

**TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
SPECIAL MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Tuesday, July 27, 2021
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 Alfred “Buz” Oldaker, Commissioner Edmund Malkoon, Commissioner Elliot Sokolow, Commissioner Randy Strauss, Interim Town Manager Linda Connors, Assistant to the Town Manager Neysa Herrera, Town Attorney Susan Trevarthen, Special Events and Marketing Manager Debbie Hime, Public Information Officer/IT Administrator Steve d’Oliveira, and Town Clerk Tedra Allen.

2. PLEDGE OF ALLEGIANCE

3. DISCUSSION ITEM

a. Florida Friendly Landscaping

Assistant to the Town Manager Neysa Herrera introduced Rose Bechard-Butman, Naturescape Program Coordinator for Broward County, who provided a presentation on Florida-friendly landscaping. Naturescapes are considered to be Florida-friendly, as they conserve water, reduce pollution, and create habitats that attract native and migratory wildlife.

As of April 2021, there are over 4935 certified naturescapes in Broward County, including 24 community wildlife habitat cities. Lauderdale-By-The-Sea is one of these registered communities, with 30 certified habitats including seven Florida-friendly landscapes. To become a naturescape, a community must either be recognized by the University of Florida or certified through the National Wildlife Federation as a wildlife habitat.

The nine Florida-friendly landscape principles are as follows:

- “Right plant, right place”
- Efficient watering
- Appropriate fertilization
- Mulching

Lauderdale-By-The-Sea
Special Town Commission Meeting
July 27, 2021

- Attracting wildlife
- Managing yard pests
- Recycling
- Preventing stormwater runoff
- Protecting the waterfront

These landscapes are intended to cultivate diverse species and stratify design for hurricane resistance and wildlife shelter. Because water restrictions are in effect year-round in Broward County, watering only as needed in the morning or evening is recommended, with no more than 3/4 in. of water per application. Fertilizer use should be minimized to decrease runoff, and should be kept at least 10 ft. away from bodies of water.

Mulch conserves moisture and minimizes runoff and erosion. Organic mulch, such as seashells or stone, is preferred. Nuisance trees rather than native species are recommended for mulch. Turf grass is not recommended, although some healthy turf can clean and cool the air by absorbing carbon dioxide, releasing oxygen, and collecting dust and dirt. Artificial turf is not considered to be a Florida-friendly product.

Attracting wildlife provides a green corridor on which native and migratory animals may travel. It also contributes to natural and responsible pest control and pollination. The least toxic methods of pest control are recommended. No more than 1/3 of the length of grass is recommended to be removed when mowing, and clippings should be left on the lawn. Stormwater runoff can be reduced by aiming downspouts as a porous surface.

Homeowners and commercial properties may apply for designation as Florida-friendly yards. Checklists are available online and in the Commissioners' backup materials. Deed restrictions, such as those in practice for homeowners' associations, cannot prevent a property owner from implementing Florida-friendly landscaping, although they can place some restrictions on appearances. Additional information is available through the Broward County Extension.

Commissioner Malkoon explained that he had requested tonight's presentation as a possible precursor to the Town reviewing its Landscape Code to incorporate more Florida-friendly and native recommendations.

4. RESOLUTIONS

Lauderdale-By-The-Sea
Special Town Commission Meeting
July 27, 2021

- a. Resolution 2021-39 - A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, ESTABLISHING A PROPOSED MILLAGE RATE FOR THE 2021/2022 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.

Ken Brenner, resident, stated that Staff is proposing a millage rate of 3.5, which is the same as the previous year; however, the Town has the option of implementing the rolled back rate, which would keep Town revenues the same as in fiscal year (FY) 2020-2021. He suggested that the Commission consider this option due to the uncertainty of the current year.

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

Director of Finance and Budget Lucila Lang explained that the purpose of tonight's meeting is to establish the proposed millage rate for FY 2021-2022. The current rolled back rate is established as 3.3923. The Interim Town Manager's budget proposes a millage rate of 3.500, which would produce net taxes collected of approximately \$9.2 million. The average homesteaded property owner would see a minimal impact in the range of \$10 to \$31.

Should the Commission consider increasing the millage rate above the proposed 3.500, a number of scenarios are provided showing the revenues that could result from incremental increases through 3.6500. The impact of these adjustments on property owners would range from roughly \$18 to \$120, depending upon the selected scenario.

The tentative millage rate that will be set at tonight's meeting is the highest possible rate that can be adopted by the Town. During the September 2021 budget meetings, the Commission will set the FY 2022 millage rate as well as approve the Interim Town Manager's proposed budget. Two additional budget meetings are scheduled for Monday, September 13 and Tuesday, September 28, respectively.

