



**TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
WORKSHOP MINUTES
Jarvis Hall
4505 Ocean Drive
Tuesday, June 27, 2023
5:30 PM**

1. CALL TO ORDER

Mayor Chris Vincent called the meeting to order at 5:30 p.m. Also present were Vice Mayor Edmund Malkoon, Commissioner Alfred “Buz” Oldaker, Commissioner Theo Pouloupoulos, Commissioner Randy Strauss, Town Manager Linda Connors, Town Attorney Susan Trevarthen, Deputy Town Manager/Public Works Director Ken Rubach, Assistant to the Town Manager Courtney Easley, Director of Budget and Finance Lucila Lang, Development Services Director Jhanelle Campbell, Special Events and Marketing Coordinator Katie Anderson, and Town Clerk Katrina Adler.

2. PUBLIC COMMENT

At this time Mayor Vincent opened public comment.

Steve D’Oliveira, resident, advised that the *Sea Shorts* play festival is presented twice a year at the Community Center. He requested additional funding for this program in fiscal year (FY) 2023-2024, as they hope to present a third show. The program is successful and involves a number of the Town’s senior citizens as participants. *Sea Shorts* is presented free of charge to the community.

Brenda Ulbach, resident, explained that she operates the theater arts program at the Community Center. The *Sea Shorts* plays are submitted by local playwrights. She hoped to expand the program by adding performances of a published play, which requires payment for performance rights. This cost is \$125 per performance, and six performances are proposed. She and Mr. D’Oliveira are requesting \$1000, which would pay for the performance rights and provide another \$250 for construction of a set. The intent is to be able to present the play with no admission fee.

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

3. DISCUSSION ITEM

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- **FY 2023-2024 Budget Presentation**

Town Manager Linda Connors recalled that at the May 23, 2023 workshop meeting, Staff explained the budget process and spoke with the Commission regarding the standard costs required to retain the Town's level of service in FY 2023-2024. They also discussed proposed enhancements in several Departments, and requested feedback from the Commission as well.

Tonight's meeting will address a list of proposed budget enhancements, which has been provided to the Town Commission for discussion and any potential changes. Staff asks that the Commission prioritize these enhancements.

County figures on the Town's assessed property values are expected to be provided the following week, which will give Staff a better idea of the funding available in FY 2023-2024. With this information, they will be able to inform the Commission of where the Town stands on the proposed enhancements, based on the current millage rate. This will be presented to the Commission in July 2023, along with how the rolled-back millage rate, the current millage rate, or a different millage rate would affect the funding of enhancements.

Town Manager Connors presented the following proposed enhancements:

- Open House event for Town businesses at the Visitors Center
- Administrative costs related to the 2024 Commission election
- Review and update of the Town's Strategic Plan
- Commission ethics training
- Staggered computer upgrades
- Lobbying costs
- Printing and mailing of *Town Topics*
- Tourism and community development expenses, including additional special events
- Dive Into Summer (rebranding of Bugfest)
- Friday Night Music, twice per month for five months
- Kids-By-The-Sea
- Movies-At-The-Park
- The Town's 75th anniversary celebration
- Yoga-By-The-Sea
- Broward Sheriff's Office (BSO) enhanced patrol

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- Addition of a Nuisance Abatement Program for the Development Services Department
- Multi-hazard mitigation plan
- Florida-friendly landscaping
- Mid-century Modern (MIMO) architecture scavenger hunt
- Additional bathroom cleaning and enhanced pressure cleaning
- Renovation of Downtown bathrooms
- Increase to the Town's Emergency Fund

Town Manager Connors requested Commission feedback regarding the removal of any of the proposed enhancements from consideration for next year's budget.

Vice Mayor Malkoon recalled that the Friday Night Music events returned this year with little advance notice, and that the Town is seeking sponsorships for the events in order to defray costs. He also suggested that it may be more cost-effective to lease computer equipment rather than purchase it.

Town Manager Connors explained that when funds are budgeted for an event such as Friday Night Music, they cannot anticipate fundraising as part of the budget. The Town must budget for the full cost of the event, with revenue to be added from another source.

Vice Mayor Malkoon briefly addressed the Emergency Fund, recalling that this line item can apply to any type of emergency. He asked how the proposed additional \$500,000 for this Fund was determined, as well as for standard calculations such as the cost of salaries, up-front costs for which the Town would be reimbursed at a later date, and other forms of payment. He felt it would be better to understand the Town's plans for emergency events before making a decision on this addition.

Deputy Town Manager/Public Works Director Ken Rubach explained that he has reached out to municipalities affected by hurricanes in the 2022 season. He cited the example of Fort Myers Beach, which used \$3.5 million from its Emergency Fund in less than one month.

