

**TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
REGULAR MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Tuesday, April 28, 2015
7:00 PM**

1. CALL TO ORDER, MAYOR SCOT SASSER

Mayor Scot Sasser called the meeting to order at 7:03 p.m. Also present were Vice Mayor Chris Vincent, Commissioner Mark Brown, Commissioner Stuart Dodd, Commissioner Elliot Sokolow, Town Manager Connie Hoffmann, Assistant Town Manager Bud Bentley, Town Planner/Assistant Development Services Director Linda Connors, Town Attorney Susan L. Trevarthen, Finance Director Tony Bryan, Public Information Officer Steve d'Oliveira, and Town Clerk Tedra Smith.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION

Father Michael Greer gave the Invocation.

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

None.

5. PRESENTATIONS

None.

6. PUBLIC COMMENTS

At this time Mayor Sasser opened public comment.

Bill Ciani, property owner, requested that the Town continue its parking program and allow participation by both commercial property owners and residents.

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

7. PUBLIC SAFETY DISCUSSION

a. AMR March Report (Chief Brooke Liddle)

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

b. VFD March Report (Chief Judson Hopping)

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

c. BSO March Report (Captain Fred Wood)

Captain Fred Wood provided a brief update on the Town's license plate reader (LPR) cameras, which in the past six months have assisted the Broward Sheriff's Office (BSO) in making multiple arrests and locating a missing juvenile. Approximately 200 traffic citations have been written in 2015 from stops generated by the LPR system. The Commissioners expressed their ongoing support for the use of these cameras.

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

d. Traffic Congestion Meeting with Businesses (Captain Fred Wood; Bud Bentley, Assistant Town Manager; Connie Hoffmann, Town Manager)

Captain Wood continued that he, Assistant Town Manager Bud Bentley, and Commissioner Dodd met with local businesses to discuss recent traffic issues. He noted that the Town Manager has provided the Commissioners with a list of issues discussed and recommendations on how to address them.

Commissioner Brown observed that Lauderdale-By-The-Sea is one of the cities for which BSO received grant funds for a pilot program to increase overall traffic safety. The project was intended to be educational, and several warning citations were issued to pedestrians, cyclists, and drivers.

Captain Wood advised that the elimination of a four-way pedestrian crossing (a.k.a. as "all red") at A1A and Commercial Boulevard was suggested by one of the businesses, although his recommendation was to retain this crossing due to its high level of use. He concluded that he felt the pilot program was effective.

Commissioner Brown spoke in favor of a pilot program for traffic light synchronization, which could further improve safety at this intersection. Captain Wood noted that five

pedestrians have been struck by cars in the past two years, as compared to one accident since the pilot "all red" program began. Commissioner Sokolow pointed out that jaywalking is still an issue at this intersection, and expressed reservations regarding the crossing's effectiveness. Vice Mayor Vincent agreed that the four-way crossing could be problematic. Commissioner Dodd proposed changing the signal prompt at this intersection to "Do Not Walk."

In addition to pedestrian safety, the recent meeting included discussion of issues such as parking solutions and holding separate events at the same time. Town Manager Hoffmann reviewed Staff's recommendations, which include allowing large event parking at the Community Church, additional parking signs, and not permitting multiple events at the same time. She added that Staff was not in favor of continuing the TurtleFest event as the organizers had not come up with anything that was unique to LBTS, and because staff has come to the conclusion that El Prado Park was not large enough to host major events. Staff also recommends against approving any special event that would close any section of El Mar Drive from March 1 to April 15. It was also noted that Staff would research the cost of hiring a BSO Officer to control congestion at intersections.

Town Manager Hoffmann concluded that while some business owners suggested relocating beach parking from the Downtown area to El Prado, that request conflicts from input the Town has received in the past that businesses want beachgoers because they are also customers. She proposed implementing the graduated parking rate recommended at the April 14, 2015 meeting.

Motion made by Commissioner Dodd, seconded by Commissioner Brown, to support the Staff recommendations on parking, signage, special events, and the parking rates. Motion carried 5-0.

8. TOWN MANAGER REPORT

a. Chamber of Commerce Welcome Center Monthly Statistics Report (Tedra Smith, Town Clerk)

The Chamber President, Courtney Stanford noted that website visits decreased in March, which may be due to a technical issue. More information will be presented at a subsequent meeting. A decline in walk-in visitors was attributed to periods of high traffic at the Welcome Center, when it becomes difficult to track the number of visitors.

b. March Finance Report (Tony Bryan, Finance Director)

The Commissioners accepted the report without discussion.

c. Town Manager Report (Connie Hoffmann, Town Manager)

Town Manager Hoffmann requested direction from the Commission with regard to allowing a restaurant at 106-108 Commercial Boulevard to place its renovation dumpster at the public restroom site. There is a fee to allow this use on Town property. If the location of the dumpster interferes with construction of the restroom, the restaurant will be required to move it. The Commissioners expressed unanimous consensus to allow this, provided fencing is installed to screen the dumpster from view.

