



Agenda Item Memorandum

Town Manager

Department

Connie Hoffmann

Department Director

COMMISSION MEETING DATE - 7:00 PM	Deadline to Town Clerk
<input type="checkbox"/> October 9 - Regular Meeting	

**Subject to Change*

- | | | | |
|---------------------------------------|---|---------------------------------------|---------------------------------------|
| <input type="checkbox"/> Presentation | <input checked="" type="checkbox"/> Reports | <input type="checkbox"/> Consent | <input type="checkbox"/> Ordinance |
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Quasi-Judicial | <input type="checkbox"/> Old Business | <input type="checkbox"/> New Business |

FY2012 DESIGNATED HIGH PRIORITY ITEM - PRIORITY TOPIC

SUBJECT TITLE: TOWN MANAGER REPORT

EXPLANATION: The detailed status report on pending assignments and issues is attached as an exhibit to this report. Some of the items of interest to the Commission are summarized below.

Bougainvilla Drainage Project

The Commission has received several emails from staff advising of the problems we are having on the construction of the Bougainvilla Drive project due to the location, age and lack of support of the Fort Lauderdale water main on the east side of the street. Project Manager Bill Cole will give the Commission a verbal update at Tuesday night's Commission meeting.

Christmas-by-the-Sea

I met again with the Chamber President and Executive Director on Friday. We are looking at this being a co-sponsored event between the Chamber and the Town. I would like to confirm with the Commission that the Town is willing to cover this year's Christmas tree expenses (approximately \$4500) and the police costs.

The Chamber is in the process of seeing if they can get contribution and/or in-kind services commitments from local businesses to offset the remaining costs of the event. They will also

poll contributors about a date for the event. They will have that info before the special event permit comes to the Commission for approval at the October 23rd meeting.

There will be no parade in the event this year, but Santa will still arrive on the Fire Truck. A new feature will be a Christmas Market. More details will be provided at the next meeting.

North Silver Shores Street Lighting

The light upgrades were completed by FP&L in mid-July. FP&L advised the Town that we would have to provide them with surveys of all the residential properties involved in the location of the new light poles we wanted installed and that we must facilitate getting the adjacent property owners to sign easement agreements with FP&L to allow the power lines to cross their properties. Before spending money on surveys, we needed to confirm with the property owners that they would sign an easement agreement. In our first attempt, only 4 of 13 residents responded to the notice we dropped off at their homes and, unfortunately, 3 of them will not approve the easement. We sent a second letter to those who did not respond. We then received calls from 3 additional property owners, 1 of whom indicated they might sign an easement and 2 were very much opposed to doing so. So of the 13 property owners involved, 6 will not sign an easement, 1 will, 1 might, and 5 have not responded to two attempts by the Town to contact them.

Based on these results, we do not think it makes sense to pursue this project further.

North Beach Foot Shower

The foot shower is finally installed.

Bel-Air Neighborhood Entryway Project

We've advised the Commission in earlier reports that the construction bid for this project came in at around \$64,000 and that the neighborhood was asked to confirm their ability to pay for the difference between the Town's grant funds and the project costs or scale back what they were asking for. The ball has been in the neighborhood's court for over a month now. They indicated they know the low bidder and can get him to reduce his costs. We have advised that, if they reduce the scope of the project for that bidder in order to get the costs down, we would have to give other bidders the same opportunity.

Town Hall Drop Off Location for Absentee Ballots on 4 Dates

We have agreed to let the Supervisor of Elections utilize Town Hall as a manned drop off location for absentee ballots on October 11, 12, 18 and 19 from 1 – 5pm.

