

TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

AGENDA CONFERENCE MINUTES

Town Commission Meeting Room

4501 Ocean Drive

Tuesday, November 14, 2006

6:00 P.M.

1. CALL TO ORDER, MAYOR OLIVER PARKER

The meeting was called to order by Mayor Parker at 6:04 p.m. Present were Mayor Parker, Vice Mayor Yanni, Mayor Pro Tem Clark, Commissioner McIntee and Commissioner Silverstone. Also present were Town Manager Robert Baldwin, Attorney James Cherof, and Town Clerk Medina.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was recited.

Commissioner McIntee stated that a large gathering was expected today and, as such, Battalion Chief Padden had ordered all Volunteers to give up their seats to residents. He indicated that he expected Broward Sheriff's Office personnel to do the same so that the Town's residents could participate in their government.

3. REVIEW AGENDA FOR REGULAR MEETING OF NOVEMBER 14, 2006

Mayor Parker asked if certified results had been obtained from the Supervisor of Elections Office. Ms. Medina replied negatively, explaining that military personnel were provided with additional days in which their absentee ballots needed to be received. She indicated, however, that unofficial results were available.

Commissioner Silverstone stated that it appeared as though the Broward Sheriff's Office was prepared to make a presentation; however, he did not believe that was part of the current agenda. Mayor Parker stated that Option 1, Going with Broward Sheriff's Office alone, of Item 10A provided that the Town could choose to go forward with a relationship only with the Broward Sheriff's Office.

Ordinances, 1st Reading

Lynn Shatas, representing Florida Power and Light, was present. Commissioner McIntee stated that he had reported some lights that were not operational and they were yet to be fixed. Ms. Shatas explained that she had contacted the service center regarding that issue, as well as that of the transfers of the electric facilities at Terra Mar. She indicated that she would follow up on these issues and provide an update.

Town Commission Agenda Conference Minutes
November 14, 2006

Commissioner McIntee stated that he would not vote in favor of the ordinance until such time as the lights were operational.

Consent Agenda

There were no objections to the consent agenda. Mayor Parker questioned if there were any objections to moving the consent agenda to be considered immediately after reports. There were no objections.

Mayor Pro Tem Clark stated that the Commission had not reviewed the minutes which had been tabled from the previous meeting. Mayor Parker asked if any corrections were made. Ms. Medina replied that a typographical error had been corrected to show that the Pledge of Allegiance had indeed been recited; however, she explained that Commissioner McIntee had objected to the minutes but had not yet provided any details as to any modifications. Commissioner McIntee stated that he had only wanted to provide the opportunity for the correction noted to be made.

Commissioner McIntee stated that there was a set of minutes from July that had not yet been presented to the Commission. Ms. Medina explained that that set of minutes was one that was being recreated as they had been lost with the failure of her computer. Mayor Parker asked if it was possible that they could be completed by the first meeting in December. Ms. Medina replied that she would make every effort to have them completed.

Resolutions

With regards to Resolution 2006-25, Mayor Parker asked if the meeting could be rescheduled as opposed to canceling it outright. He indicated that there was a lot of Town business that needed to be discussed. The Commission discussed holding a meeting on December 19, 2006. Commissioner McIntee indicated that perhaps the Commission could have a meeting prior to that date in order to catch up. Commissioner Silverstone stated that he was prepared to have as many meetings as necessary. Mayor Pro Tem Clark agreed.

Attorney Cherof stated that upon discussing the resolution, the Commission could make the necessary amendments so that the resolution could be approved. He suggested that if the Commission had reached a consensus, the Commission might consider making this item part of the consent agenda. There were no objections.

Commissioner Silverstone questioned if there were less chairs set out for this meeting. Ms. Medina indicated that more chairs were set out as it had been anticipated that a large gathering would occur. She explained that chairs were set out to the back of the room to avoid having people move chairs within the crowd.

With regards to Resolution 2006-26, Commissioner Silverstone asked for confirmation that this resolution provided permission to move funds from different accounts to ensure

Town Commission Agenda Conference Minutes
November 14, 2006

a balanced budget. Mr. Baldwin replied affirmatively. There were no objections to moving this resolution to the consent agenda.

There were no questions or concerns regarding Resolution 2006-27. There were no objections to moving this resolution to the consent agenda.

Attorney Cherof advised that Ms. Medina had made arrangements to have a television set up on the portico to ensure that individuals attending could watch the meeting in the event that an over-flow occurred. He explained that individuals who were outside would be called in during public comments.

Upon Commissioner Silverstone's request, the Commission agreed to review the Budget Report for the period ending on September 30, 2006.

Commissioner Silverstone asked if the amount of \$262,800 in the litigation account would be forwarded to the current fiscal year. Mr. Baldwin advised that the funds were carried forward, but that it would not be placed into that line item. Commissioner Silverstone referenced a \$49,000 balance in the Fire Department and questioned how those funds would be used. Finance Director Esther Colon explained that the year-to-date expenses were \$2.1 million; however, the fire fees did not bring in what was spent. She explained that the general fund had to make up the difference to fund the Fire Department. Ms. Colon stated that there had been a shortfall in revenues in the amount of \$69,000.

