



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

Regular Town Commission

Regular Town Commission

Tuesday, July 13, 2021, 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 - Pastor Patrick C. Jackson

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

5. PRESENTATIONS

- 5.a. Town's 2021 4th of July Celebration
[Coverpage.pdf](#)

6. PUBLIC COMMENTS

7. PUBLIC SAFETY DISCUSSION

- 7.a. VFD June 2021 Report
[CoverPage.pdf](#)
[Ex.1 - Town Monthly Activity Report - June 2021](#)

8. TOWN MANAGER REPORT

- 8.a. Town Manager Report for July 13, 2021
[7-13-21 AM Town Manager Report - pdf](#)

9. TOWN ATTORNEY REPORT

10. APPROVAL OF MINUTES

11. CONSENT AGENDA

- 11.a. 2021 Gross Taxable Value
[CoverPage.pdf](#)
[Ex.1 - 2021 July 1st Taxable Value Report.pdf](#)
- 11.b. Volunteer Fire Department (VFD) FY22 Budget Request
[CoverPage.pdf](#)
[Ex.1 - VFD Draft Budget.pdf](#)

12. OLD BUSINESS

13. NEW BUSINESS

- 13.a. Palm Club Sewer Proposal
[CoverPage.pdf](#)
[EX1- Man Con Proposal.pdf](#)
[EX2- Reso 2021-38 Palm Club GMP](#)
- 13.b. Dee Jay Beach Resort (4617 El Mar Drive) Request for Extension to Complete Construction
[CoverPage.pdf](#)
[EX 1-Demo Permit History.pdf](#)
[EX 2-Sec. 30 137. ___Nonconforming_uses_and_structures.pdf](#)

14. COMMISSIONER COMMENTS

15. ORDINANCES 1st Reading

16. ORDINANCES 2nd Reading

17. RESOLUTIONS - PUBLIC COMMENTS

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 INSURE 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.



Town Commission Agenda Item Report

Meeting Date: July 13, 2021

Submitted By: Debbie Hime, Special Events & Marketing Manager

Submitting Department: Administration

Item Type: Presentations

Agenda Section: PRESENTATIONS

Subject Title: Town's 2021 4th of July Celebration

Explanation: A brief review of the day's festivities will be presented.



Town Commission Agenda Item Report

Meeting Date: July 13, 2021

Submitted By: Chief Judson Hopping, VFD

Submitting Department: Public Safety

Item Type: Report

Agenda Section: PUBLIC SAFETY DISCUSSION

Subject Title: VFD June 2021 Report

Recommendation: Accept/Approve

Attachments:

Ex.1 – VFD June Report



Lauderdale-By-The-Sea Volunteer Fire Department

Overview

During the month of June 2021, the Volunteer Fire Department continued its focus on fire prevention for high-rise buildings and commercial properties. There were 70 fire inspections with 1 re-inspection and 3 violations that have been addressed.

Responses:

The Volunteer Fire Department responded to 46 fire rescue calls within the limits of our contract.

- Of the 46 emergency fire calls dispatched, there were 18 fire alarms, 1 structure fire investigation, 4 vehicle accidents w/injuries, 5 open water drownings, 1 electrical/utility fires, and 17 "other" fires.
- There were 94 emergency medical 911 calls for June 2021. The department was dispatched to 5 of those calls, of which, 3 were cleared by the Chief on Duty or Med12. The department assisted M12/212 on 2 of the medical calls.

Training:

The Volunteer Fire Department had 11 regular in-town members, and 32 associate out of town members for a total of 43 active members.

For the month of June, there were 12 fire training drills, 1 ocean rescue class, 1 inspection, and 4 car seat installations consisting of the following:

- 620 Hrs - Fire Fighter training & new class P.O.'s
- 65 Hrs - Ocean Rescue training
- 6 Hrs - Assisted Fire Marshal on BTA Inspection for condo
- 4 Hrs - Public Education – Car Seat Installation

A total of 695+ hours were spent in the month of June on training.

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



Town of Lauderdale-By-The-Sea Fire Department Monthly Report June 2021

	Regular In - Town	Associate Out of Town
Active Member	11	32
Fire 1 non-certified	1	2
Fire 1 Certified	1	1
Fire II Certified	9	31
CPR/1 st Responder	5	11
EMT-B (FL)	2	12
Paramedic (FL)	3	9

Emergency 911 Calls

Fire/Rescue	46
Total Medical 911 calls	94
Medical calls V.F.D. Not Dispatched	89
Medical calls V.F.D. Dispatched	5
Medical calls Canceled by COD/M12	3
Medical calls V.F.D. Assisted	2

Training *excludes Target Solutions on-line trng.

695+ Total Hrs.

Firefighter training & New class P.O.'s	620 Hrs
Ocean Rescue training	65 Hrs
BTA Inspection	6 Hrs
Public Awareness – Car Seat Installation	4 Hrs

Station Watch Hours

2,320.75+ Total Hrs.

Firefighter Station Watch/Ocean patrol	1,559.75+ Hrs
Ocean Rescue patrol	41 Hrs
Chief on Duty/Command	720 Hrs

LBTS Volunteer Fire Department - June 2021, Active Roster

Last Name	First Name	LBTS FF No.	Membership	Town Resident	Rank	Fire Cert	EMS Certification	MTD Calls	YTD Calls
Acevedo	Manuel	189639	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	4	43
Arnold	Kenneth	190026	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	2	21
Aubrey	Keith	163	Regular Member		Firefighter	Firefighter II	Paramedic (FL)	2	20
Baker	Shelby	184656	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	0	0
Benrubi	Aaron	173349	Associate Member		Driver Engineer	Firefighter II	Paramedic (FL)	13	67
Bias	Jonathan	81298	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	4	55
Bosco	Michael	171605	Associate Member		Firefighter	Firefighter II	CPR for healthcare provider	0	0
Cabrera	Ricardo	177336	Associate Member		Firefighter	Firefighter II	CPR for healthcare provider	5	25
Calvin	Jakob	190629	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	0	0
Carlton	Ryan	186384	Associate Member		Lieutenant	Firefighter II	EMT-B (FL)	14	178
Clinton	Ryan	177389	Associate Member		Lieutenant	Firefighter II	CPR for healthcare provider	3	103
Cosenza	Vincent	169533	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	10	43
Cowles	James	186248	Regular Member	*	Firefighter	Firefighter I	CPR for healthcare provider	20	195
DeZayas	Mauricio	186553	Associate Member		Firefighter	Firefighter II	CPR for healthcare provider	11	66
Dupoux	Eric	184333	Associate Member		Firefighter	Firefighter II	CPR for healthcare provider	2	46
Edouard	Myriam	708	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	4	39
Frew	Maria	174735	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	0	0
Garcia	Ali	166036	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	3	68
Hernandez	Rosa	190618	Associate Member		Firefighter	Firefighter II	CPR for healthcare provider	0	0
Hopping	Judson	054	Regular Member		Fire Chief	Firefighter II - D/E - Officer I	EMT-B (FL)	11	104
Horan	Sean	177190	Regular Member		Trainee	Trainee		0	0
Johnson	Scott	33742	Regular Member		Driver Engineer	Firefighter II-D/E - Officer I	Paramedic (FL)	21	193
Kahler	Derek	190471	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	0	0
Kane	Mark	155	Associate Member		Captain	Firefighter II-D/E - Officer I	EMT-B (FL)	26	202
Karley	Robert	101	Regular Member	*	Driver Engineer	Firefighter II - D/E	CPR for healthcare provider	14	222
Lane	Taylor	186647	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	12	44
Ledezma, Jr.	Fabian	179295	Associate Member		Firefighter	Firefighter II	CPR for healthcare provider	0	0
Louvaris	John	078	Regular Member		Deputy Chief	Firefighter II-D/E - Officer I	CPR for healthcare provider	45	389
Maggard	Dylan	165765	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	0	0
Mangin	Andrew	735	Associate Member		Firefighter	Firefighter II - D/E	Paramedic (FL)	5	65
Nemia	John	190426	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	0	0
Nesi	Ryan	167821	Associate Member		Firefighter	Firefighter I	EMT-B (FL)	0	0
Obregon	Chelsea	192558	Associate Member		Trainee	Trainee	CPR for healthcare provider	0	3
Paine	Kyle	173	Regular Member		Firefighter	Firefighter II	EMT-B (FL)	3	30
Paine	Riley	704	Regular Member		Battalion Chief	Firefighter II-D/E - Officer II	Paramedic (FL)	28	260
Paine	Stephen	140	Regular Member		Fire Marshal	Firefighter II	CPR for healthcare provider	10	143
Piper	Kyle	184815	Associate Member		Firefighter	Firefighter II	CPR for healthcare provider	6	39
Ruiz	Rodrigo	174946	Associate Member		Firefighter	Firefighter II	CPR for healthcare provider	0	0
Samler, Jr.	Thomas	187730	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	0	0
Silverstone	James	025	Regular Member	*	Driver Engineer	Firefighter II	CPR for healthcare provider	11	74
Stewart	Theodore	190140	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	9	26
Warden	Stephanie		Associate Member		Trainee	Trainee	CPR for healthcare provider	1	7
Wolf	Ian	182777	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	6	22

Monthly Activity Report - June 2021

Date	Fire/Rescue Calls	Event Description	Start Time	End Time	No. of FF
02-Jun-21	1431 South Ocean Blvd.	Other fire - svc call	12:45:00 AM	1:02:00 AM	5
02-Jun-21	4140 North Ocean Drive	Other fire - water main break	5:31:00 AM	5:42:00 AM	4
04-Jun-21	1620 South Ocean Blvd.	Fire alarm	3:07:00 AM	3:42:00 AM	4
04-Jun-21	5200 North Ocean Blvd.	Fire alarm	8:38:00 AM	8:45:00 AM	5
04-Jun-21	4433 North Ocean Drive	Motor vehicle accident vs pedestrian	9:53:00 PM	10:50:00 PM	5
05-Jun-21	4540 North Ocean Drive	Other fire - forcible entry	11:35:00 PM	11:54:00 PM	5
07-Jun-21	5200 North Ocean Blvd.	Fire alarm	6:17:00 PM	6:23:00 PM	9
07-Jun-21	5200 North Ocean Drive	Fire alarm	8:59:00 PM		8
08-Jun-21	1850 South Ocean Blvd.	Fire alarm	8:53:00 AM	9:17:00 AM	9
09-Jun-21	South Ocean & Terra Mar	Accident w/injuries	5:10:00 PM	6:04:00 PM	11
10-Jun-21	1431 South Ocean Blvd.	Other fire - svc call	7:12:00 AM	7:28:00 AM	6
10-Jun-21	3900 North Ocean Drive	Fire alarm	9:28:00 AM	9:42:00 AM	8
11-Jun-21	4144 El Mar Drive	Open water drowning - no distress; diver flag	1:54:00 PM	2:01:00 PM	7
11-Jun-21	Lombardy/W. Tradewinds	Other fire - water leak	7:50:00 PM	8:01:00 PM	6
12-Jun-21	1430 South Ocean Blvd.	Fire alarm	3:20:00 AM	3:35:00 AM	4
12-Jun-21	4660 El Mar Drive	Open water drowning - kite surfer found; no injuries	6:07:00 PM	6:22:00 PM	6
13-Jun-21	4340 El Mar Drive	Open water drowning - boggle board on shore; no medical needed	9:43:00 AM	9:49:00 AM	5
14-Jun-21	3220 South Terra Mar	Fire alarm	1:03:00 PM	1:14:00 PM	7
14-Jun-21	301 Tropic Drive	Other fire - palm tree smoking	4:19:00 PM	4:24:00 PM	8
14-Jun-21	263 Neptune Avenue	Other fire - svc call	7:38:00 PM	8:26:00 PM	5
14-Jun-21	4544 Polinciana Street	Other fire - DLE matter	8:15:00 PM	8:22:00 PM	6
17-Jun-21	4609 Bougainvillea Drive	Other fire - technical rescue/ceiling collapsed	2:17:00 PM	2:42:00 PM	5
18-Jun-21	4318 El Mar Drive	Fire alarm	6:01:00 PM	6:20:00 PM	6
18-Jun-21	1937 Coral Reef Drive	Fire alarm	7:53:00 PM	8:17:00 PM	6
19-Jun-21	2030 N. Atlantic Blvd.	Open water drowning - wrong zone	2:23:00 PM	2:34:00 PM	8
20-Jun-21	218 Commercial Blvd	Fire alarm	9:24:00 AM	9:44:00 AM	6
20-Jun-21	1700 South Ocean Blvd.	Fire alarm	2:00:00 PM	2:15:00 PM	5
20-Jun-21	4424 El Mar Drive	Other fire - female pulled from water; refusal transport	4:48:00 PM	5:03:00 PM	4
21-Jun-21	1430 South Ocean Blvd.	Fire alarm	7:01:00 AM	7:15:00 AM	8
21-Jun-21	Blue Water Ter/Sailfish Place	Electrical utility fire	7:15:00 AM	7:23:00 AM	8
22-Jun-21	1461 South Ocean Blvd.	Fire alarm	5:23:00 AM	5:51:00 AM	7
22-Jun-21	1461 South Ocean Blvd.	Other fire - svc call pt off boat	5:01:00 PM	6:19:00 PM	6
23-Jun-21	4244 El Mar Drive	Drowning - pt found no medical needed	1:06:00 PM	1:11:00 PM	6
23-Jun-21	4353 Ocean Drive	Pedestrian hit by vehicle	5:03:00 PM	5:31:00 PM	7
24-Jun-21	4001 North Ocean Blvd.	Fire alarm	11:55:00 AM	12:06:00 PM	5
24-Jun-21	4220 El Mar Drive	Fire alarm	6:15:00 PM	6:42:00 PM	6
25-Jun-21	1480 South Ocean Blvd.	Other fire - svc call	9:20:00 AM	10:23:00 AM	3
25-Jun-21	4644 Polinciana Street	Other fire - forced entry	11:55:00 PM	12:06:00 AM	4
26-Jun-21	1500 South Ocean Blvd.	Fire alarm	10:50:00 AM	11:05:00 AM	8
26-Jun-21	4644 Polinciana Street	Other fire - svc call	11:48:00 AM	12:02:00 PM	7
27-Jun-21	Commercial/El Mar	Other fire - injured bird - flew away	11:08:00 AM	11:10:00 AM	6
29-Jun-21	4660 El Mar Drive	Other fire - Pt cut by umbrellas transported from beach	2:55:00 PM	3:41:00 PM	3
30-Jun-21	Flamingo/N. Ocean	Accident w/injuries	12:04:00 AM		6
30-Jun-21	4319 North Ocean Drive	Structure fire investigation	12:30:00 PM	1:00:00 PM	5
30-Jun-21	4344 El Mar Drive	Fire alarm	2:10:00 PM	2:22:00 PM	8
30-Jun-21	4405 North Ocean Drive	Other fire - svc call	8:45:00 PM	9:18:00 PM	4
Total Calls			46		

