

TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

REGULAR MEETING

AGENDA

Town Commission Meeting Room

4501 Ocean Drive

Tuesday, May 8, 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. Deputy of the Month (Chief Gooding, Broward Sheriff's Office)
 - B. Firefighter/Paramedic of the Month (Chief Sievers, Broward Sheriff's Office)
 - C. South Florida Water Management
5. **REPORTS**
 - A. Status report from Economic Development Task Force by David Nixon, reference CRA.
6. **APPROVAL OF MINUTES**
 - A. February 13, 2007 Regular Meeting
 - B. February 27, 2007 Regular Meeting
 - C. April 24, 2007 Regular Meeting
7. **PUBLIC COMMENTS** (*random selection of individuals; limited to half hour*)
8. **ORDINANCES** (*2nd Reading*) **"Public Hearings"**
 - A. **ORDINANCE NO. 2007-07:** AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE BY THE SEA, FLORIDA AMENDING CHAPTER 20, "UTILITIES," OF THE TOWN'S CODE OF ORDINANCES CREATING A NEW ARTICLE V TITLED "WATER CONSERVATION REGULATIONS" CREATING SECTIONS 20-46 THROUGH 20-52, PROVIDING FOR WATER CONSERVATION REGULATIONS DURING PERIODS OF WATER SHORTAGES; PROVIDING FOR DEFINITIONS, ENFORCEMENT PROCEDURES AND PENALTIES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND EFFECTIVE DATE. (First Reading April 24, 2007)

9. ORDINANCES (1st Reading)

- A. ORDINANCE NO. 2007-08:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING THE MUNICIPAL CODE OF ORDINANCES CHAPTER 23 TAXATION, ARTICLE V, EXEMPTIONS TO PROVIDE FOR AN INCREASED ADDITIONAL HOMESTEAD EXEMPTION FROM AD VALOREM TAXES LEVIED BY THE TOWN OF LAUDERDALE-BY-THE-SEA FOR QUALIFYING PERSONS 65 AND OLDER PURSUANT TO THE PROVISIONS OF SECTION 196.075 FLORIDA STATUTES; PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE. (Public Hearing May 22nd)

- B. ORDINANCE 2007-09:** AN ORDINANCE OF THE TOWN OF LAUDERDALE BY THE SEA, FLORIDA AMENDING THE TOWN CODE OF ORDINANCES SECTION 24-68, SIGN REGULATIONS BY ZONING DISTRICT, TO CLARIFY WHEN ROOF SIGNS ARE PERMISSIBLE; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE. (Public Hearing May 22nd)

10. CONSENT AGENDA

- A.** Special Event Permit/ Aruba Beach Bash (John Olinzock – Municipal Services)

- B.** Special Event Permit/ Villas by the Sea Grand Opening (John Olinzock – Municipal Services)

- C.** Special Event Permit / Village Grille's Jazz on the Square (John Olinzock – Municipal Services)

- D.** The City of Fort Lauderdale has applied for an Engineering Permit for the Town to perform work in the public Right-of-Way. The Code allows for a 2% reduction in the permit fee if an independent engineer provided by the applicant, in this case the City of Fort Lauderdale, is approved by the Town. Staff is requesting Town Commission approval of an independent engineer from the City of Fort Lauderdale to allow the City of Fort Lauderdale a reduction in the Right-of-Way Engineer permit fee from 4% of the permit cost to 2% of the permit cost (Jim Bell – Development Services)

- E.** Special Event Permit / Franklin Wedding (John Olinzock – Municipal Services)

- F.** Special Event Permit / Morgan Wedding (John Olinzock – Municipal Services)

- G.** INTERLOCAL AGREEMENT: with Broward County providing for division and distribution of the proceeds of the Local Option Gas Tax imposed by the Broward County Local Option Gas Tax Ordinance.

- H.** INTERLOCAL AGREEMENT: with Broward County providing for division and distribution of the proceeds from the Broward County Additional Local Options Gas Tax on Motor Fuel Ordinance.

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- I. INTERLOCAL AGREEMENT: with Broward County providing for division and distribution of the proceeds from the Broward County Fifth Cent Additional Local Options Gas Tax on Motor Fuel for Transit.

