

TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

REGULAR MEETING

AGENDA

Jarvis Hall

4505 Ocean Drive

Tuesday, March 22, 2011

7:00 P.M.

1. **CALL TO ORDER, MAYOR ROSEANN MINNET**
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **INVOCATION** – Reverend George Hunsaker
4. **ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS**
5. **PRESENTATIONS**
 - a. Presentation of plaque to the Town of Lauderdale-By-The-Sea for 15 consecutive years of full share (Edith Lederberg, Executive Director of the Aging and Disability Resource Center)
 - b. South Florida Water Management District (Carol Morris)
 - c. Presentation of Proclamation – Water Conservation (Mayor Roseann Minnet)
 - d. Presentation of Proclamation – Earth Day (Mayor Roseann Minnet)
 - e. Presentation of Code Red (Don Hall, Code Red Representative)
 - f. Status Update for the 2011 Sea Turtle Season (Code Enforcement Officer Kimberly Williams)
6. **PUBLIC COMMENTS**
7. **PUBLIC SAFETY DISCUSSION**
 - a. BSO Monthly Report – February 2011 (Chief Oscar Llerena)
 - b. VFD Monthly Report – February 2011 (Chief Steve Paine)
 - c. AMR Monthly Report – February 2011 (Chief Brooke Liddle)
8. **APPROVAL OF MINUTES**
 - a. February 8, 2011 Roundtable Meeting Minutes

- b. February 22, 2011 Regular Commission Meeting Minutes
- c. February 22, 2011 Workshop Meeting Minutes

9. CONSENT AGENDA

- a. Special Event Application for Rev. Jim Goldsmith of the Community Church, Easter Sunrise Service proposed for Sunday, April 24, 2011 (Code Enforcement Officer Kimberly Williams)
- b. Special Event Application from Athena's By The Sea for Music By The Sea proposed for Saturday nights from May 7, 2011 to May 5, 2012 (Code Enforcement Officer Kimberly Williams)
- c. Commission approval for use of Jarvis Hall Saturday, November 12, 2011, 9:00 a.m. to 6:00 p.m. for United States Servas, Inc. National Conference and Board Meeting (Municipal Services Director Don Prince)

10. ORDINANCES – PUBLIC COMMENTS

1. Ordinances 1st Reading

- a. **Ordinance 2011-04:** AN ORDINANCE OF THE TOWN OF LAUDERDALE BY-THE-SEA, FLORIDA, AMENDING CHAPTER 5 "BEACHES AND WATERWAYS" OF THE CODE OF ORDINANCES, BY AMENDING ARTICLE I "IN GENERAL", SECTION 5-1 "DEFINITIONS", BY AMENDING ARTICLE I "IN GENERAL", SECTION 5-6 "PROHIBITIONS ON WATER ACTIVITIES," AND BY AMENDING ARTICLE II "BEACH REGULATIONS" BY CREATING SECTION 5-35 "KITEBOARD INSTRUCTION PROHIBITED ON THE BEACH" AND SECTION 5-36 "PARAGLIDER LAUNCHING AND LANDING PROHIBITED ON BEACH"; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE – *Discussed at the February 22, 2011 Commission meeting*
- b. **Ordinance 2011-06:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING ARTICLE V "ZONING" OF CHAPTER 30, UNIFIED LAND DEVELOPMENT REGULATIONS, OF THE CODE OF ORDINANCES, BY AMENDING SECTION 30-313 GENERAL PROVISIONS TO REVISE REQUIREMENTS FOR GENERATORS AND RELATED FUEL STORAGE TANKS; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE - *Discussed at the March 8, 2011 Roundtable meeting*

- c. **Ordinance 2011-07:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 30, UNIFIED LAND DEVELOPMENT REGULATIONS, OF THE CODE OF ORDINANCES, BY AMENDING SECTION 30-261, "B-1-A DISTRICT – BUSINESS" AND 30-271, "B-1 DISTRICT – BUSINESS" TO CORRECT SCRIVENER'S ERRORS AND TO PROVIDE CONDITIONAL USES IN THESE DISTRICTS; BY AMENDING CONDITIONAL USE PROCEDURES IN THE RM-25 DISTRICT; CREATING SECTION 30-56, CONDITIONAL USE REVIEW; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE - ***Discussed at the March 8, 2011 Roundtable meeting***

