



**TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Tuesday, May 9, 2023
6:30 PM**

1. CALL TO ORDER, MAYOR CHRIS VINCENT

Mayor Chris Vincent called the meeting to order at 6:32 p.m. Also present were Commissioner Alfred “Buz” Oldaker, Commissioner Theo Pouloupoulos, Commissioner Randy Strauss, Town Manager Linda Connors, Town Attorney Susan Trevarthen, Deputy Town Manager/Public Works Director Ken Rubach, Assistant to the Town Manager Courtney Easley, Director of Budget and Finance Lucila Lang, Special Events and Marketing Coordinator Katie Anderson, and Town Clerk Katrina Adler.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION

All present observed a moment of silence.

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

None.

5. PRESENTATIONS

a. Senator Jason W.B. Pizzo, District 37 Introduction

Florida District 37 Senator Jason W. B. Pizzo introduced himself to the Commission and all present, stating that prior to his career in public service, he was a prosecutor in Miami-Dade County. The recent Florida Legislative Session included 1800 bills and addressed a wide range of topics.

Commissioner Oldaker requested information on the Florida Legislature’s address of insurance, noting that many individuals are now uninsured or using Citizens Insurance as a last resort. He stated that he wished to ensure residents knew where to direct their questions and concerns regarding emergencies. Senator Pizzo commented that 66% of his constituents live in condominiums. He advised that he has successfully argued for

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an amendment which would remove the requirement for flood insurance in high-rise condominium units; however, very little was done by the Legislature with regard to property insurance other than the elimination of one-way attorneys' fees.

Mayor Vincent also acknowledged the increase in condominium insurance and reserves. Senator Pizzo stated that condominium association fees have been artificially repressed in recent years, which was discovered following the Surfside condominium tragedy in 2021. Now that this practice has ended, the result is often "sticker shock" when owners are asked to pay current fees.

Mayor Vincent also requested an update on bills addressing vacation rental properties. Senator Pizzo explained that he is recognized as a proponent of home rule by the League of Cities, and briefly recalled discussion of bills addressing vacation rentals.

Senator Pizzo concluded that constituents can reach him at (305) 505-8478.

b. Broward County Premium Mobility Plan (PREMO)

Khalilah Ffrench, representing Broward County Transit (BCT), explained that the strategy for surtax funds is to invest in a Premium Mobility Plan (PREMO), a County-wide network of premium transit that will be attractive, safe, reliable, and frequent. PREMO's goals include:

- Improved mobility for all
- Integration and service to communities
- Enhancement of economic development
- Implementation of equitable transit solutions
- Improved safety and security
- Insurance of environmental stewardship

PREMO will result in an additional 200 miles of new premium service, as well as approximately 23 million annual riders, a 100% electrified bus fleet, new intelligent transportation systems, and localized aesthetic and architectural enhancements. Part of the plan will connect major activity centers in Broward County such as the airport, seaport, and Convention Center. PREMO would also create new construction-related jobs, lay the foundation for transit-oriented development, and expand opportunities for small businesses.

The phases of project delivery are as follows:

- Planning

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- Project development and environmental (PD&E)
- Design
- Construction

PREMO is currently in the planning phase. The plan will include commuter rail, light rail transit, bus rapid transit (BRT), and high-frequency bus service. With the exception of high-frequency service, premium transit will use either dedicated or shared rights-of-way. Both frequency and capacity of service will increase.

Commuter rail service would be provided in existing rights-of-way, which can help keep costs lower. Because light rail transit would be a new service for Broward County, its costs would be higher.

Ms. Ffrench reviewed the recommended network for PREMO, which proposes 11.5 miles of commuter rail, 23.3 miles of light rail transit, 76 miles of BRT, and 100 miles of complementary high-frequency service. She reviewed how this network system would serve the activity centers mentioned earlier through different types of transit.

There is a proposed 15-year implementation schedule for PREMO, with commuter rail beginning in 2027 and implementation of the system across all corridors by 2038. The County will fully leverage internal and external resources, including pursuit of alternative delivery strategies for the projects, fast-track procurement, and funding of corridors with transportation surtax funds. They will also seek alternative federal and state funding for the project. As corridors are developed, BCT hopes to continuously improve upon its processes.

