

TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

REGULAR MEETING

MINUTES

Jarvis Hall

4505 Ocean Drive

Tuesday, April 23, 2013

7:00 P.M.

1. CALL TO ORDER, MAYOR ROSEANN MINNET

Mayor Roseann Minnet called the meeting to order at 7:02 p.m. Also present were Vice Mayor Scot Sasser, Commissioner Mark Brown, Commissioner Stuart Dodd, Commissioner Chris Vincent, Town Attorney Susan L. Trevarthen, Town Manager Connie Hoffmann, Finance Director Tony Bryan, Municipal Services Director Don Prince and Town Clerk Vanessa Castillo.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION - Rabbi Bentzion Singer

Rabbi Bentzion Singer gave the Invocation.

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

Add 11e - Letter from the Town Commission to State Senator Maria Sachs and State Representative George Moraitis

5. PRESENTATIONS

- a) Broward County Commissioner Chip LaMarca - Discussion of Consolidated 911 Emergency Communications funding issue & other County matters (Town Manager Connie Hoffmann)**

Broward County Commissioner Chip LaMarca gave an update on County issues he felt were of interest including the following:

- Of 67 Florida counties, Broward County was a leader in keeping its promises: job creation and economic growth
- Unemployment rate was 5.7 percent, lowest since the June 2008 rate of 6.1 percent, making it the third lowest in Florida among all metro areas

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- Port Everglades -FDOT proceeding with elevated overpass from I-595 into the Port
- South Port Turning Notch Extension Project proceeding, adding five new berths
- Fort Lauderdale/Hollywood International Airport expected growth of up to 3 percent each year; \$650 million to be spent over next five years to modernize all four terminals, most funding coming from FAA and airline enplanement fees, as well as, current runway expansion/improvements
- Beach renourishment project nearly permitted, should begin putting sand on beaches by the end of 2013; financing to include federal dollars
- E911 - County Commission passed a motion to rescind the vote on the 60/40 MSTU split; item will be on the May 7 County Commission meeting related to the new I-Board, calling for a system full funded by County ad valorem taxes.

Commissioner Dodd reiterated his belief that E911 was a countywide activity and better funded by Broward County than through an MSTU, a view held by 80 to 90 percent of Broward municipalities. He questioned Commissioner LaMarca's opposition to the County fully funding E911 services.

County Commissioner LaMarca replied had he still been a city commissioner, he would agree with Commissioner Dodd's position 100 percent. Seventeen municipalities were represented by Broward Sheriff's Office (BSO), some in Fire Rescue, while others had their own police and fire departments. He stated that the base issue came down to inequity, and no one contract was the same between the County and those municipalities, despite some having similar demographics, locations, resources, etc. Some had a part volunteer, part full-time fire department and police department, such as Plantation, and refused to join the County's system. Coral Springs felt their emergency system was the best and would not give it up. These two cities were always against the County covering the cost, as it meant double taxation. He indicated the first model was a 1/3:1/3:1/3 split, and the latest rescinded motion was a 60/40 split. He supported making the system more even. He preferred it as a separate line item, so the public understood how much emergency communications cost individually. The goal was to ensure someone in one town did not pay much more for the same service in another.

Commissioner Vincent commented the E911 issue had been a thorn in the County's side since the '70s; he always felt the County should be responsible, as it was public safety. Some cities could opt out of the consolidated system if they chose to, as it was no different from choosing to send your child to private school and continuing to pay taxes that funded the School Board. The existing problem with the E911 calls did not exist before cell phones became prevalent.

County Commissioner LaMarca responded that in 2002, the referendum was for closest unit response for fire rescue. It became a bigger issue when it encompassed all public safety and the ultimate hope was to consolidate the system into three call centers. In an effort to ease minds amidst a variety of stories circulating, the County already had almost 100 percent interoperability throughout the County. He always supported six out

of the seven recommendations from the I-Board and supported all seven in the previous model. The main issue to resolve was financing, and he felt they were now past that.

Commissioner Vincent questioned, for cities that chose to opt out, would they be able to switch to the same channels to ensure communication between the BSO.

County Commissioner LaMarca indicated the County would be replacing the entire infrastructure, the backbone of the E911 system, with digital equipment, a \$45 million investment. He said the E911 system would be fully funded by the County, and the share of that cost would be reflected on all Broward taxpayers' tax bills, and those that opted out would be paying twice, so it was up to the residents of those cities.

Commissioner Dodd inquired why if the County was going to fund the entire E911 system, the cost was not based on the number of calls, as the costs would be service related, not based on number of residents in a city. He understood such figures would be unavailable until after a year of usage, but it would allow BSO to determine which municipalities were making the most demands on the new system. For instance, the Town might be a particularly quiet municipality.

County Commissioner LaMarca affirmed that the Town was quiet, stating regardless of how the billing was done, the fairest way to bill was calls for service, population and then value of property/ad valorem. He noted the reduction to three call centers was less about a decrease in employees doing dispatch and more about the efficiencies of the system to bring the annual cost down by \$10 million.

Vice Mayor Sasser discussed improvements at Port Everglades to keep it competitive along the Eastern Seaboard, questioning the County's strategy and goal with all the money being spent on the Port.

County Commissioner LaMarca reiterated that the Turning Notch Project would provide additional berth space for the cargo industry. He said the endgame was to get cargo off the ship, to the rail or on the road and out of the area, urging the Town Commission to watch "Port Everglades 20 Year Master Vision Plan" on YouTube to see all the planned projects. Port Everglades worked with the Port of Miami and Jacksonville in different niche markets to get goods on the road before Charlotte and Savannah could. He spoke on the 50-foot depth issue, and the shipments along the north/south shipping lanes transporting goods to and from South and Central America. After spending the last 17 years trying to do a feasibility study on deepening and widening Port Everglades, instead of spending the estimated \$800,000 to do the study, 16 years later the County had spent \$11 million. They moved on with other projects and received wonderful participation from Congressional members Wasserman Schultz, Frankel. \$75 million of the \$115 million came straight from FDOT for the Turning Notch project.

Mayor Minnet thanked Commissioner LaMarca for the update, asking him to remember his time as a Lighthouse Point Commissioner and the importance of home rule. She asked him to take that message back to the County Commission, so they are aware that

municipalities like Lauderdale-By-The-Sea needed to be able to do what they desired for the betterment of their community.

County Commissioner LaMarca said he would, offering his help in contacting the state senator and state representative, as the County was dealing with the same issue.

b) Visit Florida Biorock Video (Public Information Officer Steve D'Oliveira)

Mr. D'Oliveira showed a brief video on the subject matter, noting that the video was available for viewing on the Town's website.

Town Manager Hoffmann added that the video was available on the "Visit Florida" and "USA Today" websites.

