

# **TOWN OF LAUDERDALE-BY-THE-SEA**

## **TOWN COMMISSION**

### **ROUNDTABLE MEETING**

#### **MINUTES**

Jarvis Hall

**4505 Ocean Drive**

**Tuesday, June 14, 2011**

**7:30 P.M.**

#### **1. CALL TO ORDER, MAYOR ROSEANN MINNET**

Mayor Roseann Minnet called the meeting to order at 7:30 p.m. Vice Mayor Stuart Dodd, Commissioner Birute Ann Clotey, Commissioner Scot Sasser, and Commissioner Chris Vincent were present. Also present were Town Manager Connie Hoffmann, Town Attorney Susan Trevarthen, and Town Clerk June White.

#### **2. PUBLIC COMMENTS**

Jack Phillips believed that in order to create jobs, manufacturing needed to come back to the United States. He said many people barely had enough money to pay their rent and no one was doing anything to change that. Mr. Phillips said everyone needed to stop purchasing foreign goods, and bring jobs back to the United States.

Mark Brown wondered why there was an item regarding a referendum for a parking garage or the Town Hall project, when there were no facts regarding location, design, cost, or how the projects would be funded. He also wondered whether, by having a referendum that just asked the people if they wanted a parking garage, and they voted no, would that mean there could never be a parking garage built in the Town. Mr. Brown stated that the people elect their representatives to make decisions regarding running the Town.

Diana Kugler said she liked most of the ideas presented by the University of Miami and believed that the Town needed more sidewalk cafes. Ms. Kugler agreed there should be no referendum. She believed the elected officials should make those types of decisions for the Town. Ms. Kugler liked the idea of more sidewalk cafes. She wanted to see shorter meetings and believed that nothing good happened after 9:00 p.m.

Yann Brandt encouraged everyone to attend the budget workshop, Tuesday, June 21, 2011. Mr. Brandt believed that during the last audited fiscal year, the Town over budgeted for projects and therefore, overcharged the taxpayers \$2.6 million without a plan to return the overage to the taxpayers. Mr. Brandt believed the Town should outsource more and protect the businesses. He favored moving projects forward and was against referendums for projects that contained no detail.

Frank Herrmann said the meetings were too long and suggested the Commission revert back to 2 regular Commission meetings per month and vote on each agenda item. He believed that the legal fees would be lower with shorter meetings and less legal research. Mr. Herrmann believed that the Town did not need a Marketing Director.

Marie Chiarello was not happy with any referendums on the ballot. Ms. Chiarello did not believe that the Town needed underground wiring or a parking garage at this time. She said that the people would let the Commission know when they were against something through emails, phone calls or at Commission meetings.

Bill Vitollo was against the referendum. He believed that people did not want to spend money for improvements even on their own properties. Mr. Vitollo did not believe there should be a fee for filming, as the industry actually promoted the Town.

Edmund Malkoon was against the referendums as the Commission never voted on whether to put in underground wiring, or have a parking garage, or build a new Town Hall Complex. Mr. Malkoon pointed out that the referendum could work in reverse and tie the hands of future Commissions. He believed that drainage and sewers were more important issues to focus on.

Ron Piersante thought that the referendum was a dead issue. He said the people elected the Commission to make decisions for the Town. Mr. Piersante did not want any of the money that Mr. Brandt referred to. He said the Town had one of the lowest millage rates in the County and if there was money, the Town could use it to do one of the projects that needed to be done. Mr. Piersante said that the University of Miami had good ideas and it was time for the Commission to pick one of the projects and get it done.

Susan Sistare, non-resident, stated that the electric cars were built from scratch as electric cars and had to meet certain requirements. She said their top speed was approximately 20 to 25 mph and were legal under state and federal law. Ms. Sistare said it cost approximately \$.60 worth of electricity to charge a totally dead battery and the car traveled up to 70 miles on one fully charged battery. Ms. Sistare noted that the cars were compact; 2 regular parking spaces could be redesigned to hold 4 electric vehicles, with an outlet for recharging. She added that they were great for local transportation, and did not pollute.