EXHIBITS: Updated Status Report

Reviewed by Town Attorney
 Yes No

Town Manager Initials CA

Town Manager's Report – October 9, 2012

PROJECT/ASSIGNMENT	STATUS	TO COMMISSION
ADMINISTRATIVE ISSUES		
Town Website Improvements	At 9/20/11 meeting the Commission asked that the website be designed so that residents could log on and ask for information of the Town. PIO looked into software to do this, but it's complicated and project not deemed a priority, so we have not pursued it further.	
Benihana ROW License Renewal	Discussed w Commission in October & consensus was to negotiate a cross access easement. Benihana did make their annual license payment in the same amount as last year (\$20,987) at Bud's request as a show of good faith. (The license payment was scheduled to double this year.) Benihana advised a cross access agreement was not operationally feasible for them. Despite negotiations, we still have not reached an agreement with Benihana. They appeared at the July 24th Commission meeting and, as a result, we sent them a revised proposal the week of August 6th. They finally paid the money they owed us in mid-September. Bud met with Atty on 10/5. They agreed to easement with some conditions. Atty will be sending some revised language that also addresses Indemnification.	hopefully October 23rd

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BUDGET		
Sewer Rates	Assumed 10% sewer revenue reduction in budget. Burton & Associates hired to develop alternative sewer rates in Winter 2012. Have presented several alternatives to the Commission. At the first reading of the ordinance, Commission asked for further analysis out of concern for the single family rate increases proposed. Burton has done detailed analysis of the applicability of the AWWA meter equivalency tables for commercial customers in LBTS and concluded use of the AWWA tables underestimates the demand of some commercial customers on the system. Report on the October 9 th agenda.	October 9th

CAPITAL PROJECTS		
East Commercial Drainage & Streetscape Design	Project is in final design stage.	
N. Bougainvilla Dr Drainage & Streetscape Project	Commission approved work authorization for construction on August 21st agenda and construction began on September 24. Pricing to be brought back for stamped asphalt and landscaping portions of the work. Construction issues will be discussed at October 9th meeting.	October 9th update
West Commercial Blvd Streetscape Design	At the Sept. 24th meeting, the Commission selected the Coral Arch entryway design & authorized us to apply for a \$100,000 landscaping grant for the project. Project is in the final design stage. Artist is proposing detailed specs for the Coral Arch. Traffic analysis being done to justify mid-block crosswalk.	

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CAPITAL PROJECTS		
Costs to Improve Street Lighting in Residential Neighborhoods	Commission approved funding for the upgrade of lights in the Silver Shores area on May 22nd and new poles on May 8th. The light upgrades were completed by FP&L on 7/10/2012. FP&L has advised the Town has to have surveys done of all properties involved in the location of new light poles & we must get residents to sign agreements with FP&L to allow the power lines to cross their properties. Only 4 of 13 residents have responded to our letters, 3 of whom will not approve the easement. We sent second letter to those who have not responded. We then received calls from 3 additional property owners, 1 of whom might sign an easement and 2 were very much opposed.	October 9th update
Sewer Infrastructure Repairs	Commission approval grouting repairs by Televac for \$97,000 on June 12th and piggybacking a contract with Lanzo Lining for installation of cured-in-place liners for \$290K and \$15K to King Engineering to inspect Lanzo's work on June 19th. Televac began their work in late June and Lanzo began work on August 15th. Work on those projects is almost completed. Analysis of video tapes of the laterals by King Engineering to determine the extent of work that will need to be done to repair or replace them is completed and we await their written report. More laterals need to be repaired than anticipated. We have over \$500,000 in the FY 13 budget for that purpose. We will have to budget for several more years to complete the repairs.	
Bel-Air Neighborhood Grant Project	We finally received 3 bids on construction. Bill Cole met with the Bel Air reps as the low bid came in at \$64,000. The neighborhood is working on either getting additional contributions to the project or scaling it back to fit their budget.	
19th Street Drainage	Project is designed. Commission approved \$425,000 for construction of the project in the FY 13 budget. \$425,000. Awaiting permits.	
Analysis of Condition of Bel-Air Drainage System	Matthews Consulting submitted draft report this week. Staff has not had time to review it. Will bring it to the Commission soon.	November

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CAPITAL PROJECTS		
South Silver Shores Road Resurfacing	At neighborhood's request, withdrew work authorization for our contractor to pave the three Tradewinds streets and to wait for Ft. Lauderdale paving contractor on the other 2 streets.	November

CHARTER ISSUES		
Charter Review Board	Commission appointed the Board on March 13th. Board is holding monthly meetings. Commission is receiving the minutes of their meetings.	

