

# **TOWN OF LAUDERDALE-BY-THE-SEA**

## **TOWN COMMISSION**

### **REGULAR MEETING AGENDA**

Town Commission Meeting Room  
**4501 Ocean Drive**  
**Tuesday, March 13, 2007**  
**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 – Amateur Radio Week (*June 18 through 24, 2007*)
  - B. Deputy of the Month, Broward Sheriff's Office, District 13 (*Chief Scott Gooding*)
- 5. REPORTS**
  - A. Municipal Services Department Monthly Report
  - B. Report concerning letter received from Bryant Miller Olive regarding fire assessment (*Town Attorney James Cherof*)
  - C. Report on the installation of call phones at beach access points and installation of signs informing public on rip currents (*Municipal Services Director William Mason*)
  - D. Permit Analysis/Building Department Studies (*Development Services Director Jim Bell*)
  - E. Report by Broward Sheriff's Office Department of Fire-Rescue and Emergency Services
  - F. Report on Economic Development Task Force (*Acting Assistant Town Manager Esther Colon*)

**6. APPROVAL OF MINUTES**

- A. September 14, 2006, Regular Meeting (*tabled from February 27, 2007*)
- B. September 28, 2006, Regular Meeting (*tabled from February 27, 2007*)

**7. PUBLIC COMMENTS** (*random selection of individuals; limited to half hour*)

**8. ORDINANCES** (*2nd Reading*) **“Public Hearings”**

- A. **ORDINANCE NO. 2007-04:** An ordinance of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, amending Section 19-25, “Time Restricted Parking” to create subsection (g), providing that parking fees shall be waived for weekday parking as defined herein for portions of Commercial Boulevard and Bougainvilla Drive; providing for conflicts, severability, codification and an effective date.
- B. **ORDINANCE NO. 2007-05:** An ordinance of the Town of Lauderdale-By-The-Sea, Florida, amending Chapter 14 of the Town of Lauderdale-by-The-Sea Code of Ordinances by adding a new Article III entitled “Residency Restrictions of Sexual Offender and Sexual Predator; providing for penalties; prohibiting the renting of real property to certain sexual offenders and sexual predators; penalties”; providing for definitions of “Sexual Offender” and “Sexual Predator” that are consistent with Section 943.0435, Florida Statutes, and Section 775.21, Florida Statutes; providing for law enforcement guidelines; providing a timeframe in which a sexual offender or sexual predator must vacate a premises after being notified of a violation; providing for conflict, codification, severability and providing an effective date.

**9. ORDINANCES** (*1st Reading*)

**10. CONSENT AGENDA**

- A. SPECIAL EVENT PERMIT: Dinner/Blue Moon Company; March 31, 2007; from 5:00 p.m. to 10:00 p.m.
- B. CONTRACTS: for storm related emergency services with: Grubbs, Emergency Services; Post, Buckley, Schuh & Jernigan, Inc.; Tele-Vac South, Inc.; and Man-Con, Inc.

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- C. AWARD OF BID: for the North Beach Neighborhood Improvements Phase II, Bel Air Section to Man-Con, Inc.
- D. CONTRACT: for engineering services for the North Beach Neighborhood Improvements Phase II, Bel Air Section, with Craven Thompson & Associates, Inc.
- E. AWARD OF BID: for the Seagrape Drive Sidewalk Improvements Project to Tenex Enterprises, Inc.
- F. CONTRACT: for planning services for the Seagrape Drive Sidewalk Improvements with Walter H. Keller, Inc.
- G. CONTRACT: selection of professional services to prepare Fiscal Year 2007-2008 Fire Assessment Report
- H. LEASE AGREEMENT: with Minto Communities, LLC, for proposed park at the northeast corner of El Prado and El Mar Drives

**11. RESOLUTION**

- A. A resolution of necessity of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, promulgated pursuant to Section 163.355, Florida Statutes, in order to begin the formal process of creating a Community Redevelopment Agency to function within the Town of Lauderdale-By-The-Sea; approving a slum and blight study; defining the redevelopment area; determining that the redevelopment area suffers from one or more indicators of blight; determining that the redevelopment area is appropriate and critically necessary in the interest of the public health, safety, morals, and welfare of the residents of the Town; making certain other required findings and determinations; and providing effective date therefore *(Public Hearing to be held on March 27, 2007)*