There were no more speakers.

### 3. DISCUSSION ITEMS

#### a. Discussion Regarding the Selection of a Date for a Town Hall Meeting with House Representative Allen West (Mayor Roseann Minnet)

Mayor Minnet said she received a request to hold a Town Hall Meeting from the office of Congressman Allen West. She requested Commission availability.

Commissioner Clotley believed it should be later in the season as many residents were gone for the summer. Mayor Minnet said if the Commission preferred, she could go back and request a later date. After some discussion the Commission agreed to set the Town Hall meeting on July 21, 2011.

**b. Discussion Regarding the Length of Commission Meetings (Mayor Roseann Minnet)**

Mayor Minnet requested that the Commission look at their items being placed on both the Roundtable agenda and the Regular Commission agenda, such as multiple items that were brought back for additional discussion. She added that the meetings were lengthy and tied into Town Attorney fees. Mayor Minnet asked whether many of these items could best be handled at staff level or first discussed with staff and then brought before the Commission.

Commissioner Clotley said she solved many issues by going to the Town Manager, which lowered the number of items she placed on the agenda.

Mayor Minnet suggested that perhaps the Town Clerk could keep a file on items the Commission wanted to discuss, which could be brought to the Commission meeting under Town Manager's Report so they don't get lost in the shuffle.

Commissioner Clotley stated that the Commission did not follow the Robert's Rules as far as the procedure for bringing an item back to the Commission. Mayor Minnet asked whether the Commission wanted to adopt Robert's Rules for Roundtables. Vice Mayor Dodd believed the rules were unfair. He said the Commission meetings were long, and the roundtables were not being used as were intended and pointed out that only five out of eighteen agenda items on this Roundtable belonged to the Commission. Vice Mayor Dodd believed the Commission should go back to two meeting per month and with the option to have a Roundtable when needed.

Commissioner Clotley liked the Roundtables and did not favor following Roberts Rules. She had no problem with holding Special Commission meetings in order to vote on important items prior to a Roundtable meeting.

Commissioner Sasser believed there was a need to go back to two Commission meetings, even though he enjoyed the Roundtable. He believed there should be more accountability. Commissioner Sasser said on more than one occasion staff was asked to work on something, without Commission consensus, and that item later appeared on an agenda.

Attorney Trevarthen said the Town could work either way as both systems were acceptable. She said that the Commission would need to determine whether the Roundtable had value. Attorney Trevarthen said the Commission could have two Commission meetings per month, but perhaps have only reports, or land use items, on one of those meetings.

Commissioner Sasser stated that part of the reason for having the Special Commission meetings were because they did not want to wait another month to vote on them. He believed it all came down to the Commission policing themselves.

Mayor Minnet pointed out that the Town Manager suggested checking the box on the agenda item request cover sheet as to whether the item being submitted was on the priority list. Mayor Minnet believed the Commission should return to two Commission meetings per month. She believed it would move the meetings along.

Town Manager Hoffmann suggested three things for the Commission to consider: 1) go back to two Commission meetings per month, but schedule one Roundtable from 5:00 p.m. to 7:00 p.m. prior to one of those Commission meetings. She said in this manner, items on the Roundtable could then go on the Commission meeting agenda for an official vote; 2) items that were not controversial or were standard items, should be placed on the Regular Commission meeting agenda, and bypass the Roundtable; and, 3) items on the Roundtable that were designated priorities, should be discussed first.

Mayor Minnet agreed. She said it used to be first come, first listed, but priority items should be discussed immediately. She favored going back to two Commission meetings per month. She had no problem scheduling a Roundtable at 5:00 p.m. but believed it would be difficult for residents to attend. She asked the Commission to consider whether they prefer to take public comments at the Roundtable or for it to just be an interaction between the Commissioners and take public comments only at the Regular Commission meeting.

Commissioner Clotey was concerned that as elected officials they needed to answer to the residents of the Town. She said if a resident presented a problem to the Commission, even though it was not on the priority list, the Commission had an obligation to consider it.