- d. **Ordinance 2011-08:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 3, "ALCOHOLIC BEVERAGES," OF THE TOWN'S CODE OF ORDINANCES BY AMENDING SECTION 3-4 "LIMITATIONS AS TO HOURS OF SALE." TO REVISE THE HOURS OF SALE OF ALCOHOL; AND PROVIDING FOR SEVERABILITY, CODIFICATIONS, CONFLICTS AND AN EFFECTIVE DATE - ***Discussed at the March 8, 2011 Roundtable meeting***

2. Ordinances 2nd Reading

- a. **Ordinance 2011-02:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 30, UNIFIED LAND DEVELOPMENT REGULATIONS, OF THE CODE OF ORDINANCES, TO AMEND PARKING REQUIREMENTS; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE ***Approved 1st Reading February 22, 2011 – Deferred to the March 8, 2011 Roundtable for Discussion – Consensus for 2ND Reading on March 22, 2011***

- b. **Ordinance 2010-06:** AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA AMENDING THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE ELEMENT; HOUSING ELEMENT; TRANSPORTATION ELEMENT; CONSERVATION ELEMENT; CAPITAL IMPROVEMENTS ELEMENT; INTER-GOVERNMENTAL COORDINATION ELEMENT; ADOPTING THE PUBLIC SCHOOL FACILITIES ELEMENT; AND AMENDING LAND USE IMPLEMENTATION; ACCORDING TO THE PROVISIONS OF THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE ***Approved 1st reading September 27, 2010***

11. RESOLUTION – “Public Comments”

- a. **Resolution 2011-05:** A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, REVISING COMMISSION MEETING AND AGENDA PROCEDURES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE
- b. **Resolution 2011-06:** A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, DISBANDING THE MASTER PLAN STEERING COMMITTEE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

12. QUASI JUDICIAL PUBLIC HEARINGS

13. COMMISSIONER COMMENTS

14. OLD BUSINESS

- a. Community Bus Services (Acting Finance Director Doug Haag)

15. NEW BUSINESS

- a. Acquisition of Choice Environmental Services, Inc. by Swisher Hygiene, Inc. (Assistant Town Manager Bud Bentley)
- b. Appointment of (1) one Regular Member and (1) one alternate to the Planning and Zoning Board (Town Clerk June White)
- c. Reschedule April 26, 2011 Commission Meeting due to Passover (Town Clerk June White)
- d. Commission approval for issuance of (5) five parking permits to the Broward County Sea Turtle Conservation Program (Town Clerk June White)
- e. Presentation of Comprehensive Annual Financial Report (Acting Finance Director Doug Haag and Tony Grau of Grau & Associates)
- f. Parking Meter Rate Survey and Recommendations (Assistant Town Manager Bud Bentley)
- g. Reimbursement from the City of Pompano Beach for Classification Error on Sea Ranch Condominiums' Sewer Bills Paid by the Town (Town Manager Connie Hoffmann)

16. TOWN MANAGER REPORT
17. TOWN ATTORNEY REPORT
18. ADJOURNMENT
19. FUTURE REGULAR COMMISSION AGENDA ITEMS

April 26, 2011: Proposed Revisions to Purchasing Manual

April 26, 2011: Resolution Setting Parking Meter Rates

April 26, 2011: 2nd Reading of Ordinance 2011-03 – Walls, Fences and Hedges

May 24, 2011: 40 Year Building Report Update

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.

PROCEDURES FOR PUBLIC COMMENTS:

Public Comments may address issues that are not on this meeting's agenda, but should relate to the business of the Town, and should not contain personal attacks. If your comment requires follow up, the Town Manager will have a staff person respond to your concerns, and will advise us of the outcome.

The Town Clerk will read off the names of those who have signed up to speak. When your name is called, please come to the podium, state your name for the record, and indicate whether you are a Town resident. Do not state your address. You have up to three minutes to make your comments, but there is no requirement to use the entire time. If you wish to address a particular Commissioner or member of Town Administration, please do so by use of their title.

If you wish to approach the Commission dais to hand out a document or for some other reason, please request permission and state your reason for doing so. All documents to be provided to the Commission should be handed to the Town Clerk for distribution, at the far right end of the dais.

These procedures have been developed to assure that the Town Commission meeting time is efficiently used, and that meetings are conducted in a polite and respectful manner. More information on the decorum rules for Town Commission meetings is available in Section 2-23 of the Town Code of Ordinances.