Town Commission

Jarvis Hall 4505 N. Ocean Drive

Regular Town Commission

REGULAR TOWN COMMISSION

Being held at Tuesday, October 22, 2019
Jarvis Hall 4505 N. Ocean Drive

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1. **CALL TO ORDER, MAYOR CHRIS VINCENT**
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **INVOCATION – Pauline Brooks McGuiness (Representing the Baha'i Faith)**
4. **ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS**
5. **PRESENTATIONS**

   5.a Fire Prevention Week Proclamation
   Proclamation CoverPage.pdf
   Fire Prevention Week Proclamation.pdf
6. **PUBLIC COMMENTS**
7. **PUBLIC SAFETY DISCUSSION**

   7.a VFDSeptember 2019 Report (Chief Judson Hopping, VFD)
   Cover Page.pdf
   VFD Sept Rpt.pdf

   7.b BSO September 2019 Report (Captain Tom Palmer)
   CoverPage.pdf
   Report- September 2019.pdf

   7.c AMR September 2019 Report (Brooke Liddle, AMR)
   Cover Page.pdf
   AMR Times 9-19.pdf
8. **TOWN MANAGER REPORT**

   8.a 3rd Qtr Welcome Center Report
   CoverPage.pdf
   3rd Qtr Welcome Center Reports.pdf

   8.b Action Report (Bill Vance, Town Manager)
   Coverpage.pdf
   Ex1 FY19 Action Plan 10-22-19 Update.pdf

   8.c Town Manager Report (Bill Vance, Town Manager)
   CoverPage.pdf

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Code Fines Over 75K - October 1, 2019.pdf

8.d 10th Annual Dolphin Cancer Challenge February 29, 2020 (Debbie Hime, Special Projects Coordinator)

CoverPage.pdf

Municipality Letter DCC X.pdf

9. TOWN ATTORNEY REPORT

10. APPROVAL OF MINUTES

10.a September 12, 2019 1st Public Budget Hearing Minutes
September 12, 2019 Town Commission Meeting Minutes
September 26, 2019 2nd Public Hearing Minutes
September 26, 2019 Town Commission Meeting Minutes

CoverPage.pdf

091219 LBTS 1st Public Budget Hearing minutes.pdf

091219 LBTS Commission minutes.pdf

092619 LBTS 2nd Pubic Budget Hearing minutes.pdf

092619 LBTS Commission 1st draft minutes.pdf

11. CONSENT AGENDA

11.a Special Event Application for LBTS Chamber of Commerce's November 16, 2019 "Taste of the Beach" Event (Debbie Hime, Special Project Coordinator)

CoverPage.pdf

Ex 1 Special Event App Chamber Taste of the Beach 11-15-19.pdf

11.b Implementation of Town's Strategic Marketing Plan by Conceptual Communications FY20 (Debbie Hime, Special Projects Coordinator)

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Ex 1 Conceptual Communication WA3 FY20.pdf

11.c Purchase of one 2019 Club Car Carryall 1500 4x4 (Ken Rubach, Municipal Services Director)

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EX 1 Club Car Authorized Retailer Letter.pdf

EX 2 VEHICLE SALES PROPOSAL - LAUDERDALE-BY-THE-SEA - CARRYALL 1500 DIESEL 4 X 4.pdf

11.d Storm and Sanitary Sewer Maintenance Contract (Ken Rubach, Municipal Services Director)

CoverPage.pdf

EX 1 Bid Tab.pdf

11.e Purchase of Single Space Parking Meter Mechanisms & Housing (Ken Rubach, Municipal Services Director)

Coverpage.pdf
EX 1 Sole Source Letter.pdf
EX 2 Duncan Parking Technologies, Inc Single Mechanism Quote.pdf
EX 3 Duncan Parking Technologies, Inc Housing Quote.pdf

11.f BONUS GRANTED TO MICHAEL D. WALKER FOR 25 YEARS OF SERVICE IN ACCORDANCE WITH THE PERSONNEL POLICIES MANUAL VII. SALARY ADMINISTRATION F, BONUSES (Bill Vance, Town Manager)
CoverPage.pdf
Exhibit 1 - Proclamation Michael D. Walker.pdf

11.g HR Consultant (Bill Vance, Town Manager)
CoverPage.pdf
Ex 1 Email (1).pdf
Ex2 HRCC Quote.pdf

12. OLD BUSINESS

12.a Summary of El Mar Meeting with FDOT (Vice Mayor Sokolow, Jay Flynn Town Engineer, Bill Vance Town Manager)
El Mar Update CoverPage.pdf

13. NEW BUSINESS

13.a Recycling Reboot – Rethink. Recycle. Reset. (Vicki Eckels, Recycling Coordinator)
CoverPage.pdf
Exhibit 1- WM Audit.pdf
Exhibit 2- WM-Glass_flyer.pdf
Exhibit 3-Recycling Flier 2019.pdf
Exhibit 4- Coral Springs- Recycling Tag_rev.pdf

13.b Commission Meeting Dates for November and December (Tedra Allen, Town Clerk)
Meeting CoverPage.pdf

13.c Dog Beach in the Town of Lauderdale-By-The-Sea (Commissioner Strauss)
CoverPage.pdf
Dog Beach Comparisson Sheet.pdf

13.d Town Manager's recommendation to postpone his annual performance review to March 1, 2020. (Bill Vance, Town Manager)
CoverPage.pdf
Performance Review Subsection in TM's Agreement.pdf

13.e Opportunity for Lauderdale-By-The-Sea's Town Commission to establish performance goals for Fiscal Year 2020. (Bill Vance, Town Manager)
CoverPage.pdf
Performance Goals Town Manager's Agreement.pdf

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14. COMMISSIONER COMMENTS

15. ORDINANCES 1st Reading

15.a Ordinance 2019-09 - AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA AMENDING CHAPTER 9 "FLOOD PREVENTION AND CONTROL" TO UPDATE REGULATIONS IN ORDER TO COMPLY WITH THE CURRENT FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)-APPROVED, FLOODPLAIN MANAGEMENT ORDINANCE AND CONFORM WITH STATE CITATIONS AND MANDATES; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE. (Linda Connors, Development Services Director)

CoverPage.pdf

Ex1 Ordinance 2019-09 Chapter 9 Flood Prevention.pdf

16. ORDINANCES 2nd Reading

17. RESOLUTIONS – PUBLIC COMMENTS

17.a Resolution 2019-38 - A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, CREATING A COMPLETE COUNT ADVISORY COMMITTEE FOR THE 2020 DECENNIAL CENSUS; SPECIFYING POWERS AND DUTIES OF THE COMMITTEE; ESTABLISHING THE NUMBER OF MEMBERS OF THE COMMITTEE; ESTABLISHING QUALIFICATIONS OF MEMBERS OF THE COMMITTEE; PROVIDING FOR AUTOMATIC TERMINATION OF THE COMMITTEE; PROVIDING FOR SERVICE WITHOUT COMPENSATION; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE. (Linda Connors, Development Services Director)

CoverPage.pdf

Reso 2019-38.pdf

17.b Resolution 2019-39 - A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, RELATING TO THE MEMORANDUM OF UNDERSTANDING ("MOU") REGARDING COLLABORATIVE STUDY AND SUBSEQUENT DEVELOPMENT OF AN INTEGRATED SOLID WASTE AND RECYCLING SYSTEM; APPOINTING REPRESENTATIVES TO REPRESENT THE TOWN IN MATTERS RELATING TO THE MOU; PROVIDING FOR AN EFFECTIVE DATE. (Neysa Herrera, Assistant to the Town Manager)

Cover Page.pdf

Reso 2019-39 Solid Waste MOU working group Reso.v2.pdf

17.c Resolution 2019-40 - A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING AND AUTHORIZING AN AGREEMENT WITH ERICKS CONSULTANTS, INC. FOR LOBBYIST SERVICES; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE. (Bill Vance, Town Manager)

CoverPage.pdf
Ericks LBTS Lobbyist Agreement.pdf
Ex2 Reso 2019-40 - Lobbyist.pdf

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.

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Agenda Item No: 5.a

Town Commission Agenda Item Report

Meeting Date: October 22, 2019
Submitted by: Judson Hopping
Submitting Department: Public Safety
Item Type: Presentations
Agenda Section: PRESENTATIONS

Subject Title:
Fire Prevention Week Proclamation

Explanation:
Proclamation Recognizing Fire Prevention Week

Recommendation:
N/A

Attachments:
1. Fire Prevention Week Proclamation

PROCLAMATION

Issued by the Governing Body of the
Town of Lauderdale-By-The-Sea, Florida

WHEREAS, *the Town of Lauderdale-By-The-Sea is committed to ensuring the safety and security of all those living in and visiting our city; and*

WHEREAS, *fire departments in the United States responded to 357,000 home fires in 2017 according to the National Fire Protection Association and U.S. home fires resulted in 2,630 civilian deaths; and*

WHEREAS, *newer homes are built with lightweight materials that burn faster and many of today's products and furnishings produce toxic gases and smoke when burned making it quickly difficult to see or breath; and*

WHEREAS, *these conditions contribute to a smaller span of time for safe escape from a home-with people having as little as one or two minutes from the time the smoke alarm sounds; and*

WHEREAS, *a home fire escape plan can provide the know-how to quickly and safely escape a home fire and the plan should include two exits from every room, smoke alarms in all required locations, and a designated meeting place outside the home; and*

WHEREAS, *the Town of Lauderdale-By-The-Sea first responders are dedicated to reducing the occurrence of home fires and fire injuries through prevention and protection education; and*

WHEREAS, *the Town of Lauderdale-By-The-Sea residents are responsive to public education measures and are able to take personal steps to increase their safety from fire; and*

WHEREAS, *the 2019 Fire Prevention Week theme, "Not Every Hero Wear a Cape. Plan and Practice Your Escape!" works to educate everyone about the small but important actions they can take to keep themselves and those around them safe.*

NOW, THEREFORE, *be it resolved that I, Mayor Christ Vincent, and the Town of Lauderdale-By-The-Sea Commission hereby proclaim the week of October 6 – 12, 2019 as:*

FIRE PREVENTION WEEK

In witness whereof we have hereunto set us hands and caused this seal to be affixed

Attest: _____
Tedra Allen, CMC
Town Clerk

_____
Chris Vincent, Mayor
October 22, 2019

Agenda Item No: 7.a

Town Commission Agenda Item Report

Meeting Date: October 22, 2019
Submitted by: Judson Hopping
Submitting Department: Public Safety
Item Type: Report
Agenda Section: PUBLIC SAFETY DISCUSSION

Subject Title:
VFD September 2019 Report

Explanation:
September 2019 Report

Recommendation:
Approve/Accept

Attachments:
1. VFD September 2019 Report

Overview

During the month of September 2019, the Volunteer Fire Department attended the Broward County Fire Chief's association monthly meeting. The fire department also continued its focus on fire prevention for high-rise buildings and commercial properties. There were 9 fire inspections on town buildings with 4 re-inspections, and 24 vacation rental inspections. There was one complaint in the month of September, notice was posted and corrected.

Responses:

The Volunteer Fire Department responded to 35 fire rescue calls within the limits of our contract.

- Of the 35 fire rescue calls received, there were 12 fire alarms/2 structure fire; 3 elevator rescues, 5 vehicle /1 marine accident, 3 utility/wire down, 1open water rescue, and 8 "other" fire.

- There were 99 emergency medical 911 calls for September 2019. The department was dispatched to 5 of those calls, of which 1 was cleared or cancelled by the Chief on Duty or Med12. The department assisted Med12/212 on 4 of the medical calls.

Training:

The Volunteer Fire Department had 14 regular in-town members, and 41 associate out of town members for a total of 55 active members.

The fire department held 12 fire drills, 2 ocean rescue drills, 5 other/outside training drills, and 2 car seat instructional installations consisting of the following:

- 538 Hrs - Fire Fighter & officer training
- 50 Hrs – Waterfront/Ocean rescue training
- 48 Hrs – American Red Cross BLS refresher class
- 112 Hrs – Special training from outside sources
- 2 Hrs - Kid Safe "Child Passenger Safety" for the public

A total of 750+ hours were spent in the month of September on training.

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

Respectfully,

Judson Hopping,
Fire Chief

Town of Lauderdale-By-The-Sea
Fire Department Monthly Report
September 2019

	Regular In-town	Associate Out of Town
Active Member	14	41

Fire 1 non-certified	3	0
Fire 1 Certified	1	0
Fire II Certified	10	41

CPR/1st Responder	8	0
EMT-B (FL)	1	23
Paramedic (FL)	4	18

Emergency Calls

Fire/Rescue	35
Total Medical 911 calls	99
Medical calls V.F.D. Not Dispatched	94
Medical calls V.F.D. Dispatched	5
Medical calls Canceled by COD/M12	1
Medical calls V.F.D. Assisted	4

Training — **396.5+ Total Hrs.**

Firefighter training & New class P.O.s	538 Hrs
Ocean rescue training	50 Hrs
American Red Cross; BLS refresher	48 Hrs
Specialty training; Outside training	112 Hrs
Public Service: Car Seats	2 Hrs

Station Watch/Community Service — **3,539.5+ Total Hrs.**

Firefighter Station Watch hours	2,747.5+ Hrs
Ocean Rescue patrol	72.5 Hrs
Chief on Duty/Command	720 Hrs

LBTS Volunteer Fire Department - September 2019, 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		Firefigher	Firefighter II	EMT-B (FL)	2	14
Aubrey	Keith	163	Regular Member		Firefighter	Firefighter II	Paramedic (FL)	9	111
Baker	Rebecca	7017	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	2	26
Bilicich	Andro	169909	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	0	0
Caldas	William	160812	Associate Member		Firefighter	Firefighter Ii	Paramedic (FL)	0	0
Chavez	Alexander	153544	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	6	13
Chenique	Jordan	7008	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	3	52
Cowles	James	186248	Regular Member	*	Trainee	Trainee	CPR for healthcare provider	1	2
Dwyer	Michael	187475	Regular Member	*	Trainee	Trainee	CPR for healthcare provider	11	11
Edouard	Myriam	708	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	4	42
Fajkis	Ireneusz	7022	Associate Member		Firefighter	Firefighter II-D/E	Paramedic (FL)	5	5
Fong	Rafael	166781	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	0	0
Franceschini	Rafael	166674	Associate Member		Firefigher	Firefighter II	EMT-B (FL)	4	15
Garcia	Ali	166036	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	1	14
Garcia	Natasha	178781	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	2	15
Gonzalez	Christopher	182178	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	0	0
Gonzalez	Rosemary	7005	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	2	35
Gray	Dontae	172460	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	6	18
Grunow	Samuel	186257	Regular Member	*	Trainee	Trainee		0	1
Hoelderlin	Logan	174642	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	7	19
Hopping	Judson	054	Regular Member		Fire Chief	Firefighter II - D/E	EMT-B (FL)	9	121
James	Eliot	171766	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	0	0
Johnson	Kenneth	123	Regular Member	*	Firefighter	Firefighter I	CPR for healthcare provider	32	367
Johnson	Scott	33742	Regular Member	*	Firefighter	Firefighter II-D/E - Officer I	Paramedic (FL)	10	21
Justice	Jennifer	171	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	6	36
Kane	Mark	155	Associate Member		Captain	Firefighter II-D/E - Officer I	EMT-B (FL)	8	133
Karley	Robert	101	Regular Member	*	Firefighter	Firefighter II - D/E	CPR for healthcare provider	12	303
King	Noah	174484	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	3	16
Leiva	Gabriel	6046	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	2	31
Levine	Eric	7012	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	4	44
Levy	Steven	163949	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	4	13
Lira	Jorge	179380	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	0	0
Lopez	Vincent	176949	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	2	14
Louvaris	John	078	Regular Member		Deputy Chief	Firefighter II-D/E - Officer I	CPR for healthcare provider	32	346
Mangin	Andrew	735	Associate Member		Firefighter	Firefighter II - D/E	Paramedic (FL)	7	59

Last Name	First Name	LBTS FF No.	Membership	Town Resident	Rank	Fire Cert	EMS Certification	MTD Calls	YTD Calls
Marin	Christopher	173778	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	0	0
Martindale	Daniel	7009	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	8	44
Martinez	Luis	172813	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	0	0
McCormick	William	7006	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	9	48
McKenzie	Jacquevias	7015	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	6	41
Miklosh	Joseph	7013	Associate Member		Firefighter	Firefighter Ii	Paramedic (FL)	0	35
Obsaint	Antoinette	165334	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	7	13
Paine	Kyle	173	Regular Member		Firefighter	Firefighter II	CPR for healthcare provider	7	63
Paine	Riley	704	Regular Member		Battalion Chief	Firefighter II-D/E - Officer I	Paramedic (FL)	17	204
Paine	Stephen	140	Regular Member		Fire Marshal	Firefighter II	CPR for healthcare provider	17	212
Rozalez	Dezi	7004	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	7	48
Scott, III	Kenneth	7011	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	7	34
Scriver	Ian	170350	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	4	18
Shaw	Kyle	7014	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	8	36
Silverstone	James	25	Regular Member	*	Firefighter	Firefighter II	CPR for healthcare provider	16	181
St.Thomas	Jeffrey	176	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	12	46
Vogel	Richard	130	Regular Member		Firefighter	Firefighter II	Paramedic (FL)	15	70
Weisberg	Lee	6034	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	1	46
Woods	Devon	7018	Associate Member		Firefighger	Firefighter II	EMT-B (FL)	4	27
Young	Alexa	6031	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	0	27

Monthly Activity Report - September 2019

Date	Fire/Rescue Calls	Event Description	Start Time	End Time	No. of FF
02-Sep-19	249 Allenwood Drive	Electrical utility fire	12:07:00 AM	12:32:00 AM	7
03-Sep-19	4900 North Ocean Drive	Open water drowning	9:46:00 AM	9:55:00 AM	9
04-Sep-19	4013 North Ocean Drive	Fire alarm; commercial structure	2:49:00 PM	2:59:00 PM	8
05-Sep-19	3900 North Ocean Drive	Elevator rescue	9:12:00 AM	9:30:00 AM	9
05-Sep-19	230 Codrington Drive	Utility fire - powerline down	1:48:00 PM	1:58:00 PM	4
05-Sep-19	1800 South Ocean Blvd.	Elevator rescue	7:23:00 PM	7:59:00 PM	7
07-Sep-19	4617 El Mar Drive	Other fire - fuel spill	1:32:00 PM	1:43:00 PM	10
07-Sep-19	1460 S. Ocean Blvd.	Fire alarm	4:03:00 PM	4:20:00 PM	10
07-Sep-19	3230 Fiesta Way	welfare check	4:40:00 PM	4:42:00 PM	8
07-Sep-19	1624 Bel-Air Avenue	Structure fire	10:40:00 PM	10:57:00 PM	18
09-Sep-19	1500 South Ocean Blvd.	Fire alarm	1:35:00 PM	1:47:00 PM	13
10-Sep-19	4117 Bougainvilla Drive	Fire alarm	11:59:00 AM	12:20:00 PM	9
12-Sep-19	4244 El Mar Drive	Elevator rescue	4:00:00 AM	4:14:00 AM	8
12-Sep-19	N. Ocean & Codrington	Other fire - open hydrant	7:50:00 AM	7:58:00 AM	13
13-Sep-19	1800 South Ocean Blvd.	Fire alarm	10:09:00 PM	10:26:00 PM	8
16-Sep-19	4424 El Mar Drive	Other fire - sick person on beach	8:25:00 PM	9:18:00 PM	7
17-Sep-19	4405 North Ocean Dr.	Fire alarm	9:57:00 AM	10:05:00 AM	8
17-Sep-19	1500 South Ocean Blvd.	Fire alarm	11:30:00 AM	11:47:00 AM	9
17-Sep-19	Commercial & N. Ocean	Accident w/Injuries	1:28:00 PM	2:04:00 PM	8
17-Sep-19	1900 South Ocean Blvd.	Fire alarm	10:59:00 PM	11:13:00 PM	7
18-Sep-19	1500 South Ocean Blvd.	Fire alarm	10:12:00 AM	10:27:00 AM	10
19-Sep-19	4641 Bougainvilla Drive	Fire alarm	7:03:00 AM	7:12:00 AM	8
20-Sep-19	5555 North Ocean Drive	Other fire - tree branch down on wires	1:49:00 AM	2:10:00 AM	6
20-Sep-19	Commercial & Ocean	Accident w/Injuries	2:45:00 AM	3:26:00 AM	6
20-Sep-19	230 Lake Court	Other fire - welfare check	1:37:00 PM	1:56:00 PM	7
20-Sep-19	4346 E. Tradewinds Ave	Traffic accident	2:29:00 PM	3:17:00 PM	11
20-Sep-19	1430 South Ocean Blvd.	Fire alarm	2:45:00 PM	2:58:00 PM	11
20-Sep-19	4443 W. Tradewinds Ave	Accident w/Injuries	9:09:00 PM	10:49:00 PM	10
23-Sep-19	4013 North Ocean Drive	Fire alarm	9:02:00 AM	9:12:00 AM	8
23-Sep-19	1717 South Ocean Blvd.	Other fire - pot left on stove	6:21:00 PM	6:29:00 PM	12
25-Sep-19	4244 El Mar Drive	Marine accident	7:29:00 PM	7:43:00 PM	10
26-Sep-19	1920 Waters Edge	Heavy smoke in area	3:18:00 AM	3:35:00 AM	9
29-Sep-19	Washingtonian/Ocean	Smoke investigation	5:43:00 AM	5:52:00 AM	11
29-Sep-19	5000 North Ocean Drive	Accident w/Injuries	1:08:00 PM	1:20:00 PM	8
30-Sep-19	1700 South Ocean Blvd.	Fire alarm	1:41:00 PM	2:48:00 PM	12
			Total Calls	**35**	

Date	1st Responder Calls	Event Description	Start Time	End Time	No. of FF
05-Sep-19	1800 South Ocean Blvd.	medical, paged out for knox box key	8:54:00 PM	11:14:00 PM	3
06-Sep-19	5100 North Ocean Drive	medical, E12 assisted M12	7:15:00 AM	7:31:00 AM	8
13-Sep-19	100 Commercial Blvd.	medical, E12 assisted M12	8:36:00 PM	9:11:00 PM	7
15-Sep-19	4504 Bougainvilla Drive	medical, walk-up	11:44:00 AM	11:55:00 AM	3
28-Sep-19	1770 South Ocean Blvd.	medical, E12 canceled by M12	11:41:00 AM	11:52:00 AM	8
			Total Calls	**5**	

Date	Public Service	Event Description	Start Time	End Time	No. of FF
05-Sep-19	Station 12	Switched a rearfacing car seat to a forward facing car seat	10:30:00 AM	11:30:00 AM	1
06-Sep-19	227 East Commercial Blvd.	Provide Fire Extingusher training for employees @ AllState Insurance	9:00:00 AM	10:30:00 AM	5
08-Sep-19	Bel Air Avenue	Provided a fire watch for Fire Marshal	10:30:00 AM	1:00:00 PM	6
11-Sep-19	Station 12	Bokampers;Police, Fire, & First Responder	5:00:00 PM	8:00:00 PM	6
12-Sep-19	Station 12	Installed a rearfacing & a forward facing car seat	10:30:00 AM	11:30:00 AM	1
12-Sep-19	Community Church	Loaded supplies & sand for Hurricane Dorian victims	11:30:00 AM	1:30:00 PM	5

Date	Drill/Training	Event Description	Start Time	End Time	No. of FF
04-Sep-19	Jarvis Hall	Orientation - new class	6:00:00 PM	10:00:00 PM	16
05-Sep-19	Station 12	company P.O.'s	6:00:00 PM	10:00:00 PM	4
07-Sep-19	Station 12	New hires P.O.	8:00:00 AM	12:00:00 PM	17
07-Sep-19	Station 12	New hires P.O.	1:00:00 PM	5:00:00 PM	16
10-Sep-19	Admin office	BLS - CPR Refresher class	5:00:00 PM	9:00:00 PM	12
11-Sep-19	Station 12	New hire P.O.'s Highrise, PPE/SCBA, radio communications, Tool ID, ropes & knots	5:00:00 PM	9:00:00 PM	7
12-Sep-19	Station 12	1 3/4 lines, 1st due Tac	6:00:00 PM	10:00:00 PM	12
12-Sep-19	Station 12	New class P.O.'s	5:30:00 PM	9:30:00 PM	8
14-Sep-19	Station 12	Hose management/deployment	9:00:00 AM	1:00:00 PM	6
16-Sep-19	2800 NW 11th Place	Fire Fighter Survival Program presented by Chief Billy Goldfeder	8:00:00 AM	4:00:00 PM	1
16-Sep-19	Station 12	Ocean rescue drill; pole identification, zone familiaration & call prep	6:00:00 PM	10:00:00 PM	8
17-Sep-19	2800 NW 11th Place	Practical Standpipe Operations & FCABC High Rise Procedure Overview	8:30:00 AM	12:30:00 PM	2
19-Sep-19	Community Center	Fire tactics	6:00:00 PM	10:00:00 PM	21
21-Sep-19	Station 12	Ladders	9:00:00 AM	12:00:00 PM	6
23-Sep-19	Station 12	High angle rescue w/PL12 & foam ops on E12	6:00:00 PM	10:00:00 PM	8
26-Sep-19	Hollywood Reservation	Hazardous Materials for First Responders hybrid course consisting of 16 online hours and a one 8 hour day hands-on @Seminole Tribe Fire Dept.	9:00:00 AM	5:00:00 PM	3
27-Sep-19	Hollywood Reservation	Hazardous Materials for First Responders hybrid course consisting of 16 online hours and a one 8 hour day hands-on @Seminole Tribe Fire Dept.	9:00:00 AM	5:00:00 PM	3
28-Sep-19	Station 12	Waterfront rescue	10:00:00 AM	1:00:00 PM	6
30-Sep-19	Station 12	Pre-connect & 2 1/2 hose deployment	6:00:00 PM	10:00:00 PM	14

Date	Ocean Rescue Patrol	Event Description	Start Time	End Time	No. of FF
11-Sep-19	Beach	Ocean rescue patrol & trng.	10:00:00 AM	5:00:00 PM	4
18-Sep-19	Beach	Ocean rescue patrol	11:00:00 AM	5:00:00 PM	2
25-Sep-19	Beach	Ocean rescue patrol & trng.	11:00:00 AM	2:30:00 PM	3
26-Sep-19	Beach	Ocean rescue patrol	10:00:00 AM	12:00:00 PM	2
28-Sep-19	Beach	Ocean rescue patrol	2:30:00 PM	6:00:00 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

Sep-19

Apparatus	Batt. Chief 12	Engine 12	Engine 212	Squirt 12
Call Count	35	38	5	7
Response Time	0:05:09	0:05:40	0:00:00	0:00:00

Total Average Response Time : **4:34**

Aug-19

Apparatus	Batt. Chief 12	Engine 12	Engine 212	Squirt 12
Call Count	35	46	4	7
Response Time	0:05:08	0:06:20	0:00:00	0:00:00

Total Average Response Time : **4:40**

Jul-19

Apparatus	Batt. Chief 12	Engine 12	Engine 212	Squirt 12
Call Count	44	48	15	8
Response Time	0:04:58	0:05:18	0:00:00	0:00:00

Total Average Response Time : **4:38**

Agenda Item No: 7.b

Town Commission Agenda Item Report

Meeting Date: October 22, 2019
Submitted by: Thomas Palmer
Submitting Department: Public Safety
Item Type: Report
Agenda Section: PUBLIC SAFETY DISCUSSION

Subject Title:
BSO September 2019 Report (Captain Tom Palmer)

Explanation:
BSO September 2019 Report

Recommendation:
Accept/Approve

Attachments:
1. BSO September 2019 Report

Date: October 8, 2019

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

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

Subject: **Monthly Report to Commission – September 2019**

PERSONNEL CHANGES: N/A

EMPLOYEE OF THE MONTH: Deputy Benya Koos

In September 2019, Deputy Koos responded to the northern area of town in reference to a dispatched report of a stolen 2014 Nissan Rogue that had just generated an alert via the Pompano Beach ALPR system. The alert indicated the vehicle travelled eastbound towards the beach, via the Atlantic Blvd Intracoastal Waterway Bridge. Dep. Koos determined the vehicle had not generated a similar alert on the Lauderdale by the Sea LPR camera at Terra Mar Drive, and was therefore was believed to be in the nearby area. Dep. Koos then responded to the Atlantic Blvd/N Ocean Drive area to assist in searching for the vehicle. Shortly thereafter, Koos located the vehicle in the main beach access parking lot and requested a back-up. Dep. Koos coordinated additional resources and was able to detain the suspects without incident.

Deputy Koos looked "beyond borders" and took decisive action to assist with an in-progress investigation. As a result of his actions, the stolen vehicle was recovered and the felonious suspect was apprehended. For his professionalism and dedication to public safety, Deputy Benya "Ben" Koos was awarded the September 2019 Employee 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 15 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 32 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. Fifteen (15) individuals experiencing homelessness were contacted during the month. One (1) individual was arrested for an active misdemeanor warrant. Five (5) individuals were trespass warned from commercial establishments and one (1) of the individuals accepted services offered by deputies.

- **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.

N/A

NOTABLE INCIDENTS / ARRESTS:

CASE: 13-1909-000026
DATE/TIME: 09/1/19 @ 2150-2250hrs
LOCATION: 4425 N Ocean Dr
SUSPECT: Unknown
INCIDENT: Vehicle Burglary (Plain view)
SUMMARY: An unknown suspect broke the driver's side window of the victim's 2013 BMW and reached in and to steal a purse and a wallet that were sitting on the seats in plain view. Investigation is ongoing.

CASE: 13-1908-000111
DATE /TIME: 09/05/19 @ 1409 hrs
LOCATION: 4319 N Ocean Dr (Walgreens)
SUSPECT(S): Unidentified B/M and B/F
INCIDENT: Grand Theft (Retail)
SUMMARY: Walgreens' employees called to report an unidentified B/M and B/F entered the store and removed numerous expensive cosmetics items from the shelves by scooping them into large shopping bags and exiting the store without attempting to pay. Deputies immediately responded and searched the surrounding area; however, it was later learned there was a 10 minute delay in reporting and the suspects had fled the area. Walgreens checked inventory and later reported the loss totaled $1,472.66

CASE: 13-1909-000155
DATE/TIME: 09/06/19 @ 2200 hrs
LOCATION: 5555 N Ocean Dr
VEHICLE: RED 2017 Jaguar XE R Sport; FL Tag #LCG T15
INCIDENT: Grand Theft Auto
SUMMARY: Vehicle was stolen while the reporter performed work with a crew of pipe liners under the building. The vehicle was left unattended and running. The vehicle was recovered in Miami Gardens approximately one and a half hours later in Miami Gardens with no damage. Investigation is ongoing,

CASE: 13-1909-000336
DATE/TIME: 09/13/19 @ 2041 hrs
LOCATION: 14 Commercial Blvd (Mulligan's)
SUSPECT: Casey Brooke West (W/F 10/20/87)
Terri Lee Heffner (W/F 08/23/82)
INCIDENT: Grand Theft
SUMMARY: The victim left her purse hanging from a chair at an outside table in front of Mulligan's. When she returned, the purse was gone. Approximately 30 minutes later the victim received an alert that her credit card was used without her authorization.
Detective Mursell previously briefed Detective Blevins regarding the details of the listed theft, and the suspects' vehicle he obtained through investigation and with the aid of the town's ALPR system. Detective Blevins located the suspect vehicle at a nearby motel and conducted surveillance when he observed suspect Casey West and her girlfriend, Terri Hefner, enter the vehicle and drive away. A traffic stop was conducted and Hefner's driver's license was

determined to be revoked and suspended. There were also active warrants for West charging her with 2 counts of Petty Theft and VOP. On scene investigation elicited cooperation from both suspects and Detective Mursell responded to interview them. Both suspects later provided post-Miranda statements in which they admitted to the LBTS purse theft. They also admitted to committing numerous retail thefts at Home Depo, Lowes, and Walmart stores throughout the county. Contact will be made with other districts and jurisdictions to attempt to solve additional crimes. Both suspects were charged with Grand Theft and transported to the main jail.

CASE: 13-1909-000451
DATE/TIME: 09/17/19 @ 2041 hrs
LOCATION: Commercial Blvd and Bougainvilla Dr
SUSPECT: W/M Matthew Broughton 07/10/80
INCIDENT: Aggravated Assault
SUMMARY: The suspect and the victim were engaged in a road rage dispute when they pulled off of the roadway and exited their vehicles. Broughton escalated the confrontation and brandished a knife and told the victim "I'll fucking stab you in the throat". Broughton fled the scene on his motorcycle. Sergeant LaGana located the suspect and attempted a traffic stop at which time the vehicle fled at a high rate of speed. Investigation is ongoing.

CASE: 13-1909-000465
DATE/TIME: 09/17/19 @ 2315 hours
LOCATION: 1 Commercial Blvd
ARRESTEE: W/F Andreina Simet 09/13/94
INCIDENT: Battery on a Law Enforcement Officer
SUMMARY: Deputies were called to Aruba's in reference an intoxicated female/arrestee that entered the bar already inebriated. She was told she would not be served any alcohol and asked to leave because of her inebriation by the management/victim. As the suspect was leaving, she spit on the victims face. Upon contact with the arrestee, she was uncooperative and began walking away and ignoring the Deputies' investigation. Once detained and secured the arrestee began yelling, cursing and physically resisting by pulling away. The suspect then kicked Deputy Yates in the stomach. While regaining control of her she turned and spit on Deputy Yates' face. Neither the Deputies nor the arrestee received any injuries; however, Deputy Yates responded to Imperial Point Hospital after being exposed to the arrestee's saliva. The arrestee was transported to Main Jail without further incident.

CASE: 13-1909-000510
DATE /TIME: 09/19/19 @ 1352 hrs
LOCATION: 4241 Seagrape Dr
ARRESTEE: Thomas Alfieri (W/M 7/19/82)
VEHICLE: N/A
INCIDENT: Warrant Arrest
SUMMARY: While on patrol, Detective Blevins observed a tattooed suspicious male in the front yard of the duplex at 4241Seagrape Dr. A Teletype check of the license of the vehicle parked in the driveway revealed the description of the owner closely matched the subject who was present and identified him as Thomas Alfieri. A warrants check indicated Alfieri is an Absconder from active felony probation in Brevard County, with a felony VOP warrant charging him with 1) Robbery w/ a Firearm, and 2) Convicted Felon in Possession of a Firearm. Due to Alfieri having an extensive criminal record of violent crimes, Det. Blevins contacted the BSO VIPER Unit and requested their assistance. Shortly thereafter, Sgt Rotella and the VIPER detectives arrived and were briefed on the details surrounding Alfieri. They then drove to the

location and were able to take Alfieri into custody without incident. Captain Palmer was on scene.

CASE: 13-1909-000527
DATE/TIME: 09/20/19 @ 0054 hrs
LOCATION: 5555 N Ocean Blvd,
SUSPECT: B/M, 17-21 yoa, 5-9" to 5-11", 150-170 lbs, LSW all black clothing
INCIDENT: Burglary Conveyance (unlocked)
SUMMARY: The victim looked out her living room window and saw the suspect rummaging through the interior of her vehicle. The victim's 14 yoa son gave chase but lost sight of the suspect after he went through an open/unlocked gate leading to the adjacent church parking lot. Units arrived on-scene and a perimeter was quickly established; however, it was later learned there was an approximate 15 min time delay in reporting the incident to police. Aviation responded for air support and K-9 attempted to track but the suspect was not located. No loss reported, and the investigation is ongoing.

CASE: 13-1909-000542
DATE /TIME: 09/20/19 @ 1429 hrs
LOCATION: 4346 E Trade Winds Av
VEHICLE: 2013 Silver Hyundai Genesis
INCIDENT: Traffic Crash w/ Property Damage
SUMMARY: Dep. Kratz responded to a report of a traffic crash involving a vehicle that drove into a business. Investigation determined that elderly driver, was picking his wife up from the beauty salon located at 4347 Trade Winds Av. With the vehicle legally parked in a marked space, the driver leaned across to retrieve a disabled parking placard from the front passenger door pocket and his foot slipped from the brake pedal to the accelerator, causing the vehicle to lurch forward. The vehicle jumped over the parking stop and crashed through an exterior non-structural façade wall between the businesses at 4344 and 4346 E Trade Winds Av. There were no injuries to the driver or the business occupants, and the wall was determined to be 'unsafe' by the LBTS building inspector. The building owner immediately employed a construction crew, who began removing the wall before deputies cleared the scene.

CASE: 13-1909-000548
DATE/TIME: 09/20/19 @ 2109 hrs
LOCATION: 4443 W Tradewinds Ave
INCIDENT: Traffic Crash (Vehicle vs House)
SUMMARY: Driver's insulin device failed as he was driving on W Tradewinds Ave causing him to crash through an eastside wall of the home. He was transported to Holy Cross with minor bumps and bruises. DUI Detective Sapp responded to conduct preliminary investigation; however, staff at Holy Cross hospital confirmed the driver suffered a medical episode and showed no signs of impairment.

CASE: 13-1909-000532
DATE/TIME: 09/22/19 @ 1342 hrs
LOCATION: 4421 Poinciana Street
SUSPECT: H/M Jorge Alonso 11/27/93
INCIDENT: Warrant Arrest
SUMMARY: Suspect was contacted while conducting a trespass investigation. It was learned that the listed suspect had three active warrants for burglary to a residence, grand theft auto and no valid driver's license. Suspect transported to jail.

CASE: 13-1909-000709
DATE/TIME: 09/26/19 @ 0712 hrs.
LOCATION: 219 Commercial Blvd.
ARRESTEE: Andy Thomas John W/M 08/30/73
VICTIM: State of Florida
INCIDENT: Capias Arrest – Trespass – $50 Bond
SUMMARY: Deputy Kratz made contact with the subject who was found sleeping on a bench in front of 219 Commercial Blvd. A teletype check revealed he had an active confirmed capias for trespass $50 bond. He was transported to the main jail.

