

**TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Tuesday, October 12, 2021
6:30 PM**

1. CALL TO ORDER

Mayor Chris Vincent called the meeting to order at 6:30 p.m. Also present were Vice Mayor Alfred “Buz” Oldaker, Commissioner Edmund Malkoon, Commissioner Elliot Sokolow, Commissioner Randy Strauss, Interim Town Manager Linda Connors, Assistant to the Town Manager Neysa Herrera, Town Attorney Susan Trevarthen, Public Works Director Ken Rubach, Director of Finance and Budget Lucila Lang, Acting Development Services Director Jhanelle Campbell, Special Events and Marketing Manager Debbie Hime, Human Resources Manager Lisa Slagle, Public Information Officer/IT Administrator Steve d’Oliveira, and Town Clerk Tedra Allen.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION

Mayor Vincent noted the passing of paramedic and resident David Burgess.

All present observed a moment of silence.

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

None.

5. PRESENTATIONS

a. Three Year Strategic Marketing Plan

Special Events and Marketing Manager Debbie Hime introduced Laurie Ernest-Jones of Conceptual Communications, who provided an overview of the Town’s Strategic Marketing Plan over the last three years. This Plan had two major goals from 2019 through 2021: to attract legacy visitors to the Town, and to replace most print marketing with digital marketing.

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The Plan involved managing the Town's tourism partnerships, which include the Greater Fort Lauderdale Convention and Visitors' Bureau (CVB), Visit Lauderdale, and TripAdvisor. Areas of focus included brand awareness across all digital platforms and support and promotion of local business through paid and organic campaigns throughout the COVID-19 pandemic. During the early stages of the pandemic, there was significant promotion of the Town's shops, hotels, and restaurants, which led to 680,000 views of the Town's website.

6. PUBLIC COMMENTS

At this time Mayor Vincent opened public comment.

Barbara Cole, resident, provided a document including her impressions of the Interim Town Manager's recent service, concluding that the Commission should conduct as thorough a search for a new Town Manager as they have done in the past.

Bob Fleishman, resident, asserted that he felt the Interim Town Manager is more than able to continue in this position in a permanent capacity.

Howard Goldberg, representing the Chamber of Commerce, stated that he was fully supportive of allowing the Interim Town Manager to continue in that position on a permanent basis.

Ann Marchetti, resident, felt the Commission must follow the process outlined in the Town's Charter for selection of a permanent Town Manager.

Katherine Rose, business owner, stated that she has recently signed a lease agreement for a property on Commercial Boulevard, where her business, Kathi's Eco Shack, will sell organic and locally made products.

Jimmy Lee Hook, vice president of the Crane Crest Condominiums Board of Directors, recommended that the Town retain the Interim Town Manager in a permanent capacity based on his recent interactions with her.

Town Clerk Tedra Allen read the following written comments:

- Stuart Dodd, resident, encouraged the Commission to follow the procedure set forth in the Town's Charter for selecting a new Town Manager, added that they should stipulate conditions for the potential approval of an application for a

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single-family home on El Mar Drive, and concluded that the Town does not have a parking problem

- John Graziano, resident, reviewed some of the issues faced by the Town over the past year, concluding that the Interim Town Manager is qualified and prepared to take on this position permanently
- Cristie and Marc Furth, residents, urged the Commission to approve Ordinances 2021-09 and 2021-11, and recommended that the term of the Interim Town Manager be extended until the next Commission can address this position
- Ken Brenner, resident, advised that a thorough search for a permanent Town Manager should be held
- Wayne Dillistin, resident, felt the Commission should follow the Charter process for selecting a Town Manager, and suggested that there be no new parking studies or parking lots

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

7. PUBLIC SAFETY DISCUSSION

a. BSO Public Safety Report

Broward Sheriff's Office (BSO) Captain Tom Palmer reported that a fourth Sergeant has been assigned to the Town's district. This position was approved by the Commission earlier in the year.

Vice Mayor Oldaker observed that traffic crossing the bridge on Commercial Boulevard often seems to be speeding. Captain Palmer replied that he would check the schedule for Deputies monitoring this area.

Mayor Vincent asked if any new information was available regarding the lighting of a crosswalk at the Hampton Beach Club. Public Works Director Ken Rubach advised that when the ongoing A1A project was designed by the Florida Department of Transportation (FDOT), they were asked if they could install rapid flashing beacons at this intersection; however, several utilities were detected in the area, which would require additional work. The Town plans to assess the feasibility of proceeding with these improvements. Captain Palmer added that pedestrians' failure to use this crosswalk is another ongoing issue.

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

b. VFD Public Safety Report

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

8. TOWN MANAGER REPORT

a. Town Manager Report

Interim Town Manager Linda Connors noted that solar stops have been added to a number of crosswalks, and a new Pelican Hopper shuttle vehicle is currently operating in the Town.

