

# TOWN OF LAUDERDALE-BY-THE-SEA

## TOWN COMMISSION

### REGULAR MEETING

### AGENDA

Town Commission Meeting Room

**4501 Ocean Drive**

**Tuesday, May 9, 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. Proclamation – Armando DeLaRiva, Firefighter/Paramedic, Broward Sheriff's Office Department of Fire-Rescue and Emergency Services (*Chief John Frailey/Chief James Silverstone*)
  - B. Lauderdale-By-The-Sea's Online Community Portal (*Jerry Sehl/Vice Mayor John Yanni*)
5. **REPORTS**
  - A. Proposal for protocol to provide color palettes for site plan reviews (*Vice Mayor John Yanni/Michael Arker*) (*tabled from April 11, 2006*) (**Mr. Arker requesting a tabling to June 27, 2006 to complete presentation to Planning and Zoning Board**)
  - B. Report on the approximate cost per foot to bury utility lines as part of site plan reviews/approvals (*Town Engineer Kevin Hart*) (*tabled from April 11, 2006*)
  - C. Master Plan Steering Committee – Report on beach dunes by Town Engineer Kevin Hart (*continued from April 25, 2006*)
6. **APPROVAL OF MINUTES**
  - A. April 4, 2006, Special Meeting (*continued from April 25, 2006*)
  - B. April 25, 2006, Agenda Conference

7. **PUBLIC COMMENTS**

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

9. **COMMISSIONER COMMENTS**

10. **ORDINANCES (1<sup>ST</sup> Reading)**

- 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

11. **CONSENT AGENDA**

- A. **SPECIAL EVENT PERMIT: Fourth of July Celebrations/Town of Lauderdale-By-The-Sea, Monday, July 3<sup>rd</sup>, and Tuesday, July 4, 2006;** from 6:00 a.m. to 11:00 p.m.
- B. **INTERLOCAL AGREEMENT:** with Broward County providing for division and distribution of the Local Option Gas Tax imposed by the Broward County Local Option Gas Tax Ordinance
- C. **INTERLOCAL AGREEMENT:** with Broward County providing for division and distribution of the proceeds from the Broward County Additional Local Option Gas Tax on Motor Fuel Ordinance
- D. **INTERLOCAL AGREEMENT:** with Broward County providing for the division and distribution of the proceeds from the Broward County Five Cent Additional Local Option Gas Tax on Motor Fuel for Transit
- E. **INTERLOCAL AGREEMENT:** Tenth amendment to the agreement creating the Broward County Solid Waste Disposal District
- F. **EXTENSION REQUEST:** on the development order for the property located at 4433-4437 Poinciana Street (Silver Shores Company/John Allen), for a period of six months

- G. Motion to authorize the Town Administration to stock pile necessary provisions for use by emergency personnel after a natural disaster

## 12. RESOLUTION

- A. **RESOLUTION NO. 2006-10:** A Resolution of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, authorizing the appropriate Town Officials to take all steps necessary to request the United States Postal Service to designate the Town of Lauderdale-By-The-Sea as the default city for zip code purposes for zip codes within the Town of Lauderdale-By-The-Sea; alternatively, requesting that the entire Town of Lauderdale-By-The-Sea be assigned to the same default zip code; directing Town Administration to transmit a certified copy of this resolution to members of the United States Senate and House of Representatives who represent the Town of Lauderdale-By-The-Sea, the Town's State Legislative Representatives, the Postmaster General for the United States Postal Service, and any other interested parties; providing for conflicts; providing for severability; and providing for an effective date.
- B. **RESOLUTION NO. 2006-11:** A Resolution of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, authorizing and directing the appropriate Town Officials to execute a Franchise Agreement with Waste Management, Inc.; providing for conflict; providing for severability; and providing for an effective date.

## 13. OLD BUSINESS

- A. 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 April 11, 2006*) (**staff requesting this item be removed from the agenda until a complete analysis can be presented**)
- B. Discussion and/or action concerning the reconfiguration of Jarvis Hall, including the enclosing of the portico and the moving of the dais (*tabled from April 11, 2006*) (**staff requesting this item be removed from the agenda until a complete analysis can be presented**)
- C. Discussion and/or action on a request made by Norma Fayer, of 5100 North Ocean Boulevard, concerning the policy for key deposits for shuffleboard/bocci court (*Mayor Oliver Parker*) (*tabled from April 11, 2006*)

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- D. Discussion and/or action regarding a request to televise the Property Owners' Association Meeting with regards to hurricane preparedness (*Vice Mayor John Yanni*)
- E. Discussion and/or action concerning the selection of an attorney for an independent review of the fire assessment (*Commissioner Jerome McIntee (tabled from April 11, 2006)*)
- F. Discussion and/or action concerning the Commercial Boulevard Pavilion (*Commissioner James Silverstone*)

**14. NEW BUSINESS**

- A. **"PUBLIC HEARING"** – VARIANCE REQUEST; Lowe/1808 West Terra Mar Drive (*Planning and Zoning Board tabled to May 16, 2006*) (**staff recommending tabling to June 13, 2006**)
- B. Selection of members for the Board of Adjustment (*new term to run through April 2008*) (*five members, two alternate members*)
- C. Selection of members for the Planning and Zoning Board (*new term to run through April 2008*) (*five members, two alternate members*)
- D. Discussion and/or action requesting permission from the Court to remove Ordinance 2005-20 from the ballot in November (*Mayor Oliver Parker*)
- E. Discussion and/or action concerning the contracting of Chief Frank Buchert as a consultant to the Town for issues pertaining to emergency management, as well as fire support and emergency medical services issues (*Mayor Pro Tem Chuck Clark*)
- F. Discussion and/or action regarding an office for Commissioners (*Commissioner Jerome McIntee*)
- G. Naming of Portals-By-The-Sea (*Mayor Oliver Parker*):
  - 1) Portal located at Datura: in honor of William and Eva Karley, with Mr. Karley having been a resident for over 50 years, serving as Commissioner for 20 years, being a founding member of the Volunteer Fire Department, and serving as president of the Broward League of Cities
  - 2) Portal located at Hibiscus: in honor of Joseph and Betty Barbara, with Mr. Barbara having been a long term resident; serving on the Town Commission for nine years, as both Mayor and Vice Mayor; and being a founding member of the Volunteer Fire Department

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- H. Discussion and/or action regarding a hurricane trailer (*Commissioner Jerome McIntee*)
- I. 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*)
- J. Discussion and/or action regarding the establishment of a protocol for using assessments for neighborhood improvements (*Mayor Oliver Parker*)
- K. Discussion and/or action regarding the spending of the additional \$39,000 left on referendum question (*Commissioner Jerome McIntee*)

**15. TOWN MANAGER REPORT**

- A. Municipal Services Department Monthly Report
- B. Capital Improvement Projects Quarterly Status Report
- C. Code Compliance Quarterly Status Report

**16. TOWN ATTORNEY REPORT**

- A. Rules of Order for Town Commission Meetings
- B. Report on the Australian pines located east of El Mar Drive (*continued from February 28, 2006*)

**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.*