Risks associated with the proposed schedule include:

- Market price volatility
- Schedule uncertainty associated with availability of materials and equipment
- Consensus-building
- Federal and state reviews
- Regulatory risks
- Environmental reviews
- Property availability and acquisition
- Workforce readiness
- Public expectations

Broward County sees PREMO as a transformational effort which will redefine mobility and connectivity throughout the County. In addition to premium service, the County will

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also perform a comprehensive operations analysis and will look at how local service can support and interact with premium transit.

Capital costs for the project are expected to reach an estimated \$4.4 billion for the plan as proposed, which is why state and federal funding will be sought to supplement existing funding sources. Next steps include ongoing public outreach and feedback, presentation to the Broward County Transportation Surtax Oversight Board, and workshops with elected officials on May 23, 2023 prior to proposed Board of County Commissioners adoption on June 13.

Commissioner Strauss addressed light rail transit, asking if the plans would be similar to the “people mover” system in Miami or other existing modes of transit, such as monorails. He also requested further clarification of what would constitute high-frequency bus service.

Ms. Ffrench replied that light rail transit differs from a monorail system, as it would use a modern streetcar that integrates into the existing roadway. Light rail is expected to be elevated for the airport/seaport connection but would remain at grade throughout most of the County, elevating only as necessary to cross heavy rail. She offered the example of Tampa’s trolley system as one type of light rail.

High-frequency bus service would be similar to BCT’s existing Breeze service, which operated more widely prior to the onset of the COVID-19 pandemic. This system would provide 15-minute a.m. and p.m. peak service, which is intended to supplement premium service with fewer infrastructure investments. This system may be accompanied by changes such as traffic signal priority, but would not make major infrastructure investments. This system could also be implemented more quickly than the other improvements.

Commissioner Strauss also requested more information on alternative delivery strategies, as well as the procurement of properties necessary to install new infrastructure in a system with very little remaining room. Ms. Ffrench replied that delivery options will depend upon sequencing of the project’s delivery and sharing of liability between designers and engineers. While traditional mechanisms would design, bid, and build the project, alternative mechanisms could deliver the projects more quickly.

With regard to right-of-way, Ms. Ffrench advised that there is right-of-way remaining in some areas, as well as the possibility of shared and dedicated rights-of-way. A shared

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right-of-way would lean heavily on technology and signalization to balance the load on corridors. Examples could include right turn lane combinations or sharing of the corner lane with vehicles.

Commissioner Oldaker noted that the western portions of Broward County are less developed with transit in mind, and asked how the general public might be trained to use a transit system with which they may not be familiar. Ms. Ffrench advised that the goal is to create a system which provides the message of reliable alternatives to car travel, which will build familiarity over time.

Mayor Vincent observed that while implementation of PREMO may be difficult, it is necessary as an option to ride-sharing services, which may be reaching a saturation point. He also asked if the County plans to make public service announcements to promote PREMO as a vision for the future. Ms. Ffrench replied that the County will post videos about the plans, and will hold virtual workshops twice per week for the next three weeks to increase public awareness. The workshops will be open to the public, who may access it on personal devices or at libraries.

c. Proclamation for “National Police Week” and “National Peace Officers Memorial Day”

Mayor Vincent read a Proclamation recognizing May 15-21, 2023 as National Police Week and May 15, 2023 as National Peace Officers Memorial Day.

d. May 21-27 National Public Works Week

Mayor Vincent read a Proclamation recognizing the week of May 21-27, 2023 as National Public Works Week.

6. PUBLIC COMMENTS

At this time Mayor Vincent opened public comment.

Michael Rolfs, resident, addressed the discussion with Senator Jason W.B. Pizzo regarding insurance, stating that his 2023-2024 bill for home and wind insurance represented a 125% increase over last year’s policy. The main reasons cited for this increase included a large rate increase for Broward, Miami-Dade, and Palm Beach Counties, as well as the rising costs of labor and materials and increases in home

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values. He cautioned other residents that their own insurance policy renewals may also include significant increases.

