

Town of Lauderdale-by-the-Sea

OFFICE OF THE TOWN MANAGER

Memorandum

Date: July 22, 2010

To: Mayor Roseann Minnet
 Commissioner Stuart Dodd
 Commissioner Birute Clottey
 Commissioner Scot Sasser
 Commissioner Chris Vincent

From: Connie Hoffmann, Interim Town Manager *CH*

Subject: Town Manager's Report

The last two weeks have been wrapped up in budget preparation, and we are still finalizing budget proposals as we speak, so this report will be short.

As you know we had two serious incidents occur this week, a drowning of a kayaker in very rough seas in the early evening hours of July 20th and a military canister that washed up on the beach on the evening of July 21st. The man who drowned was a Town resident and we all mourn his loss. The canister was actually an un-ignited flare that was probably used in a military training operation. In an abundance of caution, the Haz Mat and Bomb Squads both responded and disposed of the canister. You received reports on both incidents.

This week I advised you that I had just learned that the Town was contributing to the Florida Retirement System on my behalf. As the resolution appointing me did not provide for that benefit, I asked the Acting Finance Director to contact the Florida Retirement System to see about getting a refund on the monies the Town had paid and removing me from the roster of employees for FRS. He was advised by phone, and in writing (see attached email), that it is compulsory that the Town Manager – whether permanent or Interim – be enrolled in the FRS. It does appear that the Town has any choice in the matter and I wanted to bring this to the Town's attention.

CH/mi

From: Morgan, Joyce
Sent: Thursday, July 22, 2010 2:06 PM
To: 'Finance Director'
Cc: 'Connie Hoffmann'; Tucker, Apollonia
Subject: RE: Town of Lauderdale-by-the-Sea - FRS Membership Requirements

Dear Mr. Haag,

Thank you for your email; I have researched your agency's coverage information and will try to address each concern.

All of your part-time and full-time employees filling regularly established positions are compulsory members of the FRS. Please see your agency's State-Municipal Agreement signed in 1971 (see attachment). The references to Chapter 70-112 are references to the law that established the FRS effective December 1, 1970, and your town does not have any exceptions to the covered groups (officers and employees).

Our records also indicate that your agency designated elected positions effective 8/1/01 by resolution 2001/1502. All elected positions should be reported for retirement coverage unless the individual elects to withdraw from the FRS in writing (please see Section 121.052(3)).

Town Managers are compulsory members of the FRS and cannot withdraw (please see Section 121.055(1)(b)1).

Please see Section 121.055(1)(b)2. for the laws govern ring Senior Management Service Class withdrawals of non-compulsory members. If any of your designated SMSC members would like to withdraw from the FRS the statutes provide for service earned in the SMSC to be retained under the FRS, and therefore no refunds will be due.

Link to Chapter 121

http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=Ch0121/tit10121.htm

Please let me know if you have any additional questions.

If you have any additional questions or concerns, please contact me.

Joyce W. Morgan, MBA

Administrator, Enrollment Section

Division of Retirement | Dept. of Management Services Toll Free - 1-877-377-3675 | Voice - 850-414-6386 | Fax 850-410-2061 E-mail - joyce.morgan@dms.myflorida.com

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From: Finance Director [mailto:FD@lauderdalebythesea-fl.gov]
Sent: Thursday, July 22, 2010 10:50 AM
To: Morgan, Joyce
Cc: Connie Hoffmann
Subject: Town of Lauderdale-by-the-Sea - FRS Membership Requirements

Joyce - I'm following up on our recent conversation in regards to whether or not it is mandatory that the town manager (who is currently in an interim position) participate in FRS. Following is an email that outlines that it was not the town's intention to have the interim town manager be a covered position for FRS purposes.

Please advise if it is feasible to 'unenroll' Ms. Hoffmann from the plan at this time and return the contributions-to-date to the town. Thanks again for your assistance.

Doug Haag
Acting Finance Director
Town of Lauderdale-By-The-Sea
4501 Ocean Drive
Lauderdale-By-The-Sea, FL 33308
Phone: 954-776-0576
Email: FD@lauderdalebythesea-fl.gov

From: Connie Hoffmann
Sent: Thu 7/22/2010 10:15 AM
To: Birute Ann Clotley; Chris Vincent; Roseann Minnet; Scot Sasser; Stuart Dodd
Cc: Finance Director
Subject: Benefits

Two weeks ago I received at my home address a letter from the Florida retirement system advising me I had until October to decide which participation option I was going to select with them. I do have some time in FRS from a former employer, so I have received mail from them before but I was perplexed by the October deadline and set it aside to make a call about it when I had some time to do so. This week while researching a former employer's contention that the Town had not sent the Florida Retirement System the correct contribution for her, I was surprised to see my name on the list of employees for whom the Town is making contributions to the FRS. As you know, when the Commission appointed me it was without benefits except for health insurance and sick leave. By copy of this email, I am asking the Finance Director to find out how to pull me from the list of enrolled employees and see what it will take to get the Town's contribution for me back.

