation.

Attachments:

1. LBTS Team Accomplishments
2. Overall Evaluation Score
3. Mayor Chris Vincent evaluation of the Town Manager
4. Vice Mayor Sokolow evaluation of the Town Manager
5. Commissioner Malkoon's evaluation of the Town Manager
6. Commissioner Oldaker's evaluation of the Town Manager
7. Commissioner Strauss's evaluation of the Town Manager



LBTS “Team Accomplishments” since 3/2019

- Terra Mar Storm Water Improvement plans modified in close coordination with Terra Mar Residents and Broward County Storm water permitting personnel. Design efforts have since concluded and this project set to start using Town Contractors (State) in next 60-90 days provided Town Commission approvals received (in Feb/March).
- Palm Club Septic-to-Sewer Wastewater Improvements now under design with 50% public review meeting set for 1st week in April. LBTS Public Service Director, Town Manager and design engineers have met with Palm Club HOA and have established an informal steering committee including three interested Palm Club residents to routinely communicate any design updates prior to any construction activity.
- El Mar Request for Qualifications process provided LBTS Staff a total of six engineering/design firms formally expressing interest to rank. Town Engineer will soon present Town Staff’s ranking committee’s top-choice negotiation recommendation to Town Commission for consideration (in Feb/March).
- The successful construction of the Bougainvilla/Poinciana Parking Lot and Landscaping Improvements has been completed providing new parking capacity and safer transportation routes for vehicles traveling in that area.
- Installed much needed new phones, new IT server and computers, and new audio/video equipment to upgrade Jarvis website and LBTS cable access channel productions. U-verse next.
- 2019/2020 budget Town Commission passed a budget that reduced managerial wages by 97k and also reduced total annual salary line item amounts (in 2020) by 4.5%. These savings offered competitive salary increases to rank & file and improved health and dental benefits.



-
- LBTS partnered in-kind with downtown business interests and Florida Power & Light to coordinate downtown electrical system improvements changing out old aluminum power lines with copper and smaller transformers with bigger transformers. Net result less previously predictable annual power outages experienced.
 - Granicus website agenda management and webcasting agreement renegotiated to guarantee provision of those services to LBTS.
 - Reducing number of loud music situations experienced downtown.
 - Negotiated inter-local temporary hurricane debris storage agreements with both Pompano Beach and Ft. Lauderdale. Having such agreements in place qualifies LBTS for FEMA reimbursements.
 - LBTS participated in stimulating the planning for Pompano Beach and Ft. Lauderdale Utility Leadership to work to reactivate a 16" A1A water-line through LBTS connecting these regional water systems.
 - Moving forward with the creation of initial LBTS 5-year beach maintenance/re-nourishment plans throughout the remainder of 2020.
 - To-date the installation of the new electrical services to sustain planned West Commercial parking lot lighting improvements has been initiated.
 - Incorporated specialized landscaping services benefitting the sustained aesthetics along the main LBTS West Commercial Blvd. entrance. New benches and banners soon to be added to this area.
 - Established a Town employee safety committee which meets on monthly basis and generates and incorporates safety improvements and practices that enhance the professional quality of life that LBTS employees experience while working here.



-
- **Currently revising job descriptions documenting present day job responsibilities of all Town employees coming forward for Town Commission consideration in March. This process will also create multiple new job titles associated with some department heads assuming additional roles that include IT and regional Transit.**
 - **Initiated contracted review of 2015 parking study to allow Parking Consultant to work with Town Manager, Finance Director, Town Parking Staff to project values of new potential parking locations.**
 - **Successful and pro-active preparation for Hurricane Dorian.**
 - **Initiated Facility Needs Assessment Study to predict square footage requirements for BSO and VFD facilities in LBTS.**
 - **2020 Town events enjoyed by many. Staff coordination and operational support of activities exceptional.**



Town of Lauderdale-by-the-Sea

OFFICE OF THE TOWN MANAGER

Memorandum

DATE: February 11, 2020

TO: Mayor Chris Vincent, Vice Mayor Elliot Sokolow, Commissioner Oldaker, Commissioner Strauss, Commissioner Malkoon

FROM: Bill Vance, Town Manager

SUBJECT: Evaluation Thank You From Bill Vance

Mayor and LBTS Town Commission – This year I received my International City Manager's Association (ICMA) plaque recognizing my career as an ICMA credentialed manager in good standing for the last 25 years. This month the LBTS Town Commission rated my professional performance (since my arrival March 18, 2019) at 4.19 rating on a 5-point scale. Ultimately, however the success of any local government manager is based upon their Team's success, individually, and collectively.

Over the last 10 months, our Town Commission and Staff have initiated the efforts necessary to design and construct approximately 9 million dollars in stormwater (Terra Mar), septic to sewer (Palm Club), and transportation (El Mar) improvements throughout 2020 and 2021.

Our LBTS Team mindset is geared towards finding responsible ways to say YES as opposed to favoring bureaucratic NOs. LBTS employee safety and the provision of fantastic customer service remain the highest LBTS priorities. LBTS went from being management heavy to now being stream-lined and using previous management salaries to provide more competitive salaries and better health and dental insurance benefits to the-rank-and-file.

TM decision-making is heavily influenced by Department Heads during weekly development, code enforcement, finance, engineering and HR Team meetings. Drama and negativity are not permitted in the workplace and LBTS employees enjoy their professional achievements, which benefit our community every day.

Your Town Manager expects successful people to be successful and I am blessed to be in the position to sustain LBTS Town Commission policies that guarantee our Town employees the professional respect, support, guidance, and resources they need to ensure LBTS' continual improvement.

Detailed Scores

	Factor 1: Relations with Governing Body, Providing Information	Mayor Vincent	Vice-Mayor Sokolow	Commissioner Oldaker	Commissioner Malkoon	Commissioner Strauss
	1.1	4	5	5	4	5
	1.2	5	5	5	5	4
	1.3	4	5	5	4	4
	1.4	3	5	5	5	5
	1.5	3	5	5	4	5
	1.6	4	5	4	4	5
	1.7	2	5	4	3	5
	1.8	3	5	4	3	5
	1.9	3	5	4	4	5
Factor 1 Weighting /Average	0.10	3.44	5.00	4.56	4.00	4.78
	Factor 2: Fiscal Management	Mayor Vincent	Vice-Mayor Sokolow	Commissioner Oldaker	Commissioner Malkoon	Commissioner Strauss
	2.1	2	5	3	2	5
	2.2	2	5	4	2	5
	2.3	4	5	3	4	5
	2.4	4	5	5	4	5
	2.5	3		4	2	5
Factor 2 Weighting /Average	0.10	3.00	5.00	3.80	2.80	5.00
	Factor 3: Personnel Management	Mayor Vincent	Vice-Mayor Sokolow	Commissioner Oldaker	Commissioner Malkoon	Commissioner Strauss
	3.1	3	5	5	3	5
	3.2	3	5	5	2	5
	3.3	5	5	5	4	5
	3.4	4		5		4
	3.5	3	5	5	3	5
	3.6	4	5	5	3	5
Factor 3 Weighting /Average	0.10	3.67	5.00	5.00	3.00	4.83
	Factor 4: Managing the Organization	Mayor Vincent	Vice-Mayor Sokolow	Commissioner Oldaker	Commissioner Malkoon	Commissioner Strauss
	4.1	3	5	4	2	5
	4.2	3	5	5	3	5
	4.3	3	5	5	2	5
	4.4	4	4	5	3	5
	4.5	3	5	5	2	5
	4.6	4	5	5	4	5
	4.7	3	5	5	3	5
	4.8	5		5	4	5
	4.9	3	5	5	3	5
Factor 4 Weighting /Average	0.10	3.44	4.88	4.89	2.89	5.00
	Factor 5: Relations with the Public/Other Gov'ts	Mayor Vincent	Vice-Mayor Sokolow	Commissioner Oldaker	Commissioner Malkoon	Commissioner Strauss
	5.1	3	5	5	2	5
	5.2	3	5	3	3	5
	5.3	3	5	5	2	5
	5.4	4	5	4	4	5
	5.5	4	5	5	3	5
Factor 5 Weighting /Average	0.10	3.40	5.00	4.40	2.80	5.00
	Factor 6: Achievement of Stated Goals	Mayor Vincent	Vice-Mayor Sokolow	Commissioner Oldaker	Commissioner Malkoon	Commissioner Strauss
	6.1	3	5	4	4	5
Factor 6 Weighting /Average	0.5	3.00	5.00	4.00	4.00	5.00

Weighted Scores

Factor 1	0.34	0.50	0.46	0.40	0.48
Factor 2	0.30	0.50	0.38	0.28	0.50
Factor 3	0.37	0.50	0.50	0.30	0.48
Factor 4	0.34	0.49	0.49	0.29	0.50
Factor 5	0.34	0.50	0.44	0.28	0.50
Factor 6	1.50	2.50	2.00	2.00	2.50
Weighted Average	3.19	4.99	4.27	3.55	4.96
Overall Average	4.19				



Town of Lauderdale-By-The-Sea Evaluation of the Town Manager

Evaluation Period: March 1, 2019 to February 10, 2020

Evaluator Name: Chris Vincent

Title: Mayor

Definition of Performance Ratings

<u>5</u> – Exceeds	<u>2</u> – Needs Improvement
<u>4</u> – More than satisfactory	<u>1</u> – Far below expectations
<u>3</u> – Satisfactory	<u>N/A</u> – Not applicable or too soon to rate.

Factor 1: Relations with Governing Body, Providing Information (10% of Evaluation Points)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
1.1 Keeps the Commission informed in an appropriate and timely manner about matters critical to the Commission's policy making role?	4	
1.2 Provides information on an equal basis to all Commission members?	5	
1.3 Anticipates and follows up promptly on Commission requests for information or action without having to be reminded?	4	
1.4 Available to the Commission on official business either personally or through designated subordinates?	3	
1.5 Reports departmental and staff activities to the Commission in an appropriate and timely manner?	3	<i>Minimal communication</i>
1.6 Advises the commission of relevant legislation and developments in the area of public policy affecting the Town of Lauderdale-By-The-Sea?	4	
1.7 Has a comprehensive understanding of the problems and issues existing in the Town of Lauderdale-By-The-Sea?	2	<i>Responds to quick on sensitive issues. Should consult with commission for feedback prior to commenting.</i>



Town of Lauderdale-By-The-Sea Evaluation of the Town Manager

Evaluation Period: March 1, 2019 to February 10, 2020

Factor 1: Relations with Governing Body, Providing Information (10% of Evaluation Points)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
1.8 Considers all viable alternatives before making recommendations to the Commission?	3	<i>Not informative enough on recommendations.</i>
1.9 Anticipates, plans, and prioritizes future needs and programs recognizing the potential problems confronting the Town?	3	<i>Still adjusting to the understanding of our Town and its needs.</i>
Average Score for Topic (will be calculated by Town Clerk)	3.44	
Weighted Score (=Average Score x 10)		

Factor 2: Fiscal Management (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
2.1 Develops and administers a process of budget preparation and review that meets the requirements of the Town Charter, and expectations of the Commission?	2	
2.2 Controls operational and capital costs through adequate budgetary and financial controls and the judicious/economical utilization of manpower, material and equipment?	2	
2.3 Provides the Commission with timely and sufficient reports on the financial status of the Town government in accordance with the Charter and requirements of the Commission?	4	
2.4 Applies for grants and administers grants received effectively?	4	<i>Has a good understanding of the process.</i>
2.5 Recommends ways to save money or increase efficiency in delivery of Town Services?	3	<i>Needs more time to quantify and understand where and how to spend.</i>
Average Score for Topic (will be calculated by Town Clerk)	3.00	
Weighted Score (=Average Score x 10)		

Factor 3: Personnel Management (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
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Town of Lauderdale-By-The-Sea Evaluation of the Town Manager

Evaluation Period: March 1, 2019 to February 10, 2020

3.1 Makes sound personnel selection decisions and policies?	3	
3.2 Motivates personnel through leadership and training so that they are effective in the performance of their duties, in achieving common goals and objectives.	3	
3.3 Nurtures an attitude of courtesy, helpfulness and sensitivity to the public among Town employees?	5	
3.4 Takes disciplinary action when appropriate?	4	
3.5 Emphasizes exemplary performance?	3	
3.6 Treats all Town Personnel in a fair and equitable manner?	4	
Average Score for Topic (will be calculated by Town Clerk)	3.64	
Weighted Score (=Average Score x 10)		

Factor 4: Managing The Organization (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
4.1 Executes the policies adopted by the Commission in a timely and appropriate fashion?	3	
4.2 Plans and executes organizational priorities in a manner reflective of the Town's stated mission and goals, and satisfactory to the Commission?	3	
4.3 Analyzes organizational problems or issues and identify causes, reasons, implications, and solutions employing all available technologies, systems and methods?	3	
4.4 Executes the short and long-term goals and objectives set forth in the Town's Mission Statement in a timely and effective manner?	4	
4.5 Communicates effective, clearly, easily and to the point?	3	
4.6 Demonstrates sensitivity to the opinions and concerns of others in and outside the organization?	4	
4.7 Emphasizes the importance of teamwork and leadership in his/her relationship with the organization, and provide a role model for personnel?	3	



**Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager**

Evaluation Period: March 1, 2019 to February 10, 2020

Factor 4: Managing The Organization (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
4.8 Accepts new ideas and suggestions for change?	5	<i>Has an open mind for creative ideas.</i>
4.9 Adapts to and deals effectively with unanticipated conditions and situations?	3	
Average Score for Topic (will be calculated by Town Clerk)	3.44	
Weighted Score (=Average Score x 10)		

Factor 5: Relations with the Public/Other Gov'ts (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
5.1 Handles disputes or complaints involving citizens in an effective, equitable, and timely manner?	3	
5.2 Makes him/herself available and visible to the citizens of the Town in an appropriate manner?	3	
5.3 Presents Commission policies and positions on issues to the citizens and Town organization accurately, equitable, and effectively?	3	
5.4 Directs public credit to the Commission in its role as the governing body?	4	
5.5 Deals effectively with other government agencies at all levels in representing the Town of Lauderdale-By-The-Sea?	4	
Average Score for Topic (will be calculated by Town Clerk)	3.40	
Weighted Score (=Average Score x 10)		

Factor 6: Achievement of Stated Goals (50% of overall score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
6.1 Achievement of Stated Goals	3	
Average Score for Topic (will be calculated by Town Clerk)	3.00	
Weighted Score (=Average Score x 50)		



Town of Lauderdale-By-The-Sea Evaluation of the Town Manager

Evaluation Period: March 1, 2019 to February 10, 2020

List any other issues or achievements you feel should be noted:

The most important process of managing a town like Lauderdale-By-The-Sea, is to know and understand its past and current culture. There is a sense of pride we all have as residents and participants and why we live here.

Our policies are to be adhered to and followed.

The town managers review process is one of those policies. It allows the commission to comment and summarize their performance so that we can address the issues and or achievements of the past year.

- There seems to be a consensus by staff of either too much managing or not any managing at all.
- Staff at times, has not been able to perform their job due to over involvement of the TM and his opinion of how it should be done.
- TM should be using the resources of our well-trained departments to his advantage.
- Any questions from the commission or residents to obtain information from department heads or staff is asked to be redirected through TM.
- TM's report at commission meetings need to be more concise and informative when addressing key issues.
- TM should always maintain professional and appropriate attire while in town hall.



***Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager***

Evaluation Period: March 1, 2019 to February 10, 2020

The Summary will be calculated by the Town Clerk and be returned to Commissioner for final approval of the evaluation)

Summary

FACTOR 1:	Relations with Commission	<u>.34</u>
FACTOR 2:	Fiscal Management	<u>.30</u>
FACTOR 3:	Personnel Management	<u>.37</u>
FACTOR 4:	Management of Organization	<u>.34</u>
FACTOR 5:	Relations with the Public	<u>.34</u>
FACTOR 6:	Goals Achievement	<u>1.50</u>

OVERALL WEIGHTED RATING: 3.19

Evaluator's Signature: _____

Date: ____/____/2018



Town of Lauderdale-By-The-Sea Evaluation of the Town Manager

Evaluation Period: March 1, 2019 to February 10, 2020

Evaluator Name: Elliot Sokolow

Title: Vice Mayor

<i>Definition of Performance Ratings</i>	
<u>5</u> – Exceeds	<u>2</u> – Needs Improvement
<u>4</u> – More than satisfactory	<u>1</u> – Far below expectations
<u>3</u> – Satisfactory	<u>N/A</u> – Not applicable or too soon to rate.

Factor 1: Relations with Governing Body, Providing Information (10% of Evaluation Points)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
1.1 Keeps the Commission informed in an appropriate and timely manner about matters critical to the Commission's policy making role?	5	<i>Multiple daily texts and emails</i>
1.2 Provides information on an equal basis to all Commission members?	5	
1.3 Anticipates and follows up promptly on Commission requests for information or action without having to be reminded?	5	
1.4 Available to the Commission on official business either personally or through designated subordinates?	5	
1.5 Reports departmental and staff activities to the Commission in an appropriate and timely manner?	5	
1.6 Advises the commission of relevant legislation and developments in the area of public policy affecting the Town of Lauderdale-By-The-Sea?	5	
1.7 Has a comprehensive understanding of the problems and issues existing in the Town of Lauderdale-By-The-Sea?	5	
1.8 Considers all viable alternatives before making recommendations to the Commission?	5	



Town of Lauderdale-By-The-Sea Evaluation of the Town Manager

Evaluation Period: March 1, 2019 to February 10, 2020

Factor 1: Relations with Governing Body, Providing Information (10% of Evaluation Points)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
1.9 Anticipates, plans, and prioritizes future needs and programs recognizing the potential problems confronting the Town?	5	
Average Score for Topic (will be calculated by Town Clerk)	5.00	
Weighted Score (=Average Score x 10)		

Factor 2: Fiscal Management (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
2.1 Develops and administers a process of budget preparation and review that meets the requirements of the Town Charter, and expectations of the Commission?	5	
2.2 Controls operational and capital costs through adequate budgetary and financial controls and the judicious/economical utilization of manpower, material and equipment?	5	
2.3 Provides the Commission with timely and sufficient reports on the financial status of the Town government in accordance with the Charter and requirements of the Commission?	5	<i>Delegates well to staff</i>
2.4 Applies for grants and administers grants received effectively?	5	<i>Follows judiciously for limited opportunities available</i>
2.5 Recommends ways to save money or increase efficiency in delivery of Town Services?	N/A	
Average Score for Topic (will be calculated by Town Clerk)	5.00	
Weighted Score (=Average Score x 10)		

Factor 3: Personnel Management (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
3.1 Makes sound personnel selection decisions and policies?	5	<i>New finance and other personnel are excellent</i>



Town of Lauderdale-By-The-Sea Evaluation of the Town Manager

Evaluation Period: March 1, 2019 to February 10, 2020

3.2 Motivates personnel through leadership and training so that they are effective in the performance of their duties, in achieving common goals and objectives.	5	<i>Staff seems to be pleased</i>
3.3 Nurtures an attitude of courtesy, helpfulness and sensitivity to the public among Town employees?	5	<i>Much improved over prior management</i>
3.4 Takes disciplinary action when appropriate?	N/A	<i>Insufficient data</i>
3.5 Emphasizes exemplary performance?	5	
3.6 Treats all Town Personnel in a fair and equitable manner?	5	<i>Appears to</i>
Average Score for Topic (will be calculated by Town Clerk)	5.00	
Weighted Score (=Average Score x 10)		

Factor 4: Managing The Organization (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
4.1 Executes the policies adopted by the Commission in a timely and appropriate fashion?	5	
4.2 Plans and executes organizational priorities in a manner reflective of the Town's stated mission and goals, and satisfactory to the Commission?	5	
4.3 Analyzes organizational problems or issues and identify causes, reasons, implications, and solutions employing all available technologies, systems and methods?	5	
4.4 Executes the short and long-term goals and objectives set forth in the Town's Mission Statement in a timely and effective manner?	4	<i>Work in progress after a year</i>
4.5 Communicates effective, clearly, easily and to the point?	5	<i>Despite occasional complaints from others, I believe he does.</i>
4.6 Demonstrates sensitivity to the opinions and concerns of others in and outside the organization?	5	
4.7 Emphasizes the importance of teamwork and leadership in his/her relationship with the organization, and provide a role model for personnel?	5	<i>A+ for this one</i>
4.8 Accepts new ideas and suggestions for change?	N/A	Click here to enter text.