MONTHLY ARREST LOG:

Violation of Injuction for Protection	14	Commercial Blvd
Capias - Trespass Structure or Conveyance	2001	S Ocean Blvd
Battery/Touch or Strike w/o Bodily Harm	4404	El Mar Dr
Ordinance Violation -Unlawful Consumption of Alcohol	4320	Bougainvilla DR
Trespassing -Not Structure or Conveyance	4323	N Ocean Dr
Grand Theft less Than $5000 Dollars/Credit Card Fraud/Petty Theft	14	Commercial Blvd
Grand Theft less Than $5000 Dollars/Driving While License Suspended	14	Commercial Blvd
Battery on Firefighter or Police Officer	1	Commercial Blvd
Defraud Inkeeper Less Than $300 Dollars	1	Commercial Blvd
Warrant -Operating W/O Valid Drivers License	224	Commercial Blvd
Warrant - Burglary Unoccupied Residence/Grand Theft Auto	4421	Poinciana St
Capias - Trespassing	219	Commercial Blvd

CRIME STATISTICS:

CRIME	CURRENT MONTH	PRIOR MONTH	2018 YTD	2019 YTD
AUTO THEFT	1	3	6	8
BURGLARY-BUSINESS	0	0	1	0
BURGLARY-CONVEYANCE	3	3	18	15
BURGLARY-RESIDENCE	1	1	11	5
BURGLARY-STRUCTURE	0	0	0	0
FORCIBLE SEX	0	1	0	1
ARSON	0	0	0	0
ASSAULT-AGGRAVATED	1	0	0	2
HOMICIDE	0	0	0	0
ROBBERY	0	1	7	2

THEFT-GRAND	3	2	17	17
THEFT-PETIT	1	1	28	34
TOTALS	**10**	**12**	**88**	**85**

CITIZEN OBSERVER PATROL STATISTICAL SUMMARY:

COP Activity	Total
Number of Volunteers	30
COP Hours Worked - Month	91
COP Patrol Miles - Month	209
COP Hours Worked - YTD	1542
COP Patrol Miles - YTD	2854

COP Bike Patrol Hours - Month	0
COP Bike Patrol Hours - YTD	23

COP Beach Patrol Hours – Month	7
COP Beach Patrol Hours - YTD	232.5

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	2019 YTD
Reserve Deputy - Days Worked	1	14
Reserve Deputy - Hours Worked	8	124

MONTHLY STAFFING AND STATISTICAL REPORT:
The September 2019 Monthly Staffing and Statistical Report is attached.

Lauderdale by the Sea
Monthly Activity
September 2019

Reports/Calls	
Miscellaneous Service	
Event Reports	44
Accidents	9
Calls for Service	822

Traffic	
Types of Citation	
Non-Moving / Moving Citation	62
Parking	0
Warnings	74
Total Citations	**136**

Arrests	
Type of Arrest	
Felony	3
Misdemeanor	3
NTA	1
Capias/Warrant	4
Traffic	0
NIC (felony)	0
DV Misdemeanor	0
DV Felony	0
N.I.C.	1
Total Arrests	**12**

Time Worked	
Hours Worked	
Bike Patrol	15
Court Overtime	36
Training	125
Detached	8
Other Overtime	81
Days Worked	30

General	
FI	35
Truant	0
Truant Debriefed	0
Elder Link	0

Narrative
ATV: 183 Miles / 32 Hours A Reserve Deputy worked an 8 hr shift

MONTHLY STAFFING AND STATISTICAL REPORT
LAUDERDALE-BY-THE-SEA DISTRICT
September 30, 2019

CURRENT STAFFING ALLOCATIONS

Position	Budgeted Positions	Actual Positions	Vacant Positions
District Chief	1	1	
Executive Lieutenant	1	1	
Sergeant	3	3	
Deputy Sheriff	19	18	1
Community Service Aide	1	1	
Administrative Specialist	1	1	
Clerical Specialist (P/T)	2	1	1
TOTAL	**28**	**26**	**2**

PERSONNEL ON LIGHT DUTY, PROMOTED, TRANSFERRED, ETC.

Name	CCN	Status	Circumstances
Deputy Roberto Colon	11509	Light Duty	Workers' Comp

DETACHED PERSONNEL / LOCATION

Name	CCN	Detached To	Reason	Hours
Lt William Wesolowski	9392	Human Resources	Oral Interview Bd	8
			TOTAL	**8**

LAUDERDALE BY THE SEA DISTRICT

NEARBY SEX OFFENDERS – SEPTEMBER , 2019

VINCENT PEREIRA

09/18/1950

3333 NE 34 ST .
APT# 1220
FT Lauderdale, 33308

SEX BATT/COERCE CHILD BY ADULT; F.S. 794.011(2)(b) (PRINCIPAL)

(GUILTY/CONVICTED – 10/01/1999)

Broward, FL

JOSEPH P MESSIER

12/11/1974

111 Briny Ave.
Apt 1602
Pompano Bch, 33062

SEX OFFENSE, FEDERAL (KNOWINGLY ENTICING A MINOR VIA COMPUTER TO ENGAGE IN SEXUAL ACTIVITY)

(GUILTY/CONVICTED – 09/19/2003)

Federal, FL

MICHAEL WALTER MORALES

04/22/1974

516 S. Ocean Blvd #1
Pompano Beach 33062

USE OF COMPUTER TO SOLICIT OR LURE A CHILD TO ENGAGE IN SEXUAL CONDUCT F.S. 847.0135(3)(a) (PRINCIPAL)

(GUILTY/CONVICT) 10/24/2014)

Broward, FL

JAMES ORLIN CLARKE

05/14/1980

4011 N. Ocean Blvd. # 110
Ft. Lauderdale, FL 33308

SEX OFFENSE, OTHER STATE (3RD DEGREE CRIMINAL SEXUAL CONDUCT-PERSON 13 TO 15)

(GUILTY/CONVICTED – 11/09/1999)

Macomb, MI

September 30, 2019

Prepared by: Giovanna Anderson

LAUDERDALE BY THE SEA DISTRICT

NEARBY SEX OFFENDERS – SEPTEMBER, 2019

ROBERT ANTHONY OHARE

11/01/1961

2 Compass Ln

Fort Lauderdale, FL 33308

POSS OF PHOTO/PICTURE SHOWING SEXUAL PERFORMANCE BY A CHILD; F.S. 827.071(5) (50 COUNTS)

(GUILTY/CONVICTED – 01/08/2018)

Lake, FL

ANTHONY MANGANARO JR.

11/08/1965

2751 NE 58th St

Fort Lauderdale, FL 33308

SEX OFFENSE, OTHER STATE (ATTEMPTED DISSEMINATE INDECENT MATERIAL TO MINORS 1ST DEGREE)

(GUILTY/CONVICTED – 11/20/2003)

New York, NY

DERWIN JOHN FRAZER

06/26/1957

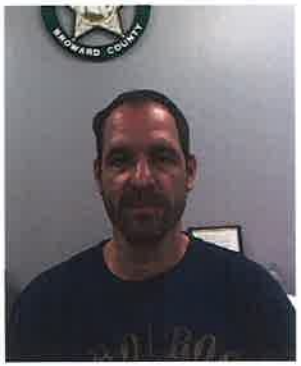
2901 NE 55th Place

Ft. Lauderdale, FL 33308

SEX OFFENSE, OTHER STATE (Assault/Battery of High and Aggravated nature)

(GUILTY/CONVICT – 11/15/2010)

Richland, SC



MICHAEL DAVID SCHMEHL

05/26/1974

4141 Bayview Dr.

Ft. Lauderdale, FL 33308

SEX OFFENSE, OTHER STATE (SEXUAL ASSAULT)

(GUILTY/CONVICTED – 08/26/1998)

Bucks, PA

Agenda Item No: 7.c

Town Commission Agenda Item Report

Meeting Date: October 22, 2019
Submitted by: Brooke Liddle
Submitting Department: Public Safety
Item Type: Report
Agenda Section: PUBLIC SAFETY DISCUSSION

Subject Title:
AMR September 2019 Report (Brooke Liddle, AMR)

Explanation:
AMR September 2019 Report

Recommendation:
Approve/Accept

Attachments:

1. BSO September 2019 Report

Response Date	Address	Dispatched	Enroute	On Scene	Response Time
9/26/2019	4500 BLK Bougainvilla Dr	21:58:17	21:58:17	21:58:22	00:00:05
9/23/2019	4500 BLK N Ocean Dr	11:19:28	11:19:36	11:19:40	00:00:12
9/23/2019	4500 BLK N Ocean Dr	09:44:27	09:44:47	09:44:51	00:00:24
9/29/2019	4500 BLK Bougainvilla Dr	16:52:25	16:52:25	16:53:00	00:00:35
9/8/2019	1600 BLK Bel-Air Ave	02:27:51	02:28:22	02:28:27	00:00:36
9/26/2019	4400 BLK N Ocean Dr	22:38:49	22:38:49	22:39:29	00:00:40
9/7/2019	4500 BLK N Ocean Dr	19:25:50	19:26:25	19:27:01	00:01:11
9/7/2019	1600 BLK Bel-Air Ave	22:44:40	22:44:56	22:46:15	00:01:35
9/20/2019	4300 BLK E Tradewinds Ave	14:31:25	14:31:30	14:33:24	00:01:59
9/10/2019	4100 BLK N Ocean Dr	12:10:14	12:10:31	12:12:19	00:02:05
9/22/2019	4600 BLK N Ocean Dr	15:08:41	15:10:06	15:10:49	00:02:08
9/8/2019	5000 BLK N Ocean Blvd	10:17:15	10:17:55	10:19:28	00:02:13
9/8/2019	4400 BLK N Ocean Dr	22:56:12	22:57:06	22:58:27	00:02:15
9/29/2019	5000 BLK N Ocean Blvd	13:10:16	13:10:26	13:12:31	00:02:15
9/5/2019	4600 BLK Poinciana St	11:05:19	11:06:45	11:07:35	00:02:16
9/13/2019	200 BLK Commercial Blvd	18:02:57	18:03:25	18:05:16	00:02:19
9/20/2019	5500 BLK N Ocean Blvd	01:50:36	01:52:08	01:52:58	00:02:22
9/28/2019	1700 BLK S Ocean Blvd	11:43:56	11:44:01	11:46:24	00:02:28
9/22/2019	200 BLK Lake Ct	19:33:25	19:33:52	19:35:56	00:02:31
9/8/2019	4200 BLK N Ocean Dr	11:34:33	11:35:01	11:37:08	00:02:35
9/3/2019	4900 BLK N Ocean Blvd	09:48:33	09:50:05	09:51:09	00:02:36
9/16/2019	4400 BLK El Mar Dr	20:26:34	20:28:42	20:29:11	00:02:37
9/14/2019	4500 BLK N Ocean Dr	04:44:05	04:46:05	04:46:44	00:02:39
9/5/2019	4100 BLK Bougainvilla Dr	04:59:20	05:00:07	05:02:06	00:02:46
9/3/2019	4200 BLK El Mar Dr	14:57:55	14:58:32	15:00:41	00:02:46
9/12/2019	1400 BLK S Ocean Blvd	11:14:15	11:14:27	11:17:13	00:02:58
9/18/2019	1700 BLK S Ocean Blvd	08:32:59	08:33:04	08:35:57	00:02:58
9/26/2019	5100 BLK N Ocean Blvd	23:10:24	23:12:45	23:13:23	00:02:59
9/29/2019	100 BLK Commercial Blvd	19:10:58	19:11:17	19:14:03	00:03:05
9/3/2019	1800 BLK S Ocean Blvd	09:12:30	09:13:24	09:15:37	00:03:07
9/15/2019	4900 BLK N Ocean Blvd	21:30:07	21:31:36	21:33:14	00:03:07
9/1/2019	100 BLK Commercial Blvd	19:48:57	19:50:35	19:52:08	00:03:11
9/8/2019	6000 BLK N Ocean Blvd	17:04:34	17:05:44	17:07:46	00:03:12
9/13/2019	4400 BLK El Mar Dr	20:37:37	20:38:59	20:40:50	00:03:13
9/18/2019	1800 BLK S Ocean Blvd	12:17:31	12:18:13	12:20:45	00:03:14
9/22/2019	200 BLK Commercial Blvd	12:34:26	12:34:33	12:37:40	00:03:14
9/20/2019	4400 BLK W Tradewinds Ave	21:11:04	21:11:14	21:14:21	00:03:17
9/8/2019	5000 BLK N Ocean Blvd	04:31:10	04:32:51	04:34:29	00:03:19
9/29/2019	El Mar Dr/Commercial Blvd	12:23:30	12:26:48	12:26:51	00:03:21
9/4/2019	200 BLK Neptune Ave	09:32:06	09:32:28	09:35:29	00:03:23
9/8/2019	4100 BLK El Mar Dr	19:18:35	19:19:55	19:22:00	00:03:25
9/8/2019	100 BLK Commercial Blvd	12:37:51	12:39:25	12:41:21	00:03:30
9/16/2019	5100 BLK N Ocean Blvd	08:24:36	08:25:53	08:28:07	00:03:31
9/19/2019	200 BLK Miramar Ave	22:00:26	22:00:37	22:03:57	00:03:31
9/28/2019	6000 BLK N Ocean Blvd	06:50:26	06:50:42	06:54:03	00:03:37
9/6/2019	200 BLK Neptune Ave	08:58:42	08:59:04	09:02:20	00:03:38
9/17/2019	5100 BLK N Ocean Blvd	20:20:15	20:21:33	20:23:53	00:03:38
9/20/2019	200 BLK Neptune Ave	09:48:06	09:48:46	09:51:46	00:03:40
9/15/2019	4400 BLK El Mar Dr	14:18:23	14:18:34	14:22:04	00:03:41
9/17/2019	Commercial Blvd / N Ocean Dr	13:28:34	13:31:59	13:32:16	00:03:42
9/22/2019	5200 BLK N Ocean Blvd	21:09:05	21:11:01	21:12:47	00:03:42
9/9/2019	1400 BLK S Ocean Blvd	12:04:35	12:04:39	12:08:19	00:03:44
9/16/2019	200 BLK Pine Ave	07:54:47	07:55:38	07:58:32	00:03:45
9/22/2019	4300 BLK El Mar Dr	19:06:47	19:08:32	19:10:34	00:03:47
9/12/2019	4600 BLK W Tradewinds Ave	13:02:09	13:02:43	13:05:57	00:03:48
9/24/2019	4500 BLK El Mar Dr	16:31:15	16:35:08	16:35:15	00:04:00
9/20/2019	4300 BLK N Ocean Dr	02:46:03	02:47:35	02:50:04	00:04:01

9/28/2019	2000 BLK S Ocean Blvd	22:44:30	22:45:32	22:48:37	00:04:07
9/19/2019	1600 BLK E Terra Mar Dr	19:30:43	19:31:15	19:34:53	00:04:10
9/17/2019	200 BLK Hibiscus Ave	11:46:10	11:46:35	11:50:23	00:04:13
9/15/2019	4100 BLK Bougainvilla Dr	05:42:56	05:44:56	05:47:13	00:04:17
9/29/2019	5100 BLK N Ocean Blvd	01:38:51	01:40:57	01:43:26	00:04:35
9/11/2019	4300 BLK Bougainvilla Dr	17:38:55	17:39:30	17:43:30	00:04:35
9/1/2019	1800 BLK W Terra Mar Dr	16:08:06	16:08:46	16:12:42	00:04:36
9/25/2019	4200 BLK El Mar Dr	19:30:05	19:32:14	19:34:44	00:04:39
9/8/2019	1600 BLK Bel-Air Ave	02:49:03	02:50:42	02:53:42	00:04:39
9/14/2019	4300 BLK El Mar Dr	23:56:52	23:58:06	00:02:03	00:05:11
9/18/2019	200 BLK Imperial Ln	00:47:57	00:50:48	00:53:14	00:05:17
9/5/2019	1800 BLK S Ocean Blvd	22:55:34	22:56:51	23:01:00	00:05:26
9/22/2019	1700 BLK S Ocean Blvd	03:34:23	03:35:07	03:40:14	00:05:51
	6 min or less = 100%			**Average =**	**00:03:07**

Agenda Item No: 8.a

Town Commission Agenda Item Report

Meeting Date: October 22, 2019
Submitted by: Eva Marissa
Submitting Department: LBTS Welcome Center
Item Type: Report
Agenda Section: TOWN MANAGER REPORT

Subject Title:
3rd Qtr Welcome Center Report

Explanation: 3rd Qtr Welcome Center Report

Recommendation:
Approve/Accept

Attachments:
1. 3rd Qtr Welcome Center Report

LBTS Welcome Center
Profit & Loss Statement
Periods: 3rd Quarter

Report Prepared By:

LAUDERDALE-BY-THE-SEA CHAMBER OF COMMERCE

	1st Qtr	2nd Qtr	3rd Qtr	2019
Income				
Town LBTS Contribution	$ -	$ -	$ 13,450.00	$ 13,450.00
CVB Funds	$ -	$ -	$ 20,000.00	$ 20,000.00
TOTAL INCOME	**$ -**	**$ -**	**$ 33,450.00**	**$ 33,450.00**
Expense				
Office Supplies & Expense	$ 417.07	$ 1,257.62	$ 433.08	$ 2,107.77
Welcome Center Bags	$ -	$ 469.80	$ -	$ 469.80
Gross Visitor Center Wages	$ 12,871.80	$ 10,528.45	$ 12,910.78	$ 36,311.03
Office Maintenance	$ 54.79	$ 48.38	$ 67.96	$ 171.13
Postage	$ 404.80	$ 207.43	$ 177.97	$ 790.20
Printing	$ -		$ -	$ -
Telephone Expense	$ 923.31	$ 933.68	$ 917.68	$ 2,774.67
Computer Maintenance	$ -	$ 302.99	$ 60.00	$ 362.99
TOTAL EXPENSES	**$ 14,671.77**	**$ 13,748.35**	**$ 14,567.47**	**$ 42,987.59**
NET INCOME	**($14,671.77)**	**($13,748.35)**	**$18,882.53**	**($9,537.59)**

LBTS Welcome Center
Wages Report
Periods: **3rd Quarter**

	1st Qtr	2nd Qtr	3rd Qtr	2019
Gross Visitor Center Wages	$ 12,871.80	$ 10,528.45	$ 12,910.78	36,311.03
TOTAL GROSS WAGES	$ 12,871.80	$ 10,528.45	$ 12,910.78	$ 36,311.03

	1st Qtr	2nd Qtr	3rd Qtr	2019
TOTAL HOURS FOR MONTH	590	578	574	1,742

LBTS Welcome Center

Activity Report
Periods: September

LAUDERDALE-BY-THE-SEA CHAMBER OF COMMERCE

DATE	MONTH	CATEGORY	2019	2018	2017	# CHANGE
09/30/2019	September	Car Rental Inquiries	0	12	77	-12
09/30/2019	September	Diving Inquires	26	57	17	-31
09/30/2019	September	Hotel Accommodation Inquiries	1,863	2,015	1,594	-152
09/30/2019	September	Website Active Users of LBTS.com	1,348	1,695	2,135	-347
09/30/2019	September	Visitor Guides Mailed	16	27	36	-11
09/30/2019	September	Walk-In Visitors	508	509	255	-1

LBTS Welcome Center

Activity Report Summary
Periods: January - September

LAUDERDALE-BY-THE-SEA CHAMBER OF COMMERCE

	Category	2019	2018	Change
Year to Date	Car Rental Inquiries	144	283	-139
	Diving Inquires	504	391	113
	Hotel Accommodation Inquiries	18,394	16,976	1418
	Website Active Users of LBTS.com	16,970	20,836	-3866
	Visitor Guides Mailed	270	293	-23
	Walk-In Visitors	7,122	7,796	-674

Hours of Operation
July 2019

LAUDERDALE-BY-THE-SEA CHAMBER OF COMMERCE

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Open		9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	10:00 AM
Close		5:00 PM	5:00 PM	5:00 PM	5:00 PM	5:00 PM	4:00 PM
Total Hours		8.00	8.00	8.00		8.00	6.00
Open		9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	10:00 AM
Close		5:00 PM	5:00 PM	5:00 PM	5:00 PM	5:00 PM	4:00 PM
Total Hours		8.00	8.00	8.00	8.00	8.00	6.00
Open		9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	10:00 AM
Close		5:00 PM	5:00 PM	5:00 PM	5:00 PM	5:00 PM	4:00 PM
Total Hours		8.00	8.00	8.00	8.00	8.00	6.00
Open		9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	10:00 AM
Close		5:00 PM	5:00 PM	5:00 PM	5:00 PM	5:00 PM	4:00 PM
Total Hours		8.00	8.00	8.00	8.00	8.00	6.00
Open		9:00 AM	9:00 AM	9:00 AM			
Close		5:00 PM	5:00 PM	5:00 PM			
Total Hours		8.00	8.00	8.00			

July 2019

Daily Statistics	SUNDAYS	MONDAYS	TUESDAYS	WEDNESDAYS	THURSDAYS	FRIDAYS	SATURDAYS
Daily Total	0	40	40	40	24	32	24
Daily Average	0	8	8	8	8	8	6

Weekly Statistics	Week 1	Week 2	Week 3	Week 4	Week 5
Weekly Total Hours	38	46	46	46	24
Days in Week	5	6	6	6	3

Monthly Statistics		
Total Hours of Operation During Month	200	
Total Days of Operating During Month	26	
Total Days Closed	1	July 4th Holiday

Hours of Operation
August 2019

LAUDERDALE-BY-THE-SEA CHAMBER OF COMMERCE

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Open					9:00 AM	9:00 AM	10:00 AM
Close					5:00 PM	5:00 PM	4:00 PM
Total Hours					8.00	8.00	6.00
Open		9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	10:00 AM
Close		5:00 PM	5:00 PM	5:00 PM	5:00 PM	5:00 PM	4:00 PM
Total Hours		8.00	8.00	8.00	8.00	8.00	6.00
Open		9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	10:00 AM
Close		5:00 PM	5:00 PM	5:00 PM	5:00 PM	5:00 PM	4:00 PM
Total Hours		8.00	8.00	8.00	8.00	8.00	6.00
Open		9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	10:00 AM
Close		5:00 PM	5:00 PM	5:00 PM	5:00 PM	5:00 PM	4:00 PM
Total Hours		8.00	8.00	8.00	8.00	8.00	6.00
Open		9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	10:00 AM
Close		5:00 PM	5:00 PM	5:00 PM	5:00 PM	5:00 PM	4:00 PM
Total Hours		8.00	8.00	8.00	8.00	8.00	

August 2019

Daily Statistics	SUNDAYS	MONDAYS	TUESDAYS	WEDNESDAYS	THURSDAYS	FRIDAYS	SATURDAYS
Daily Total	0	32	32	32	40	40	30
Daily Average	0	8	8	8	8	8	6

Weekly Statistics	Week 1	Week 2	Week 3	Week 4	Week 5
Weekly Total Hours	22	46	46	46	46
Days in Week	3	6	6	6	6

Monthly Statistics		
Total Hours of Operation During Month	206	
Total Days of Operating During Month	27	
Total Days Closed	1	Hurricane

Hours of Operation
September 2019

LAUDERDALE-BY-THE-SEA CHAMBER OF COMMERCE

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Open		9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	10:00 AM
Close		5:00 PM	5:00 PM	5:00 PM	5:00 PM	5:00 PM	4:00 PM
Total Hours					8.00	8.00	6.00
Open		9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	10:00 AM
Close		5:00 PM	5:00 PM	5:00 PM	5:00 PM	5:00 PM	4:00 PM
Total Hours		8.00	8.00	8.00	8.00	8.00	6.00
Open		9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	10:00 AM
Close		5:00 PM	5:00 PM	5:00 PM	5:00 PM	5:00 PM	4:00 PM
Total Hours		8.00	8.00	8.00	8.00	8.00	6.00
Open		9:00 AM	9:00 AM	9:00 AM	9:00 AM	9:00 AM	10:00 AM
Close		5:00 PM	5:00 PM	5:00 PM	5:00 PM	5:00 PM	4:00 PM
Total Hours		8.00	8.00	8.00	8.00	8.00	6.00
Open		9:00 AM					
Close		5:00 PM					
Total Hours		8.00					
Open							
Close							
Total Hours							

September 2019

Daily Statistics	SUNDAYS	MONDAYS	TUESDAYS	WEDNESDAYS	THURSDAYS	FRIDAYS	SATURDAYS
Daily Total	0	32	24	24	32	32	24
Daily Average	0	8	8	8	8	8	6

Weekly Statistics	Week 1	Week 2	Week 3	Week 4	Week 5	
Weekly Total Hours	22	46	46	46	8	168
Days in Week	3	6	6	6	1	

Monthly Statistics		
Total Hours of Operation During Month	184	
Total Days of Operating During Month	24.0	
Total Days Closed	1	Labor Day & Hurricane

Agenda Item No: 8.b

Town Commission Agenda Item Report

Meeting Date: October 22, 2019
Submitted by: Bill Vance
Submitting Department: Administration
Item Type: Report
Agenda Section: TOWN MANAGER REPORT

Subject Title:
Action Report (Bill Vance, Town Manager)

Explanation:
FY19 Action Plan

Recommendation:
Approve/Accept

Attachments:
1. Action Plan

FY 2019 ACTION PLAN

Town Commission

Mayor Vincent

Vice Mayor Sokolow

Commissioner Strauss

Commissioner Oldaker

Commissioner Malkoon

The Town of Lauderdale-By-The-Sea's Five Year Strategic Plan is the means by which we measure our progress towards attainment of our vision and goals. The annual Action Plan is the foundation when we develop each year's budget and the five year capital plan, and during the year when we prioritize resources and staff time.

Vision & Mission Statement

VISION: By 2018 Lauderdale-By-The-Sea will have accomplished something rare. While staying authentic and protecting our small town character, we will have given the Town the facelift it needed to stay economically competitive and fiscally sound. Gorgeous beachside plazas will be the heart of the community's social life. All the features that residents and visitors love – the relaxed, village atmosphere, the easy walkability of the Town, the many dining choices, retail offerings and traditional festivals – will have been improved and expanded. The hospitality industry will have been reinvigorated and the Town widely known as an amazing shore diving destination and for its distinctive MIMO architecture. In a world where one city looks like another, Lauderdale-By-The-Sea will be uniquely different.

MISSION: The Mission of the Town of Lauderdale-By-The-Sea is to deliver local government services efficiently, effectively, transparently, and with integrity; to be responsible and careful stewards of the public's money; to provide leadership for the protection and enhancement of the Town's essential character, natural resources, and economic vitality; and to foster and be respectful of positive public participation in the work of governing this Town we love.

Adopted February 26, 2013 by the Lauderdale-By-The-Sea Town Commission

Commission Policies

1. Keep the Property Tax Rate in the lowest quartile (lowest 25% of all cities). [Town has 3rd Lowest Rate in FY19]
2. Keep the Fire Fee in the lowest quartile (lowest 25% of all cities). [Town has the lowest in FY19]
3. Pay as we go (to the extent possible).
4. Continue the Town staff's tradition of personal attention to residents and businesses.
5. Be an active member of the Broward League of Cities and the Florida League of Cities and monitor legislation that will affect the quality of life of our residents.
6. Preserve/protect LBTS's appearance, visual character and culture (small town, beachy).
    a. Maintain and expand ocean views;
    b. Protect the LBTS brand and apply it (in terms of colors, style, and scale) to street furniture, banners, public buildings, parks, plazas, and advertising and marketing materials;
    c. Ensure that public building projects are appropriately scaled for their surroundings and the Town as a whole;
    d. Make the compatibility and scale of a project to the surrounding area a crucial consideration of any site plan reviews or architectural reviews;
    e. Provide restoration or preservation suggestions to property owners who are redeveloping Mid Century Modern (MIMO) properties; and
    f. Preserve when possible and encourage the restoration the Town's historic mid-century architectural style.

Goals	Update
AREA 1: SUSTAINABILITY ● RESILIENCY ● ENVIRONMENT	
Goal 1.1: Protect the beach.	
1.1.1 Continue sea oat planting projects wherever feasible and where the adjacent property owner(s) agrees to the project. Add native plants and remove invasive plants whenever possible. (Ken Rubach) 1. Apply for County Grant to plant additional sea oats. 2. Repair sea oat beds damaged by Irma. 10-23-18: An area of Invasive plants removed at Villa By The Sea - waiting for Turtle season to end to reshape dunes and plant sea oats 2-14-19: 75% of invasive has been removed. 50% of the replacement Sea Oats has been planted on the southern end. Dunes at 4244 & 4228 El Mar have been prepped and will have sea oats planted the last week in February. 9-18-19 Dune planting was completed in early spring. Both new dunes have become established. Staff continues to remove invasive species at portal locations beach side and replant with native plantings.	
1.1.2 Create a beach management plan, including a budget and timeline. (Ken Rubach / Linda Connors) 2-14-19: City of Hollywood will be coming out in March to take a look at our dunes and discuss our strategy for dune reclamation and implementation to use as a model in developing their beach management plan. Municipal Services and Development Services are having ongoing discussion regarding the creation of a formal beach management plan. 9-20-19: Municipal Services and Development services continue to research best practices for a beach management plan.	
Goal 1.2: Protect existing coral reefs and develop new ones. Staff: Steve d'Oliveira	
1.2.1 Acquire and review reef monitoring reports from the Segment II beach nourishment project and any other legitimate sources. 6-20-18: Broward County has not released a narrative summary of the biological report. The delay is because Broward County wanted to avoid picking up hurricane impacts in the monitoring. 9-18-19: The County informs us that the biological report is not finished.	X

Goals	Update
1.2.2. Coordinate with County on their mitigation reef project stemming from the Segment II beach re-nourishment. The County plans to deploy 9 acres of concrete reef modules in 20 feet of water north and south of the pier. The commission was briefed on this project at a meeting about a year ago. The project will provide substantially more underwater habitat for a variety of Florida marine life. 9-26-18: Because of the bid protest, the County has decided to re-bid the entire project. If it can award a contract before the end of the calendar year, deployment is expected to take place in summer 2019. If not, the project will be delayed until summer 2020. 9-19-19: The county has rebid the project, but another bid protest is expected. Possible earliest deployment is summer 2020. Maybe.	
1.2.3 Provide the Commission periodic reports from Nova Southeastern University (**NSU)** on the survival and growth of the transplanted staghorn sites off LBTS in 2016 and 2017. More than 2,000 staghorn coral fragments were planted offshore at several different sites. 9-26-18: Dr. David Gilliam from Nova Southeastern gave a presentation to the Town Commission. Documented damage from Hurricane Irma.	
1.2.4 Fund Phase II plantings of the NSU staghorn coral project in LBTS. 9-26-18: Commission approved new contract for a second staghorn restoration project - the 5-year project will provide funding for 2,000 more staghorn fragments to be attached to the reefs off LBTS over the next two years with three years of monitoring. 9-18-19: The next round of planting is scheduled for January-February 2020.	
1.2.5 Implement a limestone boulder project to create new habitat for tropical fish that can be easily accessed by snorkelers. The proposal calls for placing several tons of limestone boulders in 12 feet of water off El Prado Park close to swim buoys. 1) Apply to the Florida DEP for a permit for the project. FY17-18. Also apply to the U.S. Army Corps for a permit for the project. 2-15-19 The Commission recently adopted a resolution asking Broward County to handle filing the needed permit forms for this project (we do not). 2-22-29: The county did receive our resolution requesting assistance in filling out state and federal permits. 2) Secure funding and propose in the FY18 Capital Improvement Plan (determine which year) FY___ Status: $30,000 included in FY18 CIP and $30,000 projected for FY19. 3) Design, bid and build. TBD	

Goals	Update
1.2.7 Educate the public about the environmental importance of the reefs, their fragility, and threats to them. Ongoing Newly designed beach signs have been ordered (the prototype is installed at El Prado Park). A reef education feature article will be included in an upcoming issue of Town Topics in 2020. 9-18-19: Steve D'Oliveira is working on a new beach map for the Datura Avenue portal showing Anglin's Reef, the snorkel trail and marine life.	

Goal 1.4: Proactively Address Local Sea Level Rise Issues	
1.4.1 Evaluate seawall standards and recommend ordinance (Linda Connors) 9-26-18: Collecting recent seawall ordinances. Waiting for County and Corp of Engineers' study. 10-23-18: Municipal Seawall Workshop on Nov 16, 2018. Staff will attend. 9-26-19: The Planning Council will review language regarding resiliency that includes regulations regarding sea wall height at their September 26, 2019 meeting	X
1.4.2 Evaluate creating a Stormwater Utility. (Town Engineer, Ken Rubach) Status: This is a discussion topic at the April 24th workshop. We will present the information about what is involved in creating a Stormwater Utility (the Town use to have one). 5-8-18: Commission authorized the preparation of an RFP for a stormwater rate study. 3-22-19: The Draft RFP has been completed but not sent out. 9-20-19: Stormwater master plan is being updated in FY20 prior to issuance of an RFP for a stormwater rate study in FY 21.	

Goals	Update

AREA 2: PARKING & TRANSPORTATION	
Goal 2.1: Improve our Parking System Staff: To be assigned	
2.1.1 Create additional public parking. Ongoing i. Look for underutilized private parking that may be suitable for a cooperative parking arrangement with the Town. ii. Evaluate, and if appropriate, create small spaces to accommodate small electric vehicles (NEV). Looking to increase NEV parking on the north side when we do the Greenway Project. iii. Evaluate, and if appropriate, install charging stations for electric cars. 3-27-18: Staff's preliminary research revealed that communities who offer electric car charging stations (a) charge for the use of the parking space and not the electricity, (b) charge for the electric and not the parking space, or (c) provide the space and electricity at no charge to the user. Staff will also consider the feasibility of installing a separate meter for each charging9 station to track kilowatts and revenue generated. 9-20-19: Staff is exploring installations options by reaching out to neighboring communities and to Tesla about installation parameter, costs, and specifications	
2.1.2 Implement a system that notifies the driving public of available parking spaces. i. Analyze the cost of the technology to identify and display available parking spaces in lots. ii. Decide whether to proceed to Requests for Proposals	
2.1.3 Evaluate the need for a parking shuttle on Friday evenings, Saturdays (day & night), and Sunday (day & night) during season to determine cost, utilization and impact on parking perceptions and utilization. FY19	
2.1.4 Renovate the A1A parking lot and Bougainvilla Drive. Ken Rubach and ____(to be assigned) 9-26-18: Construction of Phase 1 is underway and is expected to be completed by December 31, 2018 10-23-18: Phase 2 contract is awarded to State and they will start in Spring 2019. 2-14-19: Design Plans are currently being reviewed after State made some value engineering suggestion; start date still this spring/summer. 9-20-19: Bougainvilla Drive project is on schedule and should be completed by the end of October pending weather and unknown delays.	X

Goals	Update

AREA 2: PARKING & TRANSPORTATION

Goal 2.2 Evaluate the Town's Transit Services.

2.2.1 Evaluate public transportation options and report to Commission: (Debbie Hime and Lucila Lang)

i. Identify the current services. (Broward County Transit (**BCT**), Sun Trolley, Pelican Hopper)

9-20-19 DH: Sun Trolley suspended Galt Link last year, and have applied for Penny Surtax funding for a Galt/LBTS "on demand" micro transit service.

BCT will be testing on demand for a year in three west Broward area and will advise us of their test next year

iv. Evaluate options to improve the efficiency of the Pelican Hopper (hours, route, and frequency).

9-20-19DH: After public meetings and approval by Commission, BCT has approved our new route schedule.

BCT will begin reimbursing us for our current $44 hourly rate beginning Oct. 1

New route may not begin until all local stops are ADA compliant. BCT and MPO are discussing how the Town's surveying and costs to build the stops could be reimbursed by Penny Surtax funds. The new route will be designated stops, so signs or decals on BCT stops will be installed once the route is ADA compliant

v. What alternative services could be offered? (door-to-door, ridesharing or _____?)

9-20-19 DH: BCT is will be testing micro-transit on demand service during the next year to determine its feasabilty in Broward.

Town has designated a location for a ride share pickup/drop off and we are researching funding for a shelter

We have begun research for on demand rideshare in Town; first estimates are $180k per car per year; ADA compliancy is also an important factor.

Goal 2.3 Reduce cut-through traffic in residential neighborhoods through the use of traffic calming initiatives in neighborhoods.

Goals	Update

AREA 2: PARKING & TRANSPORTATION	
2.3.5 Analyze results and determine whether to continue on a more permanent basis. (Tom Palmer, Ken Rubach, & Traffic Engineer) FY19 1-22-19: Commission approved the purchase of digital speed signs to be deployed on Commercial Blvd to measure and address speed complaints. 2-14-19: Two semi-permanent and one portable speed sign have been ordered for Commercial Blvd. A radar equipped, LED stop sign with warning lights was erected at SB Bougainvilla Dr and Hibiscus. Since the sign has been installed, we have received positive feedback from the public and staff. A meeting was held with the residents of Imperial Lane to discuss some ideas for traffic calming. 9-20-19: Staff continues to coordinate with sign manufacturer regarding FDOT approval of installation. Manufacturer has hired a consultant to assist with finalization of product being added to the APL. The portable speed shall be deployed in the upcoming weeks after training on use of sign has been completed by M.S. and BSO staff.	
Goal 2.4: Reduce traffic, pedestrian, and bicycle violations through increased traffic enforcement.	
2.4.1 BSO will determine areas with the highest incidence of violations and develop a traffic enforcement strategy for those areas. Ongoing BSO utilizes traffic counter devices, speed trailers, message boards and selective traffic enforcement in various areas throughout the town to determine the scope and type of violation(s) (e.g. pedestrians, bicycles, or vehicles). BSO examines traffic crash and traffic citation data to properly respond to traffic issues. Command Staff will work with BSO Grants to apply and receive grant funding when applicable to address traffic issues. 02-04-19- The Town of Lauderdale by the Sea was not awarded grant funding for FY 18/19 due to not having an intersection that ranks at the top 20% for pedestrian/bicycle fatalities and reported injuries. LBTS participated in the 17/18 High Visibility Enforcement Grant and issued 3,137 verbal warning, and 318 written warnings and traffic citations and a total of 8,239 educational contacts.	
2.4.2 Implement enforcement strategies and measure results. November 2018-January 1, 2019 on duty deputies conducted selective traffic enforcement along main corridors (Commercial Blvd, and arterial streets (e.g. Bougainvilla Drive, Sea Grape Drive, and El Mar Drive)). As a result, deputies issued 100 Uniform Traffic Citations and 97 written warnings to motorists.	