There also has been some vacation time accrued in my "account" in error. I directed the Finance Director the first time I saw it to reverse it. I know that she spent an hour on the phone with our payroll service trying to figure out how to do that, and I believe she told me they'd have to do a manual override, but I see from my last paystub that it is continuing to accrue. Please know that I am well aware that I am not supposed to accrue vacation time and will ask the new Finance Director to get this corrected.

I also want to advise you, although I am not required to, that I intend to change the appointment terms for Bud Bentley, to provide normal employee benefits to him. As you know, he is working very long hours and has tackled a number of complicated issues for us. Soon he will begin his fourth month of employment with the Town and I do not think it fair that he does not receive the same benefits that other employees do. Bud's appointment will still be of an interim nature, though.

Connie

TOWN MANAGER'S 7/1 /2010 LIST OF SIGNIFICANT ASSIGNMENTS/PROJECTS

ORDINANCES	STATUS	TO COMMISSION
Non-profit & church waiver from temp sign fees	TA & Jeff B working on resolution and necessary code amendments to address not only fees but other sign code issues	timing not determined yet
Corner Lot Pool Ordinance	P&Z Board reviewed in June & asked for more info; back to them on 7/21 meeting	September
Abandoned Property Ordinance	P&Z Board reviewed in June & asked for more info; back to them on 7/21 meeting	September
24 Hours Openings	staff researched other cities practices; ordinance reviewed and recommended 3-2 by P&Z Board at their June meeting;	1st reading July 27th
Comp Plan Updates Greenhouse Gas Schools	Consultant Walter Keller has submitted these updates; they were reviewed by the P&Z Bd in June & they will take it up again at their 7/21 mtg	September
Ord 2010-3 City Organization Ord 2010-4	Commission reviewed suggestions at 6/23 roundtable; Ordinance on for first reading in July	7/13 regular agenda for first reading

ADMINISTRATIVE ISSUES	STATUS	TO COMMISSION
Outdated Technology	Report from consultant received, funds tentatively proposed in FY2010/2011 budget to upgrade hardware. Staff needs to review study & meet w consultants before making firm recommendation. Still need to look at phone study.	
Personnel Policies	policies are outdated and need a substantial overhaul; Town Manager to prepare proposed revisions in August for Commission review in September	September
Purchasing Policies	Request for review/updating of purchasing policies	on back burner
Town Website Improvements	Funding proposed in FY 2010/2011 budget to improve the website from the user's perspective & reflect our brand better than it currently does.	September in review of budget
Revisions to Dept. Monthly Reports	Development Services and Finance Depts reports revised. Municipal Services next up for revisions. Will discuss revisions to VFD report with Fire Chief.	

BUDGET	STATUS	TO COMMISSION
Current Year Budget vs Actual Analysis	3rd Quarter report will contain enterprise funds as well as General Fund	to Commission first week of August
Town Attorney cost projections & possibility of different fee arrangements	Staff assembling data gathered from other cities for report to the Commission	August meeting or 1st mtg in September
Evaluation of cost reduction alternatives for Building services	presented report to Commission in July; direction to come back in 6 months with proposals	Jan. 2011
Volunteer Fire Department budget	TMgr met with VFD Bd. Of Directors; hired consultant w fire service exper (incl volunteer svc) to look at compliance with contract and at replacement of trucks	August

CAPITAL PROJECTS	STATUS	TO COMMISSION
A1A Landscape/Streetscape LAP Project Pine Island to Terra Mar	At 4/13 mtg Commission directed that Town input be given to PBS&J before they design it. Town rc'vd the conceptual plan and reviewed it w MPSC who liked it & recommended Town proceed on it. Concept plan submitted to Fla DOT for comment.	8/16 public meeting
El Mar Dr Streetscape Project	MPSC discussed at their June mtg; voted to stay with 4 lanes after extended disc; voted to recommend to TC that project be expanded to bury utilities underground & address other infrastructure issues	
Stormwater Projects	Chen & Associates to prioritize the projects list & group stormwater & CIP projects together;	September
Stormwater Plan Contract Questions	Bud completed review of Chen contract and prior studies to determine compliance w contract terms. Concluded Chen complied with contract terms.	
Public bathroom facilities near beach	Report on various options on 7/14 Roundtable agenda; met with MPSC and added El Mar parking lot option	7/27 agenda
Status of projects approved in prior fiscal years & funding closeouts	Town does not have a report or spreadsheet that defines financial status of approved projects that carries data across fiscal years, so must create one to know what funds are still required or can be freed up. Made progress on this project, but not completed.	

