Town Commission
Jarvis Hall 4505 N. Ocean Drive

Regular Town Commission

Regular Town Commission

Wednesday, September 14, 2022, 6:30 PM
Jarvis Hall 4505 N. Ocean Drive

1. **CALL TO ORDER, MAYOR CHRIS VINCENT**
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **INVOCATION Pauline Brooks McGuinness representing the Baha'i Faith**
4. **ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS**
5. **PRESENTATIONS**

   5.a. BOO! By The Sea and Veteranâ€™s Day 2022
   9-14-22 AM Boo! By the Sea and Veteran's Day.pdf

6. **PUBLIC COMMENTS**
7. **PUBLIC SAFETY DISCUSSION**

   7.a. BSO Public Safety Report- August 2022
   9-14-22 AM BSO July Monthly Report.pdf
   Ex. 1 BSO Report- August 2022.pdf

   7.b. VFD August 2022 Activity Report
   9-14-22 AM VFD Monthly Report.pdf
   Ex. 1 Town Report Overview August 2022.pdf
   Ex. 2 Monthly Activity Report-August 2022.pdf
   Ex. 3 LBTS Active Member Roster August 2022.pdf

8. **TOWN MANAGER REPORT**

   8.a. Town Manager Report for September 14, 2022
   09-14-22 AM Town Manager Report.pdf

9. **TOWN ATTORNEY REPORT**
10. **APPROVAL OF MINUTES**

    10.a. Approval of Minutes
    9-14-22 AM Approval of Minutes.pdf
    Ex. 1 8-24-22 Regular Town Commission Meeting.pdf

11. **CONSENT AGENDA**

    11.a. Lauderdale-By-The-Sea Garden Club request for Jarvis Hall Use and Parking Permits in Fiscal Year 23
    9-14-22 AM Garden Club.pdf

    11.b. Lauderdale-By-The-Sea Woman's Club request for Jarvis Hall Use and Parking Permit Request for FY23
    9-14-22 AM Woman's Club.pdf

12. **OLD BUSINESS**
13. **NEW BUSINESS**
14. **COMMISSIONER COMMENTS**

15. ORDINANCES 1st Reading

16. ORDINANCES 2nd Reading

17. RESOLUTIONS PUBLIC COMMENTS

17.a. Resolution 2022-42 - A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING A MEMORANDUM OF AGREEMENT WITH THE BROWARD SHERIFF'S OFFICE FOR ENHANCED PATROL SERVICES; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR IMPLEMENTATION AND AN EFFECTIVE DATE.

9-14-22 AM BSO MOU.pdf

Ex. 1 Resolution 2022-42 BSO MOU.pdf

17.b. Resolution 2022-35- A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING AN AGREEMENT WITH ARCHIVESOCIAL, INC. TO PROVIDE SOCIAL MEDIA ARCHIVING SERVICES; WAIVING THE TOWNâ€™S PURCHASING MANUAL FOR THE SERVICES; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

9-14-22 AM Archive Social .pdf

Ex. 1 Resolution 2022-35 Archive Social Agreement.pdf

Ex.2 2019 ArchiveSocial Piggyback Agreement.pdf

18. QUASI JUDICIAL PUBLIC HEARINGS

19. ADJOURNMENT

THE TOWN OF LAUDERDALE-BY-THE-SEA WILL FURNISH APPROPRIATE AUXILIARY AIDS AND SERVICES NECESSARY TO AFFORD INDIVIDUALS AN EQUAL OPPORTUNITY TO PARTICIPATE IN MEETINGS OF THE TOWN COMMISSION. IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND FLORIDA STATUTE 286.26, PERSONS WITH DISABILITIES NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE TOWN CLERK NO LATER THAN TWO (2) DAYS PRIOR TO THE MEETING AT (954) 640-4200 FOR ASSISTANCE.

IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE TOWN COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, HE/SHE WILL NEED A RECORD OF THE PROCEEDINGS AND FOR SUCH PURPOSES MAY NEED TO ENSURE THAT A VERBATIM RECORDING OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

PROCEDURES FOR PUBLIC COMMENTS:

Public Comments may address issues that are not on this meeting's agenda, but should relate to the business of the Town, and should not contain personal attacks. If your comment requires follow up, the Town Manager will have a staff person respond to your concerns, and will advise us of the outcome.

The Town Clerk will read off the names of those who have signed up to speak. When your name is called, please come to the podium, state your name for the record, and indicate whether you are a Town resident. Do not state your address. You have up to three minutes to make your comments, but there is no requirement to use the entire time. If you wish to address a particular Commissioner or member of Town Administration, please do so by use of their title.

If you wish to approach the Commission dais to hand out a document or for some other reason, please request permission and state your reason for doing so. All documents to be provided to the Commission should be handed to the Town Clerk for distribution.

These procedures have been developed to assure that the Town Commission meeting time is efficiently used, and that meetings are conducted in a polite and respectful manner. More information on the decorum rules for Town Commission meetings is available in Section 2-23 of the Town Code of Ordinances.

INVOCATION:

The Invocation before each Town Commission meeting is a voluntary service of a private citizen, offered to serve the spiritual needs of the members of the Town Commission and solemnize the meeting. It is not intended to be an opportunity to

advance or disparage one faith or belief over another. The views expressed in the Invocation have not been previously reviewed by the Town and do not necessarily represent the beliefs of any Town employee or official. No person is required to be present at or participate in the Invocation, and the decision whether to be present or participate in the Invocation will not affect any person's right to actively participate in the official business of the Town or obtain any benefit from the Town. The Town's written Invocation policy is available on its website, and upon written request to the Town Clerk.

Agenda Item No: 5.a

Town Commission Agenda Item Report

Meeting Date: September 14, 2022
Submitted By: Katie Anderson, Special Events and Marketing Coordinator
Submitting Department: Administration
Item Type: Presentations
Agenda Section: Presentations

Subject Title: BOO! By The Sea and Veteran's Day 2022

Explanation: A brief presentation on the upcoming Town events. We are excited to be bringing back two fan-favorite annual events:

BOO! By The Sea	Saturday, October 29	2pm – 4:30pm
Veteran's Day	Friday, November 11	10am – 11am

Boo! brings together many of our business owners to welcome and interact with hundreds of families in the West Business District to enjoy an old fashion Halloween celebration.

We are thrilled to have Commissioner Strauss as chairman for this year's Veteran's Day celebration.

We look forward to bringing back the expectations -and the joy- each of these events provide to our residents and neighbors.

Agenda Item No: 7.a

Town Commission Agenda Item Report

Meeting Date: September 14, 2022
Submitted By: Captain Thomas Palmer, BSO
Submitting Department: Public Safety
Item Type: Report
Agenda Section: Public Safety Discussion

Subject Title: BSO Public Safety Report- August 2022

Recommendation: Accept/Approve

Attachments: Ex.1- BSO Report-August 2022

Date: September 5, 2022

To: Linda Connors
Town Manager

From: Captain Thomas Palmer
Commander, Lauderdale by the Sea District

Subject: BSO Public Safety Report- August 2022

PERSONNEL CHANGES:

Detective Danny Mursell transferred to BSO Court Services. Deputy Benya "Ben" Koos was interviewed, selected, and re-classified to Detective to replace Detective Mursell.

EMPLOYEE OF THE MONTH: Deputy Alain Dubreuil

Deputy Alain Dubreuil was working a traffic enforcement directive when he observed a Mercedes make an illegal left turn (3 signs and pavement marking prohibiting) onto Commercial Blvd from West Tradewinds Avenue. He therefore made a traffic stop on the Mercedes and the three occupants. Deputy Dubreuil quickly determined that the driver, Jaheim Davis, was knowingly driving on a suspended driver's license and placed him in custody.

The subsequent on-scene investigation by Deputy Dubreuil led to the arrest of Davis and recovery of a loaded handgun found under the driver's seat, Methylenedioxy methamphetamine (MDMA), 43 checks and 14 credit cards, all in different names. An NCIC/FCIC query revealed that Davis was on felony probation for grand theft of a gun and was wanted by the US Postal Service (Texas warrant) for Fraud / Unauthorized Credit Card Usage. The US Secret Service was notified of the arrest and responded to interview Davis. Davis's Mercedes was seized for felony forfeiture but was declined by BSO Legal due to a high lien.

Davis was charged with Disobeying a Traffic Control Device, Possession of a Controlled Substance, Carrying a Concealed Firearm, Violation of Probation, and Driving While License Suspended or Revoked.

Rather than just write a traffic citation and release the driver, Deputy Dubreuil tenaciously investigated his case arresting a wanted felon and removing a gun and drugs from our community. Due to his actions, Deputy Dubreuil was awarded Deputy of the Month honors for August 2022.

HONORABLE MENTION: Deputy Brann Redl

While on patrol, Deputy Brann Redl observed a Honda driving southbound in the northbound lanes of El Mar Drive. The Honda slowed but kept rolling a short distance while the driver and two occupants made several frantic movements when Deputy Redl initiated a traffic stop for the infraction. Upon walking up to the Honda, Alprazolam tablets were noted strewn about the car, and several were mixed with a cup of ice water in an attempt to destroy the evidence. The driver was initially less than cooperative but Deputy Redl quickly gained control of the situation.

The subsequent on-scene investigation by Deputy Redl led to the arrest of all three individuals, recovery of narcotics and seizure of the Honda for forfeiture. Arrest charges included:

- Subj #1: Possession of Alprazolam, Tampering with Evidence, Violation of Probation (Trafficking Cocaine), and Driving on the Wrong Side of the Road.

- Subj #2: Possession of Alprazolam, Possession of Cocaine, Possession of Paraphernalia, Violation of Probation warrant (Possession of Eutalinone)

- Subj #2: Possession of Alprazolam, Possession of Cocaine, Trafficking in Oxycodone, and Possession of Drug Paraphernalia.

As a result of Deputy Redl's tenacity, dangerous drugs and felonious individuals were removed from the streets of Lauderdale by the Sea. I congratulate him on a job well-done.

COMMUNITY PROGRAMS AND SERVICES: These ancillary programs and services are available to residents on an ongoing basis.

- **Elder Links:** This program offers referral services to elderly residents and other senior citizens in need of medical and mental health care, meal delivery or other social services.

- **Business and Residential Security Surveys:** The Business and Residential Security Survey program teaches participants to secure their business, home or condominium to reduce the likelihood of burglary and theft. Security surveys, conducted by a certified law enforcement security specialist, are provided upon request, at no charge to the business owner or resident.

- **Vacation House Watch Program:** Residents who are traveling out-of-town may register for this program. Deputies will conduct periodic checks of their residence until their return.

- **Neighborhood Crime Prevention Program:** The Neighborhood Crime Prevention program liaison organizes and conducts crime prevention and security seminars at the request of neighborhood civic and condominium associations. We will also help facilitate any Neighborhood Crime Watch programs in which the residents wish to participate.

- **Identity Theft and Scam Prevention Program:** The Identity Theft and Scam Prevention program is designed to inform residents about identity theft and how to lessen their chances of becoming a victim of a scam. Residents are informed on the importance of shredding documents, awareness of suspicious individuals, protection of passwords and use of caution in revealing information. Our Shred-A-Thon to reduce identity theft event is incorporated into this program.

- **Enhanced Marine Law Enforcement Patrol Program:** The BSO Marine Patrol Unit participates in the Enhanced Marine Law Enforcement Grant on behalf of Lauderdale-by-the-Sea. This grant allows for additional maritime patrols throughout the Town's waterways and adjacent ocean area.

- **Citizen Observer Patrol (COP) Program:** COP volunteers are local residents who receive public safety training. They are a tremendous asset to the Town of Lauderdale-by-the-Sea. COP members alternate assisting in administrative duties or patrolling local neighborhoods as an extra pair of eyes and ears to supplement deputy sheriff patrols. COP members also attend monthly patrol information and criminal intelligence briefings. A summary of COP statistical activity is included at the end of this report.

- **Sexual Offender Tracking Program:** There are **no** individuals legally classified as a sexual offender residing within Town limits. The sex offender database is routinely checked by BSO to ensure compliance with State of Florida legal mandates. Existing municipal ordinances prohibit persons classified as sexual offenders or sexual predators from residing within Town limits.

- **Bicycle Patrol:** Deputies utilize specialized patrol bicycles to enhance public safety and community outreach. This mode of patrol allows the deputies to interact one-on-one with our residents and visitors. The patrol bicycles were utilized for a total of 6.5 hours this month.

- **All-Terrain Vehicle Patrol:** The ATV / Polaris are primarily utilized on the beach areas in order to conduct patrols to deter criminal activity and maintain the security of the beach-area properties. The ATV patrol is instrumental in marine fisheries regulation enforcement and protection. Deputies used the ATV / Polaris for 215 miles and 23.5 hours this month.