ECONOMIC DEVELOPMENT		
Town Marketing Efforts- Branding	<ol style="list-style-type: none"> 1. Branded street banners will be installed throughout Town later this month. 2. Branded sign for Jarvis Hall dais is being constructed. 3. Christmas banners with the logo penguin have been received. 4. Branded merchandise (required in order to trademark the brand) has been received and will be sold to the public via the Chamber and other businesses. 5. New logo plaques ordered for Town vehicles. 6. Municipal Services crews now wearing branded shirts and hats. 7. Branded wrap for Pelican Hopper designed. Awaiting new bus before we proceed with the wrap. 8. Commission picked design for branded family of signs for use throughout the Town. 	
Business Recruitment	I have talked to a retail leasing expert who indicated they feel it will be very difficult for the Town to recruit retail stores or other commercial businesses when we have no control over rents, lease provisions, etc.	

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FINANCIAL MATTERS	
Cash/Investment Report	First quarter reports for FY 12 were provided to the Commission in February, the 2nd quarter report provided in April, and the 3rd quarter report in July. Next report will be out this month.

PLANNING & DEVELOPMENT ISSUES	
Planning Priority #5: Code cleanup	<p>Part A: Revisions to B1-A and B-1 section of code were adopted on second reading in March. Part B: The Commission approved an N.O.I. for further revisions in June. An ordinance implementing changes has been prepared, was approved by the P&Z Board, the Commission briefed on it, and its scheduled for first reading on Sept 11th. Part C: The detailed work done on this ordinance has revealed that additional research has to be done on the County zoning regs as they apply to the annexed areas in the northern part of Town. A work authorization for JC Consulting to do that additional research and analysis is also on the Sept. 11th agenda.</p>
Planning Priority #6: Adopt architectural guidelines for Commercial & Multi-Family projects	<p>We have obtained copies of Miami Beach's design guidelines for their north beach area where MIMO is a prevalent architectural style. They are very detailed and relate very well to our MIMO structures, so are a good starting base for us to work from. A design professional who specializes in interior and exterior design for MIMO-style hotels has prepared a color palette which will be referenced in the guidelines. This project is way behind schedule because of other planning work.</p> <p>We are reviewing a proposal from a consulting team to prepare the guidelines for the MIMO properties.</p>

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PLANNING & DEVELOPMENT ISSUES	
<p>Continue Hotel/Motel Code Enforcement Program</p>	<ol style="list-style-type: none"> 1. Cumulative fines as of August 31 were \$50,000 on the Lauderdale Beachside Hotel (former Clarion). That property was inspected in February and violations notices issued. Re-inspected on 4/4; most violations involving the rooms were corrected, but 16 violations dealing with the property were not corrected & were taken to the Code Magistrate in April. He imposed a \$50 per day per violation effective May 16th. The oceanfront building (on El Mar) had 5 violations outstanding in April and fined @ \$50 per remaining violation, per day. <p style="margin-left: 20px;">The Fire Marshall issued his violation notices for that hotel in March and also reinspected it on 4/4. On reinspection, he shut down their breakfast room because they had not replaced the hollow core doors cited earlier and one of the guest rooms. He also threatened them with closure because their emergency generator was not working. They corrected the latter problem by bringing in a temporary generator that day and have since repaired the generator. Remaining fire-related violations went before the Code Magistrate on May 23 and he assessed fines.</p> 2. Tides Inn's February NOVs went before the Magistrate in April. The Magistrate assessed a fine for 7 violations @ \$75 per violation per day because no evidence of substantial progress by May 16th. Tides Inn has developed plans for a complete and very attractive renovation. We had a MIMO architect meet with their architect last week & that meeting went well. Accumulated fines on that property are \$39,750 as of August 31. 3. Inspected Villa Caprice on February 17th. The 14 violations that were not corrected went before the Code Magistrate in April and he assessed a \$100 per day fine per violation on May 16th for the violations that had not been corrected. Accumulated fines as of August 31st were \$106,700. A fire inspection in September resulted in closure of a number of rooms for life safety violations.

