

Amended 11-10-06

TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION

REGULAR MEETING

AGENDA

Town Commission Meeting Room

4501 Ocean Drive

Tuesday, November 14, 2006

7:00 P.M.

1. **CALL TO ORDER, MAYOR OLIVER PARKER**
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **INVOCATION, TOWN CHAPLAIN**
4. **PRESENTATIONS**
5. **REPORTS**
 - A. Report by Town Attorney and Town Clerk regarding the General Election of November 7, 2006, and discussion and/or action relating thereto
 - B. Report on special meeting scheduled to be held on November 10, 2006
 - C. Budget Report for the period ending September 30, 2006
 - D. Report on Sea Ranch Lakes Glitch Bill to correct error perceived in municipal boundaries
6. **APPROVAL OF MINUTES**
 - A. October 10, 2006, Regular Meeting (*tabled from October 24, 2006*)
7. **PUBLIC COMMENTS**
8. **ORDINANCES (2nd Reading) "Public Hearings"**
9. **COMMISSIONER COMMENTS**

10. SPECIAL BUSINESS

A. Discussion and/or action regarding fire services and public safety. Available options include, but are not limited to, the following:

1. Going with Broward Sheriff's Office alone*
2. Going with Volunteer Fire Department alone**
3. Maintaining the status quo
4. Scheduling more workshops

*subsequent to this item being placed on the agenda, the Town Manager received notification from Sheriff Ken Jenne, that the Sheriff's agreement with the Volunteer Fire Department was being terminated immediately and requesting the Town's consent thereto. The Sheriff's request is being treated as a collateral issue to Option #1. (See attached letters)

**at the Special meeting of November 10, 2006, a motion was made by Commissioner Silverstone, seconded by Commissioner McIntee, to terminate the contract of Broward Sheriff's Office for breach of contract with the Town and to put the Volunteer Fire Department back in service. The discussion on this motion was tabled to this meeting.

11. ORDINANCES (1ST Reading)

A. **Ordinance No. 2006-14:** An ordinance granting to Florida Power and Light Company, its successors and assigns, an electric franchise, imposing provisions and conditions relating thereto, providing for monthly payments to the Town of Lauderdale-By-The-Sea, Florida, and providing for an effective date

12. CONSENT AGENDA

A. SPECIAL EVENT PERMIT: **Marie White's Christmas By The Sea**/Marie White and Larry Wick, December 16, 2006; from 11:00 a.m. to 3:30 p.m.

B. PROPOSAL: to provide for Christmas decorations

13. RESOLUTION

A. **Resolution No. 2006-25:** A resolution of the Town of Lauderdale-By-The-Sea, Florida, canceling the regularly scheduled Commission meeting scheduled for December 26, 2006; providing for an effective date

Town Commission Regular Meeting Agenda
November 14, 2006

- B. **Resolution No. 2006-26:** A resolution of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, amending the 2005/2006 fiscal year budget; appropriating said amounts to specific designated accounts in accordance with the attached Exhibit "A" to the specific designated funds; authorizing expenditure of those amounts in accordance with the budget as amended; providing for conflicts; providing for severability; and an effective date
- C. **Resolution No. 2006-27:** A resolution of the Town of Lauderdale-By-The-Sea, Florida, designating insurance carriers for various categories of insurance coverage for the Town and Town Officers, employees, and agents; directing the Town Administration to process applications for insurance coverage; and providing for an effective date

14. OLD BUSINESS

- A. Discussion and/or action regarding Minto's proposal for development of the northeast corner of El Prado and El Mar Drive (*continued from September 28, 2006*)
- B. Discussion and/or action to allow *By The Sea Times* to place fifteen (15) paper boxes in Town at the present locations (*Commissioner Jerry McIntee*) (*tabled from October 10, 2006*)
- C. Discussion and/or action regarding the possibility of providing for special fees to cover the cost of trash collection for residential areas within the Tax Bill (*Town Manager Robert Baldwin*) (*continued from October 24, 2006*)
- D. Discussion and/or action regarding who picks Fourth of July parade marshal and the possibility of opening the selection to Town residents (*Commissioner Jerry McIntee*) (*tabled by Mayor Parker at the meeting of September 28, 2006*) (*tabled from October 24, 2006*)
- E. Discussion and/or action concerning beach safety issues (*Mayor Oliver Parker*) (*tabled from October 24, 2006*)
 - 1. Installation of call phones at all beach access areas
 - 2. Installation of signs regarding rip currents; providing instructions on what to do if a person is caught in a rip current
- F. Discussion and/or action to establish a citizen's committee to establish protocol and procedures for naming public property after citizens (*Town Manager Robert Baldwin*) (*continued from October 24, 2006*)