- **Crisis Intervention Team / Homeless Outreach Team Programs:** The C.I.T. / H.O.T. program is comprised of specially trained patrol deputies and supervisors who are able to intervene in situations involving persons with mental illness or are otherwise experiencing mental health crises or are homeless and in need of services. One (1) individual required and was provided mental health services. Four (4) individuals experiencing homelessness were contacted during the month. Three (3) of the individuals were trespass warned from commercial properties and refused services. One individual was arrested for violation of town ordinances after several warnings.

- **Automated License Plate Reader Camera System:** The ALPR system installation was completed in October 2014. The system is proving to be an effective tool to Public Safety. ***See Notable Incidents/Arrests below.***

- **e – Alerts:** This information initiative allows Town residents to stay informed, via email or text messages, of important topics such as criminal activity, traffic information, upcoming events, security issues and other important public safety information throughout Broward County and Lauderdale-by-the-Sea. Residents can register for this program through either the Lauderdale-by-the-Sea or the Broward Sheriff's Office internet website @ www.sheriff.org .

- **Electronic Message Board:** The BSO Lauderdale-by-the-Sea district continues to utilize the electronic traffic safety message board at various locations within the Town. This allows the district to alert residents about any traffic problems and other important public safety issues impacting them.

- **SaferWatch:** SaferWatch is an application (app) that gives citizens the power to record or report non-emergency incidents as they happen. It provides another option to the "If you see something, say something" message and allows individuals that "If you see something, SEND something" via a mobile application (app) from your smartphone.

- **TWITTER:** The Broward Sheriff's Office has provided an official Twitter account to Captain Palmer and Lieutenant Wesolowski to provide information to the public via social media. Follow us **@BSOLBTS**.

SPECIAL EVENTS: These events required the participation of the BSO LBTS district.

N/A

NOTABLE INCIDENTS / ARRESTS:

CASE: 13-2208-000059
DATE/TIME: 08/03/22 @ 0920 hrs
LOCATION: N. Ocean & Commercial Blvd
SUSPECT(S): BM, 20-30 YOA, 5'7-5'10, 150-160 lbs, wearing all black clothing
INCIDENT: Petit Theft-bicycle
SUMMARY: At about 5:39p on Aug 1, the listed black male rode off on the victim's bike that had been left unattended in the driveway. The incident was captured on CCTV. 2020 Bicycle description: Trek hybrid mountain bike, black with white lettering, seven speed and LED lights wrapped around the bike's top tube. Investigation is ongoing.

CASE: 13-2208-000077
DATE/TIME: 08/04/22 @ 1821 hrs
LOCATION: 4319 N. Ocean, Walgreens
SUSPECT(S): B/M, 2 B/F suspects
VEHICLE: possibly a grey or white 4 door sedan
INCIDENT: Retail Theft
SUMMARY: Above suspects walked into the Walgreens, each took one or two packages of 'Pampers' brand baby diapers, did not offer to pay for the items, walked past all points of sale an into a vehicle that fled south on N. Ocean. Manager waited for 15 minutes before calling 911 to report the theft. Investigation is ongoing.

CASE: 13-2208-000131
DATE/TIME: 08/05/22 @ 2120 hrs
LOCATION: 4319 N. Ocean, Walgreens
SUSPECT(S): 1 B/M, 2 B/F suspects
VEHICLE: possibly a grey or white 4 door sedan
INCIDENT: Retail Theft
SUMMARY: Above suspects walked into the Walgreens liquor store side, each took one large bottle of alcohol, did not offer to pay for the items, walked past all points of sale an into a vehicle that fled south on N. Ocean. Manager waited for 10 minutes before calling 911 to report the

theft. The suspects were the same individuals who committed the above listed case. Investigation is ongoing.

CASE: 13-2208-000133
DATE/TIME: 08/05/22 @ 2130 hrs
LOCATION: 4410 Bougainvilla Dr.
SUSPECT(S): UNK
VEHICLE: 2022 White Lexus RX350 SUV
INCIDENT: Burglary Conveyance **(valuables in plain view)**
SUMMARY: Victim stated that her sister's vehicle was parked in the second row of cars in the lot. Back window was smashed out and a Michael Kors purse and its contents were removed along with a second purse. Credit cards, ID, and cash were in the purses at the time. Vehicle processed for latent prints. Deputy Koos diligently reviewed the LBTS Town camera system and obtained video which recorded the victims parking in the A1A lot. The suspects' vehicle followed immediately into the lot and backed into the row behind the victims. The suspects then watched while the victims opened the rear hatch and placed their purses inside. The suspects then moved their vehicle and parked in the spot adjacent to the right side of the victims, where they remained for approx. 40 minutes. The suspects then backed out, a passenger exited the vehicle and smashed out the rear window of the victims' vehicle to access the purses. The town's LPR captured a possible vehicle and tag as it left the town immediately after the crime. Investigation is ongoing.

CASE: 13-2208-000159
DATE/TIME: 08/05/22 @ 2120 hrs
LOCATION: 4319 N Ocean Dr (Walgreens)
SUSPECT(S): Philippe, Emilio B/M 12/27/82
INCIDENT: Retail Theft, possession of cocaine **ARREST**
SUMMARY: Unmarked surveillance of the Walgreens noted the above suspect committing a Retail Theft. Suspect stopped in the parking lot of the Marathon Gas Station. Suspect admitted to stealing items from the store. A "show-up" was conducted with the manager of Walgreens with a 100% positive ID for the suspect for the Petit Theft. While inventorying the suspect's property revealed suspect narcotics (later field tested positive for cocaine) a glass crack pipe, and the property from the retail theft. The suspect was transported to BSO Main Jail.

CASE: 13-2208-000239
DATE/TIME: 8/10/2022 0821 hrs
LOCATION: N Ocean Dr/Commercial Blvd.
VEHICLE: 2020 Scooter No Tags
SUBJECT: Megan Lachapelle W/F 3/3/1994
EVENT: FS Recovery/Habitual Traffic Violator-**ARREST**
SUMMARY: While conducting traffic enforcement at Commercial Blvd/N Ocean Dr. Dep Kratz observed the subject driving a red scooter with no tag attached south on N Ocean Drive pulling into the Marathon Gas Station. A traffic stop was conducted. The subject at first gave a false name. It was then learned that the scooter was reported stolen out of Hallandale Beach on 3/1/2022 and her New Hampshire DL was revoked and listed as a Habitual Traffic Violator. She advised that her friends gave it to her for free for her birthday. She was placed under arrest and transported to the BSO Main Jail.

CASE: 13-2208-000286
DATE/TIME: 8/12/22 @ 1111 hrs
LOCATION: 4319 N Ocean Dr (Walgreens)
ARRESTEE: David Lee Coss W/M 9/17/57
INCIDENT: Retail Theft, Warrant **ARREST**
SUMMARY: Deputies responded to Walgreens in reference to a report of a theft that had just occurred. Staff advised the suspect took an inexpensive umbrella and fled without paying. Davis Coss was quickly detained in front of 4327 N Ocean Dr; however, Walgreens management then declined to pursue prosecution. A Teletype check of Coss revealed an active Capias for Theft. Coss was transported to the BSO Main Jail.

CASE: 13-2208-000306
DATE/TIME: 08/13/22 @ 0851 hrs
LOCATION: 4353 N Ocean Dr (Marathon)
SUSPECT: W/H/M 30 yoa, 5'6" thin, curly brown hair, TT both arms
VEHICLE: Honda Accord
INCIDENT: Recovered Stolen Auto (FS Recovery)
SUMMARY: Dep. Koos was on bicycle patrol and was flagged down by the clerk/witness Sean Clarke at the Marathon gas station located at 4353 N Ocean Dr. Clarke reported an unidentified white Hispanic male had parked a silver Honda Civic FL#46BYVA, at one of the pumps approx. 30 minutes prior and had not returned. A Teletype check revealed the vehicle was stolen out of Dade County. This vehicle had also just previously been involved in an incident where the vehicle fled from Pompano Beach deputies. (11-2208-003798). Investigation is ongoing.

CASE: 13-2208-000313
DATE/TIME: 08/13/22 @ 1634 hrs
LOCATION: Hibiscus Av/N Ocean Dr
SUSPECT: Oscar Zayas-Bazan W/H/M 1/15/94
INCIDENT: Recovered Stolen Auto **ARREST**
SUMMARY: Pompano Beach deputies/RTCC advised of a 2019 Toyota, bearing stolen tag #PJ987V, southbound on N Ocean Dr from Terra Mar. Sea Ranch Lakes (SRL) Officer Koch observed the vehicle pass SRL and fell in behind, calling it out. Sgt Bachan immediately responded and came in behind Officer Koch, with Watch Commander Etter as the third vehicle. A felony stop was conducted at Hibiscus Av/N Ocean Dr and a male and female detained. On scene investigation determined the stolen tag was reported by a used car lot, where driver Oscar Zayas-Bazan is employed. The VIN was reported separately as also being stolen. Suspect was arrested by Sea Ranch Lakes PD.

CASE: 13-2207-000330
DATE/TIME: 08/14/22 @ 1330 hrs
LOCATION: 2021 Coral Reef Dr
VEHICLE: Hyundai Elantra
INCIDENT: Recovered Stolen Auto
SUMMARY: While conducting a vacation house watch at 2021 Coral Reef Dr. Deputy Hopkins observed an unoccupied Hyundai Elantra bearing FL tag BKXS91 parked in front of the residence. A check on teletype revealed the vehicle was an unconfirmed stolen vehicle out of Pompano Beach case #11-2207-009219. The vehicle was removed from the system as stolen, processed, and towed. The exterior of the residence was checked, and residence was secure with no entry attempted or made.

CASE: 13-2208-000416
DATE/TIME: 08/16/22 @ 1251 hrs
LOCATION: N Ocean Blvd and entrance to Sea Ranch Plaza
VEHICLE: 2015 white Ford Fusion
ARRESTEE: Joyce Moissett 9/11/51
INCIDENT: Hit and Run Pedestrian **(ARREST)**
SUMMARY: Deputies received a 911 call in reference to an unknown vehicle (white or black) strike a pedestrian in the crosswalk and fled the scene. There were two potential witnesses that remained on scene and both gave significantly different vehicle descriptions (one gave a black Mercedes, the other a white vehicle). The victim was transported to the hospital with non-life-threatening injuries. On 8/18/22, Dep Kratz conducted a followed-up investigation, and was able to locate surveillance cameras at the Sea Ranch Club (4900 N Ocean Dr), which captured the entire incident. A white 2015 Ford Fusion exited the plaza and struck the victim with the left front fender. The driver then stopped and checked on the victim's condition, before re-entering her vehicle and fleeing. Moments later, the driver circled back, parked in the plaza, and approached Dep Dubreuil, identifying herself as a possible witness. An FL/DL check of the 'witness' revealed her photo closely matched the driver in the surveillance footage, and a 2015 white Ford Fusion was registered to her. BWC footage also matched the recording of the subject. The vehicle was then located in the parking lot of the subject's condo, with left front fender damage. On 8/19/22, the suspect was invited to the LBTS office, where Dep Kratz interviewed her and obtained her post-Miranda statement. During the interview the subject admitted to her involvement in the incident and was charged with Felony Leaving the Scene of a Crash with Serious Injury and Careless Driving. Contact to update the victim revealed she suffered a fractured tibia, which will soon require surgical repair with plates and screws.

CASE: 13-2208-000785
DATE/TIME: 8/27/2022 1338 hrs.
LOCATION: 4140 N Ocean Dr.
VEHICLE: 2021 Ford Expedition
ARRESTEE: Jeremy Heath W/M 1/26/1992
INCIDENT: Recovered Stolen Auto-**ARREST**
SUMMARY: Units responded to the area of the 4400 Blk. El Mar Dr. in reference to assisting the Fort Lauderdale Police Department in an auto theft investigation. They requested deputies look for a white 2021 Ford Expedition that was just stolen by a known subject from Holy Cross Hospital. The subject was being transported to the hospital from a rehab center for treatment. While at the hospital, he stole the keys to the vehicle and fled the hospital in that vehicle. Dep. Kratz located the vehicle in the east parking lot of 4140 N Ocean Dr. along El Mar Dr. It was backed into a parking space un-occupied and locked. While working on the recovery, a W/M later identified as Jeremy Heath walked up to his vehicle, handed Deputy Kratz the car keys and stated "I'm sorry, I was scared." Heath was taken into custody without incident. FLPD Officer Cruz responded to the scene. The subject was then transported to Imperial Point Hospital for withdrawals of Fentanyl. Officer Cruz responded to the hospital to complete his paperwork and take custody of the subject. The vehicle was released to the victim on scene.

