



**TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
SPECIAL MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Tuesday, June 20, 2023
5:00 PM**

1. CALL TO ORDER, MAYOR CHRIS VINCENT

Mayor Chris Vincent called the meeting to order at 5:00 p.m. Also present were Vice Mayor Edmund Malkoon (via phone), Commissioner Alfred “Buz” Oldaker, Commissioner Theo Pouloupoulos, Commissioner Randy Strauss, Town Manager Linda Connors, Town Attorney Amelia Jadoo, Deputy Town Manager/Public Works Director Ken Rubach, Assistant to the Town Manager Courtney Easley, and Town Clerk Katrina Adler.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

3. RESOLUTION

Mayor Vincent noted that Vice Mayor Malkoon will be participating in the meeting by telephone.

- a. Resolution 2023-24: A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING AN AGREEMENT WITH THE CITY OF POMPANO BEACH FOR FIRE RESCUE, SUPPRESSION AND PREVENTION SERVICES, AND EMERGENCY MEDICAL SERVICES; PROVIDING FOR EXECUTION, IMPLEMENTATION, AND AN EFFECTIVE DATE.**

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

Town Manager Linda Connors introduced Pompano Beach Fire Marshal Pete McGinnis and Tracy Lyons of the Pompano Beach City Attorney’s Office.

Town Manager Connors recalled that on February 14, 2023, the Town Commission directed Staff to negotiate with Pompano Beach Fire/Rescue for the provision of fire

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suppression and emergency services for Lauderdale-By-The-Sea. Town Staff has worked closely with Pompano Beach and presents a contract for the Commission's consideration. If approved, the contract will go before the City of Pompano Beach at their June 27, 2023 City Commission meeting. That City requires its contracts to be approved as Ordinances, which means a second reading on July 11 will be required.

If both parties approve the contract, Pompano Beach Fire/Rescue will begin providing service to Lauderdale-By-The-Sea on September 1, 2023. Town Manager Connors and Deputy Town Manager/Public Works Director Ken Rubach have met with the Lauderdale-By-The-Sea Volunteer Fire Department (VFD) and American Medical Response (AMR), and will meet again with VFD later in the week to further discuss matters if the contract is approved.

The contract has a base cost of \$1.4 million. Pompano Beach will retain EMS transport fees, plan review fees, Chapter 175 fees, and 50% of Fire Code fees for any Fire Code violations that go before the Special Magistrate. EMS fees are consistent with the Town's current contract with AMR. The Town does not see Chapter 175 fees, which go directly to the VFD at present.

The proposed contract term is a single five-year term and two five-year renewals. After the 15th year, the contract includes an option for renegotiation at the end of the final renewal period. This is similar in structure to the Town's current contract for solid waste disposal services.

Pompano Beach's emergency medical personnel and Firefighters are cross-trained in both positions. This would require a response of one three-person ambulance and one fire suppression unit. They will also provide fire inspections, plan review, and Code Enforcement services.

For the first 15 days of the contract, Pompano Beach will serve Lauderdale-By-The-Sea from Fire Station 11. This is 15 business days after the existing building is vacated. Afterward, they will provide service from the Town. This provides a transition period from the VFD and AMR to Pompano Beach Fire/Rescue, which will provide and maintain all necessary apparatus. The Town will retain the right to request a transfer of employees with whom they are dissatisfied, and Pompano Beach Fire/Rescue has agreed to give hiring preference to VFD personnel and training preference to any such personnel who are not yet qualified for hiring.

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Pompano Beach Fire/Rescue's turnout time is within 90 seconds 90% of the time, and their travel time is within five minutes 90% of the time. For Advanced Life Support (ALS) calls, the first paramedic is required to arrive within seven minutes 90% of the time.

Pompano Beach Fire/Rescue has agreed to participate in five Town-sponsored special events at no cost to the Town. The contract includes language specifying the costs of any additional events.

Mayor Vincent recalled that the Town had asked Pompano Beach Fire/Rescue to look into the possibility of retaining and hiring the Town's current Fire Marshal; however, it was explained that this would not be possible. Town Manager Connors clarified that this does not preclude the Town's Fire Marshal from applying for this position with Pompano Beach at a later date if all criteria are met.

Mayor Vincent advised that current Fire Marshal Steve Paine has provided a 100% inspection process throughout the Town every year. He hoped to continue this rate of inspection. Pompano Beach Fire Marshal McGinnis stated that once both contracts have been ratified, Pompano Beach personnel hope to work with current Staff to determine how many properties are in the Town and those properties' square footage so this can be built into Pompano Beach's geographic information systems (GIS). The 100% inspection rate is a Broward County requirement.