Date	First Responder	Event Description	Start Time	End Time	No. of FF
14-Jun-21	1541 South Ocean Blvd.	medical, E12 canceled by M212	5:13:00 PM	6:21:00 PM	4
20-Jun-21	13 Sunset Lane	medical, E12 assisted M212	2:17:00 PM	3:19:00 PM	5
22-Jun-21	4616 El Mar Drive	medical, E12 canceled by M12	5:25:00 AM	5:39:00 AM	7
25-Jun-21	4620 North Ocean Drive	medical, E12 cleared by M12	11:30:00 AM	11:32:00 AM	4
30-Jun-21	4405 N. Ocean Drive	medical, E12 assisted M12	3:15:00 AM		4
Total Calls			5		

Date	Public Service	Event Description	Start Time	End Time	No. of FF
12-Jun-21	Station 12	Installed (2) forward and (2) rear facing car seats	2:00:00 PM	4:00:00 PM	1
17-Jun-21	Station 12	Installed a rear facing car seat	2:30:00 PM	3:30:00 PM	1
21-Jun-21	Station 12	Installed a forward facing car seat	3:00:00 PM	4:00:00 PM	1

Date	Drill/Training	Event Description	Start Time	End Time	No. of FF
03-Jun-21	Station 12	Extrication w/Holmatra tools w/ Holmatra representatives	6:00:00 PM	10:00:00 PM	6
05-Jun-21	Station 12	One man ladder ops	9:00:00 AM	11:30:00 AM	5
09-Jun-21	Admin Office	Orientation - new hires	6:00:00 PM	10:00:00 PM	21
12-Jun-21	Station 12	New hire class; P.O.'s	8:00:00 AM	12:00:00 PM	23
12-Jun-21	Station 12	New hire class; P.O.'s	1:00:00 PM	3:45:00 PM	22
17-Jun-21	Station 12	Engine company ops; hose line; blitz fire 2 1/2 hose line & 5" supply line	6:00:00 PM	8:00:00 PM	6
19-Jun-21	Station 12	New class P.O.'s	8:00:00 AM	12:00:00 PM	22
19-Jun-21	Station 12	New hire P.O.'s	1:00:00 PM	5:00:00 PM	20
21-Jun-21	Station 12	Radio's, pumping, blitz fire	6:00:00 PM	8:00:00 PM	5
23-Jun-21	Station 12	New hire P.O.'s final/sign-off	6:00:00 PM	9:30:00 PM	16
24-Jun-21	Station 12	Brush ATV/stable jacks on E12	6:00:00 PM	10:00:00 PM	6
26-Jun-21	Westminster Academy & Beach	Rescue class - new hires	8:00:00 AM	1:00:00 PM	13
28-Jun-21	Station 12	Radio communications/scene size up	6:00:00 PM	10:00:00 PM	6
29-Jun-21	1700 South Ocean Blvd.	Asslt Fire Marshal w/BDA test @Cristelle Condo	10:00:00 AM	11:30:00 AM	4

Date	Ocean Rescue	Event Description	Start Time	End Time	No. of FF
05-Jun-21	Beach	Ocean rescue patrol	11:00:00 AM	3:00:00 PM	2
06-Jun-21	Beach	Ocean rescue patrol	12:00:00 PM	2:00:00 PM	2
12-Jun-21	Beach	Ocean rescue patrol	12:00:00 PM	2:00:00 PM	2
13-Jun-21	Beach	Ocean rescue patrol	12:00:00 PM	2:30:00 PM	2
19-Jun-21	Beach	Ocean rescue patrol	10:30:00 AM	1:30:00 PM	2
20-Jun-21	Beach	Ocean rescue patrol	11:00:00 AM	3:00:00 PM	2
26-Jun-21	Beach	Ocean rescue patrol & training	1:30:00 AM	3:30:00 PM	2
27-Jun-21	Beach	Ocean rescue patrol	11:30:00 AM	2:30:00 PM	2

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

Unit Response Time 3- Month Average

Jun-21

Apparatus	Batt. Chief 12	Engine 12	Engine 212	Squirt 12
Call Count	41	48	4	6
Response Time	0:05:46	0:05:43	0:00:00	0:00:00

Total Average Response Time :

4:57

May-21

Apparatus	Batt. Chief 12	Engine 12	Engine 212	Squirt 12
Call Count	51	63	6	9
Response Time	0:04:51	0:05:35	0:00:00	0:00:00

Total Average Response Time :

4:33

Apr-21

Apparatus	Batt. Chief 12	Engine 12	Engine 212	Squirt 12
Call Count	49	56	4	7
Response Time	0:05:00	0:05:01	0:00:00	0:00:00

Total Average Response Time :

4:39



Town Commission Agenda Item Report

Meeting Date: July 13, 2021

Submitted By: Linda Connors, Interim Town Manager

Submitting Department: Administration

Item Type: Report

Agenda Section: TOWN MANAGER REPORT

Subject Title: Town Manager Report for July 13, 2021

Explanation: Following is the Interim Town Manager's report for July 13, 2021.

1. CIP Update

The Commission voted to amend the FY21 CIP at their March 9th meeting. Below is a status update of the projects.

Capital Project Fund	Funding	Allocated	Funding Approval	Notes
Visitor's Center	\$95,000	\$89,692		Completed
Terra Mar Drainage	\$1,150,000	\$1,052, 244		Completed
A1A Pine to Terra Mar	\$100,000	\$90,684		Completed The funding is to pay for upgrades on this FDOT project. We anticipate a July19th start date.
Palm Club Sewer	\$2,550,000	\$3,130,292	May 25th	On tonight's agenda to approve construction proposal. Work set to begin in mid to late August. Approximately 8 months to construct. An additional \$1.5 million is included in FY22 CIP.
Bel Air Sewall	\$225,000	\$18,428	April 13 th	Town Commission hired The Chappell Group to prepare and process permits from US Army Corps, FDEP and Broward County. We estimate construction to begin Spring 2022.
Canal Dredging Permit	\$50,000	34,085	April 13 th	Permitting in process for dredging. The cost does not include permit fees. We estimate dredging to begin in 2022.
Town Hall Roof	\$100,000	\$51,651	April 27 th	Work to begin the week of July 12 th .
Codrington Drainage	\$120,000	\$105,862		Preliminary Design work has begun, and the first resident

Capital Project Fund	Funding	Allocated	Funding Approval	Notes
				meeting is anticipated to be scheduled in September.
Bougainvilla Drainage	\$240,000		TBD	Staff is currently working Flynn Engineering on a design proposal to bring forward for Commission consideration in the fall.
Street Sufficiency Study	\$25,000	\$20,955	April 27th	Street Sufficiency Study has been completed and is currently under review by staff.
A1A/Hibiscus Crosswalk	\$50,000	\$5,000		The Town hired Via Planning to assist with permitting. We received comments back from FDOT, the permit application is being revised to address those comments. We anticipate approval in the upcoming weeks.
Town Hall Exterior Paint	\$25,000		TBD	Work will be scheduled after the roof is replaced.
Pedestrian Amenities	\$75,000	Transfer to FY22	TBD	These funds will be transferred to FY22 and will be utilized to start the process to ensure our bus stops are ADA compliant.
Dune Master Plan	\$75,000			We received confirmation that the \$30,000 federal grant was confirmed. Staff is preparing the agreement. Once executed, we will be able to move forward with the project.
Sewer Fund	Funding	Spent	Funding Approval	Notes
Lateral Lining	\$100,000		April 13th	Lateral Lining to begin the week of July 12 th .

2. Off-site Roof Repair

Several leaks were found in the tenant's portion of the Off-Site building. These repairs have been approved by the Interim Town Manager in an amount not to exceed \$10,000.00. The entire offsite roof is included in the FY23 CIP with an initial estimate of approximately \$280,000.

3. El Mar Drive Sidewalks

The Town's contractor completed the El Mar Drive sidewalk repair and there were a few squares that were damaged by the hard rain that occurred immediately after they were completed. The damage is aesthetic, and they will be replaced soon.

4. Sculpture Repair

Staff had a survey completed to identify the maintenance needs associated with the sculptures along Commercial Blvd (located in the west business plazas and as well as Anglin's square) after delamination and fading was noticed on several of them. The Caribbean Squid sculpture in Sea Fan Plaza requires immediate restoration to prevent further damage and additional costs to repair. I have authorized this work has been authorized to be completed during the current fiscal year by the Interim Town Manager for a cost of \$7,200.

In FY22, the remaining sculptures will be addressed. Once this work has been completed in FY22 an ongoing preventative maintenance program will be put in place to reduce future costs and serve to preserve the art.

5. Code Compliance Complaints

The Governor signed SB60 (anonymous complaints in code compliance) on June 29 and it became effective on July 1, 2021. As of this date, code inspectors are prohibited from initiating investigations on code violation complaints that are submitted anonymously. This does not apply if the code inspector has reason to believe that the violation presents an *imminent threat to public health, safety, or welfare or imminent destruction of habitat or sensitive resources*.

