

TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

REGULAR MEETING

AGENDA

Jarvis Hall

4505 Ocean Drive

Wednesday, April 27, 2011

7:00 P.M.

1. **CALL TO ORDER, MAYOR ROSEANN MINNET**
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **INVOCATION** – Reverend George Hunsaker
4. **ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS**
5. **PRESENTATIONS**
 - a. Presentation of Proclamation proclaiming May 15 - 21, 2011 as National EMS Week (Mayor Roseann Minnet)
 - b. Presentation of Proclamation proclaiming April 27, 2011 as AMR Paramedic Donald Anderson Day (Mayor Roseann Minnet)
6. **PUBLIC COMMENTS**
7. **PUBLIC SAFETY AND FINANCE REPORTS**
 - a. BSO Monthly Report – March 2011 (Chief Oscar Llerena)
 - b. VFD Monthly Report – March 2011 (Chief Steve Paine)
 - c. AMR Monthly Report – March 2011 (Chief Brooke Liddle)
 - d. Mid-Year Budget Report (Acting Finance Director Doug Haag)
8. **TOWN MANAGER REPORT**
9. **TOWN ATTORNEY REPORT**
10. **APPROVAL OF MINUTES**
 - a. March 8, 2011 Special Meeting Minutes
 - b. March 8, 2011 Roundtable Meeting Minutes

- c. March 22, 2011 Regular Meeting Minutes
- d. April 5, 2011 Special Workshop Minutes
- e. April 12, 2011 Special Commission Meeting

11. CONSENT AGENDA

- a. Special Event Application for the United Cerebral Palsy "Beach Volleyball Tournament" Event, Saturday and Sunday, June 4 and 5, 2011 (Code Enforcement Officer Kimberly Williams)
- b. Commission Approval for the Use of Jarvis Hall for the Lauderdale-By-The Sea Woman's Club Silver Tea Brunch and Fashion Show on Saturday, February 4, 2012, 9:30 AM to 3:00 PM (Municipal Services Director Don Prince)
- c. Interlocal Agreement Between Broward County and Lauderdale-By-The-Sea for Division and Distribution of Proceeds of: (Acting Finance Director Doug Haag)
 - 1) Additional Local Option Gas Tax on Motor Fuel Ordinance
 - 2) Fifth Cent Additional Local Option Gas Tax on Motor Fuel Transit
 - 3) Local Option Gas Tax Imposed by the Broward County Local Option Gas Tax Ordinance
- d. Commission Approval for the Use of Jarvis Hall for the Caribe' Inc. of Broward County's 50th Annual Shareholders Meeting, Monday, March 5, 2012, 8:30 AM to 12:00 PM and to provide 45 parking permits (Municipal Services Director Don Prince)
- e. Commission Approval for the Use of Jarvis Hall for the Lauderdale-By-The Sea Chamber of Commerce "Spaghetti Dinner", Wednesday, October 5, 2011, 1:00 PM to 9:00 PM (Municipal Services Director Don Prince)

12. ORDINANCES – PUBLIC COMMENTS

1. Ordinances 1st Reading

- a. **Ordinance 2010-16:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE SEA, AMENDING CHAPTER 30, UNIFIED LAND DEVELOPMENT REGULATIONS, ARTICLE VIII. SIGN REGULATIONS, TO REVISE PROVISIONS AND CLARIFY TERMS, REQUIREMENTS AND STANDARDS REGARDING SIGN REGULATIONS; FURTHER CREATING A NEW SECTION 30-510, SEVERABILITY REGARDING SIGN REGULATIONS; PROVIDING FOR SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE

- b. **Ordinance 2011-09:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 19, OF THE CODE OF ORDINANCES, TO AMEND PARKING REQUIREMENTS; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE

2. Ordinances 2nd Reading

- a. **Ordinance 2011-03** – AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE SEA, AMENDING SECTION 30-313(4), OF THE CODE OF ORDINANCES TO AMEND REQUIREMENTS FOR FENCES, WALLS AND HEDGES; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE
- b. **Ordinance 2011-04:** AN ORDINANCE OF THE TOWN OF LAUDERDALE BY-THE-SEA, FLORIDA, AMENDING CHAPTER 5 “BEACHES AND WATERWAYS” OF THE CODE OF ORDINANCES, BY AMENDING ARTICLE I “IN GENERAL”, SECTION 5-1 “DEFINITIONS”, BY AMENDING ARTICLE I “IN GENERAL”, SECTION 5-6 “PROHIBITIONS ON WATER ACTIVITIES,” AND BY AMENDING ARTICLE II “BEACH REGULATIONS” BY CREATING SECTION 5-35 “KITEBOARD INSTRUCTION PROHIBITED ON THE BEACH” AND SECTION 5-36 “PARAGLIDER LAUNCHING AND LANDING PROHIBITED ON BEACH”; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE – *Discussed at the February 22, 2011 Commission meeting- Approved 1st reading March 22, 2011*
- c. **Ordinance 2011-06:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING ARTICLE V “ZONING” OF CHAPTER 30, UNIFIED LAND DEVELOPMENT REGULATIONS, OF THE CODE OF ORDINANCES, BY AMENDING SECTION 30-313 GENERAL PROVISIONS TO REVISE REQUIREMENTS FOR GENERATORS AND RELATED FUEL STORAGE TANKS; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE - *Discussed at the March 8, 2011 Roundtable meeting - Approved 1st reading with amendments March 22, 2011 - Additional Discussion at the April 12, 2011 Roundtable*
- d. **Ordinance 2011-07:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 30, UNIFIED LAND DEVELOPMENT REGULATIONS, OF THE CODE OF ORDINANCES, BY AMENDING SECTION 30-261, “B-1-A DISTRICT – BUSINESS” AND 30-271, “B-1 DISTRICT – BUSINESS” TO CORRECT SCRIVENER’S ERRORS AND TO PROVIDE CONDITIONAL USES IN

