

TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Tuesday, December 14, 2021
6:30 PM

1. CALL TO ORDER

Mayor Chris Vincent called the meeting to order at 6:33 p.m. Also present were Vice Mayor Alfred “Buz” Oldaker, Commissioner Edmund Malkoon, Commissioner Elliot Sokolow, Commissioner Randy Strauss, Town Manager Linda Connors, Assistant to the Town Manager Neysa Herrera, Town Attorney Susan Trevarthen, Public Works Director Ken Rubach, Director of Finance and Budget Lucila Lang, Development Services Director Jhanelle Campbell, Special Events and Marketing Manager Debbie Hime, Human Resources Manager Lisa Slagle, Public Information Officer/IT Administrator 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

Mayor Vincent requested that representatives of Ericks Consulting be heard immediately following the Christmas-By-The-Sea presentation, and that Items 17.d, 17.e, and 17.f be heard after Public Comment. It was also noted that an Item 17.h, which addresses zoning in progress, will be added to the Agenda under Resolutions.

5. PRESENTATIONS

a. 2021 Christmas-By-The-Sea

Special Events and Marketing Manager Debbie Hime gave a brief presentation on the recent Christmas-By-The-Sea event, which was held on December 1, 2021. This year’s event included a nonprofit component in which Action for Literacy both received and gave away books for all ages. She thanked the many volunteers, sponsors, and donors who helped to make the event a success, as well as personnel from the Broward Sheriff’s Office (BSO).

Lauderdale-By-The-Sea
Regular Town Commission Meeting
December 14, 2021

Special Events and Marketing Manager Hime added that the Farmers' Market will be open on Sundays from 9 a.m. to 2 p.m. through May 1, 2022. Dancing By The Sea will return on the second and fourth Sundays of each month from January through April 2022, and morning yoga classes will be held on Tuesdays and Thursdays at 8 a.m.

Candice Ericks of Ericks Consulting provided a brief presentation on upcoming legislation, noting that the Florida legislative session begins on January 11, 2022. Lauren Jackson, also of Ericks Consulting, highlighted the following five items for the Commission's information:

- Senate Bill (SB) 280: this bill creates a local "rocket docket" court system in which a business may take a municipality to court in expedited fashion; municipalities would be required to submit a business impact statement for many Ordinances
- SB 620: this bill would apply the Bert Harris Law to Ordinances that result in a business losing 15% or more of its revenue and would consider those Ordinances to be government takings
- Vacation rentals: before a vacation rental property may apply for its state license, it must first register with its local government; however, this bill also limits what can be required by that local government through that registration element
- Sovereign immunity: this bill would raise sovereign immunity caps for municipalities from \$300,000 to \$1 million
- Ethics: all Commissioners, City/Town Managers, and Mayors would be required to fill out a Form Six financial disclosure rather than the current Form One document

Town Attorney Susan Trevarthen pointed out that tonight's Agenda includes a Resolution formally opposing SB 280 and SB 620 on behalf of the Town.

It was noted that redistricting is also a primary concern in the coming legislative session. Ms. Ericks stated that the consulting team will keep the Town apprised of updated maps and the discussion around them.

Commissioner Strauss requested additional information on laws that currently block municipalities from regulating use of fossil fuels. Ms. Jackson recalled that a bill to this effect was passed in the 2021 session to prevent any possible ban on gas stations or types of fuel. There is no existing legislation that would preempt the Town from creating regulations in favor of obtaining certain types of fuels.

Lauderdale-By-The-Sea
Regular Town Commission Meeting
December 14, 2021

6. PUBLIC COMMENTS

At this time Mayor Vincent opened public comment.

Bill Ciani, resident, expressed support for a proposed parking study. He also requested that his tenant businesses on A1A be permitted to keep their parking spaces, as they are being harmed by a lack of nearby parking. Mr. Ciani concluded that he believed the Town's permit fees are higher than those in other nearby municipalities.

Town Clerk Tedra Allen read the following written public comment:

John Graziano, resident, recalled that he had written previously to request improved traffic control measures on the corner of A1A and Commercial Boulevard. He pointed out that two deaths have recently occurred on A1A north of Commercial Boulevard and requested increased traffic control by BSO to improve safety.

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

The following Items were taken out of order on the Agenda.

