



**TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Tuesday, July 25, 2023
6:30 PM**

1. CALL TO ORDER, MAYOR CHRIS VINCENT

Mayor Chris Vincent called the meeting to order at 6:32 p.m. Also present were Vice Mayor Edmund Malkoon, Commissioner Alfred “Buz” Oldaker, Commissioner Theo Pouloupoulos (via phone), Commissioner Randy Strauss, Town Manager Linda Connors, Town Attorney Susan Trevarthen, Deputy Town Manager/Public Works Director Ken Rubach, Assistant to the Town Manager Courtney Easley, Development Services Director Jhanelle Campbell, Director of Budget and Finance Lucila Lang, Senior Special Events and Marketing Coordinator Katie Anderson, and Town Clerk Katrina Adler.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION

All present observed a moment of silence.

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

None.

5. PRESENTATIONS

a. Dive Into Summer Update

Senior Special Events and Marketing Coordinator Katie Anderson reminded all present that the Town’s Dive Into Summer event will be held on Saturday, July 29, 2023. This is the first year for this event, which will take place from 3 p.m. to 8:30 p.m. in El Prado Park. It will include music, a vendor village, food and beverages, and family entertainment, among other features.

Special Events and Marketing Coordinator Anderson advised that SCUBA for Good has requested approximately 10 reserved parking spaces for volunteers who will assist with the event. Four additional spaces are requested for entertainers. Staff recommends

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using the parking available behind Town Hall for volunteer and event-related personnel. The Commissioners agreed by unanimous consensus to grant these requests.

b. Farmers Market 2022-2023 Season Wrap Up

Special Events and Marketing Coordinator Anderson recalled that at the October 6, 2022 Commission meeting, the Town Commission awarded the contract for the Town's Farmers Market to Community Markets of South Florida, with the understanding that approval came with requested improvements and enhancements for the upcoming season, including specialty market days. After that meeting, Town Staff met with the proprietors of Community Markets of South Florida to discuss expectations for the upcoming season.

The most recent Farmers Market season ran from Sunday, December 4, 2022 through Sunday, May 7, 2023. After the season ended, Staff met with Jonathan Grotsky of Community Markets to discuss feedback from both sides of the market.

One request from the Commission and Staff was to increase the number of vendors who would be present throughout the market. The new site map allowed for a maximum of 37 vendors, which is significantly higher than the 17 vendors who participated in previous years. The Farmers Market did not reach full capacity for the entire season, but approximately 14 new vendors participated throughout the season.

Of the full list of 32 vendors committed to each market, there were a number of Sundays in which these vendors did not participate, often hosting only 25 vendors. The Town had also requested that more artisans participate throughout the season; however, the majority of vendors participating throughout the season were food vendors.

The Town had also requested that a coffee vendor participate in the market. Some markets into the season, Community Markets procured a coffee truck, which received very positive feedback. Another request was for a fresh flower vendor. This vendor was procured, but did not maintain a presence throughout the season, as they did not find the market sufficiently successful for their business.

The Town also requested a number of specialty market days and events throughout the season. These two days featured photographs with Santa Claus and a dog fashion show.

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Town Staff discussed the market's hours of operation during its post-season meeting, including the noticeable decrease in attendance later in the afternoons. Both the Town and Community Markets agreed that the next season's market would end at 1 p.m. rather than 2 p.m.

From a marketing standpoint, the Town printed and displayed banners on light poles, as well as on El Mar Drive, at the Visitors Center, and at the Chamber of Commerce. Printed yard signs were also placed weekly, and printed fliers were available in Town Hall and the Visitors Center. The Farmers Market was added to the Town's discover page and included in weekly *Town Topics* e-blasts, and was featured in the printed *Town Topics* as well. Facebook events were created for each Sunday market, and posts were made on Facebook and Instagram throughout the season.

Community Markets of South Florida relied on social media outlets for marketing, including both their page and their vendors' pages. Staff reviewed the vendors' social media markets, noting that of the 32 vendors committed to the final market, only 11 had social media platforms that could be found, and four of these were relatively inactive.