Town of Lauderdale-By-The-Sea Evaluation of the Town Manager

Evaluation Period: March 1, 2019 to February 10, 2020

Factor 4: Managing The Organization (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
4.9 Adapts to and deals effectively with unanticipated conditions and situations?	5	
Average Score for Topic (will be calculated by Town Clerk)	4.88	
Weighted Score (=Average Score x 10)		

Factor 5: Relations with the Public/Other Gov'ts (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
5.1 Handles disputes or complaints involving citizens in an effective, equitable, and timely manner?	5	
5.2 Makes him/herself available and visible to the citizens of the Town in an appropriate manner?	5	
5.3 Presents Commission policies and positions on issues to the citizens and Town organization accurately, equitable, and effectively?	5	<i>Citizens occasionally don't understand the big picture</i>
5.4 Directs public credit to the Commission in its role as the governing body?	5	
5.5 Deals effectively with other government agencies at all levels in representing the Town of Lauderdale-By-The-Sea?	5	
Average Score for Topic (will be calculated by Town Clerk)	5.00	
Weighted Score (=Average Score x 10)		

Factor 6: Achievement of Stated Goals (50% of overall score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
6.1 Achievement of Stated Goals	5	<i>So far, so good.</i>
Average Score for Topic (will be calculated by Town Clerk)	5.00	
Weighted Score (=Average Score x 50)		



***Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager***

Evaluation Period: March 1, 2019 to February 10, 2020

List any other issues or achievements you feel should be noted:



***Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager***

Evaluation Period: March 1, 2019 to February 10, 2020

The Summary will be calculated by the Town Clerk and be returned to Commissioner for final approval of the evaluation)

Summary

FACTOR 1:	Relations with Commission	_.50__
FACTOR 2:	Fiscal Management	_.50__
FACTOR 3:	Personnel Management	_.50__
FACTOR 4:	Management of Organization	_.49__
FACTOR 5:	Relations with the Public	_.50__
FACTOR 6:	Goals Achievement	_2.50__

OVERALL WEIGHTED RATING: 4.99_

Evaluator's Signature: Elliot Sokolow

Date: 02 07 2020



***Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager***

Evaluation Period: March 1, 2019 to February 10, 2020

Evaluator Name: Edmund Malkoon

Title: Commissioner

Definition of Performance Ratings

<u>5</u> – Exceeds	<u>2</u> – Needs Improvement
<u>4</u> – More than satisfactory	<u>1</u> – Far below expectations
<u>3</u> – Satisfactory	<u>N/A</u> – Not applicable or too soon to rate.

<i>Factor 1: Relations with Governing Body, Providing Information</i> (10% of Evaluation Points)	<i>RATINGS</i>	<i>SUPPORTIVE DETAIL OR COMMENT</i>
1.1 Keeps the Commission informed in an appropriate and timely manner about matters critical to the Commission's policy making role?	4	<i>Regular Communications provided primarily via email as well as Text Messaging. Meeting backup material should include more background info.</i>
1.2 Provides information on an equal basis to all Commission members?	5	<i>All Are always copied</i>
1.3 Anticipates and follows up promptly on Commission requests for information or action without having to be reminded?	4	
1.4 Available to the Commission on official business either personally or through designated subordinates?	5	<i>Always expresses his willingness to have us call /meet with him</i>
1.5 Reports departmental and staff activities to the Commission in an appropriate and timely manner?	4	
1.6 Advises the commission of relevant legislation and developments in the area of public policy affecting the Town of Lauderdale-By-The-Sea?	4	
1.7 Has a comprehensive understanding of the problems and issues existing in the Town of Lauderdale-By-The-Sea?	3	<i>I feel more background knowledge of past issues/action should be better understood before acting.</i>



Town of Lauderdale-By-The-Sea Evaluation of the Town Manager

Evaluation Period: March 1, 2019 to February 10, 2020

Factor 1: Relations with Governing Body, Providing Information (10% of Evaluation Points)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
1.8 Considers all viable alternatives before making recommendations to the Commission?	3	
1.9 Anticipates, plans, and prioritizes future needs and programs recognizing the potential problems confronting the Town?	4	
<i>Average Score for Topic (will be calculated by Town Clerk)</i>	4.00	
<i>Weighted Score (=Average Score x 10)</i>		

Factor 2: Fiscal Management (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
2.1 Develops and administers a process of budget preparation and review that meets the requirements of the Town Charter, and expectations of the Commission?	2	<i>Given the first budget I feel it could be improved upon. Both in presentation and use of advisory committee.</i>
2.2 Controls operational and capital costs through adequate budgetary and financial controls and the judicious/economical utilization of manpower, material and equipment?	2	<i>Purchasing Manual should be followed unless emergencies dictate.</i>
2.3 Provides the Commission with timely and sufficient reports on the financial status of the Town government in accordance with the Charter and requirements of the Commission?	4	
2.4 Applies for grants and administers grants received effectively?	4	<i>Actively seeking grants and funding for capital expenses like sewers and the visitor center.</i>
2.5 Recommends ways to save money or increase efficiency in delivery of Town Services?	2	
<i>Average Score for Topic (will be calculated by Town Clerk)</i>	2.80	
<i>Weighted Score (=Average Score x 10)</i>		

Factor 3: Personnel Management (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
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Town of Lauderdale-By-The-Sea Evaluation of the Town Manager

Evaluation Period: March 1, 2019 to February 10, 2020

3.1 Makes sound personnel selection decisions and policies?	3	
3.2 Motivates personnel through leadership and training so that they are effective in the performance of their duties, in achieving common goals and objectives.	2	<i>I feel department heads should better consulted first or directed to prior to reacting.</i>
3.3 Nurtures an attitude of courtesy, helpfulness and sensitivity to the public among Town employees?	4	<i>Always a willingness to help</i>
3.4 Takes disciplinary action when appropriate?	N/A	
3.5 Emphasizes exemplary performance?	3	
3.6 Treats all Town Personnel in a fair and equitable manner?	3	
Average Score for Topic (will be calculated by Town Clerk)	3.00	
Weighted Score (=Average Score x 10)		

Factor 4: Managing The Organization (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
4.1 Executes the policies adopted by the Commission in a timely and appropriate fashion?	2	<i>A running list would be helpful. Votes have occurred and dates missed on items to come back</i>
4.2 Plans and executes organizational priorities in a manner reflective of the Town's stated mission and goals, and satisfactory to the Commission?	3	
4.3 Analyzes organizational problems or issues and identify causes, reasons, implications, and solutions employing all available technologies, systems and methods?	2	<i>I feel more thought should go into decision making. While acting swift is good it also good to understand all the options/opinions.</i>
4.4 Executes the short and long-term goals and objectives set forth in the Town's Mission Statement in a timely and effective manner?	3	
4.5 Communicates effective, clearly, easily and to the point?	2	
4.6 Demonstrates sensitivity to the opinions and concerns of others in and outside the organization?	4	
4.7 Emphasizes the importance of teamwork and leadership in his/her relationship with the organization, and provide a role model for personnel?	3	



***Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager***

Evaluation Period: March 1, 2019 to February 10, 2020

<i>Factor 4: Managing The Organization</i> (10% of Overall Score)	<i>RATINGS</i>	<i>SUPPORTIVE DETAIL OR COMMENT</i>
4.8 Accepts new ideas and suggestions for change?	4	
4.9 Adapts to and deals effectively with unanticipated conditions and situations?	3	
<i>Average Score for Topic (will be calculated by Town Clerk)</i>	2.89	
<i>Weighted Score (=Average Score x 10)</i>		

<i>Factor 5: Relations with the Public/Other Gov'ts</i> (10% of Overall Score)	<i>RATINGS</i>	<i>SUPPORTIVE DETAIL OR COMMENT</i>
5.1 Handles disputes or complaints involving citizens in an effective, equitable, and timely manner?	2	<i>Always offers to meet and help. On a couple occasions misinformation was provided to residents that could have been handled quicker by department heads without waiting on a meeting in in some cases rescheduled.</i>
5.2 Makes him/herself available and visible to the citizens of the Town in an appropriate manner?	3	<i>Makes himself available. Osha standards should be followed by all i.e. proper shoes etc.</i>
5.3 Presents Commission policies and positions on issues to the citizens and Town organization accurately, equitable, and effectively?	2	<i>Efforts are made but, on several occasions, misinformation was provided resulting in confusion/residents or businesses being upset</i>
5.4 Directs public credit to the Commission in its role as the governing body?	4	
5.5 Deals effectively with other government agencies at all levels in representing the Town of Lauderdale-By-The-Sea?	3	<i>Always friendly to other elected officials/agencies. A more formal/business like communication style may work better.</i>
<i>Average Score for Topic (will be calculated by Town Clerk)</i>	2.80	
<i>Weighted Score (=Average Score x 10)</i>		

<i>Factor 6: Achievement of Stated Goals</i> (50% of overall score)	<i>RATINGS</i>	<i>SUPPORTIVE DETAIL OR COMMENT</i>
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***Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager***

Evaluation Period: March 1, 2019 to February 10, 2020

6.1 Achievement of Stated Goals	4	
Average Score for Topic (will be calculated by Town Clerk)	4.	
Weighted Score (=Average Score x 50)	4 00	

List any other issues or achievements you feel should be noted:

I believe reviews are important to understand, constructively, some of the things we see or hear. This only being the first year, I see a good possibility of improvement in year 2.

I would like to see better attention to utilizing staff expertise. When a resident comes with an issue its better to refer them to the appropriate department /head. I have heard of requesting to meet with people only for them to wait a week and have it rescheduled. In some instances, a simple call or visit from someone could have had that issue answered much faster. Likewise utilizing staff opinion on issues to gain a better understanding of why we got somewhere is important. I have heard of meetings where staff were not included, and misinformation was provided. That said, regular office hours should be maintained ...while it's good to be available by phone a regular presence is more important.

Code:

I believe they should be evenly and fairly followed and not randomly applied. The states this is a duty of the Town Manager. I think enabling code to do their job would better serve the Town and its residents.

Honoring purchasing manual and HR reviews:

It came to my understand that the purchasing manual has not always been honored in relation to bids etc. We need to ensure we are mindful of taxpayer money. Also,



***Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager***

Evaluation Period: March 1, 2019 to February 10, 2020

I would like a stronger HR where Annual reviews and merit increase policy are reinstated for staff. The last budget increased salaries without this and my understanding is that would be the policy in the next budget.

Lastly, I hope the Town Manager will consider including more complete backup regarding the history on issues (not advise staff to edit for the purpose of making it short). It is important to know how we got to that point and aids in helping to educate the residents and even the commission.

I know it's a challenge coming into a new Town. I appreciate the opportunity to suggest ways in which I would like to see improvement in this next year.



***Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager***

Evaluation Period: March 1, 2019 to February 10, 2020

The Summary will be calculated by the Town Clerk and be returned to Commissioner for final approval of the evaluation)

Summary

FACTOR 1:	Relations with Commission	<u>.40</u>
FACTOR 2:	Fiscal Management	<u>.28</u>
FACTOR 3:	Personnel Management	<u>.30</u>
FACTOR 4:	Management of Organization	<u>.29</u>
FACTOR 5:	Relations with the Public	<u>.28</u>
FACTOR 6:	Goals Achievement	<u>2.00</u>

OVERALL WEIGHTED RATING:

3.55

Evaluator's Signature: _____

Date: ____/____/2018



Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager

Evaluation Period: March 18, 2019 to February 11, 2020

Evaluator Name: **Buz Oldaker**
Title: **Commissioner**

Definition of Performance Ratings

<u>1</u> – Far below expectations	<u>2</u> – Needs Improvement
<u>3</u> – Satisfactory	<u>4</u> – More than satisfactory
<u>5</u> – Exceeds	<u>N/A</u> – Not applicable or too soon to rate.

Factor 1: Relations with Governing Body, Providing Information (10% of Evaluation Points)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
1.1 Keep the Commission informed in an appropriate and timely manner about matters critical to the Commission's policy making role?	5	
1.2 Provide information on an equal basis to all Commission members?	5	
1.3 Anticipate and follow up promptly on Commission requests for information or action without having to be reminded?	5	
1.4 Available to the Commission on official business either personally or through designated subordinates?	5	
1.5 Report departmental and staff activities to the Commission in an appropriate and timely manner?	5	
1.6 Advise the commission of relevant legislation and developments in the area of public policy affecting the Town of Lauderdale-By-The-Sea?	4	
1.7 Has a comprehensive understanding of the problems and issues existing in the Town of Lauderdale-By-The-Sea?	4	<i>First year takes time to get up to speed. TM has done a good job learning in the first year.</i>



Town of Lauderdale-By-The-Sea Evaluation of the Town Manager

Evaluation Period: March 18, 2019 to February 11, 2020

1.8 Consider all available alternatives before making recommendations to the Commission?	4	
1.9 Anticipate, plan, and prioritize future needs and programs recognizing the potential problems confronting the Town?	4	<i>At times, too many issues are addressed personally by TM at the same time causing clarity issues as to priorities.</i>
Average Score for Topic (will be calculated by Town Clerk)	4.56	
Weighted Score (=Average Score x 10)		

Factor 2: Fiscal Management (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
2.1 Develops and administers a process of budget preparation and review which meets the requirements of the Town Charter, and expectations of the Commission in its decision-making role?	3	<i>First year budget prep was less than expected and not presented as well as prior years. Anticipate this year to be better.</i>
2.2 Controls operational and capital costs through adequate budgetary and financial controls and the judicious/economical utilization of manpower, material and equipment?	4	
2.3 Provides the Commission with timely and sufficient reports on the financial status of the Town government in accordance with the Charter and requirements of the Commission?	3	<i>There has been a learning curve with new TM and support staff. Reporting has been adequate but not quite where it needs to be going forward.</i>
2.4 Applies for grants and administers grants received effectively?	5	<i>Has been very proactive in finding new funding sources and taking advantage of current available funds.</i>
2.5 Recommends ways to save money or increase efficiency in delivery of Town Services?	4	
Average Score for Topic (will be calculated by Town Clerk)	3.80	
Weighted Score (=Average Score x 10)		



Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager

Evaluation Period: March 18, 2019 to February 11, 2020

Factor 3: Personnel Management (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
3.1 Makes sound personnel selection decisions and policies?	5	<i>Wise choices have been made providing great current results and future potential.</i>
3.2 Motivates personnel through leadership and training so that they are effective in the performance of their duties, in achieving common goals and objectives.	5	<i>Staff is in a good place showing enthusiasm and achievement.</i>
3.3 Nurtures an attitude of courtesy, helpfulness and sensitivity to the public among Town employees?	5	<i>Great Customer Service!</i>
3.4 Takes disciplinary action when appropriate?	5	
3.5 Emphasizes exemplary performance?	5	
3.6 Treats all Town Personnel in a fair and equitable manner?	5	
Average Score for Topic (will be calculated by Town Clerk)	5.00	
Weighted Score (=Average Score x 10)		

Factor 4: Managing The Organization (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
4.1 Executes the policies adopted by the Commission in a timely and appropriate fashion?	4	
4.2 Plans and executes organizational priorities in a manner reflective of the Town's stated mission and goals, and satisfactory to the Commission?	5	
4.3 Analyzes organizational problems or issues and identify causes, reasons, implications, and solutions employing all available technologies, systems and methods?	5	
4.4 Executes the short and long-term goals and objectives set forth in the Town's Mission Statement in a timely and effective manner?	5	
4.5 Communicates effective, clearly, easily and to the point?	5	



Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager

Evaluation Period: March 18, 2019 to February 11, 2020

4.6 Demonstrates sensitivity to the opinions and concerns of others in and outside the organization?	5	
4.7 Emphasize the importance of teamwork and leadership in his/her relationship with the organization, and provide a role model for personnel?	5	
4.8 Accepts new ideas and suggestions for change?	5	
4.9 Adapts to and deals effectively with unanticipated conditions and situations?	5	
Average Score for Topic (will be calculated by Town Clerk)	4.89	
Weighted Score (=Average Score x 10)		

Factor 5: Relations with the Public/Other Gov'ts (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
5.1 Handles disputes or complaints involving citizens in an effective, equitable, and timely manner?	5	
5.2 Makes him/herself available and visible to the citizens of the Town in an appropriate manner?	3	
5.3 Presents Commission policies and positions on issues to the citizens and Town organization accurately, equitable, and effectively?	5	
5.4 Directs sufficient public credit to the Commission in its role as the governing body?	4	
5.5 Deals effectively with other government agencies at all levels in representing the Town of Lauderdale-By-The-Sea?	5	
Average Score for Topic (will be calculated by Town Clerk)	4.40	
Weighted Score (=Average Score x 10)		



***Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager***

Evaluation Period: March 18, 2019 to February 11, 2020

<i>Factor 6: Achievement of Stated Goals (50% of overall score)</i>	<i>RATINGS</i>	<i>SUPPORTIVE DETAIL OR COMMENT</i>
6.1 Achievement of Stated Goals	4	
<i>Average Score for Topic (will be calculated by Town Clerk)</i>	4.00	
<i>Weighted Score (=Average Score x 50)</i>		

List any other issues or achievements you feel should be noted:



***Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager***

Evaluation Period: March 18, 2019 to February 11, 2020

The Summary will be completed by the Town Clerk and be returned to Commissioner for final review)

Summary

FACTOR 1:	Relations with Commission	<u>0.44</u>
FACTOR 2:	Fiscal Management	<u>0.38</u>
FACTOR 3:	Personnel Management	<u>0.50</u>
FACTOR 4:	Management of Organization	<u>0.49</u>
FACTOR 5:	Relations with the Public	<u>0.44</u>
FACTOR 6:	Goals Achievement	<u>2.60</u>

OVERALL WEIGHTED RATING: 4.27

Evaluator's Signature: _____

Date: ____/____/2020



Town of Lauderdale-By-The-Sea Evaluation of the Town Manager

Evaluation Period: March 1, 2019 to February 10, 2020

Evaluator Name: Randy Strauss

Title: Commissioner

Definition of Performance Ratings	
<u>5</u> – Exceeds	<u>2</u> – Needs Improvement
<u>4</u> – More than satisfactory	<u>1</u> – Far below expectations
<u>3</u> – Satisfactory	<u>N/A</u> – Not applicable or too soon to rate.