Town Manager Hoffmann continued that the Pelican Hopper quarterly report reflected significant year-to-year increases in ridership. She concluded by requesting Commission direction on the issue of accepting advertisements in *Town Topics*, which offsets the cost of publication. The Commissioners provided consensus that advertising may continue, although Commissioner Sokolow expressed reservation regarding the appropriateness of allowing ads. Advertisements are only accepted from businesses in the Town or in the Sea Ranch Shopping Center.

9. TOWN ATTORNEY REPORT

None.

10. APPROVAL OF MINUTES

a. April 14, 2015 Town Commission Meeting Minutes (Tedra Smith, Town Clerk)

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

11. CONSENT AGENDA

Items 11b and 11c were pulled for further discussion by the Commission.

- a. 2015 Agreements to the Interlocal Agreements between Broward County and the Town of Lauderdale-By-The-Sea providing for Division and Distribution of the proceeds of:**
- i. Local Option Gas Tax Imposed by the Broward County Local Option Gas Tax Ordinance**
 - ii. Additional Local Option Gas Tax on Motor Fuel Ordinance**
 - iii. Fifth Cent Additional Local Option Gas Tax on Motor Fuel for Transit (Tony Bryan, Finance Director)**

Commissioner Dodd made a motion, seconded by Commissioner Sokolow, to approve 11a. Motion carried 5-0.

b. Elimination of Hotel Improvement Program Reserve (Tony Bryan, Finance Director)

Commissioner Brown observed that when fines are collected by Code Enforcement, he would like to set these funds aside for neighborhood improvement projects rather than place them into the General Fund as proposed by Item 11b.

Finance Director Tony Bryan replied that if this is the Commission's desire, these funds may be segregated from the General Fund and maintained in a separate account. He requested additional Commission direction on the appropriate use of these funds, as well as whether to separate only the net proceeds from Code Enforcement fines once these funds are recovered. It was agreed that administrative and litigation costs should be recovered before neighborhood improvement funds are set aside.

The Item was withdrawn so Staff may determine how to best segregate these costs and make a recommendation to the Commission.

c. Work Authorization for the Design of the Public Restrooms (Connie Hoffmann, Town Manager)

Commissioner Brown requested that this facility be constructed in an environmentally friendly manner, incorporating green technology wherever possible. It was noted by Commissioner Sokolow that this technology can be costly. The Commission requested that the green aspects of the design be highlighted and proposed sustainable designs will be brought back before the Commission before they are implemented.

Commissioner Brown made a motion, seconded by Commissioner Dodd, to approve with the understanding that [the architect] is going to look into sustainable technology. Motion carried 5-0.

12. OLD BUSINESS

None.

13. NEW BUSINESS

a. Timing of Commissioner Comments (Connie Hoffmann, Town Manager)

Commissioner Dodd explained that he would like to move this Item to an earlier position in the Agenda, such as immediately after Public Comments, so individuals present so for Town business on other Agenda Items may hear them.

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Commissioner Sokolow and Vice Mayor Vincent preferred that Commissioner Comments remain in its current position on the Agenda

Commissioner Brown recommended that Commissioner Comments be limited to three minutes in the same manner as Public Comments.

Commissioner Dodd offered the alternative that that Commissioner Comments instead be moved to immediately after New Business and prior to Ordinances. The Commission concurred. Town Attorney Trevarthen advised that she would prepare a Resolution to make this change.

Commissioner Dodd made a motion, seconded by Commissioner Sokolow, to move the Commissioner Comments to after New Business and before Ordinances with a three-minute time limit. Motion carried 5-0.

**b. Parking Reduction Application for 106-108 Commercial Boulevard
(Linda Connors, Town Planner / Assistant Development Services
Director)**

Town Planner/Assistant Development Services Director Linda Connors stated that the request is for a parking reduction for 106-108 Commercial Boulevard. While this Item was originally voted upon at the December 9, 2014 Town Commission meeting, we recently adopted a new process that required notification and review by the Board of Adjustment and that had not been done. So the Item was brought before the Board of Adjustment in March 2015 and they recommended approval.

Vice Mayor Vincent made a motion, seconded by Commissioner Sokolow, to approve.

Commissioner Dodd noted that the Town's parking consultant had advised against approval of the Item, as the cost of replacing these 13 parking spaces total \$572,000. He noted that all spaces in the parking exemption program are currently used up, and there is already insufficient parking in the area.

Motion carried 4-1 (Commissioner Dodd dissenting).