Commissioner Sasser agreed with Commissioner Clotey, but preferred that during discussion, the Commission had the option to vote an item off as a lower priority and, perhaps either the Town Manager or the Town Clerk would keep track of that item so it would not get lost.

Mayor Minnet agreed and suggested that the Town Manager keep the item in her report and present it at a late date. Mayor Minnet favored two Commission meetings per month. She did not believe a Roundtable was needed at this time, but the Commission could schedule a Roundtable or Workshop if and when one was needed.

There was Commission consensus to move forward with two Commission meetings per month.

- c. Explanation of Factors Affecting Legal Fees this Fiscal Year and Proposed Budget for Next Fiscal Year (Town Manager Connie Hoffmann and Town Attorney Susan Trevarthen)

Attorney Trevarthen explained that the Town Attorney's office accumulated their lowest costs in May as a result of the work done by both parties to keep costs low. She said that an additional \$45,000 was projected to be spent on attorney services for the remainder of the fiscal year. Attorney Trevarthen suggested that next year's budget be set at \$390,000. She noted that the hourly rate for attorney services was \$215 per hour.

Vice Mayor Dodd was displeased that the Town paid \$24,000 in legal fees in regards to the coral reef project. He believed that everyone should be proud of the amount of Code changes that took place this year, all of which involved legal fees.

Commissioner Sasser stated that the Town Attorney was proposing to come in \$45,000 over budget this fiscal year. Attorney Trevarthen confirmed that was the projected amount, but the final result could be less. Commissioner Sasser questioned whether the \$390,000 proposed budget for the next fiscal year included litigation services. Attorney Trevarthen explained that the Town Attorney's office would do their best to include litigation within that budget; however the uncertainty of litigation was beyond anyone's control. Commissioner Sasser questioned who was responsible to make sure that the Town did not exceed the budgeted amount. He said the expenses needed to be managed to maintain accountability. Attorney Trevarthen pointed out that the Town was currently within the budget. She did not believe that the Town would exceed the budgeted amount.

Town Manager Hoffmann stated that the Code required that every contract be reviewed by the Town Attorney. She expressed desire to have that language changed and explained that she and the Town Attorney created boiler plate contracts and bid documents to help reduce the amount of time spent on review. Town Manager Hoffmann suggested that the Code language be changed so that contracts under a certain dollar amount did not require individual review by the Town Attorney.

Commissioner Sasser explained that, because the attorney's office was paid by the hour and not by retainer, he was concerned that the Town was unaware of the true dollar amount needed for attorney services. Mayor Minnet pointed out that was the primary purpose of having a budget and that it was also the responsibility of staff and each Commissioner to help monitor and control expenses.

Commissioner Sasser pointed out that no one had previously brought up attorney fees in regards to individual projects and questioned who was responsible for doing so. Town Manager Hoffmann explained that legal fees were normally referenced in the monthly finance reports sent out to the Commission. She said that she could help to keep costs down but ultimately it was the Town Attorney's responsibility to control the degree of work and amount of time spent on each item.

Commissioner Clotey believed that the Commission was to blame. She pointed out that she tried to no avail to have the Commission not spend additional money in legal fees regarding the coral reef project. She said that things like that situation needed to be thought about and discussed prior to making those types on decisions. Commissioner

Clottey explained that the Town Attorney simply did what the Commission asked her to do.

Vice Mayor Dodd pointed out that the legal fees spent on the coral reef project were a result of a less than adequate contract, inherited from a previous Commission.

Commissioner Vincent explained that the Commission could start controlling costs by holding shorter meetings, based on the amount of money spent this year on Town Attorney attendance at Commission meetings.

