

**TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
REGULAR MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Tuesday, June 13, 2017
6:30 PM**

1. CALL TO ORDER, MAYOR SCOT SASSER

Mayor Scot Sasser called the meeting to order at 6:32 p.m. Also present were Vice Mayor Mark Brown, Commissioner Alfred "Buz" Oldaker, Commissioner Elliot Sokolow, Commissioner Chris Vincent, Town Manager Bud Bentley, Assistant Town Manager Tony Bryan, Development Services Director Linda Connors, Town Attorney Susan Trevarthen, Municipal Services Director Don Prince, 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

Pauline Brooks McGuinness gave the Invocation.

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

None.

Mayor Sasser extended the Town Commission's condolences to Vice Mayor Brown regarding the recent passing of his father.

5. PRESENTATIONS

Vice Mayor Brown explained that Public Information Officer Steve d'Oliveira would provide a brief presentation on the Town's sea oats planting project, which was achieved in conjunction with the Youth Environmental Alliance (YEA). The YEA brought in the project's corporate and civic sponsors.

Public Information Officer d'Oliveira recalled that in 2012, Tropical Storm Sandy caused a great deal of erosion on the beach. Since that time, 60,000 sea oats have been planted. He showed photographs of the volunteers and civic organizations who took part in the project, which was part of a County-wide effort to plant sea oats along all Broward County beaches. Lauderdale-By-The-Sea has received two grants from Broward County to further the sea oats planting project, with a third grant yet to come.

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Mayor Sasser thanked Vice Mayor Brown for leading the sea oats planting efforts in the Town, along with Lee Gottlieb, Director of Community Outreach for YEA.

a. Pine Crest Sea Oats Planting Proclamation (Vice Mayor Mark Brown)

Mayor Sasser read a proclamation recognizing August 23, 2017 as Pine Crest School Day.

b. YEA Proclamation (Steve d'Oliveira, Public Information Officer)

Mayor Sasser read a proclamation recognizing June 13, 2017 as Youth Environmental Alliance Day.

6. PUBLIC COMMENTS

At this time Mayor Sasser opened public comment.

Yara Bashoor, resident, requested that the Town remove public parking in front of her home on Basin Drive, which has been an ongoing issue. She described some of the difficulties she experienced, and suggested that blockades or canvas covering be placed over the spaces. She pointed out that there is no shortage of public parking spaces in the area.

Larry Trotter, resident and pastor of the Florida Coast Church, thanked the Commission for allowing the church to meet in Jarvis Hall over the past four months. He presented the Commissioners with a letter of thanks.

Scott Mulheron, building contractor, stated that he has spoken with Town Manager Bud Bentley and Town Staff regarding a permit for 1900 South Ocean Boulevard, which is undergoing renovation. The permit has expired, and he requested that the Town consider reducing the fee of \$1900.

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

7. PUBLIC SAFETY DISCUSSION

a. BSO May 2017 Report (Captain Thomas Palmer)

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

b. VFD May 2017 Report (Chief Judson Hopping)

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

8. TOWN MANAGER REPORT

Town Manager Bud Bentley reported that Florida Power and Light (FPL) has begun its hardening project in Lauderdale-By-The-Sea, which will primarily affect residents along Seagrape Drive north of Commercial Boulevard. Poles on the west side of the street are being replaced, and detours will be required at different times.

Special Projects Coordinator Debbie Hime called the Commissioners' attention to a series of magazine and newspaper advertisements, which represent a collaboration between Town Staff and some of the Town's hoteliers. The ads have been featured in the *Sun-Sentinel* as well as multiple lifestyle magazines.

Town Manager Bentley also addressed the Vision Zero program, which is a national program intended to reduce the number of pedestrian and bicycle injuries and crashes resulting from conflicts with automobiles. Development Services Director Linda Connors has arranged for Vision Zero's program manager and sustainability director to visit the Town for an internal work session focusing on this initiative.

Town Manager Bentley continued that the parking to which Ms. Bashoor had referred during Public Comment is located across the street and to the north of the residential home, adjacent to a commercial zoning district. He explained that because the parking spaces were recently constructed, the Town must provide a reason for their elimination, which has not yet been determined. He concluded that the Town does not have a solution to this issue at this time.

The Commissioners discussed this parking issue further, with Commissioner Vincent expressing concern that no resolution has been found thus far. He recalled that when Town residents raised concerns with valet parking on El Mar Drive, the Town acted immediately to remove this parking. Town Manager Bentley recommended that this discussion be continued as an Item on a future Agenda so other interested residents may speak to it. This would also allow Staff additional time to research the Item and provide notice to residents in the subject area.

Town Manager Bentley also addressed the permit renewal for 1900 South Ocean Drive, recalling that in 2016 the Town significantly reduced the fee for permit extension; however, the request would require a new permit rather than a renewal, as the previous permit has expired. The new permit carries a different fee schedule, and new paperwork must be submitted for review by the Building Department. He concluded that the difference in the fee schedule will be related to the amount of time that has passed since the original permit expired.

