



**TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
SPECIAL MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Tuesday, February 14, 2023
5:00 PM**

1. CALL TO ORDER, MAYOR CHRIS VINCENT

Mayor Chris Vincent called the meeting to order at 5:00 p.m. Also present were Vice Mayor Edmund Malkoon, Commissioner Alfred “Buz” Oldaker, Commissioner Theo Pouloupoulos, Commissioner Randy Strauss, Town Manager Linda Connors, Acting Town Attorney James White, Deputy Town Manager/Public Works Director Ken Rubach, Assistant to the Town Manager Courtney Easley, Director of Budget and Finance Lucila Lang, Development Services Director Jhanelle Campbell, Special Events and Marketing Manager Debbie Hime, and Town Clerk Katrina Adler.

PRESENTATION

Fire Department Contract

Mayor Vincent explained that the purpose of today’s meeting was to evaluate and discuss the current contract and services for the Volunteer Fire Department (VFD), as well as a proposal from the Pompano Beach Fire Department for fire suppression and emergency medical services (EMS). He noted that this is standard practice for the Town.

The Town is approaching the 90-day deadline for their extension of the VFD’s current contract, which was granted on November 30, 2022. The Town Manager informed the VFD of her intent to reach out to neighboring cities as well as the Broward Sheriff’s Office (BSO) for fire suppression proposals. The Town received a proposal from Pompano Beach that is within the budget and meets qualifications.

Town Manager Linda Connors emphasized that the Town honors and respects the VFD and what it has meant to Lauderdale-By-The-Sea since its inception. They have a contract with the Town, which means when that contract is due to expire, the Town considers other opportunities for services.

Town Manager Connors continued that the VFD’s staffing requirements are approximately \$900,000. The Town is required to provide maintenance for the building

Lauderdale-By-The-Sea
Special Town Commission Meeting
February 14, 2023

and vehicles, and must provide professional services. Pompano Beach offers fire as well as ambulance/EMS services.

Pompano Beach Fire Chief Chad Brocato stated that the proposal is for a partnership with the Town and its VFD, pointing out that the Pompano Beach Fire Department is already a mutual aid partner to Lauderdale-By-The-Sea. He emphasized that the intent is to help by offering an expansion of emergency services at a lower cost and to develop opportunities for existing volunteers.

Chief Brocato advised that the partnership proposal is significantly low due to capacity. He recommended that if the Town changes from the VFD model and partners with Pompano Beach, they may wish to develop a Community Emergency Response Team (CERT), which operates with volunteers. These members respond to large-scale disasters and provide support to firefighting operations.

Chief Brocato continued that the Town's 0.88 miles would be taken into consideration with regard to response time. The Town's most recent call volume is roughly 1651 for one year, which comes to roughly four to five calls per day. The recent audit of the VFD shows slightly longer response times than expected, with 90% of calls reached in six to seven minutes. Chief Brocato added that there would be consideration of implementing OptiComm electronics in the Town's intersections, which would signal traffic lights to change in order to allow emergency vehicles to move quickly through those areas and increase response times. Other considerations would be prevention and safety efforts. Pompano Beach has a full-time life safety educator.

Pompano Beach has been fiscally sound for the past five years, with an increasing tax base. This has allowed staffing to reach a secure level where it can be maximized, resulting in a less expensive model. The city is seeking an AAA bond rating.

Over the last five years, Pompano Beach's Fire Department has reshaped how it is paid. They have an EMS taxing district, a fire assessment fee, and lower reliance on the General Fund, as the fire assessment fee pays for more of the Department's services. This results in less fluctuation with the economy.

The Department has 256 full-time employees, which constitutes a mid-sized Department. They serve Pompano Beach, Sea Ranch Lakes, and Lighthouse Point. They have 29 support staff members and 205 dual Firefighter/paramedics. There are more paramedics than emergency medical technicians (EMTs). The Department also

Lauderdale-By-The-Sea
Special Town Commission Meeting
February 14, 2023

includes seven fire stations. They also have eight beach safety towers for lifeguard/ocean rescue services.

Chief Brocato advised that the Department is currently Class 1-rated, with an underlying score of 91.99 as of 2017. They were re-rated in 2022 with a higher grade, approaching 93. They are a Commission for Fire Accreditation International (CFAI) entity and hope to secure ambulance accreditation as well. These accomplishments provide external validation of the level of service provided.