Goals	Update
AREA 2: PARKING & TRANSPORTATION	
2.4.3 Analyze results and report to the Commission. (Tom Palmer) Semi-annual Pending for April meeting	
AREA 3: PRESERVE THE LBTS WAY OF LIFE	
Goal 3.1: Preserve the Town's history. Staff: Linda Connors	
3.1.2 Develop historic information markers or boards. FY17 – FY 21 Debbie Hime and Linda Connors ongoing	
3.1.3 Print a mid-century (MIMO) walking tour map of the Town's commercial district and provide it to hotels, Visitors' Center, and other suitable distribution points. FY120 9-19-19: Linda is currently drafting the content for the map; and then our branding artist will create a concept for the map.	
Goal 3.2: Maintain and improve the walkability of the Town. FY17 Highest Priority / FY18 Highest Priority	
3.2.1 Advocate an El Mar Greenway project design that emphasizes pedestrian needs and a safe pedestrian environment. Staff: Bud Bentley Amenities to include pedestrian lighting along the pathway and sidewalks, shade trees, shaded seating areas, trash containers, and doggie sanitary stations. 10-23-18: Staff recently met with FDOT and the design engineer to finalize the typical cross section. Staff is scheduling a meeting with a firm that does mark ups	
3.2.2 Prioritize aspects of the Greenway design for which MPO/FDOT grant funds are not available and apply the remaining reserve for El Mar pedestrian improvements to fund those priorities. Then determine whether remaining priorities will be funded from another source. FY18 9-26-18: A Local Funding Agreement for design services was approved.	

Goals	Update

AREA 3: PRESERVE THE LBTS WAY OF LIFE	
3.2.3 Develop a Walkability and Bike Master Plan for the main streets in Town. Staff: Linda Connors The FY19 budget includes $20,000 to develop the plan. 2-26-19: Staff is drafting RFP for release in March 9-26-19: The RFP was released this summer. One firm responded. We are currently reviewing their submittal and anticipate a contract to be scheduled on the Commission Agenda in November.	

AREA 4 - INFRASTRUCTURE IMPROVEMENTS	
Goal 4.1: Improve Neighborhoods. Staff: Linda Connors and Ken Rubach 4.1.1 **Neighborhoods Plans**. Work with neighbors that want to create a plan to improve their neighborhood. Elements of the plan may include streetscape, swale restoration, sidewalks and streetlights. 4.1.2 **Convert FPL streetlights to LED.** 2-14-19: Lighting fixtures have been selected. FPL is stating these conversions will happen in the Summer/Fall this year. 9-20-19: All FPL lights were converted in late summer/early spring. The Town continues to work with FPL to identify and resolve any issues that have occurred due to installation.	

Goals	Update

AREA 4 - INFRASTRUCTURE IMPROVEMENTS	
Goal 4.2: Address Stormwater Flooding. FY17 Highest Priority / **FY18 Highest Priority** Staff: Ken Rubach	
4.2.1 Promote the merits of swale restoration. Ongoing 6-26-18 Staff completed 3 swale restorations in FY18 and would like to offer trees to encourage people to have their swales restored. We will schedule for Commission approval. 9-20-19: Staff is examining where swales would have the most impact. This will be apart of the stormwater master plan.	
4.2.2 Commission to provide direction on funding for projects in the annual CIP.	
4.2.3 Undertake street drainage projects in accordance with set priorities and CIP funding. FY18 – FY 21 9-26-18: Commission directed staff to meet with the Terra Mar neighborhood and then to schedule the Mathews' Work Authorization for the design of East Terra Mar. 1-12-19: Staff and Mathews presented at a neighborhood meeting. Staff preparing an agenda item for February 26th meeting. 9-20-19: Terra Mar Drainage design is well underway. Anticipate having a neighborhood meeting this winter and then again in the spring prior to bidding and construction to review the project. Construction anticipated to begin Spring/Summer 2020	
4.2.4 Consider mandating the use of pervious materials in driveway and parking lot construction for new development or substantial redevelopment. FY19	
Goal 4.3: Develop Concepts for a Town Hall/Public Safety Complex. (FY17 Highest Priority)	
4.3.1 Develop multiple conceptual site plans and building design illustrations. Completed FY17	
4.3.2 Get resident and Commission reaction to the site and building concepts. Completed FY17	
4.3.3 Develop cost estimates to implement the most favored plan. TBD	
4.3.4 Identify possible funding sources (FEMA, MPO, etc.) for portions of the plan for which grants might be obtained and outline grant requirements. FY18	

Goals	Update
AREA 4 - INFRASTRUCTURE IMPROVEMENTS	
4.3.5 Commission direction on follow through on the plan. FY18 4-24-2018: The Commission placed this project on hold.	
Goal 4.5: Sewer Restoration Staff: Ken Rubach	
4.5.1 Evaluate a lateral lining program. 9-20-19: Staff has requested $300,000 for lateral lining and $30,000 for any engineering work that may need to be done prior to the start of the program.	
AREA 5: ECONOMIC DEVELOPMENT	
Goal 5.1: Promote the Hotel Hospitality Sector. FY17 & FY18 Highest Priority Staff: Linda Connors	
5.1.1 Fast track development reviews for hotels. Ongoing **El Mar Boutique (former Ocean Reverie – 4433 El Mar Drive)** This property has completed a total renovation of its rooms and exterior. The hotel is expected to open before Thanksgiving. **Ocean Treasure (4308 El Mar Drive)** Ocean Treasure has been undergoing an extensive renovation. They have completed the interior renovation; refurbished their MidCentury Modern neon sign; and are in the process of building a pool. The paving of the parking area (removing gravel) and the pool construction has been delayed because of the State's review (they are located East of the Coastal Construction Control line which requires additional review at the state level).	**X**
5.1.2 Actively seek code compliance and renovations from owners of distressed hotel properties so all properties are a positive influence on the LBTS tourist economy. **The Thunderbird (4521 N Ocean)** was cited for property maintenance issues and the case was heard by the Special Magistrate at the April 26, 2018 hearing. Compliance is required by May 22nd or fines will begin to run. This property already has fines running for the lack of maintenance on its sign. These fines totaled $730,000 as of May 2nd.	**X**

Goals	Update

AREA 5: ECONOMIC DEVELOPMENT

6-20-18: The new case for property maintenance was issued after the property went into foreclosure. While the fines have been certified and are running for noncompliance, it is the Town Attorney's opinion that they will not be enforceable due to the foreclosure action. The previous fines for the maintenance of the sign and maintenance issues have been reviewed by the Attorney and have been deemed enforceable.

9-26-18: Violations for maintenance of electrical fixtures, plumbing, exterior paint, and trash cart maintenance were brought to compliance during June and July 2018. Otherwise, daily fines continue to run at a total rate of $450 per day.

10-23-18: The owner requested an inspection on September 28, 2018; at that time the Inspector found the Trash & Litter violation was in compliance. Fines of $300 per day continue to run for structural disrepair and sign maintenance.

2-26-19: The property is in foreclosure.

9-26-19: Staff is investigating their options for purchase of this property.

Eastward Strands (4321 – 4341 El Mar Drive) has been cited for property maintenance and work without permits and was scheduled for the May Special Magistrate hearing. After being cited, the property owner representatives met with staff, hired an architect and are in the process of developing plans for the renovation of these buildings. They have also told staff that the hotel will be closed in June for renovation. Because of these actions, staff has rescheduled their case to the July 26th Special Magistrate hearing.

6-20-18: The property has closed and a dumpster to begin cleaning the site has been ordered. To date, no building permits have been issued for the renovations.

9-26-18: The property representatives appeared before the Special Magistrate on July 26th. Subsequently, the landscape and pool on the property have been maintained (including boarding of the pool) to prevent further nuisance. Eastward Strands originally told staff that they would submit their application for Architectural Review and site plan on August 24th. They then said that they would submit on September 7th. They have not submitted their plans, and they have not contacted the Town staff for a new submittal date. The property is scheduled for the September 27th Special Magistrate meeting, at which the Town will ask the Special Magistrate to approve a stipulated agreement including a timeline for completion of the project. Status hearings will be held at intermittent points to ensure that the project is moving forward at an acceptable pace.

10-23-18: Eastward Strands submitted site plan modification, architectural review and unity of title applications on September 24, 2018. The site plan was found to be incomplete. The property representatives then appeared before the Magistrate at the Code hearing on September 27. The Magistrate set a deadline of November 1st for a list of items to be completed, or a fine of $100 per violation per day would begin to accrue for each of the 7 code cases. A number of the stipulated items have been completed. They have applied for and

AREA 5: ECONOMIC DEVELOPMENT

instituted the BSO Trespass Program, have established a parking lot use agreement with the Town, and are in the process of lighting the area to increase nighttime safety.

2-26-19: The property is fenced and the Town is providing public parking. Eastward Strand has changed its name to Seaside Villas. They submitted plans to renovate the property, which requires an administrative site plan amendment and architectural review. Architectural review has been approved. We are in process of reviewing the site plan amendment application.

3-26-19: The comments were sent to the applicant on 2/28. Responses have not yet been received. The review includes an increase in legal units from 28 to 30. Because of the increased intensity, the site plan will be reviewed by the Planning and Zoning Board and Commission.

9-26-19: The staff continues to work with the applicant to finalize their site plan amendment application. We expect the application to be scheduled for review by the Planning and Zoning Board and Commission this fall.

Tropicaire Hotel (4553 Bougainvilla Drive) was cited for density violations and work without permits (They currently have 16 units – 9 of these are legal and the other 7 were created by dividing existing units without permits). They are scheduled for the July 28th Special Magistrate hearing.

6-20-18: The property owners have met with staff to get an understanding of the density, work without permits and other maintenance violations on the site.

9-26-18: At the July 26, 2018 hearing, the Special Magistrate ordered a Continuance to the September 27, 2018 hearing regarding the density violations at the property. The applicant has hired an architectural firm to address the density issues. They met with Development Services staff in late August to discuss options for the property. Staff comments on a preliminary plan have been sent to the architect. The architect is working on a submission for a Site Plan Amendment. The Magistrate ordered compliance of the property maintenance violations by August 27, 2018; the maintenance violations were subsequently corrected as ordered. The cited Work without Permit violation was corrected prior to the hearing.

10-23-18: At the September 27, 2018 Code hearing, the Magistrate ordered a Continuance to the October 25th hearing. Town Staff has heard nothing from the owner or architect since our last meeting with the owner on September 25, and intends to request that the Magistrate issue a Final Order at the October 25 hearing.

2-26-19: This site plan is scheduled for approval on the Commission's 2-26-19 agenda.

3-26-19: The Commission approved the site plan at the last meeting.

9-26-19: The owner has submitted a building permit.

Goals	Update

AREA 5: ECONOMIC DEVELOPMENT

10-22-19: The building permit has been issued; on October 14th building reviewed a partial structural inspection.

Sea Garden Hotel (4633 North Ocean) is another hotel that creatively added rooms without permits. The property owner has been working with staff and has submitted a site plan amendment application to address these issues. The site plan is scheduled for the June 6 Planning and Zoning Board meeting and may be on the Commission June 20th agenda. If approved, they will apply for building permits that will resolve their violations.

6-20-18: The Town Commission approved the site plan amendment for the Sea Garden Hotel at their June 12, 2018 meeting.

9-26-18: Staff is awaiting submission of a building permit application from the architect to update the property and address the density issues. We anticipate submission in October.
2-26-19: We have yet to receive a building permit application to correct the issue. Code has cited the property for work without permit and too many units.
9-26-19: The owner submitted a building permit and also requested an extension to their site plan development order in order to meet the Town requirements.
10-22-19: The permit was approved on October 8th, the owners have been informed that it was ready but the permit has not been picked up. Building staff sent a reminder on 10-18-19.

4605-4609 By The Sea (4605-4609 North Ocean) Staff has found extensive code violations including fire and building violations. The case is extensive and staff is reviewing all of the violations and expects to schedule this case for the August Special Magistrate hearing.

9-26-18: Numerous code violations for property maintenance are scheduled to be heard at the September 27, 2018 Special Magistrate hearing. A follow-up inspection with the owners of the property was conducted on September 14, 2018, at which time a large number of the violations were complied. The Code Inspector has discussed the remaining issues at length with the owners and they have agreed to make certain corrections prior to the September 27, 2018 hearing in order for the Town to be amenable to a Continuance to provide additional time to resolve the more time-consuming violations.

10-23-18: The majority of the code violations have been corrected. On October 2, 2018 the Building Official and Code Inspector met with one of the owners regarding the largest remaining maintenance issue, unusable connecting doors. The owners subsequently engaged a contractor who submitted a permit application to correct the violation. A status hearing is scheduled for October 25, 2018, but if progress continues diligently the Town will remain open to the owners requesting additional time to comply before a Final Order is requested.

9-26-19: The property owners communicated with the Town staff and received an extension of time from the Magistrate. They were able to make the required corrections, and brought the property into compliance with the Magistrate's order. No code fines were assessed.

Goals	Update

AREA 5: ECONOMIC DEVELOPMENT	
Goal 5.2: Assist in making business viable on Commercial Boulevard west of Bougainvilla Drive.	
5.2.1 Install festive lighting in the Commercial Boulevard plazas. Staff: Ken Rubach Install additional electrical outlets at the base of the plaza trees so additional lighting can be installed. FY19 9-20-19: Staff continues to investigate locations for additional electrical outlets.	
5.2.2 Experiment with additional ideas to increase foot traffic. 9-20-19: We are reviewing and considering testing an idea to enhance the area to become its own "destination." Staff has presented FY20 Budget which includes new foot traffic events and other special projects in the area. Staff: Debbie Hime	
5.2.3 Consider code changes for temporary sale banners, outdoor displays, etc. Staff: Linda Connors FY18 3-27-18: Staff is researching new window and outdoor display policies for the West Commercial District businesses for Commission consideration, such as A-frame sidewalk signs in our beach colors to complement the Adirondack chairs. 3-26-19: This will be discussed as part of the planned downtown workshop.	

Goal 1.3: Become a National Wildlife Federation Community Habitat Staff: Steve D'Oliveira	
COMMISSION ASSIGNMENTS	**Update**
6.4 Improve Signage to Identify Parking Lots (To be assigned)	
6.8 9-26-16, Mayor Sasser: Evaluate parking needs for the West Commercial Business District. (revised 11-28-17)	On Hold
6.9 9-26-16, Vice Mayor Brown: Town Hall parking lot: Evaluate new landscape along sidewalk replacing the bushes. It is an outdated look and the bushes block the view to safely pull out on to A1A (height of bushes was reduced). (Ken Rubach) 9-20-19: Maintenance of Town Hall bushes has increase as well as lowering of the bushes to provide better visibility.	
6.12 10-25-16, Commissioner Vincent: Evaluate the Town offering window covering paper (start with Courtesy Notices for code violations) (Linda Connors) 3-27-18: We have tested a few options for the public and will be presenting a recommendation to the Commission this spring.	
6.13 10-25-16, Commissioner Vincent: Have P&Z evaluate changing the code to provide additional time (6 months or so) before wall signs on a vacant building have to be removed. Confirm that the code requires patching and painting to match existing building. (Linda Connors)	
6.14 Marina: Report the progress of the Marina to comply with Town Code. (Linda Connors) 10-23-18: The marina amended site plan and conditional use applications were heard by the P&Z on October 17, 2018 and are expected to be scheduled for the Commission meeting of November 13, 2018. 11-13-18: The Commission approved site plan, marina mooring area, and conditional use. 12-11-18: Commission ratified the Development order from the 11-13-18 decisions. 1-8-19: The Commission approved the Partitioning Agreement. Closing by February 28th 2-26-19: The Marina owners have met with staff several times to review proposed plans for the upland property. They anticipate submitting a site plan application to the Town early summer. 9-26-19: The Marina owners were interested in submitting an application for a hotel. The Commission approved the ordinance amendment that would allow this change at their 9-12-19 meeting. Staff met with the owners and they are working on their site plan application with the intent on submitting this fall.	**X**

6.25	11-28-17: FDG south property: report on the progress of the development. (Linda Connors) 3-27-18: On January 19th, Florida Development Group released Hospitality Ventures Management Group from the Ryf Project (4116 Ocean and 4108/4110 El Mar) and listed the properties for sale. The blue tarp has been removed from the "restaurant building" and the wall fixed however, the buildings continue to be in violation of certain Town codes related to maintenance that were presented to the Special Magistrate at the March 22, 2018 meeting with a compliance required in advance of the April Special Magistrate meeting. 5-22-18: On May 4, 2018, the code violations for maintenance that were presented to the Special Magistrate at the March 22, 2018 meeting were brought into compliance. A new notice for violations of landscape maintenance and parking lot maintenance was issued on May 8th. A site-walk through with the contractor and the code inspector occurred on May 15, 2018. The violations have yet to be complied and are scheduled for presentation to the Special Magistrate at the June 28, 2018 meeting. On August 29, 2018, the May 4th code violations for landscape maintenance and parking lot maintenance at the west property (4116 N Ocean Drive) were brought into compliance. 9-26-18: On June 13, 2018, a Notice of Violation was issued regarding fencing down along the north side of 4110 El Mar Drive. This property was brought into compliance on June 23, 2018, prior to a Hearing. On July 19, 2018, a Courtesy Notice was issued for overgrown grass on the east properties, 4108/4110 El Mar Drive. This violation was complied on August 6, 2018. On September 15, 2018, a Notice of Violation was issued regarding loose debris and materials on the roof at the west site. The violation is scheduled for the October 25, 2018 Special Magistrate meeting. 10-23-18: On October 11, 2018, the Code Inspectors conducted an inspection of the roof with the property manager and found the debris is still there. At the upcoming October 25 Code Hearing, the Town will request a Final Order to require removal of the hazardous roof debris before the November 15 hearing. The pool board-up was observed to be deteriorated as well; this will be cited separately. 2-26-19: The Commission voted to foreclose on all FDG properties with liens – this currently includes 4116 Ocean Drive and 4108/4110 El Mar Drive (Villa Caprice). At their January 22, 2019 meeting, the Commission agreed to stay the foreclosure litigation for 30 days (March 1st). If a contract is executed, then there are an additional 120 days for the sale to be executed. If no contract is entered or if it is cancelled, FDG would have 20 days to prepare their response to the foreclosure action. FDG is in process of demolishing Villa Caprice structures. 3-26-19: The Commission approved an extension to the foreclosure to allow time for the new property owners to develop and submit a site plan and a mitigation application. The next deadline for the contract holders is June 17, 2019 when the buyers are required to submit the mitigation and site plan applications to the Town. 9-26-19: Concord Wilshire submitted an application on June 26, 2019 but stated that they were drafting amendments to the plan. Staff has had several conversations with CW since then to assist them in their resubmittal. We expect that they will ask for an extension to the 60 day response requirement to allow them more time to redesign the project and prepare the application.	**X**

FY19 Action Plan

	10-22-19: The 60 day response extension was approved per the Town Code requirements. The Concord Wilshire team continues to review and revise their plans and are hoping to provide new drawings to the Town in November.	
6.27	12-12-17, Mayor Sasser: Requested staff to suggest ways to help smaller businesses on west Commercial with the expense of sidewalk cafes (allow quarterly operation etc.). Staff to evaluate possible conflicts in the sidewalk café code (Linda Connors). 3-26-19: Staff has drafted an ordinance and it is currently being reviewed by the Town Attorney. 9-26-19: We anticipate the proposed amendment to be scheduled on the Commission's agenda in October.	X
6.31	4-10-18, Commission Malkoon asked that the Town evaluate the condition of the seawall on Bel Air Drive (SE 15th Street), which is owned by the Palm Club, Leisure Gardens and the Town. 6-20-18: Staff has received an evaluation of the seawall on Bel Air Drive and has asked for a surveyor to mark the areas in which the Town has ownership. Once this is complete, we will ask the seawall contractor to update the report to identify the condition of the seawall that is Town-owned. 9-26-18: Advised the Palm Club of their ownership. Met with the Palm Club and Leisure Garden representatives on September 27th. 9-20-19: Money has been budgeted in FY20 budget to repair Town owned section of the wall. Prior to repairs a survey will be done to ensure all Town owned areas are repaired.	

FY19 Action Plan

6.31	4-10-18 Commissioner Strauss asked that we request FDOT to conduct a safety studies of the Commercial Boulevard and West Tradewinds intersection. This would also include the concepts to relocation the west to south turn lane on Commercial at this intersection. (see staff project No. 3) 5-22-18: The Town Engineer sent the request for a traffic safety study to FDOT on April 24, 2018. In addition, this project was submitted to the MPO for a TIP project on 4-27-2018.	
6.32	Terra Mar Bridge Improvement (Ken Rubach) 7-24-18: Interlocal Agreement with Pompano Beach approved by Commission. COPB in CCNA process to select design engineer. 9-20-19: Terra Mar Bridge improvement is being done by the City of Pompano Beach.	
6.35	5-22-18: Commissioner Strauss to work with staff regarding the possibility of drafting an ordinance to allow water taxis in Town, Commission would like to staff to reach out to residents and businesses. 9-26-18: Public Input was held at the Commission meetings of 7-24-18 and 9-12-18.	Completed
6.38	9-26-18: Commissioner Oldaker requested staff to check street striping though out Town and replace when appropriate. (Ken Rubach) 9-20-19: Staff reached out to Broward County and striping within their jurisdiction has been done. Several areas throughout town have also been refreshed e by staff. Striping has been included within the FY20 budget in order to install thermal striping which lasts much longer than paint or "tape" stripes.	
6.39	9-26-18: Commissioner Malkoon requested staff to look into the entrance to A1A Lot. (Capt. Palmer) No change.	Completed
6.41	9-26-18: Commissioner Oldaker requested the landscape in the south entrance median be upgraded. (Ken Rubach) 2-14-19: Staff is in the process of developing a landscape plan to upgrade the median. 9-20-19: Staff has completed a landscape plan for the median which will be completed in FY20	
6.42	10-9-18: Commission Struss asked if the Town could change its practice and allow Pay by Phone to accept AMX credit cards (Tony Bryan)	Completed
6.43	10-23-18: Commission asked staff to prepare a Town Election Day Procedure Policy and report in the TM report (Tedra Allen).	

FY19 Action Plan

6.45	1-8-19 Agenda Item 13.b: Schedule a workshop on the sign code issues discussed at the 1-8-19 Commission meeting. (Linda Connors, Town Attorney) 9-26-19: A workshop was held on May 16, 2019 to discuss noise, sidewalk café and signage. The staff is drafting a minor amendment to the sign code and we anticipate that the ordinance will be presented to the Planning and Zoning Board in November	
6.46	1-22-19 Agenda Item 13.a: Expand the workshop requested on 1-8 to include a discussion on the use of the sidewalk (musicians), the increase in outdoor music downtown, and special events (not really special events just business expanding into the ROW).	
6.47	2-12-19 Agenda Item 5.c: Girl Scout Troop 10171 Presentation. Commission motion to have staff draft an ordinance banning plastic straws in LBTS (Kathie Margoles) 3-26-19: Scheduled for the 3/26 agenda	Completed
6.48	2-26-19 Agenda 13.b Station 44 Special Event application for holidays. Comm approved the Monday April 22 event and deferred the rest until after the Workshop (signs and street performers)	
6.49	2-26-19 CM. Commission Oldaker asked staff about the project to move the east A1A parking lot pay station south to encourage people to use the crossway after paying. (Tony Bryan)	
6.50	2-26-19 CM. Commission consensus to get P&Z's recommendation on amending the B-1 and B-1A zoning districts to allow motels and hotels. (Linda Connors) 9-26-19: The ordinance allowing hotels as a conditional use on waterfront properties in the B1 district was approved at the Commission's September 12, 2019 meeting.	Completed
6.51	2-26-19 CM. Commissioner Strauss asked staff to advise how the South Silver Shores neighborhood can get natural gas service. (Bill Vance) 3-26-19: Cost to install main is $121,500 9-20-19: Town Manager met with TECO to discuss potential gas line expansion in LBTS. A letter of request was sent on 9-20-19	
6.52	2-26-2019: The Commissioners agreed (4-1) to have Resolution drafted addressing seismic blasting and offshore drilling. (Kathie Margoles)	Completed
6.53	8-27-2019: Commissioner Strauss discussed staff doing research on the possibility of having a dog beach in Lauderdale By The Sea (Neysa Herrera) 9-20-19: Staff is surveying other municipalities that have a dog beach to document their experience and analyze the feasibility of a designated area for this purpose in Lauderdale By The Sea	

FY19 Action Plan

FY19 Action Plan

FY19 Budgeted Projects & Staff Projects	Update
1. Evaluate switching from the quarterly Town Topics written format to an e-newsletter. FY18 (Steve D'Oliveira) 2. 9/20/19 We have purchased software are prepared for e-newsletter deployment Debbie Hime	
3. Monitor the request to FDOT to move the turn lane at the foot of the Intracoastal Bridge to the east thus closing the Commercial median at West Tradewinds. TBD (Town Engineer) See 6.31 9-20-19 Discussed with FDOT and MPO at 9/17/19 Meeting; FDOT asked Staff to formally recommend the project as they have an upcoming Commercial Blvd plan being developed. Debbie Hime	
4. Evaluate hardening off-site warehouse for use after a hurricane. FY18 (Ken Rubach) 5. 9/20/19: Staff has begun the process of reviewing what work needs to be done to improve site.	
6. Evaluate the feasibility of offering beach concessions. (to be assigned)	
7. Recommend new long-term contract for the disposal of solid waste and processing of recyclables.	Completed
8. The marina partitioning agreement was approved on 1-8-19. There are several code changes required to recognized properties that include submerged lands.	
9. 2-12-19 Agenda 13.a, Designating Ridesharing Pick-Up Locations Transportation	
10.	
11.	
12.	
13.	

Agenda Item No: 8.c

Town Commission Agenda Item Report

Meeting Date: October 22, 2019
Submitted by: Bill Vance
Submitting Department: Administration
Item Type: Report
Agenda Section: TOWN MANAGER REPORT

Subject Title:

Town Manager Report (Bill Vance, Town Manager)

Explanation:

- Public Service Director set to paint exterior of BSO and VFD offices facing A1A. Same color scheme.
- Town office facilities have received comprehensive IT upgrades.
  Jarvis audio and visual upgrades remain in November.
- New phone installations complete in VFD, Town Hall, Development Services, Public Service Offices.
- 30-year TECO Natural Gas Franchise fee agreement expired in 2018. Town Staff and Town Attorney(s) negotiating its extension. Until Town Commission approves extension last terms remain in place.
- Town Attorneys and Town Staff closed on Community Church property acquisition.
- Public Service Director has coordinated industry contacts and has meetings planned to provide for the installation of electronic car charging stations in LBTS. TM's goal is within 1st half of 2020.
- Town Manager and Chamber officials moving forward with ADA compliance plans for LBTS's Visitors Center and Chamber office and have retained the services of LBTS Architect Leo Henson.

Recommendation:
Approve/Accept

Attachments:

1. Code Fines >75k

Properties with Fines over $75,000*

In Litigation/Foreclosure			Violation	Accrued	Daily
1)	4521	N Ocean Dr (6 Units,Thunderbird)	Pole Sign, Structural Maintenance	$911,950	$300
Florida Development Group Properties			**Violation**	**Accrued**	**Daily**
2)	4108/4110	El Mar Dr (formerly Villa Caprice)	WWOP, Structural, Electric, 40-Year	$4,702,910	$0
3)	4116	N Ocean Dr (formerly LBTS Resort)	Structural, Electrical Maintenance	$2,347,672	$400
Other Properties			**Violation**	**Accrued**	**Daily**
4)	4326	N Ocean Drive (4 Units, 4326 Ocean Dr LLC)	Structural, Paint, Bees	$371,450	$400
5)	226/230	Basin Dr (Marina)	Unsafe Dock, WWOP, Boats	$369,500	$0
6)	4648	Bougainvilla Dr (5 Units, Patricia Pereira)	Inoperative Vehicle; Maintenance	$300,500	$575
7)	5000	N Ocean Dr #1711 (Condo, BricMayFL)	WWOP (Interior Alterations)	$269,450	$200
8)	4132	N Ocean Dr (Sea Lord Construction Site)	WWOP (sign), Delinquent BTR	$203,775	$0
9)	1931	Waters Edge (PWL--Gilchrist)	Sewer, Boat, WWOP (Interior)	$140,090	$0
10)	4617	El Mar Dr (Dee Jay Beach Resort)	WWOP (Seal and Stripe)	$143,450	$100
11)	1800	S Ocean Blvd #1307 (Condo, Sonia Imerti)	WWOP (Kitchen Cabinets/Counters)	$113,250	$100
			TOTAL.....	**$9,502,548**	

Abbreviations Key	
OVG	*Overgrown Grass*
WWOP	*Work Without Permits*
Lx	*Landscape Maintenance*
BTR	*Business Tax Receipt*
PWL	*Purchased w/ Knowledge of Lien(s)*

**As of Tuesday, October 01, 2019*

Town Commission Agenda Item Report

Meeting Date: October 22, 2019
Submitted by: Debbie Hime
Submitting Department: Administration
Item Type: Consideration Item
Agenda Section: TOWN MANAGER REPORT

Subject Title:
10th Annual Dolphin Cancer Challenge February 29, 2020

Explanation:
The Dolphins Cancer Challenge will once again will cover the tri-county area, with riders being escorted through Town by BSO on Saturday, February 29, 2020. LBTS BSO has confirmed their assistance to provide a safe environment for the riders and will coordinate directly with the ride with event producers.

The event will raise millions of dollars each year for the Sylvester Comprehensive Cancer Center at the University of Miami.

Recommendation:
The Miami Dolphins Foundation asks each municipality for their support of the event. Since the event does not require a permit, we wanted to advise Commission of the event and ask for your support.

Attachments:
1. Letter from 2019 Miami Dolphins Foundation's Dolphins Cancer Challenge Ride

September 19, 2019

Dear Town of Lauderdale-By-The-Sea Officials,

As we prepare for the 10th annual Dolphins Cancer Challenge, we want to first thank you for your support of last year's DCC, which raised an incredible $5,200,000 for cancer research and treatment at Sylvester Comprehensive Cancer Center at the University of Miami. In our continued mission to tackle cancer, and thanks in large part to your support, the Dolphins Cancer Challenge has become the single largest fundraiser in the NFL, raising more than $32,000,000 for Sylvester since its inception! This year, we hope to raise $10 million for cancer research. With the community, we know that we can make this goal a reality.

The Dolphins Cancer Challenge will take place on Saturday, February 29th, 2020. The event will again cover the tri-county area and utilize many of the same routes from last year's DCC.

As you know, safety is paramount for an event of this size and scope. The success of this event in the short and long-term depends not only on our riders and staff, but also on the support of our local municipalities. To ensure that we create a safe environment for the riders, we have asked for your police department's assistance and support with traffic control while our riders pass through your municipality. As in prior years, all requests for police assistance will be coordinated individually with each municipality.

At your earliest convenience, please acknowledge that you are aware that the Dolphins Cancer Challenge will be passing through or near your municipality on February 29th, 2020. This acknowledgement is required in order for us to begin the planning and permitting process in earnest.

A simple reply to this email will suffice.

Should you have any questions, please contact Pedro Penaherrera, Operations Coordinator for the Dolphins Cancer Challenge, via email at ppenaherrera@dolphins.com or via telephone at 305-943-6711.

Thank you in advance for your consideration. We look forward to seeing you in February.

Sincerely,

Marcus Bach-Armas
Senior Director, Miami Dolphins
Legal and Government Affairs

Town Commission Agenda Item Report

Meeting Date: October 22, 2019
Submitted by: Tedra Allen
Submitting Department: Administration
Item Type: Minutes
Agenda Section: APPROVAL OF MINUTES

Subject Title:
September 12, 2019 1st Public Budget Hearing Minutes
September 12, 2019 Town Commission Meeting Minutes
September 26, 2019 2nd Public Budget Hearing Minutes
September 26, 2019 Town Commission Meeting Minutes

Explanation:
Approval of Minutes

Recommendation:
Approve

Attachments:
1. September 12, 2019 1st Public Budget Hearing Minutes
2. September 12, 2019 Town Commission Meeting Minutes
3. September 26, 2019 2nd Public Budget Hearing Minutes
4. September 26, 2019 Town Commission Meeting Minutes

TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
1st PUBLIC BUDGET HEARING MINUTES
Jarvis Hall
4505 Ocean Drive
Thursday, September 12, 2019
6:00 PM

CALL TO ORDER

Mayor Chris Vincent called the meeting to order at 6:10 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, Linda Connors Development Services Director, Special Projects Coordinator Debbie Hime, Public Information Officer Steve d'Oliveira, and Town Clerk Tedra Allen.

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

At this time Mayor Vincent opened public comment.

Barbara Cole, resident, recommended that the budget be based on the rolled back rate rather than on the proposed ad valorem millage rate. She felt there should be discussion of a budget based on the rolled back rate at tonight's public hearing.

Ken Brenner, resident, referred to the budget of Lighthouse Point in comparison to Lauderdale-By-The-Sea, stating that the two proposed budgets and millage rates are very similar. He briefly reviewed both documents and noted that Lighthouse Point provided more comprehensive budget information online.

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

Town Manager Bill Vance advised that the Town Manager's Budget was prepared using the rolled back rate of 3.4442 mills. Approximately $600,000 from the Parking Fund was used to balance the Town's operating budget. The Commission identified several significant capital improvement projects in the Town's near future, and has elected to

increase the millage rate to 3.5989 rather than to enter into financing for these expenditures.

Vice Mayor Sokolow commented that the proposed millage rate is the same as the 2018-19 rate, which does not represent a tax increase. He noted that state law requires that the budget, revenues, and expenditures be balanced. Commissioner Oldaker added that the effect of the proposed budget on Town homeowners is minimal, and the Town has a “pay as we go” policy.

Mayor Vincent observed that the difference between the proposed millage rate and the rolled back rate is substantial; however, he recommended that some funds be maintained in order to keep the Town’s existing level of service.

Town Manager Vance concluded that he would check the budget information available on the Town’s website and ensure that more detail is provided prior to the final budget hearing of September 26, 2019.

RESOLUTIONS

I. **Resolution 2019-26 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, ESTABLISHING THE PROPOSED TOWN AD VALOREM TAX MILLAGE RATE AT 3.5989 MILLS PER THOUSAND DOLLARS OF TAXABLE ASSESSED VALUE, WHICH IS 4.49% ABOVE THE ROLLED BACK MILLAGE RATE OF 3.4442 MILLS COMPUTED PURSUANT TO STATE LAW FOR THE 2019 TAX YEAR; ANNOUNCING THE SECOND AND FINAL PUBLIC HEARING TO ADOPT THE FINAL MILLAGE RATE; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

Commissioner Malkoon stated that after studying the budget and fund balances, including the Capital Improvement Program (CIP), he was not in favor of the tax increase that would result from the proposed rate.

At this time Mayor Vincent opened public comment.

Barbara Cole, resident, stated that she felt the Town has sufficient funds to pay for its capital projects without adopting a millage rate higher than the rolled back rate.

Ken Brenner, resident, explained that he had presented a comparison between the proposed budgets of Lauderdale-By-The-Sea and Lighthouse Point because he felt Lighthouse Point provided a more comprehensive forecast of its budget. He felt this information was necessary in order to make more informed budget decisions.

Ron Piersante, resident, advised that he had no concerns regarding the proposed budget. He did not feel the millage rate would be a significant increase to homeowners.

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

Vice Mayor Sokolow made a motion, seconded by Commissioner Oldaker, to set the millage rate at 3.5989, subject to change at the next public budget hearing of September 26, 2019 at 6 p.m. Motion carried 4-1 (Commissioner Malkoon dissenting).

II. Resolution 2019-27 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, ADOPTING THE ATTACHED TENTATIVE TOWN BUDGET FOR THE 2019-2020 FISCAL YEAR; ANNOUNCING THE SECOND AND FINAL PUBLIC HEARING TO ADOPT THE FINAL TOWN BUDGET FOR THE 2019-2020 FISCAL YEAR; PROVIDING FOR AN EFFECTIVE DATE.

At this time Mayor Vincent opened public comment.

Barbara Cole, resident, observed that the Town's capital improvement projects include projects of roughly $300,000 to benefit the Palm Club, $700,000 for Terra Mar, and $300,000 for the proposed El Mar Drive Greenway. She felt the Town's history should be considered when budgeting for these and other projects.

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

Commissioner Malkoon requested that additional time be provided at the second public budget hearing to accommodate further discussion of budget issues.

Vice Mayor Sokolow requested that a listing of past millage rates, including initial proposed rates, be provided at the next public hearing for purposes of comparison.

Commissioner Strauss made a motion, seconded by Commissioner Oldaker, to approve Resolution 2019-27, adopting a tentative budget for fiscal year 2019-2020. Motion carried 5-0.

III. Resolution 2019-28 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, ESTABLISHING THE FINAL FIRE ASSESSMENT RATE ON PROPERTY THAT IS SPECIALLY BENEFITTED BY FIRE PROTECTION SERVICES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020; CONFIRMING THE FINAL ASSESSMENT ROLLS AND LEVYING SUCH SPECIAL ASSESSMENTS.

At this time Mayor Vincent opened public comment.

Ken Brenner, resident, addressed the current methodology used to determine the annual fire assessments for residences and commercial properties. As both properties would receive the same level of service in an emergency, he felt the rate charged for commercial properties constituted an undue burden. Mr. Brenner also noted that the fire assessment charged to residences cannot be deducted on federal tax returns. He advocated for the assessment to be paid as part of the millage rate.

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

Mayor Vincent advised that the Town had had previous discussions regarding the possibility of charging the fire assessment through the millage rate. He requested that Staff look into the Town's fire assessment rate and the manner in which commercial properties above a certain size are assessed.

Vice Mayor Sokolow stated that he agreed with Mr. Brenner, as he felt the ad valorem millage rate should include as many residents' expenses as possible so these expenses are deductible. The Commissioners agreed by consensus to have Staff bring back the information requested by Mayor Vincent.

Vice Mayor Sokolow made a motion, seconded by Commissioner Strauss, to approve Resolution 2019-28. Motion carried 5-0.

ADJOURNMENT

With no further business to come before the Commission at this time, the meeting was adjourned at 6:45 p.m.

