

TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
WORKSHOP MINUTES
Jarvis Hall
4505 Ocean Drive
Tuesday, June 8, 2021
5:00 PM

1. CALL TO ORDER

Mayor Chris Vincent called the meeting to order at 5:00 p.m. Also present were Vice Mayor Alfred “Buz” Oldaker, Commissioner Edmund Malkoon, Commissioner Elliot Sokolow, Commissioner Randy Strauss, Interim Town Manager Linda Connors, Assistant to the Town Manager Neysa Herrera, Town Attorney Susan Trevarthen, Director of Finance and Budget Lucila Lang, Acting Development Service Director, Jhanelle Campbell, Special Events & Marketing Manager, Debbie Hime, Public Works Director, Ken Rubach, and Public Information Officer/IT Administrator Steve d’Oliveira, Town Clerk, Tedra Allen.

2. PUBLIC COMMENT

At this time Mayor Vincent opened public comment.

State Representative Chip LaMarca stated that he has met with a number of the Town’s business owners, and observed that a number of changes that made it easier to operate small businesses during the COVID-19 pandemic have now become Florida law.

Barbara Cole, resident, did not feel there would be a significant change in restaurant customers wishing to sit outside, and spoke in favor of continuing and improving the Downtown outdoor seating and dining areas.

Ron Piersante, resident, was not certain that restaurants which have reopened to full capacity continue to need additional outdoor seating, and recommended that outdoor seating be reconfigured through July 15, 2021. He concluded that he hoped the barriers would be removed and Downtown parking restored on July 16.

Donald Jacobson, resident, stated that guests at the Windjammer Resort have provided very positive feedback on the Town’s Downtown area and outdoor dining for restaurants in particular. He pointed out that the outdoor seating areas remain busy, and suggested that these remain in the pavilion and in parking areas.

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Jim Rogers, resident, observed that most individuals at tonight's meeting do not yet know what is proposed for the Downtown area.

Town Clerk Tedra Allen read the following written public comment:

- Bill Ciani, resident, did not feel additional outdoor dining space should continue in the beachfront pavilion and parking areas, and recommended returning the Town to its pre-pandemic appearance

3. DISCUSSION ITEM

Mayor Vincent advised that the backup materials for tonight's workshop suggest that the Town retain its Downtown barricades for another 90 days. The workshop is also intended to discuss potential redevelopment and beautification on a larger scale for the Downtown area past that 90-day period.

a. Discussion Regarding East Commercial Downtown Area

Eva Marissa, representing the Chamber of Commerce, explained that during the COVID-19 pandemic, the Chamber felt it was important to act as a voice for all Town businesses, and maintained contact with Town Staff, restaurants, lodging, Merchants' Association, and other interested businesses.

Ann Marchetti, consultant to the Chamber of Commerce, stated that the Chamber is assisting with the Downtown discussion at the request of a number of Town businesses. Prior to COVID-19, the Downtown area underwent a major transformation in 2013, which was a great success, resulting in more space and safety for pedestrians, special events, and resident and visitor engagement. Both traditional indoor dining and limited outdoor options were provided.

During the pandemic, the Lauderdale-By-The-Sea community worked together to support the Town's residents and businesses. Restaurants responded to consumer and public health needs by providing new dining and delivery strategies, including the Downtown outdoor dining options and water barriers. Consumers' expectations have changed, demanding increased outdoor options throughout Florida. The sidewalk cafés provided during the pandemic presented a new Downtown design option that appeals to businesses, residents, and community leaders.

Representative LaMarca briefly addressed some of the changes adopted by other beachside communities along A1A, including:

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- A new pier, parking structure, and beachside restaurants with outdoor seating in Pompano Beach
- A new pavilion, beach access, and greenway in Deerfield Beach
- Outdoor dining options added by restaurants and hotels in Fort Lauderdale

Representative LaMarca advised that he has spoken with Mayor Vincent numerous times during the pandemic to discuss ways to deal with Broward County Emergency Orders and how these interacted with the Governor's Emergency Orders as well as local changes. He commended the Town government's willingness to work with local businesses, concluding that if the Town maintains some of its outdoor dining options, there is an opportunity to provide continuity of service, particularly along the Town's commercial corridor and pavilion areas.