The annual Boo-By-The-Sea event is planned for Saturday, October 30, 2021. A roundtable meeting is also planned for the Downtown area on October 27, 2021, to continue discussion of potential changes to this area, including possible sidewalk expansion.

Interim Town Manager Connors continued that the Volunteer Fire Department (VFD) audit is in need of public feedback. A link is available on the Town's website for comments and/or questions.

9. TOWN ATTORNEY REPORT

None.

10. APPROVAL OF MINUTES

a. September 13, 2021 1st Public Budget Hearing

b. September 13, 2021 Town Commission Meeting

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

11. CONSENT AGENDA

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a. Special Event Application for St. Patrick's Day Celebration March 17, 2022

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

12. OLD BUSINESS

a. Town Manager Position

At this time Mayor Vincent opened public comment.

Ron Piersante, resident, spoke in favor of appointing the Interim Town Manager in a permanent capacity rather than embarking on a search for this position.

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

Human Resources Manager Lisa Slagle recalled that Interim Town Manager Connors was appointed to the interim position in January 2021. In March 2021, Ken Parker of the Florida City/County Managers' Association (FCCMA) gave a presentation explaining how that organization could assist the Town in a search to fill the Town Manager position. The Commission opted to have the issue brought back before them in October.

Staff is requesting a recommendation of which of the following options the Commission wishes to follow:

- Negotiate a contract with Interim Town Manager Connors to fill the position
- Extend the interim term
- Direct Staff to hire either FCCMA or another consultant to conduct a search and assist as necessary

It was noted that the hiring of a consultant would require a budget amendment.

Vice Mayor Oldaker stated that he was in favor of hiring the Interim Town Manager to a permanent position, pointing out that the Town's Charter includes a clause allowing for the appointment of a Town Manager if the Commission determines the individual's education, experience, and competencies are appropriate. He noted that the Interim Town Manager has consistently fulfilled the duties of her position, including negotiation

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of contracts, preparation of a budget, working effectively with Staff, and listening to the Commission.

Commissioner Malkoon advised that postponing the appointment of a new Town Manager until a new Commission is seated would not be a responsible course of action and asserted that the Interim Town Manager has professionally overseen several Town issues since she assumed this role in January while maintaining open dialogue with the Commissioners. He added that the Charter does not outline a specific process for filling this position, and that the Commission has made different determinations on how to meet its requirements over the years.

Commissioner Sokolow agreed, stating that the Interim Town Manager has grown significantly in that position since her appointment. He noted that the process by which the previous Town Manager was selected has not consistently produced strong candidates, and that continuing to work with an interim appointment was not the best choice for Town Staff.

Commissioner Strauss observed that Interim Town Manager Connors has several years of experience with the Town and its history, which is important to the Town Manager position. He shared Commissioner Sokolow's skepticism with the effectiveness of the recruitment process. He expressed concern, however, with the possibility of selecting a Town Manager for a new Commission when he did not yet know if he would be a part of that elected body and concluded that the Interim Town Manager should submit her resume as a candidate for the permanent position.

Mayor Vincent commented that the Town's Charter is the most important document the Commission can follow as an elected body, and they should not establish an unwanted precedent by not following its procedure. He encouraged the Interim Town Manager to submit her application for the permanent position, and the Commission to fulfill its obligation to identify and interview the best possible candidates while recognizing its past missteps in the recruitment process. He concluded that the Town should extend the Interim Town Manager's term and retain FCCMA to recruit additional candidates.

Vice Mayor Oldaker made a motion, seconded by Commissioner Sokolow, to appoint Linda Connors as Town Manager. Motion carried 3-2 (Mayor Vincent and Commissioner Strauss dissenting).

Town Attorney Susan Trevarthen noted that the Charter requires a Town Manager to be appointed by a contract establishing compensation. A member of the Commission has

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traditionally been designated to work with the Town Attorney on the negotiation of this contract. She requested additional direction on how to proceed.

Commissioner Malkoon suggested that this designee be one of the Commissioners who had voted in the affirmative on the previous motion. Mayor Vincent recommended that Commissioner Strauss serve as liaison, as he has represented the Commission in previous contract negotiations.

At this time Mayor Vincent ceded the gavel to Vice Mayor Oldaker.

Mayor Vincent made a motion, seconded by Commissioner Malkoon, to have Commissioner Strauss negotiate the Town Manager's contract. Motion carried 5-0.

The gavel was returned to Mayor Vincent at this time.

b. Parking Study

Vice Mayor Oldaker explained that he had requested this Item be placed on the agenda due to discussion of revisiting the 2014 parking study at a previous Special Meeting. The current document is seven years old, and several changes have occurred since it was done. He was in favor of professional input on the future of the Town's parking, including areas such as the Downtown, where some parking may be removed. Three Town lots produce approximately \$300,000 per year.