Mayor Minnet thought the video was great, asking if a "Thank you" letter could be sent.

Mr. D'Oliveira affirmed that the Town could send a letter of thanks.

c) Proclamation for "Just Drive Month" (Town Clerk Vanessa Castillo)

Mayor Minnet invited the representatives from the Leadership Broward, and Big Brothers and Big Sisters to the podium while she read the proclamation.

Ronnie Medina of Leadership Broward and Bess Jackson from Big Brothers and Big Sisters thanked the Commission for the dedication, noting other Broward cities were issuing similar proclamations in support of a program vital to the safety of children and adults.

d) Proclamation for "Limb Loss Awareness Month" (Town Clerk Vanessa Castillo)

Mayor Minnet acknowledged the presence of the Florida Amputee Support bocce ball team that played every second Sunday of the month at the Town's courts, encouraging residents to stop by. What amputees had to do on a daily basis just to get up in the morning was difficult to comprehend. She read the proclamation declaring April as "Limb Loss Awareness Month" and asked if anyone knew of someone living in the Town who lost a limb to let her know about it. The organization was meant to help those who were closed in and their caregivers.

Commissioner Brown attended the event at the bocce ball court the previous week, noting the amputees beat the Town's All Stars again. The bigger emotion was how much satisfaction everyone got out of participating in the tournament, with those who lost a limb partaking in an everyday activity with those who had not lost limbs. In participating, he noticed the Town's bocce ball courts were substandard and not regulation length or width, and were in terrible shape, with wooden walls that were

falling down and uneven. Town Manager Hoffmann and he visited the bocce ball courts recently and discussed the possibility of the Town's upgrading them in the future. Commissioner Brown specially commended the VFD, as the volunteers set up tents on a scorching day and provided shade, water, and cooked hotdogs. Their efforts made the day much more pleasant for everyone.

Mayor Minnet echoed thanks to the VFD.

- e) Ranking of Respondents to RFQ# 13-03-02 Construction Management (CM) at Risk Services for East Commercial Streetscape & Other Capital Projects (Town Manager Connie Hoffmann)

Town Manager Hoffmann reviewed the details of the subject item as set forth in the backup, noting seven firms responded and the evaluation committee ranked the top three firms as: first - Burkhardt Construction, Inc.; second - State Contracting & Engineering Corp.; and third - Whiting-Turner Contracting Company. After listening to the presentations of the top three firms, the evaluation committee recommended the Town Commission to affirm the ranking of Burkhardt Construction as the number one firm and to authorize the Town Manager to execute a continuing contract for Construction Manager (CM)-at-risk services. She sought authorization to ask Burkhardt to develop a guaranteed maximum price (GMP) for the East Commercial Project.

Jim Auld, Director of Business Development and Preconstruction with Burkhardt Construction, introduced Vince Burkhardt, Owner, and Tony Sabatino, Project Manager. He gave a presentation on his company's history, including their 100 percent success rate on projects in the 37 years of being in business, detailing their qualifications, experience and plans for the East Commercial Project.

Vice Mayor Sasser sought a brief explanation of the cost model for the CM at risk.

Town Manager Hoffmann explained a premium price was paid when hiring a CM at Risk, as you were buying their expertise in handling a project without problems. On the East Commercial project, Burkhardt would self-perform some of the work to better control the work schedule, while State, the second-ranked firm, contracted out all work to subs. She noted Burkhardt informed Town staff they did not build any profit in work they self-performed, their profit was built into the management fee for the entire project. Burkhardt had already been hired to review the design of the subject project to give Town staff ideas on reducing cost, particularly in areas where the design seemed excessive. She said they already devised an analysis of constructability and made recommendations on how the Town might approach the project to speed up completion. Town Manager Hoffmann added that, if they were awarded the contract, once design changes based on Burkhardt's advice on design were made, Burkhardt would seek bids for the work, including bids on work they proposed to self-perform, and come back with a guaranteed maximum price (GMP). The GMP would include all the construction, their management fee, all maintenance of traffic expenses, etc.

Vice Mayor Sasser questioned how the evaluation committee determined which of the seven firms that responded to the RFQ were cheaper or more expensive. To make a decision, he needed to know the cost for the CM at risk services.

Town Manager Hoffmann noted the selection of a CM at Risk was not a bid process, it was an RFQ process done in compliance with State law which does not allow price comparisons between two respondents. She stated that the evaluation committee recognized State would be less expensive than Burkhardt, as there would be some cost savings from doing both projects. The committee, however, felt Burkhardt had tremendous experience and success in doing downtown projects, so it was worth paying more for their services. In further response to the Vice Mayor's question, she stated that the Town had budgeted \$2 million for construction of the East Commercial Streetscape Project. That budget did not include a CM at Risk's profit or management fees, nor the costs dictated by the utilities companies to run the utilities underground. There might be aspects of the design that could cost more than anticipated, and the Town Commission would decide what to keep or discard.

Vice Mayor Sasser remarked he could not vote for a blank check, and some of the costs that were not part of the \$2 million were intangibles he could not get his head around. It was difficult to move forward with a financial commitment for which he had no number.

Town Manager Hoffmann stated that approval of the CM-at-Risk contract did not commit the Town to a specific dollar amount. This would be the same situation as with the selection of State Contracting & Engineering to manage the West Commercial Streetscape Project. State would be coming back to the Commission in the next two weeks with the actual cost for that project.

Mr. Auld commented that in developing the GMP, they would negotiate their fees, and if the dais were unhappy with Burkhardt's prices, they understood the procedure was to go to the second ranked firm. As the CM-at-Risk, they were on the Town's side of the table as advisors, analyzing the plans with staff, and then bidding the scope to the subcontracting community. He believed their company knew where all the holes were in that subcontracting community and that this was how the Town would benefit hiring their company. They were fully aware the project had to be competitive, and it was their job to satisfy the Town's needs working as a team.

Vice Mayor Sasser sought clarification the Town Commission was being asked to approve contracting with Burkhardt, but the Town retained control over the dollar approval for the project.

Town Manager Hoffmann answered yes, in five weeks Burkhardt and Town staff would present exact costs for the East Commercial project, and the Town Commission would decide on all aspects at that point.

Vice Mayor Sasser asked about the process for FP&L and AT&T to underground the wires in the project area.

Town Manager Hoffmann replied that Town staff had been meeting with FP&L, AT&T and Comcast since July 2012, as all three were involved in the project. Each utility's policy was that they design their piece of the project. In discussions with other cities, they learned it sometimes took FP&L years to complete underground projects. She explained that Burkhardt had worked with the utility companies on many other projects. The Town would put conduit underground work to make it ready for FP&L to run their wires through and that the existing pole would remain until FP&L and the other utilities did their part. Construction would continue around the pole, but the dune plaza could not be completed until the FP&L pole was removed. She said staff maintained frequent contact with FP&L, calling them frequently, and FP&L recently informed Town staff their portion of the project was under design, which was a big step. FP&L was well aware of the Town's timeframe, and Town staff would keep the pressure on them.

