

**MEETING MINUTES
TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
VIRTUAL REGULAR MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Tuesday, August 11, 2020
6:30 PM**

1. CALL TO ORDER

Mayor Chris Vincent called the meeting to order at 6:30 p.m. Also present via teleconference were Vice Mayor Alfred “Buz” Oldaker, Commissioner Edmund Malkoon, Commissioner Elliot Sokolow, Commissioner Randy Strauss, Town Manager Bill Vance, Assistant to the Town Manager Neysa Herrera, Town Attorney Susan Trevarthen, Finance Director Lucila Lang, Municipal Services Director Ken Rubach, Development Services Director Linda Connors, Special Projects Coordinator Debbie Hime, Public Information Officer Steve d’Oliveira, and Town Clerk Tedra Allen.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION – MOMENT OF SILENCE

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

None.

5. PRESENTATIONS

5.a 2019 Uniform Crime Report (UCR) Crime Statistics (Captain Thomas Palmer, BSO)

Captain Thomas Palmer of the Broward Sheriff’s Office (BSO) presented the 2019 Uniform Crime Report (UCR), which reflects statistics from the previous year. He reviewed the following items:

- The Town experienced a 16.3% decrease in the total number of crimes from 2018
- While Lauderdale-By-The-Sea experiences one of the highest increases in seasonal population in any Broward County municipality, they have the eighth-lowest crime rate, the third-largest crime rate decrease, and the third-lowest total number of crimes in the County

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- The Town saw an 11.9% increase in crime clearance rates in 2019, which led to a 36.3% clearance rate, the second-highest in Broward County and the first among BSO contract cities

5.b El Mar Drive Design Draft Concept Presentation (EDSA)

Town Engineer Jay Flynn introduced Jeff Suiter, Meredith Berry, and Alex Fenech of EDSA, who would review the proposed design concepts for the El Mar Drive project. Mr. Suiter explained that all items moving forward will be based on the response to public outreach, including design goals and strategies, existing conditions, and rights-of-way.

61% of more than 600 respondents indicated that their priority activities on El Mar Drive were walking and running. 71% of respondents also showed a preference for a separated bike path. 84% of respondents would prefer a dedicated bike lane. 63% also wanted traffic calming and safety measures including trees, landscaped areas, extra pavement, and pedestrian “bump-outs.” EDSA’s goal is to work in all the safety items that received a positive response.

The design goals and strategies resulting from the survey include:

- Prioritize pedestrians
- Promote a casual atmosphere
- Enhance landscaping where possible
- Slow down activity
- Separate bicycle and pedestrian right-of-way uses
- Improve lighting and safety throughout the roadway

Draft concepts and plans were created based on survey results and include a “road diet,” which would reduce the amount of asphalt and re-prioritize asphalt surfaces for pedestrians. The first study area extends from Palm Avenue to Pine Avenue and would serve as a gateway to the Town. Sidewalk widths may be increased to 8 or 9 ft. and a landscape buffer can be added between bicycle and pedestrian lanes. The traffic lane would be narrowed to 12 ft. in width with a median. Total pedestrian space will increase from 10 ft. to 33 ft. and total landscaping from 20 ft. to 26 ft.

A second option would maximize pedestrian space by creating a 9.6 ft. sidewalk on either side, a 12 ft. bike lane, and a generously landscaped median. Pull-off areas would be reserved for service and delivery vehicles. Safe zones for pedestrians are indicated through use of surface materials.

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The third option reflects a use change that provides a landscape buffer for pedestrians. A cross-section shows consistent 8 ft. wide sidewalks and a total pedestrian space that expands from 10 ft. to 22 ft. The landscape buffer increases from 20 ft. to 28 ft. Mr. Suiter showed renderings of the two primary intersections, one of which is beside El Prado Park. This intersection would be modernized and landscaping would extend into the intersection to reduce hardscaping.

Ms. Berry of EDSA addressed the functionality of El Mar Drive. The new street design would need to incorporate extended pull-off areas to accommodate truck traffic. The proposed configuration will allow service trucks to pull into the sidewalk and bike lane areas so cars may safely pass them. A parking lot is located to the west of the parallel spaces to accommodate cars that might be displaced.