Should the Commission continue its contract with Community Markets, Town Staff proposes the following changes to the contract and the process:

- Town Staff will meet with Community Markets of South Florida in October 2023, at which time Community Markets will provide a marketing plan for the upcoming season, including a social media strategy
- The Town will add a social handle to the vendor tracking sheet submitted by Community Markets each Wednesday prior to the market so the Town will have a clear idea of which vendors will be present for the Sunday markets
- Community Markets is asked to schedule a minimum of four specialty market days throughout the season
- During the October meeting, Community Markets will present an outline of what enhancements will be included, as well as potential marketing collateral
- Community Markets will be asked to maintain no greater than a 50/50 ratio of food to artists and vendors throughout the majority of the season
- Barring weather and holidays, 23 markets are expected throughout the next season, at least 15 of which should reflect the 50/50 ratio
- After the market has closed, the market manager will provide a list of participating vendors to Town Staff
- Community Markets will work to provide a true variety in the following areas throughout the season: plant vendors, jewelry vendors, and art vendors

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- Community Markets will assign a market manager that is not also responsible for a booth at the Town's market; the manager shall be ever-present throughout the market so they can gauge the visitors' and residents' reception to the vendors present
- In the event of inclement weather, Community Markets shall cancel the market if the contractual minimum of 14 vendors is not present by 8:30 a.m.
- Staff and Community Markets collectively request to change the parking location for participating vendors back to the spaces behind Town Hall
- Hours of operation of the Farmers Market will end at 1 p.m. rather than 2 p.m.

Staff requests direction from the Commission on the following items:

- Amend the contract to update the vendor parking area from the South Ocean lot to the lot behind Town Hall
- Amend the contract by changing the market end time from 2 p.m. to 1 p.m.
- Approve the suggested expectations for the next market season

Mayor Vincent asked if the Town's requests are achievable for the next season. Jonathan Grotsky, representing Community Markets of South Florida, confirmed that these changes are possible. He reminded all present that the Farmers Market itself constitutes an event each Sunday, which makes it difficult to schedule an additional event within limited space. He also pointed out that Community Markets pays the City to provide the market, which differentiates them from a paid vendor.

With regard to the mixture of vendors, Mr. Grotsky continued that Community Markets is trying to provide what people want, including food. Artists and other non-food vendors typically sell less at the event and may not return for that reason, requiring another vendor to be lined up in their place.

Mayor Vincent clarified that while Community Markets is paying to present the event, he did not feel this was the same as acting as a paid vendor.

Town Manager Linda Connors recalled that when Community Markets was hired by the Town, it was with the expectation that they would provide vendors who would draw people into the market. She noted that there had been no hesitation by Community Markets regarding their ability to put on special events. She further clarified that the Town is not asking for major events, but for well-planned additions.

Mayor Vincent emphasized that the Town wants the market to succeed, and asked what can be done if vendors do not show up. He also emphasized the importance of

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balancing a variety of vendors at each market. He acknowledged that requiring less successful vendors to participate may be beyond Community Markets' control, and suggested that it may be wise to carefully vet vendors.

Town Manager Connors added that the Town did not take issue with a variety of vendors rotating in and out of the event. If the Town and Community Markets agree on 30 vendors, for example, this number should be maintained throughout the market. She recalled that the last season resulted in a steady decline in the number of vendors.

Mayor Vincent asked if Community Markets felt the Town's Farmers Market was successful for their vendors, and that the vendors wanted to be there. Mr. Grotsky advised that while Community Markets had offered 17 vendor spaces in previous years, they increased this number to 37 for the recent season, which is the highest number within any Broward market. They averaged approximately 28 vendors throughout the season.

Mr. Grotsky continued that the most recent market season had a late start, which meant some vendors had already committed to participate in other markets. He felt the next season would offer a head start for vendors to sign up. Community Markets is also working on a plan that would penalize vendors who do not show up, and to provide backup vendors if necessary. Terry Kugel, also representing Community Markets, stated that the customer response to the market was overwhelmingly positive.

Commissioner Strauss suggested that the proposed 50/50 split between food and non-food vendors was important, as guests want to see crafts and other goods in addition to food. He recalled that when the Town had committed to Community Markets, its representatives had not seemed concerned with their ability to provide a consistent variety of vendors. He concluded that he hoped to see the entire space filled by vendors, and that special events are offered as well.

Mr. Grotsky reiterated that Community Markets has more opportunity to plan ahead for the coming season, including small special events to accompany the regular market. Mr. Kugel added that Community Markets has been in business for 15 years, and advised that other providers may not be able to provide the same quality of services they may have offered.

