



**TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Tuesday, April 11, 2023
6:30 PM**

1. CALL TO ORDER, MAYOR CHRIS VINCENT

Mayor Chris Vincent called the meeting to order at 6:35 p.m. Also present were Vice Mayor Edmund Malkoon, Commissioner Alfred “Buz” Oldaker, Commissioner Theo Pouloupoulos (via phone), Commissioner Randy Strauss, Town Manager Linda Connors, Town Attorney Susan Trevarthen, Deputy Town Manager/Public Works Director Ken Rubach, Assistant to the Town Manager Courtney Easley, Director of Budget and Finance Lucila Lang and Town Clerk Katrina Adler.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION

Pauline Brooks McGuinness gave the Invocation.

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

Mayor Vincent requested that Item 12.a be heard at this time.

The following Item was taken out of order on the Agenda.

12. OLD BUSINESS

a. Community Shuttle Program with Broward County – Public Hearing

Assistant to the Town Manager Courtney Easley recalled that at the February 28, 2023 Commission meeting, Staff presented information regarding the Town’s community shuttle program with Broward County. Staff outlined a number of issues the Town is currently experiencing with the Pelican Hopper and recommended that the Town begin the process of ending its partnership with Broward County for this program.

At the March 28, 2023 meeting, the Commission directed Staff to determine the steps necessary to end the community shuttle program. The Town has presented formal

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notice to Broward County and published a public notice in the *Sun-Sentinel* of this public meeting and also provided to Broward County all meeting discussions regarding the Broward County program, as required for the dissolution of the program.

Staff has not yet established the end date for the community shuttle program, as there are additional steps that must be completed, including the finalization of mechanical inspection reports, reconciliation of payments from the County to the Town, and community outreach to inform the public of when the program will end.

Broward County will draft a termination agreement for the community shuttle program, which must be signed by the Town Manager. Once it has been drafted, the Town will schedule a timeline for public outreach and the end of the Pelican Hopper service. Circuit will begin providing service to the Town beginning on May 1, 2023, which means there may be some overlap between the two services. Town Staff will partner with the Community Center to provide training to residents who are not familiar with the Circuit mobile app.

The Town has received phone calls from residents who currently use the Pelican Hopper to access Holy Cross Hospital. Broward County's Transportation Options (TOPS) program provides door-to-door service for individuals in need of this transportation. Another alternative could be to hire private providers for transportation to the hospital. The estimated cost of an Uber trip from Town Hall to the hospital would be between \$7 and \$12, depending upon the time of day. The cost per user for the Pelican Hopper is greater than this estimate.

Commissioner Strauss requested additional information regarding Circuit's costs. Assistant to the Town Manager Easley confirmed that Circuit will be free for all users. In the future, depending upon demand, this may change. In some municipalities where demand is very high, the service may cost \$1 to \$2. Gratuities are accepted but are not necessary.

Vice Mayor Malkoon recognized Staff's outreach efforts, noting that the Town Manager had visited the Garden Club and plans to reach out to the Community Center, the Farmers Market, and condominium boards as well.

Town Manager Linda Connors advised that instructions for Circuit were included in the most recent issue of *Town Topics*. She added that while early downloads of the Circuit app may have requested credit card information, this was before the Town was active in the program's system and is being corrected.

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Vice Mayor Malkoon asked if there is an estimate of how many residents rely on the Pelican Hopper to access Holy Cross Hospital. Assistant to the Town Manager Easley replied that while this information has not been collected, the Town currently averages 4.9 users per hour, although the destinations of these passengers are not itemized. Circuit is expected to capture data on this issue. Notice of the change will be posted in the Pelican Hopper and at bus stops two weeks before the end of service.

Mayor Vincent asked if there are any legal concerns related to the brief overlap between the two services. Town Attorney Susan Trevarthen stated that she was not aware of any such issues.

Mayor Vincent also requested clarification of how Circuit can be used by individuals who do not have smartphones. Town Manager Connors replied that Circuit can be contacted by phone and also provides “wave-and-ride” service.

At this time Mayor Vincent opened the public hearing.