11. RESOLUTION

12. OLD BUSINESS

- A. Discussion and/or action regarding the Town's water system to Fort Lauderdale – requesting to be tabled for 5/22/07 meeting (John Olinzock and Town Attorney – tabled from 3/13/07; tabled from 4/24/07)
- B. Report on the allocation of parking lots to serve the various restaurants in the Town's core area (per Commission directive at 3/27/07 meeting) (Jim Bell – Development Services) – tabled from 4/24/07 meeting
- C. Discussion and/or action regarding allowing drive-thru businesses in the Town and whether Staff should begin code amendments to allow drive-thru businesses (Jim Bell – Development Services) (tabled from 4/24/07)
- D. Review of special events permit application process (John Olinzock – Municipal Services) (tabled from 4/24/07)
- E. Offsite Public Works Facility, Notice of Building Safety Inspection Program (John Olinzock – Municipal Services) (tabled from 4/24/07)
- F. Discussion and/or action regarding public comments on town related matters (Commissioner McIntee) (tabled from 4/24/07)
- G. Discussion and/or action on inappropriate influences of architecture students by Mayor Parker regarding the pavilion foot of Commercial (Commissioner McIntee) (tabled from 4/24/07)
- H. Discussion and/or action on internal affairs complaints to Broward Sheriff's Office and request for polygraph to Chief Gooding Broward Sheriff's Office (Commissioner McIntee) (tabled from 4/24/07)
- I. Discussion and/or action regarding the cost of the Fourth of July celebrations and bids for any cost over \$15,000 (Commissioner McIntee) (tabled from 4/24/07)
- J. Discussion and/or action on Commissioner's comments at meetings (Commissioner McIntee) (tabled from 4/24/07)
- K. Discussion and/or action regarding inviting all faith based denominations to Lauderdale-By-The-Sea to deliver the invocation (Commissioner Silverstone) (tabled from 4/24/07)
- L. Per Commission direction at the 4/10/07 meeting, Staff is providing the Commission an update on the time needed for preparation of revisions to the

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proposed Unified Land Development Regulations. (Jim Bell – Development Services)

- M. Discussion and/or action regarding recovery of court costs from Stuart Dodd in the case of Oliver Parker v. A. Stuart Dodd, et al., Case No.: 07-00196(11) (Mayor Parker)
- N. Discussion and/or action regarding BSO letter of complaint dated 4/11/07 and event report dated 4/7/07 (Mayor Parker)

13. NEW BUSINESS

- A. **PUBLIC HEARING** – Variance for 1603 West Terra Mar Drive (Jim Bell – Development Services)
- B. Discussion and/or action regarding issuing residents warnings first before a citation if they are in violation of water restriction rules (Mayor Parker)
- C. Discussion and/or action regarding moratorium of buildings due to water emergency (Commissioner McIntee)
- D. Discussion and/or action to remove overlay districts (Commissioner Silverstone)
- E. Discussion and/or action formalizing the Town Mission Statement (Commissioner Silverstone)
- F. Report on public records request regarding tape referred to in 4/27/07 Commission Meeting (Mayor Parker)

14. TOWN MANAGER REPORT

- A. Payment of legal bill (Coker) (tabled from 4/24/07)
- B. Legislation Update (tabled from 4/24/07)
- C. Capital Improvement – 5 year plan (proposed budget 07/08)

15. TOWN ATTORNEY REPORT

- A. Discussion and/or action regarding resolution for Elected Official Pay Raise (Town Attorney- tabled from 3/13/07) (tabled from 4/24/07)
- B. Discussion and/or action pertaining to Summons Case No. 06-021273(12) and scheduling of shade session.

16. COMMISSIONER COMMENTS

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

18. FUTURE AGENDA ITEMS

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May 22 , 2007

- A. Naming public facilities report (Master Plan Steering Committee)
- B. Cable Franchise Agreement resolution (Town Attorney)

June 12, 2007

- A. Discussion and/or action regarding the selection of a professional architect for the Commercial Blvd. Beach Pavilion (Walter Keller - tabled from 3/13/07)
- B. Presentation of a professional planner consultant (Pending RFQ's - tabled from 3/13/07)

June 26, 2007

- A. Report on options for the Town to save money on building permit services and fees (per Commission directive at 3/13/07 meeting (Jim Bell – Development Services) – tabled from 4/24/07 meeting

July 17, 2007

- A. Discussion and/or action regarding the possibility of establishing a Town Ethics Committee (Commissioner McIntee - tabled from 3/13/07)

19. ADJOURNMENT

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.