Vice Mayor Sasser felt better about the contract arrangement. He put Burkhardt on notice that Lauderdale-By-The-Sea was a small but passionate community.

Commissioner Vincent stated he was humbled and put at ease by Burkhardt's presentation, as the company's attention to detail, including safety issues and cleanliness at job sites was very commendable. He felt both Burkhardt and State Contracting were fine companies. When a company had a reputation like that of Burkhardt, there was a high standard that would be maintained. He was very comfortable the Town would get very competitive bids.

Commissioner Brown echoed the views that Burkhardt's presentation made him comfortable and that the project would be managed properly. His main concerns were for the project to be executed on or ahead of schedule, and within or below budget. Regardless of the company hired, the budget for the project would remain the same, so it was less an issue of money and more one of qualifications, and Burkhardt was clearly the most qualified. He emphasized the need to get the project started before the end of May to have it finished before season started in 2014.

Commissioner Dodd expressed his confidence in Burkhardt being qualified to execute the subject project and he looked forward to high standards being maintained.

Commissioner Dodd made a motion to approve the ranking recommended by the evaluation committee, authorizing the execution of a continuing contract for CM at Risk services with Burkhardt Construction, authorizing the Town Manager to direct Burkhardt to proceed with developing a guaranteed maximum price and construction schedule for the East Commercial Boulevard Streetscape and Drainage Project to be reviewed by the Town Commission in late May 2013. The motion was seconded by Commissioner Vincent. The motion carried 5-0.

6. PUBLIC COMMENTS

Mayor Minnet opened the meeting for public comment.

Cindy Geesey thanked the Town for its consideration of her request for a donation of \$900 to the Greater Jacksonville Area USO for the Rest, Relaxation & Romance Program, as it would provide a tip allowance for military couples of the program. The backup contained a list of program donors, but it was a sample for one weekend; there were many more donors, and she changed up the gift certificates for every couple, noting some donors gave every weekend. Five years ago, residents got involved in the program and donated to the USO in Jacksonville to cover couples' gas expenses, but new donors were now needed and urged residents wishing to participate to contact her for information. She mentioned Jan & Bob Lendi of Jan's Homemade Candies independently chose to send chocolates every week to four heroes recovering from amputations at Walter Reed. Ms. Geesey hoped to host some of those couples in 2013, stating one was recently married and needed airfare to and from BWI or Reagan National Airport. She asked if anyone had a contact at Spirit or US Airways that flew directly from Washington into Fort Lauderdale or a travel agency and let her know, so she could try to get their airfare donated, anticipating it to be about \$600.

Larry Salay voiced complaints regarding the Bougainvillea Drive drainage project, believing residents were afforded no input on a project that was completed in four months rather than the two weeks it should have taken. He felt Keith Mote accomplished more in one hour by satisfying the wishes of four residents than was done in six months. He thought the Town was running about things too fast, not watching what was being done, and he questioned the cost overruns on the Bougainvillea project. He expressed disappointment in the Town Commission and staff, feeling no one visited the site and its dirty conditions; there was a lack of coordination regarding garbage pickup, and little police monitoring of speeding vehicles.

Bill Ciani approved of the Town's contracting with Burkhardt Construction, particularly after speaking with a representative of the company down on the project site. He felt if they were overseeing and working on the East Commercial Project, the Town was in good hands. He said he used the wrong language in his public comments at the last Commission meeting as to what he would not "tolerate", not realizing the Town's actions were based on enforcing current ordinances. Though he objected to some of the ordinances, he was willing to work with Town staff and the Commission to amend some of them. He clarified at the previous meeting he was referring to the Town's New Year's Eve event, when they closed off the parking in front of one of his buildings and had a valet service. The closure was devastating to his tenants' businesses. As to those businesses not listed in his application, one felt intimidated and preferred not to be mentioned, while another was a national franchise with ample parking, so they had not suffered.

John Boutin addressed the Town Commission as the event chair for the American Cancer Society's Relay for Life Event set to take place in June 1, 2013. He hoped to improve on the event in the Town, as the Society stated if the 2013 event was not successful in Lauderdale-By-The-Sea, they could no longer consider the Town as a viable venue, due to the lack of participation. The event was being advertised since

January 2013 and, thus far, over 18 teams committed to the event with some 118 participants, and they raised over \$14,000 in financial commitments and donations. He said, however, that 90 percent of the above mentioned participants were from outside the Town, and he called upon local residents and merchants/business owners to volunteer their time, service, etc. They went door-to-door throughout the town delivering flyers and placed advertisements in a number of newspaper publications. It was strange to know the event, though taking place in the Town, had such minimum involvement of Lauderdale-By-The-Sea residents and businesses. Mr. Boutin indicated persons interested in volunteering could give him a call at the Windjammer, as they needed organizational and financial help to make the event a great one. Only a set portion of the donations could be used to host the event, so any donations of money, goods and services were welcome.

Eric Yankwitt spoke on behalf of the Town's Sister Cities Program, thanking the Town Commission, staff and residents for their help and participation in the "Dance Night" held the previous Sunday. Twenty-seven people showed up, of which seven were couples, and that there was a 60/40 split between women and men, which was great. He agreed with Mr. Boutin on it being hard to get residents involved in events, and cancer affected all people, as everyone knows or knew of someone with cancer. Everyone should do their part to help raise awareness and money for the cause.

Mayor Minnet acknowledged the presence of representatives at the meeting from the Chamber, the Property Owners' Association, Terra Mar Association, Bel Air Association, and many local residents. She encouraged them to gather teams together and participate in the Relay for Life event in June, and she would be getting a team together and challenged her fellow Commissioners to do the same.

With no one else wishing to speak, Mayor Minnet closed the public comment portion of the meeting.

Recess/Reconvene

Mayor Minnet said Jay Flynn would provide an update on the Bougainville Drive Drainage Project. The heavy rains the past weekend caused flooding in many areas of the Town, including Bougainville Drive, and Mr. Flynn, Town staff and that she observed the situation and spoke with residents and business owners.

