

TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

REGULAR MEETING

AGENDA

Town Commission Meeting Room

4501 Ocean Drive

Tuesday, April 14, 2009

7:00 P.M.

- 1. CALL TO ORDER, MAYOR ROSEANN MINNET**
- 2. PLEDGE OF ALLEGIANCE TO THE FLAG**
- 3. INVOCATION**
- 4. PRESENTATIONS**
 - a. BSO Deputy of the Quarter – January, February, March 2009 (Chief Gooding)
 - b. Lighthouse Proclamation (Mayor Minnet)
 - c. Census Awareness Proclamation (Manager Colon)
 - d. Alternative lighting / streetlights - FPL
 - e. Presentation by the Students of the Art Institute of Ft. Lauderdale for the El Mar Drive Project (Paul Novak)
- 5. PUBLIC COMMENTS**
- 6. REPORTS**
- 7. PUBLIC SAFETY DISCUSSION**
 - a. AMR request for EMS Review Committee Meeting on May 21, 2009 at 1:00 p.m. (Operations Manager Liddle)
- 8. TOWN MANAGER REPORT**
 - a. Discussion and/or action regarding award of RFP 09-02-01 Waste Haulers (Manager Colon)

9. APPROVAL OF MINUTES

- a. March 10, 2009 Regular Minutes
- b. March 11, 2009 continued from March 10, 2009 Regular Minutes
- c. March 24, 2009 Regular Minutes
- d. March 25, 2009 continued from March 25, 2009 Regular Minutes
- e. April 2, 2009 Conference Minutes

10. ORDINANCES

1. Ordinances 1st Reading - "Public Comments"

- a. **Ordinance 2009-10:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY THE SEA, FLORIDA, AMENDING CHAPTER 30 "UNIFIED LAND DEVELOPMENT REGULATIONS," ARTICLE I "IN GENERAL," SECTION 30-21 "NON-CONFORMING USES AND STRUCTURES" TO AMEND REQUIREMENTS FOR CONTINUATION OF NON-CONFORMING USES AND STRUCTURES; AMENDING ARTICLE IV "SITE PLAN PROCEDURES AND REQUIREMENTS," SECTION 30-123 "APPLICATION FOR FINAL SITE PLAN APPROVAL" TO CLARIFY THE REQUIREMENTS FOR AN APPROVED SITE PLAN TO REMAIN EFFECTIVE; AMENDING ARTICLE V "ZONING," DIVISION 2 "DISTRICTS," SECTION 30-211 "RS-5 DISTRICT—RESIDENCE" TO AMEND ROOF OVERHANG SETBACK REQUIREMENTS IN THE RS-5 DISTRICT; AMENDING ARTICLE V "ZONING," DIVISION 2 "DISTRICTS," SECTION 30-271 "B-1 DISTRICT- BUSINESS" IN ORDER TO PROVIDE THAT COOKING SCHOOLS, CATERING BUSINESSES, MOTORIZED SCOOTER OR MOPED SALES AND RENTALS ARE PERMITTED USES IN THE B-1 DISTRICT; AMENDING ARTICLE V "ZONING," DIVISION 2 "DISTRICTS," SECTION 30-313 "GENERAL PROVISIONS" IN ORDER TO AMEND THE REQUIREMENTS FOR FENCES, WALLS, AND HEDGES AND TO PROVIDE DEVELOPMENT STANDARDS FOR DRIVEWAYS, SWALES, AND GENERATORS; FURTHER AMENDING ARTICLE VIII "SIGN REGULATIONS," SECTION 30-507 "DEFINITIONS AND RESTRICTIONS BY SIGN TYPE," TO AMEND THE DEFINITIONS OF "SIGN," "INFORMATIONAL, DIRECTIONAL OR TRAFFIC CONTROL SIGN," AND "REAL ESTATE SIGN"; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.
- b. **Ordinance 2009-13:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, GRANTING AN EXCLUSIVE RIGHT, PRIVILEGE AND FRANCHISE TO CHOICE ENVIRONMENTAL SYSTEMS INC. TO OPERATE THE ONLY SOLID WASTE AND RECYCLABLE COLLECTION SYSTEM IN THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA;

PROVIDING FOR THE TERMS, CONDITIONS, AND STANDARDS FOR SAID FRANCHISE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE

- c. **Ordinance 2009-14: AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 13 "NOISE" OF THE CODE OF ORDINANCES TO PROVIDE FOR AMENDED NOISE REGULATIONS; AMENDING CHAPTER 17 "STREETS, SIDEWALKS AND OTHER PUBLIC PLACES," ARTICLE VIII "SPECIAL EVENTS" TO AMEND THE REGULATIONS OF SPECIAL EVENT PERMITS TO PROVIDE GROUNDS FOR DENIAL OF A SPECIAL EVENT PERMIT FOR VIOLATION OF NOISE AND OTHER TOWN STANDARDS; PROVIDING FOR SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE**