6. Proposed Workshops

Date	Time	Topic
July 27	5:30 PM	Florida Friendly Landscaping Proposed Mileage Rate
August 10	5:00 PM	Marina (rescheduled)



Town Commission Agenda Item Report

Meeting Date: July 13, 2021

Submitted By: Lucila Lang, Director of Budget & Finance

Submitting Department: Administration

Item Type: Consent

Agenda Section: CONSENT AGENDA

Subject Title: 2021 Gross Taxable Value

Explanation: On June 29, 2021, the Broward County Property Appraiser certified the 2021 Tax Roll (**Exhibit 1**). The value of the existing Lauderdale-By-The-Sea property increased by 3.18% over last year's values. Additionally, the tax roll shows net new taxable value (which is primarily new construction) totaling approximately \$7.45million. In the aggregate, the gross taxable value of property in Lauderdale-By-The-Sea increased 3.45%. The following table shows the budgetary impact of the increase in taxable value if the Commission maintains the millage rate of 3.5000 and if the Commission adopts the rolled back rate.

		Budgetary Impact*	
		Current Millage	Rolled-back Rate
		3.5000	3.3923
Prior Year Gross Taxable Value	\$ 2,709,679,363.00	\$ 9,009,683.88	\$ 9,009,683.88
Less: VAB Adjustments	(11,256,758.00)	(37,428.72)	
Final Prior Year Gross Taxable Value	2,698,422,605.00		
Plus 3.18% Increase in Taxable Value	85,691,741.00	284,925.04	
Current Year Adjusted Taxable Value	2,784,114,346.00		
Plus Net New Taxable Value	7,447,080.00	24,761.54	
Current Year Gross Taxable Value	\$ 2,791,561,426.00	\$ 9,281,941.74	\$ 8,996,323.13
Difference in Budgeted General Fund Tax Revenue		\$ 272,257.86	\$ (13,360.75)

In summary, if the Commission maintains the current millage rate, budgeted ad valorem revenues would increase by \$272,257 to \$9,281,941. Alternatively, if the Commission adopts the rolled back rate, budgeted ad valorem revenues would decrease by \$13,360 to \$8,996,323 because of our longstanding practice to budget 95% of the tax levy. We continue to prepare the proposed budget and will make a recommendation regarding the FY22 millage rate when we distribute the budget message.

Recommendation: No action necessary. The tentative millage rate is adopted at the meeting of July 27, 2021.

Attachments: Ex 1: July 1st Taxable Value Report

2021 TAXABLE VALUE REPORT

6/28/2021

(Line 7 of DR-420)

(Line 4 of DR-420)

(Line 5 of DR-420)

(Line 6 of DR-420)

TAXING AUTHORITY	Total 2020 WCC* Taxable Value	Total July 1st, 2021 Taxable Value	Percentage Change in Taxable Value	Net New Taxable Value	Current Yr Adjusted Taxable Value	Net Percentage Change
COCONUT CREEK	4,587,045,996	4,831,621,300	5.33%	29,704,170	4,801,917,130	4.68%
COOPER CITY	3,228,112,088	3,385,526,888	4.88%	15,666,840	3,369,860,048	4.39%
CORAL SPRINGS	11,184,098,625	11,757,400,445	5.13%	44,626,480	11,712,773,965	4.73%
DANIA BEACH	4,365,399,568	4,643,580,005	6.37%	119,210,880	4,524,369,125	3.64%
DAVIE	10,759,810,820	11,356,865,657	5.55%	133,513,820	11,223,351,837	4.31%
DEERFIELD BEACH	7,914,876,123	8,490,489,616	7.27%	170,455,050	8,320,034,566	5.12%
FORT LAUDERDALE	40,866,781,365	43,718,375,739	6.98%	1,141,870,340	42,576,505,399	4.18%
HALLANDALE BEACH	5,866,620,218	6,022,064,180	2.65%	3,935,980	6,018,128,200	2.58%
HILLSBORO BEACH	1,442,228,423	1,537,126,077	6.58%	31,688,180	1,505,437,897	4.38%
HOLLYWOOD	18,278,972,449	18,938,419,616	3.61%	110,379,300	18,828,040,316	3.00%
LAUD. BY THE SEA	2,698,422,605	2,791,561,426	3.45%	7,447,080	2,784,114,346	3.18%
LAUDERDALE LAKES	1,348,492,152	1,500,117,142	11.24%	38,582,410	1,461,534,732	8.38%
LAUDERHILL	3,009,199,170	3,259,449,456	8.32%	4,786,420	3,254,663,036	8.16%
LAZY LAKE	7,552,898	8,354,159	10.61%	-	8,354,159	10.61%
LIGHTHOUSE POINT	2,598,272,212	2,749,959,871	5.84%	29,040,070	2,720,919,801	4.72%
MARGATE	3,518,193,551	3,765,410,202	7.03%	24,405,030	3,741,005,172	6.33%
MIRAMAR	10,786,355,097	11,356,131,038	5.28%	89,335,200	11,266,795,838	4.45%
NORTH LAUDERDALE	1,727,217,666	1,867,572,232	8.13%	5,206,780	1,862,365,452	7.82%
OAKLAND PARK	3,746,140,727	4,001,175,269	6.81%	12,149,480	3,989,025,789	6.48%
PARKLAND	5,710,694,018	6,069,666,821	6.29%	226,057,550	5,843,609,271	2.33%
PEMBROKE PARK	811,441,333	874,680,279	7.79%	(234,660)	874,914,939	7.82%
PEMBROKE PINES	14,156,474,292	14,862,515,588	4.99%	79,845,100	14,782,670,488	4.42%
PLANTATION	10,046,690,642	10,636,630,334	5.87%	163,700,370	10,472,929,964	4.24%
POMPANO BEACH	14,374,619,233	15,313,447,100	6.53%	176,984,050	15,136,463,050	5.30%
POMPANO BEACH EMS	14,374,619,233	15,313,447,100	6.53%	176,984,050	15,136,463,050	5.30%
SEA RANCH LAKES	236,431,560	247,397,240	4.64%	(641,880)	248,039,120	4.91%
SUNRISE	8,126,264,462	8,661,399,745	6.59%	124,884,820	8,536,514,925	5.05%
SOUTHWEST RANCHES	1,556,154,309	1,683,717,975	8.20%	50,874,670	1,632,843,305	4.93%
TAMARAC	4,382,927,714	4,748,952,933	8.35%	79,014,200	4,669,938,733	6.55%
WEST PARK	650,316,998	711,504,727	9.41%	3,121,370	708,383,357	8.93%
WESTON	9,165,045,505	9,535,391,273	4.04%	32,877,280	9,502,513,993	3.68%
WILTON MANORS	1,588,137,599	1,688,224,486	6.30%	9,554,520	1,678,669,966	5.70%
UNINCORPORATED	953,114,366	997,268,293	4.63%	7,307,210	989,961,083	3.87%
COUNTY FIRE	953,114,366	997,268,293	4.63%	7,307,210	989,961,083	3.87%
FORT LAUD. DDA	1,946,427,706	2,071,073,935	6.40%	39,805,970	2,031,267,965	4.36%
N. BROWARD HOSPITAL	146,005,357,357	155,180,657,086	6.28%	2,429,032,140	152,751,624,946	4.62%
S. BROWARD HOSPITAL	64,523,430,587	67,646,385,246	4.84%	536,571,320	67,109,813,926	4.01%
HILLSBORO INLET	19,318,928,031	20,447,711,866	5.84%	185,485,420	20,262,226,446	4.88%
WATER MANAGEMENT 2	4,556,142,326	4,920,520,297	8.00%	148,738,590	4,771,781,707	4.73%
CENTRAL BROWARD	3,167,300,230	3,196,495,320	0.92%	-	3,196,495,320	0.92%
COCOMAR	4,944,528,084	5,211,610,665	5.40%	30,146,510	5,181,464,155	4.79%
TINDALL HAMMOCK	773,079,090	828,374,990	7.15%	21,328,240	807,046,750	4.39%
WATER MANAGEMENT 3	2,722,722,840	2,917,309,353	7.15%	59,254,150	2,858,055,203	4.97%
WATER MANAGEMENT 4A	630,796,603	679,795,956	7.77%	14,041,977	665,753,979	5.54%
WATER MANAGEMENT 4B	905,039,476	950,241,587	4.99%	480	950,241,107	4.99%
WATER MANAGEMENT 4C	2,112,705,319	2,210,791,245	4.64%	576,970	2,210,214,275	4.62%
COUNTY STREET LIGHT	484,537,160	539,904,050	11.43%	9,358,600	530,545,450	9.50%
THREE ISLANDS	701,468,440	708,634,500	1.02%	11,320	708,623,180	1.02%
SUNRISE KEY	140,312,220	147,635,430	5.22%	1,376,550	146,258,880	4.24%
TAX DIST #1 SAWGRASS	874,494,960	911,102,730	4.19%	-	911,102,730	4.19%
GOLDEN ISLES	381,583,780	403,334,530	5.70%	4,222,030	399,112,500	4.59%
PLANTATION GATEWAY 7	306,511,110	331,556,890	8.17%	4,689,230	326,867,660	6.64%
PLANTATION MIDTOWN	1,492,139,750	1,578,565,937	5.79%	69,493,710	1,509,072,227	1.13%
LAUDERHILL WINDERMERE/TREE GARDENS SAFE NEIGHBORHOOD	23,147,540	25,729,360	11.15%	-	25,729,360	11.15%
LAUDERHILL HABITAT SAFE NEIGHBORHOOD	16,844,190	19,400,040	15.17%	-	19,400,040	15.17%
LAUDERHILL ISLES OF INVERRARY SAFE NEIGHBORHOOD	7,478,690	8,118,780	8.56%	-	8,118,780	8.56%
LAUDERHILL MANORS OF INVERRARY SAFE NEIGHBORHOOD	36,528,060	39,588,160	8.38%	-	39,588,160	8.38%
FLA INLAND NAV.	210,528,787,944	222,827,042,332	5.84%	2,965,603,460	219,861,438,872	4.43%
CHILDREN'S SERVICES	210,528,787,944	222,827,042,332	5.84%	2,965,603,460	219,861,438,872	4.43%
SFWMD - DISTRICT	210,528,787,944	222,827,042,332	5.84%	2,965,603,460	219,861,438,872	4.43%
SFWMD - BASIN	210,528,787,944	222,827,042,332	5.84%	2,965,603,460	219,861,438,872	4.43%
SFWMD - EVERGLADES	210,528,787,944	222,827,042,332	5.84%	2,965,603,460	219,861,438,872	4.43%
SCHOOL BOARD	224,720,439,564	237,281,403,542	5.59%	2,982,041,900	234,299,361,642	4.26%
COUNTY COMMISSION	209,541,390,934	221,870,642,072	5.88%	2,965,272,340	218,905,369,732	4.47%

*Includes all 2020 VAB
corrections as of
6.23.2021



Town Commission Agenda Item Report

Meeting Date: July 13, 2021

Submitted By: Lucila Lang, Director of Finance & Budget

Submitting Department: Administration

Item Type: Consent

Agenda Section: CONSENT AGENDA

Subject Title: Volunteer Fire Department (VFD) FY22 Budget Request

Explanation: The VFD has submitted the attached FY22 budget request (**Exhibit 1**) for your consideration.

Background

The Town has an agreement with VFD to provide fire protection and fire prevention services within the municipal boundaries of the Town and to set forth how such fire protection and fire prevention services will be provided. These services include:

- Response to emergency calls.
- Provide fire investigation services.
- Offer public education programs designed to reduce the risk of property damage, injury, or loss of life from fire.
- Provide all safety inspections required by the Town Code and all applicable federal, state and county laws, codes and regulations within the Town.
- Provide beach first responder services, operating on a part time basis, to promote safety and fire prevention and provide surveillance of and first responder services at all beach areas within the Town.
- Provide specialized Fire Marshall Services.

During the term of the agreement, the Town agrees to pay the VFD the amount approved by the Town Commission in the annual budget for the cost of providing Fire Services. These Fire Services will be paid from Fire Assessment Fees.

In 2016, the Town recommended and the Commission approved the Fire Assessment Fees of \$129.85 per residential unit and \$0.21 per square foot of commercial property. The Town has maintained these rates through current fiscal year. At these current rates and maintaining the average number of residential parcels at approximately 6,020 +/- and commercial number of parcels at approximately 110 +/-, the Town would receive approximately \$ 1,033,750.00 in Fire Assessment Fees.

Operating Budget

The VFD is requesting an operating budget of \$920,455.00 that represents an increase of \$25,815 (2.89%) over FY21 budget.