The Department offers three service models:

- Model 1: run all of the Town's service calls from Station 11
- Model 2: have a single rescue in Town with three Firefighter/paramedics
- Model 3: have a fully staffed fire suppression unit and fully staffed ambulance, each with three people; all six of these people will be dual-certified

Chief Brocato recommended Model 3, noting that this unit would also receive backup from Station 11 as part of the response pattern rather than as a mutual aid partner. This means Station 11 would respond as part of the natural course of business.

The Department has a fully certified emergency manager and an emergency operations center (EOC) rated to withstand a Category 5 hurricane in Pompano Beach's Public Works building. They are also building a new facility that is in the Site Plan development stage. The Town would have a seat in the EOC during large-scale events.

The Town would be provided with a dedicated plans reviewer. The Department currently has nine inspectors and would provide scoring for the Town's properties as part of a vulnerability assessment to determine risks. They would also provide risk categorization and risk modeling.

Chief Brocato also recommended a resident ambulance building policy, which would mean Town taxpayers who do not have sufficient funds to cover the cost of transport would not be charged for this transport. Code would be amended to include language to this effect. Non-residents would be charged for using these services.

The Department would also establish temporal performance benchmarks. While they cannot control the dispatch services provided by BSO, they control turnout time, which is the time it takes for a call to come into radios or the Fire Station along with the time it takes to get to the apparatus. Current turnout time, as adopted by the Pompano Beach City Commission, is 90 seconds. This may be shorter in a smaller facility.

Lauderdale-By-The-Sea
Special Town Commission Meeting
February 14, 2023

The Department has a dedicated municipal representative for County-wide large-scale incidents. This provides a direct pipeline to entities such as Florida Power and Light (FPL) in the event of a major emergency. They also have full logistics support, which makes it easier to secure supplies for personnel. The Department would participate in Town events in a similar manner to the VFD.

The Department participates in regional associations and programs, such as the Fire Chiefs Association of Broward and the regional Operations Review Team (ORT). A member also serves on the Broward County EMS Advisory Council. Department personnel would participate in Town and Staff meetings to the extent desired by the Town Commission, and would include the Town in federal grant writing opportunities.

Chief Brocato noted that at present, Station 11 protects approximately 11,000 residents with one engine and one rescue vehicle. They would propose the same model for Lauderdale-By-The-Sea even though the Town's non-seasonal population is smaller than this.

Due to CFAI accreditation, the Department has a significant amount of data and can create customized reports based on the information the Town wants. This helps target education and prevention efforts as well. Community risk reduction efforts are required as part of accreditation and includes cardiopulmonary resuscitation (CPR) and other emergency training, such as use of automated external defibrillators (AEDs). The Department's emergency management side would provide a system of Federal Emergency Management Agency (FEMA) reimbursements.

Chief Brocato continued that each of the three models would allow the Town to save money. Model 3, which includes two fully staffed units, would be \$1.4 million. This contract would be capped at 2.5% per year with no ability to increase. He emphasized the partnership nature of the proposed relationship. Apparatus management will be included, and the reserve unit base continues to expand. The proposed apparatus for Model 3 would include one fully staffed engine and one fully staffed rescue vehicle, both of which can address multiple types of jobs, including both fire and EMS.

The lower-level models include a single-staffed rescue unit, which would cost \$950,000 less, and the Station 11 model, which would provide the greatest savings. Chief Brocato advised that if performance standards, such as response times, are not met, the report must explain why they were not met. Turnout time is reviewed daily.

Lauderdale-By-The-Sea
Special Town Commission Meeting
February 14, 2023

The Commissioners discussed the presentation, with Commissioner Strauss requesting a comparison of the service that would be provided under Model 3 and the Town's current service. Chief Brocato explained that he would need more information about the VFD and how their responses would be structured to make this comparison. He noted that while the Town's two American Medical Response (AMR) ambulances have room for two staffers, Pompano Beach's rescue unit can accommodate three. This means the unit can respond to a call without an accompanying engine, and two individuals can provide patient care in the unit while the third drives.

Commissioner Strauss also requested comparison of the proposed fire suppression unit to the Town's current unit. Chief Brocato replied that this truck would be outfitted with advanced life support (ALS) equipment. If the rescue vehicle is already out, the engine can respond to the emergency call with paramedics and EMTs and begin care before the rescue truck arrives on the scene.