_____

Mayor Chris Vincent

ATTEST:

_____ _____

Town Clerk Tedra Allen Date

TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
REGULAR MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Thursday, September 12, 2019
6:30 PM

1. CALL TO ORDER

Mayor Chris Vincent called the meeting to order at 6:55 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

Pastor Larry Trotter gave the Invocation. All present observed a moment of silence in recognition of the anniversary of September 11, 2001.

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

Mayor Vincent requested that Item 12.b be deferred until September 26, 2019 so additional due diligence can be performed.

5. PRESENTATIONS

5.a Fisherman's Pier Reconstruction Update

Spiro Marchelos, representing Fisherman's Pier, recalled that the Pier was damaged following Hurricane Irma in 2017 and is currently being reconstructed. Although there have been recent delays due to weather conditions, it is hoped that the middle of the Pier can reopen within the next six weeks.

Mr. Marchelos reviewed the technology used in making repairs, noting that some of the materials are produced by Florida businesses. He recognized Town Manager Bill Vance

and the Broward Sheriff's Office (BSO) for their assistance during the repair process. Roughly 200 ft. of the Pier has been repaired thus far. Building Official Randall Clutter added that he is in regular contact with the contractor's superintendent. The Building Department last received inspectors' reports on the project in July 2019.

5.b Update on "Pelican Hopper" Community Shuttle

Special Projects Coordinator Debbie Hime provided a brief update on the Pelican Hopper community shuttle. A new propane-fueled bus is now in operation. Route hours now begin at 9 a.m. each day and will end at 6 p.m. through the week, at 9 p.m. on Friday and Saturday nights, and at 5 p.m. on Sundays.

Special Projects Coordinator Hime emphasized that the new shuttle route will use designated stop points. Headways are expected to be approximately 65 minutes. The Town is currently developing an improved mobile app that will show the bus's location in real time, and has made improvements to the new Broward County Transit (BCT) route map, which will show the bus's direction.

The Town will sign a new interlocal agreement (ILA) with Broward County, which will provide a three-year agreement with two one-year extensions. It is proposed to be executed and in effect by October 1, 2019. Staff will meet with BCT to discuss aspects of this agreement which are different from the previous ILA, including:

- The old route will continue until the new route is in effect
- BCT will reimburse the Town for the $44 per revenue service hour, which is based on an average ridership of 1.7 passengers per hour across Broward County
- The fiscal year (FY) 2020 budget includes $173,000 for bus services, of which $149,908 is proposed to be reimbursable from BCT using Broward County penny surtax funds
- New route signage and updated information will be provided

Special Projects Coordinator Hime noted that the Town will be responsible for obtaining any necessary permissions to access or encroach upon any property for use as an origin or destination point. This means agreements with entities such as Holy Cross Hospital, the Village Shopping Center, or the Galt Library are necessary.

The Town is also responsible for the Americans with Disabilities Act (ADA) compliance of all non-BCT stops. The new route may begin before all these stops are brought into compliance. This expense is not included in the FY 2020 budget, and the Town has

been advised that they can seek reimbursement through surtax funds. Town Manager Vance added that the Town is also working with the County on new bus shelter locations, which may be funded by the penny surtax as well.

The Action Plan for the Pelican Hopper identifies current transit services and evaluates options that may improve the efficiency of the shuttle. Another aspect of the Action Plan addresses alternative transit services that may be provided in addition to the Pelican Hopper. The Downtown Fort Lauderdale Transportation Management Association (DFLTMA) has applied for funds to connect their Sun Trolley to the Pelican Hopper for shared on-demand service along the Galt Ocean Mile. This service is currently being tested in Pompano Beach.

Commissioner Malkoon observed that if all issues are addressed, the Town may be able to extend shared service on the Galt Ocean Mile throughout the rest of Lauderdale-By-The-Sea. He noted, however, that while the new route is primarily in the north part of the Town, it misses some of the northern neighborhoods. Special Projects Coordinator Hime advised that this was because ridership in those areas did not meet the required threshold for community bus service.

Commissioner Strauss requested that a shelter be considered within the Downtown area north of Commercial Boulevard. Special Projects Coordinator Hime noted that while this is a BCT stop, it is not currently ADA-compliant.

5.c Overview of FY20 Business Development and Marketing Budget

Special Projects Coordinator Hime provided an overview of the Town's Business Development and Marketing Budget for FY 2020. The Town has a three-year Strategic Marketing Plan, which contractor Conceptual Communications was selected to develop and implement. The first year of this plan is coming to an end. Specific items from this Plan will be presented to the Commission in October.

Primary goals of the Strategic Marketing Plan include development and implementation of programs that draw positive awareness to the Town by augmenting its unique character, enhancing economic development, and increasing the sense of community through programs and events. The Plan targets couples, families, and tourists in the 35-54 age range and promotes a clean, wholesome, and family-oriented image.

The Plan also includes development of community outreach programs and events to increase residents' interest and involvement, bring foot traffic to the West Business

District Plazas and other commercial areas, and promote the Town's walkability. Special Projects Coordinator Hime characterized this development as a collaborative effort between Staff, the Commission, and members of the community.

The proposed budget includes line items for advertising and marketing, professional/contractual services, special events, printing and binding, new and existing special events, and neighborhood outreach. Line items are included in other budgets, such as the Capital Improvement Program (CIP) and General Fund, for commercial street lighting upgrades and electronic Town Hall street marquees. The total combined budget is just over $322,000, not including capital projects.

Mayor Vincent emphasized the need for greater collaboration between the Town and its businesses in promoting Lauderdale-By-The-Sea. He recalled that lighting on Commercial Boulevard has been previously discussed, although no action was taken. Municipal Services Director Ken Rubach advised that while lighting was originally included for the Plazas, it was removed from the plans due to its cost.

Commissioner Oldaker asked if the Town has reached out to the cruise industry. Special Projects Coordinator Hime confirmed this, noting that some ads geo-targeted cruise ship passengers near the port. Commissioner Oldaker added that there was discussion in a previous year of using marketing funds to attract potential residents as well as tourists to Lauderdale-By-The-Sea. It was clarified that there are no funds designated for this purpose in the FY 2020 budget. There was consensus that a workshop could be scheduled to further discuss marketing efforts.

6. PUBLIC COMMENT

At this time Mayor Vincent opened public comment.

Barbara Cole, resident, addressed Item 12.a, stating that a walkway in the median of the proposed El Mar Greenway is not necessary. She suggested that the Commission hold roundtable meetings to further discuss plans for the Greenway with residents.

Charles Mangano, resident, requested more information on a project proposed for the former Holiday Inn property by Concord Wilshire. He felt the investors may wish to hear greater detail regarding the El Mar Greenway project before committing to this development.

Steve Silverstein, resident, advised that the Town consider allowing short-term rental properties less than 60 ft. in width in the RM-25 zoning district as a potential source of revenue. This would allow them to be taxed appropriately. Mr. Silverstein concluded that this issue should be brought back before the Commission for a vote.

Bradley Kady, resident, also addressed short-term rentals less than 60 ft. wide in the RM-25 district, stating that they would add significantly to the Town's tax base. He did not feel Code prohibiting these rental properties has had any positive impact on the Town.

Jim Rogers, resident, expressed concern with speeding traffic in the Silver Shores neighborhood, particularly on East Tradewinds Avenue. He requested an update on how the Town plans to address this issue, suggesting a four-way Stop sign as a possible solution, and asked if Sunday nights could be designated a "quiet night" within the Town in which outdoor music would not be permitted Downtown. He concluded that power lines should be buried on El Mar Drive to allow for improved sidewalks.

Stuart Dodd, resident, addressed Item 12.a, stating that he took issue with approving an expenditure from Flynn Engineering in the absence of plans from the Florida Department of Transportation (FDOT) regarding the proposed El Mar Greenway. He added that many local residents did not want a concrete walkway in the median of El Mar Drive. Mr. Dodd recommended that the Item be tabled until a full set of plans are available and there has been more discussion with the public regarding the Greenway's features.

Linda Thompson Gonzalez, resident, also asked that Town residents' opinions be taken into consideration with regard to a concrete walkway on the proposed El Mar Greenway. She felt the walkway would be unnecessary and could distort the space available.

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

7. PUBLIC SAFETY DISCUSSION

7.a BSO August 2019 Report

Captain Tom Palmer of the Broward Sheriff's Office (BSO) addressed speeding traffic in Silver Shores, recalling that this concern was raised in June 2019 by several residents.

Because they did not have specific information regarding unsafe traffic conditions, BSO engaged in enforcement efforts and traffic counts to gather information.

Town Manager Bill Vance added that he, Municipal Services Director Rubach, and Captain Palmer met with Silver Shores residents to discuss potential improvements. They hope to schedule a follow-up meeting to share further information. Commissioner Oldaker suggested that electronic speed limit signs be deployed to address the problem.

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

8. TOWN MANAGER REPORT

8.a Town Manager Report

Town Manager Vance reported that Town Hall, Municipal Services, Development Services, BSO, and the Volunteer Fire Department (VFD) will receive new phone installation within 30 days. Town facilities are also receiving comprehensive information technology (IT) upgrades. The Town is also submitting final Florida Department of Emergency Management applications related to reimbursement for Hurricane Irma, totaling roughly $135,000, with the assistance of Broward County Commissioner Chip LaMarca.

Town Manager Vance also recommended that Item 11.e be pulled from the Consent Agenda for additional discussion.

Regarding the former Holiday Inn property, Town Manager Vance recalled that he had discussed the issue of the developers' conceptual plans following their presentation at a public meeting over the summer. The developer indicated that they understood the public had not wished to see any closure of El Mar Drive, and planned to investigate other ways to connect both sides of their proposed development.

Commissioner Oldaker requested an update on Bougainvillea Drive/Poinciana Street construction. Municipal Services Director Ken Rubach advised that the project is on schedule and is currently working on the middle of the roadway. He anticipated the project would be complete by late September or mid-October, weather permitting.

Mayor Vincent suggested that a shelter be placed in this area to accompany a pick-up/drop-off area for ride sharing services as well as a bus shelter. He requested that a budget and/or design for this shelter be brought back to a subsequent meeting.

9. TOWN ATTORNEY REPORT

None.

10. APPROVAL OF MINUTES

10.a August 27, 2019 Town Commission Meeting Minutes

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

11. CONSENT AGENDA

It was determined that Items 11.b, 11.e, 11.f, and 11.g would be pulled for additional discussion.

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

11.a Property, Liability, and Worker's Compensation Insurance

11.b Employee Insurance Benefit

Commissioner Malkoon noted that the health reimbursement arrangement (HRA) would be increased to a $1500 minimum, while gap insurance and deductible requirements would be removed. Town Manager Vance explained that he had proposed this change to pursue a $250 increase to employees' benefits card. The intent was to create a gap insurance opportunity that would work better for employees rather than costing them an extra $1500 out of pocket.

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

11.c Lauderdale-By-The-Sea Garden Club Request for Parking for Jarvis Hall Events in Fiscal Year 20

11.d Lauderdale-By-The-Sea Woman's Club Request for Parking Permits and Jarvis Hall Use in Fiscal Year 20

11.e Special Event Application from The Village Grille and 101 Ocean to Present Live Music on Friday Nights from November 1, 2019 through May 29, 2020, St. Patrick's Day on Friday, March 17, and Other Friday Events

Town Manager Vance explained that he wished to recommend the Town assume financial responsibilities associated with the BSO resources required by Friday night events. He requested direction from the Mayor and Commission regarding review of public safety considerations for the upcoming season.

Vice Mayor Sokolow asserted that while he was in favor of approving the Application, he did not agree with the suggestion that the Town pay for Police and parking services. Commissioner Malkoon also did not believe the Town should change its policy on Friday night events.

Mayor Vincent commented that the suggestion could serve to open further discussion with BSO and Staff to revisit special event applications to determine if there is a need for change. He thanked Town Manager Vance for raising the issue of public safety.

Vice Mayor Sokolow made a motion, seconded by Commissioner Oldaker, to approve Item 11.e without the Town contributing to BSO security expenses. Motion carried 5-0.

11.f Taco Craft's Request to Extend Existing Sunday Music Permit

Town Manager Vance advised that he did not feel a weekly event throughout the entire year should be categorized as a special event, and suggested that these types of events no longer be designated as such. While he was supportive of the Applications under Items 11.f and 11.g, he recommended that their time frames extend only through the remainder of 2019 while Staff reviews the potential need for change.

Vice Mayor Sokolow made a motion, seconded by Commissioner Strauss, to extend the permit through December 31, 2019. Motion carried 5-0.

11.g Special Event Application for Station 44 Weekly Saturday Night Music Annual Permit 10-5-19 through 10-3-20

Mayor Vincent noted that while the Application was filed on behalf of Station 44, the business no longer uses that name. Town Manager Vance recommended that this Application be tabled until the September 26, 2019 meeting. The Commission agreed to table the Item by unanimous consensus.

12. OLD BUSINESS

12.a El Mar Supplemental Design Pricing

Vice Mayor Sokolow clarified that the Agenda Item to which Mr. Dodd had referred under Public Comment was actually Item 12.b.

Town Engineer Jay Flynn recalled that at the August 27, 2019 meeting, he was asked to evaluate the additional design services presented to the Town by FDOT consultant Erdman Anthony. This scope of services included design for the following:

- Pedestrian lighting
- Photometrics
- Hardscaping/landscaping
- Irrigation

Mr. Flynn noted that the estimates submitted for them by Erdman Anthony appeared to be high. He had reached out to a local firm, EDSA, to determine comparative costs for these items. He noted that Erdman Anthony's estimate also included general items such as meetings with the Town. EDSA's estimate included all of the additional items with the exception of a maintenance of traffic (MOT) plan.

Mr. Flynn continued that FDOT's base contract for this project included the following:

- Milling, resurfacing, and reconfiguration of vehicular lanes
- Widening of the median
- Construction a concrete path in the median
- Sidewalks on both sides of the roadway
- Improved drainage on both sides of the roadway
- a basic irrigation system without sprinkler heads

There is the possibility that pedestrian lighting may be added to the base contract. The additional design contract can installed after FDOT's portion of the work has been completed and can be handled entirely by Lauderdale-By-The-Sea.

Mr. Flynn noted that when his firm performed work on East and West Commercial Boulevard, no MOT plan was necessary: this burden was placed entirely on the contractor for less than $10,000. He added that if all the additional items can be administered in a single contract after FDOT has completed its work, there may not be a need for MOT. If a secondary construction contract is necessary, however, the MOT plan would be required, with the burden placed on the contractor. Mr. Flynn concluded that he had spoken with a representative of Erdman Anthony to request that they take a second look at their estimate.

Commissioner Malkoon noted that the greenway concept would connect Fort Lauderdale with the Town through El Mar Drive, and asked if the estimates include connectivity from Flamingo Drive. Mr. Flynn confirmed that this is part of the estimate.

Commissioner Malkoon also recalled that the Erdman Anthony representative had advised French drains were not required, based upon sea level rise. Mr. Flynn stated that Broward County Surface Water Management has jurisdiction over this issue, and has raised the groundwater elevations to which drainage must be designed. French drains are expected to be adequate for a number of years.

Commissioner Malkoon concluded that while he agrees that El Mar Drive is in need of improved infrastructure, such as drainage, sidewalks, and pedestrian lighting, he was not convinced that a walkway in the median is necessary. He suggested the Town look into what basic infrastructural elements might cost outside the walkway to determine if undertaking the project on its own is an alternative.

Commissioner Strauss recalled there was discussion of whether or not the project took potential sea level rise into consideration at the previous meeting. The representative from Erdman Anthony had replied that the scope did not address this issue. He recommended that this be clarified upon moving forward.

Mayor Vincent proposed that the Town have the project redesigned and then make its own determination regarding the median walkway, based on public input. Mr. Flynn cautioned, however, that a typical cross-section of the project includes widening the median, installation of a multipurpose lane, and a sidewalk and valley gutter with 2 ft. of separation from the travel lane. He added that he would not approve this plan if it were

submitted for a permit, as it does not comply with FDOT Green Book standards requiring 6 ft. of separation from the travel lane.

Town Manager Vance advised that the Commission will need to provide direction to the Broward Metropolitan Planning Organization (MPO) regarding the possibility of proceeding with the lower projected costs not associated with FDOT. Another issue is the proposed greenway trail in the median, which is intended to serve as a connector for greenway areas in Broward County. This would also need to be discussed further with the Broward MPO to determine that agency's position. Vice Mayor Sokolow commented that the MPO is likely to require that FDOT be tasked with building the project in order for it to provide state and/or federal funding.

The Commissioners and Town Staff discussed potential aspects of the greenway, including sidewalk distance, the median walkway, and other issues. Town Manager Vance emphasized that the pertinent issue will be to convey to the MPO that the Town does not wish to use FDOT's design engineer to perform supplemental work, and that the median walkway may not be wanted by the Town's residents.

It was determined that this Item would be tabled until such time as Staff is prepared to bring it back for the Commission's further consideration.

12.b Guaranteed Maximum Price (GMP) for Fire Station #12 Site Improvements

This Item was deferred to the September 26, 2019 meeting.

13. NEW BUSINESS

13.a Neighborhood Free Library Program

Development Services Director Linda Connors explained that a resident has proposed constructing a small free library for his/her neighborhood. If the Commission is amenable to this type of use in a public right-of-way, Staff would like to establish some minimum standards for the structure, such as:

- A "hold harmless" agreement
- Review of the location to ensure it is not within a sight triangle
- Does not exceed 4 cubic ft. in size or 5 ft. in height
- Property owner will include a statement that s/he will maintain the structure properly, with books in good condition

- If the library does not meet these standards, its removal will be required

Mayor Vincent asked if the free libraries would have to be regulated if they were on a homeowner's private property instead of in the right-of-way. Development Services Director Connors advised that the Town would still have an interest in regulating the structure's size and ensuring it does not lie within a sight triangle. The intent is for the free library to be easily accessible to pedestrian traffic.

The Commissioners agreed by consensus for Staff to recognize and "grandfather" existing free library structures.

14. COMMISSIONER COMMENTS

Commissioner Strauss extended his condolences on the recent death of resident June Lassel, as well as on the recent hurricane affecting the Bahamas.

Commissioner Oldaker thanked Town Manager Vance and Town Staff for addressing a recent garbage issue on his street. He noted that the Town is experiencing service issues with Waste Pro, Inc., and recommended that meetings be scheduled with that provider to address these difficulties.

Commissioner Malkoon recognized Staff for their recent hurricane preparation efforts. He also thanked the VFD for their work fighting a fire in the Bel Air neighborhood, and concluded that construction has begun on an apiary near the Municipal Public Works garage.

15. ORDINANCES 1ST READING

None.

16. ORDINANCES 2ND READING

16.a Ordinance 2019-07 – 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 M "B-1 DISTRICT REGULATIONS," SECTION 30-271 "B-1 DISTRICT – BUSINESS," OF THE CODE OF ORDINANCES TO PERMIT WATERFRONT HOTELS AS A CONDITIONAL USE, MODIFYING DISTRICT REGULATIONS AND ESTABLISHING SPECIFIC CONDITIONAL

USE REQUIREMENTS FOR WATERFRONT HOTEL USES AND FURTHER AMENDING SUBDIVISION Q "SUPPLEMENTAL REGULATIONS"; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE

At this time Mayor Vincent opened public comment.

Barbara Cole, resident, stated that she was in favor of the proposed Ordinance, as boutique hotels could attract business to the Town's west side.

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

Development Services Director Connors advised that first reading of this proposed Ordinance was approved at the July 19, 2019 Commission meeting. It is being tested on a limited basis, which is why the Ordinance is currently limited to waterfront properties in the B-1 zoning district. There has been one change since first reading: line 101 now refers to 200 sq. ft. rather than 120 sq. ft. This is to maintain consistency with existing Code.

Commissioner Oldaker emphasized that the proposed Ordinance is not a zoning change, but a change of use within a zoning district. Development Services Director Connors added that Staff and the Planning and Zoning Board discussed permission of waterfront hotels and decided to introduce them on a small scale. Commissioner Malkoon noted that this may spur interest in redevelopment of waterfront properties in other districts as well.

Commissioner Strauss noted that while there has been concern regarding waterfront hotel development in the marina area, any such developments must still comply with Code and be approved by the Town. The nature of conditional use means it would be reviewed by Staff, followed by a public hearing before the Planning and Zoning Board, and ultimately heard by the Town Commission for final approval. Public notice would be posted for each step of the process.

Mayor Vincent commented that he was no longer certain this conditional use should be limited to a few properties on the west side, as they can help make the west a more vibrant community. He suggested that zoning may be changed in the future to support additional developments. Town Attorney Susan Trevarthen cautioned that while there is

no way to broaden this concept as part of tonight's vote, the Commission may take additional action in the future.

Vice Mayor Sokolow made a motion, seconded by Commissioner Oldaker, to adopt the Ordinance on second reading. Motion carried 5-0.

17. RESOLUTIONS – PUBLIC COMMENTS

17.a Resolution 2019-29 – A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, WAIVING THE TOWN PURCHASING MANUAL; APPROVING AN AGREEMENT WITH AT&T FOR FIBER-OPTIC INTERNET SERVICE; AUTHORIZING THE TOWN MANAGER TO EXECUTE AND IMPLEMENT THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE

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 authorize the Town Manager to execute and implement an agreement with AT&T for fiber optic services. 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 10:11 p.m.

_____

Mayor Chris Vincent

ATTEST:

_____ _____

Town Clerk Tedra Allen Date

TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
1st PUBLIC BUDGET HEARING MINUTES
Jarvis Hall
4505 Ocean Drive
Thursday, September 26, 2019
6:00 PM

1. **CALL TO ORDER**

Mayor Chris Vincent called the meeting to order at 6:00 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, Special Projects Coordinator Debbie Hime, Public Information Officer Steve d'Oliveira, and Town Clerk Tedra Allen.

2. **PLEDGE OF ALLEGIANCE**

3. **PUBLIC COMMENT**

At this time Mayor Vincent opened public comment.

Barbara Cole, resident, requested that the Commission consider adopting the rolled back millage rate unless the additional funds would be used toward a public project such as the El Mar Drive Greenway.

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

4. **RESOLUTIONS – PUBLIC COMMENTS**

   a. **Resolution 2019-30 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, ESTABLISHING AND ADOPTING THE FINAL TOWN AD VALOREM TAX MILLAGE RATE AT 3.5989 MILLS PER THOUSAND DOLLARS OF TAXABLE ASSESSED VALUE, WHICH IS 4.49% ABOVE THE ROLLED BACK RATE MILLAGE RATE OF 3.4442 MILLS COMPUTED PURSUANT TO STATE LAW, FOR THE 2019 TAX YEAR; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

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

It was clarified that if the Town adopts the rolled back millage rate rather than the proposed rate of 3.5989, there would be a loss of $384,000 in revenue.

Vice Mayor Sokolow commented that the rate could be rolled back to a degree, although he was not in favor of adopting the full rolled back rate. He recommended a rate of 3.45 or 3.49.

Commissioner Oldaker stated that while he was in favor of maintaining a conservative millage rate, the Town must be able to save some funds. He pointed out that the rate of 3.5989 would have a net effect of $30 to $40 on homesteaded properties. He concluded that he was not in favor of lowering the rate only for the sake of doing so.

Finance Director Lucila Lang advised that a millage rate of 3.49 would result in a decrease of roughly $370,000. Mayor Vincent added that a rate of 3.5179 would be the midpoint between the proposed rate and the rolled back rate.

Commissioner Malkoon asked if the entirety of the additional revenue generated by the proposed rate would be saved within the budget. Town Manager Bill Vance explained that the amount to be transferred to Capital Improvement Program (CIP) would be reduced by $192,000, as the budget was calculated with the existing millage rate in mind.

Commissioner Strauss commented that he was in favor of extra funds in the Town's budget as a safety measure, while the savings created by a lower rate would be a symbolic gesture only. He pointed out that the Town has not increased the millage rate in recent years.

Vice Mayor Sokolow added that the millage rate has decreased every year except two for at least the last six years, and remained the same in 2017 and 2018. He felt the Town has sufficient reserves and should return to its trend of reducing the millage rate each year.

Commissioner Malkoon advised that the budget calls for a transfer of $680,000 from the Parking Fund to balance the budget. Adoption of the proposed millage rate would

reduce the amount of this transfer. He did not feel it was necessary to adopt a rate other than the 3.4442 rolled back rate.

Vice Mayor Sokolow made a motion, seconded by Commissioner Oldaker, to approve Resolution 2019-30 with a millage rate of 3.500, which is a 1.68% increase over the rolled back rate. Motion carried 3-2 (Commissioner Malkoon and Commissioner Strauss dissenting).

b. Resolution 2019-31 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, ADOPTING THE ATTACHED FINAL TOWN BUDGET FOR THE 2019/2020 FISCAL YEAR; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney Susan Trevarthen advised that the final budget must be adjusted to reflect the difference created by the approved millage rate, as the budget was prepared using the 3.5989 rate. Town Manager Vance anticipated that Staff would review the marketing budget, which had increased significantly, as well as CIP investments to reflect the new rate of 3.5000. Finance Director Lang calculated that the rate change would reduce the budget from $8,956,396 to $8,710,268, which is a difference of $246,126.

At this time Mayor Vincent opened public comment.

Barbara Cole, resident, noted that the budget reflected increases in the categories of Professional Services and Human Resources, totaling roughly $75,000. She had been advised this amount was to update a manual, provide increases for employees, and other items. She also expressed concern with the Town's marketing budget, which she believed could be streamlined.

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

Commissioner Malkoon commented that the budget reflects the need for a salary survey to determine if the Town's salaries are competitive. He continued that after discussing the increase with the Town Manager and Finance Director, he had been informed that the increase was intended to help the Town retain its talent on staff. He did not feel retention had been an issue, and reiterated that the salary survey should be

done before any increases are made. He concluded that the budget should be adopted minus the increases to which he had referred.

Town Manager Vance advised that the proposed budget would provide an across-the-board 5% increase based upon his observation that some positions, such as Public Services, are low in comparison to salaries elsewhere. He pointed out that a number of Town employees must take on outside work to make ends meet, regardless of tenure in their positions. He did not feel the Town should risk the loss of long-term institutional knowledge by removing the increase proposed in the budget.

Vice Mayor Sokolow stated that he strongly supported Town Manager Vance's position on this issue, and felt the Commission should provide him with the support he needs to manage Town Staff. Mayor Vincent and Commissioners Oldaker and Strauss agreed as well. Commissioner Malkoon stated that he felt the Town already provides a generous range of salaries, and that the increase should be based on specific criteria before it is approved.

Vice Mayor Sokolow made a motion, seconded by Commissioner Oldaker, to adopt the budget as amended, to reflect the reduction in the millage rate. Motion carried 4-1 (Commissioner Malkoon dissenting).

5. ADJOURNMENT

With no further business to come before the Commission at this time, the meeting was adjourned at 6:40 p.m.

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Mayor Chris Vincent

ATTEST:

_____ _____

Town Clerk Tedra Allen Date

TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
REGULAR MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Thursday, September 26, 2019
6:30 PM

1. CALL TO ORDER

Mayor Chris Vincent called the meeting to order at 6:53 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, Municipal Services Director Ken Rubach, Special Projects Coordinator Debbie Hime, Jhanelle Campbell, Planner Sue Leven, Public Information Officer Steve d'Oliveira, and Town Clerk Tedra Allen.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION

Pastor Fred Powell gave the Invocation.

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

Mayor Vincent requested that Item 13.b be moved to Old Business and heard as Item 12.b.

5. PRESENTATIONS

5.a Town Special Event Overview FY20 (Debbie Hime, Special Projects Coordinator)

Special Projects Coordinator Debbie Hime provided a brief overview of special events planned for the next few months. These included:

- Friday night music at the Village Grille beginning the first Friday in November and ending the last Friday in May
- Boo-By-The-Sea on Saturday, October 26, 2019, with a rain date of Sunday, October 27; event held in the West Business Plazas

- Farmer's Market: lasts from December through May from 9 a.m. to 2 p.m. in El Prado Park
- Dancing-By-The-Sea: November through May in Connie Hoffmann Plaza, second and fourth Sundays of each month
- Veterans' Day: Monday, November 11, 2019, at 10 a.m. in El Prado Park
- Yoga-By-The-Sea: Tuesdays and Thursdays at 7 a.m., January through April 2020 in El Prado Park
- Taste of the Beach: Saturday, November 16, 2019, 1 p.m. to 5 p.m. on Commercial Boulevard, presented by the Chamber of Commerce
- Christmas-By-The-Sea: Sunday, December 15, 2019, 5 p.m. to 7:30 p.m.
- Hanukkah Festival: Sunday, December 22, 2019
- New Year's Eve: December 31, 2019
- A1A marathon: Sunday, January 26, 2020
- Multiple events planned on Super Bowl Sunday by local businesses

5.b 2018 Uniform Crime Report (UCR) Annual Crime Statistics (Captain Tom Palmer, BSO)

Captain Tom Palmer of the Broward Sheriff's Office (BSO) presented the Uniform Crime Report (UCR) annual crime statistics, which show the Town experienced a 2.3% increase in crime in 2018. This translates to three additional crimes. Most crimes are property offenses. The Town has the 11th-lowest crime rate in all Broward County municipalities, with the 4th-lowest number of total crimes.

There is a corresponding increase in crime clearance rates. The Town ranks 3rd among all Broward County municipalities that contract services through BSO. Over the last five years, the Town's total crime rate has dropped by 13.5%.

6. PUBLIC COMMENTS

At this time Mayor Vincent opened public comment.

Barbara Cole, resident, stated that she was not in favor of the Town proceeding with the proposed El Mar Greenway project. She added that she has not spoken to any residents who are in favor of the proposed median walkway.

Bill Ciani, resident, complimented the Town's Public Works Department and Town Manager Bill Vance for their ongoing efforts to improve the Town.

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

7. PUBLIC SAFETY DISCUSSION

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

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

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

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

8. TOWN MANAGER REPORT

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

Town Manager Bill Vance reported that he is working with Municipal Services Director Ken Rubach to obtain quotes for the exterior painting of the BSO/VFD offices facing A1A. The property was last painted approximately eight years ago.

Town facilities are still undergoing comprehensive Information Technology (IT) upgrades. New phone installation is expected to be complete by mid-October. The Town is pursuing final applications related to recovery from Hurricane Irma, which total approximately $135,000.

Town Staff and Commissioner Strauss recently met with Teco Natural Gas representatives to pursue current natural gas line locations. This was primarily for informational purposes to determine how much service is located throughout the Town, as well as to investigate potential expansion opportunities for Teco.

The Town's efforts to complete the purchase of a parcel of land from the Community Church are scheduled to close soon. Assistant to the Town Manager Neysa Herrera is continuing to investigate regional regulations for dogs on public beaches. Municipal Services Director Rubach is also continuing to look into operational facts and costs associated with the installation of electric vehicle charging stations in the Town.

Town Manager Vance is working with Chamber of Commerce officials to bring the Visitors' Center/Chamber Office into compliance with the Americans with Disabilities Act (ADA). Funds are available in the 2019-2020 budget for this purpose.

The Town Manager, Municipal Services Director, and Assistant to the Town Manager recently met with regional managers and public works directors from other Broward municipalities to coordinate the activation of a 16 ft. water line that will run north and south through the Town, adjacent to A1A. The pipe will connect the Pompano Beach and Fort Lauderdale water systems, and will allow the Town to access potable water from either city.

Municipal Services Director Ken Rubach provided an update on roadway construction near Seagrape Drive. Construction is complete on Bougainvillea and Poinciana Drives and Staff is preparing to begin work on landscaping, irrigation, and paving. He expected the project to be complete no later than the end of October.

Mayor Vincent recalled that at least one resident had expressed concern with a roundabout in this area, which is very close to Commercial Boulevard and could create sight issues. Municipal Services Director Rubach replied that he did not anticipate any issues other than the backup of southbound traffic. The site has been reviewed with traffic engineers, who are comfortable with the design. He suggested that additional signage may address any potential problems.

Commissioner Malkoon recalled that a review of the Town Manager's performance goals must be scheduled at the beginning of the new fiscal year (FY), and a performance review must be scheduled by December 31. He concluded that there may be grant funds available to the Town to bury power lines in some areas, such as El Mar Drive. The Federal Emergency Management Administration (FEMA) considers overhead lines to be an item that could be mitigated to lessen the impact of future storms.

Commissioner Oldaker requested additional information on the meeting with Teco Natural Gas. Commissioner Strauss replied that Staff is working to make gas available to all Town residents, if possible. At present, gas lines run up Commercial Boulevard and into certain communities, such as Terra Mar. Town Manager Vance added that the Town may be able to assist Teco with permitting issues in order to incentivize the addition of new services. There is also a franchise agreement between the Town and Teco which requires renewal.

8.b Action Report (Bill Vance, Town Manager)

Town Manager Vance advised that the Action Plan was included in the Commissioners' backup material, with updates provided by various department heads.

Commissioner Oldaker suggested that a workshop be held to update the Action Plan to ensure all items are being addressed and add new items as necessary. It was determined that an Action Plan workshop would be held November 12, 2019, at 5 p.m., prior to the regular Commission meeting.

9. TOWN ATTORNEY REPORT

None.

10. APPROVAL OF MINUTES

None.

11. CONSENT AGENDA

11.a Hardship Parking Permits (Ken Rubach, Municipal Services Director)

11.b Selection of Consultant for Code Compliance Services (RFP No. 19-06-03)

Commissioner Oldaker made a motion, seconded by Commissioner Strauss, to pass the Consent Agenda. Motion carried 5-0.

12. OLD BUSINESS

12.a Special Event Application for Slide-N Weekly Saturday Night Music Annual Permit 10-5-19 through 10-3-20 (Debbie Hime, Special Projects Coordinator)

Special Projects Coordinator Hime explained that this application is for the business formerly known as Station 44, and requests to have weekly Saturday night music within the location's outdoor café area. Staff recommends approving the request through December 31, 2019 so special event applications may be discussed further.

Commissioner Strauss pointed out that weekly entertainment is not the same as a special event, and recommended that the Town come up with a more accurate category. Special Projects Coordinator Hime confirmed that this language is currently being reviewed by Staff.

Commissioner Strauss also requested more information regarding the time of the event. Special Projects Coordinator Hime advised that the application requested a time frame of 6:30 to 10:30 p.m.

Vice Mayor Sokolow made a motion, seconded by Commissioner Oldaker, to approve through December 31. Motion carried 5-0.

12.b VFD / BSO Facility Needs Assessment Study (Mayor Chris Vincent)

12.c Guaranteed Maximum Price (GMP) for Fire Station #12 Site Improvements (Chief Judson Hopping, VFD / Jay Flynn, Flynn Engineering)

Mayor Vincent explained that he would like the Commission to discuss whether or not to approve capital improvements for the Volunteer Fire Department (VFD), which include drainage and slab work, among other upgrades. After the recent threat of a hurricane, the Mayor and Town Manager Vance discussed the need to reevaluate the funds dedicated to public safety through the VFD and BSO and conduct a needs assessment make more substantive improvements a priority.

Commissioner Malkoon stated that the Town should ensure the Fire Station is a storm-hardened facility that can act as an operations center in the event of severe weather. Commissioner Oldaker agreed, noting that while the budget line item provides for $110,000 for stormwater drainage on Bougainvillea Drive, this should be a separate capital project rather than included with public safety. He suggested there may be the possibility of a public safety grant to partially fund the needs assessment and improvements. Commissioner Strauss proposed looking toward a uniform facility for Police, Fire, and possibly City Hall uses.

Town Manager Vance stated that Staff would bring back a comprehensive proposal including all the tasks necessary for assessment of the BSO, VFD, and AMR facilities. Mayor Vincent clarified that this would not include an assessment of City Hall at the same time.

Vice Mayor Sokolow made a motion, seconded by Commissioner Oldaker, to proceed with the assessment and for Staff to bring back an assessment proposal. Motion carried 5-0.

12.d El Mar Update (Vice Mayor Sokolow / Bill Vance, Town Manager)

Vice Mayor Sokolow introduced Peter Gies of the Broward Metropolitan Planning Organization (MPO), who has been working toward the proposed El Mar Greenway project.

Vice Mayor Sokolow explained that he, Town Manager Vance, Municipal Services Director Rubach, Town Engineer Jay Flynn, and representatives of the Broward MPO and the Florida Department of Transportation (FDOT) had met to discuss the greenway project. He characterized the meeting as confrontational, pointing out that FDOT had retracted some of the items it had seemed to commit to at a September Commission meeting, such as partial installation of a sprinkler system and landscape lighting within the scope of work. This is no longer part of the agreement.

Vice Mayor Sokolow continued that the Town Engineer has stated that “drop curbs,” which allow for cars to back out, do not meet state safety requirements, and should be replaced with a regular curb, which would preclude backout parking. In addition, FDOT does not believe they are required to secure a permit from the Town to perform this work.

The Vice Mayor advised that the Town had asked to know the price necessary for the Town’s portion of the project, which would include hardscaping, benches, irrigation, and lighting; feeling that the estimate provided by FDOT was high, the Town Engineer sought another price for purposes of comparison, which was significantly lower. The state’s contractor refused to reduce their price.

Vice Mayor Sokolow concluded that the questions facing the Town at this point include whether to put this project out for bid itself, without FDOT involvement. He added that FDOT has effectively issued an ultimatum: should the Town not approve the continuation of their work and guarantee construction of the project, they do not wish to remain involved in the process.

Mr. Gies noted that the MPO needs additional direction at this point, as FDOT would be building the project on the MPO’s behalf. He agreed with Vice Mayor Sokolow’s

assessment of the issue regarding supplemental improvements. The proposed median path may remain if the Town does not include supplemental improvements to the sidewalk; however, if the path does not remain part of the project, the entire project goes away.

Mr. Gies recalled that when the proposed Greenway project process began in 2014, the MPO and FDOT undertook regional planning efforts to provide greenway and pedestrian connectivity through the Town.
The conclusion reached at that time by the Town was that both the public and the Commission were in favor of a median path. The MPO then programmed just below $2.4 million in federal funds for the median path and secured a Resolution from the Town for the project in 2015, reaffirmed in 2017 at the time funds were programmed.

Town Manager Vance advised that the Town was asked to confirm whether or not they would like to move the project forward with supplemental design work at a cost of $280,000. He asserted that this was not necessary: FDOT may make improvements regarding sidewalks, concrete, median, stormwater, and asphalt, and when these are complete, the Town can install irrigation and lighting. He added that FDOT does not require a Town building permit according to State Statute.

