



**Town Commission
Jarvis Hall 4505 N. Ocean Drive**

Regular Town Commission

Regular Town Commission

Wednesday, August 24, 2022, 6:30 PM
Jarvis Hall 4505 N. Ocean Drive

1. CALL TO ORDER, MAYOR CHRIS VINCENT

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION Rabbi Bentzion Singer

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

5. PRESENTATIONS

- 5.a. Marty Kiar, BCPA
[8-24-22 AM Marty Kiar Presentation.pdf](#)
- 5.b. Proclamation for "Suicide Prevention Month"
[8-24-22 AM Suicide Prevention Proclamation.pdf](#)
[Suicide Prevention Proclamation.pdf](#)
- 5.c. 10th Anniversary of Bugfest Post Event Recap
[AM 8-24-22 BugFest Post Event Presentation.pdf](#)

6. PUBLIC COMMENTS

7. PUBLIC SAFETY DISCUSSION

- 7.a. BSO Public Safety Report- July 2022
[8-24-22 AM BSO July Monthly Report.pdf](#)
[BSO Report-July 2022.pdf](#)
- 7.b. VFD July 2022 Report
[8-24-22 AM VFD July Monthly Report.pdf](#)
[Ex. 1 VFD July 2022 Activity Report.pdf](#)
[Ex. 2 Active Member Roster with EMS.pdf](#)
[Ex. 3 Town Report Overview-Chief's Comments.pdf](#)
- 7.c. AMR July 2022 Report
[8-24-22 AM AMR July Report.pdf](#)
[Ex. 1 AMR July 2022 Activity Report.pdf](#)

8. TOWN MANAGER REPORT

- 8.a. Town Manager Report for August 24, 2022
[8-24-22 AM Town Manager Report .pdf](#)
- 8.b. May 2022 Finance Report
[8-24-22 AM May Finance Report.pdf](#)
[Ex. 1 Revenue Expenditure Report May 2022.pdf](#)
[Ex. 2 Cash-Investment Report.pdf](#)
- 8.c. June 2022 Finance Report
[8-24-22 AM June 2022 Finance Report.pdf](#)
[Ex. 1 Revenue Expenditure Report June 2022.pdf](#)
[Ex. 2 Cash-Investment Report June 2022.pdf](#)
- 8.d. Quarter 2 2022 Visitor Center Report

9. TOWN ATTORNEY REPORT

10. APPROVAL OF MINUTES

10.a. Approval of Minutes

[8-24-22 AM Approval of Minutes.pdf](#)

[Ex. 1 7-12-22 Regular Town Commission Meeting Minutes.pdf](#)

[Ex. 2 7-26-22 Regular Town Commission Meeting.pdf](#)

[Ex. 3 7-26-22 Special Commission Meeting.pdf](#)

11. CONSENT AGENDA

12. OLD BUSINESS

13. NEW BUSINESS

14. COMMISSIONER COMMENTS

15. ORDINANCES 1st Reading

- 15.a.** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES AT CHAPTER 5 "BEACHES AND WATERWAYS," ARTICLE II "BEACH REGULATIONS," TO CREATE SECTION 5-37 "SMOKING PROHIBITED ON BEACH" TO PROHIBIT SMOKING AT PUBLIC BEACHES; AMENDING CHAPTER 14.3 "PARKS AND RECREATIONAL FACILITIES," SECTION 14.3-4 REGULATION OF GENERAL CONDUCT-PERSONAL BEHAVIOR TO PROHIBIT SMOKING AT PARKS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND FOR AN EFFECTIVE DATE

[8-24-22 AM - Ordinance 2022-09 Florida Clean Indoor Air Act HB 105.pdf](#)

[Ex. 1 HB 105-Florida Clean Air Act.pdf](#)

[Ex. 2 Ordinance 2022-09 -Smoking on Beaches and in Parks.pdf](#)

16. ORDINANCES 2nd Reading

- 16.a.** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 30 "UNIFIED LAND DEVELOPMENT REGULATIONS," ARTICLE IV "DEVELOPMENT PERMITS - APPLICATIONS, REQUIREMENTS, AND REVIEW PROCEDURES," SECTION 30-114, "CITIZEN PARTICIPATION REQUIRED," MODIFYING THE APPLICABILITY OF AND REQUIREMENTS FOR THE CITIZEN PARTICIPATION REQUIREMENTS; AND FURTHER AMENDING SECTION 30-139 "NOTICE OF PUBLIC HEARINGS" TO ESTABLISH NOTICE REQUIREMENTS FOR CITIZEN PUBLIC PARTICIPATION MEETINGS; PROVIDING FOR CODIFICATION; SEVERABILITY, CONFLICTS, AND FURTHER PROVIDING FOR AN EFFECTIVE DATE.

[8-24-22 AM Ordinance 2022-05 Citizen Participation.pdf](#)

[Ex.1 Ordinance 2022-05 Citizen Participation- 2nd Reading.pdf](#)

17. RESOLUTIONS & PUBLIC COMMENTS

- 17.a.** RESOLUTION 2022-38 A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING THE THIRD AMENDMENT TO THE SETTLEMENT AGREEMENT WITH BROWARD COUNTY FOR THE LITIGATION STYLED CITY OF SUNRISE ET. AL. VS. BROWARD COUNTY; AND PROVIDING AN EFFECTIVE DATE

[8-24-22 AM RRB Settlement.pdf](#)

[Ex. 1 Resolution 2022-38 Approving Third Amendment to RRB Settlement.pdf](#)

[Ex. 2 Resolution 2018-39 - Alpha 250 2nd amendment.pdf](#)

[Ex. 3 Resolution 2016-24 1st amendment to RRB Settlement.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 ENSURE 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.

INVOCATION:

The Invocation before each Town Commission meeting is a voluntary service of a private citizen, offered to serve the spiritual needs of the members of the Town Commission and solemnize the meeting. It is not intended to be an opportunity to advance or disparage one faith or belief over another. The views expressed in the Invocation have not been previously reviewed by the Town and do not necessarily represent the beliefs of any Town employee or official. No person is required to be present at or participate in the Invocation, and the decision whether to be present or participate in the Invocation will not affect any person's right to actively participate in the official business of the Town or obtain any benefit from the Town. The Town's written Invocation policy is available on its website, and upon written request to the Town Clerk.



Agenda Item No: 5.a

Town Commission Agenda Item Report

Meeting Date: August 24, 2022

Submitted By: Linda Connors, Town Manager

Submitting Department: Administration

Item Type: Presentation

Agenda Section: PRESENTATIONS

Subject Title: Marty Kiar, BCPA

Explanation: Marty Kiar, Broward County Property Appraiser, will speak to the Commission regarding property values.

Recommendation: N/A

Attachments: N/A



Town Commission Agenda Item Report

Meeting Date: August 24, 2022

Submitted By: Linda Connors, Town Manager

Submitting Department: Administration

Item Type: Presentation

Agenda Section: Presentations

Subject Title: Proclamation for "Suicide Prevention Month"

Explanation: A Proclamation to designate the month of September as "Suicide Prevention Month" and encourage everyone to recognize the signs of depression that may lead to thoughts of suicide and to understand the best methods to prevent suicide when a person is in crisis.

Recommendation: Staff recommends the Commission issue a Proclamation for "Suicide Prevention Month"

Attachments: Ex.1 Proclamation for "Suicide Prevention Month"

Proclamation

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

WHEREAS, the Town of Lauderdale-By-The-Sea Commission is firmly committed to raising awareness about Suicide Prevention in the Town of Lauderdale-By-The-Sea and Broward County, and

WHEREAS, the month of September is nationally recognized as Suicide Prevention Awareness Month, and

WHEREAS, more than 40,000 Americans die by suicide each year, and

WHEREAS, suicide is a national epidemic costing the lives of 6,000 Veterans each year and is a leading cause of death for first responders, and

WHEREAS, suicide is the second leading cause of death for children, adolescents, and young adults age 10 to 24 years and because of that the American Academy of Pediatrics, the Children's Hospital Association, and the American Academy of Child and Adolescent Psychiatry have declared a national emergency in child mental health, and

WHEREAS, in Florida, a person dies by suicide every two hours on average with suicides in Florida far outnumbering homicides, and

WHEREAS, Firearms are the leading method of suicide in Florida and access to a gun triples the risk of death, and

WHEREAS, it is critical to recognize the signs of depression that may lead to thoughts of suicide including: speaking about wanting to die, feelings of isolation or hopelessness, increased use of drugs or alcohol, and severe mood swings, and

WHEREAS, it is critical to recognize the best methods to prevent suicide when a person is in crisis: ask if the person is thinking of taking their life; keep them safe and remove their access to lethal means such as poisons, prescription drugs, and firearms; get them professional help. In Florida, dial 2-1-1 or call the National Suicide Prevention Lifeline 1- 800-273-8255 or text 741741.

NOW, THEREFORE, I, Chris Vincent, Mayor, on behalf of the Town Commission and residents of Lauderdale-By-The-Sea, hereby designates the month of **September** as

"Suicide Prevention Month"

and encourages everyone to recognize the signs of depression that may lead to thought of suicide and to understand the best methods to prevent suicide when a person is in crisis.



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

Chris Vincent, Mayor

Katrina Adler, Town Clerk



Agenda Item No: 5.c

Town Commission Agenda Item Report

Meeting Date: August 24, 2022

Submitted By: Debbie Hime

Submitting Department: Administration

Item Type: Presentations

Agenda Section: Presentations

Subject Title: 10th Anniversary of Bugfest Post Event Recap

Explanation: Debbie Hime will provide a short presentation of the highlights of BugFest 2022

Attachments: Ex.1 Bugfest PowerPoint



Agenda Item No: 7.a

Town Commission Agenda Item Report

Meeting Date: August 24, 2022

Submitted By: Captain Thomas Palmer

Submitting Department: Public Safety

Item Type: Report

Agenda Section: PUBLIC SAFETY DISCUSSION

Subject Title: BSO Public Safety Report- July 2022

Recommendation: Accept/Approve

Attachments: Ex.1- BSO Report-July 2022



Date: August 8, 2022

To: Linda Connors
Town Manager

From: Captain Thomas Palmer 
Commander, Lauderdale by the Sea District

Subject: BSO Public Safety Report- July 2022

PERSONNEL CHANGES:

Deputy Javier Barrios retired after 10 years with the Broward Sheriff's Office.

EMPLOYEE OF THE MONTH: Deputy Manny Alvarez-Jacinto

On July 17, 2022, at 0400 hours a call for service went out over the radio regarding a Vehicle Burglary in progress at 2121 N. Ocean Boulevard. Dep. Manuel Alvarez-Jacinto immediately responded to the address and contacted the victim who advised he had just witnessed two black males dressed in all black inside his 2022 Hyundai Santa Fe SUV. Deputy Alvarez-Jacinto immediately obtained a good description of the possible suspects and their mode and direction of travel. This critical information was relayed to the other responding units allowing them to quickly identify the possible suspects running from the scene across N. Ocean Blvd.

A perimeter was established with the assistance of Pompano Beach District Deputies to include a pair of Deputies who were patrolling the beach utilizing an ATV. Additionally, two K-9 Deputies responded to assist in locating the suspects and with the expert guidance of the BSO Aviation Unit the first subject was taken into custody without incident. A second subject was then taken into custody on the beach by the Pompano Beach Deputies utilizing an ATV.

Dep. Alvarez-Jacinto, a former detective, assisted with the follow-up investigation and was an integral part in receiving a post-Miranda confession from the suspects.

Due to Deputy Alvarez-Jacinto's quick response, coordination and decisive actions, two felony suspects were located and arrested. Due to his actions, Deputy Alvarez-Jacinto was awarded Deputy of the Month honors for July 2022.

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 8 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 272 miles and 37.75 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. Four (4) individuals required and were provided mental health services. Six (6) individuals experiencing homelessness were contacted during the month. Four (4) of the individuals were trespass warned from commercial properties and refused services. One individual was provided services and received provided shelter. One individual was a homeless Navy Veteran and he was assisted via Mission United and re-united with his family in Arkansas.
- **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 @ www.sheriff.org.
- **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.

Independence Day Celebration: On Monday, July 4th the town hosted their annual, day-long celebration. The parade travelled throughout the town with local businesses, town commissioners, Volunteer Fire Department, AMR, BSO Motor Unit, and specialty vehicles as participants. The fireworks were held on the beach and were a great success. Off duty detail deputies were assigned to event security. The BSO Regional Traffic Unit provided six (6) Motor Deputies for traffic control. Assistance was also provided by several LBTS COP volunteers, BSO Posse

members, and deputies detached from other BSO jurisdictions at no cost to the town. Captain Palmer and Lieutenant Wesolowski attended the all-day events. There were no reported crimes or notable incidents.

Bug Fest: Various events for the Town's annual BugFest were held beginning Wednesday, July 27th and concluding Friday, July 30st with the concert on the beach at the Plunge Hotel. On duty, and special detail deputies were assigned to monitor the events and provide assistance if needed. There were no reported crimes or notable incidents during the events.

NOTABLE INCIDENTS / ARRESTS:

CASE: 13-2207-000094
DATE/TIME: 07/03/2022 @ 2318 hrs
LOCATION: 4400 block El Mar Drive
ARRESTEE: Nelson Mendez-Moreno, 11/04/1977
INCIDENT: Disorderly Intoxication Arrest

SUMMARY: Deputies were dispatched to the above area reference a fight. Detective Mursell and Sgt. Nicoletti were first to arrive on scene and located the above subject. Deputy Suarez also arrived on scene and moments later the above subject who was extremely intoxicated, began to cause a disturbance by trying to fight, and when he lunged at Det. Mursell, he was immediately arrested and TOT main jail.

CASE: 13-2207-000095
DATE/TIME: 07/03/2022 @ 2323 hrs
LOCATION: 4417 EL Mar Drive
ARRESTEE: Alonso Alexander, 04/09/1983
INCIDENT: Felony DUI Arrest

SUMMARY: Sgt. Ramirez was in route to the above Disorderly Intoxication incident and observed a running vehicle with lights on facing the wrong way on EL Mar Drive. As Sgt. Ramirez approached the driver on foot to investigate, the driver immediately began to drive the wrong way. Sgt. Ramirez yelled out commands for the driver to stop, and the driver stopped. The driver had blood shot eyes and an unknown alcoholic beverage smell emitting from his person and breath. The driver was told to exit the vehicle, and he was unable to maintain his balance. Deputy Faccini from the BSO DUI unit responded and conducted road-side sobriety exercises and the subject was arrested. Deputy Faccini obtained a search warrant for a blood draw and charged the subject with Felony DUI, ref his third time driving drunk. Subject TOT jail, vehicle towed.

CASE: 13-2207-000323
DATE/TIME: 07/12/2022 @ 0145 hrs
LOCATION: 2 Commercial Blvd
ARRESTEE: Daryl Underwood, 11/22/69
INCIDENT: Warrant Arrest (2 counts DUI)

SUMMARY: Deputy Almodovar made contact with two men loitering afterhours in the Downtown LBTS area. One of the men (Daryl Underwood WM DOB 11/22/69), had an active warrant for 2 counts of DUI. Subject arrested and transported to the main jail. The other subject told to leave the area and complied.

CASE: 13-2207-000379
DATE/TIME: 7/13/2022 @1975 hrs
LOCATION: 101 Commercial Blvd

INCIDENT: Trespass After Warning-ARREST

ARRESTEE: Deborah Wilson, 8/21/75

SUMMARY: The listed subject continuously approached customers at 101 Ocean and would randomly yell at customers and staff. After numerous warnings from law enforcement, subject Wilson returned for the third time to 101 Ocean and was arrested and transported to the BSO Main Jail without incident.

CASE: 13-2207-000435

DATE/TIME: 07/16/22 @ 0215 hrs

LOCATION: 2 Commercial Blvd

ARRESTEE: Yasset Calvo, 12/12/91

INCIDENT: Petit Theft-ARREST

SUMMARY: The listed suspect was seen entering and leaving Aruba Beach Cafe multiple times during the night by the special detail deputy. Later in the evening, a call was received describing the male matching the description was now at Ocean Mist Pub causing a disturbance. Deputies responded and contacted the suspect just prior to him entering the beach at the far east Anglin's Square. At the same time Dep. Krystyan had determined that a victim inside Aruba had their cell phone stolen from the top of the bar. Dep. Krystyan called the cell number provided by the victim and it rang to the victim's phone, inside the suspect's backpack. Spontaneous utterances of the suspect further cemented his involvement in the theft. The suspect was arrested and transported to the main jail without incident.

CASE: 13-2207-000462

DATE/TIME: 07/17/22 @ 0309 hrs

LOCATION: 2121 S. Ocean Blvd

ARRESTEE(s): 2 B/M juveniles

INCIDENT: Burglary conveyance, Poss of Burglary Tools, Resist w/o Violence-ARRESTS

SUMMARY: The victim woke up to use the restroom when he looked out of his window and observed two black males, dressed all in black, inside his vehicle (2022 silver Hyundai Santa Fe) attempting to steal it. He immediately called 911. The victim watched the suspects walk east on the driveway out of the property. The 1st deputy that arrived made contact with the victim, confirmed the Burglary and put out an alert and description of the suspects. The 2nd unit observed the suspects fleeing east across Ocean Blvd into the parking lot of 1900 S. Ocean. Sgt. Nicoletti established a perimeter along S. Ocean and called for assistance from the Pompano Beach District, K-9 and Aviation. K-9 arrived along with Aviation and began the search. The 1st suspect was taken into custody just north of 1850 S. Ocean Blvd while he was hiding in the bushes. An alert Uber driver made contact with a perimeter Deputy and advised he had been called to pick up a passenger at the parking lot of the Sea Watch restaurant. K-9 began to search for the 2nd suspect and the suspect ran out onto the beach and was taken into custody by two Pompano Beach Deputies on an ATV. Detectives interviewed the suspects who stated that they had attempted to steal the victim's vehicle and had abandoned a screwdriver they used to rip apart the steering column and try to start the ignition. The screwdriver was discovered on the driver's side floor of the victim's vehicle.

Both suspects have extensive police contacts and previous arrests for multiple crimes to include Burglary and Auto Theft. The juvenile arrestees were transported to JAC by Bravo Shift.

CASE: 13-2207-000522

DATE/TIME: 07/18/2022 @ 2118 hrs

LOCATION: 4319 N Ocean Blvd (Walgreens)

INCIDENT: Delayed Retail Theft

SUMMARY: Deputy Almodovar was dispatched to Walgreens reference a delayed retail theft

incident. Investigation revealed an unknown black male entered the liquor store, selected two bottles of vodka and exited without paying. Investigation is ongoing.

CASE: 13-2207-000584
DATE/TIME: 07/20/22 @ 1205 hrs
LOCATION: 4300 El Mar Drive
INCIDENT: Burglary Conveyance
SUMMARY: A witness saw a black 4 dr vehicle repeatedly entering and exiting the portal parking area. He further observed 1 of 3 subjects from the vehicle pulling on door handles, finding the victim's Honda CRV unlocked. The witness chose to wait until the victims returned in lieu of contacting BSO immediately. The witness did, however, record the suspects with his cell phone. The victims stolen credit cards have been used at various locations. Investigation is ongoing.

CASE: 13-2207-000571
DATE/TIME: 07/20/22 @ 0658 hrs
LOCATION: 4353 N. Ocean Dr.
INCIDENT: Baker Act
SUMMARY: Deputies responded to the above location in reference to a subject who was having a medical emergency and acting erratically. Upon arrival deputies observed the subject walking in front of the Marathon Gas Station. The subject then jumped up onto the hood of a BSO marked unit. The subject was acting very erratically and talking very incoherently. It was determined that the subject posed a substantial threat to others and herself evident by her recent behaviors, and was Baker Acted. She was transported to Imperial Point Hospital without further incident.

CASE: 13-2207-000898 (Redl)
DATE/TIME: 7/31/22 @ 1700 hrs
LOCATION: 4245 N. Ocean Dr
ARRESTEE: Gabriel Aristinzabal 11-18-67
INCIDENT: Warrant Arrest (VOP-Battery)
SUMMARY: Deputies were dispatched to the location in reference to the caller observing the listed subject urinating while changing a flat tire. A records check revealed a VOP warrant for Battery out of Volusia County. The suspect was placed into custody and transported to jail.

CASE: 13-2208-000010
DATE/TIME: 07/31/22 @ 1957 hrs
LOCATION: 235 Commercial Blvd suite 104
INCIDENT: Petit Theft
SUMMARY: On listed date and time an unknown black male entered the business reception area while all employees were in the back rooms. The suspect went behind the desk in the reception area and removed \$140.00 cash from a desk drawer and then exited the business. Incident caught on video. Investigation is ongoing.

MONTHLY ARREST LOGS:

F Battery-Domestic Violence	4605 N Ocean Dr
M Battery Domestic Violence by Strangulation	4512 Bougainvillea Dr
M Burglary Conveyance/Possess Burglary Tools	2121 S Ocean Blvd
M Burglary Conveyance/Possess Burglary Tools	2121 S Ocean Blvd
M Burlary Dwelling-Unoccupied/ Grand Theft	4445 El Mar Dr
M Capias Arrest-No Valid D/L	4400 Bougainvillea Dr
F Contributing to the Delinquency of a Minor	1 Commercial Blvd
M Disorderly Intoxication	99 Commercial Blvd/El Mar Dr
M DUI Alcohol or Drugs 3rd Offense in 3 Years	4417 El Mar Dr
M Petit Theft 1st degree Possession Drug Paraphernalia	1 Commercial Blvd
M Petit Theft 2nd Degree 1st Offense	4319 N Ocean Dr
F Tepass After Warning -Structure	101 Commercial Blvd
M Warrant Arrest -2 Counts DUI	2 Commercial Blvd

CRIME STATISTICS:

CRIME	CURRENT MONTH	PRIOR MONTH	2021 YTD	2022 YTD
AUTO THEFT	0	0	7	5
BURGLARY-BUSINESS	0	0	2	0
BURGLARY-CONVEYANCE	2	2	14	8
BURGLARY-RESIDENCE	0	0	4	4
BURGLARY-STRUCTURE	0	0	0	0
FORCIBLE SEX	0	0	0	0
ARSON	0	0	0	0
ASSAULT-AGGRAVATED	0	1	2	1
HOMICIDE	0	0	0	0
ROBBERY	0	0	2	1
THEFT-GRAND	0	3	3	16
THEFT-PETIT	4	4	22	25
TOTALS	6	11	56	62

CITIZEN OBSERVER PATROL STATISTICAL SUMMARY:

COP Activity	Total
Number of Volunteers	36
COP Hours Worked - Month	136
COP Patrol Miles - Month	230
COP Hours Worked - YTD	1008
COP Patrol Miles - YTD	1786

COP Bike Patrol Hours - Month	9
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COP Bike Patrol Hours - YTD	23
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COP Beach Patrol Hours – Month	60.5
COP Beach Patrol Hours - YTD	201.5

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	2022 YTD
Reserve Deputy - Days Worked	5	39
Reserve Deputy - Hours Worked	43.5	335

MONTHLY STAFFING AND STATISTICAL REPORT:

The July 2022 Monthly Staffing and Statistical Report is attached.



Lauderdale by the Sea Monthly Activity JULY 2022

Reports/Calls	
Miscellaneous Service	
Event Reports	46
Accidents	9
Calls for Service	908

Traffic	
Types of Citation	
Non-Moving / Moving Citation	44
Parking	0
Warnings	101
Total Citations	145

Arrests	
Type of Arrest	
Felony	3
Misdemeanor	5
NTA	0
Warrant	3
DUI	1
NIC (Felony)	0
NIC (Misdemeanor)	0
DV (Felony)	2
DV (Misd.)	0
M / Felony Warrant	0
Total Arrests	14

Time Worked	
Hours Worked	
Bike Patrol	8
Court Overtime	3
Training	50
Detached	14
Other Overtime	91
Days Worked	31

General	
FI	10
Truant	0
Truant Debriefed	0
Elder Link	0

Narrative	
ATV/UTV: 272 Miles / 37.75 Hours Reserve Deputies worked 5 shifts (43.5 hrs)	



Town Commission Agenda Item Report

Meeting Date: August 24, 2022

Submitted By: Chief Judson Hopping, VFD

Submitting Department: Public Safety

Item Type: Report

Agenda Section: PUBLIC SAFETY DISCUSSION

Subject Title: VFD July 2022 Report

Recommendation: Accept/Approve

Attachments: Ex.1- VFD July 2022 Activity Report
Ex.2- Active Member Roster with EMS
Ex.3- Town Report Overview-Chief's Comments

Monthly Activity Report - July 2022					
Date	Fire/Rescue Calls	Event Description	Start Time	End Time	No. of FF
7/1/22	1	Rescue - 1st floor	14:30	15:30	2
7/2/22	0				0
7/3/22	0				0
7/4/22	0				0
7/5/22	0				0
7/6/22	0				0
7/7/22	0				0
7/8/22	0				0
7/9/22	0				0
7/10/22	0				0
7/11/22	0				0
7/12/22	0				0
7/13/22	0				0
7/14/22	0				0
7/15/22	0				0
7/16/22	0				0
7/17/22	0				0
7/18/22	0				0
7/19/22	0				0
7/20/22	0				0
7/21/22	0				0
7/22/22	0				0
7/23/22	0				0
7/24/22	0				0
7/25/22	0				0
7/26/22	0				0
7/27/22	0				0
7/28/22	0				0
7/29/22	0				0
7/30/22	0				0
7/31/22	0				0

Date	First Responder	Event Description	Start Time	End Time	No. of FF
01-Jul-22	El Mar Drive	medical, provided BLS care until R54 arrival	2:22:00 PM	3:46:00 PM	6
02-Jul-22	North Ocean Drive	medical, E12 cleared by M12	12:19:00 AM	1:09:00 AM	4
02-Jul-22	Commercial Blvd.	medical, OR312 assisted M12	2:16:00 PM	2:39:00 PM	3
06-Jul-22	South Ocean Blvd	medical, E12 assisted w/lift assist	5:58:00 PM	6:12:00 PM	5
07-Jul-22	Bougainvilla Drive	medical, E12 proved care until M212 arrival	11:46:00 AM	12:10:00 PM	5
07-Jul-22	Commercial Blvd.	medical, OR312 found pt face down in sand - no medical needed	12:26:00 PM	12:42:00 PM	4
08-Jul-22	North Ocean Drive	medical, E12 assisted w/lift assist	1:58:00 PM	3:04:00 PM	6
18-Jul-22	North Ocean Drive	medical, E12 assisted w/lift assist	1:53:00 AM	2:10:00 AM	3
22-Jul-22	El Mar Drive	medical, E12 assisted M12	11:43:00 PM	12:43:00 AM	5
24-Jul-22	North Ocean Blvd.	medical, E12 assisted M12	9:32:00 PM	10:43:00 PM	2
28-Jul-22	North Ocean Drive	medical, E12 assisted w/lift assist	1:28:00 AM	1:43:00 AM	4
28-Jul-22	Lombardy	medical, E12 canceled en route	9:24:00 PM	10:14:00 PM	5
30-Jul-22	El Mar Drive	medical, OR312 assisted M12	3:31:00 PM	4:46:00 PM	3
			Total Calls	13	

Date	Public Service	Event Description	Start Time	End Time	No. of FF
04-Jul-22	Town of LBTS/Beach	4th of July parade, water slide, & fireworks	8:00:00 AM	22:30	23

Date	Drill/Training	Event Description	Start Time	End Time	No. of FF
07-Jul-22	Station 12	New gas meter & thermal imager & radio communications	6:00:00 PM	10:00:00 PM	4
11-Jul-22	Station 12	Gas meter; new thermal imager & radio communication	7:59:00 PM	11:59:00 PM	4
14-Jul-22	240-252 Garden Court	New Fire Sprinkler system permit inspection	10:00:00 AM	11:30:00 AM	4
19-Jul-22	Station 12	Relay pumping	5:30:00 PM	10:00:00 PM	12
28-Jul-22	Station 12	After action - post analysis Barbque grill fire	6:00:00 PM	10:00:00 PM	11

Date	Ocean Rescue	Event Description	Start Time	End Time	No. of FF
01-Jul-22	Beach	Ocean rescue patrol; 10:15-11:15a, 12:10-1:10p, & 4:20-5:20p	11:00:00 AM	1:30:00 PM	2
02-Jul-22	Beach	Ocean rescue patrol; 10:30-1pm & 4:30-5:30p	11:00:00 AM	2:30:00 PM	2
03-Jul-22	Beach	Ocean rescue patrol; 11-12n, 2:30-3:30p	11:00:00 AM	1:00:00 PM	2
05-Jul-22	Beach	Ocean rescue patrol & trng; 9a-10a, 1-2-p, & 4-5p	11:00:00 AM	1:00:00 PM	2
07-Jul-22	Beach	Ocean rescue patrol; 9-10a, 12-1p, & 4:30-5:30p	11:00:00 AM	1:30:00 PM	2
08-Jul-22	Beach	Ocean rescue patrol & trng; 10-11a, 1-2p & 4-5:30p	11:00:00 AM	2:00:00 PM	2
09-Jul-22	Beach	Ocean rescue patrol; 10-11a, 1:30-5:30p	11:00:00 AM	3:30:00 PM	2
10-Jul-22	Beach	Ocean rescue patrol; 10-11a, 2:30-6p	11:00:00 AM	3:00:00 PM	2
11-Jul-22	Beach	Ocean rescue patrol; 10-11a, 12-1p, 2:30-3:30p & 4:30-5:30	11:00:00 AM	2:30:00 PM	2
12-Jul-22	Beach	Ocean rescue patrol; 10-11a, 12-1p, 3-4p & 4:30-5p	11:00:00 AM	2:00:00 PM	2
13-Jul-22	Beach	Ocean rescue patrol; 10-12n, 1-2p & 4:30-5:30p	11:00:00 AM	2:30:00 PM	3
14-Jul-22	Beach	Ocean rescue patrol & trng; 10-11a & 4-5p	4:00:00 PM	5:00:00 PM	2
15-Jul-22	Beach	Ocean rescue patrol; 10:30-11:30a & 4:30-5:30p	11:30:00 AM	1:00:00 PM	2
16-Jul-22	Beach	Ocean rescue patrol; 10:30-12n, 1:30-3:30p, & 4-5p	10:00:00 AM	11:30:00 AM	5
18-Jul-22	Beach	Ocean rescue patrol; 10-11:30a, 1-3:30p & 4-5p	10:00:00 AM	2:30:00 PM	2
19-Jul-22	Beach	Ocean rescue patrol; 10-11a, 12-1p, 2-3p & 4-5p	10:30:00 AM	2:00:00 PM	2
20-Jul-22	Beach	Ocean rescue patrol; 10-12n & 2:30-4:30p	10:30:00 AM	2:00:00 PM	2
21-Jul-22	Beach	Ocean rescue patrol & trng.; 11-12n, 2-3p, & 4-5p	11:00:00 AM	1:30:00 PM	2
22-Jul-22	Beach	Ocean rescue patrol; 10-12n, 2-3p & 4-5p	11:00:00 AM	2:30:00 PM	3
23-Jul-22	Beach	Ocean rescue patrol; 10-11a, 1-2:30p, & 3:30-5:30p	11:00:00 AM	3:00:00 PM	3
24-Jul-22	Beach	Ocean rescue patrol; 9:45-10:45a, & 4-5:30p	11:00:00 AM	1:30:00 PM	2
25-Jul-22	Beach	Ocean rescue patrol; 10-11a, 1-2p, & 4-5p	11:00:00 AM	1:30:00 PM	2
27-Jul-22	Beach	Ocean rescue patrol; 11a-12n	11:00:00 AM	12:00:00 PM	2
27-Jul-22	Beach	Ocean rescue patrol; 4p-5:30p	4:00:00 PM	5:00:00 PM	3
28-Jul-22	Beach	Ocean rescue patrol; 10-10:45a, 2:30-3:10p & 3:45-4p	11:00:00 AM	12:00:00 PM	2
29-Jul-22	Beach	Ocean rescue patrol; 10-11a, 12:30-1:30p & 3-5p	11:00:00 AM	2:30:00 PM	2
30-Jul-22	Beach	Ocean rescue patrol; 10-12n, 1:30-4:30 & 5:15-5:45p	10:00:00 AM	2:30:00 PM	3
31-Jul-22	Beach	Ocean rescue patrol; 10:15-11:15a & 1-2p	12:00:00 PM	2:00:00 PM	2

*Ocean Rescue patrol consist of checking poles/life rings, educating public on flags, rips currents & any fire related issued near or on the beach.

LBTS Volunteer Fire Department - July 2022, Active Roster

Last Name	First Name	LBTS FF No.	Membership	*Town Resident	Rank	Fire Certifications	EMS Certification	MTD Calls	YTD Calls
Arellana	Brandy	176968	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	8	16
Azam	Saeed	181075	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	5	10
Benrubi	Aaron	173349	Associate Member		Driver Engineer	Firefighter II	Paramedic (FL)	2	40
Besosa	Jose	193537	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	10	37
Bias	Jonathan	81298	Associate Member		Firefighter II	Firefighter II	Paramedic (FL)	1	39
Cabrera	Ricardo	177336	Associate Member		Firefighter	Firefighter II	CPR for healthcare provider	9	58
Cosenza	Vincent	169533	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	3	57
Cowles	James	186248	Regular Member	*	Firefighter	Firefighter I	CPR for healthcare provider	38	346
Ferreria	Paul	183881	Regular Member	*	Firefighter	Firefighter II	EMT-B (FL)	8	8
Fixman	Daniella	190965	Associate Member		Firefighter	Firefighter II	CPR for healthcare provider	8	58
Hernandez	Andy	189053	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	7	39
Hernandez	Rosa	190618	Associate Member		Firefighter	Firefighter II	CPR for healthcare provider	7	54
Hopping	Judson	054	Regular Member		Fire Chief	Firefighter II - D/E - Officer I	EMT-B (FL)	11	110
Horan	Sean	177190	Regular Member		Driver Engineer	Firefighter I - D/E	CPR for healthcare provider	0	57
Kane	Mark	155	Associate Member		Captain	Firefighter II-D/E - Officer I	EMT-B (FL)	7	146
Louvaris	John	078	Regular Member		Deputy Chief	Firefighter II-D/E - Officer II	CPR for healthcare provider	36	365
Maggard	Dylan	165765	Associate Member		Driver Engineer	Firefighter II - D/E	Paramedic (FL)	5	59
Mangin	Andrew	735	Associate Member		Driver Engineer	Firefighter II - D/E	Paramedic (FL)	5	44
Neves	Lucas	183412	Associate Member		Firefighter	Firefighter II	CPR for healthcare provider	3	34
Paine	Kyle	173	Regular Member		Firefighter	Firefighter II	Paramedic (FL)	5	19
Paine	Riley	704	Regular Member		Battalion Chief	Firefighter II-D/E - Officer II	Paramedic (FL)	26	259
Paine	Stephen	140	Regular Member		Fire Marshal	Firefighter II	CPR for healthcare provider	21	147
Piper	Kyle	184815	Associate Member		Firefighter	Firefighter II	CPR for healthcare provider	7	48
Porcelli	Joseph	184121	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	0	19
Ritchey	Dylan	160895	Associate Member		Firefighter	Firefighter II	CPR for healthcare provider	6	39
Salzman	Samuel	185009	Associate Member		Firefighter	Firefighter II	CPR for healthcare provider	4	15
Samler, Jr.	Thomas	187730	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	5	79
Selesky	Julie	190910	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	17	24
Shuyler	Justin	189663	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	7	23
Silverstone	James	025	Regular Member	*	Driver Engineer	Firefighter II	CPR for healthcare provider	4	66
Swordloff	Tyler	189739	Associate Member		Firefighter	Firefighter II	CPR for healthcare provider	3	50
Wieske	Julia	186046	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	9	10



Town of Lauderdale-By-The-Sea Fire Department Monthly Report July 2022

Overview

During the month of July 2022, the Volunteer Fire Department continued its focus on fire prevention for high-rise buildings and commercial properties. There were 33 annual fire inspections, 10 re-inspections, and one violation that was corrected.

Responses:

The Volunteer Fire Department responded to 38 fire rescue calls within the limits of our contract.

Emergency 911 Calls

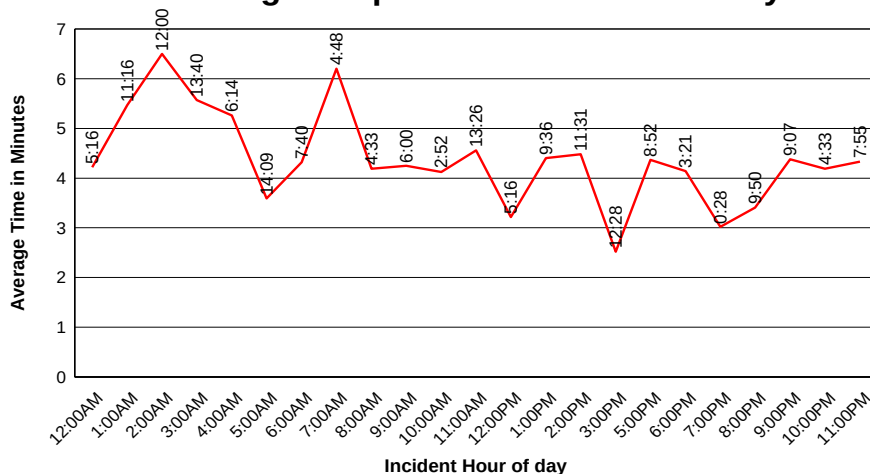
Fire/Rescue	38
EMS	94

- Of the 38 emergency fire calls dispatched, there were 16 fire alarms 1 brush fire, 1 smoke investigation, 3 vehicle accidents, 1 marine accident, 3 elevator rescues, 2 possible drownings, and 11 “other” fires.
- There were 94 medical 911 calls for July 2022. The department was dispatched to 13 of those calls, of which, 3 were cleared by M12 or the chief on duty. E12/OR212 assisted M12/212 on 8 of those calls and provided 1st responder care until M12’s arrival on 2 of those calls.

Total Number of Incidents - 125

Total Average Response Time - 4:31

Average Response Time / Hour of Day





Town of Lauderdale-By-The-Sea

Fire Department Monthly Report

July 2022

Training and Staffing:

The Volunteer Fire Department had 9 Regular in-town, and 23 Associate out-of-town members for a total of 32 active members.

	Regular In - Town	Associate Out of Town
Active Members	9	23
Fire 1 non-certified	0	0
Fire 1 Certified	2	0
Fire II Certified	7	23

There were 4 fire drills, and 1 inspection for a total of 130+hours spent on training in July.

Training

Firefighter	124 Hours
Fire Inspection	6 Hours
Total Hours	130 Hours

A total of 3,190.25+ hours were spent on station shifts, ocean rescue patrol, and special details.

Station Hours

Firefighter Station Watch	1,504.75+ Hours
Ocean Rescue patrol	184.5+ Hours
Chief on Duty/Command	744 Hours
4 th of July Celebration Event	205+ Hours
Fire Watch detail @4225 El Mar Dr.	552 Hours
Total Hours	3,190.25+ Hours

In closing, the Volunteer Fire Department will continue to improve and increase its members training, as required by ISO and established state training curriculums. We continue to recruit new members through the fire academies, our website, and local town events.

Respectfully,

Judson Hopping,
Fire Chief



Agenda Item No: 7.c

Town Commission Agenda Item Report

Meeting Date: August 24, 2022

Submitted By: Brooke Liddle, AMR

Submitting Department: Public Safety

Item Type: Report

Agenda Section: PUBLIC SAFETY DISCUSSION

Subject Title: AMR July 2022 Report

Recommendation: Accept/Approve

Attachments: Ex.1- AMR July 2022 Activity Report

Response Date	Address	Dispatched	Enroute	On Scene
7/1/2022	200 BLK Marine Ct	00:36:53	00:40:10	00:41:01
7/1/2022	460 BLK N Ocean Dr	10:20:02	10:21:22	10:22:40
7/1/2022	1800 BLK S Ocean Blvd	14:13:14	14:14:45	14:16:52
7/1/2022	4800 BLK N Federal HWY	15:05:04	15:08:28	15:08:31
7/1/2022	1900 BLK S Ocean Blvd	18:01:15	18:02:50	18:05:16
7/2/2022	4300 BLK N Ocean Dr	00:14:48	00:15:16	00:17:02
7/2/2022	1800 BLK S Ocean Blvd	12:49:15	12:50:39	12:53:20
7/2/2022	100 BLK Commercial Blvd	14:16:22	14:17:35	14:19:25
7/2/2022	1400 BLK S Ocean Blvd	17:27:06	17:27:20	17:31:38
7/2/2022	5100 BLK N Ocean Blvd	23:47:33	23:48:25	23:51:32
7/3/2022	1500 BLK S Ocean Blvd	09:15:26	09:15:30	09:18:30
7/3/2022	1500 BLK S Ocean Blvd	14:57:55	14:58:05	15:00:33
7/3/2022	3900 BLK N Ocean Dr	17:58:56	17:59:23	18:03:35
7/3/2022	4200 BLK El Mar Dr	22:06:35	22:06:55	22:12:05
7/4/2022	2000 BLK S Ocean Blvd	04:30:09	04:33:17	04:34:10
7/4/2022	4500 BLK Bougainvilla Dr	09:41:07	09:44:48	09:44:50
7/4/2022	200 BLK Hibiscus Ave	14:22:18	14:23:00	14:25:29
7/4/2022	4600 BLK N Ocean Dr	15:54:35	15:56:04	15:56:06
7/5/2022	100 BLK Commercial Blvd	00:10:23	00:10:41	00:12:59
7/6/2022	4000 BLK El Mar Dr	07:24:15	07:24:15	07:27:20
7/6/2022	100 BLK Commercial Blvd	07:40:55	07:43:08	07:43:10
7/6/2022	4400 BLK N Ocean Dr	15:04:32	15:06:00	15:07:38
7/7/2022	4300 BLK N Ocean Blvd	09:14:01	09:16:36	09:16:38
7/7/2022	4200 BLK El Mar Dr	10:44:45	10:45:41	10:48:32
7/7/2022	1400 BLK S Ocean Blvd	11:41:22	11:42:20	11:45:23
7/7/2022	4400 BLK Bougainvilla Dr	11:49:32	11:49:47	11:53:59
7/7/2022	4400 BLK Bougainvilla Dr	17:20:47	17:21:48	17:23:47
7/7/2022	4500 BLK Bougainvilla Dr	19:51:07	19:51:17	19:54:20
7/7/2022	1900 BLK S Ocean Blvd	21:22:45	21:24:13	21:26:29
7/8/2022	4000 BLK Galt Ocean Dr	09:17:23	09:17:57	09:20:47
7/8/2022	100 BLK Commercial Blvd	12:12:41	12:13:58	12:16:16
7/8/2022	4000 BLK N Ocean Dr	13:58:58	14:02:47	14:02:48
7/8/2022	200 BLK Shore Ct	14:14:33	14:15:59	14:19:41
7/9/2022	5000 BLK N Ocean Blvd	07:41:08	07:41:14	07:46:10
7/10/2022	4300 BLK N Ocean Dr	01:09:37	01:11:09	01:13:27
7/10/2022	1500 BLK S Ocean Blvd	08:08:54	08:10:10	08:12:48
7/10/2022	4200 BLK Bougainvilla Dr	09:17:50	09:22:57	09:22:59
7/10/2022	2000 BLK Ocean Mist Dr	12:18:48	12:22:00	12:22:16
7/10/2022	5200 BLK N Ocean Blvd	13:43:48	13:44:03	13:45:49
7/10/2022	1600 BLK S Ocean Blvd	17:29:25	17:30:22	17:32:32
7/10/2022	100 BLK Palm Clb	22:12:53	22:12:53	22:14:20
7/12/2022	100 BLK Commercial Blvd	13:54:56	13:56:13	13:57:56
7/13/2022	4400 BLK Seagrape Dr	19:55:28	19:57:04	19:59:07
7/14/2022	5200 BLK N Ocean Blvd	05:58:14	05:59:56	06:01:52
7/14/2022	4900 BLK N Ocean Blvd	12:43:04	12:43:25	12:45:08
7/15/2022	1800 BLK S Ocean Blvd	09:19:54	09:20:04	09:24:07
7/15/2022	4500 BLK El Mar Dr	17:05:22	17:06:22	17:08:29
7/15/2022	1500 BLK S Ocean Blvd	18:53:44	18:54:25	18:59:50
7/16/2022	4600 BLK N Ocean Dr	01:48:40	01:52:30	01:52:35
7/16/2022	3900 BLK N Ocean Dr	10:24:27	10:24:41	10:27:00
7/17/2022	4500 BLK N Ocean Dr	06:22:26	06:23:23	06:25:51
7/17/2022	200 BLK Imperial Ln	08:39:01	08:42:05	08:43:20
7/17/2022	4400 BLK N Ocean Dr	20:39:21	20:40:37	20:42:38
7/17/2022	4100 BLK N Ocean Dr	22:13:29	22:17:14	22:17:22

7/17/2022	4000 BLK N Ocean Dr	23:05:40	23:06:10	23:09:17
7/18/2022	200 BLK Marine Ct	17:08:55	17:10:45	17:12:31
7/19/2022	4400 BLK Bougainvilla Dr	00:31:45	00:34:14	00:36:10
7/20/2022	4300 BLK N Ocean Dr	06:58:46	07:00:33	07:02:41
7/20/2022	4200 BLK N Ocean Dr	18:31:16	18:32:34	18:34:18
7/20/2022	100 BLK Datura Ave	18:50:19	18:50:33	18:51:12
7/21/2022	3900 BLK N Ocean Dr	07:48:52	07:48:55	07:50:54
7/21/2022	1900 BLK Sailfish Pl	21:04:41	21:06:31	21:10:37
7/21/2022	4500 BLK Poinciana St	22:57:08	22:58:27	23:01:14
7/22/2022	4200 BLK El Mar Dr	23:43:47	23:45:04	23:47:33
7/23/2022	1900 BLK S Ocean Blvd	21:31:10	21:32:43	21:35:18
7/24/2022	4300 BLK N Ocean Dr	19:41:11	19:42:59	19:45:02
7/24/2022	4900 BLK N Ocean Blvd	21:33:03	21:34:40	21:35:45
7/25/2022	1800 BLK S Ocean Blvd	11:13:31	11:13:46	11:16:47
7/26/2022	4900 BLK N Ocean Blvd	06:23:41	06:24:35	06:26:36
7/26/2022	4600 BLK Bougainvilla Dr	13:10:12	13:12:15	13:13:31
7/26/2022	Commercial Blvd / N. Ocean Dr	14:06:16	14:06:56	14:08:43
7/27/2022	1500 BLK S Ocean Blvd	00:25:28	00:25:48	00:29:59
7/27/2022	1700 BLK S Ocean Blvd	06:34:18	06:35:20	06:38:38
7/28/2022	4300 BLK Seagrape Dr	02:59:24	02:59:30	03:03:53
7/28/2022	4200 BLK Bougainvilla Dr	15:11:43	15:12:29	15:15:12
7/28/2022	4500 BLK Poinciana St	18:46:55	18:48:13	18:50:22
7/28/2022	4600 BLK N Ocean Dr	19:24:18	19:25:50	19:27:01
7/28/2022	200 BLK Lombardy Ave	21:25:16	21:28:18	21:28:57
7/29/2022	3200 BLK Fiesta Way	04:01:20	04:01:48	04:05:23
7/29/2022	5100 BLK N Ocean Blvd	21:28:18	21:29:07	21:32:02
7/30/2022	1920 BLK E Terra Mar Dr	02:43:25	02:43:31	02:48:02
7/30/2022	1970 BLK Coral Reef Dr	10:27:49	10:27:55	10:31:19
7/30/2022	4200 BLK El Mar Dr	15:33:00	15:33:20	15:35:34
7/30/2022	4900 BLK N Ocean Blvd	17:06:35	17:06:51	17:09:03
7/30/2022	4900 BLK N Ocean Blvd	21:06:30	21:06:56	21:09:08
7/31/2022	4600 BLK N Ocean Dr	05:45:06	05:45:16	05:48:00
7/31/2022	1800 BLK S Ocean Blvd	15:39:44	15:39:47	15:42:21

6 min or less = 99%

Average =

Response Time

00:04:08
00:02:38
00:03:38
00:03:27
00:04:01
00:02:14
00:04:05
00:03:03
00:04:32
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00:04:39
00:05:30
00:04:01
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Town Commission Agenda Item Report

Meeting Date: August 24, 2022

Submitted By: Linda Connors, Town Manager

Submitting Department: Administration

Item Type: Reports

Agenda Section: TOWN MANAGER REPORT

Subject Title: Town Manager Report for August 24, 2022

Explanation: Following is the Town Manager's report for August 24, 2022.