Factor 1: Relations with Governing Body, Providing Information (10% of Evaluation Points)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
1.1 Keeps the Commission informed in an appropriate and timely manner about matters critical to the Commission's policy making role?	5	<i>Make excellent use of informative texts</i>
1.2 Provides information on an equal basis to all Commission members?	4	<i>Unaware of what information he provided to other commission members</i>
1.3 Anticipates and follows up promptly on Commission requests for information or action without having to be reminded?	4	<i>Does excellent will little to no follow up prompting</i>
1.4 Available to the Commission on official business either personally or through designated subordinates?	5	<i>Has always made himself available</i>
1.5 Reports departmental and staff activities to the Commission in an appropriate and timely manner?	5	
1.6 Advises the commission of relevant legislation and developments in the area of public policy affecting the Town of Lauderdale-By-The-Sea?	5	
1.7 Has a comprehensive understanding of the problems and issues existing in the Town of Lauderdale-By-The-Sea?	5	



Town of Lauderdale-By-The-Sea Evaluation of the Town Manager

Evaluation Period: March 1, 2019 to February 10, 2020

Factor 1: Relations with Governing Body, Providing Information (10% of Evaluation Points)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
1.8 Considers all viable alternatives before making recommendations to the Commission?	5	<i>I believe so</i>
1.9 Anticipates, plans, and prioritizes future needs and programs recognizing the potential problems confronting the Town?	5	<i>I believes makes excellent use of staff for this purpose as well</i>
Average Score for Topic (will be calculated by Town Clerk)		
Weighted Score (=Average Score x 10)		

Factor 2: Fiscal Management (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
2.1 Develops and administers a process of budget preparation and review that meets the requirements of the Town Charter, and expectations of the Commission?	5	
2.2 Controls operational and capital costs through adequate budgetary and financial controls and the judicious/economical utilization of manpower, material and equipment?	5	
2.3 Provides the Commission with timely and sufficient reports on the financial status of the Town government in accordance with the Charter and requirements of the Commission?	5	
2.4 Applies for grants and administers grants received effectively?	5	
2.5 Recommends ways to save money or increase efficiency in delivery of Town Services?	5	
Average Score for Topic (will be calculated by Town Clerk)		
Weighted Score (=Average Score x 10)		

Factor 3: Personnel Management (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
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Town of Lauderdale-By-The-Sea Evaluation of the Town Manager

Evaluation Period: March 1, 2019 to February 10, 2020

3.1 Makes sound personnel selection decisions and policies?	5	
3.2 Motivates personnel through leadership and training so that they are effective in the performance of their duties, in achieving common goals and objectives.	5	
3.3 Nurtures an attitude of courtesy, helpfulness and sensitivity to the public among Town employees?	5	
3.4 Takes disciplinary action when appropriate?	4	<i>As I have not been made aware of any significant problem issues</i>
3.5 Emphasizes exemplary performance?	5	
3.6 Treats all Town Personnel in a fair and equitable manner?	5	
Average Score for Topic (will be calculated by Town Clerk)		
Weighted Score (=Average Score x 10)		

Factor 4: Managing The Organization (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
4.1 Executes the policies adopted by the Commission in a timely and appropriate fashion?	5	
4.2 Plans and executes organizational priorities in a manner reflective of the Town's stated mission and goals, and satisfactory to the Commission?	5	
4.3 Analyzes organizational problems or issues and identify causes, reasons, implications, and solutions employing all available technologies, systems and methods?	5	<i>I believe with the help of the well informed staff</i>
4.4 Executes the short and long-term goals and objectives set forth in the Town's Mission Statement in a timely and effective manner?	5	
4.5 Communicates effective, clearly, easily and to the point?	5	
4.6 Demonstrates sensitivity to the opinions and concerns of others in and outside the organization?	5	
4.7 Emphasizes the importance of teamwork and leadership in his/her relationship with the organization, and provide a role model for personnel?	5	



Town of Lauderdale-By-The-Sea Evaluation of the Town Manager

Evaluation Period: March 1, 2019 to February 10, 2020

Factor 4: Managing The Organization (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
4.8 Accepts new ideas and suggestions for change?	5	
4.9 Adapts to and deals effectively with unanticipated conditions and situations?	5	
Average Score for Topic (will be calculated by Town Clerk)		
Weighted Score (=Average Score x 10)		

Factor 5: Relations with the Public/Other Gov'ts (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
5.1 Handles disputes or complaints involving citizens in an effective, equitable, and timely manner?	5	<i>Very good response time</i>
5.2 Makes him/herself available and visible to the citizens of the Town in an appropriate manner?	5	
5.3 Presents Commission policies and positions on issues to the citizens and Town organization accurately, equitable, and effectively?	5	
5.4 Directs public credit to the Commission in its role as the governing body?	5	
5.5 Deals effectively with other government agencies at all levels in representing the Town of Lauderdale-By-The-Sea?	5	
Average Score for Topic (will be calculated by Town Clerk)		
Weighted Score (=Average Score x 10)		

Factor 6: Achievement of Stated Goals (50% of overall score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
6.1 Achievement of Stated Goals	5	
Average Score for Topic (will be calculated by Town Clerk)		
Weighted Score (=Average Score x 50)		



***Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager***

Evaluation Period: March 1, 2019 to February 10, 2020

List any other issues or achievements you feel should be noted:



***Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager***

Evaluation Period: March 1, 2019 to February 10, 2020

The Summary will be calculated by the Town Clerk and be returned to Commissioner for final approval of the evaluation)

Summary

FACTOR 1: Relations with Commission _____

FACTOR 2: Fiscal Management _____

FACTOR 3: Personnel Management _____

FACTOR 4: Management of Organization _____

FACTOR 5: Relations with the Public _____

FACTOR 6: Goals Achievement _____

OVERALL WEIGHTED RATING: _____

Evaluator's Signature: Randolph Strauss

Date: 02/06/2020



Town Commission Agenda Item Report

Meeting Date: February 11, 2020

Submitted by: Tedra Allen

Submitting Department: Administration

Item Type: Discussion Item

Agenda Section: NEW BUSINESS

Subject Title:

Election Day Regulations (Tedra Allen, Town Clerk)

Explanation:

Previously the Commission requested staff compose a list of ethical Election Day practices. Staff has research Florida Statutes and received information from several Broward County municipalities.

Staff has composed a list of regulations for review.

Recommendation:

Review Regulations

Attachments:

Election Day Polling Place Regulations

Election Day activities are open to public observation. Lauderdale-By-The-Sea residents, members of the media, campaigns and candidates, and other interested parties are encouraged to observe the election process.

Parking

Parking fees will be waived at the Town Hall and El Prado Parking Lots from 7:00am to 7:00pm

Polling Places/Precincts

- **FS 102.031(4)(a):** There is a no-solicitation zone 150 ft around polling places/rooms and early voting sites .
- **FS 102.031(4)(e):** The owner or operators of a location on which a polling place or early voting site is located is prohibited from restricting solicitation in certain areas.
- **FS 102.031(5):** No photography is permitted in the polling room or early voting area, except an elector may photograph his or her own ballot.

Persons Allowed in Polling Rooms

- Precinct Election Officials
- Voters in process of voting
- Persons lawfully providing assistance to voters
- Poll Watchers

Media and Observers

Residents, media outlets and other interested parties are welcome to observe the Election Day Activities, but the following is prohibited:

- Obstructing the election table
- Interfering with polling place procedures
- Entering the voting booth area
- Observing or recording voters marking their ballot
- Asking voters inside the polling place about how they voted

Canopies at Town Hall and Assumption Church

- There will be a designated grass area south of the front walkway to Town Hall for canopies. Canopies **will not** be allowed in the parking lot.
- The designated grass area will be partitioned into sections for candidate canopy locations. Candidates will draw numbers to determine canopy location.
- Campaigning is prohibited within 150 ft of the polling place, south of the walkway leading to the front door of Town Hall will be marked so the public will be able to see the 150 ft point from the doors of Jarvis Hall. Assumption Hall will also be marked to show the 150 ft point from the entry to the Assumption Church Polling Place.
- There will be (2) two 150 ft markers posted behind Town Hall (please note that the Election Supervisor will have the final word on the 150ft mark).



Town Commission Agenda Item Report

Meeting Date: February 11, 2020

Submitted by: Ken Rubach

Submitting Department: Administration

Item Type: Discussion Item

Agenda Section: NEW BUSINESS

Subject Title:

Approval of a GMP with State Contracting for Jarvis Hall/Community Center Portico (Ken Rubach, Municipal Services Director)

Explanation: On November 28, 2017, the Town issued Request for Qualifications 17-11-10 ("RFQ"), requesting that qualified general contractors submit their qualifications to the Town to perform as a construction manager at risk for Town projects. On February 27, 2018, pursuant to the RFQ, the Commission awarded State Contracting & Engineering Corporation ("SCEC") a Construction Manager-At-Risk Contract for Continuing Services ("Contract").

Staff identified during the FY 20 budgeting process the need to upgrade the Portico area adjacent to Jarvis Hall/Community. The flooring tile has several issues currently; the first being several different shades of tile have been installed, as well as changed in color due to sunlight. This has led to the patchwork of tiles, some of which are in better conditions than other. Additionally, the tile surface has become uneven as the portico has settled. The other primary issue of concern with the Portico is the lack of railing around the edges that could lead someone to step off and fall into the drop off between the floor and the adjacent landscaping.

Staff is proposing replacing the existing tile with the woodgrain porcelain tile depicted below, repair any deficiencies in the subflooring underneath the existing tile, and installing railing to match the existing railings present in the Town Hall Complex. Pursuant to the Contract, staff requested from SCEC a Guaranteed Maximum Price ("GMP") for the Jarvis Hall/Community Center Portico ("Project").



Flooring Sample

Recommendation:

Staff recommends that the Commission approve the GMP and authorize the Town Manager to execute work authorization with SCEC for the Jarvis Hall/Community Center Portico renovations, subject to the terms of the work authorization being acceptable to the Town Manager and approved as to form and legal sufficiency by the Town Attorney.

Attachments:

1. SCEC GMP
2. Resolution 2020-08

LBTS Jarvis Hall

ESTIMATE NO./REF. 1.28.20
 TIME TO COMPLETE (days): 45
 PROJECT NUMBER: LBTS Jarvis
 LOCATION/OWNER: Town of Lauderdale by Sea
 BID DATE: January 28, 2020

ESTIMATE REV1

1	2	3	4	5	6	7	8	60.62
Div. No.	CSI Cost Code	Bid Package	Description of Work	Bid Amount	Name of Bidder	Number Bids	% Low	Bid Package
Division 01 - General Requirements								
01	-	01450	✓ Testing Services	1	None	1	-	-
01	-	00360	✓ Permits	1	By LBTS	1	-	-
01	-	01105	✓ General Conditions	5,797	SCEC	0	-	-
Division 02 - Existing Conditions								
02	02 40 00	02220	✓ Demolition	1	w/Tile	1	-	-
Division 05 - Metals								
05	05 50 00	05500	✓ Handrails	16,500	Southern Custom	2	0.01%	-
Division 09 - Finishes								
09	09 29 82	09260	✓ Metal Framing and Gypsum Board	1	None	1	-	-
09	09 30 00	09310	✓ Ceramic & Quarry Tile	26,087	Floor Pro	1	-	-
Division 26 - Electrical								
26	26 00 00	16050	✓ Electrical	1	By LBTS	1	-	-
Division 31 - Earthwork								
31	31 00 00	02360	✓ Termite Control - Soil Treatment	1	None	1	-	-
Division 32 - Exterior Improvements								
32	32 90 00	02945	✓ Landscape Plants	1	by LBTS	1	-	-
32	32 00 00	02920	✓ Misc Patching and Site Restoration	5,500	SCEC	1	-	-
Division 33 - Utilities								
Estimate Sub Total Direct Cost =				53,883				
OCP INSURANCE								
GENERAL LIABILITY INSURANCE				1.200%	647			
BUILDERS RISK INSURANCE								Not Required
SUB TOTAL WITH INSURANCE					54,530			
BOND				1.445%	788			
SUB TOTAL WITH BOND					55,317			
CM FEE					5,532			
SUB TOTAL WITH FEE					60,849			
OWNERS CONTINGENCY				5.00%	2,694			
Estimate Grand Total =					63,543			

LBTS Jarvis Hall

ESTIMATE NO./REF. 1.28.20
TIME TO COMPLETE (days): 45
PROJECT NUMBER: LBTS Jarvis
LOCATION/OWNER: Town of Lauderdale by Sea

1	2	3	4	5	6	7	8	9	10	11
Div. No.	CSI Cost Code	Enter Quantity	Unit	Description of Work	Unit Cost	Labor Burden	not used	not used	Total Unit w/Tax & Burden	TOTAL
Construction Phase Fee (CM Staff)										
01	01 30 00	0.50	Week	Project Executive	2,500.00	28%			3,200.00	\$ -
01	01 30 05		Week	Project Manager	2,308.00	28%			2,954.24	\$ 1,477
01	01 30 15		Week	APM/Project Engineer	1,800.00	30%			2,340.00	\$ -
01	01 30 20	1.00	Week	Superintendent	1,770.00	35%			2,389.50	\$ -
01	01 30 25		Week	Assistant Superintendent	1,500.00	35%			2,025.00	\$ 2,025
01	01 30 30		Week	Project Coordinator	1,057.00	29%			1,363.53	\$ -
01	01 30 35		Week	Project Accountant	1,538.46	29%			1,984.62	\$ -
01	01 30 40		Week	Safety/Quality Control	2,000.00	30%			2,600.00	\$ -
										\$ -
Subtotal Direct Supervision CM Staff										\$ 3,502

Div. No.	CSI Cost Code	Enter Quantity	Unit Measure	Description of Work	Unit Cost				Total Unit w/Tax	TOTAL
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General Conditions

Support - Field Staff										
01			Month	Vehicle and Mileage - PM	1,000.00				1,000.00	\$ -
01			Month	Vehicle and Mileage - Super	1,000.00				1,000.00	\$ -
01			Month	Vehicle and Mileage - Assistant Super	800.00				800.00	\$ -
01			Month	Communications (cellular)	120.00				120.00	\$ -
01	01 52 20		Month	Field Office Rental	500.00				500.00	\$ -
01	01 52 21		LS	Field Office Setup	350.00				350.00	\$ -
01	01 52 26		Month	Computer Systems	500.00				500.00	\$ -
01	01 31 02		Month	Postage & Courier	50.00				50.00	\$ -
01	01 31 01		Month	Office Supplies	106.00				106.00	\$ -
01	01 51 40		Week	Water, Ice and Cups	124.00				124.00	\$ -
01	01 35 02		Month	Safety Supplies	79.50				79.50	\$ -
01	01 52 16		Month	First Aid Supplies	79.50				79.50	\$ -
01	01 35 03		Each	Fire Extinguishers	88.50				88.50	\$ -
01	01 30 03		LS	Blueprints & Copies	200.00				200.00	\$ -
Subtotal General Conditions										\$ -

Division 01 - General Requirements

Field Office & Yard										
01	01 74 13	1	Week	Daily Cleanup	900.00	45%			1,305.00	\$ 1,305
01	01 52 13		Month	Temporary Storage Containers	150.00				150.00	\$ -
01	01 52 13		Each	Temporary Storage Delivery/Pickup)	200.00				200.00	\$ -
01	01 56 26	80	LF	Temporary Fencing	3.50				3.50	\$ 280
01	01 56 26		Each	Temporary Fence Gates	600.00				600.00	\$ -
01	01 56 29		LF	Temporary Wind Screen	3.00				3.00	\$ -
01	01 58 13		LS	Job Signs	1,000.00				1,000.00	\$ -
01	01 51 19	1	Month	Portable Toilets	110.00				110.00	\$ 110
01	01 74 19	1	Load	Trash Dumpsters & Fees	600.00				600.00	\$ 600
01	01 95 01		LS	Misc. GC Expense	200.00				200.00	\$ -
01	01 74 23		LS	Final Cleaning						\$ -
01			LS	Pressure Cleaning	2,500.00				2,500.00	\$ -
Subtotal General Requirements										\$ 2,295

TOTAL 5,797

Southern Custom Iron & Art
 210 SE 12th Ave Unit 5
 Boynton Beach, FL 33435
 561-557-9542
 ashleigh@southerncustomiron.com
 http://www.southerncustomiron.com



State Contracting
 5391 Nob Hill Rd
 Sunrise, FL 33351

Estimate # 2519
Purchase Order #
 Jarvis Hall - Lauderdale by the Sea -
 Railings
Prepared On May 22, 2019
Expiration Date May 29, 2019
Estimate Total USD \$16,500.00

Description	Rate	Quantity	Tax	Line Total
100 LF of aluminum ADA railing, Install, Fabrication, and Install. With powder coating (standard colors). Special colors will add to cost. Special colors are Sherwin William, Benjamin Moore, etc.	\$16,000.00	1		\$16,000.00
Shop Drawings	\$500.00	1		\$500.00

Estimate Notes:

Please See Term and Conditions.

Estimate Total USD \$16,500.00

FLOORPRO, INC.

FLOORCOVERING PROFESSIONALS

Proposal

Date	Proposal #
5/17/2019	17905

BILL TO:

State Contracting & Engineering Corp.
5391 N. Nob Hill Road
Sunrise, FL 33351

LOCATION:

Jarvis Hall
4501 N. Ocean Drive
Ft. Lauderdale
33308

DESCRIPTION	QUANTITY	U/M	UNIT PRICE	TOTAL
Front Top Patio, and side walkway, to include over stone wall				
Ecowood, Fla Avorio 6" x 24"	1,900	SqFt	10.50	19,950.00
Demo and dispose of existing Quarry tile	1,750	SqFt	2.50	4,375.00
Supply and Install Crack Membrane between deck and stone wall, and stress cracks	200	LnFt	3.50	700.00
Supply and Install Stainless Steel, Schluter Rondec Bullnose along front edges	18	Pcs	59.00	1,062.00
Qualifications: 1. Deck appears to be settling, State to repair, prior to installation 2. State to Remove and reinstall Shutters and Hardware 3. No work on Steps 4. State or fill in gap between slab and Stone. 5. Dal Hill House available \$ 10.00 s/f, Saddlebrook available \$ 10.50 s/f				
PLEASE NOTE: 1. NO demo, leveling, ramping, grinding, furniture handling or after-hours labor (N/A). 2. Floor prep, as priced above, is based on typical conditions per square footage.				
TOTAL				\$26,087.00

This Quote is subject to review after 60 days.

We appreciate the opportunity to quote the above referenced project and look forward to your order!

Please sign above accepting the above quote and description.

Thank You
Skip Reed/FloorPro, Inc.

5253 NW 108th AVENUE . SUNRISE, FLORIDA 33351
PHONE 954.748.1116/FAX 954.748.3441

LBTS Jarvis Hall

Date of Bid: May 17, 2019
 Scope of Work: Misc Patching and Site Restoration
 Bid Package Number: 02920
 Cost Code: 32 00 00
 Division: 32

SUBCONTRACTOR

SCEC Estimate No/Ref:
 Project Number:
 Cost per SF:

SCOPE OF WORK		SUBCONTRACTOR:					
Description	Quantity	Measure	Unit	SCEC	Bidder 4	Bidder 5	Bidder 6
RESTORATION							
Stucco Patch				500			
Painting				500			
Concrete Slab Restoration				2,500			
Patch Gap between Slab and Stone				1,000			
CREW & EQUIPMENT							
Labor for Shutter Removal & Reinstall				1,000			
TOTALS:				5,500	0	0	0
BEST COMBINATION:		5,500 SCEC					
SELECTED SUBCONTRACTOR:				SCEC			
Estimate Prepared by: PAC				Notes: 1) 2) 3) 4) 5)			
Estimate Reviewed by: BT							

RESOLUTION NO. 2020-08

**A RESOLUTION OF THE TOWN COMMISSION OF THE
TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA,
APPROVING A GUARANTEED MAXIMUM PRICE FROM
STATE CONTRACTING & ENGINEERING
CORPORATION FOR THE FRIEDT PARK COURTYARD
PROJECT; AUTHORIZING THE TOWN MANAGER TO
EXECUTE A WORK AUTHORIZATION; AND PROVIDING
FOR AN EFFECTIVE DATE.**

WHEREAS, on November 28, 2017, the Town issued Request for Qualifications 17-11-10 (“RFQ”), requesting that qualified general contractors submit their qualifications to the Town to perform as a construction manager at risk for Town projects; and

WHEREAS, on February 27, 2018, pursuant to the RFQ, the Commission awarded State Contracting & Engineering Corporation (“SCEC”) a Construction Manager-At-Risk Contract for Continuing Services (“Contract”); and

WHEREAS, staff is proposing replacing the existing tile with the woodgrain porcelain tile depicted below, repair any deficiencies in the subflooring underneath the existing tile, and installing railing to match the existing railings present in the Town Hall Complex; and

WHEREAS, pursuant to the Contract, staff requested from SCEC a Guaranteed Maximum Price (“GMP”) for the Jarvis Hall/Community Center Portico (“Project”); and

WHEREAS, SCEC has provided a GMP of \$63,543.00 to perform the work, which will take approximately 45 Days to complete; and

WHEREAS, the Town Commission deems it to be in the best interest of the Town and its residents to approve the GMP and authorize the Town Manager to execute a work authorization with SCEC.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, THAT:

1 **SECTION 1. Recitals.** The foregoing “Whereas” clauses are hereby ratified and
2 confirmed as being true and correct and incorporated herein by this reference.

3 **SECTION 2. GMP Approved.** The GMP from SCEC in the amount of \$63,543 for
4 the Jarvis Hall/Community Center Portico Project, is hereby approved.

5 **SECTION 3. Authorization to Execute a Work Authorization.** The Town authorizes
6 the Town Manager or his designee to execute a work authorization for an amount not to exceed
7 \$63,543, subject to the terms of the work authorization being acceptable to the Town Manager and
8 approved as to form and legal sufficiency by the Town Attorney.

9 **SECTION 4. Authorization to Implement.** The appropriate Town officials are
10 authorized to execute all necessary documents and to take any necessary action to effectuate the
11 intent of this Resolution.

12 **SECTION 5. Effective Date.** This Resolution shall become effective immediately
13 upon passage and adoption.

PASSED AND ADOPTED on this ____ day of February, 2020.