Vice Mayor Sokolow advised that as originally presented, the project had a cost of approximately $4 million and would be fully funded through the Broward MPO. At this time, the current cost is roughly $3.775 million, plus an additional $700,000 that was earmarked in the last fiscal year for engineering costs. These prices do not include any of the features the Town would be required to provide, such as hardscaping, landscaping, lighting, and irrigation.

Vice Mayor Sokolow continued that the estimated cost of the Town's furnishings would be in the range of $2 million-$3 million. He concluded that he was not certain the project is sufficiently popular with residents of the Town to justify its expenses, and that he was not in favor of it under the circumstances. He had also been informed at the meeting that the project could extend beyond its original time frame of nine months.

Mr. Gies confirmed that the MPO and FDOT need to know the Town's position on the project. The proposed median path has already been designed and the MPO has committed $2.4 million toward this aspect of the project. He also noted that cancellation of the project could potentially have a negative impact on future Lauderdale-By-The-Sea projects funded through the MPO in the future.

Commissioner Oldaker commented that the Commission is being asked to make a significant decision at tonight's meeting with no time to consider the project further. He suggested that they take additional time and arrive at a decision at the next meeting. Mr. Gies explained that the MPO hopes to work with the Town on options for the project, and needs to hear a decision within roughly two to three weeks.

Commissioner Oldaker asked how long the federal funding for the project would be available. Mr. Gies replied that this funding is determined by the project's schedule: the design phase is coming to a close and the construction phase has been identified. If the letting date is missed on the contract, the funds would no longer be available. He emphasized the need for the Town to hold a public workshop so the project can be presented once more to residents.

It was noted that a workshop is currently scheduled for October 16, 2019. Town Manager Vance recalled that the most recent workshop related to the project occurred in January 2015. Mr. Gies offered to work on a time frame with the Town to schedule a meeting for discussion and a vote on the project within a public forum.

Mayor Vincent stated that his concern is primarily with the Town Engineer's assertion that the proposed design does not meet his professional criteria. Even though the project would not require the Town Engineer to sign off on a work permit, he did not feel it was appropriate to advance a project which may not meet public safety standards. He felt more due diligence was required at this point.

Mr. Gies addressed the need for a Resolution of approval for the project, recalling that such a Resolution was passed in 2017 and would allow FDOT to act as design engineer and procure a contractor. Should the Town wish to proceed in another manner or not at all, the Commission would need to rescind that Resolution. Also, in order to proceed, FDOT's contractor would need a Maintenance Memorandum of Agreement (MMOA) from the Town, which represents agreement to the terms set forth in design documents, and to maintain the facility once it has been built.

Mr. Gies suggested that the Town and MPO work together with FDOT to determine whether or not the design can be reworked. They can also look at other options, such as removing the sidewalk work, maintaining the median at its current width of 20 ft., or eliminating the project altogether.

It was determined that these parties, as well as Town Engineer Flynn, would meet to discuss the project's design further. The El Mar project will appear on the October 7, 2019 regular Commission meeting Agenda.

Commissioner Malkoon requested that Staff also look at the potential cost of the Town funding the entire project in the event the Commission decides not to proceed with the MPO/FDOT partnership.

13. NEW BUSINESS

13.a Peril of Flood Amendments to the Comprehensive Plan (Sue Leven, Planner)

Planner Sue Leven explained that this Item is related to the update of an existing Florida Statute. It adds requirements to deal with future flood risks resulting from sea level rise and storm surge. This includes adjustments to engineering and design principles, as well as review of local governments' Comprehensive Plans to restrict development activities that would have an impact on coastal resources. It would also limit how much can be spent by the public to address the results of natural disasters.

The proposed amendments include:

- Consistency with Florida Building Code and flood plain management regulations: Town already has flood plain management regulations, is consistent with the Coastal Construction Control Line, and participates in the Community Rating System, which commits the Town to take certain steps to improve its ability to address flood situations
- Maintain and improve drainage facilities: the Town has improved its drainage and performs periodic maintenance, including cleaning of storm drains
- Increase requirements for new construction in flood hazard areas

The Town has also planted sea oats on the beach to minimize erosion.

Recommended new objectives for the Coastal Management element of the Comprehensive Plan include:

- Updating data on critical facilities, including Town facilities located in zones that flood easily
- Increasing site development techniques and best practices in order to reduce losses caused by flooding: this amendment assumes 6 in. to 10 in. of sea level rise by the year 2030

- Upgrades and repairs to drainage facilities
- Keeping the public informed in the event of a weather or storm occurrence

Next steps include updating the Coastal Management element of the Comprehensive Plan. Another possibility is seeking grant funds for pre-disaster mitigation efforts. Planner Leven recommended that the Town consider developing a pre-disaster mitigation plan, which considers issues that regularly occur with high tides, storm surge, or other events.

Mayor Vincent advised that he has been invited to attend the American Flood Coalition's Mayors event in Washington, D.C. He planned to bring back information that can be used by the Town in the event of an emergency.

13.c Selection of Consultant(s) for Planning Services (RFP No. 19-06-02) (Jhanelle Campbell, Planner)

Planner Jhanelle Campbell advised that the Town has planning contracts with four firms, which are about to expire. RFP No. 19-06-02 was sent out to seek planning services. The Town received eight responses and formed a selection committee to reduce this list to the top three selections, two of which were invited to make presentations. Staff selected three firms, each of which has different areas of expertise. This will allow the Town to choose the appropriate firm as projects or issues arise. Staff recommends approval for all three firms.

Vice Mayor Sokolow made a motion, seconded by Commissioner Malkoon, to approve Staff's recommendation. Motion carried 5-0.

14. COMMISSIONER COMMENTS

Vice Mayor Sokolow recommended that the Commission begin preparing to make a decision with regard to the El Mar Greenway project.

Commissioner Strauss wished all present a happy Rosh Hashanah.

Commissioner Oldaker requested that Staff look into drainage issues on Bougainvillea Drive. He also recalled a presentation seen some years ago by the Commission by a free ride service, which had been permitted to offer a three-month trial within the Town. He noted that the service has continued to function within the Town for the past two years. The Town has an Ordinance which limits the number of advertising signs that

may be featured on a vehicle. Town Attorney Trevarthen stated she would look further into this issue with Staff.

15. ORDINANCES 1ST READING

None.

16. ORDINANCES 2ND READING

None.

17. RESOLUTIONS – PUBLIC COMMENTS

17.a Resolution 2019-32 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT WITH BROWARD COUNTY, FOR THE TOWN'S NEW COMMUNITY SHUTTLE BUS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR CONFLICTS, AND FOR AN EFFECTIVE DATE (Debbie Hime, Special Projects Coordinator)

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.b Resolution 2019-33 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING AN AMENDMENT TO THE AGREEMENT WITH BROWARD COUNTY FOR THE INSTALLATION AND MAINTENANCE OF BUS SHELTERS; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR CONFLICTS, AND FOR AN EFFECTIVE DATE (Debbie Hime, Special Projects Coordinator)

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

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

17.c Resolution 2019-34 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING AN ADDENDUM TO THE FARMER'S MARKET LICENSE AGREEMENT; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE ADDENDUM; PROVIDING FOR CONFLICTS, AND FOR AN EFFECTIVE DATE (Debbie Hime, Special Projects Coordinator)

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

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

17.d Resolution 2019-35 – A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, PROVIDING FOR THE APPOINTMENT OF PLANNING AND ZONING BOARD MEMBERS; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE (Tedra Allen, Town Clerk)

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

Commissioner Oldaker appointed Wayne Dillistin as the second alternate to the Planning and Zoning Board.

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

17.e Resolution 2019-36 – A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, PROVIDING FOR THE APPOINTMENT OF BOARD OF ADJUSTMENT MEMBERS; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE (Tedra Allen, Town Clerk)

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

It was noted that the second alternate for the Planning and Zoning Board and the Board of Adjustment will serve concurrently, which meant Mr. Dillistin would also be appointed to the Board of Adjustment.

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

18. QUASI JUDICIAL

Town Attorney Trevarthen explained the procedures for the hearing of quasi-judicial items, and the Commissioners disclosed any ex parte communications on the Item. Individuals wishing to speak on the Item were sworn in at this time.

18.a 2019-VAC-01: Vacation of a Storm Drain Easement located at Garden Court – Folio No. 494318270300 (Jhanelle Campbell, Planner)

Planner Campbell advised that the Applicant is requesting vacation of a storm drainage easement at Garden Court, which is also known as the Sky 230 property and is currently under construction. The easement is duplicative: it is an old easement from 1968, and another easement addresses drainage in the subject area. Staff presented the Item to the Planning and Zoning Board on September 11, 2019, which voted 5-0 to approve the request. Staff recommends approval of the vacation.

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

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

19. ADJOURNMENT

With no other business to come before the Commission at this time, the meeting was adjourned at 10:05 p.m.

_____

Mayor Chris Vincent

ATTEST:

_____ _____

Town Clerk Tedra Allen Date

Town Commission Agenda Item Report

Meeting Date: October 22, 2019
Submitted by: Debbie Hime
Submitting Department: Administration
Item Type: Consent
Agenda Section: CONSENT AGENDA

Subject Title:
Special Event Application for LBTS Chamber of Commerce's November 16, 2019 "Taste of the Beach" Event (Debbie Hime, Special Projects Coordinator)

Explanation: The Chamber has submitted for Commission consideration a Special Event Application for "A Taste of the Beach" fundraiser event **(Exhibit 1)** on Saturday, November 16, 2019 at participating restaurants along Commercial Boulevard from the Intracoastal to the Beach. The Chamber is proposing to sell 500 wristbands for participants to enjoy food and beverages inside of each participating restaurant and raise additional funds from sponsor packages. A portion of the proceeds will benefit the Youth Environmental Alliance (YEA), which is the program responsible for planting sea oats in Lauderdale-By-The-Sea.

The actual event will be from 1PM to 5PM, with set up starting at 9AM and cleanup completed by 7PM, with a registration/staging area to be determined. The staging area may include an amplified sound system with recorded music.

Road closure are not expected, and Chamber has been in communication with BSO Captain Palmer to determine detail and other MOT details as BSO considers necessary.

Saturday, November 16, 2019:

Set Up Begins	9:00 AM
Event Begins	1:00 PM
Event Ends	5:00 PM
Clean Up Completed	7:00 PM

The Chamber is requesting Town support by providing:

1. Electricity at registration/staging location mutually agreed upon by Town and Chamber;
2. Three canopies, three tables and six chairs at the staging/registration area TBD; and
3. 20 parking permits for volunteers from 12PM to 7PM in the A1A Parking Lot

Recommendation:
Staff recommends approval of the event with conditions that will be approved by the Town Manager that are consistent with the Commission's past policy direction on special events.

Attachments:
1. LBTS Chamber Taste of the Beach 11-16-19 Special Event Application

Exhibit 1

Chamber 9/24/19 Rec'd

SPECIAL EVENT APPLICATION INFORMATION

For your event to be considered by the Town Commission, a *fully completed* application must be submitted *at least* 60 days prior to the date of the event.

This application is available in Word format at ***www.lbts-fl.gov/town/docs.htm****. If possible please use the Word document and your computer to complete the application.*

An application is not considered complete unless it includes:

1. A full description of the proposed event,
2. A detailed site plan (*very important!),*
3. All required documents, and
4. The application fee.

A meeting with Special Events Permitting is required before submitting a Special Event Application. Questions? Call our Special Projects Coordinator at 954-640-4200 or email debbieh@lbts-fl.gov.

Payment of Special Event Permit fee is required at the time of Application submission via hand delivery or by mail to:

Town of Lauderdale-By-The-Sea
4501 Ocean Drive
Lauderdale-By-The-Sea, Florida 33308

A Special Event shall be approved by the Town Commission before an event is advertised to the public. A special event is defined as a concert, festival, race, walk, carnival, show, exhibition, parade, or any other similar outdoor event whether operated totally outdoors, on stage, under tents, or with the use of any temporary building or structure, ***to which members of the public are invited as participants or spectators***.

Please review the Town's special event requirements by clicking on: https://www.Special_Event_Requirements
Or download a copy of the Special Event Requirements from our website and review them before submitting your application.

Important to remember:

1. Your event is approved by the Town Commission with "Conditions" that must be met or your event is cancelled. READ and understand the Conditions. *Talk with us if you have questions.*
2. You are responsible for securing and paying for all fees, licenses, and permits required by any governmental agency having jurisdiction, providing the Town evidence of all required insurances, and providing evidence of organization and/or charity.
3. You have to file all of the required documents shall be provided not later than 30 days prior to the event date or the event authorization terminates (unless prior arrangements have been approved by Town).
    a. Insurance
    b. Vendor lists and licenses
    c. File site plan

4. Parking is limited in Lauderdale-By-The-Sea, and will be a consideration when approving your event.
5. You may have to obtain permits from the Building & Fire Departments to meet Florida Building Code and Fire Code standards.
6. You are responsible for securing and paying for all fees, licenses, and permits required by any governmental agency having jurisdiction.

I (Applicant) have read and fully understand the above:

Signature of Applicant

Print Name: Ann Marchetti

Event Name: Taste of the Beach

SPECIAL EVENT APPLICATION

Submit this completed application *at least* 60 days prior to the proposed date of your event.

DETAILED SITE PLAN REQUIRED (see details at end of application)
Site Plans often do not include details that are necessary to approve an application or to issue a permit and delays are caused by rejections of initial applications.

Once you have completed the written portion of the application, provide a Site Plan on the last page or attach separately to this application.

Name of Event: LBTS Taste of Dr. Beach hamber

Event Purpose, Description and Activities: Fundraiser: LBTS & Chamber

New Event____ or Returning Event X Previous Attendance____ with variation (Unite Business Residents tourists)

Day(s) and Date(s) of Event: Sat, November 16, 2019

Proposed location of the Event (location, streets, landmarks):

Commercial Blvd - Beach to Bridge based on participating businesses

How many people do you anticipate on site at any peak time?

Participants: 500 #Spectators TBD #Adult volunteers: 20

Please complete the following table:

Activity	Day	Time
Start of set-up:	11/16	9:00 am
Start time of the Event:	11/16	1:00 pm
EVENT		
End time of the Event:		5:00 pm
Start of Clean up:	11/16	5:00 pm
Clean-up completed by: (Site restored to original condition)	11/16	7:00 pm

Name and address of host or sponsoring organization:

Is applicant a Non-Profit Organization? (YES) NO

Please attach Organization's proof of 501c3 IRS exemption, background, history, accomplishments, and other events:

Person submitting Application ("Responsible Party"):

Name: Ann Marcheth
Mailing address: PO Box 11817 Ft Lauderdale FL 33339
Phone: 508 468 5167 Mobile phone:
Email: Awmarcheth@gmail.com Fax: 954-530-0083

Representative(s) who will be at each day of the event:

Name(s): Eva Marisic (Board Chair)
Mailing address: Seacliff - 4201 Elmar DR. LBS
Phone: 954-776-4240 Mobile phone: 845-514-5147 33308
Evening phone: Same as above Fax:
Email: manager@seacliffhotel.net

Add information as necessary:

Will you have an event contractor or planner? YES (NO)

If yes, please provide the contact information of your event contractor (event planner)

Name: Company Name:
Business Address: Company Email:
Phone Office: Phone Mobile:

List contractors that will be on site before, during or after the event (use separate page if needed) – final list required 30 days prior to event. Chamber Board of Directors

Request for Town Involvement:

Are you requesting the Town be involved with this event in any way? (YES) NO

If yes, describe services requested, if any:

Town- BSO for pedestrian safety & crowd control, provide Staging Area TBD/Registration Canopies Table, Chairs

STATEMENT OF BENEFIT

Request Volunteer Parking permits A1A parking 12-6pm.

If the applicant is seeking sponsorship/co-sponsorship from the Town of Lauderdale-By-The-Sea, a Statement of Benefit is required by Town Code and shall be included here or attached to this application.

If the Town is a sponsor or co-sponsor of the event, the Applicant shall keep financial records of the event sufficient to document all revenues and expenditures. These records shall be available at reasonable time within Broward County for inspection by the Town.

(Insert here or denote if attached)

FEES

Are there fees or donations collected on site from the participants or spectators?

YES NO

If yes, provide details:

SOUND SYSTEMS

The event sound systems shall be operated so as not to violate the Town's Code, including and especially Section 13-6, Noise Limitation. Violations of the Town's noise ordinance are grounds for the immediate termination of the source of the noise and may be grounds to terminate the event.

Do you plan to use amplified sound? Provide details, time and location, and if you require electrical connections for:

__Y__ Proposed amplified sound/speaker system: TBD at Stage area

_____ Proposed live music: List genre, type, ambiance:

__X__ Planned recorded music

__X__ Do you require electrical connections for any of the above? Please give details: two outlets for sound (registration)

CLEAN EVENT STANDARDS

Keeping the event area clean during the event and immediately following the event, including trash removal, walkways, and streets, is the responsibility of the applicant. See Clean Up Deposit under Conditions

Please note that, except for very small events, all events shall provide a recycling plan and follow recycling requirements. See Recycling Requirements under Conditions. For more info email recycle@lbts-fl.gov.

Name the contractor or organization (including contact information) who is responsible for your Event's recycling:

Name: Email:

Address:

Daytime phone: Mobile phone:

TENTS, CANOPIES, STAGES, BLEACHERS

Tents are generally defined as temporary structures having two or more sidewalls or drops.

A canopy is a tent without sides.

All Tents, canopies larger than 120 sq. ft., multiple canopies without separation, and stages require a building permit. The use of tents or large canopies require approval of the LBTS Fire Marshal and are required to have building permits obtained via LBTS Building Department prior to Event. Manufacture labels are required to be attached to the tents and canopies.

Rental agencies shall provide documentation of the flame spread labeling of 25 or less submitted with application. All canopies larger than 120 sq. ft. shall submit copies the manufacture's labels attached to the tents or canopies with application.

Stages and bleachers shall include product approvals that are supplied by the manufacturer.

Indicate if any of the following will be assembled at the Event and include locations on Site Plan. List sizes and numbers of each:

~~# Tents: 12~~ depending on sizes location central to commercial possibly trailers

Canopies: 23

Stages: ____

Bleachers: ____ list size and max load:

chairs & tables for registration and volunteers

UTILITIES

All utilities requirements shall be approved by the Director of Development Services and the Fire Marshall prior to Application submission to Town Commission.

Depending on location of event, electrical and/or water may be available from the Town for a fee.

Electrical Requirements: *Electrical work requires an Electrical Building Permit.*
Generators over 5KW require an Electrical Building Permit.
A Florida Licensed Electrical Contractor is required to obtain permits.

All electrical requests shall meet the requirements of the Florida Building Code with final approval from the Town's Building Official at least 30 days prior to the Event. Contractor is required to schedule and successfully complete inspection of work prior to Event opening. Florida Building Code 101.4.1, 105.4.5.

Will any **electrical equipment be installed** in conjunction with the Special Event? (i.e. lighting in tents, outlets for cooking, stages, etc.) Yes (NO)

If the Event requires the following on public property, list what equipment is to be installed and locations (include voltage, amperage, and phases of wiring) as well as company name providing the equipment. Describe below, include location and use, and also include locations on Site Plan:

____Electrical power:

____Water:

____Gas, propane, BBQ grills, generators:

____Fuel Storage:

SIGNAGE

All signage shall be included in the application if you wish to exceed the Town Code requirements. Signage shall be reviewed by Development Services (LindaC@lbts-fl.gov) before Application is submitted to Town Commission). No signage shall be installed without permit.

Information on signage shall include location, colors, size and number of signs. Indicate signage to be placed in any right of way that directs traffic to the Event and their approximate size.

Are you requesting permission to erect signage for this Event? (YES) NO

For each sign please provide:

Description, number of signs, proposed dates, location, size of signs in square feet and letter size:

Include sign locations on detailed Site Plan or attach a separate sheet.

RESTROOMS (show on Site Plan) provided by participating Businesses.

The number of portable toilets required depends on the number of attendees, length and type of event, as determined by the Building Official.

Local businesses that have more than the required number of restroom facilities that allow their facilities to be used may count towards the extra restroom facilities required.

If Event is downtown, permit holder is required to obtain written approval from restaurants to allow participants to use their restroom facilities.

Number of restroom facilities required by Town: TBD
Number of additional restroom facilities, and type, that will be on event site:_____
(Show on Site Plan)

STREET CLOSURES
Street closures may be required at the Event's expense

Are you requesting that any public streets be closed for the Event? YES NO possibly TBD
I don't know, please advise_____

If yes, indicate the streets and blocks and times the closure is requested: We are working with Capt. Palmer - BSO for closing and Town for Post Season Area (restriction)

TRAFFIC CONTROL/BARRICADES
A traffic control contractor may be required for events which require barricades or traffic control signage.

Please list your traffic control contractor, if applicable:

VEHICLES
Vehicles are not allowed to drive or park on Town property or park grounds due to damage to underground irrigation systems and to the sod. Applicant shall be responsible for restoration of any damage to Town property.

Are you requesting to drive or park on town property or park grounds: YES (NO)

If you are requesting that vehicles be permitted to drive or park on Town property, please indicate the type(s) of vehicles, the locations, and times they would be parked. Must be approved by Town's Parking Department prior to Event.

LOADING/UNLOADING: If you are requesting that vehicles be permitted to load/unload in non-metered areas, please indicate the location and times loading and unloading would occur:

TRAFFIC CONTROL PLAN
Parking exemptions shall be approved by Assistant Town Manager prior to Application submission to Town Commission). Town may block spaces for safety and other reasons at the expense of the Event.

Include detailed Site Plan indicating how on and off street parking will be accommodated.

Are you requesting the reservation of any Town parking meter spaces for the Event?
YES (NO)

If yes, provide the meter numbers on the Site Plan and purpose for which they will be used.

All parking meter fees are paid 30 days prior to the event.

OFF DUTY POLICE/CODE COMPLIANCE OFFICERS

Off duty police officers are required, at the applicant's expense, for street closures, events with alcohol, or large crowds, as determined by the Sheriff's Department. Large events may require a code compliance officer to ensure compliance with Town codes.

We will be coordinating with BSO

Do you anticipate needing off duty police officers for your Event? (YES) NO
Do you anticipate needing code compliance officers for your Event? (YES) NO

CONCESSIONS: N/A participating restaurants have FHD approved permits

A no-compete clause pertaining to local restaurants will be required where applicable.

Are you planning to have any type of concessions? YES (NO)

If YES, has the Florida Health Department approved the food vending Site Plans?

YES NO

If yes, is the food provided by a Non-Profit _____ or For Profit _____ organization?

Is the food free of charge_____ or for sale _____

Do all food vendors have a temporary food service permit? YES NO

Please list the types of food that will be served:

Are you requesting any of the following types of cooking equipment be used on site:

Charcoal Grills ____	Sterno____	Fryers____	Open fires____
Propane Grills ____	Refrigerators____	Smokers____	Hoods ____
Concession trailers____	Warmers____	LP Tanks____	Other ____

Provide details of dispensing locations here and on Site Plan

ALCOHOL

State license is required to be submitted to the Town at least 30 days prior to the event

Are you planning on selling alcoholic beverages at the event? YES (NO)

If YES, has a liquor permit been obtained from the State of Florida? YES NO

Provide details of dispensing locations here and on Site Plan

Provide contact information for all license holders that will be serving alcohol: All alcohol will be served inside participating restaurants/ Businesses

VENDORS

A list of all vendors their company name is required for initial approval and final list is required 30 days prior to event and subject to approval (add here or on separate page, and vendor location on site Plan):

Name	Company	Vendor Type
TBD - participating restaurants & businesses along commercial Blvd		

ANIMALS

Any exhibition or similar undertaking in which animals are required to participate in performances for the amusement or entertainment of an audience is subject to Town Commission approval.

Are animals included in your event? YES (NO)
If yes, please give details:

FIREWORKS

(Fireworks require a separate permit approval process and application)

Are you requesting approval to discharge fireworks at the event? YES (NO)

SALE OF MERCHANDISE

Are you requesting approval to offer other items for sale at the event? (YES) NO

List items for sale: Tshirts

RIDES

Rides or other amusement may require a State of Florida inspection

Copies of contracts with any provider of rides, mechanical devices and amusements shall be submitted to the Town at least 30-days prior to the event.

Are rides to be included in the Event? YES (NO)

If yes, please provide the number and description of each type:

Mechanical/Electrical:
Inflatable (bounce house etc.):
Manual (slides, trampolines):
Other:

NO BALLOONS RELEASED

When balloons are released over the ocean, they become a major source of pollution and significantly increase the mortality rate among sea turtles, birds and other marine life. Sea turtles and fish often mistake the balloons for jellyfish, eat them and die when their stomachs become blocked. Birds can become entangled in the balloon strings and drown. To help reduce the threats caused by balloons, I agree that there will be no release of balloons at this event and I have been informed that the release of balloons is illegal under Florida Statute 379.233. Balloons may be used for decorations at an event but they must either be deflated or taken home at the end of the event, NEVER released into the air. Failure to abide by this requirement will result in the cancellation of the current Event and denial of future special event permits.

I agree no balloons will be released

FIRE WATCH or EMS ONSITE

If required by the Fire Marshall, the applicant shall provide for a fire watch and/or an EMS Crew during the event. Large events or those using combustible materials may require qualified stand-by personnel and the appropriate equipment, the cost of which is the responsibility of the applicant.

First Aid facilities may be required by Town at Event's expense. Initial

INSURANCE

Insurance requirements differ depending on the type of event and if alcohol is served.

For events not serving alcohol and without fireworks, the Applicants shall provide a Certificate of Liability Insurance written in comprehensive form naming the Town as additional insured in the amount of $1,000,000 per occurrence and $2,000,000 general aggregate for bodily injury and $1,000,000 per occurrence and $2,000,000 general aggregate for property damage with thirty days written notice required for cancellation.

Certificate of Liability Insurance naming the Town as additional insured is required from all Event businesses, promoters, and other related event planners

An approved form of a Certificate of Liability Insurance may be required with your Application for approval by the Town Commission and/or shall be provided the Town at least 30 days prior to the Event date.

Talk to Town Staff representative if your Event proposes serving alcohol or having fireworks about insurance requirements, as both require additional insurance.

Do you and all parties involved have the required insurance coverage needed for this Event?
YES NO

EVENT CONDITIONS

Approval for this Event shall expire without future action of the Town if all documents such as but not limited to insurance certificates, health and liquor licenses, BSO police detail contract(s), Fire Marshall or Development Services approvals, MOT Plan, Solid Waste Plan, final Site Plan, any monies due to Town, and other material requirements are not submitted at least 30 days prior to the Event.

Copies of State and County licenses for all vendors and contractors shall be filed with the Town 30 days in advance of the Event. (Final list of vendors and their locations shall be submitted to the Town no later than two weeks prior to the even unless otherwise approved in advance by Town)

If the Event is approved by the Commission, they will establish the Event conditions that the application shall abide by during the Event. Standard Conditions shall include, but are not limited to the following:

1. Permission for this Event may be suspended or modified by the Commission, Town Manager or his designated Staff.
2. Turtle Clause: If any of the set-up will take place on the beach sand please avoid any marked sea turtle nests with a minimum buffer of 30 feet.
3. Setup of the Event will start at about 9am and the area will be cleaned and open by 7pm
4. The Police Chief shall specify the number of BSO detail officers needed for traffic and crowd control. The Applicants shall contract with BSO Detail Office for the detail BSO deputies within ten (10) days of receiving Event approval.

5. The Police Chief shall approve the Applicant's Maintenance of Traffic Plan (MOT), if one is required.
6. The Applicants shall submit a solid waste and recycling plan for approval at least 30 days prior to the Event to the Municipal Services Director. The Applicant shall provide additional waste receptacles and recycling bins. During the event as needed and at the end of the event, the Applicant shall empty all of the waste receptacles and recycling bins and pick up litter within the event site and 100 feet of the site.
7. All signage will be approved and permitted with Development Services at least 30 days prior to the event
8. All related Fire Marshall and Building Official's related requirements have been approved
9. Provide proof of additional restroom facilities ordered at least 30 days prior to event
10. The event and its approved sound systems shall be operated so as not to violate the Town's Code, including and especially Section 13-6, Noise Limitation. All music shall end promptly at 5 pm.
11. The event site shall be organized in a safe manner to protect attendees. All electric cords and similar material shall be covered so as to not pose a hazard to the public or event staff, or will be battery operated.
12. Parking Requirements have been identified, fees paid and listed on site plan
13. The Applicant shall provide a written notice to all properties affected by this event by (date), (30 days in advance) for approval prior to distribution; and confirm in writing which properties have been notified.
14. Clean up Deposit may be imposed, based on the final Site Plan, and due two weeks prior to the event.
15. Clean up fee starting at $150 will be charged if area is not cleaned to Town standards.
16. Final Site Plan must be presented for approval at least 48 hours in advance of the event.
17. Streets and sidewalks will be free of any debris and cleaned at the end of tear down.
18. A Damage Deposit may be imposed, based on size of event and location.
19. There will be no release of balloons at this Event.
20. Any inspections or work required by Town Staff after normal working hours will incur additional costs set forth by the respective department.
21. Upon showing by the Applicant of a valid reason, or if required by the Town, the Town Manager may approve minor logistical changes that are consistent with the Commission's policy direction on special Events.
22. The Applicant shall meet the following minimum insurance requirements per Ordinance 2015-06, which may be modified by action of the Town Commission for a specific Event:
    a) Prior to issuance of the requested permit, proof of commercial general liability insurance, whether through a single policy, or a combination of policies, in the amount of $1,000,000 per occurrence and $2,000,000 in the aggregate for bodily injury and property damage.
    b) No required policy shall have a deductible or self-insurance retention greater than $15,000.
    c) All policies must be issued by companies authorized to do business in the State of Florida and rated A- or better per Best's Key Rating Guide, latest edition. The certification of insurance shall provide for the Town to receive 30 days' written notice prior to any cancellation, non-renewal or material change in the coverage provided, unless the insurance company refuses to provide such notice, as evidenced by affidavit of the policy holder or written documentation from the insurance company. In any Event, the Applicants shall be held responsible for providing the Town notice of any change in insurance coverage. The Town shall be named as an additional insured on all required insurance policies, and an endorsement reflecting this requirement shall be issued as part of any required policies. The Applicants shall provide an original certificate of insurance as evidence of continued coverage prior to any annual renewal of the permit. Failure

to comply with these requirements shall justify a denial, suspension or revocation of the requested approval by the Town Manager or designee.

d) In the Event that control of any applicable Event or activity, by contract or other arrangement, becomes the responsibility of a party other than the Applicant (the "sub-applicant"), the sub-applicant shall provide insurance and indemnification meeting the requirements of this Section under which the Applicant is applying, as if they were the Applicant and shall be held responsible for compliance with the Town Code as if the sub-applicant were the Applicant.

e) If applicable, at least thirty (30) days prior to the first Event, the Applicants shall provide a Certificate of Liquor Liability Insurance written in comprehensive form naming the Town as additional insured in the amount of $1,000,000 per occurrence and $2,000,000 general aggregate for bodily injury and $1,000,000 per occurrence and $2,000,000 general aggregate for property damage, which provides coverage for each Event authorized by this permit. The Certificate shall specify that the Town will be given at least thirty (30) days written notice of any cancellation.

23. In the Event that insurance certificates, licenses and other material requirements are not provided by the required dates, the approval for this Event shall expire unless the Town Manager finds there are extenuating circumstances that the Event sponsors have cured or can immediately cure without compromising the health, welfare and safety of the citizens of the Town of Lauderdale-By-The-Sea and those attending the Event, without increasing the administration costs of the Town.

24. Applicant shall owe no monies to the Town at the time of the Event. There shall be no past due fines, moneys, fees, taxes or other charges owed to the Town by the current or past property owners or operators requesting the special Event permit. A special Event permit will not be issued until all past due debts to the Town are paid in full.

25. The Town Manager may suspend permission for this Event due to failure of the Applicants to comply with the terms and conditions of the Town's permit, due to conflicting activities, for health or safety issues, or for the best interests of the Town.

26. The onsite Town representative may terminate an Event due to the Applicant not complying with the terms and conditions of the Town's Event permit, for health or safety issues, and for such as but not limited to, crowds that exceed the capacity of the Event site.

INDEMNIFICATION

Applicant shall indemnify, defend and hold harmless the Town, its officers, agents and employees, from and against any and all claims, suits, actions, damages, liabilities, expenditures or causes of action of any kind arising directly or indirectly from this Special Event and resulting or accruing from any intentional act or any negligent act, omission or error of Applicant which in turn results in or relates to injuries to body, life, limb or property sustained in, about or upon the Special Event Area, and arising from the use of the Town property.

Applicant shall defend, at its sole cost and expense, any legal action, claim or proceeding instituted by any person against the Town as a result of any claim, suit or cause of action accruing or in any way arising out of this Special Event Application for injuries to body, life, limb or property as set forth above.

Applicant shall save the Town harmless from and against all judgments, orders, decrees, attorneys' fees, costs, expenses and liabilities incurred in and about any claim, and the investigation or defense of them, which maybe entered, incurred or assessed as result of the foregoing.

PERMISSION OF THE PROPERTY OWNER

Applicant's and Property Owner's Certification

An event held on property that is not owned by the applicant requires the permission of the property owner, which is granted by having the property owner sign this special event application.

By signing this event application, the petitioner agrees to all terms, conditions, and indemnification in this application, and understands that this application or the approval of this event application by the Town Commission does not grant any permission to violate any laws, ordinances or statutes.

Additions and/or revisions to this application must be submitted in writing.

Applicant		***Property Owner***
I understand the Town's requirements to hold a special event and the information provided in this application is complete to the best of my knowledge.		*I give the applicant permission to use my/our property for the proposed special event and I understand the Town's requirements to hold a special event and the information given by the applicant is complete to the best of my knowledge.*
Applicant's Signature (required): Date 9/23/19		Property owner's Signature (required): Date:
Applicant's (Print information below) Name: Ann Marche Hi Title: Consultant Organization: LBTS Chamber Telephone: 468-5167 Mobile: Sam Email: Ann@Annmarchi.com		Property Owner's (Print information below) Name: Title: Organization: Telephone: Mobile: Email:
STATE OF FLORIDA: COUNTY OF BROWARD:		STATE OF FLORIDA: COUNTY OF BROWARD:
SWORN TO AND SUBSCRIBED BEFORE ME, a Notary Public of the State of Florida, by_____ who is personally known to me/provided _____ as identification and who did/did not take an oath.		SWORN TO AND SUBSCRIBED BEFORE ME, a Notary Public of the State of Florida, by_____ who is personally known to me/provided _____ as identification and who did/did not take an oath.
My Commission Expires: _____ _____ Notary Public, State of Florida		My Commission Expires: _____ _____ Notary Public, State of Florida

SITE PLAN DETAILS

Site Plans often do not include the details that are necessary to approve an application or to issue a permit and delays are caused by rejections of initial applications.

The following details are intended to be a guide to assist you in developing a Site Plan. A current survey of the property is most helpful. If a survey is not available, a drawing depicting the area of the Event should include these details, as necessary. More than a one page Site Plan may be included in your application if details of specific areas are important to your Event.

*A detailed map of the Event site identifying location of each of the following **MUST** be drawn here or attached to this application prior to submission. Dimensions are required to determine if available site will support all of the proposed activities.*

Cooking Areas need to be separated from public areas with fences or barricades

Canopy, tents or other covers: locations should include the size, type, & (shelter, vending, food, EMS)

Location:
- The site of the event, with streets, parks and other landmarks identified
- Routes for races, parades, etc.
- Traffic routing and road closures
- Ticket Kiosks
- Access control points
- Signage *(shall be approved by Development Services prior to Application submission to Town Commission)*
- Signs (location, size, color and wording)*

Public Services:
- Fire lanes (emergency access for fire equipment and EMS)
- Restroom facilities (incl. Portable & Private)
- Locate electrical equipment, permanent and temporary (temporary electrical installation (must be to code and approved by Town)
- Trash and Recycling receptacle locations
- Smoking and No Smoking areas
- Pedestrian walkways
- Garbage Cans
- Recycling Bins

Hazard/ Precautions:
- Hazards at the site (ditches, construction areas, obstructions to pedestrian traffic, bodies of water)
- Fencing, barriers, barricades, walls, gates, etc.
- Gasoline, propane, grills, fire, charcoal, generators, any other flammable fuel
- Fuel Storage and dispensing areas
- Fire Extinguishers Minimum size 4A/10BC one every 75 ft. of travel. If cooking, Class K or 1 40BC rated Fire Extinguisher for every cooking station or canopy (at discretion of Fire Marshall)
- Generators (shall be approved by Fire Marshall in advance)

Event:
- Canopies, tents, stages (types shall be specified) locations for sales, food service, etc. *Large tents will require Fire Marshall approval of illuminated exit signs and fire extinguishers)*
- Vendor locations (booths or tables and approximate size, (Vendor's company names phone numbers and email addresses required on separate page at least 48 hours in advance of the Event)
- Restrooms – Portable and Private
- First Aid facilities
- Trailers, storage, sleeping facilities, service boxes, displays, etc.
- Alcohol serving/consuming areas
- Rides and Amusements, Rides, demonstrations, performance areas and stages including Musicians and Artists

Parking:
- Parking areas, location, parking spaces, and parking space numbers that will be blocked; to load/unload before, during or after the event and the amount of time for each occurrence

Code or Security Enforcement (paid by Event)
- EMS stand-by or Fire watch areas (include first aid stations)
- Police: Off duty police officers (if known)

Participating Restaurants Along Commercial.

more to come.

Applicant's Certification

By signing this event application, the petitioner agrees to all terms, conditions, and indemnification in this application, and understands that this application or the approval of this event application by the Town Commission does not grant any permission to violate any laws, ordinances or statutes.

Additions and/or revisions to this application shall be submitted in writing.

I understand the Town's requirements to hold a special event and the information provided in this application is complete to the best of my knowledge.

Applicant's Signature (required) — Date: 9/23/19

Ann Marchetti — Applicant's Printed Name and Title/Organization

5084685167 — Telephone Number

STATE OF FLORIDA:
COUNTY OF BROWARD:

SWORN TO AND SUBSCRIBED BEFORE ME, a Notary Public of the State of Florida, by Ann Marchetti who is personally known to me/provided _____ as identification and who did/did not take an oath.