**12. OLD BUSINESS**

- A. Discussion and/or action regarding the possibility of establishing a Town Ethics Committee *(Acting Assistant Town Manager Esther Colon for Town Manager Robert Baldwin) (tabled from February 27, 2007)*
- B. Discussion and/or action regarding the possibility of the Town providing trash collection *(tabled from February 27, 2007)*
  - 1. Discussion and/or action regarding the possibility of providing for an assessment for solid waste collection for residential customers

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- C. Appointment of member to the Walk Around Committee (*Vice Mayor John Yanni*) (*tabled from February 27, 2007*)
- D. Update regarding the Broward Sheriff's Office returning all Lauderdale-By-The-Sea fire equipment within Town limits as our taxpayers bought this equipment with their tax dollars (*Commissioner Jerry McIntee*) (*tabled from February 27, 2007*)
- E. Update concerning the members chosen for a committee to consider the grand marshal selection for the 2007 Fourth of July Celebrations (*Mayor Pro Tem Chuck Clark*) (*tabled from February 27, 2007*)
- F. Discussion and/or action regarding a request for extension on the site plan for Bougainvilla Townhouse, located at 4417 Bougainvilla Drive (*tabled from February 27, 2007*)
- G. Discussion and/or action regarding the Florida Conflict Resolution Consortium (*Acting Assistant Town Manager Esther Colon for Town Manager Robert Baldwin*) (*tabled from February 27, 2007*)
- H. Discussion and/or action regarding Commission inquiries (*Town Manager Robert Baldwin*) (*tabled from February 27, 2007*)
- I. Discussion and/or action regarding a reconsideration of motion that passed on the Oriana site plan amendment application (*Town Attorney James Cherof*) (*tabled from February 27, 2007*)
- J. Discussion and/or action regarding the selection of professional architect for the Commercial Boulevard Beach Pavilion (*Municipal Services Director William Mason*) (*continued from February 27, 2007*)
- K. Discussion and/or action regarding covered bus shelters (*Municipal Services Director William Mason*) (*continued from January 23, 2007*)
- L. Discussion and/or action regarding the development order for the Pier Pointe/Oriana project (*Town Planner Walter Keller*)
- M. Discussion and/or action regarding Jarvis Hall renovation/improvements (*Vice Mayor John Yanni*)

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- N. Discussion and/or action regarding Town Commission meeting and minutes preparation
- O. Discussion and/or action regarding the Town's water system to Fort Lauderdale (*Town Attorney James Cherof and Municipal Services Director William Mason*)

**13. NEW BUSINESS**

- A. Discussion and/or action regarding bonds for work within rights-of-way (*Development Services Director Jim Bell*) (*continued from February 13, 2007*)
- B. Discussion and/or action regarding the possibility of providing a public monument to place names of those who have been honored (*Commissioner Jim Silverstone*) (*tabled from February 27, 2007*)
- C. Discussion and/or action regarding the possibility of providing a speed hump on West Terra Mar Drive (*Mayor Pro Tem Chuck Clark*) (*tabled from February 27, 2007*)
- D. Discussion and/or action regarding the selection of a professional engineering consultant (*Municipal Services Director William Mason*) (*tabled from February 27, 2007*)
- E. Discussion and/or action regarding additional information to be recorded in order to clarify the land use on specific property (*Development Services Director Jim Bell*) (*tabled from February 27, 2007*)
- F. Discussion and/or action regarding the appointment of a Director, Alternate, and Second Alternate to attend and vote at any Board of Director or General Membership meeting
- G. Discussion and/or action regarding Air and Sea Show 2008 (*Commissioner Jerry McIntee*)

**14. TOWN MANAGER REPORT**

- A. Sea Ranch Lakes/Lauderdale-By-The-Sea Boundary Correction
- B. Mayor and Commissioners' Salary Survey
- C. Proposed Legislative Changes

**15. TOWN ATTORNEY REPORT**

- A. Report concerning Code Section 24-4.3(g) (*tabled from February 27, 2007*)
- B. Request for a closed door session in accordance with the procedures set forth in Florida Statutes Section 286.011(8) to discuss the following pending litigation (*tabled from February 27, 2007*):

Case No. 06-1156(21), The Town vs. The Coastal Arms, Inc., James Edmonson, The Palm Yacht & Beach Club, Inc., Delrado, Inc. d/b/a El Dorado, in the Circuit Court of the 17<sup>th</sup> Judicial Circuit in and for Broward County, Florida

**16. COMMISSIONER COMMENTS**

**17. PUBLIC COMMENTS** (*remaining members of the public to speak at this time*)

**18. 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.*