

TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

REGULAR MEETING

AGENDA

Jarvis Hall

4505 Ocean Drive

Tuesday, December 1, 2009

7:00 P.M.

- 1. CALL TO ORDER, MAYOR ROSEANN MINNET**
- 2. PLEDGE OF ALLEGIANCE TO THE FLAG**
- 3. INVOCATION – Reverend George Hunsaker**
- 4. PRESENTATIONS**
- 5. PUBLIC COMMENTS**
- 6. REPORTS**
 - a. Finance and Budget Monthly Report – October 2009 (Manager Colon)
 - b. Development Services Monthly Report – October 2009 (Assistant Town Manager Olinzock)
 - c. Municipal Services Monthly Report – October 2009 (Assistant Town Manager Olinzock)
 - d. BSO Police Monthly Report – October 2009 (Chief Llerena)
 - e. AMR EMS Monthly Report – October 2009 (Operations Manager Liddle)
- 7. PUBLIC SAFETY DISCUSSION**
- 8. TOWN MANAGER REPORT**
- 9. APPROVAL OF MINUTES**
 - a. October 13, 2009 Regular Meeting Minutes
 - b. October 20, 2009 continuation of the October 13, 2009 Regular Meeting Minutes
 - c. October 27, 2009 Regular Meeting Minutes
 - d. November 9, 2009 Beautification Workshop Minutes

10. ORDINANCES – PUBLIC COMMENTS

1. Ordinances 1st Reading

- a. Ordinance 2009-32:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING AN AMENDMENT TO SECTION 3.4 OF THE TOWN CHARTER PENDING THE RESULTS OF A REFERENDUM ELECTION REGARDING CONDUCT AND ETHICS REQUIREMENTS FOR THE MAYOR AND TOWN COMMISSIONERS; CALLING A REFERENDUM ELECTION ON THE PROPOSED AMENDMENT TO THE TOWN CHARTER TO BE HELD ON TUESDAY, MARCH 9, 2010; PROVIDING FOR SUBMISSION TO THE ELECTORS FOR APPROVAL OR DISAPPROVAL OF THE PROPOSED CHARTER AMENDMENT; PROVIDING FOR REQUISITE BALLOT LANGUAGE; PROVIDING FOR PROCEDURE FOR BALLOTING; PROVIDING FOR NOTICE; PROVIDING FOR RELATED MATTERS; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.
- b. Ordinance 2009-33:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING AN AMENDMENT TO SECTION 7.1 OF THE TOWN CHARTER PENDING THE RESULTS OF A REFERENDUM ELECTION PROVIDING FOR A MAXIMUM BUILDING HEIGHT OF FORTY-FOUR (44) FEET FOR ALL BUILDINGS WITHIN THE TOWN LOCATED NORTH OF PINE AVENUE; PROVIDING FOR A MAXIMUM BUILDING HEIGHT OF THIRTY-THREE (33) FEET FOR ALL BUILDINGS LOCATED SOUTH OF PINE AVENUE; PROVIDING FOR A MODIFICATION IN THE CALCULATION USED TO DETERMINE MAXIMUM BUILDING HEIGHT; FURTHER PROVIDING FOR CLARIFICATION ON THE RESTRICTIONS ON THE CREATION OF NEW ZONING CATEGORIES AND AMENDMENTS TO RESIDENTIAL ZONING DISTRICT REGULATIONS; CALLING A REFERENDUM ELECTION ON THE PROPOSED AMENDMENT TO THE TOWN CHARTER TO BE HELD ON TUESDAY, MARCH 9, 2010; PROVIDING FOR SUBMISSION TO THE ELECTORS FOR APPROVAL OR DISAPPROVAL OF THE PROPOSED CHARTER AMENDMENT; PROVIDING FOR REQUISITE BALLOT LANGUAGE; PROVIDING FOR PROCEDURE FOR BALLOTING; PROVIDING FOR NOTICE; PROVIDING FOR RELATED MATTERS; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.
- c. Ordinance 2009-34:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING AN AMENDMENT TO SECTION 7.1 OF THE TOWN CHARTER PENDING THE RESULTS OF A REFERENDUM ELECTION PROVIDING FOR A MAXIMUM BUILDING HEIGHT OF FORTY-FOUR (44) FEET FOR ALL BUILDINGS WITHIN THE TOWN LOCATED NORTH OF PINE AVENUE; PROVIDING FOR A MAXIMUM BUILDING HEIGHT OF THIRTY-THREE (33) FEET