Commissioner Strauss also requested additional information regarding EMTs versus paramedics. Chief Brocato confirmed that because most personnel are trained as paramedics, they would not have to wait for a paramedic to arrive.

Commissioner Strauss noted that the Town recently ordered a new fire suppression vehicle at a cost of roughly \$900,000. Chief Brocato advised that the Town would be able to keep this vehicle if they wish; however, if the Town chose otherwise, the Model 3 proposal would allow Pompano Beach to provide a vehicle with similar capabilities. He added that the Department has sufficient staffing to fulfill some of the Town's staffing requirements without immediately moving to hire more personnel.

Commissioner Strauss continued that he would like Chief Brocato to comment further on temporal performance so the Commission can have a better understanding of it. He concluded by addressing grant writing, noting that these grants could help pay for services provided or additional services that the Town may need. Chief Brocato replied that the Department has received EMS grants, a Helping Emergency Responders Obtain Support (HEROS) grant, and additional grant funds for ballistic vests, among other services and equipment. The Town would be included in these discussions.

Commissioner Oldaker requested clarification of whether or not Station 11 would regularly respond to a call. Chief Brocato explained that this Station would respond when all the Town's units are out. Should Station 11 be out as well, the response would be made by the next available Station. He emphasized that this was not the same as mutual aid.

Lauderdale-By-The-Sea
Special Town Commission Meeting
February 14, 2023

Chief Brocato continued that Broward County also has a program called Closest Unit Response, in which Pompano Beach plans to participate. In this program, jurisdictional boundaries are ignored and the unit located closest to the call would respond.

Commissioner Oldaker also asked for more information regarding how 911 service functions. Chief Brocato advised that the only two Broward County agencies not part of this service are Plantation and Coral Springs, which have their own systems. The Fire Chiefs Association and ORT are both involved with the 911 system and provide input on its programming.

Commissioner Oldaker also addressed capacity, requesting additional information on how existing staff might be absorbed into the new system. Chief Brocato reiterated that he recommends a fire suppression unit and a rescue unit, and would like to find ways for current VFD volunteers to have a “soft landing.” This would mean any properly qualified volunteers would be the Department’s first choices if hiring is necessary. He noted that there are already four former VFD members in Pompano Beach’s system. Pompano Beach is also opening its own Fire Academy, which would keep spots for any volunteers who do not currently have both levels of certification.

Commissioner Oldaker requested additional explanation of the concepts of an EOC and emergency manager coordinator (EMC), including how they would work with BSO and how these facilities would accommodate Town Staff. Chief Brocato advised that when a large-scale event occurs, an EOC would be activated with critical staff. It would control every aspect of a major emergency. One EOC is in place at the state level, with another at the County.

Chief Brocato continued that the Department has an emergency manager, with a subordinate EMC, both of whom are part of incident command. He noted that the current emergency manager previously worked for FEMA, which allows her a greater level of understanding of processes.

Commissioner Pouloupoulos requested a general understanding of the equipment available through Pompano Beach in comparison to the VFD’s current equipment. He asked which equipment would be stationed in the Town, as well as the height of the ladders that would be available. Chief Brocato replied that one truck would be a platform unit, which offers a higher ladder.

Lauderdale-By-The-Sea
Special Town Commission Meeting
February 14, 2023

Commissioner Pouloupoulos observed that the Town is considering the construction of a new Public Safety building, and asked if a larger ladder could be housed in this building or would need to remain at Station 11. Chief Brocato replied that the Town would need to have the ability to store larger trucks in the new building, and would advise them to build the facility higher to accommodate greater capacity.

Commissioner Pouloupoulos also asked if the Department would be capable of placing and staffing lifeguard stands in Downtown Lauderdale-By-The-Sea. Chief Brocato confirmed this, estimating that the Town's beaches could be sufficiently served with two lifeguards. This service could be provided at first with smaller facilities according to costs, with the potential to increase as necessary.

Commissioner Pouloupoulos addressed the escalation clause in the proposed contract, emphasizing the importance of removing any potential surprises from the document. Chief Brocato agreed, reiterating that costs would be capped at 2.5% each year.