CASE: 13-2208-000867
DATE/TIME: 08/30/22 @ 1243 hrs
LOCATION: 4100 block of El Mar Drive
ARRESTEES: Dennis Watson, Giselle Yankovich, Beth Briener
INCIDENT: Possession of Alprazolam x 3, Possession of Cocaine x 2, Trafficking in Oxycodone, Possession of Drug Praphernalia x 2, Tampering with Evidence, Driving on the Wrong Side of the Road. **ARREST**
SUMMARY: Deputy Redl observed the arrestees driving south in the northbound lane of El Mar Dr. A traffic stop was made which led to the discovery of a large amount of Alprazolam and other drugs and paraphernalia. A plethora of felony charges, including VOP, evidence destruction and others resulted. Vehicle confiscated and held for forfeiture. See "Honorable Mention" listed earlier in this report for additional information.

CASE: 13-2208-000922
DATE/TIME: 08/31/22 @ 1500 hrs
LOCATION: 276 Commercial Blvd
ARRESTEE: Jaheim Le Brone Ahmaad Davis, 04/04/02
VEHICLE: 2018 Mercedes
INCIDENT: Traffic infraction, DWLS with knowledge, VOP (original charge – theft of a handgun), Possession of MDMA, CCF, Federal Warrant - Unauthorized credit card usage, Fraud use of credit card.
SUMMARY: While conducting traffic enforcement, Dep Dubreuil saw an SUV make the illegal left turn from northbound W Tradewinds onto Commercial Blvd. A traffic stop was conducted that revealed that the driver/arrestee was driving on a suspended driver's license with knowledge and had a warrant for his arrest. An inventory of the vehicle revealed a loaded handgun, MDMA (ecstasy), credit cards and checks in other names. The investigation is ongoing.

MONTHLY ARREST LOGS:

M	Capias Arrest-Viol Probation-Grand Theft	4400	N Ocean Dr
M	Disorderly Conduct	4605	N Ocean Dr
M	Disorderly Conduct	2	Commercial Blvd
M	Possess MDMA-CCF		W Tradewinds Av/Commercial Blvd
F	Fail to Remain at Crash With Serious Bodily Injury	4900	N Ocean Blvd
M	Grand Theft $750 less than $5000	4319	N Ocean Dr
M	Petit Theft-2nd Degree-2nd Offense	4321	N Ocean Dr
M	Municipal Ordinance Violation-Sleeping on the Beach	4600	EL MAR DR
M	Obstruct Justice/Intimidate Witness or Victim	5100	N Ocean Blvd
M	Possession of Alprazolam-Xanax	4200	El Mar Dr
F	Possession of Alprazolam-Xanax	4300	El Mar Dr
M	Battery-Domestic Violence	4605	N Ocean Dr
F	Traffic Oxycodone -more 14 less than 25 grams	4300	El Mar Dr
F	Grand Theft Motor Vehicle	4345	N Ocean Dr
M	Warrant-Theft to Deprive	4319	N Ocean Dr

CRIME STATISTICS:

CRIME	CURRENT MONTH	PRIOR MONTH	2021 YTD	2022 YTD
AUTO THEFT	0	0	8	5
BURGLARY-BUSINESS	0	0	2	0
BURGLARY-CONVEYANCE	1	2	14	9
BURGLARY-RESIDENCE	0	0	6	4
BURGLARY-STRUCTURE	0	0	0	0
FORCIBLE SEX	0	0	0	0
ARSON	0	0	0	0
ASSAULT-AGGRAVATED	0	0	2	1
HOMICIDE	0	0	0	0
ROBBERY	0	0	2	1
THEFT-GRAND	0	0	3	16
THEFT-PETIT	8	4	29	33
TOTALS	**9**	**6**	**66**	**71**

CITIZEN OBSERVER PATROL STATISTICAL SUMMARY:

COP Activity	Total
Number of Volunteers	31
COP Hours Worked - Month	85
COP Patrol Miles - Month	209
COP Hours Worked - YTD	1092
COP Patrol Miles - YTD	1995

COP Bike Patrol Hours - Month	0
COP Bike Patrol Hours - YTD	23

COP Beach Patrol Hours – Month	9
COP Beach Patrol Hours - YTD	210.5

RESERVE DEPUTY ASSISTANCE: Reserve Deputies are part-time, fully sworn deputies who provide supplemental staffing to LBTS, when available, at NO cost to the Town.

	Month	2022 YTD
Reserve Deputy - Days Worked	6	45
Reserve Deputy - Hours Worked	46	381

MONTHLY STAFFING AND STATISTICAL REPORT:
The August 2022 Monthly Staffing and Statistical Report is attached.

Lauderdale by the Sea
Monthly Activity
AUGUST 2022

Reports/Calls	
Miscellaneous Service	
Event Reports	45
Accidents	8
Calls for Service	936

Traffic	
Types of Citation	
Non-Moving / Moving Citation	118
Parking	0
Warnings	183
Total Citations	**301**

Arrests	
Type of Arrest	
Felony	7
Misdemeanor	4
NTA	0
Warrant	2
DUI	0
NIC (Felony)	1
NIC (Misdemeanor)	0
DV (Felony)	0
DV (Misd.)	1
M / Felony Warrant	0
Total Arrests	**15**

Time Worked	
Hours Worked	
Bike Patrol	6.5
Court Overtime	6
Training	24
Detached	28
Other Overtime	61.5
Days Worked	31

General	
FI	14
Truant	0
Truant Debriefed	0
Elder Link	0

Narrative
ATV/UTV: 215 Miles / 23.50 Hours Reserve Deputies worked 6 shifts (46 hrs)

MONTHLY STAFFING AND STATISTICAL REPORT
LAUDERDALE-BY-THE-SEA DISTRICT
August 31, 2022

CURRENT STAFFING ALLOCATIONS

Position	Budgeted Positions	Actual Positions	Vacant Positions
District Chief	1	1	
Executive Lieutenant	1	1	
Sergeant	4	4	
Deputy Sheriff	17	19	2
Community Service Aide	1	1	
Administrative Specialist	1	1	
Clerical Specialist (P/T)	1	1	
TOTAL	**26**	**28**	**2**

PERSONNEL ON LIGHT DUTY, PROMOTED, TRANSFERRED, ETC.

Name	CCN	Status	Circumstances
Detective Danny Mursell	15333	Transferred	Courthouse

DETACHED PERSONNEL / LOCATION

Name	CCN	Detached to	Reason	Hours
Detective Glen Genovese	13738	QRF	Adjunct Training	10
Detective Glen Genovese	13738	Majory Stoneman HS	Jury walk through	10
Sgt. Craig Bachan	7892	Human Resources	Oral Board Interview	8
			TOTAL	**28**

LAUDERDALE BY THE SEA DISTRICT

NEARBY SEX OFFENDERS (2 Mile Radius) – AUGUST, 2022



ANTHONY MANGANARO JR.

11/08/1965

2751 NE 58th St

Fort Lauderdale, FL 33308

SEX OFFENSE, OTHER STATE (ATTEMPTED DISSEMINATE INDECENT MATERIAL TO MINORS 1ST DEGREE)

(GUILTY/CONVICTED – 11/20/2003)

New York, NY



MICHAEL DAVID SCHMEHL

05/26/1974

4141 Bayview Dr.

Ft. Lauderdale, FL 33308

SEX OFFENSE, OTHER STATE (SEXUAL ASSAULT)

(GUILTY/CONVICTED – 08/26/1998)

Bucks, PA



ANGEL MAURY

01/22/1966
4011 N Ocean Blvd. #314
Fort Lauderdale, FL 33308

SEX BAT/COERCES BY THREAT; F.S. 794.011(4)(b)

SEX BAT BY ADULT/VCTM UNDER 12; F.S. 794.011(2) TIMES 2

Lewd or lascivious molestation victim under 12 years offender 18 or older; F.S. 800.04(5)(b) ((2 COUNTS)) TIMES 2

Lewd, Lascivious batt sex w/victim 12-15 years old; F.S. 800.04(4)(a) TIMES 2

Unlawful Sexual Activity with Certain Minors 16/17 yr old; F.S. 794.05(1)

(GUILTY/CONVICTED – 10/28/2013)

Broward, FL

LAUDERDALE BY THE SEA DISTRICT

NEARBY SEX OFFENDERS (2 Mile Radius) – AUGUST, 2022



DAVID RAPHAEL ROSENRAUCH

07/26/1971

3100 NE 46th ST.
Fort Lauderdale, FL 33308

PROV.OBSCENE MAT.MINOR; F.S. 847.0133 (PRINCIPAL)

SEXUAL PERFORMANCE BY A CHILD(POSSESS PHOTO OR PICTURE); F.S. 827.071(4) (PRINCIPAL)

PRODUCE, DIRECT, PROMOTE SEXUAL PERFORM. BY CHILD; F.S. 827.071(3) (PRINCIPAL IN ATTEMPT)

ADJUDICATION WITHHELD 11/12/1996

Lake, FL

NO IMAGE

MURPHY HANDY

11/04/1956

1500 S Ocean Blvd. Apt: 1105 Pompano Beach, FL 33062

ABSCONDED FROM PROBATION

LEWD,LASCIVIOUS CHILD U/16; F.S. 800.04 (PRINCIPAL)

(GUILTY/CONVICTED – 09/21/1995)

Broward, FL



JAMES ORLIN CLARKE

05/14/1980

4011 N Ocean Blvd. #105

Fort Lauderdale, FL 33308

Ocean Reef Hotel

SEX OFFENSE, OTHER STATE (3RD DEGREE CRIMINAL SEXUAL CONDUCT-PERSON 13 TO 15)

(GUILTY/CONVICTED – 11/09/1999)

Macomb, MI

August 29, 2022

Prepared by: Giovanna Anderson

Agenda Item No: 7.b

Town Commission Agenda Item Report

Meeting Date: September 14, 2022
Submitted By: Chief Judson Hopping, VFD
Submitting Department: Public Safety
Item Type: Report
Agenda Section: Public Safety Discussion

Subject Title: VFD August 2022 Activity Report

Recommendation: Accept/Approve

Attachments: Ex.1- Town Report Overview 2022
Ex. 2- Monthly Activity Report-August 2022
Ex. 3- LBTS Volunteer Fire Department Active Roster

Town of Lauderdale-By-The-Sea
Fire Department Monthly Report
August 2022

Overview

During the month of August 2022, the Volunteer Fire Department continued its focus on fire prevention for high-rise buildings and commercial properties. There were 68 annual fire inspections, 0 re-inspection, and two violation that were corrected.

Responses:

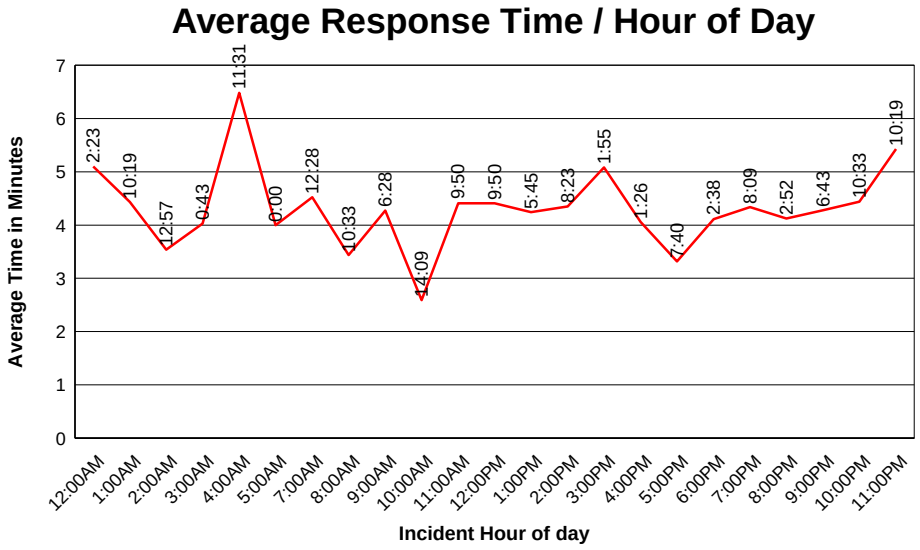
The Volunteer Fire Department responded to 38 fire rescue calls within the limits of our contract.

Emergency 911 Calls	
Fire/Rescue	44
EMS	110

- Of the 38 emergency fire calls dispatched, there were 16 fire alarms 1 brush fire, 1 smoke investigation, 3 vehicle accidents, 1 marine accident, 3 elevator rescues, 2 possible drownings, and 11 "other" fires.

- There were 110 medical 911 calls for August 2022. The department was dispatched to 17 of those calls, of which, 2 were cleared by M12 or the chief on duty. E12/OR212 assisted M12/212 on 11 of those calls and provided 1st responder care until M12's arrival on 4 of those calls.