1. Dog Park Update

In this year's budget it was proposed to install fencing for the creation of Dog Park at the north end of Friedt Park. After much staff research we are recommending not moving forward with this project due to the space limitations, enclosure of one of the only large open green spaces within the Town, and the substantial costs in terms of maintenance and staff hours to maintain this park. As one of the cost savings measures for this upcoming FY23 budget all funds were removed for these maintenance activities which were approximately \$40,000 per year. This did not include administration or oversight of dog park operations (keys, locks, paperwork etc.). Staff is seeking direction from the Commission if they still wish to bring this item forward for consideration in September to reallocate the funds with the CIP account.

2. Commercial Boulevard Median

One of the CIP projects for 2022 is to reconfigure the median at Commercial Boulevard and West Tradewinds. This area is not meant to allow a full cross of the street due to the blind spots caused by the Intracoastal Bridge, but drivers continue to use this as a short cut. We received the requested changes to further discourage this activity. Unfortunately, the price to construct the design was almost three times more than the \$50,000 we had budgeted for the project. Even accounting for the high inflation rate, we think we can achieve more competitive pricing and so we have asked other contractors to provide a price to complete the project.

3. Budget Meetings

As a reminder, the budget hearings will be held on Wednesday, September 14th and September 28th at 5:30 p.m. The change in date is required so that the hearings do not conflict with the County's budget hearing (September 13th) or Rosh Hashanah (September 27th).

4. El Mar Drive Patching

Our contractor completed the swale patching on El Mar Drive last week. This work was completed in three days and addressed areas where there was significant unraveling, deflection or cracking of the pavement. A total of 1,247.4 square yards of pavement was replaced. Staff

will continue to monitor the conditions of the swales and if necessary, repair smaller areas utilizing in house staff or utilize a vendor for larger patches if needed.

5. Basin Drive Public Parking Removed

Several years ago, the Town added public parking on Basin Drive in front of the building that previously included the Cookie Shop. We have noted that this area of Basin is congested and the public parking in this area adds to the congestion as well as posing a safety issue for pedestrian and vehicular traffic. A few weeks ago, we sent notices to the area businesses informing them of our decision to remove the parking area. Last week, we painted the curb to indicate no parking and removed the parking signs. We've already received some comments supporting our actions.

6. Fire Hydrant Flushing

As some of you may have noticed from time to time you will see hydrants that are open and water flowing from them. This is part of the process of maintaining the water distribution system. Flushing the water distribution system accomplishes the following:

- Flushes sediments from mainline pipes increasing water quality
- Identifies weaknesses in the water distribution system
- Provides a check for closed valves and weak flows in mainlines
- Verifies the proper operation of fire hydrants and valves

We have received calls regarding the length of time flushing occurs. In some cases, it can take several days to properly complete the flushing.

7. ULI Leadership Institute Graduation



Last week, Jhanelle Campbell graduated from the fifth cohort of the Urban Land Institute's Leadership Institute. The leadership program is dedicated to developing the region's emerging land use and real estate leaders with the graduating class being comprised of 33 emerging land use and real estate development industry leaders from throughout South Florida. This impressive group of people included developers, architects, attorneys, engineers, bankers, planners, brokers, and other real estate professionals from both the private and public sectors.

Throughout the course of the program, Jhanelle provided her professional expertise to solve local land use challenges through a Leadership Projects, which provide pro-bono advising to the Village of Miami Shores. She also attended an 8-month long program, where one day a month was dedicated to learning more about the challenges and opportunities that are impacting real estate in the South Florida market, such as: transportation, affordable housing, resiliency, public-private partnerships and more!

8. Upcoming Meetings

August 25	Special Magistrate Meeting	Jarvis Hall	5:00 p.m.
September 14	Budget Hearing	Jarvis Hall	5:30 p.m.
September 14	Regular Commission Meeting	Jarvis Hall	6:30 p.m.



Town Commission Agenda Item Report

Meeting Date: August 24, 2022

Submitted By: Lucila Lang, Director of Budget and Finance

Submitting Department: Finance Department

Item Type: Report

Agenda Section: TOWN MANAGER REPORT

Subject Title: May 2022 Finance Report

Explanation: Presented is the May 2022 financial report which consists of the attached Revenue Expenditure Report (**Exhibit 1**) and the Cash & Investment Report (**Exhibit 2**). At the end of May, the Town was 66.67% through the fiscal year.

The following is a summary of the operating results through 5/31/2022.

Fund	Annual Budget	Budgeted Appropriations	Budgeted Revenues Excluding Appropriations	YTD Revenues Amount	% of Budget	YTD Expenditures Amount	% of Budget	Net Amount
General Fund	\$ 14,287,803.00	\$ 1,688,752.00	\$ 12,599,051.00	\$ 11,029,274.81	87.54%	\$ 8,303,094.97	65.90%	\$ 2,726,179.84
Building Fund	\$ 930,681.00	\$ 105,998.00	\$ 824,683.00	\$ 933,879.73	113.24%	\$ 562,538.52	68.21%	\$ 371,341.21
Sewer Fund	\$ 1,394,936.00	\$ 200,281.00	\$ 1,194,655.00	\$ 879,890.79	73.65%	\$ 650,607.09	54.46%	\$ 229,283.70
Fire Fund	\$ 1,964,755.00	\$ 917,507.00	\$ 1,047,248.00	\$ 1,040,561.30	99.36%	\$ 674,212.60	64.38%	\$ 366,348.70
Capital Fund	\$ 8,534,253.00	\$ 5,214,847.00	\$ 3,319,406.00	\$ 2,794,138.88	84.18%	\$ 2,614,831.60	30.64%	\$ 179,307.28
Parking Fund	\$ 2,294,883.00		\$ 2,294,883.00	\$ 2,248,250.57	97.97%	\$ 1,294,447.76	56.41%	\$ 953,802.81
Grand Total	\$ 29,407,311.00	\$ 8,127,385.00	\$ 21,279,926.00	\$ 18,925,996.08		\$ 14,099,732.54		\$ 4,826,263.54

Notable items this month are as follows:

General Fund:

- During the month of May, the Town collected \$65,861.95 in Ad Valorem Property Taxes. This brings the Town to a collection rate of 99.1%, which is within expectations.

May1 REPORT INFORMATION						
Collection Rates	2017	2018	2019	2020	2021	2022
March	92.7%	93.6%	92.8%	92.6%	92.8%	94.7%
April	97.7%	97.5%	97.4%	95.9%	97.6%	98.4%
May	98.8%	98.8%	99.0%	97.6%	98.8%	99.1%
June	99.9%	99.7%	99.9%	98.8%	100.2%	
July	101.8%	101.5%	101.4%	101.0%	101.5%	

- Overall expenditures are at 58.5%, within expectations.

Building Fund-102:

- Building fund revenues have exceeded 100% of budgeted amount, while expenditures are at 60.4%. This is due to the fact that CAP payments for April and May have not been processed.

Sewer Fund-103:

- Sewer fund revenues and expenditures are within expectations for the fiscal year.

Fire Fund-115:

- During the month of May, the Town received \$8,564.20 in Property Tax-Fire Assessment, which brings the collection to 99.3%; well within expectations. Expenditures are within expectations.

Capital Projects Fund-300:

- Activity for capital projects for the month of May is listed below:

MAY, 2022 REPORT INFORMATION					
<u>CIP Projects</u>	<u>Budget</u>	<u>May Expenditures</u>	<u>YTD Expenditures</u>	<u>% Completion</u>	<u>Comments</u>
A1A Hibiscus Crosswalk	\$ 45,000.00	\$ -	\$ 54,902.93	122.01%	No activity for this month.
Town Hall Complex	\$ 321,755.00	\$ -	\$ 28,912.84	8.99%	No activity for this month.
Downtown Parking Reconfiguration	\$ 350,000.00	\$ -	\$ 25,291.18	7.23%	No activity for this month.
Bel Air-Seawall Repair-East	\$ 220,297.00	\$ -	\$ 3,273.80	1.49%	No activity for this month.
Canal Dredging	\$ 109,954.00	\$ -	\$ 27,915.81	25.39%	No activity for this month.
Storm Water Rate Study	\$ 40,000.00	\$ 7,451.81	\$ 14,555.42	36.39%	Payment made to "Baxter & Woodman, Inc." for EDR- SW 20-Year Needs Assessment.
East Tradewinds Improvement	\$ 50,000.00	\$ 646.75	\$ 3,404.00	6.81%	Payment made to "Baxter & Woodman, Inc." for Median Modifications.
Beach Renourishment	\$ 54,518.00	\$ -	\$ 45,852.87	84.11%	No activity for this month.
Pedestrian Amenities	\$ 150,000.00	\$ -	\$ 2,034.35	1.36%	No activity for this month.
Palm Club Sewer	\$ 3,156,061.00	\$ (38,416.63)	\$ 2,275,405.62	72.10%	Reversal of entry for Man Con i/a/o \$41,579.00. Payment to Baxter & Woodman, Inc. for Design Services and Needs Assessment Services.
Street Project-Codrington Drive	\$ 1,254,359.00	\$ 9,401.00	\$ 50,403.82	4.02%	Payment made to "Baxter & Woodman, Inc." for Drainage Improvement Services.
Street Project-Bougainvillea/Poinciana	\$ 240,000.00	\$ -	\$ -	0.00%	No activity for this month.
Dog Park Pilot	\$ 50,000.00	\$ -	\$ -	0.00%	No activity for this month.
Greenway-El Mar Drive	\$ 2,327,566.00	\$ -	\$ -	0.00%	No activity for this month.
Totals:	\$ 8,369,510.00	\$ (20,917.07)	\$ 2,531,952.64		

Parking Fund-310:

- Parking revenues are at 98.0%, above expectations for the 8th month of the fiscal year.
- Expenditures are within expectations.

The top producing lots for May were:

1. A1A Parking Lot
2. El Prado Parking Lot
3. Ocean Front Meters
4. El Mar Parking Lot

A breakdown of parking revenue by lots is provided in the Table below.

FY22	January, 2022		February, 2022		March, 2022		April, 2022		May, 2022	
	Revenue	\$ (+/-) from 01/21	Revenue	\$ (+/-) from 02/21	Revenue	\$ (+/-) from 03/21	Revenue	\$ (+/-) from 04/21	Revenue	\$ (+/-) from 05/21
South Ocean	\$ 18,576.42	\$7,258.14	\$ 27,753.88	\$12,642.20	\$ 40,136.01	\$10,842.87	\$ 26,511.46	\$3,142.08	\$ 27,816.58	\$7,486.76
Ocean Front Meters	\$ 33,965.08	\$9,981.19	\$ 29,325.88	\$4,968.53	\$ 43,971.98	\$10,872.71	\$ 37,841.47	\$8,344.12	\$ 41,463.45	\$16,071.60
Commercial Blvd. Meters	\$ 6,680.97	(\$1,575.39)	\$ 7,479.19	(\$2,797.86)	\$ 11,162.04	(\$2,836.79)	\$ 7,875.90	(\$4,696.18)	\$ 6,993.65	(\$4,267.74)
Parking Meters-Beach	\$ 14,444.94	(\$3,301.68)	\$ 18,987.87	(\$2,130.37)	\$ 26,389.24	(\$2,920.29)	\$ 20,020.86	(\$4,477.07)	\$ 22,815.36	\$1,120.73
Palm Portal-FDG	\$ 7,033.52	\$7,033.52	\$ 9,995.03	\$9,995.03	\$ 15,335.53	\$15,335.53	\$ 12,520.87	\$12,520.87	\$ 12,842.72	\$12,842.72
El Prado Parking Lot	\$ 41,374.47	\$10,217.17	\$ 56,067.23	\$18,358.94	\$ 80,637.53	\$17,591.13	\$ 61,547.07	\$9,853.19	\$ 61,048.08	\$16,112.55
Town Hall Parking Lot	\$ 1,727.58	\$341.45	\$ 4,312.70	\$2,157.99	\$ 5,337.66	\$2,415.53	\$ 3,661.09	\$731.92	\$ 4,657.32	\$171.27
El Mar Parking Lot	\$ 23,657.92	\$4,917.74	\$ 24,303.93	\$5,267.21	\$ 31,093.82	\$5,061.99	\$ 24,024.93	\$3,024.59	\$ 28,623.57	\$9,086.08
A1a Parking Lot	\$ 47,276.14	\$18,098.19	\$ 59,990.97	\$23,662.77	\$ 85,707.16	\$25,316.28	\$ 60,076.83	\$8,268.68	\$ 61,952.75	\$13,812.73
Bougainvillea/Poinciana	\$ 13,854.39	\$7,354.70	\$ 19,274.73	\$6,513.54	\$ 28,503.05	\$8,083.73	\$ 20,641.35	\$2,409.66	\$ 18,959.87	\$1,565.57
Eastward Strand Parking Spaces			\$ -	(\$3,205.22)		\$0.00		\$0.00	\$ -	\$0.00
Monthly Total:	\$ 208,591.43		\$ 257,491.41		\$ 368,274.02		\$ 274,721.83		\$ 287,173.35	
<i>Difference from last year \$:</i>	<i>\$ 48,885.39</i>		<i>\$ 75,432.76</i>		<i>\$ 89,762.69</i>		<i>\$ 39,121.86</i>		<i>\$ 74,002.27</i>	
<i>Difference from last year %:</i>	<i>30.61%</i>		<i>41.43%</i>		<i>32.23%</i>		<i>16.61%</i>		<i>34.71%</i>	

In addition to the detailed information of parking revenues, the following chart shows the collection of parking fines. This year, the Commission authorized the use of a collection agency to collect parking fines that go unpaid.

Parking Fines	December 2021	January 2022	February 2022	March 2022	April 2022	May 2022
	\$ 15,280.00	\$ 3,272.00	\$ 14,860.00	\$ 3,160.00	\$ 16,950.00	\$ 1,135.00

Attachments: Ex.1 Revenue/Expenditure Report
Ex.2 Cash-Investment Report for May, 2022

REVENUE/EXPENDITURE REPORT

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Town of Lauderdale by the Sea

For the Period: 10/1/2021 to 5/31/2022

	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 001 - General Fund							
Revenues							
Dept: 000.000 Appropriated Fund Balance							
380.200 Appropriated Fund Balance	1,688,752.00	1,688,752.00	0.00	0.00	0.00	1,688,752.00	0.0
Appropriated Fund Balance	1,688,752.00	1,688,752.00	0.00	0.00	0.00	1,688,752.00	0.0
Dept: 301.000 Ad Valorem Property Taxes							
311.100 Ad Valorem Property Taxes	8,996,323.00	8,996,323.00	8,915,711.76	65,861.95	0.00	80,611.24	99.1
Ad Valorem Property Taxes	8,996,323.00	8,996,323.00	8,915,711.76	65,861.95	0.00	80,611.24	99.1
Dept: 301.100 Utility Taxes							
311.101 FPL Utility Tax	897,700.00	897,700.00	515,233.48	80,246.49	0.00	382,466.52	57.4
311.440 Gas Utility Tax	18,000.00	18,000.00	10,052.76	87.61	0.00	7,947.24	55.8
314.300 Water Utility Tax	167,400.00	167,400.00	93,875.49	9,316.65	0.00	73,524.51	56.1
Utility Taxes	1,083,100.00	1,083,100.00	619,161.73	89,650.75	0.00	463,938.27	57.2
Dept: 301.600 Franchise Taxes							
313.100 FI Power & Light Franchise	600,500.00	600,500.00	374,550.20	51,897.32	0.00	225,949.80	62.4
313.300 Waste Franchise Collection	171,000.00	171,000.00	43,595.49	0.00	0.00	127,404.51	25.5
313.301 Waste Franchise Adm-Fee	9,000.00	9,000.00	7,459.11	0.00	0.00	1,540.89	82.9
313.400 Gas Franchise	19,000.00	19,000.00	12,329.30	0.00	0.00	6,670.70	64.9
313.600 Towing Franchise Fees	700.00	700.00	0.00	0.00	0.00	700.00	0.0
Franchise Taxes	800,200.00	800,200.00	437,934.10	51,897.32	0.00	362,265.90	54.7
Dept: 302.000 Licenses & Permits							
321.100 Business License Taxes	86,000.00	86,000.00	80,187.84	4,521.49	0.00	5,812.16	93.2
321.110 Sidewalk Cafe ROW	40,000.00	40,000.00	84,558.40	0.00	0.00	-44,558.40	211.4
322.150 Miscellaneous Permits	500.00	500.00	460.00	400.00	0.00	40.00	92.0
322.400 Sign Permits	3,000.00	3,000.00	430.00	150.00	0.00	2,570.00	14.3
Licenses & Permits	129,500.00	129,500.00	165,636.24	5,071.49	0.00	-36,136.24	127.9
Dept: 303.000 Intergovernmental Revenues							
311.120 Municipal Revenue Sharing	169,000.00	169,000.00	121,934.31	24,175.60	0.00	47,065.69	72.2
311.150 Alcoholic Beverage License	16,700.00	16,700.00	97.89	0.00	0.00	16,602.11	0.6
311.180 Sales Tax	422,700.00	422,700.00	303,022.91	48,431.49	0.00	119,677.09	71.7
312.405 Local Op Gas Tax 1 - 6 cent	67,499.00	67,499.00	37,414.48	5,797.43	0.00	30,084.52	55.4
312.410 Local Op Gas Tax 1 - 5 cent	47,857.00	47,857.00	26,370.59	4,087.27	0.00	21,486.41	55.1
315.100 Communication Service Tax	321,000.00	321,000.00	186,182.33	26,699.36	0.00	134,817.67	58.0
334.910 BCC-Senior Center Grant	19,233.00	19,233.00	19,801.00	0.00	0.00	-568.00	103.0
334.914 BCC-Transportation Grant	150,000.00	150,000.00	0.00	0.00	0.00	150,000.00	0.0
334.915 FDOT-Reimbursable Grant	18,606.00	18,606.00	0.00	0.00	0.00	18,606.00	0.0
334.932 DUNE MANAGEMENT GRANT	30,000.00	30,000.00	0.00	0.00	0.00	30,000.00	0.0
Intergovernmental Revenues	1,262,595.00	1,262,595.00	694,823.51	109,191.15	0.00	567,771.49	55.0
Dept: 304.000 Charges for Services							
343.902 Site Plan Application Fees	1,650.00	1,650.00	1,350.00	0.00	0.00	300.00	81.8
347.500 Tennis - Shuffle Key	6,000.00	6,000.00	11,200.00	400.00	0.00	-5,200.00	186.7
Charges for Services	7,650.00	7,650.00	12,550.00	400.00	0.00	-4,900.00	164.1
Dept: 305.000 Fines & Forfeitures							
354.150 Fines,TrafficViolation,Citatio	32,000.00	32,000.00	7,201.28	0.00	0.00	24,798.72	22.5
354.160 Code Enforcement Fines	25,000.00	25,000.00	13,795.00	50.00	0.00	11,205.00	55.2
359.100 Other Fines & Alarms	3,000.00	3,000.00	1,500.00	0.00	0.00	1,500.00	50.0
Fines & Forfeitures	60,000.00	60,000.00	22,496.28	50.00	0.00	37,503.72	37.5
Dept: 306.000 Miscellaneous Revenues							
361.100 Interest Earnings	30,000.00	30,000.00	1,921.51	508.89	0.00	28,078.49	6.4
362.000 Rent/Lease Royalties	79,503.00	79,503.00	56,418.48	7,224.86	0.00	23,084.52	71.0
365.400 Recycling Revenue	0.00	0.00	2,104.87	792.84	0.00	-2,104.87	0.0
366.100 Donations	6,000.00	6,000.00	11,950.00	0.00	0.00	-5,950.00	199.2
369.100 Miscellaneous Revenues	75,000.00	75,000.00	68,733.34	2,652.97	0.00	6,266.66	91.6
369.200 Miscellaneous Applications	15,000.00	15,000.00	5,610.00	0.00	0.00	9,390.00	37.4

REVENUE/EXPENDITURE REPORT

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Town of Lauderdale by the Sea

For the Period: 10/1/2021 to 5/31/2022

	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 001 - General Fund							
Revenues							
Dept: 306.000 Miscellaneous Revenues							
369.201 Miscellaneous Merchandise Sales	0.00	0.00	164.00	4.00	0.00	-164.00	0.0
369.250 Recreational Activities Fee	1,430.00	1,430.00	775.00	20.00	0.00	655.00	54.2
369.500 Miscellaneous Lobbyist	250.00	250.00	200.00	0.00	0.00	50.00	80.0
369.901 Insurance Reimbursement	30,500.00	30,500.00	2,083.99	0.00	0.00	28,416.01	6.8
Miscellaneous Revenues	237,683.00	237,683.00	149,961.19	11,203.56	0.00	87,721.81	63.1
Dept: 581.100 Interfund Transfers							
380.115 Transfer from Fire - OH Costs	22,000.00	22,000.00	11,000.00	0.00	0.00	11,000.00	50.0
Interfund Transfers	22,000.00	22,000.00	11,000.00	0.00	0.00	11,000.00	50.0
Revenues	14,287,803.00	14,287,803.00	11,029,274.81	333,326.22	0.00	3,258,528.19	77.2
Expenditures							
Dept: 511.000 Commission							
500.110 Commission Salaries	68,415.00	68,415.00	42,006.93	5,922.28	0.00	26,408.07	61.4
500.210 Employer FICA Taxes	5,234.00	5,234.00	3,015.57	428.84	0.00	2,218.43	57.6
500.220 Retirement	35,179.00	35,179.00	18,844.92	3,243.17	0.00	16,334.08	53.6
500.230 Group Insurance	82,347.00	82,347.00	34,735.19	3,118.09	0.00	47,611.81	42.2
500.345 Contractual Services	4,500.00	4,500.00	3,150.00	637.50	0.00	1,350.00	70.0
500.510 Office Supplies	500.00	500.00	275.00	275.00	0.00	225.00	55.0
500.512 Elections	13,400.00	13,400.00	772.81	0.00	0.00	12,627.19	5.8
500.540 Dues & Subscriptions	2,700.00	2,700.00	350.00	0.00	0.00	2,350.00	13.0
500.545 Training	6,000.00	6,000.00	0.00	0.00	0.00	6,000.00	0.0
500.550 Operating Expenses	15,000.00	15,000.00	10,518.24	371.28	0.00	4,481.76	70.1
Commission	233,275.00	233,275.00	113,668.66	13,996.16	0.00	119,606.34	48.7
Dept: 511.100 Donation-Non Profits							
500.820 Donations-Aids to Private Org	63,259.00	63,259.00	50,259.00	-2,000.00	0.00	13,000.00	79.4
Donation-Non Profits	63,259.00	63,259.00	50,259.00	-2,000.00	0.00	13,000.00	79.4
Dept: 511.200 Visitor Center							
500.120 Regular Salaries	13,427.00	13,427.00	7,674.27	0.00	0.00	5,752.73	57.2
500.140 Overtime Salaries	1,500.00	1,500.00	250.21	0.00	0.00	1,249.79	16.7
500.210 Employer FICA Taxes	1,142.00	1,142.00	590.08	0.00	0.00	551.92	51.7
500.220 Retirement	1,453.00	1,453.00	767.44	0.00	0.00	685.56	52.8
500.230 Group Insurance	4,019.00	4,019.00	1,830.24	166.28	0.00	2,188.76	45.5
500.340 Sewer/Wastewater	3,300.00	3,300.00	2,185.60	327.77	0.00	1,114.40	66.2
500.430 Electric Service	1,600.00	1,600.00	668.37	120.12	0.00	931.63	41.8
500.431 Water Service	3,000.00	3,000.00	2,345.64	356.41	0.00	654.36	78.2
500.520 Bldg. Maintenance	10,000.00	10,000.00	662.50	0.00	0.00	9,337.50	6.6
500.550 Operating Expenses	10,000.00	10,000.00	970.70	61.19	2,202.84	6,826.46	31.7
500.553 Visitor Center Staff Salaries	55,000.00	55,000.00	4,764.12	1,944.12	0.00	50,235.88	8.7
Visitor Center	104,441.00	104,441.00	22,709.17	2,975.89	2,202.84	79,528.99	23.9
Dept: 513.000 Administration							
500.120 Regular Salaries	596,812.00	596,812.00	347,669.99	46,237.74	0.00	249,142.01	58.3
500.121 Temporary Salaries/ Interns	15,000.00	15,000.00	2,401.50	0.00	0.00	12,598.50	16.0
500.140 Overtime Salaries	2,500.00	2,500.00	339.90	0.00	0.00	2,160.10	13.6
500.210 Employer FICA Taxes	45,848.00	45,848.00	25,751.28	3,514.22	0.00	20,096.72	56.2
500.220 Retirement	101,767.00	101,767.00	55,447.29	9,716.69	0.00	46,319.71	54.5
500.230 Group Insurance	156,748.00	156,748.00	68,766.49	6,384.40	0.00	87,981.51	43.9
500.315 Professional Services	54,000.00	54,000.00	0.00	0.00	14,400.00	39,600.00	26.7
500.320 Audit Expense	38,000.00	38,000.00	16,500.00	8,000.00	0.00	21,500.00	43.4
500.344 HR Expenses	5,000.00	5,000.00	2,649.60	457.50	0.00	2,350.40	53.0
500.345 Contractual Services	45,840.00	45,840.00	31,411.29	5,258.74	0.00	14,428.71	68.5
500.463 Service Maintenance Contracts	21,300.00	21,300.00	17,485.60	579.22	0.00	3,814.40	82.1
500.506 Printing & Binding	3,500.00	3,500.00	677.54	355.00	0.00	2,822.46	19.4
500.508 Postage	4,500.00	4,500.00	4,629.53	498.21	0.00	-129.53	102.9

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Town of Lauderdale by the Sea

For the Period: 10/1/2021 to 5/31/2022

	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 001 - General Fund							
Expenditures							
Dept: 513.000 Administration							
500.510 Office Supplies	6,000.00	6,000.00	1,803.84	90.85	0.00	4,196.16	30.1
500.540 Dues & Subscriptions	7,795.00	7,795.00	3,434.50	310.00	0.00	4,360.50	44.1
500.545 Training	10,800.00	10,800.00	5,565.24	1,907.50	0.00	5,234.76	51.5
500.550 Operating Expenses	15,820.00	15,820.00	11,110.54	571.82	2,558.00	2,151.46	86.4
Administration	1,131,230.00	1,131,230.00	595,644.13	83,881.89	16,958.00	518,627.87	54.2
Dept: 514.000 Town Attorney							
500.310 Legal Expense	315,000.00	315,000.00	205,480.90	34,779.05	0.00	109,519.10	65.2
500.314 Litigation	105,000.00	105,000.00	187.79	0.00	0.00	104,812.21	0.2
500.319 Ethics Research, Training & Op	6,000.00	6,000.00	4,723.40	90.40	0.00	1,276.60	78.7
Town Attorney	426,000.00	426,000.00	210,392.09	34,869.45	0.00	215,607.91	49.4
Dept: 519.000 General							
500.120 Regular Salaries	162,750.00	162,750.00	87,387.34	6,028.84	0.00	75,362.66	53.7
500.210 Employer FICA Taxes	12,451.00	12,451.00	6,717.58	463.00	0.00	5,733.42	54.0
500.220 Retirement	17,610.00	17,610.00	8,834.20	652.32	0.00	8,775.80	50.2
500.230 Group Insurance	33,808.00	33,808.00	13,721.96	682.43	0.00	20,086.04	40.6
500.311 Advertisements	12,000.00	12,000.00	9,828.10	2,368.50	0.00	2,171.90	81.9
500.315 Professional Services	40,000.00	40,000.00	22,714.68	2,500.00	0.00	17,285.32	56.8
500.345 Contractual Services	40,200.00	40,200.00	9,109.62	0.00	0.00	31,090.38	22.7
500.349 Community Bus	160,216.00	160,216.00	74,992.38	9,172.25	0.00	85,223.62	46.8
500.451 Auto, Property & Liability Ins	134,800.00	134,800.00	129,134.66	0.00	0.00	5,665.34	95.8
500.452 Workers Compensation Insur	44,000.00	44,000.00	29,095.75	0.00	0.00	14,904.25	66.1
500.463 Service Maintenance Contracts	12,000.00	12,000.00	2,215.84	0.00	0.00	9,784.16	18.5
500.497 Contingency	100,000.00	100,000.00	1,200.84	0.00	0.00	98,799.16	1.2
500.506 Printing & Binding	18,500.00	18,500.00	8,406.73	42.50	0.00	10,093.27	45.4
500.508 Postage	3,000.00	3,000.00	0.00	0.00	0.00	3,000.00	0.0
500.511 Computer Expense	91,575.00	91,575.00	71,726.61	9,724.38	0.00	19,848.39	78.3
500.525 Uniform Expense	225.00	225.00	0.00	0.00	0.00	225.00	0.0
500.545 Training	500.00	500.00	0.00	0.00	0.00	500.00	0.0
500.550 Operating Expenses	23,000.00	23,000.00	20,674.27	1,483.50	0.00	2,325.73	89.9
500.552 Recycling and Solid Waste Exp	30,000.00	30,000.00	4,732.11	248.51	0.00	25,267.89	15.8
500.640 Capital Outlay - Equipt & Mach	0.00	0.00	0.00	0.00	30,340.19	-30,340.19	0.0
General	936,635.00	936,635.00	500,492.67	33,366.23	30,340.19	405,802.14	56.7
Dept: 519.100 Business Dev & Marketing							
500.311 Advertisements	34,700.00	34,700.00	2,940.00	0.00	0.00	31,760.00	8.5
500.315 Professional Services	91,500.00	91,500.00	20,657.55	2,448.56	0.00	70,842.45	22.6
500.345 Contractual Services	17,758.00	17,758.00	7,674.50	40.97	0.00	10,083.50	43.2
500.495 Special Events	9,400.00	9,400.00	4,023.80	0.00	0.00	5,376.20	42.8
500.506 Printing & Binding	15,275.00	15,275.00	1,112.15	0.00	0.00	14,162.85	7.3
500.540 Dues & Subscriptions	1,780.00	1,780.00	804.51	60.51	0.00	975.49	45.2
500.550 Operating Expenses	1,000.00	1,000.00	0.00	0.00	0.00	1,000.00	0.0
Business Dev & Marketing	171,413.00	171,413.00	37,212.51	2,550.04	0.00	134,200.49	21.7
Dept: 521.000 Police Department							
500.141 BSO Overtime	80,000.00	80,000.00	29,725.81	0.00	0.00	50,274.19	37.2
500.345 Contractual Services	5,378,907.00	5,378,907.00	3,585,938.00	448,242.25	0.00	1,792,969.00	66.7
500.352 Contract Services	5,000.00	5,000.00	4,996.19	0.00	0.00	3.81	99.9
500.520 Bldg. Maintenance	1,500.00	1,500.00	429.00	0.00	0.00	1,071.00	28.6
500.550 Operating Expenses	5,000.00	5,000.00	3,401.98	0.00	0.00	1,598.02	68.0
500.640 Capital Outlay - Equipt & Mach	2,200.00	2,200.00	2,375.00	0.00	0.00	-175.00	108.0
Police Department	5,472,607.00	5,472,607.00	3,626,865.98	448,242.25	0.00	1,845,741.02	66.3
Dept: 523.000 Emergency Medical Services							
500.345 Contractual Services	873,699.00	873,699.00	582,466.00	72,808.25	0.00	291,233.00	66.7
Emergency Medical Services	873,699.00	873,699.00	582,466.00	72,808.25	0.00	291,233.00	66.7
Dept: 524.000 Development Services							

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Town of Lauderdale by the Sea

For the Period: 10/1/2021 to 5/31/2022

	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 001 - General Fund							
Expenditures							
Dept: 524.000 Development Services							
500.120 Regular Salaries	272,842.00	272,842.00	128,609.09	22,248.91	0.00	144,232.91	47.1
500.140 Overtime Salaries	5,000.00	5,000.00	177.80	33.09	0.00	4,822.20	3.6
500.210 Employer FICA Taxes	21,255.00	21,255.00	9,641.77	1,649.73	0.00	11,613.23	45.4
500.220 Retirement	61,131.00	61,131.00	24,828.58	4,175.01	0.00	36,302.42	40.6
500.230 Group Insurance	74,259.00	74,259.00	20,979.07	4,617.26	0.00	53,279.93	28.3
500.315 Professional Services	66,500.00	66,500.00	31,958.32	5,409.50	0.00	34,541.68	48.1
500.345 Contractual Services	319,574.00	319,574.00	182,843.96	1,856.95	0.00	136,730.04	57.2
500.461 Vehicle Maintenance	250.00	250.00	85.88	0.00	0.00	164.12	34.4
500.462 Fuel	500.00	500.00	240.10	69.82	0.00	259.90	48.0
500.463 Service Maintenance Contracts	6,600.00	6,600.00	3,480.16	168.09	0.00	3,119.84	52.7
500.506 Printing & Binding	1,300.00	1,300.00	3,112.17	122.58	0.00	-1,812.17	239.4
500.508 Postage	5,000.00	5,000.00	266.06	0.00	0.00	4,733.94	5.3
500.510 Office Supplies	2,500.00	2,500.00	411.99	0.00	0.00	2,088.01	16.5
500.525 Uniform Expense	600.00	600.00	0.00	0.00	0.00	600.00	0.0
500.540 Dues & Subscriptions	3,300.00	3,300.00	50.00	0.00	0.00	3,250.00	1.5
500.545 Training	4,500.00	4,500.00	59.00	0.00	0.00	4,441.00	1.3
500.550 Operating Expenses	9,000.00	9,000.00	1,385.09	94.97	0.00	7,614.91	15.4
500.640 Capital Outlay - Equipmt & Mach	0.00	0.00	8,400.00	0.00	0.00	-8,400.00	0.0
Development Services	854,111.00	854,111.00	416,529.04	40,445.91	0.00	437,581.96	48.8
Dept: 541.100 Mun Svcs - Public Works Div							
500.120 Regular Salaries	888,471.00	888,471.00	533,673.61	66,045.47	0.00	354,797.39	60.1
500.140 Overtime Salaries	50,000.00	50,000.00	19,834.89	2,471.22	0.00	30,165.11	39.7
500.210 Employer FICA Taxes	71,793.00	71,793.00	41,899.82	5,189.84	0.00	29,893.18	58.4
500.220 Retirement	112,979.00	112,979.00	64,013.86	10,479.61	0.00	48,965.14	56.7
500.230 Group Insurance	285,494.00	285,494.00	129,904.72	11,057.63	0.00	155,589.28	45.5
500.315 Professional Services	75,000.00	75,000.00	58,738.23	16,058.33	0.00	16,261.77	78.3
500.340 Sewer/Wastewater	14,000.00	14,000.00	6,451.89	1,512.63	0.00	7,548.11	46.1
500.345 Contractual Services	322,817.00	322,817.00	142,939.95	10,009.10	0.00	179,877.05	44.3
500.410 Communications	41,800.00	41,800.00	38,047.28	4,798.50	0.00	3,752.72	91.0
500.430 Electric Service	48,000.00	48,000.00	26,073.68	4,037.94	0.00	21,926.32	54.3
500.431 Water Service	160,000.00	160,000.00	110,939.55	19,378.39	0.00	49,060.45	69.3
500.433 Electric Service-Streets	62,500.00	62,500.00	36,684.87	4,861.25	0.00	25,815.13	58.7
500.445 Equip Rent/Lease	17,500.00	17,500.00	5,054.20	392.45	0.00	12,445.80	28.9
500.460 Equipment Maintenance	27,080.00	27,080.00	9,880.38	4,587.53	0.00	17,199.62	36.5
500.461 Vehicle Maintenance	14,000.00	14,000.00	12,315.26	1,965.91	0.00	1,684.74	88.0
500.462 Fuel	24,000.00	24,000.00	23,378.62	3,714.89	0.00	621.38	97.4
500.463 Service Maintenance Contracts	20,705.00	20,705.00	19,646.55	7,085.73	0.00	1,058.45	94.9
500.470 Radio Maintenance	2,400.00	2,400.00	0.00	0.00	0.00	2,400.00	0.0
500.498 Storm Drain Rehab/Maint	50,000.00	50,000.00	11,341.85	3,525.35	968.50	37,689.65	24.6
500.508 Postage	250.00	250.00	88.21	0.00	0.00	161.79	35.3
500.510 Office Supplies	1,750.00	1,750.00	0.00	0.00	0.00	1,750.00	0.0
500.520 Bldg. Maintenance	65,000.00	65,000.00	46,442.01	8,236.68	0.00	18,557.99	71.4
500.525 Uniform Expense	12,000.00	12,000.00	17,111.15	4,269.87	0.00	-5,111.15	142.6
500.529 Street Light Maintenance	35,000.00	35,000.00	23,673.75	4,931.19	0.00	11,326.25	67.6
500.530 Street Maint Repair Supply	85,000.00	85,000.00	8,879.46	709.95	0.00	76,120.54	10.4
500.531 Grounds Maint/Landscaping	50,000.00	50,000.00	40,289.16	16,720.11	0.00	9,710.84	80.6
500.532 Signs	12,500.00	12,500.00	9,239.09	5,059.80	0.00	3,260.91	73.9
500.534 Sidewalk Maint Repair	15,000.00	15,000.00	10,226.74	0.00	5,026.83	-253.57	101.7
500.535 Flags	2,500.00	2,500.00	694.20	0.00	0.00	1,805.80	27.8
500.540 Dues & Subscriptions	2,285.00	2,285.00	1,645.00	585.00	0.00	640.00	72.0
500.545 Training	6,000.00	6,000.00	1,238.59	0.00	0.00	4,761.41	20.6
500.547 Hurricane Expenditure	20,000.00	20,000.00	0.00	0.00	0.00	20,000.00	0.0
500.550 Operating Expenses	70,000.00	70,000.00	38,054.12	5,390.24	4,126.60	27,819.28	60.3
500.624 Capital Outlay-Bldg. Improvemnt	50,000.00	50,000.00	31,280.97	0.00	0.00	18,719.03	62.6
500.640 Capital Outlay - Equipmt & Mach	6,000.00	6,000.00	5,567.66	0.00	0.00	432.34	92.8
500.644 Capital Outlay-Vehicles	39,263.00	39,263.00	29,735.52	3,096.61	0.00	9,527.48	75.7
Mun Svcs - Public Works Div	2,761,087.00	2,761,087.00	1,554,984.84	226,171.22	10,121.93	1,195,980.23	56.7

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Town of Lauderdale by the Sea

For the Period: 10/1/2021 to 5/31/2022	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 001 - General Fund							
Expenditures							
Dept: 572.000 Recreation							
500.311 Advertisements	1,800.00	1,800.00	1,180.43	0.00	0.00	619.57	65.6
500.342 Senior Rec. Ctr. Contract	94,834.00	94,834.00	60,222.87	6,677.83	0.00	34,611.13	63.5
500.343 Beach Maintenance Contract	264,000.00	264,000.00	164,000.00	20,500.00	0.00	100,000.00	62.1
500.345 Contractual Services	11,000.00	11,000.00	4,000.00	0.00	0.00	7,000.00	36.4
500.347 Programs	8,000.00	8,000.00	4,695.00	1,000.00	0.00	3,305.00	58.7
500.430 Electric Service	600.00	600.00	335.53	49.41	0.00	264.47	55.9
500.460 Equipment Maintenance	8,000.00	8,000.00	5,845.54	15.98	0.00	2,154.46	73.1
500.469 Buoy Maintenance	9,000.00	9,000.00	0.00	0.00	0.00	9,000.00	0.0
500.495 Special Events	105,000.00	105,000.00	21,218.59	984.16	0.00	83,781.41	20.2
500.510 Office Supplies	650.00	650.00	1,093.95	0.00	0.00	-443.95	168.3
500.520 Bldg. Maintenance	45,000.00	45,000.00	9,734.43	378.94	0.00	35,265.57	21.6
500.536 Sea Oats	12,000.00	12,000.00	1,670.00	0.00	0.00	10,330.00	13.9
500.550 Operating Expenses	112,000.00	112,000.00	40,953.54	11,331.66	0.00	71,046.46	36.6
500.640 Capital Outlay - Equipt & Mach	47,500.00	47,500.00	6,590.00	0.00	0.00	40,910.00	13.9
Recreation	719,384.00	719,384.00	321,539.88	40,937.98	0.00	397,844.12	44.7
Dept: 581.100 Interfund Transfers							
500.910 Transfer to CIP Fund	540,662.00	540,662.00	270,331.00	0.00	0.00	270,331.00	50.0
Interfund Transfers	540,662.00	540,662.00	270,331.00	0.00	0.00	270,331.00	50.0
Expenditures	14,287,803.00	14,287,803.00	8,303,094.97	998,245.27	59,622.96	5,925,085.07	58.5
Net Effect for General Fund	0.00	0.00	2,726,179.84	-664,919.05	59,622.96	-2,666,556.88	0.0
Change in Fund Balance:			2,726,179.84				

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Town of Lauderdale by the Sea

For the Period: 10/1/2021 to 5/31/2022	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 101 - Special Revenue-Police Conf							
Revenues							
Dept: 306.000 Miscellaneous Revenues							
369.100 Miscellaneous Revenues	0.00	0.00	70.31	10.00	0.00	-70.31	0.0
Miscellaneous Revenues	0.00	0.00	70.31	10.00	0.00	-70.31	0.0
Revenues	0.00	0.00	70.31	10.00	0.00	-70.31	0.0
Net Effect for Special Revenue-Police Conf	0.00	0.00	70.31	10.00	0.00	-70.31	0.0
Change in Fund Balance:			70.31				

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Town of Lauderdale by the Sea

For the Period: 10/1/2021 to 5/31/2022	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 102 - Building Fund							
Revenues							
Dept: 000.000 Appropriated Fund Balance							
380.200 Appropriated Fund Balance	50,000.00	105,998.00	0.00	0.00	0.00	105,998.00	0.0
Appropriated Fund Balance	50,000.00	105,998.00	0.00	0.00	0.00	105,998.00	0.0
Dept: 302.100 Building Permit and Inpection							
322.100 Building Permits	808,183.00	808,183.00	921,383.73	131,549.13	0.00	-113,200.73	114.0
322.105 Fire Plan Review Fees	16,500.00	16,500.00	12,496.00	320.00	0.00	4,004.00	75.7
Building Permit and Inpection	824,683.00	824,683.00	933,879.73	131,869.13	0.00	-109,196.73	113.2
Revenues	874,683.00	930,681.00	933,879.73	131,869.13	0.00	-3,198.73	100.3
Expenditures							
Dept: 524.100 Building							
500.120 Regular Salaries	80,642.00	80,642.00	36,471.23	0.00	0.00	44,170.77	45.2
500.210 Employer FICA Taxes	6,170.00	6,170.00	3,117.01	0.00	0.00	3,052.99	50.5
500.220 Retirement	15,802.00	15,802.00	4,353.05	0.00	0.00	11,448.95	27.5
500.230 Group Insurance	22,069.00	22,069.00	6,831.92	0.00	0.00	15,237.08	31.0
500.315 Professional Services	100,000.00	100,000.00	0.00	0.00	0.00	100,000.00	0.0
500.402 Building Permit Services	650,000.00	650,000.00	511,765.31	172,645.18	0.00	138,234.69	78.7
500.624 Capital Outlay-Bldg. Improvemt	0.00	55,998.00	0.00	0.00	0.00	55,998.00	0.0
Building	874,683.00	930,681.00	562,538.52	172,645.18	0.00	368,142.48	60.4
Expenditures	874,683.00	930,681.00	562,538.52	172,645.18	0.00	368,142.48	60.4
Net Effect for Building Fund	0.00	0.00	371,341.21	-40,776.05	0.00	-371,341.21	0.0
Change in Fund Balance:			371,341.21				

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Town of Lauderdale by the Sea

