

**TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
REGULAR MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Tuesday, June 25, 2019
6:30 PM**

1. CALL TO ORDER, MAYOR CHRIS VINCENT

Mayor Vincent called the meeting to order at 6:30 p.m. Also present were Vice Mayor Elliot Sokolow, Commissioner Edmund Malkoon, Commissioner Alfred "Buz" Oldaker, Commissioner Randy Strauss, Town Manager Bill Vance, Town Attorney Susan L. Trevarthen, Assistant to the Town Manager Neysa Herrera, Finance Director Lucila Lang, Municipal Services Director Ken Rubach, 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

All present observed a moment of silence.

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

None.

Mayor Vincent welcomed new Assistant to the Town Manager Neysa Herrera

5. PRESENTATIONS

5.a 4th of July Update

Special Projects Coordinator Debbie Hime briefly reviewed the upcoming 4th of July event. Participants in the parade are asked to be at the starting point on Bougainvillea Drive by 9 or 9:30 a.m. The parade begins at 10 a.m. along El Mar Drive and ends on Hibiscus Drive. Family activities are planned in El Prado Park beginning at 11 a.m. Fireworks begin on the beach at 9 p.m. Event sponsors include the Village Grill, Aruba, 101 Ocean, Taco Craft, State Contracting, Flynn Engineering, Shorehaven Resort, and Breakaway Inn.

Commissioner Oldaker thanked Town Staff for the work they have put into the upcoming event.

Broward Sheriff's Office (BSO) Captain Tom Palmer addressed holiday traffic, explaining that during the parade, there will be periodic closures of Town roadways. Once the parade has passed through an area, roads will be reopened. In the evening, when fireworks begin, the Commercial Boulevard bridge will be closed to traffic. Residents are encouraged to walk or bike to the fireworks display, as drivers will be delayed after the show. Anglin Square may be closed at roughly 8 p.m. depending upon the volume of pedestrian traffic.

5.b Traffic Crash and Traffic Citation Presentation

6. PUBLIC COMMENTS

At this time Mayor Vincent opened public comment.

Linda Peck, representing the Hillsboro Lighthouse Board, thanked the Commission for their annual donation toward this nonprofit. These funds are used primarily for maintenance. Recognition of Lauderdale-By-The-Sea is planned on November 10, 2019. Free passes will be available to residents on that date.

Ken Brenner, resident, stated that he is opposed to Item 15B, which applies to waterfront hotels.

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

7. PUBLIC SAFETY DISCUSSION

7.a AMR May 2019 Report

Commissioner Oldaker praised American Medical Response's (AMR's) response times. Commissioner Malkoon added that he had performed a contractual review of the agency and identified no major issues.

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

8. TOWN MANAGER REPORT

8.a Town Manager Report

Town Manager Bill Vance advised that structural issues with the Datura Portal are ongoing, and recalled that at the June 11, 2019 Commission meeting, the Commission approved an expense of up to \$20,000 to be used to verify the structure's integrity. He and Municipal Services Director Ken Rubach have recommended the Town use \$14,000 of the \$20,000 to replace the Portal rather than repairing it. The Commissioners agreed to this by consensus.

Commissioner Malkoon requested an update on the Bougainvillea Drive parking project. Municipal Services Director Ken Rubach advised that contractors are awaiting permits from Broward County to remove trees on the site and install storm sewers. The site will be opened to traffic within a few weeks.

Vice Mayor Sokolow noted that the Commission will be asked to set the Town's millage rate over the summer. Town Manager Vance replied that he will submit a balanced budget proposal for fiscal year (FY) 2019-2020 before July 4, 2019. The budget calendar will be determined at the Town Commission's first July meeting. The tentative millage rate is due in July as well and must be submitted to the County for inclusion on notices.

9. TOWN ATTORNEY REPORT

Town Attorney Susan Trevarthen reported that the State Legislature has passed a bill stating local governments may regulate the use of "e-scooters" on streets and sidewalks. The Town passed a Resolution in January 2019 to prohibit use of these scooters in Lauderdale-By-The-Sea.