DEVELOPMENT ISSUES	STATUS	TO COMMISSION
Perez & Associates site plan issues		
Sea Lord Hotel drainage issue	Work currently being done on front of building; when that work is completed (2-3 weeks), the owner will start on the drainage project. Expects to be done by end of Sept.	does not come back to TC
4337 Seagrape Drive drainage	Jeff met with owner Vitale 5/25; on 6/29 the Town's Bldg Official sent info to Vitale's engineer to assist them in alleviating the drainage problem at the site; emailed the engineer again on 7/6 to inquire about progress; left several followup telephone calls but no response	does not come back to TC
Status of Contracts for Planning Services		

EVENTS	STATUS	TO COMMISSION
Revisions to Special Events Policy	staff to draft	August or Sept

FINANCIAL MATTERS	STATUS	TO COMMISSION
Colon Payout Issues	Town has filed to recover funds	
Banking Services Agreement	Need to review existing agreement and practices (i.e. multiple bank accounts) for efficiency & effectiveness. Consultant starts on project Monday.	
Selection of External Auditor	Audit Committee met last week & ranked proposers	July 27 meeting
Cash Reports	Have gotten format that another city uses & will be preparing a similar report for LBTS	first report to TC in July
Investment Policy & Review of Current Investments	Have drafted a new investment policy for TC consideration, Acting Finance Director looking at current investments	
Improved efficiency in finance operations	Consultant has identified numerous efficiency improvement opportunities & is now implementing some of them as Acting Finance Director	

OTHER ACTION ITEMS	STATUS	TO COMMISSION
Choice Environmental Negotiations	Comm. Sasser, Town Attorney & Asst T Mgr have met with w Choice several times; Staff & Town Atty have drafted ordinance changes	Ordinance to amend mixed use options & redefine service suspension on 7/27 agenda 1st reading
Lease of warehouse	Mun Svcs Dir to define Town's space needs; once done, staff will put an RFP out for a leasing agent	back to TC in October
Grant requirements at Senior Center	* TM to provide TC with a report on what the grant requires. This item was to come back to the TC on 6/8 but I only became aware of this issue 6/2, so requested time to review it.	delayed til 7/28 roundtable due to higher priorities
Pavillion Clock	spoke with Mr. Silverstone; he advised he never billed the Town for any of his costs although he spent several hundred dollars on it; it is a solar-powered atomic clock with a temperature gauge and a tide clock; indicated clock is done but when he brought it to a Commission meeting it was not well-received. Left it that he would bring in clock for Town to consider, but has not done so.	
Fees for residents/non-residents at SC		
Town-wide parking Study	first step is to outline scope of analysis to be done	scope to Commission in August

TRAFFIC ISSUES	STATUS	TO COMMISSION
Imperial Lane Traffic Calming	Town Engineer submitted traffic choking proposal to County on 5/25; County made site visit in June to eval proposed solution; determined not to fully address problem so we engaged a Traffic Engineer to prepare a better plan	
Trial Valet Project	Plan approved by Commission in July. Implementation to start ??????	report to TC 60 days after trial starts
Open outlet to alley from Pier pkg lot	County Traffic Engineer did on-site vist last week; Bud to follow up with owners & report to TC the requirements for safe access to alley * Check if Oriana's 15 ' pedestrian walking will be legally affected by using this alleyway.	August Commission meeting
Red light camera for Comm'/A1A inter	gathering info from BSO and other cities & red light vendor; have reviewed state law changes	Sept
Bel Air traffic light issues	Traffic count to be requested to be done during season; Comm. Clotey has advised that light near the church is now working properly	

RECENTLY COMPLETED ASSIGNMENTS	STATUS	TO COMMISSION
LAP project match	TC was advised of town's match requirements at 5/25 mtg	
Speeding on Seagrape	BSO conducted traffic enforcement on Seagrape throughout April & May	
Analysis of Contingenices & Reserves	Was provided to the Commission in June; projections are contained in the budget message	
July 4th Fireworks	bids awarded; to be shot from the Pier	
Colon payout inquiry	completed; litigation commenced;	shade session 7/28
RFP for External Auditor	completed; Audit Committee has met & ranked proposers	
Appropriation to cover budget shortfalls from Colon payout	on 6/22 TC appropriated funds from a reserve account to cover amount appropriately paid to Colon only Town seeks repayment of	
Olinzock final seperation	On 6/22 TC decided to revise termination to "with Cause"	
Granicus	Report provided to TC on 5/25 agenda; staff reviewed list of Granicus features Comm. Vincent submitted & provided report that we use almost all features	