Total Number of Incidents - 154 **Total Average Response Time - 4:25**



Town of Lauderdale-By-The-Sea
Fire Department Monthly Report
August 2022

Training and Staffing:

The Volunteer Fire Department had 10 Regular in-town, and 29 Associate out-of-town members for a total of 39 active members.

	Regular In - Town	Associate Out of Town
Active Members	10	29

Fire 1 non-certified	0	0
Fire 1 Certified	2	0
Fire II Certified	8	29

There were 9 fire drills, and 2 inspections for a total of 353.5+hours spent on training in August.

Training	
Firefighter & New Hire trng.	343.5 Hours
Inspections	10 Hours
Total Hours	**353.5 Hours**

A total of 2,566.5+ hours were spent on station shifts, and ocean rescue patrol.

Station Hours	
Firefighter Station Watch	1,654.75+ Hours
Ocean Rescue patrol	167.75+ Hours
Chief on Duty/Command	744 Hours
Total Hours	**2,566.50+ Hours**

In closing, the Volunteer Fire Department will continue to improve and increase its members training, as required by ISO and established state training curriculums. We continue to recruit new members through the fire academies, our website, and local town events.

Respectfully,

Judson Hopping

Judson Hopping,
Fire Chief

Monthly Activity Report - August 2022

Date	Fire/Rescue Calls	Event Description	Start Time	End Time	No. of FF
01-Aug-22	3210 South Terra Mar	Fire alarm	2:59:00 PM	3:11:00 PM	5
02-Aug-22	258 Bombay Avenue	Fire alarm	7:35:00 AM	7:42:00 AM	7
03-Aug-22	4540 North Ocean Dr.	Elevator rescue	10:50:00 AM	11:12:00 AM	6
03-Aug-22	4050 North Ocean Drive	Water rescue - no persons in distress	11:35:00 AM	11:45:00 AM	6
06-Aug-22	4228 N. Ocean Drive	Other fire - forcible entry	1:13:00 AM	2:03:00 AM	4
06-Aug-22	4900 North Ocean Blvd.	Drowning - surf diver no distress	1:26:00 PM	1:33:00 PM	8
07-Aug-22	El Mar & Hibiscus	Fire Alarm/Commercial structure fire - hibatchi on balcony	8:00:00 PM	8:09:00 PM	5
09-Aug-22	1612 Bel Air Avenue	Other fire - german shepard hanging on fence	8:27:00 AM	8:49:00 AM	5
09-Aug-22	1950 South Ocean Blvd.	Elevator rescue	5:50:00 PM	6:02:00 PM	4
10-Aug-22	4701 N. Ocean Drive	Fire alarm	3:13:00 PM	3:38:00 PM	5
10-Aug-22	276 Commercial Blvd.	Fire alarm	7:04:00 PM	8:15:00 PM	8
11-Aug-22	1965 S. Ocean Blvd.	Fire alarm	8:05:00 AM	8:23:00 AM	6
11-Aug-22	4501 Bougainvilla Drive	Other fire - svc call remove (2)rings	2:33:00 PM	2:37:00 PM	3
12-Aug-22	1950 South Ocean Blvd.	Fire alarm	11:00:00 AM	11:26:00 AM	5
12-Aug-22	4411 SeaGrape Drive	Other fire - water main break	4:41:00 PM	5:17:00 PM	7
13-Aug-22	4540 North Ocean Drive	Elevator rescue	4:24:00 PM	4:42:00 PM	6
13-Aug-22	1750 South Ocean BLvd.	Elevator rescue	6:25:00 PM	6:49:00 PM	6
14-Aug-22	242 Algiers Avenue	Electrical utility/fire	3:58:00 PM	4:41:00 PM	4
14-Aug-22	4433 El Mar Drive	Electrical hazard	4:22:00 PM	4:32:00 PM	4
15-Aug-22	400 Seagrape Drive	Other fire - suspicious incident	12:09:00 PM	12:19:00 PM	6
16-Aug-22	4700 North Ocean Drive	Accident w/Injuries	12:53:00 PM	1:31:00 PM	6
16-Aug-22	3900 North Ocean Drive	Elevator rescue	4:01:00 PM	4:21:00 PM	9
17-Aug-22	1900 South Ocean Blvd	Fire alarm	9:46:00 AM	10:08:00 AM	7
17-Aug-22	4432 North Ocean Drive	Accident w/Injuries	6:52:00 PM	7:44:00 PM	6
19-Aug-22	1600 South Ocean	Fire alarm	4:07:00 AM	4:28:00 AM	4
19-Aug-22	4220 El Mar Drive	Fire alarm	8:42:00 AM	8:52:00 AM	5
19-Aug-22	275 Commercial Blvd.	Elevator rescue	12:40:00 PM	12:55:00 PM	6
19-Aug-22	5200 North Ocean Blvd.	Fire alarm	2:53:00 PM	3:02:00 PM	7
19-Aug-22	2000 South Ocean Blvd.	Accident w/Injuries	3:03:00 PM	3:10:00 PM	7
19-Aug-22	14 Commercial Blvd.	Other fire - missing man hole cover	10:45:00 PM	11:23:00 PM	4
21-Aug-22	4900 N. Ocean Blvd.	Other fire - forcible entry	7:18:00 AM	7:46:00 AM	8
21-Aug-22	275 Commercial Blvd.	Vehicle hit n run	7:16:00 PM	8:18:00 PM	7
23-Aug-22	1900 North Ocean Drive	Electrical utility fire	7:54:00 AM	8:16:00 AM	9
23-Aug-22	1501 South Ocean Blvd.	Drowning - 7 y/o child out of pool no distress	3:06:00 PM	3:21:00 PM	7
23-Aug-22	4331 W. Tradewinds	Fire alarm	10:45:00 PM	10:58:00 PM	8
24-Aug-22	N. Ocean/Washingtonian	MVA vs Pedestrian	7:50:00 AM	8:23:00 AM	9
24-Aug-22	4300 El Mar Drive	Fire alarm	3:42:00 PM	3:51:00 PM	7
24-Aug-22	6000 North Ocean Blvd.	Other fire - watermain break	9:22:00 PM	9:40:00 PM	7
26-Aug-22	4600 Bougainvilla Drive	Other fire - svc call; iquana in the toilet	7:58:00 PM	8:06:00 PM	7
29-Aug-22	2036 Tropic Isle	Electrical utility fire	7:04:00 AM	7:19:00 AM	5
30-Aug-22	5200 North Ocean Drive	Fire alarm	8:05:00 PM	8:27:00 PM	6
31-Aug-22	4424 Bougainvilla Drive	Other fire - svc call lockout	9:56:00 AM	10:01:00 AM	4
31-Aug-22	Commercial & Tradewinds	Other fire - dog locked in car	1:13:00 PM	1:18:00 PM	5
31-Aug-22	4556 North Ocean Drive	Accident w/Injuries	2:02:00 PM	2:08:00 PM	5
			Total Calls	**44**	

Date	First Responder	Event Description	Start Time	End Time	No. of FF
03-Aug-22	North Ocean Drive	medical, open knox box	12:44:00 AM	12:58:00 AM	1
05-Aug-22	Bougainvilla Drive	medical, walk-up took vitals & dispatched M12	12:46:00 PM	1:57:00 PM	5
06-Aug-22	South Ocean Blvd.	medical, OR312 assisted M12	10:16:00 AM	11:35:00 AM	7
15-Aug-22	North Ocean Drive	medical lift assist only, no medical	4:24:00 AM	4:54:00 AM	2
15-Aug-22	Commercial Blvd.	medical, E12 provided BLS care until M212 arrived	1:06:00 PM	2:02:00 PM	5
17-Aug-22	Bougainvilla Drive	medical, provided care until M12 arrival	10:32:00 AM	11:21:00 AM	7
18-Aug-22	Codrington	medical lift assist only, no medical	10:21:00 AM	10:34:00 AM	5
20-Aug-22	North Ocean Drive	medical, E12 assisted M12	3:37:00 AM	4:22:00 AM	2
20-Aug-22	El Mar Drive	medical, assisted M12	1:03:00 PM	2:07:00 PM	5
20-Aug-22	North Ocean Drive	medical, E12 canceled by M12	6:59:00 PM	7:47:00 PM	5
21-Aug-22	North Ocean Drive	medical, knox box entry	1:21:00 PM	2:07:00 PM	1
22-Aug-22	South Ocean Blvd.	medical, E12 assisted M12	11:59:00 PM	1:08:00 AM	5
25-Aug-22	South Ocean Blvd.	medical lift assist only, no medical	11:20:00 AM	11:39:00 AM	6
26-Aug-22	South Ocean Blvd.	medical, knox box	7:54:00 AM	8:38:00 AM	1
26-Aug-22	BelAir	medical, E12 assisted M12	12:43:00 PM	12:55:00 PM	4
26-Aug-22	North Ocean Drive	medical, knox box entry, E12 canceled by M12	2:40:00 PM	3:37:00 PM	7
30-Aug-22	Bougainvilla Drive	medical, E12 provided BLS care until M12 arrival	4:17:00 PM	5:04:00 PM	7
			Total Calls	**17**	

Date	Public Service	Event Description	Start Time	End Time	No. of FF
02-Aug-22	Hibiscus & Bougainvilla	Water main break - Contacted Ft. Ldle water dept.	4:30:00 PM	17:15	4
17-Aug-22	231 Marine Court	B12 & E12 installed spare tire for resident's flat tire	3:10:00 PM	15:40	4
18-Aug-22	Station 12	Station tour	12:00:00 PM	13:00	3
18-Aug-22	Station 12	Station tour	3:00:00 PM	16:00	3
26-Aug-22	city wide	Community Risk Reduction	11:00:00 AM	13:00	3
28-Aug-22	city wide	Community Risk Reduction	9:15:00 AM	10:30	3
29-Aug-22	city wide	Community Risk Reduction	1:50:00 AM	14:50	3
30-Aug-22	4620 Bougainvilla	Resident locked keys in vehicle	3:00:00 PM	15:15	3

Date	Drill/Training	Event Description	Start Time	End Time	No. of FF
01-Aug-22	Station 12	Ladder testing	8:00:00 AM	4:00:00 PM	4
03-Aug-22	Station 12	Orientation new class	6:00:00 PM	9:30:00 PM	11
04-Aug-22	Station 12	New class P.O.'s; PPE-tools-knots-ladders-tool ID & hydrant	6:00:00 PM	9:30:00 PM	8
06-Aug-22	Station 12	new class P.O.'s PPE, Forcible entry, & hose deployment	8:00:00 AM	12:00:00 PM	11
06-Aug-22	Station 12	new class P.O.'s PPE, Forcible entry, & hose deployment	1:00:00 PM	3:00:00 PM	8
08-Aug-22	Station 12	Foam, 1 3/4 crosslays using inline pickup tubs & propack	6:00:00 PM	10:00:00 PM	6
09-Aug-22	100 East Commercial Blvd.	Fire alarm test @Harats Pub	11:00:00 AM	12:30:00 PM	4
10-Aug-22	Station 12	New class P.O.'s: SCBA, RIT, Search n rescue, & air consumption w/Instructors Chavez & Louvaris	6:00:00 PM	10:00:00 PM	10
15-Aug-22	Station 12	New class P.O,'s - High rise & P.P.E	6:00:00 PM	9:00:00 PM	11
16-Aug-22	Station 12	Driver trng, hose loaded, E12 pony line, SQ12, E212 cross lay E12	6:00:00 PM	10:00:00 PM	5
25-Aug-22	4050 North Ocean Drive	High rise ops @Caribe Condo	6:00:00 PM	10:00:00 PM	9
30-Aug-22	4050 North Ocean Drive	High rise ops @Caribe Condo	6:00:00 PM	10:00:00 PM	6
30-Aug-22	1800 South Ocean Blvd.	Hydrant flow test @Hampton Beach Club w/SprinklerMatic	10:00:00 AM	11:00:00 AM	4