Jay Flynn of Flynn Engineering spoke about the Bougainville Drainage Improvement Project, stating it was nearing completion. In an effort to explain the flooding of the streets due to the extreme rainfall event on Saturday April 20, he gave a brief history of the project and a synopsis of what happened last Saturday night. He explained the drainage for Bougainville Drive was designed for a ten-year, one-day storm; that is, ten-inches of rain spread out over one day, plus a safety factor of about 20 percent. He used photographs to show the effects of Saturday's rain around the Town, noting the closest rain station nearby in Pompano reported 7.6 inches of rain fell within 30 minutes between 5:30 p.m. and 6:00 p.m. Part of his illustrations included pictures taken of

Bougainvilla Drive, showing it flooded at 6:05 p.m. and then drained completely 45 minutes later. Mr. Flynn concluded the new storm water system on Bougainvilla Drive worked very well, further substantiated by the residents' photographs submitted.

Mayor Minnet commended Mr. Flynn on his presentation on how an exfiltration system was and how it worked. She realized some residents were not pleased, but the system worked well. She did not believe the project went over budget.

Town Manager Hoffmann responded it was a little over budget, assuming the Town Commission approved the stamped asphalt portion that was a current agenda item. She originally estimated the drainage project cost at \$800,000, and if the Commission approved the decorative stamped asphalt for \$53,000, the project would come in at \$831,000 in total. She acknowledged some residents expressed anger at the flooding and suggested that the Town wasted money, but she pointed out the drainage worked very well to drain seven inches of rain in a half-hour period.

Mayor Minnet remarked on the comment made as to there being no police presence. She knew the police were present, as she called the Town's police chief and lieutenant numerous times about there being no stop signs and vehicles speeding and they responded.

Town Manager Hoffmann found the public comment that residents had no input in the Bougainvilla Drive Drainage project amazing as the project had tremendous resident input.

Mayor Minnet affirmed much of the project had been redesigned due to resident input.

Commissioner Brown wished to respond to the calls he received from residents stating the Bougainvilla project had not worked. He visited the site that night, driving through a flooded A1A, noting the immediate police presence blocking access to the flooded roads along Commercial Boulevard, A1A, El Mar Drive and Bougainvilla. Thus, it was not a failure of the Bougainvilla project, as roads throughout the entire Town flooded Saturday night. The Bougainvilla Drive drainage worked well as, two hours later while on his way home, he observed that the road had completely drained.

Mayor Minnet remarked on Mr. Flynn being much vested in the Town, as he was a resident, local business owner, and had other family members who were residents.

Commissioner Dodd thanked Town staff for turning out to help the community.

Mayor Minnet agreed, stating Municipal Services Director Prince called staff out on Saturday night to ready pumps in case there was more rain.

7. PUBLIC SAFETY DISCUSSION

a. AMR EMS Monthly Report – March 2013 (Chief Brooke Liddle)

Commissioner Dodd made a motion to accept the report. Vice Mayor Sasser seconded the motion. The motion carried 5-0.

Town Manager Hoffmann indicated Chief Liddle and Finance Director Bryan attended the County Commission meeting earlier, and the Town received the renewal of its license to operate emergency medical services for another five years.

b. BSO Monthly Report – March 2013 (Captain Fred Wood)

Captain Wood reported he had sent out letters to the six properties identified as primary locations for the placement of the poles and cameras, and he had been in contact with four. Thus far, he received confirmation from one, Top of the Mile, and they said they would sign off on the installation, and he got two out of the five signatures, and that was a location just outside the Town. They were moving forward and working out the details of the contract.

Town Manager Hoffmann hoped at the next Commission meeting a contract with Iron Sky could be awarded for the project, as they were working out some payment details.

Vice Mayor Sasser spoke with Terra Mar Association recently, and they were very interested in adding cameras for the neighborhood, and hoped to install them when the Town was installing theirs. He asked if Town staff considered putting together an agreement for communities wishing to install cameras to be included in the agreement with the service provider, wondering how to coordinate that activity.

Town Manager Hoffmann replied it would take place once the contract was signed with Iron Sky, though Terra Mar Association could contact Iron Sky through Captain Wood to procure a cost proposal. She believed it would be quite costly.

Captain Wood concurred, stating he asked the Iron Sky rep to give him a guestimate for a neighborhood he selected at random, and they said it would cost about \$35,000 for the hardware, though the licensing would already in place in the database, etc. This was contingent on a site visit, which they could do at Terra Mar when they were doing the Town's installation and create a formal proposal for the Terra Mar Association.

Vice Mayor Sasser would put the Terra Mar Association in contact with Captain Wood.

Commissioner Dodd made a motion to accept the report. Vice Mayor Sasser seconded the motion. The motion carried 5-0.

c. VFD Monthly Report – March 2013 (Fire Chief Judson Hopping)

Commissioner Dodd asked Chief Hopping to give the public the benefit of the information he gave him prior to the meeting on the excellent steps being taken regarding lifeguard skills and beach rescue training.

Fire Chief Hopping mentioned the need to further the VFD's involvement on the beach, and he contacted a fire rescue lieutenant with Miami-Dade County, who would provide ocean rescue training to eight firefighters. Of those eight, he would pick three to be trainers, and in a second class he would train the trainers, then in a third class, he would train eight more firefighters with the three trainers and original instructor. In this way, the firefighters would get the knowledge and be able to train the rest of the VFD personnel interested in being a part of the beach rescue patrol. He believed this filled a deeper need for the Town's firefighters to be better equipped to make beach rescues and ensure they did not get in harm's way. Training was set for next month.

Commissioner Dodd made a motion to accept the report. Vice Mayor Sasser seconded the motion. The motion carried 5-0.

8. TOWN MANAGER REPORTS

a. Chamber of Commerce Quarterly Expenses & Monthly Activity Report (Town Clerk Vanessa Castillo)

Town Manager Hoffmann asked for item 16a to be considered along with 8a, as members of the Chamber were present for the discussion.

Mayor Minnet mentioned two items missing from the Chamber's activity report: the beach cleanup and fundraising for the Town's new Christmas tree. She realized the Chamber's participation in the Relay for Life Event was not on the list either.

Mark Silver, Chamber of Commerce President, responded, based on discussions at the Chamber's last Board meeting, they were seeking direction from the Town Commission on fundraising ideas for the Christmas tree. They would then discuss those options at their next Board of Directors meeting.

Chuck Maxwell, Chamber of Commerce Vice President, the Chamber looked at the various projects they did overall in an effort to prioritize them. While they recognized the beach cleanup was an important community activity, they felt it failed to benefit their members and moved the beach cleanup to the bottom of their list of activities. However, if the Town Commission wished the Chamber to revisit that decision, they would.

Mayor Minnet reminded Chamber Members that the Town funded the Visitor Center. She requested that the Chamber reconsider and move the beach cleanup further up its list of prioritized activities.

Chuck Maxwell recalled at previous discussions, the Chamber indicated it could not foot the cost of a new Christmas tree for the Town, but would be willing to participate in fundraising efforts to cover the cost.