Ms. Berry further explained that community benefits to decreasing the roadway to one lane in each direction include:

- Increased pedestrian comfort
- Separation of cyclists, pedestrians, and motorists for a safer streetscape environment
- Room for additional landscape and shade
- Better street aesthetic that can improve property values and reduce heat gain
- Lower roadway costs
- Improved business operations

Ms. Berry addressed a number of comments and questions submitted to EDSA regarding the project, including:

- The alley adjacent to the Village Grille and Aruba will remain open on both sides to accommodate trash pickup and valet access
- Shortage of special event parking on El Mar Drive may be accommodated by the addition of more parking elsewhere
- Pedestrians will be buffered by landscaped areas
- Mid-block crossings may be improved only by the Broward County Traffic Division
- The road diet and tabletop intersections are expected to calm traffic and discourage speeding
- Pull-off areas are for service and delivery vehicles only
- Improved lighting will be addressed during a later phase, along with hardscaping and landscaping

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Additional comments may be submitted by emailing the El Mar Drive design team or by accessing the web page at LBTSElMar.com.

At this time Mayor Vincent opened public comment on the presentation.

Tanner Keegan, Community Association Manager for Villas-By-The-Sea, requested a meeting with the EDSA team to ensure that adequate service parking is available in front of this development.

Town Clerk Tedra Allen read the following public comments on the presentation:

- Stuart Dodd, resident, requested that the Commission carefully consider the proposed reduction of El Mar Drive to one lane, as it will effect all traffic on this roadway; he was not in favor of this suggested change
- Barbara Cole, resident, felt the project should instead seek to enhance the existing median and provide lighting, and that there is little public interest in the changes that have been presented
- Larry and Kiki Kaiser, residents, made the following suggestions: no metered parking, retention of the median, and double traffic lanes as well as bike lanes in each direction; they also asked if residential development of the former Holiday Inn property is being considered
- Jackie Rubino, resident, requested that El Mar Drive be left as is except for additional landscaping
- Robert and Elizabeth Karley, residents, opposed the El Mar Drive project as presented and felt the project should be put to a Town-wide vote
- Carmelina Lampos, resident, felt El Mar Drive should be left alone
- Victoria Weidenthaler, resident, felt the proposed project would “turn El Mar into a parking lot” by adding metered spaces and vehicular traffic
- Sally Musser, resident, opposed the addition of any parking spaces
- Peggy Mueller, resident, recommended that the project be kept simple, with one lane dedicated to cars and another for multiple uses
- Steward Pearlman, resident, was in favor of one lane in both directions
- Johanne Taft, resident, stated that she was not in favor of a dog park near her condominium; residents also do not want a parking in front of their pool, and would prefer that any plantings or public art not obstruct the view
- Bill and Alida McGarrity, residents, felt El Mar Drive should be left as is with regular maintenance
- Ryan Hanahan, resident, felt many positive aspects of the project already exist, and that the proposed sidewalk and bike lane widths are excessive

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- Cynthia Mattia, resident, expressed concern with areas designated for pets, lack of direct access from a condominium building to its pool/clubhouse property, elimination of a north/south turnaround, and placement of a pull-out area across from the pool parking area
- Cristie Furth, resident, was not in favor of reducing the existing median or adding metered parking spaces, but was in favor of adding traffic calming devices and a pedestrian walkway
- Mary Hayes, resident, agreed with Ms. Furth's comments

At this time Mayor Vincent closed public comment on the Item.

Mayor Vincent asked the EDSA team to address some of the concerns raised during Public Comment. Mr. Suiter explained that the team has met with the Commissioners, hoteliers, restaurant owners, and other stakeholders to gather data on the project's design. He emphasized that the pull-out areas are intended only for service vehicles and not for cars, with the possible exceptions of the Town's Christmas and July 4th events. The team hopes to expand pedestrian space and improve safety.

The Commissioners discussed the presentation, with Commissioner Sokolow noting that there may have been misinformation shared throughout the Town regarding metered parking and the overall pedestrian experience. Commissioner Malkoon observed that the proposed design includes 19 pull-out areas, which he suggested might be reduced if possible. Mr. Suiter replied that the team has considered alternate ways to provide space for service vehicles during early-morning delivery hours, and can look into how the number of pull-outs might be reduced.