17. RESOLUTIONS – PUBLIC COMMENTS

- f. Resolution 2021-77 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING AN AGREEMENT WITH TYLER TECHNOLOGIES FOR PAYROLL, FINANCE, AND BUSINESS TAX RECEIPT SOFTWARE, UTILIZING THE SOURCEWELL CONTRACT #090320-TTI; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

Finance Director Lucila Lang advised that \$125,000 in capital improvement projects has been budgeted to improve the Town's outdated software system. Staff chose Tyler Technologies because it offers additional opportunities as well as financial functions. The new system will provide document storage, software upgrades, and cloud technology that can be accessed by different users on various devices.

The cost in fiscal year (FY) 2022 will be \$114,737, which represents a savings of \$10,000 from what has been budgeted. It includes one-time installation and migration

Lauderdale-By-The-Sea
Regular Town Commission Meeting
December 14, 2021

fees as well as recurring fees for the first year. In the first year, the system will cost \$83,765 in one-time fees, with \$30,972 in recurring fees. The additional annual expense in future years is estimated at \$13,558. The agreement was drafted by Tyler Technologies' legal team and has been reviewed by the Town's legal team.

Vice Mayor Oldaker requested additional information on nationwide purchasing cooperative Sourcewell. Town Manager Linda Connors replied that this cooperative was also used on the roofing contract to be presented during tonight's meeting, as well as the Enterprise contract for vehicle rentals. Finance Director Lang advised that Development Services Director Jhanelle Campbell, Public Works Director Ken Rubach, Human Resources Manager Lisa Slagle, and Town Manager Connors attended multiple conference calls with the selected provider.

Commissioner Malkoon asked if Tyler Technologies' software deals with issues such as smart contracts and/or cryptocurrency. It was clarified that all data centers are certified for security, and payments are taken for business tax receipts (BTRs) as well as utility and other types of payments through an online portal. They remain up to date with federal and state mandates.

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

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

d. Resolution 2021-75 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING LICENSE AGREEMENT WITH BENIHANA INC. FOR USE OF TOWN PROPERTY ALONG WEST TRADEWINDS AVENUE; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

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

Public Works Director Ken Rubach recalled that when this Item was discussed in September 2021, Commissioner Strauss had raised concerns regarding traffic on Tradewinds Avenue as well as the potential for traffic backing up onto Commercial Boulevard. Traffic consultant Baxter and Woodman has examined traffic patterns in this

Lauderdale-By-The-Sea
Regular Town Commission Meeting
December 14, 2021

area and provided a number of recommendations. Additional recommendations are listed in the agreement as further options if necessary. Benihana will continue to work with the Town to ensure all traffic issues are addressed.

Mayor Vincent observed that his only concern when discussing this Item with the Town Attorney was for the possibility of blocking an exit on the site. He advised that Town Staff would keep an eye on the location to ensure this did not occur.

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

- e. Resolution 2021-76 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING AN AGREEMENT WITH PROVINCIAL SOUTH INC. DBA PSI ROOFING, A LOCAL PARTNER OF RL NATIONAL ROOFING PARTNERS, LLC DBA NATIONAL ROOFING PARTNERS FOR ROOF REPAIR SERVICES FOR THE DEVELOPMENT SERVICES / JARVIS HALL / VFD AND PUBLIC WORKS BUILDING, UTILIZING THE OMNIA CONTRACT #180901-FL-028 PURSUANT TO SOLICITATION NO. 18-09; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

Public Works Director Rubach explained that in 2020, a roof inspection determined that most of the roofs within the Town Hall campus were deficient. The Town Hall roof has been replaced as part of the first phase of this improvement. Phase 2 will address Jarvis Hall, Development Services, the Volunteer Fire Department (VFD), and Public Works.

Initial budget numbers were based on recovery similar to what was done with Town Hall; however, following further inspection, more than 25% of the Public Works roof and 20% of Jarvis Hall were determined to require replacement. The budget is now \$289,000 rather than the initial \$251,000. The building department is located in the Development Services building and therefore, it will be appropriate to allocate money from the Building Fund to help cover these additional costs.

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

Lauderdale-By-The-Sea
Regular Town Commission Meeting
December 14, 2021

7. PUBLIC SAFETY DISCUSSION

a. AMR November 2021 Report

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

b. BSO November 2021 Report

BSO Captain Tom Palmer reported that two traffic fatalities occurred in the Town at the beginning of December. One involved a cyclist and a Broward County Transit (BCT) bus on the 1400 block of South Ocean Boulevard. This case is still under investigation, although speed does not appear to have been a factor.