Mayor Minnet commented that she was incorporating some Christmas Tree fundraising into the Fourth of July event. She noted the Aruba Beach Café would be donating food (hot dogs, potato chips and water), and the proceeds from their sale would go towards the Christmas tree. The Chamber could think of other fundraising activities.

Mr. McClintock questioned as to the cost of the Christmas tree.

Town Manager Hoffmann replied, though the purchase of the tree had yet to be put out to bid, the estimated cost of a decorated tree was in the region of \$25,000. She thought in previous discussions, the plan of action was the residents and business community would donate some dollars, and the Town would also contribute to the cost.

Mayor Minnet concurred, believing the Chamber was never expected to raise funds for the entire cost of the new tree, nor was that full cost expected to be covered by donations; the Town understood its obligation to contribute to the tree's cost.

Town Manager Hoffmann said she hoped, given all the various improvement projects the Town was presently involved in, the private sector would come up with ideas on how to raise funds to pay for the Christmas tree.

Mr. Silver responded that the Chamber would confer with Ms. Geesey and try to move forward with the fundraising plan suggested by Cindy Geesey suggested plan.

Commissioner Dodd asked if the Chamber had any information on the Town's Divers Parking Program, as he asked several divers in the community, and none of them had heard of the Divers Parking Program.

Town Manager Hoffmann indicated that Town staff would get the information and tickets for the Divers Parking Program to the Chamber.

Malcolm McClintock, Chamber of Commerce Executive Director, stated that the Chamber would disseminate information on the program at the Visitors Center.

Commissioner Dodd felt it appeared as though the Chamber was divesting itself of all involvement with Town events. He sought clarification that the Town covered the full cost of staffing the Visitors Center, wondering if the Chamber should start paying the Town a fee for the use of the building, electricity and other facilities. He noticed the Chamber also made a grab for the \$10,000 given by the County as its contribution to the cost to run the Visitors Center, which the Chamber claimed was used to cover the production cost of the Visitors Guide. The Visitors Guide produced by the Chamber failed to even acknowledge the existence of the Town Hall. He felt the meaning of his sentiments were clear and asked that they be relayed to the rest of the Chamber's Board of Directors, suggesting they work on ways to help the Town as needed. Commissioner Dodd knew the Chamber worked hard and its directors were running the Chamber, but he hoped they appreciated what the Town did for the Chamber, but he felt the Town was not getting the same level of reciprocation.

Eric Yankwitt, the newly appointed Chamber Treasurer, stated that one of his first jobs would be to determine exactly how much was contributed by the Town to the Chamber, and he would present his findings to the Town Commission. In this way, everyone could see what was happening dollar for dollar.

Commissioner Dodd remarked that his aim was for the Town to receive major benefits for its contributions to the Chamber.

Mr. Yankwitt concurred.

Commissioner Vincent thanked the Chamber for all it did for the Town, stating the Chamber was not a revenue-driven enterprise by which any board member would get rich and retire. He understood the Chamber's need to prioritize activities to ensure it ran smoothly and functioned well, and he recognized the many activities the Chamber undertook to promote the Town, as it was run mainly by volunteers.

Vice Mayor Sasser expressed that he was not surprised at what came back and felt the Chamber did a very good job at the roundtable explaining to the Commission what it wished to do. He was pleased to see those expressions in writing, as it made it easier to understand the Chamber's timetable of activities. However, the shock felt by some members of the Commission on seeing the Chamber's iterations from the roundtable in writing was due to it showing the Town would receive less from the Chamber than in the past. He believed that at the roundtable it was clear that the relationship between the Chamber and the Town was changing, and there were a number of town activities the Chamber no longer wished to do. Such events like "Taste of the Beach" were not for the residents; it raised money from the residents. Vice Mayor Sasser stated being tired of rehashing the subject matter. After the roundtable, at which the Chamber had been very clear, the Town Commission was displeased and asked that Chamber discuss the matter. Yet, the Chamber representatives were once again before the Commission saying the same thing, which was that the Chamber wished to divest itself of involvement in certain community events, because it no longer made financial sense. He thought the Town Commission and staff needed to think seriously on how to move forward without the Chamber's involvement in various Town events.

Mr. McClintock thanked the Town Commission for the new windows at the Visitors Center, stating they would be holding an open house in the coming months, and that all the Town's residents and businesses were welcome.

Mr. Silver stated many of the customers in his store were directed there by the Visitors Center, and residents used the Center when relatives were in Town to navigate their activities. He invited members of the Town Commission and staff to sit in on the Chamber's Board of Director's meetings and participate in the discussion.

Mayor Minnet pointed out it would have to be one member at a time, or they ran the risk of violating the Sunshine Law. There was still room for a partnership between the Town

and the Chamber, and thanked the Chamber volunteers for service that entailed countless hours of work.

b. March 2013 Finance Report (Finance Director Tony Bryan)

Finance Director Bryan made everyone aware there was a meeting of the Town's Audit Committee at which they voted to recommend renewing the existing contract with Grau & Associates for another year. He would bring the contract to the next Commission meeting for approval. They also discussed, by way of a clarification, the term of the agreement with Grau, as the Town had the option to renew for two more years; that is, to renew for the audit of the Town's financial statements for fiscal years ending September 30, 2013, and September 30, 2014.

Commissioner Dodd noticed that the report stated that the February bill from Pompano Beach was 29 percent less, wondering if any savings were attributable to the work done by Town staff to keep rainwater out of the sewers.

Finance Director Bryan answered yes, that Town staff felt that was the source of the majority of the savings. The Town received the annual rate revision from Pompano, and it went into effect with the January billing and reflected considerably lower rates, and the bills had been consistently lower since. In a previous financial report, he mentioned it was very likely the Town might not have to institute the planned rate increases for the sewer as soon as was initially envisioned in the Burton study.

Town Manager Hoffmann affirmed the Pompano analysis revealed the Town was sending less flow to their pump station, so the efforts made and the money invested by the Town in reducing infiltration of storm water into the sewer system was working.

c. Town Manager's Report (Town Manager Connie Hoffmann)

Town Manager Hoffmann reviewed her report as reflected in the backup, highlighting:

- Good progress on the Town getting the easements for the East and West Commercial Boulevard Streetscape projects
- Weather permitting, the Bel Air Entryway Project should be completed by the end of next week
- Calls from Terra Mar residents about asphalt tacking that marked up the streets and crosswalks due to a Pompano contractor in the area - the Town would ask Pompano to either invoke the bond, ask the contractor to clean up their mess or replace the area(s)
- Spear fishing and kayak issue - Town code outlawed launching any vessel from the beach
- Recycling - the Town continued as leader in Broward County in per capita tons recycled
- Marked decrease in garbage complaints about service provided by WSI

- Need the Commission to agree to a special meeting on Monday, May 6, 2013, at 6:30 p.m. to review and approve the bid for the West Commercial Streetscape Project and direct staff to go forward with negotiating a contract.

