TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
REGULAR MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Tuesday, April 24, 2018
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 Vice Mayor Elliot Sokolow, Commissioner Edmund Malkoon, Commissioner Alfred "Buz" Oldaker, Commissioner Randy Strauss, Town Manager Bud Bentley, Deputy Town Manager Tony Bryan, Assistant Town Manager Sharon Ragoonan, Development Services Director Linda Connors, Town Attorneys Susan L. Trevarthen, Municipal Services Director Don Prince, Special Projects Coordinator Debbie Hime, Public Information Officer 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

None.

5. PRESENTATIONS

None.

6. PUBLIC COMMENTS

At this time Mayor Vincent opened public comment.

Pastor Fred Powell, resident, thanked the Town for its support of the recent community sunrise service on April 1, 2018.

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

7. PUBLIC SAFETY DISCUSSION

a. AMR March Report (Chief Brooke Liddle)

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

b. VFD March Report (Chief Judson Hopping)

Chief Judson Hopping of the Volunteer Fire Department (VFD) reported that there have been two additional elevator incidents since the previous update. The condominium experiencing these issues plans to rehabilitate at least one elevator in the near future.

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

8. TOWN MANAGER REPORT

a. Chamber of Commerce Visitor Center Quarterly Report (Carmen Miller, President)

The Commissioners accepted the report without discussion.

b. Town Manager Report (Bud Bentley, Town Manager)

Town Manager Bud Bentley advised that Broward Sheriff's Office (BSO) Captain Tom Palmer will represent the Office at the upcoming Florida Sheriff's Association Academy.

9. TOWN ATTORNEY REPORT

None.

10. APPROVAL OF MINUTES

a. March 27, 2018 Special Commission Meeting Minutes (Tedra Allen, Town Clerk)

b. March 27, 2018 Town Commission Meeting Minutes (Tedra Allen, Town Clerk)

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

11. CONSENT AGENDA

a. VFD 4th of July Celebration (Chief Judson Hopping, VFD)

b. Proposed Budget Timeline (Tony Bryan, Deputy Town Manager)

c. Resolution 2018-18 Award of Contract to CivicPlus to Provide a New LBTS Website and Waive of a Purchasing Requirement (Debbie Hime, Special Projects Coordinator / Steve d'Oliveira, Public Information Officer)

d. Support Letter for South Florida Regional Planning Council Grant Application (Linda Connors, Development Services Director)

e. 2018 Amendments to the Interlocal Agreements between Broward County and the Town of Lauderdale-By-The-Sea Providing for Division and Distribution of the Proceeds of:

1. Additional Local Gas Option Tax on Motor Fuel Ordinance

2. Fifth Cent Additional Local Option Gas Tax on Motor Fuel for Transit (Tony Bryan, Assistant Town Manager)

Vice Mayor Sokolow made a motion, seconded by Commissioner Oldaker, to approve Items 11a through 11e. Motion carried 5-0.

12. OLD BUSINESS

a. Pelican Hopper Update on Route Revisions (Debbie Hime, Special Projects Coordinator)

Special Projects Coordinator Debbie Hime reported that Staff has met with representatives of Broward County Transit (BCT) to analyze and evaluate a potential new route for the Pelican Hopper. Staff established a timeline that begins in May and

includes three to four public meetings so residents are informed of the plans. Once the analysis is complete, Staff will present proposals to the public at these meetings before presenting them to the Commission for final consideration. The next update of bus routes will be made in September 2018.

Special Projects Coordinator Hime continued that both riders and non-riders of the Pelican Hopper will be surveyed so Staff can determine how the Town feels about this service. The results will be presented to the Commission during the summer. She noted that ridership will be studied by day and by hour throughout the routes.

Commissioner Malkoon recalled that at a workshop held by the Broward Metropolitan Planning Organization (MPO), emphasis was placed on connectivity and the role of community buses throughout the County. He felt it was important that the Pelican Hopper's mobile app be maintained. Vice Mayor Sokolow requested that any Staff concerns be passed on to him as the Town's representative to the Broward MPO.

13. NEW BUSINESS

a. Bugfest-By-The-Sea, July 24-29, 2018 (Steve d'Oliveira, Public Information Officer)

Public Information Officer Steve d'Oliveira advised that the annual Bugfest-By-The-Sea is scheduled during the month of July. Events include a kickoff party, a chef competition, seminars, a concert, and other attractions.

b. Consider Removing the Prohibition of Transit or Short-Term Uses on Lots 60 ft. Wide or Less South of Pine Avenue and West of Bougainvillea Drive (Mayor Chris Vincent)

At this time Mayor Vincent opened public comment.

Ron Piersante, resident, expressed concern with this potential change and requested information about the party or parties advocating for it. He asserted that the Town should not encourage the proliferation of vacation rentals by removing the prohibition of transit or short-term uses, and did not feel this action would benefit the Town.