Vice Mayor Oldaker continued that the Town's Parking Fund serves as a resource to fund Town initiatives which may or may not be related to parking. He requested additional information from Town Staff on the possibility of having the same consultant who produced the 2014 report provide an update.

Mayor Vincent noted that the temporary removal of Downtown parking has not affected the success of businesses in that area and recommended that the intent of an updated parking study be clarified. He was not certain that there have been significant permanent changes in the Town's parking since 2014. He felt the Town is already aware of how many parking spaces it offers and how often they are used and added that the Town should always be willing to consider the addition of potential surface parking.

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Commissioner Strauss requested clarification of how much a follow-up study to the 2014 document would cost, pointing out that the existing study is comprehensive and estimated the Town's full parking to be at 85%. He also felt any need for parking is balanced by the use of ride-sharing services. Regarding use of parking areas on the south end of Town, he expressed concern for residents of this area, who do not want to be inundated with beach parking. He felt there are other options, such as using this area only for Downtown employees.

Commissioner Malkoon stated that while he was not currently in favor of more parking, he did not have expertise in this area and was not familiar with how conditions may affect parking, including the pandemic and parking rates. He recommended learning more about the Town's turnover rates, peak hours, and other aspects of parking, as this will provide better knowledge of what is happening in the Downtown area.

Commissioner Sokolow advised that there may be a need for signage identifying lots where parking spaces are available. He added that there have been significant changes since the 2014 parking study, including greater use of ride-sharing services as well as the pandemic. He felt before the Town makes a decision regarding the possible permanent removal of some Downtown parking, they should seek a price quote for an updated study, as well as the price of signage that could identify lots where spaces are available.

Town Manager Connors stated that Staff would reach out to Desman & Associates, the consultant who prepared the 2014 study, to hear options for an update. These costs will be brought back to the Commission at their November meeting. The Commissioners agreed with this by consensus.

13. NEW BUSINESS

a. Shop Small on Saturday, November 28, 2021

Special Events and Marketing Manager Hime explained that this Item is under New Business due to its request for funds. If the Commission approves this Item, advertisement of small businesses will begin immediately and run through November 28, 2021. \$5000 is included in the budget for this event. The Town will also provide assistance with administrative costs.

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

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At this time Mayor Vincent opened public comment.

Howard Goldberg, resident, addressed the proposed parking study, stating that the Town should also consider its traffic situation, including congestion that has existed since before the pandemic. He also recommended bringing Water Taxi service to both sides of the City so it will serve both residents and businesses.

Barbara Cole, resident, advised that she had sent an email to the Commission with regard to parking, and commented that the Town's parking prices are too low. She asked that any update to the parking study consider private lots as well as Town lots.

Mayor Vincent requested that Captain Palmer address some of the concerns raised by Mr. Goldberg regarding a traffic study on A1A, which is a state road. Captain Palmer replied that this is one of the most congested roadways within Broward County. While there may be alternative modes of transportation, such as the Pelican Hopper and ride-sharing services, these still contribute to vehicular traffic.

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

14. COMMISSIONER COMMENTS

Commissioner Sokolow reported that the first live meeting of the Florida League of Cities since the beginning of the pandemic will be a dinner meeting at the Marriott North Hotel on Andrews Avenue from 5:30 to 8 p.m. on Thursday, October 28, 2021. Two Town representatives may attend this meeting at no charge. Additional attendees will be charged \$55 per person. He asked that Commissioners interested in attending inform Town Clerk Allen by October 13, 2021.

Vice Mayor Oldaker and Commissioner Strauss congratulated Town Manager Connors on her new position.

Commissioner Strauss reminded all present that the Town's Veterans Day event will be held on Thursday, November 11, 2021. He encouraged all veterans living within the Town to submit their names and additional information in order to be recognized at this annual event.

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Mayor Vincent stated that he attended a recent Broward League of Cities luncheon event, at which recent bills addressing home rule were discussed. There was also discussion of the County's task force regarding high-rise residential buildings following the recent tragedy in Surfside, Florida.

15. ORDINANCES 1ST READING

None.

16. ORDINANCES 2ND READING

- a. Ordinance 2021-09 – AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 30 “UNIFIED LAND DEVELOPMENT REGULATIONS,” ARTICLE I “IN GENERAL,” SECTION 30-11 “DEFINITIONS,” AMENDING ARTICLE V “ZONING,” SECTION 30-241 “RM-25 DISTRICT – APARTMENTS AND LODGING,” TO MODIFY CONDITIONAL USE REGULATIONS SOUTH OF PINE AVENUE AND CREATE PROHIBITED USE REGULATIONS ON EL MAR DRIVE; AMENDING SECTION 30-242, “RM-25 DISTRICT – REGULATIONS FOR THE REDEVELOPMENT OF EXISTING LOTS OF 60 FEET IN WIDTH OR LESS IN THE RM-25 DISTRICTS SOUTH OF PINE AVENUE” TO MODIFY REQUIREMENTS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND FOR AN EFFECTIVE DATE.