Vice Mayor Sasser confirmed receiving a number of calls from Terra Mar residents about tire tracks and wondered what the recourse would be if Pompano ignored the Town's requests to clean up the mess, which they appeared to be doing. The Town paid to fix up the area that was messed up on Terra Mar Drive and the matter should not be ignored.

Town Manager Hoffmann believed Mayor Minnet spoke to a Pompano Commissioner, and their response was that things would have to remain as is. Municipal Service Director Prince would be speaking with Pompano's Public Works Director to see if a resolution in the Town's favor could be reached. If these efforts failed, Town staff would confer with Town Attorney Trevarthen to determine the options available to the Town to rectify the situation.

Mayor Minnet agreed with Vice Mayor Sasser, stating she spoke with Pompano's Vice Mayor at a League meeting, and he indicated he would look into the matter, but later told her things had to stay as they were. She found this response unacceptable, asking the Town Attorney what she recommended.

Town Attorney Trevarthen replied it was always best to try finding a solution in the manner that members of the Town Commission and staff was doing, in order to resolve the matter cooperatively. However, if this did not appear possible, then the Town's legal staff would look into the options available.

Vice Mayor Sasser stated that he was willing to go the mile on the subject issue, as he did not want to see it left unresolved.

Commissioner Dodd commented that he found it sad that the Town had two miles of beach, yet there was no point from which, under the Town's ordinances, to launch a kayak, and any form of water vehicle was illegal. Rather than banning it completely, an area along the beach should be designated for launching kayaks.

There was a consensus of the Commission that the code needed to be changed to allow kayaks and other small floats to be launched, but it was not a priority right now.

9. TOWN ATTORNEY REPORT

None

10. APPROVAL OF MINUTES

- a. February 12, 2013, Regular Commission Meeting Minutes

Commissioner Dodd made a motion to approve the minutes as listed. Vice Mayor Sasser seconded the motion. The motion carried 5-0.

11. CONSENT AGENDA

Items 11a, 11b and 11e were pulled for discussion

Commissioner Dodd made a motion to approve items 11c, 11d and 11e on the Consent Agenda. Vice Mayor Sasser seconded the motion. The motion carried 5-0.

a. Revised Special Event Application for The American Cancer Society's "Relay for Life" event (Assistant Town Manager Bud Bentley)

Mayor Minnet wished to discuss the parking, specifically the application requesting free parking in El Prado Park, which she felt was unnecessary. She recommended allowing participants in the event to park for free along north El Mar Drive or in the Minto Parking Lot.

Mayor Minnet believed event staff was allowed to park behind Town Hall. The applicant was not being asked to pay for parking along El Mar Drive.

Commissioner Dodd sought confirmation on the fee for use of El Prado Park would be waived.

Commissioner Dodd noted the event organizers would be erecting tents in El Prado Park and if the fee was not waived, they would have to pay the Town \$1,285 in fees. He clarified, the Town would waive this fee to allow them to erect their tents, and free parking would be provided on the north of El Mar Drive and behind Town Hall.

Town Planner Connors noted, as El Prado Park was being used to house the event's tents, this restricted the use of the metered parking areas. Generally, the fee was charged in such instances to offset the lost revenue from the metered parking.

Commissioner Dodd pointed out the participants in the Craft Fair were not charged to use the El Mar parking lot for their tents.

Commissioner Dodd made a motion to approve item 11a, waiving the fee for El Prado Park where event tents would be erected, along with permitting free parking along north El Mar Drive and in the rear parking lot at Town Hall. Vice Mayor Sasser seconded the motion. The motion carried 5-0.

b. Special Event Application for Gilligan's & Azteca's Saturday Night Food, Family, and Fun event (Assistant Town Manager Bud Bentley)

Al Alvarez of Gilligan's addressed a number of questions posed by Commissioner Brown at the last meeting. With regard to the orange barrier, it was correct it was one of

the concerns of many business owners, hence the original agreement between Athena's, Azteca's and Gilligan's to hold a joint special event. This would eliminate the barrier and include all the businesses, thereby curing their biggest concern. He noted after reviewing the situation and speaking with other business owners east of his business and receiving negative feedback, along with Athena's pulling out, they decided to do a smaller parking space area for tables. This created a small family, fun food area for businesses on the south side of Commercial Boulevard, achieving a type of compromise between the community and business owners. He had no desire to negatively affect any of area business, so he decided to partner with Azteca's on the south side. His did not want to wait until the last minute to apply, knowing the timelines the Town required of him if construction got delayed for whatever reason. Thus, he was prepared to have his functions or special events until construction started, at which time he would take a break like other businesses.

Vice Mayor Sasser thanked Mr. Alvarez for his explanation and the positive way in which he handled himself. He thanked Mr. Ciani for his answers, mentioning he absolutely supported the subject event, as the overall aim was to increase pedestrian traffic along the sidewalks. The backup listed specifications in and around sound systems and sought assurance there would be no dueling bands across the street.

Town Planner Connors stated there were no plans for a sound system.

Commissioner Vincent commented he too spoke with Mr. Alvarez and was pleased with the conversation, as his plans were a great idea. However, the way the event was now set up with Athena's pulling out, the orange barriers would have to remain, so it would still be blocked off, which he hope did not negatively affect their businesses.

Commissioner Brown supported the application and was pleased with Mr. Alvarez's alternate plan. If successful, the event would set a precedent and become a harbinger of things to come when the Commercial project was complete with widened sidewalks.

Town Attorney Trevarthen suggested adding to the motion the correction about not barricading the sidewalk and recommended the rewording of condition nine to reflect no sound system should operate during the event.

Vice Mayor Sasser made a motion to approve item 11b with recommendations as stated above by the Town Attorney. Commissioner Vincent seconded the motion. The motion carried 5-0.

- c. 2013 Amendments to the Interlocal Agreements between Broward County and Lauderdale-By-The-Sea (Finance Director Tony Bryan)

Approved on consent.

- d. Selection of JC Consulting (Cecelia Ward) to revise and update Chapter 30 Article II - Development Review: Planning Priority #5 (Town Planner Linda Connors)

Approved on consent.

- e. Letter to State Senator Maria Sachs and State Representative George Moraitis

Commissioner Brown mentioned writing a letter to State Senator Sachs and State Representative Moraitis but neither replied to or acknowledged receipt of his letter. The letter was one of objection to a provision in the State Transportation Department Bill requiring municipalities to give 50 percent of the revenue collected from parking meters located along state highways. This would impact the Town, as it would lose 50 percent of revenues from meters on Commercial Boulevard, and though not a large sum of money, it was the principle of the matter, as the Town paid to maintain, collect and enforce the meters. It seemed grubby on the part of the State to try to tap every single dollar they could justify taking away from a small municipality. Commissioner Brown wished the Town to send a similar letter of protest, but one signed by the Mayor on behalf of the Town Commission.

