

TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION

REGULAR MEETING

AGENDA

Town Commission Meeting Room

4501 Ocean Drive

Tuesday, May 23, 2006

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. Dr. Brenda C. Snipes, Supervisor of Elections
 - B. Deputy of the Month, Broward Sheriff's Office, District 13 (*Chief Scott Gooding*)
 - C. Update on Reef Restoration as previously presented by Marc Furth (*Marc Furth/Mayor Oliver Parker*)
- 5. REPORTS**
 - A. Budget Report for Period Ending April 30, 2006
 - B. Report on the review of costs for the Town to obtain satellite internet connections as part of its hurricane preparedness program (*Municipal Services Director William Mason*) (*tabled from May 9, 2006*)
 - C. Placement of two additional benches at the Palm Avenue Portal (*Vice Mayor Yanni*) (*continued from May 9, 2006*)
 - D. Report on the Australian pines located east of El Mar Drive (*continued from May 9, 2006*)
 - E. Report on four Burt J. Harris claims and request for action. (*Town Attorney James Cherof*)
- 6. APPROVAL OF MINUTES**
 - A. April 25, 2006, Regular Meeting
 - B. May 9, 2006, Agenda Conference
- 7. PUBLIC COMMENTS**

8. ORDINANCES (2nd Reading) "Public Hearings"

- A. **ORDINANCE NO. 2006-04:** An ordinance of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, adopting Florida Power and Light's "Right Tree – Right Place" guidelines; providing for enforcement; providing for penalty; providing for severability; providing for codification; providing for conflicts; and providing for an effective date
- B. **ORDINANCE NO. 2006-05:** An ordinance of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, amending Chapter 20 of the Code of Ordinances to add a new Article IV, "Underground Utilities"; providing for severability; providing for codification; providing for conflicts; and providing for an effective date

9. ORDINANCES (1ST Reading)

- A. **ORDINANCE NO. 2006-06:** An ordinance of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, amending the Code of Ordinances, Chapter 17, "Streets, Sidewalks and other Public Places", Article III, "Official Map of Town", to add a new subsection 17-48, "Property Identification Signs"; providing for conflicts, providing for severability, providing for codification; and providing for an effective date.
- B. **ORDINANCE NO. 2006-07:** An ordinance of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, amending Chapter 20, entitled "Utilities", Article IV, entitled "Stormwater Management Utility" by deleting Section 20-41, entitled "Billing," Section 20-43, entitled "Appeals", and Section 20-45, entitled "Delinquent Charges", amending Section 20-44, entitled "Cost Avoidance Credits and Adjustment of Fees" to add a new Subsection (J) concerning timing for requests, and adding Sections 20-50 through 20-65 to authorize the levy, collection and enforcement of the Town's Stormwater Management Utility Fee pursuant to Sections 197.3632 and 197.3635, Florida Statutes; providing for definitions; providing for notice and hearing requirements for Stormwater Management Utility Fees; providing for procedures for the collection of the Stormwater Management Utility Fee; providing for enforcement, conflict, severability, codification, and an effective date

10. COMMISSIONER COMMENTS

11. CONSENT AGENDA

- A. SPECIAL EVENT PERMIT: **Fourth of July Celebrations**/Town of Lauderdale-By-The-Sea, Monday, July 3rd, and Tuesday, July 4, 2006; from 6:00 a.m. to 11:00 p.m. (*amendment to the parking relief requested in original application*)
- B. SPECIAL EVENT PERMIT: **Fourth of July Celebrations**/Town of Lauderdale-By-The-Sea, Monday, July 3rd, and Tuesday, July 4, 2006; from 6:00 a.m. to 11:00 p.m. (*authorization for the temporary use of a 4th of July Banner, measuring 16 feet long by 4 feet high, through the end of the Fourth of July Celebrations*) (Mayor Pro Tem Chuck Clark)
- C. REQUEST FOR EXTENSION: on the Development Order for 230 Cove (Rodriguez Design Group/B&B Garden Court LLC), located at 226 and 230 Garden Court and 4149 Seagrape Drive, for a period of six months
- D. REQUEST FOR EXTENSION: on the Development Order for Duval (Rodriguez Design Group/B&B Duval LLC), located at 4209 and 4215 Seagrape Drive, for a period of six months

12. RESOLUTION

- A. **RESOLUTION NO. 2006-12:** A resolution of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, expressing support for the efforts of the Broward County Commission to develop and implement strategies to meet the affordable housing needs in Broward County, and the efforts of the Broward League of Cities in working with Broward County to develop these strategies; and providing for effective date
- B. **RESOLUTION NO. 2006-13:** A resolution of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, canceling the Commission meetings regularly scheduled for August 2006; and providing an effective date.

