

**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.

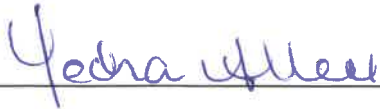
19. ADJOURNMENT

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

Meeting Date:

January 28, 2020

Public Comments are limited to three (3) minutes.

✓ John Graziano 3230 Spanish River Dr, 33063 LBTS

PRINT NAME AND ADDRESS

Public Comments are limited to three (3) minutes.

~~Bill Ciani 1617 Middle River Dr~~

PRINT NAME AND ADDRESS

Public Comments are limited to three (3) minutes.

✓ Barbara Cole LBTS

PRINT NAME AND ADDRESS

Public Comments are limited to three (3) minutes.

✓ Stuart Dodd LBTS.

PRINT NAME AND ADDRESS

Public Comments are limited to three (3) minutes.

~~Charles Marino~~ LBTS

PRINT NAME AND ADDRESS