Approved on consent.

12. ORDINANCES – PUBLIC COMMENTS

a. Ordinances 1st Reading

None

b. Ordinances 2nd Reading

None

13. RESOLUTIONS – PUBLIC COMMENT

a. Resolution 2013-19: A RESOLUTION SUPPORTING AND ADOPTING THE BROWARD COUNTY REVISED MULTI-JURISDICTIONAL LOCAL MITIGATION STRATEGY (TOWN PLANNER LINDA CONNORS)

Mayor Minnet opened the discussion for public comment, which she closed upon receiving no input.

Town Planner Connors reviewed the subject resolution as detailed in the backup. Town staff recommended approval.

Commissioner Dodd made a motion to approve Resolution 2013-19. Vice Mayor Sasser seconded the motion. The motion carried 5-0.

b. Resolution 2013-16: A RESOLUTION OF THE TOWN OF LAUDERDALE BY THE SEA, FLORIDA, AUTHORIZING AN FDOT CONSTRUCTION AGREEMENT FOR WAYFINDING SIGNAGE IMPLEMENTATION (ASSISTANT TO THE TOWN MANAGER PAT HIMELBERGER)

Mayor Minnet opened the discussion for public comment, which she closed upon receiving no input.

Commissioner Dodd made a motion to approve Resolution 2013-16. Vice Mayor Sasser seconded the motion. The motion carried 5-0.

c. Resolution 2013-21: A RESOLUTION OF THE TOWN OF LAUDERDALE BY THE SEA, FLORIDA, AUTHORIZING A CONSTRUCTION AGREEMENT FOR THE CONSTRUCTION OF DRAINAGE, LANDSCAPING, IRRIGATION, AND SIDEWALK IMPROVEMENTS ON COMMERCIAL BOULEVARD (ASSISTANT TO THE TOWN MANAGER PAT HIMELBERGER)

Mayor Minnet opened the discussion for public comment, which she closed upon receiving no input.

Assistant to the Town Manager Pat Himelberger made a correction, noting the first construction agreement was for the way-finding sign on A1A and Commercial Boulevard, and the subject resolution was for the West Commercial Boulevard Streetscape Project.

Commissioner Dodd made a motion to approve Resolution 2013-21. Vice Mayor Sasser seconded the motion. The motion carried 5-0.

14. QUASI-JUDICIAL PUBLIC HEARINGS

None

15. COMMISSION COMMENTS

Mayor Minnet asked everyone to take a moment to remember the past events that took place in Boston, Massachusetts, and in Texas, as they were very tragic events, and to send their prayers to the victims and their families.

Commissioner Brown remarked on taking part in an event at the First Baptist Church in Pompano two Saturdays ago, at which they planted many gardens and shrubs. The event was cosponsored by the Broward League of Cities and the group Hands On Broward. He asked the individual that ran Hands On Broward when they would come to

the Town to do a community project, and he replied whenever the Town desired it. The first thought was to bring them to the Town to plant sea oats to help protect the beach, as they controlled an army of high school kids who were the leaders in their schools and were very hard workers. He stated they recently did a huge sea oats planting project at John Lloyd Park. Commissioner Brown thought the matter could be discussed at the next Commission workshop to come up with an idea for a community service event. He next reported on a meeting with Pompano Beach Vice Mayor George Brummer at which he told him the Town commissioned a study of Pompano's sewer rates and discovered Pompano's methodology was wrong. Among others, it was penalizing condominium residents, and since Vice Mayor Brummer represented a large condominium constituency, he might be willing to investigate the issue. Vice Mayor Brummer helped by arranging a meeting with Pompano's Director of Public Utilities Randy Brown, which he attended with Arthur Franczak. They spent about an hour in the meeting with Randy Brown at which Mr. Franczak did most of the talking, and gave Mr. Brown a copy of the Burton report. Commissioner Brown stated Randy Brown told them he would submit a copy of the report to their rate consultant and get his feedback. After not hearing from Randy Brown for some time and having difficulty contacting him, he then met with another Pompano Commissioner Barry Dockswell and explained the situation to him. The day after that meeting, Randy Brown contacted him and told him they were initiating a complete review of their sewer rate methodology in Pompano, and they were considering the findings of the Town's Burton report. Commissioner Brown indicated it would be a few months before they finished and there was no way of knowing how it would turn out, but it raised some hope of changes for the better in Pompano's sewer rate methodology. This was the rate imposed on the north half of the Town.

Commissioner Dodd reported there was a Hillsboro Inlet meeting, stating a new pipe was needed for the dredge, and \$3,000 was approved for the purchase. They were still trying to resolve the problem with the permits, and there was currently a 12-foot cliff due to erosion south of the inlet, but thankfully the sand was very salty at that point and turtles disliked those conditions. He said turtle nest inspections were taking place early in the morning, so the start-up for the dredges was not delayed, though this might change when season started and turtle nests were fenced off and barricades erected.

16. OLD BUSINESS

a. Chamber of Commerce Annual Activities (Town Clerk Vanessa Castillo)

See discussion under item 8a.

b. Award of Contract for Stamped Asphalt to Atlantic Paving Company (Assistant Town Manager Bud Bentley)

Town Manager Hoffmann explained the low bidder reneged on the contract, so Town staff went to the second bidder, and their modified price was lower than that given in the original bid. If the Town did the intersection and the double swale border, it would cost \$52,354. She sought confirmation the Commission wished to proceed as planned.

Mayor Minnet asked if the intersection would cost \$15,937, and the swale border would cost \$36,417, if the work were done by Atlantic Paving.

Town Manager Hoffmann affirmed this to be the case, but with the proviso that if the Town did not do the double swale, the cost of the intersection would increase, as they spread their mobilization costs over both.

Commissioner Dodd questioned, if the price was for a double swale, what was the cost for a single swale.

Town Manager Hoffmann could not guarantee it would be half the price, but it would be within her authority to decide if it was a little more than half for the single.

Commissioner Dodd thought further delay was unnecessary, as the subject part of the project would add the finishing touches, so he was still in favor of going ahead with what was originally proposed.

Commissioner Brown believed that the Bougainvillea Drive project was well done, and the Town should proceed with completing the intersection with stamped asphalt. He could not support asphalt stamping for either a single or double line.

Commissioner Dodd made a motion to approve awarding the subject contract to Atlantic Paving, and include doing a double swale line, and including the Bougainvillea Drive intersection, at a total cost of \$52,354. The motion was seconded by Vice Mayor Sasser. The motion carried 3-2. Commissioners Brown and Vincent voted no.