Date	Ocean Rescue	Event Description	Start Time	End Time	No. of FF
02-Aug-22	Beach	Ocean rescue patrol; 10-11:30a, 1-2p, 3-4p & 4-5p	10:00:00 AM	2:00:00 PM	2
03-Aug-22	Beach	Ocean rescue patrol; 10:20-11:15a, 3-4p, & 5-5:20p	11:30:00 AM	1:45:00 PM	2
04-Aug-22	Beach	Ocean rescue patrol; 10:20-10:50a & 12:05-1:25p	11:30:00 AM	1:00:00 PM	2
05-Aug-22	Beach	Ocean rescue patrol; 10-11, 12-1p, 2-3p & -5p	12:30:00 PM	4:00:00 PM	2
06-Aug-22	Beach	Ocean rescue patrol; 12:30-3:30p 4-5:30p	12:30:00 PM	4:30:00 PM	2
07-Aug-22	Beach	Ocean rescue patrol; 10:15-11:15a, & 2-3:30p	11:00:00 AM	1:15:00 PM	2
08-Aug-22	Beach	Ocean rescue patrol; 11-1p, 2:40-3:40p & 4-5p	11:00:00 AM	2:30:00 PM	2
09-Aug-22	Beach	Ocean rescue patrol; 10-11a, 1:45-2:45p, & 3:30-4:30p	12:30:00 PM	3:00:00 PM	2
10-Aug-22	Beach	Ocean rescue patrol; 10-11a, & 4-5p	11:00:00 AM	12:30:00 PM	2
11-Aug-22	beach	Ocean rescue patrol; 10:40-11:40 & 4-5p	11:00:00 AM	12:45:00 PM	3
12-Aug-22	Beach	Ocean rescue patrol; 10-11a, 12-1p, 2-3p & 5:30-6p	12:00:00 PM	3:00:00 PM	2
13-Aug-22	Beach	Ocean rescue patrol; 10-11a, 3-4p	2:00:00 PM	4:00:00 PM	2
14-Aug-22	Beach	Ocean rescue patrol;10-11:30	10:30:00 AM	11:30:00 AM	2
15-Aug-22	Beach	Ocean rescue patrol; 10-11a, 2-3p & 4-5p	11:00:00 AM	2:00:00 PM	2
16-Aug-22	Beach	Ocean rescue patrol;; 10-12n, 1:30-2p & 3-3:30pm	10:00:00 AM	1:00:00 PM	2
17-Aug-22	Beach	Ocean rescue patrol; 11-12:20p & 4-5p	11:00:00 AM	1:00:00 PM	3
19-Aug-22	Beach	Ocean rescue patrol; 10-11:15 & 5-5:30	10:30:00 AM	11:45:00 AM	2
20-Aug-22	Beach	Ocean rescue patrol; 10-11a, 2:30-3:30p & 4-5p	11:00:00 AM	2:00:00 PM	4
21-Aug-22	Beach	Ocean rescue patrol; 10-11a, 2:30-3:30p, & 4:30-5:30p	11:00:00 AM	2:30:00 PM	2
22-Aug-22	Beach	Ocean rescue patrol; 10-11a, 12-1p, 2:30-3:30p & 4-5p	11:00:00 AM	2:30:00 PM	2
23-Aug-22	Beach	Ocean rescue patrol;10-11a, 12:30-1:30p, & 4-5:30	11:00:00 AM	2:00:00 PM	2
24-Aug-22	Beach	Ocean rescue patro & trng; 10-11a & 3-5p	11:00:00 AM	2:30:00 PM	3
25-Aug-22	Beach	Ocean rescue patrol; 10-11a, 1-2p & 3-5p	1:00:00 PM	2:30:00 PM	3
26-Aug-22	Beach	Ocean rescue patrol; 10-11a, 1-2p, & 3-5p	11:00:00 AM	2:30:00 PM	2
27-Aug-22	Beach	Ocean rescue patrol & trng.; 10:40-12n, 2:45-3:15p, & 4:15-5:15p	11:00:00 AM	1:30:00 PM	4
28-Aug-22	Beach	Ocean rescue patrol; 10-11a & 4-5p	10:00:00 AM	11:30:00 AM	2
29-Aug-22	Beach	Ocean rescue patrol.; 11-12n, 2-3p, & 4-5p	11:00:00 AM	1:30:00 PM	2
30-Aug-22	Beach	ocean rescue patrol; 11-12n, 3-4p & 5-5:30p	11:30:00 AM	1:30:00 PM	2

*Ocean Rescue patrol consist of checking poles/life rings, educating public on flags, rips currents & any fire related issued near or on the beach.

LBTS Volunteer Fire Department - August 2022, Active Roster

Last Name	First Name	LBTS FF No.	Membership	*Town Resident	Rank	Fire Certifications	EMS Certification	MTD Calls	YTD Calls
Arellana	Brandy	176968	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	7	23
Benrubi	Aaron	173349	Associate Member		Driver Engineer	Firefighter II	Paramedic (FL)	3	43
Besosa	Jose	193537	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	7	44
Bias	Jonathan	81298	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	4	53
Bitar	Kalyne	181635	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	3	3
Cabrera	Ricardo	177336	Associate Member		Firefighter	Firefighter II	CPR for healthcare provider	2	60
Carlton	Ryan	186384	Associate Member		Lieutenant	Firefighter II	EMT-B (FL)	8	69
Cedeno	Khelly	188720	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	0	0
Cosenza	Vincent	169533	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	6	63
Cowles	James	186248	Regular Member	*	Firefighter	Firefighter I	CPR for healthcare provider	36	382
Ferreria	Paul	183881	Regular Member	*	Firefighter	Firefighter II	EMT-B (FL)	22	30
Fixman	Daniella	190965	Associate Member		Firefighter	Firefighter II	CPR for healthcare provider	3	61
Hernandez	Andy	189053	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	5	44
Hernandez	Rosa	190618	Associate Member		Firefighter	Firefighter II	CPR for healthcare provider	9	63
Hopping	Judson	054	Regular Member		Fire Chief	Firefighter II - D/E - Officer I	EMT-B (FL)	13	123
Horan	Sean	177190	Regular Member		Driver Engineer	Firefighter I - D/E	CPR for healthcare provider	3	60
Johnson	Scott	33472	Regular Member		Driver Engineer	Firefighter II-D/E-Officer I	Paramedic (FL)	11	53
Kane	Mark	155	Associate Member		Captain	Firefighter II-D/E - Officer I	EMT-B (FL)	11	157
Kurjiaka	Alex	185148	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	0	0
Louvaris	John	078	Regular Member		Deputy Chief	Firefighter II-D/E - Officer II	CPR for healthcare provider	47	412
Maggard	Dylan	165765	Associate Member		Driver Engineer	Firefighter II - D/E	Paramedic (FL)	13	72
Mangin	Andrew	735	Associate Member		Driver Engineer	Firefighter II - D/E	Paramedic (FL)	6	50
Moreno	Logan	197431	Associate Member		Firefighter	Firefighter II	CPR for healthcare provider	5	5
Nemia	John	190426	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	3	41
Neves	Lucas	183412	Associate Member		Firefighter	Firefighter II	CPR for healthcare provider	9	43
Paine	Kyle	173	Regular Member		Firefighter	Firefighter II	Paramedic (FL)	9	28
Paine	Riley	704	Regular Member		Battalion Chief	Firefighter II-D/E - Officer II	Paramedic (FL)	29	288
Paine	Stephen	140	Regular Member		Fire Marshal	Firefighter II	CPR for healthcare provider	19	266
Piper	Kyle	184815	Associate Member		Firefighter	Firefighter II	CPR for healthcare provider	5	53
Ritchey	Dylan	160895	Associate Member		Firefighter	Firefighter II	CPR for healthcare provider	3	42
Salzman	Samuel	185009	Associate Member		Firefighter	Firefighter II	CPR for healthcare provider	4	19
Samler, Jr.	Thomas	187730	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	5	84
Selesky	Julie	190910	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	10	34
Shuyler	Justin	189663	Associate Member		Firefighter	Firefigher II	EMT-B (FL)	2	25
Silverstone	James	025	Regular Member	*	Driver Engineer	Firefighter II	CPR for healthcare provider	9	75
Smith	Christopher	198363	Associate Member		Firefighter	Firefighter II	CPR for healthcare provider	0	0
Swerdloff	Tyler	189739	Associate Member		Firefighter	Firefighter II	CPR for healthcare provider	5	55
Sykes	J'Miah	184403	Associate Member		Firefighter	Firefighter II	Paramedic (FL)	0	0
Wieske	Julia	186046	Associate Member		Firefighter	Firefighter II	EMT-B (FL)	4	14

Town Commission Agenda Item Report

Meeting Date: September 14, 2022
Submitted By: Linda Connors, Town Manager
Submitting Department: Administration
Item Type: Reports
Agenda Section: Town Manager Report

Subject Title: Town Manager Report for September 14, 2022

Explanation: Following is the Town Manager's report for September 14, 2022.

1. Parking Lot Purchase

On September 1st the Town closed on the purchase of the South Ocean Parking lot located at 4312 N. Ocean Drive. The purchase price of the lot which the Commission approved at the July 12th, 2022 meeting was for $5.1 million dollars.

The payment structure of the sales transaction is included below:

One (1) payment of $2,000,000 due upon closing, to be used to pay off the mortgage; and three (3) payments of $1,033,333.33 each, due annually on the anniversary of the closing.

The Seller will continue to receive revenue from the Lot, but the 85% monthly revenue (which was the former revenue sharing under the lease agreement) shall decrease as follows:

•51.67% at closing through the first anniversary of the closing;
•34.44% from the first anniversary through the second anniversary of the closing;
•17.22% from the second anniversary through the third anniversary of the closing; and
•0% - the monthly payments will end on the third anniversary and payment of the last installment

2. Jarvis Hall/Development Services and Public Works Roofing Project

We are pleased to report that the roofing projects for the two remaining Town Hall Campus buildings is nearing completion and should be done by the end of this month. As noted in the FY23 proposed CIP the roof at the offsite storage facility will be addressed next.

3. Second Budget Meeting

The second budget meeting will be held on Wednesday, September 28th at 5:30 p.m. The change in date is required so that the hearing does not conflict with Rosh Hashanah (September 27th).

4. Community Center Registration

Registration for our Community Center's daily activities opens on September 19, 2022, for classes scheduled from October 1, 2022, to September 30, 2023. Classes are free if you live in Town for at least two months out of the year or if you're 60+ years old and live in Broward County. The cost is $5 per class, $15 per week, or $60 per year for non-residents and those under 60 years old.

5. Upcoming Meetings

September 22	Special Magistrate Meeting	Jarvis Hall	5:00 p.m.
September 28	Budget Hearing	Jarvis Hall	5:30 p.m.
September 28	Regular Commission Meeting	Jarvis Hall	6:30 p.m.

Agenda Item No: 10.a

Town Commission Agenda Item Report

Meeting Date: September 14, 2022
Submitted By: Katrina Adler, Town Clerk
Submitting Department: Administration
Item Type: Minutes
Agenda Section: Approval of Minutes

Subject Title: Approval of Minutes

Explanation: Approval of Town Commission Meeting Minutes for the following:

- August 24, 2022 Regular Town Commission Meeting

Recommendation: Accept / Approve

Attachments: Ex.1 8-24-22 Regular Town Commission Meeting

TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Wednesday, August 24, 2022
6:30 PM

1. **CALL TO ORDER, MAYOR CHRIS VINCENT**

Mayor Chris Vincent called the meeting to order at 6:32 p.m. Also present were Vice Mayor Edmund Malkoon, Commissioner Alfred "Buz" Oldaker, Commissioner Theo Poulopoulos, 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, Development Services Director Jhanelle Campbell, Special Events and Marketing Manager Debbie Hime, and Town Clerk Katrina Adler.

2. **PLEDGE OF ALLEGIANCE TO THE FLAG**

3. **INVOCATION**

Rabbi Bentzion Singer gave the Invocation.

4. **ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS**

Mayor Vincent requested that Item 15.a be heard prior to Presentations on tonight's Agenda.

15. **ORDINANCES 1ST READING**

a. **Ordinance 2022-09 – AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES AT CHAPTER 5 "BEACHES AND WATERWAYS," ARTICLE II "BEACH REGULATIONS," TO CREATE SECTION 5-37 "SMOKING PROHIBITED ON BEACH" TO PROHIBIT SMOKING AT PUBLIC BEACHES; AMENDING CHAPTER 14.3 "PARKS AND RECREATIONAL FACILITIES," SECTION 14.3-4 REGULATION OF GENERAL CONDUCT – PERSONAL BEHAVIOR TO PROHIBIT SMOKING AT PARKS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND FOR AN EFFECTIVE DATE.**

At this time Mayor Vincent opened public comment.

Michael Morelli, resident, thanked the Commission for considering this Item. He advised that there is widespread support for this change.

Ann Marchetti, resident, strongly supported the proposed Ordinance as a public health issue as well as a littering issue.

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

Assistant to the Town Manager Courtney Easley explained that Ordinance 2022-09 would prohibit smoking within public parks and on the beach in Lauderdale-By-The-Sea. It follows House Bill (HB) 105, known as the Florida Clean Indoor Air Act, which was passed in June 2022 by the Florida Legislature and allows counties and municipalities to restrict smoking within the boundaries of any public beaches or parks they own. This restriction does not include unfiltered cigars, which will continue to be permitted.

HB 105 is designed to mitigate litter from cigarette butts in recreational spaces. Staff recommends approval of the Ordinance.