Lauderdale-By-The-Sea
Special Town Commission Meeting
July 27, 2021

Commissioner Sokolow emphasized that if the Commission approves a tentative millage rate of 3.500, it can be changed to a lesser rate in September; however, it cannot be increased. He did not feel that adopting the rolled back rate at this time would be appropriate.

Vice Mayor Oldaker suggested that the Commission consider slightly raising the proposed millage rate, as they have a comprehensive budget that includes a number of projects to be funded. While property values have increased, a significant amount of the Town's budget will be required to fund the Broward Sheriff's Office (BSO) contract increase. He recommended raising the millage rate to 3.65 at tonight's first hearing.

Commissioner Strauss commented that while FY 2021 has been difficult, property values have increased by more than 3.6%, which is significant. He also noted that the Town has taken many steps during the past year to take care of its Downtown businesses and restaurants, including increased use of sidewalks and waiver of fees and signage requirements. He felt it would be inappropriate not to extend a similar offer to residents, and concluded that he was in favor of the rolled back rate of 3.3923 for this reason.

Commissioner Malkoon proposed reviewing the budget to determine if some projects can be postponed to later years. He agreed with Commissioner Strauss that the Commission should consider adopting the rolled back rate, and characterized the proposed rate of 3.500 as a tax increase. He did not object, however, to adopting the millage rate of 3.500 at tonight's meeting.

Mayor Vincent observed that in his time on the Town Commission, the Commission has never voted to adopt the rolled back rate; however, the Town's property values have increased significantly over recent years, and the Town has brought in more revenue by maintaining its millage rates, as well as crafting a budget to spend this revenue. He agreed with Commissioners Malkoon and Strauss to consider adopting the rolled back rate of 3.3923. He felt this would challenge both the Commission and Staff to be more creative in light of the financial burden placed on many residents by the COVID-19 pandemic. The difference in Town revenue would be an estimated \$285,000.

Mayor Vincent continued that a substantial balance remains in the Town's proprietary Parking Fund, and that additional funds may be recouped by charging visitors to the Town for some of the services from which they benefit, such as maintenance of the Town's beaches. He also agreed with Commissioner Strauss that the Town has given

Lauderdale-By-The-Sea
Special Town Commission Meeting
July 27, 2021

significant assistance to its businesses and should take similar steps to support residents.

Commissioner Sokolow advised that approving the rolled back rate at tonight's meeting and forcing Staff to make creative adjustments to the budget was an unfair challenge to Staff, as they have invested a great effort in preparing the proposed budget. He cautioned against adopting a lower budget that would force an artificial reduction in expenses. Mayor Vincent stated that declining to adopt the rolled back rate has become habitual, and he felt it was time for change.

Vice Mayor Oldaker commented that adoption of the rolled back rate would cut the Town's resources short, and cautioned that setting this rate would require a budget that falls within its parameters, most likely through a reduction in services or capital improvements. He felt adopting the rolled back rate would be irresponsible at this point in the budget discussion. Mayor Vincent did not believe the Town's level of service would change if its expenses are reduced, and recalled that when the rolled back rate was not adopted in previous years, this was perceived as a tax increase. He concluded that this rate would set an additional challenge which he was confident the Town could afford.

Commissioner Sokolow made a motion, seconded by Vice Mayor Oldaker, to approve the tentative rate at 3.5. Motion failed 2-3 (Mayor Vincent, Commissioner Malkoon, and Commissioner Strauss dissenting).

Commissioner Malkoon made a motion, seconded by Commissioner Strauss, to approve Resolution 2021-39, setting the millage rate at 3.3923. Motion carried 3-2 (Vice Mayor Oldaker and Commissioner Sokolow dissenting).

- b. Resolution 2021-40 – 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, 2021; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL FOR FIRE PROTECTION**

Lauderdale-By-The-Sea
Special Town Commission Meeting
July 27, 2021

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.

Ken Brenner, resident, encouraged the Commission to diligently review the fire assessment study for future generations.

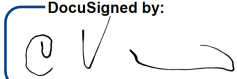
With no other individuals wishing to speak at this time, Mayor Vincent closed public comment.

Mayor Vincent observed that the Town's Volunteer Fire Department has successfully crafted a new formula to reduce its fire assessment rates by roughly 50% while retaining exemplary service.

Commissioner Malkoon made a motion, seconded by Commissioner Strauss, to approve Resolution 2021-40, setting the fire assessment rate. Motion carried 5-0.

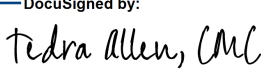
5. ADJOURNMENT

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

DocuSigned by:

B0A8AE8CC88D4A1...

Mayor Chris Vincent

ATTEST:

DocuSigned by:

F79938A3F45D42E...

Town Clerk Tedra Allen

9/21/2021

Date