Deputy Town Manager/Public Works Director Rubach continued that many county and municipal administrators experienced difficulty with assessors after the fact. When taxes were frozen, expenses had to come from emergency funds and reserves. He concluded that the intent of this item is to consider how much money the Town has in its reserves and ensure that the Commission is comfortable with that number.

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Vice Mayor Malkoon asked if Broward County has held similar discussions regarding what other municipalities and counties may do. Deputy Town Manager/Public Works Director Rubach advised that these have only been casual conversations, although the numbers can be clarified.

Vice Mayor Malkoon also asked if there are other forms of emergency funding the Town should consider, such as an open line of credit for emergency use only. Deputy Town Manager/Public Works Director Rubach advised that Staff is looking into new banking in autumn 2023 and will consider lines of credit and other emergency options in this forthcoming request for proposal (RFP).

Commissioner Pouloupoulos requested clarification of how emergency dollars are earmarked for other uses aside from storms. Deputy Town Manager/Public Works Director Rubach replied that the Emergency Fund is considered a “rainy day fund,” which could also apply to emergencies such as a pandemic. If the Town’s tax base is affected by an emergency, the Emergency Fund would provide an income source to pay the Town’s bills, vendors, and Staff.

Town Manager Connors added that the Emergency Fund could also be used in the event of cost increases, or payment for events that were not foreseen in the budget. The existing Contingency Fund of \$100,000 would not be sufficient for these purposes. It was also noted that the Emergency Fund is kept separate from the Town’s revenue sources and would not normally be used for day-to-day operations. Staff would need to come before the Commission and request authorization for the Town Manager to expend monies from the Emergency Fund.

Commissioner Pouloupoulos requested additional information regarding enhanced pressure cleaning. Deputy Town Manager/Public Works Director Rubach advised that the ongoing Downtown project will include new pavers to replace old ones. The current pavers are cleaned twice weekly; however, Staff proposes expanding this to four times per week to keep the new pavers in the best possible condition. He acknowledged that this may be a significant increase, and would work with the vendors who respond to an RFP for this service in order to determine the best price possible.

Commissioner Pouloupoulos asked if the increased schedule would make a significant difference. Deputy Town Manager/Public Works Director Rubach replied that the Town hopes a more aggressive schedule for cleaning the new pavers may be more effective

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than trying to clean materials after they have degraded over time. This would be a cost that would continue into the foreseeable future as ongoing maintenance.

Commissioner Strauss addressed a line item which cited funding for traffic calming measures, stating that he is concerned with traffic in the Silver Shores neighborhood which moves through West Tradewinds Avenue past Benihana's restaurant. There have been discussions of a possible traffic study, followed by potential traffic calming or controlling measures. He asked if that neighborhood is included in the traffic calming line item.

Town Manager Connors clarified that a discussion of traffic and possible calming measures in the Silver Shores community would fall under the City's Capital Improvement Plan (CIP). This item will be discussed further at the next meeting.

Commissioner Strauss also asked if part of the \$200,000 for enhanced pressure cleaning would be offset by the Downtown businesses' cleaning responsibilities. Deputy Town Manager/Public Works Director Rubach confirmed that this is being considered for inclusion in sidewalk café fees to bring down the Town's costs.

Commissioner Strauss noted that Friday Night Music events have been a success, and recalled that before these events were brought back, he had suggested that the Downtown businesses which benefit from them should contribute some funds toward the events. He requested that the Commission see metrics identifying whether or not these businesses experienced a financial benefit from Friday Night Music, and would like to see them provide some type of contribution toward the events' costs.

Commissioner Strauss requested additional information on the nuisance abatement program suggested for the Development Services Department. Development Services Director Jhanelle Campbell explained that this program would address properties with Code issues that are not being remedied as expected by the property owners. The nuisance abatement program would require an Ordinance Amendment and would allow Staff to remedy the issues. A lien would then be placed on the property for the cost of the abatement.

Town Manager Connors cited recent examples of properties that were not being maintained responsively, which led the Town to assume the responsibility of paying for the issues to be addressed. While those costs were relatively small, other Code infractions can grow out of control and take up a significant amount of the Town's budget.

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Development Services Director Campbell added that the entire amount of the proposed nuisance abatement line item might not be used in the next budget year; however, the amount would be available if major issues arise.

Commissioner Oldaker recalled that he had introduced the issue of the Emergency Fund, pointing out that this fund would cover any up-front expenses associated with storms for which the Federal Emergency Management Agency (FEMA) would reimburse the Town. Deputy Town Manager/Public Works Director Rubach confirmed that many of the communities he had spoken with had cited this potential need.

Commissioner Oldaker continued that he felt *Town Topics* is becoming obsolete due to modern technology, noting that the Town communicates with residents through email blasts and other messaging. He suggested that some copies could be printed and made available at Town Hall, the Visitors Center, or other interested businesses or locations.