At this time Mayor Vincent opened public comment.

Barbara Cole, resident, expressed concern with the grandfathering of a specific single-family home proposed for El Mar Drive. She stated that the applicants associated with this property made no changes prior to the development and architectural review processes, and that conditional use review is not currently in place to prevent further plans for single-family homes in the subject area.

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

Acting Development Services Director Jhanelle Campbell explained that Staff reviewed RM-25 zoning district regulations in Chapter 30 of the Town's Unified Land Development Regulations (ULDR) based on Commission directives and public

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comment. The table included in the Agenda Memo outlines proposed changes to the Ordinance since first reading. The Planning and Zoning Board reviewed this Ordinance at their September 1, 2021 meeting and recommended approval with a provision not to include grandfathering of current applications. At the September 13, 2021 meeting, however, the Commission reviewed the proposed Ordinance and voted to approve it with grandfathering of pending applications.

Based on discussions at the September 13 meeting, Staff made an additional change to the Ordinance to remove the word “rental” from the definition of apartment buildings. They also removed the term “apartment house” for further review. The latter term can be brought back at a later date if necessary. Staff recommends approval of the Ordinance.

Commissioner Sokolow clarified that what is being grandfathered is a property’s ability to apply for conditional use.

Commissioner Sokolow made a motion, seconded by Vice Mayor Oldaker, to approve Ordinance 2021-09 as presented, with the grandfathering. Motion carried 5-0.

b. Ordinance 2021-11 – AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 30, “UNIFIED LAND DEVELOPMENT REGULATIONS,” ARTICLE V “ZONING,” TO CREATE SECTION 30-114, “CITIZEN PARTICIPATION REQUIRED;” PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND FOR AN EFFECTIVE DATE.

At this time Mayor Vincent opened public comment.

Barbara Cole, resident, stated that she is supportive of this Ordinance.

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

Town Manager Connors clarified that this Ordinance would apply to Site Plan Level II, conditional use, rezoning, and Land Use Plan amendments. Town Attorney Trevarthen added that the scope of the Ordinance has not changed since first reading.

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Commissioner Malkoon made a motion, seconded by Vice Mayor Oldaker, to approve Ordinance 2021-11. Motion carried 5-0.

17. RESOLUTIONS – PUBLIC COMMENTS

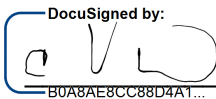
None.

18. QUASI JUDICIAL PUBLIC HEARINGS

None.

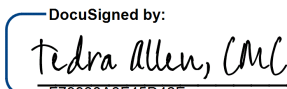
19. ADJOURNMENT

With no other business to come before the Commission at this time, the meeting was adjourned at 8:24 p.m.

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Mayor Chris Vincent

ATTEST:

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Town Clerk Tedra Allen

11/5/2021

Date

October 12th public
comment

Mayor, Commissioners-

I will put forth why the Interim Town Manager should not be installed permanently especially at this time.

This commission will find that I have researched previous Town Managers in- depth beginning with former Town Manager Bob Baldwin to Esther Colon to Connie Hoffman and Bud Bentley and the other candidates in 2010 as well as former Town Manager Bill Vance and other candidates for the position. I have written about them as well as coming to this podium.

Therefore, my research into Ms.Connors is a continuation of that to make sure this commission or any future commission and the residents know as much as possible before they make this all important decision for the Town Manager.

All of what is included below is factually based on Town archived records, internet searches, in- person exchanges and public records requests. All can be accessed to verify. I have included my own opinions on the conclusions I found.

I wondered why former Town Managers Hoffman and Bentley did not put forth the Director of Development in 2017 as Bud Bentley retired, especially since she was their hire and has been employed by the town since 2011 as Town Planner and Director of Development since 2015.

I believe that answer can be found from many missteps and mistakes made under her watch in the Development Services Department with the largest most impactful being eighteen ordinances she did not properly notice prior to 2018 which when found during an ongoing 2018 property development hearing culminated with the neighbors of a W. Tradewinds McMansion after nearly a year of fighting both the Town and the property owner to lose their intercostal views when the new owners were allowed to go ahead with their backyard setback increase as a result of her actions which negated the updated non- noticed ordinance that would have prevented it.

There were 17 other ordinances requiring a re-notice and commission votes as well on March 27, 2018.

The video of that meeting shows this commission were all on the dais to witness this and to hear these outraged neighbors who had their properties forever changed due to Ms. Connors stating she should be fired.

Ms.Connors was involved with the single/ duplex conditional use requirements when it originated in order to protect and preserve our historic hotel district on El Mar Drive as an author and as the Town Planner representing its significance to the 2012 P & Z Board and again with the 2017 P & Z Board.