Ms. Marchetti noted that the sidewalk cafés and water barriers are proposed to be removed on July 15, 2021. On behalf of Downtown businesses, the Chamber requests a 90-day extension from this date, which will allow time to evolve concepts and finalize a grander plan. All businesses would adhere to existing Code during the extension with regard to noise, right-of-way, tent size, and other requirements. The Town is asked to establish specifications for the size and color of tents and sidewalk umbrellas. Businesses will pay to lease parking spaces and plaza space during the extension, with rates to be established by the Town so there will be no cost to taxpayers.

Ms. Marchetti continued that the Town will receive per capita federal COVID-19 relief dollars in the amount of \$1.8 million, which must be spent within three years. The Chamber has no proposal at this time for the use of these dollars.

Phase 2 of the post-COVID-19 plan includes permanent extension of sidewalks to make them safer and more enticing for people who dine, shop, and walk outside. The Chamber also requests that the pavilion be redesigned for multi-purpose use, including expanded Town and business events. This redesign would include removing columns, providing more seating for events, and space for outdoor dining. Options include closing the circle as needed for events and permitting businesses and other parties to lease plaza space.

The Town would maintain control of this space, and the tenants would rent space from the Town, according to a public-private partnership. Businesses would maintain the area and keep it clean.

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Downtown businesses have consulted blueprints for the proposed changes and provided input on these plans. Highlights of the Phase 2 plan include:

- Extended sidewalks
- A redesigned pavilion
- Improvement of pullout parking on Commercial Boulevard and A1A
- Placement of pavers the same color as parking
- Replacement of trees that drop berries and leaves with shade palms
- Town-provided umbrella colors and styles for sidewalks from the Plazas to El Mar Drive
- Parking fees replaced by annual tenant café fees
- Town maintenance of all rights-of-way

Ms. Marchetti concluded that the presentation represented a collective perspective from Downtown businesses with the assistance of the Chamber of Commerce. They hope to continue this dialogue with Town government, Staff, and residents.

Marc Falsetto, owner of Taco Craft, thanked the Commission for their support during the pandemic. He pointed out that the pandemic has changed diners' habits, in response to which many restaurants have spent a significant amount of money. He was in favor of the proposed 90-day extension of outdoor dining plans to accommodate large crowds.

Mayor Vincent reiterated that the restrictions presented by state and County Emergency Orders served as a catalyst for new ideas on how to succeed in the pandemic environment, beginning with takeout service and curfews and followed by limiting use of space. Next steps included extending sidewalks and outdoor dining space into parking areas and the Ocean Plaza. The Town is also competing with other beachside communities such as Pompano Beach and Fort Lauderdale, which are similarly updating their environments to reflect changes in public behavior.

Mayor Vincent continued that today's workshop was requested by the Chamber of Commerce and the Town's business community. He thanked the Chamber for proposing a partnership and outlining the responsibilities of the Town and businesses. He also emphasized retaining the Town's small-town charm while continuing to make changes and improvements.

Commissioner Sokolow stated that he was in favor of extending the use of sidewalk cafés and barricades for another 90 to 180 days in order to provide an opportunity for the business community to further prepare their plans. He noted, however, that many

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residents have made it clear that they are not interested in changing the Town. Some of the issues to consider as part of the Chamber's proposal include:

- Existing Codes, many of which are based on national Codes
- Changes to restaurants' parking requirements
- Fairness issues related to which businesses would be giving up their parking spaces, which are already limited
- The Payment in Lieu of Parking (PILOP) program
- Fairness related to the use of the pavilion, as only one restaurant currently benefits from the use of this area for additional seating

Commissioner Sokolow noted that in addition to economic and Code impacts, there are restroom facility issues related to providing more seating. He concluded that the Town spent a significant amount of money to redesign and redevelop the Downtown area only a few years ago, and was not certain that the interest in outdoor dining would remain throughout the summer. He was not in favor of paving over existing Downtown parking spaces to provide additional outdoor space.

Commissioner Malkoon noted that the proposed 90-day extension would last until October 2021, which would mean the businesses may wish to ask for an additional extension throughout the remainder of the busy season. He continued that expanding the sidewalks would require planning, budgeting, and construction, which would be likely to last until summer 2022 or later.

