

TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

REGULAR MEETING

AGENDA

Town Commission Meeting Room

4501 Ocean Drive

Tuesday, October 14, 2008

7:00 P.M.

- 1. CALL TO ORDER, MAYOR ROSEANN MINNET**
- 2. PLEDGE OF ALLEGIANCE TO THE FLAG**
- 3. INVOCATION** – Pauline McGuinness, Member of the Bahia Spiritual Assembly of Ft. Lauderdale and Lauderdale-By-The-Sea
- 4. PRESENTATIONS**
 - a. Deputy of the Quarter - June, July, August, September 2008 – Broward County Sheriff's Office (Chief Gooding)
- 5. REPORTS**
- 6. TOWN MANAGER REPORT**
 - a. Televising Committee Meetings
 - b. Ordinances
 - c. Waiving of Right of Way Fees (Tradewinds/Bombay Emergency Stormwater Drains)
- 7. APPROVAL OF MINUTES**
 - a. September 12, 2008 Regular Meeting Minutes
 - b. September 15, 2008 Continuation of September 12, 2008 Meeting Minutes
 - c. September 25, Special Public Hearing Minutes
- 8. PUBLIC COMMENTS**
- 9. ORDINANCES**
 - A. Ordinances 1st Reading - "Public Comments"

B. Ordinances 2nd Reading – “PUBLIC HEARING”

1. **Ordinance 2008-19:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY THE SEA, FLORIDA, AMENDING SECTION 30-7 OF THE CODE OF ORDINANCES TO ESTABLISH AN APPLICATION FEE FOR APPEALS FROM ADMINISTRATIVE DECISIONS; PROVIDING FOR SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE (For discussion and/or action – Manager Colon)
2. **Ordinance 2008-20:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY THE SEA, FLORIDA, AMENDING SECTION 30-6 OF THE CODE OF ORDINANCES TO ESTABLISH THE APPLICATION FEE FOR APPLICATIONS INVOLVING THE JURISDICTION OF THE PLANNING AND ZONING BOARD; CLARIFYING THE PROCEDURE FOR MAKING APPLICATIONS WHICH ARE REVIEWABLE BY THE PLANNING AND ZONING BOARD; PROVIDING FOR SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE (For discussion and/or action – Manager Colon)
3. **Ordinance 2008-21:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY THE SEA, FLORIDA, AMENDING SECTION 30-8 OF THE CODE OF ORDINANCES TO ESTABLISH BY ORDINANCE AN APPLICATION FEE FOR VARIANCE REQUESTS; PROVIDING FOR SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE (For discussion and/or action – Manager Colon)
4. **Ordinance 2008-22:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY THE SEA, FLORIDA, AMENDING SECTION 30-7 OF THE CODE OF ORDINANCES TO ESTABLISH THAT THE TOWN COMMISSION WILL BE THE FINAL DECISION MAKER FOR APPEALS FROM ADMINISTRATIVE DECISIONS; PROVIDING FOR SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE (For discussion and/or action – Manager Colon)
5. **Ordinance 2008-23:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY THE SEA, FLORIDA, AMENDING SECTION 30-8 OF THE CODE OF ORDINANCES TO MODIFY THE CRITERIA GOVERNING VARIANCE REQUESTS; PROVIDING FOR SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE (For discussion and/or action – Manager Colon)
6. **Ordinance 2008-24:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY THE SEA, FLORIDA, AMENDING SECTION 30-8 OF THE CODE OF ORDINANCES TO REDESIGNATE THE PERSONNEL CHARGED WITH PROVIDING RECOMMENDATIONS TO THE COMMISSION IN CONNECTION WITH VARIANCE REQUESTS; PROVIDING FOR SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE (For discussion and/or action – Manager Colon)