It was a real shock that on July 7, 2021 as the P & Z Board held the Quasi Judicial Hearing for 4112. El Mar Drive that was delayed from May 2021 were deliberately lacking in staff direction and historical documents from the Acting Director of Development Campbell and Interim Town Manager Connors showing the importance of the single family conditional use application and requirements thus tying their hands as the board members themselves stated when reluctantly approving an 8000 sq. foot contemporary home that ran counter to the 2012 intentions.

Ms.Connors continued to cast aside the significance of the conditional use when the Quasi Judicial Hearing was removed from the July 27, 2021 commission meeting stating in her Town Manager Report it was " just another level of review."

The hearing was delayed over the citizen outrage that arose after the July P & Z hearing debacle.

At that meeting the commission directed the Town Attorney to look into removing single family/ duplex homes on El Mar Drive due to the conditional use being cast aside.

That new ordinance came to the P & Z Board as an inclusion with another land use change on September 1, 2021. Several of the P & Z members reiterated their frustration with the July hearing and its outcome and voted against the grandfathering of 4112 El Mar to rectify their votes to approve and despite veiled assertions that the applicants have property rights and can use Bert J. Harris to sue the town.

At the September 13, 2021 commission meeting the commission passed the single-family home ordinance and the grandfathering of 4112 El Mar Drive while still in the dark concerning the facts of this property application process.

A public records request on September 14, 2021 showed that the applicants applied and received a development review on July 28, 2021. This required the Town contracted Architect to do an architectural review. Leo Hansen did 3 reports that mirrored the conditional use requirements, stating the contemporary home did not meet LBTS architectural standards in material, size and being harmonious and non-adversely impacting the adjacent neighbor and neighborhood. He ended his final reports saying the applicants showed no desire to change their home and recommended they study the Town architecture citing the Seaward Hotel as a desired example (as shown in our Architectural Standards Manual.)

Although the applicants did not want to go back to the architect after the first report and disagreed with the report wanting instead to go ahead with the Quasi Judicial Hearing the Interim Town Manager and staff did not let them proceed as they requested.

A public records request I made for 4112 El Mar Drive showed that in January 2018 Ms. Connors in an email informed Rob Gordon about the conditional use requirement, the process and stated she could not answer the likelihood of approval by the commission. In August 2019 Town Planner Susan Leven informed Chip Falkanger, a broker for the property, that he would need to obtain a conditional use. On October 28, 2019 Linda Connors received an email from the realtor Chip Falkanger asking about conditional use requirements and side setbacks. Ms. Connors replied that the property was 'exempt' from conditional use and the side setbacks were 5' 'both incorrect responses.

On October 13, 2020 the owner of the property Rob Gordon contacted Director Connors to verify the information she provided to Chip Falkanger 'in an abundance of caution' as they were ready to start plans. At that time they were going to build a duplex townhome with 5' setbacks and he wanted to re-confirm both the side setbacks and the exemption from conditional use. Ms. Connors one year later, responded 'I have reviewed the email and the code referenced. Unfortunately, the information provided referencing Section 30-242 is incorrect. The section of the code clearly states that the regulations apply only to those properties that are west of Bougainville Drive. As 4112 El Mar Drive is east of Bougainville, the provisions would not apply.' Director of Development Connors provided the wrong code and wrong area in 2019.

The owner and attorney for 4112 El Mar Drive were the same owner and attorney that found Ms. Connors lack of notice for the property on N. Tradewinds in 2018.

Finding this information one has to wonder if this was why the Director would cast aside the single-family conditional use as this application proceeded.

The commission is to decide grandfathering 4112 on 2nd Reading on 10/12/2021 after basing their stance on conditional use and architectural review but with the trajectory and background now known to do so is to disregard the Interim Town Manager and Development staff actions to date and to unfairly offer property rights to these applicants while taking away property rights to the adjacent property.

As Interim Town Manager Ms. Connors came to the commission in 2021 to recommend that they dissolve our Historic Preservation Board ordinance to create such a board.

A look at the history shows the ordinance was passed in 2018 which was after the June 2017 meeting of the Broward County Historic Preservation Board convened to discuss the changes for requiring cities to be Certified Local Governments.

Strangely, in 2019 Ms. Connors informed the commission that the Broward County Historic Preservation Board was going to make changes and require municipalities to become certified local governments although Ms. Connors participated in the 2017 meeting and before the ordinance was passed to form a board in our town.

The commission voiced their concerns about home rule and what the new requirements which Ms.Connors was to bring forth at the Broward County meeting dealing with these changes.

Transcripts from that April 2019 meeting show that the board offered to assist the town in reaching the new criteria and that home rule would not be impacted in the process.

Director Connors never came back to the commission that I could find in the archives. There was no attempt made to reach out to our community for qualified residents to join the board as she stated she did not believe we had the caliber required in our town.

Another reason for not pursuing the board was the lack of an historical Architect. I found through my public records request for 4112 El Mar Drive that our Town contracted Architect Leo Hansen is the past president of the Broward County Preservation Board.

