TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

REGULAR MEETING

AGENDA

Town Commission Meeting Room

4501 Ocean Drive

Monday, November 10, 2008

7:00 P.M.

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

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

3. **INVOCATION –**

4. **PRESENTATIONS**

   a. Video on escaping rip tide (Commissioner Clottey)

5. **REPORTS**

   a. Report on Terra Mar Bridge (Mayor Minnet)

6. **TOWN MANAGER REPORT**

7. **APPROVAL OF MINUTES**

   a. October 14, 2008 Regular Minutes
   b. October 20, 2008 (continued from October 14, 2008) Regular Minutes
   c. October 28, 2008 Regular Minutes

8. **PUBLIC COMMENTS**

9. **ORDINANCES**

   a. Ordinances 1st Reading - "Public Comments"

   1. Ordinance 2008-17: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA AMENDING THE TOWN CHARTER TO REQUIRE THE TOWN TO CONTRACT WITH LAUDERDALE-BY-THE-SEA VOLUNTEER FIRE DEPARTMENT, INC., FOR THE PROVISION OF FIRE PROTECTION SERVICES WITHIN THE TOWN; REQUIRING REFERENDUM APPROVAL OR A FOUR-FIFTHS VOTE OF THE TOWN COMMISSION FOR ANY ENTITY OTHER THAN LAUDERDALE-BY-THE-SEA VOLUNTEER FIRE DEPARTMENT, INC. TO PROVIDE PRIMARY

FIRE PROTECTION SERVICES IN THE TOWN; PROVIDING FOR CONFLICTS WITH OTHER PROVISIONS OF THE TOWN CHARTER; CALLING FOR A REFERENDUM ELECTION; PROVIDING FOR THE FORM OF THE BALLOT; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE (FOR FIRST READING) (TABLED AT THE JULY 22, 2008 COMMISSION MEETING BY COMMISSIONER DODD)

b. Ordinances 2nd Reading – "PUBLIC HEARING"

10. COMMISSIONER COMMENTS

11. CONSENT AGENDA

a. Commission approval of Hardship Parking Permits: (Clerk White)

- Sea Spray Inn, 4245 El Mar Drive
- Santa Barbara Inn, 4301 El Mar Drive
- Luciano Sabatini, 229 Commercial Blvd
- Sea Cliff Apartments, 4201 El Mar Drive
- Parkhill Apartments, 4144 El Mar Drive (Eligible for 5 permits, not 6)

b. Request workshop concerning Lifeguards on beach (Commissioner Clottey)

c. Ratification of the Digital Payment Tech Agreement (Manager Colon)

12. RESOLUTION – "Public Comments"

a. Resolution 2008-30: A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, URGING THE BROWARD COUNTY COMMISSION TO PROVIDE LIFEGUARD SERVICES ON BEACHES LOCATED IN THE TOWN (Mayor Minnet – Requested at the October 28, 2008 Commission meeting)

13. QUASI JUDICIAL PUBLIC HEARINGS

a. An appeal by Coral Key Ocean Club (Half Ventures Ocean Development of Florida) pertaining to letter received by Development Services July 14, 2008 regarding interpretation of Town Code Section 30-123 (g). Property: 4601 El Mar Drive, Coral Key Ocean Club – Appeared before BOA on October 15, 2008 (Assistant Town Manager Olinzock) **Request to Table by Applicant**

b. An application submitted by Art Signs Company, the property owner representative of Wings at 4405 Ocean Dr. requesting a zoning variance regarding signs. The applicant is requesting exception to the Towns Zoning

Code, Chapter 30 to erect two (2) non-conforming signs – Appeared before BOA on October 15, 2008 (Assistant Town Manager Olinzock)

c. Seaward Apartments is seeking approval for a site plan modification to repair and renovate 4128 El Mar Drive - Appeared before P & Z on October 15, 2008 (Assistant Town Manager Olinzock)

14. OLD BUSINESS

a. Resignation of Robert Fleishman from the Walk Around Committee (There are no applicants) Clerk White

b. Discussion regarding dangerous dog Ordinance (Vice Mayor McIntee)

15. NEW BUSINESS

a. Discussion and/or action directing the Town Commission to hire outside counsel to determine if the VFD is in compliance with its contract with the Town, and to determine whether or not any Commissioners committed any illegal acts or were the victim of any illegal acts with regard to the allegations put forth by former VFD Battalion Chief Patrick Pointu (Mayor Minnet)

b. Discussion and/or action directing the Town Attorney to determine if the VFD is in compliance with its contract with the Town, and to determine whether or not any Commissioners committed any illegal acts or were the victim of any illegal acts with regard to the allegations put forth by former VFD Battalion Chief Patrick Pointu (Mayor Minnet)

c. Discussion and/or action regarding urging the Florida Legislature to equalize funding based on population to provide each region of Florida, including South Florida, its fair share of State funding (Commissioner Silverstone)

d. Discussion and/or action regarding shade trees on the beach at the Washingtonia Avenue Portal (Commissioner Silverstone) Report not received from Garden Club. Staff request to table to November 25, 2008.

e. Discussion and/or action regarding donation of time by the Commission to assist with various duties within Town Hall, Development, Municipal Services and or the Volunteer Fire Department or any Town sponsored function (Commissioner Silverstone)

f. Discussion and/or action regarding a resolution urging the Florida Legislature to equalize funding based on population to provide each region of Florida, including South Florida, its fair share of state funding (Mayor Minnet) **Duplication of 15c**

g. Discussion and/or action concerning an award from the Town of Lauderdale-By-The-Sea for Mark Mitchell for his outstanding service to our community (Commissioner Dodd)

h. Report on Seagrape Project (copy of e-mail received by Owners of Seagrape attached) (Mayor Minnet)

i. Report from Florida League of Cities Energy and Environmental Quality Policy Committee, Proposed Policy Statement (report enclosed for your information) (Mayor Minnet)

j. Report from AMR about the incident that occurred on October 25 on the beach near Ocean Colony. Please make sure a representative of AMR is in attendance at the 11/10 meeting to give a report on the incident and answer any questions commissioners may have (Mayor Minnet)

k. Discussion and/or action concerning fire lane at By the Sea Laundry (Commissioner Dodd)

l. Discussion and/or action regarding town wide parking following workshop (Commissioner Dodd)

m. Discussion regarding cost of Green Fest and how money was spent (Vice Mayor McIntee)

16. TOWN ATTORNEY REPORT

17. FUTURE AGENDA ITEMS

November 25, 2008

a. Discussion and/or action regarding drafting an Ordinance to pull bags from the parking meters on Bougainvilla and Poinciana (Tabled at the March 25, 2008 Commission meeting by Vice Mayor McIntee)

January 13, 2009

a. Workshop 5:00 p.m. – Code, Height and Capital Improvement (Requested at the September 25, 2008 Commission meeting by Commissioner Silverstone)

February 10, 2008

a. Discussion and/or action pertaining to referendum ie: City of Cape Canaveral (Tabled at the September 12, 2008 Commission meeting by Vice Mayor McIntee)

18. 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) 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.