The key changes are as follows:

- An increase in officer stipends of \$7,200
- 4% merit salary increases for the Chief Administrative, Fire Inspector and Office Administrator
- An increase of \$2,810 for Contractual Training Services
- Increase in Personnel expenses: payroll taxes due to all members being switched to W-2s and a projected increase in health insurance.
- An increase in the cost of repairs and maintenance for the station alert system.
- An increase in repairs for the 4 Ocean Patrols and the one Brush Fire ATV.
- Budgeted amounts for utilities, office supplies and office equipment were decreased by \$12,500 as the expenses in these categories have been kept at a minimum.

FVD Capital Budget

The FVD Capital Budget for FY22 includes the replacement of:

- Squirt 12 vehicle as this is a 1995 model and it is approaching the end of its useful life;
- Ocean Patrol ATV that is also approaching the end of its useful life; and
- Fire Station updates.

While Fire Assessment Fees will cover the FY22 operating budget, the capital budget will be covered by the Fire Fund's current fund balance which is approximately \$1.3 Million.

A representative from the VFD will be available to answer any questions that the Commission may have.

Recommendation: Staff recommends approval of the proposed VFD operating budget of \$ 920,455 and to budget \$928,000 for capital purchases from the Fire Fund in the FY2022 Town budget.

Attachments:

Ex.1 - Proposed FY22 VFD Budget

Line	DRAFT YEAR ENDING 2022 VFD BUDGET									Line	
1	VFD BUDGET 3 YEAR COMPARISON WORKSHEET FOR YE 2022 PROPOSAL								Proposed Changes	1	
2		YE 2019	YE 2019	YE 2020	YE 2020	YE 2021	as of 5/21	YE 2022	+ (-)	2	
3	ITEM	Budget	Actual-19	Budget	Actual-20	Budget	Actual 2021	Proposed		3	Justifications and Notes
4	SERVICE CALLS - INCENTIVES									4	
5	Fire / Rescue & Ocean Rescue Service Calls	100,000	78,835	100,000	64,705	100,000	57,238	100,000	0	5	
6	1st Responder Assist Training Service Calls	10,000	7,675	8,000	6,705	8,000	5,590	8,000	0	6	
7	OTHER SERVICES								0	7	
8	Incent - Ocean Patrol Service	14,500	5,745	12,500	2,325	12,500	2,935	12,500	0	8	Covid
9	Totals >	124,500	92,255	120,500	73,735	120,500	65,763	120,500	0	9	
10	OPERATIONAL INCENTIVES									10	
11	Incent - Fire / Rescue Drills	45,000	22,620	40,000	13,680	40,000	16,878	40,000	0	11	Covid
12	Incent - Ocean Rescue Drills		0	5,000	4,343	5,000	520	5,000	0	12	Covid
13	Incent - Fire Inspector Assist / Drills	6,000	4,300	6,000	4,580	6,000	3,480	6,000	0	13	
14	Incent - Command Staffing	87,600	82,278	92,600	56,273	92,600	56,068	92,600	0	14	
15	Incent - Drivers / Station Staffing	34,870	29,806	34,870	20,847	34,870	21,994	34,870	0	15	
16	Incent - Officer Stipends	0	2,730	7,200	7,940	21,600	12,600	28,800	7,200	16	
17	Incent - Equipment & Vehicle Maintenance	4,000	5,203	4,000	2,059	4,000	1,100	4,000	0	17	
18	Incent - Administrative	7,000	5,360	7,000	4,179	7,000	3,983	7,000	0	18	
19	Incent - CAD Downtime Staffing Coverage	7,500	2,520	7,500	9,585	7,500	360	7,500	0	19	
20	Incent - Other Misc.	3,500	5,165	3,500	720	3,500	18,653	3,500	0	20	
21	Incent - Contingency	1,000	0	1,000	-	1,000	30,443	1,000	0	21	\$26,752.50 COVID Hazard pay
22	Totals >	196,470	159,981	208,670	124,205	223,070	166,077	230,270	7,200	22	
23	EMPLOYEES									23	
24	Chief Administrative - Salary P/T	40,000	39,676	41,600	25,374	43,264	24,739	44,995	1,731	24	4% merit increase
25	Fire Inspector - Salary F/T	63,172	68,327	65,699	43,698	71,060	42,603	73,903	2,843	25	4% merit increase
26	Office Administrator / Ast. To Chief	44,289	47,449	46,061	30,346	54,348	31,297	56,522	2,174	26	4% merit increase
27	Contingency								0	27	
28	Totals >	147,461	155,453	153,359	99,418	168,672	98,639	175,420	6,748	28	
29	Contractual Training / Admin Services									29	
30	Training Contractual Services	43,870	40,175	43,870	35,308	43,870	23,349	46,680	2,810	30	does not include Lexipol \$2,810
31	Accounting Services Contractual	13,413	8,323	8,700	6,390	8,700	7,682	8,700	0	31	
32	Information Technologies	0	11,670	0	8,075	10,000	6,100	10,000	0	32	
33	Other Professional Services	0	0	0	451	0	900	0	0	33	Legal
34	Totals >	57,283	60,168	52,570	50,224	62,570	38,031	65,380	2,810	34	< Totals
35	OTHER PERSONAL COSTS									35	
36	Worker's Comp	27,500	33,396	34,000	17,990	34,000	25,181	34,000	0	36	Do not have proposal for premium
37	Pension Cost Share @5%	18,049	13,913	18,459	11,044	18,892	13,630	18,892	0	37	Incentive members plus chief @5% match
38	Payroll Taxes	12,719	12,057	13,355	7,605	12,443	6,491	30,000	17,557	38	All member are W2

39	Insurance - Health Employees	12,000	13,143	12,000	9,960	15,000	9,166	16,500	1,500	39	Projected Inc. in Health Insurance
40	Insurance - Accident and Sickness	5,500	4,715	5,500	5,660	5,500	5,007	5,500	0	40	Do not have proposal for premium
41	Medical Exams	5,500	3,803	5,000	1,740	5,000	6,878	5,000	0	41	
42	Drug Testing	3,500	3,826	3,000	1,368	3,000	2,038	3,000	0	42	
43	Background Checks	800	1,155	800	407	800	456	800	0	43	
44	Health Club Reimb.	1,000	1,125	1,500	120	1,500	-	1,500	0	44	Covid
45	Conferences / Travel	5,000	1,229	5,000	3,621	5,000	-	5,000	0	45	Covid
46	Service Awards	389	1,085	500	1,353	500	400	500	0	46	
47	Other Personal Cost	500	3	500	709	500	-	500	0	47	
48	Totals >	92,457	89,449	99,613	61,577	102,135	69,247	121,192	19,057	48	< Totals
49	FIRE / RESCUE OPERATIONS COST									49	
50	Fireground Facilities / Offsite Training Site	25,000	14,704	25,000	0	25,000	-	25,000	0	50	annual contract paid \$15,720 in Sept.
51	Suppression / Rescue Equipment	12,500	7,157	11,500	6,226	11,500	5,354	11,500	0	51	
52	Training Equipment	2,500	9,532	2,500	1,908	2,500	-	2,500	0	52	
53	Bunker / Turn Out Gear	8,000	25,286	8,000	6,635	8,000	1,849	8,000	0	53	
54	Hoses Repair / Replacement	3,000	2,171	3,000	68	3,000	-	3,000	0	54	
55	Radio & Dispatching Communications	10,500	10,668	10,500	3,812	10,500	18,348	10,500	0	55	
56	SCBA - Fit Testing / Maintenance & Repair	3,000	1,278	3,000	6,678	6,000	5,743	6,000	0	56	
57	First Responder Supplies Fire Rescue	0	0	2,250	689	2,250	261	2,250	0	57	
58	Hurricane Preparedness	1,000	1,094	1,000	0	1,000	-	1,000	0	58	
59	Station Alert System Maintenance	5,827	5,853	5,853	5,988	6,153	6,998	7,153	1,000	59	Increase in cost
60	Uniforms	5,000	9,234	5,000	991	5,000	4,767	5,000	0	60	
61	Fuel	6,000	6,822	6,000	4,594	6,000	3,764	6,000	0	61	
62	Staff Cell Phones	4,000	1,832	4,000	3,142	4,000	720	4,000	0	62	
63	Tools / Repair Equipment		2,237	1,000	1,631	1,000	772	1,000	0	63	
64	Water / Ice / Meals	9,000	6,697	9,000	5,191	9,000	4,009	9,000	0	64	
65	Other Misc.	1,500	429	1,500	7,176	1,500	-	1,500	0	65	
66	Totals >	96,827	104,995	99,103	54,728	102,403	52,582	103,403	1,000	66	< Totals
67	FIRE / RESCUE / OCEAN VEHICLE REPAIRS									67	
68	Engine 12 - 2012	6,000	13,390	6,000	919	6,000	1,529	6,000	0	68	
69	Tower Ladder 12 1989	9,500	9,937	9,500	1,201	9,500	3,747	9,500	0	69	
70	Engine 212 1995	8,500	14,814	8,500	1,251	8,500	1,286	8,500	0	70	
71	Squirt 12 1994	9,500	13,626	9,500	15,924	9,500	-	9,500	0	71	
72	Command Car 12 2016	1,000	2,284	1,000	476	1,000	3,711	1,000	0	72	
73	Fire Marshal/Inspector Pickup 2017	1,000	117	1,000	470	1,000	-	1,000	0	73	
74	Utility 12 FORD PICKUP 2018	1,000	380	1,000		1,000	-	1,000	0	74	
75	Ocean Patrol(4) & Brush Fire(1) ATV 'S	3,500	5,536	3,500	3,048	3,500	4,636	5,000	1,500	75	
76	Jet Skis(2) & Trailers(2)	3,000	2,510	3,000	1,611	3,000	5,834	3,000	0	76	
77	Totals >	43,000	62,594	43,000	24,901	43,000	20,745	44,500	1,500	77	< Totals
78	OCEAN RESCUE OPERATIONS									78	
79	Ocean Rescue Service Equipment	13,000	5,152	10,000	2,563	10,000	1,181	10,000	0	79	covid
80	Ocean Rescue First Responder Supplies	4,500	4,425	2,250	689	2,250	1,697	2,250	0	80	

81	Ocean Rescue Outside Training		0	3,000		3,000	-	3,000	0	81	
82	Ocean Rescue Other Misc.		0	0		0	-	0	0	82	
83	Totals >	17,500	9,577	15,250	3,252	15,250	2,878	15,250	0	83	< Totals
84	ADMINISTRATION - OFFICE / STATION									84	
85	Insurance - Dept. Liability	12,000	22,341	24,000	13,216	24,000	8,748	24,000	0	85	
86	Utilities (Water, Electric & Gas)	10,000	329	10,000	286	10,000	85	1,000	-9,000	86	
87	Office Supplies	7,000	2,613	7,000	4,787	7,000	630	5,000	-2,000	87	
88	Internet / TV Service	3,940	6,928	3,940	2,465	3,940	2,546	3,940	0	88	
89	Computer / Printer Equip	3,500	3,908	3,500	1,784	3,500	1,682	3,500	0	89	
90	Postage / Shipping	500	987	500	681	500	145	500	0	90	
91	Copy Machine	1,200	1,157	1,200	280	1,200	681	1,200	0	91	
92	Fire Inspection Office Exp.	5,000	4,949	100	451	100	-	100	0	92	
93	Dues & Subscriptions	-	3,947	1,000	1,621	1,000	644	1,000	0	93	
94	Office Equipment	3,000	605	3,000	1,535	3,000	330	1,500	-1,500	94	
95	Other Misc.	1,000	39	1,000	347	1,000	-	1,000	0	95	
96	Totals >	47,140	47,804	55,240	27,453	55,240	15,492	42,740	-12,500	96	< Totals
97	Community Programs									97	
98	Youth Programs	600	1,666	600	0	600	0	600	0	98	Covid
99	Outreach / Education Materials	1,200	4,487	1,200	1,618	1,200	482	1,200	0	99	
100	Totals >	1,800	6,153	1,800	1,618	1,800	482	1,800	0	100	
102	TOTAL OPERATING REQUEST >	824,438	788,429	849,106	521,109	894,640	529,934	920,455	25,815	102	< Totals
103										103	2.89%
104	TOTAL CAPITAL REQUEST >					\$ 778,000	\$ -	\$928,000		104	Proposed Increase 2021
105									0	105	
106	TOTAL BUDGET REQUEST >					\$ 1,666,619		\$1,847.86		106	

Notes on Budget Methodology

The LBTS VFD is the primary contractual vendor for the Town of LBTS providing Fire/Rescue and Ocean rescue services. The dept. budget is prepared in conjunction with the Town's annual budget. This VFD's budget follows a combination of line-item and service-based methods. The goal is to met and exceed the last service risk evaluation done by Burton and Associates along with maintaining an ISO rating of 2.

