

**TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
REGULAR MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Tuesday, June 26, 2018
6:30 PM**

1. CALL TO ORDER, MAYOR CHRIS VINCENT

Mayor Chris Vincent called the meeting to order at 6:31 p.m. Also present were Vice Mayor Elliot Sokolow, Commissioner Edmund Malkoon, Commissioner Alfred "Buz" Oldaker, Commissioner Randy Strauss, Town Manager Bud Bentley, Deputy Town Manager Tony Bryan, Assistant Town Manager Sharon Ragoonan, Town Attorney Susan L. Trevarthen, Development Services Director Linda Connors, Special Projects Coordinator Debbie Hime, Public Information Officer Steve d'Oliveira, and Town Clerk Tedra Allen.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION

Pastor Fred Powell gave the Invocation.

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

None.

5. PRESENTATIONS

a. 2017 Uniform Crime Report (UCR) Annual Crime Statistics (Captain Tom Palmer)

Captain Tom Palmer of the Broward Sheriff's Office (BSO) explained that the Uniform Crime Report (UCR) for Lauderdale-By-The-Sea shows a 4.3% decrease in overall crimes, which is the 13th largest decline among jurisdictions in Broward County. The crime rate is based on a permanent population estimated at 6175. This population is virtually doubled during the tourist season.

Lauderdale-By-The-Sea is tied for the sixth-lowest crime rate in Broward County, with the third-lowest number of crimes. Captain Palmer noted that the clearance rate for Part 1

offenses is 24.2%, which represents a 4.1% increase over 2016. Additional statistics from the UCR are available online, as are monthly crime reports.

b. Town Action Plan Update 2.4.3 semi-annual traffic crash and citation data (Captain Tom Palmer)

Captain Palmer advised that Item 2.4.3 of the Town's Action Plan concerns traffic safety, including bicycle and pedestrian traffic. He has reviewed five years' worth of traffic crash data for this report. In 2016-2017, traffic crashes increased from 169 to 201. BSO was awarded grant funding from the Florida Department of Transportation (FDOT) to be used for high-visibility enforcement in the Lauderdale-By-The-Sea district. This was intended to address and educate bicycle and pedestrian violations.

This initiative began in mid-December 2017 and concluded in April 2018. Captain Palmer reported a 23% decrease in crashes during that time period, as well as a 4% increase in traffic citations. The report shows that the top crash location was the intersection at 4399 North Ocean Drive.

Commissioner Oldaker asked if BSO's presence at strategic locations contributed to the overall decrease in crashes. Captain Palmer replied that some Police vehicles were in plain sight, but noted that distracted driving remains an issue.

c. Presentation of the Comprehensive Annual Financial Report (CAFR) (Tony Bryan, Deputy Town Manager)

Deputy Town Manager Tony Bryan reviewed the Comprehensive Annual Financial Report (CAFR) for fiscal year (FY) 2017, which ended on September 30, 2017. On that date, the balance of the Town's Emergency Reserve Fund was approximately \$2.3 million, while the unassigned balance of the General Fund was roughly \$3.3 million. The Capital Fund balance was approximately \$3.5 million, including \$677,566 restricted to El Mar Drive beautification efforts. Roughly \$946,000 was restricted for the use of the Fire Department and approximately \$6,000 for LETF.

During the year, the balance of the General Fund declined by \$374,000, although nearly \$1.8 million was transferred from the General Fund to the Capital Fund. The Capital Fund balance increased by \$1.4 million. The unrestricted balance of the Sewer Fund was roughly \$1.1 million, and the unrestricted balance of the Parking Fund was approximately \$2.8 million. During the year, the net position of the Sewer Fund increased by \$194,000

and the net position of the Parking Fund increased by \$1.6 million. The audit did not identify any control deficiencies, and the audit firm returned a clean opinion.

Mayor Vincent recalled that in 2007-2008, the Town's taxable values were artificially high due to the inflation of property values. Since that time, the values have decreased significantly, and the Town has been able to maintain a lower millage rate. He added that taxable values for FY 2016-2017 have nearly returned to the values reflected in 2007-2008.

Commissioner Oldaker commented that he was somewhat surprised the Town's taxable values have not rebounded further due to recent new construction. Vice Mayor Sokolow pointed out that these values are not calculated within the tax rolls until the properties have been granted a Certificate of Occupancy (CO).

Town Manager Bud Bentley recognized Deputy Town Manager Bryan for his oversight of the Town's Finance Department, and thanked the Audit Committee for their dedication and work.

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

6. PUBLIC COMMENTS

At this time Mayor Vincent opened public comment.

Christine Klima, representing the Early Learning Coalition of Broward, thanked the Commission for \$2000 in matching funds provided to this organization for child care services. These funds helped the organization drawn upon an additional \$30,000 to provide services for low-income and at-risk children in Lauderdale-By-The-Sea.

