

**TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
WORKSHOP MINUTES
Jarvis Hall
4505 Ocean Drive
Tuesday, May 11, 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, Town Engineer Jay Flynn, and Public Information Officer/IT Administrator Steve d’Oliveira, and Town Clerk Tedra Allen.

2. PUBLIC COMMENT

Mayor Vincent advised that public comment would be heard on each item as it is discussed.

3. DISCUSSION ITEM

Fiscal Year 2022-2026 Five-Year Preliminary Capital Improvement Plan Proposal – Additional Considerations (Linda Connors, Interim Town Manager / Ken Rubach, Director of Public Works / Lucila Lang, Director of Finance and Budget)

Interim Town Manager Linda Connors recalled that the fiscal year (FY) 2022-2026 Five-Year Preliminary Capital Improvement Plan proposal was first brought forward for review at a special meeting on March 23, 2021. The Commission agreed to a list of items to be included in the FY 2022 budget:

- Town Hall campus roof replacement (off-site roof replacement in 2023)
- Replacement of flooring
- Palm Club sewer project
- Construction of Codrington Drive project (design funded in 2021)
- Construction of phase 1 of Bougainvillea Drive / Poinciana Street project (design funded in 2021)
- Canal dredging (permitting funded in 2021)
- Americans with Disabilities Act (ADA) improvements
- Beach portal design

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- Replacement of finance software
- Stormwater rate study
- Roadway repaving

Additional potential projects were discussed, with the Commission requesting that these items be brought back at a subsequent special meeting. There was also a request for further discussion of the El Mar Drive project.

Interim Town Manager Connors first addressed the El Mar Drive project, recalling that there was Commission consensus at the last discussion not to proceed with any projects that would require reconfiguration of the street. Staff reached out to consultants to determine which improvements could be funded while leaving the street in its current configuration. It was explained that if the sidewalk is widened, this would require the Town to bring certain aspects of the street up to ADA standards, which could require either reconfiguration or the movement of space from the median.

After eliminating items that would trigger street reconfiguration, the Town was left with the following possibilities:

- Median lighting (\$1.6 million)
- Landscape improvements (up to \$1 million, depending upon selected improvements)
- Sidewalk repairs, which are already funded in FY 2021 and will begin in June
- Repaving/restriping of the roadway, although the Town Engineer has advised the street is not currently in a condition that requires this work

At this time Mayor Vincent opened public comment.

Barbara Cole, resident, recommended that \$2 million be earmarked in FY 2022 to rehabilitate and beautify El Mar Drive, including repairs to sidewalks and swales, addition of shade trees and lighting in the median, and drainage improvements, among others. She also recommended that residents wishing to address this issue be invited to Jarvis Hall for further discussion.

Christie Furth, resident, advised that she was not in favor of the previously proposed designs for El Mar Drive. She suggested additional communications with residents and neighborhoods to arrive at the best option for the roadway.

Marfine Hennessey, resident, also recommended additional communication with the public, as she felt other residents at her condominium were unaware of any proposed

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changes. She was in favor of repairs to El Mar Drive and suggested that funds from the Oriana settlement be used toward improvements.

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

The Commissioners also discussed the proposal, with Mayor Vincent acknowledging the challenges of providing information and gathering public input during the height of the COVID-19 pandemic in 2020. The consensus was to listen to Town constituents, particularly those who live and/or work on El Mar Drive.

Commissioner Malkoon agreed, recalling that when it became clear there was little public support for the proposed redesign of El Mar Drive, he could not support these changes. He advised that there will be continued meetings and further outreach to residents for their input on the list of improvements presented by Staff. He also felt staff at the Town's condominiums would make every effort to notify residents of upcoming Town meetings on this subject.

Vice Mayor Oldaker advised that he was in favor of moving funds related to the former Holiday Inn property into the Town's Capital Improvement Program (CIP) to help fund improvements on El Mar Drive. These funds totaled approximately \$1.650 million. He noted that another \$600,000 was dedicated from the Oriana settlement, which is restricted exclusively to use on El Mar Drive. He concluded that money may be available from the Parking Fund as well.

Mayor Vincent did not recall any prior discussion of median lighting and pointed out that there are condominiums located on the street which may not be in favor of pole lighting. Another option is low-profile sidewalk lighting for individuals who walk in the evenings.

