

**TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
REGULAR MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Tuesday, July 23, 2019
6:30 PM**

1. CALL TO ORDER

Mayor Chris Vincent called the meeting to order at 6:32 p.m. Also present were Vice Mayor Elliot Sokolow, Commissioner Edmund Malkoon, Commissioner Alfred "Buz" Oldaker, Commissioner Randy Strauss, Town Manager Bill Vance, Town Attorney Susan L. Trevarthen, Assistant to the Town Manager Neysa Herrera, Municipal Services Director Ken Rubach, 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

Rabbi Benzion Singer gave the Invocation.

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

Mayor Vincent requested that Item 17.d, Resolution 2019-22, be heard as Item 5.a, moving the BugFest presentation to 5.b.

5. PRESENTATIONS

- 5.a Resolution 2019-22 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING AN OPEN-END MASTER EQUITY LEASE AGREEMENT AND AMENDMENT THERETO WITH ENTERPRISE FM TRUST, FOR THE LEASE OF VEHICLES, UTILIZING SOURCEWELL CONTRACT NO. 060618-EFM; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENTS; AUTHORIZING THE LEASE OF 2 VEHICLES FOR FISCAL YEAR 2019; AND PROVIDING FOR AN EFFECTIVE DATE.**

Christina Harris, representing Enterprise Fleet Management, provided an overview of the company's fleet management service, which operates in both the public and private sectors. Over 100 government agencies in Florida use this service. Shortening the life cycle of vehicles can help reduce the Town's maintenance and fuel costs. Enterprise has identified ways in which they can help the Town maximize its dollars by earlier replacement of vehicles. They can also assist with the purchase of equipment.

Analysis shows that if the Town holds their vehicles for four or fewer years, they can realize significant savings that can be invested in adding to the fleet or purchasing equipment. Ms. Harris showed an eight-year budget forecast prepared by Enterprise in comparison to the Town's current vehicle costs. The comparison reflected an overall savings of approximately \$49,000.

Municipal Services Director Ken Rubach advised that his intent is to start the program with two replacement vehicles. He has studied the use of the Town's vehicles and felt the Enterprise program could provide a less expensive alternative.

At this time Mayor Vincent opened public comment.

Barbara Cole, resident, felt the fleet management program could provide an alternative without adding to Town Staff.

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

Vice Mayor Sokolow asked if the Town had issued an RFP for fleet management services. Town Attorney Susan Trevarthen stated that the service would be purchased from a competitively bid purchasing cooperative, which is recognized as a competitive source by the Town's purchasing manual.

Town Manager Bill Vance advised that Staff had wished to determine the Commission's level of interest in the service before moving forward with any additional requests. Funds for the service are included in the proposed fiscal year (FY) 2019-2020 Town Manager's Budget.

Commissioner Strauss made a motion, seconded by Commissioner Oldaker, to move forward with the program. Motion carried 4-1 (Vice Mayor Sokolow dissenting).

5.b BugFest Kick-Off

Special Projects Coordinator Debbie Hime reported that the 8th Annual BugFest will begin with a kickoff party scheduled later in the evening at Plunge. Upcoming events throughout the week include:

- "Catch and cook" at the Sands Harbor Hotel
- Lobster chef competition
- Speed painting demonstration and auction
- Diver awards
- Fish identification presentation
- Reef cleanup
- "Dive Hard" music and art benefit

She encouraged all present to attend these events throughout the week.

6. PUBLIC COMMENTS

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

7. PUBLIC SAFETY DISCUSSION

7.a AMR June 2019 Report

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

8. TOWN MANAGER REPORT

8.a 2nd Quarter Welcome Center Report

The Commissioners accepted the report without comment.

8.b Town Manager Report

Town Manager Vance stated that on July 18, 2019, the Town briefly lost its ability to produce water for a majority of its homes and commercial businesses. He characterized this issue as an opportunity for enhanced communications between the Town and other nearby municipalities.

Municipal Services Director Rubach advised that interconnections between municipalities are common during events such as this, as it is often possible to use another community's water supply. Talks are underway with Fort Lauderdale and Pompano Beach regarding these redundancies. The Commissioners agreed by consensus to have Staff proceed with these discussions.