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

Development Services Director Linda Connors reviewed a zoning map of the Town, explaining that there are certain regulations that apply to properties less than 60 ft. in width located west of Bougainvillea Drive. One such regulation is the prohibition of hotels, motels, or short-term tenancy units in these lots.

Short-term tenancy and vacation rentals are allowed to the east of Bougainvillea Drive as well as in RD-10 and single-family zoning districts. Staff had requested review of this policy, as it means properties on one side of the street are held to different regulations than lots on the other side.

Mayor Vincent advised that the Code restriction prohibiting transient uses in parts of an RM-25 or RD-10 zoning district was not consistent with other properties in the area. He noted that Staff had researched this restriction in depth, but had found no underlying reason for the discrepancy.

Commissioner Oldaker asked if the proposed change in policy would affect the grandfathered status of vacation rental properties. Development Services Director Connors confirmed that the proposed regulation would not change the Town's vacation rental regulations. Town Attorney Susan Trevarthen noted that if the prohibition is removed, however, it will stand as a final decision: the Town would not be able to re-impose the limitation, as it is preempted from any new prohibitions affecting short-term tenancy.

Commissioner Oldaker asked how many of the lots in the subject area are condominiums? Development Services Director Connors advised that these properties were not counted when determining how many small lots would be affected by the proposal. She added that condominium associations typically have their own restrictions and regulations.

Vice Mayor Sokolow stated that he was opposed to referring this Item to the Planning and Zoning Board.

Mayor Vincent requested clarification that a property owner could come into the RS-5 zoning districts to the south or north of the subject area and engage in vacation rentals. He asked if making vacation rentals available in these units might encourage owners to improve their properties. Development Services Director Connors replied that Staff sees several plans to renovate properties for the purpose of making them into short-term rentals. Mayor Vincent observed that if the policy change encourages renovation or refurbishment of properties in the subject area, he would be in favor of the proposal.

Commissioner Malkoon reiterated Mr. Piersante's request to know how the issue was raised. Development Services Director Connors explained that property owners have expressed concern with why regulations differ on two sides of the street. There were no requests leading up to discussion of this Item. Code states that vacation rental status applies to single-family and town home properties and is limited to a minimum stay of seven nights. Two-, three-, or four-unit properties do not require a minimum stay, although other limitations may apply.

Commissioner Strauss felt removal of the prohibition would lead to property improvements; however, he asked how it might affect hotels and motels in the area. Development Services Director Connors replied that Staff did not have this information. Commissioner Oldaker suggested that the current economy is contributing to property renovations and improvements. He recommended that the Item be tabled until the next year. The Commission agreed by consensus to take no action at this time.

14. COMMISSIONER COMMENTS

Commissioner Malkoon stated that as the Town's appointee to the AMR Review Committee, he recently met with Chief Brooke Liddle and AMR's medical director to review emergency calls. He reported that there were only a few minor issues to be corrected through retraining.

Commissioner Oldaker advised that he has met with the Broward League of Cities and looks forward to future meetings.

Mayor Vincent announced that on April 25, 2018, Poetry in Motion will be held at Jarvis Hall at 7 p.m. The program consists of dramatized poetry recitals, monologues, skits, and duets. Admission to the event is free.

15. ORDINANCES – PUBLIC COMMENTS

a. Ordinances 1st Reading

None.

b. Ordinances 2nd Reading

None.

16. RESOLUTIONS – PUBLIC COMMENTS

a. Appointing a Member to the Board of Adjustment and Planning & Zoning Board to Fill a Vacancy (Tedra Allen, Town Clerk)

Mayor Vincent explained that one of the members appointed at a previous meeting had declined to serve on the Planning and Zoning Board.

b. Resolution 2018-16 – A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPOINTING A BOARD OF ADJUSTMENT MEMBER TO FILL A VACANCY ON THE BOARD; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE (Tedra Allen, Town Clerk).

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

Commissioner Malkoon encouraged all residents to take an interest in volunteering for their community by serving on these or other advisory entities.

Commissioner Malkoon made a motion, seconded by Vice Mayor Sokolow, to appoint Jeffrey Whyte to the Board of Adjustment.

Commissioner Oldaker requested that an Agenda Item to revise the appointment process be brought before the Commission for discussion at a later meeting. He felt the first Alternate should fill a vacant position, the second Alternate replace the first, and a new individual be appointed as second Alternate.

Motion carried 5-0.

c. Resolution 2018-17 – A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPOINTING A PLANNING AND ZONING BOARD MEMBER TO FILL A VACANCY; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE (Tedra Allen, Town Clerk)

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

Commissioner Malkoon made a motion, seconded by Vice Mayor Sokolow, to appoint Jeffrey Whyte to the Planning and Zoning Board. Motion carried 5-0.

17. QUASI JUDICIAL PUBLIC HEARINGS

None.

18. ADJOURNMENT

With no further business to come before the Commission at this time, the meeting was adjourned at 7:31 p.m.

Mayor Chris Vincent

ATTEST:

Tedra Allen 5-29-18

Town Clerk Tedra Allen Date