25,815

2.89%



Town Commission Agenda Item Report

Meeting Date: July 13, 2021

Submitted By: Ken Rubach, Director of Public Works

Submitting Department: Municipal Services

Item Type: Discussion Item

Agenda Section: NEW BUSINESS

Subject Title: Palm Club Sewer Proposal

Explanation: The Palm Club Septic to Sewer project contemplates construction of a gravity sewer system and lift station to transport wastewater to the City of Pompano Beach force main and ultimately for treatment at the Broward County Wastewater Treatment Plant. Installation of this system will allow the abandonment of the existing septic tanks that are located on the properties in Palm Club. This project has been budgeted in the FY21 CIP (\$2,550,000) and FY22 CIP (\$1,500,000) as the construction will span over two fiscal years. Once the design plans for Palm Club were finalized, staff issued Request for Qualifications #21-01-02 (the "RFQ") for Construction Management At Risk Services for the Palm Club Sewer Project (the "Project").

At the May 25, 2021 Commission Meeting, the Interim Town Manager was authorized by the Commission to negotiate a contract with Man-Con, Incorporated ("Man-Con") for this Project. Subsequently, Man-Con submitted a Guaranteed Maximum Price ("GMP") for review by the Interim Town Manager, Director of Public Works, Town Engineer, and the Town's consulting engineers for the Project, Baxter & Woodman.

The Base bid for this project is \$2,981,230.00, plus an additional 5% contingency of \$149,061.50 for a total cost of \$3,130,291.50. This is approximately 9% below the Engineer's Estimate of \$3,440,913.74. The Project is scheduled to begin in mid to late August 2021 subject to the availability of materials. The construction is anticipated to take approximately 8 months to complete.

Recommendation: Award the RFQ to Man-Con, approve the GMP, and authorize the Interim Town Manager to execute a work authorization with Man Con for the Project, subject to the terms of the work authorization being acceptable to the Interim Town Manager and approved as to form and legal sufficiency by the Town Attorney.

Attachments:

Ex.1 – ManCon Proposal

Ex.2 - Resolution 2021-38



June 17, 2021

Mr. Ken Rubach
Director of Public Works
Lauderdale by the Sea
4501 North Ocean Drive
Lauderdale by the Sea, Florida 33308

Re: Lauderdale-By-The-Sea: Palm Club Sanitary Sewer

Subject: Proposal

Mr. Rubach,

Man-Con Incorporated would like to thank the Town of Lauderdale-by-the-Sea for the opportunity to provide our cost proposal to construct the Town of Lauderdale-by-the-Sea Palm Club Sanitary Sewer project for the lump sum amount of \$2,981,230.00.

As you may already be aware, Man-Con Incorporated has extensive knowledge of this area which has been gained during the 36 years we have been in business as well as previous project which we have been directly involved in the area surrounding this project including the construction of the Drainage Improvements in the Terra Mar neighborhood just to the north of this project, North Beach Neighborhood Improvements in the Bel Air neighborhood, as well as the construction of the existing lift station on Sunset lane immediately to the north of this project, and the complications which can arise due to the elevation of the existing water table due to the proximity of the project to the intracoastal waterways and how that effects the deep excavation required for the installation of the lift station and sanitary sewer manholes associated with this project. Due to our pre-existing knowledge of this area, we are confident that we will be able to complete this project with minimal disruptions to the daily lives of the residents who call Palm Club home.

As a point of information, we would request a timely review and work order issuance as material pricing is continuing to increase every 2 to 4 weeks depending on the manufacturer and it will be difficult to hold our pricing for more than 30 days from the receipt of this proposal. Further, procuring material is also problematic and may require 60 to 120 days until all necessary material are delivered once the order is placed. We as a courtesy to the Town will procure and store the necessary materials as they come in inside one of our warehouse bays to protect the material until all materials arrives to commence construction. If further cost reductions are necessary in order to meet the budgetary needs of Lauderdale by the Sea we may be able to identify further value engineering changes to reduce the project's cost.

MAN CON

INCORPORATED

ENGINEERING CONTRACTORS

We have included several construction references for your review and use along with a copy of our insurance certificate and bonding capacity letter. We are committed to completing this project as soon as possible and have the ability to mobilize to the project location and proceed with construction operations within 45 calendar days from the acceptance of this proposal. As always, we will make the residents of this community our priority and accommodate them in every way possible to make this project successful for all stakeholders.

Please let us know if you have any questions.

Thank you,

Anthony J. Mancini

Vice President, Man-Con Incorporated

C: 561-866-0490





Man-Con Incorporated
3460 SW 11th St, Deerfield Beach FL 33442
954-427-0230

07/06/2021 09:07:29 AM

PROPOSAL Carl Morsch
FROM Estimating@mancon.ws

PROPOSAL Lauderdale-by-the-Sea Town Commission
TO 4501 North Ocean Drive
Lauderdale-by-the-Sea, Florida 33308

PROJECT DESCRIPTION	LOCATION
Palm Club Sanitary Sewer	Town of Lauderdale-by-the-Sea

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXT PRICE
1	MOBILIZATION	1.000	LS	\$180,000.00	\$180,000.00
2	BONDS & INSURANCE	1.000	LS	\$55,000.00	\$55,000.00
3	PROJECT GENERAL CONDITIONS	1.000	LS	\$295,610.00	\$295,610.00
4	MOT	1.000	LS	\$6,419.00	\$6,419.00
5	PERMITS	1.000	LS	\$2,889.00	\$2,889.00
6	SURVEY & AS-BUILTS	1.000	LS	\$32,095.00	\$32,095.00
7	TESTING	1.000	LS	\$32,095.00	\$32,095.00
8	DEWATERING	1.000	LS	\$225,000.00	\$225,000.00
9	8" SDR-26 SANITARY SEWER (Inc Trench Restoration)	5,355.000	LF	\$ 135.00	\$722,925.00
10	48" SANITARY SEWER MANHOLE 0-10FT	14.000	EA	\$7,671.00	\$107,394.00
11	48" SANITARY SEWER MANHOLE 10-14FT	3.000	EA	\$10,277.00	\$30,831.00
12	48" SANITARY SEWER INTERNAL DROP MANHOLE 0-10FT	4.000	EA	\$8,969.00	\$35,876.00
13	48" SANITARY SEWER INTERNAL DROP MANHOLE 10-14FT	2.000	EA	\$10,887.00	\$21,774.00
14	SINGLE SANITARY SEWER LATERAL	80.000	EA	\$1,200.00	\$96,000.00
15	DOUBLE SANITARY SEWER LATERAL	55.000	EA	\$1,700.00	\$93,500.00
16	4" FORCE MAIN	1,650.000	LF	\$ 98.00	\$161,700.00
17	4" FM VALVE	2.000	EA	\$2,298.00	\$4,596.00
18	AIR RELEASE VALVE	1.000	EA	\$11,028.00	\$11,028.00
19	CONNECT TO EXISTING FORCE MAIN	1.000	EA	\$3,046.00	\$3,046.00
20	FLOWABLE FILL	33.000	CY	\$ 204.00	\$6,732.00
21	ASPHALT MILL & OVERLAY	16,196.000	SY	\$ 12.00	\$194,352.00
22	REMOVE & REPLACE ASPHALT SPEED TABLE	2.000	EA	\$2,568.00	\$5,136.00
23	SOD	970.000	SY	\$ 6.00	\$5,820.00
24	PAVEMENT MARKINGS	1.000	LS	\$3,686.00	\$3,686.00
25	LIFT STATION	1.000	LS	\$397,726.00	\$397,726.00

Broward County Office:
3460 S.W. 11th Street
Deerfield Beach, Florida 33442
Office: 954-427-0230 Fax: 954-427-8133

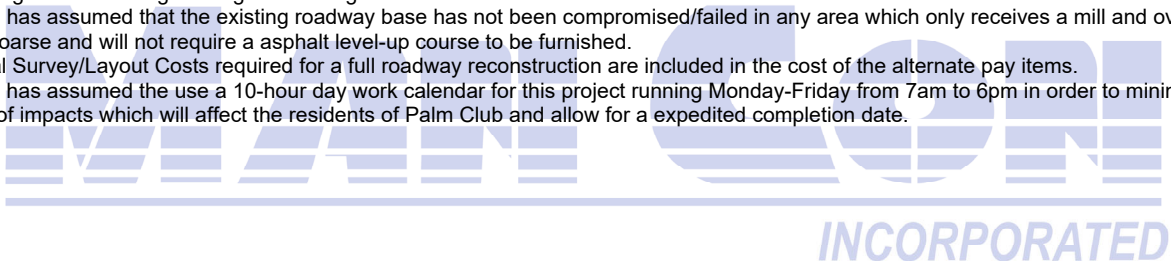
Palm Beach County Office:
3020 Fairlane Farms Road
Suite 1, Wellington, Florida 33414
Office: 954-427-0230 Fax: 954-427-8133



ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	EXT PRICE
26	DIESEL LIFT STATION BYPASS GENERATOR	1.000	LS	\$55,000.00	\$55,000.00
27	LIFT STATION ELECTRICAL	1.000	LS	\$195,000.00	\$195,000.00
Base Bid Amount:					\$2,981,230.00
5% Contingency:					\$149,061.50
Total Bid Amount:					\$3,130,291.50

General Notes/Clarifications:

1. Man-Con Incorporated has priced a 1" Mill and Overlay of the existing asphalt roadway surface as a value engineering cost savings in lieu of the called for 1 1/2" of asphalt Milling and Overlay due to the existing asphalt paving thickness shown in the provided geotechnical boring logs.
2. Man-Con Incorporated has priced the installation of Targuard and/or Sewper Coat structure coatings as a value engineering cost savings in lieu of the Crystalline Concrete Waterproof Coating system as called for in the project specifications.
3. Man-Con Incorporated has priced all sanitary sewer cleanouts to be installed 25 linear feet from the centerline of the road adjacent to the easement line.
4. Man-Con Incorporated has assumed that only NPDES and SFWMD permits will need to be procured by the contractor.
5. Man-Con Incorporated has assumed that all in situ materials are suitable to be used as trench backfill.
6. Lift Station Items #25 & #27 include all components needed for a functioning lift station including: Driveway Construction, Concrete Slabs, Fencing, Wet Well Installation, Valve Vaults, Valves, Piping, Sensors, Levels, Appurtenances, etc.
7. Line Item #26 is for the furnishment and installation of a Diesel By-pass Generator for the proposed lift station.
8. Survey Item #6 includes the cost for all As-Built Record Drawings as required by the base bid.
9. All costs associated with the Pre-Construction site video is included within Item #3 Project General Conditions.
10. Man-Con Incorporated has priced the installation of the lift station by means of a tremie installation in lieu of conventional installation w/ sheeting and shoring as a value engineering cost savings.
11. Man-Con has assumed that the existing roadway base has not been compromised/failed in any area which only receives a mill and overlay friction asphalt coarse and will not require a asphalt level-up course to be furnished.
12. Additional Survey/Layout Costs required for a full roadway reconstruction are included in the cost of the alternate pay items.
13. Man-Con has assumed the use a 10-hour day work calendar for this project running Monday-Friday from 7am to 6pm in order to minimize the duration of impacts which will affect the residents of Palm Club and allow for a expedited completion date.