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

7. PUBLIC SAFETY DISCUSSION

None.

8. TOWN MANAGER REPORT

a. Town Manager Report for May 9, 2023

Town Manager Linda Connors stated that the Town has been nominated by *USA Today* as Readers' Choice for Best Beach in the South. She encouraged residents to vote electronically once per day. Voting will remain open for the next 12 days. More information will be posted on the Town's website.

The Town's Planning and Zoning Board has a vacancy. Interested residents are asked to contact the Town Clerk or download an application from the Town's website.

All Town employees are working to keep insurance costs as low as possible, including insurance premiums. Town Staff is participating in a program with Humana Insurance which saved Town residents \$400 on these premiums.

The Town has brought on two new Code employees, who are currently providing outreach to the community to introduce themselves.

The ribbon-cutting ceremony for Circuit was held before tonight's meeting, and the Circuit app is now available for download for free service within the Town. Circuit also has a contract with the Galt Ocean Mile, which means it can take residents between Lauderdale-By-The-Sea and the Galt area.

Town Manager Connors recalled that after municipal elections, the Town Commission is asked to select its representatives to organizations including the Broward League of Cities, the Broward Metropolitan Planning Organization (MPO), the Hillsboro Inland Navigation District, and AMR Review. These appointments typically last for a two-year

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period. The Commissioners agreed by consensus to continue the following appointments:

- Broward League of Cities: Vice Mayor Malkoon as representative, with Commissioner Strauss as Alternate and Mayor Vincent as Second Alternate
- Broward MPO: Commissioner Oldaker
- Hillsboro Inland Navigation District: Commissioner Strauss
- AMR Review: Commissioner Pouloupoulos

The May 23, 2023 Commission meeting will be preceded by a special budget meeting at 5:00 p.m. Staff will present the Town's budget for basic services, as well as the costs of "add-on" services which improve quality of life in the Town. The Commissioners are asked to bring up any items they would like to see considered for the budget at this meeting, and Staff will put together an estimate of the costs associated with these items and bring it before the Commission in June.

Mayor Vincent suggested that the QR code associated with Circuit be placed on parking pay station signage throughout the Town, where it can be scanned for use by residents who may not have the Circuit app. Town Manager Connors added that "wave-and-ride" service is offered by Circuit as well.

Town Manager Connors concluded that the previous week, in recognition of Arbor Day, the Town's Public Works Department and the Lauderdale-By-The-Sea Garden Club planted a new orange Geiger tree near the children's playground and the bocce court.

Commissioner Strauss advised that he will be absent from the June 13, 2023 meeting, and suggested that the Commission may wish to hold only one meeting during that month.

It was noted that Vice Mayor Edmund Malkoon's absence from tonight's meeting was excused by consensus.

9. TOWN ATTORNEY REPORT

None.

10. APPROVAL OF MINUTES

a. 4-25-23 Ethics Training Minutes

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b. 4-25-23 Regular Commission Meeting Minutes

Commissioner Strauss made a motion, seconded by Commissioner Poulopoulos, to approve. Motion carried 4-0.

11. CONSENT AGENDA

None.

12. OLD BUSINESS

None.

13. NEW BUSINESS

a. “Dive Into Summer” Special Event scheduled for Saturday, July 29, 2023

Special Events and Marketing Coordinator Katie Anderson recalled that for the past 10 years, the Town has held its Bugfest-By-The-Sea event in conjunction with lobster mini-season. This event helped to establish Lauderdale-By-The-Sea as the shore diving capital of Florida, as well as to highlight the reef offshore and boost hotel bookings during the off-season.

Since that time, the Town has found that while many divers in the tri-County area participate in Bugfest events, it does not reach a great many local residents. In 2023, Staff proposes that Bugfest be re-branded as Lauderdale-By-The-Sea’s Dive Into Summer event. This will be an ocean-centric event for the entire community to enjoy. The intent is to retain the more popular aspects of Bugfest programming, such as partnerships with local dive shops, a kickoff party, and live concert supporting SCUBA for Good, which makes adaptive diving more accessible for individuals with disabilities.