Notary Public, State of Florida
My Commission Expires: 12/22/21

KAREN GATES
MY COMMISSION # GG 136933
EXPIRES: December 22, 2021
Bonded Thru Notary Public Underwriters

Agenda Item No: 11.b

Town Commission Agenda Item Report

Meeting Date: October 22, 2019
Submitted by: Debbie Hime
Submitting Department: Administration
Item Type: Consent
Agenda Section: CONSENT AGENDA

Subject Title:
Implementation of Town's Strategic Marketing Plan by Conceptual Communications FY20 (Debbie Hime, Special Projects Coordinator)

Explanation:
At the July 24, 2018 meeting, the Commission approved the Town's new three- year Strategic Marketing Plan (Plan) (Exhibit 1) prepared by Conceptual Communications (CC).

The Work Authorization #3 (Exhibit 2) is for Conceptual Communications to implement the second year of the plan. The Work Authorization includes FY20 budgeted professional services that will:

Continue to reinforce our partnerships with TripAdvisor, sunny.org/GFLCVB, Visit Florida

Assist and create press opportunities to promote the Town

Social Media paid and organic planning and management

Implement and report on survey findings

Develop new branding and strategy initiatives

Conceptual Communications is proposed to present an update of FY19 initiatives and general overview of FY20 plan a future meeting.

Recommendation:
Authorize Town Manager to execute Conceptual Communications' Work Authorization for the FY20 Plan.

Attachments:
1. Three-year Strategic Marketing Plan
2. Conceptual Communications Work Authorization #3

Exhibit 2

WORK AUTHORIZATION NO. 3

Between

TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA

And

CONCEPTUAL COMMUNICATIONS, LLC

For

IMPLEMENTATION OF SOCIAL MEDIA,
RESEARCH, PR, AND DIGITAL ADVERTISING IN
2nd YEAR OF THREE-YEAR STRATEGIC MARKETING PLAN

Contactor's Address:
Conceptual Communications, LLC
901 Progresso Drive, Suite 210
Fort Lauderdale, Florida 33304

Solicitation Name and No.: RFP 17-08-01 **Agreement Description**: Implement 2nd Three Year Strategic Marketing Plan	**Work Authorization No**.: 3 **Effective Date: 10/1/2019**
Purchase Order No.:	**Budget $39,500.00**

Task Description: Implement areas of the 2nd year of Town's three-year Strategic Marketing Plan as outlined in FY20 Budget

In accordance with the above referenced agreement, you are authorized to perform the tasks detailed in the attached Exhibit A (Scope of Services), and the work will be completed on or before September 30, 2020 as detailed in Exhibit "B" (Deliverables, Costs, Schedule).

The total amount or the limiting amount of the compensation will be: $23,375.00 as shown below unless additional services are authorized by the Town in writing.

	Method of Compensation (Lump Sum, Hourly NTE)	**Amount ($)**	**Project Code**
Implement Social Media, Digital Marketing, PR, Research & Consultation Svcs.	Invoiced Hourly, up to	$39,500	001-519.100.500.315
Total		**$39,500**	

Other Notes:
This Work Authorization is subject to the same terms and conditions of the professional services agreement dated January 16, 2019.

Please acknowledge receipt of, and agreement with, this Work Authorization by signing and dating and returning three (3) original signed copies to the Town Manager. The Town will send you one fully executed copy.

Town of Lauderdale-By-The-Sea Approval:

William Vance, Town Manager _____ (Signature) _____ (Date)

Tedra Smith, Town Clerk _____ (Signature) _____ (Date)

Contractor Acceptance:
Laurie Menekou
President, Conceptual Communications, LLC _____ (Signature) _____ (Date)

Scope of Services
FY 20 Strategic Marketing Plan Projects

Exhibit A

Scope of Services

Implementation of Strategic Marketing Plan FY20

l. General Destination Marketing Consultation: Advice related to tie current and future initiatives proposed in Broward County, general tourism within the state, and by Florida tourism and related associations.

2. Professional Implementation Assistance: Assistance in managing and updating the Town's three-year strategic marketing plan as the market adjusts to new strategies.

3. Create Digital and Print content as directed in the Town's three-year strategic marketing plan that complements Town's branding and voice.

4. Branding/Artwork: Develop creative concepts and products with Town's designer in alignment with Town's branding for campaigns and tactics outlined in the Plan such as: print newsletters, brochures, banners, flyers, slide presentations, videos, website banners, and any other informational literature or multi-media presentations.

5. Traditional Media: Plan, negotiate and implement co-operative destination marketing media buys, which may include hotel and business cooperatives, as outlined in the Plan.

6. Digital Marketing: Develop, implement and measure tactical Internet plans as outlined in the Plan. This may include outreach targeted at businesses, tourism, website blog, online communities and other digital communication channels, based on Town priorities, such as Trip Advisor, Google My Business, Google Ads, Retargeting, Instagram, Twitter, Sunny.org, Visit Florida, as well as search engine optimization and related search engine indexing tactics.

7. Email List Management and Deployment: Manage all aspects of the email marketing system as outlined in the Plan, This may include data management, such as segmenting, updating, and deployment to various targets, such as Town residents, businesses' calls to action, newsletter Sign ups, and Visit Florida inquiries.

8. Surveying/Polling: Develop and administer online and in person surveys as outlined in the Town's three year strategic marketing plan.

9. Web Mastering Services: Conduct applicable website updates and maintenance as requested, associated with tactics outlined in the Town's three-year strategic marketing plan.

10. Media Communications: Plan, create, manage and measure public relations services that effectively and efficiently work to accomplish the goals established in the Town's three-year strategic marketing plan. This may include pitching stories and. FAM trips related to Town publications, Internet sites, influencers, bloggers, and other tourism outlets.

11. General Destination Marketing Consultation Provide recommendations related to the current and future initiatives proposed in Broward County, general tourism within the state, and by Florida tourism and related associations as they relate to the effectively implementing the Town's three-year strategic marketing plan.

Deliverables, Costs and Schedule
FY20 Strategic Marketing Plan Projects

1. Branding and Strategy Implementation $5,000.00
2. Program Planning/Account Management $5,500.00
3. Public Relations Gen $5k, Niche Mkts $5k, Social Infl. Coord $6k $16,000.00
4. Survey Implementation and Reporting $6,500.00
5. SEO & SMP Website Management $2,000.00
6. Trip Advisor, Visit FL, Sunny.org Management $4,500.00

TOTAL $39,500.00

Town Commission Agenda Item Report

Meeting Date: October 22, 2019
Submitted by: Ken Rubach
Submitting Department: Administration
Item Type: Consent
Agenda Section: CONSENT AGENDA

Subject Title:
Purchase of one 2019 Club Car Carryall 1500 4x4

Explanation:
The Community Standards Division budgeted $18,000 in FY20 to add a long bed diesel powered 4x4 Club Car to enhance its level of service and the ability to more efficiently get into areas that are not always conducive to large work trucks.

The Club Car will be street legal meaning, that it will contain all the equipment necessary (brake lights, turn lights, tail lights, etc.) to be plated and travel throughout the town using roadways. In addition to this, the vehicle will be fitted with an amber strobe light on its roof, a Town logo decal affixed to its hood and a slow-moving vehicle triangle on the rear tailgate to enhance awareness of the vehicle and to increase the safety of our staff.

The Club Car may be purchased off of the cooperative purchasing agreement of *U.S COMMUNITIES CONTRACT (contract number - EV2024-02)* (the lead agenda is City of Kansas City, Mo., and the contract period: Jan 1, 2015 - Dec 31, 2019). Jeffrey Allen, Inc. is the authorized Club Cub dealership in Broward County **(Exhibit 1)** and they have provided the attached proposal **(Exhibit 2)** for one (1) 2019 Club Car Carryall 1500 4x4.

The cart retails for $17,483.00, which is prior to the $2,172.45 discount received via the U.S. Communities Contract discount. This results are approximately 12% in savings of the retail price prior to shipping.

Expected delivery is approximately 4-6 weeks after receipt of the order.

Source of Funds:

1. The Community Standards cart is budgeted in Account 001-572-100-500-640 (Capital Outlay-Equipment and Machinery).

Recommendation:

Staff recommends the Commission approve the purchase of one (1) 2018 Club Car Carryall 1500 4x4, utilizing the cooperative purchasing agreement from the U.S COMMUNITIES CONTRACT (contract number - EV2024-02).

Attachments:

1. Club Car Authorized Retailer Letter
2. Jeffrey Allen, Inc. Quote

EXHIBIT 1

Club Car, LLC
4125 Washington Road
Evans, Georgia 30809
PO Box 204658
Augusta Georgia 30917
Tel (706) 863-3000
Toll free (800) 227-0739
www.ClubCar.com

October 16, 2019

Ken Rubach
Town of Lauderdale-By-The-Sea
4501 Ocean Avenue
Lauderdale By The Sea, FL
33308 EMAIL: kenr@lbts-fl.gov

Re: Jeffrey Allen, Inc.
2701 Reese Rd
Davie, FL 33314-1203

To whom it may concern:

This letter is to confirm that Jeffrey Allen, Inc. is our only authorized Club Car Commercial Utility Dealer for Broward County, Florida. They are authorized to provide sales, repair and maintenance services, as well as warranty services for Club Car commercial utility vehicles. Jeffrey Allen, Inc. is in good standing with Club Car, LLC. and has complete access to purchase utility vehicles as well as accessories and aftermarket parts.

If you should have any questions, please do not hesitate to contact me at 813-760-7429 or by email at andy_farmer@clubcar.com.

Sincerely,

Andrew Farmer
Regional Manager - Florida/Walt Disney World Co.
CLUB CAR, LLC.

JEFFREY ALLEN INC.
golf car sales | service | parts | rental
(800) 282 6256

Central Division
1724 Diplomacy Row
Orlando, FL 32809

East Coast Division
2701 Reese Road
Davie, FL 33314

West Coast Division
4401 N. US HWY 301
Tampa, FL 33610

Phone: (800) 282-6256 Fax: (813) 627-9708 Email: sales@jeffreyalleninc.com
Mailing Address: PO Box 891359, Tampa, FL, 33689
Website: www.jeffreyalleninc.com

VEHICLE SALES PROPOSAL

REF. NO. 2019 CA1500 (DIESEL)

NAME	CUSTOMER ORDER NUMBER	DATE
LAUDERDALE-BY-THE-SEA	**QUOTE 4X4 CARRYALL 1500**	**10/16/2019**
ADDRESS	TERMS	APPROXIMATE DELIVERY DATE
4501 N. OCEAN DRIVE	**PO**	**TBD**
CITY, STATE, ZIP	SHIP TO ADDRESS	SHIP VIA **J. GONZALEZ**
LAUDERDALE-BY-THE-SEA, FL 33308	**SAME AS ABOVE**	
CONTACT		
MIKE WALKER		
PHONE / FAX	WARRANTY	
(954) 640-4231 / **N/A**	**2 YEAR/2000 HOUR LIMITED CCI GAS UTILITY WARRANTY (SEE POLICY)**	
MOBILE / EMAIL	SERIAL NUMBER	TRADE IN?
N/A / MIKEW@LAUDERDALEBYTHESEA-FL.GOV	**TBA**	**NO**

QUAN.	DESCRIPTION	UNIT PRICE	EXTENSION
1	NEW 2019 CLUB CAR CARRYALL 1500 4X4 AWD (2 PASSENGER) UTILITY VEHICLE EQUIPPED WITH:	$13,599.00	$13,599.00
	AIR-CRAFT GRADE TUBULAR ALUMINUM FRAME CHASSIS (NON CORROSIVE, NON-RUST),		
	INDUSTRIAL GRADE 20HP KUBOTA ENGINE, INDUSTRIAL GRADE AIR COOLED,		
	INTELLITRAK 4-WHEEL DRIVE SYSTEM, 4 WHEEL HYDRAULIC DISC BRAKES, FRONT AND REAR BENCH SEATS		
	ALUMINUM CARGO BOX (NON CORROSIVE, NON-RUST), MANUAL BED LIFT,		
	HEAVY DUTY ALL-TERRAIN TIRES 25X10.5-12 4 PLY, CAPACITY:800 LB BED PAYLOAD CAPACITY,		
	1200 TOTAL PAYLOAD CAPACITY, 1500 LB TOWING CAPACITY, 25MPH MAX SPEED, BEVERAGE HOLDERS		
	AND GLOVE BOX WITH DOOR, HEADLIGHTS, 2-INCH RECEIVER HITCH, LOW OIL WARNING LIGHT,		
	PARK BRAKE FOOT OPERATED, REDUCED SPEED REVERSE, 12-VOLT 500 CCA 105 MIN RESERVE,		
	DASH MOUNTED FUEL/HOUR GAUGE, 12-VOLT DASH MOUNTED POWER OUTLET, FRONT BENCH SEAT,		
	TILT (ADJUSTABLE) STEERING WHEEL, SEATBELTS, 6-POINT ROPS CAGE, EXTERNAL FUEL FILL,		
	6.5 GALLON TANK, GE GELOY HIGH-IMPACT (INJECTION MOLDED COLOR) NON-CORROSIVE/ NON RUST		
	COMPOSITE BODY, REDUCED SPEED REVERSE, HEADLIGHTS ONLY, GLOVE BOX WITH DOOR,		
	RADIO BEVEARAGE HOLDERS, PARK BRAKE ACTIVATION LIGHT, THIS VEHICLE IS MADE FOR COMMERCIAL/ INDUSTRIAL / APPLICATION		
	2 YEAR /2000 HOUR FACOTRY LIMITED WARRANTY STANDARD COLORS AVAILABLE: GRAY , DARK GREEN		
	ADDITIONAL OPTIONS ACCESSORIES		
1	CONVERSION STREET PACKAGE	$3,000.00	$3,000.00
1	ROOF MOUNTED STROBE LIGHT	$264.00	$264.00
1	CANOPY TOP BLACK PLASTIC	$230.00	$230.00
1	STANDARD LIGHTS: TAILLIGHTS, BRAKE LIGHTS AND HORN	$390.00	$390.00
	SUBTOTAL	$17,483.00	$17,483.00
	US COMMUNITIES DISCOUNT	$2,172.45	-$2,172.45

FINANCE AND LEASE OPTIONS

OPTIONS BASED ON CREDIT APPROVAL. FIRST MONTH PAYMENT, APPLICABLE UCC FILING FEES, DOC STAMPS, AND TAX DUE AT DELIVERY.

SUBMITTED BY:

NAME: JUAN F. GONZALEZ

TITLE: COMMERCIAL TERRITORY SALES MANAGER

ACCEPTED BY:

CUSTOMER SIGNATURE: _____

NAME AND TITLE: _____

COMPANY: _____ DATE: _____

QUOTED PRICES GUARANTEED SUBJECT TO ACCEPTANCE WITHIN 30 DAYS. ALL RETURNS SUBJECT TO A 20% RESTOCK FEE. ALL DAMAGES MUST BE REPORTED IN WRITTING WITHIN 10 DAYS OF RECEIPT OF GOODS. THERE ARE NO WARRANTIES WHICH EXTEND BEYOND THE DESCRIPTION ON THE FACE OF THIS SALES PROPOSAL/ BILL OF SALE.

SUB TOTAL	**$15,310.55**
FLORIDA SOLID WASTE FEE NEW BATTERIES	**$1.50**
FLORIDA SOLID WASTE FEE NEW TIRES	**$4.00**
REP & DELIVERY FEE	**$150.00**
CLUB CAR FREIGHT	**$439.00**
SUB TOTAL	**$15,905.05**
SALES TAX: %	**EXEMPT**
TOTAL DUE	**$15,905.05**

Town Commission Agenda Item Report

Meeting Date: October 22, 2019
Submitted by: Ken Rubach
Submitting Department: Administration
Item Type: Consent
Agenda Section: CONSENT AGENDA

Subject Title:
Storm and Sanitary Sewer Maintenance Contract (Ken Rubach, Municipal Services Director)

Explanation:
The Town has traditionally contracted out maintenance of its storm and sanitary sewer systems to ensure compliance with its NPDES Permit as well as other required state/federal/county permits, to maintain its CRS rating, and provide the utmost level of service to our residents and businesses. This work typically includes, but is not limited to televising sewer lines to look for defects, blockages, or breaks. Removing debris that has washed into catch basins settled at the bottom of a pipe, or has created blockage. The results of these efforts help to mitigate flooding during heavy rain/tidal events on the storm sewer side while ensuring that infiltration of storm water into the sanitary sewer as well as potential sewage back-ups into structures is minimized.

On October 10, 2019 RFP 19-09-01 for Sanitary Sewer/Storm Drain Maintenance and Repair was opened. The Town received five (5) bids. The contractors and their total pricing are included below. Exhibit 1 contains a full break down of each item. **Price totals below reflect quantities specified in the RFP that were used for evaluation purposes only.**

Table 1 – RFP Respondents

Business	Total Cost
Televac South, Inc.	$ 339,920.00
Envirowaste Services Group, Inc.	$ 529,950.00
Shenandoah General Construction, LLC	$ 537,650.00
Highland Group Inc.	$749,500.00
National Water Main Cleaning, Co.	$ 2,249,350.00

After evaluating all the proposals submitted, staff recommends that the Commission award a three (3) year contract with two (2) additional one (1) year extensions for sanitary sewer and storm drain maintenance to our previous contract holder Televac South, Inc. who provided not only extremely competitive pricing but have performed well over their past two contracts with the Town.

Recommendation:
Authorize the Town Manager to execute a contract with Televac South Inc. for Sanitary Sewer and Storm Drain Maintenance after the contract has been approved as to form by the Town Attorney.

Funds are budgeted for Storm Drain and Sanitary Sewer Maintenance in the General Fund Municipal Services Storm Drain Rehab/ Maintenance account (001.541.100-500-498) and the Sewer Fund Sewer Line Maintenance Service account (103.535.000-500-459)

Attachments:

1. Bid Tab

RFP 19-09-01		Televac South Inc.		Highland Group Inc.		Shenandoah General Construction LLC		EnviroWaste Services Group Inc.		National Water Main Cleaning Co.	
Sanitary Sewer Main/Laterals	**Linear feet for evalution purposes only**	**Price Per Foot**	**Cost**	**Price Per Foot**	**Cost**	**Price Per Foot**	**Cost**	**Price Per Foot**	**Cost**	**Price Per Foot**	**Cost**
Televise 4" Sanitary Sewer Lateral	16,000	$0.01	$160.00	$4.00	$64,000.00	$1.00	$16,000.00	$3.50	$56,000.00	$40.00	$640,000.00
Televise 6" Sanitary Sewer Line	16,000	$4.50	$72,000.00	$6.00	$96,000.00	$1.00	$16,000.00	$0.50	$8,000.00	$3.90	$62,400.00
Televise 8" Sanitary Sewer Line	16,000	$0.75	$12,000.00	$2.00	$32,000.00	$1.50	$24,000.00	$1.00	$16,000.00	$2.00	$32,000.00
Televise 10" Sanitary Sewer Line	4,000	$0.75	$3,000.00	$2.00	$8,000.00	$1.50	$6,000.00	$1.00	$4,000.00	$2.00	$8,000.00
Clean 4" Sanitary Sewer Lateral	16,000	$0.01	$160.00	$2.00	$32,000.00	$1.00	$16,000.00	$3.50	$56,000.00	$7.50	$120,000.00
Clean 6" Sanitary Sewer Line	16,000	$0.05	$800.00	$2.00	$32,000.00	$1.00	$16,000.00	$1.00	$16,000.00	$0.90	$14,400.00
Clean 8" Sanitary Sewer Line	16,000	$0.75	$12,000.00	$1.00	$16,000.00	$1.50	$24,000.00	$1.00	$16,000.00	$0.90	$14,400.00
Clean 10" Sanitary Sewer Line	4,000	$0.75	$3,000.00	$1.00	$4,000.00	$1.50	$6,000.00	$1.00	$4,000.00	$0.90	$3,600.00
Storm Drain	**Linear feet for evalution purposes only**	**Price Per Foot**	**Cost**	**Price Per Foot**	**Cost**	**Price Per Foot**	**Cost**	**Price Per Foot**	**Cost**	**Price Per Foot**	**Cost**
Televise 10" to 15" Storm Drain	16,000	$0.25	$4,000.00	$1.00	$16,000.00	$0.75	$12,000.00	$1.50	$24,000.00	$7.00	$112,000.00
Televise 18" to 24" Storm Drain	16,000	$0.25	$4,000.00	$2.00	$32,000.00	$1.50	$24,000.00	$2.00	$32,000.00	$17.00	$272,000.00
Televise 30" to 42" Storm Drain	16,000	$0.25	$4,000.00	$2.00	$32,000.00	$2.00	$32,000.00	$3.00	$48,000.00	$25.00	$400,000.00
Clean 10" to 15" Storm Drain	16,000	$2.50	$40,000.00	$1.00	$16,000.00	$3.00	$48,000.00	$2.00	$32,000.00	$2.95	$47,200.00
Clean 18" to 24" Storm Drain	16,000	$2.50	$40,000.00	$2.00	$32,000.00	$4.50	$72,000.00	$3.00	$48,000.00	$2.30	$36,800.00
Clean 30" to 42" Storm Drain	16,000	$4.00	$64,000.00	$4.00	$64,000.00	$8.00	$128,000.00	$6.00	$96,000.00	$7.00	$112,000.00
Total	**200,000**		**$259,120.00**		**$476,000.00**		**$440,000.00**		**$456,000.00**		**$1,874,800.00**
Sanitary Sewer/Storm Dran Joint Grooming	**Joint Grouting Numbers are for Evaluation Purposes Only**	**Price Per Hour**	**Cost**	**Price Per Hour**	**Cost**	**Price Per Hour**	**Cost**	**Price Per Hour**	**Cost**	**Price Per Hour**	**Cost**
Grouting 4" to 10" Sanitary Sewer Main	150	$200.00	$30,000.00	$250.00	$37,500.00	$225.00	$33,750.00	$100.00	$15,000.00	$380.00	$57,000.00
Grouting 10" to 42" Storm Drain	150	$200.00	$30,000.00	$350.00	$52,500.00	$225.00	$33,750.00	$175.00	$26,250.00	$465.00	$69,750.00
Total	**300**		**$60,000.00**		**$90,000.00**		**$67,500.00**		**$41,250.00**		**$126,750.00**
Outfall Barnacle Removal	**Outfall numbers are for evaluation purposes only**	**Price Per Outfall**	**Cost**	**Price Per Outfall**	**Cost**	**Price Per Outfall**	**Cost**	**Price Per Outfall**	**Cost**	**Price Per Outfall**	**Cost**
Remove Barnacles 30" to 42" Storm Drain	29	$200.00	$5,800.00	$3,500.00	$101,500.00	$350.00	$10,150.00	$300.00	$8,700.00	$4,200.00	$121,800.00
Remove Barnacles 10" to 29" Storm Drain	30	$200.00	$6,000.00	$2,400.00	$72,000.00	$250.00	$7,500.00	$150.00	$4,500.00	$4,200.00	$126,000.00
Total	**59**		**$11,800.00**		**$173,500.00**		**$17,650.00**		**$13,200.00**		**$247,800.00**
French Drain Cleaning	**French Drain Numbers are for Evaluation Purposes Only**	**Price Per Basin**	**Cost**	**Price Per Basin**	**Cost**	**Price Per Basin**	**Cost**	**Price Per Basin**	**Cost**	**Price Per Basin**	**Cost**
French Drains	100	$90.00	$9,000.00	$100.00	$10,000.00	125	$12,500.00	$195.00	$19,500.00	$325.00	$32,500.00
Total	**100**		**$9,000.00**		**$10,000.00**		**$12,500.00**		**$19,500.00**		
TOTAL			**$339,920.00**		**$ 749,500.00**		**$537,650.00**		**$529,950.00**		**$2,249,350.00**
Additional Work						**Additional Work**					
Vector Truck	$200 per hour					Foreman	$75 per hour				
TV/Inspection Truck	$200 per hour					Laborer	$40 per hour				
Grout Truck	$200 per hour					Combo Backhoe Loaded w/Operator	$120 per hour				
Chemical Grout	$18.00 per Gallon					Dump Truck w/ Operator	$65 per hour				
Lateral Inspection Truck	$200 per hour					Long Stick Excavator w/ Operator	$150 per hour				
						Material Passthru	cost + 10%				

Town Commission Agenda Item Report

Meeting Date: October 22, 2019
Submitted by: Ken Rubach
Submitting Department: Administration
Item Type: Consent
Agenda Section: CONSENT AGENDA

Subject Title:
Purchase of Single Space Parking Meter Mechanisms & Housing (Ken Rubach, Municipal Services Director)

Explanation:
In 2018 Parking Services staff began to replace the existing 220-meter heads as the model currently being used by the Town was discontinued and parts have now become unavailable. While we were able to salvage parts to keep the discontinued meters functional it is prudent at this point, we move forward with the replacement of the remaining legacy meters this year (roughly 50% still need to be replaced). In addition to the meter heads, the housings are also being replaced. The updated housings also hold double the amount of coins as their predecessor. The cost for replacement project is $45,028.00

Source of Funds:

1. The replacement meter mechanisms and housings are budgeted in Account 310-525-000-500-533 (Parking meter parts and supplies).

Recommendation:
Staff recommends the Commission approve the purchase of the single space parking meter mechanisms & housings from Duncan Parking Technologies, Inc. who are the sole source supplier.

Attachments:
1. Sole Source Letter
2. Duncan Parking Technologies, Inc Mechanism Quote
3. Duncan Parking Technologies, Inc Housing Quote

Duncan Parking Technologies, Inc.
a CivicSmart Company

Duncan Parking Technologies, Inc.
316 N. Milwaukee Street, Suite 202 ♦ Milwaukee, WI 53202
Phone: (414) 877-5481
Email: Support@CivicSmart.com

EXHIBIT 1

October 7, 2019

Mr. Leroy Chasmer
Supervisor, Parking Department
4501 N. Ocean Drive
Lauderdale-By-The-Sea, FL 33308

Dear Mr. Chasmer:

Duncan Parking Technologies, Inc., (a CivicSmart company) is the original manufacturer and sole source provider of the Duncan LNG Coin Only parking meter mechanism, which is battery operated and capable of being upgraded to accept credit cards. Duncan Parking Technologies, Inc., is also the sole source manufacturer/provider of the backend Parking Enterprise Management System (PEMS), batteries, battery doors, battery chargers, coin boxes, lock assemblies, keys, coin tracks, dome lenses, dome gaskets, card readers, all decals, technician and collection cards, keypads, datakeys, sensors, and other replacement parts used in these mechanisms, housings and collection carts.

Duncan Parking Technologies has not authorized any third party US distributors, resellers or repair agencies to independently manufacture and sell these products.

As a sole source vendor, we can provide your agency with system and service advantages not available through any other company. Please do not hesitate to contact me with any questions.

Best Regards,

Michael Nickolaus
Chief Executive Officer
Duncan Parking Technologies, Inc.
mnickolaus@civicsmart.com
(202) 841-0225

Single-Space Meter LNG Quote

Duncan Parking Technologies, Inc.
a CivicSmart Company

Prepared for:	Lauderdale-by-the-Sea	**Ship-to Region:**	FL
Quote ID:	19 09 18 201a	**Prepared Date:**	10/04/2019
Sales Rep:	Brad Magee	**Expiry Date:**	11/03/2019

Product ID	Description	Unit Price	Qty	Extended Price
1. Single Space Meter Mech				
LNG - SSM	Liberty Next Gen (LNG) Single Space Mechanism Coin Only. Includes a modified dome retainer and new Lexan dome.*	$ 203.00	100	$ 20,300.00
Subtotal				**$ 20,300.00**
2. Freight				
FRGHT	Freight/Shipping for Lot (actual shipping and handling to be added to the final invoice).	TBD	1	TBD
Subtotal				**TBD**
Grand Total:				**$ 20,300.00**

3. Additional Requirements

Sales Tax, if applicable, has not been included

Equipment is covered by a 1-year standard manufacturer's warranty.

Shipping Terms FOB Origin. Freight is not included in the above pricing. Freight will be prepaid and added to the invoice.

Payment terms: Net 30 Days

Installation is not included.

Customer will be invoiced upon delivery of equipment.

All Single Space Meter Parts orders have a $100.00 minimum order requirement. Any order under $100.00 will be subject to a $25.00 Surcharge.

Quotation subject to Duncan Parking Technologies, Inc. Standard Terms and Conditions. Please see attached.

*The LNG Coin Only Mech is upgradable to accept Credit Cards for a retrofit fee of $115.00 each. Credit Card mechs will incur an additional Monthly Fee and Credit Card Gateway and Merchant Processing Fees. Please refer to your sales rep for additional information.

Please Send Purchase Order To:
Duncan Parking Technologies, Inc.
Attn: Meigan Lindholm
PO BOX 2081
Milwaukee, WI 53201-2081
Ph: (414) 534-8066 Fax: (870) 741-6806
mlindholm@civicsmart.com

I hereby certify that the products and services referenced above have been requested and that by signing below I am confirming the order and agree to the terms and conditions presented in this quotation

Authorized Signature _____ Date _____

Print or Type Name _____ Print or Type Title _____

Email Address _____ Phone Number _____

Bill To Address: _____ **Ship To Address:** _____

Programming Contact Information Required: _____ **Ship To Phone Number:** _____

Contact Name _____

Contact Phone Number _____

Contact Email _____

Single-Space Meter Housing Quote

Duncan Parking Technologies, Inc.
a CivicSmart Company

Prepared for:	Lauderdale-By-the-Sea	**Ship-to Region:**	FL
Quote ID:	19 10 04 205a	**Due Date:**	10/04/2019
Sales Rep:	Brad Magee	**Expiry Date:**	11/03/2019

Product ID	Description	Unit Price	Qty	Extended Price
1. Single Space Meter Housing				
90S	Model 90 Single Housing (with DE Locks - Please specify lock combinations). Price includes standard color (Gunmetal Gray or Black) and Large Sealed Coin Box	$ 309.10	80	$ 24,728.00
Subtotal				**$ 24,728.00**
2. Freight				
FRGHT	Freight for Lot to Customer Site (actual shipping and handling charges will be added to the invoice)	TBD	1	TBD
Subtotal:				**TBD**
Grand Total (not including TBD items):				**$ 24,728.00**

3. Additional Requirements

Sales Tax, if applicable, has not been included
Equipment is covered by a 1-year standard manufacturer's warranty.
Shipping Terms FOB Origin. Freight is not included in the above quote. Freight will be prepaid and added to the invoice.
Housing Ship date approx. 6 weeks after receipt of order.
Payment terms: Net 30 Days
Customer will be invoiced upon delivery of equipment.
Quotation subject to Duncan Parking Technologies, Inc. Standard Terms and Conditions. Please see attached.

Please Send Purchase Order To:
Duncan Parking Technologies, Inc.
Attn: Meigan Lindholm
PO BOX 2081
Milwaukee, WI 53201-2081
Ph: (414) 534-8066 Fax: (870) 741-6806
mlindholm@civicsmart.com

I hereby certify that the products and services referenced above have been requested and that by signing below I am confirming the order and agree to the terms and conditions presented in this quotation

Authorized Signature _____ Date _____

Print or Type Name _____ Print or Type Title _____

Email Address _____ Phone Number _____

Bill To Address: _____ **Ship To Address:** _____

Housing Information Required:

Housing Color (Standard Gunmetal Gray, Specify if other) _____

Dome Type (Round or Anti-Glare) _____

Mech/Top Lock Combination _____

Vault/Door Lock Combination _____

Coin Box Combination or N/A _____

Do not Disclose to Unauthorized Parties

Date/Time Printed: 10/04/2019 2:00 PM

Town Commission Agenda Item Report

Meeting Date: October 22, 2019
Submitted by: Bill Vance
Submitting Department: Administration
Item Type: Consent
Agenda Section: CONSENT AGENDA

Subject Title:
BONUS GRANTED TO MICHAEL D. WALKER FOR 25 YEARS OF SERVICE IN ACCORDANCE WITH THE PERSONNEL POLICIES MANUAL VII. SALARY ADMINISTRATION F, BONUSES

Explanation:
At the July 9, 2019 meeting, the Commission honored Michael D. Walker for 25 years of service by issuing a Proclamation to honor his dedication as a public employee. A bonus to Michael D. Walker has been informally discussed since July 9, 2019.

The Personnel Policies Manual has language under VII. Salary Administration F, Bonuses which states

"VII. Salary Administration, F. Bonuses
Bonuses may be given only as a lump sum amount and may not increase an employee's base salary. The Town Manager has the authority to grant a bonus of $1,000 or less. The Town Commission shall approve any bonus in excess of $1,000.

The Town's ability to grant a bonus is governed by state statute 215.425, which provides that (a) a bonus must be based on work performance; (b) the performance standards and evaluation process by which a bonus will be awarded must be described; (c) all employees must be notified of the bonus program; and, (d) all employees are eligible for the Town's bonus program, subject to the availability of budgeted funds.

Bonus Policy: Employees are eligible for consideration of a bonus in the following circumstances,
Through an employee's specific efforts, the Town avoids expenditures or has actual saving of a significant nature;

An exempt employee who because of unusual circumstances such as a natural disaster or a special project, is required to work beyond their normal schedule for an extended period of time.
An employee performs an act of heroism in the Town of Lauderdale-By-The-Sea that reflects well on the Town government.
An employee who, in addition to their work, absorbs and completes the workload of another employee for more than three weeks."

According to Michael D. Walker's proclamation he is a dedicated public employee who has faithfully and diligently served all visitors and citizen of LBTS since the beginning of his employment. He has had a substantial impact as Community Standards Supervisor by maintaining our pristine landscaping and beautiful beach portals.

There is no budget impact for this bonus as salary savings are available from the vacant Planning Technician Position.

Recommendation:
We recommend granting the bonus of $2500.00 net pay to Michael D. Walker for his 25 years of service.

Attachments:

1. July 9, 2019 Proclamation Honoring Michael D. Walker for 25 years of service

PROCLAMATION

Issued by the Governing Body of the
Town of Lauderdale-By-The-Sea, Florida

Honoring Michael D. Walker for 25 Years of Service

WHEREAS, *Michael D. Walker first began his employment with the Town of Lauderdale-By-The-Sea Municipal Services Department on June 20, 1994, and*

WHEREAS, *Michael D. Walker is a dedicated public employee who has faithfully and diligently served all visitors and citizens of Lauderdale-By-The-Sea since the beginning of his employment, and*

WHEREAS, *during the tenure of his employment he has served in ever increasing roles of responsibility and has become an important part of the Municipal Services management team, and*

WHEREAS, *Michael D. Walker has continually endeavored to improve his own abilities and through these actions serves as an example o to the staff members in the Lauderdale-By-The Sea Municipal Services Department, and*

WHEREAS, *as a result of this initiative and dedication he has had a substantial impact as Community Standards Supervisor by maintaining our pristine landscaping and beautiful beach portals and*

WHEREAS, *Mayor Vincent and the Town Commission recognizes Twenty-Five years of employment as an outstanding contribution by Michael D. Walker and further consider Michael D. Walker as a very valuable asset to the Town of Lauderdale-By-The-Sea and its citizens.*

NOW, THEREFORE, *I, Chris Vincent, Mayor, and the Town Commission honor;*

Michael D. Walker, and recognize and commend Mike for his 25 Years of dedicated service to the Town of Lauderdale-By-Sea and wish him continuing success in serving the community.

In witness whereof we have hereunto set our hands and caused this seal to be affixed

Attest: _____
Tedra Allen, CMC
Town Clerk

_____
Chris Vincent, Mayor
July 9, 2019

Agenda Item No: 11g

Town Commission Agenda Item Report

Meeting Date: October 22, 2019
Submitted by: Bill Vance
Submitting Department: Administration
Item Type: Consent
Agenda Section:

Subject Title:
HR Consultant

Explanation:
Job Description Study and Updates

Recommendation:
Authorize Town Manager to execute an agreement with HR Compensation Consultants, LLC (HRCC)

Attachments:
Ex 1 Email

Ex2 HRCC Quote

Tedra Allen

From: Neysa Herrera
Sent: Friday, October 18, 2019 10:06 AM
To: Susan Trevarthen; Elen C. Gantner; Milton R. Collins
Cc: Bill Vance; Tedra Allen
Subject: HR Job Description Study and Updates
Attachments: LBTS_HRCC_JD_QUOTE_10 OCT 2019.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning,

Please see attached for your review. Feedback prior to Tuesday's Commission meeting welcome, as necessary.

Tedra- Please incorporate this business into Consent Agenda proposed for Tuesday's Town Commission meeting, per BV.

Thank you,

Neysa Herrera
Assistant to the Town Manager
4501 N. OCEAN DRIVE,
LAUDERDALE-BY-THE-SEA, FL 33308
Phone: 954-640-4212 • neysah@lbts-fl.gov
www.lbts-fl.gov • www.lbtsevents.com

October 10, 2019

Bill Vance, Town Manager
The Town of Lauderdale-By-The-Sea
4501 N. Ocean Drive
Lauderdale By The Sea, FL 33308

Dear Mr. Vance,

HR Compensation Consultants, LLC (HRCC) is pleased to submit a quote to the Town of Lauderdale-By-The-Sea (Town) for consulting services. The organization is seeking a consultant to conduct a revision and update of existing job descriptions. This service includes aligning jobs in a new framework and identifying key responsibilities and accurate job titles.

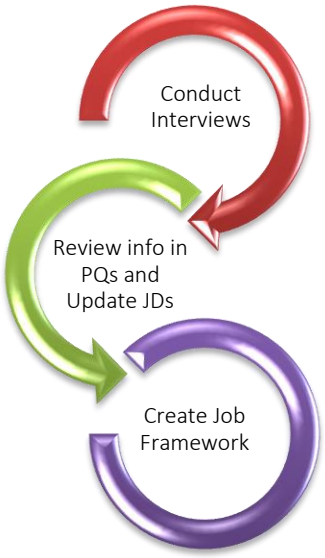
We hope you will find that HRCC's excellent qualifications and solid project management and communications experience will be a good fit for your organization. We pride ourselves on providing a high level of customer service and tailoring our pay plans to meet the needs of each client. Our references will attest to this.