X

Anthony Mancini
Vice President

X

Broward County Office:
3460 S.W. 11th Street
Deerfield Beach, Florida 33442
Office: 954-427-0230 Fax: 954-427-8133

Palm Beach County Office:
3020 Fairlane Farms Road
Suite 1, Wellington, Florida 33414
Office: 954-427-0230 Fax: 954-427-8133



Matt Campbell CPCU, AFSB
Managing Account Executive
Travelers Bond & Financial Products
1441 W. Long Lake Rd., Ste. 300
Troy, MI 48098
Phone: 248-312-7952
Fax: 866-216-5992
E-mail: mcampb10@travelers.com

June 1, 2021

RE: Surety Capacity Letter for Man-Con Incorporated

To Whom It May Concern:

It has been the privilege of Travelers Casualty and Surety Company of America ("Travelers")¹ to provide surety bonds for Man-Con Incorporated since 2005. We consider Man-Con Inc. one of our outstanding and most valued clients in whom we have the highest confidence. Through the years this company has, in our opinion, remained properly financed, well equipped and capably managed.

Travelers Casualty and Surety Company of America provides Man-Con Inc., with a single project surety capacity of \$60,000,000 and an aggregate surety program of \$100,000,000. If requested, with the given resources and expertise, Travelers would favorably consider single projects in excess of \$120,000,000.

Travelers Casualty and Surety Company of America carries an AM Best Rating of A++ and Financial Category size of XV. The Travelers Company is authorized to issue individual bonds in an amount up to \$2,349,420,000 by the Federal Government.

Our willingness to provide surety credit on any project is subject to Man-Con Inc. acceptance of an award of the contract, Man-Con Inc., applying to the Travelers Casualty and Surety Company of America on or about the day work is scheduled to begin for bonding, and Man-Con Inc., and us, as surety, determining that the contract documents, contract specifications and bond forms are acceptable.

We are pleased to share with you our experience with this fine organization. If you require any additional information, please feel free to contact me.

Best Regards,

Matt Campbell

¹ Travelers is an A++ (Superior) A.M. Best rated insurance company (Financial Size Category XV (\$2 billion or more)).

ACORD™

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

03/26/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer any rights to the certificate holder in lieu of such endorsement(s).

PRODUCER ZERVOS GROUP, INC. 24724 Farmbrook P O Box 2067 Southfield, MI 48037-2067		CONTACT NAME: Victoria M. LeBarre PHONE (A/C, No, Ext): 248 355-4411 FAX (A/C, No): 248 355-2175 E-MAIL ADDRESS: vicki@zervosgroup.com	
		INSURER(S) AFFORDING COVERAGE INSURER A : Continental Insurance Company	NAIC # 35289
INSURED MAN-CON INCORPORATED 3460 SW 11th Street Deerfield Beach, FL 33442		INSURER B : Valley Forge Insurance Company INSURER C : INSURER D : INSURER E : INSURER F :	20508

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

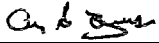
INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☒ Contractual ☒ X, C & U GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PRO-JECT ☒ LOC OTHER:	X	X	2077256991	07/31/2020	07/31/2021	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) \$15,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
B	AUTOMOBILE LIABILITY ☒ ANY AUTO OWNED AUTOS ONLY ☒ HIRED AUTOS ONLY ☐ SCHEDULED AUTOS NON-OWNED AUTOS ONLY	X	X	2095076554	07/31/2020	07/31/2021	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	☒ UMBRELLA LIAB ☒ EXCESS LIAB ☒ RETENTION \$10,000	X	X	2095076568	07/31/2020	07/31/2021	EACH OCCURRENCE \$5,000,000 AGGREGATE \$5,000,000 \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? ☒ Y / N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		X	2077257008	07/31/2020	07/31/2021	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000
A	Earth Movers Limited Pollution Work-Site			2077256991	07/31/2020	07/31/2021	\$1,000,000 Ea. Incident \$2,000,000 Aggregate

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Job description: RFQ 21-03-01 Construction Management at Risk Services For Palm Club Sewer Project
 Town of Lauderdale By the Sea is additional insureds per written contract with respects to general liability and automobile liability, for work performed at the above job. A thirty day prior written notice of cancellation, ten day for non-payment of premium, will be provided to the Town of Lauderdale By the Sea.

CERTIFICATE HOLDER

CANCELLATION

Town of Lauderdale By the Sea 4201 Ocean Drive Lauderdale-By-The-Sea, FL 33308	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
---	--

PERFORMANCE EVALUATION SURVEY

Project Name: 12352 - SOUTH MIDDLE RIVER FORCE MAIN RIVER CROSSING

Name of Contracting Firm Being Evaluated: MAN CON INCORPORATED

Design, permitting, and construction of a 16" force main located along NE 19th Street from NE 22nd Avenue East across the South Middle River and continuing on NE 21st Street East to Bayview Drive.

Project Value: \$1,278,661.00

Please evaluate the performance of the Contractor's firm on a scale of 1-10, with 10 meaning you are very satisfied and have no questions about hiring them again, and 1 meaning you would never hire them again because of very poor performance.

NO	CRITERIA	UNIT	
1	Project's overall performance	(1-10)	10
2	Resident communication, issue resolution and overall resident satisfaction	(1-10)	10
3	Ability to maintain project schedule (complete on-time or early)	(1-10)	10
4	Quality of workmanship	(1-10)	10
5	Professionalism and ability to manage (includes management and prompt payment to suppliers and subcontractors)	(1-10)	10
6	Ability to manage the project cost (minimize non-owner-initiated change orders)	(1-10)	10
7	Communication, explanation of risk, and documentation. Ability to problem solve varying unforeseen field conditions	(1-10)	10
8	Ability to follow the user's rules, regulations, and requirements (housekeeping, safety, etc...)	(1-10)	10
9	Close out process (punch list completion, warranties, as-builts, operating manuals, permit closeout, tax clearance, etc. submitted promptly)	(1-10)	10
10	Overall customer satisfaction and hiring again based on performance (comfort level in hiring contractor again)	(1-10)	10

General Statement About Contractors Abilities and Performance:

The Contractor was always willing to work with City Staff and construction was ahead of schedule. No complains were received from residents. As the Project

Manager, my experience with Man Con was completely satisfactory. I look forward to working with Man-Con in future projects.



Owner: City of Fort Lauderdale

Project Manager (Owner): Diana C. Carrillo P.E.

Phone and E-mail: 954-828-5877

Signature and Date:  08/27/20

Main Office:
3460 S.W. 11th Street
Deerfield Beach, Florida 33442
O: 954-457-0230
F: 954-427-8133

Palm Beach County Office:
3020 Fairlane Farms Road
Suite 1, Wellington, Florida
33414



CH2M HILL

201 Alhambra Circle
Suite 600
Coral Gables, FL
33134
TEL 305.442.6401
FAX 305.442.8856

February 25, 2011

To Whom It May Concern,

I am writing to confirm that **Man Con, Inc.** managed eleven (11) utility projects for the City of Ft. Lauderdale over the course of two years within the **WaterWorks 2011** program. Projects were implemented by the City, within a "General Services" program, containing work in several historical, residential and important commercial areas.

Contracts were awarded based on successful performance of previously assigned work. **Man Con, Inc.** assisted project staff with design elements / changes to provide the best value to the City and was responsible for management of all trades, materials procurement, site control, installation of sanitary sewer systems, force mains, water mains, testing, reconstructive paving and landscaping. Upon completion of the program, MANCON was regarded as one of the best utility contractors in the \$690M **WaterWorks 2011** program.

I recommend **Man Con, Inc.** for their considerable ability to perform utility work within a "CM at Risk" or direct contracting format.

Sincerely,

CH2MHill

A handwritten signature in blue ink, appearing to read "L. Rioseco".

Luis Rioseco
Program Manager
Luis.Rioseco@ch2m.com

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

WHEREAS, the Town issued Request for Qualifications #21-01-02 (“RFQ”) for Construction Management At Risk Services for the Palm Club Sewer Project (the “Project”); and

WHEREAS, Man-Con has submitted a Guaranteed Maximum Price (“GMP”) of \$3,130,291.50, including a 5% contingency; and

WHEREAS, construction for the Project is slated to begin in mid to late August 2021, and is anticipated to take approximately 8 months to complete; and

WHEREAS, the Town Commission deems it to be in the best interest of the Town and its residents to award the RFQ, approve the GMP, and authorize execution of a work authorization with Man-Con.

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

SECTION 1. Recitals. The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and incorporated herein by this reference.

1 **SECTION 2. RFQ Awarded.** The RFQ is hereby awarded to Man-Con
2 Incorporated, the most qualified, responsive and responsible firm.

3 **SECTION 3. GMP Approved.** The GMP from Man Con in the amount of
4 \$3,130,291.50, including a 5% contingency, for the Project, is hereby approved.

5 **SECTION 4. Authorization to Execute a Work Authorization.** The Town authorizes
6 the Interim Town Manager to execute a work authorization with Man-Con in an amount not to
7 exceed \$3,130,291.50, including a 5% contingency, subject to the terms of the work authorization
8 being acceptable to the Town Manager and approved as to form and legal sufficiency by the Town
9 Attorney.

10 **SECTION 5. Authorization to Implement.** The appropriate Town officials are
11 authorized to execute all necessary documents and to take any necessary action to effectuate the
12 intent of this Resolution.

13 **SECTION 6. Effective Date.** This Resolution shall become effective immediately
14 upon passage and adoption.

PASSED AND ADOPTED on this ____ day of July, 2021.

MAYOR CHRIS VINCENT

Attest:

Tedra Allen CMC, Town Clerk

APPROVED AS TO FORM:

Susan L. Trevarthen, Town Attorney



Town Commission Agenda Item Report

Meeting Date: July 13, 2021

Submitted By: Jhanelle Campbell, Acting Development Services Director

Submitting Department: Development Services

Item Type: Discussion Item

Agenda Section: NEW BUSINESS

Subject Title: Dee Jay Beach Resort (4617 El Mar Drive) Request for Extension to Complete Construction

Explanation: The Dee Jay Beach Resort suffered extensive damage to one of its' buildings as a result of a fire that took place on August 18, 2020. The Town's Building Official has determined that the property owner will need to submit an official report from a Professional Engineer that establishes the structural soundness of the building. Once the report has been received, the Building Official and Fire Marshal will review it to determine if the building can remain or must be demolished. To date, the property owner has obtained an exploratory demolition permit (**Exhibit 1**) to assess the damage sustained by the fire and to determine the current building's viability. The exploratory demolition has not yet been completed and so the results of the review are still pending. If the report states the building can remain, the next step would be to submit a building permit application to restore the building to its originally approved configuration. However, if the building cannot remain, a new site plan application will be required to be reviewed and approved prior to construction of the new building.

Town Code Section 30-137 (c)(1)(d) (**Exhibit 2**), states that a structure that is nonconforming as to height, setback, square footage, parking or density that is destroyed by fire may be rebuilt with the original nonconformities, if the following occurs: The property owner has submitted and received Town approval of a site plan depicting the replacement building; and construction of the replacement building is commenced within 12 months of the date of destruction. Currently, almost 11 months of the 12-month period which allows the reconstruction of the damaged building with the existing nonconformities has passed. Because the aforementioned study has not been completed to determine if a site plan application will be required, the property owner has not submitted said application. The Town's Code permits the Commission to grant one or more six-month extensions to the time period for commencement of construction. The attached letter from the property owner (**Exhibit 3**) requests an additional six months to complete construction on the property. Staff will continue to monitor the progress of this project and proceed accordingly once the results of the exploratory demolition are received.

Recommendation: Approve the request for additional time as proposed by the property owner.