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PLANNING & DEVELOPMENT ISSUES

4. Inspected the exterior of the Eastern Strand Hotel in response to a complaint and cited them for 27 violations. (They were fully occupied on the day of the inspection.) The Code Magistrate assessed \$900 in administrative fees (because they have multiple buildings) and imposed fines of \$100 per violation per day because no substantial progress was made by May 16th. They have paid the \$900 administrative fee and applied for window & roofing permits. Accumulated fines as of August 31 were \$162,500.

5. 4116 Ocean, Lauderdale-By-The-Sea Resort (former Holiday Inn). Issued 9 violations on property: the pool, outside storage in trailers, and open doorways. In April the Code Magistrate assessed them \$500 in administrative costs which they have paid. The Magistrate gave them 30 days to come into compliance or face a \$350 per violation, per day due to the repeated violations at this property. Property owner requested an extension of the compliance deadline in May which the Magistrate denied. The accumulated fines on this property are \$226,100 as of August 31.

We issued additional violation notices regarding the fence & other issues in August that were heard by the Code Magistrate in Sept. Additional fines levied with short compliance dates.

The owner has paid his water and power bills and services have been restored to the property. Almost all of the issues outside of the building have been addressed. The fence was order to be removed - the owner decided to add the screening to make it comply with our construction fence requirements and advises that construction is going to start in the immediate future.

6. Violations at the Little Inn (4560 El Mar) went to the Magistrate on May 16th. Fire inspections in late August revealed more issues and they are in the process of being cited. Fines at \$42,800 as of August 31st.

7. Fines accumulated on the Tropic Ranch Motel were \$28,850 as of July 30.

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PLANNING & DEVELOPMENT ISSUES		
240 Imperial Drive	<p>Delayed construction project which has caused many neighborhood complaints. Code fines have been accruing at \$150 daily since January of 2011 and, as of 6/27/2012, they amounted to \$79,500. The Commission denied property owner's request for extension in July 2011. Broward County advised contractor their permit expired on 6/14 due to lack of progress. Contractor has submitted for a new permit, but has not paid the permit fee. Town Attorney is sending letter to owner & lenders about the property.</p>	
Agreement w County to serve as our Unsafe Structures Board		
Sign Code Amendment to Allow Professionally Painted Signs on Awnings		

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PUBLIC SAFETY		
License Plate Reader cameras	<p>FDOT will not allow the cameras to be mounted in their right of way or on their signal poles. Talked to County Traffic Engineering Dept. They advised the three mast arms where we want to place the cameras are actually arms that the County maintains for FDOT, but the County can't authorize cameras on FDOT arms. The LPR provider BSO has been working with in Town gave us an analysis of additional cameras required and cost if we have to mount the cameras on private property.</p> <p>The Sheriff has expressed a willingness to host the server for multiple cities. I've found limited interest from other city managers.</p> <p>Next step would be to submit request to BSO for their agreement to use the LETF funds for the purchase & installation of the cameras and the server.</p>	October
Negotiate renewal of AMR contract	<p>On 6/12/2012 the Commission directed Town staff to negotiate a contract extension w AMR provided that AMR agreed to forgo their 4% increase in FY 2013. AMR has provided a letter indicating they have agrees to do so & submitted some proposed revisions to the contract this week. The Finance Director and I met on September 6th with AMR representatives to discuss some revisions to the contract we would like to see and they were very amenable to them. We will be developing a draft of a revised contract for further discussion with them. Work on the sewer rates, budget, and year-end have delayed progress on this.</p>	November

