

TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION

REGULAR MEETING

AGENDA

Town Commission Meeting Room

4501 Ocean Drive

Tuesday, November 8, 2005

7:00 P.M.

- 1. CALL TO ORDER, MAYOR OLIVER PARKER**
- 2. PLEDGE OF ALLEGIANCE TO THE FLAG**
- 3. INVOCATION, TOWN CHAPLAIN**
- 4. PRESENTATIONS**
 - A. Proclamations of Appreciation
 - B. Deputy of the Month, Broward Sheriff's Office, District 13 (*Chief Scott Gooding*)
 - C. Economic Development Task Force (*presentation by David Nixon/Michael Arker*)
- 5. REPORTS**
 - A. Code Compliance Quarterly Report
 - B. Display of the U.S. Flag from U.S. Representative Clay Shaw (*Mayor Parker/Cindy Geesey*) (*continued from October 11, 2005*)
- 6. APPROVAL OF MINUTES**
 - A. October 11, 2005, Agenda Conference
 - B. October 11, 2005, Regular Meeting
- 7. ORDINANCES (2nd Reading) "Public Hearings"**
- 8. PUBLIC COMMENTS**

9. ORDINANCES (1ST Reading)

- A. **Ordinance No. 2005-16:** An ordinance of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, amending Chapter 24, Section 24-5.5 to require Commission approval as a condition allowing for designation of the front lot line of a property to be designated by the property owner; amending the definition of "Lot, Corner"; providing for severability; codification; conflicts; and providing for an effective date
- B. **Ordinance No. 2005-17:** An ordinance of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, amending Section 24-5.36 of the Land Development Code to require additional landscaping to buffer and screen properties which elect an alternate front yard; providing for severability; providing for codification; providing for conflicts; and providing for an effective date
- C. **Ordinance No. 2005-18:** An ordinance of the Town of Lauderdale-By-The-Sea, Florida, submitting to referendum an amendment to Article XIV, Section 277 of the Town Charter, entitled "Maximum Height for Buildings Established", applying the three over one height limitation to all property in the jurisdictional limits of the Town; authorizing the Town Commission to grant height variances up to not more than fifteen stories and/or not more than one hundred fifty feet for buildings in the area north of Pine Avenue and east of Sate Road A1A; modifying restrictions on the square footage of non-conforming buildings that are rebuilt; providing for a notice of an advertisement of the referendum election to be published in accordance with the State of Florida Election Code; providing that this ordinance, when adopted, shall be submitted to the qualified electors of the Town of Lauderdale-By-The-Sea, Florida, on the March 2006 municipal election ballot and shall become effective as provided by law; providing for conflicts; providing for severability; and providing for an effective date.

10. CONSENT AGENDA

- A. CHANGE ORDERS: concerning the contract with Man-Con, Inc. for the North Beach Neighborhood Improvement – Phase 1; Bid No. 04-05-02 (*removal of Pompano Beach from the contract; reduction in cost by \$800,707.45*)
- B. EXTENSION OF DEVELOPMENT ORDER: request for a six month extension for The Caprice, 4108 – 4110 El Mar Drive
- C. AGREEMENT: with Colonna Asphalt Restoration, Inc. for construction of 4420 Bougainvilla Drive parking lot
- D. CONTRACT RENEWAL: with Russ Klenet for providing professional legislative consulting services

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- E. GRANT EXTENSION: second and final extension of Challenge Grant Agreement for the project known as Beach Pavilion Enhancement Project
- F. GRANT EXTENSION: second and final extension of Challenge Grant Agreement for the project known as the 5 Portals to the Sea Enhancement Project
- G. AGREEMENT: authorization for Man-Con, Inc. to perform post-hurricane beach clean-up
- H. EXTENSION REQUEST: from the Department of Community Affairs for the Town's Evaluation and Appraisal Report