Sincerely,

Katie Miller Busch
President/Owner

Our Understanding of Your Project

The Town of Lauderdale-By-The-Sea (Town) is seeking a consultant to update job descriptions and create a new job framework for 38 employees. HRCC has extensive experience in developing and implementing new job frameworks and we typically complete the following tasks:



Project Communications and Presentations

- HRCC will conference with the Project Liaison to ensure an understanding of the organization's objectives for this project
- HRCC will first meet with Department Heads to discuss the study and share the methodology, process, and tasks to be used
- HRCC will then hold two (2) employee sessions to explain the Position Questionnaire (PQ) process
- During the project, HRCC will provide status updates every ten (10) days to the Project Liaison

Gather Updated Job Information

- HRCC will use the PQ to gather job-task information on all employee positions
- HRCC will meet individually with Department Heads to better understand departmental operations, how jobs align internally and any recruitment or retention difficulties
- HRCC will interview employees in small groups or individually to review information in their PQs
- HRCC recommends the use of its Role and Level Classification Methodology to determine how classifications should be placed in the organization's hierarchy and will:
    - review the organization's jobs to ensure proper FLSA designation of classifications as "exempt" or "non-exempt"
    - recommend classification series and levels within the series (i.e. I/II, Senior/Lead, etc.)

New Plan Implementation & Maintenance

- HRCC will document our recommendations, including the methods, techniques and data used to develop the new Job Framework
- HRCC will recommend procedures, policies, and methods to maintain the new framework and provide training to the Project Liaison

The specifics on the recommended methodology to complete the organization's objectives in developing a new Job Framework begins on the next page.

Project Planning and Status Update Calls

If awarded the project, the first step would be to define dates on the Project Timing chart (on page 5), establishing dates that are mutually agreeable to the organization and HRCC for project calls, workflow, onsite times and progress reviews. We will then hold project status calls or provide status updates every ten (10) days to keep you apprised of our progress and to answer any questions that arise.

HRCC needs the following support provided by the organization:

- gather current job information:
  - current organizational charts
  - copies of all existing job descriptions
  - current incumbent compensation and job information for each position
- coordinate the distribution and collection of Position Questionnaires (PQs)
- review recommended job description updates
- provide information on recruitment and retention difficulties
- coordinate project status calls with the Project Liaison and onsite meetings with department heads and employee's interviews

Position Questionnaires (PQs)

An important first step in the development of a classification plan is to establish internal equity. This step is best accomplished by having Department Heads, supervisors, and employees provide information about the job content. HRCC will meet with Department Heads and staff to explain the study and the processes to be used.

Following the initial project setup, HRCC will provide a Position Questionnaire (PQ) to the Project Liaison for review. The PQ seeks to gather job related information in the following areas:

- Job Summary - briefly describes the job's primary purpose and its contribution to the location or organization
- General Responsibilities - lists the major accountabilities of the position and describes the key duties or tasks performed to achieve these, providing additional detail:
  - Rank the importance of the accountability
  - Indicate the percentage of time spent on or frequency (weekly, monthly, etc.)
  - Mark whether this accountability is achieved by working with subordinate employees
- Supervisory Responsibilities - lists the job titles supervised, the number of employees supervised, and the personnel actions authority
- Budgetary Responsibility- describes the level of responsibility authorized without consulting the supervisor
- Interactions with Others – lists which departments, services, or functions the person in this job interacts with on a regular basis and segments them into "internal" versus "external" groups
- Education, Experience, Knowledge, Skills & Abilities – describes the education, experience and/or skills, abilities, or knowledge needed to perform effectively in the position; also identifies specialized education, training, or knowledge and licenses, certificates or registrations needed for the position

- Physical, Environmental, and Other Demands - describes the type of physical and environmental conditions the employee is exposed to

After employees complete their PQ (individually or in small groups), they send their PQ to their supervisors. Department Head's review and comment (not change) on employees completed PQs. Using the PQs for guidance, HRCC will work with the Project Liaison to determine how the job descriptions will need to be updated. This process typically takes four (4) weeks to complete.

Using the PQs, interview and job audit notes for guidance, HRCC will work with the HR Department to determine how the draft job descriptions will be distributed to the employees and supervisors for review. HRCC will review subsequent changes made to the draft job descriptions to ensure consistency in internal alignment, and incorporate input prior to final classification determination.

New Job Framework

HRCC recommends that the organization use a simple Job Framework. This Job Framework provides a better understanding of reward and career development opportunities across the organization. The new classification model provides:

- an uncomplicated approach to defining and documenting the content of jobs
- a consistent way to determine the value of jobs within the client organization relative to the outside job market

Illustrated below is a **possible** Job Framework that the organization could use. HRCC uses a both qualitative and quantitative tool to evaluate the role each job has, recognizing various levels of work (entry, intermediate, senior, etc.). Based on the organization's job titles, it is likely that the jobs can be slotted into the following Roles:

- ***Associate*** – service or production-related work that typically requires minimum skill. Previous experience is preferred but not required for entry into the Role
- ***Technician*** – service-related work that focuses on technical or specialized individual contributor work; requires knowledge gained through technical certification and previous experience for entry into the Role
- ***Professional*** – higher level, technical or specialized individual contributor work; requires knowledge gained through formal education
- ***Leader*** – technical or specialized work that focuses on people management (hiring, training, performance management, budgeting); highest levels include accountability for strategic direction of organization; usually requires knowledge gained through formal education

Role & Level Job Framework				
HRCC Grade	Leader	Professional	Technician	Associate
8	L3	P4		
7	L2	P3		
6	L1	P2		
5		P1	T4	
4			T3	A4
3			T2	A3
2			T1	A2
1				A1

Project Timing Chart

Our estimated timeline can start on November 4 and be completed by January 15, 2020.

Project Objectives	Support Provided by the Town	Major Tasks Conducted by HRCC	Timing	Hours Estimate
Review existing job information.	• Gather the Town's organizational charts, employee information, job descriptions, and pay practices. (by 11/4)	• Review Town employee and job information and get needed clarification. • Meet with department heads and then conduct two (2) employee's sessions to explain the PQ process.	11/4 – 11/15 Onsite 11/8 or 11/13	20

PQ process and timing.	• Coordinate the distribution, completion and collection of position questionnaires (PQs).
	  • Employees complete PQs – 11/18 – 11/27
	  • Supervisors review PQs – 12/2 – 12/5
	  • PQs sent to HR – 12/6
	  • PQs sent to HRCC – by 12/9
		• Review PQs to identify Role & Level assignments.
		• Review PQs and identify where clarification is needed.
			11/18 – 12/13	32

Create internal consistency of job classifications.	• Review job classification listing with Consultant for review by department heads. • Meet with department heads a to confirm classification role and level assignments.	• Meet with employees (in small groups or individually) to review information in their PQs. • Conduct an initial job mapping and meet with department heads to review.	Onsite 12/13	24
Update job descriptions.	• Review draft jobs descriptions and send to department heads for final review – week of 1/6 • Make final edits to draft job descriptions after reviewing any major changes with Consultant – week of 1/13	• Develop draft job descriptions based on the information in the PQs and the Role & Level Guides, ensuring consistency. • Review any major changes to draft job descriptions.	12/16 – 1/17	32
Make DRAFT recommendations for Job Framework.	• Work with Consultant to understand the new job framework to ensure internal equity. • Review current Compensation Administration Guidelines.	• Develop new job framework. • Provide the Town with a Classification Guide and Role and Level Guides.	12/16 – 1/17	16
Provide Final Deliverables.	• Review draft final deliverables.	• HRCC documents study findings and provides final documents.	1/13 – 1/17	16

Final Deliverables

HRCC will document the methodology used in developing our internal equity recommendations to ensure that the organization's new Job Framework is successful in attracting and retaining a qualified and productive workforce. HRCC will review draft recommendations with the Project Liaison before providing deliverables:

- A comparison of current job titles to the proposed job titles, including FLSA status
- Classification Guide and Role & Level Guides to aid in the slotting of new jobs
- Positions Questionnaire (PQ) and Job Description Template
- Updated job descriptions and a "How to Write Job Descriptions Guide"
- Implementation Plans, including employee proposed job title assignments

Professional Fees

The not-to-exceed professional fees for our services ($13,300) are based on a blended hourly rate which includes the work of a Project Manager, Consultant, Job Description Writer and administrative-support staff. Most project work described herein is anticipated to be completed via email and conference calls. Two (2) onsite visits are included.

Projected Timeframe

HRCC takes pride in meeting its time commitments. The schedule to commence this project coincides with HRCC's completion of other projects. This will ensure that the proposed staff members will be available to concentrate on your project. HRCC anticipates that your project needs to start on November 4, 2019 to be completed by mid-January 2020. Work can begin with signed Authorization to Proceed. HRCC would invoice the Town based on the following schedule:

Invoice	Estimated Date
35% Project Initiation	November 2019
25% Milestone	December 2019
40% Final Deliverables	January 2020

Company Specifics

HR Compensation Consultants, LLC
P. O. Box 741210, Boynton Beach, Florida 33474
Principal: Katie M. Busch
Office: 561.501.7688 Cell: 561.573.1460
Fax: 561.491.5187
Email: katiebusch@hrcompconsultants.com
Website: www.hrcompconsultants.com
EIN: 26-2390806
Florida Minority Business Enterprise #24790802

Description of Background and Experience

HR Compensation Consultants is a multifaceted consulting firm providing individualized human resources services. HRCC was formed in 2003 to offer Human Resource and Compensation consulting to a variety of organizations including global companies, non-profits, government agencies and small entrepreneurial firms. HRCC officially became a limited liability corporation in April 2007. HRCC is also certified by the state of Florida as a Minority Business Enterprise.

The founder of HRCC, **Katie Miller Busch** offers over 20 years of progressive compensation experience having worked in various industries, including government, high-tech, pharmaceuticals, retail, manufacturing, and logistics solutions. She started her career in public sector consulting developing pay plans for cities, counties, and state agencies in Florida. Katie holds the Global Remuneration Professional (GRP) certification and is a SHRM-Senior Certified Professional (SHRM-SCP).

HRCC has partnered with **Paula Humber**, co-founder of P&L Corporate Solutions, LLC. Paula offers over 15 years of corporate and entrepreneurial Human Resources experience. She specializes in Human Resource management, particularly the disciplines of Talent Acquisitions, Employee Relations, HR Administration, and Training & Development. Paula holds a master's degree in business administration from Nova Southeastern University and is a SHRM-Senior Certified Professional (SHRM-SCP).

As an Associate of HRCC, **Diana Spielman** offers over 7 years of experience in analyzing data, preparing detailed documents and reports while managing complex internal and external data analyses. Prior to her role as a Data Analyst, Diana was an accomplished sales and marketing professional who specialized in planning, developing, implementing, and evaluating advertising, merchandising, and trade promotion programs. She earned her bachelor's degree in Business Administration from the University of Florida.

As a Director for HRCC, **Jason Busch** offers technical and logistical assistance (internally and to clients), as well as handles data collection, conversions, and data warehousing. His responsibilities ensure that all systems within HRCC are PCI compliant and secured using industry standard tools. Additionally, Jason supports project leaders with compensation reviews, employee communication materials, benefits reviews and technology management.

Firm's Qualifications

Each member of the HRCC team contributes many years of outstanding expertise and experience in their fields of specialty, from general HR management to information technology.

- Principal has over 20 years of progressive compensation experience
- Consultants have over 15 years HR and compensation experience working with private-sector, university, non-profit and public-sector clients

Bonita Springs Utilities, FL
Borough of State College
Broward County Clerk of Courts, FL
Caln Township, PA
City of Bonita Springs, FL
City of Cooper City, FL
City of Coral Gables, FL
City of Del Rio, TX
City of Fort Myers, FL
City of Hallandale Beach, FL
City of Lake Worth, FL
City of LaPorte, TX
City of Marco Island, FL
City of Miramar, FL
City of Oakland Park, FL
City of Parkland, FL
City of Rockledge, FL
City of Wildwood, FL
City of Wilton Manors, FL
Eagle Valley Library District, CO
Emerald Coast Regional Council, FL
Griffith Public Schools, IN
Indian River Sheriff's Department, FL
Lee County Property Appraiser, FL
Lee County Supervisor of Elections, FL
Lee County Tax Collector, FL
Macon-Bibb County Housing Authority, GA
Miami Downtown Development Authority, FL
Palm Beach County Clerk & Comptroller, FL
Palm Beach County Tax Collector, FL
South Carolina Judicial Branch, SC
Susquehanna County, PA
Towamencin Township, PA
Town of Bay Harbor Islands, FL
Town of Southwest Ranches, FL
Village of Tequesta, FL
Village of Wellington, FL
Village of North Palm Beach, FL

Agenda Item No: 12.a

Town Commission Agenda Item Report

Meeting Date: October 22, 2019
Submitted by: Vice Mayor Sokolow
Submitting Department: Administration
Item Type: Discussion Item
Agenda Section: OLD BUSINESS

Subject Title:
Summary of El Mar Meeting with FDOT (Vice Mayor Sokolow, Jay Flynn Town Engineer, Bill Vance Town Manager)

Explanation:
Vice Mayor Sokolow will give a summary of the meeting with FDOT.

Recommendation:
N/A

Attachments:

Town Commission Agenda Item Report

Meeting Date: October 22, 2019
Submitted by: Vicki Eckels
Item Type: Discussion Item
Agenda Section: NEW BUSINESS

Subject Title:

Recycling Reboot – Rethink. Recycle. Reset.

Explanation:

The Town of Lauderdale-By-The-Sea has always had a robust residential recycling program, but the landscape of recycling is undergoing significant changes, both locally and worldwide. Long gone are the days of large recycling rebates and extremely high trash disposal costs. In today's marketplace, trash disposal is relatively inexpensive and instead of rebates, recycling disposal/processing costs are on the rise. In the past couple of years, recycling in Broward County, and by extension the Town, has gone from a revenue generator to a budget expense.

The Town authorized a new recycling processing contract with Waste Management (WM) effective January 2019. Current residential collection rates do not have a recycling disposal/processing component. Prior to January 1, there was no cost attached to this activity. Recycling processing costs are now paid directly by the Town. WM sends a monthly invoice. The contracted recycling processing rate is $99.20/ton, but this rate is reduced by a positive market value for some recyclable materials. The difference between $99.20 and the monthly Average Market Value equals the Net Material Value (NMV). The Town pays WM the monthly NMW for each ton of recycling collected in LBTS and delivered to its facility. In January that Net Material Value (NMV) was $11.85/ton. For October, the NMV is $66.15/ton. In July 2019, the cost of recycling per ton surpassed the cost of Municipal Solid Waste (MSW) per ton. The solution is not to abandon recycling; rather to encourage residents to Recycle Right!

The following table is the September 2019 Blended Value calculation from Waste Management. The “Material %” shown has been in effect since July 1, 2019. This resets every 6 months based on an ongoing audit by WM.

Sep-19

Lauderdale by the Sea	Select Customer in drop down box.				
Disposal Location	WM Recycling Deerfield			vicki@greensceneconsulting.com; financedepartment@lbts	
Material	Index Description	SEPT 2019 Market Index	Market Value ($/Ton)	Material %	Average Market Value ($/Ton)
Mixed Paper	PS 54 Mixed Paper - MP	$ (2.50)	$ (2.50)	5.66%	$ (0.14)
Sorted Resi Pprs & News	PS 56 Sorted Residential Papers - SRNP	$ 17.50	$ 17.50	22.34%	$ 3.91
OCC	PS 11 Corrugated Containers	$ 32.50	$ 32.50	11.17%	$ 3.63
Aluminum	Metals Aluminum Cans (Sorted, Baled, ¢lb, picked up)	$ 50.00	$ 1,000.00	1.23%	$ 12.31
Steel-Tin	Metals Steel Cans (Sorted, Densified, $/Gross ton, dropped off at RC)	$ 80.00	$ 80.00	1.18%	$ 0.94
PET	Plastics PET (Baled, ¢/lb, picked up)	$ 10.88	$ 217.60	6.40%	$ 13.93
HDPE N	Plastics Natural HDPE (Baled, ¢/lb, picked up)	$ 28.00	$ 560.00	1.20%	$ 6.72
HDPE C	Plastics Colored HDPE (Baled, ¢/lb, picked up)	$ 10.50	$ 210.00	1.49%	$ 3.14
Plastic #3-#7	Plastics Commingled (#3-7, Baled, ¢/lb, picked up)	$ (1.50)	$ (30.00)	0.71%	$ (0.21)
Aseptic-Gable Top	PS 52 Aseptic Cartons	$ -	$ -	0.68%	$ -
Three Mix Glass	Glass 3 Mix ($/ton del. as Recyclable or Disposable)	$ (22.50)	$ (22.50)	22.24%	$ (5.00)
Total Non-Program materials	N/A	$ -	$ -	10.00%	$ -
Excessive non-program materials	Contamination in excess of 10%	$ (55.00)	$ (55.00)	15.70%	$ (8.64)
				100.0%	$ 30.57
	Processing Fee				$ 99.20
	Net Material Value in excess of Processing Fee				$ (68.63)

Contamination, which refers to non-recyclable items being placed in collection containers, ranks 1st in negatively

impacting the Average Market Value. Contamination can also result in an entire truckload of material being disposed of as trash rather than sorted and recycled.

The terms of the agreement with Waste Management allow them to charge the Town a contamination fee for contamination levels in excess of 10%. Prior to the July 1, 2019 reset, contamination was 17.2%. Based on the weekly audits conducted by WM from January thru June, the current contamination level stands at 25.7% **(See Exhibit 1).**

Throughout Broward County, recycling contamination is around 30%, due in part to two things: 1) plastic bags and 2) "wish-cycling", the practice of filling the recycling cart with items that cannot be recycled, at least not in the single-stream collection model. This includes, for example, hangers, metal rods, strands of lights, and Styrofoam. Education has always stated plastic bags should NOT be put in the recycling cart. This was the motivation behind the Town's Recycling Tote; a way to collect recycling in the home vs. using a plastic bag, where ultimately the bag and its contents were tossed in the recycling cart. Contamination that makes its way into the processing facility can clog equipment and shut down operations. This increases the cost of recycling. Again, contamination is the #1 item that decreases the Average Market Value.

Currently, Plastics #3-7 and Glass are the 2nd and 3rd negative contributors, respectively, to Average Market Value. However, glass is a larger percentage, 22.24% vs. .71, of the composition of a ton of recycling. This means that glass costs the Town more than plastics #3-7. Shifts in markets have caused a steady decrease in Average Market Value leading to a higher and higher Net Market Value with each passing month; that trend is not expected to reverse, at least not significantly enough to cost less per ton than Municipal Solid Waste.

Recycling education throughout the years has focused primarily on increasing participation and hence, tonnage, rather than the quality of the materials collected. At the State level, there has been a paradigm shift from maximizing the tons of recycling collected to prioritizing those materials that contribute the most to a reduction of greenhouse gas emissions. The Florida Department of Environmental Protection has launched a statewide "Rethink. Recycle. Reset." public education campaign designed to educate and remind Floridians of the basics of curbside recycling.

The "Rethink. Recycle. Reset." public education campaign is silent on glass allowing individual municipalities to decide how to treat glass, as an acceptable recyclable or as contamination, based on local factors. In their role as a private hauler, Waste Management's own educational materials direct their customers to exclude glass from the recycling **(see Exhibit #2).**

Like municipalities across Broward County, the Town needs to re-evaluate what materials should be designated as recyclable and then educate residents accordingly. Glass has a long history of having a negative value in our region. If glass is excluded as a recyclable, it will go into the Municipal Solid Waste disposal stream, increasing the tonnage collected by Waste Pro. Waste Pro, not the Town, pays trash disposal costs from the monthly fees they collect from customers for their service. At this time, the cost for MSW disposal is $42.43 per ton.

LBTS is not alone is weighing the pros and cons of glass. The City of Coconut Creek recently decided to exclude glass and mixed paper as acceptable recycle items based on their negative market values. Other municipalities have chosen, like the Florida Recycles "Rethink. Recycle. Reset." campaign, to be silent on the glass.

We propose the Town Commission *Rethink* what materials should be recycled. Once that has been decided, we can launch a public education campaign around that decision. Every LBTS resident has an important role to play in ensuring a successful recycling program, one that allows the Town to minimize the cost of recycling as well as helps to reduce greenhouse gas emissions through the capture of the right materials.

Recommendation:

- Drop glass from the approved list of recyclables. Glass doesn't measurably reduce greenhouse gas emissions; it's an inert material that does no harm to the environment when trashed.

- Launch a public education program based on the Florida Recycles "Rethink. Recycle. Reset." campaign with the goal of reducing contamination and "wish-cycling"; maximum cost of $6000
    a. Distribute new Recycling Rules brochure (see Exhibit #3). Town to pay design costs (cost unknown); per contract with WM, they will pay the printing costs.
    b. Use sandwich boards at key entrances to residential areas to promote "new recycling rules" at a maximum cost of $700.
    c. Do random monitoring, tag carts, 1 courtesy empty. (see Exhibit #4). Tags at an approximate cost of $400. Wilton Manors, Coral Springs, Oakland Park among others have adopted this approach. This may increase the Recycling consultant contract.
    d. Replace decals on recycling carts at a maximum cost of $3000.
    e. Run articles in Town Topics.
    f. Distribute remaining Recycling Totes (glass marked out).

Attachments:

1. WM Audit Report
2. WM Glass Recycling Flyer
3. Recycling Flyer 2019
4. Coral Springs Recycling Tag

WM Audit- Recycling Composition %

	Jan-May	July
Mixed Paper	21.50	5.66
Newspaper	11.60	22.34
Corrugated Cardboard	14.60	11.17
Alum Cans	1.10	1.23
Steel Cans	2.00	1.18
PET Bottles	7.50	6.40
Natural HDPE	3.00	1.20
Colored HDPE	3.00	1.49
Plastic #3-7	4.40	0.71
Glass	13.30	22.24
Polycoated Cartons	0.80	0.68
Non-program	10.00	10.00
Excessive Non-program	7.20	15.70
	100.00	100.00
% Negative Value	46.40	44.31

It's Time to Get Back to the **Basics of Recycling**

WASTE MANAGEMENT

Dear **Waste Management** Customer:

Waste Management Inc. of Florida is no longer accepting **glass** in its commercial recycling program. The **fact is** that some **recycling actions** make a **bigger impact** than others.

There is only one market for recycled glass in Florida (in Sarasota). Because the costs of transportation, combined with the low value of glass, make it impractical to deliver glass from the entire state to this market, very little glass is recycled into new glass bottles in Florida. Since there is only an environmental benefit to recycling glass when it is recycled into new bottles, recycling glass in Florida does not provide an environmental benefit.

By **recycling properly** you help items get to their next best use, which reduces greenhouse gas emissions and preserves natural resources. However, recycling is only effective when the items collected and processed are beneficial to our environment.

DID YOU KNOW?

Recycling **glass** has a very **low energy savings** benefit as compared to other materials. In addition, recycling glass has a very **low GHG** (**greenhouse gas**) benefit compared with other recycled materials. Because glass is not an organic material, it does not generate CH4 (methane) or sequester any carbon when landfilled.

DON'T BE A WISH-CYCLER

TRASH THESE ITEMS

RANDOM INSPECTIONS

To ensure that only clean, recyclable items (no contamination) are placed in the recycling cart/dumpster, the Town may conduct random inspections.

Collection containers which are found to be contaminated, will be tagged and may not get emptied.

For more information about recycling and alternative disposal options for non-recyclable items, please visit the Town's website at **www.lbts-fl.gov.**

Look under the Services Heading for Solid Waste; then click on Alternative Disposal Options.

rethink. reset. recycle.
FloridaRecycles.org

TOWN OF LAUDERDALE-BY-THE-SEA
4501 N. Ocean Drive
Lauderdale-By-The-Sea, FL 33308

Tel: 954-640-4200
www.lbts-fl .gov

NEW RULES FOR RECYCLING

Please Keep for Your Reference

Town of
LAUDERDALE BY·THE·SEA

RETHINK!
curbside recycling

RECYCLE!
smart

RESET!
your recycling behavior

WHAT IS WISH-CYCLING?

Wish-cycling is when we load up our recycling cart with items that cannot be recycled; we just want it to be possible. This action may be well intentioned, but it ends up creating more PROBLEMS than solutions.

WISH-CYCLING IS CONTAMINATION!

Wish-cycling is a pervasive problem in our community and across Broward County. About 30% of the recycling collected through curbside programs ends up getting disposed of as trash by the recycle processing facility.

By eliminating Contamination, we keep recycling programs affordable, impactful and vibrant!

It's time to *RETHINK* what we *RECYCLE* and *RESET* our behavior....

STICK TO 4 BASICS

1. METAL CANS

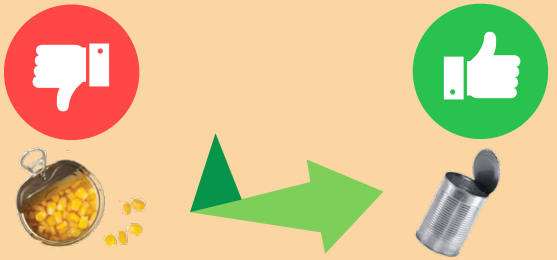
2. PLASTIC BOTTLES

3. CARDBOARD

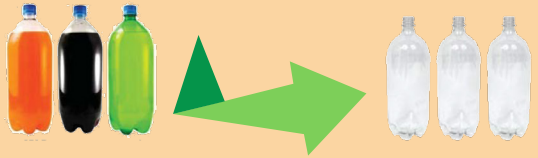
4. MIXED PAPER

WHEN IN DOUBT, *THROW IT OUT!*

HOW TO RECYCLE *RIGHT*



More clean than not



Empty

Flat

Never bagged.

RECYCLE CORAL SPRINGS

YOUR RECYCLING CART HAS GARBAGE IN IT!

We found one or more of the following items:

- ○ Plastic Bags
- ○ Pizza Boxes
- ○ Food
- ○ Styrofoam
- ○ Clothing/Fabric
- ○ Electronics
- ○ Other: _____

- ○ As a courtesy, we picked up your recycling. Please keep garbage out to avoid service interruptions or penalties.

- ○ We had to leave your recycling behind. Please sort out the garbage and we will try again on your next service day.

_____
Address

_____
Driver

_____
Route # Date

Waste Pro • 954-282-6800
CoralSprings.org/RecycleRight

CORAL SPRINGS
EVERYTHING UNDER THE SUN

Agenda Item No: 13.b

Town Commission Agenda Item Report

Meeting Date: October 22, 2019
Submitted by: Tedra Allen
Submitting Department: Administration
Item Type: Discussion Item
Agenda Section: NEW BUSINESS

Subject Title:
Commission Meeting Dates for November and December (Tedra Allen, Town Clerk)

Explanation:
The 2nd regular Commission meeting in November is scheduled for November 26, the week of Thanksgiving and the 2nd regular Commission meeting in December is scheduled for December 24, Christmas. We have cancelled these two meetings in the past as there are no pressing issues at this time.

Recommendation:
Commission direction on cancelling or re-scheduling the November 26, 2019 and December 24, 2019 Town Commission meeting

Town Commission Agenda Item Report

Meeting Date: October 22, 2019
Submitted by: Commissioner Strauss
Submitting Department: Commission
Item Type: Discussion Item
Agenda Section: NEW BUSINESS

Subject Title:
Dog Beach in the Town of Lauderdale-By-The-Sea (Commissioner Strauss)

Explanation:
At the August 27th Town Commission Meeting, Commissioner Strauss discussed staff doing some research on the possibility of having a Dog Beach in the Town of Lauderdale-By-The-Sea. In response to his informal inquiry, staff reached out to neighboring cities that currently manage and operate a dog beach to assess the feasibility of a dedicated area for dogs on the Town beach. Those cities are: City of Fort Lauderdale, City of Hollywood, and City of Boca Raton.

Below are general findings associated with this research:

- ❖Currently, the Town Code prohibits pets on the beach. Section 5-24, of Article II "Beach Regulations," in Chapter 5 of the Town Code of Ordinances states: "It shall be unlawful for any person to take, carry, lead, or permit dogs or other pets to come upon the public beach or beach area at any time, except seeing eye and hearing dogs."
- ❖All three cities have a designated area on their beach where dogs are allowed. In each city, staff recommended a location, to be approved by their commission, for the proposed dog beach. The proposed locations are usually secluded areas of the beach or areas that not very popular.
- ❖The areas designated as a dog beach in all 3 cities are not enclosed. However, these areas are marked with the appropriate signage.
- ❖Dogs are only permitted on the designated beach areas between the hours and days dedicated by each respective city.
- ❖Most of the complaints received by the cities in regards to the dog beaches were associated with aggressive dogs. However, according to the staff interviewed, not many concerns were reported.

Recommendation:

Commission consider calling for a public hearing regarding possibility of establishing beach dates and hours for dog owners.

Attachments:

1. Attached is an excel sheet with additional information concerning the dog beaches in the cities of Fort Lauderdale, Hollywood, and Boca Raton.

	DOG BEACH		
	City of Fort Lauderdale	**City of Hollywood**	**City of Boca Raton**
Days & Hours of Operations	Fridays, Saturdays and Sundays **April - October:** 3-9pm **November - March:** 3-7pm	Fridays, Saturdays and Sundays from 3pm - 7pm During Dylight Savings Time: 4pm-8pm	Fridays, Saturdays, and Sundays Time: 7am -9am November - March: 3pm - Sunset (EST) March - November: 5pm to Sunset (Daylight Savings Time)
Location	Second set of parking spaces north of Sunrise Boulevard on A1A (approximately 1269 N. Fort Lauderdale) - in front of Hugh Taylor Birch State Park. This area is owned by Birch state Park and Fort Lauderdale maintains it.	Between Pershing & Custer Streets	Spanish River Park 3001 N. Ocean Blvd. Between Lifeguard Towers 18 and 20
Area Selection	Staff recommended an area that is not usually heavily occupied	Secluded beach area was selected for this purpose	Staff made recommendations on the areas that would be the most appropriate to have a Dog Beach
Permit & Fees	Permit required. Pet owner must provide current hard copy certificate of vaccination and proof of residency. **Fees:** $30 per dog (residents) $45 per dog (non-residents)	Admittance requires a daily or 6 month pass: **Daily Pass:** $5 per dog, per day (Hollywood Residents) $10 per dog, per day (Non-Residents) **6 Month Pass:** $30 per dog-(Holywood Residents) $60 per dog (Non- Residents)	Permits required. Dog owners must provide proof of residency. **Fees:** $31 per dog (Greater Boca Raton and Park District or City Resident) $167 per dog (Non- Resident) $11 per dog (Weekend Pass regardless of Residency)
Enforcement	Park rangers watch the dog beach and enforce rules and regulations	Park Rangers monitor the beach and check for permits	Park rangers watch the dog beach and enforce rules and regulations
Resolutions or Ordinance	Ordinance C-94-29, Section 8-76 stablishes the conditions of use of the Dog Beach	Section 99.05 of the City of Hollywood Dog Beach stablishes the location, rules and regulations for the Hollywood Dog Beach	Resolution 164-2013 stablishes Dog Beach permit fees.

Agenda Item No: 13.d

Town Commission Agenda Item Report

Meeting Date: October 22, 2019
Submitted by: Bill Vance
Submitting Department: Administration
Item Type: Discussion Item
Agenda Section: NEW BUSINESS

Subject Title:
Town Manager's recommendation to postpone his annual performance review to March 1, 2019. (Bill Vance, Town Manager)

Explanation:
On February 25, 2019, the Town entered into an agreement with William "Bill" Vance, referred to in the agreement as the "Employee," who agreed to be hired as Town Manager under the terms and conditions set forth in the Agreement. The Agreement was effective March 1, 2019.

According to Subsection 6.2 of the Agreement, "the Town Commission shall endeavor to conduct annual performance reviews of Employee by December 31 of each year, based on the criteria that were mutually agreed to at the beginning of the preceding fiscal year. The process, at a minimum, shall include the opportunity for both parties to: (a) prepare a written evaluation, (b) meet and discuss the evaluation, and (c) present a written summary of the evaluation results. The Town Commission's final written evaluation shall be completed and delivered to Employee within thirty (30) days of the evaluation meeting."

Recommendation:
The Town Manager recommends that the Town Commission postpone his annual performance review to March 1, 2020, to conform with his employment anniversary date

Attachments:

Agreement and in addition to other salary and benefits herein provided, the sum of $46 bi-weekly.

5.5 **Reduction of Salary, Holidays, Leave or Benefits:** In the event the Town Commission at any time during the term of this Agreement reduces the Salary, Holidays, Leave or Benefits of Employee in a greater percentage than an applicable across-the-board reduction for all employees of Town, then the Employee may, at his option, be deemed to be terminated without cause at the date of such reduction. Such termination without cause shall be handled as provided in Section 3.1 of this Agreement.

5.6 **Notice/Approval for Temporary Absence from Town:** For a temporary absence from Town, which does not invoke Section 5.4 of the Town Charter, Employee shall ensure that Town matters are properly handled in his absence. Employee shall provide prior notice to the Town Commission if he anticipates being away from the Town for more than two (2) business days in a row. Employee shall not take more than ten (10) business days of Vacation Leave in a row without the prior approval of the Town Commission.

5.7 **Pay for Performance:** Any adjustment in Employee's Salary, Holidays, Leave, or Benefits based on the Town Commission's evaluation of Employee's performance shall be made pursuant to Section 6 of this Agreement.

5.8 **Residence Requirement:**

Employee agrees to establish and maintain a residence within 15 miles of the corporate boundaries of the Town during employment.

5.9 **Relocation Expenses:**

The Town shall pay up to $6,000 by reimbursement or direct payment, for the reasonable expenses of Employee's relocating to Broward County. Relocation expense shall be documented and may include transportation cost to find housing, the cost to move household goods and automobiles, and temporary lodging in Broward County. In the event Employee leaves the Town's employ, on his own volition, within three (3) years from the Commencement Date, Employee will be responsible for repaying a prorated share of the moving expense reimbursement based on the number of days of employment for the period.

SECTION 6. PERFORMANCE EVALUATION

6.1 **Performance Goals:** At the beginning of each fiscal year, the Town Commission and Employee will mutually agree on performance goals and objectives for the fiscal year. The Town Commission shall establish a relative priority among the goals and objectives, which shall be reduced to writing. The goals and objectives shall be reasonably attainable within the time constraints set for them, and adequate operating budgets or capital appropriations shall be funded to enable their accomplishment.

6.2 **Performance Review:** The Town Commission shall endeavor to conduct annual performance reviews of Employee by December 31 of each year, based on the

criteria that were mutually agreed to at the beginning of the preceding fiscal year. The process, at a minimum, shall include the opportunity for both parties to: (a) prepare a written evaluation, (b) meet and discuss the evaluation, and (c) present a written summary of the evaluation results. The Town Commission's final written evaluation shall be completed and delivered to Employee within thirty (30) days of the date of the evaluation meeting.

6.3 **Pay for Performance**: Based on the performance review, the Town Commission may increase the Salary, Holidays, Leave or Benefits granted under this Agreement, or may grant a high-performance reward to be paid in a lump sum amount. Any lump sum award for performance shall not be added to Employee's Salary, but shall be considered wages for purposes of retirement. The amount of the pay for performance shall take into account the Town's fiscal condition and ability to pay at that point in time.

SECTION 7. HOURS OF WORK: OTHER EMPLOYMENT

7.1 **Full Time Employee:** Employee agrees to remain in the full-time employ of the Town and shall not accept any other full-time employment during the term of this Agreement. Employee further agrees to devote that amount of time and energy that is reasonably necessary for Employee to faithfully perform his duties under this Agreement.

7.2 **Outside Opportunities**: Recognizing that certain outside teaching and consulting opportunities ("**Outside Opportunities**") may provide indirect benefits to the Town and to the community, the Employee may elect to accept limited Outside Opportunities with the understanding that such Outside Opportunities must not interfere with nor create a conflict of interest with his responsibilities under this Agreement. Employee shall provide a minimum of seven (7) days prior notice to the Town Commission before accepting such Outside Opportunities. If, however, the Town Commission determines, in its sole discretion, that Employee's performance may be compromised by his engagement in any proposed Outside Opportunity, or his continued engagement in an existing Outside Opportunity, the Town Commission may require that Employee decline to accept or withdraw from that Outside Opportunity. Employee shall not hold an ownership interest in any business located in the Town unless it is a publicly traded company.

SECTION 8. INDEMNIFICATION

8.1 **Indemnification**: Unless otherwise required by Federal, State or local law, Town shall defend, hold harmless and indemnify Employee against any tort, professional liability claim or demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the course and scope of Employee's performance of his duties as Town Manager or resulting from the reasonable exercise of judgment or discretion in connection with the performance of his Town duties or responsibilities, unless the act or omission involved willful or wanton conduct. Town's indemnification of Employee under this paragraph shall extend to any and all losses, damages, judgments, interest, settlements, fines, court costs and other reasonable costs and expenses of legal

Agenda Item No: 13.e

Town Commission Agenda Item Report

Meeting Date: October 22, 2019
Submitted by: Bill Vance
Submitting Department: Administration
Item Type: Discussion Item
Agenda Section: NEW BUSINESS

Subject Title:
Opportunity for Lauderdale-By-The Sea's Town Commission to establish performance goals for Fiscal Year 2020. (Bill Vance, Town Manager)

Explanation:
On February 25th, 2019, the Town of Lauderdale-By-The-Sea entered into an agreement with William "Bill" Vance - referred to in the agreement as the "Employee"-, who agreed to be hired as Town Manager under the terms and conditions set forth in this Agreement.

According to Subsection 6.1 of the agreement, "at the beginning of each fiscal year, the Town Commission and Employee will mutually agree on performance goals and objectives for the fiscal year. The Town Commission shall establish a relative priority among the goals and objectives, which shall be reduced to writing. The goals and objectives shall be reasonably attainable within the time constraints set for them, and adequate operating budgets or capital appropriations shall be funded to enable their accomplishments.

Recommendation:
Proceed with discussion to identify Town Manager's Performance Goals for Fiscal Year 2020.

Attachments:
1. Subsection 6.1 of Town Manager Bill Vance Employment Agreement

Agreement and in addition to other salary and benefits herein provided, the sum of $46 bi-weekly.