Interim Town Manager Connors came at the 11th hour in 2021 stating all the false assertions of our town not being able to form a Historic Preservation Board with the new requirements when she was well aware of the aid offered by Broward County along with contacts to succeed without allowing the commission to direct her from 2019.

From the commission comments made at the 2018 ordinance and the comments the commission made at the 2021 dissolution I believe the outcome would have been quite different if the commission knew the facts.

In 2021 in the Town Manager Report the Interim Town Manager informed the commission a head-shop called Grateful J's and 2 smoke shops were approved for the west end of our downtown.

Ms.Connors as both Town Planner and Director of Development was well aware of what commissions and constituents did not want in our town. She was also aware of the 2009 ordinance stating the following

'The Town Manager or designee shall consult with the Town Commission on any proposal to find that a use is similar, prior to authorizing such use in the B-1-A district.'

No matter the designation the Development Department decided these stores fell under the red flags right in front of them to stop these businesses from being approved!

Ms.Connors was involved with all actions put in place over the last decade to improve and redesign the west downtown corridor.

At the October 6, 2021 P & Z Board meeting to discuss a new ordinance to update the previously allowed businesses the attorney for Grateful J's stated if his client was told they were not wanted they would have passed on our town! Instead he stated they were welcomed even receiving a Welcome letter from the Town.

Ms. Connors came and stood at the podium and tried to justify this happening due to the 'Specialty' Store designation used for the application. This store stated its name to know what type of store it was (they have other locations) in their application but left out any reference to paraphernalia in describing what would be sold.

The P&Z Board as well as members of the audience did not buy the designation explanation and the commission should not either.

The new ordinance takes away the 2009 Town Manager consulting the commission before approval and inserts what Ms. Connors did with this debacle legitimizing the Interim Town Manager's actions.

From January 2021 to June 2021 the Interim Town Manager never brought to the dais the Florida Legislatures change to Home Based Businesses.

We only found this out in September at the P&Z Board meeting when it was on their agenda for a new ordinance to accommodate the new legislative changes.

A look at the Florida League of Cities website showed that emails were sent out throughout this process urging municipalities to join as 141 others did. Our town did not! Our Interim Town Manager is budgeted to be a FLOC member so she must have received this information but chose not to bring it to the dais and the residents.

When this brought forth outrage from the neighborhoods there was no response from the Interim Town Manager for why we were not informed and participating.

Our lobbyist at the first 2021 Budget Meeting told me that emails were also sent to the town from them throughout 2021. The same lobbyist that Ms. Connors wanted to remove from our 2021-22 budget. The commission directed her to keep our lobbyist in the budget.

A Resolution was voted on after the fact at the Special Meeting on Oct. 4, 2021 after our lobbyist told us no change would be coming in the upcoming year.

Ms. Connors chose to subvert the Downtown Sidewalk Expansion Round Tables on three separate occasions.

Round Table discussions have brought great success to prior town projects during her tenure as Town Planner and Director of Development and to change the formula

as Interim Town Manager keeps up Ms.Connors choice to turn her back on what we have long found works well.

The October 4, 2021 Special Meeting needlessly riled residents and businesses up by Ms.Connors attempt to tie the expansion to the need for more parking by purchasing a lot being used already by Aruba for \$2.5 million for 16-20 spaces on A1A and/or partnering with FDG (old Holiday Inn) for 200 spaces at the south end of El Mar Drive.

On the 10/12/2021 agenda her insistence to tie increased parking to the expansion continued with the explanation for the Old Business item to update the 2015 parking study. The commission did not receive all relevant backup as has been the case since 2018 and the hiring of former Town Manager Vance.

The Interim Town Manager promoting the Steven Fett design renderings was akin to the El Mar Drive Streetscape Project redesign in scope of change. Mr. Fett to his credit at the meeting asked for the Jarvis Hall attendees to speak after his presentation resulting in some commissioners, restaurateurs and residents to speak out to return to a Round Table Meeting to start over with the "base" of what we have now with the expansion.

After the meeting, Mr. Fett spoke to me and he said too felt this venue was not the right way to begin this project.

A few days later the Interim Town Manager put out a town alert along with yard signs and banners throughout the town for the Oct. 27, 2021 Round Table. She included the Steven Fett presentation PDF and promoted these design plans for the downtown expansion. Once again Ms. Connors has pushed for her vision of changing our town as she did with the El Mar Drive Streetscape Project.

The Interim Town Manager as Director of Development joined Town Engineer Jay Flynn in an all-out push to redevelop El Mar Drive. She verbally stated her view that the "old loudmouths" who did not want the Jay Flynn/EDSA designs should be disregarded.

Ms.Connors fought against the outcry from the residents until their voices could no longer be ignored. After the decision was made to walk away from it she would not remove it from future projects or the town website and only did so after several directives from the commission.