Mayor Vincent also noted that the Town will maintain and dispatch services from Fire Station 12, which is located in Lauderdale-By-The-Sea, rather than from Fire Station 11 in Pompano Beach. Fire Marshal McGinnis clarified that services will only be dispatched from Pompano Beach during the first 15 days of the contract.

Mayor Vincent observed that Pompano Beach's Emergency Medical Technicians (EMTs) have contractual obligations to other nearby municipalities as well as to Pompano Beach and Lauderdale-By-The-Sea. Fire Marshal McGinnis explained that Pompano Beach Fire/Rescue is required to respond to priority calls, as these require a response from the closest or fastest unit; however, they would ensure that they remain able to serve Town residents as quickly as possible. If a vehicle permanently stationed in Lauderdale-By-The-Sea is required elsewhere to provide closest unit response, Pompano Beach Fire/Rescue would defer another unit to respond directly to the Town if needed. Fort Lauderdale would also participate in closest unit response for priority calls in Lauderdale-By-The-Sea.

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Commissioner Oldaker thanked Town Staff and all involved in crafting the contract, which he has reviewed with the Town Manager and Town Attorney. He noted that Pompano Beach Fire/Rescue has access to both Broward County's and Fort Lauderdale's Hazardous Materials (HAZMAT) teams if necessary. Commissioner Oldaker emphasized the importance of this service, particularly for the Town's waterways.

Vice Mayor Malkoon also recognized the work of the Town Manager, Town Staff, and the Town Attorney's Office for their work on the contract. He also thanked the members of the VFD and AMR who have worked to protect the Town for decades.

Vice Mayor Malkoon continued that the proposed contract will not only save the Town money in the future, but will provide additional benefits the Town does not currently enjoy, such as use of Pompano Beach's Emergency Operations Center (EOC) and the potential hiring of VFD members.

Commissioner Strauss commented that the proposed contract accurately reflects the Commission's expectations. He requested that two small amendments be made, one of which is in Section 3.4, which should reflect the lack of balance billing to Town residents. The other is in Section 10.4, which includes a "no hidden fees" paragraph that concludes "unless new charges also apply to Pompano Beach residents and businesses." He requested that this paragraph be amended to include language that states "no new charges shall go into effect on Lauderdale-By-The-Sea residents without a minimum 60-day prior notice to which such charges can be reasonably negotiated or addressed," or similar language to this effect.

Commissioner Pouloupoulos stated that he has met with Pompano Beach Fire/Rescue's Fire Chief and raised any issues or concerns at that time. He had indicated that he would like to see further dialogue addressing lifeguards on the Town's beaches. He concluded that his wish was for a seamless transition for the Town's residents and businesses, and encouraged Pompano Beach Fire/Rescue personnel to attend as many Town Commission meetings as possible.

Mayor Vincent clarified that the Town's liaisons for the transition period will be Town Manager Connors and Deputy Town Manager/Public Works Director Rubach. Town Manager Connors echoed the Commissioners' desire for as seamless a transition as possible. After Pompano Beach's City Commission approves the contract on July 11, 2023, there is some "lag time" until September 1, when the new budget year begins.

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This will help ensure a smooth transition, as will the 15-day time period at the beginning of the contract. Fire Marshal McGinnis will serve as liaison for Pompano Beach.

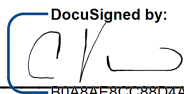
Tracy Lyons, representing the Pompano Beach City Attorney's Office, addressed Commissioner Strauss's concerns with Sections 3.4 and 10.4 of the contract, stating that this will be looked into further. She added that Article 16 addresses changes to the contract, which require party-to-party agreement. She agreed that the 60-day notice to which Commissioner Strauss had referred would not change the advertising of the contract as an Agenda Item for the Pompano Beach Commission.

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

Town Manager Connors advised that the Commissioners have been provided with Form 1 documentation, noting that these must be provided to Town Clerk Katrina Adler before the July 1, 2023 filing deadline.

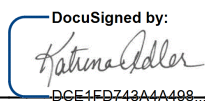
4. ADJOURNMENT

With no other business to come before the Commission at this time, the meeting was adjourned at 5:30 p.m.

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Mayor Chris Vincent

ATTEST:

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Town Clerk

7/19/2023 | 6:20 AM PDT

Date