Commissioner Oldaker also requested additional information about enhanced BSO patrols. Town Manager Connors explained that the Town has an additional contract with BSO for \$80,000 each year. No increase to this contract is recommended in FY 2023-2024. This contract allows for a greater Police presence in the Downtown areas during events such as spring break.

BSO Captain Tom Palmer stated that enhanced visibility is a separate contract that applies during peak season, which lasts from November through Easter. It provides for a dedicated Deputy in the Downtown area on Thursday, Friday, Saturday, and Sunday evenings. This began during the COVID-19 pandemic and has proven its success since that time, and is well-received by the public and businesses. This program is for the Downtown area alone.

Mayor Vincent addressed the proposed \$500,000 increase to the Emergency Fund, stating that while it is important to maintain ample reserves, it is a hypothetical expense. He recalled that during his tenure on the Town Commission, the Town has not yet used any reserve funds. He felt the increase would place a burden on the taxpayers and the budget and would lessen the opportunity to use those funds for other improvements.

With regard to enhanced pressure cleaning, Mayor Vincent continued that he has discussed this issue with the Town Manager and Deputy Town Manager/Public Works Director. He estimated the revenue from sidewalk cafés at approximately \$80,000, while

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current pressure cleaning costs are \$250,000. With the Downtown improvements, however, the pressure cleaning budget could increase to \$450,000 or more.

Mayor Vincent pointed out that the cost of increased pressure cleaning of new pavers could exceed the overall budget of the Downtown improvements. While he felt this cleaning was important, this expense could come to nearly \$3 million over the next five years, which was unsustainable. He emphasized the need to look closely at this line item going forward and possibly consider alternatives.

Regarding nuisance abatement, Mayor Vincent advised that he remained undecided on this proposed \$30,000 line item. He noted that these issues are already monitored by Staff, and there are not a great many significant Code issues that would be addressed by the program.

Development Services Director Campbell explained that the intent of the proposed nuisance abatement program would be to ensure the community does not have to live with property issues for an extended period of time. Mayor Vincent reiterated that he felt the Town has sufficient funds to address these needs as they arise.

Mayor Vincent continued that it is important to encourage all Downtown businesses to participate in the Friday Night Music program, noting that if not all businesses put money toward these events, they cannot be required to do so. He felt the proposal to have these businesses provide some funds was a good idea, but was not certain that it could be enforced.

Town Attorney Susan Trevarthen advised that this would depend on how the program is structured. If the Town wished to explore the possibility of charging businesses a mandatory fee for participation in the program, this could be done through mechanisms such as business improvement districts.

Mayor Vincent continued that he felt the Town could defer the proposed \$35,000 computer update until the next year's budget, as there are currently no issues with this equipment. He added that the enhanced patrols by BSO were an "open-ticket" item: if the Town wishes to use this contract, it is billed separately. With respect to traffic calming, he requested that Captain Palmer bring forward any specific locations on which he had concerns for additional discussion.

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Town Manager Connors asked if the list might be prioritized, with some items to be eliminated. It was determined that the proposal for enhanced pressure cleaning be lessened by one day, which would reduce this line item to \$100,000.

Commissioner Pouloupoulos also suggested cutting the line item amount in half for the Friday Night Music events. Town Manager Connors noted that this would mean five events instead of ten. Mayor Vincent recommended that the next time this item is discussed, there should be clarification of how much parking revenue is brought in on the Friday nights on which the events are held in comparison to regular Friday night parking revenues both in and out of season. He felt the calculation of additional revenues would be helpful in deciding whether or not to retain this line item.

Commissioner Pouloupoulos continued that he would not be comfortable increasing Friday Night Music costs without allocating funds toward the Emergency Fund as a balance.

Commissioner Strauss advised that he would approve halving the Friday Night Music costs, with the opportunity for additional Friday Night Music events up to twice per month supported by token contributions from Downtown businesses. The Town would still provide the majority of this payment. The amount of the contribution from businesses would need to be determined. He was also in favor of using parking revenue as a measure of the events' success, as suggested by Mayor Vincent.

Commissioner Strauss also requested clarification of how much is currently in the Emergency Fund. Mayor Vincent replied that this is \$2.5 million. The proposed addition would bring this to \$3 million.

Mayor Vincent agreed with reducing the Friday Night Music events line item from ten events back to five, with additional information forthcoming on revenue streams or business contributions toward these events.

Town Manager Connors asked if the Commission wished to retain line items for other events, including Dive Into Summer, Kids-By-The-Sea, Movies-at-the-Park, the 75th anniversary celebration, Dancing-By-The-Sea, and Yoga-By-The-Sea.