There are other troubling issues both as Director of Development and as Interim Town Manager that show that the problems in her department such as we saw in 2018 with the massive amount of ordinances that were negated continue.

The Development Department is still under her Interim Town Manager and watching the P & Z meetings since June of this year shows a board that has not been

fully supported in any way. Just to watch these meetings it is undeniable and in both September and October Ms.Connors was in attendance and needed to take to the podium to instruct both the staff and the board how to proceed.

In September Ms.Connors sat down next to me after the meeting and her response to my stating the need for his board to receive staff assistance and guidance as the 2012 P & Z Board had with the conditional use ordinance was to state this board was inferior to that board and to then state it shows why we would not be able to get the quality of Historical Preservation Board members.

At the September Code Compliance Meeting Bethany Banyas negated a \$200,000.00 lien on a private home due to a code error in filing. This was under Ms.Connors as both Director of Development and Interim Town Manager.

At the same Code Compliance meeting we heard from professional office building tenants that their building was deemed unsafe and they had 2 hours to vacate. The tenants stated they were not allowed back in and the impact of this drastic action to both their businesses and their clients. The building official from CAP was a disgrace and the Town offered no aid or comprehension when the building official stated the building issues were a public safety issue. The Town did not rope off the areas surrounding the building until after this meeting took place. This too falls under Ms. Connors as Interim Town Manager.

The Marina Hotel, another big project that requires residents and businesses to be in town and to be participants was being pushed by Ms.Connors to proceed because as she said "government does not stop." At a public meeting held by the developer he was agreeable to postponing until residents returned. The Interim Town Manager and the Development Department still put forth a public meeting with the commission prior to the return and before it went to the P & Z Board. The meeting was finally canceled after pushback but not before riling up the residents, as we have witnessed throughout Ms.Connors tenure in both positions.

Equal treatment has been an ongoing problem for Ms.Connors as both Director of Development and Interim Town Manager with businesses crossing her and staff while other businesses were privy to leeway concerning code violations and permits.

Ms.Connors told me when we walked El Mar Drive right after her appointment as Interim Town Manager that as Director of Development she was the "bad cop" to the Town Manager's "good cop" and she could fill the "good cop" role. Unfortunately, she has proven she cannot.

The opportunity was there for Ms.Connors to immediately revert back to the successful leadership of former Town Managers Connie Hoffman and Bud Bentley but she chose not to.

Ms.Connors on that same walk on El Mar Drive told me she and Ken Ruback were really running the town for former Town Manager Bill Vance. If true and in hindsight she chose to continue the failed leadership of Mr. Vance time here with the same poor results.

As Interim Town Manager Ms.Connors did not get the 2021-22 Budget out until 6:30 PM on the Friday before the first budget meeting on Monday September 13, 2021.

The required Sun-Sentinel published notice for the budget was incorrect stating our proposed property taxes were increased. They were in fact lowered with a 3 to 2 commission vote to rollback the rate. No correction was published after I notified the Town of the error and no response to my email concerning the error was ever responded to.

Our residential permits were delayed resulting in an extension beyond September 30th due to it. The Town finally put the permit application online due to the number of residents inquiring per the Town Senior Office Specialist even as the date for the actual permits were hopefully before the September 30th renewal date.

As Interim Town Manager, Ms.Connors continues to be the planner of changing LBTS vs. preserving LBTS as she was as Director of Development.

I along with the majority of your constituents believe this town deserves a Town Manager who will preserve and protect our town and will honor our Mission and Vision Statements to its full extent.

This commission should not offer Ms.Connors the Town Manager position at this time as you only have 4 meetings until the 2022 candidates for 3 seats begin their campaigns for seats on the dais in March, long been adhered to by outgoing commissions and it is your turn to do the same.

Thank You,
Barbara Cole

Town Commission Meeting
Public Comments
October 12, 2021

Stuart Dodd, resident (180 words)

I have said it before, but it is my last chance to say it again in the hope you all will listen.

- 1) Please observe the correct procedure for the selection of a new Town Manager. I would actively encourage Linda Connors to submit her resume and she may well end up as the final choice but at least you obeyed the charter.
- 2) When considering grandfathering the application for the single-family home at 4112 El Mar, do not give up the ability to stipulate conditions that all of you accept. You have the ability to stipulate same height, same footprint. Do not let the ordinance take away your final ability to be the decision makers.
- 3) Parking – I was the only one (I think) that voted against the 3 million purchase for 35 spaces. We don't have a problem and didn't need the spaces. With the extra spaces on A1A and private lots such the Sun Trust site there are plenty spaces. By all means update the 2014 study after you have read it if you think it necessary.

Jim Hook, resident (379 words) – Voiced comment

Dear Mayor, Vice Mayor, and Commissioners,

I am a longtime resident of Lauderdale-By-The-Sea, and was recently selected to serve on the Board of Directors of Crane Crest Apartments, Inc. Today, I became Vice President of the Board. Our president lives in another state, and I am here much of the time.