The other fatality occurred when a pedestrian was struck by a motorist on the 1850 block of South Ocean Boulevard. This case also remains under investigation.

Captain Palmer continued that the intersection A1A and Commercial Boulevard is very busy, as noted during Public Comment. Most vehicle crashes occur in this general area, and many citations are issued at this intersection. BSO and Public Works Director Rubach have discussed adjusting the crosswalk at the 1800 block of South Ocean Boulevard, which is just north of one crash site; however, there are a number of factors that must be considered before a crosswalk could be implemented.

Captain Palmer advised that within a two-block distance of the 1800 block crash site, BSO has issued 54 citations in 2021. BSO plans to deploy a message board sign to this area. He also noted that each year, BSO's Grants Division seeks grant funds from the Florida Department of Transportation (FDOT) for pedestrian and bicycle safety. Award of these funds is based on statistical crash data.

Vice Mayor Oldaker observed that the Broward Metropolitan Planning Organization (MPO) has had numerous discussions regarding the area between Terra Mar Drive and Palm Club Drive, which has other needs in addition to crosswalks. He hoped to help coordinate further discussions with the MPO, FDOT, and the Town for this portion of A1A.

Vice Mayor Oldaker continued that he has received several complaints of "cut-through" traffic and disregard for stop signs, speed limits, and crosswalks from Town residents.

Lauderdale-By-The-Sea
Regular Town Commission Meeting
December 14, 2021

He expressed concern with the large number of warnings in proportion to the smaller number of citations given in this area, pointing out that warnings are not effective deterrents. Captain Palmer replied that warnings are given at the discretion of Deputies and depend upon the circumstances of the traffic stop as well as any mitigating factors.

Captain Palmer concluded that BSO will hold “Shred-a-thon” and Operation Medicine Cabinet events in the Town on Saturday, January 22, 2022 from 10 a.m. to 1 p.m. in the rear parking lot of Assumption Catholic Church. Notice will also be posted on the Town’s and BSO websites.

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

c. VFD November 2021 Report

VFD Chief Judson Hopping stated that there will be gift distribution by Santa Claus with the assistance of the Volunteer Fire Department. Additional information will be available on the Town’s website.

Chief Hopping continued that during the September 2021 budget process, the VFD received approval for a new fire truck in an amount not to exceed \$900,000. Upon the completion of due diligence, a 75 ft. aerial truck has been recommended at a cost of approximately \$887,000. He requested that the Commission consider approving this item at tonight’s or the next Commission meeting, as an 8% price increase will take effect for this vehicle on January 15, 2022.

Town Manager Connors further explained that the VFD’s least expensive bid would “piggyback” on an existing Florida Sheriffs’ contract, which has already been vetted and would not require a request for proposal (RFP). The item can be brought back for approval at the January 11, 2022 meeting for approval prior to the scheduled price increase, or the Commission may authorize approval pending further vetting. The Town’s purchasing manual allows for cooperative purchase.

It was determined by consensus that Staff would prepare an Agenda Item for the January 11, 2022 meeting.

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

Lauderdale-By-The-Sea
Regular Town Commission Meeting
December 14, 2021

8. TOWN MANAGER REPORT

a. September 2021 Report

Finance Director Lang advised that Exhibit 3 of the September 2021 report is a preliminary estimate of fund balances as of year-end on September 30, 2021. The Town is currently working with Brown and Associates on its audit for FY 2021.

b. October 2021 Report

Finance Director Lang continued that all is going as expected for the first month of the new fiscal year. She pointed out that October 2021 was a strong month for the Parking Fund, which reflected a \$40,000 increase over the previous year.

c. Town Manager Report

Town Manager Connors stated that Broward County has approved \$150,000 for the Town for the Palm Club project. Both the County and Pompano Beach had previously allocated funds in their budget for this project, with the stipulation that these would be provided to the Town if the state of Florida also provided funds. Staff is working with Pompano Beach for the provision of those dollars.

The Town's art conservation project has been completed, and a crosswalk at Hibiscus Drive and A1A has been constructed. The Town has begun discussing the need for more crosswalks with the Broward MPO, requesting their assistance in seeking grant funding for this purpose and working with FDOT. Public Works Director Rubach is also working with contractors on the crosswalk discussed earlier in the 1800 block of A1A.