Vice Mayor Malkoon noted that the 75th anniversary event will re-brand many of the existing events throughout the year. He requested clarification of the Kids-By-The-Sea event. Town Manager Connors replied that this would be a new "kickoff to summer" event with activities such as a sandcastle contest.

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Vice Mayor Malkoon also suggested that in addition to using a portion of sidewalk café revenue toward enhanced cleaning, a small amount might also be set aside for events and entertainment in the Downtown area. Town Manager Connors noted that the sidewalk café fees have not been increased in many years, and have in fact been reduced on the western side of the Town. Vice Mayor Malkoon felt this could be a way to provide for equitable participation.

Mayor Vincent advised that he was not certain he wished to proceed with the proposed Kids-By-The-Sea event in FY 2023-2024, as the 75th anniversary celebration will already include additional events. He also recommended deleting Movies-at-the-Park and retaining Dancing-By-The-Sea and Yoga-By-The-Sea.

Mayor Vincent recommended retention of the Florida-friendly landscaping line item and deleting the MIMO scavenger hunt. He was in favor of proceeding with a new Strategic Plan.

Commissioner Pouloupoulos agreed with deletion of Kids-By-The-Sea, but felt the Town should retain Movies at the Park, which has been successful in other communities at a relatively low price. He also recommended deletion of the scavenger hunt and retaining Dancing- and Yoga-By-The-Sea.

Commissioner Pouloupoulos noted that the bathrooms in need of renovation are relatively new. Deputy Town Manager/Public Works Director Rubach explained that vandalism is an ongoing concern, but noted that upgrading the fixtures to commercial grade has helped address this issue.

Commissioner Oldaker stated that he was still in favor of the proposed \$500,000 addition to the Town's Emergency Fund, and was in agreement with the other Commissioners on the other items reviewed thus far.

The Mayor and Commissioners accepted the following proposed enhancements by consensus:

- Visitors Center Open House for businesses
- Strategic Plan
- Ethics training through the Town Attorney's Office
- Lobbyists
- Dive Into Summer
- Movies at the Park

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- 75th anniversary celebration
- Dancing-By-The-Sea
- Yoga-By-The-Sea
- Enhanced BSO patrol
- Multi-hazard mitigation grant
- Florida-friendly landscaping education and outreach
- MIMO scavenger hunt
- Additional Downtown bathroom cleaning
- Beach bathroom renovation

The Mayor and Commissioners accepted the following enhancements by consensus, with the noted changes:

- Friday Night Music: reduced to five times per year at a reduced cost of \$50,000, with parking revenue information to come and with the consideration of asking Downtown businesses to participate in cost sharing
- Enhanced pressure cleaning: reduce this line item from \$200,000 to \$100,000

The Mayor and Commissioners agreed by consensus to delete the following enhancements:

- Computer updates
- Printing and mailing of *Town Topics*
- Kids-By-The-Sea
- Nuisance abatement

The Commissioners again addressed the potential increase of the Emergency Fund, with Vice Mayor Malkoon stating that he would like more information before making this decision. Commissioners Oldaker and Pouloupoulos advised they were willing to increase this Fund by \$250,000 in FY 2023-2024 and another \$250,000 in FY 2024-2025. Mayor Vincent and Commissioner Strauss were not in favor of any increase.

Vice Mayor Malkoon suggested that he would like to hear other options, as well as data on possible alternative means of emergency funding, such as a credit line. He also requested more specific information on how many months' worth of salaries and expenses might be required from the Emergency Fund. Town Manager Connors suggested that Staff could bring back information on what is done by other communities, including the Emergency Fund's percentage of their budgets.

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Mayor Vincent asserted that he was not in favor of the proposed increase, as it would constitute 40% of the Town’s entire budget. He suggested that he would consider spreading out increases over a number of years, such as \$100,000 or \$75,000 per year over a four- to five-year period.

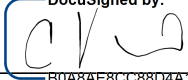
Commissioner Pouloupoulos asked when the Town last made a contribution to its Emergency Fund. Town Manager Connors replied that the Town does not make contributions to this fund. It was clarified that the fund may have last been increased in 2016. Commissioner Pouloupoulos concluded that he felt a \$250,000 increase would be sufficient.

It was determined that Staff would bring back additional information related to the proposed increase to the Emergency Fund.

Town Manager Connors also requested that the Commissioners consider where they would prioritize the items they wished to include in the budget. This would be discussed briefly at the next Commission meeting.

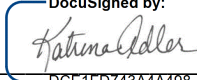
4. ADJOURNMENT

With no other business to come before the Commission at this time, the meeting was adjourned at 6:50 p.m.

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Mayor Chris Vincent

ATTEST:

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Town Clerk

7/26/2023 | 11:26 AM PDT

Date