Mr. Kugel continued that guests typically do not come to a market for crafts or non-food services, as this does not stimulate repeat visits in the same way. Mayor Vincent

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pointed out that new customers visit the market each week. Mr. Kugel concluded that the business will work on the requested upgrades.

The Commissioners agreed by consensus to direct Staff to move forward with the suggested expectations and contract amendments.

The following Item was taken out of order on the Agenda.

13. OLD BUSINESS

d. Raymond Briscuso Memorial Plaque

Commissioner Strauss stated that longtime Town resident Raymong Briscuso recently passed away at the age of 95, and recalled that he was an avid bocce enthusiast. It has been suggested that a memorial plaque be created in honor of Mr. Briscuso. Members of the bocce group have indicated they are willing to raise funds for the plaque, and have requested permission from the Town to place it near the bocce court.

Commissioner Strauss also noted that Mr. Briscuso was a veteran of World War II and participated in many of the Town's Veterans Day events over the years.

Mayor Vincent advised that he was in favor of moving forward with a memorial plaque, and suggested that the Commission establish guidelines and criteria in the future for the placement of memorials. The Commissioners agreed by consensus to further discuss a memorial policy for the Town.

6. PUBLIC COMMENTS

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

7. PUBLIC SAFETY DISCUSSION

a. AMR June 2023 Report

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

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Mayor Vincent thanked American Medical Response (AMR) and its personnel for their service to the Town.

b. BSO June 2023 Report

Broward Sheriff's Office (BSO) Captain Tom Palmer recognized Deputy Michael Kratz as Deputy of the Month. During the month of June, Deputy Kratz investigated two hit-and-run incidents and solved these cases rapidly. He has also participated in the traffic studies carried out throughout Lauderdale-By-The-Sea.

Captain Palmer added that his report includes a year-to-date statistical report for traffic crashes and citations in comparison to the same time in 2022. The district has seen a 12% decrease in traffic crashes and a 79% increase in traffic citations during that time. Calls for service are roughly 3% lower than in the previous year.

Captain Palmer added that BSO is undertaking its Summer Splash Initiative, in which representatives from the Motor Unit travel to different Broward municipalities. These groups were present in Lauderdale-By-The-Sea on July 3 and July 11, 2023. Additional details will be included in next month's report.

Mayor Vincent requested information regarding traffic flow in the Downtown area after the shutdown of a portion of Commercial Boulevard. Captain Palmer replied that there are some traffic delays, noting that the Town's maintenance of traffic (MOT) plan has taken BSO's recommendations into account. He recognized Deputy Town Manager/Public Works Director Ken Rubach for his assistance. BSO has maintained a presence on arterial roadways to help decrease cut-through traffic.

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

c. VFD June 2023 Report

Volunteer Fire Department (VFD) Chief Judson Hopping recalled an incident which occurred on Sunday, July 16, 2023, at which time the VFD received two fire alarms from the same building, each of which was immediately cancelled. To cancel an alarm, the alarm company contacts the building from which the alarm was received, and then contacts 911 to cancel the service call. The VFD then received a call asking if they would respond to the alarm and visited the building to reset the alarm.

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Chief Hopping continued that the Fire Marshal had investigated the incident and reached out to the condominium from which the alarm had come, as well as the fire alarm company.

Mayor Vincent asked if the VFD would still dispatch a unit to a building to ensure its fire alarm is properly shut down after a call is cancelled. Fire Marshal Steve Paine explained that the alarm's monitoring company has a limited time in which they may contact the building, followed by contact to 911, which dispatches the call. Once the call is dispatched, the alarm company calls the building again. Even if the call is cancelled, the alarm will still be sounding, and the Fire Department will be required to reset it.

Mayor Vincent asked if a call from the building should automatically trigger a response from first responders so they may shut down the alarm and confirm there is no fire. He emphasized the importance of communication in an incident of this nature. Fire Marshal Paine confirmed that this would be the correct response. Mayor Vincent asserted that this incident, which left the alarm going for 35 minutes with no communication, should not occur for an emergency call.

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

8. TOWN MANAGER REPORT

a. Development Services Report – Quarter 2

Development Services Director Jhanelle Campbell reported that during the second quarter of the fiscal year, January through April 2023, the Town received nine applications for business tax receipts (BTRs) and issued 19 BTRs. They addressed four issues during the quarter, including an administrative adjustment, conditional use, variance request, and one Ordinance. They are currently reviewing projects at the Sea Lord Hotel, which is under Site Plan review. A Stop Work order was issued for that property. The applicant has re-submitted plans and Staff has provided them with comments to be addressed. Once the review is complete, the item will proceed to the Nuisance and Participation meetings, the Planning and Zoning Board, and finally to the Commission for final approval.