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

7. PUBLIC SAFETY DISCUSSION

a. AMR May Report (Chief Brooke Liddle)

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

b. VFD May Report (Chief Judson Hopping)

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

c. BSO May Report (Captain Tom Palmer)

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

8. TOWN MANAGER REPORT

a. May Finance Report (Tony Bryan, Deputy Town Manager)

The Commissioners accepted the report without discussion.

b. Town Manager Report (Bud Bentley, Town Manager)

Special Projects Coordinator Debbie Hime stated that there are several Town activities planned for July 4. Family Fun Day on the beach will feature refreshments and a water slide. Drivers should avoid El Mar Drive and Bougainvillea Drive, which will be blocked for the parade route from 8:30 a.m. to 11 a.m. The Pelican Hopper will not run past 5:25 p.m. on the 4th of July.

Captain Palmer advised that Bougainvillea Drive will be restricted to parade traffic only, with periodic lane closures at 10 a.m., when the parade is scheduled to begin. It is expected to last approximately one hour. Incoming traffic to Anglin Square on A1A, Commercial Drive, and El Mar Drive will be shut down beginning at roughly 8 p.m. Access will not be reopened until pedestrian traffic subsides after the fireworks display. He recommended that residents attending this event walk or bike to the area. The bridge will remain in a closed position between 9 p.m. and approximately 11 p.m.

Beginning on Monday, July 2, 2018, the Town will post three electronic message boards on A1A north and south and Commercial Boulevard east to inform the public that traffic will be heavy on July 4 due to special events.

Town Manager Bentley thanked Commissioner Oldaker for his leadership in planning the Town's 4th of July events.

Town Manager Bentley continued that the FY18 Action Plan is included in the Commissioners' backup materials. He noted that FDOT has a project on the Commercial Boulevard corridor that terminates at Lauderdale-By-The-Sea. Town Staff is working with them to upgrade streetlights to LED lighting at the intersections of Commercial Boulevard/Ocean Drive and Commercial Boulevard/Seagrape Drive.

Staff is also pursuing a plan to upgrade streetlights throughout the Town. Florida Power and Light (FPL) is actively engaging with Broward communities on projects of this nature.

Town Manager Bentley also pointed out that Police have conducted selective traffic enforcement at the intersection of Bougainvillea Drive and Hibiscus Drive. Captain Palmer explained that several residents have expressed concern with STOP sign violations at this intersection. From May 8-18, 2018, traffic enforcement was at this location during three different times of day and issued 41 warnings and 9 uniform traffic citations. Most violators were Town residents.

Charles Mangano, resident, addressed speeding and STOP sign violations on Hibiscus Drive and Bougainvillea Drive, suggesting the construction of speed bumps could address this issue. There are also alternatives to construction, such as a lighted rubber strip. He advised that residents in the area would object to moving the street line, as well as to any Code changes that would move the sidewalk closer to nearby residential buildings.

Mr. Mangano concluded that a meeting is scheduled at Leisure East on July 11, 2018, at 3 p.m. to discuss speed bumps or rubber strips. He extended an invitation to the Mayor, the Commissioners, and Captain Palmer.

Vice Mayor Sokolow asked what steps would be involved for the construction of speed bumps at Hibiscus Drive and Bougainvillea Drive. Town Manager Bentley replied that the Town must request a study by Broward County Transit (BCT). If speed bumps are warranted under BCT's criteria, they will be installed; however, if they are found to be unwarranted and the Town wishes to install them anyway, the Town would assume liability if any issues arise.

Captain Palmer further clarified that speed bumps are intended to address speeding rather than STOP sign violations. If a traffic study finds the average car speed in the area to be higher than the posted speed limit of 25 miles per hour (MPH), this speed may be increased to 30 MPH.

Commissioner Oldaker recalled that there have been multiple discussions of traffic calming devices in the subject area, including lighted signs. Captain Palmer noted that residents may not want some of these devices implemented, as they could be disruptive for nearby neighbors. Town Manager Bentley noted that placing speed bumps before a STOP sign is not an acceptable alternative, as it could destabilize cars that are rapidly decreasing their speeds. BCT would be likely to object if these features are installed on a bus route.

Commissioner Malkoon asked if speed tables would be an acceptable calming device. Town Manager Bentley replied that these are in use in parts of Fort Lauderdale to enhance visibility at four-way intersections. He added that another alternative may be to modify traffic patterns to address difficult situations. The Town Engineer may be able to identify other solutions the Town has not yet considered.

The Commissioners agreed by consensus to request a traffic study by BCT at this intersection.

9. TOWN ATTORNEY REPORT

None.