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

5. PRESENTATIONS

a. Marty Kiar, BCPA

Broward County Property Appraiser (BCPA) Marty Kiar explained that there are a number of functions to his office, including determination of the value of every piece of property in Broward County for tax purposes. He encouraged Town residents to use the BCPA.net website to see their property records and contact him no later than September 19, 2022 with any issues that may require adjustment.

Mr. Kiar continued that his office also provides tax saving exemptions to qualifying property owners. These include the homestead exemption for primary residences, which saves residents money and protects taxable value from increasing by more than 3% per year. Additional exemptions are also available to reduce a property owner's tax bill.

All residents receive a Truth in Millage (TRIM) notice in the mail, which ensures that residents are not overpaying their property taxes. This notice shows the taxable value of property, all current tax exemptions, and the dates and times on which local government will discuss tax rates. Mr. Kiar encouraged all residents to read this notice thoroughly and contact his office with any issues.

Property values in Lauderdale-By-The-Sea, and throughout Broward County, have increased by 16.64% since the previous year. Taxable value is used to determine municipal millage rates, which in turn determines the amount of revenue to be generated to provide services to the Town. In 2022, this taxable value is approximately $3.041 billion, which represents a 9.39% increase.

Some Town residents qualify for a low-income senior citizen exemption, as well as a long-term senior exemption for which 11 Town residents currently qualify. This exemption is not offered in every Broward County municipality: qualifying individuals must have lived in their homes for at least 25 years and earned less than $32,561 the previous year. The value of the home must also be under $250,000 at the time this application is submitted to the County. Additional exemptions for which Town residents may qualify include exemptions for widows, disabled veterans, and disabled veterans over 65 years of age.

The average assessed value for a single-family home in Lauderdale-By-The-Sea is $688,089, with an average taxable value of $648,000. The average sale price for a single-family home in the Town is $1,714,156, which is a substantial increase from the previous year. The average market value for a condominium parcel is $508,000, while the average taxable value for these parcels is $419,000 and the average sale price is $669,195. Most of this increase is driven by people moving to the Town from out-of-state.

Mr. Kiar noted that title fraud is an issue in South Florida, as criminals file false deeds for properties and attempt to use them to extort money from the actual homeowners. Broward County offers a program known as Owner Alert, which notifies residents if a document alleging ownership change of their property has been filed. This program is free to the public at web.BCPA.net/owneralert or through the BCPA website. This will ensure that any property owner is informed via email of the filing of fraudulent documentation. The BCPA office works with law enforcement to build criminal cases against individuals perpetrating this type of fraud.

Commissioner Oldaker requested clarification of the basis for the 3% cap on homesteaded property values. Mr. Kiar explained that the base value of a property is determined by its price when purchased; after this, the assessed value cannot increase more than 3% per year if the home is maintained in its current form.

Commissioner Strauss requested additional information on a total disability exemption that is available. Mr. Kiar advised that there are multiple disability exemptions, some of which are based on income. He cited the exemptions available to permanently disabled veterans whose disability was service-connected, combat-disabled veterans over age 65, individuals who are confined to wheelchairs, and other income-based full exemptions. Smaller exemptions which will take effect or increase in 2023 include exemptions for the visually impaired, widows' exemptions, and others. A list of these exemptions is available on the BCPA website.

Commissioner Strauss asked if homeowner residents who use their properties as short-term rentals qualify for homestead exemptions. Mr. Kiar advised that this depends upon circumstances: if a property is rented for 30 days per year for two consecutive years, the owner automatically loses the homestead exemption. This exemption is also lost if the owner rents the property for six months and one day. For homeowners outside these categories, the BCPA must interpret whether or not the owner intends to return to the property and make it their permanent residence.

Bill Barringer, also representing BCPA, added that the valuation of Airbnb properties takes into account the income stream for these properties, which may raise their value. The standard appraisal practice states that these properties are valued upon comparable sales. This will remain in effect unless the Florida Legislature changes the way in which single-family homes may be valued.

Commissioner Strauss also asked if the BCPA website reflects those homeowners who have signed up for the Owner Alert program. Mr. Kiar replied that this has been discussed as an option, but has both positive and negative aspects. The office is working to determine the best way to move forward with this program.

Vice Mayor Malkoon asked if the BCPA can project the anticipated direction of property values in the future. Mr. Kiar stated that it is difficult to anticipate property values, as there may be significant changes in the market from one year to the next. He recalled that a recent presentation by the Florida Department of Revenue, which governs all property appraisers' offices in the state, indicated that Department does not believe the

current market will result in a crash: it is believed to be more likely that these values will level out over time.

Mayor Vincent requested additional clarification of short-term rentals, noting that the rental of a property does not automatically cancel an owner's homestead. Mr. Kiar confirmed this, adding that renting a portion of the property formerly resulted in an adjustment to ensure the homestead benefit applied to the portion not being rented, while the rented property was calculated at market value. This was recently determined by the Fifth District Court of Appeals to be unconstitutional. Owners may now rent out a significant portion without removal of the homestead exemption.

Mayor Vincent also addressed veterans' exemptions, asking if a property held in trust with proof of residency would qualify for an exemption. Mr. Kiar confirmed that under Florida law, trusts may have a homestead exemption and may also qualify for other exemptions, such as veterans' exemptions. He recommended that counsel representing individuals who plan to change their deeds reach out to the BCPA before taking action to ensure they are compliant with the law.

b. Proclamation for Suicide Prevention Month

Mayor Vincent read a Proclamation recognizing September 2022 as Suicide Prevention Month in Lauderdale-By-The-Sea.

c. 10th Anniversary of Bugfest Post Event Recap

Special Events and Marketing Manager Debbie Hime gave a presentation on the Town's 10th annual Bugfest event, and thanked participants, sponsors, and Staff. The 2022 event had over 105 registered divers, which was a 45% increase over the previous year. Divers pulled roughly 719 lbs. of lobsters from local waters.

6. PUBLIC COMMENTS

At this time Mayor Vincent opened public comment.

Steph Stein, Broward County resident, noted that the majority of Broward County municipalities no longer include invocations at governmental meetings. She strongly emphasized the need for separation of church and state.

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

7. PUBLIC SAFETY DISCUSSION

a. BSO Public Safety Report – July 2022

Captain Tom Palmer of the Broward Sheriff's Office (BSO) recognized Deputy Manuel Alvarez-Jacinto as Deputy of the Month for July 2022.

Commissioner Oldaker requested an update on motorcycle Deputies. Captain Palmer replied that there are no motorcycle Deputies currently being trained; however, he has assigned a former motorman to the Traffic unit. He added that there were traffic enforcement campaigns on Commercial Boulevard and A1A prior to the beginning of the new school year.

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

b. VFD July 2022 Report

Volunteer Fire Department (VFD) Chief Judson Hopping recalled a recent incident in which the Department responded to a gas grill explosion. Two engines were dispatched to the residence and extinguished the flames. BSO and American Medical Response (AMR) also responded and treated injuries.

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

c. AMR July 2022 Report

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

8. TOWN MANAGER REPORT

At this time Mayor Vincent opened public comment.

Ron Piersante, resident, complimented Town Manager Linda Connors for eliminating parking behind a store on Basin Drive, which had constituted a safety issue due to congestion in the area. He also congratulated Development Services Director Jhanelle Campbell, who recently graduated from the Urban Land Institute's (ULI's) Leadership Program.

Ann Marchetti, resident, stated her support for Staff's recommendation against a dog park in Lauderdale-By-The-Sea, noting that there are other nearby municipalities that offer these facilities.

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

a. Town Manager Report for August 24, 2022

Town Manager Linda Connors advised that Staff does not recommend moving forward with implementation of a dog park due to limited space and expenses. Maintenance of a dog park would cost approximately $40,000 annually.

The Town has received contractors' estimates for work on the Commercial Boulevard median near Tradewinds Avenue; however, as these estimates were very high, Staff plans on reopening the bid process. Patching has been completed on El Mar Drive, and public parking on a portion of Basin Drive has been eliminated. Fire hydrants have been flushed throughout the Town. Town Manager Connors also congratulated Development Services Director Campbell on her recent graduation from the ULI's Leadership Institute.

The Town has implemented upgrades to the Comcast cable and AT&T systems used to broadcast Town Commission meetings, which are expected to address a number of issues. Another item related to these upgrades will be brought forward in September. Town Manager Connors recognized Deputy Town Manager/Public Works Director Ken Rubach for his work toward these improvements.

Town Manager Connors concluded that Wednesday meetings will continue in the month of September. Budget hearings are scheduled for September 14 and September 28, 2022, both at 5:30 p.m.

b. May 2022 Finance Report

Director of Budget and Finance Lucila Lang advised that the Town has approximately $1.6 million in expenditures, of which roughly $831,000 comes through transfers from the Town's Parking Fund to the Capital Improvement Program (CIP) Fund. Other expenditures were $791,000.

c. June 2022 Finance Report

Finance Director Lang noted that the June 2022 Finance Report is presented in a new format, which allows individuals reviewing the document online to see all items processed within a particular line item. She briefly reviewed additional changes to the report for the Commission's benefit, noting that additional modules are expected through the beginning of 2023.

d. Quarter 2 2022 Visitor Center Report

The Commissioners accepted the report without discussion.

9. TOWN ATTORNEY REPORT

None.

10. APPROVAL OF MINUTES

a. Approval of Minutes:
7-12-22 Regular Town Commission Meeting Minutes
7-26-22 Regular Town Commission Meeting Minutes
7-26-22 Special Town Commission Meeting Minutes

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

11. CONSENT AGENDA

None.

12. OLD BUSINESS

None.

13. NEW BUSINESS

None.

14. COMMISSIONER COMMENTS

Commissioner Strauss noted that 2022 is the 30th anniversary of Hurricane Andrew, and strongly encouraged residents to practice emergency preparedness.

Vice Mayor Malkoon reported that he recently attended the 100th anniversary event for the Florida League of Cities.

Commissioner Oldaker congratulated Development Services Director Campbell on her graduation and Finance Director Lang on the finance program. He also suggested that the Town make a special effort to ensure the next session of the Florida Legislature addresses the cancellation of windstorm insurance, which may affect a number of properties in Lauderdale-By-The-Sea.

16. ORDINANCES 2ND READING

a. Ordinance 2022-05 – AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 30 "UNIFIED LAND DEVELOPMENT REGULATIONS," ARTICLE IV "DEVELOPMENT PERMITS – APPLICATIONS, REQUIREMENTS, AND REVIEW PROCEDURES," SECTION 30-114, "CITIZEN PARTICIPATION REQUIRED," MODIFYING THE APPLICABILITY OF AND REQUIREMENTS FOR THE CITIZEN PARTICIPATION REQUIREMENTS; AND FURTHER AMENDING SECTION 30-139 "NOTICE OF PUBLIC HEARINGS" TO ESTABLISH NOTICE REQUIREMENTS FOR CITIZEN PUBLIC PARTICIPATION MEETINGS; PROVIDING FOR CODIFICATION; SEVERABILITY, CONFLICTS, AND FURTHER PROVIDING FOR AN EFFECTIVE DATE.

At this time Mayor Vincent opened public comment, which he closed upon receiving no input.

Development Services Director Jhanelle Campbell advised that after first reading of Ordinance 2022-05, Staff amended the Ordinance to include requirements for right-of-way vacations and variances, clarify the deadline for notice of citizen participation

meetings, and add requirements for posting this notice on the property and on the Town website. The revised Ordinance also includes a requirement for public participation meetings for conditional use requests for signs, as per the Planning and Zoning Board's recommendation. The Ordinance excludes public participation meeting requirements for variances related to single-family homes, as requested by the Commission upon first reading. Staff recommends adoption of the Ordinance with those changes.

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

17. RESOLUTIONS – PUBLIC COMMENTS

a. Resolution 2022-38 – A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING THE THIRD AMENDMENT TO THE SETTLEMENT AGREEMENT WITH BROWARD COUNTY FOR THE LITIGATION STYLED CITY OF SUNRISE ET. AL. VS. BROWARD COUNTY; AND PROVIDING AN EFFECTIVE DATE

At this time Mayor Vincent opened public comment, which he closed upon receiving no input.

Assistant to the Town Manager Easley recalled that in 1986, Lauderdale-By-The-Sea and other municipalities signed an inter-local agreement with Broward County for solid waste disposal services. This agreement provided for the creation of the Broward Solid Waste Disposal District, which expired in 2013. Upon its expiration, the County and its municipalities did not agree on the distribution, assets, or liabilities in the district, which resulted in litigation. Settlement of this litigation paid the municipalities $32 million and the land was to be sold.

Since that time, there have been two amendments to the settlement agreement, which were approved in 2016 and 2018 respectively. The third amendment would extend the sale delay period until October 11, 2023. This date has been requested so the Solid Waste Working Group, which is composed of Broward County and municipalities' elected officials, can continue work on recommendations to a regional solid waste management system. Staff recommends approval of the Resolution.