- 14A, as it pertains to Minto's proposal for development of the northeast corner of El Prado and El Mar Drive

Ms. Medina advised that Craig Unger, of Minto's Properties, had called to advise that he would be in attendance for the regular meeting, but was unsure that he would make it to the agenda conference.

Commissioner McIntee stated that a major problem had been solved on El Mar Drive, indicating that Minto's Communities had "jeopardized" the entire business community in that area by closing both lanes. He indicated that the Commission should never allow an entire street to be closed, believing that an ordinance should be prepared to ensure that it does not occur. Mayor Pro Tem Clark felt that an ordinance was not necessary, stating that direction only needed to be provided to the Administration to ensure that it did not occur again. Manager Baldwin stated that there were times when both sides of a road had to be closed temporarily. Municipal Services Director William Mason explained that if lateral pipes were being installed, both sides of the road would have to be temporarily closed. He further explained that proper notification had been provided, but that in an effort to complete the work quickly, the entire road had been closed. Mr. Mason explained how this situation would be remedied assuring that at least one lane of traffic was opened.

Town Commission Agenda Conference Minutes
November 14, 2006

Mr. Mason explained that this particular item was for a negotiated six-month lease, with monthly extensions, allowing the Town to build a park until construction was underway.

- 14B, as it pertained to allowing *By The Sea Times* to place fifteen (15) paper boxes in Town

Commissioner McIntee wished to discuss this matter during the regular meeting.

- 14C, as it pertains to the possibility of providing for special fees to cover the cost of trash collection for residential areas within the Tax Bill

Attorney Cherof explained the process for the resolution of intent, indicating that it provided the option for the Commission to choose billing for the costs through the tax bill. Mayor Parker asked how much the advertisements would cost. Ms. Medina explained that four advertisements were needed and the cost would range from \$400 to \$600 a piece.

Mayor Parker stated that “snow-birds” were currently permitted to discontinue service for a period of six months while they were residing elsewhere. He felt that if the uniform assessment was used, this option would no longer be available to them.

Mayor Pro Tem Clark stated that he wanted the Administration to provide different options, considering the impacts this type of billing would create. It was decided that the remaining ads would be cancelled, with a decision being made that if it was decided to pursue this issue it would be done for fiscal year 2008-09. It was agreed that the analysis should be completed, with a report being due the first meeting in January 2007.

14D, pertaining to the Fourth of July parade marshal

Commissioner McIntee felt that the Fourth of July was a family event and that the grand marshal should be selected by the entire Commission, not just the Mayor.

14E, pertaining to beach safety issues

Mayor Parker advised that he would discuss this issue during the regular meeting.

- 14F, pertaining to a citizen’s committee to establish protocol and procedures for naming public property

Mr. Baldwin advised that he had surveyed several cities and proposed that the information be provided to a citizen’s committee so that procedures could be established.

- 14G, pertaining to the naming of Washingtonia Beach Park after Bill and Eva Karley

Town Commission Agenda Conference Minutes
November 14, 2006

Commissioner Silverstone stated that he had spoken with Mrs. Karley with regards to naming the El Prado portal in honor of Mr. and Mrs. Karley. The Karley's had had no objections and, therefore, Commissioner Silverstone asked that this item be amended.

- 14H, pertaining to residential traffic only

Mayor Parker advised he would discuss this matter during the regular meeting.

- 14I, pertaining to reviewing details and seeking Commission policy direction for the request for Proposal for emergency medical services and automatic aid

Mr. Baldwin stated that this matter was ancillary to the fire issues, but based on the Commission's direction to obtain emergency medical and fire services, a draft Request for Proposal was provided for the Commission's consideration.

- 14J, pertaining to Letters of Interest for engineering services from other providers

Mr. Baldwin stated that the Letters of Interest had been obtained and that the qualifications had been submitted to a selection committee for review. He indicated that the short list or ranked list would be provided to the Commission for review at a later date.

- 14K, pertaining to an extension for a site plan development order for Luxury Dwelling Homes, located at 4644 and 4646 Poinciana Street

Brief discussion followed concerning the request for extension, with Ms. Medina explaining that this item had been reviewed and approved by the Commission; however, the Commission had requested specific language from Attorney Cherof regarding the upkeep of the property.

Vice Mayor Yanni advised that he had been receiving several complaints regarding the upkeep of the property. He asked that the property owners be contacted to ensure that the property was properly maintained.

- 14L, pertaining to the referral of the Oriana Development to the State Attorney

Mayor Parker stated that he would discuss this issue during the regular meeting.

- 14M, pertaining to criminal investigation of the Oriana project

Town Commission Agenda Conference Minutes
November 14, 2006

Commissioner McIntee stated that he had contacted the senior State Attorney investigator for Broward County and had met with him regarding the Oriana project. He indicated that the investigator had informed him that two State Attorneys would be investigating development within the Town and other "correlated" events.

- 14N, pertaining to the red-tagging of the Oriana project

Commissioner McIntee stated that he had been overwhelmed with the number of people who had previously been red-tagged for minor violations and felt that the Oriana project should be red-tagged as well. He indicated that he would continue to aggressively look into this matter.

4. ADJOURNMENT

Commissioner Silverstone made a motion to adjourn the meeting. As there were no objections or further business to discuss, the meeting adjourned at 6:55 p.m.

Oliver Parker, Mayor

ATTEST:

Alina Medina, Town Clerk

Date Accepted: _____