Town Manager Connors continued that the Army Corps of Engineers has received a permit for the dredging of the Town's canals. Two to three canals are expected to be dredged in 2022, with the possibility of more if funds become available.

Town Manager Connors advised that when the potential expansion of Downtown sidewalks has been discussed, the possibility of a traffic analysis has been raised. The Town has reached out to Desman and Associates, which is a contractor previously used for Downtown parking analysis. Their estimated cost for these parking counts is \$19,000, and they would require moving barriers and materials from the street so this count could be conducted, which adds more time to the proposed project. She

Lauderdale-By-The-Sea
Regular Town Commission Meeting
December 14, 2021

requested further direction from the Commission regarding whether or not they would like this item to be brought back on the January 2022 Agenda.

Commissioner Malkoon emphasized the importance of improving existing crosswalks in Lauderdale-By-The-Sea and adding more if possible. He did not feel the proposal to remove and then return barricades was a sensible one. He also advised that he was in favor of removing barricades in the area Mr. Ciani had mentioned during public comment if those tenants were satisfied with their backout parking, as he did not want to negatively affect these businesses.

Vice Mayor Oldaker recalled that he has had multiple conversations with the Broward MPO regarding plans for A1A, including lighting, crosswalks, and other improvements, using funds that will be provided by the federal government. He also addressed canal dredging, asking if it is possible to promote outreach between residents and the Town's contractor. Public Works Director Rubach replied that this would be a complicated process, as each property on a canal would need to secure permitting rather than "piggybacking" on the Town's permits. Staff is still discussing other options for individual property dredging.

Mayor Vincent also agreed with removing barricades near Mr. Ciani's tenants' businesses if they are in favor of it. He noted that because the backout parking in this area is a legal nonconforming use, it could not be replaced if it were removed. He felt businesses should have the opportunity to opt out of removal of backout parking if they wish, at least in the first phase of any project.

Commissioner Strauss also felt the existing parking study would be adequate rather than spending \$19,000 on a new study. He also pointed out that Mr. Ciani's properties do not have the same options as other businesses to the north, such as an adjacent alley that can be used for takeout parking.

Commissioner Sokolow recalled that no decision has been made regarding the removal of parking on Commercial Boulevard. He agreed that the barricades affecting Mr. Ciani's properties should be removed, but otherwise recommended that the Town wait until there has been more discussion to determine potential changes Downtown. He was also not in favor of a parking study at this time due to the terms proposed by the consultant.

Ann Marchetti, resident, stated that on behalf of several Downtown businesses, most are opposed to a parking study, or any other delay or expense related to parking in that

Lauderdale-By-The-Sea
Regular Town Commission Meeting
December 14, 2021

area. They are eager to have the Commission vote on prospective changes to the Downtown area in January 2022 and begin work on this project once the season has ended.

Vice Mayor Oldaker requested clarification of the businesses to which Ms. Marchetti had referred. Ms. Marchetti replied that these include Taco Craft, Aruba, Even Keel, Vinny's By The Sea, and some of Mr. Ciani's tenant businesses as well.

9. TOWN ATTORNEY REPORT

None.

10. APPROVAL OF MINUTES

- a. October 26, 2021 Town Commission Meeting Minutes
- b. October 27, 2021 Town Commission Roundtable Meeting Minutes
- c. November 9, 2021 Town Commission Meeting Minutes

Commissioner Sokolow made a motion, seconded by Vice Mayor Oldaker, to approve 10.a and 10.b. Motion carried 5-0.

11. CONSENT AGENDA

- a. Hardship Parking Permit for Blue Strawberry By The Sea
- b. Dee Jay Beach Resort (4617 El Mar Drive) Second Request for Extension to Complete Construction

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

12. OLD BUSINESS

None.

13. NEW BUSINESS

Lauderdale-By-The-Sea
Regular Town Commission Meeting
December 14, 2021

a. Building Permit Fee Study

Development Services Director Jhanelle Campbell recalled that in 2020, the Town contracted with PMG Associates for a building fee study, in which the fees being charged for building permit review were compared with the costs of providing this service. The consultant was also asked to compare the Town's fees with other local municipalities' fees.

The result of the study found that the Town's fees were in the mid-range of other Broward communities. An analysis of direct costs for the provision of service, as well as the indirect costs associated with administering contracts, found that building fees did not account for the total costs of services provided: indirect costs were not fully covered by the permit fees. For this reason, PMG recommended increasing fees by 35%. Staff, however, is not recommending this proposal, as the Town would continue to cover these indirect costs from the Building Fund balance. Staff recommends keeping fees the same.