FOR BUILDINGS LOCATED SOUTH OF PINE AVENUE IN SPECIFIED AREAS; PROVIDING FOR A MODIFICATION IN THE CALCULATION USED TO DETERMINE MAXIMUM BUILDING HEIGHT; FURTHER PROVIDING FOR CLARIFICATION ON THE RESTRICTIONS ON THE CREATION OF NEW ZONING CATEGORIES AND AMENDMENTS TO RESIDENTIAL ZONING DISTRICT REGULATIONS; CALLING A REFERENDUM ELECTION ON THE PROPOSED AMENDMENT TO THE TOWN CHARTER TO BE HELD ON TUESDAY, MARCH 9, 2010; PROVIDING FOR SUBMISSION TO THE ELECTORS FOR APPROVAL OR DISAPPROVAL OF THE PROPOSED CHARTER AMENDMENT; PROVIDING FOR REQUISITE BALLOT LANGUAGE; PROVIDING FOR PROCEDURE FOR BALLOTING; PROVIDING FOR NOTICE; PROVIDING FOR RELATED MATTERS; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

2. Ordinances 2nd Reading

- a. **Ordinance 2009-29:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA AMENDING CHAPTER 30 "UNIFIED LAND DEVELOPMENT REGULATIONS," ARTICLE I "IN GENERAL," SECTION 30-6 "PLANNING AND ZONING BOARD" OF THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE
- b. **Ordinance 2009-30:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA AMENDING THE DEFINITION OF "TOWNHOUSE DWELLING" IN SECTION 30-20; AMENDING THE DEFINITION OF "VACATION RENTAL" IN SECTION 30-155, AMENDING REFERENCES TO VACATION RENTALS AS AN ACCESSORY USE IN THE RS-4, RS-5, RD-10, RM-25 AND RM-50 ZONING DISTRICTS, AND AMENDING SECTION 30-327 "VACATION RENTALS," ALL WITHIN CHAPTER 30 "UNIFIED LAND DEVELOPMENT REGULATIONS" OF THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE
- c. **Ordinance 2009-31:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA AMENDING CHAPTER 17, ARTICLE I SECTION 17-9 ENTITLED "OBSTRUCTING PARKS, STREETS, OR OTHER PUBLIC PROPERTY; PERMISSION REQUIRED, "BY ADDING CRITERIA, PROCEDURES AND OTHER REQUIREMENTS FOR APPROVAL OF ENCROACHMENTS ONTO PUBLIC PROPERTY; PROVIDING FOR CODIFICATION, SEVERABILITY, AND EFFECTIVE DATE

11. COMMISSIONER COMMENTS

12. CONSENT AGENDA

- a. Town Commission Approval of Special Event application for LBTS Chamber of Commerce Taste of the Beach 2010, Wednesday, 24 February 2010 (Assistant Town Manager)
- b. Town Commission Approval of Special Event Application for New Year's Eve Celebration #1, Village Grille and 101 Ocean, Thursday, 31 December 2009, 4:30 PM till 2:00 AM (Assistant Town Manager Olinzock)
- c. Town Commission Approval of Special Event Application for New Year's Eve Celebration #2, Athena By The Sea, Thursday, 31 December 2009, 4:30 PM till 2:00 AM (Assistant Town Manager Olinzock)

13. RESOLUTION – "Public Comments"

- a. **Resolution 2009-30:** A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA AFFIRMING SUPPORT OF AND PARTNERSHIP WITH THE 2010 CENSUS
- b. **Resolution 2009-31:** A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, CALLING A SPECIAL ELECTION PROVIDING FOR A STRAW BALLOT CONCERNING POTENTIAL TOWN EXPENDITURES TO PROVIDE LIFEGUARDS AT TOWN BEACHES; PROVIDING FOR REQUISITE BALLOT LANGUAGE; PROVIDING FOR TIMES AND PLACES OF BALLOTING; PROVIDING FOR NOTICE; PROVIDING FOR AN EFFECTIVE DATE.

14. QUASI JUDICIAL PUBLIC HEARINGS

15. OLD BUSINESS

- a. Discussion and/or action on the Lauderdale-By-The-Sea Environmental Sustainability Committee (Mayor Minnet) ***This item was deferred at the March 11, 2009 Commission meeting by Commissioner Clotney***
- b. Discussion and/or action: Placement of Bel-Air Sign (James Barton, Town Engineer)
- c. Commission Approval of ratification of Bel Air Street names (Assistant Town Manger Olinzock)

16. NEW BUSINESS

- a. Commission Approval of one (1) Hardship Permit Application: (Clerk White)
 - Driftwood Beach Club

- b. Commission Approval of one (1) Hardship Permit Application: (Clerk White)
 - Parkhill Apartments
- c. Discussion and/or action by Town Commission regarding Appointment of a Local Complete Count Committee for the Purpose of Building Awareness of the 2010 Census (Assistant Town Manager)
- d. Discussion and/or action regarding drafting a resolution opposing Broward County's proposal to charge for Toxicological Services (Vice Mayor McIntee)
- e. Discussion and/or action: Protocol at Town sponsored events (Mayor Minnet)

17. TOWN ATTORNEY REPORT

18. ADJOURNMENT

19. FUTURE AGENDA ITEMS

January 12, 2009 - Ordinance 2009-** on Regulatory Changes - Chapter 30 - 1st read.

January 26, 2010 - Ordinance 2009-** on Regulatory Changes - Chapter 30 – 2nd read.

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) 776-0576 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 INSURE THAT A VERBATIM RECORDING OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.