Mayor Minnet sought a motion to add stamped asphalt on the Imperial Lane and the Bel Air entryways.

Commissioner Dodd pointed out the feedback from the residents of Imperial Lane was that they were very disappointed at not receiving a proper speed table, despite the fact that Molly Hughes' statistics showed there was a speed problem at that junction.

Vice Mayor Sasser wondered if the subject item fell under the Town's neighborhood program that was going on with Bel Air, and would it fall under the neighborhood grant program sought by the Town for Imperial Lane.

Town Manager Hoffmann indicated that Municipal Services Director Prince informed her he thought the Bel Air project would come in under the original budget, so the Town could cover the cost for the area. Imperial Lane did not have a neighborhood grant, they had only a traffic calming exercise. Atlantic Paving indicated when they began working, they would ascertain if they could do the stamped asphalt on Imperial Lane and Bel Air.

Commissioner Dodd made a motion to approve the inclusion of the two additional areas of Imperial Lane and Bel Air if feasible. The motion was seconded by Vice Mayor Sasser. The motion carried 5-0.

17. NEW BUSINESS

a. Increasing Code Enforcement Staff to Two Full Time Code Officers (Town Planner Linda Connors)

Town Planner Connors discussed the details of the subject item as set forth in the backup. Town staff recommended approval. It was important to note each violation was previously listed as an individual code case under the Calvin Giordano system. She stated they embarked upon a number of special projects, such as the Hospitality Inspection Program, starting with some hotels. The process was very time consuming for the various programs, such as the Garbage Dumpster Survey, and they recently sent out a letter to local business owners about window signage. She noted, along with the numerous projects and code enforcement efforts, there was ample code work in the Town to justify hiring an additional half code staff person. In the 16 months of Calvin Giordano providing the code enforcement service, there had been four different half time employees, as they left for full time code positions elsewhere. If approved, Town staff was asking that it become effective in May 2013.

Mayor Minnet believed this addition was needed, as there was so much that code enforcement was trying to do, and the numbers showed the increase was justified.

Vice Mayor Sasser asked, if the position were to start in May, how would this affect the Town's budget.

Town Manager Hoffmann replied if the position began in May, it would be at an additional cost of \$17,000 for the rest of the fiscal year, and it would mean an increase in the next fiscal year's budget.

Town Planner Connors concurred, stating it would come out of contingency, of which there was \$230,000.

Commissioner Dodd made a motion to approve item 17a. The motion was seconded by Vice Mayor Sasser. The motion carried 5-0.

b. Donation Request for the "Rest, Relaxation, & Romance" program (Town Clerk Vanessa Castillo)

Mayor Minnet recapped at the last Commission meeting, Ms. Geesey addressed the Town on providing \$900 to assist the couples in the program with tips. She thought this a great program of which the Town should be very proud, and it was important for the Town to consider making the donation to the Jacksonville USO.

Commissioner Dodd was very supportive of the program, but wondered if more evidence could be provided that the reasons cited by Ms. Geesey were the true reasons some of the meal vouchers went unused. He thought a contributing factor might be the preference of some couples to stay in rather than venture out for dinner. It might be possible to devise a follow-up questionnaire to provide the Town with feedback, as he preferred to see the information before authorizing the donation of public money.

Commissioner Vincent thanked Ms. Geesey for the phenomenal job she was doing with the subject program. He supported the Town's contributing to the program.

Vice Mayor Sasser agreed with Commissioner Vincent, as the Town's donated funds would be going directly to the Jacksonville USO. Considering the amount of money requested, he had no desire to create additional work in taking surveys, etc.

Mayor Minnet said the Commission could consider donating less than the \$900 requested, possibly \$500. It appeared the funds would go to Jacksonville USO and not directly to the Town's program.

Town Manager Hoffmann clarified the funds sent by the Town to the Jacksonville USO would be used specifically to reimburse the couples for tips.

Mayor Minnet recommended the Town's donation be sent to the Jacksonville USO.

Vice Mayor Sasser believed the understanding was that though the monies were going to the Jacksonville USO, the funds would be used for the abovementioned purpose.

Cindy Geesey remarked not being able to say how Jacksonville kept their books, but in the past, when she received donations of checks made out to the Jacksonville USO, the latter reimbursed the couples for gas. This was due to Bob Ross, her contact at the Jacksonville USO, believing the funds sent by the Town were to be used specifically for reimbursing couples for gas money and that couples were very appreciative.

Vice Mayor Sasser made a motion to approve item 17b. The motion was seconded by Commissioner Vincent. The motion carried 4-1. Commissioner Brown voted no.

- c. Approval of Closure of East Tradewinds Ave between Commercial Blvd. and Harbor Dr. from May through December 2013 for West Commercial Streetscape Improvement Project (Commercial Projects Manager Albert Carbon)

Town Manager Hoffmann introduced Albert Carbon, the Town's liaison project manager for the East and West Commercial Streetscape Projects. Mr. Carbon worked with Town staff the last three or four weeks, and his input was already invaluable.

Commissioner Vincent asked Mr. Carbon's opinion on the recommendation of the subject closure.

Mr. Carbon replied he worked it out with the contractor that this was the preferred one of the three alternatives; the property owner in the first alternative had been approached but was not interested. This was the reason for the subject. He noted there was no signal at the recommended site, and there was multiple access ways to the neighbors to the north, West Tradewinds Avenue and Seagrape Drive.

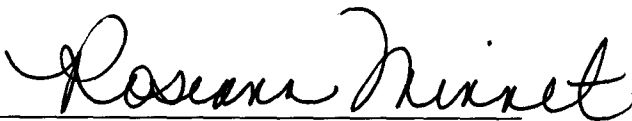
Commissioner Dodd mentioned looking extensively at Google Maps and hoped Town staff would come up with a solution that did not warrant closing a main thoroughfare and instead close one of the side streets. He asked if Town staff seriously considered the eastern end of Basin Drive where it met East Tradewinds Avenue, as there was a very wide Town swale area. If the site was not big enough, it was possible to have a second staging area just further east, and negotiate with the marina to provide extra parking.

Mr. Carbon responded that Town staff had not considered the latter solution for the staging area, but they would be designating the western portion of Basin as the construction employee parking area. They would look at the eastern portion of Basin as they took out the parking, and discuss with the marina allowing customers of those businesses to park in the marina area.

Commissioner Vincent made a motion to approve item 17c. The motion was seconded by Commissioner Dodd. The motion carried 5-0.

18. ADJOURNMENT

Commissioner Dodd made a motion to adjourn. With no further business before the Commission, Mayor Minnet adjourned the meeting at 10:40 p.m.



Mayor Roseann Minnet

ATTEST:



Town Clerk, Vanessa Castillo

Date

