

# **TOWN OF LAUDERDALE-BY-THE-SEA**

## **TOWN COMMISSION**

### **REGULAR MEETING**

#### **AGENDA**

Town Commission Meeting Room

**4501 Ocean Drive**

**Tuesday, December 12, 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**
  - A. Deputy of the Month for October and November, Broward Sheriff's Office, District 13 (*Chief Scott Gooding*)
  - B. Certificates for 2005 Holiday Decoration Contest (*Property Owners Association/Mayor Oliver Parker*)
- 5. REPORTS**
- 6. APPROVAL OF MINUTES**
  - A. May 23, 2006, Regular Meeting
  - B. June 27, 2006, Regular Meeting
  - C. July 11, 2006, Regular Meeting
  - D. July 25, 2006, Regular Meeting
  - E. September 12, 2006, Workshop Meeting
  - F. September 26, 2006, Workshop Meeting
  - G. September 28, 2006, Regular Meeting
  - H. October 24, 2006, Workshop Meeting
  - I. October 24, 2006, Regular Meeting
  - J. November 28, 2006, Agenda Conference
  - K. November 28, 2006, Regular Meeting
- 7. PUBLIC COMMENTS**

**8. ORDINANCES (2nd Reading) "Public Hearings"**

- 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

**9. COMMISSIONER COMMENTS**

**10. ORDINANCES (1<sup>ST</sup> Reading)**

- A. **ORDINANCE NO. 2006-15:** An ordinance of the Town of Lauderdale-By-The-Sea, Florida, amending Article III "Maintenance of Property" of Chapter 6 of the Code of Ordinances to add a new Section 6-42 titled "Site Maintenance of Projects Under Development"; providing for minimum landscaping requirements for sites under development; providing for severability; codification; and an effective date
- B. **ORDINANCE NO. 2006-16:** An ordinance of the Town of Lauderdale-By-The-Sea, Florida, amending Section 24-43(b) of Article IV "Application for Final Site Plan Approval" of Chapter 24 of the Code of Ordinances, to require the submission of a scale model of a proposed project in an overlay district as a condition of site plan submission; providing for severability; codification; and an effective date.
- C. **ORDINANCE NO. 2006-17:** An ordinance of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, amending Section 24-43(g) effect period of final site plan approval; providing clarification of the effective period of an approved site plan; providing for conflicts, severability, codification and an effective date.
- D. **ORDINANCE NO. 2006-18:** An ordinance of the Town of Lauderdale-By-The-Sea, Florida, providing interpretation of the November 2006 Charter amendment regarding qualifications for office and term limits; providing for severability; codification; and an effective date.

**11. CONSENT AGENDA**

- A. **AGREEMENT RENEWAL:** with the City of Pompano Beach for the reinstatement and extension for sewer services
- B. **TERMINATION OF AGREEMENT:** between the Town and Pompano Beach for Water Billing Services

Town Commission Regular Meeting Agenda  
December 12, 2006

- C. MEMORANDUM OF UNDERSTANDING: between the Town and Waste Management (*tabled from November 28, 2006*)
- D. LEASE AGREEMENT: between the Town and AMISUB (North Ridge Hospital) for use of the Town's off-site building
- E. EXTENSION AGREEMENT: for the Broward County Challenge Grant as it pertains to the beach pavilion enhancement (\$176,548)
- F. SPECIAL EVENT PERMIT: New Year's Eve/Super Bowl Party/Village Grille and Mulligan's, December 31, 2006, from 5:00 p.m. to 1:00 a.m. and Super Bowl Sunday, from 5:00 p.m. to 10:00 p.m.
- G. SPECIAL EVENT PERMIT: Taste of the Beach/Chamber of Commerce; Wednesday, February 21, 2007; from 6:00 p.m. to 10:00 p.m.

**12. RESOLUTION**

- A. **Resolution No. 2006-28:** A resolution of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, directing the Town Clerk to deliver to the Florida Secretary of State a copy of the Town's revised Charter incorporating the amendments to Section 6.1 and 6.3 regarding terms of office, qualifications for office and term limits which were approved by a majority of the electors in the November 2006 election and providing an effective date.

**13. OLD BUSINESS**

- A. Discussion and/or action regarding the changing of municipal elections from March to November (*Mayor Pro Tem Chuck Clark*) (*This item was originally discussed at the November 14, 2006 meeting and was tabled to November 28, 2006 meeting. It was then tabled to January 23, 2007, with the following motion sill on the floor:*

Mayor Parker made a motion, seconded by Vice Mayor Yanni, directing the Town Attorney to prepare an ordinance to change the municipal elections from March to November and to extend the terms until November 2008. Discussions on the motion were tabled to this meeting.

*A motion to remove from table will be made by Mayor Pro Tem Clark.*

- B. Discussion and/or action regarding the review of qualification and the selection of an attorney and engineer professional to assist the Town with

Town Commission Regular Meeting Agenda  
December 12, 2006

proceeding with the review of the amended site plan for Oriana (*continued from November 28, 2006*)

- C. Discussion and/or action regarding speed humps on the west side of Terra Mar Island (*Chief Scott Gooding*) (*tabled from November 28, 2006*)

**15. NEW BUSINESS**

- A. **PUBLIC HEARING - SITE PLAN** Mulligan's Grill & Raw Bar, located at 4403 El Mar Drive (*Planning and Zoning Board recommending approval subject to conditions outlined in the planning report; staff recommending approval subject to the conditions noted in the planning report*)
- B. Discussion and/or action on recall of Mayor Oliver Parker (*Commissioner Jerry McIntee*)
- C. Discussion and/or action regarding water rescue and hurricane preparedness with Volunteer Fire Department (*Commissioner Jim Silverstone*)
- D. Discussion and/or action recovering all equipment bought by Lauderdale-By-The-Sea taxpayers for Volunteer Fire Department (*Commissioner Jerry McIntee*)
- E. Discussion and/or action regarding the use of brick pavers for all future driveway and other construction (*Commissioner Jim Silverstone*)

**16. TOWN MANAGER REPORT**

- A. Municipal Services Monthly Report

**17. TOWN ATTORNEY REPORT**

**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.*