Commissioner Pouloupoulos commented that if the Commission elects to enter into a contract with Pompano Beach, they should only consider the option that provides full staffing of the Town's Fire Station and Public Safety building rather than relying heavily on Station 11. He added that he would like the Town to provide lifeguards whether they remain with the VFD, contract with the Pompano Beach Fire Department, or secure lifeguard services through another vendor.

Vice Mayor Malkoon noted that the Town currently has a Beach Patrol, and asked if preferential places might be kept open for them at the Fire Academy under the Department's proposal. Chief Brocato stated that he was open to this possibility, but cautioned that the Town may wish to be cognizant of any liabilities that may arise.

Mayor Vincent observed that the Department's contract with Sea Ranch Lakes operates from Station 11, and asked how this would affect that Station's obligation to the Town. Chief Brocato replied that the closest unit response must respond to the highest level call. He pointed out that Sea Ranch Lakes' call volume is very low, which means less likelihood of higher-level calls.

Mayor Vincent also requested additional information about the 911 system, asking how internal communications would work to send additional vehicles or services as needed. Chief Brocato explained that the system is divided into zones, and in the event more service is needed, the unit in the field would call dispatch over their radio. Dispatch would then send the next available unit.

Lauderdale-By-The-Sea
Special Town Commission Meeting
February 14, 2023

With respect to lifeguards, Mayor Vincent asked if the placement of two lifeguards at one location, such as El Prado Park, could result in mass congestion or potential beach crowding by drawing all beachgoers to one location. Chief Brocato advised that he would reach out to the ORT to hear if this has been their experience.

At this time Mayor Vincent opened public comment.

Barbara Cole, resident, described the proposal before the Commission as the Town Manager performing due diligence to inform the Commission of the proposal and allow them to deliberate and proceed. She was impressed with the presentation.

Jim Silverstone, resident, advised that he is a volunteer Firefighter and former Fire Chief of Lauderdale-By-The-Sea, although he was speaking as a resident only. He did not feel the Pompano Beach proposal made sense according to that Department's 2023 budget, as payroll alone would appear to exceed \$2 million. He concluded that residents of Pompano Beach would ultimately be subsidizing the Town's Fire Department, and recommended closer review of numbers.

George Cahoon, resident, asked how it was possible that Pompano Beach's proposal was significantly lower than other proposals received from Broward County and Fort Lauderdale. He asserted that ambulance calls represent 80% of all calls in Pompano Beach, totaling roughly 29,000 calls in 2017, with 60% of calls transported to a hospital. He felt the number of calls to which the Lauderdale-By-The-Sea apparatus must respond would increase to the benefit of Pompano Beach.

Adam Yengovich, resident, felt the key question regarding the outsourcing of services was not the budget, but the level of independence the Town wants from Pompano Beach.

Amar Kapur, resident, described himself as an observer of tonight's meeting and did not wish to ask questions or respond.

Ron Piersante, resident, stated that while the VFD has done an excellent job, they have had difficulty recruiting personnel. He observed that the Town has changed significantly, with larger and more expensive properties that need protection which the VFD may not be able to provide. He concluded that the Pompano Beach Fire Department could provide better service for the Town.

Lauderdale-By-The-Sea
Special Town Commission Meeting
February 14, 2023

Scott Coles, resident, advised that he is a volunteer Firefighter and an Officer on the VFD's Board. He recommended that the Town seek additional detail regarding the costs quoted by the Pompano Beach Fire Department, noting that the proposed contract would be a long-term investment and the Town should ensure there are no additional options or expenses that could arise.

Elizabeth Karley, resident, felt the VFD was capable of protecting multimillion-dollar properties. She expressed concern that VFD personnel would lose their pensions if the service is taken over by Pompano Beach, and wished to see a dollar-by-dollar comparison between the VFD and Model 3, as she did not feel these costs would be equal. She also requested clarification of ownership of existing equipment.

Bob Karley, resident, stated that he is a member of the VFD. He felt the VFD is fully qualified to continue serving the Town and it would be a mistake to change to another service.

Ken Johnson, resident, advised that he is a member of the VFD. He also felt it is qualified to serve the Town, and noted that the concern for liability if lifeguards are retained should be considered further. He added that the VFD has also policed and cleaned the beach and roads after storms when Town Staff may not be available. He concluded that he did not agree with the numbers provided by Pompano Beach.