Manuel Mendez, resident, advised that he is a regular user of the Pelican Hopper, and considers its service vital to the Town for both residents and visitors. He pointed out that the cost of a trip to Holy Cross Hospital is approximately \$18, which can be a hardship for individuals who have to visit the hospital on a regular basis, as well as for those who do not drive. He suggested that Holy Cross Hospital be grandfathered into the Circuit system as a cost-free trip for Lauderdale-By-The-Sea residents.

Mr. Mendez concluded that he was in favor of greater outreach, including individuals who do not use smartphones. He recommended that the Commissioners use Circuit service once it becomes available within the community.

There being no other individuals wishing to speak at this time, Mayor Vincent closed the public hearing.

Commissioner Strauss proposed that the upcoming outreach at the Farmers Market include having a Circuit vehicle on hand for the public to see. Assistant to the Town Manager Easley added that a Circuit vehicle will be present at the May 9, 2023 Commission meeting.

Mayor Vincent recalled that the Town reviewed the Pelican Hopper service once ridership fell below a required threshold. Assistant to the Town Manager Easley

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confirmed this, adding that there was also an increase in the County's pricing related to Americans with Disabilities Act (ADA) -compliant upgrades.

Commissioner Oldaker asked if there are any restrictions regarding the roadways on which Circuit vehicles may operate. Deputy Town Manager/Public Works Director Ken Rubach clarified that all of the Town's roadways are below the speed restriction for Circuit vehicles, although major roadways in larger municipalities such as Fort Lauderdale or Pompano Beach would not permit Circuit vehicles.

Commissioner Oldaker made a motion, seconded by Commissioner Strauss, to approve.

It was noted that approval of moving forward with the process of discontinuing the Pelican Hopper service would also authorize the Town Manager to sign the termination agreement.

Commissioners Oldaker and Strauss amended their motion and second to include this authorization. Motion carried 5-0.

5. PRESENTATIONS

a. Presentation of the Comprehensive Annual Finance Report

Director of Budget and Finance Lucila Lang advised that the Town's audit by Grau and Associates for fiscal year (FY) 2022 has been completed. The firm made some recommendations for improvement on which Staff has already taken action, including issuance of checks, updating the purchasing manual, and updating reports in conjunction with the city of Fort Lauderdale.

Commissioner Oldaker noted that the report shows the Town was able to complete major projects in the past year while remaining in a financially strong position. He recommended that next year's audit include other economic indicators in addition to the Town's employment numbers.

David Caplivski, representing Grau and Associates, provided a brief overview of the FY 2022 audit, stating that the Town is required to undergo this audit in compliance with Florida Statutes. The firm issued a clean, or unmodified, opinion, which is the highest level of assurance.

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Mr. Caplivski noted that the Economic Conditions section to which Commissioner Oldaker had referred is in the audit's introductory transmittal letter. He advised that he would make a note to determine if additional economic conditions can be cited in the future. The report also includes a statistical section with 10 years' worth of information.

6. PUBLIC COMMENTS

At this time Mayor Vincent opened public comment.

Steve d'Oliveira, resident, invited all present to the upcoming Sea Shorts play festival, which will present nine plays free of charge. He requested that the front Town Hall lot be used to provide free parking to the show's patrons. The shows will be presented over the next two weekends.

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

7. PUBLIC SAFETY DISCUSSION

None.

8. TOWN MANAGER REPORT

a. Town Manager Report for April 11, 2023

Town Manager Connors reported that planning has begun for the Town's annual 4th of July event. Vice Mayor Malkoon volunteered to chair this event.

Town Manager Connors continued that the Town also plans to establish a committee which will consider suggestions for Friedt Park. Commissioner Pouloupoulos offered to chair this committee. Deputy Town Manager/Public Works Director Ken Rubach clarified that a previous committee addressed on the tennis and bocce courts at Friedt Park, but did not consider the park as an overall facility.