10. APPROVAL OF MINUTES

a. June 12, 2018 Town Commission Meeting (Tedra Allen, Town Clerk)

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

11. CONSENT AGENDA

a. Increase in Conceptual Communications' FY18 "On Demand" Agreement (Debbie Hime, Special Projects Coordinator)

Special Projects Coordinator Hime explained that Conceptual Communications is developing the Town's three-year Strategic Marketing Plan. They have signed a contract for \$15,000, which is within range of the Town Manager's approval. During recent months, larger projects have also arisen, including the Pelican Hopper route survey, drone footage, and social media coordination outside regular marketing efforts. While these projects fall within the \$15,000 budget, Staff feels there are other programs that may

continue as well. The Town has sufficient money within its marketing budget to approve additional funding.

Town Manager Bentley pointed out that the Town's Purchasing Manual provides the Town Manager with the ability to exempt professional services up to \$15,000 without entering into the competitive bid process. The Manual also provides the Commission with the ability to waive competitive bid requirements when it is in the best interest of the Town to do so. He concluded that it would be in the Town's best interest to proceed with these projects through the end of FY 2018 with Conceptual Communications.

Commissioner Malkoon asked how funds for these items are budgeted. Special Projects Coordinator Hime advised that these dollars went to Conceptual Communications rather than being re-budgeted between Departments. She added that the "LBTs Events" portion of the Town's website is being moved from asp.net to WordPress, which is an easier platform for Staff to use.

Commissioner Malkoon asked how the effectiveness of ads can be measured. Special Projects Coordinator Hime explained that the next Strategic Marketing Plan will include a larger internet presence and less print advertising. Internet marketing is also easier to measure using various devices. Vice Mayor Sokolow expressed concern with the validity of statistics generated by internet advertising, although he concluded that the proposal was a positive one.

Vice Mayor Sokolow made a motion, seconded by Commissioner Oldaker, to approve the additional authority to spend the money in the budget (\$17,200). Motion carried 5-0.

12. OLD BUSINESS

a. Options for Solid Waste Disposal and Recyclables Processing Services (Sharon Ragoonan, Assistant Town Manager)

Assistant Town Manager Sharon Ragoonan noted that the Town's solid waste disposal and recycling contract with Sun Bergeron is set to expire on July 2, 2018. Staff has explored other options that may be available to the Town, which include joint ventures with Sun Bergeron, Waste Connections, WastePro, and other entities.

The provider with the lowest cost within the disposal area was determined to be Waste Connections, while for recycling options, Waste Management offers the best cost. Staff

believes that it would be prudent to enact a temporary solution while continuing to look into other cities' contracts and how the Town might benefit from these. WastePro has offered to enter into a 90-day agreement for both solid waste disposal and processing of recyclables. Staff is seeking approval for this temporary arrangement, which would require the waiver of Purchasing Manual requirements.

Commissioner Oldaker pointed out that the current contract is set to lapse immediately before the Town's 4th of July activities. He stated he was in favor of the 90-day extension. Commissioner Strauss agreed the extension would allow the Town to negotiate the best deal for the future.

Commissioner Oldaker also observed that trash and recyclable disposal is a major issue for all Broward County municipalities. He suggested the Town consider "piggybacking" on other cities' contracts to achieve the best result for Lauderdale-By-The-Sea.

Commissioner Oldaker made a motion, seconded by Commissioner Strauss, to approve the 90-day extension with WastePro for the disposal of all solid waste and the processing of recyclables for the period of July 1, 2018 through September 30, 2018. Motion carried 5-0.

13. NEW BUSINESS

a. FY 2019 BSO Proposed Budget (Tony Bryan, Deputy Town Manager)

Deputy Town Manager Bryan reported that the preliminary FY 2019 BSO budget is \$4,569,324, which is a difference of \$235,564 from the current adopted budget and a 5.4% increase. He pointed out that the final budget the Town receives from BSO is typically less than the preliminary budget.

The Town expects to receive a bill estimated at \$132,000 for the cost of upgrading radios for BSO personnel. It is not clear at present whether or not this will affect the FY 2019 budget or whether this cost can be financed.

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

b. FY 2019 Non-Profit Funding Request (Tony Bryan, Deputy Town Manager)

Deputy Town Manager Bryan continued that a number of non-profit agencies have made funding requests for the Town's FY 2019 budget. These requests are listed in the Commissioners' backup materials in comparison to the current approved amounts for each agency. These requests represent a \$5564, or 19%, increase over the previous year.

Christine Klima, representing the Early Learning Coalition of Broward, stated that this organization receives state funding to help pay for child care for low-income and at-risk children in Broward County. They are required to collect 60% matching funds from Broward municipalities in order to receive federal funds. The \$2000 request from Lauderdale-By-The-Sea allows the agency to leverage another \$31,000 from the federal government.