Attachments:

EX-1 Demolition permit

EX-2 Code Section 30-137(c)(1)(d)

EX-3 Extension request

21-000240	LBS21-010702	4613 EL MAR DR
21-000212		4613 EL MAR DR
18-000093	LBS18-006869	4613 EL MAR DR
18-000093	LBS21-010674	4613 EL MAR DR
12-000804	LBS12-000821	4613 N OCEAN DR

[Home](#)
[My Activities](#)
[Create](#)
[Search](#)
[Reports](#)
[Support Center](#)
[Administration](#)
[Logoff](#)

Permit Project



No image found for this file, click here to upload an image

File #: 18-000093
 4613 EL MAR DR LAUDERDALE BY THE SEA FL 33308
 LAUDERDALE BY THE SEA 6-2 B LOT 4,29 BLK 10

[Permits](#)
[Reviews](#)
[Inspections](#)
[Activities](#)
[Documents](#)
[Contacts](#)
[History](#)

EDIT:
[File](#)

Edit Permit: LBS21-010674



ADD
[Activity](#)
[Address](#)
[Alert](#)
[Contact](#)
[Document](#)
[Email](#)
[Inspection](#)
[Letter](#)
[Note](#)
[Payment](#)
[Permit](#)
[Route](#)

Permit #: LBS21-010674
Permit Type: Lauderdale-By-The-Sea Permit
Sub Type: Demolition
Work Description: Demolition in Fire damaged areas

Applicant: Collage Co - Val Kacher
Use of Building: Repair
Status: Issued
Total Amount: \$ 666.14
Amount Paid: \$ 666.14
Balance Due: \$ 0.00
Valuation: 22,500.00

Application Date: 05/14/2021
Approval Date: 06/08/2021
Issue Date: 06/14/2021
Expiration Date: 12/14/2021
Close Date:

Non-Billable: ☐
BRA Valuation: \$23,000.00

Last Inspection:
Misc Permit Type: Commercial Interior Remodel

Building Type: Non-Residential

REQUIRED REVIEWS

ELECTRICAL: ☒

Status: Approved
Reviewed By: Scott Dry
Notes:

Review Date: 05/17/2021
Reviewed By: SCOTT DRY

PLUMBING: ☒

Status: Approved
Reviewed By: Michael Merowitz
Notes:

Review Date: 05/17/2021
Reviewed By: MICHAEL MEROWITZ

MECHANICAL: ☒

Status: Approved
Reviewed By: Paolo Serafini
Notes: DENIED 05/17/21; N/A 06/08/21;

Review Date:
Reviewed By:

STRUCTURE: ☒

Status: Approved

Review Date: 05/20/2021

Reviewed By: S Eugene Adach



Reviewed By: EUGENE ADACH

Notes:

FIRE:



Status: F Approved



Review Date: 05/18/2021

Reviewed By: F Steve Paine



Reviewed By: STEVE PAINE

Notes:

ZONING:



Status: Z



Review Date:

Reviewed By: Z



Reviewed By:

Notes:

LANDSCAPING:



Status: L



Review Date:

Reviewed By: L



Reviewed By:

Notes:

ENGINEERING:



Status: E N



Review Date:

Reviewed By: E



Reviewed By:

Notes:

**HEALTH
DEPARTMENT:**



Status: H D



Review Date:

Reviewed By:

Notes:

DRAINAGE:



Status: D



Review Date:

Reviewed By:

Notes:

DPEP:



Status: D E



Review Date:

Reviewed By:

Notes:

BUILDING INFORMATION

Square Feet:

Linear Feet:

Flood Zone:



Review Date:

ADDITIONAL FEES

Temp for Test:

Temp Pole:

Trusses:

Electrical Low

Voltage:

Shop Drawing:

Plan Review

Meeting:

30 day Temp

Roofing Hours:

Electrical:

CONTACTS

Mortgage Lender:  Title Holder:  **CONTRACTORS**Builder: Collage Co - Val Kacher  Architect/Engineer:  Mechanical:  Plumber: DONOVAN PLUMBING SERVICE  Electrician: ONLY ELECTRIC COMPANY, II  Roofer:  Notice of ☐Owner Builder: ☐

Commencement:

Special Inspector ☐

on the Job:

 Permit Fees

Quantity	Fee	Description	Amount	Total
	Electrical Fee			85.00
	Plumbing Fee			85.00
	Mechanical Fee			85.00
	Structural Fee			85.00
	Demolition Fee			225.00
	Boward County Board of Rules and Appea			11.96
	Education Fee (.2% of permit fee)			0.68
	Department of Community Affairs Fee (1%			3.40
	Department of Business and Professional			5.10
80.0	Fire Fee	FIRE REVIEW FEE	1.0000	80.00 
Plan Check Fees:				0.00
Other Fees:				666.14
Total Fees:				666.14

 Payments

Date	Type	Reference	Note	Receipt #	Received From	Amount
05/14/2021	Credit	NEW BLDG F CC#1328		1285	Collage Co - Val Kacher	586.14 
06/11/2021	Credit	FIRE PLAN R CC# 4262 06/11/21		1553	Collage Co - Val Kacher	80.00 
Amount Paid:						666.14
Balance Due:						0.00

21-000240	LBS21-010702	4613 EL MAR DR
21-000212		4613 EL MAR DR
18-000093	LBS18-006869	4613 EL MAR DR
18-000093	LBS21-010674	4613 EL MAR DR
12-000804	LBS12-000821	4613 N OCEAN DR

[Home](#) [My Activities](#) [Create](#) [Search](#) [Reports](#) [Support Center](#) [Administration](#) [Logoff](#)

Permit Project



No image found for this file, click here to upload an image.

File #: 18-000093 ...

4613 EL MAR DR LAUDERDALE BY THE SEA FL 33308
LAUDERDALE BY THE SEA 6-2 B LOT 4,29 BLK 10

[Permits](#) [Reviews](#) [Inspections](#) [Activities](#) [Documents](#) [Contacts](#) [History](#)

EDIT:
File

Edit Review Route: Permit Review



ADD
Activity
Address
Alert
Contact
Document
Email
Inspection
Letter
Note
Payment
Permit
Route

Route Name: Permit Review
Status: Resubmittal Required
Permit #: LBS21-010674
Comments:

Start Date: 05/14/2021
Completion Date: 05/21/2021
Duration: 7

Review Activities

Activity Type	Department	Assigned To	Status	Due	Complete
Electrical Review	Lauderdale-By-The-Sea	Town of LBTS 1	Approved	05/21/2021	05/17/2021
Plumbing Review	Lauderdale-By-The-Sea	Town of LBTS 1	Approved	05/21/2021	05/17/2021
Mechanical Review	Lauderdale-By-The-Sea	Town of LBTS 1	Resubmittal Required	05/21/2021	05/17/2021
specify on plans scope of mechanical demo. If appliances containing Freon are to be removed an EPA certified contractor and mechanical permit are required. Paolo Serafini (954)588-0989 specify on plans scope of mechanical demo. If appliances containing Freon are to be removed an EPA certified contractor and mechanical permit are required. Paolo Serafini (954)588-0989					
Fire Review	Lauderdale-By-The-Sea	Town of LBTS 1	Approved	05/21/2021	05/18/2021
Structure Review	Lauderdale-By-The-Sea	Town of LBTS 1	Approved	05/21/2021	05/20/2021
Approved. Approved.					
Zoning Review	Lauderdale-By-The-Sea	Town of LBTS 1	Approved	05/21/2021	05/21/2021

21-000240	LBS21-010702	4613 EL MAR DR
21-000212	4613 EL MAR DR	
18-000093	LBS18-006869	4613 EL MAR DR
18-000093	LBS21-010674	4613 EL MAR DR
12-000804	LBS12-000821	4613 N OCEAN DR

[Home](#)
[My Activities](#)
[Create](#)
[Search](#)
[Reports](#)
[Support Center](#)
[Administration](#)
[Logoff](#)

Permit Project



No image found for this file, click here to upload an image

File #: 18-000093 ...

4613 EL MAR DR LAUDERDALE BY THE SEA FL 33308
LAUDERDALE BY THE SEA 6-2 B LOT 4,29 BLK 10

[Permits](#)
[Reviews](#)
[Inspections](#)
[Activities](#)
[Documents](#)
[Contacts](#)
[History](#)

EDIT:
File

Edit Review Route: 2nd Permit Review



ADD:

[Activity](#)
[Address](#)
[Alert](#)
[Contact](#)
[Document](#)
[Email](#)
[Inspection](#)
[Letter](#)
[Note](#)
[Payment](#)
[Permit](#)
[Route](#)

Route Name: 2nd Permit Review

Start Date: 06/07/2021

Status: Approved

Completion Date: 06/08/2021

Permit #: LBS21-010674

Duration: 1

Comments:

Review Activities

Activity Type	Department	Assigned To	Status	Due	Complete
Mechanical Review	Lauderdale-By-The-Sea	Town of LBTS 1	N/A	06/14/2021	06/08/2021
	NA				
	NA				

REPORTS

[Custom](#)
[Detail](#)
[Summary](#)

Sec. 30-137. Nonconforming uses and structures.**(a) Existing uses and structures.**

- (1) Any lawful use or structure, excluding signs, existing on the effective date of this chapter and which by the terms thereof has become a nonconforming use or structure is hereby declared not to be in violation at this chapter's effective date.
- (2) The provisions of this division shall also apply to buildings, structures, land, premises or uses which hereafter become nonconforming due to a change or a reclassification of district or become nonconforming due to a change in district regulations.
- (3) Such a nonconforming use or structure shall be subject to all of the provisions of this section pertaining to its continuance, change and discontinuance and section 7.1 of the Town Charter.
- (4) These regulations shall not be deemed to require a change in the plans, construction or designated use of any building on which actual construction was lawfully begun prior to the effective date of the passage of or amendment to these regulations and upon which actual building construction has been diligently carried on. In no event shall the time of such construction exceed a period of eighteen months except upon approval of the Town Commission.
- (5) Unlawful use or structure not authorized. Nothing in this chapter shall be interpreted as authorization for or approval of:
 - a. The continuation of the use of a structure or premises established in violation of any ordinance in effect at the date it was established; or
 - b. The continuation of a structure or building which did not comply with the requirements and conditions of a variance approval or conform to the land development regulations for minimum lot area and dimension, minimum yard setback requirements, maximum building height, total floor area, lot coverage, square footage, density and minimum floor area requirements or other characteristics of the structure, or its location on the lot, which were in effect at the date the building or structure was constructed.
- (6) When a period of time is specified in this division for the removal or discontinuance of nonconforming buildings, structures or uses, said period shall be computed from the effective date of such reclassification or change of regulations.

(b) Nonconforming use.

- (1) *Continuance of nonconforming uses.* Any legal nonconforming use may be continued in accordance with the requirements of this section and section 7.1 of the Town Charter.
- (2) *Extensions of nonconforming use.*
 - a. The nonconforming use of a building may be extended throughout any part of a building clearly designed for such use but not so used at the effective date of this chapter.
 - b. Any nonconforming use which occupied a portion of a building not designed or intended for such use shall not be extended to any other part of the building.
 - c. No nonconforming use shall be extended to occupy any land outside the building on the same plot not used for such nonconforming use of land at the effective date of this chapter.

-
- d. The nonconforming use of land shall not be extended to any additional land not so used at the effective date of this chapter.
- (3) *Structure containing nonconforming use.*
- a. *Safety and sanitation applicable.* Nothing in this article shall prevent or excuse compliance with applicable laws or resolutions relative to the safety and sanitation of a building occupied by a nonconforming use.
- b. *Repair, alteration, enlargement of structure.* No structure utilized for a nonconforming use shall be enlarged, extended, reconstructed or structurally altered unless the use is changed to one which complies with the provisions of this chapter, except that limited repairs, maintenance and improvements may be carried out as provided below.
1. *Work valued 50 percent or less within a year.* On any building devoted in whole or in part to any nonconforming use, work may be done in any period of 12 consecutive months on ordinary repairs or on repair or replacement of nonbearing walls, fixtures, wiring or plumbing to an extent not to exceed 50 percent of the current replacement cost of the building; provided, that the following are not increased:
- i. Cubic volume of the building, as it existed at the time of passage of or amendment to these regulations:
- ii. Floor area devoted to the nonconforming use; and
- iii. Number of dwelling units above those otherwise permitted.
2. *Damage exceeding 50 percent of value.* If any building in which there is a nonconforming use is damaged by fire, flood, explosion, collapse, wind, war or other catastrophe to such an extent that surpasses 50 percent of the replacement cost of the building or structure, it shall not be again used or reconstructed except in full conformance with all applicable land development regulations and section 7.1 of the Town Charter.
- (4) *Change of nonconforming use.*
- a. In any residential district, any change of a nonconforming use in a conforming building shall be to a conforming use.
- b. In a residential district, a nonconforming use in a nonconforming building shall be changed only to a use permitted in the particular residential district involved, except as provided in subsection (e)(4) below.
- c. Any change of a nonconforming use of land shall be to a conforming use, except as provided in subsection (4)d. below.
- d. Change of tenancy, ownership or management of a nonconforming use is allowed, provided that there is no change in the specific character of such nonconforming use except as may be permitted by this chapter. For example, a nonconforming professional office may continue as a nonconforming professional office after a change in tenancy, ownership or management, but may not continue as another commercial or business use unless those uses are permitted by the Code in effect at the time of the change. Likewise, a retail store may continue as another type of retail store, but not as a laundromat or other type of service establishment if such uses are not permitted by the Code in effect at the time of the change.
- (5) *Discontinuance or abandonment of a nonconforming use.*
- a. If for any reason a nonconforming use of land ceases or is discontinued for a period of more than 60 days, the land shall not thereafter be used for the same or any other nonconforming use.

