

TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

AGENDA CONFERENCE MINUTES

Town Commission Meeting Room

4501 Ocean Drive

Thursday, September 28, 2006

6:00 P.M.

1. CALL TO ORDER, MAYOR OLIVER PARKER

The meeting was called to order by Mayor Parker at 6:02 p.m. Present were Mayor Parker, Vice Mayor Yanni, Mayor Pro Tem Clark, Commissioner Silverstone and Commissioner McIntee. Also present were Town Manager Robert Baldwin, Town Attorney James Cherof, and Town Clerk Medina.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was recited.

3. REVIEW AGENDA FOR REGULAR MEETING OF SEPTEMBER 28, 2006

It was agreed to discuss Items 4A and 4B after the public hearings were conducted.

- Item 5A, Lauderdale-by-The-Sea Sister Cities Association

Mayor Parker advised that Dr. Kenneth Most would be providing a presentation during the regular meeting to request a Sister Cities relationship with Henley-on-Thames, England. There were no objections.

- Item 6A, Budget Report for period ending August 31, 2006

There were no objections to the report as presented.

Mayor Parker stated that upon reviewing the proposed budget for the upcoming year, the Commission would be permitted to question any particular portions of the budget and request an independent vote from the Commission. There were no objections.

- Item 6B, Report concerning allegations of the misuse of Sal's Towing

Commissioner McIntee stated that one of Sal's towing trucks had gone to Palm Beach County in response to a call from a deputy and asked if this response was made under the Town's contract or an individual contract held by the Broward Sheriff's Office. Chief Gooding stated that the Broward Sheriff's Office had its own contracts with several towing companies.

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Mayor Parker asked Commissioner McIntee if he had any objections to removing this report from the regular meeting agenda. Commissioner McIntee replied negatively.

- Items 7A, 7B, 7C, and 7D, Approval of Minutes

Commissioner McIntee questioned why the minutes being provided were not chronologically in order. Ms. Medina explained that as the Commission was aware, she had lost a lot of data from her computer. She indicated that the minutes included for approval had been retrieved; however, the remaining minutes would have to be recreated.

- Item 9A, Ordinance 2006-11

Mayor Parker advised that staff was requesting a tabling of this item to October 10, 2006, in order to comply with advertising requirements. There were no objections.

Mayor Parker briefly explained the ordinance and advised that the public hearing would be held October 10, 2006.

- Consent Agenda

Commissioner Silverstone asked for a brief explanation of Item 12D, as it pertained to the interlocal agreement to promote underground utilities. He asked for assurance that this agreement was at no cost to the Town. Manager Baldwin stated that this issue had been brought to the Commission for consideration by Mr. Bob Terrien. Mr. Mason stated that there were some costs associated with the membership, but indicated that staff was not recommending any expenditures at this time. He indicated that the proposed agreement was strictly for joining the coalition.

Mayor Parker asked if the Town could join the coalition without incurring costs. Mr. Mason replied affirmatively.

Commissioner McIntee referred to Item 12C, agreement with Bryant Miller Olive P.A., and asked if staff had advised counsel that this review had to be expedited. Attorney Cherof replied affirmatively and offered to obtain a possible time table for the completion of the review.

There were no objections to the Consent Agenda.

- Item 13A, Resolution No. 2006-24

There were no objections to the adoption of the proposed resolution.

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- Item 14A, Scheduling of Joint Workshop between the Town Commission and the Master Plan Steering Committee

After a brief discussion, the Commission agreed to hold the joint workshop on October 24, 2006, from 6:00 p.m. to 7:00 p.m. It was further agreed that the Agenda Conference meeting would be canceled for that date.

- Item 14B, regarding the use of “granny flats” as allowed by Broward County Property Appraiser’s Office

Mayor Parker provided a brief explanation and asked that staff be directed to create the necessary ordinances for the Commission to consider during the meeting of October 24, 2006. There were no objections.

Mayor Pro Tem Clark asked for the opportunity to amend the agenda during the regular meeting. There were no objections.

- Item 14C, regarding the safety clause purported to be included within the height restriction referendum approved by the Electorate in March 2006

Mayor Parker indicated that Attorney Cherof was to provide a report during the regular meeting.

- Item 14D, regarding the establishing of an ordinance creating a safety clause on the Bert J. Harris Act to be read under 1st reading for the next meeting

Commissioner McIntee stated that he would address this issue during the regular meeting.

Commissioner McIntee questioned the posting of Item 14C on the agenda, stating he did not feel it met the requirements of being listed on the agenda. Mayor Parker stated that this item was not on the agenda as a mistake and that he had instructed staff to place this item on the agenda after the last time it was discussed during the summer.

- Item 14E, regarding the selection of a grand marshal for the Fourth of July parade

Commissioner McIntee asked who made the selection for the grand marshal for the Fourth of July parade. Mayor Parker stated that precedence was that the mayor chose the grand marshal. Commissioner McIntee wished to further discuss this issue during the meeting.