Mayor Minnet believed that there was an understanding that the Commission needed to police themselves and be aware of the amount of work being placed on the Town Attorney. Commissioner Vincent suggested that the Commission look at each line item and determine what could be done to cut costs. Commissioner Sasser asked when the Commission could discuss any changes they may want to see for next year. Attorney Trevarthen explained that her firm would be available when the Commission was ready to discuss any changes. Commissioner Sasser explained that he wanted to discuss the options; having a retainer for attorney services, maintaining hourly rates, or a hybrid of the two. He suggested that the Town could have a retainer for general work and meeting attendance, and have an hourly schedule for everything else. Mayor Minnet suggested the Commission discuss that during budget time.

Mayor Minnet and Commissioner Vincent favored the budget for attorney services as proposed by staff. Commissioner Sasser reiterated that he would like to see a hybrid of an hourly fee schedule and a retainer for attorney services.

Commissioner Clottey explained that she was satisfied with the work done by the Town Attorney and felt that the Commission was to blame for the high costs. Town Manager Hoffmann believed that some legal costs would be reduced once a Town Planner was hired.

Commissioner Vincent explained that he was not ready to make a decision on whether the Town should consider a retainer with the Town Attorney's office.

There was Commission consensus to continue with the current hourly fee schedule and to move forward with the proposed budget amount of \$390,000 for the next fiscal year. Attorney Trevarthen requested consensus whether to bring forward a code change in regards to legal review by the Town Attorney. There was Commission consensus to further discuss that matter at the June regular Commission meeting.

**d. Referenda (Vice Mayor Stuart Dodd)**

Vice Mayor Dodd asked the following questions: 1) did the Commission favor of a multistory parking garage on A1A; 2) did the Commission favor redeveloping the Town Hall site; 3) Should the projects be funded by a bond, a loan, by taxation or through private development; and, 4) Should the projects go to referendum, or be decided by the Commission. He explained that he was not in favor of a multi-story parking garage

for at least five years, or a new Town Hall site for at least 10 years. Vice Mayor Dodd believed the money should come from private development and should be decided by referendum.

Commissioner Vincent questioned the cost for a parking garage. He explained that items of this nature should not be placed on referendum before proper information was developed, such as cost. Commissioner Vincent stated that none of the projects stated by Vice Mayor Dodd should go to referendum. He felt that the subject was premature to discuss. Commissioner Clotney agreed with Commissioner Vincent and felt that this was more of a wish list. She said that she did not want to tie the hands of a future Commission with a result of a referendum. Commissioner Sasser did not believe that any of the items needed to go on a referendum. Mayor Minnet pointed out that the citizens could come before the Commission with a referendum, and if the citizens wanted something, they should bring their request forward. She said that these projects were far in the future and there were other priorities the Commission needed to take care of. Mayor Minnet said she was not in favor of a referendum for these projects.

There was no further discussion.

Mayor Minnet recessed the meeting at 9:00 p.m. and reconvened at 9:10 p.m.

e. Town Marketing Plan (Town Manager Connie Hoffmann)

Chris Brown, RMA, introduced Sharon McCormick, Director of Communications for RMA. He said that she was the former marketing director for the City of West Palm Beach and was currently working with RMA in the City of Dania Beach. Mr. Brown explained that the Town needed to create a guideline to retain and bring in new businesses, help the existing hotels while bringing in new hotels, and to bring in consumers. He said that the next step was a branding program.

Ms. McCormick expressed the necessity of market research which included intercept surveys, telephone surveys, hotel visitor surveys and merchant surveys. She said that once the problem and opportunities were identified, the Town could then create strategic objectives and marketing tactics. Ms. McCormick suggested there be an evaluation process done annually to measure the economic impact that the plan had on the community.

Commissioner Clotney questioned the specific type of methodology that RMA intended to use for market research. Ms. McCormick stated that there was a separate company that handled that aspect. Commissioner Clotney explained that she preferred to see that information in the report. She empathized that she was disappointed in the lack of detail provided in the report.