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Development Services Director Linda Connors advised that while the extension of an active permit costs 5% of the permit fee or \$85, the revised building fee schedule did not change how expired permits are addressed. The permit holder is notified by mail 30 days in advance of the expiration date. The permit in question expired on February 17, 2017. The last inspection of the subject property occurred in November 2016. Because the permit has expired, it is subject to the full cost under the Town's building fee schedule.

Town Manager Bentley offered to look further into this issue and return it as a future Agenda Item if that is the Commission's desire.

9. TOWN ATTORNEY REPORT

None.

10. APPROVAL OF MINUTES

- a. May 23, 2017 Town Commission Meeting Minutes (Tedra Allen, Town Clerk)**

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

11. CONSENT AGENDA

Items 11a and 11c were pulled for additional discussion.

- a. A1A Parking Lot Expansion Design (Don Prince, Municipal Services Director)**

Commissioner Oldaker requested additional information on the scheduling of this expansion project, which is scheduled to begin on June 26, 2017. Municipal Services Director Don Prince explained that after 150 days, the project should be fully permitted; after 30 to 45 days, the contractor would bring forward 30% to 50% of the project for commentary and/or modifications by Town Staff before the permitting process begins. After 150 days, the project may go out for bid.

Mike Kroll, representing Miller-Legg, added that many of the project's initial documents will be drawings, which will show circulation patterns, parking and pedestrian areas, and the manner in which the entire system is expected to work. These drawings are used to communicate plans to Town Staff, the Town Commission, and the public for consensus. The final construction documents will be developed and submitted to permitting agencies once this consensus is clear.

Commissioner Oldaker observed that the scope of the project does not include electrical infrastructure. Mr. Kroll explained that the contractor will provide the project's electrical

lighting, and does not anticipate that main lines or utility boxes and transformers will be affected, as relocating this infrastructure would be very expensive. Municipal Services Director Prince added that the estimated budget for the project is between \$800,000 and \$1 million. Regulatory permitting costs have not been estimated thus far.

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

b. 1615 Blue Water Terrace Mitigation (Linda Connors, Development Services Director)

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

It was clarified that this motion would provide for mitigation of \$2763.25 with the requirement that the Applicant pay Waste Pro, USA (in the sum of \$256) and the Town by July 13, 2017.

c. Update to July 4th Event (Chief Judson Hopping)

Volunteer Fire Department (VFD) Chief Judson Hopping stated that this update would add valet parking on El Mar Drive during the Town's 4th of July celebration. Mayor Sasser added that the VFD also recommends that a number of parking spaces in the median be used for this valet parking.

Captain Tom Palmer of the Broward Sheriff's Office (BSO) provided an overview of traffic patterns on the 4th of July, explaining that the parade will begin at 10 a.m. and typically lasts one hour. There will be periodic road closures on Bougainvillea Drive, El Mar Drive, Hibiscus Drive, and A1A as the parade moves through town, with roadways to reopen as the parade passes by.

Fireworks will begin at 9 p.m., with the entranceways into Anglin Square shutting down at approximately 8 p.m. outbound traffic will be allowed to leave, but there will be no incoming vehicular traffic. Capt. Palmer strongly recommended walking or cycling to the fireworks show, as there will be vehicular congestion when the event is over. This congestion is expected to be alleviated by approximately 10 p.m.

The Commercial Boulevard bridge will be locked in the down position between the hours of 9 p.m. and 11 p.m. Permits for this closure have been received from the Florida Department of Transportation (FDOT) and the United States Coast Guard. BSO will work closely with Town Staff and the Town Commission regarding security issues.

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

12. OLD BUSINESS

None.

13. NEW BUSINESS

a. FY18 BSO Budget (Tony Bryan, Assistant Town Manager)

Assistant Town Manager Tony Bryan advised that BSO has provided the Town with the preliminary budget for fiscal year (FY) 2017-18, which assumes no changes in service and requests a 3.3% increase, which will be approximately \$141,000. He noted that Captain Palmer has suggested the addition of a fourth Sergeant position, although no grant funding is available for the position at this time. Captain Palmer has stated that if the Town chooses to recommend the additional Sergeant position, he would seek to eliminate two part-time administrative positions. This would mean the net additional cost in FY 18 would be roughly \$112,000.

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

b. Broward Metropolitan Planning Organization (MPO) Update and Request for Additional Information (Debbie Hime, Special Projects Coordinator)

Special Projects Coordinator Hime explained that the Broward Metropolitan Planning Organization (MPO) is currently working on short-, mid-, and long-range plans, and have requested the Town's input on these efforts.