Commissioner Sokolow briefly reviewed the history of proposed El Mar Drive improvements, one of which had involved the Broward Metropolitan Planning Organization (MPO) and had ultimately died. Because there was ongoing public interest in improving El Mar Drive, consultant EDSA was retained to conduct public outreach and prepare design options. The result of these options, after numerous public discussions, was significant "anti-project" sentiment, which ultimately caused the Commission not to move forward with any of these options.

Commissioner Sokolow continued that Staff has prepared a very brief "placeholder" item addressing lighting for FY 2022 but noted that there is already negative feedback

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on this proposal. He also recalled that there was Commission discussion in previous years regarding installation of additional lighting on El Mar Drive, which also garnered negative feedback.

Commissioner Sokolow concluded that funds should be placed in the CIP for El Mar Drive improvements and repairs over the next five years, but he was not confident there would be consensus on any aspects of these repairs. Putting money in the budget for improvements in FY 2022 would give the Town time to plan them; he cautioned, however, that it may be more expensive to plan improvements that are uniform and cohesive without materially affecting the look and feel of the street.

Commissioner Strauss also addressed the CIP “placeholder” for El Mar Drive, explaining that this does not determine how the funds will be spent or how much a project may cost: instead, it designates a placeholder concept for lighting improvements that have not yet been determined.

Commissioner Strauss added that he is also in favor of sidewalk improvements as well as lighting, as both would constitute safety improvements for pedestrians. If no changes are made other than repairs to existing sidewalks, eventually problems will occur, as the sidewalks are very narrow in some places. This also raises the question of whether sidewalks need to be widened and how this can be accomplished in the safest manner.

Commissioner Malkoon asked if the sidewalks on El Mar Drive could be widened without changing the configuration of the street. Interim Town Manager Connors advised that sidewalk expansion would require reconfiguration of either the roadway or the median.

Commissioner Malkoon also requested clarification of next steps for improvements, such as the process for implementing additional landscaping. Interim Town Manager Connors replied that landscaping and lighting would go together, and would require the hiring of a design firm, as well as public outreach and participation to determine what the community would like to see. This design would also need to fall within the Town’s budget. She clarified that the focus of tonight’s meeting is to determine the amount of money the Town wishes to reserve and the fiscal year in which they would like to earmark these dollars.

Commissioner Malkoon commented that the first step should be to develop a concept, after which the Town could determine the amount to be budgeted to realize that

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concept. The design process could happen in one year with the construction phase funded in the second year.

Mayor Vincent pointed out that Town constituents and residents on El Mar Drive are aware of what they do not want, which is significant change. The intent is to make improvements that do not require El Mar Drive to be brought fully up to Code. Some of these improvements, however, would result in repairs that would trigger the Town to bring the street up to a specific standard. He felt it may be possible to bring the street up to ADA compliance standards without triggering major repairs.

Mayor Vincent added that median lighting and landscaping improvements constitute the same upgrade, as there are no plans to change the median from its current configuration. Sidewalk repair and repaving/restriping could also be packaged together as a single effort, as these are cohesive aspects. Community involvement could be sought for each phase. Mayor Vincent concluded that he was welcome to any suggestions other than a complete design change.

Town Engineer Jay Flynn advised that he did not feel the El Mar Drive improvements could be viewed as simply two phases of a project. He recommended arriving at a single cohesive plan, as the entire series of improvements will need to work together for the roadway.

Mayor Vincent asked if there is a way to maintain the existing state of El Mar Drive while addressing some of its aspects in need of upgrades or repairs. Town Engineer Flynn replied that the sidewalks could be "cleaned up" while retaining their present width, with constrictions in areas where poles are mounted. Swales will remain up to one foot below the sidewalk in some places. These issues will remain unless a wholesale address of the roadway is undertaken. He added that he would not recommend milling or resurfacing until there is a clear decision on what to do with the entire street.

Commissioner Sokolow commented that median landscaping and lighting repairs would require work in the median to install these features. Sprinklers would need to be upgraded to accommodate additional landscaping. The removal of curbs, which was mentioned earlier, would have widespread implications on drainage on the roadway, as well as height and elevation issues. He agreed with Town Engineer Flynn that a complete plan will be needed to make the desired changes rather than breaking down improvements into one or two elements, although it may be possible to make no further improvements than adding landscaping, lighting, and sprinklers.

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Commissioner Sokolow also recommended that a compromise be reached between parties with different visions for how to proceed with El Mar Drive, recalling that while the Commission was originally in agreement on the improvements to be made, residents did not seem to reach a similar consensus. He also noted that Staff is not capable of designing these types of improvements, which meant the Town would need to retain a consultant once more for this purpose.