For the Period: 10/1/2021 to 5/31/2022	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 103 - Sewer Fund							
Revenues							
Dept: 000.000 Appropriated Fund Balance							
380.200 Appropriated Fund Balance	200,281.00	200,281.00	0.00	0.00	0.00	200,281.00	0.0
Appropriated Fund Balance	200,281.00	200,281.00	0.00	0.00	0.00	200,281.00	0.0
Dept: 304.000 Charges for Services							
343.500 Sewer Fees	1,193,155.00	1,193,155.00	879,779.45	110,563.92	0.00	313,375.55	73.7
Charges for Services	1,193,155.00	1,193,155.00	879,779.45	110,563.92	0.00	313,375.55	73.7
Dept: 306.000 Miscellaneous Revenues							
361.100 Interest Earnings	1,500.00	1,500.00	111.34	0.00	0.00	1,388.66	7.4
Miscellaneous Revenues	1,500.00	1,500.00	111.34	0.00	0.00	1,388.66	7.4
Revenues	1,394,936.00	1,394,936.00	879,890.79	110,563.92	0.00	515,045.21	63.1
Expenditures							
Dept: 535.000 Sanitary Sewers							
500.120 Regular Salaries	58,968.00	58,968.00	46,549.09	2,787.20	0.00	12,418.91	78.9
500.140 Overtime Salaries	5,250.00	5,250.00	3,037.00	209.82	0.00	2,213.00	57.8
500.210 Employer FICA Taxes	4,913.00	4,913.00	3,772.46	226.50	0.00	1,140.54	76.8
500.220 Retirement	10,422.00	10,422.00	6,964.59	0.00	0.00	3,457.41	66.8
500.230 Group Insurance	8,773.00	8,773.00	3,455.01	0.00	0.00	5,317.99	39.4
500.315 Professional Services	3,000.00	3,000.00	0.00	0.00	0.00	3,000.00	0.0
500.340 Sewer/Wastewater	800,000.00	800,000.00	482,174.05	57,045.01	0.00	317,825.95	60.3
500.345 Contractual Services	18,000.00	18,000.00	10,819.65	1,016.70	0.00	7,180.35	60.1
500.430 Electric Service	24,000.00	24,000.00	9,622.35	953.36	0.00	14,377.65	40.1
500.431 Water Service	360.00	360.00	181.38	36.75	0.00	178.62	50.4
500.459 Sewer Line Maintenance	280,000.00	280,000.00	33,008.26	25,038.26	0.00	246,991.74	11.8
500.465 Pump Station Maintenance	3,000.00	3,000.00	0.00	0.00	0.00	3,000.00	0.0
500.497 Contingency	100,000.00	100,000.00	0.00	0.00	0.00	100,000.00	0.0
500.506 Printing & Binding	1,000.00	1,000.00	0.00	0.00	0.00	1,000.00	0.0
500.550 Operating Expenses	2,250.00	2,250.00	59.09	0.00	0.00	2,190.91	2.6
500.630 Cap Outlay Imp other than bldg	75,000.00	75,000.00	50,964.16	32,486.16	0.00	24,035.84	68.0
Sanitary Sewers	1,394,936.00	1,394,936.00	650,607.09	119,799.76	0.00	744,328.91	46.6
Expenditures	1,394,936.00	1,394,936.00	650,607.09	119,799.76	0.00	744,328.91	46.6
Net Effect for Sewer Fund	0.00	0.00	229,283.70	-9,235.84	0.00	-229,283.70	0.0
Change in Fund Balance:			229,283.70				

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Town of Lauderdale by the Sea

For the Period: 10/1/2021 to 5/31/2022	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 115 - Fire Fund							
Revenues							
Dept: 000.000 Appropriated Fund Balance							
380.203 Appropriation from Fire Fund	898,507.00	917,507.00	0.00	0.00	0.00	917,507.00	0.0
Appropriated Fund Balance	898,507.00	917,507.00	0.00	0.00	0.00	917,507.00	0.0
Dept: 301.050 Fire Assessment							
311.200 Property Tax-Fire Assessment	1,012,348.00	1,012,348.00	1,005,763.02	8,564.20	0.00	6,584.98	99.3
Fire Assessment	1,012,348.00	1,012,348.00	1,005,763.02	8,564.20	0.00	6,584.98	99.3
Dept: 304.000 Charges for Services							
342.210 Fire Inspection Fees	33,900.00	33,900.00	34,663.74	1,399.00	0.00	-763.74	102.3
Charges for Services	33,900.00	33,900.00	34,663.74	1,399.00	0.00	-763.74	102.3
Dept: 306.000 Miscellaneous Revenues							
361.100 Interest Earnings	1,000.00	1,000.00	134.54	0.00	0.00	865.46	13.5
Miscellaneous Revenues	1,000.00	1,000.00	134.54	0.00	0.00	865.46	13.5
Revenues	1,945,755.00	1,964,755.00	1,040,561.30	9,963.20	0.00	924,193.70	53.0
Expenditures							
Dept: 522.000 Fire Department							
500.151 Fire Dept Pension	6,000.00	6,000.00	0.00	0.00	0.00	6,000.00	0.0
500.315 Professional Services	69,500.00	69,500.00	26,844.80	0.00	0.00	42,655.20	38.6
500.320 Audit Expense	8,400.00	8,400.00	3,500.00	1,000.00	0.00	4,900.00	41.7
500.345 Contractual Services	919,855.00	919,855.00	613,236.64	76,654.58	0.00	306,618.36	66.7
500.520 Bldg. Maintenance	2,000.00	2,000.00	1,028.08	0.00	0.00	971.92	51.4
500.644 Capital Outlay-Vehicles	918,000.00	937,000.00	18,603.08	0.00	887,740.00	30,656.92	96.7
500.912 Transfer to General Fund	22,000.00	22,000.00	11,000.00	0.00	0.00	11,000.00	50.0
Fire Department	1,945,755.00	1,964,755.00	674,212.60	77,654.58	887,740.00	402,802.40	79.5
Expenditures	1,945,755.00	1,964,755.00	674,212.60	77,654.58	887,740.00	402,802.40	79.5
Net Effect for Fire Fund	0.00	0.00	366,348.70	-67,691.38	887,740.00	521,391.30	0.0
Change in Fund Balance:			366,348.70				

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Town of Lauderdale by the Sea

For the Period: 10/1/2021 to 5/31/2022

	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 300 - Capital Project Fund							
Revenues							
Dept: 000.000 Appropriated Fund Balance							
380.200 Appropriated Fund Balance	406,337.00	2,887,281.00	0.00	0.00	0.00	2,887,281.00	0.0
380.204 Appropriated from El Mar Reser	677,566.00	677,566.00	0.00	0.00	0.00	677,566.00	0.0
380.211 Appropriated El Mar Res.FDG Fi	1,650,000.00	1,650,000.00	0.00	0.00	0.00	1,650,000.00	0.0
Appropriated Fund Balance	2,733,903.00	5,214,847.00	0.00	0.00	0.00	5,214,847.00	0.0
Dept: 303.000 Intergovernmental Revenues							
334.931 American Rescue Plan Act Grant	1,668,844.00	1,668,844.00	1,668,844.00	0.00	0.00	0.00	100.0
Intergovernmental Revenues	1,668,844.00	1,668,844.00	1,668,844.00	0.00	0.00	0.00	100.0
Dept: 306.000 Miscellaneous Revenues							
361.100 Interest Earnings	600.00	600.00	313.88	0.00	0.00	286.12	52.3
361.104 Pompano Beach-Palm Club Sewer	0.00	0.00	300,000.00	0.00	0.00	-300,000.00	0.0
Miscellaneous Revenues	600.00	600.00	300,313.88	0.00	0.00	-299,713.88	50.3
Dept: 581.100 Interfund Transfers							
381.105 Transfer from General Fund	540,662.00	540,662.00	270,331.00	0.00	0.00	270,331.00	50.0
381.106 Transfer from Parking Fund	1,109,300.00	1,109,300.00	554,650.00	0.00	0.00	554,650.00	50.0
Interfund Transfers	1,649,962.00	1,649,962.00	824,981.00	0.00	0.00	824,981.00	50.0
Revenues	6,053,309.00	8,534,253.00	2,794,138.88	0.00	0.00	5,740,114.12	32.7
Expenditures							
Dept: 519.000 General							
500.120 Regular Salaries	24,591.00	24,591.00	15,882.79	0.00	0.00	8,708.21	64.6
500.210 Employer FICA Taxes	1,882.00	1,882.00	1,215.02	0.00	0.00	666.98	64.6
500.220 Retirement	7,134.00	7,134.00	5,272.05	0.00	0.00	1,861.95	73.9
500.230 Group Insurance	6,136.00	6,136.00	2,742.70	0.00	0.00	3,393.30	44.7
500.640 Capital Outlay - Equipt & Mach	125,000.00	125,000.00	57,766.40	755.40	52,081.00	15,152.60	87.9
General	164,743.00	164,743.00	82,878.96	755.40	52,081.00	29,783.04	81.9
Dept: 519.155 A1A Hibiscus Crosswalk							
500.630 Cap Outlay Imp other than bldg	0.00	45,000.00	54,902.93	0.00	0.00	-9,902.93	122.0
A1A Hibiscus Crosswalk	0.00	45,000.00	54,902.93	0.00	0.00	-9,902.93	122.0
Dept: 519.162 Town Hall Complex							
500.624 Capital Outlay-Bldg. Improvem	251,000.00	321,755.00	28,912.84	0.00	278,085.16	14,757.00	95.4
Town Hall Complex	251,000.00	321,755.00	28,912.84	0.00	278,085.16	14,757.00	95.4
Dept: 545.100 Downtown Parking Reconfigurati							
500.630 Cap Outlay Imp other than bldg	350,000.00	350,000.00	25,291.18	0.00	0.00	324,708.82	7.2
Downtown Parking Reconfigurati	350,000.00	350,000.00	25,291.18	0.00	0.00	324,708.82	7.2
Dept: 559.025 Bel Air -Seawall Repair- East							
500.630 Cap Outlay Imp other than bldg	0.00	220,297.00	3,273.80	0.00	0.00	217,023.20	1.5
Bel Air -Seawall Repair- East	0.00	220,297.00	3,273.80	0.00	0.00	217,023.20	1.5
Dept: 559.026 Canal Dredging							
500.630 Cap Outlay Imp other than bldg	70,000.00	109,954.00	27,915.81	0.00	0.00	82,038.19	25.4
Canal Dredging	70,000.00	109,954.00	27,915.81	0.00	0.00	82,038.19	25.4
Dept: 559.027 Storm Water Rate Study							
500.630 Cap Outlay Imp other than bldg	40,000.00	40,000.00	14,555.42	7,451.81	0.00	25,444.58	36.4
Storm Water Rate Study	40,000.00	40,000.00	14,555.42	7,451.81	0.00	25,444.58	36.4
Dept: 559.028 East Tradewinds Improvement							
500.630 Cap Outlay Imp other than bldg	50,000.00	50,000.00	3,404.00	646.75	0.00	46,596.00	6.8

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Town of Lauderdale by the Sea

For the Period: 10/1/2021 to 5/31/2022

	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 300 - Capital Project Fund							
Expenditures							
East Tradewinds Improvement	50,000.00	50,000.00	3,404.00	646.75	0.00	46,596.00	6.8
Dept: 572.200 Beach Renourishment							
500.630 Cap Outlay Imp other than bldg	0.00	54,518.00	45,852.87	0.00	0.00	8,665.13	84.1
Beach Renourishment	0.00	54,518.00	45,852.87	0.00	0.00	8,665.13	84.1
Dept: 575.201 Pedestrian Amenities							
500.630 Cap Outlay Imp other than bldg	150,000.00	150,000.00	2,034.35	0.00	0.00	147,965.65	1.4
Pedestrian Amenities	150,000.00	150,000.00	2,034.35	0.00	0.00	147,965.65	1.4
Dept: 576.129 Palm Club Sewer							
500.630 Cap Outlay Imp other than bldg	1,450,000.00	3,156,061.00	2,275,405.62	-38,416.63	0.00	880,655.38	72.1
Palm Club Sewer	1,450,000.00	3,156,061.00	2,275,405.62	-38,416.63	0.00	880,655.38	72.1
Dept: 576.135 Street Project Codrington Driv							
500.629 Capital Outlay - Design/Permit	0.00	0.00	40,621.60	9,401.00	0.00	-40,621.60	0.0
500.630 Cap Outlay Imp other than bldg	1,150,000.00	1,254,359.00	9,782.22	0.00	0.00	1,244,576.78	0.8
Street Project Codrington Driv	1,150,000.00	1,254,359.00	50,403.82	9,401.00	0.00	1,203,955.18	4.0
Dept: 576.136 Street Proj.Bougain.Poinciana							
500.630 Cap Outlay Imp other than bldg	0.00	240,000.00	0.00	0.00	0.00	240,000.00	0.0
Street Proj.Bougain.Poinciana	0.00	240,000.00	0.00	0.00	0.00	240,000.00	0.0
Dept: 577.101 Dog Park Pilot							
500.630 Cap Outlay Imp other than bldg	50,000.00	50,000.00	0.00	0.00	0.00	50,000.00	0.0
Dog Park Pilot	50,000.00	50,000.00	0.00	0.00	0.00	50,000.00	0.0
Dept: 579.169 Greenway- El Mar Drive							
500.630 Cap Outlay Imp other than bldg	2,327,566.00	2,327,566.00	0.00	0.00	0.00	2,327,566.00	0.0
Greenway- El Mar Drive	2,327,566.00	2,327,566.00	0.00	0.00	0.00	2,327,566.00	0.0
Expenditures	6,053,309.00	8,534,253.00	2,614,831.60	-20,161.67	330,166.16	5,589,255.24	34.5
Net Effect for Capital Project Fund	0.00	0.00	179,307.28	20,161.67	330,166.16	150,858.88	0.0
Change in Fund Balance:			179,307.28				

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Town of Lauderdale by the Sea

For the Period: 10/1/2021 to 5/31/2022

	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 310 - Parking Fund							
Revenues							
Dept: 302.000 Licenses & Permits							
313.101 PILOP Fee	18,300.00	18,300.00	100,000.00	0.00	0.00	-81,700.00	546.4
Licenses & Permits	18,300.00	18,300.00	100,000.00	0.00	0.00	-81,700.00	546.4
Dept: 304.000 Charges for Services							
344.500 Parking Permits	130,000.00	130,000.00	101,727.03	4,603.36	0.00	28,272.97	78.3
344.520 Parking Agreements	65,331.00	65,331.00	78,913.00	0.00	0.00	-13,582.00	120.8
344.551 South Ocean	185,000.00	185,000.00	184,852.53	27,816.58	0.00	147.47	99.9
344.552 Ocean Front Meters	290,000.00	290,000.00	270,367.48	41,463.45	0.00	19,632.52	93.2
344.553 Commercial Blvd. Meters	60,000.00	60,000.00	59,067.29	6,993.65	0.00	932.71	98.4
344.554 Parking Meters - Beach	200,000.00	200,000.00	142,507.82	22,815.36	0.00	57,492.18	71.3
344.555 Palm Portal- FDG	70,252.00	70,252.00	74,956.71	12,842.72	0.00	-4,704.71	106.7
344.556 El Prado Parking Lot	400,000.00	400,000.00	397,851.11	61,048.08	0.00	2,148.89	99.5
344.558 Town Hall Parking Lot	25,000.00	25,000.00	24,142.90	4,657.32	0.00	857.10	96.6
344.559 El Mar Parking Lot	200,000.00	200,000.00	188,148.33	28,623.57	0.00	11,851.67	94.1
344.560 A1A Parking Lot	400,000.00	400,000.00	428,959.52	61,952.75	0.00	-28,959.52	107.2
344.563 Bougainvillea/ Poinciana	125,000.00	125,000.00	137,435.96	18,959.87	0.00	-12,435.96	109.9
Charges for Services	2,150,583.00	2,150,583.00	2,088,929.68	291,776.71	0.00	61,653.32	97.1
Dept: 305.000 Fines & Forfeitures							
354.100 Parking Fines	125,000.00	125,000.00	58,752.00	1,135.00	0.00	66,248.00	47.0
Fines & Forfeitures	125,000.00	125,000.00	58,752.00	1,135.00	0.00	66,248.00	47.0
Dept: 306.000 Miscellaneous Revenues							
361.100 Interest Earnings	1,000.00	1,000.00	568.89	0.00	0.00	431.11	56.9
Miscellaneous Revenues	1,000.00	1,000.00	568.89	0.00	0.00	431.11	56.9
Revenues	2,294,883.00	2,294,883.00	2,248,250.57	292,911.71	0.00	46,632.43	98.0
Expenditures							
Dept: 545.000 Parking Operations							
500.120 Regular Salaries	190,793.00	190,793.00	115,063.26	8,625.60	0.00	75,729.74	60.3
500.140 Overtime Salaries	3,300.00	3,300.00	1,221.82	45.84	0.00	2,078.18	37.0
500.210 Employer FICA Taxes	14,848.00	14,848.00	7,266.30	619.29	0.00	7,581.70	48.9
500.220 Retirement	32,048.00	32,048.00	14,656.98	954.36	0.00	17,391.02	45.7
500.230 Group Insurance	68,531.00	68,531.00	18,715.47	0.00	0.00	49,815.53	27.3
500.345 Contractual Services	350,818.00	350,818.00	270,888.84	32,212.14	0.00	79,929.16	77.2
500.353 Parking Alternatives	294,000.00	294,000.00	182,069.23	25,598.16	0.00	111,930.77	61.9
500.410 Communications	2,400.00	2,400.00	677.64	92.01	0.00	1,722.36	28.2
500.430 Electric Service	5,280.00	5,280.00	3,924.06	571.78	0.00	1,355.94	74.3
500.431 Water Service	23,004.00	23,004.00	13,279.12	1,528.15	0.00	9,724.88	57.7
500.445 Equip Rent/Lease	0.00	0.00	6,386.88	798.36	0.00	-6,386.88	0.0
500.461 Vehicle Maintenance	5,000.00	5,000.00	626.94	0.00	0.00	4,373.06	12.5
500.462 Fuel	10,000.00	10,000.00	4,140.53	688.26	0.00	5,859.47	41.4
500.463 Service Maintenance Contracts	30,200.00	30,200.00	22,770.00	0.00	0.00	7,430.00	75.4
500.497 Contingency	10,000.00	7,310.00	0.00	0.00	0.00	7,310.00	0.0
500.506 Printing & Binding	7,900.00	7,900.00	1,533.64	0.00	0.00	6,366.36	19.4
500.508 Postage	2,000.00	2,000.00	1,177.20	48.59	0.00	822.80	58.9
500.510 Office Supplies	1,000.00	1,000.00	148.64	0.00	0.00	851.36	14.9
500.525 Uniform Expense	3,000.00	3,000.00	1,214.91	0.00	0.00	1,785.09	40.5
500.532 Signs	10,000.00	10,000.00	8,554.40	25.00	0.00	1,445.60	85.5
500.533 Parking Meter Parts-Supplies	30,750.00	30,750.00	3,181.91	1,478.67	0.00	27,568.09	10.3
500.545 Training	2,000.00	2,000.00	0.00	0.00	0.00	2,000.00	0.0
500.550 Operating Expenses	26,610.00	26,610.00	16,062.00	843.66	0.00	10,548.00	60.4
500.629 Capital Outlay - Design/Permit	2,000.00	2,000.00	0.00	0.00	0.00	2,000.00	0.0
500.630 Cap Outlay Imp other than bldg	2,000.00	2,000.00	0.00	0.00	0.00	2,000.00	0.0
500.640 Capital Outlay - Equip & Mach	0.00	46,790.00	44,077.99	34,289.15	30,189.15	-27,477.14	158.7
500.644 Capital Outlay-Vehicles	58,101.00	14,001.00	2,160.00	2,160.00	0.00	11,841.00	15.4

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Town of Lauderdale by the Sea

For the Period: 10/1/2021 to 5/31/2022	Original Bud.	Amended Bud.	YTD Actual	CURR MTH	Encumb. YTD	UnencBal	% Bud
Fund: 310 - Parking Fund							
Expenditures							
Parking Operations	1,185,583.00	1,185,583.00	739,797.76	110,579.02	30,189.15	415,596.09	64.9
Dept: 581.100 Interfund Transfers							
500.910 Transfer to CIP Fund	1,109,300.00	1,109,300.00	554,650.00	0.00	0.00	554,650.00	50.0
Interfund Transfers	1,109,300.00	1,109,300.00	554,650.00	0.00	0.00	554,650.00	50.0
Expenditures	2,294,883.00	2,294,883.00	1,294,447.76	110,579.02	30,189.15	970,246.09	57.7
Net Effect for Parking Fund	0.00	0.00	953,802.81	182,332.69	30,189.15	-923,613.66	0.0
Change in Fund Balance:			953,802.81				
Grand Total Net Effect:	0.00	0.00	4,826,333.85	-580,117.96	1,307,718.27	-3,518,615.58	

Town of Lauderdale-by-the-Sea
Cash and Investment Report
as of May 31,
2022

Bank / Other	GL No.	Bank No.	Account Name	Account Type	Bank/ Pool	Balance 5/31/2022	Interest/ Avg % Yield	Interest/Chg Mkt Value	Interest/ Year to Date
001 General Fund:									
SunTrust	101.000	8015	Master Account	Advantage NOW	SunTrust	8,825,380.04	0.02%	101.10	947.22
SunTrust	101.009	6876	Emergency Reserve	Advantage NOW	SunTrust	2,500,000.00	0.02%	Included Above	Included Above
GENERAL FUND						BANK SUBTOTAL		101.10	947.22
SBA	101.300	1471-A	General Fund Invest Acct A	SBA Invest Pool	SBA	174,335.96	0.85%	125.34	322.90
SBA	101.400	1472-A	Emergency Reserves Acct A	SBA Invest Pool	SBA	84,581.36	0.85%	60.81	156.68
GENERAL FUND						SBA SUBTOTAL		186.15	479.58
GENERAL FUND						GRAND TOTAL		287.25	1,426.80
101 Police Forfeiture & Training									
SunTrust	101.100	9613	Police Forfeiture Fund	Advantage NOW	SunTrust	14,439.74	0.02%	Included Above	Included Above
POLICE FUND						TOTAL		0.00	0.00
103 Sewer Enterprise Fund									
SunTrust	101.105	9999	Cash	Advantage NOW	SunTrust	1,775,155.23	0.02%	18.89	111.33
SEWER FUND						TOTAL		18.89	111.33
115 Fire Fund:									
SunTrust	101.109	5379	Fire Fund Account	Advantage NOW		1,940,414.06	0.02%	22.60	134.54
FIRE FUND						GRAND TOTAL		22.60	134.54
300 Capital Improvement Fund:									
SunTrust	101.115	0010	Cash	Advantage NOW	SunTrust	3,843,012.48	0.02%	55.87	313.88
CAPITAL IMPROVEMENT FUND						TOTAL		55.87	313.88
310 Parking Improvement Fund									
SunTrust	101.125	0120	Parking Improvement Account	Advantage NOW	SunTrust	7,983,711.69	0.02%	104.02	567.21
SunTrust	101.128	8554	PILOP Account	Advantage NOW	SunTrust	147,621.00	0.02%	1.50	9.29
PARKING FUND						TOTAL		105.52	576.50
102 Building Fund									
SunTrust	101.104	8686	Building Account	Advantage NOW	SunTrust	575,557.66	0.02%	5.67	24.71
BUILDING FUND						TOTAL		5.67	24.71
ALL FUNDS						GRAND TOTAL		495.80	2,587.76

Town of Lauderdale-by-the-Sea
Cash and Investment Report
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Summary by Investment Type		Amount	Percent
Interest Bearing Checking		27,605,291.90	99%
Non-interest Bearing Checking		0.00	0%
SBA Trust Fund/Pools		258,917.32	1%
Repurchase Agreements		0.00	0%
Money Market Funds		0.00	0%
U.S. Securities/Treasuries		0.00	0%
U.S. Federal Agencies		0.00	0%
Federal Instrumentalities		0.00	0%
GRAND TOTAL		27,864,209.22	100%

Summary by Fund		Amount	Percent
101.000/101-400	General Fund	11,584,297.36	42%
	Police Fund	14,439.74	0%
	Sewer Fund	1,775,155.23	6%
	Fire Fund	1,940,414.06	7%
	Building Fund	575,557.66	2%
	Capital Improvement Fund	3,843,012.48	14%
	Parking Fund	8,131,332.69	29%
GRAND TOTAL		27,864,209.22	100%

Summary by Bank/Pool		Amount	Percent
	SunTrust	27,605,291.90	99%
	Florida Prime/State Board of Admin.	258,917.32	1%
GRAND TOTAL		27,864,209.22	100%



Town Commission Agenda Item Report

Meeting Date: August 24, 2022

Submitted By: Lucila Lang, Director of Budget & Finance

Submitting Department: Finance Department

Item Type: Report

Agenda Section: TOWN MANAGER REPORT

Subject Title: June 2022 Finance Report

Explanation: Presented is the June 2022 financial report which consists of the attached Revenue Report (Exhibit 1) and the Cash & Investment Report (Exhibit 2). At the end of June, the Town was 75% through the fiscal year.

The following is a summary of the operating results through 6/30/22:

Fund	Annual Budget	Budgeted Appropriations	Budgeted Revenues Excluding Appropriations	YTD Revenues Amount	% of Budget	YTD Expenditures Amount	% of Budget	Net Amount
General Fund	\$ 14,287,803.00	\$ 1,688,752.00	\$ 12,599,051.00	\$ 11,435,034.95	90.76%	\$ 9,490,273.36	75.33%	\$ 1,944,761.59
Building Fund	\$ 930,681.00	\$ 105,998.00	\$ 824,683.00	\$ 1,211,426.06	146.90%	\$ 577,652.24	70.05%	\$ 633,773.82
Sewer Fund	\$ 1,394,936.00	\$ 200,281.00	\$ 1,194,655.00	\$ 986,459.40	82.57%	\$ 667,030.68	55.83%	\$ 319,428.72
Fire Fund	\$ 1,964,755.00	\$ 917,507.00	\$ 1,047,248.00	\$ 1,048,417.22	100.11%	\$ 761,247.98	72.69%	\$ 287,169.24
Capital Fund	\$ 8,534,253.00	\$ 5,214,847.00	\$ 3,319,406.00	\$ 3,206,741.12	96.61%	\$ 2,654,617.63	31.11%	\$ 552,123.49
Parking Fund	\$ 2,294,883.00		\$ 2,294,883.00	\$ 2,498,906.94	108.89%	\$ 1,623,219.02	70.73%	\$ 875,687.92
Grand Total	\$ 29,407,311.00	\$ 8,127,385.00	\$ 21,279,926.00	\$ 20,386,985.69		\$ 15,774,040.91		\$ 4,612,944.78

Notable items this month are as follows:

General Fund:

- During the month of June, the Town collected \$39,616.99 in Ad Valorem Property Taxes. This bring the Town to a collection rate of 99.54%, which is within expectations.

June REPORT INFORMATION						
Collection Rates	2017	2018	2019	2020	2021	2022
March	92.7%	93.6%	92.8%	92.6%	92.8%	94.7%
April	97.7%	97.5%	97.4%	95.9%	97.6%	98.4%
May	98.8%	98.8%	99.0%	97.6%	98.8%	99.1%
June	99.9%	99.7%	99.9%	98.8%	100.2%	99.54%
July	101.8%	101.5%	101.4%	101.0%	101.5%	

- Overall expenditures are at 66.42%, within expectations.

Building Fund-102:

- Building Fund revenues are at 146.90%, above the budgeted amount for FY22. Expenditures are only at 70.05% as CAP payments for April and May have not been processed.
- Due to the significant increase in construction post the pandemic, the Building Department is experiencing a higher number of permits than in the last 2 years and hence the increase in revenue under the "Building Permits" line item.

Sewer Fund-103:

- Sewer Fund revenues and expenditures are within expectations for the fiscal year.

Fire Fund-115:

- During the month of June, the Town received \$6,817.72 in Property Tax-Fire Assessment, which brings the collection rate to 100.02%; well within expectations.
- Expenditures are within expectations.

Capital Projects Fund-300:

- Activity for capital projects for the month of June is listed below:

JUNE, 2022 REPORT INFORMATION					
CIP Projects	Budget	June Expenditures	YTD Expenditures	% Completion	Comments
A1A Hibiscus Crosswalk	\$ 45,000.00	\$ -	\$ 54,902.93	122.01%	Completed.
Town Hall Complex	\$ 321,755.00	\$ -	\$ 28,912.84	8.99%	No activity for this month.
Downtown Parking Reconfiguration	\$ 350,000.00	\$ 13,696.47	\$ 38,987.65	11.14%	Payments made to Architectural Alliance for landscape design.
Bel Air-Seawall Repair-East	\$ 220,297.00	\$ -	\$ 3,273.80	1.49%	No activity for this month.
Canal Dredging	\$ 109,954.00	\$ -	\$ 27,915.81	25.39%	No activity for this month.
Storm Water Rate Study	\$ 40,000.00	\$ 3,122.67	\$ 17,678.09	44.20%	Payment made to "Baxter & Woodman, Inc." for Needs Assessments Services.
East Tradewinds Improvement	\$ 50,000.00	\$ -	\$ 3,404.00	6.81%	No activity for this month.
Beach Renourishment	\$ 54,518.00	\$ 4,500.00	\$ 50,352.87	92.36%	Payment made to Moffatt & Nichol for Dune Master Plan Services.
Pedestrian Amenities	\$ 150,000.00	\$ -	\$ 2,034.35	1.36%	No activity for this month.
Palm Club Sewer	\$ 3,156,061.00	\$ 2,897.99	\$ 2,278,303.61	72.19%	Payment made to "Baxter & Woodman, Inc." for Design Services.
Street Project-Codrington Drive	\$ 1,254,359.00	\$ -	\$ 50,403.82	4.02%	No activity for this month.
Street Project-Bougainvillea/Poinciana	\$ 240,000.00	\$ -	\$ -	0.00%	No activity for this month.
Dog Park Pilot	\$ 50,000.00	\$ -	\$ -	0.00%	No activity for this month.
Greenway-El Mar Drive	\$ 2,327,566.00	\$ -	\$ -	0.00%	No activity for this month.
Totals:	\$ 8,369,510.00	\$ 24,217.13	\$ 2,556,169.77		

Parking Fund-310:

- Parking revenues are at 108.89%, well above amount budgeted for FY22.
- Expenditures are within expectation.

The top producing lots for June 2022 were:

1. A1A Parking Lot
2. El Prado Parking Lot
3. Ocean Front Meters
4. El Mar Parking Lot

A breakdown of parking revenue by lots is outlined in the Table below. We have been hearing from some of our businesses that June was a very slow month and the parking figures support this assertion.

FY22	June 2022 Financial Report									
	February, 2022		March, 2022		April, 2022		May, 2022		June, 2022	
	Revenue	\$ (+/-) from 02/21	Revenue	\$ (+/-) from 03/21	Revenue	\$ (+/-) from 04/21	Revenue	\$ (+/-) from 05/21	Revenue	\$ (+/-) from 06/21
South Ocean	\$ 27,753.88	\$12,642.20	\$ 40,136.01	\$10,842.87	\$ 26,511.46	\$3,142.08	\$ 27,816.58	\$7,486.76	\$ 21,136.59	(\$1,583.01)
Ocean Front Meters	\$ 29,325.88	\$4,968.53	\$ 43,971.98	\$10,872.71	\$ 37,841.47	\$8,344.12	\$ 41,463.45	\$16,071.60	\$ 37,720.06	\$2,443.03
Commercial Blvd. Meters	\$ 7,479.19	(\$2,797.86)	\$ 11,162.04	(\$2,836.79)	\$ 7,875.90	(\$4,696.18)	\$ 6,993.65	(\$4,267.74)	\$ 6,500.22	(\$7,014.94)
Parking Meters-Beach	\$ 18,987.87	(\$2,130.37)	\$ 26,389.24	(\$2,920.29)	\$ 20,020.86	(\$4,477.07)	\$ 22,815.36	\$1,120.73	\$ 21,645.50	(\$3,628.42)
Palm Portal-FDG	\$ 9,995.03	\$9,995.03	\$ 15,335.53	\$15,335.53	\$ 12,520.87	\$12,520.87	\$ 12,842.72	\$12,842.72	\$ 11,961.02	\$11,961.02
El Prado Parking Lot	\$ 56,067.23	\$18,358.94	\$ 80,637.53	\$17,591.13	\$ 61,547.07	\$9,853.19	\$ 61,048.08	\$16,112.55	\$ 48,715.21	(\$3,309.96)
Town Hall Parking Lot	\$ 4,312.70	\$2,157.99	\$ 5,337.66	\$2,415.53	\$ 3,661.09	\$731.92	\$ 4,657.32	\$171.27	\$ 2,678.94	\$710.82
El Mar Parking Lot	\$ 24,303.93	\$5,267.21	\$ 31,093.82	\$5,061.99	\$ 24,024.93	\$3,024.59	\$ 28,623.57	\$9,086.08	\$ 24,386.96	(\$981.94)
A1A Parking Lot	\$ 59,990.97	\$23,662.77	\$ 85,707.16	\$25,316.28	\$ 60,076.83	\$8,268.68	\$ 61,952.75	\$13,812.73	\$ 50,742.53	(\$5,324.12)
Bougainvillea/Poinciana	\$ 19,274.73	\$6,513.54	\$ 28,503.05	\$8,083.73	\$ 20,641.35	\$2,409.66	\$ 18,959.87	\$1,565.57	\$ 15,948.55	(\$2,724.27)
Eastward Strand Parking Spaces	\$ -	(\$3,205.22)		\$0.00		\$0.00	\$ -	\$0.00	\$ -	
Monthly Total:	\$ 257,491.41		\$ 368,274.02		\$ 274,721.83		\$ 287,173.35		\$ 241,435.58	
<i>Difference from last year \$:</i>	\$ 75,432.76		\$ 89,762.69		\$ 39,121.86		\$ 74,002.27		\$ (9,451.79)	
<i>Difference from last year %:</i>	41.43%		32.23%		16.61%		34.71%		-3.77%	

In addition to the detailed information of parking revenues, the following chart shows the collection of parking fines. In addition to the front desk, the Town utilizes Municipal Citations to collect parking fines that have been unpaid.

Parking Fines	January 2022	February 2022	March 2022	April 2022	May 2022	June 2022
	\$ 3,272.00	\$ 14,860.00	\$ 3,160.00	\$ 16,950.00	\$ 1,135.00	\$ 1,956.00

Attachments: Ex.1 Revenue/Expenditure Report
Ex.2 Cash-Investment Report-June 2022



Lauderdale-By-The-Sea, FL

Budget Report

Account Summary

For Fiscal: 2021-2022 Period Ending: 06/30/2022

	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Fund: 001 - General Fund						
Department: 000000 - NonDesignated						
001-000000-380200 Appropriated Fund Balance	1,688,752.00	1,688,752.00	0.00	0.00	-1,688,752.00	0.00 %
Department: 000000 - NonDesignated Total:	1,688,752.00	1,688,752.00	0.00	0.00	-1,688,752.00	0.00%
Department: 301000 - Ad Valorem Property Taxes						
001-301000-311100 Ad Valorem Property Taxes	8,996,323.00	8,996,323.00	39,616.99	8,955,328.75	-40,994.25	99.54 %
Department: 301000 - Ad Valorem Property Taxes Total:	8,996,323.00	8,996,323.00	39,616.99	8,955,328.75	-40,994.25	99.54%
Department: 301100 - Utility Taxes						
001-301100-311101 Fpl Utility Tax	897,700.00	897,700.00	79,419.58	594,653.06	-303,046.94	66.24 %
001-301100-311440 Gas Utility Tax	18,000.00	18,000.00	4,637.05	14,689.81	-3,310.19	81.61 %
001-301100-314300 Water Utility Tax	167,400.00	167,400.00	21,937.01	115,812.50	-51,587.50	69.18 %
Department: 301100 - Utility Taxes Total:	1,083,100.00	1,083,100.00	105,993.64	725,155.37	-357,944.63	66.95%
Department: 301600 - Franchise Taxes						
001-301600-313100 Fl Power & Light Franchise	600,500.00	600,500.00	60,887.92	435,438.12	-165,061.88	72.51 %
001-301600-313300 Waste Franchise Collection	171,000.00	171,000.00	10,224.53	53,820.02	-117,179.98	31.47 %
001-301600-313301 Waste Franchise Adm-fee	9,000.00	9,000.00	0.00	7,459.11	-1,540.89	82.88 %
001-301600-313400 Gas Franchise	19,000.00	19,000.00	4,727.14	17,056.44	-1,943.56	89.77 %
001-301600-313600 Towing Franchise Fees	700.00	700.00	580.00	580.00	-120.00	82.86 %
Department: 301600 - Franchise Taxes Total:	800,200.00	800,200.00	76,419.59	514,353.69	-285,846.31	64.28%
Department: 302000 - Licenses & Permits						
001-302000-321100 Business License Taxes	86,000.00	86,000.00	5,515.25	85,703.09	-296.91	99.65 %
001-302000-321110 Sidewalk Cafe Row	40,000.00	40,000.00	0.00	84,558.40	44,558.40	211.40 %
001-302000-322150 Miscellaneous Permits	500.00	500.00	30.00	490.00	-10.00	98.00 %
001-302000-322250 Zoning Permit & Fees	0.00	0.00	800.00	800.00	800.00	0.00 %
001-302000-322400 Sign Permits	3,000.00	3,000.00	0.00	430.00	-2,570.00	14.33 %
Department: 302000 - Licenses & Permits Total:	129,500.00	129,500.00	6,345.25	171,981.49	42,481.49	132.80%
Department: 303000 - Intergovernmental Revenues						
001-303000-311120 Municipal Revenue Sharing	169,000.00	169,000.00	13,965.53	135,899.84	-33,100.16	80.41 %
001-303000-311150 Alcoholic Beverage License	16,700.00	16,700.00	0.00	97.89	-16,602.11	0.59 %
001-303000-311180 Sales Tax	422,700.00	422,700.00	45,813.43	348,836.34	-73,863.66	82.53 %
001-303000-312410 Local Op Gas Tax 1 - 6 Cent	67,499.00	67,499.00	5,452.07	42,866.55	-24,632.45	63.51 %
001-303000-312420 Local Op Gas Tax 2 - 5 Cent	47,857.00	47,857.00	3,819.03	30,189.62	-17,667.38	63.08 %
001-303000-315100 Communication Service Tax	321,000.00	321,000.00	25,359.10	211,541.43	-109,458.57	65.90 %
001-303000-334910 Bcc-senior Center Grant	19,233.00	19,233.00	0.00	19,801.00	568.00	102.95 %
001-303000-334914 Bcc-transportation Grant	150,000.00	150,000.00	54,948.52	54,948.52	-95,051.48	36.63 %
001-303000-334915 Fdot-reimbursable Grant	18,606.00	18,606.00	0.00	0.00	-18,606.00	0.00 %
001-303000-334932 Dune Management Grant	30,000.00	30,000.00	0.00	0.00	-30,000.00	0.00 %
Department: 303000 - Intergovernmental Revenues Total:	1,262,595.00	1,262,595.00	149,357.68	844,181.19	-418,413.81	66.86%
Department: 304000 - Charges for Services						
001-304000-343902 Site Plan Application Fees	1,650.00	1,650.00	0.00	1,350.00	-300.00	81.82 %
001-304000-347500 Tennis - Shuffle Key	6,000.00	6,000.00	140.00	11,340.00	5,340.00	189.00 %
Department: 304000 - Charges for Services Total:	7,650.00	7,650.00	140.00	12,690.00	5,040.00	165.88%
Department: 305000 - Fines & Forfeitures						
001-305000-354150 Fines,trafficviolation,citatio	32,000.00	32,000.00	3,432.47	10,633.75	-21,366.25	33.23 %
001-305000-354160 Code Enforcement Fines	25,000.00	25,000.00	1,550.00	15,345.00	-9,655.00	61.38 %
001-305000-359100 Other Fines & Alarms	3,000.00	3,000.00	0.00	1,500.00	-1,500.00	50.00 %
Department: 305000 - Fines & Forfeitures Total:	60,000.00	60,000.00	4,982.47	27,478.75	-32,521.25	45.80%
Department: 306000 - Miscellaneous Revenues						
001-306000-361100 Interest Earnings	30,000.00	30,000.00	107.49	2,029.00	-27,971.00	6.76 %
001-306000-362000 Rent/lease Royalties	79,503.00	79,503.00	6,511.34	62,929.82	-16,573.18	79.15 %

Budget Report

For Fiscal: 2021-2022 Period Ending: 06/30/2022

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
001-306000-365400	Recycling Revenue	0.00	0.00	396.73	2,501.60	2,501.60	0.00 %
001-306000-366100	Donations	6,000.00	6,000.00	5,100.00	17,050.00	11,050.00	284.17 %
001-306000-369100	Miscellaneous Revenues	75,000.00	75,000.00	4,138.85	72,872.19	-2,127.81	97.16 %
001-306000-369200	Miscellaneous Applications	15,000.00	15,000.00	530.00	6,140.00	-8,860.00	40.93 %
001-306000-369201	Miscellaneous Merchandisesales	0.00	0.00	15.00	179.00	179.00	0.00 %
001-306000-369250	Recreational Activities Fee	1,430.00	1,430.00	75.00	850.00	-580.00	59.44 %
001-306000-369500	miscellaneous Lobbyist	250.00	250.00	50.00	250.00	0.00	100.00 %
001-306000-369901	Insurance Reimbursement	30,500.00	30,500.00	0.00	2,083.99	-28,416.01	6.83 %
Department: 306000 - Miscellaneous Revenues Total:		237,683.00	237,683.00	16,924.41	166,885.60	-70,797.40	70.21%
Department: 511000 - Commission							
001-511000-500110	Commission Salaries	68,415.00	68,415.00	8,883.42	50,890.35	17,524.65	74.38 %
001-511000-500210	Employer Fica Taxes	5,234.00	5,234.00	643.26	3,658.83	1,575.17	69.91 %
001-511000-500220	Retirement	35,179.00	35,179.00	3,045.26	21,890.18	13,288.82	62.23 %
001-511000-500230	Group Insurance	82,347.00	82,347.00	3,123.71	37,858.90	44,488.10	45.97 %
001-511000-500345	Contractual Services	4,500.00	4,500.00	281.25	3,431.25	1,068.75	76.25 %
001-511000-500510	Office Supplies	500.00	500.00	0.00	275.00	225.00	55.00 %
001-511000-500512	Elections	13,400.00	13,400.00	0.00	772.81	12,627.19	5.77 %
001-511000-500540	Dues & Subscriptions	2,700.00	2,700.00	0.00	350.00	2,350.00	12.96 %
001-511000-500545	Training	6,000.00	6,000.00	0.00	0.00	6,000.00	0.00 %
001-511000-500550	Operating Expenses	15,000.00	15,000.00	10.00	10,528.24	4,471.76	70.19 %
Department: 511000 - Commission Total:		233,275.00	233,275.00	15,986.90	129,655.56	103,619.44	55.58%
Department: 511100 - Donation-Non Profits							
001-511100-500820	Donations-aids To Private Org	63,259.00	63,259.00	0.00	50,259.00	13,000.00	79.45 %
Department: 511100 - Donation-Non Profits Total:		63,259.00	63,259.00	0.00	50,259.00	13,000.00	79.45%
Department: 511200 - Visitor Center							
001-511200-500120	Regular Salaries	13,427.00	13,427.00	0.00	8,723.34	4,703.66	64.97 %
001-511200-500140	Overtime Salaries	1,500.00	1,500.00	0.00	250.21	1,249.79	16.68 %
001-511200-500210	Employer Fica Taxes	1,142.00	1,142.00	0.00	670.33	471.67	58.70 %
001-511200-500220	Retirement	1,453.00	1,453.00	0.00	872.35	580.65	60.04 %
001-511200-500230	Group Insurance	4,019.00	4,019.00	166.28	1,996.52	2,022.48	49.68 %
001-511200-500340	Sewer/wastewater	3,300.00	3,300.00	320.97	2,506.57	793.43	75.96 %
001-511200-500430	Electric Service	1,600.00	1,600.00	128.26	796.63	803.37	49.79 %
001-511200-500431	Water Service	3,000.00	3,000.00	348.55	2,694.19	305.81	89.81 %
001-511200-500520	Bldg. Maintenance	10,000.00	10,000.00	0.00	662.50	9,337.50	6.63 %
001-511200-500550	Operating Expenses	10,000.00	10,000.00	102.34	1,073.04	8,926.96	10.73 %
001-511200-500553	Visitor Center Staff Salaries	55,000.00	55,000.00	3,990.25	8,754.37	46,245.63	15.92 %
Department: 511200 - Visitor Center Total:		104,441.00	104,441.00	5,056.65	29,000.05	75,440.95	27.77%
Department: 513000 - Administration							
001-513000-500120	Regular Salaries	596,812.00	596,812.00	58,955.12	398,553.73	198,258.27	66.78 %
001-513000-500121	Temporary Salaries/ Interns	15,000.00	15,000.00	0.00	2,401.50	12,598.50	16.01 %
001-513000-500140	Overtime Salaries	2,500.00	2,500.00	0.00	339.90	2,160.10	13.60 %
001-513000-500210	Employer Fica Taxes	45,848.00	45,848.00	3,326.45	27,117.32	18,730.68	59.15 %
001-513000-500220	Retirement	101,767.00	101,767.00	7,708.65	60,937.72	40,829.28	59.88 %
001-513000-500230	Group Insurance	156,748.00	156,748.00	4,680.63	73,447.12	83,300.88	46.86 %
001-513000-500315	Professional Services	54,000.00	54,000.00	0.00	0.00	54,000.00	0.00 %
001-513000-500320	Audit Expense	38,000.00	38,000.00	15,000.00	31,500.00	6,500.00	82.89 %
001-513000-500344	Hr Expenses	5,000.00	5,000.00	1,508.45	4,158.05	841.95	83.16 %
001-513000-500345	Contractual Services	45,840.00	45,840.00	3,722.72	35,134.01	10,705.99	76.64 %
001-513000-500463	Service Maintenance Contracts	21,300.00	21,300.00	0.00	17,485.60	3,814.40	82.09 %
001-513000-500506	Printing & Binding	3,500.00	3,500.00	71.00	748.54	2,751.46	21.39 %
001-513000-500508	Postage	4,500.00	4,500.00	674.02	5,303.55	-803.55	117.86 %
001-513000-500510	Office Supplies	6,000.00	6,000.00	104.14	1,907.98	4,092.02	31.80 %
001-513000-500540	Dues & Subscriptions	7,795.00	7,795.00	1,050.00	4,484.50	3,310.50	57.53 %
001-513000-500545	Training	10,800.00	10,800.00	0.00	5,565.24	5,234.76	51.53 %
001-513000-500550	Operating Expenses	15,820.00	15,820.00	623.81	11,734.35	4,085.65	74.17 %
Department: 513000 - Administration Total:		1,131,230.00	1,131,230.00	97,424.99	680,819.11	450,410.89	60.18%