10. APPROVAL OF MINUTES

10.a May 28 Town Commission Meeting Minutes

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

11. CONSENT AGENDA

Mayor Vincent requested that Item 11C be pulled for additional discussion.

11.a Special Event Application Request for "Patriots Fan Weekend" from Village Grille and 101 Ocean for Live Music on Friday, September 13, 2019

11.b Special Event Application from Village Grille for Fan Day and Bus Transportation on Sunday, September 15, 2019

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

11.c Budget Transfer for Beach Cleaning Services

Mayor Vincent recalled that the Commission has recently received complaints regarding seaweed and other natural debris present on the beach. To address this, beach cleaning will be increased to seven days per week rather than five.

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

12. OLD BUSINESS

12.a Considering Penalties for Violations of Section 5-8 (Plastics Ordinance) of the Town Code

Mayor Vincent advised that he and Town Attorney Trevarthen have discussed proposed fines for Ordinance violations. Fines are listed in the Commissioners' backup materials. He recommended that no civil penalty be enforced until May 2020, as this is a new Ordinance and is not intended to disrupt the coming season.

Town Attorney Trevarthen explained that the proposed fines are as follows:

- First offense: \$50
- Second offense: \$100
- Third or subsequent offense within 12 months: \$500

The backup materials also include a chart showing all penalties associated with Town Code violation for purposes of comparison. The Plastics Ordinance applies not only to businesses but to individuals attending special events on Town property. If the

Commissioners approve the proposed penalties, Staff will bring the Item back for adoption along with a schedule of penalties to be included in Code. Verbal warnings will be given from August 17, 2019 until May 1, 2020.

Commissioner Oldaker asked if penalties will be adopted by Resolution or will be written into an Ordinance. Town Attorney Trevarthen replied that Staff is evaluating whether or not a schedule of penalties may be adopted by Resolution or by Ordinance.

The Commissioners agreed by consensus to have Staff bring back a schedule of penalties including the fines associated with the Plastics Ordinance.

13. NEW BUSINESS

13.a FY 20 Non-Profit Funding Request

Finance Director Lucila Lang noted that some of the institutions making nonprofit funding requests have representatives present at tonight's meeting.

Will Spencer, representing 2-1-1 Broward, recalled that in the previous year, their system received two suicide intervention calls from Lauderdale-By-The-Sea. 2-1-1 Broward receives these emergency calls as well as general information and referral calls. The funding request would help cover basic needs such as food and shelter.

Charlotte Taylor, representing the Aging and Disability Resource Center, stated that this agency is the prime planning, coordinating, funding, and advocacy body for projects and services benefiting individuals of 60 years and over. They are requesting \$9253 from the Town, which would be used toward services such as adult day care, meals, legal assistance, referrals, case management, emergency alert response, and personal care.

Myrna Miott, representing the Broward Children's Center, explained that this agency provides 24-hour for medically vulnerable children and young adults, many of whom have survived severe accidents.

Commissioner Strauss disclosed that he is a member of the Board of the Broward Children's Center.

Pamela Fletcher, representing Broward College, requested funds in support of off- and near-shore research activities. Their request is for \$2000, which would be used toward

equipment. Students would be brought to the Town's near-shore environment to gain experience and collect data.

Pablo Calvo, representing the Early Learning Coalition of Broward County, explained that this agency is the state of Florida's administrator for all school readiness and pre-kindergarten dollars in Broward County. Services include publicly funded child care for families that are working or attending school.

Ed Corley, representing House of Hope, stated that this agency serves 520 individuals and families dealing with substance abuse and addiction issues. They recently opened a medication-assisted treatment program that specifically addresses the opioid crisis in Broward County.

Mayor Vincent noted that in comparison to FY 2019, FY 2020 donation requests have increased by approximately 7%. The majority of the increase would go to the South Florida Wildlife Center, which made a presentation at a previous Commission meeting.