11. RESOLUTION

- A. **Resolution No. 2005-19:** A Resolution of the Town of Lauderdale-By-The-Sea, Florida, authorizing the Town Manager to implement purchasing policies for the acquisition of goods, commodities and services; providing that Town Commission approval is required for all expenditures over \$15,000 unless Commission approval is otherwise required by law; and providing an effective date
- B. **Resolution No. 2005-20:** A Resolution of the Town Commission of the Town Commission authorizing the Town Manager to make expenditures for storm related recovery expenses or purchases exceeding \$15,000 for a period of sixty days; providing an effective date

12. OLD BUSINESS

- A. **“PUBLIC HEARING” VARIANCE** – James Pollock/Thomas Keaney (Ocean Mist Pub), 210 Commercial Boulevard (*staff recommending denial; Board of Adjustment recommending approval*) (***staff requesting a tabling to December 13, 2005 in order to meet required advertising needs***)
- B. Report concerning the number of lots that would be impacted by a change to the side yard setback requirements in the RM-25 zoning district (*Continued from June 21, 2005*) (*Town Planner Walter Keller*)
- C. Discussion and/or action considering the adoption of an ordinance creating a hospitality district (*Michael Arker/Town Planner Walter Keller*) (*tabled from October 11, 2005*)
- D. Report on Code Section 24-5.155, as it pertains to the leasing of parking areas (*Town Planner Keller*) (*tabled from October 11, 2005*)

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- E. Discussion and/or action regarding the Unified Land Development Code and the scheduling of a workshop to review proposed changes (*Town Attorney James Cherof*) (*workshop meeting date to be set*)
- F. Discussion and/or action regarding the proposed changes to the existing parking permits to establish resident meter parking permits
- G. Discussion and/or action regarding a special request by the Santa-By-The-Sea Committee to have the Town Commission participate as part of a Christmas choir with the children attending the event (*Mayor Oliver Parker*)

13. NEW BUSINESS

- A. **“PUBLIC HEARING” SITE PLANS**, Sandy By The Sea Townhomes, located at 4557 Poinciana Street, 4558, 4561, 4637, and 4641 Bougainvillea Drive (*tabled from October 11, 2005*) (**staff requesting tabling to November 22, 2005**)
- B. **“PUBLIC HEARING” SITE PLAN** – Silver Capital Investment, 4649 Bougainvillea Drive) (*tabled from September 6, 2005*) (**request for tabling to December 13, 2005**)
- C. **“PUBLIC HEARING” SITE PLAN** – Real Investment, Inc., 4417/4421 Poinciana Street (*tabled from September 20, 2005*) (**request for tabling to December 13, 2005**)
- D. **“PUBLIC HEARING” SITE PLAN** – Real Investment, Inc., 4432/4436 Bougainvillea Drive (*tabled from September 20, 2005*) (**request for tabling to December 13, 2005**)
- E. **“PUBLIC HEARING” SITE PLAN** – EastCoast Communities, 223 Garden Court and 4215 Seagrape Drive (*staff recommending approval subject to conditions as noted in the planning report; Planning and Zoning Board recommending approval subject to conditions noted in the planning report*)
- F. Discussion and/or action concerning removing the seawall between High Noon and Aruba (*Commissioner Yanni*)
- G. Discussion and/or action regarding the relocation of the Fire Station 36 to Town Hall (*Vice Mayor Kennedy*)
- H. Discussion and/or action regarding the proposed contract renewal between the Town and GSG, Inc. (*continued from October 11, 2005*)
- I. General discussion concerning Hurricane Wilma

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- J. Discussion and/or action concerning delays to sewer project (*Municipal services Director William Mason/Town Engineer Kevin Hart*)

14. TOWN MANAGER REPORT

15. TOWN ATTORNEY REPORT

- A. Report regarding the methodology used for the calculation of Stormwater Utility Fund

16. COMMISSIONER COMMENTS

17. 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 ACCOMODATION 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.