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- Item 14F, regarding the hiring of a federal lobbyist to obtain federal grant funds

Commissioner McIntee requested that Administration obtain the names and credentials of several people who could serve as a federal lobbyist on behalf of the Town. He stated that the big money was with federal grants and felt that the Town should pursue these projects. Commissioner McIntee asked to further discuss this issue during the regular meeting.

- Item 14G, regarding the placement of items on the agenda

Commissioner McIntee stated that there had been some disagreements regarding the placement of agenda items and suggested that when an agenda request was received, it should be time stamped. Manager Baldwin stated that not all Commissioners wrote out an agenda request form as, obviously, many agenda item requests were made by phone. Commissioner McIntee wished to further discuss this matter during the regular meeting.

- Item 14H, regarding the seeking of a Request for Proposals for fire rescue services

Commissioner McIntee felt that the Town was moving in this direction and it was only common sense to determine what services were available.

- Item 14I, regarding the establishment of a citizen's committee to establish a protocol and procedures for naming public property after citizens

Commissioner Silverstone explained his request and indicated that he wished to determine some protocol for naming the entranceways from the portal to the beach after citizens. He asked that the Commission consider this item during the regular meeting.

- Item 14J, regarding the naming Washingtonia Beach Park after Bill and Eva Karley

Commissioner Silverstone stated that he wished to obtain a protocol for the naming of public property before pursuing this matter.

- Item 14K, regarding the designation of certain neighborhoods for residential traffic only

Mayor Parker briefly explained his request and asked Chief Gooding if there was any way to enforce this kind of local traffic only within a neighborhood. Chief Gooding stated that signs could be erected, but that it was difficult to enforce as all trucks, even those who were in the neighborhood at the request of the residents, would need to be stopped. Commissioner McIntee questioned if law enforcement could enforce traffic

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laws that were not within the regulations of the State of Florida. Chief Gooding stated that the signs erected would be required to be approved by the Department of Transportation. He indicated that staff could only pursue violations that were within the State Statutes.

- Item 14L, regarding procedures for advertising in the Town's newsletter

Manager Baldwin stated that the Town had received a request to advertise a web site and asked for direction as to what type of advertisement it wished to allow in the Town's newsletter. He emphasized that staff had always tried to ensure that all political advertisements were kept out of the Town's newsletter to avoid conflicts. Mayor Parker felt that if only the web site was advertised with an invitation to view the site, he had no objections. Commissioner McIntee questioned where the Town would determine to limit the businesses that could advertise. Manager Baldwin stated that the Town tended not to allow out-of-town businesses. Commissioner McIntee stated that the web site was registered to an address in Fort Lauderdale and, therefore, should not be considered a local business, unlike *By The Sea Times*. Mayor Parker disagreed, stating that the web site provided information regarding the Town and, indicated that *By The Sea Times* did not hold an occupational license within the Town. He stated that in either event, he had no objections to either entity advertising in the *Town Topics*, strictly as an invitation to view their site. Commissioner Silverstone expressed concern that allowing the advertisement in the Town's official newsletter would indicate that the Town was approving the site. It was agreed that this item would be further discussed during the regular meeting.

- Item 14M, regarding beach safety

Mayor Parker explained that he was hoping the Commission would consider the installation of call phones at each beach access, with signage that explained that the beaches were susceptible to rip currents with instructions on what an individual should do if they were caught in a rip current.

- Item 14N, request for an extension to a site plan development order for Luxury Dwelling Homes

Mayor Parker indicated that this item would be discussed at the regular meeting if the applicant were present.

- Item 15A, landscaping of land left vacant for over one year

Mayor Parker explained his request and asked that the Commission consider requiring property owners who maintain their lands vacant to remove the construction fencing and provide sod or landscaping until development was initiated.

Craig Unger, of Minto Communities, stated that construction would begin within the next few weeks. He offered some alternative solutions and offered to work with the Commission to amicably resolve this matter. Lengthy discussion followed concerning the length of time it would take to complete the construction of the four quadrants of the project. Commissioner McIntee asked that the park be constructed first to ensure that it softened the look of the area. Mr. Unger explained that certain improvements, such as underground utilities, sprinklers, etc, had to be completed prior to pursuing the completion of the park.

- Item 15B, regarding the possibility of establishing a Town Ethics Committee

Commissioner McIntee stated that he felt that the Commission needed a body that would watch over them. Mayor Parker reminded the Commission that they were bound by the regulations of the State of Florida Ethic Committee.

4. ADJOURNMENT

Commissioner Silverstone made a motion to adjourn the meeting. As there were no objections and no other business to discuss, the meeting was adjourned at 7:03 p.m.

Oliver Parker, Mayor

ATTEST:

Alina Medina, Town Clerk

Date Accepted: _____