

TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

REGULAR MEETING

AGENDA

Town Commission Meeting Room

4501 Ocean Drive

Tuesday, November 22, 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. Deputy of the Month, Broward Sheriff's Office, District 13 (*Chief Scott Gooding*)
 - B. Citizen's Observer Patrol (*Chief Scott Gooding*)
 - C. Optimist Club of Lauderdale-By-The-Sea (*Mayor Oliver Parker*)
5. **REPORTS**
 - A. Budget Report for Period Ending September 30, 2005
 - B. Budget Report for Period Ending October 31, 2005
 - C. Display of the U.S. Flag from U.S. Representative Clay Shaw (*Mayor Oliver Parker/Cindy Geesey*) (*continued from November 8, 2005*)
6. **APPROVAL OF MINUTES**
 - A. November 8, 2005, Workshop Meeting
 - B. November 8, 2005, Conference Agenda
7. **ORDINANCES (2nd Reading) "Public Hearings"**
 - A. **Ordinance No. 2005-15:** An ordinance of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, amending the Land Development Code to designate dental laboratory as permitted uses in the B-1 zoning district; specifically amending Section 24-5.111(a); providing for severability; providing for codification; providing for conflicts; and providing for an effective date

- B. **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.

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 and amending the definition of "Lot, Corner"; 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
- B. **Ordinance No. 2005-19:** An ordinance of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, amending section 24-5.66(a) of the Land Development Code to allow for temporary real estate sales offices in the RM-25 zoning district; providing for severability; providing for codification; providing for conflicts; and providing for an effective date

10. **CONSENT AGENDA**

- A. **SPECIAL EVENT PERMIT:** Request to reschedule event (**date change only**) due to Hurricane Wilma – **Arts and Crafts Show**/Chamber of Commerce – new dates: Wednesday, January 4 and Thursday, January 5, 2006
- B. **SPECIAL EVENT PERMIT:** Request to reschedule event (**date change only**) due to Hurricane Wilma – **Marathon Race**/Exclusive Sports Marketing – new dates: Sunday, February 19, 2006

Town Commission Regular Meeting Agenda
November 22, 2005

- C. SPECIAL EVENT PERMIT: **New Year's Eve Party**/Chamber of Commerce, Saturday, December 31, 2005; from 5:00 p.m. to 1:30 a.m.
- D. SPECIAL EVENT PERMIT: **Taste of the Beach**/Chamber of Commerce, Wednesday, February 22, 2006; from 6:00 p.m. to 10:00 p.m.
- E. SPECIAL EVENT PERMIT: **Boat Parade Party**/Blue Moon Fish Co., Saturday, December 17, 2005; from 7:00 p.m. to 11:30 p.m.
- F. SPECIAL REQUEST: from the Property Owner's Association to have its December 7, 2005 meeting televised on the government access channel
- G. AGREEMENT: ratification of Disaster Relief Funding Agreement with the Department of Community Affairs as it relates to Hurricane Wilma
- H. AGREEMENT: ratification of the contract with PBS&J for monitoring services during debris removal after Hurricane Wilma (*Task Authorization No. 1*)
- I. AGREEMENT: authorization for Tele-Vac South to perform post hurricane outfall and stormwater drain clean-up (*piggybacking from contract with City of Sunrise, Bid No. 02 (15) 12-07-05-22-C, expiring September 30, 2006*)
- J. AGREEMENT: authorization for purchase order with Tele-Vac South for stormwater basin and outfall rehabilitation and maintenance, not to exceed \$50,000 (*piggybacking from contract with the City of Sunrise, budgeted from account number 104-538-000-500-498*)
- K. AGREEMENT: authorization for purchase order with Tele-Vac South for sewer line maintenance, not to exceed \$50,000 (*piggybacking from contract with the City of Sunrise, budgeted from account number 103-535-000-500-459*)
- L. Ratification of expenditures for post-hurricane clean up of beach areas by Man-Con, Inc. (*Hurricane Wilma*)
- M. Ratification of expenditures for post-hurricane clean up of stormwater basin and outfalls by Tele-Vac South (*Hurricane Wilma*)

11. RESOLUTION

- A. **Resolution No. 2005-21:** A resolution of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, amending the 2004/2005 fiscal year budget; appropriating said amounts to specific designated accounts in accordance with the attached exhibit "A" to the specific designated funds;

Town Commission Regular Meeting Agenda
November 22, 2005

authorizing expenditure of those amounts in accordance with the budget as amended; providing for conflicts; providing for severability; and an effective date.

- B. **Resolution No. 2005-22:** A resolution of the Town of Lauderdale-By-The-Sea, Florida, extending the Commission's previous declaration of zoning in progress and extending the Notice of Intent to allow the Town's Administration and consultants additional time to study, review and revise zoning and building standards and requirements for development of buildings in excess of forty-four feet in height in the area in the Town north of Pine Avenue and south of the Pompano Beach corporate limits (known commonly as the north beach annexation area); providing for issuance of notice; for public hearing; for an effective date; and providing an effective date.
- C. **Resolution No. 2005-23:** A resolution of the Town of Lauderdale-By-The-Sea, Florida, canceling the regularly scheduled Commission meeting scheduled for December 27, 2005; providing for an effective date

12. OLD BUSINESS

- A. 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/Marie White*) (*continued from November 8, 2005*)
- B. Report on Code Section 24-5.155, as it pertains to the leasing of parking areas (*Town Planner Walter Keller*) (*continued from November 8, 2005*)
- C. Discussion and/or action concerning removal of the seawall located between High Noon and Aruba and on Pine Avenue (*Commissioner John Yanni*) (*continued from November 8, 2005*)
- D. Discussion and/or action concerning the proposed contract renewal between the Town and GSG, Inc. (*continued from November 8, 2005*) (***staff requesting a continuance to December 13, 2005***)
- E. Reconsideration of contract renewal with Russ Klenet for providing professional legislative consulting services (*Mayor Pro Tem Charles Clark*)
- F. Discussion and/or action regarding protocol for processing applications for Environmental Resource Licenses (regarding dock and seawall permits) (*Town Planner Walter Keller*) (*continued from September 6, 2005*)
- G. Discussion and/or action regarding changes to the Evaluation and Appraisal Report (*Town Planner Walter Keller*)

Town Commission Regular Meeting Agenda
November 22, 2005

- H. Discussion and/or action regarding firefighters assisting in the monitoring/confiscation of fireworks on the beach for the Fourth of July (*Chief Scott Gooding/Battalion Chief Don King*)

13. NEW BUSINESS

- A. **“PUBLIC HEARING” SITE PLANS** – Sandy By The Sea Townhomes, located at 4557 Poinciana Street, 4558, 4561, 4637, and 4641 Bougainvilla Drive (*tabled from November 8, 2005*) (*staff recommending approval subject to conditions noted in the planning report; Planning and Zoning Board recommending approval subject to conditions noted in the planning report*)
- B. Proposal for study on the traffic flow in the downtown area; determine best locations for parking garage (*Town Planner Walter Keller*)
- C. Consideration of providing assistance with funding for the Community Performing Arts Center (*continued from November 8, 2005*)
- D. Discussion and/or action concerning a consulting contract with Laura Ward (*Commissioner David Wessels*)
- E. Discussion and/or action concerning floating a bond issue to install natural gas lines, bury all utility lines, and the provision of a referendum to achieve this goal (*Mayor Oliver Parker*)

14. TOWN MANAGER REPORT

15. TOWN ATTORNEY REPORT

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.