

TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

REGULAR MEETING

AGENDA

Town Commission Meeting Room

4501 Ocean Drive

Tuesday, February 27, 2007

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. Comprehensive Annual Financial Report for Fiscal Year 2005-06 – Rachlin, Cohen & Holtz
5. **REPORTS**
 - A. Monthly Report for the period ending January 31, 2006
 - B. Walk Around Committee (*February meeting cancelled due to holiday*)
6. **APPROVAL OF MINUTES**
 - A. September 14, 2006, Regular Meeting (*tabled from February 13, 2007*)
 - B. September 28, 2006, Regular Meeting (*tabled from February 13, 2007*)
7. **PUBLIC COMMENTS** (*random selection of individuals; limited to half hour*)
8. **ORDINANCES** (*2nd Reading*) **“Public Hearings”**
 - A. **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

- B. **ORDINANCE NO. 2007-01:** An ordinance of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, creating an Article IV of Chapter 6, Buildings and Building Regulations of the Code of Ordinances; providing for regulations of building color; providing for permits; providing for amortization of non-conforming buildings; providing for conflicts, severability, codification and an effective date
- C. **ORDINANCE NO. 2007-02:** An ordinance of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, amending Section 4-32 of the Code of Ordinances to prohibit animals in Town parks; providing for conflicts, severability, codification and an effective date.
- D. **ORDINANCE NO. 2007-03:** An ordinance of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, changing the date of municipal elections from the second Tuesday in March to the first Tuesday following the first Monday in November in even number years; providing for extension of the terms of office for elected officials at time of transition from March to November elections; providing for amended qualifying periods; amending conflicting provision in Section 6.1 of the Town Charter; submitting the amendment to approval by referendum; providing for conflicts; severability; codification and an effective date.

9. ORDINANCES (*1st Reading*)

- A. **ORDINANCE NO. 2007-04:** An ordinance of the Town Commission of the Town of Lauderdale-by-The-Sea, Florida, amending Section 19-25, "Time Restricted Parking" to create subsection (g), providing that parking fees shall be waived for weekday parking as defined herein for portions of Commercial Boulevard; providing for conflicts, severability, codification and an effective date.

10. CONSENT AGENDA

- A. LEASE AGREEMENT: with Clean, Green Trash Machine for two solar compaction systems
- B. AGREEMENT: with Government Services Group, Inc. for the continuing services for the fire protection assessment program
- C. SPECIAL EVENT PERMIT: **Surfing Contest**/Eastern Surfing Association; February thru December, 2007

- D. SPECIAL EVENT PERMIT: **Easter Sunrise Services**/Community Presbyterian Church; Sunday, April 8, 2007, at sunrise, with set up commencing after 6:00 p.m. on Saturday

11. RESOLUTION

- A. A resolution of the Town Commission of the Town of Lauderdale-by-The-Sea, Florida, recognizing the dedicated public service of former Vice Mayor and Commissioner Ernie Fontaine by designating El Prado in his honor and memory; authorizing the Town Administration to prepare necessary and appropriate signage to commemorate this designation; and providing for an effective date.
- B. A resolution of the Town Commission of the Town of Lauderdale-by-The-Sea, Florida, extending the sewer connection deadline for property owners in the Terra Mar section of Town until April 1, 2007; and providing an effective date.
- C. A resolution of the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, waiving parking meter fees on weekdays; providing for severability; providing an effective date.

12. OLD BUSINESS

- A. Discussion and/or action regarding the possibility of establishing a Town Ethics Committee (*Acting Assistant Town Manager Esther Colon for Town Manager Robert Baldwin*) (*tabled from November 28, 2006*)
- B. Discussion and/or action regarding the possibility of the Town providing trash collection (*tabled from January 9, 2007*)
 - 1. Discussion and/or action regarding the possibility of providing for an assessment for solid waste collection for residential customers
- C. Appointment of member to the Walk Around Committee (*Vice Mayor John Yanni*)
- D. Update regarding the Broward Sheriff's Office returning all Lauderdale-By-The-Sea fire equipment within Town limits as our taxpayers bought this equipment with their tax dollars (*Commissioner Jerry McIntee*) (*continued from January 9, 2007*)

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- E. Update concerning the members chosen for a committee to consider the grand marshal selection for the 2007 Fourth of July Celebrations (*Mayor Pro Tem Chuck Clark*) (*continued from January 23, 2007*)
- F. Discussion and/or action regarding a request for extension on the site plan for Bougainvillea Townhouse, located at 4417 Bougainvillea Drive (*tabled from January 23, 2007*)
- G. Discussion and/or action regarding the Florida Conflict Resolution Consortium (*Acting Assistant Town Manager Esther Colon for Town Manager Robert Baldwin*) (*tabled from January 23, 2007*)
- H. Discussion and/or action regarding Commission inquiries (*Town Manager Robert Baldwin*) (*tabled from January 23, 2007*)
- I. Discussion and/or action regarding a reconsideration of motion that passed on the Oriana site plan amendment application (*Town Attorney James Cherof*)

13. NEW BUSINESS

- A. Discussion and/or action regarding the possibility of providing a public monument to place names of those who have been honored (*Commissioner Jim Silverstone*) (*continued from January 9, 2007*)
- B. Discussion and/or action regarding the possibility of providing a speed hump on West Terra Mar Drive (*Mayor Pro Tem Chuck Clark*) (*continued from January 23, 2007*)
- C. Discussion and/or action regarding the selection of a professional engineering consultant (*Municipal Services Director William Mason*)
- D. Discussion and/or action regarding additional information to be recorded in order to clarify the land use on specific property (*Development Services Director Jim Bell*)

14. PUBLIC COMMENTS (*remaining members of the public to speak at this time*)

15. COMMISSIONER COMMENTS

16. TOWN MANAGER REPORT

17. TOWN ATTORNEY REPORT

- A. Report concerning Code Section 24-43(g) (*continued from January 23, 2007*)
- B. Request for a closed door session in accordance with the procedures set forth in Florida Statutes Section 286.011(8) to discuss the following pending litigation:

Case No. 06-1156(21), The Town vs. The Coastal Arms, Inc., James Edmonson, The Palm Yacht & Beach Club, Inc., Delrado, Inc. d/b/a El Dorado, in the Circuit Court of the 17th Judicial Circuit in and for Broward County, Florida

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.