

TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION REGULAR MEETING AGENDA

Jarvis Hall

4505 Ocean Drive

Tuesday, April 26, 2016

7:00 PM

- 1. CALL TO ORDER, MAYOR SCOT SASSER**
- 2. PLEDGE OF ALLEGIANCE TO THE FLAG**
- 3. INVOCATION - Pauline Brooks McGuinness (Represent the Baha'i Faith)**
- 4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS**
- 5. PRESENTATIONS**
 - a. NSU Staghorn Coral Restoration Project (Steve d'Oliveira, Public Information Officer)
- 6. PUBLIC COMMENTS**
- 7. PUBLIC SAFETY DISCUSSION**
 - a. VFD March Report (Chief Judson Hopping)
- 8. TOWN MANAGER REPORT**
 - a. March Finance Report (Tony Bryan, Ass't Town Manager)
 - b. Town Manager Report (Bud Bentley, Town Manager)
- 9. TOWN ATTORNEY REPORT**
- 10. APPROVAL OF MINUTES**
 - a. April 12, 2016 Commission Workshop Minutes (Tedra Smith, Town Clerk)
 - b. April 12, 2016 Town Commission Meeting Minutes (Tedra Smith, Town

Clerk)

11. CONSENT AGENDA

- a. 2016 Amendments to the Inter-local Agreements between Broward County and the Town of Lauderdale-By-The-Sea providing for the Division and Distribution of the proceeds of:
 - 1. Local Option Gas Tax imposed by he Broward County Local Gas Tax Ordinance,
 - 2. Additional Local Gas Option Tax on Motor Fuel Ordinance, and
 - 3. Fifth Cent Additional Local Option Gas Tax on Motor Fuel for Transit(Tony Bryan Ass't Town Manager)
- b. Payment to Town Manager upon Separation (Tony Bryan Assistant Town Manager)
- c. Authorization to Finance Improvements at 2011 Coral Reef Drive (Maller/Bisso)(Tony Bryan, Ass't Town Manager)

12. OLD BUSINESS

- a. Status Report on the Oceanfront Restroom Project and South Ocean Parking Lot Project (Bud Bentley Town Manager)

13. NEW BUSINESS

- a. Application for Relief of Code Enforcement Lien at 1900 E. Terra Mar Drive (Linda Connors Development Services Director)
- b. Appointment of Town Representative to the Southeast Florida Coastal Ocean Forum (Tedra Smith, Town Clerk)

14. COMMISSIONER COMMENTS

15. ORDINANCES – PUBLIC COMMENTS

- a. Ordinances 1st Reading
- b. Ordinances 2nd Reading

- i. Ordinance 2015-17 - AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 5, "BEACHES AND WATERWAYS" BY AMENDING SECTION 5-1, "DEFINITIONS" TO CLARIFY THE DEFINITION OF WATERCRAFT; AMENDING CHAPTER 30, UNIFIED LAND DEVELOPMENT REGULATIONS, OF THE CODE OF ORDINANCES, BY AMENDING SECTION 30-11, "DEFINITIONS", TO PROVIDE DEFINITIONS RELATED TO MARINA USES; BY AMENDING DIVISION 2, "DISTRICTS" OF ARTICLE V, "ZONING", TO RENAME SUBDIVISION G, "BUSINESS ZONING DISTRICT REGULATIONS" TO "B-1-A DISTRICT REGULATIONS", TO DELETE SECTION 30-260 TO ELIMINATE DUPLICATION, TO AMEND SECTION 30-261, "B-1-A DISTRICT – BUSINESS" TO REORGANIZE REQUIREMENTS FOR CONDITIONAL USES, AND TO AMEND SECTION 30-271, "B-1 DISTRICT – BUSINESS" TO CORRECT REFERENCES AND PROVIDE FOR PERMITTED USE OF MARINAS, IDENTIFY SPECIFIC REQUIREMENTS FOR MARINA USES, AND REORGANIZE REQUIREMENTS FOR CONDITIONAL USES; BY AMENDING SECTION 30-311, "BOATS, BOAT LIFTS, BOATHOUSES AND ANCHORAGE," TO AMEND AND CLARIFY THE REQUIREMENTS FOR DOCKING AND MOORING OF WATERCRAFT AND PROVIDE A PROCESS AND REQUIREMENTS FOR THE DESIGNATION OF MARINA MOORING AREAS; BY AMENDING SECTION 30-318, "MINIMUM PARKING REQUIREMENTS" TO MODIFY PARKING REQUIREMENTS FOR MARINAS IN A YACHT BASINS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE (Linda Connors Development Services Director)