13. OLD BUSINESS

- A. **“PUBLIC HEARING”** Presentation by Richard A. Berrie, of Berrie Architecture and Design, for the property located at 1400 South Ocean Boulevard, normally referred to as the Sea Colony

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- B. Discussion and/or action concerning staff's review of use of round-a-bouts on Seagrape Drive and/or the approval of the proposed contract with Florida Blacktop, Inc. to install five speed humps on Seagrape Drive, south of Commercial Boulevard (*piggybacking on contract with the City of Fort Lauderdale, Contract #10757, at a cost of \$21,052.75*) (*tabled from May 9, 2006*)
- C. Discussion and/or action concerning the reconfiguration of Jarvis Hall, including the enclosing of the portico and the moving of the dais (*tabled from May 9, 2006*)
- D. Discussion and/or action concerning the list of names of attorneys provided by the Florida League of Cities with regards to the hiring of an attorney for an independent review of the fire assessment (*Commissioner Jerome McIntee*) (*tabled from May 9, 2006*)
- E. Discussion and/or action requesting permission from the Court to remove Ordinance 2005-20 from the ballot in November (*Mayor Oliver Parker*) (*continued from May 9, 2006*)
- F. Discussion and/or action regarding the equipment used and schedule followed for street clean-up (*continued from April 26, 2006*)
 - 1) Purchase of a street sweeper
 - 2) Revised schedule for cleaning streets
- G. Discussion and/or action regarding the proposed site plan layout for the fire station and fire truck parking at Spicola Park (*Town Engineer Kevin Hart/Municipal Services Director William Mason*)
- H. Discussion and/or action regarding a consulting contract with Russ Klenet (*Vice Mayor John Yanni*)
- I. Discussion and/or action regarding the Town's hurricane trailer

14. NEW BUSINESS

- A. Review of proposed changes to architectural style as noted in Code Section 24-5.276 and 24-5.277 to the property located at 258 Commercial Boulevard
- B. Discussion and/or action to provide additional funds for the Town Manager to get the medians and entranceways cleaned up into and in the Town (*Commissioner Jerome McIntee*) (*continued from May 9, 2006*)

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- C. Appointment of Representative to the Broward County Metropolitan Planning Board (*one Town Official to vacant seat previously held by former Vice Mayor Ed Kennedy*)
- D. Nomination of one member to the Board of Adjustment to fill vacancy (*term expiring on April 30, 2008*)
- E. Ratification of the Chair and Vice Chair chosen by the members of the Board of Adjustment (*Chair, William Hubly; Vice Chair, Thomas Carr*)
- F. Ratification of the Chair and Vice Chair chosen by the members of the Planning and Zoning Board (*Chair, Roseanne Minnet; Vice Chair Bernard Eckhardt*)
- G. Discussion and/or action regarding the acceptance of an agreement from Mark Berman, Esquire, to provide services as Special Magistrate for the Code Enforcement Hearings and Administrative Hearings for Parking issues (*Acting Development Services Director Bradford Townsend*)
- H. Discussion and/or action regarding a proposed amendment to have the Board of Adjustment choose its own Chair and Vice Chair from the membership appointed by the Commission (*Mayor Oliver Parker*)
- I. Discussion and/or action to create a “walk around” committee (*Commissioner Jerome McIntee*)
- J. Discussion and/or action regarding a policy directing the Town Manager to provide approximate cost figures whenever the Commission request additional work from consultants (i.e., Town Planner, Town Engineer) other than the Town Attorney (*Commissioner James Silverstone*)
- K. Discussion and/or action regarding the use of the middle lane of Bougainvillea Drive, south of Commercial Boulevard, and using it for parking spaces (*Mayor Oliver Parker*)
- L. Discussion and/or action regarding the contract between the Town and the Broward Sheriff’s Office Department of Fire Rescue and Emergency Services (*Commissioner Jerome McIntee*)
- M. Discussion and/or action concerning the creation of a Citizen’s Budget Review Committee (*Commissioner James Silverstone*)

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- N. Discussion and/or action regarding the possibility of providing port-a-potties near the business district (*Commissioner Jerome McIntee*)

15. TOWN MANAGER REPORT

- A. Agenda Item Request Forms

16. TOWN ATTORNEY REPORT

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 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.