Budget Report

For Fiscal: 2021-2022 Period Ending: 06/30/2022

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Department: 514000 - Town Attorney							
001-514000-500310	Legal Expense	315,000.00	315,000.00	26,237.90	231,718.80	83,281.20	73.56 %
001-514000-500314	Litigation	105,000.00	105,000.00	0.00	187.79	104,812.21	0.18 %
001-514000-500319	Ethics Research, Training & Op	6,000.00	6,000.00	655.40	5,378.80	621.20	89.65 %
Department: 514000 - Town Attorney Total:		426,000.00	426,000.00	26,893.30	237,285.39	188,714.61	55.70%
Department: 519000 - General							
001-519000-500120	Regular Salaries	162,750.00	162,750.00	12,897.01	100,284.35	62,465.65	61.62 %
001-519000-500210	Employer Fica Taxes	12,451.00	12,451.00	989.32	7,706.90	4,744.10	61.90 %
001-519000-500220	Retirement	17,610.00	17,610.00	652.32	9,486.52	8,123.48	53.87 %
001-519000-500230	Group Insurance	33,808.00	33,808.00	2,083.33	15,805.29	18,002.71	46.75 %
001-519000-500311	Advertisements	12,000.00	12,000.00	360.84	10,188.94	1,811.06	84.91 %
001-519000-500315	Professional Services	40,000.00	40,000.00	12,325.76	35,040.44	4,959.56	87.60 %
001-519000-500345	Contractual Services	40,200.00	40,200.00	0.00	9,109.62	31,090.38	22.66 %
001-519000-500349	Community Bus	160,216.00	160,216.00	0.00	74,992.38	85,223.62	46.81 %
001-519000-500451	Auto, Property & Liability Ins	134,800.00	134,800.00	0.00	129,134.66	5,665.34	95.80 %
001-519000-500452	Workers Compensation Insur	44,000.00	44,000.00	0.00	29,095.75	14,904.25	66.13 %
001-519000-500463	Service Maintenance Contracts	12,000.00	12,000.00	0.00	2,215.84	9,784.16	18.47 %
001-519000-500497	Contingency	100,000.00	100,000.00	0.00	1,200.84	98,799.16	1.20 %
001-519000-500506	Printing & Binding	18,500.00	18,500.00	456.62	8,863.35	9,636.65	47.91 %
001-519000-500508	Postage	3,000.00	3,000.00	0.00	0.00	3,000.00	0.00 %
001-519000-500511	Computer Expense	91,575.00	91,575.00	11,609.36	83,335.97	8,239.03	91.00 %
001-519000-500525	Uniform Expense	225.00	225.00	0.00	0.00	225.00	0.00 %
001-519000-500545	Training	500.00	500.00	0.00	0.00	500.00	0.00 %
001-519000-500550	Operating Expenses	23,000.00	23,000.00	331.69	21,005.96	1,994.04	91.33 %
001-519000-500552	Recycling And Solid Waste Exp	30,000.00	30,000.00	0.00	4,732.11	25,267.89	15.77 %
001-519000-500640	Capital Outlay - Equipt & Mach	0.00	0.00	30,340.19	30,340.19	-30,340.19	0.00 %
Department: 519000 - General Total:		936,635.00	936,635.00	72,046.44	572,539.11	364,095.89	61.13%
Department: 519100 - Business Dev & Marketing							
001-519100-500311	Advertisements	34,700.00	34,700.00	2,427.02	5,367.02	29,332.98	15.47 %
001-519100-500315	Professional Services	91,500.00	91,500.00	2,450.22	23,107.77	68,392.23	25.25 %
001-519100-500345	Contractual Services	17,758.00	17,758.00	465.46	8,139.96	9,618.04	45.84 %
001-519100-500495	Special Events	9,400.00	9,400.00	0.00	4,023.80	5,376.20	42.81 %
001-519100-500506	Printing & Binding	15,275.00	15,275.00	0.00	1,112.15	14,162.85	7.28 %
001-519100-500540	Dues & Subscriptions	1,780.00	1,780.00	0.00	804.51	975.49	45.20 %
001-519100-500550	Operating Expenses	1,000.00	1,000.00	0.00	0.00	1,000.00	0.00 %
Department: 519100 - Business Dev & Marketing Total:		171,413.00	171,413.00	5,342.70	42,555.21	128,857.79	24.83%
Department: 521000 - Police Department							
001-521000-500141	Bso Overtime	80,000.00	80,000.00	8,158.09	37,883.90	42,116.10	47.35 %
001-521000-500345	Contractual Services	5,378,907.00	5,378,907.00	448,242.25	4,034,180.25	1,344,726.75	75.00 %
001-521000-500352	Contract Services	5,000.00	5,000.00	0.00	4,996.19	3.81	99.92 %
001-521000-500520	Bldg. Maintenance	1,500.00	1,500.00	0.00	429.00	1,071.00	28.60 %
001-521000-500550	Operating Expenses	5,000.00	5,000.00	8.99	3,410.97	1,589.03	68.22 %
001-521000-500640	Capital Outlay - Equipt & Mach	2,200.00	2,200.00	0.00	2,375.00	-175.00	107.95 %
Department: 521000 - Police Department Total:		5,472,607.00	5,472,607.00	456,409.33	4,083,275.31	1,389,331.69	74.61%
Department: 523000 - Emergency Medical Services							
001-523000-500345	Contractual Services	873,699.00	873,699.00	72,808.25	655,274.25	218,424.75	75.00 %
Department: 523000 - Emergency Medical Services Total:		873,699.00	873,699.00	72,808.25	655,274.25	218,424.75	75.00%
Department: 524000 - Development Services							
001-524000-500120	Regular Salaries	272,842.00	272,842.00	30,355.93	155,690.09	117,151.91	57.06 %
001-524000-500140	Overtime Salaries	5,000.00	5,000.00	0.07	177.87	4,822.13	3.56 %
001-524000-500210	Employer Fica Taxes	21,255.00	21,255.00	2,241.31	11,629.61	9,625.39	54.71 %
001-524000-500220	Retirement	61,131.00	61,131.00	3,897.23	28,284.14	32,846.86	46.27 %
001-524000-500230	Group Insurance	74,259.00	74,259.00	3,153.38	24,132.45	50,126.55	32.50 %
001-524000-500315	Professional Services	66,500.00	66,500.00	7,054.25	39,012.57	27,487.43	58.67 %
001-524000-500345	Contractual Services	319,574.00	319,574.00	1,707.50	184,551.46	135,022.54	57.75 %
001-524000-500461	Vehicle Maintenance	250.00	250.00	0.00	85.88	164.12	34.35 %
001-524000-500462	Fuel	500.00	500.00	32.88	272.98	227.02	54.60 %

Budget Report

For Fiscal: 2021-2022 Period Ending: 06/30/2022

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
001-524000-500463	Service Maintenance Contracts	6,600.00	6,600.00	0.00	3,480.16	3,119.84	52.73 %
001-524000-500506	Printing & Binding	1,300.00	1,300.00	136.67	3,248.84	-1,948.84	249.91 %
001-524000-500508	Postage	5,000.00	5,000.00	0.00	266.06	4,733.94	5.32 %
001-524000-500510	Office Supplies	2,500.00	2,500.00	94.70	506.69	1,993.31	20.27 %
001-524000-500525	Uniform Expense	600.00	600.00	0.00	0.00	600.00	0.00 %
001-524000-500540	Dues & Subscriptions	3,300.00	3,300.00	0.00	50.00	3,250.00	1.52 %
001-524000-500545	Training	4,500.00	4,500.00	0.00	59.00	4,441.00	1.31 %
001-524000-500550	Operating Expenses	9,000.00	9,000.00	426.25	1,811.34	7,188.66	20.13 %
001-524000-500640	Capital Outlay - Equipt & Mach	0.00	0.00	0.00	8,400.00	-8,400.00	0.00 %
Department: 524000 - Development Services Total:		854,111.00	854,111.00	49,100.17	461,659.14	392,451.86	54.05%
Department: 541100 - Mun Srvsc - Public Works Div							
001-541100-500120	Regular Salaries	888,471.00	888,471.00	97,498.74	625,415.59	263,055.41	70.39 %
001-541100-500140	Overtime Salaries	50,000.00	50,000.00	4,686.96	24,521.85	25,478.15	49.04 %
001-541100-500210	Employer Fica Taxes	71,793.00	71,793.00	7,739.74	49,199.17	22,593.83	68.53 %
001-541100-500220	Retirement	112,979.00	112,979.00	8,835.48	71,318.27	41,660.73	63.13 %
001-541100-500230	Group Insurance	285,494.00	285,494.00	11,111.05	141,015.77	144,478.23	49.39 %
001-541100-500315	Professional Services	75,000.00	75,000.00	13,345.00	72,083.23	2,916.77	96.11 %
001-541100-500340	Sewer/wastewater	14,000.00	14,000.00	1,232.82	7,684.71	6,315.29	54.89 %
001-541100-500345	Contractual Services	322,817.00	322,817.00	3,170.00	146,109.95	176,707.05	45.26 %
001-541100-500410	Communications	41,800.00	41,800.00	6,454.57	44,501.85	-2,701.85	106.46 %
001-541100-500430	Electric Service	48,000.00	48,000.00	4,690.01	30,763.69	17,236.31	64.09 %
001-541100-500431	Water Service	160,000.00	160,000.00	18,205.89	129,145.44	30,854.56	80.72 %
001-541100-500433	Electric Service-streets	62,500.00	62,500.00	4,887.33	41,572.20	20,927.80	66.52 %
001-541100-500445	Equip Rent/lease	17,500.00	17,500.00	247.65	5,301.85	12,198.15	30.30 %
001-541100-500460	Equipment Maintenance	27,080.00	27,080.00	948.32	10,828.70	16,251.30	39.99 %
001-541100-500461	Vehicle Maintenance	14,000.00	14,000.00	381.49	12,696.75	1,303.25	90.69 %
001-541100-500462	Fuel	24,000.00	24,000.00	3,987.62	27,366.24	-3,366.24	114.03 %
001-541100-500463	Service Maintenance Contracts	20,705.00	20,705.00	1,119.33	20,765.88	-60.88	100.29 %
001-541100-500470	Radio Maintenance	2,400.00	2,400.00	0.00	0.00	2,400.00	0.00 %
001-541100-500498	Storm Drain Rehab/maint	50,000.00	50,000.00	1,113.78	12,455.63	37,544.37	24.91 %
001-541100-500508	Postage	250.00	250.00	0.00	88.21	161.79	35.28 %
001-541100-500510	Office Supplies	1,750.00	1,750.00	0.00	0.00	1,750.00	0.00 %
001-541100-500520	Bldg. Maintenance	65,000.00	65,000.00	3,841.35	50,283.36	14,716.64	77.36 %
001-541100-500525	Uniform Expense	12,000.00	12,000.00	0.00	17,111.15	-5,111.15	142.59 %
001-541100-500529	Street Light Maintenance	35,000.00	35,000.00	0.00	23,673.75	11,326.25	67.64 %
001-541100-500530	Street Maint Repair Supply	85,000.00	85,000.00	6,415.28	15,294.74	69,705.26	17.99 %
001-541100-500531	Grounds Maint/landscaping	50,000.00	50,000.00	465.42	40,754.58	9,245.42	81.51 %
001-541100-500532	Signs	12,500.00	12,500.00	0.00	9,239.09	3,260.91	73.91 %
001-541100-500534	Sidewalk Maint Repair	15,000.00	15,000.00	7,926.93	18,153.67	-3,153.67	121.02 %
001-541100-500535	Flags	2,500.00	2,500.00	0.00	694.20	1,805.80	27.77 %
001-541100-500540	Dues & Subscriptions	2,285.00	2,285.00	0.00	1,645.00	640.00	71.99 %
001-541100-500545	Training	6,000.00	6,000.00	1,452.81	2,691.40	3,308.60	44.86 %
001-541100-500547	Hurricane Expenditure	20,000.00	20,000.00	0.00	0.00	20,000.00	0.00 %
001-541100-500550	Operating Expenses	70,000.00	70,000.00	12,416.78	50,470.90	19,529.10	72.10 %
001-541100-500624	Capital Outlay-bldg. Improvem	50,000.00	50,000.00	5,039.03	36,320.00	13,680.00	72.64 %
001-541100-500640	Capital Outlay - Equipt & Mach	6,000.00	6,000.00	0.00	5,567.66	432.34	92.79 %
001-541100-500644	Capital Outlay-vehicles	39,263.00	39,263.00	3,096.61	32,832.13	6,430.87	83.62 %
Department: 541100 - Mun Srvsc - Public Works Div Total:		2,761,087.00	2,761,087.00	230,309.99	1,777,566.61	983,520.39	64.38%
Department: 572000 - Recreation							
001-572000-500311	Advertisements	1,800.00	1,800.00	140.57	1,321.00	479.00	73.39 %
001-572000-500342	Senior Rec. Ctr. Contract	94,834.00	94,834.00	6,677.83	66,900.70	27,933.30	70.55 %
001-572000-500343	Beach Maintenance Contract	264,000.00	264,000.00	20,500.00	184,500.00	79,500.00	69.89 %
001-572000-500345	Contractual Services	11,000.00	11,000.00	0.00	4,000.00	7,000.00	36.36 %
001-572000-500347	Programs	8,000.00	8,000.00	0.00	4,695.00	3,305.00	58.69 %
001-572000-500430	Electric Service	600.00	600.00	64.15	399.68	200.32	66.61 %
001-572000-500460	Equipment Maintenance	8,000.00	8,000.00	0.00	5,845.54	2,154.46	73.07 %
001-572000-500469	Buoy Maintenance	9,000.00	9,000.00	0.00	0.00	9,000.00	0.00 %
001-572000-500495	Special Events	105,000.00	105,000.00	10,373.44	31,592.03	73,407.97	30.09 %

Budget Report

For Fiscal: 2021-2022 Period Ending: 06/30/2022

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
001-572000-500510	Office Supplies	650.00	650.00	0.00	1,093.95	-443.95	168.30 %
001-572000-500520	Bldg. Maintenance	45,000.00	45,000.00	0.00	9,734.43	35,265.57	21.63 %
001-572000-500536	Sea Oats	12,000.00	12,000.00	0.00	1,670.00	10,330.00	13.92 %
001-572000-500550	Operating Expenses	112,000.00	112,000.00	5,592.25	46,545.79	65,454.21	41.56 %
001-572000-500640	Capital Outlay - Equipt & Mach	47,500.00	47,500.00	0.00	6,590.00	40,910.00	13.87 %
Department: 572000 - Recreation Total:		719,384.00	719,384.00	43,348.24	364,888.12	354,495.88	50.72%
Department: 581100 - Interfund Transfers							
001-581100-380115	Transfer From Fire - Oh Costs	22,000.00	22,000.00	5,500.00	16,500.00	-5,500.00	75.00 %
001-581100-500910	Transfer To Cip Fund	540,662.00	540,662.00	135,165.50	405,496.50	135,165.50	75.00 %
Department: 581100 - Interfund Transfers Surplus (Deficit):		-518,662.00	-518,662.00	-129,665.50	-388,996.50	129,665.50	75.00%
Fund: 001 - General Fund Surplus (Deficit):		0.00	0.00	-804,612.43	1,944,281.48	1,944,281.48	0.00%
Fund: 101 - Special Revenue-Police Conf							
Department: 306000 - Miscellaneous Revenues							
101-306000-369100	Miscellaneous Revenues	0.00	0.00	0.00	70.31	70.31	0.00 %
Department: 306000 - Miscellaneous Revenues Total:		0.00	0.00	0.00	70.31	70.31	0.00%
Fund: 101 - Special Revenue-Police Conf Total:		0.00	0.00	0.00	70.31	70.31	0.00%
Fund: 102 - Building Fund							
Department: 000000 - NonDesignated							
102-000000-380200	Appropriated Fund Balance	50,000.00	105,998.00	0.00	0.00	-105,998.00	0.00 %
Department: 000000 - NonDesignated Total:		50,000.00	105,998.00	0.00	0.00	-105,998.00	0.00%
Department: 302100 - Building Permit and Inpection							
102-302100-322100	Building Permits	808,183.00	808,183.00	277,421.33	1,198,270.28	390,087.28	148.27 %
102-302100-322105	Fire Plan Review Fees	16,500.00	16,500.00	640.00	13,155.78	-3,344.22	79.73 %
Department: 302100 - Building Permit and Inpection Total:		824,683.00	824,683.00	278,061.33	1,211,426.06	386,743.06	146.90%
Department: 524100 - Building							
102-524100-500120	Regular Salaries	80,642.00	80,642.00	5,814.28	47,930.48	32,711.52	59.44 %
102-524100-500210	Employer Fica Taxes	6,170.00	6,170.00	468.81	4,045.96	2,124.04	65.57 %
102-524100-500220	Retirement	15,802.00	15,802.00	784.32	5,885.39	9,916.61	37.24 %
102-524100-500230	Group Insurance	22,069.00	22,069.00	0.00	8,025.10	14,043.90	36.36 %
102-524100-500315	Professional Services	100,000.00	100,000.00	0.00	0.00	100,000.00	0.00 %
102-524100-500402	Building Permit Services	650,000.00	650,000.00	0.00	511,765.31	138,234.69	78.73 %
102-524100-500624	Capital Outlay-bldg. Improvemt	0.00	55,998.00	0.00	0.00	55,998.00	0.00 %
Department: 524100 - Building Total:		874,683.00	930,681.00	7,067.41	577,652.24	353,028.76	62.07%
Fund: 102 - Building Fund Surplus (Deficit):		0.00	0.00	270,993.92	633,773.82	633,773.82	0.00%
Fund: 103 - Sewer Fund							
Department: 000000 - NonDesignated							
103-000000-380200	Appropriated Fund Balance	200,281.00	200,281.00	0.00	0.00	-200,281.00	0.00 %
Department: 000000 - NonDesignated Total:		200,281.00	200,281.00	0.00	0.00	-200,281.00	0.00%
Department: 304000 - Charges for Services							
103-304000-343500	Sewer Fees	1,193,155.00	1,193,155.00	106,530.83	986,310.28	-206,844.72	82.66 %
Department: 304000 - Charges for Services Total:		1,193,155.00	1,193,155.00	106,530.83	986,310.28	-206,844.72	82.66%
Department: 306000 - Miscellaneous Revenues							
103-306000-361100	Interest Earnings	1,500.00	1,500.00	18.89	149.12	-1,350.88	9.94 %
Department: 306000 - Miscellaneous Revenues Total:		1,500.00	1,500.00	18.89	149.12	-1,350.88	9.94%
Department: 535000 - Sanitary Sewers							
103-535000-500120	Regular Salaries	58,968.00	58,968.00	6,148.74	56,059.37	2,908.63	95.07 %
103-535000-500140	Overtime Salaries	5,250.00	5,250.00	574.86	3,611.86	1,638.14	68.80 %
103-535000-500210	Employer Fica Taxes	4,913.00	4,913.00	511.58	4,541.20	371.80	92.43 %
103-535000-500220	Retirement	10,422.00	10,422.00	1,018.21	9,001.01	1,420.99	86.37 %
103-535000-500230	Group Insurance	8,773.00	8,773.00	0.00	3,846.00	4,927.00	43.84 %
103-535000-500315	Professional Services	3,000.00	3,000.00	0.00	0.00	3,000.00	0.00 %
103-535000-500340	Sewer/wastewater	800,000.00	800,000.00	0.00	482,174.05	317,825.95	60.27 %
103-535000-500345	Contractual Services	18,000.00	18,000.00	1,156.52	11,976.17	6,023.83	66.53 %
103-535000-500430	Electric Service	24,000.00	24,000.00	1,967.40	11,589.75	12,410.25	48.29 %

Budget Report

For Fiscal: 2021-2022 Period Ending: 06/30/2022

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
103-535000-500431	Water Service	360.00	360.00	18.38	199.76	160.24	55.49 %
103-535000-500459	Sewer Line Maintenance	280,000.00	280,000.00	0.00	33,008.26	246,991.74	11.79 %
103-535000-500465	Pump Station Maintenance	3,000.00	3,000.00	0.00	0.00	3,000.00	0.00 %
103-535000-500497	Contingency	100,000.00	100,000.00	0.00	0.00	100,000.00	0.00 %
103-535000-500506	Printing & Binding	1,000.00	1,000.00	0.00	0.00	1,000.00	0.00 %
103-535000-500550	Operating Expenses	2,250.00	2,250.00	0.00	59.09	2,190.91	2.63 %
103-535000-500630	Cap Outlay Imp Other Than Bldg	75,000.00	75,000.00	0.00	50,964.16	24,035.84	67.95 %
Department: 535000 - Sanitary Sewers Total:		1,394,936.00	1,394,936.00	11,395.69	667,030.68	727,905.32	47.82%
Fund: 103 - Sewer Fund Surplus (Deficit):		0.00	0.00	95,154.03	319,428.72	319,428.72	0.00%
Fund: 115 - Fire Fund							
Department: 000000 - NonDesignated							
115-000000-380203	Appropriation From Fire Fund	898,507.00	917,507.00	0.00	0.00	-917,507.00	0.00 %
Department: 000000 - NonDesignated Total:		898,507.00	917,507.00	0.00	0.00	-917,507.00	0.00%
Department: 301050 - Fire Assessment							
115-301050-311200	Property Tax-fire Assessment	1,012,348.00	1,012,348.00	6,817.72	1,012,580.74	232.74	100.02 %
Department: 301050 - Fire Assessment Total:		1,012,348.00	1,012,348.00	6,817.72	1,012,580.74	232.74	100.02%
Department: 304000 - Charges for Services							
115-304000-342210	Fire Inspection Fees	33,900.00	33,900.00	993.00	35,656.74	1,756.74	105.18 %
Department: 304000 - Charges for Services Total:		33,900.00	33,900.00	993.00	35,656.74	1,756.74	105.18%
Department: 306000 - Miscellaneous Revenues							
115-306000-361100	Interest Earnings	1,000.00	1,000.00	22.60	179.74	-820.26	17.97 %
Department: 306000 - Miscellaneous Revenues Total:		1,000.00	1,000.00	22.60	179.74	-820.26	17.97%
Department: 522000 - Fire Department							
115-522000-500151	Fire Dept Pension	6,000.00	6,000.00	0.00	0.00	6,000.00	0.00 %
115-522000-500315	Professional Services	69,500.00	69,500.00	180.80	27,025.60	42,474.40	38.89 %
115-522000-500320	Audit Expense	8,400.00	8,400.00	4,700.00	8,200.00	200.00	97.62 %
115-522000-500345	Contractual Services	919,855.00	919,855.00	76,654.58	689,891.22	229,963.78	75.00 %
115-522000-500520	Bldg. Maintenance	2,000.00	2,000.00	0.00	1,028.08	971.92	51.40 %
115-522000-500644	Capital Outlay-vehicles	918,000.00	937,000.00	0.00	18,603.08	918,396.92	1.99 %
115-522000-500912	Transfer To General Fund	22,000.00	22,000.00	5,500.00	16,500.00	5,500.00	75.00 %
Department: 522000 - Fire Department Total:		1,945,755.00	1,964,755.00	87,035.38	761,247.98	1,203,507.02	38.75%
Fund: 115 - Fire Fund Surplus (Deficit):		0.00	0.00	-79,202.06	287,169.24	287,169.24	0.00%
Fund: 300 - Capital Project Fund							
Department: 000000 - NonDesignated							
300-000000-380200	Appropriated Fund Balance	406,337.00	2,887,281.00	0.00	0.00	-2,887,281.00	0.00 %
300-000000-380204	Appropriated From El Mar Reser	677,566.00	677,566.00	0.00	0.00	-677,566.00	0.00 %
300-000000-380211	Appropriated El Mar Res.fdg Fi	1,650,000.00	1,650,000.00	0.00	0.00	-1,650,000.00	0.00 %
Department: 000000 - NonDesignated Total:		2,733,903.00	5,214,847.00	0.00	0.00	-5,214,847.00	0.00%
Department: 303000 - Intergovernmental Revenues							
300-303000-334931	American Rescue Plan Act Grant	1,668,844.00	1,668,844.00	0.00	1,668,844.00	0.00	100.00 %
Department: 303000 - Intergovernmental Revenues Total:		1,668,844.00	1,668,844.00	0.00	1,668,844.00	0.00	100.00%
Department: 306000 - Miscellaneous Revenues							
300-306000-361100	Interest Earnings	600.00	600.00	55.87	425.62	-174.38	70.94 %
300-306000-361104	Pompano Beach-palm Club Sewer	0.00	0.00	0.00	300,000.00	300,000.00	0.00 %
Department: 306000 - Miscellaneous Revenues Total:		600.00	600.00	55.87	300,425.62	299,825.62	50,070.94%
Department: 519000 - General							
300-519000-500120	Regular Salaries	24,591.00	24,591.00	2,315.38	20,513.55	4,077.45	83.42 %
300-519000-500210	Employer Fica Taxes	1,882.00	1,882.00	177.31	1,569.46	312.54	83.39 %
300-519000-500220	Retirement	7,134.00	7,134.00	701.33	6,674.71	459.29	93.56 %
300-519000-500230	Group Insurance	6,136.00	6,136.00	0.00	3,077.49	3,058.51	50.15 %
300-519000-500640	Capital Outlay - Equipt & Mach	125,000.00	125,000.00	8,846.25	66,612.65	58,387.35	53.29 %
Department: 519000 - General Total:		164,743.00	164,743.00	12,040.27	98,447.86	66,295.14	59.76%

Budget Report

For Fiscal: 2021-2022 Period Ending: 06/30/2022

	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Department: 519155 - A1A Hibiscus Crosswalk						
300-519155-500630 Cap Outlay Imp Other Than Bldg	0.00	45,000.00	0.00	54,902.93	-9,902.93	122.01 %
Department: 519155 - A1A Hibiscus Crosswalk Total:	0.00	45,000.00	0.00	54,902.93	-9,902.93	122.01%
Department: 519162 - Town Hall Complex						
300-519162-500624 Capital Outlay-bldg. Improvemt	251,000.00	321,755.00	0.00	28,912.84	292,842.16	8.99 %
Department: 519162 - Town Hall Complex Total:	251,000.00	321,755.00	0.00	28,912.84	292,842.16	8.99%
Department: 545100 - Downtown Parking Reconfiguration						
300-545100-500630 Cap Outlay Imp Other Than Bldg	350,000.00	350,000.00	13,696.47	38,987.65	311,012.35	11.14 %
Department: 545100 - Downtown Parking Reconfiguration Total:	350,000.00	350,000.00	13,696.47	38,987.65	311,012.35	11.14%
Department: 559025 - Bel Air - Sewall Repair - East						
300-559025-500630 Cap Outlay Imp Other Than Bldg	0.00	220,297.00	0.00	3,273.80	217,023.20	1.49 %
Department: 559025 - Bel Air - Sewall Repair - East Total:	0.00	220,297.00	0.00	3,273.80	217,023.20	1.49%
Department: 559026 - Canal Dredging						
300-559026-500630 Cap Outlay Imp Other Than Bldg	70,000.00	109,954.00	0.00	27,915.81	82,038.19	25.39 %
Department: 559026 - Canal Dredging Total:	70,000.00	109,954.00	0.00	27,915.81	82,038.19	25.39%
Department: 559027 - Storm Water Rate Study						
300-559027-500630 Cap Outlay Imp Other Than Bldg	40,000.00	40,000.00	3,122.67	17,678.09	22,321.91	44.20 %
Department: 559027 - Storm Water Rate Study Total:	40,000.00	40,000.00	3,122.67	17,678.09	22,321.91	44.20%
Department: 559028 - East Tradewinds Improvement						
300-559028-500630 Cap Outlay Imp Other Than Bldg	50,000.00	50,000.00	0.00	3,404.00	46,596.00	6.81 %
Department: 559028 - East Tradewinds Improvement Total:	50,000.00	50,000.00	0.00	3,404.00	46,596.00	6.81%
Department: 572200 - Beach Renourishment						
300-572200-500630 Cap Outlay Imp Other Than Bldg	0.00	54,518.00	4,500.00	50,352.87	4,165.13	92.36 %
Department: 572200 - Beach Renourishment Total:	0.00	54,518.00	4,500.00	50,352.87	4,165.13	92.36%
Department: 575201 - Pedestrian Amenities						
300-575201-500630 Cap Outlay Imp Other Than Bldg	150,000.00	150,000.00	0.00	2,034.35	147,965.65	1.36 %
Department: 575201 - Pedestrian Amenities Total:	150,000.00	150,000.00	0.00	2,034.35	147,965.65	1.36%
Department: 576129 - Palm Club Sewer						
300-576129-500630 Cap Outlay Imp Other Than Bldg	1,450,000.00	3,156,061.00	2,897.99	2,278,303.61	877,757.39	72.19 %
Department: 576129 - Palm Club Sewer Total:	1,450,000.00	3,156,061.00	2,897.99	2,278,303.61	877,757.39	72.19%
Department: 576135 - Street Project Codrington Drive						
300-576135-500629 Capital Outlay - Design/permit	0.00	0.00	0.00	40,621.60	-40,621.60	0.00 %
300-576135-500630 Cap Outlay Imp Other Than Bldg	1,150,000.00	1,254,359.00	0.00	9,782.22	1,244,576.78	0.78 %
Department: 576135 - Street Project Codrington Drive Total:	1,150,000.00	1,254,359.00	0.00	50,403.82	1,203,955.18	4.02%
Department: 576136 - Street Proj.Bougain.Poinciana						
300-576136-500630 Cap Outlay Imp Other Than Bldg	0.00	240,000.00	0.00	0.00	240,000.00	0.00 %
Department: 576136 - Street Proj.Bougain.Poinciana Total:	0.00	240,000.00	0.00	0.00	240,000.00	0.00%
Department: 577101 - Dog Park Pilot						
300-577101-500630 Cap Outlay Imp Other Than Bldg	50,000.00	50,000.00	0.00	0.00	50,000.00	0.00 %
Department: 577101 - Dog Park Pilot Total:	50,000.00	50,000.00	0.00	0.00	50,000.00	0.00%
Department: 579169 - Greenway-El Mar Drive						
300-579169-500630 Cap Outlay Imp Other Than Bldg	2,327,566.00	2,327,566.00	0.00	0.00	2,327,566.00	0.00 %
Department: 579169 - Greenway-El Mar Drive Total:	2,327,566.00	2,327,566.00	0.00	0.00	2,327,566.00	0.00%
Department: 581100 - Interfund Transfers						
300-581100-381105 Transfer From General Fund	540,662.00	540,662.00	135,165.50	405,496.50	-135,165.50	75.00 %
300-581100-381106 Transfer From Parking Fund	1,109,300.00	1,109,300.00	277,325.00	831,975.00	-277,325.00	75.00 %
Department: 581100 - Interfund Transfers Total:	1,649,962.00	1,649,962.00	412,490.50	1,237,471.50	-412,490.50	75.00%
Fund: 300 - Capital Project Fund Surplus (Deficit):	0.00	0.00	376,288.97	552,123.49	552,123.49	0.00%
Fund: 310 - Parking Fund						
Department: 302000 - Licenses & Permits						
310-302000-313101 Pilop Fee	18,300.00	18,300.00	1,250.00	101,250.00	82,950.00	553.28 %
Department: 302000 - Licenses & Permits Total:	18,300.00	18,300.00	1,250.00	101,250.00	82,950.00	553.28%

Budget Report

For Fiscal: 2021-2022 Period Ending: 06/30/2022

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Department: 304000 - Charges for Services							
310-304000-344500	Parking Permits	130,000.00	130,000.00	5,806.75	107,533.78	-22,466.22	82.72 %
310-304000-344520	Parking Agreements	65,331.00	65,331.00	0.00	78,913.00	13,582.00	120.79 %
310-304000-344551	South Ocean	185,000.00	185,000.00	21,136.59	205,989.12	20,989.12	111.35 %
310-304000-344552	Ocean Front Meters	290,000.00	290,000.00	37,720.06	308,087.54	18,087.54	106.24 %
310-304000-344553	Commercial Blvd. Meters	60,000.00	60,000.00	6,500.22	65,567.51	5,567.51	109.28 %
310-304000-344554	Parking Meters - Beach	200,000.00	200,000.00	21,645.50	164,153.32	-35,846.68	82.08 %
310-304000-344555	Palm Portal- Fdg	70,252.00	70,252.00	11,961.02	86,917.73	16,665.73	123.72 %
310-304000-344556	El Prado Parking Lot	400,000.00	400,000.00	48,715.21	446,566.32	46,566.32	111.64 %
310-304000-344558	Town Hall Parking Lot	25,000.00	25,000.00	2,678.94	26,821.84	1,821.84	107.29 %
310-304000-344559	El Mar Parking Lot	200,000.00	200,000.00	24,386.96	212,535.29	12,535.29	106.27 %
310-304000-344560	A1a Parking Lot	400,000.00	400,000.00	50,742.53	479,702.05	79,702.05	119.93 %
310-304000-344563	Bougainvilla/ Poinciana	125,000.00	125,000.00	15,948.55	153,384.51	28,384.51	122.71 %
Department: 304000 - Charges for Services Total:		2,150,583.00	2,150,583.00	247,242.33	2,336,172.01	185,589.01	108.63%
Department: 305000 - Fines & Forfeitures							
310-305000-354100	Parking Fines	125,000.00	125,000.00	1,956.00	60,708.00	-64,292.00	48.57 %
Department: 305000 - Fines & Forfeitures Total:		125,000.00	125,000.00	1,956.00	60,708.00	-64,292.00	48.57%
Department: 306000 - Miscellaneous Revenues							
310-306000-361100	Interest Earnings	1,000.00	1,000.00	104.02	776.93	-223.07	77.69 %
Department: 306000 - Miscellaneous Revenues Total:		1,000.00	1,000.00	104.02	776.93	-223.07	77.69%
Department: 545000 - Parking Operations							
310-545000-500120	Regular Salaries	190,793.00	190,793.00	15,222.16	136,882.13	53,910.87	71.74 %
310-545000-500140	Overtime Salaries	3,300.00	3,300.00	252.34	1,474.16	1,825.84	44.67 %
310-545000-500210	Employer Fica Taxes	14,848.00	14,848.00	925.57	8,482.38	6,365.62	57.13 %
310-545000-500220	Retirement	32,048.00	32,048.00	2,081.19	17,881.13	14,166.87	55.79 %
310-545000-500230	Group Insurance	68,531.00	68,531.00	0.00	22,080.35	46,450.65	32.22 %
310-545000-500345	Contractual Services	350,818.00	350,818.00	14,896.08	285,784.92	65,033.08	81.46 %
310-545000-500353	Parking Alternatives	294,000.00	294,000.00	0.00	182,069.23	111,930.77	61.93 %
310-545000-500410	Communications	2,400.00	2,400.00	275.83	953.47	1,446.53	39.73 %
310-545000-500430	Electric Service	5,280.00	5,280.00	526.87	4,450.93	829.07	84.30 %
310-545000-500431	Water Service	23,004.00	23,004.00	1,035.23	14,314.35	8,689.65	62.23 %
310-545000-500445	Equip Rent/lease	0.00	0.00	798.36	7,185.24	-7,185.24	0.00 %
310-545000-500461	Vehicle Maintenance	5,000.00	5,000.00	0.00	626.94	4,373.06	12.54 %
310-545000-500462	Fuel	10,000.00	10,000.00	944.39	5,084.92	4,915.08	50.85 %
310-545000-500463	Service Maintenance Contracts	30,200.00	30,200.00	0.00	22,770.00	7,430.00	75.40 %
310-545000-500497	Contingency	10,000.00	7,310.00	0.00	0.00	7,310.00	0.00 %
310-545000-500506	Printing & Binding	7,900.00	7,900.00	0.00	1,533.64	6,366.36	19.41 %
310-545000-500508	Postage	2,000.00	2,000.00	53.77	1,230.97	769.03	61.55 %
310-545000-500510	Office Supplies	1,000.00	1,000.00	0.00	148.64	851.36	14.86 %
310-545000-500525	Uniform Expense	3,000.00	3,000.00	192.15	1,407.06	1,592.94	46.90 %
310-545000-500532	Signs	10,000.00	10,000.00	86.00	8,640.40	1,359.60	86.40 %
310-545000-500533	Parking Meter Parts-supplies	30,750.00	30,750.00	0.00	3,181.91	27,568.09	10.35 %
310-545000-500545	Training	2,000.00	2,000.00	0.00	0.00	2,000.00	0.00 %
310-545000-500550	Operating Expenses	26,610.00	26,610.00	2,761.26	18,823.26	7,786.74	70.74 %
310-545000-500629	Capital Outlay - Design/permit	2,000.00	2,000.00	0.00	0.00	2,000.00	0.00 %
310-545000-500630	Cap Outlay Imp Other Than Bldg	2,000.00	2,000.00	0.00	0.00	2,000.00	0.00 %
310-545000-500640	Capital Outlay - Equipmt & Mach	0.00	46,790.00	0.00	44,077.99	2,712.01	94.20 %
310-545000-500644	Capital Outlay-vehicles	58,101.00	14,001.00	0.00	2,160.00	11,841.00	15.43 %
Department: 545000 - Parking Operations Total:		1,185,583.00	1,185,583.00	40,051.20	791,244.02	394,338.98	66.74%
Department: 581100 - Interfund Transfers							
310-581100-500910	Transfer To Cip Fund	1,109,300.00	1,109,300.00	277,325.00	831,975.00	277,325.00	75.00 %
Department: 581100 - Interfund Transfers Total:		1,109,300.00	1,109,300.00	277,325.00	831,975.00	277,325.00	75.00%
Fund: 310 - Parking Fund Surplus (Deficit):		0.00	0.00	-66,823.85	875,687.92	875,687.92	0.00%
Report Surplus (Deficit):		0.00	0.00	-208,201.42	4,612,534.98	4,612,534.98	0.00%

Group Summary

Department...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Fund: 001 - General Fund						
000000 - NonDesignated	1,688,752.00	1,688,752.00	0.00	0.00	-1,688,752.00	0.00%
301000 - Ad Valorem Property Taxes	8,996,323.00	8,996,323.00	39,616.99	8,955,328.75	-40,994.25	99.54%
301100 - Utility Taxes	1,083,100.00	1,083,100.00	105,993.64	725,155.37	-357,944.63	66.95%
301600 - Franchise Taxes	800,200.00	800,200.00	76,419.59	514,353.69	-285,846.31	64.28%
302000 - Licenses & Permits	129,500.00	129,500.00	6,345.25	171,981.49	42,481.49	132.80%
303000 - Intergovernmental Revenues	1,262,595.00	1,262,595.00	149,357.68	844,181.19	-418,413.81	66.86%
304000 - Charges for Services	7,650.00	7,650.00	140.00	12,690.00	5,040.00	165.88%
305000 - Fines & Forfeitures	60,000.00	60,000.00	4,982.47	27,478.75	-32,521.25	45.80%
306000 - Miscellaneous Revenues	237,683.00	237,683.00	16,924.41	166,885.60	-70,797.40	70.21%
511000 - Commission	233,275.00	233,275.00	15,986.90	129,655.56	103,619.44	55.58%
511100 - Donation-Non Profits	63,259.00	63,259.00	0.00	50,259.00	13,000.00	79.45%
511200 - Visitor Center	104,441.00	104,441.00	5,056.65	29,000.05	75,440.95	27.77%
513000 - Administration	1,131,230.00	1,131,230.00	97,424.99	680,819.11	450,410.89	60.18%
514000 - Town Attorney	426,000.00	426,000.00	26,893.30	237,285.39	188,714.61	55.70%
519000 - General	936,635.00	936,635.00	72,046.44	572,539.11	364,095.89	61.13%
519100 - Business Dev & Marketing	171,413.00	171,413.00	5,342.70	42,555.21	128,857.79	24.83%
521000 - Police Department	5,472,607.00	5,472,607.00	456,409.33	4,083,275.31	1,389,331.69	74.61%
523000 - Emergency Medical Services	873,699.00	873,699.00	72,808.25	655,274.25	218,424.75	75.00%
524000 - Development Services	854,111.00	854,111.00	49,100.17	461,659.14	392,451.86	54.05%
541100 - Mun Srvc - Public Works Div	2,761,087.00	2,761,087.00	230,309.99	1,777,566.61	983,520.39	64.38%
572000 - Recreation	719,384.00	719,384.00	43,348.24	364,888.12	354,495.88	50.72%
581100 - Interfund Transfers	-518,662.00	-518,662.00	-129,665.50	-388,996.50	129,665.50	75.00%
Fund: 001 - General Fund Surplus (Deficit):	0.00	0.00	-804,612.43	1,944,281.48	1,944,281.48	0.00%
Fund: 101 - Special Revenue-Police Conf						
306000 - Miscellaneous Revenues	0.00	0.00	0.00	70.31	70.31	0.00%
Fund: 101 - Special Revenue-Police Conf Total:	0.00	0.00	0.00	70.31	70.31	0.00%
Fund: 102 - Building Fund						
000000 - NonDesignated	50,000.00	105,998.00	0.00	0.00	-105,998.00	0.00%
302100 - Building Permit and Inpection	824,683.00	824,683.00	278,061.33	1,211,426.06	386,743.06	146.90%
524100 - Building	874,683.00	930,681.00	7,067.41	577,652.24	353,028.76	62.07%
Fund: 102 - Building Fund Surplus (Deficit):	0.00	0.00	270,993.92	633,773.82	633,773.82	0.00%
Fund: 103 - Sewer Fund						
000000 - NonDesignated	200,281.00	200,281.00	0.00	0.00	-200,281.00	0.00%
304000 - Charges for Services	1,193,155.00	1,193,155.00	106,530.83	986,310.28	-206,844.72	82.66%
306000 - Miscellaneous Revenues	1,500.00	1,500.00	18.89	149.12	-1,350.88	9.94%
535000 - Sanitary Sewers	1,394,936.00	1,394,936.00	11,395.69	667,030.68	727,905.32	47.82%
Fund: 103 - Sewer Fund Surplus (Deficit):	0.00	0.00	95,154.03	319,428.72	319,428.72	0.00%
Fund: 115 - Fire Fund						
000000 - NonDesignated	898,507.00	917,507.00	0.00	0.00	-917,507.00	0.00%
301050 - Fire Assessment	1,012,348.00	1,012,348.00	6,817.72	1,012,580.74	232.74	100.02%
304000 - Charges for Services	33,900.00	33,900.00	993.00	35,656.74	1,756.74	105.18%
306000 - Miscellaneous Revenues	1,000.00	1,000.00	22.60	179.74	-820.26	17.97%
522000 - Fire Department	1,945,755.00	1,964,755.00	87,035.38	761,247.98	1,203,507.02	38.75%
Fund: 115 - Fire Fund Surplus (Deficit):	0.00	0.00	-79,202.06	287,169.24	287,169.24	0.00%
Fund: 300 - Capital Project Fund						
000000 - NonDesignated	2,733,903.00	5,214,847.00	0.00	0.00	-5,214,847.00	0.00%
303000 - Intergovernmental Revenues	1,668,844.00	1,668,844.00	0.00	1,668,844.00	0.00	100.00%
306000 - Miscellaneous Revenues	600.00	600.00	55.87	300,425.62	299,825.62	50,070.94%
519000 - General	164,743.00	164,743.00	12,040.27	98,447.86	66,295.14	59.76%
519155 - A1A Hibiscus Crosswalk	0.00	45,000.00	0.00	54,902.93	-9,902.93	122.01%
519162 - Town Hall Complex	251,000.00	321,755.00	0.00	28,912.84	292,842.16	8.99%
545100 - Downtown Parking Reconfiguration	350,000.00	350,000.00	13,696.47	38,987.65	311,012.35	11.14%
559025 - Bel Air - Sewall Repair - East	0.00	220,297.00	0.00	3,273.80	217,023.20	1.49%
559026 - Canal Dredging	70,000.00	109,954.00	0.00	27,915.81	82,038.19	25.39%

Budget Report

For Fiscal: 2021-2022 Period Ending: 06/30/2022

Departmen...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
559027 - Storm Water Rate Study	40,000.00	40,000.00	3,122.67	17,678.09	22,321.91	44.20%
559028 - East Tradewinds Improvement	50,000.00	50,000.00	0.00	3,404.00	46,596.00	6.81%
572200 - Beach Renourishment	0.00	54,518.00	4,500.00	50,352.87	4,165.13	92.36%
575201 - Pedestrian Amenities	150,000.00	150,000.00	0.00	2,034.35	147,965.65	1.36%
576129 - Palm Club Sewer	1,450,000.00	3,156,061.00	2,897.99	2,278,303.61	877,757.39	72.19%
576135 - Street Project Codrington Drive	1,150,000.00	1,254,359.00	0.00	50,403.82	1,203,955.18	4.02%
576136 - Street Proj.Bougain.Poinciana	0.00	240,000.00	0.00	0.00	240,000.00	0.00%
577101 - Dog Park Pilot	50,000.00	50,000.00	0.00	0.00	50,000.00	0.00%
579169 - Greenway-El Mar Drive	2,327,566.00	2,327,566.00	0.00	0.00	2,327,566.00	0.00%
581100 - Interfund Transfers	1,649,962.00	1,649,962.00	412,490.50	1,237,471.50	-412,490.50	75.00%
Fund: 300 - Capital Project Fund Surplus (Deficit):	0.00	0.00	376,288.97	552,123.49	552,123.49	0.00%
Fund: 310 - Parking Fund						
302000 - Licenses & Permits	18,300.00	18,300.00	1,250.00	101,250.00	82,950.00	553.28%
304000 - Charges for Services	2,150,583.00	2,150,583.00	247,242.33	2,336,172.01	185,589.01	108.63%
305000 - Fines & Forfeitures	125,000.00	125,000.00	1,956.00	60,708.00	-64,292.00	48.57%
306000 - Miscellaneous Revenues	1,000.00	1,000.00	104.02	776.93	-223.07	77.69%
545000 - Parking Operations	1,185,583.00	1,185,583.00	40,051.20	791,244.02	394,338.98	66.74%
581100 - Interfund Transfers	1,109,300.00	1,109,300.00	277,325.00	831,975.00	277,325.00	75.00%
Fund: 310 - Parking Fund Surplus (Deficit):	0.00	0.00	-66,823.85	875,687.92	875,687.92	0.00%
Report Surplus (Deficit):	0.00	0.00	-208,201.42	4,612,534.98	4,612,534.98	0.00%

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)
001 - General Fund	0.00	0.00	-804,612.43	1,944,281.48	1,944,281.48
101 - Special Revenue-Police Conf	0.00	0.00	0.00	70.31	70.31
102 - Building Fund	0.00	0.00	270,993.92	633,773.82	633,773.82
103 - Sewer Fund	0.00	0.00	95,154.03	319,428.72	319,428.72
115 - Fire Fund	0.00	0.00	-79,202.06	287,169.24	287,169.24
300 - Capital Project Fund	0.00	0.00	376,288.97	552,123.49	552,123.49
310 - Parking Fund	0.00	0.00	-66,823.85	875,687.92	875,687.92
Report Surplus (Deficit):	0.00	0.00	-208,201.42	4,612,534.98	4,612,534.98

Town of Lauderdale-by-the-Sea
Cash and Investment Report
as of June 30,
2022

Bank / Other	GL No.	Bank No.	Account Name	Account Type	Bank/ Pool	Balance 6/30/2022	Interest/ Avg % Yield	Interest/Chg Mkt Value	Interest/ Year to Date
001 General Fund:									
SunTrust	101.000	8015	Master Account	Advantage NOW	SunTrust	8,222,304.51	0.02%	67.34	913.46
SunTrust	101.009	6876	Emergency Reserve	Advantage NOW	SunTrust	2,500,000.00	0.02%	Included Above	Included Above
GENERAL FUND						BANK SUBTOTAL	10,722,304.51	67.34	913.46
SBA	101.300	1471-A	General Fund Invest Acct A	SBA Invest Pool	SBA	174,514.98	1.25%	179.02	501.92
SBA	101.400	1472-A	Emergency Reserves Acct A	SBA Invest Pool	SBA	84,668.22	1.25%	86.86	243.54
GENERAL FUND						SBA SUBTOTAL	259,183.20	265.88	745.46
GENERAL FUND						GRAND TOTAL	10,981,487.71	333.22	1,658.92
101 Police Forfeiture & Training									
SunTrust	101.100	9613	Police Forfeiture Fund	Advantage NOW	SunTrust	14,439.74	0.02%	Included Above	Included Above
POLICE FUND						TOTAL	14,439.74	0.00	0.00
103 Sewer Enterprise Fund									
SunTrust	101.105	9999	Cash	Advantage NOW	SunTrust	1,784,273.23	0.02%	19.27	130.60
SEWER FUND						TOTAL	1,784,273.23	19.27	130.60
115 Fire Fund:									
SunTrust	101.109	5379	Fire Fund Account	Advantage NOW		1,853,559.48	0.02%	20.30	154.84
FIRE FUND						GRAND TOTAL	1,853,559.48	20.30	154.84
300 Capital Improvement Fund:									
SunTrust	101.115	0010	Cash	Advantage NOW	SunTrust	4,237,060.67	0.02%	60.75	374.63
CAPITAL IMPROVEMENT FUND						TOTAL	4,237,060.67	60.75	374.63
310 Parking Improvement Fund									
SunTrust	101.125	0120	Parking Improvement Account	Advantage NOW	SunTrust	7,840,836.35	0.02%	110.96	678.17
SunTrust	101.128	8554	PILOP Account	Advantage NOW	SunTrust	148,871.00	0.02%	1.52	9.31
PARKING FUND						TOTAL	7,989,707.35	112.48	687.48
102 Building Fund									
SunTrust	101.104	8686	Building Account	Advantage NOW	SunTrust	422,210.23	0.02%	5.57	30.28
BUILDING FUND						TOTAL	422,210.23	5.57	30.28
ALL FUNDS						GRAND TOTAL	27,282,738.41	551.59	3,036.75

Town of Lauderdale-by-the-Sea
Cash and Investment Report
as of June 30,
2022

Summary by Investment Type		Amount	Percent
Interest Bearing Checking		27,023,555.21	99%
Non-interest Bearing Checking		0.00	0%
SBA Trust Fund/Pools		259,183.20	1%
Repurchase Agreements		0.00	0%
Money Market Funds		0.00	0%
U.S. Securities/Treasuries		0.00	0%
U.S. Federal Agencies		0.00	0%
Federal Instrumentalities		0.00	0%
GRAND TOTAL		27,282,738.41	100%

Summary by Fund		Amount	Percent
101.000/101-400	General Fund	10,981,487.71	40%
	Police Fund	14,439.74	0%
	Sewer Fund	1,784,273.23	7%
	Fire Fund	1,853,559.48	7%
	Building Fund	422,210.23	2%
	Capital Improvement Fund	4,237,060.67	16%
	Parking Fund	7,989,707.35	29%
GRAND TOTAL		27,282,738.41	100%

Summary by Bank/Pool		Amount	Percent
	SunTrust	27,023,555.21	99%
	Florida Prime/State Board of Admin.	259,183.20	1%
GRAND TOTAL		27,282,738.41	100%



Town-Commission Agenda Item Report

Meeting Date: August 24, 2022

Submitted by: Debbie Hime

Submitting Department: Administration

Item Type: Report

Agenda Section: Town Manager Report

Subject Title: Q2 2022 Visitor Center Report

Explanation: The Town began managing the operations of the Visitor Center in January 2022 and this is our second quarterly report to the Commission with insights and information regarding the Visitor Center operations.