Commissioner Malkoon also proposed that the project consider not only El Mar Drive itself but the connection of A1A to this roadway as well. Town Engineer Flynn confirmed that the design team has been asked to address all side streets and portals along El Mar Drive, which will be presented to the Commission at a later date.

Vice Mayor Oldaker commented that there is no deadline by which the design process must be completed, which means community input on the project may continue. Commissioner Strauss noted that one concern regarding the pull-off areas was where they might be located along the length of the project. He also pointed out that there is an existing drainage issue on El Mar Drive, which will need to be addressed as part of the work on the roadway. He agreed that the project can be considered over time by the community.

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Mayor Vincent recalled that some of the public comments had emphasized simplicity and retaining the Town's individual charm. He recommended keeping this in mind as the project's design evolves so the result does not exceed what is needed. Town Engineer Flynn concluded that over 600 individuals responded to the survey, which greatly exceeded expectations.

6. PUBLIC COMMENTS

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

7. PUBLIC SAFETY DISCUSSION

7.a BSO July 2020 Report (Captain Thomas Palmer, BSO)

Captain Palmer recognized Deputy Benya Koos as Deputy of the Month, noting that he was responsible for two back-to-back arrests during the month of July.

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

7.b AMR July 2020 Report (Chief Brooke Liddle)

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

8. TOWN MANAGER REPORT

8.a LBTS Welcome Center 2nd Quarter Report (Amy Smith, Chamber)

It was noted that the Visitors' Center has been closed since March 17, 2020, with part-time staffing to handle inquiries and mail.

The Commissioners accepted the report without discussion.

8.b June 2020 Finance Report (Lucila Lang, Finance Director)

The Commissioners accepted the report without discussion.

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8.c Town Manager Report (Bill Vance, Town Manager / Neysa Herrera, Assistant to the Town Manager)

Assistant to the Town Manager Neysa Herrera reported that Broward County Administrator Bertha Henry released the most recent Emergency Order on July 29, 2020. This Order clarifies statements included in previous Emergency Orders, including:

- Vacation rentals must provide emails and telephone numbers for on-site management or security personnel
- Outdoor open-air events are not permitted unless a reopening or operating plan is approved by the County Administrator
- The signage requirements under which restaurants and retail businesses have been operating are now required of all establishments and must be displayed conspicuously throughout the establishment
- Attachment 15 of Emergency Order 2023 exempts environmental activities permitted by the Florida Fish and Wildlife Commission (FWC) from sunrise to sunset
- No curfews are currently in effect for Broward County, and limitations on on-premises dining remain in place

Finance Director Lang recognized Senior Office Specialist Karen Gates, who reached out to parking permit owners to remind them of upcoming expiration dates on their permits. These permits can be renewed over the phone and delivered following Centers for Disease Control (CDC) safety guidelines.

Broward County hosted a workshop to discuss the proposed transportation surtax Five-Year Action Plan on August 6, 2020. \$1.7 million in surtax funding is recommended for the Town for construction of the El Mar Drive improvement project. The Town has been approved to receive \$240,000 in fiscal year (FY) 2020 for the project's design. The Five-Year Plan will be presented to the Oversight Board on August 13-14, 2020, and to the Broward County Board of County Commissioners for approval on August 25.

The 2020 U.S. Census is ongoing and all residents are encouraged to submit their responses to www.my2020census.gov by the deadline of September 30, 2020.

The Community Development Services Department has made it possible for business tax receipt (BTR) applicants to pay their renewal fees online.

Capital improvement projects include:

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- Plans for Terra Mar drainage improvements are 100% complete and will be brought forward in September 2020 for Commission direction; if approved, the tentative start date is November 2020 and may take four to six months
- Jarvis Hall exterior portico repairs are almost complete
- Most improvements at Friedt Park have been completed, with final grading in planting beds to be done within the next two weeks; bollard installation is expected by the end of August 2020
- The former Holiday Inn has been demolished

Additional ongoing projects include:

- Installation of three new bus shelters in coordination with Broward County Transit (BCT)
- Lighting bollards have been installed at parking areas on Bougainvillea Drive and Poinciana Street
- Bike repair station has been installed adjacent to the restrooms on El Mar Drive
- New Channel 78 servers have been installed in Town Hall and Jarvis Hall

Some initiatives implemented by the Town to support businesses during the ongoing COVID-19 pandemic include:

- Local Facebook ads pointing to a new landing page promoting takeout, delivery, and online shopping
- Social distancing guidelines reinforced using banners and signage at the pavilion

Vice Mayor Oldaker advised that some residents have questions regarding the status of vacation rentals. Town Manager Bill Vance recommended that they reach out to his office, and noted that Staff is very active in following up on any investigations and/or complaints related to these properties. Mayor Vincent noted, however, that any issues will need to be addressed through Code Enforcement, and the Town must ensure that they follow the messaging provided by the County.