10. COMMISSIONER COMMENTS

11. CONSENT AGENDA

- a. Commission approval of the Chamber of Commerce one (1) year agreement, \$27,000 with the Chamber remaining at its current location (Clerk White)
- b. Commission approval for the issuance of 85 parking permits for the Women's Club of Lauderdale-By-The-Sea (Clerk White)
- c. Appointment of one member to the Walk Around Committee (Clerk White)
- d. Appointment of one member to the Master Plan Steering Committee (Clerk White)
- e. Commission approval of license agreement between the Town and Paddy's Inheritance, Inc. for sidewalk café (Assistant Town Manager Olinzock)
- f. Commission approval of license agreement between the Town and Aruba Bay, Inc. for sidewalk café (Assistant Town Manager Olinzock)
- g. Commission approval of license agreement between the Town and Beach Restaurants, Inc. for sidewalk café (Assistant Town Manager Olinzock)
- h. Commission approval of Town Sponsored Special Event Application for Halloween 2008 (Commissioner Silverstone)

12. RESOLUTION – “Public Comments”

13. QUASI JUDICIAL PUBLIC HEARINGS

- a. Site plan submission for review and approval for the re-construction of the Ocean Terrace Beachside Condominium (4564 El Mar Dr.), which suffered water and wind damage in 2006. The applicant is seeking to rebuild the rear two units that were damaged. Additionally, the applicant is seeking a modification to the original approved site plan by increasing the height of the building by four (4) feet six (6) inches, which would result in a height of twenty-four (24) feet ten (10) inches (Assistant Manager Olinzock)

14. OLD BUSINESS

- a. Electronic Voting System - Cost \$2,745.00 – Capital Outlay Budget for FY08-09 \$1,000.00 (Clerk White)
- b. Discussion and/or action on Town Hall car park (Commissioner Dodd)

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- c. Discussion and/or action for the Town of Lauderdale-By-The-Sea to be Green Certified by the Florida Green Building Coalition (Tabled at the September 25, 2008 Commission meeting by Commissioner Silverstone)
- d. Discussion and/or action on parking issues town wide (Commissioner Dodd)
- e. Discussion and/or action to draft a resolution to Broward County to request them to provide lifeguard services to the Town as LBTS is a public beach used by everyone other than LBTS residents (Mayor Minnet)
- f. Discussion and/or action to form an Oversight Committee for Public Safety (Fire, EMS, Police) (Mayor Minnet)

15. NEW BUSINESS

- a. Discussion and/or action to email Commissioners with an interim agenda one week before each Commission meeting (Commissioner Dodd)
- b. Discussion and/or action to reject this year's automatic pay raise for Commissioner's salary (Commissioner Dodd)
- c. Extension for sewer hook-up for Bel-air residents. From 90 days to 180 days. Request Pompano to allow installment payments (Commissioner Clotney)
- d. Discussion and/or action – lack of police enforcement on beach. Request last 3 months count on tickets, etc., for violations on beach (Vice Mayor McIntee)
- e. Discussion and/or action pertaining to ordinance against topless bars (Vice Mayor McIntee)
- f. Discussion and/or action concerning current town wide height limits, grade definitions and clarification where the height is measured (Commissioner Dodd)
- g. Discussion and/or action – parking for ambulance only in front of new building (Commissioner Clotney)
- h. Discussion and/or action – Equity in Commissioner's Salaries (Commissioner Clotney)
- i. Discussion and/or action – Allocate/designate 4 parking spaces in A1A parking lot for residents (Commissioner Clotney)
- j. Discussion and/or action – Allocate funds for Iguana control (Commissioner Clotney)

- k. Discussion and/or action regarding consideration of the attached Resolution from the Broward League of Cities urging the Legislature of the State of Florida to fully fund the Broward County Court System and to specifically provide sufficient funding to sustain Broward County's traffic magistrate citation program (Mayor Minnet)
- l. Discussion and/or action regarding Earth Day event, April 22, 2009 (Mayor Minnet)
- m. Discussion and/or action – Commission consideration to draft a resolution to Broward County to provide lifeguard services as LBTS is a public beach used by everyone other than LBTS residents (Mayor Minnet)
- n. Discussion regarding Town sponsored events (Vice Mayor McIntee)
- o. Discussion and/or action regarding 6 parking spaces for Town Residents – Bougainvilla new lot (Vice Mayor McIntee)
- p. Discussion and/or action regarding Town Entryway/Fountainhead (Vice Mayor McIntee)

16. TOWN ATTORNEY REPORT

17. FUTURE AGENDA ITEMS

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.