Town Manager Connors stated that the Town has received a request from the partial owner of the South Ocean parking lot requesting an amendment to the Town's payments. The next payment is scheduled for September 30, 2023. The partial owner has asked the Town to pay \$1.5 million now, with the difference divided between 2024 and 2025. Town Manager Connors noted that the Town has sufficient money on hand to

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fulfill this request and adjust the payments so the Town would receive more money from the lot's parking revenue.

Mayor Vincent asked if the Town has calculated its savings if they accept the partial owner's proposal. Town Manager Connors replied that an additional estimated \$40,000 would come to the Town if this is done. She and the Town's Finance Department plan to review more creative options for financing in the coming years, such as placing some funds in interest-bearing accounts. At present, the money in the Town's Parking Fund is not invested.

The Commissioners agreed by consensus to amend the payment plan as described. Town Manager Connors stated that an amendment to the payment contract for the South Ocean lot will be brought forward at the next Commission meeting. This would have no effects on other capital projects.

Town Manager Connors addressed the Town's budget process, proposing that the Commission's second meeting in May 2023 be preceded by a budget workshop at 5:00 p.m. Staff will present the costs associated with the Town's most basic operations, as well as other costs that may be important to the Town but are not fully necessary. She also hoped to hear feedback from the Commissioners and the public regarding projects they may wish to consider in the coming year. Staff will estimate the costs of these proposals and bring them back once more at a special meeting in June.

Town Manager Connors continued that at the second meeting, Staff will work with the Commission to rank these suggestions in order of importance. This will allow the Commission to review and make decisions about these projects once the County has provided the Town's millage rate information. She concluded that this will more actively involve the Commission in the budget process.

Town Manager Connors continued that the Town will wait until 1 p.m. on Friday, April 14 to make a decision on the Friday Night Music event due to the possibility of severe weather. It may be necessary to roll this event forward to a weekend in May. There was consensus among the Commission that a rain delay date would be preferable to a cancellation of the event.

Town Manager Connors reiterated that the start date for Circuit-By-The-Sea service will be May 1, 2023. A ribbon-cutting event is tentatively scheduled for May 9 at 5:15 p.m.

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Town Staff is working on the contract between the Town and the Pompano Beach Fire Department, which will be presented to the Commission at their April 25, 2023 meeting.

Town Manager Connors requested direction from the Commission regarding the blocking off of front parking lot spaces at Town Hall for the Sea Shorts event. The Commissioners agreed by consensus to make these spaces available.

9. TOWN ATTORNEY REPORT

Town Manager Connors addressed an email sent by a member of the Town's lobbying team regarding a state bill related to vacation rental properties. This bill was advanced to the Florida House of Representatives for consideration as of today. She did not have any results on hand from this legislative discussion. The proposed bill would limit local governments' ability to manage vacation rentals. The Town's lobbyists have indicated that Broward Representative Chip LaMarca is likely to oppose the bill. Additional information will be available at the next Commission meeting.

10. APPROVAL OF MINUTES

a. Approval of Minutes for 3-28-23

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

11. CONSENT AGENDA

None.

13. NEW BUSINESS

None.

14. COMMISSIONER COMMENTS

Vice Mayor Malkoon and Commissioners Oldaker and Strauss reported that they had enjoyed the Town's Easter Sunrise Service. Vice Mayor Malkoon also thanked the members of the community who volunteered for the children's Easter Egg Hunt, and reported that the Town's 75th Anniversary Committee continues to move forward with plans for that celebration.

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Commissioner Strauss noted that high winds are forecast over the next few days, and recommended caution to individuals with high-profile vehicles.

15. ORDINANCES 1ST READING

None.

16. ORDINANCES 2ND READING

None.

17. RESOLUTIONS – PUBLIC COMMENTS

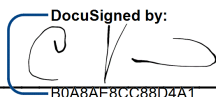
None.

18. QUASI JUDICIAL PUBLIC HEARINGS

None.

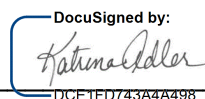
19. ADJOURNMENT

With no other business to come before the Commission at this time, the meeting was adjourned at 7:23 p.m.

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Mayor Chris Vincent

ATTEST:

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Town Clerk

4/28/2023 | 6:34 AM PDT

Date