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TRAFFIC & PARKING ISSUES		
Expand Parking - A1A lot/ Wings lot	Work authorization to Chen & Associates to design the reconfiguration of the lot and combination with the Wings lot was approved by the Commission on June 12th. Commission approved design concept on August 21st. Design on parking reconfiguration and landscaping is complete. The architect has developed an exciting conceptual design of a MIMO style sign/shelter for the lot. Got cost estimates. Quite expensive with the shelter. Now working on alternative w/o shelter (just sign) or substitution of canvas to provide shelter.	October 23rd
Expand parking- S. Bougainvillea lot	Commission awarded a contract for design in June to Flynn Engineering & Architectural Alliance on June 26th. Flynn submitted their preliminary design concept to Broward County traffic for comment/review & got their ok. Meeting scheduled on October 16 th with adjacent property owners on proposed design. Plan scheduled for the October 23 rd Commission meeting.	Oct 23 rd
Effective Solution to Improve Pedestrian Safety at A1A/Comm'l Intersection	East Commercial design project proposes the all red solution suggested earlier by Hughes Hughes. This proposal was discussed with Broward County the week of 2/13. They indicated they were receptive to all red on weekends. We had traffic and pedestrian counts done in March on weekdays in order to see if they are sufficient to justify All Red during weekdays, too. Hughes met again with FDOT, who has now advised other cities have approached them and so now they want to create criteria for such systems. FDOT will let the Town draft the criteria for their review.	
Parking Strategy Study	Funds included in Parking Fund 2013 budget.	
Expansion of Sun Trolley	Executive Director made a presentation to the Commission, but had no proposal for expanding to LBTS. Town staff will contact her for a specific proposal.	

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TRAFFIC & PARKING ISSUES		
Alternate Parking for period of construction on East Commercial	Approached Minto about possibility of using their lot. They expressed a willingness to let us use it. Chen developed cost estimates to convert to a parking lot. Quite expensive. Now looking at less expensive temporary treatment.	

TRASH & RECYCLING		
Accelerate Recycling Efforts	Important changes on recycling were made in the renewal of the Choice contract. Grant application to the County for the purchase of recycling carts has been approved. Commission approved the Recycling Plan on Sept. 11th. Under Choice contract, we have to see if they can purchase carts cheaper than piggybacking on Lauderdale's contract. Awaiting specific quote on carts from Choice.	
Solid Waste Disposal Issues	Commission received update at May 22nd meeting on Miramar & County progress on negotiating lower disposal fees. Wheelabrator has filed a bid protest on Miramar's selection of Bergeron. Broward County (with assistance of 2 cities) has negotiated contracts with Bergeron & Wheelabrator for disposal services at reduced costs effective July 2013. Cities will have a "chinese menu" of options with either contractor, or may go their own route with another disposal contractor.	December

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MISC. ACTION ITEMS		
Written Strategic Plan	Draft for Commission discussion is on October 9th agenda.	October 9th
Lease of warehouse	Commission approved Realtor's contract on April 24th. Municipal Services has done work that the realtor suggested at the site. Offer made by a company to lease for 5 years. If Commission concurs, staff will negotiate the lease.	October 9th
County Beach Renourishment Proposal for LBTS	After multiple meetings, the Commission decided on May 5th to support the project with conditions on LBTS cost being limited to costs per cubic feet of sand spread on Town beaches as a proportion of all sand spread in the total project & that County repairs damage to Town portals or roadways done as a result of the project. Letter sent to County staff advising them of the Town's position. At some point, the County will come back to the Town to sign a formal agreement regarding the project. We are still awaiting copies of the permitting agencies reports on the Hollywood project. We've followed up and requested them again.	
P.A.C.E. (Property Assessed Clean Energy) Program	Presentation made by Town Attorney's office on the Dade County PACE program to the Commission on April 10th. Mayor found only one other Broward city has an immediate interest in starting a Broward program.	
Christmas-by-the-Sea	I met with the Chamber President and Executive Director to discuss the event and how we might reduce the costs. The Christmas tree should make it through one more season and we've budgeted \$4500 for the Town's contribution to Christmas-by-the-Sea which will cover the costs associated with the tree for this year. It is too late in the year to get a good price on a new tree, so we will look at that issue in the Spring of next year when there are significant discounts on trees. Chamber is now seeking donations from local businesses to cover entertainment & set up costs.	Update on October 9th; special event permit on October 23rd