The Pier is also a recurring issue. It was severely damaged in 2022 Tropical Storm Nicole, since which Staff has worked closely with the property owner and project manager. The structure is still undergoing environmental surveys and reviews, which

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must be completed before they may submit plans for review. More information will be provided as it becomes available. Periodic updates are brought before the Special Magistrate every three months for a status update. The next meeting at which this Item will appear is in August 2023.

Development Services Director Campbell introduced new Assistant Development Services Director Muriel Ramirez.

Mayor Vincent advised that he had received a number of calls from residents regarding a barge near the Sea Ranch Club. Deputy Town Manager/Public Works Director Ken Rubach explained that the barge is part of Broward County's bio-reef project.

Development Services Director Campbell continued that several additional applications have been submitted to Development Services addressing right-of-way, landscape, signage, and architectural review.

In the last quarter, there were 139 Code Compliance incidents investigated, as well as 355 Code inspections completed. The Building Department received 489 building permit applications in the first quarter of the year and issued 694 permits, 27 of which resulted in over \$100,000 in job costs. The Town collected \$670,957.85 in funds.

Commissioner Strauss asked if these figures are extraordinarily large. Development Services Campbell replied that Staff has seen increasing activity since the conclusion of the COVID-19 pandemic. She felt 2023 would bring the highest annual revenue yet for the Building Department.

b. Town Manager Report

Town Manager Connors reported that the Town's Downtown construction project is underway. A portion of Commercial Boulevard has been blocked off. Staff will meet with Downtown restaurants and businesses biweekly on Mondays and Thursdays to keep them apprised of progress. Some restaurants have expressed concern with the need to move their sidewalk cafés; however, this is a necessary step to facilitate construction. The cafés must be removed when Staff requests that this be done to ensure pedestrian access.

Businesses have requested yard signs and banners, as well as a map of the Downtown area. The Town is working to provide these materials and to ensure that the Downtown

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area is safe for all. Town Manager Connors emphasized that all businesses remain open during this time and encouraged residents to visit them.

The Codrington Drive drainage project is expected to be completed by the end of the month. The project is \$100,000 under budget.

The Town's 75th anniversary committee hopes to provide merchandise with the Town's anniversary logo. They have met with an artist who has suggested venues throughout the Town to stimulate interest in the anniversary event.

The Town will transfer services from the VFD to the Pompano Beach Fire Department on September 1, 2023. Prior to the August 15, 2023 Commission meeting, the Town will recognize the VFD and AMR staff for their years of service to the Town.

The Community Center will be closed through Sunday, August 6 and will reopen on August 7, 2023.

The Town will hold its first budget hearing on Wednesday, September 13, 2023.

State Senator Jason Pizzo will hold the first of three virtual Town Hall events addressing homeowners' insurance beginning Wednesday, July 26, 2023. Notice of this event will be sent to residents on the Town's email list, or residents can contact Town Hall for further information.

Mayor Vincent requested additional information on how outdoor cafés will be credited for their closure during the Downtown renovations. Town Manager Connors explained that while sidewalk cafés pay in advance, beginning in July the cafés will be monitored and credit given for the next year. She planned to bring forward an item which would credit sidewalk cafés through December 1, 2023. The Downtown project is expected to be complete by Thanksgiving.

Mayor Vincent noted that if one business is permitted to continue their outdoor café during construction, this would be unfair to the other businesses. He emphasized the importance of businesses adhering to the Town's requests for closure.

9. TOWN ATTORNEY REPORT

None.

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10. APPROVAL OF MINUTES

- **Approval of Minutes for June 27, 2023 Commission Workshop and Regular Commission Meeting**

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

11. CONSENT AGENDA

None.

12. OLD BUSINESS

None.