Commissioner Malkoon also agreed with Commissioner Sokolow's concerns regarding Code issues, as well as the fact that the Town, and not the businesses, provides parking. He was also not certain that all restaurants had sufficient staff to maintain their outdoor dining areas. He was not in favor of using the pavilion for outdoor dining, but preferred to use blocked areas of the sidewalks and possibly expand them.

Mr. Falsetto commented that diners at his restaurant feel less safe in the parking spaces on A1A and Commercial Boulevard. He characterized the parallel parking spaces on A1A as outdated and dangerous. He also pointed out that these seven spaces are not useful to restaurants that may have a seating capacity of 200, and concluded that attempts to parallel-park in these spaces on a busy night results in significant traffic backup.

Vincent Foti, owner of Vinnie's, agreed with Mr. Falsetto's description of parallel parking on Commercial Boulevard, which results in backed-up traffic. He continued that the habits formed over the past several months in response to the pandemic are unlikely to

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stop when the barricades are removed from Downtown, as individuals are often willing to wait for outdoor seating. He added that it is very difficult to provide patio seating without moving chairs into walkways, and felt providing a more comfortable outdoor seating area would benefit both restaurants and customers.

Mr. Jacobson, who had spoken earlier, advised that there are currently two lanes of traffic in front of the Windjammer Resort, and noted that this area is often opened for parking during special events. He suggested that the City consider adding metered parking in this area.

Mayor Vincent emphasized that no action would be taken at tonight's meeting, as it follows a workshop format. He also clarified that when outdoor seating is extended into the right-of-way, the Town's policy is not to require additional parking. The intent of tonight's meeting is to hear information and input, with the discussion to continue at another workshop as well as among the Commission.

Peggy Mohler, resident, addressed the issue of fairness in relation to use of the Plaza for outdoor dining, pointing out that several restaurants pay different amounts for use of outdoor right-of-way space.

Mayor Vincent stated that if the Town proceeds with an extension of the barricades and outdoor seating, he would like it to be the final such extension, as the Town does not wish to continue using its current Downtown configuration indefinitely.

Mr. Rodgers, resident, stated that there are 27 parking spaces currently used for outdoor seating, with the exception of a few spaces that comply with the Americans with Disabilities Act (ADA). These spaces generate approximately \$250,000 in parking revenue each year. A three-month extension would mean restaurants would need to cover roughly \$60,000 in lost parking revenue.

It was also noted that businesses would need to assist with the cost of any proposed modifications, including protection for sidewalk café customers. There was also a question regarding whether the Town would need to add another Police Officer to the Downtown area in conjunction with the proposed changes.

Dwayne Wiseman, owner of the Aruba Beach Café, stated that this business has used the plaza for less than one year for outdoor dining, which has improved its safety.

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Barbara Cole, resident, commented that the Downtown pavilion was not consistent with the original design preferred by the community, and could be improved upon. She hoped that the Commission would react positively to the proposal by the Downtown businesses.

Ms. Marchetti reiterated that the businesses are requesting that the Commission consider at least a 90-day extension, during which time Town Staff and Town businesses would meet to discuss a plan including some of the proposals put forward during the presentation. During the extension, all Downtown businesses would adhere to existing Codes, including uniform tents and umbrellas, which would be paid for by the businesses. The businesses would also pay to lease parking spaces and the plaza during the extension, with rates to be determined by the Town.

Ron Piersante, resident, observed that it could take significantly longer than 90 days to come up with a plan that would satisfy all parties, citing the lengthy discussion of El Mar Drive as an example.

Mayor Vincent pointed out that the pandemic has not yet ended, and people remain uncomfortable with indoor dining. There are still many details that would need to be worked out before a decision could be made, and another workshop meeting is scheduled later in June. He concluded that he was not in favor of rushing to take any action at present.

Bill Ciani, resident, advised that he owns several of the buildings in the subject area, which depend upon the parking spaces under discussion. He was not in favor of removing/blocking these spaces or using the pavilion for restaurant seating. Mayor Vincent emphasized again that no action is planned at this time.

4. ADJOURNMENT

With no other business to come before the Commission at this time, the workshop was adjourned at 6:21 p.m.

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Mayor Chris Vincent

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7/6/2021

Town Clerk Tedra Allen

Date