Commissioner Oldaker advised that he is a member of the Solid Waste Working Group. He congratulated Broward County Commissioner Beam Furr, who has been instrumental in the Working Group's efforts.

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

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 8:09 p.m.

_____

Mayor Chris Vincent

ATTEST:

_____ _____

Town Clerk Date

Agenda Item No: 11.a

Town Commission Agenda Item Report

Meeting Date: September 14, 2022
Submitted By: Katrina Adler, Town Clerk
Submitting Department: Administration
Item Type: Consent
Agenda Section: Consent Agenda

Subject Title: Lauderdale-By-The-Sea Garden Club request for Jarvis Hall Use and Parking Permits in Fiscal Year 23

Explanation: Every year, the Lauderdale-By-The-Sea Garden Club holds its meetings at Jarvis Hall. The Club has submitted their annual request for the use of Jarvis Hall for the dates outlined below.

Event	Dates	Time
Monthly Meeting	10/10/22 11/14/22 12/12/22 1/9/23 2/13/23 3/13/23 4/10/23 5/8/23	8:30 a.m. – 11:30 a.m.
District 11 Meeting	10/20/22	8:30 a.m. – 3:30 p.m.
Monthly Meeting & Holiday Luncheon	12/12/22	8:30 a.m. – 1:00 p.m.
Installation Luncheon	5/8/23	8:30 a.m. – 2:00 p.m.

In addition to the use of Jarvis Hall, they have also submitted a request for 45 parking permits for members to park at Town Hall (front/rear) and in El Prado Parking Lot while they attend these events. This is consistent with the request of previous years.

Recommendation: Staff recommends approval of the use of Jarvis Hall and the Garden Club's request for parking passes.

Agenda Item No: 11.b

Town Commission Agenda Item Report

Meeting Date: September 14, 2022
Submitted By: Katrina Adler, Town Clerk
Submitting Department: Administration
Item Type: Consent
Agenda Section: Consent Agenda

Subject Title: Lauderdale-By-The-Sea Woman's Club request for Jarvis Hall Use and Parking Permit Request for FY23

Explanation: Every year, the Lauderdale-By-The-Sea Woman's Club holds its annual Silver Tea Luncheon at Jarvis Hall. The Club has submitted their annual request for Jarvis Hall use for the following:

Event	Date	Time
Silver Tea Luncheon Set-Up	March 3, 2023	1:00 p.m. – 4:00 p.m.
Silver Tea Luncheon	March 4, 2023	9:00 a.m. – 4:00 p.m.

In addition to the use of Jarvis Hall, they have also submitted a request 120 parking permits for the members to park at Town Hall (front/rear) and in El Prado Parking Lot while they attend the event.

The club is also requesting 75 Parking Permits for the metered spaces on W. Tradewinds Avenue across the street from the Blue Moon Fish Company, to be effective on Wednesdays and Thursdays from 9:00 a.m. to 4:00 p.m. from September 2022 to September 2023.

This is consistent with the request of previous years.

Recommendation: Staff recommends approval of the use of Jarvis Hall and the Woman's Club's request for parking passes.

Agenda Item No: 17.a

Town Commission Agenda Item Report

Meeting Date: September 14, 2022
Submitted By: Linda Connors, Town Manager
Submitting Department: Administration
Item Type: Resolutions
Agenda Section: Resolutions

Subject Title: Resolution 2022-42 - A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING A MEMORANDUM OF AGREEMENT WITH THE BROWARD SHERIFF'S OFFICE FOR ENHANCED PATROL SERVICES; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR IMPLEMENTATION AND AN EFFECTIVE DATE.

Explanation: Over the past two years, we have asked BSO to enhance their presence during our busier times of the year. This service is outside of their general contract and therefore, we have entered into a memorandum of understanding with BSO for this additional service each year that we have requested the service.

Previously, the MOU has been for a one-year term and it allows for either party to terminate at any time. It does not require us to use the service and does not tie the Town to any particular amount to be utilized during the year.

The MOU is set to expire at the end of the month and therefore we are requesting that the Town and BSO enter into a new MOU so that we can continue this service. There is $80,000 included in the FY23 budget for this service. The Town has asked BSO to amend the contract so that it is open ended and will continue unless otherwise terminated. All other aspects of the proposed MOU remain unchanged.

Recommendation: Staff recommends approval of Resolution 2022-42

Exhibits: Ex. 1- Resolution 2022-42 BSO MOU

RESOLUTION NO. 2022-42

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING A MEMORANDUM OF AGREEMENT WITH THE BROWARD SHERIFF'S OFFICE FOR ENHANCED PATROL SERVICES; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR IMPLEMENTATION AND AN EFFECTIVE DATE.

WHEREAS, the Broward Sheriff's Office ("BSO") provides law enforcement services to the Town pursuant to the Agreement for Police Services between the Town and BSO dated June 18, 2021; and

WHEREAS, the Town requested increased law enforcement staffing to provide additional patrol at requested times and locations in the Town (the "Enhanced Patrol Services"); and

WHEREAS, BSO began providing the Enhanced Patrol Services in Fiscal Year 2019/2020; and

WHEREAS, the Town wishes to continue, and BSO is willing to continue to provide, the Enhanced Patrol Services as specified herein, with a budget of $80,000.00 for the Enhanced Patrol Services; and

WHEREAS, the Fiscal Year 2022/2023 budget includes $80,000 for the Enhanced Patrol Services; and

WHEREAS, the Town Commission deems it to be in the best interest of the Town and its residents to approve the Memorandum of Agreement with BSO, attached as Exhibit "A," for the Enhanced Patrol Services (the "Agreement").

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, THAT:

SECTION 1. Recitals. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and incorporated herein by this reference.

SECTION 2. **Agreement Approved**. The Agreement with BSO, attached as Exhibit "A," for the Enhanced Patrol Services, is hereby approved.

SECTION 3. Authorization to Execute the Agreement. The Town Commission authorizes the Town Manager to execute the Agreement with BSO, attached as Exhibit "A," together with such non-substantial changes as are deemed necessary by the Town Manager and approved as to form and legal sufficiency by the Town Attorney.

SECTION 4. Authorization to Implement. The appropriate Town officials are authorized to execute all necessary documents and to take any necessary action to effectuate the intent of this Resolution.

SECTION 5. Effective Date. This Resolution shall become effective immediately upon passage and adoption.

PASSED AND ADOPTED on this ___ day of September, 2022.

_____
MAYOR CHRIS VINCENT

Attest:

_____
Katrina Adler, Town Clerk

APPROVED AS TO FORM:

_____
Susan L. Trevarthen, Town Attorney

MEMORANDUM OF AGREEMENT
BY AND BETWEEN
BROWARD SHERIFF'S OFFICE
AND
THE TOWN OF LAUDERDALE-BY-THE- SEA

This Agreement is entered into on this ____ day of _____, 2022, by and between the Town of Lauderdale-By-The-Sea, a municipal corporation existing under the laws of the State of Florida (the "TOWN") and Broward Sheriff's Office ("BSO").

WHEREAS, BSO provides law enforcement services to TOWN pursuant to the Agreement for Police Services between the Town and BSO dated June 18, 2021 (the "Police Services Agreement"); and

WHEREAS, the TOWN requested increased law enforcement staffing to provide additional patrol at requested times and locations located in the TOWN (the "Enhanced Patrol Services"); and

WHEREAS, BSO began providing Enhanced Patrol Services in Fiscal Year 2019/2020; and

WHEREAS, the TOWN wishes to continue, and BSO is willing to continue to provide, the Enhanced Patrol Services as specified herein, with a budget of $80,000.00 for the additional services.

NOW, THEREFORE, the parties hereby agree as follows:

1. RECITALS. The recitals above are true and correct and are incorporated herein as if set forth in full.

2. SERVICES TO BE PROVIDED BY BSO

A. BSO shall provide up to two (2) sworn deputy sheriffs at the Town's request, to provide Enhanced Patrol Services. The deputy sheriffs are to be staffed with first priority given to those assigned to the TOWN's district. Otherwise, the positions will be staffed at the discretion of the District Chief or his/her designee.

B. The Enhanced Patrol Services will be in addition to the normal staffing complement assigned to the Town per the Police Services Agreement. The deputies providing the Enhanced Patrol Services will be working in an overtime capacity. BSO shall create a separate budget code for the deputies assigned to perform the Enhanced Patrol Services to allow for resource tracking.

3. COMPENSATION

A. The TOWN shall compensate BSO for the Enhanced Patrol Services at the hourly overtime rate of the salaries of the assigned deputies (the "Cost"). The TOWN shall not be responsible for any additional costs or expenses. The consideration paid by TOWN to BSO for the Enhanced Patrol Services will be in addition to the annual consideration paid pursuant to the Police Services Agreement.

B. BSO shall invoice the TOWN monthly for the Cost of the Enhanced Patrol Services. Each invoice must provide the overtime rate of each deputy assigned to the Enhanced Patrol Services for the previous month and the total amount of hours worked.

C. The TOWN shall pay the invoices in accordance with the Local Government Prompt Payment Act in Chapter 218, Florida Statutes.

4. INDEMNIFICATION

BSO and the TOWN do not assume any liability for the acts, omissions, or negligence of the other. To the extent permitted by law, each party shall indemnify and defend the other party, its employees, agents, servants, or representatives from any and all liability, actions, causes of action, suits, trespasses, damages, judgments, executions, claims and demands of any kind whatsoever, in law or in equity, which results from or arises out of the intentional or negligent acts or omissions of the parties' own employees related to this Agreement. Each party will at all times be entitled to the benefits of sovereign immunity as provided in Florida Statutes, Section 768.28, and common law. Nothing contained in this Agreement shall be construed as a waiver of sovereign immunity.

5. TERM OF AGREEMENT

A. The term of this Agreement shall commence October 1, 2022. The Agreement shall renew automatically each subsequent fiscal year and shall remain in effect unless otherwise terminated as provided herein.

B, Either party may terminate this Agreement for convenience upon providing the other party with at least thirty (30) days prior written notice.

6. NOTICE

Any notice hereunder by one party to the other party shall be given in writing by personal delivery, facsimile, regular mail, or certified mail with proper postage, to the party at the addresses designated in the Agreement. Any notice shall be effective on the date it is received by the addressee. Either party may change its address for notice purposes by giving the other party notice of such change in accordance with this paragraph.

Notices shall be addressed as follows:

Sheriff of Broward County
2601 W. Broward Boulevard
Fort Lauderdale, FL 33312

Office of the General Counsel
Broward Sheriff's Office
2601 W. Broward Boulevard
Fort Lauderdale, FL 33312

Town of Lauderdale-By-The-Sea
Attn: Linda Connors, Town Manager
4501 North Ocean Drive
Lauderdale-By-The-Sea, FL 33308

Town of Lauderdale-By-The-Sea
Susan L. Trevarthen, Town Attorney
4501 North Ocean Drive
Lauderdale-By-The-Sea FL 33308

7. MISCELLANEOUS PROVISIONS

A. No waiver or modification of this Agreement or of any condition or limitation contained herein shall be valid unless it is reduced to written form and duly executed by the parties. No evidence of any waiver or modification of the terms herein shall be offered or received in evidence in any proceeding, arbitration, or litigation between the parties arising, in any manner, out of this Agreement, unless such waiver or modification is in writing and duly executed by the parties.

B. It is expressed intent of the parties that this Agreement and its performance, as well as all suits and special proceedings relating to it be construed in accordance with and pursuant to the laws of the State of Florida. The laws of the State of Florida shall be applicable and shall govern to the exclusion of the laws of any other forum, without regard to the jurisdiction in which any legal action or special proceeding may be instituted, commenced or initiated.

C. The preparation of this Agreement has been a joint effort of the parties and the resulting document shall not solely as a matter of judicial construction be construed more severely against one of the parties than the other.

D. Venue in any proceeding or action among the parties arising out of this Agreement shall be in Broward County, Florida.

E. In entering into this Agreement, the parties represent that they have had a reasonable opportunity to seek and select legal advice and have relied upon the advice of their own legal representative, who is an attorney of their own choice, or have voluntarily chosen not to seek the advice of an attorney, and that the terms of this Agreement have been completely read and that those terms are fully understood and voluntarily accepted by them.

(Intentionally Left Blank)

IN WITNESS OF THE FOREGOING, the parties have executed this Agreement on the dates indicated below.