13. NEW BUSINESS

- a. Resolution 2023-39 – A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING THE TOWN'S PURCHASING MANUAL; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**

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

Assistant to the Town Manager Courtney Easley explained that Resolution 2023-39 would amend the Town's Purchasing Manual, which was last amended approximately eight years ago. Changes are listed in the Agenda Memo for this Item. The major changes include:

- Increasing the approval authority of the Town Manager, Deputy Town Manager, and Town Commission for purchasing amounts; this would increase their approval thresholds to \$25,000, \$12,000, and \$25,000 respectively
- Bringing the change order approval threshold increase in line with the Town Manager's approval threshold increase
- Making advertising of construction projects consistent with Broward County standards
- Amending award language to provide greater opportunity to negotiate with a second bidder if negotiations fall through with the first bidder

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Mayor Vincent asked if these increases follow the model of other municipalities of similar size to Lauderdale-By-The-Sea. Assistant to the Town Manager Easley replied that since 2017, various cities have increased the approval limits for their managers, with larger Broward cities establishing approval thresholds upward of \$50,000. The proposed \$25,000 threshold is in line with the majority of the Town's contracts. She offered to provide additional information regarding larger Broward municipalities with higher thresholds.

Commissioner Oldaker stated that he would also like to see comparisons with other Broward municipalities. He suggested that the threshold increases might not be necessary. Assistant to the Town Manager Easley advised that one reason for raising the thresholds was to provide Staff with the ability to purchase items on demand rather than going through a more lengthy process.

Commissioner Strauss characterized the Resolution as a "check and balance" issue, pointing out that costs continue to increase. He added that he has spoken with the Town Manager regarding the proposed changes, as there have been no changes to the Purchasing Manual in several years. He also requested a comparison of similar municipalities' policies, suggesting Margate and Lighthouse Point as examples.

The Commissioners determined by consensus to table the Resolution until the August 15, 2023 meeting, when more information could be provided.

b. Resolution 2023-41 – A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING AN AGREEMENT WITH ATLANTIC PAVING CO., INC. FOR DECORATIVE PAVEMENT RECOATING; WAIVING THE REQUIREMENTS FOR COMPETITIVE SOLICITATIONS SET FORTH IN THE PURCHASING MANUAL; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR IMPLEMENTATION AND AN EFFECTIVE DATE.

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

Deputy Town Manager/Public Works Director Rubach advised that as part of the 2012 Bougainvillea Drive drainage improvement project, decorative asphalt was installed from

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Pine Avenue south toward the Town Hall campus. Islands with plantings were also installed. He characterized this as a long-term cost associated with beautification.

Deputy Town Manager/Public Works Director Rubach continued that the coated surface covering the stamped concrete is mostly gone and creates an eyesore. The cost is relatively high because the product has been approved by the Florida Department of Transportation (FDOT), as it provides traction for vehicles driving on it. The repaving of the intersection is estimated at \$41,000; there are also stamped elements up and down the roadway which will need to be redone. He estimated that this cost will be another \$60,000 in the future.

Commissioner Oldaker recalled that the decorative asphalt was originally installed as part of the Town's Capital Improvement Program (CIP), and characterized the Resolution as a maintenance item, with significantly higher costs due to inflation. Commissioner Oldaker stated that he was not in favor of the proposal, recommending that this project be part of the CIP in the next fiscal year. He also requested clarification of the price point at which a project becomes a CIP item rather than a maintenance item.

Deputy Town Manager/Public Works Director Rubach advised that some municipalities make this distinction based on price, while others may have different standards for one-time projects versus ongoing maintenance. If a project is a maintenance or recurring project, it is not considered a capital project. This typically includes "one-off" projects that may require some maintenance in the future.

Commissioner Oldaker concluded that he would like more thought to be put toward making this project part of the fiscal year (FY) 2023-2024 CIP.

Mayor Vincent noted that the subject intersection is a four-way stop, at which speed should not be a factor. Deputy Town Manager/Public Works Director Rubach confirmed that the intent is not to increase traction through the intersection, but for beautification purposes only.

Mayor Vincent asked if the Town has considered pressure-cleaning or other maintenance of the intersection, or of repainting portions of the subject materials. He also requested additional information about the product's warranty. Deputy Town Manager/Public Works Director Rubach stated that the warranties for products of this nature are typically under five years. The subject material has been there over 10 years.

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He noted that white line markings at the intersection are thermal plastic and not part of the decorative material.

Vice Mayor Malkoon asked if this was the only decorative intersection on Bougainvillea Drive. Deputy Town Manager/Public Works Director Rubach confirmed this but noted that there are other intersections in Town which use similar treatments. These locations will also need to be maintained in the future. If all these similar areas are addressed at the same time, the cost could increase to \$300,000 to \$400,000. He recommended addressing these projects incrementally.

