

TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

REGULAR MEETING

AGENDA

Town Commission Meeting Room

4501 Ocean Drive

Tuesday, July 8, 2008

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**
 - a. Employee of the Quarter - April, May, June, 2008 (Assistant Olinzock)
5. **REPORTS**
 - a. Development Services Monthly Report – May, 2008 (Director Rabinowitz)
 - b. Volunteer Fire Department Monthly Report – May, 2008 (Chief Perkins)
6. **TOWN MANAGER REPORT**
7. **APPROVAL OF MINUTES**
 - a. June 24, 2008 Regular Meeting Minutes
8. **PUBLIC COMMENTS**
9. **ORDINANCES – “PUBLIC HEARING”**
 - I. **Ordinances 1st reading**
 - a. **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 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.

II. Ordinances 2nd reading

- a. Ordinance 2008-01:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, PROVIDING FOR CERTAIN TEXT AMENDMENTS TO THE TOWN'S COMPREHENSIVE PLAN TO ADDRESS THE 2005 EVALUATION AND APPRAISAL REPORT; PROVIDING FOR TRANSMITTAL OF THE PROPOSED AMENDMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE (Approved 1st reading January 8, 2008) Staff is requesting this item be continued to the July 22, 2008 meeting.

10. COMMISSIONER COMMENTS

11. CONSENT AGENDA

- a.** July 4, 2008 Celebration expenditures (part of the original \$40,000.00 approved May 27, 2008) 1. Standing Ovation - \$1,300.00 Sand Sculpture; 2. American Signs - \$596.00 Signage (Assistant Olinzock)
- b.** Commission approval of Special Event Application for the Reef Clean Up – Holiday In 2008 on Sunday, July 26, 2008, 7:00 AM till 10:00 PM (Assistant Olinzock)
- c.** Commission approval of use of Forty Five (45) parking spaces in the El Prado parking lot by Minto during construction activity, 12 hours a day, six (6) days per week, from July 7, 2008 to December 31, 2008 at the Cost of \$540.00 per day (Assistant Olinzock)
- d.** Law Enforcement Trust Fund Expenditure (BSO Chief Scott Gooding)
- e.** Award of Construction Contract to Coastal Contracting & Development, Inc., for the Construction of the Commercial Boulevard Pavilion, RFP #08-04-08, Base Bid in the amount of \$370,810.00, Alternates 1B and 2A in the amount of \$8,750.00. Funds have been appropriated in Account 300-519-160-500-620. With the FDEP Permit Approval, Building Permit Issuance, Issuance of Notice to Proceed, Completion in 90 Days (Assistant Olinzock)

12. RESOLUTION

13. OLD BUSINESS

- a. Commission Approval of award of bid to Al Siefert Electric in the amount of \$5,029.00 for the removal and replacement of seven (7) recessed lighting fixtures above the dais in Jarvis Hall (Tabled at the June 24, 2008 meeting by Vice Mayor McIntee) (Assistant Olinzock)
- b. If fire services are provided to a neighborhood community by our VFD, the charge for this service must be at least 50% higher than what is charged LBTs residents and businesses for similar services (Tabled at the June 24, 2008 meeting by Commissioner Clottey) (Commissioner Clottey)

14. PUBLIC HEARINGS

15. NEW BUSINESS

- a. Discussion and/or action to appoint a 2nd alternate to the Board of Adjustment (Clerk White)
- b. Discussion and/or action regarding relocating the Chamber of Commerce to a building on Commercial Boulevard (Requested by Vice Mayor McIntee at the June 24, 2008 meeting)
- c. Discussion and/or action regarding Resolution # 1254, adopted 1995, which provides for rental fees for the use of Jarvis Hall, and exemptions to. (Requested by Town Manager Colon at the June 24, 2008 meeting) (Assistant Olinzock)
- d. Discussion and/or action to establish a Canine Beach in Town. Provide for Ordinance revisions, establish rules and regulations, fees, funding of operation and staffing (Assistant Olinzock)
- e. Master Plan Steering Committee Direction/Goals (Commissioner Silverstone)
- f. Change the Tennis Court fees from one fee per year non prorated to a prorated per month fee schedule (Commissioner Silverstone)
- g. Variance for 1900 SE 16th Street for corner yard setbacks for pool, spa and existing nonconforming fence (Director Rabinowitz) **QUASI JUDICIAL PUBLIC HEARING**
- h. Building appearance improvements (front and rear) at 239 E. Commercial Blvd. for Commission approval of the proposed permitted structural repairs to the property with the added awning features front and rear. The use of the building, building footprint, and square footage remain unchanged (Director Rabinowitz) **QUASI JUDICIAL PUBLIC HEARING**
- i. Discuss ways to get appropriate coverage in the media (Commissioner Clottey)

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- j. Rumor control about purchase and renovation of motel (Commissioner Clottey)
- k. Selection of one or more representative(s) to the Florida League of Cities Legislative Committees (Town Clerk White)
- l. Discussion and/or Action by Commission on use of Agency for Real Estate Marketing and Sale of Town Off-Site Public Works Facility, 5423 NE 14 Ave., Fort Lauderdale (Assistant Olinzock)
- m. Commission Approval of the Use of Jarvis Hall by Palette, Mask, & Lyre Studio Theatre, Inc., for Production of Theatrical Plays as Outlined in Use Application. Requesting Waiving of RESO 1254 Use Fees, Collection of Entrance Fees, and Approval of Publications, Brochures, & Advertising, Requesting Co-Sponsorship by the Town (Assistant Olinzock)
- n. Discussion and/or action regarding an Increase in Occupational License fees by 5% as permitted by State Statute (Director Rabinowitz)

16. TOWN ATTORNEY REPORT

17. FUTURE AGENDA ITEMS

July 22, 2008 - Special Hearing 6:00 PM

- a. Adopt Proposed Fire Assessment & Proposed Millage Rate

September 12, 2008 – Special Public Hearing – 5:01 PM

- a. Adopt Tentative Budget, TRIM, Millage
- b. Adopt Final Fire Assessment

September 12, 2008 – Regular Meeting 7:00 PM

- a. Discussion and/or action to pull bags from parking meters (tabled at the March 25, 2008 Commission meeting - Vice Mayor McIntee)
- b. ORDINANCE 2008-11: Amending Section 5-34 Of The Code Of Ordinances, Beach Maintenance, (Approved 1st reading May 13, 2008 – Tabled at the May 25, 2008 Meeting by Vice Mayor McIntee)
- c. Creation of a building department (Tabled at the June 24, 2008 meeting by Commissioner Dodd)

September 25, 2008 - Special Public Hearing – 5:01 PM

- a. Adopt Final Budget, TRIM, Millage

October 8, 2008 – Regular Meeting 7:00 PM

- a. Discussion and/or action to use a natural walkway with sea oats rather than a boardwalk (requested at the June 11, 2008 meeting – Vice Mayor McIntee)
(Tabled at the June 24, 2008 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.