

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

## **TOWN COMMISSION**

**REGULAR MEETING**

**AGENDA**

**JARVIS HALL**

***4501 Ocean Drive***

***Tuesday, May 13, 2008***

***7:00 P.M.***

- 1. CALL TO ORDER, MAYOR ROSEANN MINNET**
- 2. PLEDGE OF ALLEGIANCE TO THE FLAG**
- 3. INVOCATION**
- 4. PRESENTATIONS**
  - a. Adopt-A-Street Program (Mayor Minnet)
- 5. REPORTS**
  - a. Finance Monthly Budget Report – March 2008 (Manager Colon)
  - b. Development Services Monthly Report – March 2008 (Development Services Director Rabinowitz)
  - c. Municipal Services Monthly Report - March 2008 (Assistant to Town Manager Olinzock)
  - d. Broward County Sheriff's Office Monthly Report – March 2008 (Chief Gooding)
  - e. Broward Sheriff's Office Fire Rescue Quarterly Report – January, February March, 2008 (Chief Sievers)
  - f. Volunteer Fire Department Transitional Report – March 2008 (Chief Perkins)
- 6. TOWN MANAGER**
  - a. Public School Assignments
  - b. Budget/Fire Assessment Workshops and Hearings

**7. APPROVAL OF MINUTES**

- a. March 31, 2008 Workshop Minutes
- b. April 8, 2008 Regular Meeting Minutes
- c. April 16, 2008 Workshop Minutes

**8. PUBLIC COMMENTS**

**9. ORDINANCES**

**I. Ordinances 1<sup>st</sup> reading**

- a. **Ordinance 2008-10:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY THE SEA, FLORIDA, AMENDING SECTION 5-34 OF THE CODE OF ORDINANCES, BEACH MAINTENANCE, TO EXTEND THE REQUIREMENT THAT BEACH EQUIPMENT BE REMOVED FROM THE BEACH EACH EVENING TO THE ENTIRE SHORELINE OF THE TOWN, AND TO ELIMINATE THE REQUIREMENT THAT THE LOCATION OF BEACH EQUIPMENT BE RESTRICTED TO SPECIFIED BEACH AREAS; PROVIDING FOR SEVERABILITY; CODIFICATION; AND AN EFFECTIVE DATE

**II. Ordinances 2<sup>nd</sup> reading – “PUBLIC HEARING”**

**10. COMMISSIONER COMMENTS**

**11. CONSENT AGENDA**

- a. Commission approval of Special Event application for the Memorial Day Beach Bash to be held on Monday, May 26, 2008 from 7:30 AM to 8:30 PM (Assistant to Town Manager Olinzock)
- b. Commission approval for Engineering Services for the design, bidding assistance, and construction services for the repair of two sinkholes located at 272 Imperial Lane and at the intersection of West Tradewinds and Corsair Avenue; Chen and Associates \$11,588.00 (Assistant to Town Manager Olinzock)
- c. Commission approval for Air Conditioning Installation Offsite; All Pro Air Conditioning and Refrigeration \$2,350.00 (Assistant to Town Manager Olinzock)
- d. Commission approval Requested for Hurricane Trailer; Trailers For Less \$4,900.00 (Assistant to Town Manager Olinzock)

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- e. Commission approval for Landscape Maintenance Service Agreement – Gator Landscaping \$15,800 – Brookview Landscaping \$4,200 (Assistant to Town Manager Olinzock)
- f. Commission approval for replacing hurricane storm shutters located in Jarvis Hall; Keenan Window and Screen \$2,343.00 (Assistant to Town Manager Olinzock)
- 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 (Manager Colon)
- 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 (Manager Colon)
- 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 (Manager Colon)
- j. Commission approval for Special Event Permit application for Village Grill's "Jazz on the Square" event, Friday evenings, 4:30 PM till 11:30 PM, May 26, 2008 thru May 15, 2009 (Assistant to Town Manager Olinzock)
- k. Commission approval requested for purchase of a Chipper/Shredder; Suncoast Trailers \$5,850.00 (Assistant to Town Manager Olinzock)
- l. Notification to the Commission to record lien authorized by the Special Magistrate as per State Statute 162; Case # 07-02-00357 for violation of code section 6-38 (Director of Development Services Rabinowitz)
- m. Purchase of mapping system, GIS training, and update service for consolidation of Town mapping and property data (Director of Development Services Rabinowitz)
- n. Commission approval request for Bracket and Banner purchase and installation on the Northern Part of Town (Assistant to Town Manager Olinzock)
- o. Commission approval request for Beach Safety Patrol budget (Manager Colon)
- p. Commission approval to repair Pier Fishing Sign (Assistant to Town Manager Olinzock)

## 12. RESOLUTION

- a. **Resolution 2008-09:** 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.
  