Commissioner Malkoon observed that it is more likely for residents to reach consensus on, for example, landscape design than a redesign of the entire street. He reiterated that funds should be budgeted for a design consultant who would make plans within the constraints of the existing roadway and median rather than making significant changes.

Mayor Vincent noted that major deficiencies on El Mar Drive include backout parking, lack of curbing, and lack of buffer zones. Any redevelopment of the street will need to include removal of backout parking. Commissioner Sokolow added that there are also additional considerations to landscaping, including whether to retain existing palm trees on the north end of the roadway. He emphasized the importance of compromise in any plans for El Mar Drive.

Commissioner Strauss recommended budgeting for an independent survey to hear from the Town's residents on the conceptual improvements they would like to see. Once the survey is complete, it could be presented to the design firm selected by the Town. He also stressed the importance of moving forward with sidewalk repairs, as this is a safety issue, and consideration of minor lighting improvements.

Vice Mayor Oldaker proposed the inclusion of an unrestricted line item for El Mar Drive expenses in the budget, recalling that the combination of funds restricted for use on this street totaled approximately \$2 million.

The Commissioners agreed by consensus to include the Holiday Inn and Oriana funds referred to earlier in the meeting, to be rolled over into a subsequent budget year. They also agreed that Staff would conduct a survey of residents to determine what they would like to see for El Mar Drive.

Interim Town Manager Connors stated that the remaining items to be presented in the workshop have been previously discussed by the Commission at some point over the last year. They are being brought forward for additional consideration, with the Commission to decide if and when to fund them in the budget.

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In 2020 there was discussion by the Commission of establishing a dog park. The previous Town Manager had requested that a consultant prepare a potential design for this park, which was included in the Commissioners' backup materials. There has also been discussion of placing a fence around Friedt Park. A variety of prices were listed for different features of a dog park:

- Fencing: \$25,000 to \$30,000
- Replacement of sod with artificial turf: \$185,000, with elimination of the cost of pesticides
- More substantial multi-purpose park for dogs and pedestrians: \$400,000 and up

Commissioner Strauss recalled that when a dog park was previously discussed at a Commission meeting, there was no consensus from residents on whether to proceed, although many residents had indicated they would like to have a safe place for their dogs. He felt Friedt Park was the most likely location for this facility. He felt the most responsible and least intrusive way to proceed would be to create a gated area for dogs and determine if a more comprehensive facility is needed.

At this time Mayor Vincent opened public comment.

Kelly Byron, resident, was strongly in favor of a dog park rather than a multi-purpose area. She was not certain that artificial turf was desirable.

Ann Marchetti, resident, suggested that the Friedt Park Improvement Committee, which has designed previous improvements to the Town's park spaces, review the option of a dog park at El Prado Park or Friedt Park and bring their recommendations back to the Commission.

Ed Wernle, resident, also spoke in favor of a dog park.

Justeen Clark, resident, was also in favor of a dog park, and recommended that a small dog area be included in any plans.

Jeff Yocom, resident, recommended a simple design for a dog park, including areas for both small and large dogs. He also requested a Stop sign and speed control signage at El Prado Park.

Christie Furth, resident, also spoke in favor of a dog park, and suggested inclusion of a water feature for children.

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

Mayor Vincent also recommended establishing a dog park within a public park, as the Town has limited green space. As El Prado Park serves as a gateway to the ocean, he felt Friedt Park was the more appropriate location for balancing a dog park with public space.

Commissioner Malkoon advised that while he is in favor of a dog park, he also expressed concern for the limited amount of green space in Lauderdale-By-The-Sea. He has asked Staff to consider other potential dog park location(s) for this reason.

Vice Mayor Oldaker recalled that when this issue was previously discussed, he had visited other cities' dog parks as well as reached out to Staff for additional information. He recommended keeping plans simple, using the dog park at Wilton Manors as a potential template and limiting the facility to Town residents.

The Commissioners agreed by consensus to implement a simplified pilot program dog park in Friedt Park, with funding in FY 2022.

Interim Town Manager Connors next addressed natural gas, recalling that Commissioner Strauss had asked Staff to investigate the possibility of providing this utility throughout the Town. Assistant to the Town Manager Neysa Herrera has been in communications with TECO Gas for the last couple of years and has determined what the provider would need to bring natural gas to the community.