Ruth Stilwell, resident, noted that many Firefighters who began their careers in Lauderdale-By-The-Sea now work in Fire Departments throughout Broward County. by Firefighter/paramedics increases an individual's chances of survival. She felt the proposal by Pompano Beach was an opportunity to improve the quality of service available to the Town's residents.

Helen Roche, resident, expressed concern that Pompano Beach has a 49.37% crime rate, and that their stations would be farther away from the Town if an emergency call comes in. She also did not feel the proposed numbers were accurate, and felt the Town should look into how that Department's personnel would participate in Town events.

Jim Madgett, resident, asked if the Town's Fire Marshal would be replaced under the proposed Pompano Beach contract, and recommended against the possibility of this change.

Madeline Urbanski, resident, stated that in the event of an emergency, she would want certified Firefighters and medical personnel providing services, and pointed out that

Lauderdale-By-The-Sea
Special Town Commission Meeting
February 14, 2023

Pompano Beach's response times were better than the Town's. She requested clarification of Pompano Beach's engineered life support systems (ELSS) process.

Manny Fagundes, resident, felt the Town has an excellent VFD. He did not feel the numbers presented by Pompano Beach were fully accurate, and suggested that the Commissioners and Town Staff meet with VFD representatives to work through any issues necessary to strengthen the services they provide.

Daniel Adamski, resident, expressed concern that Pompano Beach is a large community with excess capacity, asking where resources would be allocated if a major hurricane or other emergency affected both municipalities.

Peggy Mohler, resident, advised that the VFD's leadership needs to change if the Town wishes to retain that contract. She felt there should be greater accountability and a full-time Fire Chief if the VFD continues to serve the Town.

Lauren Douglas, resident, asked what might happen in the area between Lauderdale-By-The-Sea and Station 11 in terms of closest unit response if it is not served by the Town's own Fire Station. She also requested more information regarding emergency response and participation in community events, suggesting that this could increase expenses if service comes from Pompano Beach.

Ken Brenner, resident, stated that the Commissioners should do what is in the best interest of the Town.

With no other individuals wishing to speak at this time, Mayor Vincent closed public comment.

Mayor Vincent added that the Town's regular Commission meeting would begin upon the conclusion of the special meeting.

Mayor Vincent observed that the VFD's contract has been extended while negotiations are underway, and recalled that a recent Fire Audit provided a matrix with findings in need of address within the new contract. At present, there is still no contract reflecting these findings, which led to the Town seeking other proposals. He emphasized that open negotiations with the VFD may continue.

Mayor Vincent continued that Model 3 does not suggest either fire apparatus or EMS services be based out of Station 11: both would be provided from within the Town, and

Lauderdale-By-The-Sea
Special Town Commission Meeting
February 14, 2023

services would not be provided to other municipalities unless there is a need for mutual aid. This is the same type of service agreement currently provided by the VFD. He also noted that budget concerns are secondary to the importance of public safety.

Vice Mayor Malkoon requested that Chief Brocato respond to residents' concerns as well. Chief Brocato replied that the \$1.4 million proposed budget is correct, pointing out the capacity that could be provided by the Department. With regard to response times, he stated that because the Department is accredited, they are required to capture every response time, and reiterated that the Town would retain its own dedicated Station and rescue services. The closest unit response is intended to get the closest unit available to the individual experiencing an emergency.

Chief Brocato also addressed the Fire Marshal's services, stating that he would prefer to retain Lauderdale-By-The-Sea's Fire Marshal, as there are openings for this position with Pompano Beach which need to be filled.

Vice Mayor Malkoon requested clarification of ELSS as well as what would happen to the Town's current equipment. Chief Brocato advised that the Fire Marshal would be better able to address ELSS, as it is within the Fire Marshal's area of expertise. Regarding the equipment, his goal would be to bring in a fully stocked rescue unit and fully stocked truck. Any equipment already owned by the Town would be in addition to these.

Vice Mayor Malkoon also noted that the VFD's pensions are independent of the Town. Town Manager Connors explained that the volunteer Firefighters' pensions would not go away if the Town opted to contract with the Pompano Beach Fire Department. Options would include closing the pension and disbursing the money, or closing the pension and continuing to allow it to run through its lifetime without additional deposits. She clarified that the VFD's elected officials, and not the Town, would ultimately make this decision.