TOWN OF LAUDERDALE-BY-THE-SEA

_____ Date _____
Linda Connors
Town Manager

Approved as to form
and legal sufficiency

By _____
Susan L. Trevarthen
Town Attorney

BROWARD SHERIFF'S OFFICE

_____ Date _____
Gregory Tony
Sheriff

Approved as to form
and legal sufficiency

By _____
Terrence O. Lynch
General Counsel

H:Lee\\CONTRACT\LBTS-BSO MOU OT deputies 8-15-22

Agenda Item No: 17.b

Town Commission Agenda Item Report

Meeting Date: September 14, 2022
Submitted By: Debbie Hime, Special Events and Marketing Manager
Submitting Department: Administration
Item Type: Resolutions
Agenda Section: Resolutions

Subject Title: Resolution 2022-35- A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING AN AGREEMENT WITH ARCHIVESOCIAL, INC. TO PROVIDE SOCIAL MEDIA ARCHIVING SERVICES; WAIVING THE TOWN'S PURCHASING MANUAL FOR THE SERVICES; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

Explanation: In April 2019, the Town Attorney advised Staff to find a source to archive information and posts from our social media accounts to ensure we were properly keeping track of these public records. Staff researched nearby municipalities that used Enterprise Software License and found the City of Davie's Archive Social's agreement was the lowest ($4,788 per year) and the Commission approved tour piggyback request.

This 2019 agreement includes archiving the Town's Facebook and Instagram social media accounts that are used to promote tourism, the Community Center's Seaside Players Facebook account, and Google Places pages. It also continually archives pages of discoverlbts.com and the lbts-fl.gov (government site) was added last August. .

The Town began posting on government-facing Facebook and Twitter social media accounts in March 2022, and these accounts have also been added to our Archive Social account.

Our contract has expired and Archive Social has quoted the Town a subscription price of $5,988 for FY23 **(Exhibit 2)**. This is their standard amount for small to medium accounts and it includes up to 3.5k records per month. This contract exceeds what has been budgeted for FY23 by $988.

While comparable alternatives were explored, no company offers the full extent of services received with Archive Social. Since we have been archiving our data with Archive Social for the past three years, and they are our PIO contractor's (Conceptual Communications), archival software that they exclusively use with other clients, staff and Conceptual Communications recommends remaining in agreement with Archive Social.

Because this approval procedure deviates from the requirements of the Purchasing Manual, the staff requests the Town Commission waive Town purchasing requirements it is in the best interest of the Town pursuant to Section IV.L. of the Town Purchasing Manual and approve the Town Manager to enter into an agreement with Archive Social.

Recommendation: Staff recommends approval of Resolution 2022-23.

Attachments:
Ex.1 Resolution 2022-23
Ex.2 2019 Archive Social Enterprise Software License Agreement

RESOLUTION NO. 2022-35

A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING AN AGREEMENT WITH ARCHIVESOCIAL, INC. TO PROVIDE SOCIAL MEDIA ARCHIVING SERVICES; WAIVING THE TOWN'S PURCHASING MANUAL FOR THE SERVICES; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Resolution No. 2019-09, the Town of Lauderdale-By-The-Sea (the "Town") entered into a piggyback agreement with ArchiveSocial, Inc. ("Archive Social) for social media archiving services (the "Services"); and

WHEREAS, the Town's piggyback agreement with Archive Social has expired; and

WHEREAS, after researching similar firms, staff has determined that Archive Social best meets the needs of the Town; and

WHEREAS, the Town desires to enter into an agreement with Archive Social for the Services for a period of one (1) year and the option to renew for successive periods of one (1) year thereafter (the "Agreement"); and

WHEREAS, the Town Commission deems it to be in the best interests of the Town and to waive the Town's purchasing manual for the Services, and approve the Agreement with Archive Social.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA:

Section 1. **Recitals**. Each "WHEREAS" clause set forth is true and correct and herein incorporated by this reference.

Section 2. **Waiver of Purchasing Manual**. The Town Commission hereby waives the purchasing manual for the Services.

Section 3. **Agreement Approved**. The Agreement with Archive Social, attached as Exhibit "A," for the Services, is hereby approved.

Section 4. Approval and Authorization. The Town Commission authorizes the Town Manager to execute the Agreement with Archive Social, in substantially the form attached as Exhibit "A," together with such non-substantial changes as are deemed necessary by the Town Manager and approved as to form and legal sufficiency by the Town Attorney.

Section 5. **Authorization to Implement**. The appropriate Town officials are authorized to execute all necessary documents and to take any necessary action to effectuate the intent of this Resolution.

Section 6. **Effective Date**. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED this _____ day of September, 2022.

_____
Mayor Chris Vincent

Attest:

_____
_____
Katrina Adler, Town Clerk

APPROVED AS TO FORM:

_____

Susan L. Trevarthen, Town Attorney

TOWN OF LAUDERDALE-BY-THE-SEA AGREEMENT FOR SOCIAL MEDIA ARCHIVING
(Piggyback Competitive Award)

This Agreement is made this 9th day of April, 2019 between the Town of Lauderdale-By-The-Sea, a municipal corporation organized and existing under the laws of the State of Florida and whose address 4501 North Ocean Drive, Lauderdale-By-The-Sea, FL 33308 (the "Town"), and ArchiveSocial, Inc. (the "Contractor"), whose address is 212 W. Main Street, Suite 500, Durham NC 27701.

WITNESSETH

WHEREAS, the Contractor has developed and licenses proprietary online software that assists in capturing and archiving records of online social media communications and Internet websites (including all updates, upgrades, modifications and improvements thereto generally made available by Contractor to other similar commercial licensees, and related documentation delivered or provided to the Town), and

WHEREAS Contractor wishes to enter this Agreement ("Agreement") with the Town, and

WHEREAS, the parties wish to incorporate the terms and conditions of the solicitation and contractual arrangement between the City of Davie, Florida ("Davie") and the Contractor as set forth in the Davie agreement attached hereto and incorporated herein as Exhibit "A-1" ("Davie Agreement"); and

WHEREAS, the Town Procurement Manual provides authority for the Town to select and contract through the use of the competitive bid process of another government entity as an exception to the otherwise required formal bidding process.

NOW THEREFORE, in consideration of the mutual covenants set forth in this Agreement, the receipt and sufficiency of which is acknowledged, the parties agree as follows:

Section 1. Contract Terms. The Contractor agrees to provide the Town the Service as set forth in the Davie Agreement (Exhibit "A-1"), which terms are incorporated into this Agreement for all purposes and represent the entire agreement between the parties except for those modifications made herein. In the

event of conflict between or among this Agreement and the terms and conditions of the Davie Agreement, the order of priority shall be: this Agreement, and the Davie Agreement.

The following additional provisions are included:

A. The "Town of Lauderdale-By-The-Sea" shall be deemed substituted for "City of Davie Florida" with regard to any and all provisions of the Davie Agreement, including by example, and not limitation, with regard to bond requirements, insurance, indemnification, licensing, termination, default and ownership of documents, which is incorporated herein by this reference. All recitals, representations, and warranties of Contractor made in the Davie Agreement (including Contractor's proposal) are restated as if set forth fully herein, made for the benefit of the Town, and incorporated herein.

B. Town is responsible for service fees as provided in Article 5 of the Davie Agreement; however, the Contractor does agree to send the Town's annual bill directly to the Town as required in Article 5 of the Davie Agreement.

C. This Agreement shall be construed in accordance with and governed by the laws of the State of Florida. Venue for any litigation arising out of this Agreement shall be proper exclusively in Broward County, Florida.

D. The CONTRACTOR shall comply with Chapter 119, Florida Statutes, as follows:

1. Keep and maintain public records in the Contractor's possession or control in connection with the Contractor's performance under this Agreement required by the City to perform the service.

2. Upon request by the City's records custodian, provide the City with a copy of requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law.

3. Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of this Agreement, and following completion of this Agreement until the records are transferred to the City.

4. Upon completion of this Agreement, transfer, at no cost, to the City all public records in possession of the Contractor or keep and maintain public records required by the public agency to perform the service. If

the Contractor transfers all public records to the City upon completion of this Agreement, the Contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the Contractor keeps and maintains public records upon completion of this Agreement, the Contractor shall meet all applicable requirements for retaining public records. All records stored electronically by the Contractor shall be delivered to the City, upon request from the City's Custodian of Records, in a format that is compatible with the City's information technology systems.

5. The Contractor's failure or refusal to comply with the provisions of this Section shall result in the immediate termination of this Agreement by the City.

6. Any compensation due to the Contractor shall be withheld until all documents are received as provided herein.

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT tedraa@lauderdalebytheseafl.gov, OR BY MAIL: Tedra Allen, Town Clerk, Town of Lauderdale-By-The-Sea, 4501 Ocean Drive, Lauderdale-By-The Sea, Florida 33308.

Refusal of the CONTRACTOR to comply with the provisions of this Section shall be grounds for immediate termination for cause by the TOWN of this Agreement.

E. Scrutinized Companies

1. Contractor certifies that it and its subcontractors are not on the Scrutinized Companies that Boycott Israel List. Pursuant to Section 287.135, F.S., the City may immediately terminate this Agreement at its sole option if the Contractor or its subcontractors are found to have submitted a false certification; or if the Contractor, or its subcontractors are placed on the Scrutinized Companies that Boycott Israel List or is engaged in the boycott of Israel during the term of the Agreement.

2. If this Agreement is for more than one million dollars, the Contractor certifies that it and its subcontractors are also not on the Scrutinized Companies with Activities in Sudan, Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or engaged with business operations in Cuba or Syria as identified in Section 287.135, F.S. Pursuant to Section 287.135, F.S., the City may immediately terminate this Agreement at its sole option if the Contractor , its affiliates,

or its subcontractors are found to have submitted a false certification; or if the Contractor, its affiliates, or its subcontractors are placed on the Scrutinized Companies with Activities in Sudan List, or Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or engaged with business operations in Cuba or Syria during the term of the Agreement.

3. The Contractor agrees to observe the above requirements for applicable subcontracts entered into for the performance of work under this Agreement.

4. As provided in Subsection 287.135(8), F.S., if federal law ceases to authorize the above-stated contracting prohibitions then they shall become inoperative.

F. ETHICS

1. CONTRACTOR warrants and represents that its employees shall abide by the Code of Ethics for Public Officers and Employees, Chapter 112, Florida Statutes.

2. No officer or employee of the TOWN, during his or her term of employment or for one year thereafter, shall have any interest, direct or indirect, in this contract or the proceeds thereof. Any subcontractors hired by the firm must also adhere to this policy and it must be included in their contracts as well.

3. No vendor shall give, solicit for, deliver or provide a campaign contribution directly or indirectly to a candidate, or to the campaign committee of a candidate, for the offices of Mayor or Commissioner.

4. Compliance with Applicable Law: CONTRACTOR covenants to promptly comply with all applicable federal, state, county, and municipal laws, ordinances, regulations, and rules relating to the Services to be performed hereunder and in effect at the time of performance. CONTRACTOR covenants that it will conduct no activity or provide any service that is unlawful or offensive.

Section 2. Notice. Notice hereunder shall be provided in writing by certified mail, return receipt requested, or customarily used overnight transmission with proof of delivery, to the following parties, with mandatory copies as provided below:

For City: Town Manager
Town of Lauderdale-By-The-Sea 4501 North Ocean Drive

Lauderdale-By-The-Sea, FL 33308

Copy to: Town Attorney
Town of Lauderdale-By-The-Sea 4501 North Ocean Drive
Lauderdale-By-The-Sea, FL 33308

For Contractor: ArchiveSocial Inc.
212 W. Main Street, Suite 500
Durham NC 27701
Attn: _____

Copy to:

Section 3. Certificates of Insurance. Prior to Contractor's commencement of services pursuant to this Agreement, Contractor shall deliver to Town, in a form acceptable to the Town in its sole discretion, the following documents within 15 days of execution of this Agreement:

a) All required certificates of insurance as described in the Davie Agreement.

Section 4. Severability. This Agreement sets forth the entire agreement between Contractor and the Town with respect to the subject matter of this Agreement. This Agreement supersedes all prior and contemporaneous negotiations, understandings and agreements, written or oral, between the parties. This Agreement may not be modified except by the parties' mutual agreement set forth in writing and signed by the parties.

Section 5. Waiver of Jury Trial. The Town and Contractor knowingly, irrevocably, voluntarily and intentionally waive any right either may have to a trial by jury in state and or federal court proceedings in respect to any action, proceeding, lawsuit or counterclaim based upon this Agreement and/ arising out of, under, or in connection with the services performed hereunder, or any course of conduct, course of dealing, statements or actions or inactions of any party hereto.

IN WITNESS WHEREOF, the parties hereto have accepted, made and executed this Agreement upon the terms and conditions above stated on the day and year first above written.

TOWN:

TOWN OF LAUDERDALE-BY-THE-SEA

Bill Vance, Town Manager

Date: 5/6/19

Attest: Tedra Allen, Town Clerk

APPROVED AS TO FORM:

Susan L. Trevarthen, Town Attorney

ArchiveSocial, Inc.

Robert Sydnor, COO

Date: 4/9/19