MAYOR CHRIS VINCENT

Attest:

Tedra Allen, Town Clerk

APPROVED AS TO FORM:

Susan L. Trevarthen, Town Attorney



Town Commission Agenda Item Report

Meeting Date: February 11, 2020

Submitted by: Tedra Allen

Submitting Department: Administration

Item Type: Ordinances 1st Reading

Agenda Section: ORDINANCES 1st Reading

Subject Title:

Ordinance 2020-03 - AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 20, "UTILITIES," OF THE TOWN'S CODE OF ORDINANCES BY AMENDING ARTICLE II, "SANITARY SEWER SYSTEM," SECTION 20-19 "RATES AND CHARGES"; AND PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE. (Lucila Lang, Finance Director)

Explanation: Currently, the Town of Lauderdale-By-The-Sea ("Town") sewer rates are charged only to those residents that are served by the Town-owned sewer system (roughly all areas of Town south of Pine Ave). The Town transmits its wastewater to the City of Pompano Beach ("Pompano") and we have a Master Sewer Agreement with them under which we are charged for transmission, treatment, and disposal of the wastewater we send them.

The Wastewater Service Agreement between Pompano and the Town stipulates an annual recalculation of the monthly and volumetric rates. Pompano increased the fixed monthly fee by 64% in calendar year 2019 and has increased it by 25% for calendar year 2020.

Without an increase to the Town's sewer rates, the Sewer Fund will operate at a deficit this year and will bring the fund balance this year below \$1 million. The existing sewer system is over 50 years old and the Town needs to keep a reasonable fund balance for significant capital expenses.

Below you will find rate increase scenarios and the effect that each % increase will have on a single- family resident, multi-family, and commercial properties.

Keep in mind that these scenarios would not have the benefit of a full year of rate increases as the Town was notified on December 23, 2019 of a rate increase effective January 1, 2020. The Town will begin seeing the additional revenue in April, 2020.

		<u>5% Increase</u>	<u>10% Increase</u>	<u>15% Increase</u>	<u>20% Increase</u>
January	<i>Current Rates</i>	\$ 113,935.78	\$ 113,935.78	\$ 113,935.78	\$ 113,935.78
February		\$ 94,253.05	\$ 94,253.05	\$ 94,253.05	\$ 94,253.05
March		\$ 105,539.31	\$ 105,539.31	\$ 105,539.31	\$ 105,539.31
April	<i>Rate increase will be effective March, 2020. Town will begin receiving revenue in April, 2020.</i>	\$ 114,152.53	\$ 119,588.36	\$ 125,024.20	\$ 130,460.03
May		\$ 103,087.93	\$ 107,996.88	\$ 112,905.83	\$ 117,814.78
June		\$ 91,771.63	\$ 96,141.71	\$ 100,511.79	\$ 104,881.87
July		\$ 111,836.28	\$ 117,161.82	\$ 122,487.36	\$ 127,812.89
August		\$ 103,087.93	\$ 107,996.88	\$ 112,905.83	\$ 117,814.78
September		\$ 88,196.77	\$ 92,396.62	\$ 96,596.47	\$ 100,796.31
October		\$ 91,889.41	\$ 96,265.10	\$ 100,640.78	\$ 105,016.47
November		\$ 103,087.93	\$ 107,996.88	\$ 112,905.83	\$ 117,814.78
December		\$ 102,062.42	\$ 106,922.54	\$ 111,782.65	\$ 116,642.77
Total Anticipated Revenue:		\$ 1,222,900.98	\$ 1,266,194.93	\$ 1,309,488.87	\$ 1,352,782.82
Total Budgeted Expenses:		\$ 1,276,463.00	\$ 1,276,463.00	\$ 1,276,463.00	\$ 1,276,463.00
		\$ (53,562.02)	\$ (10,268.07)	\$ 33,025.87	\$ 76,319.82

Amount to be paid to City of Pompano Beach (\$818,067) in one year is included in the budgeted expenses above.

Staff is recommending a 15% increase in sewer rates in order to cover expenses and any future sewer capital improvement projects.

Below are the scenarios for the base rate, consumption and administrative charge increases:

NEW RATE SCENARIOS				
Effective Date:		March 1, 2020		5% Increase
Service	Base Rate		Consumption Rate	Quantity
Single Family	\$ 10.78		\$ 6.21	0-10,000
Multi-Family	\$ 4.44 x #units		\$ 6.21	0-10,000 per unit
Commercial	\$ 10.78 x #units		\$ 6.21	All consumption
Customer Service/Admin Charge:			\$ 1.58	
Effective Date:		March 1, 2020		10% Increase
Service	Base Rate		Consumption Rate	Quantity
Single Family	\$ 11.30		\$ 6.50	0-10,000
Multi-Family	\$ 4.65 x #units		\$ 6.50	0-10,000 per unit
Commercial	\$ 11.30 x #units		\$ 6.50	All consumption
Customer Service/Admin Charge:			\$ 1.65	
Effective Date:		March 1, 2020		15% Increase
Service	Base Rate		Consumption Rate	Quantity
Single Family	\$ 11.81		\$ 6.80	0-10,000
Multi-Family	\$ 4.86 x #units		\$ 6.80	0-10,000 per unit
Commercial	\$ 11.81 x #units		\$ 6.80	All consumption
Customer Service/Admin Charge:			\$ 1.73	
Effective Date:		March 1, 2020		20% Increase
Service	Base Rate		Consumption Rate	Quantity
Single Family	\$ 12.32		\$ 7.09	0-10,000
Multi-Family	\$ 5.08 x #units		\$ 7.09	0-10,000 per unit
Commercial	\$ 12.32 x #units		\$ 7.09	All consumption
Customer Service/Admin Charge:			\$ 1.80	

The impact to single family residents, multi-family and commercial units based on December, 2019 consumption would be an average of:

SINGLE FAMILY HOME: For this example, consumption is 9,000 gallons per month											
	Current Charges		Consumption	5% Increase	\$ 3.29	10% Increase	\$ 6.48	15% Increase	\$ 9.78	20% Increase	\$ 12.97
Sewer LBTS Cons. Rate SF	\$ 53.19	\$ 5.91	9								
Sewer LBTS Base Rate SF	\$ 10.27										
Customer Service Admin Charge	\$ 1.50										
December, 2019	\$ 64.96										
COMMERCIAL-RESTAURANT: For this example, consumption is 300,000 gallons per month											
	Current Charges		Consumption	5% Increase	90.59	10% Increase	\$ 178.18	15% Increase	\$ 268.77	20% Increase	356.35
Sewer LBTS Cons. Rate SF	\$ 1,773.00	\$ 5.91	300								
Sewer LBTS Base Rate SF	\$ 10.27										
Customer Service Admin Charge	\$ 1.50										
December, 2019	\$ 1,784.77										
COMMERCIAL-RESTAURANT: For this example, consumption is 74,000 gallons per month											
	Current Charges		Consumption	5% Increase	\$ 22.79	10% Increase	\$ 44.84	15% Increase	67.83	20% Increase	\$ 89.67
Sewer LBTS Cons. Rate SF	\$ 437.34	\$ 5.91	74								
Sewer LBTS Base Rate SF	\$ 10.27										
Customer Service Admin Charge	\$ 1.50										
December, 2019	\$ 449.11										
COMMERCIAL-HOTEL: For this example, consumption is 102,000 gallons per month											
	Current Charges		Consumption	5% Increase	\$ 31.19	10% Increase	\$ 61.36	15% Increase	\$ 92.55	20% Increase	122.71
Sewer LBTS Cons. Rate SF	\$ 602.82	\$ 5.91	102								
Sewer LBTS Base Rate SF	\$ 10.27										
Customer Service Admin Charge	\$ 1.50										
December, 2019	\$ 614.59										
MULTI-FAMILY: For this example, consumption is 102,000 gallons per month											
	Current Charges		Consumption	5% Increase	\$ 30.89	10% Increase	\$ 60.75	15% Increase	\$ 91.64	20% Increase	121.51
Sewer LBTS Cons. Rate SF	\$ 602.82	\$ 5.91	102								
Sewer LBTS Base Rate SF	\$ 4.23										
Customer Service Admin Charge	\$ 1.50										
December, 2019	\$ 608.55										

Recommendation:

Staff recommends approval of the attached Ordinance 2020-03

Attachments:

1. Ordinance 2020-03
2. Annual Rate Adjustment Letter from Pompano Beach

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WHEREAS, the Town Commission desires to amend its Code of Ordinances to increase sanitary sewer rates that are charged to properties connected to the Town's sewer system; and

WHEREAS, the new sewer rates shall be effective commencing the first day of the water billing cycle that begins in March 2020, provided that the City of Fort Lauderdale is able to fully implement the changes; otherwise, the new sewer rates shall be effective commencing the first day of the water service billing cycle that begins in April 2020.

SECTION 1. Recitals. The foregoing “Whereas” clauses are ratified and confirmed as being true, correct and reflective of the legislative intent underlying this Ordinance and are hereby made a specific part of this Ordinance.

Sec. 20-19. Rates and Charges.

(b) *Amounts of rates and charges.*

(1) *Monthly base facility charge per single-family unit:*

~~\$9.78 effective 10/2016;~~

166

30 ~~\$10.02 effective 10/2017; and~~
31 ~~\$10.27~~ 11.81 effective ~~10/2018~~ 03/2020.

32 (2) *Monthly base facility charge per multi-family unit, including duplexes:*

33 ~~\$4.03 effective 10/2016;~~
34 ~~\$4.13 effective 10/2017; and~~
35 \$4.2386 effective ~~10/2018~~ 03/2020.

36 (3) *Monthly base facility charge per commercial customer:*

37 ~~\$9.78 effective 10/2016;~~
38 ~~\$10.02 effective 10/2017; and~~
39 ~~\$10.27~~ 11.81 effective ~~10/2018~~ 03/2020;

40 ***

41 (4) *Consumption rate charged per 1,000 gallons of water usage:*

42 All customer classes:
43 ~~\$5.63 effective 10/2016;~~
44 ~~\$5.77 effective 10/2017; and~~
45 ~~\$5.91~~ 6.80 effective ~~10/2018~~ 03/2020.

46 Residential units will not be charged a consumption rate for usage in excess of
47 10,000 gallons per month.

48 (5) *Monthly customer service/administration charge per meter:*

49 All customer classes:
50 ~~\$1.44 effective 10/2016;~~
51 ~~\$1.47 effective 10/2017; and~~
52 ~~\$1.50~~ 73 effective ~~10/2018~~ 03/2020.

53 ***

54 ***

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SECTION 3. Severability. If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

SECTION 4. Conflicts. All prior ordinances or resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. Effective Date. This Ordinance shall become effective upon adoption on second reading, and the new sewer rates shall be effective commencing the first day of the water service billing cycle that begins in March 2020, provided that the City of Fort Lauderdale is able to timely implement the changes; otherwise, the new sewer rates shall be effective commencing the first day of the water service billing cycle that begins in April 2020.

Passed on the first reading, this ____ day of _____, 2020.

Passed and adopted on the second reading, this ____ day of _____, 2020.

MAYOR CHRIS VINCENT

	First Reading	Second Reading
Mayor Vincent	_____	_____
Vice-Mayor Sokolow	_____	_____
Commissioner Malkoon	_____	_____
Commissioner Oldaker	_____	_____
Commissioner Strauss	_____	_____

ATTEST:

Tedra Allen, Town Clerk

APPROVED AS TO FORM:

Susan L. Trevarthen, Town Attorney

December 23, 2019

Mrs. Lucila Lang, Finance Director
Town of Lauderdale by the Sea
4501 Ocean Drive
Lauderdale by the Sea, FL 33308

SUBJECT: Annual Rate Adjustment

Dear Mrs. Lang:

The Wastewater Service Agreement between the City of Pompano Beach and the Town of Lauderdale by the Sea stipulates an annual recalculation of the monthly and volumetric rates. Enclosed for your review is a memo from our rate consultant, Raftelis Financial Consultants Inc., outlining the recalculation of the rate for the 2020 calendar year.

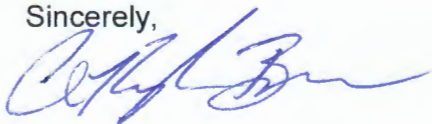
Your rates for calendar year 2020 will be:

\$33,422 monthly charge (25% increase) – Broward County's reserved capacity charge increasing significantly from approximately \$22,411 per month per MGD to \$23,963 (including the 5% IR&R charge)
\$2.275 volumetric rate per 1,000 gallons (9.3% increase)

The fiscal year 2020 monthly amount will be implemented effective with your January 1, 2020 billing.

Once you have had time to review the Raftelis memo, please let me know if you have any questions.

Sincerely,



A. Randolph Brown,
Utilities Director

C: Mr. William Vance, Town Manager
Ms. Neysa Herrera, Assistant Town Manager
Mr. Greg Harrison, City Manager
Mr. Brian Donovan, Assistant City Manager
Mr. Andrew Jean-Pierre, Finance Director
Ms. Whitney Walsh, Assistant Customer Service Manager

Date: December 16, 2019

To: Randy Brown, Utilities Director, City of Pompano Beach
From: Elaine Conti, Senior Manager, Raftelis Financial Consultants, Inc.

Re: 2020 Calculation of Wholesale Wastewater Treatment Rate for Lauderdale-by-the-Sea

The City of Pompano Beach (“City”) and the Town of Lauderdale-by-the-Sea (“LBS”) have entered into a fifteen-year contract whereby the City will continue to provide wastewater transmission and treatment services (“wholesale services”) to LBS. The current fee structure for the wholesale services includes a monthly fixed component of \$26,665 and a volumetric rate component of \$2.082 per 1,000 gallons of usage. These rates and charges were implemented beginning January 1, 2019.

Based on the City’s FY 2020 budget, the updated treatment rates provided by Broward County, and the LBS true-up calculation based on actual costs incurred during FY 2019, the new LBS rates and charges for calendar year 2020, to be implemented beginning January 1, 2020, include a monthly fee of **\$33,442** and a volumetric rate of **\$2.275** per 1,000 gallons. A summary of this calculation is provided in the schedules attached to this memorandum, as well as a comparison of the rate calculations for 2019 and 2020. As shown in the comparison, the proposed monthly component is greater than the prior year, and the volumetric component is higher for 2020 due to several factors affecting the rates, as discussed below.

Fixed Charge Components

- Broward County’s reserved capacity charge increased significantly from approximately \$22,411 per month per MGD to \$23,963 (including the 5% IR&R charge applied by Broward County). Consistent with prior years and as stipulated by the contract between the City and LBS, LBS is billed based on 1.25 MGD of reserved capacity.
- As per the City’s discussions with LBS’ rate consultant, the separate Broward County true-up is not passed on to LBS. Therefore, this cost has been excluded from the rate calculation.
- The City’s true-up component reflects the difference in the total amount LBS paid to the City based on the rates and fixed charges in place for FY 2019 compared to the actual costs incurred by the City to serve LBS. The amount of the true-up calculated for FY 2019 decreased from the amount calculated for FY 2018. The amount of the true-up for FY 2018 provided a credit to LBS of \$67,859 and the true-up for FY 2019 is a credit of \$10,978. As a result, the total amount of the Fixed Annual Charge increased from \$319,979 to \$401,304. The resulting monthly fee is \$33,442 (rounded to the nearest dollar), which is approximately 25% greater than last year. The key driver of the increase is the lower true-up credit.

Volumetric Charge Component

- Broward County's treatment rate per thousand gallons (kgals) increased from \$0.991 per kgal (including the 5% IR&R charge) to \$1.031 per kgal, an increase of approximately 4.04%.
- Total budgeted operation and maintenance costs for FY 2020 for LS #12 allocated to LBS increased by approximately 12.2% from \$206,225 for FY 2019 to \$231,258 for FY 2020, including the 25% surcharge. Compared to last year, actual LBS flows for FY 2019 were 6.0% lower, flows at LS #12 were 7.5 % lower, and the flow to Broward County decreased by 1.6%. The resulting calculated volumetric rate for LS #12 costs increased by approximately 14.0%, from \$1.091 to \$1.244 per kgal.
- In addition, as per the City's discussions with LBS' rate consultant, any capital expenditures (capital outlays) budgeted for LS #12 are excluded from the rate calculation.
- As a result, the total volumetric rate (the Broward Co. rate plus the LS #12 rate) to be paid by LBS to the City increased from \$2.082 to \$2.275 per 1,000 gallons, an increase of approximately 9.3%.

In summary, the changes listed above result in a monthly fee of \$33,442 and a volumetric rate of \$2.275 per 1,000 gallons. Comparing these rates to the rates paid by LBS in 2019, LBS will experience an increase of approximately 25% in the monthly charge and a 9.3% increase in the volumetric rate paid to the City for wastewater service.

Comparison of Calculated Rates

City of Pompano Beach, FL
LBS Wholesale Rate Summary

Line		FY 2019	FY 2020 Projected	% Change
	Fixed Charge Components - Annual Cost (1)			
	<i>Availability Charge</i>			
1	Lift Station #12	\$ 17,923	\$ 17,923	
2	A1A Force Main	16,942	16,942	
3	Broward County Reserved Capacity Charge	352,973	377,417	6.93%
4	Broward County True-Up Charge (Prior Year)	-	-	
5	LBS True-Up from Prior Year	(67,859)	(10,978)	-83.82%
6	Subtotal: Fixed Annual Charges	\$ 319,979	\$ 401,304	
7	Calculated Monthly Charge	\$ 26,665	\$ 33,442	25.42%
			25.4%	
	Volumetric Charge Components - Annual Cost (1)			
	<i>Lift Station #12 Costs</i>			
8	LS#12 Electrical	\$ 11,635	\$ 14,360	
9	LS#12 Chemical	64,809	66,905	
10	LS#12 Personnel Pumping	61,607	79,837	
11	LS#12 Other Pumping	12,943	9,470	
12	LS#12 Admin. & General Expense	13,975	14,436	
13	<i>Subtotal: Lift Station #12 Costs Before Surcharge</i>	<i>\$ 164,968</i>	<i>\$ 185,006</i>	12.15%
14	Plus 25% Surcharge	\$ 41,242	\$ 46,252	
15	<i>Subtotal: Lift Station #12 Costs</i>	<i>\$ 206,210</i>	<i>\$ 231,258</i>	12.15%
16	Estimated Flow (in kgal)	189,050	185,860	-1.69%
17	LS#12 Volumetric Rate (\$/kgal)	\$ 1.091	\$ 1.244	14.07%
18	Broward County Rate	\$ 0.944	\$ 0.982	
19	Plus: IR&R Charge of 5%	0.047	0.049	
20	<i>Subtotal: Broward County Rate (\$/kgal)</i>	<i>0.991</i>	<i>1.031</i>	4.04%
21	Total Volumetric Rate per 1,000 gallons	\$ 2.082	\$ 2.275	9.29%
			9.3%	
	Calculated Total Annual Cost			
22	Fixed Annual Charges	\$ 319,979	\$ 401,304	
23	Calculated Volumetric Charges	393,559	422,880	
24	Total: Calculated Annual Cost	\$ 713,538	\$ 824,184	15.51%
25	All-In Volumetric Rate (\$/kgal)	\$ 3.774	\$ 4.434	17.49%
	<i>(For Informational Purposes Only)</i>			

(1) See following pages for supporting detail

True-Up Calculation: Part I

City of Pompano Beach, FL
2015 Comprehensive Financial Planning & Rate Model
LBS Wholesale True-Up

FY 2019
Actual

Fixed Charge Components - Annual Cost

Line	Availability Charge	Debt Assumptions			
		Principal	Rate	Term	
1	Lift Station #12 (1)	\$ 241,207	4.11%	20	\$ 17,923
2	A1A Force Main (2)	\$ 271,166	4.65%	30	16,942
3	<i>Subtotal: Availability Charge</i>				<u>34,865</u>
Broward County Reserved Capacity Charge					
4	Reserved Capacity Charge (From BC)				\$ 22,411
5	IR&R Adjustment	5.00%			1,121
6	Capacity Adjustment	1.25			5,883
7	<i>Subtotal: Monthly BC Reserved Capacity Charge</i>				<u>352,973</u>
8	LBS True-Up from Prior Year				(67,859)
9	Subtotal: Fixed Annual Charges				\$ 319,979
10	Calculated Monthly Charge				<u>\$ 26,665</u>

- (1) Calculated based on allocated construction costs of \$241,207 or 25% of total L.S. 12 Construction Costs (\$964,820) and amortized at approximately 4.11% over a 20 year period to generate annual payments of \$17,923.
(2) Calculated based on allocated project costs of \$271,166 or 50% of total A1A Force Main project costs (\$542,331) and amortized at 4.65% over a 30 year period to generate annual payments of \$16,942.