Visitor Center Quarterly Insights:

Ambassador/Volunteer Program:

Recruitment and development of volunteers has been a priority this quarter. Through the Volunteer Program staff has increased outreach through social media engagement, increased marketing, website updates and in-person familiarization chats at the Community Center.

The outreach has been a great success. Since May, staff has recruited three new Volunteers with two additional volunteers pending approval. This brings our volunteer total to six which allows for seasonal coverage and volunteer time off requests. It also allows part-time Town staff to work on other Town events and projects.

Staff has developed a Volunteer Handbook with guidelines for operations and Town promotion. It also highlights activities in the Greater Fort Lauderdale area.

We are also currently completing a Volunteer Recognition Program to reward and recognize the great work Volunteers provide our Town.

Part Time Staff:

In 2nd quarter 2022, we hired two part-time staff members to host the Center, recruit volunteer and support the Town on special events and projects.

Kym Miranda began in April and has 30 years of Fortune 500 relationships through her role as a VP of Sales at Cigna. She and her husband own a home in Bel Air. Deb London began in May and has worked in real estate for 30 years in South Florida and resides on Poinciana Street. We are thrilled to have these two professionals as Hosts for the Visitor Center and Ambassadors for the Town.

Chamber Referrals

At the end of the first quarter, we saw an opportunity to make an impact by promoting the Chamber of Commerce to new businesses that visit the Visitor Center. In the second quarter, we were able to refer three new businesses to the Chamber.

Daily Visitor Tally:

Staff logs each visitor and the reports provide daily and weekly numbers of visitors for better future scheduling and comparison which will help us with staffing and brochure fulfillment (**Table 1**).

As expected, 2nd quarter visitors did decline due seasonal visitation, and we fully expect an increase as we approach the end of 3rd quarter.

Table 1

2nd Quarter 2022 Total							
Mon	Tues	Wed	Thurs	Fri	Sat	Sun	Total
28	65		59	54			206
41	47		58	43			189
39	41		67	53			200
36	45		64	30			175
5	25		20	0			50
149	223		268	180			820

Visitors Center Observations and Sign In:

Sign-In Sheets:

Staff continues to ask guests to sign in, which provides us key information such as:

- Where they are from
- How long they are staying
- New or repeat visitors
- Contact Information
- How did they hear about us

While not everyone agrees to sign in and provide the requested information, the “How did you hear about us?” will help us grow and expand our reach. The quarterly total is included below in Table 2.

Table 2.

Q2 2022	Total Sign Ins	How?	Repeat	Sign	Local	Online	Walk By	Referral
	375	276	26.93%	13.87%	12.27%	8.27%	6.67%	5.60%

International and Domestic Travelers:

The second quarter brought many guests from all over the world. The Center welcomed 27 Canadians, 12 Germans, 7 from the UK, 6 Swedes, 6 from Norwegians, 2 from Danes and one guest each from Poland, Italy, India, Holland, Argentina and Brazil.

Domestically, visitors primarily were from New York, Wisconsin, Michigan, Indiana, Ohio, Kansas, Massachusetts, Connecticut, California, Texas, Georgia, and Idaho.

The big chair continues to be a big hit! It is becoming the "welcome anchor" for the south end of town. Visitors as well as locals are taking pictures throughout the day. We've added a sticker to the chair with our #LOVELBTS hashtag to encourage folks to post their photos on social sites.

DiscoverLBTS.com

Discover LBTS is the official visitor and events site for the Town. Here are the popular landing page's Q1 and Q2 comparison:

Landing Page	Q1 2022	Q2 2022
Hotels	2433	1332
Restaurants	2166	1782
Diving/Snorkeling	2144	2388
Beaches/Parks	1106	1071
Getting Around	994	850

Our blog posts on discoverlbts helped index more pages into the search engines with niche and influential topics such as Turtle Nesting Season, World Bee Day and our Apiary, 4th of July, and Lobster Mini Season.

Our inquiry form on our STAY webpage on DiscoverLBTS continues to receive submissions that are forwarded to our local hoteliers. While Q2 numbers have slowed, we expect direct access to our lodging partners to increase in the upcoming quarters.

Q1	Q2
56	17

We look forward to our staff and volunteers taking the visitor center experience to new levels this year.



Agenda Item No: 10.a

Town Commission Agenda Item Report

Meeting Date: August 24, 2022

Submitted By: Katrina Adler, Town Clerk

Submitting Department: Administration

Item Type: Minutes

Agenda Section: APPROVAL OF MINUTES

Subject Title: Approval of Minutes

Explanation: Approval of Town Commission Meeting Minutes for the following:

- July 12, 2022 Regular Town Commission Meeting
- July 26, 2022 Regular Town Commission Meeting
- July 26, 2022 Special Town Commission Meeting

Recommendation: Accept / Approve

Attachments: Ex.1 7-12-22 Regular Town Commission Meeting Minutes
Ex.2 7-26-22 Regular Town Commission Meeting Minutes
Ex.3 7-26-22 Special Town Commission Meeting Minutes



**TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Tuesday, July 12, 2022
6:30 PM**

1. CALL TO ORDER, MAYOR CHRIS VINCENT

Mayor Chris Vincent called the meeting to order at 6:31 p.m. Also present were Vice Mayor Edmund Malkoon, Commissioner Alfred “Buz” Oldaker, Commissioner Theo Pouloupoulos, Commissioner Randy Strauss, Town Manager Linda Connors, Town Attorney Susan Trevarthen, Deputy Town Manager/Public Works Director Ken Rubach, Assistant to the Town Manager Courtney Easley, Director of Budget and Finance Lucila Lang, Development Services Director Jhanelle Campbell, Special Events and Marketing Manager Debbie Hime, Special Events and Community Marketing Coordinator Katie Anderson, and Town Clerk Katrina Adler.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION

All present observed a moment of silence.

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

None.

5. PRESENTATIONS

a. 4th of July Recap

Special Events and Marketing Manager Debbie Hime provided an overview of the Town’s recent 4th of July celebration. She recognized Grand Marshal Bob Karley, as well as the Broward Sheriff’s Office (BSO), Citizen Observer Patrol (COP) members, the Volunteer Fire Department (VFD), Town Staff, the Town Commission, and sponsors for making the event a success.

b. Fire Services Assessment Fee Analysis Presentation

Deputy Town Manager/Public Works Director Ken Rubach introduced Khushboo Ingle of Matrix Consulting Group, who provided a presentation on the fire services assessment fee analysis. Ms. Ingle recalled that the City retained Matrix in 2022 to conduct this analysis, which was last done in 2016. There have been no increases or rate changes since 2017.

The Town's fire assessment covers the costs associated with the fire protection services provided by the VFD. No emergency medical services are included in the assessment, which must be in direct correlation to the benefit received by the property.

The analysis considered the VFD and Town fire expenses, including the contract as well as additional expenses incurred by the Town in relation to the VFD. This included land use information from the Broward County Property Appraiser's Office, as well as fire calls for service by both residential and commercial uses over the last three years.

The methodology used began with the Town's fiscal year (FY) 2022 budget as it relates to the VFD. This included capital expenses for vehicles based on their average lifespan, as well as potential options, such as transitioning to a full-time Fire Chief or addressing the public safety building. They also considered a revenue offset for fire prevention inspection fees. The costs were apportioned between residential and commercial properties. Roughly 84% of service calls were for residential properties and 16% for commercial properties.

The analysis divided total costs into 84% residential costs and 16% commercial costs. Residential costs were allocated per dwelling unit, which affects the scale of the assessment: because multi-family properties have multiple dwelling units, the assessment for those properties would be higher. The commercial analysis was based upon square footage, which is standard methodology.

The results suggested two options. One would be a baseline option, which considers the current services and budget. The second option includes the public safety building, as the Town is considering the construction of a new building to house both BSO and the VFD. Matrix estimated that this proposed building would cost approximately \$10 million, which means the VFD portion would be worth roughly \$5 million. Annualized over the standard 50-year life cycle of a building, this would mean \$100,000 should be collected annually toward funding the building.

The baseline option results in an increase in the residential assessment of roughly \$5, or a 4% change. The commercial assessment would decrease from 21 cents to 20 cents

per square foot, which is a 5% decrease. The Town's residential assessment is currently the lowest assessment in Broward County. The second option, which would include an additional \$100,000 annually to be set aside for the public safety building, would result in a residential increase of nearly \$17.52, or 13%. The commercial rate would increase from 21 cents to 23 cents, or 10%.

Another recommendation is for the Town to adopt a formalized policy to reevaluate these assessments every four years. In between these reviews, they also recommend an annual update to the assessment fees, which would be tied to the VFD's contractual cost increase.

Mayor Vincent asked if Matrix has dealt with other municipalities which have considered changing from a fire assessment to an ad valorem tax. Ms. Ingle replied that assessments are more common because the cost is tied to a specific service, while taxes are related to more generalized benefits for the community. Commissioner Strauss commented that in the future, the Town may consider funding a new public safety building through ad valorem taxes rather than through an assessment.

6. PUBLIC COMMENTS

At this time Mayor Vincent opened public comment.

Barbara Cole, resident, addressed the Commission's consideration of changes to El Mar Drive, stating that the intent should be to refresh this area rather than redevelop it in 2023 rather than making larger changes in the future. She expressed concern with proposed renovations to the Downtown area, stating that plans show unnecessary changes.

Ann Marchetti, resident, stated that she represented a number of Downtown restaurants that wished to urge the Commission to discard some of the specific items proposed in the June 14, 2022 discussion of the Downtown renovation. They wish to replace the current pavers with less pervious materials which extend into the areas currently providing outdoor dining. They are also in favor of eliminating the proposed landscaping wall.

Ken Brenner, resident, requested that the Town "keep it simple" regarding the fire assessment by billing all Town properties for this service using the ad valorem method. This would allow all properties to include the fee as a tax deduction every year.

Mr. Brenner also addressed Item 18a, pointing out that the subject property has residential zoning despite its status as an income-producing property. If it were located in

a B-1 or B-1-A zoning district, it would be subject to the Payment in Lieu of Parking (PILOP) program. He felt this program should be brought back for future discussion.

Michael Morelli, resident, recalled that House Bill (HB) 105 was recently passed, which enables local governments to regulate cigarette smoking on beaches. He strongly encouraged the Commission to make Lauderdale-By-The-Sea one of the first Florida municipalities to prohibit smoking on the beach.

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

Mayor Vincent advised that the Commission is currently working with Staff to determine whether it is best to address smoking on the beach via Ordinance or Resolution.

7. PUBLIC SAFETY DISCUSSION

None.

8. TOWN MANAGER REPORT

a. Town Manager Report for July 12, 2022

Town Manager Linda Connors reported that the Town has realized significant savings in the salary portion of the budget, and noted that inflation reached 8.6% in May 2022. She proposed making a one-time payment of \$3000 to Town Staff, which would remain within the salary budget while assisting Staff with rising costs. This payment would be within the Town Manager's discretion.

Town Manager Connors continued that the Broward County Property Appraiser's Office has certified the Town's tax rolls, which have increased in value by 9.39% over last year's values. A proposal to set the millage rate will be brought forward at a subsequent meeting. To generate the same amount of value, the 2023 millage rate would need to be reduced to 3.1012; however, she cautioned that the increases brought on by inflation would require some services to be cut if this rate is set. This special meeting is scheduled for July 26, 2022, at 5:30 p.m.

The Fire Marshal and Building Official are working with occupants of 4225 El Mar Drive, the Buena Vista Hotel. The Special Magistrate has ordered a fire watch for the building to ensure residents' safety. Some points of egress are being replaced,. VFD Chief Judson

Hopping explained that a fire watch means two personnel at a time are on the property, 24 hours per day. This has not resulted in a strain on VFD resources thus far, although he hoped to see the issue resolved soon.

Town Manager Connors continued that at a previous meeting, consultant Hugh Johnson presented a number of proposals for the Downtown area, which were reviewed by residents and the business community. The Commission voted to accept the concepts presented and move forward with construction plans. This approval completed Mr. Johnson's task. The next phase will include hiring a contractor to move forward with construction plans. Procurement Code requires the Town to consider more than one firm. Deputy Town Manager/Public Works Director Rubach has called three firms that have previously worked with the Town, who will submit their proposals on Monday, July 18, 2022. These proposals will be reviewed and brought back before the Commission for consideration.

Town Manager Connors emphasized that the plans approved by the Commission were conceptual in nature: their exact cost will not be known until construction plans have been provided. Once the costs are known and plans are complete, the Town will have a better idea of and any need for modifications.

Commissioner Pouloupoulos observed that once costs and plans have been provided, Staff should ensure that the affected Downtown businesses are aware of the costs that will fall to them regarding these changes. Not all businesses currently offer outdoor dining, and some may find the proposed costs are too burdensome for them. He concluded that it is important to find a solution that benefits residents, visitors, and businesses.

Mayor Vincent further noted that the Commission has approved a footprint for the Downtown changes but has not finalized plans for the entire project at this time. He was also in favor of continued communication between businesses and Staff. Commissioner Strauss recalled that he had requested simpler plans and their costs be considered. More information will result in a more informed decision by the Commission.

Town Manager Connors advised that she, Deputy Town Manager/Public Works Director Rubach, and Assistant to the Town Manager Courtney Easley will reach out to the Downtown businesses regarding the proposed plans and costs associated with them. There has been discussion in the past of passing some of the costs of Downtown maintenance off to these businesses. A meeting will be scheduled later in the summer to discuss these issues further.

Town Manager Connors recalled that nonprofit donations were reviewed at the June 28 Commission meeting. After that meeting, a representative of the Lauderdale-By-The-Sea Woman's Club reached out to her to request a \$12,000 donation to assist in repairing their building. As the budget has not yet been set, she asked if the Commission wished to consider that request, which can be incorporated into the proposed budget.

Vice Mayor Malkoon requested clarification of the proposed building repairs. Town Manager Connors replied that the repairs were not specified. Vice Mayor Malkoon stated that the building is private property, and asked if designating funds for repairs to private property were appropriate. Town Attorney Susan Trevarthen replied that while this type of donation is unusual, nonprofit organizations are seen to be working in the Town's best interest. She recommended that the Commission consider the type of approach they wish to take.

Vice Mayor Malkoon noted that the Woman's Club has a long history of community activity in Lauderdale-By-The-Sea, and concluded that he did not oppose the donation. Mayor Vincent was also in favor of the donation, although he was not certain if \$12,000 was an appropriate amount for a first request. Commissioner Oldaker also agreed that there did not need to be a specific use cited for the donation.

Linda Collins, president of the Woman's Club, advised that this entity works with the community and with various charitable organizations. Mayor Vincent reiterated that the use of the donation would be left to the Club's discretion.

Commissioner Strauss commented that he was in favor of retaining a deadline by which requests for nonprofit donations must be submitted, and felt this date should be more strictly observed the following year. He was also in favor of some type of donation.

Town Manager Connors noted that the maximum donation amount to a single entity at the June 28 meeting was \$10,000, while the average amount was \$5100.

Commissioner Strauss made a motion, seconded by Commissioner Oldaker, for a donation of \$6000 to the Woman's Club. Motion carried 5-0.

Town Manager Connors reminded all present that the July 26, 2022 meeting will be preceded by a special meeting at 5:30 p.m. The next Commission meeting after that date will be August 23, 2022.

Mayor Vincent addressed the proposed one-time payment to Staff, requesting an update on which Staff members would be entitled to the payment. Town Manager Connors replied that her suggestion would be to cover all Staff members, including new hires, with the exception of individuals who have tendered their resignations.

Mayor Vincent requested that Staff address the parking issues raised during Public Comment. Town Manager Connors explained that the Commission developed a PILOP program for the B-1 and B-1-A zoning districts, which include commercial properties. This program did not extend into residentially zoned areas, such as the RM-25 zoning district in which the property addressed in Item 18a is located. Residential multi-family properties may reduce their parking requirements through the use of bicycles, as well as through administrative adjustments. Staff may reduce up to three parking spaces in this manner if the property meets certain criteria.

9. TOWN ATTORNEY REPORT

None.

10. APPROVAL OF MINUTES

a. June 14, 2022 Town Commission Meeting Minutes

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

11. CONSENT AGENDA

None.

12. OLD BUSINESS

a. Dee Jay Beach Resort (4617 El Mar Drive) Third Request for Extension to Complete Construction

Development Services Director Jhanelle Campbell recalled that this business suffered a fire in 2020, which caused extensive damage to one of its buildings. Town Code Section 30-137.C.1.d requires that nonconforming structures destroyed by fire may be rebuilt with their original nonconformities if the following criteria are met:

- The property owner has submitted and received Town approval of a Site Plan depicting the replacement building
- Construction of the replacement building commences within 12 months of the date of destruction, or the Town Commission may grant one or more six-month extension to that time period

The property has come before the Commission twice before to request an extension, as it has been difficult to obtain materials and retain a contractor due to the COVID-19 pandemic. The property has been boarded up and inaccessible during this time. The property owner has secured a contractor and wishes to request another six-month extension.

Staff recommends approval of the extension, although they have concerns regarding the current state of the property and the length of time required for construction. If no progress is made within the next six months, Staff may consider taking the issue before the Unsafe Structures Board.

Nemia Schulte, representing the Applicant, stated that the business' main concern was securing a contractor, which resulted in delays. She advised that permits will be submitted for work within two weeks, and contractors are on standby to begin work once these have been approved.

Commissioner Oldaker asked how long the Applicant would have to begin work once the appropriate permits have been issued. Development Services Director Campbell replied that work must begin within 18 months of the issuance of permits.

Ms. Schulte advised that she understood the Applicant must begin construction within the proposed six-month extension period, although she could not speak to how long construction may take. Mayor Vincent explained that this is governed by State Statute.

Mayor Vincent asked if it is possible for a legal nonconforming use to lose its designation as such. Town Attorney Trevarthen explained that the property must receive approval and commence construction within 12 months of the date of destruction, which is why they are seeking a continued extension. Mayor Vincent confirmed that it would be in no one's interest for the property to lose its legal nonconforming status.

Mayor Vincent asked if there is a limit to the number of extensions that have been granted to a legally nonconforming property. Town Attorney Trevarthen replied that there are no such limits in the Town's Code or Charter.

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

13. NEW BUSINESS

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING A PURCHASE AGREEMENT FOR THE REAL PROPERTY LOCATED AT 4312 N. OCEAN DRIVE; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE PURCHASE AGREEMENT; APPROVING AND AUTHORIZING THE TOWN MANAGER TO EXECUTE AN AMENDMENT TO THE LEASE AGREEMENT WITH FLAMINGO EAST, LLC FOR THE PROPERTY

At this time Mayor Vincent opened public comment.

Barbara Cole, resident, noted that no appraisal of the subject property were included in the Commission's backup materials. She also expressed concern with the number of visitors to the Town's beaches, as well as the cost of more parcels used for parking.

Ken Brenner, resident, stated that he was concerned that the subject property had not been appraised. He also expressed concern for the property's potential impact on adjacent parcels, nearby hotels, and beaches, as well as whether or not it would benefit Downtown businesses. He felt the Town's beaches are for residents and tourists.

With no other individuals wishing to speak on this Item, Mayor Vincent closed public comment.

Commissioner Oldaker commented that the subject parcel can serve as a source of revenue within the Town, which would be preferable to raising the millage rate. He was in favor of purchasing the parcel and maintaining its use as a parking lot.

Mayor Vincent pointed out that the purchase of this parcel would keep roughly 50 spaces available. He was in favor of purchasing the lot to retain parking and sustain the Town's businesses.

Town Attorney Trevarthen clarified that there was a last-minute change to the agreement's structure, based upon comments by the seller during negotiations. The title should state "...authorize the Town Manager to execute a memorandum of post-closing

payments with Flamingo East, LLC" rather than referring to a lease agreement which will be terminated.

Commissioner Poulopoulos observed that the property's lease agreement expires in 2035 and includes two ten-year renewal options. He felt it is preferable to own the property than to continue renting it, particularly as the purchase would be made with zero interest.

Vice Mayor Malkoon requested clarification of the property's appraisal. Town Manager Connors explained that the property owner submitted an appraisal to the Town, and the Town received two additional appraisals as required by the purchasing policy. This information was presented to the Commission when the request to purchase the property was first brought forward at the April 26, 2022 meeting.

Vice Mayor Malkoon concurred with many of the previous comments, adding that he had previously requested the Town update its parking study to include private parking lots and accurately determine how much parking is available. He was also supportive of the proposed purchase.

Commissioner Strauss also agreed with previous comments in favor of the purchase, pointing out that creative financing is available for the parcel and it has been profitable for the last six years. He suggested that the Town consider purchasing other properties if they become available in the future.

Commissioner Strauss made a motion, seconded by Commissioner Oldaker, to move forward with the Resolution. Motion carried 5-0.

a. Volunteer Fire Department (VFD) FY23 Budget Request

Director of Budget and Finance Lucila Lang presented the VFD's proposed operating budget for FY 2023, which represents an increase of roughly \$19,000, or 2.10%, over the FY 2022 budget. Key changes to this budget are listed in the Agenda memo. She recalled that the FY 2022 budget included the purchase of a new truck, which has not yet been delivered. This purchase will be carried forward into FY 2023.

Other capital items include first response vehicles and an ocean patrol all-terrain vehicle (ATV). The budget includes \$300,000 toward a new Fire Station if the Town chooses to move forward with that project.

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

- b. Resolution 2022-27 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING A PIGGYBACK AGREEMENT WITH BLD SERVICES, LLC, UTILIZING THE MANATEE COUNTY CONTRACT PROCURED PURSUANT TO BID NUMBER 21-R075323JH SANITARY SEWER, STORMWATER, LINE AND MANHOLE REHABILITATION SERVICES, AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT WITH BLD SERVICES, LLC, IN THE AMOUNT NOT TO EXCEED \$875,000; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

Deputy Town Manager/Public Works Director Rubach explained that the Town used BLD as a contractor the previous year to line 27 laterals. The request is for a four-year contract. He noted that the previous agreement cannot be honored due to escalating costs.

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

- c. Special Event Application for Broward County's 37th and 38th International Coastal Cleanup Saturday, September 17, 2022 and September 16, 2023**

Special Events and Marketing Manager Hime explained that because this event has been held annually for 37 years, the Applicant suggested submitting an application in advance for the 38th year as well. Staff will remind the Commission of the upcoming event in 2023. The Town assists the County with disposal of garbage recovered during the cleanup. The County is requesting 50 parking permits in El Prado Park to accommodate volunteers.

Vice Mayor Malkoon made a motion, seconded by Commissioner Strauss, to approve, with the 50 parking permits. Motion carried 5-0.

14. COMMISSIONER COMMENTS

Commissioner Strauss recognized Commissioner Poulopoulos for his work as Chair of the 4th of July celebration.

Commissioner Oldaker thanked all who participated in the 4th of July event. He also reminded all present that hurricane season is ongoing and recommended emergency preparedness.

15. ORDINANCES 1ST READING

None.

16. ORDINANCES 2ND READING

- a. AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES AT CHAPTER 2 "ADMINISTRATION," ARTICLE II "TOWN COMMISSION," SECTION 2-18 "SPECIAL MEETINGS" TO ALLOW FOR INDIVIDUAL NOTICE OF A SPECIAL COMMISSION MEETING TO BE PROVIDED VIA EMAIL.

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

Town Manager Connors recalled that when new policies were approved at the April 24, 2022 Commission meeting, the Commission voted to allow special meeting notice to be provided via email. Code also requires an amendment for consistency with this adopted policy. The Ordinance was approved on first reading at the May 24 meeting.

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

17. RESOLUTIONS – PUBLIC COMMENTS

None.

18. QUASI JUDICIAL PUBLIC HEARINGS

Town Attorney Susan Trevarthen explained the procedures for the hearing of quasi-judicial items, and the Commissioners disclosed any ex parte communications on the Item.

a. 2022-L2-SPM-02 Site Plan Modification 4324 Seagrape Drive

Development Services Director Campbell explained that this request is for a Site Plan modification. The subject property is zoned RM-25 and consists of approximately 1.7 acre. It began as three units but was increased to four units over time. There has also been significant renovation work without permits throughout the property. This work was done before the current owner acquired the property.

When Town Staff performed a business tax receipt (BTR) inspection on the property, they determined that the fourth unit had not been permitted. The owner submitted a Site Plan modification to legalize that unit. The modification also includes a second means of egress for the second-floor unit. The fourth unit may not be rented during its permitting process and electricity has been disconnected from that unit until it has been determined to be safe. The three lower-level units may be rented once the fourth unit has received its after-the-fact permit.

Development Services Director Campbell advised that the permitted plans include four parking spaces for the originally permitted three units; however, in order to meet the requirement of six spaces for four units, the Applicant has applied for a Level 1 administrative adjustment to waive these two additional spaces.

A citizen participation meeting was held on June 6, 2022, with notice sent to all parties within 300 ft. of the subject property. No correspondence for or against the request has been received by Staff. The Planning and Zoning Board heard this proposal at their July 6, 2022 meeting and recommended it for approval.

Mayor Vincent noted that the Applicant has followed all required procedures regarding the subject property, including requesting a BTR for the properties.

Town Manager Connors advised that because of the egress, the subject property did not pass inspection by the Fire Marshal. The Fire Marshal ultimately worked with Staff and the Building Official to arrive at a solution that would allow the continued use of the three ground floor units. These three units were approved for use by the Fire Marshal.

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

Commissioner Poulopoulos made a motion, seconded by Commissioner Oldaker, 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 8:17 p.m.

Mayor Chris Vincent

ATTEST:

Town Clerk

Date



**TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Tuesday, July 26, 2022
6:30 PM**

1. CALL TO ORDER, MAYOR CHRIS VINCENT

Mayor Chris Vincent called the meeting to order at 6:40 p.m. Also present were Vice Mayor Edmund Malkoon, Commissioner Alfred “Buz” Oldaker, Commissioner Theo Pouloupoulos, Commissioner Randy Strauss, Town Manager Linda Connors, Town Attorney Susan Trevarthen, Deputy Town Manager/Public Works Director Ken Rubach, Assistant to the Town Manager Courtney Easley, Director of Budget and Finance Lucila Lang, Development Services Director Jhanelle Campbell, Special Events and Marketing Manager Debbie Hime, and Town Clerk Katrina Adler.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION

Archbishop Chaz Stevens gave the Invocation.

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

Mayor Vincent noted the addition of Item 17.d to the Agenda.

It was also determined that Item 18.a would be heard immediately following public comment.

5. PRESENTATIONS

a. Broward County Public Schools Referendum Presentation

John Sullivan, Chief Communications and Legislative Affairs Officer for Broward County Schools, gave a presentation on the upcoming Secure the Next Generation referendum, which will appear on the August 23, 2022 ballot. This is a renewal of the current referendum, which was approved by voters in 2018.

The referendum to be renewed funds three areas:

- Safety and security, including over 500 personnel County-wide who were added following the tragedy at Marjory Stoneman Douglas High School in 2018
- Roughly 100 mental health personnel
- \$82 million annually for supplementary compensation to the work force

If the referendum is not renewed, this funding will expire. The renewal would be for another four-year period. The School Board increased its amount from one half mill to a full mill. This is roughly equivalent to \$26/month for the average homeowner, and is \$13 more than what they are paying under the current referendum. The average condominium owner would pay roughly \$15, or \$7.50 more than the current payment.

The School Board elected to increase the referendum to a full mill because new legislation requires them to share 20% of the referendum with charter schools. Mr. Sullivan noted that the Miami-Dade and Palm Beach school districts have higher millages, which means they have been able to offer higher compensation supplements to their work force.

Additional information is available at BrowardSchools.com/secure.

6. PUBLIC COMMENTS

At this time Mayor Vincent opened public comment.

Barbara Cole, resident, provided a handout to the Commissioners which included two news articles from the *Sun-Sentinel* addressing the impact of inflation on restaurants and condominium owners. She expressed concern with the effects of these increases on Town residents and businesses, and with the proposed use of funds budgeted for El Mar Drive on other capital improvement projects.

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

The following Item was taken out of order on the Agenda.

18. QUASI JUDICIAL PUBLIC HEARINGS

Town Attorney Susan Trevarthen explained the procedures for the hearing of quasi-judicial items, and the Commissioners disclosed any ex parte communications on the Item.

It was noted that both Applications would be presented together, although they would be voted upon separately.

- a. Case Number 2022-V-01: Sky 360 Development LLC (the “Applicant”)**
– Requests a variance from Section 30-313(r)(1)a-b and Section 30-313(t)(2)b.1., 4., and 9. of the Town’s Code Ordinances (“Town Code”), to permit air conditioning units and generators on the roof of a duplex dwelling at 221 and 231 Shore Court.
- b. Case Number 2022-V-02: Sky 360 Development LLC (the “Applicant”)**
– Requests a variance from Section 30-313(r)(1)a-b and Section 30-313(t)(2)b.1., 4., and 9. of the Town’s Code Ordinances (“Town Code”), to permit air conditioning units and generators on the roof of a duplex dwelling at 241 and 251 Shore Court.

Development Services Director Jhanelle Campbell explained that the variance requests would address air conditioning units and generators for 221 through 231 and 241 through 251 Shore Court. The properties are zoned RD-10 and the previously existing buildings have already been demolished.

Public notice was sent to all property owners within a 300 ft. radius of both properties. Notice was also posted on the Town’s website, and a citizen participation meeting was held for both applications. No communications have been received by the Town regarding either application.

The requests would place generators and fuel storage tanks on the roofs of the subject properties. According to Code, mechanical equipment may be located within 5 ft. of the adjacent property line and cannot exceed 6 ft. above grade.

Seven criteria are addressed for each variance Application. Staff reviewed the applications, their narratives, and their supporting documents, and determined that these criteria have not been met for either Application. The criteria are as follows:

- Special conditions and circumstances exist, which affect the land, structure, or building involved, preventing their reasonable use
- The circumstances which caused the hardship are peculiar to the property or to such a small number of properties that they constitute an exception to other properties in the district

- The literal interpretation of the provisions of the applicable regulation would result in a particular hardship upon the owner, as distinguished from a mere inconvenience
- The hardship is not self-created or the result of disregard for or ignorance of the provision of the regulations
- The variance is the minimum variance that will make possible the reasonable use of the property, and will be in harmony with the general purposes and intents of the applicable zoning regulations and will not be detrimental to the neighborhood or the public welfare
- The grant of the variance would not permit a use not generally permitted in the district involved or expressly or by implication prohibited by the district regulations
- Financial hardship is not a basis for granting a variance unless failure to grant the variance would render the property unusable as a permitted use in its zoning district

Staff has concluded that none of the above criteria have been met. As a result, they recommend denial of both Applications.

The Applications were also presented to the Planning and Zoning Board at their July 2022 meeting, where that Board recommended approval.

Development Services Director Campbell advised that should the Commission approve the Applications, Staff recommends that the development order include the following additions:

- Generators and air conditioning units shall be set back a minimum of 10 ft. from the roof parapet and/or the wall between the units in all directions
- Generators shall be completely screened from the public right-of-way and adjacent properties
- Applicant shall submit view studies from the adjacent three-story Sky 230 development to the west and south to ensure compliance prior to the issuance of a building permit
- Prior to final inspection of the permit, the Town shall test the generator under load to ensure it does not exceed 70 decibels as measured from 25 ft. in any direction from the equipment

Mayor Vincent requested clarification of why the Applicant has chosen not to place the units where they are permitted, as they are building within the previously existing footprint of the structures. Development Services Director Campbell explained that the

Applicant wished to maximize the outdoor living area for the purchasers of the property. Placing the equipment elsewhere would require this square footage to be reduced.

Mayor Vincent asked if Staff can look at potential changes to Code, such as minimizing the noise from generators to surrounding properties. Town Attorney Susan Trevarthen confirmed that decisions to amend Code always lie with the legislative body, although this would require a separate process.

Commissioner Strauss noted that while generators have produced significant noise in the past, this equipment is now quieter. He observed that noise typically carries more easily when it is placed at a greater height, and requested additional information on how this could be mitigated. Development Services Director Campbell replied that the proposed generators would be lower than the height of the structure's parapet wall, which may help to contain some of the noise. Commissioner Strauss also noted that there may be concerns about the appearance of the equipment.

Mayor Vincent requested clarification that the generators would only be in operation during a power outage or storm event. Development Services Director Campbell confirmed this. Commissioner Strauss added that if the generators require regular testing, the time of day on which the tests occur should also be taken into consideration.

Kai Stadler, Applicant, explained that previously constructed buildings in the Sky 230 development have different zoning regulations than the buildings for which the variance request was submitted. All existing air conditioning units and some generators are located on the current buildings' rooftop terraces, as those buildings are within the RM-25 zoning district. The four additional planned units are within the RD-10 zoning district, which does not permit the use of rooftop terraces for recreational services. He wished to place this equipment on the rooftops rather than in the midst of backyard amenities, which he felt would be safer as well as consistent with the other units.

Mr. Stadler noted that the proposed rooftop equipment would make the same amount of noise as the existing rooftop equipment. He added that the four proposed units were integrated into the rest of the Sky 230 community, including its homeowners' association, so it would be a single community that regulates exterior appearances. If the four units must install their equipment in a different manner from the other 17 units, this would affect their maintenance, functionality, and safety. He concluded that consistency would allow him to deliver a better product.

Mr. Stadler added that there would be no fuel storage on the buildings' rooftop, as the units would be served by underground gas lines. The proposed structures would be surrounded by peripheral walls to screen them from public view.

At this time Mayor Vincent opened public comment.

Sasha Balzar, resident, advised that his unit would be located closest to the proposed new duplexes. He did not anticipate intrusive noise from rooftop equipment on these units.

With no other individuals wishing to speak on the Item, Mayor Vincent closed public comment.

Commissioner Pouloupoulos requested clarification of the capacity in which the Commission hears quasi-judicial items. Town Attorney Trevarthen explained that the Commission acts as though they are judges in quasi-judicial proceedings. Code establishes the standards for these hearings, and the Commission is charged with weighing the facts presented and applying Code criteria to them.

Commissioner Pouloupoulos commented that if the Commission were hearing the case in an equitable capacity, he would agree with the request; however, he pointed out that the elements of the variance request criteria have not been met. He encouraged Staff to look at Code and determine whether or not it should be updated.

Town Manager Linda Connors recommended that the Commission review the criteria for a variance. While Staff believes these have not been met, they are willing to revisit Code over the next couple of months, while the subject property is under construction, and determine if an amendment can be made.

Commissioner Strauss stated that while the Applications do not meet variance criteria, he agreed that this may be an opportunity to review the appropriate Ordinance and update it if that is deemed necessary.

Commissioner Oldaker agreed with the two previous comments as well.

Mayor Vincent observed that a delay of the project while the Town reconsiders the appropriate Ordinance could be difficult for the Applicant. Mr. Stadler stated that he is currently in the process of seeking permitting and submitting architectural and engineering drawings. He asserted that the proposed plans would be a better and safer

product for the Town, and requested that the Commission consider the facts presented rather than the Ordinance.

At this time Mayor Vincent reopened public comment.

Barbara Cole, resident, noted that the Town recently approved modifications to a dock in which no hardship was presented by the Applicant. They also made changes to the Ordinance affecting that request. She agreed that the appropriate Ordinance should be changed and felt the variance requests should be approved.

With no other individuals wishing to speak on the Item, Mayor Vincent again closed public comment.

Town Attorney Trevarthen stated that because variances apply the law to a specific set of facts, they cannot establish legal precedent. From a legal perspective, there is no similarity between cases; however, she reiterated that it is always within the Commission's power to amend Code. She concluded that the Commission has the legal power to grant the requested variances if they can find that the criteria have been met.

Mayor Vincent agreed that Code should be revisited so the RD-10 criteria will be consistent with the RM-25 criteria. He also agreed with the other Commissioners that none of the seven required variance criteria have been met at this time.

Commissioner Strauss requested clarification of the process by which an Ordinance or zoning change could be "fast-tracked." Town Attorney Trevarthen replied that every Ordinance requires two readings. The proposed change would affect Chapter 30, which means it must also go before the Planning and Zoning Board. If the normal process is followed, the Ordinance would most likely go before the Planning and Zoning Board in September, with October as the most likely time in which it could be brought before the Commission for second reading.

Town Attorney Trevarthen also noted that while the typical process for hearing Ordinances is to schedule them nonconsecutively, the Commission may hear the item at two meetings in a row if they wish. It was clarified that the fastest time frame in which the Ordinance could come before the Commission for second reading would be the second Tuesday in October.

Mayor Vincent noted again that while the Commission appeared to be in agreement that the variances could not be approved, they also agreed that Staff should draft potential

changes to Section 30. Town Attorney Trevarthen requested that the Commission separate these two issues when voting on the Applications, and that their votes specifically state denial.

Commissioner Pouloupoulos made a motion, seconded by Commissioner Strauss, to deny 2022-V-01. Motion carried 5-0.

Commissioner Pouloupoulos made a motion, seconded by Commissioner Strauss, to deny 2022-V-02. Motion carried 5-0.

There was Commission consensus to direct Staff to review RM-25 zoning regulations regarding rooftop equipment, as well as the current Code in RD-10 zoning districts, to determine if there can be some combination of the two. Town Manager Connors confirmed that Staff understood this direction.

Commissioner Pouloupoulos noted that the Planning and Zoning Board had voted unanimously in favor of the variance requests, and asked if they are acting in the same quasi-judicial capacity as the Commission in this case, which would require them to strictly follow the elements of Code. Town Attorney Trevarthen replied that the Board was advised to follow these elements and chose otherwise; however, she pointed out that their decision was only a recommendation. Commissioner Pouloupoulos concluded that he would like to see these elements followed.

7. PUBLIC SAFETY DISCUSSION

a. BSO June 2022 Report

Broward Sheriff's Office (BSO) Captain Tom Palmer reported that the Deputy of the Month for June 2022 was Deputy Pedro Almodovar Fernandez, who took steps to address the fictitious registration of a dangerous criminal within the Town. The suspect is currently within custody.

Captain Palmer added that traffic enforcement efforts by the Regional Motor Unit will resume before the start of the new school year.

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

b. VFD June 2022 Report

Volunteer Fire Department (VFD) Chief Judson Hopping recognized Firefighter of the Month Joy Silensky, who recently rescued a seven-year-old boy from a rip current.

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

8. TOWN MANAGER REPORT

a. Town Manager Report for June 26, 2022

Town Manager Connors reminded all present that tonight marks the beginning of Bugfest, with a kickoff party scheduled at the Plunge Beach Resort. Tonight's "bug hunt" has been postponed due to weather, with additional updates available on the Discover LBTS website. Upcoming events include the 10th annual lobster cook-off.

Town Manager Connors requested that the Commission review the allocation of Florida Development Group (FDG) fines in light of the upcoming fiscal year (FY) 2022/2023 budget. \$1.65 million of these fines had been allocated toward an El Mar Drive project that would have been funded by grants from the Florida Department of Transportation (FDOT); however, these grants were declined. As the El Mar Drive project did not move forward as planned, Town Manager Connors requested that the FDG reserve funds be allocated toward other projects in the Town's Capital Improvement Program (CIP).

The Commission discussed the request, with Vice Mayor Malkoon noting that the Town had been unable to move forward with proposals for El Mar Drive due to lack of community consensus. He did not feel the FDG reserve funds should continue to be kept separate for use on El Mar Drive when there are no plans for such a project at present.

Commissioner Strauss agreed, stating that his concern for clean and safe sidewalks on El Mar Drive remained. He did not feel the funds should continue to be reserved without a project. He concluded that the Town may have a different opinion on how to proceed with El Mar Drive once the Downtown refurbishment is complete.

Commissioner Oldaker also agreed, recalling that the FDG dollars had been moved to separate them from the General Fund. He did not object to using the FDG funds for other capital improvements.

Mayor Vincent advised that the use of FDG funds for other projects would not prevent the Town from making repairs to El Mar Drive. He also noted that the El Mar Drive project was never predicated upon the receipt of FDG funds. It was determined that there was Commission consensus to use these funds for the CIP.

Town Manager Connors also requested Commission consensus to amend the following Commission meeting dates:

- The August 23, 2022 meeting will be moved to August 24, 2022
- The November 8, 2022 meeting will be moved to November 9, 2022

The Commissioners agreed to these proposed changes by consensus.

Town Manager Connors also noted that the Town will hold special meetings on September 14 and September 28, 2022, to further discuss the budget process and establish a final millage rate.

Town Manager Connors concluded that patching on El Mar Drive will begin the week of August 8, 2022. Residents and hoteliers will be informed of this work moving forward.

Town Attorney Trevarthen requested clarification of whether or not the Town's November 22, 2022 meeting will be cancelled. Town Manager Connors replied that this meeting is typically cancelled because it falls on the week of Thanksgiving. They also typically cancel the second scheduled meeting in December. She advised that these items will be brought forward at the next meeting.

9. TOWN ATTORNEY REPORT

None.

10. APPROVAL OF MINUTES

a. June 28, 2022 Regular Town Commission Minutes

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

11. CONSENT AGENDA

None.

12. OLD BUSINESS

None.

13. NEW BUSINESS

None.

14. COMMISSIONER COMMENTS

Mayor Vincent encouraged all residents to attend the upcoming Bugfest activities.

Vice Mayor Malkoon stated that there is a Florida League of Cities conference scheduled for August 11, 2022. He will provide a report on this meeting at the August Commission meeting.

Commissioner Strauss also encouraged participation in the 10th annual Bugfest events, which will include diving, a cook-off, a free outdoor music festival benefiting SCUBA for Good, and an underwater pier cleanup.

15. ORDINANCES 1ST READING

- a. Ordinance 2022-05 – AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 30 “UNIFIED LAND DEVELOPMENT REGULATIONS,” ARTICLE IV “DEVELOPMENT PERMITS – APPLICATIONS, REQUIREMENTS, AND REVIEW PROCEDURES,” SECTION 30-114 “CITIZEN PARTICIPATION REQUIRED,” MODIFYING THE APPLICABILITY OF AND REQUIREMENTS FOR THE CITIZEN PARTICIPATION REQUIREMENTS; AND FURTHER AMENDING SECTION 30-139 “NOTICE OF PUBLIC HEARINGS” TO ESTABLISH NOTICE REQUIREMENTS FOR CITIZEN PARTICIPATION MEETINGS; PROVIDING FOR CODIFICATION; SEVERABILITY, CONFLICTS, AND FURTHER PROVIDING FOR AN EFFECTIVE DATE.

At this time Mayor Vincent opened public comment.

Barbara Cole, resident, stated that the existing citizen participation Ordinance should be extended to address residents who may be interested in projects and live beyond the 300 ft. radius in which notice is provided. She added that the Planning and Zoning Board wished to ensure the Commission did not leave conditional use of signage out of the proposed new Ordinance.

With no other individuals wishing to speak on this Item, Mayor Vincent closed public comment.

Development Services Director Campbell recalled that citizen participation meetings were introduced to Town Code in October 2021, requiring certain applications to hold these meetings so affected property owners may express their concerns before the applications move on to the Planning and Zoning Board and Town Commission. All affected parties within 300 ft. of the application are required to be provided notice, and a report must be turned in at least 21 days prior to the Planning and Zoning Board meeting.