TECO Gas indicated that they would first have to conduct a study costing approximately \$40,000 to determine whether they have capacity to provide natural gas to the entire Town, or if they would first have to improve their systems. As the South Silver Shores neighborhood already has a natural gas mainline from Commercial Boulevard, it was selected for a small pilot study to determine the cost of lines. This cost was determined to be \$350,000. The cost of connecting individual property owners to the line would depend upon the number of residents who wish to connect to natural gas and the number of fixtures necessary for gas provision.

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

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Commissioner Strauss observed that he is in favor of providing natural gas to the Lauderdale-By-The-Sea community and pointed out that natural gas is already used commercially as well as in some residential communities. This service could dramatically decrease the cost of other utilities, such as electricity.

Interim Town Manager Connors clarified that the \$40,000 study cited by TECO Gas would determine what would need to be provided for the entire Town, including condominiums. Commissioner Strauss advocated moving forward with this study.

Vice Mayor Oldaker expressed concern with the cost of the study as well as the proposed pilot program, pointing out that this would require roadwork and repaving to provide the necessary infrastructure. He asked if an outside firm might assume responsibility for the study rather than TECO Gas. Interim Town Manager Connors explained that TECO Gas would hire a sub-consultant for the survey.

Mayor Vincent recommended researching the Town's records to ensure no such study has already been done in the Town before proceeding with another study.

Commissioner Sokolow addressed the costs associated with the study and the pilot program. Interim Town Manager Connors reiterated that the study would cost \$40,000, while a pilot program in part of the Silver Shores neighborhood would cost another \$350,000. A map showing the pilot program area was included in the backup materials. Commissioner Sokolow recommended a survey to determine how many households in the subject area are interested in having natural gas, noting that there are ongoing efforts to reduce use of fossil fuels.

The Commissioners agreed by consensus to extend the workshop through 6:50 p.m.

The Commission determined by consensus to have Staff conduct a community survey asking residents if they might be interested in natural gas service, as well as for Staff to research Town records to determine whether a natural gas study has been done before.

Interim Town Manager Connors recalled that in 2019, the Commission had decided to postpone roughly \$350,000 in improvements for the Volunteer Fire Department (VFD) until the entire safety complex could be considered as a whole, as there may be a need for broader improvements throughout the facility. This needs assessment has been completed, but no further plans have been made at this time. She requested clarification of next steps, pointing out that the VFD, as well as the Broward Sheriff's Office (BSO)

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facility, needs certain improvements. Mayor Vincent recalled that this item was brought forward for the VFD only and was not meant to be extended throughout the entire public safety complex.

At this time Mayor Vincent opened public comment.

Barbara Cole, resident, was also in favor of improvements to the VFD only and felt the Town should consider the ongoing validity of having a Volunteer Fire Department.

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

Commissioner Malkoon recalled that the previous analysis of the VFD had dealt with space only. Interim Town Manager Connors recommended that the Town wait until the VFD audit has been completed, as this will determine if there is any extra room at the facility. Mayor Vincent noted that when the previous recommendations were made, no audit had been part of the process, and expressed concern with the continued delay.

The Commissioners agreed by consensus to provide upgraded facilities for the VFD only, with the time frame yet to be determined.

Interim Town Manager Connors noted that while the VFD improvements can be funded through the Town's Fire Fund, other projects could be funded using different sources, included federal COVID-19 relief. The Town does not, however, know the time frame in which this funding might become available.

The Town also could apply for Broward County transportation surtax funds. They are considering establishment of a stormwater utility tax in FY 2022, which would make funds available for several pending stormwater projects. The Parking Fund also has a balance of \$6.3 million, and the General Fund includes \$1.3 million that could be used toward CIP projects over and above currently encumbered projects.

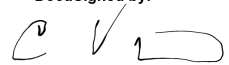
Vice Mayor Oldaker recalled that the COVID-19 relief includes funds from 2020 that have not yet been made available to municipalities, with the possibility of a second wave of this funding as well.

Mayor Vincent asserted that he was opposed to the use of any transportation surtax funds that came with "strings attached," such as requirements for the Town to accept a design concept from another entity.

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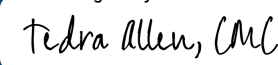
4. ADJOURNMENT

With no other business to come before the Commission at this time, the workshop was adjourned at 6:45 p.m.

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Mayor Chris Vincent

ATTEST:

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Town Clerk Tedra Allen

6-11-2021

Date