



**TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
SPECIAL MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Tuesday, February 27, 2024
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, Town Attorney Susan Trevarthen, Deputy Town Manager/Public Works Director Ken Rubach, Assistant to the Town Manager Courtney Easley, Development Services Director Jhanelle Campbell, Director of Budget and Finance Lucila Lang, Assistant Finance Director Edner Saint-Jean, , and Town Clerk Katrina Adler.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. PRESENTATION

a. BSO Update

Broward Sheriff’s Office (BSO) Captain Bill Wesolowski reported that because an active death investigation is ongoing by BSO’s Homicide Unit, he is not authorized to answer specific questions related to the death of Sloan Mattingly. He is, however, authorized to address two misconceptions regarding the tragedy, one of which is related to the size of the hole in the beach. While aerial footage shows a hole approximately 15 ft. wide, the original hole into which the two children fell was no wider than 3 ft. when first responders arrived.

Captain Wesolowski explained that the enlarged size of the hole was the result of Deputies, paramedics, and many volunteers who attempted to remove the two victims from the sand. The hole collapsed further as first responders approached it and excavated sand.

The second misconception relates to how the hole was dug. Captain Wesolowski stated that a second hole was dug roughly 10 ft. away from the hole dug by the children. The second hole was wide, but no deeper than 2 ft.

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Captain Wesolowski reiterated that he cannot answer other questions related to the ongoing investigation, and referred any additional questions to BSO's Public Information Officer (PIO).

4. PUBLIC COMMENTS

At this time Mayor Vincent opened public comment, requesting that all speakers identify themselves by name and address.

John Graziano, Spanish River Drive, emphasized the importance of the Town's beach, and asserted that the greatest priority should be protections for users of the beach.

Michael Morelli, 500 N. Ocean Boulevard, advised that safety concerns include large holes dug on the beach, surf fishing during the day, and loose dogs. He suggested that the Town consider creating a new paradigm for "eyes on the beach."

Howard Goldberg, 1960 Ocean Mist Drive, pointed out that safeguarding the community and providing safe beaches have been topics of discussion for many years, including during the recent transition from the Volunteer Fire Department (VFD) to the Pompano Beach Fire Department (Pbfd) for services. He felt the Town should undertake a study to consider lifeguard services, and urged the Commission to consider beach patrols and make appropriate changes.

Bob Karley, 242 Bombay Avenue, advised that he has been a member of the VFD and participated in beach patrols. He extended condolences to the victim's family.

Sherri Kimbel, 241 N. Tradewinds Avenue, noted that a number of individuals from outside the Town had represented themselves to the press as "spokespersons." She emphasized the importance of the Town providing its own comments and ensuring that any individuals speaking for the Town are authorized to do so.

Spiro Marchelos, 2 Commercial Boulevard, spoke in favor of professional lifeguards on the Town's beach to supplement the services provided by BSO. He pointed out that tourists from landlocked areas may have little knowledge of dangers on the beach and in the ocean. He felt the Town can find the funds to provide this service.

Leslie Richardson (address not provided) stated that the tragedy should not be used as an excuse to spend more taxpayer money on unnecessary services. She felt the Town's response should be common sense rather than virtue signaling. She concluded that an

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addition to the existing beach signs warning against holes dug in sand would be sufficient.

Jackie Rabino, 266 Oceanic Avenue, agreed with Ms. Richardson's comments, adding that the incident was a freak accident and recommending that signage be updated to caution against digging holes on the beach.

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

5. DISCUSSION ITEM

Mayor Vincent stated that he would like to direct Staff to bring back, within 30 days, ideas and suggestions for improvements that could help prevent tragic accidents in the future. This would include a complete review of current Ordinances as well as Broward County and Florida laws. He also recommended review of the regulations of other beachfront communities and clear recommendations on necessary changes.

Once this information has been provided, the Commission will proceed toward taking action on those recommendations and ideas as responsibly as possible. Mayor Vincent emphasized that the Commission will hear further public input. He concluded that there should be no rush toward any decision until all information has been made available to the Commission and to residents.

Mayor Vincent read a note from the family of Sloan Mattingly thanking the Town and its residents for their compassion and urging the Town to use this tragedy to ensure greater safety on the beach.

Town Manager Linda Connors requested that the Commission provide Town Staff with direction on what they would like to see further researched on any of the three Discussion Items. She noted that Staff is also awaiting BSO's final report and cannot estimate a timeline for that report's completion.

Vice Mayor Malkoon extended his condolences to the Mattingly family, and thanked the men and women of the PBFD and BSO who were present at the scene of the tragedy for their efforts. He felt a discussion of the items on tonight's Agenda, as well as potentially taking action on them, was a responsible way to proceed. While a new Commission will ultimately make a decision on how to move forward, the current Commission can take steps to gather information.