Over time, Staff has realized there are some areas in which the public participation meeting Ordinance could be improved. These include:

- Greater clarity of language for notice of the meeting
- Requirement of notice and public participation for variances and right-of-way vacations
- Explicit requirement that the public participation meeting be posted online and at the subject property

Ordinance 2022-05 establishes a 10-day deadline for public participation notice, which must be posted on the subject property and the Town's website, and includes variances and right-of-way vacations. While Staff had proposed the removal of this requirement for conditional use signs, the Planning and Zoning Board recommended that this requirement be reinstated, and Staff has added it back to the Ordinance.

The Planning and Zoning Board considered the Ordinance at their July 2022 meeting and recommended its approval with reinstatement of the conditional use sign requirement. Staff recommends approval of the Ordinance.

Commissioner Oldaker asked if Staff has considered how the addition of variances might play out in the event of a residential single-family home seeking a variance. Development Services Director Campbell replied that Staff is present at all public participation meetings and would be able to provide guidance or structure if needed.

Town Manager Connors advised that the purpose of citizen participation meetings is to provide an opportunity for conversation between applicants and nearby residents, which may help to resolve any issues before the item goes before the Planning and Zoning Board.

Town Manager Connors also addressed why Staff had recommended against conditional use applications for signs, recalling that one of the characteristics of the Town's preferred architectural style of Mid-century Modern is a larger font on signage. When the Commission adopted this style, they had noted that applicants are asked to take additional time in designing their signs before they are brought directly before the Commission for approval. Staff's intent in eliminating this process from the Ordinance had been to honor the Commission's earlier intent. She reiterated that it has now been included as part of the proposed Ordinance.

Mayor Vincent asked if single-family residences would be included under the Ordinance. Town Manager Connors replied that variances of all kinds would be included in the public participation process. Mayor Vincent commented that he did not wish to place a greater burden on single-family homes by requiring this additional process. Town Manager Connors clarified that the process would not apply to single-family residences seeking regular permits, but only when they are seeking a variance.

Mayor Vincent requested clarification of which part of the Ordinance addresses the proposed citizen participation requirement for single-family variances. Town Attorney Trevarthen noted that the Commissioners' information packets include a chart listing a separate line item for conditional uses, Site Plan modifications, and variances. The Ordinance may be amended so the variances for an individual single-family home are not subject to the citizen participation process. Mayor Vincent concluded that he would like this change to be made.

Commissioner Strauss requested clarification of the current notice process for single-family homes. Development Services Director Campbell explained that at present, all variances across the board require notice to be sent to all affected parties within a 300 ft. radius of the subject property, 10 days before the hearing. Notice is also posted on the property and the Town's website. If single-family homes are excluded from the updated citizen participation process, regular notice would still be posted.

Commissioner Oldaker stated that he was also uncomfortable amending the process to include single-family homes, as he felt it was unnecessary and could contribute to conflicts between neighbors. Commissioner Poulopoulos agreed as well.

Town Attorney Trevarthen advised that because this is the first reading of Ordinance 2022-05, the requested change to remove single-family homes from the process can be made prior to second reading.

Commissioner Oldaker made a motion, seconded by Commissioner Poulopoulos, to approve with the amendment for single-family removal.

Development Services Director Campbell asked if the **motion** would require citizen participation meetings for conditional use of signs. Commissioner Oldaker confirmed that he did not wish to amend the Ordinance.

Motion carried 5-0.

16. ORDINANCES 2ND READING

None.

17. RESOLUTIONS – PUBLIC COMMENTS

- a. Resolution 2022-31 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING THE SCHEDULE OF AUTHORIZED POSITIONS; ADOPTING A REVISED PAY PLAN; PROVIDING FOR SEVERABILITY, CONFLICTS, AND FOR AN EFFECTIVE DATE.**

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

Town Manager Connors explained that while this Resolution does not affect overall pay to Town employees, it changes the range of pay. The salaries for Assistant Director of Development Services and Assistant Director of Budget and Finance are changed from a pay grade of 8 to pay grade 9. Human Resources Manager is reclassified as an administrative specialist and that position's salary is changed to pay grade 5. Public Information Officer/Information Technology (IT) Coordinator and Special Events and

Community Marketing Coordinator are reclassified to pay grade 5 as well. Staff recommends approval of the Resolution.

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

- b. Resolution 2022-32 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING A WORK AUTHORIZATION WITH HUGH JOHNSON LANDSCAPE ARCHITECTURE, INC. DBA ARCHITECTURAL ALLIANCE LANDSCAPING FOR THE DESIGN OF THE DOWNTOWN ENHANCEMENTS PROJECT IN AN AMOUNT NOT TO EXCEED \$164,300.00; AUTHORIZING THE TOWN MANAGER TO EXECUTE A WORK AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

At this time Mayor Vincent opened public comment.

Barbara Cole, resident, stated that she did not understand why the Town was proceeding with a design that includes “bells and whistles,” recommending instead that the proposed Downtown redesign be kept simple.

With no other individuals wishing to speak on this Item, Mayor Vincent closed public comment.

Commissioner Strauss advised that the buildable plans for the Downtown area will include an alternative that does not include a landscaping wall or other options, so the Town will have a choice of how to move forward.

Deputy Town Manager/Public Works Director Ken Rubach stated that the costs of several optional improvements, such as pavers, landscaping, and lighting, are included in the plans so the Commissioners can make informed decisions on them.

Mayor Vincent requested clarification of the contractual language that would identify when the limited costs have been exceeded. Deputy Town Manager/Public Works Director Rubach replied that the contract includes every option for the Commission’s consideration. Any items above the limit of \$164,300 would require Commission approval of a change order or orders.

Commissioner Strauss made a motion, seconded by Commissioner Oldaker, to move forward with the project. Motion carried 5-0.

- c. Resolution 2022-34 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT WITH BROWARD COUNTY FOR REIMBURSEMENT FOR THE DESIGN OF THE PALM CLUB SEPTIC TO SEWER CONVERSION; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

Deputy Town Manager/Public Works Director Rubach explained that Broward County has allocated funds for the Palm Club septic-to-sewer conversion project. The Resolution accepts those funds and establishes the inter-local agreement (ILA) on which Staff, the Town Attorney, the County Attorney, and County Staff assisted.

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

- d. Resolution 2022-33 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING A COMCAST ENTERPRISE SERVICES MASTER SERVICES AGREEMENT WITH COMCAST ENTERPRISE IN SALES ORDER FORM FOR THE PEG CHANNEL UPGRADE FOR A TOTAL AMOUNT NOT TO EXCEED \$20,700.00; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT IN SALES ORDER FORM; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

Deputy Town Manager/Public Works Director Rubach stated that residents had requested clarification of whether or not the Town could continue to improve upon its broadcast network for the general public. The channel is currently broadcast in standard

definition and does not use a digital encoder. The new encoder will be digital and broadcasting will be made in greater definition.

Vice Mayor Malkoon asked if Comcast does not support high definition broadcast. Deputy Town Manager/Public Works Director Rubach advised that this is not available for public access channels and would come with additional costs.

Commissioner Pouloupoulos made a motion, seconded by Commissioner Oldaker, 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 8:11 p.m.

Mayor Chris Vincent

ATTEST:

Town Clerk

Date



**TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
SPECIAL MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Tuesday, July 26, 2022
5:30 PM**

1. CALL TO ORDER, MAYOR CHRIS VINCENT

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

2. PLEDGE OF ALLEGIANCE

3. RESOLUTIONS

- a. **Resolution 2022-29 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, RELATING TO THE PROVISION OF FIRE PROTECTION SERVICES, FACILITIES AND PROGRAMS IN THE TOWN; DESCRIBING THE METHOD OF ASSESSING FIRE PROTECTION ASSESSED COSTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE TOWN’S GEOGRAPHICAL BOUNDARIES, KNOWN AS FIRE PROTECTION ASSESSMENT AREA – TOWNWIDE; ESTABLISHING THE ESTIMATED RATES FOR FIRE PROTECTION SERVICES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND PROVIDING FOR MAXIMUM RATES FOR FUTURE FISCAL YEARS; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL FOR FIRE PROTECTION ASSESSMENT AREA – TOWNWIDE; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; PROVIDING FOR CONFLICT, SEVERABILITY, AND FOR AN EFFECTIVE DATE.**

At this time Mayor Vincent opened public comment.

Barbara Cole, resident, expressed concern with the possibility of funding a new Public Safety building for the Town, as well as with the increased expenses that Town businesses and residents are currently experiencing. She felt this should be a key consideration in the Commission's decisions tonight.

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

Director of Budget and Finance Lucila Lang explained that the Commission will establish a tentative fire assessment rate for fiscal year (FY) 2022-2023, which begins on October 1, 2022. The Town has maintained its current rate for the past six years, which is the lowest such rate in Broward County.

Finance Director Lang recalled that during the past year, the Town retained Matrix Consulting Group to conduct a fire services fee assessment analysis. A presentation on this analysis was made before the Commission at the July 12, 2022 meeting. Matrix provided the Town with two options:

- Increase residential costs by roughly 4% and decrease commercial properties' costs by 5% (per square foot): these rates would continue to cover current services
- Increase residential rates from \$129.85 to \$147.37, a 13% increase, and increase the commercial square footage rate from 21 cents to 23 cents, a 10% increase: this recommendation would provide the Town an additional \$100,000

Finance Director Lang emphasized that the additional revenue generated by the second option could be used either toward building a new Public Safety structure or refurbishing the current building. Staff will conduct additional analysis on either option selected by the Commission. Staff recommends approval of the second option.

Commissioner Strauss advised that he has considered these options since they were presented on July 12. He pointed out that the Town may need a new Public Safety building five to seven years from now; if they opt not to construct a new building, they will need to maintain the existing one. He felt the proposed \$100,000 increase should be used in a fiscally responsible manner toward the time when a new or refurbished building becomes necessary.

Mayor Vincent recalled that approximately 12 years ago, the Town's fire assessment fee was roughly twice its current rate. The Town's millage rate was also significantly higher at that time. These rates have been brought down over the last several years

while maintaining the necessary level of services. As some deficiencies have been identified within the Volunteer Fire Department (VFD), particularly with regard to housing, upgrades will be necessary in the future. He concluded that he was in favor of the increased assessment, which he felt would be accepted by the Town's residents.

Mayor Vincent also pointed out that if the Town's fire assessment costs were wrapped into its millage rate, that rate would be significantly higher. He felt the second option is the best way to set aside money for future investment in the VFD.

Commissioner Oldaker thanked Town Staff and the VFD for their proactive stance on preparing for the future by setting aside funds. He was also in favor of the recommended option.

Vice Mayor Malkoon reminded all present that the VFD brought forward a plan to make improvements at the Fire Station. This plan was delayed until after Matrix Consulting had submitted its report. He felt the second option would be an important first step in improving the facility, and concluded that should the Town decide not to proceed with a new Public Safety building, the funds could be used for another purpose.

Commissioner Poulopoulos agreed with many of the previous comments, adding that he was also in favor of the increase, which will be an average of \$17.52 per residential household.

Commissioner Oldaker made a motion, seconded by Commissioner Strauss, to approve Option #2. Motion carried 5-0.

- b. Resolution 2022-30 – A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, ESTABLISHING A PROPOSED MILLAGE RATE FOR THE 2022/2023 FISCAL YEAR; PROVIDING FOR THE DATE, TIME, AND PLACE OF THE PUBLIC HEARING TO CONSIDER THE PROPOSED MILLAGE RATE AND TENTATIVE BUDGET; DIRECTING THE TOWN CLERK TO FILE SAID RESOLUTION WITH THE PROPERTY APPRAISER OF BROWARD COUNTY; AND PROVIDING AN EFFECTIVE DATE.**

At this time Mayor Vincent opened public comment.

Barbara Cole, resident, requested that the Commission not raise the Town's millage rate.

Ron Piersante, resident, stated that if the millage rate is increased to approximately 3.5, the cost to homeowners may increase by roughly \$40 per year. He felt the Town is in need of a financial cushion, and asked that the Commission consider increasing the millage rate.

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

Commissioner Oldaker observed that after tonight's meeting, the Commission would be unable to consider raising the millage rate later in the budget process, although they would retain the option of decreasing it later if desired. He thanked Town Staff for their work on the budget, noting that this year included unanticipated pressures such as inflation, rising gas prices, and a regional labor shortage. The proposed millage rate is higher in acknowledgement of these circumstances.

Finance Director Lang stated that the rolled back rate for FY 2022/2023 is 3.1012. Tonight's meeting will set the tentative millage rate, which will be the highest possible rate that can be considered. The rate may be lowered in September, although it may not be raised above the tentative rate established tonight. She referred the Commissioners to the overview provided in tonight's Agenda Memo.

Finance Director Lang continued that the scenarios reflect the proposed ad valorem property taxes using the rolled back rate, current rate, and other possible rates ranging from 3.4 to approximately 3.67. Staff recommends a millage rate of 3.5000, which would produce net ad valorem property taxes of roughly \$10,112,946.

The average homesteaded property owner in Lauderdale-By-The-Sea would see a minimal impact of between \$39.59 and \$133.18. This information is based on homes valued at roughly \$218,000 to \$671,000, which are the average homesteaded property values.

The two September 2022 budget meetings are planned for September 14 and September 28, 2022. Both of these dates fall on Wednesdays in order to prevent conflict with Broward County School Board and Broward County Board of County Commissioners meetings.

Town Manager Linda Connors provided a presentation on the proposed budget, stating that the intent is to deliver services, meet residents' needs, plan for current and future

Town initiatives, and provide accountability and transparency. Staff has met with the individual Commissioners to discuss the Town's budget needs. The final millage rate and Capital Improvement Program (CIP) will be adopted at the September 28, 2022 public hearing.

The backup materials include the Town's tentative millage rates from 2017 through 2021. These rates have been reduced or remained consistent every year since that time. Last year's recommendation was for 3.5, and the final rate was set at 3.3923.

At the current millage rate, the Town's budget would increase by approximately \$805,000 due to the increase in assessed value. When the current inflation rate of 9.1% is taken into consideration, along with the \$364,000 increase in contracts, this would leave very little money to address community needs while also saving for future projects.

Town Manager Connors also noted that the backup materials include a property tax history from FY 2007 through FY 2023. In 2007, the Town collected \$9.3 million in property taxes; in 2022, this amount decreased to \$8.96 million. Maintaining the 3.3923 millage rate would result in the collection of \$9.8 million in the coming fiscal year, while increasing the rate to 3.500 would collect just over \$10 million.

The increase would give the Town an additional \$311,000, which would reduce the reliance on reserve funds, address inflation and the labor market, address increases in utilities, supplies, gas, and contracts, and allow the Town to save for future needs. This can be accomplished without debt service. In the past, the Town has avoided debt service by using reserve funds; however, should the millage rate be lowered again, there will be insufficient reserves to realize Town projects.

Town Manager Connors continued that with the exception of the city of Weston, Lauderdale-By-The-Sea currently has the lowest operating millage rate in Broward County at 3.923. Should the Town increase this rate to 3.500, they would maintain a low millage rate in comparison to most other Broward County municipalities.

Vice Mayor Malkoon commended Staff for their work on the proposed budget, which lessens the Town's reliance on its reserves. Town Manager Connors observed that the budget Staff had hoped for would have been \$1.6 million higher than what was being collected, which was unsustainable. \$1.1 million was cut from that budget, leaving \$500,000 to be requested from the Town's reserve account.

Vice Mayor Malkoon continued that should the Town retain its current millage rate, this would be a tax increase due to property values, which generate an additional \$100,000 in revenue. He did not believe the proposed 3.5000 rate was needed, as the Town has emergency reserves available; however, he was not opposed to moving forward with that proposed rate and discussing it further at the subsequent budget meetings.

Commissioner Strauss advised that the Town has seen a positive increase in its property values over the last year. He also recalled that the previous year, he had felt it was important to roll back the millage rate and give back to the Town's residents in light of the recent COVID-19 pandemic and its effect on Town businesses. He stated that while he was in favor of maintaining the current millage rate, it would be reasonable to move forward with the proposed rate of 3.5000 at present before making a final decision. He added that he was not in favor of further rolling back the current rate.

Commissioner Pouloupoulos commented that while no one likes to raise taxes, there are external conditions that require the Commission to be cognizant of how they will approach the future. While he was also inclined to keep the millage rate the same, he believed the Town should move forward with a tentative millage rate of 3.5000, which may change between now and the final decision in September. He pointed out that Staff has cut back on several potential programs in the proposed budget in order to keep the Town's taxes low.

Mayor Vincent noted that there were four years of the 3.9 millage rate in which there was also a steady reduction in the property taxes collected. This was followed by another decrease in the millage rate which was accompanied by an increase in taxes collected. He suggested that if the millage rate had instead increased, the Town could have collected a significantly larger amount of ad valorem taxes; however, they had instead elected to decrease this rate.

Mayor Vincent advised that he was not in favor of raising taxes when it is certain that next year, property values will continue to increase. He also noted that earlier in the meeting, the Commission voted to increase the fire assessment. He characterized raising taxes as "a slippery slope" for any municipality.

With respect to level of service, Mayor Vincent continued that there may be times when cutbacks are more important than these services. He felt the Town should continue to stay the course it has maintained over the last 12 years. He was in favor of the current rate or further rolling back the rate, as he was confident property values would continue to increase.

Commissioner Oldaker recalled the financial crisis of 2008, which had lasting effects over the next few years across South Florida and significantly decreased the tax base. He reiterated that the Commission should continue to err on the side of caution in the current economy, as there is the possibility of a similar scenario, including rising interest rates.

Commissioner Pouloupoulos stated that the chart provided to the Commissioners does not show inflation in the late 2000s at a similar rate to the present, which affects all residents. He also felt it was important to proceed cautiously, with the hope that the same millage rate may be maintained; however, the current climate remains uncertain.

Commissioner Oldaker made a motion, seconded by Commissioner Pouloupoulos, to approve the proposed millage rate of 3.5000. Motion carried 3-2.

4. ADJOURNMENT

With no other business to come before the Commission at this time, the meeting was adjourned at 6:18 p.m.

Mayor Chris Vincent

ATTEST:

Town Clerk

Date



Town Commission Agenda Item Report

Meeting Date: August 24, 2022

Submitted By: Courtney Easley, Assistant to the Town Manager

Submitting Department: Administration

Item Type: New Business

Agenda Section: Ordinances, 1st Reading

Subject Title: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES AT CHAPTER 5 "BEACHES AND WATERWAYS," ARTICLE II "BEACH REGULATIONS," TO CREATE SECTION 5-37 "SMOKING PROHIBITED ON BEACH" TO PROHIBIT SMOKING AT PUBLIC BEACHES; AMENDING CHAPTER 14.3 "PARKS AND RECREATIONAL FACILITIES," SECTION 14.3--4 REGULATION OF GENERAL CONDUCT—PERSONAL BEHAVIOR TO PROHIBIT SMOKING AT PARKS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND FOR AN EFFECTIVE DATE

Explanation: Chapter 386, Part II of Florida Statutes, the Florida Clean Indoor Air Act, implements Article X, Section 20 of the Florida Constitution, which prohibits a person from smoking tobacco or using a vapor-generating electronic device in an enclosed indoor workplace, with certain exceptions. Previously, Florida Statutes preempted the regulation of smoking and do not allow counties or municipalities to regulate smoking.

On Friday, June 24, 2022, the Florida Governor signed into law House Bill 105 ("HB 105"), the Florida Clean Air Act. HB 105 (**Exhibit 1**) amends the "Florida Clean Indoor Air Act" to allow counties and municipalities to restrict smoking within the boundaries of any of the public beaches and public parks they own, except for unfiltered cigars. The new law, which went into effect on July 1, 2022, is designed to mitigate litter from cigarette butts in recreational spaces.

Ordinance 2022-29 takes advantage of HB 105 and prohibits smoking within public parks and Town beaches.

Recommendation: Approve Ordinance 2022-09 amending the Town Code to prohibit smoking on the beach and in parks.

Attachments:

Ex.1 HB 105 - Florida Clean Air Act

Ex.2 Ordinance 2022-09 Smoking on Beaches and in Parks

ENROLLED

CS/HB 105, Engrossed 1

2022 Legislature

1
2 An act relating to the regulation of smoking by
3 counties and municipalities; revising the title of
4 part II of ch. 386, F.S.; amending s. 386.201, F.S.;
5 revising a short title; amending s. 386.209, F.S.;
6 authorizing counties and municipalities to further
7 restrict smoking within the boundaries of public
8 beaches and public parks under certain circumstances;
9 providing an exception; amending ss. 381.84 and
10 386.211, F.S.; conforming provisions to changes made
11 by the act; providing an effective date.

12
13 Be It Enacted by the Legislature of the State of Florida:

14
15 Section 1. Part II of chapter 386, Florida Statutes,
16 entitled "INDOOR AIR: SMOKING AND VAPING," is renamed "SMOKING
17 AND VAPING."

18 Section 2. Section 386.201, Florida Statutes, is amended
19 to read:

20 386.201 Short title ~~Popular name~~.—This part may be cited
21 as ~~by the popular name~~ the "Florida Clean ~~Indoor~~ Air Act."

22 Section 3. Section 386.209, Florida Statutes, is amended
23 to read:

24 386.209 Regulation of smoking preempted to state.—This
25 part expressly preempts regulation of smoking to the state and

ENROLLED

CS/HB 105, Engrossed 1

2022 Legislature

26 supersedes any county or municipal ~~municipal or county~~ ordinance
27 on the subject; however, counties and municipalities may further
28 restrict smoking within the boundaries of any public beaches and
29 public parks that they own, except that they may not further
30 restrict the smoking of unfiltered cigars. A municipality may
31 further restrict smoking within the boundaries of public beaches
32 and public parks that are within its jurisdiction but are owned
33 by the county, unless such restriction conflicts with a county
34 ordinance, except that they may not further restrict the smoking
35 of unfiltered cigars. School districts may further restrict
36 smoking by persons on school district property. This section
37 does not preclude the adoption of county or municipal ~~municipal~~
38 ~~or county~~ ordinances that impose more restrictive regulation on
39 the use of vapor-generating devices than is provided in this
40 part.

41 Section 4. Paragraph (h) of subsection (3) of section
42 381.84, Florida Statutes, is amended to read:

43 381.84 Comprehensive Statewide Tobacco Education and Use
44 Prevention Program.—

45 (3) PROGRAM COMPONENTS AND REQUIREMENTS.—The department
46 shall conduct a comprehensive, statewide tobacco education and
47 use prevention program consistent with the recommendations for
48 effective program components contained in the 1999 Best
49 Practices for Comprehensive Tobacco Control Programs of the CDC,
50 as amended by the CDC. The program shall include the following

ENROLLED

CS/HB 105, Engrossed 1

2022 Legislature

51 components, each of which shall focus on educating people,
52 particularly youth and their parents, about the health hazards
53 of tobacco and discouraging the use of tobacco:

54 (h) *Enforcement and awareness of related laws.*—In
55 coordination with the Department of Business and Professional
56 Regulation, the program shall monitor the enforcement of laws,
57 rules, and policies prohibiting the sale or other provision of
58 tobacco to minors, as well as the continued enforcement of the
59 Florida Clean ~~Indoor~~ Air Act prescribed in chapter 386. The
60 advertisements produced in accordance with paragraph (a) may
61 also include information designed to make the public aware of
62 these related laws and rules. The departments may enter into
63 interagency agreements to carry out this program component.

64 Section 5. Section 386.211, Florida Statutes, is amended
65 to read:

66 386.211 Public announcements in mass transportation
67 terminals.—Announcements about the Florida Clean ~~Indoor~~ Air Act
68 shall be made regularly over public address systems in terminals
69 of public transportation carriers located in metropolitan
70 statistical areas with populations over 230,000 according to the
71 latest census. These announcements shall be made at least every
72 30 minutes and shall be made in appropriate languages. Each
73 announcement must include a statement to the effect that Florida
74 is a clean ~~indoor~~ air state and that smoking and vaping are
75 prohibited except as provided in this part.

ENROLLED

CS/HB 105, Engrossed 1

2022 Legislature

76 | Section 6. This act shall take effect July 1, 2022.

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WHEREAS, Chapter 386, Part II of Florida Statutes, the Florida Clean Indoor Air Act, amends Article X, Section 20 of the Florida Constitution, which prohibits a person from smoking tobacco or using a vapor-generating electronic device in an enclosed indoor workplace, with certain exceptions; and

WHEREAS, on June 24, 2022, the Florida Governor signed into law House Bill 105 (“HB 105”), which amends the Florida Clean Indoor Air Act to allow counties and municipalities to restrict smoking within the boundaries of any public beach or park, except for unfiltered cigars; and

WHEREAS, the Town Commission deems it to be in the best interest of the Town to adopt an ordinance creating Section 5-37 and amending Section 14.3-4 of the Code to prohibit smoking in public beaches and parks.

SECTION 1. Recitals. The foregoing “Whereas” clauses are ratified and confirmed as being true, correct, and reflective of the legislative intent underlying this Ordinance and are hereby made a specific part of this Ordinance.

SECTION 2. Creating Section 5-37. Chapter 5 “Beaches and Waterways,” Article II “Beach Regulations,” is hereby amended to create Section 5-37 “Smoking Prohibited on Beach” to read as follows:¹

CHAPTER 5. – BEACHES AND WATERWAYS

Article II. – Beach Regulations.

Sec. 5-37. Smoking Prohibited on Beach.

It shall be unlawful for any person to smoke on a public beach, except for the smoking of unfiltered cigars.

Secs. 5-~~37~~—5-50. - Reserved.

SECTION 3. Amending Section 14.3-4. Chapter 14.3 “Parks and Recreational Facilities,” Section 14.3-4 “Regulation of General Conduct—Personal Behavior,” is hereby amended to read as follows:

CHAPTER 14.3. – PARKS AND RECREATIONAL FACILITIES

Sec. 14.3-4. Regulation of General Conduct – Personal Behavior.

¹Proposed additions to existing Town Code text are shown by underlining; proposed deletions from existing Town Code text are shown by ~~strike through~~.

(g) Smoking. It shall be unlawful for any person to smoke in a park, except for the smoking of unfiltered cigars.

SECTION 4. 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 5. Conflicts. All prior ordinances or resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. Effective Date. This Ordinance shall become effective upon adoption on second reading.

Passed on the first reading, this ____ day of _____, 2022.

Passed and adopted on the second reading, this ____ day of _____, 2022.

MAYOR CHRIS VINCENT

	First Reading	Second Reading
Mayor Vincent	_____	_____
Vice-Mayor Malkoon	_____	_____
Commissioner Oldaker	_____	_____
Commissioner Pouloupoulos	_____	_____
Commissioner Strauss	_____	_____

ATTEST:

Katrina Adler, Town Clerk

APPROVED AS TO FORM:

Susan L. Trevarthen, Town Attorney



Town Commission Agenda Item Report

Meeting Date: August 24, 2022

Submitted by: Jhanelle Campbell, Director of Development Services

Submitting Department: Development Services

Item Type: Ordinance

Agenda Section: Ordinances, 2nd Reading

Subject Title: ORDINANCE 2022-05 – AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 30 “UNIFIED LAND DEVELOPMENT REGULATIONS,” ARTICLE IV “DEVELOPMENT PERMITS – APPLICATIONS, REQUIREMENTS, AND REVIEW PROCEDURES,” SECTION 30-114 “CITIZEN PARTICIPATION REQUIRED,” MODIFYING THE APPLICABILITY OF AND REQUIREMENTS FOR THE CITIZEN PARTICIPATION REQUIREMENTS; AND FURTHER AMENDING SECTION 30-139 “NOTICE OF PUBLIC HEARINGS” TO ESTABLISH NOTICE REQUIREMENTS FOR CITIZEN PARTICIPATION MEETINGS; PROVIDING FOR CODIFICATION; SEVERABILITY, CONFLICTS, AND FURTHER PROVIDING FOR AN EFFECTIVE DATE. **(Exhibit 1)**

Explanation: Since the adoption of requirements for public participation meetings into the Town Code in October of 2021 (Ordinance 2021-11), a few development applications requiring the citizen participation meetings have been processed and evaluated. Based on Staff evaluation, opportunities to improve the requirements for public participation notice to the public and better outline the types of applications to which they apply have been identified.

First, the deadline for noticing the meetings is unclear; the proposed ordinance sets a deadline of ten days prior to the public participation meeting for all forms of notice, which is the deadline which staff has interpreted to apply prior to this clarification.

Second, the Town Code currently lacks a requirement for variance and right-of-way vacation applications to hold a public participation meeting. These types of applications could possibly affect the public, and Ordinance 2022-05 would require public participation meetings for these types of applications.

Finally, the intent of the public participation meeting requirements was to better engage the public with development matters that may affect them. The Town Code currently only requires mailed notice of these meetings to property owners and interested parties. While the first few applications requiring these meetings have also included posting a sign on the property and advertising the meeting on the Town’s website, these notice methods are not specifically required under the Code as written. With the proposed changes in Ordinance 2022-05, these additional methods of providing notice will be required by the Code going forward, and their timing is better delineated.

This item was presented to the Town Commission at its July 26, 2022, meeting. The Ordinance was adopted at first reading with the inclusion of the Planning and Zoning Board’s recommendation to require citizen participation meetings for conditional use applications for signs. In addition, the Town Commission also voted to exclude the requirement for a citizen participation meeting for a single-family homeowner requesting a variance from the Town’s Code.

Recommendation: Staff recommends approval of Ordinance 2022-05 to better delineate requirements for public participation meetings and to provide more opportunities for the public to engage with development applications by:

1. Establishing ten (10) days as the minimum deadline for notices prior to public participation meetings;
2. Requiring posted and website notice, as well as mailed notice of the public participation meetings; and
3. Broadening the scope of the public participation process and requirements to apply to variances and right-of-way vacations.
4. Excluding single family homes from citizen participation requirements.
5. Requiring conditional use applications for signs to hold a citizen participation meeting.

Attachments:

Ex. 1 Ordinance 2022-05 Citizen Participation

Reviewed by Town Attorney:

☒	Yes	☐	No
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WHEREAS, the Town of Lauderdale-By-The-Sea (the “Town”) Commission recognizes that changes to the adopted Code of Ordinances are periodically necessary in order to ensure that the Town’s regulations are current and consistent with the Town’s regulatory needs; and

WHEREAS, the Town Code currently lacks a requirement for public participation meetings for variances and right-of-way vacation applications; and

WHEREAS, the Town Code does not specifically require that the notices for public participation meetings must be posted and advertisement on the Town’s website, and does not specifically set the deadline for advertising these meetings; and

WHEREAS, the Town Commission desires to clarify these issues for better communication of development issues with the public; and

WHEREAS, the Planning and Zoning Board, sitting as the Local Planning Agency, has reviewed the contents of this Ordinance at a duly noticed public hearing on July 6, 2022 and recommended the amendments be approved with one amendment: to retain public participation requirements for signage conditional uses; and

WHEREAS, the Town staff evaluated the Board’s recommendation, and recommends that the Town Commission retain public participation requirements for signage conditional uses; and

32 **WHEREAS**, at first reading, the Town Commission decided to exempt a single family home
33 seeking a variance from the public participation requirements; and

34 **WHEREAS**, the Town Commission conducted first and second reading of this Ordinance at
35 duly noticed public hearings, as required by law, and after having received input from and
36 participation by interested members of the public and staff, the Town Commission has determined
37 that this Ordinance is consistent with the Town’s Comprehensive Plan and in the best interest of the
38 Town, its residents, and its visitors.

39 **NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN**
40 **OF LAUDERDALE-BY-THE-SEA, FLORIDA, THAT:**

41 **SECTION 1.** Recitals. The preceding “Whereas” clauses are ratified and incorporated as
42 the legislative intent of this Ordinance.

43 **SECTION 2.** Amendment. Chapter 30, “Unified Land Development Regulations,” Article
44 IV, “Development Permits – Applications, Requirements and Review Procedures,” Division 1.
45 “Generally,” Section 30-114 “Citizen Participation Required” of the Town Code of Ordinances, is
46 hereby amended as follows¹:

47 **Chapter 30 – Unified Land Development Regulations**

48 **ARTICLE IV. Development Permits – Applications, Requirements and Review Procedures**

49 **DIVISION 1. Generally.**

50 * * *

51 **Sec. 30-114. – Public Participation Required.**

52 (a) *Purpose and intent.* The public participation process provides for the ability of citizens of the
53 Town to actively participate in the Town's development procedures and allows the Town's
54 citizens to play an essential role in shaping the direction of the Town's development, thereby
55 enhancing the welfare of the community.
56

¹ Additions to existing text are shown in underline. Deletions are shown in ~~strikethrough~~. Changes between first and second reading are highlighted in yellow and shown in double underline and ~~double strikethrough~~.

(b) *Applicability.* All applicants submitting applications to the Town for approval of a site plan, site plan level 2 modification, ~~grant of a conditional use~~ (except those for signs), variance (except for a single-family home), right-of-way vacation, rezoning, or land use plan amendment shall solicit citizen participation in accordance with this section.

(c) *Citizen participation meeting.*

(1) *Meeting.*

a. *Required; timing.* Subsequent to filing a complete application with the Town, as set forth in subsection (b) above, applicants shall be required to conduct a minimum of one public meeting with residents, property owners and interested parties that may be affected by the proposed application (the affected parties), or additional number of meetings as may be directed by the Development Services Director (DSD) or designee. The meeting shall not be scheduled or conducted before the initial review of the application has been completed by the DSD or designee.

b. *Notice.*

1. Applicants shall provide affected parties with ~~mailed~~ notice ~~applicable to~~ of the proposed application as set forth in section 30-139 of this Code. “Affected parties” include residents and property owners that are located within a 300-foot radius of the subject property associated with the proposed application, and any other interested parties who have submitted a written request to the DSD or designee with a stated interest in the proposed application to be included in the notice.

2. Prior to sending mailed notices of the proposed application to affected parties, the applicant shall be required to submit a copy of the proposed notice and application summary to the DSD or designee for review and approval. Applicants shall then be provided a list of affected parties to which the notice must be mailed. Additionally, applicants shall also be required to provide the DSD or designee with a copy of the mailed notice. ~~e.~~A summary of the proposed application shall be included within the mailed notice provided to affected parties and made available for review by the public at the meeting.

~~c.d.~~ *Purpose; location.* The purpose of the citizen participation meeting is to discuss the proposed application, provide Town citizens with the ability to actively participate in the Town's development procedures and solicit public comment from affected parties and the community. Citizen participation meetings may be held at Jarvis Hall, subject to scheduling and availability, or at a similarly convenient location within the Town, provided such location is accessible and open to the public.

~~e.~~ *Affected parties include residents and property owners that are located within a 300-foot radius of the subject property associated with the proposed application, and any other interested parties who have submitted a written request to the DSD or designee with a stated interest in the proposed application to be included in the notice.*

d.f. *Submission of summary.* A written summary setting forth the details and results of the citizen participation meeting shall be submitted to the DSD or designee for approval by the Town Manager or designee at least 21 days prior to the Planning and Zoning Board's review of the proposed application, in accordance with the requirements of this section. Notwithstanding the foregoing, applications for conditional uses for signs shall submit a written summary setting forth the details and results of the citizen participation meeting to the DSD or designee for approval by the Town Manager or designee at least 21 days prior to the Town Commission's review of the proposed application, in accordance with the requirements of this section.

* * *

SECTION 3. Amendment. Chapter 30, "Unified Land Development Regulations," Article IV, "Development Permits – Applications, Requirements and Review Procedures," Division 10, "Notice of Public Hearings," Section 30-139 "Notice of Public Hearings" of the Town Code of Ordinances, is hereby amended as follows:

Chapter 30 – Unified Land Development Regulations

ARTICLE IV. Development Permits – Applications, Requirements and Review Procedures.

DIVISION 10. – Notice of Public Hearings

Sec. 30-139. - Notice of Public Hearings.

* * *

(b) *Mailed notice.*

* * *

(4) The DSD shall prepare the written notice and provide said notice to the Town Clerk who shall be responsible for mailing the notices—, with the exception of public participation meetings which shall be the responsibility of the applicant as set forth in section 30-114 of this Code.

* * *

Table XXX. Notice Requirements

Application Type	Florida Statute Reference	<u>Public Participation Meeting</u>	Board Notice Date (as applicable)	Commission Notice Date	Type of Notice			
					Website	Posted	Mailed 300'	Published (Ad Type)
Other development permits: administrative adjustments, appeals from administrative decisions, conditional uses, plats, site plans, variances,		<u>n/a</u>	10 days	10 days	X	X	X	n/a
<u>Conditional uses for signs</u>		<u>10 days</u>	<u>n/a</u>	<u>10 days</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>n/a</u>
<u>A variance for a single family home</u>		<u>n/a</u>	<u>10 days</u>	<u>10 days</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>n/a</u>
<u>Conditional uses, site plans, Level 2 site plan modifications, variances</u>		<u>10 days</u>	<u>10 days</u>	<u>10 days</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>n/a</u>
<u>Right-of-way vacations</u>		<u>10 days</u>	<u>10 days</u>	<u>10 days</u>	<u>X</u>			<u>X (Standard)</u>
Administrative decisions: Architectural Review, Conditional Use Level 1 Modification, Site Plan Level 1 Modification		<u>n/a</u>			n/a	n/a	n/a	n/a
Comprehensive Development Master Plan - Text	163.3184	<u>10 days</u>	10 days	7 days - 1st public hrg and 5 days - 2nd	X			X (Display)

Application Type	Florida Statute Reference	<u>Public Participation Meeting</u>	Board Notice Date (as applicable)	Commission Notice Date	Type of Notice			
					Website	Posted	Mailed 300'	Published (Ad Type)
				public hrg				
Comprehensive Development Master Plan - Map	163.3184	<u>10 days</u>	10 days	7 days - 1st public hrg and 5 days - 2nd public hrg	X	X	X	X (Display)
Land Development Code - Text Amendments changes to actual list of permitted, conditional, or prohibited uses within a zoning category).	166.041(3)(c) 2	<u>n/a</u>	10 days	7 days - 1st public hrg and 5 days - 2nd public hrg	X			X (Display)
Land Development Code - all other Text Amendments	166.041	<u>n/a</u>	10 days	10 days	X			X (Standard)
Zoning Map Change (chapter 30)—Town (less than 10 contiguous acres)	166.041(3)(c) 1	<u>10 days</u>	10 days	30 days	X		X	X (Standard)
Zoning Map Change (chapter 30)—Town (10 or more contiguous acres)	166.041(3)(c) 2	<u>10 days</u>	10 days	7 days - 1st public hrg 5 days - 2nd public hrg	X	X	X*	X* (Display, with map)

Application Type	Florida Statute Reference	<u>Public Participation Meeting</u>	Board Notice Date (as applicable)	Commission Notice Date	Type of Notice			
					Website	Posted	Mailed 300'	Published (Ad Type)
Zoning Map Change (chapter 30)—Owner	166.041(3)(a)	<u>10 days</u>	10 days	10 days	X	X	X	X (Standard)

SECTION 4. 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 5. 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 6. Conflicting Ordinances. All prior ordinances or resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent of said conflict.

SECTION 7. Effective Date. This Ordinance shall be in full force and effect immediately upon its passage on second reading.

Passed on the first reading, this 26th day of July, 2022.

Passed and adopted on the second reading, this ____ day of _____, 2022.

MAYOR CHRIS VINCENT

		First Reading	Second Reading
146			
147	Mayor Vincent	_____	_____
148	Vice-Mayor Malkoon	_____	_____
149	Commissioner Strauss	_____	_____
150	Commissioner Pouloupoulos	_____	_____
151	Commissioner Oldaker	_____	_____
152			
153			
154	ATTEST:		
155			
156			
157	_____		
158	Town Clerk, Katrina Adler		
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160	APPROVED AS TO FORM:		
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162			
163	_____		
164	Susan L. Trevarthen, Town Attorney		
165			



Town Commission Agenda Item Report

Meeting Date: August 24, 2022

Submitted By: Courtney Easley, Assistant to the Town Manager

Submitting Department: Administration

Item Type: Resolution

Subject Title: RESOLUTION 2022-38 A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING THE THIRD AMENDMENT TO THE SETTLEMENT AGREEMENT WITH BROWARD COUNTY FOR THE LITIGATION STYLED *CITY OF SUNRISE ET. AL. VS. BROWARD COUNTY*; AND PROVIDING AN EFFECTIVE DATE

Explanation: Pursuant to the RRB Asset Litigation Settlement Agreement, the cities were collectively paid \$32 million, and the Alpha 250 property was to be sold within one year (with the proceeds paid pro rata to the cities). The Town of Lauderdale-By-The-Sea is included as a Settling Municipality. The Original Settlement Agreement provided for the County and the Settling Municipalities to sell the parcel of land known as Alpha 250.

On June 28, 2016, the Commission approved the First Amendment to the Settlement Agreement, which delayed the sale of the Alpha 250 parcel so a joint independent study could be completed of solid waste issues in the County. On November 13, 2018, the Commission approved the Second Amendment to the Settlement Agreement, which extended the Sale Delay Period until October 11, 2019.

In late 2019, the County, the Settling Municipalities, and other municipalities established a Solid Waste Working Group ("SWWG"), a group of elected municipal and county officials, to jointly develop recommendations for a regional solid waste management system based on shared principles and commitments, including a mutually agreed governance structure. The County and the Settling Municipalities desire to further amend the Settlement Agreement to extend the Sale Delay Period for Alpha 250 and provide the SWWG additional time to conduct its work.

The County and settling municipalities desire to further amend the Settlement Agreement to extend the Sale Delay Period for Alpha 250 and provide the Solid Waste Working Group additional time to conduct its work. This Third amendment will extend the Sale Delay Period until October 11, 2023. The Sale Delay Period may be extended for up to three (3) additional periods, each up to one (1) year, with approvals from the County and the Mayors of the Settling Municipalities.

Recommendation: Approval of the third amendment to the RRB Asset Litigation Settlement Agreement.

Attachments: Ex. 1 Resolution 2022-38 Third Amendment
Ex. 2 Resolution 2018-39 Second Amendment
Ex. 3 Resolution 2016-24 First Amendment
Ex. 4 Resolution 2015-15 Agreement
Ex. 5 Third Amendment to RRB Settlement Agreement

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RESOLUTION NO. 2022-38

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING THE THIRD AMENDMENT TO THE SETTLEMENT AGREEMENT WITH BROWARD COUNTY FOR THE LITIGATION STYLED *CITY OF SUNRISE, ET AL. VS. BROWARD COUNTY*; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, in 2013, following the expiration of the Resource Recovery Board, the Town of Lauderdale-By-The-Sea and numerous municipalities sued Broward County seeking an equitable distribution of the remaining assets of the Resource Recovery Board, in the case styled *City of Sunrise, et al. vs. Broward County*, 17th Judicial Circuit Court Case No. CACE-013-015660 (the "RRB Litigation"); and

WHEREAS, on April 28, 2015, the Town Commission of the Town of Lauderdale-By-The-Sea, adopted Resolution No. 2015-15, authorizing the settlement of the RRB Litigation, and execution of a Settlement Agreement with Broward County (the "Settlement Agreement"); and

WHEREAS, by June 2015, the County and all of the other plaintiff municipalities in the RRB Litigation had also approved the Settlement Agreement and it became effective; and

WHEREAS, under the Settlement Agreement, the County paid \$32 million to the 23 municipalities distributed pro rata based upon tonnage, and also agree to sell a parcel of land known as Alpha 250, as further described in the Settlement Agreement ("Alpha 250"), the proceeds of which would also be distributed, pro rata, to the municipalities; and

WHEREAS, on June 28, 2016, the Town Commission adopted Resolution No. 2016-24, approving the First Amendment to the Settlement Agreement, agreeing to delay the sale of Alpha 250 while a joint independent study would be performed regarding the future of recycling and solid waste disposal in Broward County (the "Study"); and

WHEREAS, in June 2017, the County retained Arcadis, U.S., Inc., Kessler Consulting, Inc., Total Municipal Solutions, L.L.C., and GMAC Consulting, L.L.C. (collectively, the "Arcadis Team") to conduct the Study; and

WHEREAS, consistent with the First Amendment to the Settlement Agreement, the County Administrator and six designated mayors (the "Mayors") provided Written Approvals of Extension of Sale Delay Period Under First Amendment to Settlement Agreement until October 11, 2018; and

WHEREAS, in August 2018, the Arcadis Team concluded the Study and issued its Solid Waste and Recycling Issues Study Interim Final Report (the "Interim Final Report"); and

47
48 **WHEREAS**, in order to analyze and implement the Interim Final Report, the County and
49 the Settling Municipalities entered into a Second Amendment to the Settlement Agreement,
50 approved by the Town on November 13, 2018 by Resolution No. 2018-39, which further
51 extended the Sale Delay Period until October 11, 2019, which period could be further extended
52 for up to three additional periods, provided that any such additional extension be approved in
53 writing by the County Administrator and the Mayors; and
54

55 **WHEREAS**, in late 2019, the County, the Settling Municipalities, and other
56 municipalities established a Solid Waste Working Group ("SWWG"), a group of elected
57 municipal and county officials, to jointly develop recommendations for a regional solid waste
58 management system based on shared principles and commitments, including a mutually agreed
59 governance structure; and
60

61 **WHEREAS**, consistent with the Second Amendment to the Settlement Agreement, the
62 County Administrator and the Mayors provided Written Approvals of Extension of Sale Delay
63 Period Under Second Amendment to Settlement Agreement until October 11, 2022; and
64

65 **WHEREAS**, the SWWG continues to work collaboratively to develop a governance
66 structure for solid waste disposal and recycling and expects to present a proposed Interlocal
67 Agreement later this year to all municipalities in Broward County for consideration; and
68

69 **WHEREAS**, the County and the Settling Municipalities desire to further amend the
70 Settlement Agreement through the attached Third Amendment to Settlement Agreement to
71 further extend the Sale Delay Period for Alpha 250 to provide the SWWG additional time to
72 conduct its work.
73

74 **NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE**
75 **TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AS FOLLOWS:**
76

77 **Section 1.** The above referenced "Whereas" clauses are true and correct and made a
78 part of this Resolution.
79

80 **Section 2.** The Town Commission hereby approves the Third Amendment to the
81 Settlement Agreement, attached as Exhibit "A".
82

83 **Section 3.** The Town Manager is authorized to execute the Third Amendment to the
84 Settlement Agreement, attached as Exhibit "A," together with such non-substantial changes as are
85 acceptable to the Town Manager and approved as to form and legal sufficiency by the Town
86 Attorney.
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88 **Section 4.** The appropriate Town officials are authorized to execute all necessary
89 documents and to take all necessary steps to implement the aims of this Resolution.
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91 **Section 5.** This Resolution shall take effect immediately upon adoption.
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PASSED AND ADOPTED THIS ____ DAY OF _____, 2022.