Commissioner Malkoon recommended that Staff provide an update on improvements planned for the pier, including a timetable, at the next Commission meeting. Town Manager Vance stated that he would look into documentation on this project and provide an update for the Commission, including an established deadline.

Commissioner Malkoon also addressed access to the Walgreen's property from Bougainvillea Drive, noting that a southbound entrance has been blocked at that location. Town Manager Vance recalled that Staff had removed a number of parking spaces to assist truck traffic in exiting the rear of the property. He and Municipal

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Services Director Ken Rubach are planning to coordinate “cut-throughs” so traffic can turn south at this location. They will work with Town Engineer Flynn before making any significant changes.

9. TOWN ATTORNEY REPORT

Town Attorney Susan Trevarthen reported that another Governor’s Emergency Order has been issued, which will extend the ability to hold virtual meetings through October 1, 2020.

10. APPROVAL OF MINUTES

None.

11. CONSENT AGENDA

11.a Agreement with Bien-Aime, Inc. for Program Development and Delivery Services

Town Manager Vance advised that this agreement proposes a 5% increase, followed by two subsequent 3% increases for the following two years. These increases will cover resources for additional part-time assistance at the Community Center when necessary. Staff recommends approval of the proposal.

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

12. OLD BUSINESS

None.

13. NEW BUSINESS

None.

14. COMMISSIONER COMMENTS

Commissioner Strauss encouraged all residents to continue wearing masks.

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Vice Mayor Oldaker reminded all residents to pay attention to the Weather Channel for updates during hurricane season.

Mayor Vincent extended his condolences to resident Ellen Zavell on the recent passing of her mother.

15. ORDINANCES 1ST READING

None.

16. ORDINANCES 2ND READING

None.

17. RESOLUTIONS – PUBLIC COMMENTS

17.a Resolution 2020-32 – A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, ESTABLISHING AN AUDITOR SELECTION COMMITTEE, FOR THE PURPOSE OF ASSISTING THE TOWN COMMISSION IN SELECTING AN AUDITOR TO CONDUCT THE ANNUAL FINANCIAL AUDIT REQUIRED IN SECTION 218.39, FLORIDA STATUTES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND FOR AN EFFECTIVE DATE (Lucila Lang, Finance Director)

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

Town Attorney Trevarthen explained that this Resolution will appoint an Audit Committee, which will follow statutory auditor selection procedures. The Committee must include at least three members, of which one must be a member of the governing body and shall serve as Chair. Members of Town Staff may also serve in an advisory capacity but may not be members of the Committee.

The Committee's purpose is to assist the Town Commission in the selection of an auditor to conduct the annual financial audit. It may be granted other audit oversight purposes if that is the Commission's desire, and will be subject to requirements of the Sunshine Law.

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The Committee will be asked to establish factors for the evaluation of audit services, such as availability of personnel, experience, how services are provided, and other considerations. The Committee will announce the request for proposal (RFP) for the auditor, evaluate the proposals received from qualified firms, and rank and recommend no fewer than three alternatives. Final selection and negotiation of the contract will be left to the Town Commission.

Vice Mayor Oldaker offered to serve as Chair of the Audit Committee, which would retain its current three members and one alternate member.

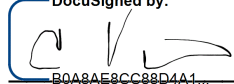
Commissioner Sokolow made a motion, seconded by Vice Mayor Oldaker, to appoint Vice Mayor Oldaker as Chair and adopt the Resolution. Motion carried 5-0.

18. QUASI JUDICIAL PUBLIC HEARINGS

None.

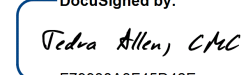
19. ADJOURNMENT

With no other business to come before the Commission at this time, the meeting was adjourned at 9:09 p.m.

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Mayor Chris Vincent

ATTEST:

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Town Clerk Tedra Allen

9/14/2020

Date