True-Up Calculation: Part II

FY 2019

Actual

Volumetric Charge Components - Annual Cost

Line Inputs and Assumptions

1	LBS Annual Flow (kgal)	177,164
2	Annual flow from L.S. #12 (kgal)	687,864
3	Total annual flow delivered to Broward County	5,230,284
4	Total Pumping Electrical Costs	317,936
5	L.S. #12 Electrical & Water Costs	50,301

Allocation Percentages

6	Percent of LBS Flow to Annual L.S. #12 Flow (Line 1 / Line 2)	25.76%
7	Percent of L.S. #12 Flow to Annual Flow Delivered to B.C. (Line 2 / Line 3)	13.15%
8	Percent of LBS Flow to Annual Flow Delivered to B.C. (Line 3 / Line 1)	3.39%
9	Percentage Allocation of L.S. #12 Electrical Costs (Line 5 / Line 4)	15.82%

Wastewater Treatment Charge

10	Broward County Rate	\$ 0.944
11	IR&R Charge (5%)	0.047
12	<i>Subtotal: Wastewater Treatment Charge</i>	0.991
13	Actual LBS Annual Flow (kgal)	177,164
14	Total Broward County Wastewater Charge to LBS	\$ 175,605

Lift Station #12 Costs

LS#12 Electrical

15	Total Pumping Electrical Costs	\$ 317,936
16	L.S. #12 Electrical Cost Allocation (Line 9)	15.82%
17	<i>Subtotal: LS#12 Electrical</i>	\$ 50,301
18	L.S. #12 LBS Flow Allocation (Line 6)	25.76%
19	<i>Subtotal: Allocated Electrical Costs</i>	\$ 12,955

LS#12 Chemical

20	Actual LS#12 Chemical Costs	\$ 174,753
21	L.S. #12 LBS Flow Allocation (Line 6)	25.76%
22	<i>Subtotal: Annual Chemical Costs Allocated to LBS</i>	45,009

LS#12 Personnel Pumping

23	Pumping Personnel Costs	\$ 1,328,581
24	Pumping Internal Services	518,403
25	<i>Subtotal: Personnel Pumping Costs</i>	1,846,984
26	L.S. #12 Electrical Cost Allocation (Line 9)	15.82%
27	<i>Subtotal: Allocated Personnel</i>	\$ 292,216
28	L.S. #12 LBS Flow Allocation (Line 6)	25.76%
29	<i>Subtotal: Allocated Personnel</i>	\$ 75,262

		FY 2019
		<i>Actual</i>
<i>Volumetric Charge Components - Annual Cost (Continued)</i>		
<i>LS#12 Other Pumping</i>		
30	Other Pumping Costs (Excl. Personnel and Special Services)	✓ \$ 317,927
31	Allocation of LBS Flow to Broward County (Line 7)	13.15%
32	Subtotal: Other Pumping Costs	\$ 41,812
33	L.S. #12 LBS Flow Allocation (Line 6)	25.76%
34	Subtotal: Allocated Other Pumping Costs	\$ 10,769
<i>LS#12 Admin. & General Expense</i>		
35	Wastewater Admin Costs (Less Electricity and Admin Svc Charge)	✓ \$ 701,756
36	Total Pumping Expenses	✓ 2,458,119
37	Total Transmission Expenses	✓ 2,382,752
38	Subtotal: Pumping and Transmission Expenses	\$ 4,840,871
39	Pumping Expenses as % of Pumping and Transmission Costs	50.78%
40	Allocated Pumping Admin Costs (Line 35 x Line 39)	356,341
41	Allocation of LBS Flow to Broward County (Line 7)	13.15%
42	Allocation of Admin/Gen. Plant Costs to L.S. #12	46,864
43	L.S. #12 LBS Flow Allocation (Line 6)	25.76%
44	<i>Annual Admin and General Plant Costs Allocated to LBS</i>	12,070
45	Subtotal: LS #12 O&M Charge (Lines 19, 22, 29, 34, & 44)	\$ 156,066
46	Plus 25% Surcharge	39,016
47	Subtotal: Lift Station #12 Costs	\$ 195,082
48	Total Volume Charges (Line 47 + Line 14)	\$ 370,687
49	Total Actual Annual Cost to LBS	\$ 690,667
50	Less: Actual Revenues from LBS Collected During FY 2018	\$ 701,645
51	Additional Payment/(Credit)	\$ (10,978)



Town Commission Agenda Item Report

Meeting Date: February 11, 2020

Submitted by: Linda Connors

Submitting Department: Development Services

Item Type: Ordinances 2nd Reading

Agenda Section: ORDINANCES 2nd Reading

Subject Title:

Ordinance 2020-02 - AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA AMENDING CHAPTER 17, "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES," ARTICLE VI, "SIDEWALK CAFÉS" TO MODIFY APPLICATION, PERMIT, LICENSE, AND OPERATION REGULATIONS RELATED TO SIDEWALK CAFES AND TO REORGANIZE THE ARTICLE TO STREAMLINE AND IMPROVE FUNCTIONALITY; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE (Linda Connors, Development Services Director)

Explanation:

On May 16, 2019, the Town Commission held a workshop to discuss downtown issues such as noise, signs and sidewalk café regulations. After discussion, the Town Commission requested Staff to bring forward ordinances to amend the current sidewalk café and sign code regulations. No changes were proposed to the noise regulations. Minutes from this meeting are attached as **Exhibit 1**.

Ordinance 2020-02 (**Exhibit 2**) was approved on first reading at the Commission's January 14, 2020 meeting. The proposed ordinance amends the sidewalk café regulations in the following manner:

1. Reorganizes Code for Ease of Reference

2. Adds Standards that were Previously Regulated as Policies

Staff is also proposing to add policies that are currently being adhered to and outlined in the sidewalk standards that the Commission approved in 2014 but were not officially incorporated in the Town Code. These policies include:

1. Limiting the size of the umbrella (Line 298) to 8.5' with a minimum of 8' of clearance from the sidewalk;
2. Prohibiting tents and canopies (Line 300);
3. Establishing the number of people per square foot of sidewalk café area to one seat per ten (10) square feet of sidewalk café area for chairs and one barstool seat per 24 inches for bar stools. This is an increase to the existing policy of 1 person for 15 square feet. (Line 283);
4. Establishing a buffer zone from the sidewalk and the street (Line 229) - 5' if adjacent to parking, 1' if there is no parking;
5. Setting the minimum width of the pedestrian path (Line 242) – 7' if west of Ocean Drive and fronting Commercial Boulevard, 5' for all other areas. The Town Manager has the authority to select the final location of the path and is authorized to require a wider path if necessary, for the public's health, safety and welfare.

3. Deletes Previous Code Provisions

The following provisions were deleted from the code: References to Fees based on the number of chairs in the sidewalk café and the prohibition against affixed furniture.

4. Adds and Amends Definitions

The following definitions were amended or added for clarification purposes: buffer zone, fixtures food store, furniture, maintenance area, restaurant, right of way, sidewalk café.

5. Adds New Concepts.

The following new concepts are proposed in this ordinance:

- Establishes Procedures to Accept Payment for Sidewalk Café less than 12 months of the Year
- Adds Time Requirement for Staff to review a sidewalk café application to ensure a timely review Requires Fire Department Review to ensure egress in and out of the building is maintained
- Prohibits live or amplified music within the confines of the sidewalk café area
- Prohibits lights, decorations and other objects to be placed in the sidewalk café area other than those that were specifically approved as part of the sidewalk café permit
- Allows for the storage of furniture and fixtures on the sidewalk in a neat and orderly manner no earlier than 10:30 p.m.

6. Clarifies Regulations

Throughout the ordinance, the language was amended to more clearly express the Town requirements

Recommendation: Staff recommends that the Commission review the proposed ordinance and set second reading for February 11, 2020.

Attachments:

1. Ordinance 2020-02

ORDINANCE 2020-02

1 AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-
2 THE-SEA, FLORIDA AMENDING CHAPTER 17,
3 “STREETS, SIDEWALKS AND OTHER PUBLIC PLACES,”
4 ARTICLE VI, “SIDEWALK CAFÉS” TO MODIFY
5 APPLICATION, PERMIT, LICENSE, AND OPERATION
6 REGULATIONS RELATED TO SIDEWALK CAFES AND
7 TO REORGANIZE THE ARTICLE TO STREAMLINE AND
8 IMPROVE FUNCTIONALITY; PROVIDING FOR
9 CODIFICATION; PROVIDING FOR SEVERABILITY;
10 PROVIDING FOR CONFLICTS; PROVIDING FOR AN
11 EFFECTIVE DATE
12

13 **WHEREAS**, the Town Commission recognizes that changes to the adopted Code of
14 Ordinances are periodically necessary in order to ensure that the Town’s regulations are current
15 and consistent with the Town’s planning and regulatory needs; and

16 **WHEREAS**, the Town Commission desires to amend the Town Code to modify the
17 application, permit, right-of-way licensing, and operational provisions related to Sidewalk Cafés;
18 and

19 **WHEREAS**, the Town Commission has determined that this Ordinance is in the best interest
20 of the Town and its residents.

21 **NOW, THEREFORE BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN**
22 **OF LAUDERDALE-BY-THE-SEA, FLORIDA THAT:**

23 **Section 1. Recitals.** The foregoing “Whereas” clauses are ratified and incorporated as
24 the legislative intent of this Ordinance.

25 **Section 2. Article VI Repealed.** That Chapter 17, “Streets, Sidewalks, and Other Public
26 Places,” Article VI, “Sidewalk Cafés” of the Town’s Code of Ordinances attached hereto as
27 Exhibit “A,” is hereby repealed.

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Section 3. Amendment. That Chapter 17, “Streets, Sidewalks, and Other Public Places,” Article VI, “Sidewalk Cafés” of the Town’s Code of Ordinances is hereby created to read as follows¹:

Chapter 17 - STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES

ARTICLE VI. - SIDEWALK CAFÉS

Sec. 17-85. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning.

Affected party shall mean any property owner whose property directly abuts the property upon which the business is located who has applied for or been issued a permit for a sidewalk café.

Buffer zone shall mean a clear pedestrian path for the visual and physical separation between the street curb and any sidewalk café furniture and/or fixture.

Fixtures shall mean objects, other than furniture, such as greeting podiums, bussing stations, heaters/misters and fans that are utilized as part of the sidewalk café.

Food store shall mean an establishment that sells food and beverages items, which may include alcoholic beverages, for off premises consumption, but shall not include a package store or a convenience store. The definition of food store shall include grocery store and supermarkets.

Furniture shall mean tables, chairs, umbrellas and similar objects, other than fixtures, that are utilized as part of the sidewalk café.

Maintenance area shall mean the Sidewalk café area(s) plus the sidewalks (including the Pedestrian Paths and Buffer Zones) in, around and adjacent to the Sidewalk cafe area(s) that the owner/operator is responsible for maintaining.

Pedestrian path shall mean the Town designated portion of the ROW adjacent to the sidewalk café that is required to be kept free and clear to allow a safe passageway for walking.

Permittee shall mean the owner/operator of the restaurant or food store (who may or may not be the property owner) associated with and issued a sidewalk café permit obtained pursuant to the terms and provisions of this article.

Restaurant shall mean any establishment where facilities are provided for preparing and serving food to the public. At least 51 percent of total gross revenues must come from retail sale on the licensed premises of food and non-alcoholic beverages. Proceeds of catering sales shall not be included in the calculation of total gross revenues. Catering sales include food or non-alcoholic beverage sales prepared by the licensee on the licensed premises for service by the licensee outside the licensed premises. The tables must be of adequate size to accommodate the service of full

¹ Additions to the text are shown in underline. Deletions to the text are shown in ~~strike through~~.

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61 course meals in accordance with the number of chairs or other seating facilities provided at the
62 table. Sale of alcoholic beverages for off-premise consumption is not permitted.

63 Right-of-way (ROW) shall mean land in which the State, the Florida Department of
64 Transportation, Broward County or the Town of Lauderdale-By-The-Sea owns the property or has
65 an easement devoted to or required for use as a transportation facility or street.

66 Sidewalk shall mean that area, whether privately owned or a portion of the ROW, which is
67 located between the curbline or the lateral line of a street and the adjacent building and which is
68 intended for use by pedestrians.

69 Sidewalk café (or sidewalk café area) shall mean an area, or combination of areas, located on
70 a sidewalk or a portion of the ROW which is associated with, and used for seating by a restaurant
71 or food store, including any Maintenance area(s). It shall be characterized by the presence of
72 furniture and fixtures if approved as part of the sidewalk café permit.

73 Street means that portion of a ROW improved, designed or ordinarily used for vehicular traffic
74 or parking.

75 Sec. 17-86. – Sidewalk Café Permit and Revocable Right-of-Way (ROW) License and
76 Encroachment Agreement Required.

77 (a) It shall be unlawful for any person to operate a sidewalk café on any sidewalk or public ROW
78 within the Town without first obtaining a permit from the Town. In such cases where the
79 ROW is owned or controlled by another governmental entity other than the Town, the
80 Applicant shall also be required to obtain authorization and approval from that entity. The
81 approved permit may be recorded by the Town at the Permittee's sole expense and shall
82 include:

83 (1) A revocable ROW license and encroachment agreement, in a form approved by the Town
84 Attorney, with the Town for any portion of the Town's ROW which is used for a sidewalk
85 café;

86 (2) The location and square footage of each of the approved sidewalk café area(s);

87 (3) Specifications and photograph(s) or illustration(s) of the approved furniture and fixtures;

88 (4) The total number of seats within each of the sidewalk cafe areas;

89 (5) Identification and location of additional fixtures and signage that are permitted within the
90 sidewalk café area;

91 (6) Owner Consent and Release, if applicable; and

92 (7) Additional information and conditions as required by the Town.

93 (b) The ROW license shall be revocable in accordance with section 17-91 and shall not constitute
94 a vested property interest in any portion of the public ROW.

95 (c) Any person or entity operating a sidewalk café without a permit and ROW license and
96 encroachment agreement or any property owner allowing the operation of a sidewalk café
97 without a permit and a ROW license and encroachment agreement upon or adjacent to
98 his/her/its property shall be subject to penalties as provided in this article.

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99 Sec. 17-87. Sidewalk Café Permit Application and Right-of-Way (ROW) License Fees.

100 (a) Permit Application Fee. A sidewalk café application fee as established and amended from
101 time to time by resolution of the Town Commission, shall be non-refundable, and shall
102 accompany the sidewalk café application.

103 (b) Town Right-of-Way (ROW) License Fee.

104 (1) Each Permittee of a sidewalk café that operates in a portion of the Town ROW shall pay
105 to the Town an annual ROW license fee, as established, and amended from time to time,
106 by resolution of the Town Commission.

107 (2) The Town ROW license fee shall be calculated per square foot of ROW area utilized and
108 included in the sidewalk café permit for the approved sidewalk café area.

109 (3) The Town ROW license fee shall be charged annually based upon the total amount of
110 ROW square footage utilized by the sidewalk café and the number of calendar months
111 during the year that the sidewalk café is operated. If no individual calendar months are
112 selected, the Town shall charge the annual ROW license fee based upon the entire twelve
113 (12) month period. Pro-rated monthly selections shall only be calculated utilizing full
114 calendar month increments. Changes to the monthly selection must be made in writing, a
115 minimum of thirty (30) days prior to any change, and prior to payment.

116 (4) Payment of Fees.

117 a. Town ROW license fees shall be due and paid annually on or before October 1.

118 b. Notwithstanding the requirements set forth in (4) a. above, the total Town ROW license
119 fee may be divided into quarterly payments upon receipt of written request from the
120 Permittee.

121 c. All Town fees paid are non-refundable upon payment.

122 d. Payment received more than ten (10) calendar days after the due date shall be charged a
123 late fee of ten (10) percent of the payment amount due. Failure to make a required payment
124 within thirty (30) calendar days of the due date may result in immediate sidewalk café
125 permit and ROW license revocation.

126 e. The fees collected pursuant to this section from sidewalk cafés located in the Town of
127 Lauderdale-By-The-Sea shall be placed in the general revenue fund.

128 (5) If a sidewalk café is located on State of Florida ROW, Florida Department of
129 Transportation ("FDOT") approval is required along with any applicable FDOT fees that
130 may be required.

131 (c) Violation. It is a violation of this Code and any applicable sidewalk café permit to operate a
132 sidewalk café during unapproved time periods which have not been included in an active
133 sidewalk café permit or for which the Town ROW license fee has not been paid. In addition to
134 any penalties imposed pursuant to this Chapter, the Permittee shall be required to file either an
135 amended application or a new application for a sidewalk café permit and Town ROW license
136 for the unpermitted time periods during which they were in operation. The retroactive Town
137 ROW license fee for any unpermitted time period (minimum fee shall be calculated on a

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monthly basis) during which a sidewalk café is operated shall be double the Town ROW license fee.

Sec. 17-88. – Sidewalk Café Permit and Town ROW License Application.

(a) Application. Application for a sidewalk café permit and ROW license to operate a sidewalk café shall be commenced by the filing of a complete application on a form provided by the Town with the Development Services Department. Such application shall include the following:

(1) Name, address and telephone number of the applicant.

(2) Name and address of business.

(3) Evidence of insurance containing terms required under section 17-90 of this article.

(4) A minimum of 8½ × 11 inch drawing to legible scale showing the layout and dimensions of the existing sidewalk area and adjacent private property, proposed location, size and number of all furniture and fixtures, steps, trees, parking meters, bus shelters, sidewalk benches, trash receptacles, and any other objects located outside of the adjacent sidewalk café area or sidewalk obstruction either existing or proposed within the pedestrian path.

(5) Manufacturer's brochures and photographs or illustrations fully describing the appearance of all proposed furniture/fixtures including, but not limited to, dimensions and colors, related to the sidewalk café.

(6) Identification of all calendar months for which the Permittee desires to operate the sidewalk café. Town ROW Licenses shall only be available for full calendar month increments.

(7) Signature of the owner of the building.

(8) A nonrefundable application fee as established, and amended from time to time, by resolution of the Town Commission.

(b) Application Review. Applications shall be reviewed for compliance with the standards and requirements set forth in this Article as well as any other applicable Town Code provisions by the Town Manager or designee.

(1) No application shall be accepted until it is deemed complete.

(2) The Town Manager or designee shall review the submitted application within twenty (20) business days and either accept the application if it is complete or, if incomplete, reject the application with a written notice of incompleteness, specifying the data missing from the application.

(3) If an application is rejected, the applicant may resubmit the application with the additional information required. Upon each resubmittal, the Town manager or designee shall have ten (10) business days to review the resubmitted application and either accept the application as complete or provide written notice of any corrections, revisions or deficiencies. This process shall continue until the applicant has submitted a complete application or demands that the application be reviewed as is, without further revisions.

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(4) If an applicant fails to provide the additional information as requested by the Town Manager or designee within sixty (60) days of the request for additional information, the Town Manager or designee may deem the application to be withdrawn by the applicant and the application considered null and void. Upon request, the applicant shall be entitled to one sixty (60) day extension, provided the extension request is granted prior to the expiration of the above referenced sixty (60) day time period.

(5) For any application in which the sidewalk café is not located directly in front the associated restaurant or food store, the Town will send a courtesy notice to those businesses directly abutting the proposed sidewalk café. Any affected person may provide written comments to the Town Manager or designee within ten (10) days of the date of the mailed notice, for the consideration of the Town Manager or designee. Failure to mail or receive such courtesy notice shall not affect actions taken under this Article.

(6) Prior to issuance of a sidewalk café permit or annual renewal of a Town ROW license, the Town Clerk shall certify that there are no outstanding fines, fees, taxes or other charges owed to the Town by the current or past owners or operators of the property requesting a sidewalk café permit. A sidewalk café permit or ROW license may not be issued until all outstanding fees and/or fines owed to the Town are paid in full.

(7) The Town Manager or designee shall approve, approve with conditions, or deny an application based on the requirements of this Article and compliance with the Town Code. Approval shall be in the form of a Sidewalk Café Permit and ROW License as provided for in Section 17-86 of this Article. A denial of a sidewalk café application shall be made in writing and shall provide the reasons for such denial. The applicant or an affected property owner may appeal the Town Manager or designee's decision on the sidewalk café permit application to the Town Commission.

Sec. 17-89. - Sidewalk Café Permit Standards and Requirements.

(a) Sidewalk Café Permit.