Town Staff has reached out to a number of Bugfest partners regarding the proposed rebranding, and they are supportive of the change. Dive Into Summer will include several live music performances, food and beverage stations, a vendor village for local artisans and ocean-centric businesses, games, an auction, and a bug raffle. The Town will also work with local restaurants and businesses to involve them wherever possible.

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There was also consensus that a larger space is needed to host the benefit concert due to the popularity of the event. Staff requests permission to use the FDG lot at 416 N. Ocean Drive, with alternative locations if this permission is not granted.

Staff requests Commission approval for the re-branding of Bugfest as Dive Into Summer, with the date set for Saturday, July 29, 2023.

Commissioner Strauss recalled that there has been previous discussion of how to improve this annual event. He noted that the re-branding would extend mini-season throughout the weekend and spread the event from the north to the south end of the Town.

b. 2023 4th of July Celebration Event and RESOLUTION 2023-23: A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING A LICENSE AGREEMENT WITH FDG CENTRAL, LLC TO ACCESS AND USE CERTAIN REAL PROPERTY FOR THE TOWN'S FOURTH OF JULY EVENT; PROVIDING FOR EXECUTION, IMPLEMENTATION, AND AN EFFECTIVE DATE.

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

Special Events and Marketing Coordinator Anderson advised that planning is underway for the Town's annual Fourth of July celebration, which will follow the format of previous years. There will be a parade in the morning, followed by Family Fun Day in El Prado Park and concluding with a fireworks show on the beach.

Based on feedback from 2022, Staff proposes holding Family Fun Day until 2 p.m. They also recommend the Commission approve Resolution 2023-23, which would authorize use of the 4560 El Mar Drive lot for the fireworks display and allow Town Staff to block off four parking spaces to allow for turnaround traffic on El Mar Drive at Datura.

If the Broward Sheriff's Office (BSO) has to close Anglin Square to vehicular traffic during the evening, Town Staff would also be authorized to create a turnaround at the north alleyway by blocking four parking spaces to be used as a relocation point for valet service. The Commission is also asked to approve public parking in the median lane of El Mar Drive after the parade. The Commission has previously approved charging a \$21 daily rate for special event parking.

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Commissioner Oldaker made a motion, seconded by Commissioner Pouloupoulos, to approve. Motion carried 4-0.

14. COMMISSIONER COMMENTS

Commissioner Strauss thanked all who attended the last Farmers Market of the season, as well as the Air and Sea Show. He reminded all present to make preparations for the coming hurricane season.

Commissioner Pouloupoulos extended birthday wishes to his wife.

Mayor Vincent congratulated BSO for their work in recognition of National Police Week and National Peace Officers Memorial Day, as well as to the Town's Public Works Department and Deputy Town Manager/Public Works Director Ken Rubach.

15. ORDINANCES 1ST READING

None.

16. ORDINANCES 2ND READING

None.

17. RESOLUTIONS – PUBLIC COMMENTS

- a. **Resolution 2023-22: A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, CODIFYING THE PRACTICE OF PROVIDING CONTINUATION HEALTH INSURANCE BENEFITS FOR TOWN COMMISSIONERS AND THEIR ELIGIBLE DEPENDENTS UNDER THE TOWN'S PLAN; CLARIFYING ELIGIBILITY CRITERIA FOR CONTINUATION HEALTH INSURANCE BENEFITS FOR TOWN COMMISSIONERS UNDER THE TOWN'S GROUP HEALTH INSURANCE PLAN; AUTHORIZING THE TOWN MANAGER TO TAKE ALL ACTIONS NECESSARY TO MAINTAIN CONTINUATION HEALTH COVERAGE UNDER THE GROUP HEALTH INSURANCE PLAN; PROVIDING FOR IMPLEMENTATION AND AN EFFECTIVE DATE.**

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

Town Manager Connors explained that the Town offers its elected officials the same insurance benefits that are available to Town employees. Historically, once these officials' terms have ended, they have been given the opportunity to continue to participate in this insurance at their own cost: the Town no longer pays for any part of their insurance once their terms of elected service have ended.