**c. Request for a Construction Extension for 4600 and 4608 North Ocean
Drive (Linda Connors, Town Planner / Assistant Development
Services Director)**

Asst. Director/Town Planner Connors explained that Town Code specifies a time frame of 18 months in which to complete new construction on a building's exterior, with a total of six months allowed for exterior renovation/repair. An individual may apply to the Commission for an extension in the case of extenuating circumstances. She pointed out that the properties at 4600 and 4608 North Ocean Drive have been under construction

since they were first permitted in 2013, with a commercial alteration permit issued in May 2014.

While the work was completed in March 2015, the Town requested that inspection be withheld until a paver permit was issued separately. Because exterior renovations are complete and the Town was late in citing them, Staff recommends finding the owner in compliance. Staff also recommends in advance that the paving permit be extended until July 30, 2015, along with the swimming pool/deck permit.

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

14. ORDINANCES

Ordinances 1st Reading

- i. **2015-05 – An Ordinance of the Town of Lauderdale-By-The-Sea, Florida, amending Section 19-26, “Parking Permits,” of Article II, “Parking, Stopping or Standing,” of Chapter 19, “Traffic and Motor Vehicles,” of the Code of Ordinances, to update the requirements for Resident Parking Permits; and providing for codification, severability, conflicts, and an effective date (Bud Bentley, Assistant Town Manager; Tony Bryan, Finance Director)**

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

Town Manager Hoffmann clarified that the Town has issued 454 residential parking permits in 2015. Finance Director Bryan advised that Staff has been more liberal in approving these permits in response to prior Commission direction. Code states that residential owners and annual residential renters may be issued these permits.

Commissioner Brown recalled the public comment on this Item by Mr. Ciani, who had requested that commercial property owners be issued these permits. Commissioner Sokolow agreed that these owners should be issued permits, as he felt it was discriminatory to do otherwise. Commissioner Dodd disagreed, as he felt this would leave the parking program open to abuse by some owners. He suggested that if the program is opened to commercial property owners, a three-hour maximum per day should be added to discourage abuse. Vice Mayor Vincent observed that commercial property owners should be allowed to purchase one permit per property. It was further clarified that business owners are not included in the proposed Ordinance.

Commissioner Sokolow made a motion, seconded by Commissioner Dodd, to adopt this Ordinance on first reading, with instructions that when it comes back

for second reading, it incorporates a commercial property owner permit as well, and it incorporates the three-hour maximum [per day] for all permits, residential and commercial.

Town Attorney Trevarthen requested clarification of the number of permits that may be issued to commercial property owners, pointing out that the Ordinance states an individual may purchase a permit for each of his or her qualified vehicles. Commissioner Sokolow recommended that commercial property owners be limited to two permits. It was also noted that all permits would have the same price.

Motion carried 5-0.

Ordinances 2nd Reading

None.

15.RESOLUTIONS – PUBLIC COMMENTS

- i. **Resolution 2015-15 – A Resolution of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, authorizing the settlement of the Litigation Styled *City of Sunrise, et. al. vs. Broward County*; authorizing the Town Manager to execute a settlement agreement with Broward County; authorizing the Town Manager to execute a settlement Proceeds Distribution Agreement with settling municipalities (Connie Hoffmann, Town Manager)**

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

Attorney Anthony Soroka of Weiss Serota Helfman Pastoriza Cole & Boniske briefly explained that the Town's pro rata share of both pre-litigation and litigation expenses totaled approximately \$2100 through March 2015. Under the settlement, the Town's pro rata share of the distribution will be roughly \$240,000. He also noted that in order for the settlement to take effect, the County Commission and all 18 plaintiff municipalities must approve it by May 14, 2015. Thus far, the County Commission and 12 of the municipalities have approved the settlement. If approved, payment would be made by the County within 30 days of the final approval date.

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

- ii. **Resolution 2015-16 – A Resolution of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, amending the 2014/2015 Fiscal Year Budget in accordance with the attached**

Exhibit "A," authorizing appropriations and expenditures in accordance with the 2014/2015 Fiscal Year Budget as amended; providing for conflicts; providing for severability; and an effective date (Tony Bryan, Finance Director)

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

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

16. QUASI JUDICIAL PUBLIC HEARINGS

None.

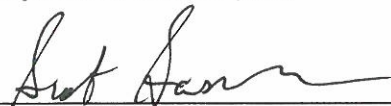
17. COMMISSIONER COMMENTS

Commissioner Dodd advised that the Coastal Oceans Task Force has met, with consensus by the members on recommendations. There were no new issues to report by Hillsboro Inlet.

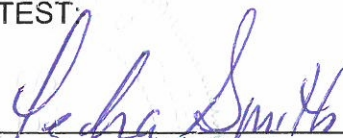
Mayor Sasser thanked Vice Mayor Vincent for chairing the April 14, 2015 meeting in his absence.

18. ADJOURNMENT

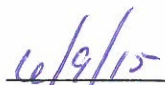
With no further business to come before the Commission at this time, the meeting was adjourned at 8:33 p.m.



Mayor Scot Sasser

ATTEST:


Town Clerk Tedra Smith



Date