In the past few months, Crane Crest has discovered several significant issues with the parking garage, the garden area, and the electrical system to name the most significant ones. Its been a challenge.

During this time, the Board of Directors has provided complete transparency to the Town. We have some owners who believe that this is not a proper course of action. The Board of Directors begs to differ. When providing that transparency, we can only hope the people in the Town will work with us in a collaborative fashion to reach win-win safe solutions for everyone.

Enter Linda Connors,

She's been everything good that one might expect in the role. Yes, she's been tough on us. Yes, she is a stickler for detail. Yes, she demands that things be done by the book, correctly. And no, she does not tolerate a lack of competence. Given that, she also understands our plight. She's used every resource at her disposal to help us within the guidelines of the law. She's been diligent, motivated, and helpful to the extreme. We had a mandatory evacuation order on the evening of October 8, 2021. She was there, making sure that everybody's best interest was being considered in all the decisions that were being made. I may not always like what she has to say, or a decision that she makes, but I always know that its going to be well considered, with a solid rationale behind it. And she will take the time to explain her rationale respectfully.

I am in charge of an organization with approximately 300 employees, with roughly \$180 million a year in gross avenue. More on me here: <https://www.linkedin.com/in/jlhook/> If I had an employee like Linda

Connors, I would definitely do everything in my power to retain her. And if you don't, I might just hire her away from you all.

Thank you all for your service to this wonderful little Town. I really love it her.

John Graziano, resident (255 words)

LBTS has just gone through a transformative year with the firing of a Town Manager and the appointment of an interim replacement. All this in the shadow of the Covid crisis and its impact on our residential and business communities.

Fortunately, the Commission had the opportunity to reach into the pool of current staff and found a competent extremely well qualified by academic preparation and work experience, replacement in Linda Connors. She, with the support of great loyal staff, has shown commitment to hard work and provide the effort in keeping the Town moving forward. All this while overseeing the various departments charged with, tourism, development, codes, zoning, and finances.

The hot button issues this year included the monitoring of the clean-up of the Holiday Inn property, El Mar redesign, Drainage work on East Terra Mar Drive, Palm Club Sewer Construction, and instituting an Audit of the Volunteer Fire Department. All this while constantly making sure our Commercial district was thriving. Her efforts were dispatched by the Commission relying on her guidance and institutional staff expertise. She has worked hard to implement the will of the Commission and produced a budget which is our roadmap for stability and growth.

One of the reasons things have gone extremely well is because of the synergy of the Town Manager and staff with the Commissioners. Now is not the time to consider a change but is the time to keep moving forward under your leadership and her stewardship so please vote for her as our next Town Manager.

Cristie and Marc Furth, resident (194 words)

Please vote yes on Ordinance 2021-09 to prevent over-built, McMansions that overpower their neighbors and block our most prized El Mar Drive ocean views. The current McMansion applicant should either be denied or undergo strict conditional use and Architectural Review criteria to lessen the impact. Future El Mar development should be geared toward the boutique resort concept which, historically, has made Lauderdale by the Sea a worldwide tourist destination as well as a much-desired place to live.

Please also vote yes on Ordinance 2021-11 requiring community outreach before starting major development projects. This is the only way our unique seaside oasis can be protected from over-zealous Staff with personal visions of grandeur. Additionally, giving away prime downtown parking space to restaurants and then proposing that we spend millions of tax dollars because we are now in need of more parking for downtown restaurants is beyond incredulous. Lastly, under Old Business 12.a, you must vote for option 2 to extend the Interim for Linda Connors in order to allow the next commission to make this decision by conducting a search.

Your constituents are watching if you are protecting and preserving our town. Thank you

Ken Brenner, resident (103 words)

The selection of a Town Manager is one of the most essential and critical decisions that the Commission can make. It will affect and impact our quality of life and the direction that our Town goes in the future. It is not a process that should be rushed or simply rubber stamped.

Due diligence and meaningful dialogue along with a search needs to be part of this process to ensure that the residents and businesses are getting the best and most qualified candidate to occupy this position and have our best interests and goals as their guiding principle in running and governing our Town.

Wayne Dillistin, resident (145 words)

In regards to the TM Position:

I hope all of you will move forward as our charter dictates with the process of interviewing for the TM position and allowing Linda Connors submit her application into the mix. Following the Charter process ensures the residents, business owners and town staff that you are being diligent and responsible in this decision process.

In regards to the parking study.

We need no more of these repeated studies and need no additional parking lots. People and Business would be complaining and they are not. Please no more studies for parking and no more lots downtown. The only parking issue I see is on Basin Drive where parking should not be and is disrupting the silver shores residents and neighbors. This parking never existed prior to an "improvement" to Basin Drive that has done nothing but negatively impact the community.