Commissioner Oldaker commented that Fort Lauderdale's administrative staff may not have a clear understanding of how this process works. He recommended reaching out to that city to ensure a better customer service response in the future, and complimented Fort Lauderdale's response time in making repairs.

Town Manager Vance continued that team development meetings will begin with a meeting with local hoteliers to discuss opportunities such as beach weddings. He added that a Truth in Millage (TRIM) notice Resolution is on tonight's Agenda. The proposed TRIM rate, once set, will be directed to Broward County prior to August 2, 2019.

Town Manager Vance, Municipal Services Director Rubach, and other representatives of Town Staff have worked closely with Town businesses and utilities such as Florida Power and Light (FPL) to coordinate public-private efforts to initiate system upgrades in the Downtown area. The recent installation of new wiring and transformers in these areas is expected to eliminate historically costly power outages along El Mar Drive and East Commercial Boulevard.

Preliminary tasks to facilitate construction efforts on Terra Mar have begun, and Town Staff is working to maintain active lines of communication with the Terra Mar community.

Town Manager Vance added that it is possible that minor event applications may be received between tonight's meeting and the August 27, 2019 meeting. He requested clarification of whether or not the Commission would like him to proceed with administrative approvals in this case. He concluded that if there is no objection, the Town would sponsor a table at the upcoming United Way Mayor's Event in October 2019.

Town Attorney Trevarthen advised that it was not possible for the Commission to delegate a policy directive such as approval of events. It was determined that the Commission would discuss the possibility of a change to Town Code to allow this delegation at a future meeting.

9. TOWN ATTORNEY REPORT

None.

10. APPROVAL OF MINUTES

10.a June 24, 2019 Commission Workshop Minutes

10.b June 25, 2019 Town Commission Meeting Minutes

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

11. CONSENT AGENDA

11.a Special Event Application for Chabad Lauderdale-By-The-Sea's Community Chanukah Festival on Sunday, December 22, 2019

11.b Special Event Application from Beachside Village Resort for Patriots Fan Transport, September 15, 2019

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

12. OLD BUSINESS

None.

13. NEW BUSINESS

13.a Consideration of Hurricane / Disaster Debris Removal and Disposal Interlocal Agreement

Town Manager Vance reported that this interlocal agreement was approved by Fort Lauderdale and allows Lauderdale-By-The-Sea the flexibility to use eventual designated staging areas for the deposit of hurricane debris on a temporary basis. All related costs will be shared between the municipalities.

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

14. COMMISSIONER COMMENTS

Commissioner Oldaker advised that the *Sun-Sentinel* printed a recent article about Lauderdale-By-The-Sea as a destination.

Commissioner Malkoon stated that he would attend the upcoming Florida League of Cities Conference in August 2019. He also encouraged residents to attend the Commission's budget meetings in September 2019.

Commissioner Strauss observed that on a recent vacation in Hawaii, several residents on the opposite side of the country were aware of Lauderdale-By-The-Sea. He also invited residents to the upcoming BugFest cooking competition on Thursday, July 25, 2019.

15. ORDINANCES 1ST READING

None.

16. ORDINANCES 2ND READING

None.

17. RESOLUTIONS – PUBLIC COMMENTS

- 17.a Resolution 2019-19 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, ESTABLISHING A PROPOSED MILLAGE RATE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019, AND ENDING SEPTEMBER 30, 2020; ANNOUNCING THE DATE, TIME AND PLACE OF THE FIRST PUBLIC HEARING TO CONSIDER THE PROPOSED MILLAGE RATE AND THE TENTATIVE BUDGET; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

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

Town Attorney Trevarthen noted that the proposed budget meeting dates are Thursday 12 and 26, 2019 at 6 p.m.

Commissioner Malkoon made a motion, seconded by Vice Mayor Sokolow, to accept the tentative millage rate at the current rate of 3.5989, and also to schedule the budget meetings as proposed as well as the Town Commission meetings to be after. Motion carried 5-0.

- 17.b Resolution 2019-20 – 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, 2019; 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, which he closed upon receiving no input.

Town Attorney Trevarthen advised that the proposed fire assessment rate is \$129.85 per residential unit and \$0.21 cents per square foot of non-residential property.