Natasha Elfarghali, representing the Aging and Disability Resource Center, requested matching funds for the agency's federal and state contracts. Funds are used toward services such as Meals on Wheels, adult day care, transportation, and minor home repair services for senior citizens in Broward cities, including five clients in Lauderdale-By-The-Sea. The request for FY 2019 is for \$8389, which will enable the agency to draw down \$75,000 in federal and state dollars.

Ken Harmon, representing the Hillsboro Lighthouse Preservation Society, reported that a critical project to replace struts before the hurricane season has just been completed. A number of other projects are underway. The Society does not receive any funds from the federal government. As the Town's founding date is in November, the Society offers if space allows a free boat trip to visit the Lighthouse on that date for any Town resident. The Lighthouse is operated through a license from the U.S. Coast Guard.

Margaret Brown, representing the Center for Hearing and Communication, advised that this is the oldest non-profit agency that works with the deaf and hard of hearing population in Broward. Approximately 74 residents of Lauderdale-By-The-Sea are registered with the agency, which provides education, case management, and mental health counseling, among other services. The request for \$2000 covers the funding shortfall for these residents.

Ed Corley, representing House of Hope, explained that this agency is a substance abuse rehabilitation center in Fort Lauderdale, serving over 500 clients per year. In addition to rehabilitation for a number of days or months, they now provide outpatient services to patients throughout Broward County, as well as vocational training and a GED program. This is the agency's first funding request of the Town.

Brianna Ploude, representing the Broward Children's Center, stated that this agency serves children and young adults with special needs through occupational, speech, physical, and recreational therapies. Governmental funding does not cover the full extent of all therapies, which necessitates the funding request.

Commissioner Malkoon requested that the Commission consider adding a \$2500 request for the Town's Garden Club, which is also a non-profit agency. He recalled that there is historic precedent for this request. The \$2500 would fund a program called Butterflies-By-The-Sea, which would earn points for the Town toward a national wildlife designation.

Mayor Vincent noted that Women in Distress of Broward County has also made a funding request of \$3000, although there was no representative of the agency at tonight's meeting.

Vice Mayor Sokolow made a motion, seconded by Commissioner Malkoon, to approve the FY 2019 funding request, including \$2500 for the Garden Club of Lauderdale-By-The-Sea, for a total amount of \$37,889. Motion carried 5-0.

c. Broward County's Proposed 2018 Transportation Surtax (Vice Mayor Sokolow)

Vice Mayor Sokolow explained that the Broward County Board of County Commissioners is again discussing the possibility of a one-cent surtax to fund transportation projects. The Commissioners' backup materials include a list of Town projects proposed for funding under the 2016 half-cent surtax initiative. Any changes to these proposed projects must be submitted to the County by the end of July 2018. He suggested that the Town suggest wide-ranging transportation projects to Staff for further consideration and discuss these possibilities at the July Commission meeting.

Commissioner Oldaker observed that the method for distributing these funds throughout the County has not yet been determined. Town Attorney Trevarthen further clarified that the Commissioners may not use public funding to advocate or oppose the surtax. The County would have sole control over which listed projects are built, which means there is no guarantee the projects submitted by the Town would be funded.

14. COMMISSIONER COMMENTS

Commissioner Malkoon stated that he recently toured the Monarch landfill facility and recycling center in Pembroke Pines with Assistant Town Manager Ragoonan. He wished all present a happy 4th of July and urged them to participate in the upcoming community events.

Commissioner Oldaker thanked Staff for their work toward the 4th of July festivities.

Mayor Vincent advised that he would request an excused absence from the July 10, 2018 Commission meeting. He also introduced new Building Chief Randall Clutter, and noted that a future Agenda Item would include review of the Town's permit fees for possible restructuring.

15. ORDINANCES

a. Ordinances 1st Reading

None.

b. Ordinances 2nd Reading

None.

16. RESOLUTIONS – PUBLIC COMMENTS

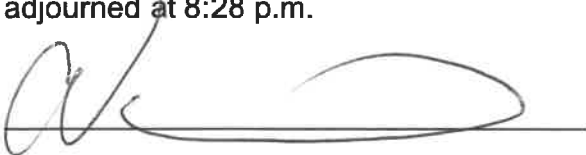
None.

17. QUASI JUDICIAL PUBLIC HEARINGS

None.

18. ADJOURNMENT

With no further business to come before the Commission at this time, the meeting was adjourned at 8:28 p.m.

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

Mayor Chris Vincent

Lauderdale-By-The-Sea
Regular Town Commission Meeting
June 26, 2018

ATTEST:

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

Town Clerk Tedra Allen

A handwritten date "7-24-18" in blue ink is written over a horizontal line.

Date