(1) Each sidewalk café permit shall be effective for one (1) year commencing on October 1st through September 30th and subject to annual payment as provided for in Section 17-87 of this Article.

(2) The Sidewalk Café permit shall be personal to the permittee only and shall not be transferable.

(3) The Sidewalk Café permit issued shall be specific to the location and is not transferrable to another location.

(b) Sidewalk café designation. The Town will designate the approved boundaries of the sidewalk café area by placing medallions at the corners of the sidewalk café area, in accordance with the scale layout drawing attached to and made a part of the approved Sidewalk Café permit.

(c) Location.

(1) Sidewalk cafés shall only be located in the following areas:

a. The sidewalk frontage of the licensed business to which the Sidewalk Café permit is issued;

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b. The sidewalk frontage of the building where the licensed business is located, if the requirements found in Section 17-89 (c)(2) below have been satisfied; or

c. The sidewalk frontage of an adjacent property, if the requirements found in Section 17-89 (c)(2) below have been satisfied.

(2) Adjacent property or adjacent tenant space. If the proposed sidewalk café area extends in front of adjacent property or adjacent tenant space then the Permittee shall obtain written permission from the adjacent property owner, adjacent tenant, or both, if applicable, for use of this area to be included in the Sidewalk Café area.

(3) Location of Furniture and/or Fixtures. Furniture and/or fixtures shall be prohibited within a three (3) foot radius of the ingress or egress of a building and within a five (5)-foot radius of bus stops, taxi stands, parking meters, fire hydrants, pedestrian crosswalks or handicap ramps.

(4) Pedestrian safety areas.

a. Buffer Zone

(1) Adjacent to parking. Where parking exists between the sidewalk area proposed for use and the portion of the ROW used for vehicular travel, a sidewalk café shall be located in such a manner that a minimum five (5)-foot wide Buffer Zone is maintained adjacent to the parking, at all times.

(2) No parking. Where no parking exists, a minimum one (1)-foot wide Buffer Zone between the edge of the sidewalk closest to the ROW used for vehicular travel and the sidewalk café area Buffer Zone shall be maintained at all times. In areas of congestion, the Town Manager or designee may require additional clearance.

b. Pedestrian Path.

(1) In addition to any Buffer Zone required pursuant to Section 17-89 (4)(a) each sidewalk café area shall provide a pedestrian path, designated by the Town of no less than:

i. seven (7) feet for sidewalk café areas located east of Ocean Drive and fronting Commercial Boulevard; or

ii. five (5) feet for sidewalk café areas except as provided for in subsection b. (1)(i).

(2) The Town Manager or designee shall have the authority to select the final location of the pedestrian path located within the sidewalk café area. In areas of congested pedestrian activity, the Town Manager or designee, is authorized to require a wider Pedestrian Path than the standard set forth in Section 17-89 (c)(4) (b)(1) as may be necessary for the health, safety and welfare of the general public.

c. All Pedestrian Paths, Buffer Zones, building ingress and egress, and fire access lanes designated by the Town Fire Marshall shall be kept clear and unobstructed at all times. Patrons shall not be permitted to loiter or dance in a designated Buffer Zone or Pedestrian Path. Service staff may traverse designated Pedestrian Paths but shall not impede the pedestrian traffic while taking orders or delivering food and drink orders.

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(d) Maintenance of the right-of-way.

(1) The Town Manager or designee shall designate a Maintenance Area, including portions of the ROW covered by the sidewalk café permit.

(2) The permittee shall be responsible for removal of stains in the designated Maintenance area, including but not limited to those caused by dirt, grease and food or beverages.

(3) The Maintenance Area shall be cleared of all debris as may be necessary throughout the course of the day, and then again at the close of each business day.

(4) The Permittee will be charged for the costs of materials and labor that may be necessary to replace any and all landscaping, paving and other public improvements which are damaged and/or stained resulting from the operation of the sidewalk café. The cost of labor and materials calculated under this Section shall be premised upon the same quality of materials and workmanship previously approved and utilized by the Town for landscaping, paving and other public improvements.

(e) Physical barriers.

(1) No objects shall be permitted around the perimeter of a sidewalk café area which would have the effect of forming a physical or visual barrier.

(f) Exterior bars. Exterior Bars located within the sidewalk café area shall be prohibited.

(g) Music.

(1) Live and/or amplified music shall be prohibited within the confines of a sidewalk café area.

(2) Speakers emitting music from inside the restaurant or food store serving the sidewalk café area shall be placed and directed in such a manner that the music's amplification is directed internally into the restaurant or food store.

(h) Fire Hazards.

(1) Other than candles, which are used in the course of ordinary tableside service, no food preparation involving fire or fire apparatus of any kind shall be allowed on the public sidewalk.

(i) Seating. The maximum seating capacity shall be limited to one seat per ten(10) square feet of sidewalk café area for chairs and one barstool seat per twenty-four (24) inches of the linear outside bar area.

(j) Sidewalk café furniture and fixtures.

(1) General Review Standards. The placement and configuration of furniture and fixtures, as well as replacement furniture and fixtures shall be reviewed for consistency with the following:

a. compatibility with the Town's aesthetic standards;

b. compatibility of the scale of the furniture and fixtures with the sidewalk café area and adjacent buildings and structures,

c. fire safety and accessibility;

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d. compatibility with the Buffer Zones and Pedestrian Paths; and

e. compliance with the requirements of this Article and any other applicable provisions of the Town Code.

(2) Shade structures.

a. Umbrellas. Shall be no larger than 8.5 feet in diameter and shall maintain a minimum vertical clearance from the sidewalk of not less than eight (8) feet in height.

b. Tents, canopies and pergolas or other similar structures are prohibited.

(3) Greeting podiums and service stations.

a. All furniture and fixtures, including any greeting podium and/or service station, shall remain within the confines of the designated sidewalk café area, located as close to the building as feasibly possible and shall not impede the pedestrian path.

b. If a sidewalk café is adjacent to an outdoor dining area, any greeting podium and/or service station, shall be located in the confines of the designated outdoor dining area and not within the designated sidewalk café area.

(4) Quality and appearance. Furniture and fixtures located within the sidewalk café area shall be:

a. of sufficient quality, design, materials, size, color, elevation and workmanship both to ensure the safety and convenience of users, and to enhance the visual and aesthetic quality of the urban environment;

b. mildew and rust resistant; and

d. maintained with a clean and attractive appearance and in good repair at all times.

(5) Design. The design, materials and colors of the sidewalk café furniture and fixtures shall be approved by the Town Manager or designee prior to the issuance of the sidewalk café permit.

(6) Materials. All fabrics and materials utilized in the sidewalk café shall be fire-retardant, pressure-treated or manufactured with fire resistive materials.

(7) Affixed. The Town Manager or designee may approve certain tables to be permanently affixed to the sidewalk. If approved, the permittee is responsible for replacing the pavers and repairing the sidewalk for any damages caused by the relocation and removal of the table(s).

(8) Storage. Furniture and fixtures may be stored on the sidewalk, after closing, in a neat and orderly manner, provided that such furniture is stacked no earlier than 10:30 p.m. and the furniture layout for the sidewalk café area is restored no later than 10:30 a.m.

(9) Furniture and fixture removal. Permittee is responsible for removing all unaffixed furniture and fixtures from the sidewalk at the close of business the day before a Town scheduled sidewalk cleaning date. Failure to remove all unaffixed furniture and fixtures from the sidewalk may result in removal by the Town or its designee at the Permittee's expense.

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(10) Identification of the restaurant or food store. In order to communicate the identity of the restaurant or food store associated with the sidewalk café, the name and logo of the restaurant or food store may be located once on a table or tablecloth, once on each panel of an umbrella, and once on chair covers at a letter height not exceeding four (4) inches. All other endorsements or advertising which are not intended to communicate the identity of the restaurant or food store are prohibited.

(11) Fire and hurricane hazards.

a. The configuration of all sidewalk café areas, including the location of all furniture and fixtures, shall be approved by the Town Fire Marshall.

b. Upon the issuance of a "Hurricane Warning" or "Hurricane Watch" by the Broward County Office of Emergency Management, the Permittee shall be required to remove all furniture and fixtures from the sidewalk café area. Failure to remove any furniture and/or fixtures related to the sidewalk café within twenty-four (24) hours from the issuance of a "Hurricane Warning" or "Hurricane Watch", may result in the Town Manager or designee directing Town staff to remove said furniture and/or fixtures. The Permittee shall be responsible for any and all expenses incurred by the Town for the removal, storage, and return of said furniture, fixtures or objects. The Town shall not be responsible for any damages to sidewalk café furniture and/or fixtures resulting from the removal, storage and return.

12. Use limitations.

a. A television may either be located inside the building or, if outside the building, attached to the building, provided no television sound is audible outside the perimeter of the sidewalk café area.

b. No furniture, fixtures, decorations, lights or other objects shall be placed in a sidewalk café area, other than those items specifically approved as part of the sidewalk café permit.

c. No furniture, fixtures, decorations, lights or other objects shall be placed outside of a sidewalk café area including, but not limited to areas on the sidewalk, landscaping, light poles or Town furniture.

Sec. 17-90. - Liability and insurance.

(a) The Permittee agrees to indemnify, defend, save and hold harmless the Town, its officers and employees from any and all claims, liability, lawsuits, damages and causes of action which may arise out of this permit, or the Permittee's activity on the premises by executing a license and encroachment agreement.

(b) The Permittee shall meet and maintain the minimum insurance requirements set forth in Section 17-9(3) of the Town Code for issuance of a sidewalk café permit.

Sec. 17-91. Revocation, suspension or denial of permit.

(a) Revocation and/or Denial. The approval of a Sidewalk Café permit is conditional at all times. The holder of a permit has no vested right or property interest in the continuation of the permit

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or the activity it allows. A Sidewalk Café permit may be denied and/or revoked if it is found that any of the following has occurred:

(1) Any applicable business or health permit for the restaurant or food store associated with the Sidewalk Café Permit has been suspended, revoked or cancelled.

(2) The permittee exceeds the approved square footage of the approved Sidewalk Café Permit area.

(3) Changing conditions of pedestrian or vehicular traffic which cause congestion necessitating removal of the sidewalk café. Such decision may be based upon findings of the Town Manager or designee that the pedestrian path and/or buffer zone is insufficient under existing circumstances and represents a danger to the health, safety or general welfare of pedestrians or vehicular traffic.

(4) Revocation of Permission from Property owner or Adjacent Owner, if applicable.

i. If the owner of the building in which the restaurant or food store operating the sidewalk café revokes permission for the sidewalk café, then the entire sidewalk café permit shall be revoked.

ii. If the owner of an adjacent property in front of which the sidewalk café extends revokes permission, then only that portion of the sidewalk café permit authorizing the area in front of the adjacent property shall be revoked.

iii. Revocation of a sidewalk café permit shall only be effective sixty (60) days after the owner of the building provides written notice to the Town of such revocation.

(5) The Permittee has failed to correct violations of this Article or conditions of the sidewalk café permit within twenty-four (24) hours of receipt of written notice from the Town Manager or designee. Once notice has been given for a violation, a violation of the same condition is considered a repeat violation and the Town Manager or designee shall have the right to revoke the sidewalk café permit as set forth in 17-91 (d).

(6) The Permittee fails to maintain the minimum insurance requirements set forth in Section 17-9(3) of the Town Code or conditions of the Sidewalk Café Permit.

(7) The Permittee fails to maintain compliance with any other applicable provision of the Town Code.

(8) The Permittee fails to pay annual fees associated with the Sidewalk Café Permit or any other outstanding fees which may be owed to the Town.

(b) Suspension.

(1) The permit may be temporarily suspended and furniture and fixtures required to be removed by the Town Manager, designee or authorized law enforcement official when necessary for the following reasons:

a. to clear sidewalk areas for a “community or special event” authorized by a permit issued by the Town;

b. when street, sidewalk, or utility repairs necessitate such action;

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c. In emergency situations (police fire life safety). In such an event, the Town and its officers and employees shall not be responsible for sidewalk café furniture and fixtures relocated during emergencies.

(c) Removal of furniture and fixtures.

(1) In the event the Permittee fails to remove any furniture and fixtures or other objects related to the sidewalk café within twenty-four (24) hours of receipt of the Town Manager's or designee's final notice of violation, revocation or suspension, the Town Manager or designee may direct Town staff to remove said objects. The Permittee shall be responsible for any and all expenses incurred by the Town for the removal, storage, and return of said furniture, fixtures or objects. The furniture and fixtures shall only be released upon a proper showing of ownership and payment of reasonable and actual removal, administrative and storage charges, as set forth and approved by the Town Commission.

(2) Any furniture, fixtures or objects removed by the Town shall be stored for a period not to exceed thirty (30) days. In the event the furniture or fixtures are not claimed within the thirty (30) day storage period, the furniture, fixture or object shall be deemed unclaimed property in possession of the town and may be disposed of pursuant to law.

(3) Notwithstanding subsection (c) (1) above, the Town Manager or designee shall have the right to remove or relocate without notice, any furniture and fixtures that presents a safety hazard to traffic or pedestrian flow or that are not specifically identified in sidewalk café permit. In such an event, the Town and its officers and employees shall not be responsible for any damages to sidewalk café furniture and fixtures that may have resulted during removal and/or relocation. The Permittee may be responsible for any and all expenses incurred by the Town for the removal, storage, and return of said furniture, fixtures or objects.

(d) Procedures for Permit Suspension or Revocation.

(1) If the Town Manager or designee believes that a Permittee has engaged or is engaged in conduct warranting the revocation of the permit, he or she shall serve the Permittee by certified mail or hand delivery, at the address provided in the application for the permit, a written notice of violation which affords reasonable notice of facts or conduct which warrant the intended action, and a reasonable time for the Permittee to cure the violation.

(2) The written notice of violation shall state the required remedial action to eliminate the violation. The Permittee shall be afforded a reasonable opportunity to request a hearing before the Town Commission on the notice of violation, unless the Town Manager or designee finds that an emergency condition exists involving serious danger to public health, safety and welfare, or the permittee is a repeated violator of the requirements of this article, in which case advance notice and hearing shall not be required.

(3) In the case of an emergency suspension or revocation, the Permittee shall immediately be advised of the Town Manager's or designee's action.

(4) In the event the Permittee does not cure the violation within the reasonable time designated by the Town Manager or designee, the sidewalk café furniture and fixtures may be removed and penalties may be imposed pursuant to Section 17-92.

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Sec. 17-92. Enforcement.(a) This Article shall be enforced as follows:

(1) The Town Manager or designee shall have jurisdiction to hear and decided cases involving Sidewalk Café permits.

(2) The Code Enforcement Special Magistrate shall have jurisdiction to hear and decide cases involving sidewalk cafes where a permit has not been issued or has previously been revoked and/or suspended.

(3) The Town may enforce the provision of this Article by supplemental code or ordinance enforcement procedures as provided by F.S. ch. 162, pt. 2; or

(4) The Town may prosecute violations by issuance of notices to appear for violation of a Town ordinance.

(b) The penalty for a violation of this Article pursuant to Section 17-92 (a) (2) shall be as provided by F.S. ch. 162.

(c) The Town Attorney, with authorization from the Town Commission, may bring suit on behalf of the Town to enjoin any violation of this Article.

Sec. 17-93. - Recovery of unpaid fines; unpaid fines to constitute a lien; foreclosure.

(a) The Town of Lauderdale-By-The-Sea may institute proceedings in a court of competent jurisdiction to compel payment of civil fines.

(b) A certified copy of an order imposing a civil fine may be recorded in the public records and thereafter shall constitute a lien upon any other real or personal property owned by the violator and it may be enforced in the same manner as a court judgment by the sheriffs of this state, including levy against the personal property, but shall not be deemed to be a court judgment except for enforcement purposes. After two months from the filing of any such lien which remains unpaid, the Town may foreclose or otherwise execute on the lien.

Section 4. Codification. This Ordinance shall be codified in accordance with the foregoing.

It is the intention of the Town Commission that the provisions of this Ordinance shall become and be made a part of the Town of Lauderdale-By-The-Sea Code of Ordinances; and that the sections of this Ordinance may be renumbered or re-lettered and the word “ordinance” may be changed to “section”, “article” or such other appropriate word or phrase in order to accomplish such intentions.

Section 5. Severability. If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

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Section 6. Conflicting Ordinances. All prior ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent of said conflict.

Section 7. Effective Date. This Ordinance shall be in full force and effect immediately upon its passage on second reading.

Passed on the first reading, this ____ day of _____, 2020.

Passed and adopted on the second reading, this ____ day of _____, 2020.

MAYOR CHRIS VINCENT

	First Reading	Second Reading
Mayor Vincent	_____	_____
Vice-Mayor Sokolow	_____	_____
Commissioner Malkoon	_____	_____
Commissioner Oldaker	_____	_____
Commissioner Strauss	_____	_____

ATTEST:

Tedra Allen, Town Clerk

(CORPORATE SEAL)

APPROVED AS TO FORM:

Susan L. Trevarthen, Town Attorney

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Exhibit "A"

ARTICLE VI. ~~SIDEWALK CAFÉS~~Sec. 17-85. ~~Definitions.~~

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except when the context clearly indicates a different meaning.

Affected party shall mean any property owner whose property directly abuts the property upon which the business is located which has applied for or been issued a permit for a sidewalk café.

Furniture/fixtures shall mean tables, chairs, umbrellas and any other objects utilized as part of the sidewalk café.

Pedestrian path shall mean the portion of the right of way adjacent to the sidewalk café that is required to be kept free and clear to allow a safe passageway for walking.

Permittee shall mean the owner/operator of the restaurant (who may or may not be the property owner) associated with and holding a sidewalk café permit obtained pursuant to the terms and provisions of this article.

Right of way shall mean land in which the State, the Florida Department of Transportation, Broward County or the Town of Lauderdale By The Sea owns the fee or has an easement devoted to or required for use as a transportation facility or street.

Sidewalk shall mean that area, whether privately owned or a portion of the right of way, which is located between the curbline or the lateral line of a street and the adjacent building and which is intended for use by pedestrians.

Sidewalk café shall mean a use located on a sidewalk or portion of the right of way which is associated with a restaurant, or food establishment. It shall be characterized by the presence of tables and chairs and may be shaded by awnings, canopies or umbrellas if permits for same have been issued.

Street means that portion of a right of way improved, designed or ordinarily used for vehicular traffic or parking.

Sec. 17-86. ~~Permit and revocable license required.~~

(a) ~~It shall be unlawful for any person to operate a sidewalk café on any sidewalk or public right-of-way within the Town without first obtaining a permit from the Town. The approved permit shall include:~~

(1) ~~A revocable license agreement in a form approved by the Town Attorney, with the Town for any portion of the Town's right of way which is used for a sidewalk café;~~

(2) ~~The location, square footage and table placement of sidewalk cafes; and~~

(3) ~~Additional information and conditions as required by the Town.~~

(b) ~~The license is revocable in accordance with section 17-92 and shall not constitute a vested property interest in any portion of the public right of way.~~

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~~(c) Any person or entity operating a sidewalk café without a permit or any property owner allowing the operation of a sidewalk café without a permit upon his/her/its property shall be subject to penalties as provided in this article.~~

~~(d) Each operator of a sidewalk café that operates in a portion of the right-of-way shall pay to the Town a monthly right-of-way license fee established by the Town Commission by resolution for each square foot of right-of-way licensed for use. In addition, the Town may require maintenance fees.~~

~~Sec. 17-87. Permit fee.~~

~~(a) All sidewalk café operators shall pay a permit fee based on the number of seats depicted on the Town-approved site drawing required by these regulations. Such fees shall be set and may be amended from time to time by resolution of the Town Commission.~~

~~(b) The permit fee shall be paid on or before October 1 and shall cover the time period from October 1 through September 30 of the following calendar year. No permit shall be issued for any fractional portion of the year; provided, however, that any person or entity operating a sidewalk café for a period beginning after May 1, may obtain a permit for the remaining portion of the fiscal year upon payment of one-half of the permit fee required by this article. No refund of fees shall be allowed.~~

~~(c) The permit fees collected pursuant to this section from sidewalk cafés located in the Town of Lauderdale By The Sea shall be placed in the general revenue fund.~~

~~Sec. 17-88. Permit and license application.~~

~~(a) Application for a permit and license to operate a sidewalk café shall be commenced by the filing of a complete application on a form provided by the Town and filed with the Development Services Department. Such application shall include:~~

~~(1) Name, address and telephone number of the applicant.~~

~~(2) Name and address of business.~~

~~(3) A copy of a valid Town of Lauderdale By The Sea business tax receipt to operate a business adjacent to the sidewalk area which is the subject of the application.~~

~~(4) Evidence of insurance containing terms required under section 17-90 of this article.~~

~~(5) An 8½ × 11 [inch] drawing to legible scale showing the layout and dimensions of the existing sidewalk area and adjacent private property, proposed location, size and number of tables, chairs, steps, trees, parking meter, bus shelters, sidewalk benches, trash receptacles, and any other furniture/fixtures or sidewalk obstruction either existing or proposed within the pedestrian area.~~

~~(6) Photographs, drawings or manufacturer's brochures fully describing the appearance of all proposed furniture/fixtures related to the sidewalk café.~~

~~(7) Signature of the owner of the building.~~

~~(8) A nonrefundable application fee established by the Town Commission by resolution.~~

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(b) Applications shall be reviewed for compliance with Town ordinances and must be approved by the Town Manager or designee.