2. Ordinances 2nd Reading – "PUBLIC HEARING"

11. COMMISSIONER COMMENTS

12. CONSENT AGENDA

- a. Award of annual Air Conditioning Maintenance Agreement with Advanced Roofing for maintenance of equipment in Town properties (Assistant Town Manager Olinzock)
- b. Commission approval for emergency excavated sewer point repair by Madsen Barr at 258 Commercial Boulevard at a cost of \$5,342.50 (Assistant Town Manager Olinzock)
- c. Commission approval to allow Athena By The Sea, 4400 Ocean Drive, to modify existing approved Sidewalk Café Permit (Assistant Town Manager Olinzock)
- d. Commission approval of 40 parking permits for the annual Caribe meeting on March 1, 2010 (Town Clerk)
- e. Commission approval of Special Event application for Walton Wedding, Saturday, May 16, 2009, 5:30 PM till 7:00 PM (Assistant Town Manager Olinzock)
- f. Commission approval of Workforce One Employment Solutions for participation in the Summer Youth Employment Program in conjunction with the Governor of the State of Florida for the implementation of workforce development programs (Manager Colon)
- g. Beach Patrol expenses approved by Commission of 5/13/2009 (invoices attached) (Manager Colon)

13. RESOLUTION – “Public Comments”

14. QUASI JUDICIAL PUBLIC HEARINGS

15. OLD BUSINESS

- a. Commission approval of the Broward County Supervisor of Elections agreement for November 3, 2009 – Tabled at the March 10, 2009 by Vice Mayor McIntee (Clerk White)
- b. Discussion and/or action regarding a clock in the pavilion (Requested at the March 11, 2009 Commission meeting by Vice Mayor McIntee)
- c. Discussion and/or action regarding Town sign at Commercial Blvd and A1A - Vice Mayor McIntee (Tabled at the January 28, 2009 Commission meeting by Vice Mayor McIntee) (Tabled at the February 24, 2009 Commission meeting by Commissioner Dodd) (Tabled at the March 11, 2009 Commission meeting by Vice Mayor McIntee)
- d. Discussion and/or action regarding gravel driveways (Vice Mayor McIntee)

16. NEW BUSINESS

- a. Discussion and/or action regarding the creation of a resolution opposing Senate Bill 1000/House Bill 365 entitled an Act Relating to Discretionary Sales Surtaxes (Mayor Minnet)
- b. Discussion and/or action concerning funding for beach patrols (Commissioner Dodd)
- c. Discussion and/or action to change the passes at Bougainvilla Parking Lot to the portals for employees of the Broward County Sea Turtle Conservation Program (Mayor Minnet)
- d. Discussion and/or action regarding a license agreement for parking meters with Bank United (Assistant Manager Olinzock)
- e. Appointment of a Director, Alternate and Second Alternate to the Broward League of Cities (Commissioner Clotney)
- f. Enforcement of “no prices on signs” policy on books, especially for lodging. Low advertised prices are attracting guests that cause problems (Commissioner Clotney)
- g. Commission approval of \$40,000 (excluding fireworks) for Town Sponsored Special Event, July 4th Beach Blast Celebration 2009, July 3 and 4, 2009, \$20,000 Town, \$20,000 donations authorization for Town Manager to

execute Contracts/Agreements, and waiving Procurement Purchasing Policy related to the event (Vice Mayor McIntee)

- h. Discussion and/or action concerning review of the Town Manager as required in the contract (Commissioner Dodd)
- i. Discussion and/or action concerning Vice Mayor's inaccurate allegations made at Roundtable meeting dated April 2nd regarding a Commissioner's direct contact with the State Representative concerning funding of the Palm Club sewers (Commissioner Dodd)
- j. Discussion and/or action concerning budget for this year's 4th of July event (Commissioner Dodd)
- k. Discussion and/or action concerning lack of lighting in the Pavilion with regard to public safety (Commissioner Dodd)
- l. Discussion regarding AMR ambulance service (Vice Mayor McIntee)
- m. Discussion regarding recusal of Mayor during Waste talks (Vice Mayor McIntee)
- n. Discussion and/or action regarding supplementary ideas to be included in the Commercial Pavilion (Commissioner Silverstone)
- o. Discussion on economic viability of the Town (Commissioner Silverstone)

17. TOWN ATTORNEY REPORT

18. ADJOURNMENT

19. FUTURE AGENDA ITEMS

April 28, 2009 – First Reading of Proposed Rental Ordinance

April 28, 2009 – Ordinance 2009-18 for Second Reading – Parking

May 12, 2009 - Second Reading of Proposed Ordinance Amending Chapter 30

May 13, 2009 - Commission Workshop - 7:00 PM – Fire, Height & Capital Expenditure

November 24, 2009 - Environmental Sustainability Committee