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

13.b Voting Delegate for the Florida League of Cities (FLC) 93rd Annual Conference

Mayor Vincent noted that the Florida League of Cities' Annual Conference will be held from August 15-17, 2019 in Orlando. Each municipality is asked to designate one elected official to serve as their voting delegate for Resolutions and other issues.

A motion was made by Commissioner Malkoon, seconded by Vice Chair Sokolow, for Commissioner Malkoon to attend the FLC event. Motion carried 5-0.

14. COMMISSIONER COMMENTS

The Commissioners wished all present a safe and happy 4th of July.

Commissioner Oldaker suggested that the Town consider an electronic sign to be placed in front of Jarvis Hall to would provide notice of public events.

15. ORDINANCES 1ST READING

- 15.a Ordinance 2019-05 – AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA AMENDING CHAPTER 30 “UNIFIED LAND DEVELOPMENT REGULATIONS”; ARTICLE V, “ZONING”; SECTION 30-313 “GENERAL PROVISIONS” TO MODIFY REGULATIONS CONCERNING CHAIN LINK FENCES AND DELETE ZERO LOT LINE REGULATIONS CONCERNING MAXIMUM RESIDENTIAL PRIVACY FENCE AND WALL HEIGHT REQUIREMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE**

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

Vice Mayor Sokolow made a motion, seconded by Commissioner Oldaker, to continue this Item to the July 9, 2019 meeting. Motion carried 5-0.

- 15.B Ordinance 2019-07 – AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 30 “UNIFIED LAND DEVELOPMENT REGULATIONS” ARTICLE V “ZONING” SECTION 30-271 “B-1 DISTRICT – BUSINESS” OF THE CODE OF ORDINANCES TO PERMIT WATERFRONT HOTELS AS A CONDITIONAL USE, MODIFYING DISTRICT REGULATIONS AND ESTABLISHING SPECIFIC CONDITIONAL USE REQUIREMENTS FOR WATERFRONT HOTEL USES AND FURTHER AMENDING SUBDIVISION Q “SUPPLEMENTAL REGULATIONS”; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE**

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

Vice Mayor Sokolow made a motion, seconded by Commissioner Oldaker, to defer this Item to the July 9, 2019 meeting. Motion carried 5-0.

16. ORDINANCES 2ND READING

- 16.a Ordinance 2019-06 – AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, SETTING MARCH 17, 2020**

FOR THE TOWN'S 2020 GENERAL MUNICIPAL ELECTIONS DATE TO COINCIDE WITH THE PRESIDENTIAL PREFERENCE PRIMARY ELECTION DATE AS ALLOWED BY SECTION 101.75, FLORIDA STATUTES; ESTABLISHING THE QUALIFYING PERIOD FOR THE 2020 GENERAL MUNICIPAL ELECTIONS TO OCCUR ON NOON FROM THURSDAY, JANUARY 2, 2020 THROUGH NOON ON WEDNESDAY, JANUARY 8, 2020, AS REQUIRED BY THE SUPERVISOR OF ELECTIONS; PROVIDING FOR THE DATE ON WHICH ELECTED OFFICIALS TAKE OFFICE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE

At this time Mayor Vincent opened public comment.

Barbara Cole, resident, requested that the Town make an effort to publicize this election separately from the presidential primary in order to encourage voter turnout.

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

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

17. RESOLUTIONS – PUBLIC COMMENTS

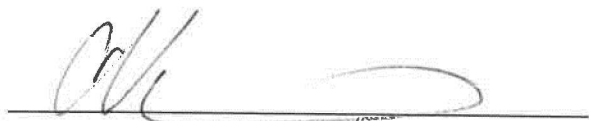
None.

18. QUASI JUDICIAL PUBLIC HEARINGS

None.

19. ADJOURNMENT

With no other business to come before the Commission at this time, the meeting was adjourned at 7:25 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 25, 2019

ATTEST:

Tedra Allen

Town Clerk Tedra Allen

7-25-19

Date