5.5 **Reduction of Salary, Holidays, Leave or Benefits**: In the event the Town Commission at any time during the term of this Agreement reduces the Salary, Holidays, Leave or Benefits of Employee in a greater percentage than an applicable across-the-board reduction for all employees of Town, then the Employee may, at his option, be deemed to be terminated without cause at the date of such reduction. Such termination without cause shall be handled as provided in Section 3.1 of this Agreement.

5.6 **Notice/Approval for Temporary Absence from Town**: For a temporary absence from Town, which does not invoke Section 5.4 of the Town Charter, Employee shall ensure that Town matters are properly handled in his absence. Employee shall provide prior notice to the Town Commission if he anticipates being away from the Town for more than two (2) business days in a row. Employee shall not take more than ten (10) business days of Vacation Leave in a row without the prior approval of the Town Commission.

5.7 **Pay for Performance**: Any adjustment in Employee's Salary, Holidays, Leave, or Benefits based on the Town Commission's evaluation of Employee's performance shall be made pursuant to Section 6 of this Agreement.

5.8 **Residence Requirement:**

Employee agrees to establish and maintain a residence within 15 miles of the corporate boundaries of the Town during employment.

5.9 **Relocation Expenses:**

The Town shall pay up to $6,000 by reimbursement or direct payment, for the reasonable expenses of Employee's relocating to Broward County. Relocation expense shall be documented and may include transportation cost to find housing, the cost to move household goods and automobiles, and temporary lodging in Broward County. In the event Employee leaves the Town's employ, on his own volition, within three (3) years from the Commencement Date, Employee will be responsible for repaying a prorated share of the moving expense reimbursement based on the number of days of employment for the period.

SECTION 6. PERFORMANCE EVALUATION

6.1 **Performance Goals**: At the beginning of each fiscal year, the Town Commission and Employee will mutually agree on performance goals and objectives for the fiscal year. The Town Commission shall establish a relative priority among the goals and objectives, which shall be reduced to writing. The goals and objectives shall be reasonably attainable within the time constraints set for them, and adequate operating budgets or capital appropriations shall be funded to enable their accomplishment.

6.2 **Performance Review**: The Town Commission shall endeavor to conduct annual performance reviews of Employee by December 31 of each year, based on the

Town Commission Agenda Item Report

Meeting Date: October 22, 2019
Submitted by: Linda Connors
Submitting Department: Administration
Item Type: Ordinances 1st Reading
Agenda Section: ORDINANCES 1st Reading

Subject Title:
Ordinance 2019-09 - AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA AMENDING CHAPTER 9 "FLOOD PREVENTION AND CONTROL" TO UPDATE REGULATIONS IN ORDER TO COMPLY WITH THE CURRENT FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)-APPROVED, FLOODPLAIN MANAGEMENT ORDINANCE AND CONFORM WITH STATE CITATIONS AND MANDATES; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE. (Linda Connors, Development Services Director)

Explanation:
The Town Commission updated Chapter 9 Flood Prevention and Flood Control of the Town's Code of Ordinances (the "Town Code") in 2014 pursuant to the request of the Florida Department of Emergency Management. The previous changes to the Code ensured that the Town's Flood Prevention and Control regulations were consistent with both the Florida Building Code ("FBC") regulations and the National Flood Insurance Program.

The references to the FBC have changed and so the State is asking that the Town update the Town's Code to reflect these changes. The amendments are included in Ordinance 2019-09 **(Exhibit 1)**.

Recommendation:
Staff recommends approval of Ordinance 2019-09 on first reading and setting second reading.

Attachments:
1. Ordinance 2019-09

ORDINANCE NO. 2019-09

AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA AMENDING CHAPTER 9 "FLOOD PREVENTION AND CONTROL" TO UPDATE REGULATIONS IN ORDER TO COMPLY WITH THE CURRENT FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)-APPROVED, FLOODPLAIN MANAGEMENT ORDINANCE AND CONFORM WITH STATE CITATIONS AND MANDATES; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, the Town of Lauderdale-By-The-Sea (the "Town") Commission recognizes that changes to the adopted Code of Ordinances are periodically necessary to ensure that the Town's regulations are current and consistent with the Town's planning and regulatory needs; and

WHEREAS, the Town participates in the National Flood Insurance Program and the Town desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60, necessary for such participation; and

WHEREAS, the Florida Division of Emergency Management identified corrections required by FEMA to bring the Town floodplain management regulations into conformance with the Model Floodplain Management ordinance approved by FEMA in January of 2013; 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. Recitals. The foregoing whereas clauses are incorporated herein by reference and made a part hereof.

SECTION 2. Amendment. Chapter 9 "Flood Prevention and Control;" Article II "Applicability" of the Town Code of Ordinances, is hereby amended as follows[1]:

ARTICLE II. - APPLICABILITY

*****

Sec. 9-8. - Areas to which this chapter applies.

This chapter shall apply to all flood hazard areas within the Town of Lauderdale-By-The-Sea, as established in section 9-9 ~~9.9~~ of this chapter.

*****

SECTION 3. Amendment. Chapter 9 "Flood Prevention and Control;" Article III "Duties and Powers of the Floodplain Administrator" of the Town Code of Ordinances, is hereby amended as follows:

ARTICLE III. - DUTIES AND POWERS OF THE FLOODPLAIN ADMINISTRATOR

*****

Sec. 9-21. - Other duties of the floodplain administrator.

*****

(d) Review required design certifications and documentation of elevations specified by this chapter and the Florida Building Code ~~and this chapter~~ to determine that such certifications and documentations are complete;

*****

Sec. 9-22. - Floodplain management records.

Regardless of any limitation on the period required for retention of public records, the Floodplain Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of this chapter and the flood resistant construction requirements of the Florida Building Code, including Flood Insurance Rate Maps; Letters of Map Change; records of issuance of permits and denial of permits; determinations of whether proposed

[1] Additions to existing text are shown in underline. Deletions are shown in ~~strikethrough~~.

work constitutes substantial improvement or repair of substantial damage; required design certifications and documentation of elevations specified by the Florida Building Code and this chapter; notifications to adjacent communities, FEMA, and the state related to alterations of watercourses; assurances that the flood carrying capacity of altered watercourses will be maintained; documentation related to appeals and variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to this chapter and the flood resistant construction requirements of the Florida Building Code. These records shall be available for public inspection at Town of Lauderdale-By-The-Sea, FL.

SECTION 4. Amendment. Chapter 9 "Flood Prevention and Control;" Article V "Site Plans and Construction Documents" of the Town Code of Ordinances, is hereby amended as follows:

ARTICLE V. - SITE PLANS AND CONSTRUCTION DOCUMENTS

*****

Sec. 9-32. - Additional analyses and certifications.

*****

(a) For alteration of a watercourse, an engineering analysis prepared in accordance with standard engineering practices which demonstrates that the flood-carrying capacity of the altered or relocated portion of the watercourse will not be decreased, and certification that the altered watercourse shall be maintained in a manner which preserves the channel's flood-carrying capacity; the applicant shall submit the analysis to FEMA as specified in section ~~9-34~~ 9-33 of this chapter.

*****

SECTION 5. Amendment. Chapter 9 "Flood Prevention and Control;" Article VII "Variances and Appeals" of the Town Code of Ordinances, is hereby amended as follows:

*****

ARTICLE VII. - VARIANCES AND APPEALS

*****

Sec. 9-45. - Historic buildings.

A variance is authorized to be issued for the repair, improvement, or rehabilitation of a historic building that is determined eligible for the exception to the flood resistant construction requirements of the Florida Building Code, Existing Building, Chapter ~~11~~ 12 Historic Buildings, upon a determination that the proposed repair, improvement, or rehabilitation will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building. If the proposed work precludes the building's continued designation as a historic building, a variance shall not be granted and the building and any repair, improvement, and rehabilitation shall be subject to the requirements of the Florida Building Code.

*****

SECTION 6. Amendment. Chapter 9 "Flood Prevention and Control;" Article IX "Definitions" of the Town Code of Ordinances, is hereby amended as follows:

ARTICLE IX. - DEFINITIONS

Sec. 9-52. - General.

*****

Appeal. A request for a review of the Floodplain Administrator's interpretation of any provision of this chapter ~~or a request for a variance~~.

*****

Base flood. A flood having a 1-percent chance of being equaled or exceeded in any given year. [Also defined in FBC, B, Section ~~1612.2~~202, as amended.] The base flood is commonly referred to as the "100-year flood" or the "one-percent-annual chance flood."

Base flood elevation. The elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified on the Flood Insurance Rate Map (FIRM). [Also defined in FBC, B, Section ~~1612.2~~202, as amended.]

Basement. The portion of a building having its floor subgrade (below ground level) on all sides. [Also defined in FBC, B, Section ~~1612.2~~202, as amended.]; see "Basement (for flood loads)".]

*****

Coastal high hazard area. A special flood hazard area extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. Coastal high hazard areas are also referred to as "high

hazard areas subject to high velocity wave action" or "V Zones" and are designated on Flood Insurance Rate Maps (FIRM) as Zone V1-V30, VE, or V. ~~[Note: The FBC, B defines and uses the term "flood hazard areas subject to high velocity wave action" and the FBC, R uses the term "coastal high hazard areas."]~~

*****

Design flood. The flood associated with the greater of the following two areas: [Also defined in FBC, B, Section ~~1612.2~~2202, as amended.]

(1) Area with a floodplain subject to a one-percent or greater chance of flooding in any year; or

(2) Area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

Design flood elevation. The elevation of the "design flood," including wave height, relative to the datum specified on the community's legally designated flood hazard map. In areas designated as Zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building's perimeter plus the depth number (in feet) specified on the flood hazard map. In areas designated as Zone AO where the depth number is not specified on the map, the depth number shall be taken as being equal to two feet. [Also defined in FBC, B, Section ~~1612.2~~2202, as amended.]

*****

Existing building and existing structure. Any buildings and structures for which the "start of construction" commenced before October 27, 1972. [Also defined in FBC, B, Section ~~1612.2~~2202, as amended.]

*****

Flood or flooding. A general and temporary condition of partial or complete inundation of normally dry land from: [Also defined in FBC, B, Section ~~1612.2~~2202, as amended.]

(1) The overflow of inland or tidal waters.

(2) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood damage-resistant materials. Any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair. [Also defined in FBC, B, Section ~~1612.2~~2202, as amended.]

Flood hazard area. The greater of the following two areas: [Also defined in FBC, B, Section ~~1612.2~~2202, as amended.]

(1) The area within a floodplain subject to a one-percent or greater chance of flooding in any year.

(2) The area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

Flood Insurance Rate Map (FIRM). The official map of the community on which the Federal Emergency Management Agency has delineated both special flood hazard areas and the risk premium zones applicable to the community. [Also defined in FBC, B, Section ~~1612.2~~202, as amended.]

Flood Insurance Study (FIS). The official report provided by the Federal Emergency Management Agency that contains the Flood Insurance Rate Map, the Flood Boundary and Floodway Map (if applicable), the water surface elevations of the base flood, and supporting technical data. [Also defined in FBC, B, Section ~~1612.2~~ 202, as amended.]

*****

Historic structure. Any structure that is determined eligible for the exception to the flood hazard area requirements of the Florida Building Code, Existing Building, Chapter ~~11~~ 12 Historic Buildings.

*****

Lowest floor. The lowest floor of the lowest enclosed area of a building or structure, including basement, but excluding any unfinished or flood-resistant enclosure, other than a basement, usable solely for vehicle parking, building access or limited storage provided that such enclosure is not built so as to render the structure in violation of the non-elevation requirements of the Florida Building Code or ASCE 24. [Also defined in FBC, B, Section 202~~1612.2~~, as amended.]

*****

Special flood hazard area. An area in the floodplain subject to a one percent or greater chance of flooding in any given year. Special flood hazard areas are shown on FIRMs as Zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V. [Also defined in FBC, B Section 202~~1612.2~~, as amended.]

Start of construction. The date of issuance of a building permit for new construction and substantial improvements ~~to existing structures~~, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement is within 180 days of the date of the issuance. The actual start of construction means either the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns.

Permanent construction does not include land preparation (such as clearing, grading, or filling), the installation of streets or walkways, excavation for a basement, footings, piers, or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main buildings. For a substantial improvement,

the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Also defined in FBC, B Section 202~~1612.2~~, as amended]

Substantial damage. Damage of any origin sustained by a building or structure whereby the cost of restoring the building or structure to its before-damaged condition would equal or exceed 50 percent of the market value of the building or structure before the damage occurred. [Also defined in FBC, B Section 202~~1612.2~~, as amended.]

Substantial improvement. Any repair, reconstruction, rehabilitation, addition, or other improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the building or structure before the improvement or repair is started. If the structure has incurred "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either: [Also defined in FBC, B, Section 202~~1612.2~~, as amended.]

(1) Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.

(2) Any alteration of a historic structure provided the alteration will not preclude the structure's continued designation as a historic structure. ~~[See Instructions and Notes]~~

*****

SECTION 6. Amendment. Chapter 9 "Flood Prevention and Control;" Article X "Flood Resistant Development" of the Town Code of Ordinances, is hereby amended as follows:

ARTICLE X. - FLOOD RESISTANT DEVELOPMENT

*****

Sec. 9-55. – Site improvement, utilities and limitations.

*****

(e) *Limitations on sites in coastal high hazard areas (Zone V).* In coastal high hazard areas, alteration of sand dunes and mangrove stands shall be permitted only if such alteration is approved by the Florida Department of Environmental Protection and only if the engineering analysis required by section ~~9-33(d)~~ 9-32(b) of this chapter demonstrates that the proposed alteration will not increase the potential for flood damage. Construction or restoration of dunes under or around elevated buildings and structures shall comply with section ~~9-59(h)(3)~~ 9-59(f)(3) of this chapter.

*****

Sec. 9-59. - Other development.

(a) *General requirements for other development.* All development, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in this chapter or the Florida Building Code, shall:

(1) Be located and constructed to minimize flood damage;

~~(2) Meet the limitations of section 9-55(d) of this chapter if located in a regulated floodway;~~

~~(3)~~ (2) Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood;

~~(4)~~ (3) Be constructed of flood damage-resistant materials; and

~~(5)~~ (4) Have mechanical, plumbing, and electrical systems above the design flood elevation or meet the requirements of ASCE 24, as amended, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of building code for wet locations.

*****

SECTION 7. 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 8. 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 9. Conflicting Ordinances. All prior ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent of said conflict.

SECTION 10. 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 _____, 2019.

Passed and adopted on the second reading, this ___ day of _____, 2019.

_____

MAYOR CHRIS VINCENT

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

ATTEST:

_____

Tedra Allen, CMC Town Clerk

APPROVED AS TO FORM:

_____

Susan L. Trevarthen, Town Attorney

Town Commission Agenda Item Report

Meeting Date: October 22, 2019
Submitted by: Linda Connors
Submitting Department: Administration
Item Type: Resolutions
Agenda Section: RESOLUTIONS – PUBLIC COMMENTS

Subject Title:
Resolution 2019-38 - A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, CREATING A COMPLETE COUNT ADVISORY COMMITTEE FOR THE 2020 DECENNIAL CENSUS; SPECIFYING POWERS AND DUTIES OF THE COMMITTEE; ESTABLISHING THE NUMBER OF MEMBERS OF THE COMMITTEE; ESTABLISHING QUALIFICATIONS OF MEMBERS OF THE COMMITTEE; PROVIDING FOR AUTOMATIC TERMINATION OF THE COMMITTEE; PROVIDING FOR SERVICE WITHOUT COMPENSATION; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE. (Linda Connors, Development Services Director)

Explanation:
The United States Census Bureau is recommending that every local governments create a Complete Count Committee to assist in their efforts to promote resident participation in the upcoming Census that will take place in April of 2020. Broward County (the "County") has requested the Town of Lauderdale-By-The-Sea (the "Town") partner with the County in securing a complete count of all the residents in the Town.

The purpose of the Complete Count Committee (the "Committee") will be to:

- Recommend methods of disseminating information about the 2020 Census;
- Assist in advertising the 2020 Census; and
- Recommend outreach efforts to encourage participation in the 2020 Census.

Resolution 2019-38 (Exhibit 1) establishes the Committee. The Committee will be made up of the current members of the Planning and Zoning Board/Board of Adjustment. The Committee will meet not less than once per month. Jhanelle Campbell, Planner for the Town will serve as the liaison to the Committee.

The Town has budgeted $7,500 for 2020 Census outreach efforts.

Recommendation:
Staff recommends approval of Resolution 2019-38

Attachments:
1. Resolution 2019-38

Exhibit 1

RESOLUTION 2019-38

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, CREATING A COMPLETE COUNT ADVISORY COMMITTEE FOR THE 2020 DECENNIAL CENSUS; SPECIFYING POWERS AND DUTIES OF THE COMMITTEE; ESTABLISHING THE NUMBER OF MEMBERS OF THE COMMITTEE; ESTABLISHING QUALIFICATIONS OF MEMBERS OF THE COMMITTEE; PROVIDING FOR AUTOMATIC TERMINATION OF THE COMMITTEE; PROVIDING FOR SERVICE WITHOUT COMPENSATION; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the next Decennial Census (the "Census") will be taken in 2020 and will determine the apportionment of representatives in the United States House of Representatives, state legislature, and local government; and

WHEREAS, communities rely on census statistics to plan for a variety of resident needs including new roads, jobs, housing, schools, and emergency services, and

WHEREAS, the U.S. Census Bureau recommends that every local government in the United States of American form a complete count committee; and

WHEREAS, the Town of Lauderdale-By-The-Sea (the "Town") has agreed to partner with Broward County in securing a complete count of all the residents in the Town; and

WHEREAS, pursuant to Part I "Charter," Article VII "Planning and Zoning," Section 7.3 "Advisory Boards; How Constituted" of the Town Charter, the Town Commission is authorized to create and appoint advisory boards comprised of residents of the Town, qualified to act in an advisory capacity to the Town Commission; and

WHEREAS, it is in the Town's best interest to create the Complete Count Committee (the "Committee") in order to publicize the Census, recommend methods of disseminating information about the Census, and recommend outreach to encourage participation in the Census.

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

SECTION 1. The above referenced "Whereas" clauses are true and correct and made a part hereof.

SECTION 2. The Town Commission hereby establishes a Complete Count Committee for the Census.

SECTION 3. The Committee shall be comprised of the seven (7) members of the Planning and Zoning Board.

SECTION 4. The Committee shall observe the following:

- **A.** The Committee shall meet no less than once per month, at a date and time set by the Committee to maximize participation and public interest.
- **B.** A majority of members of the C Committee shall constitute a quorum.
- **C.** The Committee shall automatically terminate no later than October 31, 2020.
- **D.** The Committee shall select a Chair and Vice Chair among its members.
- **E.** The Committee shall adopt rules and procedures for the conducts of its meetings.
- **F.** The Committee shall meet at a location designated by the Town Manager or designee.

SECTION 5. The appropriate Town officials are authorized to do all things necessary and expedient to carry out the aims of this Resolution.

SECTION 6. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 22th day of October, 2019.

_____
MAYOR CHRIS VINCENT

ATTEST:

_____
Tedra Allen, Town Clerk

Approved as to form:

_____
Susan L. Trevarthen, Town Attorney

Town Commission Agenda Item Report

Meeting Date: October 22, 2019
Submitted by: Tedra Allen
Submitting Department: Administration
Item Type: Resolutions
Agenda Section: RESOLUTIONS – PUBLIC COMMENTS

Subject Title:
Resolution 2019-39 - A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, RELATING TO THE MEMORANDUM OF UNDERSTANDING ("MOU") REGARDING COLLABORATIVE STUDY AND SUBSEQUENT DEVELOPMENT OF AN INTEGRATED SOLID WASTE AND RECYCLING SYSTEM; APPOINTING REPRESENTATIVES TO REPRESENT THE TOWN IN MATTERS RELATING TO THE MOU; PROVIDING FOR AN EFFECTIVE DATE. (Neysa Herrera, Assistant to the Town Manager)

Explanation:
On July 9, 2019, the Town Lauderdale-By-The-Sea Town Commission adopted Resolution 2019-18 authorizing the Town Manager to execute a Memorandum of Understanding ("MOU") between the Town, Broward County, and participating municipalities, formalizing the shared desire to establish and implement a regional solid waste and recyclables system.

On October 14th, City/Town elected officials, Managers, and Attorneys from participating municipalities attended a meeting in Sunrise Civic Center to discuss the next steps and milestones outlined in the MOU. The participating municipalities must decide the number of municipal members of the Working Group, how to select them, and who they will be, as well as make other collective decisions on behalf of municipalities, as the issues under the MOU are reviewed. The next milestone is for each municipality to designate two elected officials, one to serve as the representative and one as the alternate representative, respectively to decide the composition of the MOU Working Group, along with other matters as necessary.

In addition, the MOU also provides for a Technical Group, comprised of staff-level persons to review issues and make recommendations to the Working Group.

Recommendation:
Consider approving Resolution 2019-39, relating to the MOU regarding collaborative study and subsequent development of an integrated solid waste and recycling system; appointing representatives to represent the Town in matters relating to the memorandum of understanding; providing direction on representation on the technical group of the memorandum of understanding; and providing for an effective date.

Attachments:
1. Resolution 2019-39

RESOLUTION NO. 2019-39

A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, RELATING TO THE MEMORANDUM OF UNDERSTANDING ("MOU") REGARDING COLLABORATIVE STUDY AND SUBSEQUENT DEVELOPMENT OF AN INTEGRATED SOLID WASTE AND RECYCLING SYSTEM; APPOINTING REPRESENTATIVES TO REPRESENT THE TOWN IN MATTERS RELATING TO THE MOU; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town entered into the Memorandum of Understanding Regarding Collaborative Study and Subsequent Development of an Integrated Solid Waste Recycling System ("MOU"); and

WHEREAS, the MOU provides for the establishment of a Working Group comprised of elected officials from Broward County; and

WHEREAS, the municipal signatories of the MOU must decide the number of municipal members of the Working Group, how to select them, and who they will be, as well as make other collective decisions on behalf of municipalities, as the issues under the MOU are reviewed; and

WHEREAS, any municipality that elects to do so may have a representative on the Working Group; and

WHEREAS, the Town Commission deems it to be in the best interests of the Town to appoint representatives to represent the Town in matters relating to the MOU.

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

Section 1. **Recitals.** Each "WHEREAS" clause set forth is true and correct and herein incorporated by this reference.

Section 2. Appointment of Town Representative. The Town Commission hereby appoints _____ as the Town's representative, and _____ as the Town's alternate representative, to vote on behalf of the Town on matters relating to the MOU, including decisions regarding the Working Group. The alternate representative will participate and vote only in the absence or unavailability of the representative.

Section 3. **Authorization to Implement**. The appropriate Town officials are authorized to execute all necessary documents and to take any necessary action to effectuate the intent of this Resolution.

Section 4. **Effective Date**. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED this _____ day of October, 2019.

_____
Mayor Chris Vincent

Attest:

_____
Town Clerk Tedra Allen
(CORPORATE SEAL)

APPROVED AS TO FORM:

_____
Susan L. Trevarthen, Town Attorney

Town Commission Agenda Item Report

Meeting Date: October 22, 2019
Submitted by: Bill Vance
Submitting Department: Administration
Item Type: Resolutions
Agenda Section: RESOLUTIONS – PUBLIC COMMENTS

Subject Title:
Resolution 2019-40 - A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING AND AUTHORIZING AN AGREEMENT WITH ERICKS CONSULTANTS, INC. FOR LOBBYIST SERVICES; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE. (Bill Vance, Town Manager)

Explanation:
This item is presented to the Town Commission for approval of an agreement between the Town of Lauderdale-By-The-Sea ("Town") and Ericks Consultants, Inc. ("Ericks") for Lobbyist Services. The agreement is for twelve (12) months from the day of execution by the parties with a 12-month renewal term, in an amount not to exceed $30,000 for the one-year term, to be paid in monthly payments of $2,500.

In August 2017, the Town published Request for Proposal No. 170701 for Lobbyist Services ("RFP"). In September 2017, the Town Commission selected Ericks to provide lobbyist services to secure funding for the Palm Club Sewer System Project. On September 29, 2017, the Town and Ericks entered into an agreement for Lobbyist Services pursuant to the RFP, which expired on September 29, 2019.

Ericks has been successfully providing lobbyist services to the Town. The Town wishes to continue to utilize Ericks' services and enter into a new agreement with Ericks for lobbyist services to secure funding for the Palm Club Sewer System Project. Pursuant to Section IV.D. of the Purchasing Manual, professional services may be exempted from competitive solicitation requirements upon a finding by the Town Commission that such procurement is in the best interests of the Town.

Recommendation:
The Town Manager recommends the Town Commission approve Resolution 2019-40 , approving the Agreement with Ericks Consultants, Inc., finding that this Agreement is in the best interests of the Town and exempt from competitive solicitation requirements, and authorizing the Town Manager to execute a 12-month Agreement for Consulting Services with Ericks Consultants in an amount not to exceed $30,000 for Lobbyist Services. Sufficient funds are available to cover these costs in the Professional Services line item

Attachments:
1. Resolution 2019-40
2. Ericks Consultant Agreement

Town of Lauderdale-By-The-Sea

AGREEMENT FOR CONSULTING SERVICES

This Agreement for Lobbyist Services, made and entered into this ____ day of October 2019, by and between the Town of Lauderdale-By-The-Sea, a Florida municipal corporation (the "Town") and Ericks Consultants, Inc. a Florida corporation (the "Consultant").

WITNESSETH:

The parties, in consideration of the sum of ten dollars and other good and valuable consideration, paid in hand to each other, the receipt and sufficiency of which is hereby acknowledged, hereby agree as follows:

1. Services. Consultant, as an independent contractor, at its own cost and expense, shall perform the services described herein and as described in the Consultant's Proposal, attached hereto and incorporated herein as **Exhibit "A"**. The services required by **Exhibit "A"** and this Agreement shall be collectively referred to as "Services."

Consultant shall provide all materials, tools, labor, appliances, machinery and appurtenances necessary to perform the authorized work. Consultant shall obtain and keep in effect for the term of this Agreement any special licenses and permits necessary for Consultant to provide the services required hereunder. The location of the services shall be at determined by the Consultant.

2. Term. This Agreement is for one year (1) year from the date of execution by the parties. The Town Manager may renew this Agreement, in his sole discretion, for an optional one (1) year term, on the same terms and conditions, except that compensation shall be mutually agreed to by the parties, by providing Consultant thirty days' notice prior to the expiration of the current term.

3. Compliance with Applicable Law. All work hereunder shall be performed in a professional manner and form as required by all applicable federal, state, and local rules, regulations, laws, codes, and ordinances and as may be further specified by Town. Consultant shall at all times protect Town's property from all damage and shall repair or replace any damaged property as required by Town.

4. Compensation. The Town shall compensate the Consultant a total amount not to exceed $30,000, which shall be paid in monthly payments of $2,500.

Consultant shall provide Town an invoice of $2,500 once per month together with a summary description of the services provided, unless requested otherwise by Town. Fees shall be paid in arrears each month. The Town shall pay the Consultant within 30 days of receipt of an approved invoice.

5. Books and Records. Consultant shall keep, for the statutorily required period, accurate books and records with the supporting documents, statistical records, transactions and any other underlying documents supporting the services provided hereunder, and shall comply with Section 15. The Town shall have the right to audit the books and records of Consultant related to the services authorized herein upon reasonable notice provided to Consultant. Any incomplete or incorrect entry in such books and records shall be a basis for Town's disallowance and recovery of any payment to Consultant based upon such entry.

6. Indemnity. Consultant shall defend, indemnify, and hold harmless the Town, its officers, agents and employees, from and against any and all demands, claims, losses, suits, liabilities, causes of action, judgment or damages, arising out of, related to, whether directly or indirectly, or any way connected with Consultant's performance or non-performance of any provision of this Agreement, including, but not limited to, liabilities arising from contracts between the Consultant and third parties for work or materials required under or related to this Agreement. Consultant shall reimburse the Town for all its expenses including reasonable attorneys' fees and costs incurred in and about the defense of any such claim or investigation and for any judgment or damages arising out of, related to, whether directly or indirectly, or in any way connected with

Consultant's performance or non-performance of this Agreement. The provisions of this section shall survive termination of this Agreement.

7. Termination. Town Manager may, with or without cause, terminate this Agreement upon written notice to the Consultant, effective on the date specified in the notice.

8. Notice. Any notices required by this Agreement shall be in writing and shall be deemed to have been properly given if transmitted by hand-delivery, by registered or certified mail with postage prepaid return receipt requested, or by a private postal service, addressed to the parties (or their successors) at the following addresses:

For the Town:	Town Manager Town of Lauderdale-By-The-Sea 4501 Ocean Drive Lauderdale-By-The-Sea, Florida 33308
With a copy to:	Town Attorney Town of Lauderdale-By-The-Sea 4501 Ocean Drive Lauderdale-By-The-Sea, FL 33308
For The Consultant:	Candice Ericks, Managing Partner Ericks Consultants, Inc. 205 S. Adams Street Tallahassee, Florida 32301

9. Assignment and Changes. Consultant may not assign this Agreement. Any changes to this Agreement must be by written amendment, executed by the parties hereto.

10. Insurance. Consultant shall provide evidence of its exemption from the requirement to carry worker's compensation and shall carry the following types and limits of insurance:

> $1,000,000 combined single limit of insurance per occurrence and $2,000,000 in the general aggregate for Bodily Injury and Property Damage; $2,000,000 general aggregate for Products/Completed Operations; Comprehensive General Liability insurance shall include endorsements for property damage, personal injury, contractual liability, completed operations, products liability, and independent contractors coverage. The Town shall be named as an additional insured. No other insurance is required for this contract.

11. Entire Agreement. This writing contains the entire Agreement of the parties and supersedes any prior oral or written representations. No representations were made or relied upon by either party, other than those that are expressly set forth herein.

12. Consultant Representations. Consultant represents the following: Consultant is properly authorized to do business in the State of Florida; the execution, delivery and performance of this Agreement by Consultant have been duly authorized; this Agreement is binding on Consultant and enforceable against Contactor in accordance with its terms; and no consent of any other person or entity to such execution, delivery and performance is required.

13. Independent Consultant. This Agreement does not create an employee/employer or joint venture relationship between the parties.

14. Chapter 119 (Public Records). The Consultant shall comply with Chapter 119, Florida Statutes, as applicable, and shall comply with the following:

(a) Consultant agrees to keep and maintain public records in Consultant's possession or control in connection with Consultant's performance under this Agreement. Consultant additionally agrees to comply specifically with the provisions of Section 119.0701, Florida Statutes. Consultant shall ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed, except as authorized by law, for the duration of the Agreement, and following completion of the Agreement until the records are transferred to the Town.

(b) Upon request from the Town's custodian of public records, Consultant shall provide the Town with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided by Chapter 119, Florida Statutes, or as otherwise provided by law.

(c) Unless otherwise provided by law, any and all records, including but not limited to reports, surveys, and other data and documents provided or created in connection with this Agreement are and shall remain the property of the Town.

(d) Upon completion of this Agreement or in the event of termination by either party, any and all public records relating to the Agreement in the possession of the Consultant shall be delivered by the Consultant to the Town Manager, at no cost to the Town, within seven (7) days. All such records stored electronically by Consultant shall be delivered to the Town in a format that is compatible with the Town's information technology systems. Once the public records have been delivered upon completion or termination of this Agreement, the Consultant shall destroy any and all duplicate public records that are exempt or confidential and exempt from public records disclosure requirements.

(e) Any compensation due to Consultant shall be withheld until all records are received as provided herein.

IF THE CONSULTANT HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONSULTANT'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT 954-640-4200, TedraA@lauderdalebythesea-fl.gov, or by mail: Town Clerk, 4501 N. Ocean Drive, Lauderdale-By-The-Sea, FL 33308.

15. Severability. Should any provision, paragraph, sentence, word, or phrase contained in this Agreement be determined by a court of competent jurisdiction to be invalid, illegal, or otherwise unenforceable under the laws of the State of Florida, such provision, paragraph, sentence, word, or phrase shall be deemed modified to the extent necessary in order to conform with such laws, and the remainder shall remain unmodified and in full force and effect.

16. Waiver of Jury Trial. The Town and Consultant **knowingly, irrevocably, voluntarily and intentionally waive any right either may have to a trial by jury in state and or federal court proceedings** in respect to any action, proceeding, lawsuit or counterclaim based upon this Agreement and/ arising out of, under, or in connection with the services performed hereunder, or any course of conduct, course of dealing, statements or actions or inactions of any party hereto.

17. Venue. This Agreement shall be construed in accordance with and governed by the laws of the State of Florida. Venue for any litigation arising out of this Agreement shall be proper exclusively in Broward County, Florida. If either the Town or Consultant is required to enforce the terms of this Agreement by court proceedings or otherwise, whether or not formal legal action is required, the prevailing party shall be entitled to recover from the other party all such costs and expenses, including, but not limited to, court costs, and reasonable attorneys' fees.

18. No Contingent Fees. Consultant warrants it has not employed or retained any company or person, other than a bona fide employee working solely for Consultant to solicit or secure this Agreement, and that it has not paid or agreed to pay any person, company, corporation, individual, or firm, other than a bona fide employee working solely for Consultant, any fee, commission, percentage, gift, or other consideration contingent upon or resulting from the award or making of this Agreement. No officer or employee of the Town during his or her term of employment or for one year thereafter shall have any interest, direct or indirect, in this Agreement, or the proceeds thereof. Section 2-25 of the Town Code provides that no vendor shall give, solicit for, deliver or provide a campaign contribution directly or indirectly to a candidate, or to the campaign committee of a candidate, for the offices of Mayor or Commissioner.

19. Scrutinized Companies

a. Consultant certifies that it and its subcontractors are not on the Scrutinized Companies that Boycott Israel List. Pursuant to Section 287.135, F.S., the City may immediately terminate this Agreement at its sole option if the Consultant or its subcontractors are found to have submitted a false certification; or if the Consultant, or its subcontractors are placed on the Scrutinized Companies that Boycott Israel List or is engaged in the boycott of Israel during the term of the Agreement.

b. If this Agreement is for more than one million dollars, the Consultant certifies that it and its subcontractors are also not on the Scrutinized Companies with Activities in Sudan, Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or engaged with business operations in Cuba or Syria as identified in Section 287.135, F.S. Pursuant to Section 287.135, F.S., the City may immediately terminate this Agreement at its sole option if the Consultant , its affiliates, or its subcontractors are found to have submitted a false certification; or if the Consultant, its affiliates, or its subcontractors are placed on the Scrutinized Companies with Activities in Sudan List, or Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or engaged with business operations in Cuba or Syria during the term of the Agreement.

c. The Consultant agrees to observe the above requirements for applicable subcontracts entered into for the performance of work under this Agreement.

d. As provided in Subsection 287.135(8), F.S., if federal law ceases to authorize the above-stated contracting prohibitions then they shall become inoperative.

20. Ethics.

a. Consultant warrants and represents that its employees shall abide by the Code of Ethics for Public Officers and Employees, Chapter 112, Florida Statutes.

b. No officer or employee of the Town, during his or her term of employment or for one year thereafter, shall have any interest, direct or indirect, in this contract or the proceeds thereof. Any subcontractors hired by the firm must also adhere to this policy and it must be included in their contracts as well.

c. No vendor shall give, solicit for, deliver or provide a campaign contribution directly or indirectly to a candidate, or to the campaign committee of a candidate, for the offices of Mayor or Commissioner.

d. Consultant covenants to promptly comply with all applicable federal, state, county, and municipal laws, ordinances, regulations, and rules relating to the Services to be performed hereunder and in effect at the time of performance. Consultant covenants that it will conduct no activity or provide any service that is unlawful or offensive.

Town of Lauderdale-By-The-Sea

AGREEMENT FOR CONSULTING SERVICES

IN WITNESS WHEREOF the parties hereto have executed this Agreement on the day and date first above written.

TOWN:	CONSULTANT:
TOWN OF LAUDERDALE-BY-THE-SEA	ERICKS CONSULTANTS, INC.
By: _____	By: _____
William Vance, Town Manager	Candice Ericks, Managing Partner

Attest: _____
Tedra Allen Town Clerk

Approved as to Form and Legal Sufficiency:

_____
Town Attorney Susan L. Trevarthen

RESOLUTION NO. 2019-40

A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING AND AUTHORIZING AN AGREEMENT WITH ERICKS CONSULTANTS, INC. FOR LOBBYIST SERVICES; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on _____ __, 2017, the Town and Ericks Consultants, Inc. ("Ericks") entered into an agreement for lobbyist services to secure funding for the Palm Club Sewer System Project which expired on _____ __ 2019; and

WHEREAS, the Town wishes to enter into a new agreement with Ericks for lobbyist services to secure funding for the Palm Club Sewer System Project; and

WHEREAS, pursuant to Section IV.D. of the Purchasing Manual, professional services may be exempted from competitive solicitation requirements upon a finding by the Town Commission that such procurement is in the best interests of the Town; and

WHEREAS, the Town Commission deems it to be in the best interests of the Town to approve an agreement with Ericks Consultants, Inc. and authorize the Town Manager to execute the agreement.

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

Section 1. **Recitals.** Each "WHEREAS" clause set forth is true and correct and herein incorporated by this reference.

Section 2. Competitive Solicitation Exempt. The Town Commission finds the agreement between the Town and Ericks for lobbyist services is in the best interests of the Town

and exempt from competitive solicitation, pursuant to Section IV.D. of the Town Purchasing Manual, which exempts contracts for professional services

Section 3. **Agreement Approved**. The Agreement with Ericks Consultants, Inc. for lobbyist services, attached hereto as Exhibit "A," is hereby approved.

Section 4. Authorization to Execute Agreement. The Town Manager is hereby authorized to execute the Agreement with Ericks for Lobbyist Services in an amount not to exceed $30,000, in substantial conformity with the attached Exhibit "A," together with such non-substantial changes as are deemed acceptable to the Town Manager and approved as to form and legal sufficiency by the Town Attorney.

Section 5. **Authorization to Implement**. The appropriate Town officials are authorized to execute all necessary documents and to take any necessary action to effectuate the intent of this Resolution.

Section 6. **Effective Date**. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED this _____ day of October, 2019.

_____
Mayor Chris Vincent

Attest:

_____
Town Clerk Tedra Allen
(CORPORATE SEAL)

APPROVED AS TO FORM:

_____

Susan L. Trevarthen, Town Attorney