Town Manager Connors continued that while this has been a long-standing practice for the Town, it has not been formalized in Town policy. By bringing forward this Resolution, she hoped to ensure there is a clear policy so there are no misunderstandings in the future. If the Commission would like to continue this practice, Staff recommends approval of Resolution 2023-22, which would give elected officials the ability to continue their insurance policies at their own cost once they have left office. She characterized the Resolution as a housekeeping Item.

Commissioner Oldaker requested additional information on how this is allowed by the Town's insurance company, pointing out that when the Town seeks clarification of its annual premiums, insurance companies seek documentation to show who is or is not employed by the Town and eligible for benefits, including demographic information. This is used to determine the Town's premiums. If older individuals are eligible to apply for this insurance, it could skew the overall premium higher. He felt this constituted a subsidy for elected officials' insurance.

Commissioner Oldaker also pointed out that it is not possible for businesses to state whether or not they want particular individuals on their insurance policies: they must prove employment. He asked how this would apply to municipal governments.

Assistant to the Town Manager Courtney Easley replied that in the past, the Town has notified the insurance carriers each year of who would be covered by the policy. The carriers are aware that the policy may cover former elected officials. She added that the current carrier, Humana, has advised the Town that they will end their service as carrier at the end of 2023. The Town is seeking a new medical provider.

One option for selecting a new medical insurance provider is to join with the League of Cities, which significantly expands the Town's insurance pool from 44 Staff members. The addition of former elected officials would have a lesser impact on this larger pool.

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Town Manager Connors advised that the Town has allowed this practice for several years and has checked with their insurance carriers to ensure it is allowed. None of the companies have reported issues with the continuation. She added that a former elected official is considered a retiree. The question before the Commission is whether or not to continue this policy.

Joining a larger group to spread insurance costs is another option for the Town. Assistant to the Town Manager Easley stated that the costs associated with joining the Broward League of Cities for a larger group rate should be available by June 2023.

Town Attorney Susan Trevarthen explained that the Resolution covers former elected officials who have served one or more terms of office, with a term defined as either two years as Mayor or four years as Commissioner.

Commissioner Oldaker asserted that he would like constituents to understand that this is not an average benefit open to the public. He also noted that under the Town's Charter, a former elected official who has termed out of office may run for office again. He concluded that he was troubled by a benefit that would affect only elected officials and was not available to an employee.

Commissioner Oldaker also pointed out that, because the Town's insurance plan resets on October 1 with the fiscal year, this could mean there are individuals on the insurance plan who were not in the previous year's calculations. Attorney Trevarthen advised that the Town's insurance carriers have indicated they do not take issue with the policy, and that potential eligibility does not mean a former elected official would take advantage of this benefit.

Commissioner Strauss commented that the insurance option appeared to be one of the benefits of holding elected office, in a similar manner as parking passes. Mayor Vincent emphasized once more that the individual will be paying for their plan. Commissioner Oldaker reiterated that he felt allowing an official to remain on the insurance plan constituted a subsidy.

Commissioner Pouloupoulos observed that an official who remains on the Town's health insurance plan will pay 100% of their premiums. While this is most likely less expensive than COBRA, he did not feel it was a subsidy. He also added that elected officials, unlike Town Staff, may be forced from their positions by the voters or by term limits, while members of Town Staff may remain in their position for life.

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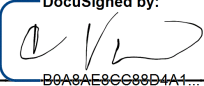
Commissioner Pouloupoulos made a motion, seconded by Commissioner Strauss, to approve the Resolution as it stands. Motion carried 3-1 (Commissioner Oldaker dissenting).

18. QUASI JUDICIAL PUBLIC HEARINGS

None.

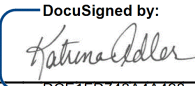
19. ADJOURNMENT

With no other business to come before the Commission at this time, the meeting was adjourned at 8:03 p.m.

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Mayor Chris Vincent

ATTEST:

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Town Clerk

6/21/2023 | 5:39 AM PDT

Date