Commissioner Strauss recalled that at an earlier time, there had been comments from contractors which characterized the Town's fees as high, precipitating the study. He advised that this study could be provided to contractors if necessary.

Commissioner Malkoon asked if it is typical for contractors to be asked to pay their permit fees up front. Development Services Director Campbell replied that while she was not certain of how this is conducted in other municipalities, the Town has always collected its permit fees up front.

Commissioner Sokolow asked if permit fees are based on a percentage of the job. Town Manager Connors confirmed this, although she did not recall whether or not the percentage is the same across the board. Commissioner Sokolow expressed concern that projects requiring high-end work do not require more inspection than less expensive projects, resulting in a discrepancy between costs. He asserted that some Town fees may be remarkably high for this reason.

Town Manager Connors noted that contractors may submit costs in a different manner that could result in lesser permit fee calculations. Commissioner Sokolow felt there should be latitude or exceptions within the pricing structure to address these costs.

Lauderdale-By-The-Sea
Regular Town Commission Meeting
December 14, 2021

Town Manager Connors stated that the Town will be going out for RFP for a general contractor later in the fiscal year, which will provide the opportunity to review the fee structure.

Mayor Vincent stated that he shared Commissioner Sokolow's concerns regarding the calculation of permit fees and agreed that bulk prices for fixtures should not be used to determine these fees. It was noted that education regarding these fees is the responsibility of the applicant and their contractor rather than the Building Department.

Mayor Vincent concluded that he was in agreement with the Town's requirement of fee payment up front, as it would be impossible for the Town to recoup its inspection costs if the applicant does not pick up the permit. He recommended that this be explained when permits are applied for to provide clarity for applicants. Town Manager Connors suggested including this subject in *Town Topics* for residents' information.

14. COMMISSIONER COMMENTS

Commissioner Malkoon expressed his condolences to the victims of severe weather events throughout the Midwest and South.

Vice Mayor Oldaker thanked all who had worked to make the Christmas-By-The-Sea event a success and recognized Public Works Director Rubach for his work toward installation of the crosswalk. He also noted that the Town experienced a reduction of approximately \$44,000 in sewer fees.

Mayor Vincent also extended condolences to those affected by severe weather across the country. He also read a thank-you note from The Cookie Shop to the Commission for their recent recognition of this business.

The Mayor, Vice Mayor, and Commissioners each wished all present a merry Christmas and happy New Year.

15. ORDINANCES 1ST READING

None.

16. ORDINANCES 2ND READING

Lauderdale-By-The-Sea
Regular Town Commission Meeting
December 14, 2021

- a. **Ordinance 2021-03 – AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING THE TOWN’S COMPREHENSIVE PLAN BY AMENDING THE TEXT OF THE COASTAL MANAGEMENT ELEMENT; PROVIDING FOR TRANSMITTAL OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY AND ALL OTHER UNITS OF LOCAL GOVERNMENT OR GOVERNMENTAL AGENCIES, AS REQUIRED UNDER CHAPTER 163, PART II, FLORIDA STATUTES; PROVIDING FOR ADOPTION PURSUANT TO SECTION 163.3184 OF FLORIDA STATUTES; PROVIDING FOR INCLUSION IN THE TOWN COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

Development Services Director Campbell explained that the Peril of Flood Act requires local governments to adopt Comprehensive Plan goals, objectives, and policies related to the effects of sea level rise within the Plan’s Coastal Management element. The South Florida Regional Planning Council has received a grant from the state to assist coastal municipalities in amending this element of their Comprehensive Plans.

The proposed amendments are incorporated into the Ordinance. Additional policies are also included in the Commissioners’ backup materials. The Ordinance passed upon first reading in May 2021. Since that time, it has been transmitted to all appropriate agencies for review. Comments from these agencies are also in the backup materials. Once adopted, the Ordinance will be sent to the Department of Economic Opportunity for final review and approval.