Town Commission Regular Meeting Agenda
November 14, 2006

- G. Discussion and/or action concerning the naming of Washingtonia Beach Park after Bill and Eva Karley (*Commissioner Jim Silverstone*) (*tabled from October 24, 2006*)
- H. Discussion and/or action regarding the designation of certain neighborhoods for residential traffic only – Avalon Avenue at Seagrape Drive and West Tradewinds Avenue (*Mayor Oliver Parker upon the request of Eva Karley*) (*tabled from October 24, 2006*)
- I. Discussion and/or action reviewing the details and seeking Commission policy direction for the Request for Proposal for emergency medical services and automatic aid (*Town Manager Robert Baldwin*) (*tabled from October 24, 2006*)
- J. Discussion and/or action regarding the Town obtaining Letters of Interest for engineering services from other providers (*Town Manager Baldwin*) (*tabled from October 24, 2006*)
- K. Request to extend the site plan development order for Luxury Dwelling Homes, Cabonell, agent/Vinci, Owner; for the properties located at 4644 and 4646 Poinciana Street (*continued from October 24, 2006*)
- L. Discussion and/or action regarding referral of the Oriana Development to the State Attorney (*Mayor Oliver Parker*)
- M. Discussion and/or action regarding criminal investigation “Oriana” project (*Commissioner Jerry McIntee*)
- N. Discussion and/or action regarding red-tagging “Oriana” project (*Commissioner Jerry McIntee*)

15. NEW BUSINESS

- A. Discussion and/or action regarding the possibility of requiring properties that remain vacant for more than one year to landscape and remove construction fencing (*properties to be included are 4444 and 4500 Ocean Drive; 4448, 4436, 4451, and 4512 El Mar Drive; 222, 226, 230, and 231 Shore Court; and 1740 East Terra Mar Drive*) (*Mayor Oliver Parker*) (*tabled from October 24, 2006*)
- B. Discussion and/or action regarding the possibility of establishing a Town Ethics Committee (*Commissioner Jerry McIntee*) (*tabled by Mayor Parker at the meeting of September 28, 2006*) (*tabled from October 24, 2006*)
- C. Discussion and/or action regarding the removal of the overlay district (*Commissioner Jim Silverstone*) (*continued from October 24, 2006*)

Town Commission Regular Meeting Agenda
November 14, 2006

- D. Discussion and/or action regarding speed humps on west side of Terra Mar Island (*Mayor Pro Tem Chuck Clark*) (*tabled from October 24, 2006*)
- E. **PUBLIC HEARING** - SITE PLAN Villa Caprice, located at 4108 and 4110 El Mar Drive (*request for temporary sales office to be located in the Villa Caprice development*) (*tabled from October 24, 2006*)
- F. Discussion and/or action regarding an extension to the site plan development order for Whitecap Motel Site/Robert White, Owner; located at 4608 El Mar Drive (*tabled from October 24, 2006*)
- G. Discussion and/or action regarding an extension to the site plan development order for B&B Garden Court/Rodriguez Design Group; located at 226 and 230 Garden Court and 4149 Seagrape Drive (*tabled from October 24, 2006*)
- H. Discussion and/or action regarding an extension to the site plan development order for Ocean Park (Villa Caprice)/Rex Nichols, Architect; located at 4108 and 4110 El Mar Drive (*tabled from October 24, 2006*)
- I. Discussion and/or action regarding an extension to the site plan development order for B&B Duval/Rodriguez Design Group; located at 4209 and 4215 Seagrape Drive (*tabled from October 24, 2006*)
- J. Discussion and/or action on clarifying and correcting the Charter updates previously submitted to the State to include Section 4 of the height limit petition as approved by the voters in March in order to implement the will of the people (*Commissioner Jerry McIntee*) (*tabled from October 24, 2006*)
- K. Discussion and/or action on correcting the injustice of letting developers use beach area and call it green space, beating the 25 percent green space rule on new development (*Commissioner Jerry McIntee*) (*tabled from October 24, 2006*)
- L. Discussion and/or action regarding the possibility of installing new bus stops within the Town's municipal boundaries (*Vice Mayor John Yanni*) (*continued from October 24, 2006*)
- M. Discussion and/or action regarding the consideration to eliminate the agenda conference (*Mayor Pro Tem Chuck Clark*)
- N. **PUBLIC HEARING** - SITE PLAN Mulligan's Grill & Raw Bar, located at 4403 El Mar Drive (*Planning and Zoning Board tabled this hearing to*

Town Commission Regular Meeting Agenda
November 14, 2006

November 15, 2006; staff requesting tabling of this hearing to December 14, 2006)

- O. Discussion and/or action regarding the adoption of the Evaluation and Appraisal Report based Comprehensive Plan amendments (*Town Planner Walter Keller*)

16. TOWN MANAGER REPORT

- A. Code Compliance Quarterly Report
- B. Municipal Services Monthly Report

17. TOWN ATTORNEY REPORT

- A. Bert J. Harris Jr. Private Property Protect Act
- B. Update regarding the Oriana/Pier Pointe development site

18. ADJOURNMENT

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.