Commissioner Vincent questioned how important market research was to the Town. Ms. McCormick explained that the intercept surveys focused on the people that were already here, how often they visited, and what they were choosing to spend their money on. She said that phone surveys focused on the people who were, or who were not coming to the Town, and why. Ms. McCormick said that the first year of surveys

provided a baseline to evaluate the initiatives that were put in place. Commissioner Vincent questioned whether any market research was done for the Town in the past. Town Manager Hoffmann explained that a report was done by Goodkin Consulting in 2005, which was provided to RMA. Mr. Brown pointed out that Goodkin Consulting was more real estate oriented while the RMA report was more consumer oriented.

Vice Mayor Dodd stated that he was not yet conformable with expanding RMA's role at this time. He suggested the Commission wait until the full report was received from the University of Miami before this aspect was considered.

Mayor Minnet believed that a marketing plan was important; however, she did not feel it was the right time to implement one. She questioned whether the Town provided the Chamber of Commerce with money for advertising last year. Town Manager Hoffmann confirmed that about \$14,000 was provided to the Chamber of Commerce last year. Mayor Minnet stated that the Chamber of Commerce confirmed that they would not be asking for those funds again this year and she recommended that money be allocated to a marketing/research staff member in next year's budget. Mayor Minnet said she preferred to maintain the marketing within the staff at this time. Town Manager Hoffmann pointed out that the Town currently did not have anyone on staff with marketing experience.

Mayor Minnet believed it was necessary to have a marketing plan and suggested that during budget discussions, the Commission look at hiring a marketing coordinator on a part-time basis.

Commissioner Sasser emphasized that the Town needed to attract the right type of businesses to ensure that the Town received the best for their money. He recognized that the person needed to do the job should have experience in redevelopment and marketing. Commissioner Sasser questioned Mr. Brown's opinion as to whether the Town could find someone that could do both and also recognize the difference in the needs for retail versus hotels. Mr. Brown explained that it was possible to find someone who could cover all of those aspects; however, it was less likely to find someone who was experienced in both hotel and retail. He said that it would be fine to only have the marketing staff member work part time, but in regards to economic development, a full time staff member was needed.

Mayor Minnet reiterated that marketing was important to the Town; however, there were other ways to create and implement a plan other than moving forward with RMA.

Commissioner Clotey said that a marketing plan was needed to help the Town move in the direction they wanted to go. She questioned whether the Town had determined what that direction was. Ms. McCormick explained that part of the analysis was for the Town to decide in what direction they wanted to go.

Mayor Minnet questioned whether the Commission wanted to include RMA in the budget as a line item or to look at other opportunities to create a Town marketing plan through Town staff. Town Manager Hoffmann pointed out that at some point, the Commission needed to determine whether the marketing plan would be based on

market research. Commissioner Sasser believed that a marketing plan was necessary, and whether RMA would be chosen to do it could be decided at a later date. Vice Mayor Dodd agreed.

There was Commission consensus to look at a marketing plan for the Town.

**f. Public Street Closures (Commissioner Chris Vincent)**

Commissioner Vincent explained that the private events were good for the Town. He suggested that the Town establish a standard for those events by using uniform barricades, fencing, lighting, chairs, and tables. Commissioner Vincent believed this was something that could be incorporated now rather than wait for a marketing plan, while not causing the local businesses any financial hardship. He requested the opinion of the Commission.

Mayor Minnet agreed that there needed to be some type of uniformity. She did not believe that it was a priority at this time and suggested that it could be included in the special events application. Commissioner Vincent recognized that it was not a high priority but felt that currently, it was important to the identity of the Town. He explained that it was a simple project that could show what direction the Town was trying to go in.

Commissioner Clotley and Commissioner Sasser agreed that it was a good idea but not a priority at this time. Commissioner Sasser said that it was something that could be included in the marketing plan. Vice Mayor Dodd stated that it was not a necessity at this time.

There was Commission consensus not to move forward.

**g. Revisions to Purchasing Manual (Town Manager Connie Hoffmann)**

Town Manager Hoffmann said that the Audit Committee reviewed the purchasing manual and their recommendations were included in the manual. She said the Audit Committee recommended that the Commission adopt the purchasing manual as presented, and they would come back at a later date with suggestions regarding real property acquisition.