(c) The Town Manager or designee may deny an application that does not comply with this section. Such denials shall be written and shall provide the reasons for the denial. The applicant or an affected property owner may appeal the Town Manager or designee's decision to the Town Commission.

Sec. 17-89. Requirements of a sidewalk café permit.

(a) Location.

(1) Sidewalk cafés shall be located only in the following places:

a. The sidewalk frontage of the licensed business to which the permit is issued; or

b. The sidewalk frontage of the building where the validly licensed business is located.

Such sidewalk cafés may also occupy a portion of the non-vehicular right-of-way.

(2) Adjacent property or adjacent tenant space. In the event the area of the proposed sidewalk café extends in front of an adjacent tenant space or adjacent property, the following provisions apply:

a. The permittee must obtain written permission from the relevant adjacent property owner for use of this area. Failure to obtain such written permission will not justify a refund of the annual permit fee or any other fees paid to the Town of Lauderdale-By-The-Sea for operation of a sidewalk café.

b. The Town will send a courtesy notice to those businesses directly abutting the proposed sidewalk café. Any affected person may provide written comments to the Town Manager or designee within ten days of the date of the mailed notice, for the consideration of the Town Manager or designee. Failure to mail or receive such notice shall not affect actions taken under this article.

(3) Permits shall not be issued to place tables and chairs within a ten-foot proximity of bus stops, taxi stands, fire hydrants, a pedestrian crosswalk, or handicap ramp.

However, the Town Manager or designee may permit an exception to the distance requirement from ten feet to five feet where established pedestrian and tram paths shall not be obstructed and where public safety shall not be adversely affected.

(4) Proximity to vehicular right-of-way.

a. Where parking exists between the sidewalk area proposed for use and the portion of the right-of-way used for vehicular travel, a sidewalk café shall be located in such a manner that a minimum five-foot wide clear pedestrian path on the sidewalk is maintained at all times.

b. Where no parking exists, a minimum one foot wide clear area between the edge of the sidewalk closest to the right-of-way used for vehicular travel and the sidewalk café shall be maintained at all times. In areas of congestion, the Town Manager or designee is authorized to require additional clearance.

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- ~~(b) — *Physical barriers.* No objects shall be permitted around the perimeter of a sidewalk area occupied by tables and chairs which would have the effect of forming a physical or visual barrier discouraging the use of the sidewalk by the general public.~~
- ~~(c) — *Pedestrian path.* In areas of congested pedestrian activity, the Town Manager or designee, is authorized to require a wider pedestrian path than that provided herein as circumstances dictate.~~
- ~~(d) — *Sidewalk café designation.* The Town will designate the approved boundaries of the sidewalk café.~~
- ~~(e) — *Sidewalk café furniture/fixtures.*~~
- ~~(1) — Furniture/fixtures utilized as part of the sidewalk café shall be of quality design, materials, size, elevation and workmanship both to ensure the safety and convenience of users, and to enhance the visual quality of the urban environment.~~
- ~~(2) — Design, materials and colors shall be approved by the Town Manager or designee prior to the issuance of the sidewalk café permit.~~
- ~~(3) — All fabrics shall be fire retardant, pressure-treated or manufactured of fire resistive material.~~
- ~~(f) — *Monies owed to Town.* Prior to issuance of a sidewalk café permit or annual renewal, the Town Clerk shall certify that there are no outstanding fines, moneys, fees, taxes or other charges owed to the Town by the current or past owners or operators of the property requesting a sidewalk café permit. A sidewalk café permit will not be issued until all outstanding debts to the Town are paid in full.~~
- ~~(g) — *Open air design.* Any business or food establishment that qualifies under the conditions of this article may redesign the face of their establishment to allow for doors or panels that permit the establishment to have totally open sides allowing for an indoor/outdoor "café" design. These changes in the building can only be made after a proper building permit is issued, said changes otherwise comply with the "Code of Ordinances of the Town of Lauderdale By The Sea," the Florida Building Code, and all appropriate fees paid.~~
- ~~(h) — *Maintenance of the right of way.* Permittee will be charged for the costs of materials and labor to replace any and all landscaping, paving and other public improvements which are damaged and/or stained resulting from the operation of the sidewalk café utilizing the same quality of materials and workmanship as approved by the Town.~~
- ~~Sec. 17-90. — Liability and insurance.~~
- ~~(a) — The permittee agrees to indemnify, defend, save and hold harmless the Town, its officers and employees from any and all claims, liability, lawsuits, damages and causes of action which may arise out of this permit, or the permittee's activity on the premises by executing a written hold harmless agreement.~~
- ~~(b) — The permittee agrees to meet and maintain for the entire permit period, at his/her own expense, insurance meeting the requirements of section 17-9(3).~~
- ~~Sec. 17-91. — Sidewalk café permits.~~

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- 672 (a) ~~Each permit shall be effective for one year from October 1 until September 30, subject to~~
673 ~~annual renewal with the approval of the Town Manager or designee.~~
- 674 (b) ~~The permit issued shall be personal to the permittee only and shall be transferable only with~~
675 ~~the approval of the Town Manager or designee.~~
- 676 (c) ~~The permit may be temporarily suspended by the Town Manager or designee when necessary~~
677 ~~to clear sidewalk areas for a "community or special event" authorized by a permit issued by~~
678 ~~the Police Department.~~
- 679 (d) ~~The Town Manager or designee may require the temporary removal of sidewalk cafés when~~
680 ~~street, sidewalk, or utility repairs necessitate such action.~~
- 681 (e) ~~The Town Manager or designee, and/or an authorized Police Officer of the Town may cause~~
682 ~~the immediate removal or relocation of all or parts of the sidewalk café in emergency~~
683 ~~situations.~~
- 684 (f) ~~The Town and its officers and employees shall not be responsible for sidewalk café~~
685 ~~components relocated during emergencies.~~
- 686 (g) ~~The permit shall be specifically limited to the area shown on the scale layout drawing~~
687 ~~attached to and made a part of the permit. The Town Manager or designee shall have the right~~
688 ~~to remove without notice, any tables, chairs or other objects not in the permit area.~~
- 689 (h) ~~The permittee shall act to assure that its use of the sidewalk in no way interferes with~~
690 ~~pedestrians or limits their free unobstructed passage. The Town Manager or designee may~~
691 ~~require relocation of furniture/fixtures at any time for safety or pedestrian flow consideration.~~
- 692 (i) ~~The sidewalk café shall be opened for use by the general public, although such seating may~~
693 ~~be restricted by the permittee to the patrons of the permittee.~~
- 694 (j) ~~Furniture/fixtures provided with a sidewalk café shall be maintained with a clean and~~
695 ~~attractive appearance and shall be in good repair at all times.~~
- 696 (k) ~~The sidewalk area covered by the permit, and sidewalk and roadway immediately adjacent~~
697 ~~to it, shall be maintained in a neat and orderly appearance at all times, and the area shall be~~
698 ~~cleared of all debris as needed during the day, again at the close of each business day and as~~
699 ~~may be directed by the Town Manager or designee.~~
- 700 (l) ~~Sidewalk cafe and outdoor dining furniture/fixtures.~~
- 701 (1) ~~Tables may include the establishment name and registered trademark logo.~~
- 702 (2) ~~Umbrellas may include the establishment name, limited to once on each of the~~
703 ~~umbrella's panels.~~
- 704 (3) ~~Lettering may not exceed four inches in height.~~

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- ~~(4) Signs are otherwise prohibited on any other furniture/fixtures.~~
- ~~(m) No furniture/fixtures shall be attached, chained, or in any manner affixed to any tree, post, sign or other fixture, curb or sidewalk within or near the permitted area.~~
- ~~(n) No outdoor seating authorized herein shall be used for calculating seating requirements pertaining to location of, applications for, or issuance of a liquor license for any establishment; nor shall it be used as the basis for computing required seating for restaurants and dining rooms, or as grounds for claiming exemption from such requirements under the provisions of any Town ordinance or State law.~~
- ~~(o) The area between the exterior walls of a business or other eating establishment and the edge of sidewalk devoted to a sidewalk café shall be designated as public space. The placement of tables and chairs in this public space shall not constitute a building improvement which otherwise triggers structural improvements to the operating business under the provisions of the Florida Building Code or any State statute.~~
- ~~(p) In the event an operator of a business or other eating establishment creates a sidewalk café pursuant to the terms of this section and such creation entails actual structural improvements to any portion of the structure other than the public space, or in the event the creation of the sidewalk café permanently obstructs ingress or egress to the business or eating establishment, then all applicable provisions of the South Florida Building Code or State statutes necessitating improvements to the property shall apply.~~
- ~~(q) No food preparation fire, or fire apparatus, shall be allowed on the public sidewalk, other than that employed in the course of ordinary tableside service, including, but not limited to, menu items which require table preparation, whether or not such area is covered by this permit.~~
- ~~(r) Upon the issuance of a "Hurricane Warning" or "Hurricane Watch" by the Broward County Office of Emergency Management, the permittee shall forthwith remove and place indoors all furniture/fixtures and other equipment located on the sidewalk.~~
- ~~Sec. 17-92. Revocation or suspension of permit; removal and storage fees; emergencies.~~
- ~~(a) The approval of a sidewalk café permit is conditional at all times. The holder of a permit has no vested right or property interest in the continuation of the permit or the activity it allows. A sidewalk café permit can be denied, revoked or suspended if it is found that:~~
- ~~(1) Any necessary business or health permit has been suspended, revoked or cancelled.~~
- ~~(2) The permittee exceeds the approved square footage of the approved area.~~
- ~~(3) Changing conditions of pedestrian or vehicular traffic which cause congestion necessitating removal of the sidewalk café. Such decision may be based upon findings of the Town Manager that the minimum five-foot pedestrian path is insufficient under existing circumstances and represents a danger to the health, safety or general welfare of pedestrians or vehicular traffic.~~
- ~~(4) The permission of the owner of the building in front of which the sidewalk café, or a portion of a sidewalk café, is located has been revoked. Revocation of a sidewalk café permit, pursuant to this subsection (4) shall be effective 60 days after the owner of the building provides written notice to the Town of such revocation. If the owner of the~~

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building in which the restaurant operating the sidewalk café is located revokes permission for the sidewalk café, the entire sidewalk café permit shall be revoked. If the owner of an adjacent property in front of which the sidewalk café extends revokes its permission, then only that portion of the sidewalk café permit authorizing the area in front of the adjacent property shall be revoked.

(5) The permittee has failed to correct violations of this article or conditions of the permit within 24 hours of receipt of the Town Manager's notice of same delivered in writing to the permittee.

(6) The permittee fails to maintain compliance with the requirements of section 17-90 of this article.

(b) In the event the permittee fails to remove any furniture/fixtures or other objects related to the sidewalk café within 24 hours of receipt of the Town Manager's final notice of violation, revocation or suspension, the Town Manager may direct Town staff to remove said objects. The permittee shall be responsible for the expenses incurred by the Town for the removal and storage of said objects.

(c) Action warranting suspension or revocation.

(1) If the Town Manager believes that a permittee has engaged or is engaged in conduct warranting the suspension or revocation of the permit, he shall serve the licensee by certified mail or hand delivery, at his business address as disclosed in his application for the permit, a written notice of ordinance violation which affords reasonable notice of facts or conduct which warrant the intended action, and a reasonable time for the permittee to cure the violation.

(2) The complaint shall state what is required to be done to eliminate the violation, if any. The permittee shall be given adequate opportunity to request a hearing before the Town Commission, unless the Town Manager finds that an emergency condition exists involving serious danger to public health, safety and welfare, in which case advance notice and hearing shall not be required.

(3) In the case of an emergency suspension or revocation, the licensee shall immediately be advised of the Town Manager's action.

(4) In the event the permittee does not cure the violation within the reasonable time designated by the Town Manager, penalties shall be imposed pursuant to section 17-93.

Sec. 17-93. Enforcement.

(a) This article shall be enforced as follows:

(1) The Town Code Enforcement Special Master shall have jurisdiction to hear and decide cases in which violations of this chapter are alleged; or

(2) The Town may enforce the provision of this Code by supplemental code or ordinance enforcement procedures as provided by F.S. ch. 162, pt. 2; or

(3) The Town may prosecute violations by issuance of notices to appear for violation of a Town ordinance.

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- 784 ~~(b) — The penalty for a violation of this article shall be as provided by F.S. ch. 162.~~
- 785 ~~(c) — The Town Attorney, with authorization from the Town Commission, may bring suit on~~
- 786 ~~behalf of the Town to enjoin any violation of this chapter.~~
- 787 ~~Sec. 17-94. — Recovery of unpaid fines; unpaid fines to constitute a lien; foreclosure.~~
- 788 ~~(a) — The Town of Lauderdale-By-The-Sea may institute proceedings in a court of competent~~
- 789 ~~jurisdiction to compel payment of civil fines.~~
- 790 ~~(b) — A certified copy of an order imposing a civil fine may be recorded in the public records and~~
- 791 ~~thereafter shall constitute a lien upon any other real or personal property owned by the violator~~
- 792 ~~and it may be enforced in the same manner as a court judgment by the sheriffs of this state,~~
- 793 ~~including levy against the personal property, but shall not be deemed to be a court judgment~~
- 794 ~~except for enforcement purposes. After two months from the filing of any such lien which~~
- 795 ~~remains unpaid, the Town may foreclose or otherwise execute on the lien.~~
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Town Commission Agenda Item Report

Meeting Date: February 11, 2020

Submitted by: Linda Connors

Submitting Department: Development Services

Item Type: Ordinances 2nd Reading

Agenda Section: ORDINANCES 2nd Reading

Subject Title:

Ordinance 2020-01 - AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA AMENDING CHAPTER 30 "UNIFIED LAND DEVELOPMENT REGULATIONS," ARTICLE V "ZONING," DIVISION 2 "DISTRICTS," SUBDIVISION L "B-1-A DISTRICT REGULATIONS," AND SUBDIVISION M "B-1 DISTRICT REGULATIONS" TO MODIFY REGULATIONS AND STANDARDS RELATED TO OUTSIDE SEATING FOR RESTAURANTS ON PRIVATE PROPERTY, OTHER THAN A SIDEWALK; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE (Linda Connors, Development Services Director)

Explanation: On May 16, 2019, the Town Commission held a workshop to discuss downtown issues such as noise, signs and sidewalk café regulations. After discussion, the Town Commission requested Staff to bring forward ordinances to amend the current sidewalk café and sign code regulations. No changes were proposed to the noise regulations.

Earlier on the agenda, the Town Commission reviewed proposed amendments to the Town's sidewalk café regulations. Staff has drafted Ordinance 2020-01 Outdoor Dining (**Exhibit 1**) to mirror the proposed amendments that are included in Ordinance 2020-02 Sidewalk café.

Proposed Ordinance 2020-01 amends the outdoor dining regulations in the following manner:

1. Clarifies and updates the Town Code by amending existing language;
2. Establishes a timeframe for permit review (Line 116);
3. Prohibits amplified music within the confines of the outdoor seating area (Line 189).; and
4. Adds standards for the size of shade structures (Line 212), density of outdoor seating (Line 217) and location of greeting podiums (Line 220).

The Town Commission approved Ordinance 2020-01 on first reading at their January 14, 2020 meeting.

Recommendation: Staff approve Ordinance 2020-01

Attachments:

1. Ordinance 2020-01

**AN ORDINANCE OF THE TOWN OF LAUDERDALE-
BY-THE-SEA, FLORIDA AMENDING CHAPTER 30
“UNIFIED LAND DEVELOPMENT REGULATIONS,”
ARTICLE V “ZONING,” DIVISION 2 “DISTRICTS,”
SUBDIVISION L “B-1-A DISTRICT REGULATIONS,”
AND SUBDIVISION M “B-1 DISTRICT
REGULATIONS” TO MODIFY REGULATIONS AND
STANDARDS RELATED TO OUTSIDE SEATING FOR
RESTAURANTS ON PRIVATE PROPERTY, OTHER
THAN A SIDEWALK; PROVIDING FOR
CODIFICATION; PROVIDING FOR SEVERABILITY;
PROVIDING FOR CONFLICTS; AND PROVIDING FOR
AN EFFECTIVE DATE**

WHEREAS, the Town Commission recognizes that changes to the adopted Code of Ordinances are periodically necessary in order to ensure that the Town’s regulations are current and consistent with the Town’s planning and regulatory needs; and

WHEREAS, the Town Commission desires to amend the Town Code to modify regulations and standards related to outside seating for restaurants on private property, other than a sidewalk; and

WHEREAS, the Planning and Zoning Board, sitting as the Local Planning Agency, has reviewed the contents of this Ordinance at a duly noticed public hearing on January 7, 2019, and recommended the amendments be approved; and

WHEREAS, the Town Commission conducted a first and second reading of this Ordinance at duly noticed public hearings, as required by law, and after having received input from and participation by interested members of the public and staff, the Town Commission has determined that this Ordinance is consistent with the Town’s Comprehensive Plan and in the best interest of the Town, its residents, and its visitors.

**NOW, THEREFORE BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN
OF LAUDERDALE-BY-THE-SEA, FLORIDA THAT:**

Section 1: The foregoing “Whereas” clauses are ratified and incorporated as the legislative intent of this Ordinance.

Section 2: Chapter 30, “Unified Land Development Regulations,” Article V “Zoning,” Division 2 “Districts,” Subdivision L “B-1-A District Regulations” of the Town’s Code of Ordinances is hereby amended as follows¹:

Sec. 30-261. - B-1-A district—Business.

(a) *B-1-A uses permitted.*

- (1) *Permitted uses.* No building or premises shall be used and no building with the usual accessories shall be erected or altered other than a building or premises arranged, intended, or designed for any of the following uses, not to exceed 10,000 square feet in gross floor area:

* * * * *

hhh. Restaurant, which may also include the following accessory uses:

1. Sidewalk cafés which would be appurtenant to, and a part of, a restaurant, subject to the requirements of chapter 17, article VI, sidewalk cafés.
2. Outside seating for restaurants, on private property other than a sidewalk, that is accessory to the principal restaurant use and that is not regulated under chapter 17, article VI, and subject to the regulations set forth in subsection (eh), below.
3. Walk-up windows for food and/or beverage service.

* * * * *

- (h) Outside seating for restaurants, on private property other than a sidewalk, that is accessory to the primary restaurant use may be permitted subject to the following regulations:

¹ Additions to the text are shown in underline. Deletions to the text are shown in ~~strike through~~.