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

- 17.c Resolution 2019-21 – A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING AND AUTHORIZING A PIGGYBACK AGREEMENT WITH ERDMAN ANTHONY OF FLORIDA, INC., FOR ENGINEERING DESIGN AND CONSTRUCTION PLANS FOR PEDESTRIAN LIGHTING, LANDSCAPING, AND HARDSCAPE FOR THE EL MAR GREENWAY**

**PROJECT, UTILIZING THE FLORIDA DEPARTMENT OF
TRANSPORTATION AGREEMENT NO. C9W80; AUTHORIZING THE
TOWN MANAGER TO EXECUTE THE PIGGYBACK AGREEMENT;
PROVIDING FOR AN EFFECTIVE DATE.**

At this time Mayor Vincent opened public comment.

Barbara Cole, resident, requested that any forthcoming plans for or changes to the El Mar Drive greenway project be discussed on the dais and made available for local newspaper coverage. This would provide residents with a more comprehensive understanding of the project.

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

Town Manager Vance explained that the El Mar Drive Greenway is a Florida Department of Transportation (FDOT) project. Its technical design is approximately 30% complete at this time. The proposal before the Commission is related to additional work the Town has discussed to be incorporated into the project. These additional items are associated with stormwater, the path, amenities, and landscaping. Once design plans are in place, another public meeting will be held prior to their completion to hear public feedback.

The cost associated with tonight's proposal is \$280,000, which covers design and engineering services from Erdman Anthony of Florida, Inc., which will provide design of features not included under FDOT's responsibilities, including traffic control plans, pedestrian and street lighting, hardscape and landscape plans, and irrigation. They will attend construction meetings with FDOT and will provide construction plans and files that meet FDOT standards.

Vice Mayor Sokolow commented that he remains uncomfortable with the project, as the Commission has seen the conceptual greenway but not its design. He opposed spending a significant amount of money to add to the project's basic design, and was not willing to enter into an engineering contract for a project that may take years to complete.

Town Manager Vance advised that he and Municipal Services Director Rubach have become involved in efforts surrounding the greenway project and hope to move it

forward in a timely manner. He expected a public meeting will be held to discuss the project further in the near future.

Vice Mayor Sokolow stated that he did not see the reason for urgency, as the design process is not yet complete. Mayor Vincent advised that he shared this concern to a degree, as it is difficult to apply value engineering to a plan with no current design concept; however, the Town Engineer has assured the Commission that conceptual plans for the greenway project are not expected to change.

Municipal Services Director Rubach explained that the current 30% completion of drawings show the roadway, location of catch basins, and islands, with no additional detail. Vice Mayor Sokolow pointed out that the greenway has been in discussion or planning for a number of years, and has changed from its original concept.

Town Manager Vance stated that the Broward Metropolitan Planning Organization (MPO) has committed \$4 million to the project, with the Town to provide roughly \$2 million for their improvements. The project is expected to go out for bid in 2020 if its design is complete. He suggested if the Commission is not interested in proceeding with the project at this time, Town Staff can bring the Item back next month to discuss potential changes.

Mayor Vincent agreed that he was no longer comfortable advancing the project after tonight's conversation. Commissioner Strauss also agreed, noting that he was not in favor of the piecemeal manner in which the project would be completed, nor with the Town's overall lack of control of the project. Commissioner Malkoon was also in favor of tabling the Item, requesting that more information be provided to the Commission and the public, including a presentation with timelines. Commissioner Oldaker also felt the project should be reevaluated.

Vice Mayor Sokolow recommended that a meeting be scheduled with the proposed greenway's project manager for the Broward MPO to provide greater clarity on the project, its costs, and the length of time it would take to complete.

It was determined that Town Staff would prepare a presentation on the project for the August 27, 2019 Commission meeting. Mayor Vincent requested that Vice Mayor Sokolow be involved in this coordination, as he is the Town's representative to the Broward MPO.

Lauderdale-By-The-Sea
Regular Town Commission Meeting
July 23, 2019

Commissioner Malkoon made a motion, seconded by Commissioner Strauss, to table Resolution 2019-21 to a date certain of August 27, 2019. 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 7:53 p.m.

A handwritten signature in black ink, appearing to be 'CV', is written over a horizontal line.

Mayor Chris Vincent

ATTEST:

A handwritten signature in blue ink, appearing to be 'Tedra Allen', is written over a horizontal line.

Town Clerk Tedra Allen

A handwritten date '8-27-19' in blue ink is written over a horizontal line.

Date