Vice Mayor Dodd did not want to increase the Town Manager's purchase authority limit to \$20,000. He preferred that it remain at \$15,000. Commissioner Sasser asked whether the lower amount would be a hindrance. Town Manager Hoffmann said she could work with it, even though most cities' limits were set higher, with some at \$25,000 and above. Commissioner Vincent believed that if the \$20,000 limit made the Town Manager's job easier, then he would go along with it. Commissioner Clotley had no objections to the \$20,000 limit. Mayor Minnet said that the Town Manager stated that there would be no problem if the proposed limit revert back to \$15,000; therefore, she recommended that the limit remain \$15,000. Town Manager Hoffmann said that lowering the proposed limit back to \$15,000 would only delay some processes. The Commission did not object to reverting back to the \$15,000 limit. Town Manager

Hoffmann said she would bring the purchasing manual before the Commission for approval, with the \$15,000 limit.

**h. Proposed Revisions to Fire Plan Review/Inspection Fees (Fire Marshall Steve Paine)**

Fire Administrator Daniel Chavez explained that the fire plan review fees and the fire inspection fees could be reduced by approximately 50%. Town Manager Hoffmann explained that the reduction was a result changing the full-time Fire Marshall position to a part-time position.

Direction was given to Attorney Trevarthen to move forward with a Resolution for Commission approval at the June 28, 2011 Commission meeting.

**i. Street Sweeper RFP Results (Municipal Services Director Don Prince)**

Municipal Services Director Prince explained that the RFP was separated into three options: 1) A1A and state roads; 2) four curb miles on El Mar Drive and the beach ends; and, 3) nine Town owned parking lots. He pointed out that each option included that the locations be cleaned twice weekly. Municipal Services Director Prince reviewed the bid results for each option and recommended that the Town purchase a street sweeper to provide immediate response for certain circumstances. He pointed out that the Town would still need to contract with another company to sweep the state roads because the Town sweeper would not be capable of doing so.

Town Manager Hoffmann explained that the Town could offer a higher level of service if a street sweeper was purchased. She said that this was a policy decision for the Commission.

Vice Mayor Dodd questioned how often those circumstances arose and whether the Town already had a sweeper that could be used in those situations. Municipal Services Director Prince explained that after the first cost analysis was completed staff determined that it was no longer cost effective to the Town to continue using the current sweeper.

Commissioner Vincent stated that he was in favor of purchasing a new street sweeper. He requested that an accurate usage log be kept. Commissioner Clotey agreed with Commissioner Vincent and believed that this would give the Town more flexibility to respond to the needs of the residents.

Commissioner Sasser questioned whether the current street sweeper would be sold. Municipal Services Director Prince confirmed that the Town would try to sell it along with other pieces of equipment currently located at offsite storage.

Mayor Minnet recommended that the Town contract with a company for one year and re-evaluate at that time; meanwhile the Town could move forward to sell the current

sweeper. Commissioner Clotley and Commissioner Sasser favored the purchase of a new street sweeper.

There was Commission consensus to move forward with the purchase of a new street sweeper.

j. Parking for Neighborhood Electric Vehicles (NEV) (Assistant Town Manager Bud Bentley)

Assistant Town Manager Bentley said there was a citizen request to convert a standard parallel parking space in the downtown area to 4 mini spaces. Mayor Minnet and Vice Mayor Dodd favored the idea. Vice Mayor Dodd asked whether the spaces would be used by motorcycles and would the code need an upgrade. The Commission only wanted NEVs to park there. Town Manager Hoffmann suggested putting signage that read "NEV ONLY". The Commission agreed.

k. Code Enforcement Priorities (Code and Zoning Supervisor Jeff Bowman)

Town Manager Hoffmann explained that Assistant Town Manager Bentley and Code Enforcement staff put together a list of what they believed were Code priorities. She asked for Commission input.

Commissioner Clotley believed that vacation rentals should be moved to a higher priority. The Commission agreed.

Commissioner Vincent believed that the ADA requirements superseded everything and should be moved up as a higher priority.