Vice Mayor Brown stated that the MPO is scheduled to vote on both its five-year construction plan and its 40-year Long Range Transportation Plan (LRTP) in the next few weeks. They have asked towns to update their lists of projects they would eventually like to see included, such as renovations to Lauderdale-By-The-Sea's Town Hall and parking facilities. Projects that hope to secure federal funds in the future must be included on these lists.

c. Analysis of Sewer System Funding (Tony Bryan, Assistant Town Manager)

Assistant Town Manager Bryan provided an update on the Sewer Fund, recalling that in 2016, the Commission approved a 2.5% increase for each of the next three years. The update shows where the Town expects to be relative to the projections made several years ago. He pointed out that the Town has made more extensive capital repairs to the Sewer Fund than anticipated in the previous analysis, without taking in the projected level of revenue. Thus far, Lauderdale-By-The-Sea is lining all sewer mains throughout the Town.

14. COMMISSIONER COMMENTS

Commissioner Oldaker commended Municipal Services Director Prince and Town Staff, noting the lack of flooding during recent rains.

Commissioner Sokolow extended his condolences to Vice Mayor Brown on the passing of his father.

15. ORDINANCES

a. Ordinances 1st Reading

None.

b. Ordinances 2nd Reading

- i. Ordinance 2017-07 – AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 30, UNIFIED LAND DEVELOPMENT REGULATIONS, OF THE CODE OF ORDINANCES, BY AMENDING SECTION 30-271, “B-1 DISTRICT – BUSINESS,” TO REVISE REQUIREMENTS FOR MARINAS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE (Linda Connors, Development Services Director)**

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

Development Services Director Connors recalled that at the time this Ordinance was presented to the Commission upon first reading, many of the Commissioners expressed concern regarding the timing of the proposed best management practices plan. Staff has amended the Ordinance to require that this plan be brought to the Town as part of the application for conditional use. It will accompany the plan to the Planning and Zoning Board, as well as to the Commission, for review and public hearing. It will also come before the Commission at the beginning of the approval process rather than at the end. The plan also allows for amendments to be made to ensure it can be updated as frequently as necessary.

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

16. RESOLUTIONS – PUBLIC COMMENTS

a. Resolution 2017-12 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, ADOPTING A SCHEDULE OF FEES FOR THE PAYMENT IN LIEU OF PARKING PROGRAM; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE (Linda Connors, Development Services Director)

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

Development Services Director Connors advised that while Town Staff continues to work on the proposed fee schedule, Town Attorney Susan Trevarthen has suggested that the Town adopt this Resolution, which temporarily stays the payment in lieu of parking (PILOP) program until a fee schedule is established.

Town Attorney Trevarthen added that while there was discussion of adopting a very low PILOP fee, there was never discussion of implementing the program with no fee at all. She explained that the proposed Resolution clarifies the Commission's intent to move forward with the program. If a prospective applicant comes forward, she would advise Staff that there is no Resolution implementing the PILOP program at this time, and no fee decision has been made by the Town Commission thus far. When the Commission elects to adopt a fee schedule, the PILOP program would be brought to life.

Commissioner Vincent asked how approval of this Resolution would affect prospective applicants for a PILOP program, suggesting that a temporary exemption could be one possible solution. He expressed concern that some sort of schedule must be implemented to ensure development is not impeded. Town Attorney Trevarthen recommended that if the Commission wishes to provide additional flexibility, they must adopt a fee schedule; however, allowing applicants to gain relief from the PILOP by request would undermine the intent of implementing a process. She emphasized that Staff is only seeking to implement Code as it exists.

Development Services Director Connors noted that Staff is working to provide examples of potential redevelopment for presentation on a future Agenda. There are no applications related to parking issues at this time.

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

b. Resolution 2017-14 – A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AUTHORIZING AND INCORPORATING CHANGES IN THE TOWN'S PURCHASING MANUAL; PROVIDING FOR REPEAL OF ANY CONFLICTING RESOLUTION, SEVERABILITY, AND AN EFFECTIVE DATE (Bud Bentley, Town Manager)

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

Town Manager Bentley advised that there are no significant changes in approval or bidding amounts; however, there are some procedural changes, which are noted in the Commissioners' backup materials.

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

- c. Resolution 2017-22 – A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AUTHORIZING AND DIRECTING THE APPROPRIATE TOWN OFFICIALS TO EXECUTE AN INTERLOCAL AGREEMENT WITH BROWARD COUNTY AND OTHER BROWARD MUNICIPALITIES TO SHARE THE RESOURCE BURDEN OF THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT ISSUED BY THE ENVIRONMENTAL PROTECTION AGENCY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE (Don Prince, Municipal Services Director)**

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

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

- d. Resolution 2017-23 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, UPDATING THE DEVELOPMENT REVIEW FEE SCHEDULE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE (Linda Connors, Development Services Director)**

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

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

17. QUASI JUDICIAL PUBLIC HEARINGS

None.

18. ADJOURNMENT

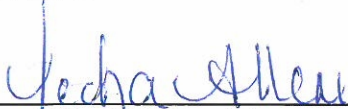
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With no further business to come before the Commission at this time, the meeting was adjourned at 8:07 p.m.



Mayor Scot Sasser

ATTEST:



Town Clerk Tedra Allen



Date