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Vice Mayor Malkoon also noted that spring break is approaching, and recommended consideration of additional patrols on the beach from BSO as well as from Citizen Observer Patrol (COP) program volunteers.

Commissioner Oldaker emphasized the importance of remaining unified as a Commission and as a community. He felt the Commission's highest priority is public safety. While the Town has not traditionally had lifeguards on its beach, he felt it is important for the community to decide together how they want to move forward, and encouraged dialogue toward this goal.

Commissioner Strauss advised that tragedies such as this one occur with more frequency than suspected along the U.S. coast and should not be considered a freak accident. There are questions, however, as to whether having a lifeguard on the beach can mitigate the risk of similar events. He agreed that more investigative work is needed by Town Staff to make this determination.

Commissioner Strauss recommended that the Town Manager not limit this research to the PBFD, but also consider input from Fire/Rescue services in Fort Lauderdale, Hollywood, Deerfield Beach, and other neighboring coastal communities. This research should consider how lifeguard services are structured, including distance, days and hours of service, and what is expected of lifeguards.

Commissioner Strauss also agreed with Vice Mayor Malkoon that extended beach patrols should be considered during spring break.

Commissioner Pouloupoulos stated that he wished to make sure this tragedy does not happen again. He felt safety should be prioritized over a small addition to the Town's budget, and pointed out that most beaches in municipalities with a high tourist presence have lifeguards.

Commissioner Pouloupoulos also shared the Vice Mayor's and Commissioner Strauss's concerns regarding increased beach patrols during spring break. He pointed out that swimmers on the Town's beach have been rescued from dangerous riptides, and that public safety should consider visitors who may not have experience with swimming in the ocean.

a. Lifeguard Discussion

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Mayor Vincent advised that lifeguards cannot be provided only on an isolated segment of the beach, but would need to protect the entirety of the beach. There are numerous beach portals along El Mar Drive alone which provide public access. The Town will need to determine the portals at which lifeguards would be posted.

Mayor Vincent also noted that future discussions should address whether lifeguards must be posted behind all beachfront condominiums and their public “cut-through” areas. He cautioned against the false impression that lifeguards at multiple locations on the beach would automatically ensure safety.

Mayor Vincent reiterated that Town Staff would need to bring back viable and concrete evidence to substantiate recommendations to a future Commission so those Commissioners can make the right decisions.

b. Ordinance Discussion Regarding Digging on the Beach

Commissioner Strauss stated that he would like the Commission to direct the Town Manager to seek out ordinances in other beachfront communities, possibly throughout the Florida coast, as well as rules and regulations that are not necessarily in ordinance form. He felt this would be necessary in order for the Commission to understand what can and cannot be legally implemented and enforced.

Commissioner Oldaker suggested that Staff provide a matrix of the items included in other communities’ ordinances and regulations for purposes of comparison.

Vice Mayor Malkoon observed that the Commissioners’ backup materials include Broward municipalities’ ordinances, and pointed out that the Town has an existing Ordinance with regard to digging in public parks. He felt this could be amended to include the beach and additional signage could be provided.

c. Memorial for Sloan Mattingly

Commissioner Strauss noted that the Town recently implemented a process for the dedication of memorials, and requested that the Town Manager further investigate the use of this process to create a memorial if the Town wishes to proceed with that step.

Town Manager Connors advised that the Town’s Public Information team is already working to develop an expanded beach campaign to educate residents and visitors. This will include information on the Town’s website and social media accounts as well

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as on printed materials provided to hotels, businesses, vacation rentals, Town Hall, the Visitors Center, and condominium associations. Staff recommends partnering with Visit Florida in order to share information on potential hazards with residents, visitors, and the entire state of Florida. Florida State Senator Jason Pizzo and State Representative Chip LaMarca have both reached out to Lauderdale-By-The-Sea to assist with this broader educational campaign.

Town Manager Connors continued that Staff will review the Town's Beach Ordinances and regulations and compare them to those of other municipalities in Broward County and throughout Florida. This information will be provided to the Commission so they can make an informed decision on how to move forward with lifeguards and/or other opportunities for beach patrols.

With regard to expanded beach patrols during spring break, BSO will provide an update at the next Commission meeting. Within the next few days, the Public Works Department will create a safety lane and BSO will increase its patrols on the beach.

Commissioner Oldaker suggested that the Town consider providing address markers for buildings along the Town's beach for visitors who are less familiar with the area. This could expedite any emergency rescue calls by providing specificity. The markers would be similar to house numbers, but would face the beach side. Mayor Vincent noted that there are numbered buoys on the beach for this purpose, but agreed that additional steps could be considered.

6. ADJOURNMENT

With no other business to come before the Commission at this time, the meeting was adjourned at 5:56 p.m.



Mayor Edmund Malkoon

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ATTEST:



Katrina Adler, Town Clerk

4/15/2024 | 6:40 AM PDT

Date