THESE DISTRICTS; BY AMENDING CONDITIONAL USE PROCEDURES IN THE RM-25 DISTRICT; CREATING SECTION 30-56, CONDITIONAL USE REVIEW; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE - ***Discussed at the March 8, 2011 Roundtable meeting - Approved 1st reading with amendments March 22, 2011 - Additional Discussion at the April 12, 2011 Roundtable***

- e. **Ordinance 2011-08:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 3, "ALCOHOLIC BEVERAGES," OF THE TOWN'S CODE OF ORDINANCES BY AMENDING SECTION 3-4 "LIMITATIONS AS TO HOURS OF SALE." TO REVISE THE HOURS OF SALE OF ALCOHOL; AND PROVIDING FOR SEVERABILITY, CODIFICATIONS, CONFLICTS AND AN EFFECTIVE DATE - ***Discussed at the March 8, 2011 Roundtable meeting - Approved 1st reading March 22, 2011***

13. RESOLUTION – "Public Comments"

- a. **Resolution 2011-07:** A RESOLUTION OF THE TOWN COMMISSION OF TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA PROVIDING FOR REVISION OF A NOTICE OF INTENT CONCERNING PENDING LAND DEVELOPMENT REGULATIONS
- b. **Resolution 2011-10:** A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA AUTHORIZING CHANGES IN THE TOWN'S PURCHASING MANUAL BY PROVIDING FOR INCORPORATION IN THE MANUAL OF A REQUEST FOR QUALIFICATION PROCESS; PROVIDING FOR REPEAL OF ANY CONFLICTING RESOLUTION, SEVERABILITY, AND AN EFFECTIVE DATE
- c. **Resolution 2011-12:** A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, ESTABLISHING PARKING FEES EFFECTIVE MAY 2011 AND OCTOBER 2011; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE
- d. **Resolution 2011-11:** A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AUTHORIZING THE TOWN MANAGER OR HER DESIGNEE TO AUTHORIZE AND APPLY FOR STATE PERMITS FOR THE IMPLEMENTATION OF PAID PARKING ON COMMERCIAL BOULEVARD; PROVIDING AN EFFECTIVE DATE
- e. **Resolution 2011-13:** A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING AN AGREEMENT FOR SPECIAL MAGISTRATE SERVICES WITH THOMAS J. ANSBRO, ESQ.; AND PROVIDING AN EFFECTIVE DATE

- f. **Resolution 2011-14:** A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING THE TWELFTH AMENDMENT TO THE INTERLOCAL AGREEMENT (ILA) WITH BROWARD COUNTY FOR SOLID WASTE DISPOSAL SERVICES; DIRECTING THE APPROPRIATE TOWN OFFICIAL TO REQUEST THAT ALL PARTIES APPROVE THE TWELFTH AMENDMENT BY JUNE 2, 2011; PROVIDING FOR REPEAL OF ANY CONFLICTING RESOLUTION; AND PROVIDING AN EFFECTIVE DATE

14. QUASI JUDICIAL PUBLIC HEARINGS

15. COMMISSIONER COMMENTS

16. OLD BUSINESS

17. NEW BUSINESS

- a. 2011 BSO LBTS District LETF Request (Chief Oscar Llerena)
- b. Commission selection of a Municipal Director, Alternate and Second Alternate to the Broward League of Cities for the 2011-2012 year (Town Clerk June White)
- c. Commission Approval of Application for Relief of Code Enforcement Lien at 1955 Blue Water Terrace South (Code Enforcement Officer Kimberly Williams)

18. ADJOURNMENT

19. FUTURE REGULAR COMMISSION AGENDA ITEMS

May 24, 2011: 40 Year Building Report Update

May 24, 2011: Ordinance 2010-16 Second Reading – Amending Sign Regulations

May 24, 2011: Ordinance 2011-09 Second Reading - Amending Parking Requirements

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.

Town Commission Regular Meeting Agenda April 27, 2011

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, at the far right end of the dais.

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.