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

- b. **Ordinance 2021-13 – AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING THE TOWN’S CODE OF ORDINANCES AT CHAPTER 2 “ADMINISTRATION,” ARTICLE II “TOWN COMMISSION,” SECTION 2-25 “CAMPAIGN FINANCE RESTRICTIONS” TO AMEND THEIR CAMPAIGN**

Lauderdale-By-The-Sea
Regular Town Commission Meeting
December 14, 2021

CONTRIBUTION LIMITS; AND PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

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

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

- c. Ordinance 2021-14 – AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING THE TOWN’S CODE OF ORDINANCES AT CHAPTER 19 “TRAFFIC AND MOTOR VEHICLES,” ARTICLE I “IN GENERAL” TO ADJUST THE FEES ASSOCIATED WITH PARKING VIOLATIONS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND FOR AN EFFECTIVE DATE.**

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

Public Works Director Rubach stated that this Ordinance serves two purposes: it raises current parking violation fees from \$25 to \$30 and includes a new fine of \$40 for illegal parking in electric vehicle (EV) and/or golf cart spaces. These changes will be recorded in a schedule of fees which can be updated by Resolution.

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

17. RESOLUTIONS – PUBLIC COMMENTS

- a. Resolution 2021-72 – A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, URGING THE FLORIDA LEGISLATURE AND THE FLORIDA GOVERNOR TO OPPOSE SENATE BILL 280 AND HOUSE BILL 403; URGING THE FLORIDA LEGISLATURE AND THE FLORIDA GOVERNOR TO OPPOSE SENATE BILL 620 AND HOUSE BILL 569; PROVIDING DIRECTION TO TOWN OFFICIALS; PROVIDING FOR AN EFFECTIVE DATE.**

Lauderdale-By-The-Sea
Regular Town Commission Meeting
December 14, 2021

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

Mayor Vincent emphasized the importance of this Resolution in maintaining home rule for Lauderdale-By-The-Sea. Town Attorney Trevarthen pointed out that Section 2 of the Resolution not only opposes these specific bills, but also opposes any legislation that further infringes upon the home rule authority of local governments.

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

- b. Resolution 2021-73 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AUTHORIZING THE SOUTH FLORIDA ASSOCIATION OF ENVIRONMENTAL PROFESSIONALS TO USE THE TOWN'S BIOROCK STRUCTURES TO CREATE A NEARSHORE CORAL CULTIVATION NURSERY; PROVIDING FOR IMPLEMENTATION AND AN EFFECTIVE DATE.**

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

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

- c. Resolution 2021-74 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, ESTABLISHING A FEE SCHEDULE FOR PARKING CITATION FEES FOR PARKING VIOLATIONS AND EV / GOLF CART / MOTORCYCLE SPACES; PROVIDING FOR CONFLICTS AND AN EFFECTIVE DATE.**

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

Public Works Director Rubach clarified that this was the aforementioned schedule of fees related to parking violations. From now on, the Town will be able to change any fees associated with parking citations via Resolution rather than via Ordinance.

Lauderdale-By-The-Sea
Regular Town Commission Meeting
December 14, 2021

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

- g. Resolution 2021-78 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING AN AGREEMENT WITH THE LAUDERDALE-BY-THE-SEA CHAMBER OF COMMERCE, INC. FOR THE USE OF THE TOWN FACILITY LOCATED AT 4201 NORTH OCEAN DRIVE; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

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

- h. Resolution 2021-79 – A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, EXTENDING ZONING IN PROGRESS FOR THE ADOPTION OF AMENDMENTS TO THE TOWN'S BUSINESS ZONING DISTRICTS IN CHAPTER 30, UNIFIED LAND DEVELOPMENT REGULATIONS; PROVIDING FOR AUTHORIZATION, CONFLICTS, AND FOR AN EFFECTIVE DATE.**

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

Town Attorney Trevarthen explained that because notice of second reading of Business district uses was not published in time to present that item in December 2021, it was postponed until January 2022. She recalled that in June 2021, the Commission had declared a six-month zoning in progress, which would expire in December. The only effect of this Item is to extend that zoning in progress through January. It will end either upon adoption after second reading or on February 1, 2022, whichever comes first.

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

18. QUASI JUDICIAL PUBLIC HEARINGS

Lauderdale-By-The-Sea
Regular Town Commission Meeting
December 14, 2021

None.

19. ADJOURNMENT

With no other business to come before the Commission at this time, the meeting was adjourned at 8:55 p.m.

DocuSigned by:

B0A8AE8CC88D4A1...

Mayor Chris Vincent

ATTEST:

DocuSigned by:
Neyra Herrera Cuella
512BA6A7F69D4E9...

1/20/2022

Acting Town Clerk

Date