TOWN OF LAUDERDALE-BY-THE-SEA

CHRIS VINCENT, MAYOR

ATTEST:

KATRINA ADLER, TOWN CLERK

APPROVED AS TO FORM:

SUSAN L. TREVARTEN, TOWN ATTORNEY

**LAUDERDALE-BY-THE-SEA, FLORIDA
RESOLUTION NO. 2018-39**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING THE SECOND AMENDMENT TO THE SETTLEMENT AGREEMENT WITH BROWARD COUNTY FOR THE LITIGATION STYLED CITY OF SUNRISE ET. AL. VS. BROWARD COUNTY.

WHEREAS, First, Broward County (the “County”) and several Broward municipalities entered into a Settlement Agreement to settle the litigation styled City of Sunrise et. al. vs. Broward County, 17th Judicial Circuit Court Case No. CACE-013-015660 (the municipalities defined in the Settlement Agreement as the Settling Municipalities shall be collectively referred to herein as the “Settling Municipalities”); and

WHEREAS, Second, on April 28, 2015, the City Commission of the Town of Lauderdale-By-The-Sea (the “Town”) adopted Resolution No. 2015-15 authorizing the settlement of the litigation styled City of Sunrise, et. al. vs. Broward County; authorizing the Town Manager to execute a Settlement Agreement with Broward County; and authorizing the Town Manager to execute a Settlement Proceeds Distribution Agreement with the Settling Municipalities; and

WHEREAS, Third, the Settlement Agreement provides for the County and the Settling Municipalities to agree to use their best efforts (and to take all reasonable steps) to sell the parcel of land known as Alpha 250, as further described in the Settlement Agreement (“Alpha 250”); and

WHEREAS, Fourth, on June 28, 2016, the Town Commission adopted Resolution No. 2016-24, approving the First Amendment to the Settlement Agreement, to delay the sale of Alpha 250 while a joint independent study is performed regarding the following issues:

- (i) how a 75% County-wide recycling goal may be reached;
- (ii) whether retaining public ownership of Alpha 250 would facilitate the meeting of that recycling goal or would provide other benefits in connection with solid waste disposal within Broward County; and
- (iii) general solid waste disposal issues as determined by the Working Group (as defined in the First Amendment), which may include options regarding flow control and potential governance or contractual structures for collaborative management of solid waste disposal; and

WHEREAS, Fifth, in June 2017, the County retained Arcadis, U.S., Inc., Kessler Consulting, Inc., Total Municipal Solutions, L.L.C., and GMAC Consulting, L.L.C. (collectively, the “Arcadis Team”) to conduct the study (the “Study”), which the Arcadis team commenced in October 2017; and

WHEREAS, Sixth, consistent with the First Amendment to the Settlement Agreement, the County Administrator and six designated mayors (the “Mayors”) provided Written Approval of Extension of Sale Delay Period Under First Amendment to Settlement Agreement until October 11, 2018, that further extended the sale delay period until October 11, 2018; and

WHEREAS, Seventh, in August 2018, the Arcadis Team concluded the Study and issued its Solid Waste and Recycling Issues Study Interim Final Report (the “Interim Final Report”), that summarizes the Arcadis Team’s findings based on the Study and includes its final evaluations and recommendations; and

WHEREAS, Eighth, in order to analyze the Interim Final Report and address the final evaluations and recommendations presented therein, the County and the Settling Municipalities desire to amend the Settlement Agreement to further extend the Sale Delay Period until October 11, 2019, which period may be further extended for up to three additional periods, provided that any such additional extension be approved in writing by the County

1 Administrator and the Mayors.

2
3 NOW, THEREFORE, BE IT RESOLVED by the Town Commission of the Town of Lauderdale-By-The-
4 Sea, Florida:

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6 Section 1: The foregoing recitals contained in the preamble to this Resolution are incorporated by
7 referenced herein.

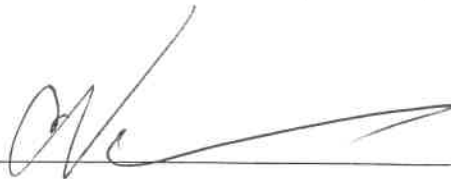
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9 Section 2: The Town Commission approves the Second Amendment to the Settlement Agreement,
10 attached as Exhibit "A".

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12 Section 3: The Town Manager is authorized to execute the Second Amendment to the Settlement
13 Agreement with the County, together with such non-substantial changes as are acceptable to the Town Manager
14 and approved as to form and legal sufficiency by the Town Attorney.

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16 Section 4: The appropriate Town officials are authorized to execute all necessary documents and to
17 take any necessary action to effectuate the intent of this Resolution.

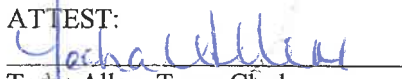
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19 Section 5: This Resolution shall take effect upon its adoption.

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21 PASSED AND ADOPTED by the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, this
22 13th day of November, 2018.

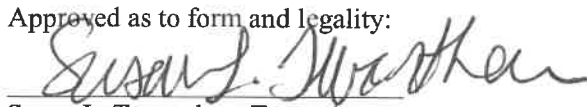
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Mayor Chris Vincent

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27 ATTEST:

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29 Tedia Allen, Town Clerk

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32 Approved as to form and legality:

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34 Susan L. Trevarthen, Town Attorney
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SECOND AMENDMENT TO SETTLEMENT AGREEMENT

This Second Amendment ("Second Amendment") to the Settlement Agreement (the "Settlement Agreement") by and between Broward County, Florida, a political subdivision of the State of Florida (the "County"), and the City of Sunrise, the City of Weston, the City of Hollywood, the City of Fort Lauderdale, the City of Lauderhill, the Town of Lauderdale-By-The-Sea, the City of Lighthouse Point, the City of Tamarac, the Town of Davie, the City of Plantation, the City of Coconut Creek, the City of Deerfield Beach, the City of Miramar, the City of Margate, the City of Cooper City, the City of North Lauderdale, the City of Coral Springs, the Town of Southwest Ranches, the City of Wilton Manors, the Town of Hillsboro Beach, and the Village of Sea Ranch Lakes, all political subdivisions of the State of Florida (individually, each is a "Settling Municipality"; collectively, the "Settling Municipalities"), is made and entered into as of the Second Amendment Effective Date (as defined below).

Recitals

A. In June 2015, the County and the Settling Municipalities entered into a Settlement Agreement to settle the litigation styled *City of Sunrise, et al. v. Broward County*, 17th Judicial Circuit Court Case No. CACE-013-015660.

B. The Settlement Agreement provides for the County and the Settling Municipalities to use their best efforts (and to take all reasonable steps) to sell the parcel of land known as Alpha 250, as further described in the Settlement Agreement ("Alpha 250").

C. The City of Lauderdale Lakes, the City of West Park, the City of Oakland Park, and the Town of Pembroke Park, all political subdivisions of the State of Florida (individually, each is a "Consenting Municipality"; collectively, the "Consenting Municipalities"), did not join the above-referenced litigation or the Settlement Agreement but instead entered into Interlocal Agreements Regarding Distribution of Solid Waste Disposal District Assets with the County pursuant to which they have received and will receive their respective *pro rata* shares of proceeds distributed under the terms of the Settlement Agreement, including their respective shares from any sale of Alpha 250.

D. In an amendment to the Settlement Agreement, dated June 9, 2016 (the "First Amendment"), the County and the Settling Municipalities agreed to delay the sale of Alpha 250 for one year from the effective date of the First Amendment (the "Sale Delay Period") to allow the County to procure a study (the "Study") for an evaluation and recommendations regarding how to reach a 75% County-wide recycling goal, what impact retaining public ownership of Alpha 250 would have on that recycling goal and County-wide solid waste disposal, and other general solid waste disposal issues that might be identified through the Study. The First Amendment provided that the Settlement Agreement may be further amended based upon the results of the Study. In addition, the First Amendment allowed the County and the Settling Municipalities to further extend the Sale Delay Period for an additional period of up to one year upon written

approval of the County Administrator and the Mayors of Coconut Creek, Fort Lauderdale, Hollywood, Miramar, Sunrise, and Weston (collectively, the "Mayors").

E. In June 2017, the County retained Arcadis, U.S., Inc., Kessler Consulting, Inc., Total Municipal Solutions, L.L.C., and GMAC Consulting, L.L.C. (collectively, the "Arcadis Team") to conduct the Study, which the Arcadis Team commenced in October 2017.

F. Thereafter, consistent with the First Amendment, the County Administrator and the Mayors provided Written Approval of Extension of Sale Delay Period Under First Amendment to Settlement Agreement Until October 11, 2018 (the "Written Approval of Extension"), which further extended the Sale Delay Period until October 11, 2018.

G. In August 2018, the Arcadis Team concluded the Study and issued its Solid Waste and Recycling Issues Study Interim Final Report (the "Interim Final Report"), which summarizes the Arcadis Team's findings based on the Study and includes its final evaluations and recommendations.

H. In order to analyze the Interim Final Report and address the final evaluations and recommendations presented therein, the County and the Settling Municipalities desire to amend the Settlement Agreement to further extend the Sale Delay Period under the terms and conditions stated herein.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. The foregoing recitals are true and correct, and are incorporated herein by reference.
2. Notwithstanding any provision to the contrary in the Settlement Agreement, the First Amendment, or the Written Approval of Extension, the County and the Settling Municipalities agree to extend the Sale Delay Period until October 11, 2019. The Sale Delay Period may be further extended for up to three additional periods, each for up to one year, provided that any such additional extension be approved in writing by the County Administrator and the Mayors.
3. Amendment Approval Process.
 - a. Once approved by the County Commission, this Second Amendment shall be presented for approval at public Commission/Council meetings at each of the Settling Municipalities and Consenting Municipalities (the County shall communicate this requirement to the Consenting Municipalities).
 - b. To be effective, this Second Amendment must, within one hundred twenty (120) days after approval by the County Commission: (1) be approved and executed by all Settling Municipalities, with concurrent notice attaching true copies thereof provided to the County; and (2) be consented to by each of the Consenting

Municipalities through a separate written instrument between the County (by and through the County Administrator) and each of the Consenting Municipalities in which each of the Consenting Municipalities agrees to the terms of the Second Amendment.

4. Effective Date. The date of the last approval and execution of this Second Amendment by a Settling Municipality, or the date of the last execution of a written instrument reflecting the consent of a Consenting Municipality, whichever is last, is the "Second Amendment Effective Date."

5. Except as otherwise revised in this Second Amendment, the terms and conditions of the original Settlement Agreement as modified by the First Amendment shall remain in full force and effect. Capitalized terms not otherwise defined herein shall have the meanings set forth in the Settlement Agreement or the First Amendment. The preparation of this Second Amendment has been a joint effort of the parties hereto and the resulting document shall not, solely as a matter of judicial construction, be construed more severely against any party hereto. In the event a portion of this Second Amendment is found by a court of competent jurisdiction to be invalid, the remaining provisions shall continue to be effective and the parties agree to negotiate in good faith to modify that portion of this Second Amendment in a manner designed to effectuate the original intent of the parties.

6. This Second Amendment may be executed in multiple originals, and may be executed in counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same agreement.

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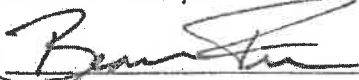
IN WITNESS WHEREOF, the parties hereto have made and executed this Second Amendment to the Settlement Agreement on the respective dates under each signature: BROWARD COUNTY, signing by and through its Mayor or Vice-Mayor, duly authorized to execute same by Board action on the 13th day of September, 2018, and the SETTLING MUNICIPALITIES, signing by and through their respective Mayors or other representatives duly authorized to execute same.

BROWARD COUNTY

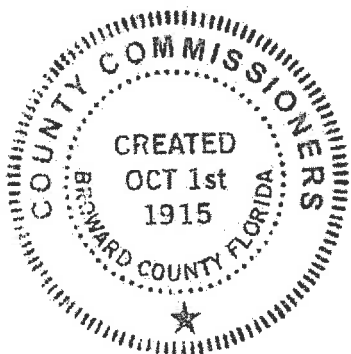
ATTEST:


Broward County Administrator, as
ex officio Clerk of the Broward County
Board of County Commissioners

BROWARD COUNTY, by and through
its Board of County Commissioners

By 
Mayor

20th day of September, 2018



Approved as to form by
Andrew J. Meyers
Broward County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-7641

By  08/29/18
Keoki M. Baron (Date)
Assistant County Attorney

KMB/ml
08/28/18
RRB Second Amendment to Settlement Agreement

SECOND AMENDMENT TO THE 2015 SETTLEMENT
AGREEMENT The Litigation Styled *City Of Sunrise, Et 01. V.
Broward County*, 17th Judicial Circuit Court Case No. CACE-013-
01S660.

Town of Lauderdale-By-The-Sea, Florida

ATTEST:

Tedra Allen, Town Clerk

Mayor Chris Vincent

_____th day of November, 2018.

Approved as to form and legality:

By: _____
Susan L. Trevarthen, Town Attorney

_____th day of November, 2018.

Bud Bentley, Town Manager

_____th day of November, 2018.

RESOLUTION NO. 2016-24

A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING THE FIRST AMENDMENT TO THE SETTLEMENT AGREEMENT WITH BROWARD COUNTY FOR THE LITIGATION STYLED *CITY OF SUNRISE ET. AL. V BROWARD COUNTY*; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Broward County (the “County”) and several Broward municipalities entered into a Settlement Agreement to settle the litigation styled *City of Sunrise et. al. v Broward County*, 17th Judicial Circuit Court Case No. CACE-013-015660 (the municipalities defined in the Settlement Agreement as the Settling Municipalities shall be collectively referred to herein as the “Settling Municipalities”); and

WHEREAS, the Settlement Agreement provides for the County and the Settling Municipalities to agree to use their best efforts (and to take all reasonable steps) to sell the parcel of land known as Alpha 250, as further described in the Settlement Agreement (“Alpha 250”); and

WHEREAS, the County and the Settling Municipalities desire to amend the Settlement Agreement to delay the sale of Alpha 250 while a joint independent study is performed regarding the following issues:

- (i) how a 75% County-wide recycling goal may be reached;
- (ii) whether retaining public ownership of Alpha 250 would facilitate the meeting of that recycling goal or would provide other benefits in connection with solid waste disposal within Broward County; and
- (iii) general solid waste disposal issues as determined by the Working Group (as defined in the First Amendment), which may include options regarding flow control and potential governance or contractual structures for collaborative management of solid waste disposal.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, THAT:

Section 1. Legislative Findings/Recitals. The above recitals are hereby adopted by the Town of Lauderdale-By-The-Sea as its legislative findings relative to the subjects and matters set forth in this Resolution.

Section 2. Approval of First Amendment to the Settlement Agreement. The First Amendment to Settlement Agreement, attached as Exhibit “A”, is hereby approved.

Section 3. Authorization to Execute First Amendment. The appropriate Town officials are authorized to execute the First Amendment to Settlement Agreement, attached as Exhibit “A”, together with such non-substantive changes as are acceptable to the Town Manager

and approved as to form and legal sufficiency by the Town Attorney.

Section 4. Implementing Actions. The Town Manager and the Town Attorney are hereby authorized to take any actions necessary to implement the aims of this Resolution.

Section 5. Severability. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, it is the intent of the Town Commission that such invalidity shall not affect other provisions or applications of the Resolution which can be given effect without the invalid provision or application and, to this end, the provisions of this Resolution are declared severable.

Section 6. Conflicts. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

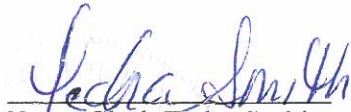
Section 7. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 25th day of June, 2016.



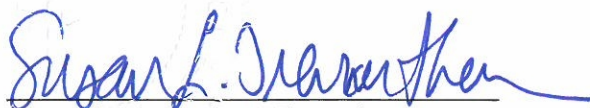
Mayor Scot Sasser

Attest:



Town Clerk Tedra Smith

APPROVED AS TO FORM:



Susan L. Trevarthen, Town Attorney

Exhibit "A" to Resolution 2016-24 EXHIBIT I

FIRST AMENDMENT TO SETTLEMENT AGREEMENT

THIS FIRST AMENDMENT (the "Amendment") to the Settlement Agreement (the "Settlement Agreement") by and between Broward County, Florida, a political subdivision of the State of Florida, (the "County") and the City of Sunrise, the City of Weston, the City of Hollywood, the City of Fort Lauderdale, the City of Lauderdale, the Town of Lauderdale-By-The-Sea, the City of Lighthouse Point, the City of Tamarac, the Town of Davie, the City of Plantation, the City of Coconut Creek, the City of Deerfield Beach, the City of Miramar, the City of Margate, the City of Cooper City, the City of North Lauderdale, the City of Coral Springs, the Town of Southwest Ranches, the City of Wilton Manors, the Town of Hillsboro Beach, and the Village of Sea Ranch Lakes, all political subdivisions of the State of Florida, (individually, each is a "Settling Municipality"; collectively, the "Settling Municipalities") is made and entered into as of the Amendment Effective Date (as defined below).

RECITALS

A. The County and the Settling Municipalities entered into a Settlement Agreement to settle the litigation styled *City of Sunrise, et al. v Broward County*, 17th Judicial Circuit Court Case No. CACE-013-015660.

B. The Settlement Agreement provides for the County and the Settling Municipalities to agree to use their best efforts (and to take all reasonable steps) to sell the parcel of land known as Alpha 250, as further described in the Settlement Agreement ("Alpha 250").

C. The County and the Settling Municipalities desire to amend the Settlement Agreement to delay the sale of Alpha 250 under the terms and conditions stated herein.

D. The City of Lauderdale Lakes, the City of West Park, the City of Oakland Park, and the Town of Pembroke Park, all political subdivisions of the State of Florida (individually, each is a "Consenting Municipality"; collectively, the "Consenting Municipalities"), did not join the Settlement Agreement but instead entered into Interlocal Agreements Regarding Distribution of Solid Waste Disposal District Assets with the County pursuant to which they have received and will receive their respective *pro rata* shares of proceeds distributed under the terms of the Settlement Agreement, including their respective shares from any sale of Alpha 250.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. The above-stated recitals are true and correct and are incorporated into this Amendment by this reference.

2. Notwithstanding any provision to the contrary in the Settlement Agreement, the County and the Settling Municipalities agree that the sale of Alpha 250 shall be delayed for a period of one year from the Amendment Effective Date (the "Sale Delay Period"). The Sale Delay Period may be further extended for an additional period of up to one year upon written approval of the

Exhibit "A" to Resolution 2016-24

County Administrator and the Mayors of Coconut Creek, Fort Lauderdale, Hollywood, Miramar, Sunrise, and Weston (collectively, the "Mayors").

3. During the Sale Delay Period, the County shall procure a study (the "Study") in an amount not to exceed two hundred thousand dollars (\$200,000), which shall be paid for as described in paragraph 7 below. The Study shall evaluate and provide recommendations regarding the following general areas:
 - a. How a 75% County-wide recycling goal may be reached;
 - b. Whether retaining public ownership of Alpha 250 would facilitate the meeting of that recycling goal or would provide other benefits in connection with solid waste disposal within Broward County; and
 - c. General solid waste disposal issues as determined by the Working Group (as defined below), which may include options regarding flow control and potential governance or contractual structures for collaborative management of solid waste disposal.
4. A more detailed scope of the Study will be developed within the above-referenced budgeted amount by a working group (the "Working Group") consisting of:
 - a. Three (3) municipal staff members selected by the Mayors; and
 - b. Three (3) County staff members selected by the County Administrator.
5. The Working Group and its individual members shall also interact with the consultant during the course of the Study to ensure a balanced and independent study of the stated issues.
6. The Study consultant shall be selected in a manner consistent with the County's Procurement Code. The Mayors, directly and through their Working Group members, shall have input into this procurement process, and shall appoint one person to serve on the County's committee that will evaluate the responses submitted by interested consultants.
7. The County shall pay the up-front cost of the Study, and shall recover fifty percent (50%) of the cost of the Study (the "Municipal Share") as follows if either of the following circumstances occur: (a) if Alpha 250 is sold to a third party with the closing of the sale occurring within five (5) years after the Study completion date, the County shall deduct the Municipal Share from the Alpha 250 sales proceeds before the County deposits the net proceeds of the sale into the trust account described in Section 4D of the Settlement Agreement; or (b) if the County, within five (5) years after the Study completion date, exercises its right under the Settlement Agreement to pay the net sales amount and retain Alpha 250, the County shall deduct the Municipal Share from the net sales amount the County deposits into the trust account described in Section 4D of the Settlement Agreement.
8. Based upon the results of the Study, the parties may agree to further amend the Settlement Agreement.

Exhibit "A" to Resolution 2016-24

9. Amendment Approval Process.

- a. Once approved by the County Commission, this Amendment shall be presented for approval at public Commission/Council meetings at each of the Settling Municipalities and the Consenting Municipalities (the County shall communicate this requirement to the Consenting Municipalities).
- b. To be effective, this Amendment must, within one hundred twenty (120) days after approval by the County Commission: (1) be approved and executed by all Settling Municipalities, with notice attaching true copies thereof provided to the County; and (2) be consented to by each of the Consenting Municipalities through a separate written instrument between the County (by and through the County Administrator) and each of the Consenting Municipalities in which each of the Consenting Municipalities agrees to the terms of the Amendment generally, and specifically to the payment for the Municipal Share of the Study as described above in paragraph 7.

10. *Effective Date.* The date of the last approval and execution of this Amendment by a Settling Municipality, or the date of the last execution of a written instrument reflecting the consent of a Consenting Municipality, whichever is last, is the "Amendment Effective Date."

11. Except as otherwise revised in this Amendment, the terms and conditions of the original Settlement Agreement shall remain in full force and effect. The preparation of this Amendment has been a joint effort of the parties hereto and the resulting document shall not, solely as a matter of judicial construction, be construed more severely against any party hereto. In the event a portion of this Amendment is found by a court of competent jurisdiction to be invalid, the remaining provisions shall continue to be effective and the parties agree to negotiate in good faith to modify that portion of this Amendment in a manner designed to effectuate the original intent of the parties. This Amendment may be executed in counterparts.

Exhibit "A" to Resolution 2016-24

IN WITNESS WHEREOF, the parties have made and executed this Agreement on the respective dates under each signature: BROWARD COUNTY, signing by and through its Mayor or Vice-Mayor, duly authorized to execute same by Board action on the ____ day of June, 2016, and the SETTLING MUNICIPALITIES, signing by and through their respective Mayors, duly authorized to execute same.

BROWARD COUNTY

ATTEST:

BROWARD COUNTY, by and through
its Board of County Commissioners

Broward County Administrator, as
Ex-officio Clerk of the Broward County
Board of County Commissioners

By _____
Mayor

____ day of June, 2016

Approved as to form by
Joni Armstrong Coffey
Broward County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-7641

By:



Andrew J. Meyers
Chief Deputy County Attorney

9th day of June, 2016

Exhibit "A" to Resolution 2016-24

[NAME OF MUNICIPALITY]

ATTEST:

_____ OF _____

_____, City Clerk

By:

_____, Mayor
____ day of _____, 2016

Approved as to form and legality:

By: _____
_____, City Attorney

By:

_____, City Manager
____ day of _____, 2016

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A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AUTHORIZING THE SETTLEMENT OF THE LITIGATION STYLED *CITY OF SUNRISE, ET. AL. VS. BROWARD COUNTY*; AUTHORIZING THE TOWN MANAGER TO EXECUTE A SETTLEMENT AGREEMENT WITH BROWARD COUNTY; AUTHORIZING THE TOWN MANAGER TO EXECUTE A SETTLEMENT PROCEEDS DISTRIBUTION AGREEMENT WITH THE SETTLING MUNICIPALITIES.

WHEREAS, the Town of Lauderdale-By-The-Sea (the “Town”) was a party to the November 1986 Interlocal Agreement with Broward County (the “County”) for Solid Waste Disposal Service, as amended (the “Interlocal Agreement”); and

WHEREAS, the Interlocal Agreement provided for the creation of the Broward Solid Waste Disposal District (the “District”) and required the participating governmental entities to send the solid waste generated within their boundaries to be transported, delivered and disposed of at designated District waste disposal facilities; and

WHEREAS, the participating governmental entities directed solid waste generated within their boundaries to be disposed of at the designated District waste disposal facilities;

WHEREAS, the Interlocal Agreement expired on July 2, 2013; and

WHEREAS, Section 15.2 of the Interlocal Agreement provided for the equitable distribution of the assets and liabilities of the District to the participating governmental entities and the County upon the expiration of the Interlocal Agreement; and

WHEREAS, the participating governmental entities and the County disagreed as to the identification and distribution of the assets and liabilities of the District; and

30 **WHEREAS**, the Town, together with seventeen other participating governmental entities,
31 are plaintiffs (the “Plaintiff Municipalities”) in the litigation styled *City of Sunrise et. al. v Broward*
32 *County*, 17th Judicial Circuit Court Case No. CACE-013-015660 (the “Litigation”), which seeks a
33 declaration regarding the assets and liabilities subject to equitable distribution; and

34 **WHEREAS**, on January 17, 2014, the parties to the Litigation held a joint public
35 meeting of elected officials pursuant to Chapter 164, Fla. Stat., and agreed to proceed with
36 mediation; and

37 **WHEREAS**, the Plaintiff Municipalities and the County participated in the mediation
38 process and initially reached an impasse; and

39 **WHEREAS**, thereafter, representatives of the parties to the Litigation entered into
40 negotiations regarding the terms of a possible settlement; and

41 **WHEREAS**, the Plaintiff Municipalities and the County have negotiated a Settlement
42 Agreement, attached as Exhibit “A”, (the “Settlement Agreement”) to settle the Litigation under
43 the terms and conditions set forth in the Settlement Agreement; and

44 **WHEREAS**, the Settlement Agreement provides for the County to make certain
45 payments into a trust account designated by the Plaintiff Municipalities (the “Trust Account”),
46 and funds deposited into the Trust Account by the County (the “Trust Account Funds”) are to be
47 distributed to the Settling Municipalities pursuant to an agreement among the Settling
48 Municipalities that provides for pro rata allocation of expenses and pro rata distribution of funds
49 based upon the 2012 Tonnage Schedule; and

50 **WHEREAS**, in February and March of 2015, the Settlement Agreement was approved
51 by the City of Sunrise, the City of Weston, the City of Miramar, the City of Hollywood, and the
52 City of Fort Lauderdale; and

53 **WHEREAS**, on April 7, 2015, the Settlement Agreement was approved by Broward
54 County; and

55 **WHEREAS**, in order to implement the Settlement Agreement, the Town and the other
56 participating governmental entities that approve and execute the Settlement Agreement
57 (collectively, the “Settling Municipalities”) have negotiated a Settlement Proceeds Distribution
58 Agreement, attached as Exhibit “B”, (the “Settling Municipalities Agreement”) to provide for the
59 pro rata allocation of expenses and pro rata distribution of Trust Account Funds under the terms
60 and conditions set forth in the Settling Municipalities Agreement.

61 **NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF**
62 **THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA:**

63 **SECTION 1:** The foregoing recitals contained in the preamble to this Resolution
64 are incorporated by reference herein.

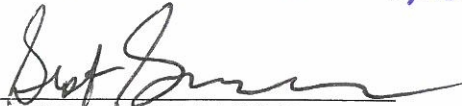
65 **SECTION 2:** The Town Commission authorizes the settlement of the Litigation
66 under the terms and conditions set forth in the Settlement Agreement.

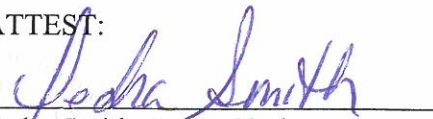
67 **SECTION 3:** The Town Manager is authorized to execute the Settlement
68 Agreement with the County, attached as Exhibit “A,” and the Settling Municipalities Agreement
69 with the Settling Municipalities, attached as Exhibit “B”, together with such non-substantial
70 changes as are acceptable to the Town Manager and approved as to form and legal sufficiency by
71 the Town Attorney.

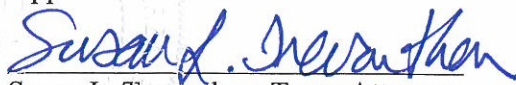
72 **SECTION 4:** The appropriate Town officials are authorized to execute all
73 necessary documents and to take any necessary action to effectuate the settlement authorized in
74 this Resolution and the intent of this Resolution.

76 **SECTION 5:** This Resolution shall take effect upon its adoption.

77
78 **PASSED AND ADOPTED** this 28th of April, 2015.

79
80 
81 MAYOR SCOT SASSER

82
83 **ATTEST:**
84 
85 Tedra Smith, Town Clerk

86
87 **Approved as to form:**
88 
89 Susan L. Trevarthen, Town Attorney

90

Exhibit A to Resolution 2015-15

SETTLEMENT AGREEMENT

THIS SETTLEMENT AGREEMENT (the "Agreement") is made and entered into as of the Effective Date (as defined below) by and between Broward County, Florida, a political subdivision of the State of Florida, (the "County") and the City of Sunrise, the City of Weston, the City of Hollywood, the City of Fort Lauderdale, the City of Lauderhill, the Town of Lauderdale-By-The-Sea, the City of Lighthouse Point, the City of Tamarac, the Town of Davie, the City of Plantation, the City of Coconut Creek, the City of Deerfield Beach, the City of Miramar, the City of Margate, the City of Cooper City, the City of North Lauderdale, the City of Coral Springs, and the Town of Southwest Ranches, all political subdivisions of the State of Florida, (individually each is a "Plaintiff Municipality," collectively, the "Plaintiff Municipalities") and any non-plaintiff municipalities that were party to the November 1986 Interlocal Agreement with Broward County for Solid Waste Disposal Service, as amended, (the "Interlocal Agreement") that timely approve and execute this Agreement (individually each is a "Non-Plaintiff ILA Municipality," collectively, the "Non-Plaintiff ILA Municipalities") (collectively, the Plaintiff Municipalities and Non-Plaintiff ILA Municipalities that timely approve and execute this Agreement are the "Settling Municipalities").

RECITALS:

WHEREAS, the Interlocal Agreement provided for the creation of the Broward Solid Waste Disposal District (the "District") and required the participating governmental entities to send the solid waste generated within their boundaries to be transported, delivered, and disposed of at designated District waste disposal facilities;

WHEREAS, the participating governmental entities directed solid waste generated within their boundaries to be disposed of at the designated District waste disposal facilities;

WHEREAS, the tonnage directed to District waste disposal facilities in 2012 by the parties to the Interlocal Agreement is reflected in the 2012 Tonnage Schedule, attached and incorporated into this Agreement by this reference as Exhibit "A" (the "2012 Tonnage Schedule");

WHEREAS, the Interlocal Agreement expired on July 2, 2013;

WHEREAS, Section 15.2 of the Interlocal Agreement provided for the equitable distribution of the assets and liabilities of the District to the participating governmental entities and the County (including the unincorporated portions of Broward County) upon the expiration of the Interlocal Agreement;

WHEREAS, the Plaintiff Municipalities and the County disagreed as to the identification and distribution of the assets and liabilities of the District;

Exhibit A to Resolution 2015-15

WHEREAS, on June 28, 2013, the Plaintiff Municipalities filed a lawsuit against the County in the litigation styled *City of Sunrise et. al. v Broward County*, 17th Judicial Circuit Court Case No. CACE-013-015660 (the "Litigation"), which sought a declaration regarding the assets and liabilities subject to equitable distribution;

WHEREAS, on January 17, 2014, the parties to the Litigation held a joint public meeting of elected officials pursuant to Chapter 164, Fla. Stat., and agreed to proceed with mediation;

WHEREAS, the Plaintiff Municipalities and the County participated in the mediation process and initially reached an impasse;

WHEREAS, thereafter, representatives of the parties to the Litigation entered into negotiations regarding conceptual terms of a possible settlement; and

WHEREAS, the Settling Municipalities and the County desire to fully and finally settle the Litigation under the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the covenants contained herein and for other good and valuable consideration, the receipt and sufficiency of which is acknowledged and agreed upon, the parties agree as follows:

1. Recitals: The above recitals are true and correct and are incorporated into this Agreement by this reference.

2. Real Property:

A. Identification of Properties.

1. *South Resource Recovery Site including the Ash Monofill.* The South Resource Recovery Site including the Ash Monofill (which includes property appraiser parcel numbers 504125200010, 504125200020, and 504125200021, and all property upon which the south resource recovery facility, including the ash monofill, plant, and related improvements are located), all as depicted in Exhibit "B" attached and incorporated into this Agreement by this reference (the "Ash Monofill");

2. *BIC Landfill.* The Broward Interim Contingency Landfill a/k/a Southwest Regional Landfill, including property appraiser parcel number 513903030010, as depicted in Exhibit "C" attached and incorporated into this Agreement by this reference (the "BIC Landfill");

3. *Mitigation Properties.* All mitigation properties associated with the Ash Monofill and BIC Landfill, as set forth in the documents attached and incorporated into this Agreement by this reference as Exhibit "D" (the "Mitigation Properties"); and

Exhibit A to Resolution 2015-15

4. *Alpha 250*. Alpha 250 North, Parcel E, as shown in the plat for Alpha 250 North, recorded in Plat Book 180 at page 14 of the Public Records of Broward County, Florida, as depicted on the aerial attached and incorporated into this Agreement by this reference as Exhibit "E" ("Alpha 250").
- B. Treatment of Properties.
1. *County Retained Properties*. The Settling Municipalities and the County acknowledge and agree that the Ash Monofill, BIC Landfill, and the Mitigation Properties (collectively, the "Retained Properties") are owned and shall continue to be owned by the County, and the Settling Municipalities renounce any right in and to the Retained Properties, except as expressly stated in this Agreement and except for any current, express, contractual right to use any Retained Property for solid waste disposal for the length of the contractual period.
2. *County Use of Retained Properties*. As owner of the Retained Properties, the County has the right to use the Retained Properties and any and all revenues derived therefrom, to make the Retained Properties available for the use of others (including, for consideration, under contracts for solid waste disposal), and to convey or dispose of the Retained Properties (subject to the limitations and terms stated in Section 2(C) of this Agreement) on the terms and conditions determined by the County in its sole discretion (subject to any legal prohibitions or requirements).
3. *Sale of Alpha 250*. The Settling Municipalities and the County agree that Alpha 250 shall be sold (or paid for by the County) subject to the terms and conditions of Section 4 of this Agreement with all proceeds to be distributed as provided in Section 4.
- C. *Restriction on Sale of BIC Landfill*. The County shall not sell the BIC Landfill within 10 years after the Effective Date (as defined below), except with the prior written consent of each and every Settling Municipality. Any lease of over 50% of the BIC Landfill for a period exceeding thirty (30) years (including renewal options) shall be deemed to be a sale. Except with regard to a lease deemed to be a sale as provided in the preceding sentence, the parties agree that nothing in this Agreement or in any prior agreement between any of the parties hereto limits the County's right, at any time, to lease any portion of the BIC Landfill to generate revenue, provided that any lease payments received within ten (10) years after the Effective Date shall be used to pay for regional solid waste disposal facilities (acquisition, operation, maintenance, etc.) or services including, if desired by the County, regional recycling services. Within sixty (60) days

Exhibit A to Resolution 2015-15

after the Effective Date, the County shall record, in the Official Real Property Records of Broward County, Florida, a Memorandum of Settlement Agreement providing the Effective Date and stating the terms of this paragraph.

3. Cash Payment to Settling Municipalities: Within 30 days after the Effective Date, the County shall pay \$32,000,000 (Thirty-Two Million Dollars) less the deductions stated in Section 3(A) and (B) below (\$32,000,000 minus the deductions stated below is the "Cash Amount") into a trust account designated by the Plaintiff Municipalities, which funds shall be distributed as provided in Section 3(C) below.

A. *Unincorporated Area Deduction.* The County's pro rata share allocation (1.2871%) for the unincorporated area based on the 2012 Tonnage Schedule shall be deducted and retained by the County.

B. *Non-Settling ILA Municipality Deduction.* It is anticipated that some or all of the 8 municipalities that were a party to the Interlocal Agreement that are not a party to the Litigation will approve and execute this Agreement. For any of these eight municipalities that do not timely approve and execute this Agreement, and, with regard to the waiver referenced in Section 11(C) below, for any Plaintiff Municipality that does not timely approve and execute this Agreement (each is a "Non-Settling ILA Municipality"), their pro rata share (based on the 2012 Tonnage Schedule) shall be deducted and shall be retained by the County (nothing herein restricts the County's right, or requires the County, to distribute any of such funds to any Non-Settling ILA Municipality).

C. *Distribution of Cash Amount.* The Cash Amount shall be distributed to the Settling Municipalities pursuant to the terms of a separate agreement among the Settling Municipalities (which shall provide for pro rata allocation of expenses and pro rata distribution based upon the 2012 Tonnage Schedule) (the "Settling Municipalities Agreement").

4. Alpha 250 Property Sale:

A. Alpha 250 is currently vacant and undeveloped, and has not been used for any solid waste disposal purposes. If the County retains Alpha 250, it could potentially be used as a transfer station. The parties acknowledge that the sale of Alpha 250 contemplated by this Agreement would make the property unavailable for use by the County as a future transfer station, although any purchaser of the Alpha 250 property could potentially put the property to such use.

Exhibit A to Resolution 2015-15

B. *Removal of Deed Restrictions.* Within 45 days after the Effective Date (or at the first County Commission public hearing thereafter if a delay is necessary due to a County Commission recess), and in accordance with all public hearing requirements, the County agrees to remove the deed restrictions placed on Alpha 250 pursuant to the Declaration of Covenants and Restrictions dated June 4, 2013. Additionally, to the extent practicable, the County shall work with the Settling Municipalities to address any and all other title encumbrances or restrictions within the County's control that may negatively impact the market value of Alpha 250.

C. *Sale of Alpha 250.* The County and the Settling Municipalities agree to use their best efforts (and to take all reasonable steps) to sell Alpha 250. The County shall conduct the sales process by sealed competitive bid to the highest responsive and responsible bidder, with input (regarding the solicitation specifications) from the Mayors of Fort Lauderdale, Hollywood, Miramar, Sunrise, and Weston, in accordance with Section 1-4 of the Broward County Code and applicable state law. The County shall commence the sales process within 60 days after the Effective Date. To the extent permissible under applicable law, if a majority of the Mayors of Fort Lauderdale, Hollywood, Miramar, Sunrise, and Weston notify the County in writing, by email to the County Administrator and Chief Deputy County Attorney (Bertha Henry at bhenry@broward.org with a copy to Andrew Meyers at ameyers@broward.org), within fifteen (15) business days after the bid opening that they believe the sales price is inadequate, the County shall reject all bids as being too low and otherwise not in the best interest of the County. If that occurs, a second and final sales process shall commence between twelve and eighteen months thereafter (with the timing determined by the County after consideration of input from the five Mayors). In the first sales process (unless the majority of the Mayors of Fort Lauderdale, Hollywood, Miramar, Sunrise, and Weston notify the County that they believe the sales price is too low as referenced above) and, if applicable, in the second sales process, the County may reject all bids consistent with applicable law and, instead of selling Alpha 250, agree to pay the net amount that would have been realized through a sale to the highest responsive and responsible bidder. Payment of that net sales amount shall fully satisfy the County's obligations under this Agreement related to the sale of Alpha 250.

D. *Payment of Alpha 250 Sales Proceeds.* Within 30 days after the County's receipt of the Alpha 250 sales proceeds (or within 30 days after the County's decision to purchase Alpha 250 consistent with Section 4(C) above), the County shall pay into a trust account

Exhibit A to Resolution 2015-15

designated by the Plaintiff Municipalities an amount equal to the net proceeds from the sale (after deducting all sales related expenses, including appraisal costs), minus the County's pro rata share for the unincorporated areas based on the 2012 Tonnage Schedule (and also minus the pro rata allocation to any Non-Settling ILA Municipality). The funds paid into the referenced trust account shall be distributed to the Settling Municipalities pursuant to the terms of the Settling Municipalities Agreement (which shall provide for pro rata allocation of expenses and pro rata distribution based upon the 2012 Tonnage Schedule).

E. *Wetlands Mitigation Properties.* Pursuant to a February 24, 2009 Irrevocable License Agreement (the "License Agreement") between Broward County and Industrial Developments International, Inc. ("IDI"), IDI is required to perpetually maintain, at its expense, the wetlands mitigation properties associated with Alpha 250, which are not part of the Mitigation Properties identified in Exhibit D. The County shall assign its rights in and to the License Agreement to any purchaser of Alpha 250, and as part of the purchase transaction that purchaser shall agree to assume such maintenance obligation that is allocable to the purchased Alpha 250 parcel to the extent IDI ceases to perform the obligation.

5. **Solid Waste and ILA related Funds in County's Possession:** All remaining solid waste and Interlocal Agreement related funds currently in the possession of the County, and all future revenues generated by, resulting from, relating to, or received in connection with the Retained Properties (and Alpha 250 if the County pays for and retains it consistent with the terms of this Agreement) or generated by, resulting from, relating to, or received in connection with any agreement expressly providing for the payment of any sums to the County in connection with solid waste disposal services or facilities (except to the extent any provision of any such agreement expressly provides for the payment of any sums to any Settling Municipality), belong to the County for use by the County as it determines in its sole discretion.

6. **Liabilities Related To Use of Retained Properties:** Any and all liabilities resulting from, related to, or in connection with the past, present, or future use of any of the Retained Properties by any party to this Agreement shall be determined pursuant to applicable federal and state laws and regulations, including without limitation RCRA, CERCLA, and Chapters 376 and 403, Florida Statutes, without regard to any provision in any prior agreement between the County and that party (including any provision of the Interlocal Agreement or any amendment thereto).

Exhibit A to Resolution 2015-15

7. **Release from Claims:** Each Settling Municipality hereby releases the County, and the County hereby releases each Settling Municipality, from all claims resulting from or arising out of the Interlocal Agreement (except with regard to any claim for contribution or similar claim based on any environmental contamination, which shall be addressed consistent with Section 6 above). This release does not extend to any claim based on any contract currently in effect between the County and any Settling Municipality related to solid waste disposal.

8. **Settlement of Disputed Claims:** The Settling Municipalities and the County acknowledge that this Agreement represents a settlement of disputed claims and is not an admission by either party of any wrongdoing.

9. **Dismissal of Litigation:** All Plaintiff Municipalities entering into this Agreement agree to file a Notice of Voluntary Dismissal with Prejudice in the Litigation within 5 business days after the County pays the Cash Amount in accordance with Section 3 of this Agreement.

10. **Attorney's Fees and Costs:** The Settling Municipalities and the County shall each be responsible for their own respective attorneys' fees and costs (including their own respective experts' costs) incurred as a result of the Litigation and this Agreement (except that the Settling Municipalities' respective attorneys' fees and costs, and expert costs, shall be paid by the Settling Municipalities as provided in the Settling Municipalities Agreement).

11. **Approval Process; Conditions Precedent; Effective Date:**

A. *Approval by Five Plaintiff Municipalities.* This Agreement shall be presented for approval at public Commission meetings held by Fort Lauderdale, Hollywood, Miramar, Sunrise, and Weston, and these five cities shall vote on the Agreement at public meetings by March 20, 2015 (or no later than the first City Commission public meeting thereafter if a delay is necessary due to a City Commission recess). Counsel for these municipalities shall provide email notice of the outcome of each of these votes to Andrew Meyers at ameyers@broward.org within three (3) business days after the vote occurs.

B. *County Commission Approval.* If this Agreement is approved by all five cities in accordance with Section 11(A) above, the County Commission shall vote on this Agreement at a public meeting held within 30 days after formal approval of this Agreement by the last of these five cities (or no later than the first County Commission public meeting thereafter if a delay is necessary due to a County Commission recess). If approved by the County Commission, this Agreement shall then be presented for approval at public Commission/Council meetings at each of the remaining Plaintiff Municipalities and at each

Exhibit A to Resolution 2015-15

other municipality that was a party to the Interlocal Agreement that wishes to consider joining this Agreement.

C. *Condition Precedent; County Waiver.* To be effective, this Agreement must be approved and executed by all Plaintiff Municipalities and the County within one hundred twenty (120) days after formal approval of this Agreement by the County Commission in accordance with Section 11(B) above. If fewer than all Plaintiff Municipalities approve and execute this Agreement, the County may waive this condition in writing within thirty (30) days after such one hundred twenty (120) day period, in which event this Agreement shall be effective with regard to all parties timely approving and executing this Agreement, and the County shall retain the pro rata distributions that would otherwise have been provided to the Plaintiff Municipality had it timely approved and executed this Agreement (without any deduction for costs or attorneys' fees).

D. *Effective Date.* The date of the last approval and execution of this Agreement by a Plaintiff Municipality, or, if not all Plaintiff Municipalities approve and execute, the date on which the County waives the condition in writing as provided in Section 11(C), is the "Effective Date" of this Agreement.

12. Notices: Except as otherwise specified in this Agreement, any notices required under the terms and conditions of this Agreement shall be provided in writing and sent by U.S. Mail, certified, return receipt requested, as follows:

As to County: Bertha Henry, County Administrator
Broward County
115 S. Andrews Avenue, Room 409
Fort Lauderdale, FL 33301

With a copy to: Andrew J. Meyers, Esq.
Chief Deputy County Attorney
Broward County Attorney's Office
115 S. Andrews Avenue, Room 423
Fort Lauderdale, FL 33301

As to Settling
Municipalities: See Notice Recipient on each
Settling Municipality's signature page

With a copy to: Jamie Alan Cole, Esq.
Weiss Serota Helfman Pastoriza
Cole & Boniske, P.L.
200 East Broward Blvd., Suite 1900
Fort Lauderdale, FL 33301

Exhibit A to Resolution 2015-15

13. Entire Agreement: This Agreement constitutes the entire Agreement between the parties and supersedes and cancels any other agreement, representation, or communication, whether oral or written, between the parties, relating to the transactions contemplated by or the subject matter of the Agreement. This Agreement may not be amended, modified, or changed in any respect except by an agreement in writing signed by the parties to this Agreement. This Agreement does not supersede or cancel any contract currently in effect between the County and any Settling Municipality related to solid waste disposal.

14. Headings: The section and subsection headings in this Agreement are inserted for convenience only and shall not affect in any way the meaning or interpretations of this Agreement.

15. Governing Law: This Agreement shall be governed by, construed and enforced in accordance with the laws of the State of Florida.

16. Counterparts: This Agreement may be executed simultaneously in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

17. Venue: If litigation shall be instituted between the parties regarding the provisions of this Agreement, venue shall be in Broward County, Florida.

18. Joint Preparation: The preparation of this Agreement has been a joint effort of the parties hereto and the resulting document shall not, solely as a matter of judicial construction, be construed more severely against any party hereto.

19. Severability: In the event a portion of this Agreement is found by a court of competent jurisdiction to be invalid, the remaining provisions shall continue to be effective and the parties agree to negotiate in good faith to modify that portion of the Agreement in a manner designed to effectuate the original intent of the parties.

