

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

**REGULAR MEETING**

**AGENDA**

Town Commission Meeting Room

**4501 Ocean Drive**

**Tuesday, January 10, 2006**

**7:00 P.M.**

1. **CALL TO ORDER, MAYOR OLIVER PARKER**
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **INVOCATION, TOWN CHAPLAIN**

**SHADE SESSION**

In accordance with the procedures set forth in Florida Statutes Section 286.011(8), the Town Commission and the Town Manager will meet privately with the Town Attorney to discuss the following pending litigation:

McIntee vs. Town of Lauderdale-By-The-Sea, Florida,  
Case Number 05-18390 CACE (11).

The meeting, which is closed to the public, will be attended by the Mayor and Commission, Town Manager Robert Baldwin, and Town Attorney James Cherof. The closed session will last approximately 45 minutes.

**4. PRESENTATIONS**

- A. National Flood Insurance Program Award for Outstanding Performance in the Community Rating System (*Municipal Services Director William Mason*)
- B. Display of the U.S. Flag from U.S. Representative Clay Shaw (*Mayor Oliver Parker/Cindy Geesey*) (*continued from November 22, 2005*)

**5. REPORTS**

- A. Budget Report for Period Ending November 30, 2005
- B. Update regarding parking along buildings on Commercial Boulevard that back up to Harbor Drive (*Hurricane Wilma damage update for parking purposes*) (*Development Services Director Harry Diehl*)

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- C. Report on easement requirements of Oriana site plans (*Town Attorney James Cherof*)

**6. APPROVAL OF MINUTES**

- A. November 8, 2005, Regular Meeting
- B. December 13, 2005, Agenda Conference
- C. December 13, 2005, Regular Meeting
- D. December 24, 2005, Special Meeting

**7. ORDINANCES (2<sup>nd</sup> Reading) "Public Hearings"**

- A. **Ordinance No. 2005-16:** An ordinance of the Town Commission of the Town of Lauderdale-by-The-Sea, Florida, amending Chapter 24, Section 24-5.5 to require Commission approval as a condition allowing for designation of the front lot line of a property to be designated by the property owner and amending the definition of "Lot, Corner"; amending Section 24-5.36 of the Land Development Code to require additional landscaping to buffer and screen properties which elect an alternate front yard; providing for severability; providing for codification; providing for conflicts; and providing for an effective date

**8. PUBLIC COMMENTS**

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

**10. CONSENT AGENDA**

- A. AGREEMENT: with Burger King for the leasing of parking areas
- B. AGREEMENT – amendment to agreement with Broward County regarding Building Services
- C. CHANGE ORDER: North Beach Neighborhood Sewer Improvements – Phase (*net Change Order amount \$140,739.86*)

**11. RESOLUTION**

- A. **Resolution No. 2006-01:** A Resolution of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, urging members of the Florida Legislature to support the following issues during the 2006 Legislative Session.
- B. **Resolution No. 2006-02:** A Resolution of the Town Commission of Lauderdale-By-The-Sea, Florida, designating the National Incident Management System (NIMS) as the basis for all incident management in the Town of Lauderdale-By-The-Sea.

**12. OLD BUSINESS**

- A. Discussion and/or action regarding the Town's request for the use of one uniform zip code townwide (*Vice Mayor Kennedy/Manager Robert Baldwin*) (*continued from December 13, 2005*)
- B. Update regarding possible use of newly purchased used fire truck by Lauderdale-By-The-Sea Volunteer Fire Department for training and responding to fire alarms (*Battalion Chief Don King*) (*continued from December 13, 2005*)
- C. Discussion and/or action concerning the moratorium on development of the area bordered by the alleyway south of Commercial Boulevard on the north, Datura Avenue on the south, State Road A1A on the west, and El Mar Drive on the east (*to include a recommendation from the Master Plan Steering Committee*) (*Town Planner Keller*) (*moratorium expires January 10, 2006*)
- D. Discussion and/or action concerning floating a bond issue to install natural gas lines, bury all utility lines, and the provision of a referendum to achieve this goal (*Mayor Oliver Parker*) (*continued from November 22, 2005*)

**13. NEW BUSINESS**

- A. "PUBLIC HEARING" SITE PLAN – Pelican Cove of Lauderdale By The Sea, LLC, located at 227, 231, and 235 Hibiscus Avenue (**applicant requesting a tabling to February 14, 2006**)
- B. Discussion and/or action concerning parking acquisition (*Town Manager Robert Baldwin*)

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**14. TOWN MANAGER REPORT**

**15. TOWN ATTORNEY REPORT**

- A. Update on letter to Attorney General regarding height restrictions and possible conflicts with Bert J. Harris Act
- B. Update on Citizen Initiative Committee's Petition

**16. COMMISSIONER COMMENTS**

**17. 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 ACCOMODATION 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.*