Mayor Minnet believed they were all high priorities and stated that more Code personnel were needed for enforcement. Commissioner Vincent agreed and believed the Code Enforcement Supervisor position, previously deleted, should be reinstated. Mayor Minnet stated that she believed the importance was on personnel and not on priorities. Town Manager Hoffmann inquired as to how many employees the Commission wanted. She believed that two full time employees would not be able to enforce all of the code issues. Commissioner Vincent stated that there should be no less than two. Mayor Minnet stated that rather than prioritizing, she favored increasing Code Enforcement staff to enforce those priorities.

Town Manager Hoffmann inquired as to whether the Commission's preference was to have a minimum of two full time code enforcement officers. She added that if they wished to increase the Code Enforcement personnel, it would require a budget adjustment.

There was Commission consensus to have two full time code enforcement personnel at this time, and discuss additional personnel at budget time.

Town Manager Hoffmann requested direction on prioritizing the code enforcement

issues as it was difficult for staff to pick and choose. Mayor Minnet suggested that a letter go out to all residents to advise that they must follow the Town code or receive a violation.

Attorney Trevarthen explained that each day a decision had to be made as to which code violation the Code Officers should respond to first. Assistant Town Manager Bentley believed that the Town would never have enough code enforcement staff and, therefore, prioritization was necessary. Commissioner Vincent believed that staff would know what the priorities were. Commissioner Sasser suggested moving the vacation rentals to a high priority and use the priority list that staff submitted.

I. Sidewalk Cafes Proposed Amendments - Article VI, Chapter 17-85 through 94, Sidewalk Cafes (Code and Zoning Supervisor Jeff Bowman)

Commissioner Sasser favored the amendments as they provided an easy process for restaurants to open sidewalk cafes.

Vice Mayor Dodd asked whether Kilwins was classified as an ice cream restaurant, and asked whether that section could be broadened to include "property" rather than "restaurant". Attorney Trevarthen said it would be a simple code revision.

There was Commission consensus to approve the proposed amendments.

m. Broward County Bike Sharing Program - B-Cycle locations and Commercial Signage on Kiosks - Presented at the February 8, 2011 Roundtable (Code and Zoning Supervisor Jeff Bowman)

Town Manager Hoffmann said that staff felt the best site was at the A1A parking lot. She said that B-Cycle advised that sponsorship advertising on the bike station was a requirement, as they could not afford to have B-cycle in such a small Town without it. She requested Commission direction and noted that if they wanted to go forward with B-cycle, an amendment to the sign code would be necessary.

Commissioner Sasser stated it was not a high priority for him.

Mayor Minnet believed A1A parking lot was a great spot for B-cycle in Lauderdale-By-The-Sea and it could be great for the marketing plan. Vice Mayor Dodd questioned whether the name of a company had to be advertised on posted signs. Attorney Trevarthen explained that the language on the kiosks currently violated the Town code and prevented them from coming into the community. She added that no such signage was allowed in the right-of-way. Attorney Trevarthen stated that the recommended sign code amendment would manage that.

Commissioner Vincent and Vice Mayor Dodd agreed that staff should move forward with B-Cycle as it was good for the community.

Commissioner Clotey said that some people expressed concern with parking their bikes at the El Prado Park as they may ruin the grass. Town Manager Hoffmann stated that the area for B-Cycle was narrowed down to the A1A parking lot and not the El Prado area.

There was Commission consensus to move forward with B-Cycle.

n. Amendments to Article IX, Notice of Intent of Land Development Regulations, Section 30-531 Process (Code and Zoning Supervisor Jeff Bowman)

Attorney Trevarthen explained that the Commission expressed a desire to streamline the process regarding the Notice of Intent. She said the revisions to the Code were before the Commission for review, and noted that the second step in the process (second public hearing requirement) was removed, and clarity was put in the Code for a better understanding of the notice process.