Chief Brocato also addressed ELSS, advising that the Department would speak with the current Fire Marshal regarding these systems. He reiterated that it is possible the Fire Marshal would be retained by the Department to continue monitoring some residences' ELSS, emphasizing the importance of partnership to maintain the systems designed for buildings.

Vice Mayor Malkoon commented that the issue of potential change before the Commission tonight is fundamentally different than the previous decision made

Lauderdale-By-The-Sea
Special Town Commission Meeting
February 14, 2023

regarding the VFD several years ago. He explained that the Commissioners had received an email from a resident regarding the question of professional Fire services, after which the Town Manager and Deputy Town Manager/Public Works Director carried out due diligence to look into the option of contracting with the Pompano Beach Fire Department.

Vice Mayor Malkoon continued that his concerns include potential budget issues, as well as the possibility of unexpected additional charges, both of which have been addressed through discussion of the 2.5% escalatory fee. He was also sensitive to the VFD members and their legacy. He noted that no members of the VFD have reached out to him in his capacity as an elected official, and added that tonight's meeting was scheduled in order to provide information about consideration of Pompano Beach's offer, as inaccurate information was beginning to spread throughout the Town.

The Vice Mayor concluded that he felt the service offered by the Pompano Beach Fire Department is better and less expensive. He had no issue with exploring the negotiation of a contract.

Commissioner Oldaker commented that he received only one call from a member of the VFD, as well as one call from a representative of AMR. He expressed concern that AMR has not had a regular presence at Commission meetings. He concluded that he was certain Town Staff would ensure whichever entity is selected to provide fire protection services will remain part of Town events.

Mayor Vincent also stated that no member of the VFD's leadership has communicated with him on this subject. He was concerned with the possibility of moving forward with leadership he did not trust and which has not responded to the concerns raised in the audit through a new contract. He also noted that there are recruitment issues with the VFD and felt concern for the organization's future should its current leadership decide to retire.

Mayor Vincent continued that the Pompano Beach Fire Department's access to resources is a factor in the Commission's consideration, and that he was not certain whether or not the VFD had similar access if a crisis should arise. He also shared the public's concerns regarding response time, which was why Model 3 was the only option under consideration.

Commissioner Pouloupoulos observed that tonight's meeting is not a referendum on the character of the VFD's members, but a consideration of public safety. He reiterated that

Lauderdale-By-The-Sea
Special Town Commission Meeting
February 14, 2023

he would be willing to consider taking on the additional expense of lifeguards if that is the Town's wish. He also felt the Town should only pursue Model 3, which would continue to provide service from the Town's Fire Station.

Town Manager Connors reminded the Commission that tonight's vote would provide direction to Staff to proceed with negotiating a contract. The contract itself will come back to the Commission at a later date for further deliberation and a vote.

Commissioner Oldaker emphasized the importance of the Pompano Beach Fire Department's EOC, which he felt was a vital component of any prospective contract. He recalled the impact of the 2022 hurricane season on other Florida municipalities, and pointed out that the EOC would allow for the designation of resources where they are needed in the event of an emergency.

Chief Brocato advised that the Department's EOC serves the areas in which services are provided. The County has a separate EOC from which resources would be requested in an emergency. There would also be outreach seeking state and/or federal resources depending upon the severity of the event and what is needed.

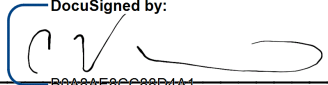
Commissioner Strauss commented that he also was not contacted by the VFD, although he had had a conversation with one of its members. He asserted that his decision would be based solely on public safety needs, and would reserve judgment on the numbers involved until a contract has been brought forward.

Mayor Vincent concluded that he has also spoken with AMR Chief Brooke Liddle and thanked him for his service to the Town.

Commissioner Strauss made a motion, seconded by Commissioner Oldaker, to ask the Town Manager to proceed with a contract agreement with the city of Pompano Beach for the purposes of providing the services presented tonight. Motion carried 5-0.

2. ADJOURNMENT

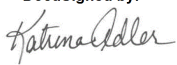
With no other business to come before the Commission at this time, the meeting was adjourned at 7:30 p.m.

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Lauderdale-By-The-Sea
Special Town Commission Meeting
February 14, 2023

Mayor Chris Vincent

ATTEST:

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Town Clerk

3/21/2023

Date