Vice Mayor Malkoon also requested clarification of the portion of the budget from which these funds would come. Deputy Town Manager/Public Works Director Rubach stated that it was budgeted under Street Maintenance for the current fiscal year.

Mayor Vincent advocated for reallocating the funds budgeted for this project, as it is not a priority.

Commissioner Oldaker made a motion, seconded by Commissioner Poulopoulos, to defer this to the next budget cycle. Motion carried 5-0.

c. Commission Discussion Regarding Chapter 14 Offenses

Commissioner Poulopoulos advised that Chapter 14.3 of the Town's Code of Ordinances addresses the Town's parks and recreational facilities, including the regulation of general conduct. He hoped to add subsections to this Chapter which would prohibit adults from entering or meeting in a designated children's play area unless they are supervising or accompanying children who are visiting that area.

Commissioner Poulopoulos explained that he has been present at the children's park area in Friedt Park and has seen adults present in this area who are not accompanying children. He expressed concern with their potential motives. He concluded that the intent was to protect children and families, and requested consensus from the Commission to move forward with this proposed Code change.

Commissioner Strauss asked if the proposed update would be considered Constitutional. He added that he would like to review the proposed Ordinance before voting upon it. Town Attorney Susan Trevarthen indicated that the proposed update would be permissible, and that other municipalities have similar Ordinances on their

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books. She also pointed out that the children's play area at Friedt Park is clearly defined by fencing, which would make it simple to post notice of conduct requirements.

Commissioner Pouloupoulos advised that another issue is the presence of adults in the children's play area when there are no children or families using that facility, as the presence of an adult in the area could discourage families from using the playground.

The Commission agreed by consensus to move forward with an update to the Code of Ordinances.

14. COMMISSIONER COMMENTS

Commissioner Strauss and Mayor Vincent reminded all present that lobster mini-season begins on Wednesday, July 26, 2023, and encouraged safe participation in this season.

15. ORDINANCES 1ST READING

None.

16. ORDINANCES 2ND READING

None.

17. RESOLUTIONS – PUBLIC COMMENTS

- a. Resolution 2023-42 – A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING THE INITIATION OF THE PROCESS TO TERMINATE THE LAUDERDALE-BY-THE-SEA VOLUNTEER FIREFIGHTERS' PENSION PLAN; AUTHORIZING THE TOWN MANAGER TO PROVIDE NOTICE TO THE BOARD OF TRUSTEES OF THE PENSION PLAN.**

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

Town Manager Connors advised that Town Staff has worked with the VFD, pension attorney, and Town Attorney's Office on this Item. The VFD pension will continue to be designated for the Volunteer Fire Department. The Town is asking to close the pension and request that those monies be disbursed to the members of the VFD.

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To do this, Florida Statutes require that the Town pass Resolution 2023-42, after which the Pension Board will work toward closing the pension and disbursing the funds available from the plan to its participants. Another option is for the Commission to continue to keep the plan in place and handle investment decisions for the remaining plan participants until such time as there are no more surviving members. The Town would also be responsible for ensuring the pension plan remain fully funded.

Town Manager Connors concluded that the fund is currently healthy, and this would be a good time to close that fund and provide the funds to eligible participants. The VFD's Pension Board and attorney would work with the pension administrator to ensure that all legal requirements are met. This cannot be done until Resolution 2023-42 has been passed.

Mayor Vincent asked if the payments would first go into an escrow account before being disbursed to qualified pension plan members. Town Attorney Trevarthen replied that by Statute, the Pension Board determines how everything will be wound down. No activity can begin until the Town Commission has officially indicated its interest in either keeping the plan alive or terminating it.

Vice Mayor Malkoon made a motion, seconded by Commissioner Pouloupoulos, to approve.

Commissioner Strauss asked if there is a downside to the Town taking action to terminate the plan. Town Manager Connors stated that she felt there would only be a downside if the Town does not take this action at this time.

Motion carried 5-0.

18. QUASI JUDICIAL PUBLIC HEARINGS

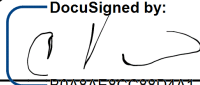
None.

19. ADJOURNMENT

With no other business to come before the Commission at this time, the meeting was adjourned at 8:11 p.m.

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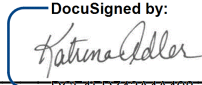


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Mayor Chris Vincent

ATTEST:

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Town Clerk

8/23/2023 | 5:15 AM PDT

Date