-
- b. If for any reason the nonconforming use of a building ceases or is discontinued for a period of 60 days or more (not including periods when restoration is in progress), the building shall not thereafter be used for the same or any other nonconforming use.
 - c. Any part of a building, structure or land occupied by a nonconforming use which is abandoned shall not again be occupied or used for a nonconforming use.
 - d. Any part of a building, structure or land occupied by a nonconforming use which is changed to or occupied by a conforming use shall not thereafter be used or occupied by a nonconforming use.
- (6) *Illegal use.* The casual, temporary or illegal use of land or a building shall not be sufficient to establish the existence of a nonconforming use or to create any rights in the continuance of such a use.
- (c) *Nonconforming structures.*
- (1) *Continuance and replacement of nonconforming structures.* The lawful existence of a structure or building at the effective date of adoption of these regulations, although such structure or building does not conform to the land development regulations for minimum lot area and dimension, minimum yard setback requirements, maximum building height, total floor area, lot coverage, square footage, density, parking and minimum floor area requirements or other characteristics of the structure, or its location on the lot, may be continued so long as it remains otherwise lawful, subject to the following provisions:
- a. Should such structure or building be destroyed by any means to an extent that surpasses 50 percent of the replacement cost of the building or structure, it shall not be reconstructed except in conformity with the provisions of this section and any other applicable land development regulations including, but not limited to, section 7.1 of the Town Charter.
 - b. Should such structure or building be destroyed by any means to an extent less than 50 percent of its replacement cost, it may be restored with the original nonconformities.
 - c. Should such structure or building be moved for any reason for any distance whatever, it shall thereafter conform to the land development regulations for the zoning district in which it is located after it is moved.
 - d. Notwithstanding the foregoing, an existing building that is nonconforming as to either height, setbacks, square footage, parking or density may be replaced by a new nonconforming building with the original nonconformities when, and only when:
 - 1. The existing nonconforming building has:
 - (i) Been destroyed by fire, natural disaster, or other act of God; and
 - (ii) The property owner has submitted and received Town approval of a site plan depicting the replacement building; and
 - (iii) Construction of the replacement building is commenced within 12 months of the date of destruction; or
 - 2. The existing nonconforming building is:
 - (i) Demolished as part of a Town-approved redevelopment of the property; and
 - (ii) Prior to demolition, the property owner has submitted and received Town approval of a site plan depicting the replacement building; and
 - (iii) Construction of the replacement building is commenced within six months of the date of site plan approval.
 - 3. The Town Commission may grant one or more six-month extensions to the time periods for commencement of construction established in paragraphs (c)(1)d.1.(iii) and (c)(1)d.2.(iii),

above, provided a written request for extension is filed with the Town Clerk prior to (in the case of a first request for extension) the expiration of the initial applicable time period for commencement of construction or prior to (in the case of a subsequent request for extension) the expiration of the most recent extension of the applicable time period for commencement of construction.

4. All new nonconforming buildings constructed pursuant to the provisions of either subsections d.1 or d.2, above, shall comply, where applicable, with the restrictions on use and parking availability established in section 7.1 of the Town Charter and if located in the B-1-A or B-1 zoning district, with the requirements of subsection 30-261(d), design, or subsection 30-271(d), design, as applicable.
 5. Replacement of nonconforming parking shall be subject to subsection 30-137(c)(3).
 - e. The maximum allowable height of any new nonconforming building constructed pursuant to the provisions of either paragraph d.1 or d.2, above, shall not exceed the original height of the nonconforming building which it replaces, plus any additional height which (because of the requirements of State or Federal law, or because of the restrictions on use established in section 7.1 of the Town Charter) may be necessary to obtain the same number of habitable stories as was contained in the original nonconforming building. Nothing in this section shall be construed to prevent a new nonconforming building from being constructed to a lesser height or from containing fewer habitable stories than that of the original nonconforming building which it replaces. For the purposes of this section, the term "habitable story" means any story or part thereof that is used as a home or place of abode, either permanent or temporary, by one or more persons.
 - f. The maximum allowable square footage of any new nonconforming building constructed pursuant to the provisions of either paragraph d.1 or d.2, above, shall not exceed the original square footage of the nonconforming building which it replaces, plus any additional square footage which (because of the requirements of State or Federal law, or because of the restrictions on use established in section 7.1 of the Town Charter) may be necessary to obtain the same number of habitable square feet as was contained in the original nonconforming building. Nothing in this section shall be construed to prevent a new nonconforming building from being constructed either with less total square footage or with less habitable square footage than that of the original nonconforming building which it replaces. For the purposes of this section, the term "habitable square footage" means the square footage of that portion of a building that is used as a home or place of abode, either permanent or temporary, by one or more persons.
- (2) *Alterations, construction, repairs, and maintenance and change.* A nonconforming structure or building may be maintained and repairs and alterations may be made subject to the following:
- a. No such building or structure shall be enlarged upon or altered in any way that increases its nonconformity;
 - b. Such building or structure or portion thereof may be altered to decrease its nonconformity except as may be herein provided.
 - c. Such nonconforming buildings or structures shall not be used as a basis for adding other structures or uses prohibited elsewhere in the same district.
- (3) *Nonconforming parking areas.* Nonconforming parking areas may be rebuilt, reconstructed, restriped, resurfaced or repaired, subject to the requirements of this section.
- a. Changes to the parking area which trigger compliance with handicap parking requirements under the Florida Building Code must provide the required handicap parking spaces.

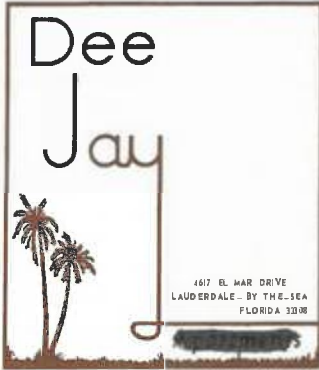
-
- b. To the extent feasible, the parking area shall achieve the maximum degree of compliance possible with the parking, landscape and drainage requirements of the Code at the time of improvement.
 - c. Permits approved under this section shall be reviewed by the Department to determine that the proposed plan improves the overall degree of nonconformity balancing drainage, landscape, parking stall dimension, traffic flow and handicap improvements against any reduction in parking spaces due to the provision of required handicap spaces or improvements required to improve the safety of the parking area.
 - d. Required parking spaces that are legally established shall not be removed, unless the removal is required to improve the reasonable safety of the parking lot, as may be determined in the sole discretion of the Town.
 - e. Stand-alone parking lots approved for valet parking only, shall not be required to eliminate more than 25 percent of the currently existing spaces in order to comply with this section.
 - f. The Town Manager may approve, deny or approve the submitted parking area plans with modifications.
 - g. Any legal nonconforming parking area improved under this section shall remain a legal nonconforming lot unless the lot as improved fully complies with the Code.
- (d) *Duplex properties.* The previous provisions of section 30-137 notwithstanding, all nonconforming duplex properties shall be governed by this section in addition to any applicable provisions of the zoning district and section 7.1 of the Town Charter.
- (1) *Definitions.* For purposes of this subsection, the following terms have been defined in section 30-11:
- Duplex unit;
 - Dwelling, duplex or two-family;
 - In existence;
 - Separate ownership;
 - Shared duplex boundary;
 - Split lot duplex property.
- (2) *Status.*
- a. *Subdivision of platted lot occupied by a duplex dwelling prohibited.* The subdivision of a property containing any duplex dwelling after February 9, 2016 into a split lot duplex property is prohibited, and:
 - 1. Such duplex unit and lot shall be illegal nonconforming; and
 - 2. The structure may not be maintained, expanded, or reconstructed except in full conformance with all the requirements of this Code.
 - b. *Duplex unit on a split lot duplex property.* A split lot duplex property that was created and under separate ownership on or before February 9, 2016 shall be considered legal nonconforming. Such property shall be considered a legal lot and may be utilized for a single family dwelling, regardless of density limitations.
- (3) *Redevelopment of split lot duplex properties.*
- a. *Repair, alteration, maintenance, or expansion of duplex unit or duplex dwelling on a split lot duplex property.* Any duplex unit on a split lot duplex property in existence on or before February

9, 2016 may be maintained, altered, or expanded in compliance with the regulations of the zoning district in which it lies.

- b. *Architectural review required.* The exterior renovation, rebuilding, or restoration of a duplex unit shall be subject to the architectural review requirements of this chapter for consistency in form and style with the remaining duplex unit to which the reconstructed duplex unit will be attached. The Town will allow an alternative architectural style if both of the owners of the split lot duplex properties redevelop their property at the same time and submit a joint application.
- c. *Destruction of a duplex unit up to and including 50 percent.* A duplex unit on a split lot duplex property that is destroyed by up to and including 50 percent of the current replacement cost of the duplex unit may be repaired and rebuilt as a duplex unit.
- d. *Destruction of a duplex unit greater than 50 percent.*
 - 1. If one or both duplex unit(s) on either side of a shared duplex boundary are damaged by fire, flood, explosion, collapse, wind, war or other catastrophe to an extent that surpasses 50 percent of the replacement cost of either or both of the duplex units, then the split lot duplex properties' owners may redevelop the duplex units together as a duplex dwelling if both of the property owners sign a maintenance agreement document provided by the Town or in a form approved by the Town Attorney.
 - 2. If either of the property owners fail to sign a maintenance agreement, redevelopment of either split lot duplex property may occur only as a single-family structure with the following setback provisions:
 - i. The setback for the property line that was originally a shared duplex boundary, shall be not less than three feet.
 - ii. If required in order to achieve the same square footage as the original duplex unit, the setback of other property lines may be reduced by an aggregate total of four feet.
 - 3. The property owner may apply for relief from other provisions of this Code, through administrative adjustments and/or variances as set forth in section 30-127 or section 30-128 of this chapter, which relief may be granted only if the criteria of those provisions are determined to be met; however, no further administratively approved setback adjustments shall be considered.

(Ord. No. 2014-08, § 3, 7-7-2014; Ord. No. 2016-01, § 3, 2-9-2016; Ord. No. 2018-26, § 2, 11-13-2018)

Editor's note(s)—Ord. No. 2016-01, § 3, adopted Feb. 9, 2016, set out provisions adding subsection 30-137(m). To follow the existing subsection numbering, and at the editor's discretion, said provisions have been included herein as subsection 30-137(d).



TELEPHONE 305 - 722 - 0018

Relax in the Sun

exhibit 3

June 23, 2021

Town Clerk

Ms. Tedra Allen, CMC

4501 North Ocean Drive

Lauderdale by The Sea, Fl 33308

Dear Ms. Allen,

Greetings!,

The unfortunate disaster at 4613 El Mar Drive happened on August 18, 2020. The fire devastation in combination with the unprecedented circumstances related to COVID 19 have devastated our business resulting in profound hardship as well.

We are trying to rebuild as quickly as possible and have initiated the demolition on June 18, 2021. The demolition process is to expose the structure of the building. The engineer will then visit the property and make his report to be submitted to the building department for review.

We respectfully request a 6 month extension while the building is being reviewed and construction documents are assembled after the building department gives us the ok to proceed.

Thank you.

Sincerely,



Marissa Greenberg, Manager/Owner

Dee Jay Beach Resort

4617 El Mar Drive

Lauderdale by The Sea, Fl 33308