- c. **Resolution 2008-10:** A RESOLUTION OF THE TOWN OF LAUDERDALE BY THE SEA, FLORIDA APPROVING PARTICIPATION IN THE BROWARD COUNTY ADOPT-A-STREET PROGRAM, AND PROVIDING FOR AN EFFECTIVE DATE
  
- d. **Resolution 2008-11:** A RESOLUTION EXPRESSING THE OPPOSITION OF THE TOWN OF LAUDERDALE BY THE SEA, BROWARD COUNTY, TO THE ADOPTION OF HOUSE BILL 991, AND COMPANION SENATE BILL 2276, PUPORTEDLY CREATING THE "VOICE OF THE PEOPLE ACT"; PROVIDING FOR INSTRUCTIONS TO THE TOWN CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

## 13. OLD BUSINESS

- a. Commission Approval of Agreement for Special Magistrate Services – Gordon B. Linn, Esquire (Manager Colon)
  
- b. Award of Construction Contract to MBR Construction in the amount of \$404,511.16 for the construction of Jarvis Hall Patio Enclosure, RFP # 08-03-01 - Tabled at the 4/8/08 Commission meeting by Commissioner Dodd (Assistant to the Town Manager Olinzock)

## 14. PUBLIC HEARINGS

- a. **"PUBLIC HEARING" - QUASI JUDICIAL:** Variance for 1907 SE 19<sup>th</sup> Street to allow construction of an accessory structure (Tiki Hut) 7 feet from principal

building rather than required 10 feet (Development Services Director Rabinowitz)

**15. NEW BUSINESS**

- a. Discussion and/or action reinstating the March Election (Vice Mayor McIntee)
- b. Discussion and/or action to appoint a one (1) member and two (2) alternates to the Board of Adjustment (Clerk White)
- c. Discussion and/or action to appoint a 1<sup>st</sup> and 2<sup>nd</sup> alternate to the Master Plan Steering Committee (Clerk White)
- d. Discussion and/or action to appoint one regular member to the Walk Around Committee (Clerk White)
- e. Discussion and/or action regarding Commission appointment of Chair and Co-Chair to the Walk Around Committee and the Master Plan Steering Committee (Vice Mayor McIntee)
- f. Discussion and/or action regarding resident's year-round parking pass (Mayor Minnet)
- g. Discussion and/or action regarding BSO response times (Commissioner Dodd)
- h. Discussion and/or action regarding Community Performing Arts Contractual agreement (Vice Mayor McIntee)
- i. Discussion and/or action regarding creating an Ordinance to grandfather existing non-conforming structures (Vice Mayor McIntee)
- j. Discussion and/or action regarding automatic placement of all Board, Organization or Civic Association meetings on "Sunshine Notice Board" affording the Commissioners and Mayor the opportunity to speak without breaking the law and new condition to the use of Jarvis Hall (Commissioner Dodd)
- k. Discussion and/or action regarding funding of the Chamber of Commerce (Commissioner Dodd)
- l. Commission approval of the televising of the meeting of the Property Owners Association to be held on May 14, 2008, 6:45 PM to 9:00 PM (Assistant to Town Manager Olinzock)
- m. Appointment by Town Commission of a Town Elected Official for Voting Membership and an Alternate to the Broward County Metropolitan Planning Organization (Assistant to Town Manager)

- n. Discussion and/or action regarding funds for the Palm Club Sewer Project (Mayor Minnet)
- o. Commission approval of the use of Jarvis Hall by the Property Owners Association for Informational Meeting to be held on July 9, 2008, 6:30 PM to 9:00 PM. Requesting televising and waiving of the associated fee (Assistant to the Town Manager Olinzock)
- p. Commission approval of the use of Jarvis Hall by the Property Owners Association for Informational Meetings and Oktoberfest Party. Requesting televising and waiving of the associated fee for meetings as indicated (Assistant to the Town Manager Olinzock)
- q. Discussion and/or action regarding 235 Hibiscus (Vice Mayor McIntee)

**16. TOWN ATTORNEY REPORT**

**17. FUTURE AGENDA ITEMS**

**May 27, 2008**

- a. Ordinance 2008-01: **“PUBLIC HEARING”** – An ordinance of the town of Lauderdale-by-the-sea, Florida, providing for certain text amendments to the town’s comprehensive plan to address the 2005 evaluation and appraisal report; providing for transmittal of the proposed amendments; providing for conflicts; providing for severability; providing for an effective date (Approved 1<sup>st</sup> reading January 8, 2008)
- b. Award of RFP 08-04-02 Wireless Surveillance System (Assistant to Town Manager Olinzock)
- c. Presentation of Fire RFP 08-04-03 (Assistant to Town Manager Olinzock)

**June 11, 2008 – Budget Workshop**

- a. Creation of a LBTS Building Department
- b. Millage
- c. Fire Assessment (Burton & Associates)
- d. Capital Improvement

**June 11, 2008**

- a. Award of RFP # 08-04-02 – ATV's

- b. Award of RFP # 08-04-03 - Fire

**September 9, 2008**

- a. Discussion and/or action to pull bags from parking meters (tabled at the March 25, 2008 Commission meeting - Vice Mayor McIntee)

**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.*