20. Advice of Counsel: Each party acknowledges and agrees that it has had the opportunity to consult with and be represented by counsel of its choice in connection with the negotiation and documentation of the settlement, this Agreement, and the Exhibits to this Agreement.

21. Use of Funds Distributed Under This Agreement: Each recipient of funds distributed under this Agreement has the right and the responsibility to use the funds as it determines in its sole discretion subject to any legal prohibitions on or requirements regarding such use.

Exhibit A to Resolution 2015-15

SETTLEMENT AGREEMENT BETWEEN BROWARD COUNTY, FLORIDA AND THE SETTLING MUNICIPALITIES RELATING TO THE RESOURCE RECOVERY BOARD ASSET LITIGATION

IN WITNESS WHEREOF, the parties have made and executed this Agreement on the respective dates under each signature: BROWARD COUNTY, signing by and through its Mayor or Vice-Mayor, duly authorized to execute same by Board action on the ____ day of _____, 2015, and the SETTLING MUNICIPALITIES, signing by and through their respective Mayors, duly authorized to execute same.

BROWARD COUNTY

ATTEST:

BROWARD COUNTY, by and through
its Board of County Commissioners

Broward County Administrator, as
Ex-officio Clerk of the Broward County
Board of County Commissioners

By _____
Mayor

____ day of _____, 2015

Approved as to form by
Joni Armstrong Coffey
Broward County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-7641

By:

Andrew J. Meyers
Chief Deputy County Attorney

____ day of _____, 2015

Exhibit A to Resolution 2015-15

CITY OF (Include Name and Address of Notice Recipient)

CITY OF _____

ATTEST:

_____, City Clerk

By: _____
_____, Mayor

____ day of _____, 2015

Approved as to form and legality:

By: _____
_____, City Attorney

By: _____
_____, City Manager

____ day of _____, 2015

____ day of _____, 2015

WITNESSES

SIGNATURE

SIGNATURE

Print Name

Print Name

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me on _____, 2015, by _____, as _____ of _____, Florida, a political subdivision of the state of Florida, who is personally known to me or who has produced _____, as identification and did (did not) take an oath.

My commission expires:

NOTARY PUBLIC
State of Florida at Large

PRINTED Name of Notary

Exhibit A to Resolution 2015-15

EXHIBIT LIST

EXHIBIT "A"	2012 Tonnage Schedule
EXHIBIT "B"	Ash Monofill Aerial and Legal Description
EXHIBIT "C"	BIC Landfill Aerial and Legal Description
EXHIBIT "D"	Mitigation Properties Aerials
EXHIBIT "E"	Alpha 250 Aerial and Legal Descriptions

Exhibit A to Resolution 2015-15

EXHIBIT "A"

2012 TONNAGE SCHEDULE

City	FY 2012 Tonnage	% Tons
Coconut Creek	31,870.03	3.4187%
Cooper City	20,927.66	2.2449%
Coral Springs	84,043.66	9.0153%
Davie	74,625.55	8.0050%
Deerfield Beach	50,789.52	5.4482%
Fort Lauderdale	153,135.43	16.4268%
Hillsboro Beach	1,402.61	0.1505%
Hollywood	79,751.81	8.5549%
Lauderdale by the Sea	7,130.07	0.7648%
Lauderdale Lakes	18,848.58	2.0219%
Lauderhill	37,278.44	3.9988%
Lazy Lake	-	0.0000%
Lighthouse Point	7,741.42	0.8304%
Margate	31,122.46	3.3385%
Miramar	63,928.20	6.8575%
North Lauderdale	23,328.83	2.5025%
Oakland Park	32,619.62	3.4991%
Pembroke Park	4,184.14	0.4488%
Plantation	48,241.40	5.1748%
Sea Ranch Lakes	502.40	0.0539%
South West Ranches	8,251.03	0.8851%
Sunrise	62,516.66	6.7061%
Tamarac	28,868.59	3.0967%
Unincorporated	11,998.80	1.2871%
West Park	5,650.36	0.6061%
Weston	33,132.94	3.5542%
Wilton Manors	10,340.98	1.1093%
	932,231.18	100.0000%

Exhibit A to Resolution 2015-15

EXHIBIT "B"

ASH MONOFILL AERIAL AND LEGAL DESCRIPTION

South Resource Recovery Site including Ash Monofill

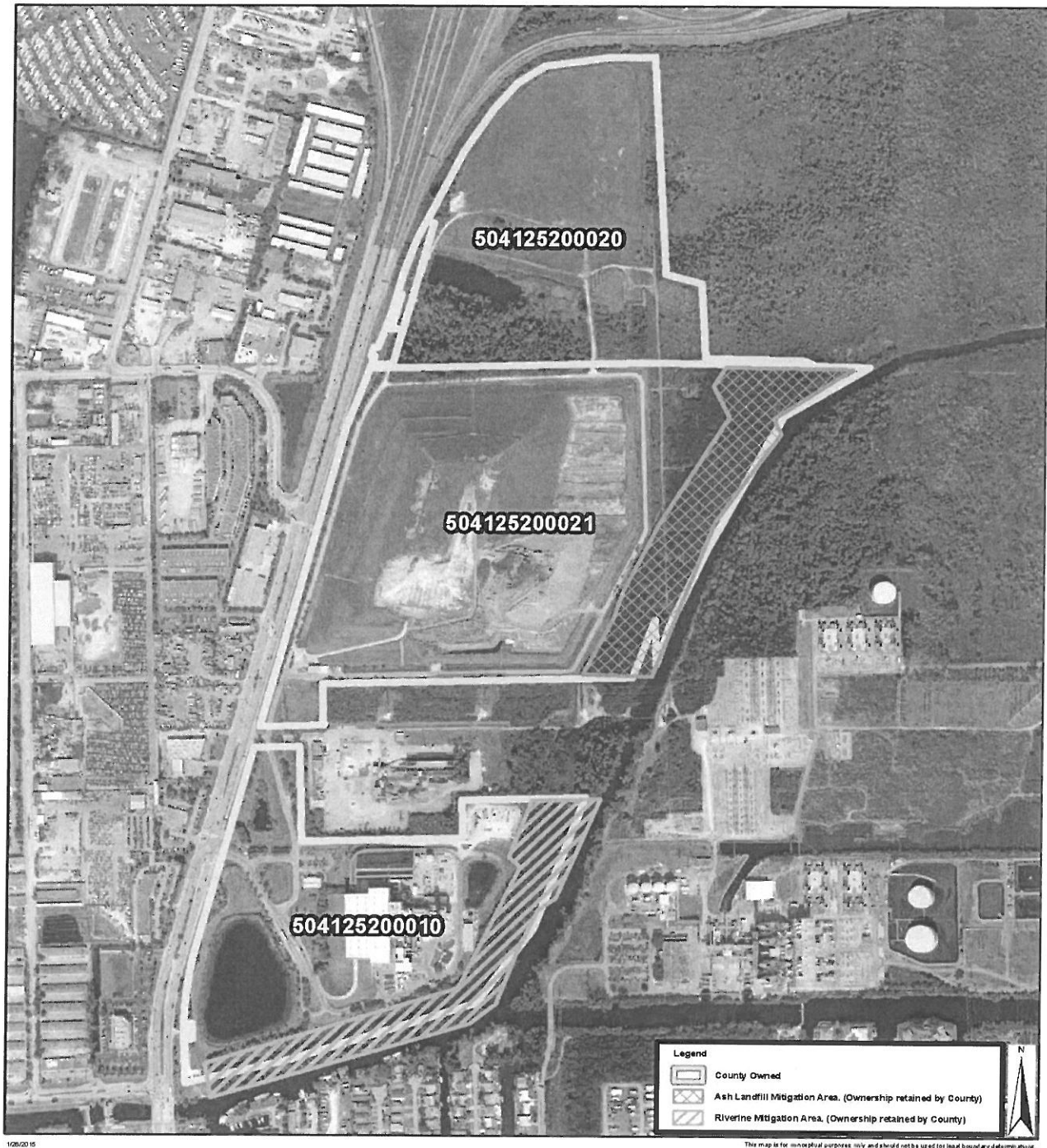


Exhibit A to Resolution 2015-15

SOUTH RESOURCE RECOVERY SITE INCLUDING ASH MONOFILL

LEGAL DESCRIPTION

Parcel A and Parcel B, ROUTE 441 RESOURCE RECOVERY SITE according to the plat thereof, recorded in Plat Book 132, at Page 41, lying within Section 24, Township 50 South, Range 41 East, of the Public Records of Broward County, Florida, said land containing 185.91 acres, more or less.

[illegible]

Exhibit A to Resolution 2015-15

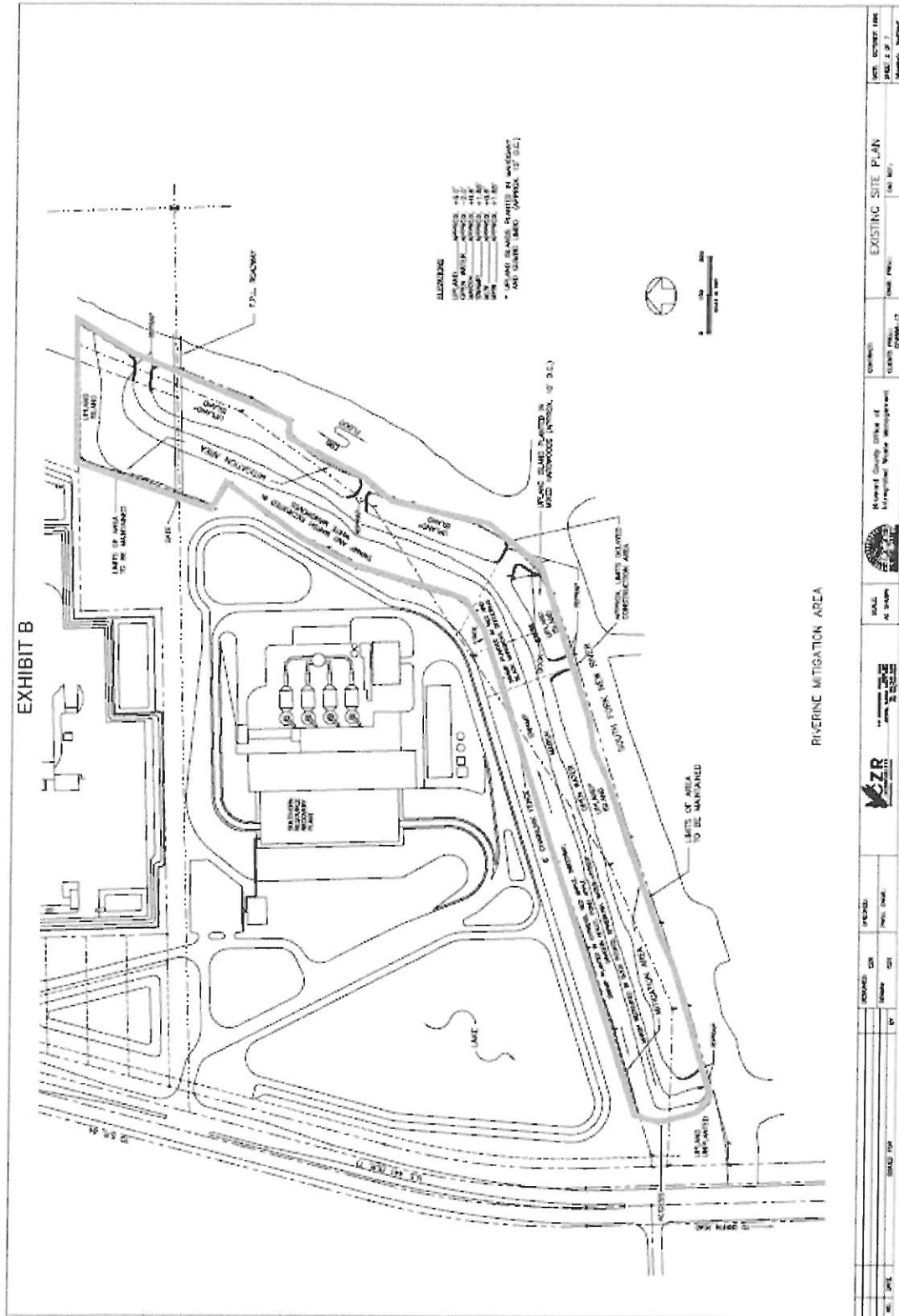


Exhibit A to Resolution 2015-15

EXHIBIT "C"

BIC LANDFILL AERIAL AND LEGAL DESCRIPTION



Exhibit A to Resolution 2015-15

Southwest Regional (BIC) Landfill (includes mitigation areas)

LEGAL DESCRIPTION

All that portion of the East ½ of Section 3, Township 51 South, Range 39 East, Broward County, Florida, lying East of the Easterly Right of Way of U.S. 27, lying South of the Southerly Right of Way of Stirling Road and North of the Northerly Right of Way of Sheridan Street, being a portion of Everglades Land Company's Subdivision of said Section 3, as recorded in Plat Book 2 at Page 1 of the Public Records of Dade County, Florida.

AND

All that portion of the Northwest ¼ of Section 2, Township 51 South, Range 39 East, lying South of the Southerly Right of Way line of Stirling Road, LESS: The South 307 feet of the East ½ of the N.W. ¼ of said Section 2, being a portion of Everglades Land Company's Subdivision as recorded in Plat Book 2 at Page 1 of the Public Records of Dade County, Florida

AND

All that portion of the West ½ of the N.E. ¼ of Section 2, Township 51 South, Range 39 East, lying South of the Southerly Right of Way line of Stirling Road, LESS: The South 307 feet of the West ½ of the N.E. ¼ of said Section 2, being a portion of Everglades Land Company's Subdivision as recorded in Plat Book 2 at Page 1 of the Public Records of Dade County, Florida.

AND

All that Portion of the West ½ of the S.W. ¼ of Section 2, Township 51 South, Range 39 East, lying North of Northerly Right of Way line of Sheridan Street being a portion of Everglades Land Company's Subdivision as recorded in Plat Book 2 at Page 1 of the Public Records of Dade County, Florida.

Containing 588.49 Acres, more or less.

Exhibit A to Resolution 2015-15



Exhibit A to Resolution 2015-15

EXHIBIT "D"

MITIGATION PROPERTIES AERIALS

Additional Mitigation Areas not shown on other exhibits, as follows:

1. Mitigation Area 1, Hacienda Flores
2. Mitigation Area 2, Tree Tops Park
3. Mitigation Area 3, East Everglades

Exhibit A to Resolution 2015-15

Mitigation Area 1 Hacienda Flores Mitigation Area



1/15/2016

This map is for informational purposes only and should not be used for legal boundary determinations.

MITIGATION AREA 1

LEGAL DESCRIPTION

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 of HACIENDA FLORES SUBDIVISION UNIT NO. 1 according to the plat thereof, recorded in Plat Book 19, at Page 28 of the Public Records of Broward County, Florida said land containing 16.16 acres, more or less.

Exhibit A to Resolution 2015-15

Mitigation Area 2 Tree Tops Park Mitigation Area



MITIGATION AREA 2

A portion of County-owned Tree Tops Park

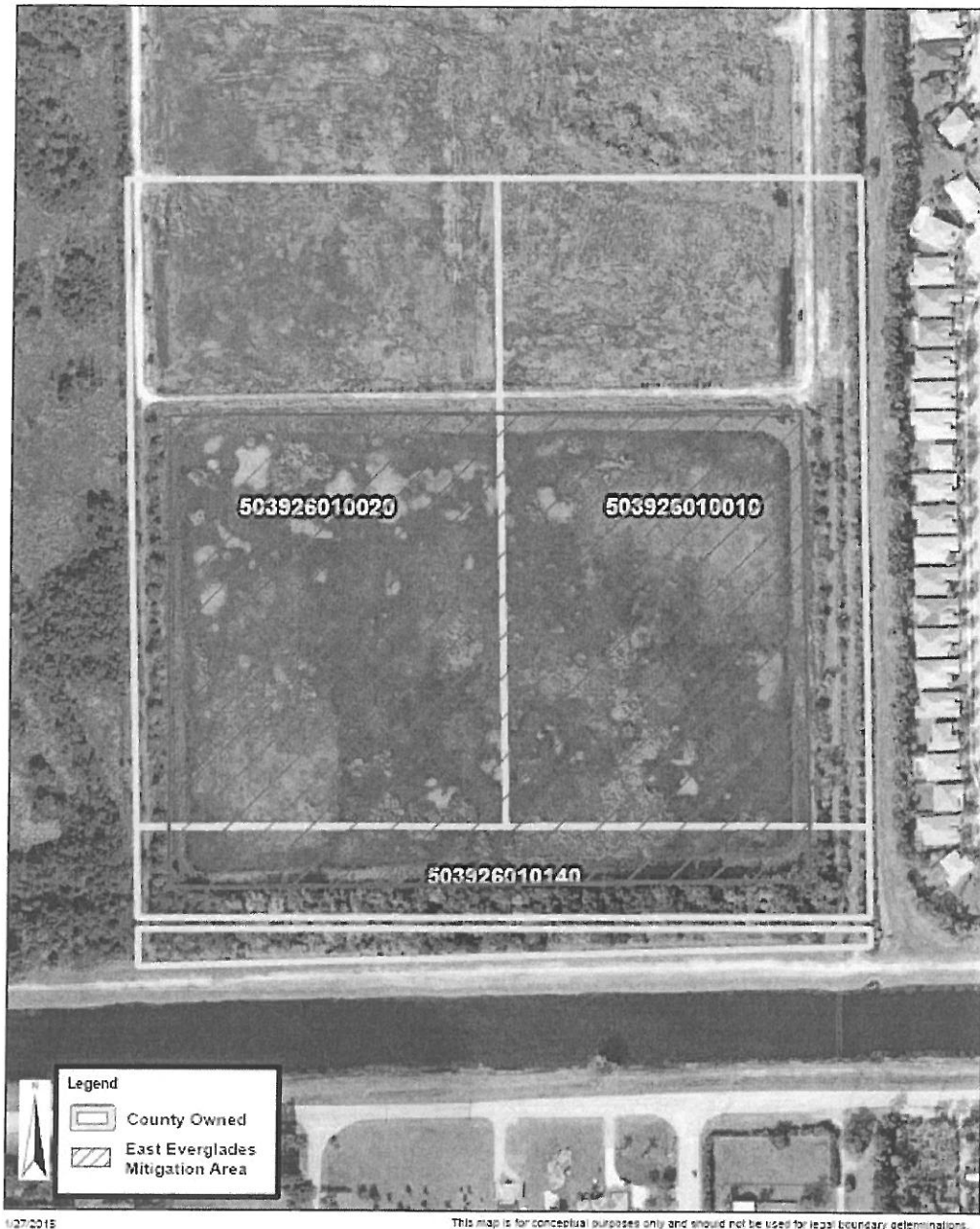
LEGAL DESCRIPTION

Lengthy legal description within Tree Tops Park, see attached line drawing for the outline of mitigation area.

Exhibit A to Resolution 2015-15

Mitigation Area 3

East Everglades Mitigation Area



MITIGATION AREA 3

A portion of County-owned East Everglades site

LEGAL DESCRIPTION

Lengthy legal description within East Everglades site, see attached line drawing for the outline of mitigation area.

Exhibit A to Resolution 2015-15

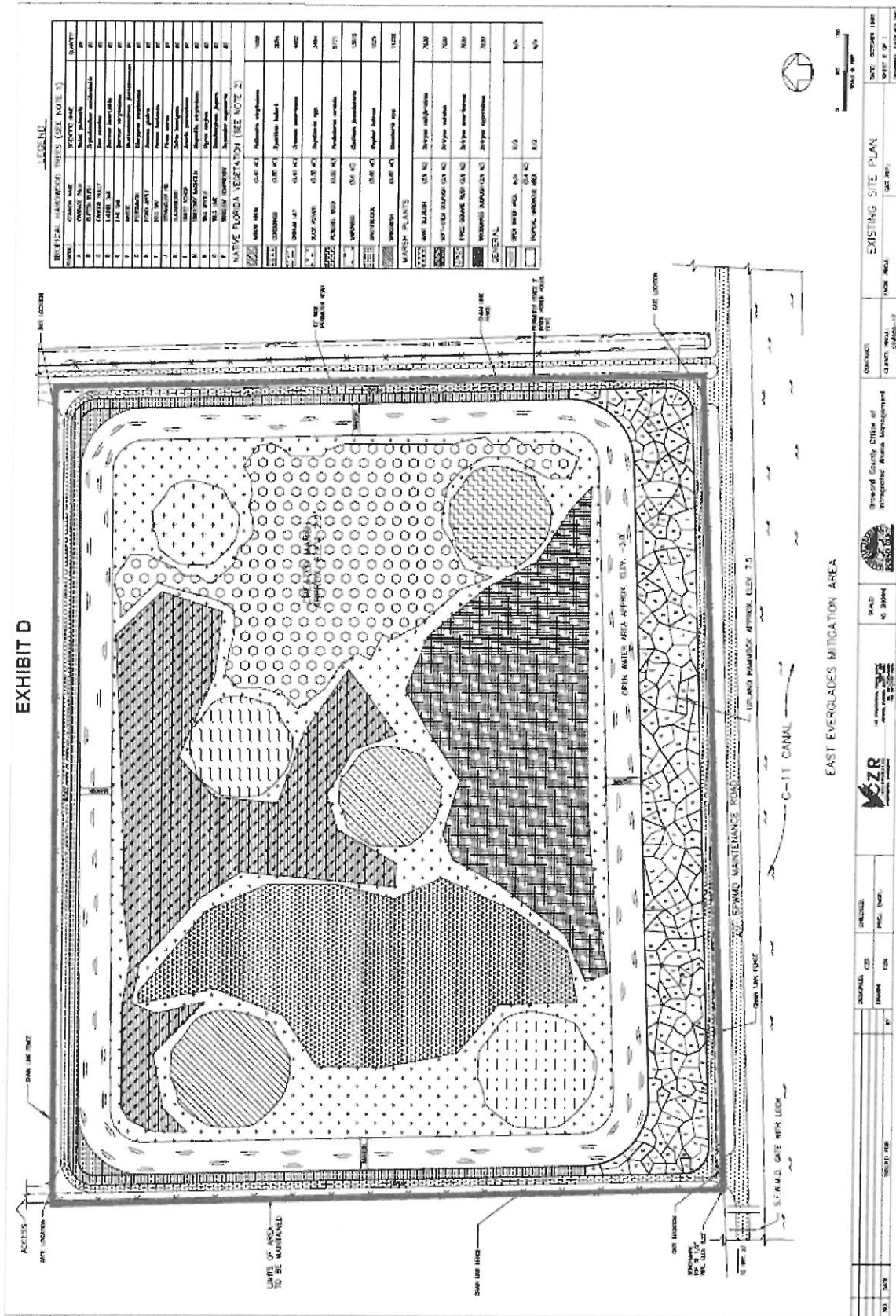


Exhibit A to Resolution 2015-15

EXHIBIT "E"

ALPHA 250 AERIAL AND LEGAL DESCRIPTION

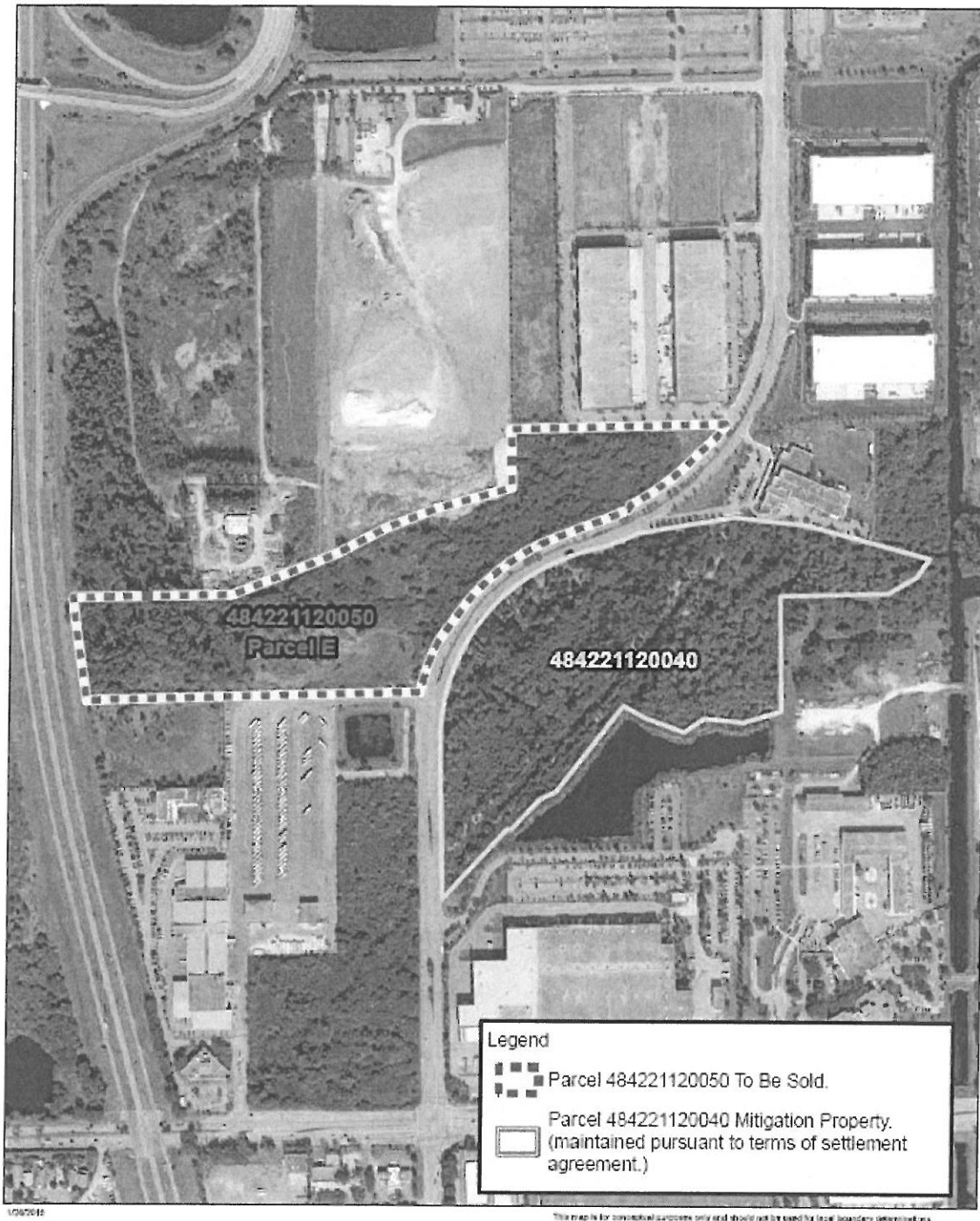


Exhibit A to Resolution 2015-15

ALPHA 250 NORTH

Legal Description of Property to be Conveyed

Folio Number 4842-21-12-0050

LEGAL DESCRIPTION

Parcel E, ALPHA 250 NORTH, according to the plat thereof, recorded in Plat Book 180, at Page 14 of the Public Records of Broward County, Florida, said land containing 22.07 acres, more or less.

TOWN OF LAUDERDALE-BY-THE-SEA
4501 Ocean Drive Lauderdale-by-the-Sea, FL 33308

TOWN OF LAUDERDALE-BY-THE-SEA

ATTEST:

Tedra Smith, Town Clerk

By: _____
Scot Sasser, Mayor

____ day of _____, 2015

Approved as to form and legality:

By: _____
Susan Trevarthen, City Attorney

By: _____
Constance Hoffmann, Town Manager

____ day of _____, 2015

____ day of _____, 2015

WITNESSES

SIGNATURE

SIGNATURE

Print Name

Print Name

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me on _____, 2015, by _____, as _____ of _____, Florida, a political subdivision of the state of Florida, who is personally known to me or who has produced _____, as identification and did (did not) take an oath.

My commission expires:

NOTARY PUBLIC
State of Florida at Large

PRINTED Name of Notary

Exhibit B to Resolution 2015-15

SETTLEMENT PROCEEDS DISTRIBUTION AGREEMENT

THIS AGREEMENT ("Agreement") is made and entered into as of the Effective Date (as defined below), by and among the City of Sunrise, the City of Weston, the City of Hollywood, the City of Fort Lauderdale, the City of Lauderhill, the Town of Lauderdale-By-The-Sea, the City of Lighthouse Point, the City of Tamarac, the Town of Davie, the City of Plantation, the City of Coconut Creek, the City of Deerfield Beach, the City of Miramar, the City of Margate, the City of Cooper City, the City of North Lauderdale, the City of Coral Springs, and the Town of Southwest Ranches, all political subdivisions of the State of Florida, (individually each is a "Plaintiff Municipality," collectively, the "Plaintiff Municipalities") and any non-plaintiff municipalities that were party to the November 1986 Interlocal Agreement with Broward County for Solid Waste Disposal Services, as amended, (the "Interlocal Agreement") the Settlement Agreement with the County regarding the Litigation concerning equitable distribution under the Interlocal Agreement and approve and execute this Agreement (individually each is a "Non-Plaintiff ILA Municipality," collectively, the "Non-Plaintiff ILA Municipalities") (collectively, the Plaintiff Municipalities and Non-Plaintiff ILA Municipalities are the "Settling Municipalities").

WITNESS:

WHEREAS, the Settling Municipalities and Broward County (the "County") were parties to the Interlocal Agreement, which provided for the creation of the Broward Solid Waste Disposal District ("District") and required the participating governmental entities to send the solid waste generated within their boundaries to be transported, delivered and disposed of at designated District waste disposal facilities; and

WHEREAS, the Settling Municipalities directed solid waste generated within their boundaries to be disposed of at the designated District waste disposal facilities; and

WHEREAS, the tonnage directed to District waste disposal facilities in 2012 by the parties to the Interlocal Agreement is reflected in the 2012 Tonnage Schedule, attached and incorporated into this Agreement by this reference as Exhibit "A" (the "2012 Tonnage Schedule"); and

WHEREAS, the Interlocal Agreement expired on July 2, 2013; and

WHEREAS, Section 15.2 of the Interlocal Agreement provided for the equitable distribution of the assets and liabilities of the District to the Settling Municipalities and the County upon the expiration of the Interlocal Agreement; and

WHEREAS, the Plaintiff Municipalities and the County disagreed as to the identification and distribution of the assets and liabilities of the District; and

Exhibit B to Resolution 2015-15

WHEREAS, on June 28, 2013, the Plaintiff Municipalities filed a lawsuit against the County in the litigation styled *City of Sunrise et. al. v Broward County*, 17th Judicial Circuit Court Case No. CACE-013-015660 (the "Litigation"), which sought a declaration regarding the assets and liabilities subject to equitable distribution; and

WHEREAS, the Settling Municipalities and the County entered into a Settlement Agreement (the "Settlement Agreement") to settle the Litigation, which provides for the County to make certain payments into a trust account designated by the Plaintiff Municipalities, which is hereby designated to be the Weiss Serota Helfman Cole Bierman & Popok, P.L. Attorney IOTA Trust (the "Trust Account"); and

WHEREAS, pursuant to the Settlement Agreement, funds deposited into the Trust Account by the County (the "Trust Account Funds") are to be distributed to the Settling Municipalities pursuant to this Agreement among the Settling Municipalities that provides for pro rata allocation of expenses and pro rata distribution of funds based upon the 2012 Tonnage Schedule; and

WHEREAS, the Settling Municipalities desire to enter into this Agreement to provide for the pro rata allocation of expenses and pro rata distribution of Trust Account Funds under the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the covenants contained herein and for other good and valuable consideration, the receipt and sufficiency of which is acknowledged and agreed upon, the parties agree as follows:

1. **Recitals**: The above recitals are true and correct and are incorporated into this Agreement by this reference.

2. **Cash Payment to Settling Municipalities**: Within 30 days after the County deposits the Cash Amount (as defined in the Settlement Agreement) into the Trust Account, each Settling Municipality shall receive a distribution from the Trust Account (each is a "Settlement Payment") equal to each Settling Municipality's pro rata share allocation of the Cash Amount deposited, based on the 2012 Tonnage Schedule, minus each Settling Municipality's pro rata share of the costs and expenses set forth in this Section 2, based on the 2012 Tonnage Schedule, plus a credit to a Settling Municipality for all of such costs and expenses previously paid by it:

A. \$119,736.08, which shall be paid to the City of Fort Lauderdale for the services of its internal auditor provided to, and approved by, the governing board of the District (the "RRB") but never paid by the County;

Exhibit B to Resolution 2015-15

- B. \$14,104.00, which shall be paid to plaintiffs' counsel for the legal analysis provided to, and approved by, the RRB but never paid by the County;
- C. \$294,955.69, which has been paid or is due from the Plaintiff Municipalities for litigation expenses, including attorney fees, expert fees and costs to be reimbursed to the Plaintiff Municipalities; and
- D. \$75,000.00 to plaintiffs' counsel to be held in the Trust Account to be used to pay for attorneys' fees and costs incurred after December 31, 2014, including those related to passage and implementation of the Settlement Agreement and this Agreement, and to ensure compliance in the future. Any funds remaining from the \$75,000.00 held in the Trust Account after the Alpha 250 sale shall be distributed pro rata to the Settling Municipalities based upon 2012 tonnage (and if there are insufficient funds they will be deducted from the Alpha 250 sales proceeds prior to distribution).

3. Alpha 250 Property Sale Proceeds:

- A. *Sale of Alpha 250.* Under the Settlement Agreement, the County and the Settling Municipalities agree to use their best efforts (and to take all reasonable steps) to sell the Alpha 250 site, as set forth in Section 2(A)(4) and Exhibit "E" of the Settlement Agreement ("Alpha 250").
- B. *Payment of Alpha 250 Sales Proceeds.* Within 30 days after the County deposits the net Alpha 250 sales proceeds (as defined in, and subject to the deductions provided in, the Settlement Agreement) into the Trust Account (the "Alpha 250 Sales Proceeds"), each Settling Municipality shall receive a distribution from the Trust Account (each is a "Alpha 250 Payment") equal to each Settling Municipality's pro rata share allocation of the deposited Alpha 250 Sales Proceeds (minus unpaid expenses, if any) based on the 2012 Tonnage Schedule.

4. Conditions Precedent; Effective Date:

- A. *Conditions Precedent.* To be effective, this Agreement is subject to (i) the Settlement Agreement becoming effective, and (b) this Agreement being approved and executed by all of the Plaintiff Municipalities.
- B. *Effective Date.* The date of the last approval and execution of this Agreement by a Settling Municipality is the "Effective Date" of this Agreement.

Exhibit B to Resolution 2015-15

5. **Entire Agreement:** This Agreement, and the Settlement Agreement, constitute the entire Agreement between the parties and supersedes and cancels any other Agreement, representation, or communication, whether oral or written, between the parties, relating to the transactions contemplated in it.

6. **Headings:** The section and subsection headings in this Agreement are inserted for convenience only and shall not affect in any way the meaning or interpretations of this Agreement.

7. **Governing Law:** This Agreement shall be governed by, construed and enforced in accordance with the laws of the State of Florida.

8. **Counterparts:** This Agreement may be executed simultaneously in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

9. **Venue:** If litigation shall be instituted between the parties regarding the provisions of this Agreement, venue shall be in Broward County, Florida.

10. **Joint Preparation:** The preparation of this Agreement has been a joint effort of the parties hereto and the resulting document shall not, solely as a matter of judicial construction, be construed more severely against one of the parties than the other.

11. **Severability:** In the event a portion of this Agreement is found by a court of competent jurisdiction to be invalid, the remaining provisions shall continue to be effective, and the parties agree to voluntarily amend any portion of this Agreement as necessary to comply with a Court order.

12. **Further Assurances:** At any time, and from time to time, after the Effective Date of this Agreement, each party will execute such additional instruments and take such action as may be reasonably requested by the other party, to confirm or otherwise to carry out the intent and purpose of this Agreement.

[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]

Exhibit B to Resolution 2015-15

AGREEMENT AMONG THE SETTLING MUNICIPALITIES RELATING TO THE DISTRIBUTION OF THE RESOURCE RECOVERY BOARD ASSET LITIGATION SETTLEMENT PROCEEDS

IN WITNESS WHEREOF, the parties have made and executed this Agreement on the respective dates under each signature: the SETTLING MUNICIPALITIES, signing by and through their respective Mayors, duly authorized to execute same.

CITY OF

CITY OF _____

ATTEST:

_____, City Clerk

By: _____
_____, Mayor

____ day of _____, 2015

Approved as to form and legality:

By: _____
_____, City Attorney

By: _____
_____, City Manager

____ day of _____, 2015

____ day of _____, 2015

WITNESSES

SIGNATURE

SIGNATURE

Print Name

Print Name

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me on _____, 2015, by _____, as _____ of _____, Florida, a political subdivision of the state of Florida, who is personally known to me or who has produced _____, as identification and did (did not) take an oath.

Exhibit B to Resolution 2015-15

My commission expires:

NOTARY PUBLIC
State of Florida at Large

PRINTED Name of Notary

Exhibit B to Resolution 2015-15

EXHIBIT "A"

2012 TONNAGE SCHEDULE

City	FY 2012 Tonnage	% Tons
Coconut Creek	31,870.03	3.4187%
Cooper City	20,927.66	2.2449%
Coral Springs	84,043.66	9.0153%
Davie	74,625.55	8.0050%
Deerfield Beach	50,789.52	5.4482%
Fort Lauderdale	153,135.43	16.4268%
Hillsboro Beach	1,402.61	0.1505%
Hollywood	79,751.81	8.5549%
Lauderdale by the Sea	7,130.07	0.7648%
Lauderdale Lakes	18,848.58	2.0219%
Lauderhill	37,278.44	3.9988%
Lazy Lake	-	0.0000%
Lighthouse Point	7,741.42	0.8304%
Margate	31,122.46	3.3385%
Miramar	63,928.20	6.8575%
North Lauderdale	23,328.83	2.5025%
Oakland Park	32,619.62	3.4991%
Pembroke Park	4,184.14	0.4488%
Plantation	48,241.40	5.1748%
Sea Ranch Lakes	502.40	0.0539%
South West Ranches	8,251.03	0.8851%
Sunrise	62,516.66	6.7061%
Tamarac	28,868.59	3.0967%
Unincorporated	11,998.80	1.2871%
West Park	5,650.36	0.6061%
Weston	33,132.94	3.5542%
Wilton Manors	10,340.98	1.1093%
	932,231.18	100.0000%

**AGREEMENT AMONG THE SETTLING MUNICIPALITIES RELATING TO THE DISTRIBUTION
OF THE RESOURCE RECOVERY BOARD ASSET LITIGATION SETTLEMENT PROCEEDS**

IN WITNESS WHEREOF, the parties have made and executed this Agreement on the respective dates under each signature: the SETTLING MUNICIPALITIES, signing by and through their respective Mayors, duly authorized to execute same.

TOWN OF LAUDERDALE-BY-SEA

TOWN OF LAUDERDALE-BY-THE-SEA

ATTEST:

Tedra Smith, Town Clerk

By: _____

Scot Sasser, Mayor

___ day of _____, 2015

Approved as to form and legality:

By: _____
Susan Trevarthen, Town Attorney

___ day of _____, 2015

By: _____
Constance Hoffmann, Town Manager

___ day of _____, 2015

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me on _____, 2015, by _____, as _____ of _____, Florida, a political subdivision of the state of Florida, who is personally known to me or who has produced _____, as identification and did (did not) take an oath.

My commission expires:

NOTARY PUBLIC
State of Florida at Large

PRINTED Name of Notary

THIRD AMENDMENT TO SETTLEMENT AGREEMENT BETWEEN BROWARD COUNTY AND SETTLING MUNICIPALITIES

This is a Third Amendment (“Third Amendment”) to the Settlement Agreement by and between Broward County, Florida, a political subdivision of the State of Florida (“County”), and the Cities of Sunrise, Weston, Hollywood, Fort Lauderdale, Lauderhill, Lighthouse Point, Tamarac, Plantation, Coconut Creek, Deerfield Beach, Miramar, Margate, Cooper City, North Lauderdale, Coral Springs, and Wilton Manors, and the Towns of Lauderdale-By-The-Sea, Davie, Southwest Ranches, and Hillsboro Beach, and the Village of Sea Ranch Lakes (each individually, a “Settling Municipality”; and collectively, the “Settling Municipalities”) (each of the foregoing is sometimes referred to as a “Party” or collectively as the “Parties”).

RECITALS

A. In June 2015, the County and the Settling Municipalities entered into a settlement agreement to settle the litigation styled *City of Sunrise, et al. v. Broward County*, 17th Judicial Circuit Court Case No. CACE-013-015660 (the “Original Settlement Agreement”).

B. The Original Settlement Agreement provided for the County and the Settling Municipalities to sell the parcel of land known as Alpha 250, as further described in the Original Settlement Agreement (“Alpha 250”).

C. The cities of Lauderdale Lakes, West Park, and Oakland Park, and the Town of Pembroke Park, all municipal corporations (each individually, a “Consenting Municipality”; and collectively, the “Consenting Municipalities”), did not join the above-referenced litigation or the Original Settlement Agreement but instead entered into Interlocal Agreements Regarding Distribution of Solid Waste Disposal District Assets with the County, pursuant to which they have received and will receive their respective pro rata shares of proceeds distributed under the terms of the Original Settlement Agreement, including their respective shares from any sale of Alpha 250.

D. Subsequent to the effective date of the Settlement Agreement, the Parties entered into two amendments thereto, extending the sale date of Alpha 250 through and including October 11, 2022 (the Original Settlement Agreement and two amendments thereto are collectively referred to as the “Settlement Agreement”).

E. In late 2019, the County, the Settling Municipalities, and other municipalities established a Solid Waste Working Group (“SWWG”), a group of elected municipal and county officials, to jointly develop recommendations for a regional solid waste management system based on shared principles and commitments, including a mutually agreed governance structure.

F. The County and the Settling Municipalities desire to further amend the Settlement Agreement to extend the Sale Delay Period for Alpha 250 and provide the SWWG additional time to conduct its work.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. The above Recitals are true and correct and are incorporated herein by reference. All capitalized terms not expressly defined within this Third Amendment shall retain the meaning ascribed to such terms in the Settlement Agreement.

2. Notwithstanding any provision to the contrary in the Settlement Agreement, the Parties hereby agree to extend the Sale Delay Period (as defined in the Settlement Agreement) until October 11, 2023. The Sale Delay Period may be further extended for up to three (3) additional periods, each for up to one (1) year, provided that any such additional extension be approved in writing by the County Administrator on behalf of County, and the Mayors of the Cities of Coconut Creek, Fort Lauderdale, Hollywood, Miramar, Sunrise, and Weston (collectively, the "Mayors"), on behalf of the Settling Municipalities.

3. This Third Amendment shall be approved by the Parties in the following manner:

a. Once executed by the County Administrator, this Third Amendment shall be presented for approval at public Commission/Council meetings at each of the Settling Municipalities and Consenting Municipalities (County shall communicate this requirement to the Consenting Municipalities).

b. By October 7, 2022, this Third Amendment shall: (1) be approved and executed by all Settling Municipalities; and (2) be consented to by each of the Consenting Municipalities either through a separate written instrument between County (by and through the County Administrator) and each of the Consenting Municipalities in which each of the Consenting Municipalities agrees to the terms of the Third Amendment, or a resolution adopted by the Commissions/Councils of the Consenting Municipalities agreeing to the terms of this Third Amendment.

The October 7, 2022, deadline may be extended by the County Administrator and five (5) of the Mayors listed in paragraph 2 above for: (i) up to an additional twenty-one (21) days for any reason or (ii) up to an additional forty-five (45) days provided at least two-thirds (2/3) of the Settling Municipalities have approved this Third Amendment.

4. This Third Amendment shall be effective on the date of the last approval and execution of this Third Amendment by a Settling Municipality, or the date of the last execution of a written instrument reflecting the consent of a Consenting Municipality, whichever occurs last.

5. Except as otherwise revised in this Third Amendment, the terms and conditions of the Settlement Agreement shall remain in full force and effect. In the event of any conflict or ambiguity between this Third Amendment and the Settlement Agreement, the Parties agree that this Third Amendment shall control. The Settlement Agreement, as amended herein by this Third Amendment, incorporates and includes all prior negotiations, correspondence, conversations, agreements, and understandings applicable to the matters contained herein, and the Parties agree that there are no commitments, agreements, or understandings concerning the subject matter hereof that are not contained in the Settlement Agreement as amended in this Third Amendment. Accordingly, the Parties agree that no deviation from the terms hereof shall be predicated upon any prior representations or agreements, whether oral or written.

6. The preparation of this Third Amendment has been a joint effort of the Parties and the resulting document shall not, solely as a matter of judicial construction, be construed more severely against any Party. In the event a portion of this Third Amendment is found by a court of competent jurisdiction to be invalid, the remaining provisions shall continue to be effective and the Parties (and all Consenting Municipalities) agree to negotiate in good faith to modify that portion of this Third Amendment in a manner designed to effectuate the original intent of the Parties.

7. This Third Amendment may be executed in multiple originals, and may be executed in counterparts, whether signed physically or electronically, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same agreement

(The remainder of this page is intentionally left blank.)

IN WITNESS WHEREOF, the Parties have made and executed this Third Amendment to the Settlement Agreement on the respective dates under each signature: BROWARD COUNTY, signing by and through its County Administrator, duly authorized to execute same by Board action on the 14th day of June, 2022, and each of the Settling Municipalities, signing by and through their respective Mayors or other representatives duly authorized to execute same.

COUNTY

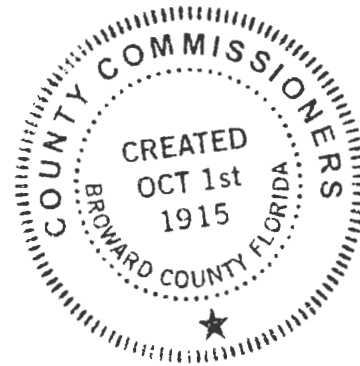
BROWARD COUNTY, by and through
its County Administrator

By

County Administrator

16th day of June, 2022

Approved as to form by
Andrew J. Meyers
Broward County Attorney
115 South Andrews Avenue, Suite 423
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600



By Matthew Haber Digitally signed by Matthew Haber
Date: 2022.06.16 15:18:04 -04'00'
Matthew Haber (Date)
Assistant County Attorney

MH/tb
Third Amendment to Settlement Agreement
06/01/22

**THIRD AMENDMENT TO SETTLEMENT AGREEMENT
BETWEEN BROWARD COUNTY AND SETTLING MUNICIPALITIES**

SETTLING MUNICIPALITY

ATTEST:

MUNICIPALITY: _____

Municipal Clerk

By: _____
Mayor/Authorized Representative

Print Name/Title

____ day of _____, 20____

I HEREBY CERTIFY that I have approved this Agreement as to form and legal sufficiency subject to execution by the parties:

Municipal Attorney