- 61 (1) *Permit required.* It shall be unlawful for any person to provide outside seating for a
62 restaurant on private property within the Town without first obtaining a permit from the
63 Town. The location of an outside seating area for a restaurant shall be approved by the
64 Town Manager or designee.
- 65 (2) *Permit fee.* The fee for a permit for outside seating for a restaurant shall be as
66 established by resolution of the Town Commission, shall be non-refundable, and shall
67 accompany the outdoor seating application. ~~A permit fee shall be established by~~
68 ~~resolution of the Town Commission.~~
- 69 (3) *Permit application.* Application for a permit to provide outside seating for a
70 restaurant shall be commenced by the filing of a complete application on a form
71 provided by the Town with the Development Services Department. Such application
72 shall include the following: made at the office of the Town Clerk. Such application shall
73 include:
- 74 a. Name, address and telephone number of the applicant.
 - 75 b. Name and address of business.
 - 76 c. A copy of a valid Town of Lauderdale-By-The-Sea business tax receipt to operate
77 a restaurant adjacent to the outside seating area which is the subject of the
78 application.
 - 79 d. An 8½ × 11 inch drawing or larger at a minimum scale of one inch equals 20 feet
80 showing the following:
 - 81 1. The store front and all openings (doors, windows);
 - 82 2. The location and dimensions of the private property area being utilized for the
83 outside seating area, including: structures located thereon; proposed location,
84 dimension and number of tables, chairs, and umbrellas proposed within the
85 outside seating area;
 - 86 3. Clear delineation of the boundary between private property and the public
87 right-of-way;
 - 88 4. The location of tables and chairs complying with the Americans with
89 Disabilities Act (ADA) standards.
 - 90 e. When the outside seating is visible from a public right-of-way, the application shall
91 also include:
 - 92 1. Photographs and/or manufacturer brochures fully describing the appearance of
93 all proposed chairs, tables, umbrellas and other private features, including but
94 not limited to lighting to be used in the proposed outside seating area.
 - 95 2. A trash management and maintenance plan for the outside seating area, which
96 shall include a plan for pickup and disposal of any trash or food on or around
97 the tables and chairs or sidewalk, and periodic pressure cleaning of the area
98 used for outside seating. This plan shall ensure that the outside seating area is
99 maintained in a neat and orderly appearance at all times and the area shall be
100 cleared of all debris on a periodic basis during the day and at the close of each
101 business day to ensure a healthy and safe environment.

- 102 f. Written consent from the building owner for the proposed outside seating area.
- 103 g. In the event the outside seating area is proposed in front of an adjacent owner's
- 104 property, the applicant must provide written consent from the adjacent property
- 105 owner for use of this area.
- 106 h. Non-refundable application fee.
- 107 i. ~~Applications shall be reviewed for compliance with the Town Code and may be~~
- 108 ~~approved by the Town Manager or designee.~~
- 109 j. ~~The Town Manager or designee may deny an application that does not comply with~~
- 110 ~~this section. Such denials shall be written and shall provide the reasons for the~~
- 111 ~~denial. The applicant or any property owner whose property directly abuts the~~
- 112 ~~property which is the subject matter of the application may appeal the Town~~
- 113 ~~Manager or designee's decision to the Town Commission.~~

114 (4) Permit Application Review. The Town Manager or designee shall review applications

115 for compliance with the standards and requirements set forth in this Article as well as

116 any other applicable Town Code provisions.

- 117 a. No application shall be accepted until it is deemed complete.
- 118 b. The Town Manager or designee shall review the submitted application
- 119 within twenty (20) business days and either accept the application if it is
- 120 complete or, if incomplete, reject the application with a written notice of
- 121 incompleteness, specifying the data missing from the application.
- 122 c. If an application is rejected, the applicant may resubmit the application
- 123 with the additional information required. Upon each resubmittal, the
- 124 Town manager or designee shall have ten (10) business days to review the
- 125 resubmitted application and either accept the application as complete or
- 126 provide written notice of any corrections, revisions or deficiencies. This
- 127 process shall continue until the applicant has submitted a complete
- 128 application or demands that the application be reviewed as is, without
- 129 further revisions.
- 130 d. If an applicant fails to provide the additional information as requested by
- 131 the Town Manager or designee within sixty (60) days of the request for
- 132 additional information, the Town Manager or designee may deem the
- 133 application to be withdrawn by the applicant and the application
- 134 considered null and void. Upon request, the applicant shall be entitled to
- 135 one sixty (60) day extension, provided the extension request is granted
- 136 prior to the expiration of the above referenced sixty (60) day time period.
- 137 e. For any application in which the outdoor seating area is not located
- 138 directly in front the associated restaurant, the Town will send a courtesy
- 139 notice to those businesses directly abutting the proposed outdoor seating.
- 140 Any affected person may provide written comments to the Town Manager
- 141 or designee within ten (10) days of the date of the mailed notice, for the
- 142 consideration of the Town Manager or designee. Failure to mail or receive
- 143 such courtesy notice shall not affect actions taken under this Article.

- (6) Prior to issuance of an outdoor seating permit or annual renewal, the Town Clerk shall certify that there are no outstanding fines, fees, taxes or other charges owed to the Town by the current or past owners or operators of the property requesting an outdoor seating permit. An outdoor seating permit may not be issued until all outstanding fees and/or fines owed to the Town are paid in full.
- (7) The Town Manager or designee shall approve, approve with conditions, or deny an application based on the requirements of this Article and compliance with the Town Code. Approval shall be in the form of an outdoor seating permit and as provided for in this Article. A denial of an outdoor seating application shall be made in writing and shall provide the reasons for such denial. The applicant or an affected property owner whose property directly abuts the property, which is the subject matter of the application, may appeal the Town Manager or designee's decision on the outdoor seating permit application to the Town Commission.
- (45) *Location requirements.* The location of an outside seating area for a restaurant shall be subject to the following locational regulations:
- a. An outside seating area shall only be permitted on private property that is adjacent to a licensed restaurant business to which the permit is issued.
 - b. Tables and chairs shall not be located within a (10) ten-foot proximity of bus stops, taxi stands, fire hydrants, a pedestrian crosswalk, driveway or handicap ramp.
 - c. The Town Manager or designee may permit an exception to the distance requirement of subsection b. above from (10) ten feet to (5) five feet where established pedestrian and tram paths shall not be obstructed and where public safety shall not be adversely affected.
 - d. Markers approved by the Town Manager or designee shall be embedded into the property to distinguish the approved boundaries of the outside seating area. This requirement may be waived by the Town Manager or designee if the proposed outside seating area is not on or adjacent to any private or public sidewalk, parking or other pedestrian area if the area is otherwise clearly delineated.
- (56) *Additional regulations for outside seating for a restaurant.*
- a. The outside seating area shall be accessory to and under the same ownership or control as the primary restaurant, which is operated within a permanently enclosed building located on the same or adjacent parcel. The outdoor seating permit shall be personal to the permittee only and shall not be transferrable. The outdoor seating permit issued shall be specific to the location and is not transferrable to another location.
 - b. ~~There shall be no use, operation, or playing of any musical instrument, loud-speaker, sound amplifier, or other machine or device for the production or reproduction of sound in such a manner as to disturb the peace, quiet, or comfort of~~

~~the neighboring inhabitants or at any time with louder volume than is otherwise regulated by chapter 13, Noise, of the Town Code.~~

Live and/or amplified music shall be prohibited within the confines of the outdoor seating area. Speakers emitting music from inside the restaurant or food store serving the sidewalk café area shall be placed and directed in such a manner that the music's amplification is directed internally into the restaurant or food store.

- c. Food preparation shall only occur in the fully enclosed area of the licensed primary restaurant.
- d. Hours of operation shall not exceed the hours of operation established for the principal licensed restaurant.
- e. All fabrics shall be fire-retardant, pressure-treated or manufactured of fire resistive material.
- f. No objects shall be permitted around the perimeter of the outside seating area that is occupied by tables and chairs which would have the effect of forming a physical or visual barrier discouraging the use of a sidewalk by the general public.
- g. Additionally, when the outside seating area is visible from a public right-of-way:
 - 1. No tables, chairs, or any other part of an outside seating area shall be permanently attached, chained, or in any manner affixed to any tree, post, sign or other fixtures, curb or sidewalk within or near the permitted area.
 - 2. Tables, chairs, umbrellas, canopies, awnings, and any other objects utilized as part of the outside seating area shall be of quality design, materials, size, elevation and workmanship both to ensure the safety and convenience of users, and to enhance the visual quality of the urban environment.
 - 3. Design, materials and colors shall be approved by the Town Manager or designee prior to the issuance of the permit to allow the outside seating area.
- h. Shade Structures.
 - 1. Umbrellas. Shall be no larger than 8.5 feet in diameter and shall maintain a minimum vertical clearance from the sidewalk of not less than eight (8) feet in height.
 - 2. Tents, canopies and pergolas or other similar structures are prohibited.
- i. Outdoor seating. The maximum seating capacity shall be limited to one seat per ten (10) square feet of outdoor seating area for chairs and one barstool seat per twenty-four (24) inches of the linear outside bar area.
- j. Greeting podiums and service stations. All furniture and fixtures, including any greeting podium and/or service station, shall remain within the confines of the designated outdoor seating area, located as close to the building as feasibly possible and shall not impede the public right-of-way.

- (67) Prior to issuance of a permit for an outside seating area, the Town Clerk shall certify that there are no outstanding fines, moneys, fees, taxes or other charges owed to the Town by the current or past owners or operators of the property requesting a permit for

outside seating. A permit to allow outside seating will not be issued until all outstanding debts to the Town are paid in full.

- (78) Any primary restaurant which obtains a permit to have outside seating as an accessory use to a primary restaurant, pursuant to subsection 30-261(1) and (6) may redesign the face of their establishment to allow for doors or panels that permit the establishment to have open sides allowing for an indoor/outside restaurant design. Any proposed alterations, modifications or changes to the building shall require the issuance of a building permit, compliance with the Town Code and payment in full of all applicable fees.

* * * * *

Section 2: Chapter 30, “Unified Land Development Regulations,” Article V “Zoning,” Division 2 “Districts,” Subdivision M “B-1 District Regulations” of the Town’s Code of Ordinances is hereby amended as follows:

Subdivision M. - B-1 District Regulations

Sec. 30-271. - B-1 district—Business.

(a) *B-1 uses permitted.*

- (1) *Permitted uses.* No building or premises shall be used and no building with the usual accessories shall be erected or altered other than a building or premises arranged, intended, or designed for any of the following uses, not to exceed 10,000 square feet in gross floor area, except for waterfront hotel uses:

* * * * *

hhh. Restaurant, which may also include the following accessory uses:

1. Sidewalk cafés which would be appurtenant to, and a part of, a restaurant, subject to the requirements of chapter 17, article VI, sidewalk cafés.
2. Outside seating for restaurants, on private property other than a sidewalk, that is accessory to the principal restaurant use and that is not regulated under chapter 17, article VI, and subject to the regulations set forth in subsection (eh), below.
3. Walk-up windows for food and/or beverage service.

* * * * *

(h) Outside seating for restaurants, on private property other than a sidewalk, that is accessory to the primary restaurant use may be permitted subject to the following regulations:

(1) *Permit required.* It shall be unlawful for any person to provide outside seating for a restaurant on private property within the Town without first obtaining a permit from the Town. The location of an outside seating area for a restaurant shall be approved by the Town Manager or designee.

(2) *Permit fee.* The fee for a permit for outside seating for a restaurant shall be as established by resolution of the Town Commission, shall be non-refundable, and shall accompany the outdoor seating application. ~~A permit fee shall be established by resolution of the Town Commission.~~

(3) *Permit application.* Application for a permit to provide outside seating for a restaurant shall be commenced by the filing of a complete application on a form provided by the Town with the Development Services Department. Such application shall include the following: made at the office of the Town Clerk. Such application shall include:

- a. Name, address and telephone number of the applicant.
- b. Name and address of business.
- c. A copy of a valid Town of Lauderdale-By-The-Sea business tax receipt to operate a restaurant adjacent to the outside seating area which is the subject of the application.
- d. An 8½ × 11 inch drawing or larger at a minimum scale of one inch equals 20 feet showing the following:
 1. The store front and all openings (doors, windows);
 2. The location and dimensions of the private property area being utilized for the outside seating area, including: structures located thereon; proposed location, dimension and number of tables, chairs, and umbrellas proposed within the outside seating area;
 3. Clear delineation of the boundary between private property and the public right-of-way;
 4. The location of tables and chairs complying with the Americans with Disabilities Act (ADA) standards.
- e. When the outside seating is visible from a public right-of-way, the application shall also include:
 1. Photographs and/or manufacturer brochures fully describing the appearance of all proposed chairs, tables, umbrellas and other private features, including but not limited to lighting to be used in the proposed outside seating area.
 2. A trash management and maintenance plan for the outside seating area, which shall include a plan for pickup and disposal of any trash or food on or around the tables and chairs or sidewalk, and periodic pressure cleaning of the area used for outside seating. This plan shall ensure that the outside seating area is

maintained in a neat and orderly appearance at all times and the area shall be cleared of all debris on a periodic basis during the day and at the close of each business day to ensure a healthy and safe environment.

f. Written consent from the building owner for the proposed outside seating area.

g. In the event the outside seating area is proposed in front of an adjacent owner's property, the applicant must provide written consent from the adjacent property owner for use of this area.

h. Non-refundable application fee.

~~i. Applications shall be reviewed for compliance with the Town Code and may be approved by the Town Manager or designee.~~

~~j. The Town Manager or designee may deny an application that does not comply with this section. Such denials shall be written and shall provide the reasons for the denial. The applicant or any property owner whose property directly abuts the property which is the subject matter of the application may appeal the Town Manager or designee's decision to the Town Commission.~~

(4) Permit Application Review. The Town Manager or designee shall review applications for compliance with the standards and requirements set forth in this Article as well as any other applicable Town Code provisions.

(1) No application shall be accepted until it is deemed complete.

(2) The Town Manager or designee shall review the submitted application within twenty (20) business days and either accept the application if it is complete or, if incomplete, reject the application with a written notice of incompleteness, specifying the data missing from the application.

(3) If an application is rejected, the applicant may resubmit the application with the additional information required. Upon each resubmittal, the Town manager or designee shall have ten (10) business days to review the resubmitted application and either accept the application as complete or provide written notice of any corrections, revisions or deficiencies. This process shall continue until the applicant has submitted a complete application or demands that the application be reviewed as is, without further revisions.

(4) If an applicant fails to provide the additional information as requested by the Town Manager or designee within sixty (60) days of the request for additional information, the Town Manager or designee may deem the application to be withdrawn by the applicant and the application considered null and void. Upon request, the applicant shall be entitled to one sixty (60) day extension, provided the extension request is granted prior to the expiration of the above referenced sixty (60) day time period.

(5) For any application in which the outdoor seating area is not located directly in front the associated restaurant, the Town will send a courtesy notice to those businesses directly abutting the proposed outdoor seating. Any affected person may provide written comments to the Town Manager

or designee within ten (10) days of the date of the mailed notice, for the consideration of the Town Manager or designee. Failure to mail or receive such courtesy notice shall not affect actions taken under this Article.

(6) Prior to issuance of an outdoor seating permit or annual renewal, the Town Clerk shall certify that there are no outstanding fines, fees, taxes or other charges owed to the Town by the current or past owners or operators of the property requesting an outdoor seating permit. An outdoor seating permit may not be issued until all outstanding fees and/or fines owed to the Town are paid in full.

(7) The Town Manager or designee shall approve, approve with conditions, or deny an application based on the requirements of this Article and compliance with the Town Code. Approval shall be in the form of an outdoor seating permit and as provided for in this Article. A denial of an outdoor seating application shall be made in writing and shall provide the reasons for such denial. The applicant or an affected property owner whose property directly abuts the property, which is the subject matter of the application, may appeal the Town Manager or designee's decision on the outdoor seating permit application to the Town Commission.

(45) *Location requirements.* The location of an outside seating area for a restaurant shall be subject to the following locational regulations:

- a. An outside seating area shall only be permitted on private property that is adjacent to a licensed restaurant business to which the permit is issued.
- b. Tables and chairs shall not be located within a (10) ten-foot proximity of bus stops, taxi stands, fire hydrants, a pedestrian crosswalk, driveway or handicap ramp.
- c. The Town Manager or designee may permit an exception to the distance requirement of subsection b. above from (10) ten feet to (5) five feet where established pedestrian and tram paths shall not be obstructed and where public safety shall not be adversely affected.
- d. Markers approved by the Town Manager or designee shall be embedded into the property to distinguish the approved boundaries of the outside seating area. This requirement may be waived by the Town Manager or designee if the proposed outside seating area is not on or adjacent to any private or public sidewalk, parking or other pedestrian area if the area is otherwise clearly delineated.

(56) *Additional regulations for outside seating for a restaurant.*

- a. The outside seating area shall be accessory to and under the same ownership or control as the primary restaurant, which is operated within a permanently enclosed building located on the same or adjacent parcel. The outdoor seating permit shall be personal to the permittee only and shall not be transferrable. The outdoor seating permit issued shall be specific to the location and is not transferrable to another location.

- b. ~~There shall be no use, operation, or playing of any musical instrument, loud-speaker, sound amplifier, or other machine or device for the production or reproduction of sound in such a manner as to disturb the peace, quiet, or comfort of the neighboring inhabitants or at any time with louder volume than is otherwise regulated by chapter 13, Noise, of the Town Code.~~

Live and/or amplified music shall be prohibited within the confines of the outdoor seating area. Speakers emitting music from inside the restaurant or food store serving the sidewalk café area shall be placed and directed in such a manner that the music's amplification is directed internally into the restaurant or food store.

- c. Food preparation shall only occur in the fully enclosed area of the licensed primary restaurant.
- d. Hours of operation shall not exceed the hours of operation established for the principal licensed restaurant.
- e. All fabrics shall be fire-retardant, pressure-treated or manufactured of fire resistive material.
- f. No objects shall be permitted around the perimeter of the outside seating area that is occupied by tables and chairs which would have the effect of forming a physical or visual barrier discouraging the use of a sidewalk by the general public.
- g. Additionally, when the outside seating area is visible from a public right-of-way:
1. No tables, chairs, or any other part of an outside seating area shall be permanently attached, chained, or in any manner affixed to any tree, post, sign or other fixtures, curb or sidewalk within or near the permitted area.
 2. Tables, chairs, umbrellas, canopies, awnings, and any other objects utilized as part of the outside seating area shall be of quality design, materials, size, elevation and workmanship both to ensure the safety and convenience of users, and to enhance the visual quality of the urban environment.
 3. Design, materials and colors shall be approved by the Town Manager or designee prior to the issuance of the permit to allow the outside seating area.

h. Shade Structures.

1. Umbrellas. Shall be no larger than 8.5 feet in diameter and shall maintain a minimum vertical clearance from the sidewalk of not less than eight (8) feet in height.

2. Tents, canopies and pergolas or other similar structures are prohibited.

- i. Outdoor seating. The maximum seating capacity shall be limited to one seat per ten (10) square feet of outdoor seating area for chairs and one barstool seat per twenty-four (24) inches of the linear outside bar area.

j. Greeting podiums and service stations.

1. All furniture and fixtures, including any greeting podium and/or service station, shall remain within the confines of the designated outdoor seating area, located as

close to the building as feasibly possible and shall not impede the public right-of-way.

(67) Prior to issuance of a permit for an outside seating area, the Town Clerk shall certify that there are no outstanding fines, moneys, fees, taxes or other charges owed to the Town by the current or past owners or operators of the property requesting a permit for outside seating. A permit to allow outside seating will not be issued until all outstanding debts to the Town are paid in full.

(78) Any primary restaurant which obtains a permit to have outside seating as an accessory use to a primary restaurant, pursuant to subsection 30-2671(1) and (6) may redesign the face of their establishment to allow for doors or panels that permit the establishment to have open sides allowing for an indoor/outside restaurant design. Any proposed alterations, modifications or changes to the building shall require the issuance of a building permit, compliance with the Town Code and payment in full of all applicable fees.

* * * * *

Section 3. Codification. This Ordinance shall be codified in accordance with the foregoing. It is the intention of the Town Commission that the provisions of this Ordinance shall become and be made a part of the Town of Lauderdale-By-The-Sea Code of Ordinances; and that the sections of this Ordinance may be renumbered or re-lettered and the word “ordinance” may be changed to “section”, “article” or such other appropriate word or phrase in order to accomplish such intentions.

Section 4. Severability. If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 5. Conflicting Ordinances. All prior ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent of said conflict.

Section 6. Effective Date. This Ordinance shall be in full force and effect immediately upon its passage on second reading.

452 Passed on the first reading, this ____ day of _____, 2010.

453 Passed and adopted on the second reading, this ____ day of _____, 2010.

454

455 _____

456 **MAYOR CHRIS VINCENT**

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458

459

	First Reading	Second Reading
460		
461 Mayor Vincent	_____	_____
462 Vice-Mayor Sokolow	_____	_____
463 Commissioner Malkoon	_____	_____
464 Commissioner Oldaker	_____	_____
465 Commissioner Strauss	_____	_____
466		

467

468 ATTEST:

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470 _____

471 Tedra Allen, Town Clerk

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473 (CORPORATE SEAL)

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476 APPROVED AS TO FORM:

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479 Susan L. Trevarthen, Town Attorney

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