16. RESOLUTIONS – PUBLIC COMMENTS

- a. Resolution 2016-14 - A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, BROWARD COUNTY, FLORIDA, IMPOSING A ONE CENT PER DOLLAR LOCAL GOVERNMENT INFRASTRUCTURE SURTAX ON ALL AUTHORIZED TAXABLE TRANSACTIONS OCCURRING WITHIN BROWARD COUNTY, FLORIDA, AS AUTHORIZED BY SECTION 212.055(2), FLORIDA STATUTES, PROVIDING THAT THE IMPOSITION OF THE SURTAX SHALL NOT BE EFFECTIVE UNLESS APPROVED AT A REFERENDUM ELECTION; PROVIDING THAT THE IMPOSITION SHALL BE EFFECTIVE BEGINNING JANUARY 1, 2017 AND SHALL CONTINUE UNTIL REPEALED; PROVIDING FOR DISTRIBUTION OF SURTAX REVENUES PURSUANT TO LAW; DIRECTING THE SUPERVISOR OF ELECTIONS TO HOLD A REFERENDUM ELECTION ON NOVEMBER 8, 2016; PROVIDING BALLOT LANGUAGE AND A BRIEF DESCRIPTION OF INFRASTRUCTURE CAPITAL PROJECTS; PROVIDING FOR ADOPTION OF A RESOLUTION DETAILING PROJECT EXAMPLES; PROVIDING FOR PUBLIC DISTRIBUTION OF THIS RESOLUTION; DIRECTING THE TOWN CLERK TO ADVERTISE THE SPECIAL

REFERENDUM ELECTION IN ACCORDANCE WITH STATE LAW OR
COORDINATE SUCH ADVERTISEMENT IN ACCORDANCE WITH STATE LAW
WITH THE SUPERVISOR OF ELECTIONS; PROVIDING FOR SEVERABILITY;
PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.
(Vice Mayor Mark Brown)

- b. Resolution 2016-15 - A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPOINTING RALPH "BUD" BENTLEY AS TOWN MANAGER; APPROVING THE EMPLOYMENT AGREEMENT BETWEEN RALPH "BUD" BENTLEY AND THE TOWN OF LAUDERDALE-BY-THE-SEA ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR REPEAL OF ANY CONFLICTING RESOLUTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE (Mayor Scot Sasser)
- c. Resolution 2016-16 - A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA; APPOINTING AN ACTING TOWN MANAGER TO SERVE IN THE EVENT THE TOWN MANAGER IS ABSENT OR DISABLED; PROVIDING FOR REPEAL OF ANY CONFLICTING RESOLUTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (Bud Bentley, Town Manager)
- d. Resolution 2016-17 - A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, PROVIDING FOR THE APPOINTMENT OF A BOARD OF ADJUSTMENT ALTERNATE MEMBER; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE. (Tedra Smith, Town Clerk)

17. QUASI JUDICIAL PUBLIC HEARINGS

18. ADJOURNMENT

19. FUTURE REGULAR COMMISSION AGENDA ITEMS

THE TOWN OF LAUDERDALE-BY-THE-SEA WILL FURNISH APPROPRIATE AUXILARY 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) 640-4200 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

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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.

Invocation:

The Invocation before the each Town Commission meeting is a voluntary service of a private citizen, offered to serve the spiritual needs of the members of the Town Commission and solemnize the meeting. It is not intended to be an opportunity to advance or disparage one faith or belief over another. The views expressed in the Invocation have not been previously reviewed by the Town and do not necessarily represent the beliefs of any Town employee or official. No person is required to be present at or participate in the Invocation, and the decision whether to be present or participate in the Invocation will not affect any person's right to actively participate in the official business of the Town or obtain any benefit from the Town. The Town's written Invocation Policy is available on its website, and upon written request to the Town Clerk