Mayor Minnet recommended the code revision go to the Planning and Zoning Board for their input. There was no objection from the Commission.

o. Charges for filming in Town (Vice Mayor Stuart Dodd)

Vice Mayor Dodd stated that other municipalities charged additional expenses when a filming crew came in, such as special police detail, disruption to businesses, parking fees, trash removal, etc. He said he was requesting that additional fees be passed on to whoever was on the receiving end. Town Clerk White said that the Commission on Filming said that they paid for any charges regarding police detail and parking. Assistant Town Manager Bentley said that \$165 was collected for the use of Jarvis Hall for the filming crew for "Glades" and they came with their own BSO police detail. He added they were also charged for parking. Assistant Town Manager Bentley said that Municipal Services was not satisfied with the cleanup and dispatched a crew to the pavilion for additional cleanup. He said the filming crew was billed for the time.

p. Discussion on Rental Policies for the Use of Town Hall Facilities and Special Events (Assistant Town Manager Bud Bentley)

Assistant Town Manager Bentley stated that at the May 24, 2011 Commission meeting the POA (Property Owners Association) requested a code change so that organizations would not have to execute the Town's indemnification and hold harmless agreement for the use of Jarvis Hall. He said staff recommended that the permits be allowed administratively. Assistant Town Manager Bentley suggested the Commission expand the list of organizations that could use Jarvis Hall to include out-of-town users, and establish rental fees to cover costs for cleanup, and higher fees for out-of-town users. Assistant Town Manager Bentley suggested the policy be adjusted to allow the Town Manager to modify or waive insurance requirements for Town residents and civic organizations, where no alcohol was to be served.

Commissioner Clotley and Vice Mayor Dodd favored a fee for out-of-town users. Vice Mayor Dodd questioned the Town's liability should someone slip on the floor and the insurance requirement was waived. Attorney Trevarthen suggested looking at the Town's property insurance to see the extent to which liability would be covered.

Commissioner Vincent asked whether the Town could legally allow or disallow the use of Jarvis Hall that was not for Town purposes. Attorney Trevarthen stated it was not unusual for cities to rent their facilities. She added that there should be clarity as to the class that would be allowed to use the facility, and if the organization or person did not meet the requirement of that class, then they could not rent the facility. Commissioner Sasser favored a waiver for the POA.

It was the consensus of the Commission for staff to move forward with the recommendations as stated.

q. Commission Receipt of ITBs in Advance of Release and of all RFP Responses and Bid proposals (Town Manager Connie Hoffmann)

Town Manager Hoffmann said according to past meeting minutes, the Commission wanted to review all RFPs (Request for Proposals) and RFQs (Request for Qualifications) prior to their release for publication, but not ITBs (Invitations to Bid). She asked for clarification as that direction had been questioned. Town Manager Hoffmann explained that RFP responses had recently been given to the Commission for review, some of which were quite large. She said some Commissioners questioned their receipt. Town Manager Hoffmann said it was costly for the vendors to submit hard copies of their proposals and suggested the following options: 1) that they only provide 1 original for the Town Clerk and enough hard copies for the Evaluation Committee and provide copies on a disk for the Commission; or, 2) provide the Commission with hard copies of the top 3 recommended firms; or, 3) provide a disk with the top three recommended firms.

Vice Mayor Dodd said he wanted copies of ITB's as well, but did not need copies of all the bid proposals received. He preferred a disk with the top 3 choices. Commissioner Clotley and Commissioner Vincent also preferred a disk with the top 3 choices.

Mayor Minnet inquired as to whether they wished to see the ITBs as well. Commissioner Clotley and Commissioner Vincent did not wish to see the ITBs. Commissioner Sasser did want to see the ITBs as he had no idea how many had gone out. Town Manager Hoffmann stated that the Commission had seen every bid over \$15,000, and noted that the bids had been placed on Commission agendas. She said if the Commission wanted to know how many there were she could provide that number by looking at past Commission meetings. Mayor Minnet and Commissioner Sasser agreed to see the number.

Commissioner Clotley wanted all the proposals placed on a disk, not just the top three. Mayor Minnet stated that the entire proposal would always be available at Town Hall for

