

Town of Lauderdale-By-The-Sea

Regular Town Commission

Agenda

Tuesday, January 28, 2025

6:30 PM



Jarvis Hall 4505 N. Ocean Drive
www.Lauderdalebythesea-fl.gov

LAUDERDALE-BY-THE-SEA TOWN COMMISSION

Mayor Edmund Malkoon
Vice Mayor Randy Strauss
Commissioner Richard DeNapoli
Commissioner John A. Graziano
Commissioner Theo Pouloupoulos

Linda Connors, Town Manager
Susan Trevarthen, Town Attorney
Katrina Adler, Town Clerk

Regular Town Commission

Tuesday, January 28, 2025, 6:30 PM
Jarvis Hall 4505 N. Ocean Drive

1. **CALL TO ORDER, MAYOR EDMUND MALKOON**
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **INVOCATION by Pauline Brooks McGuinness representing the Bahai Faith**
4. **ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS**
5. **PRESENTATIONS**
6. **PUBLIC COMMENTS**
7. **PUBLIC SAFETY DISCUSSION**
 - 7.a. BSO December 2024 Public Safety Report
 - 7.b. PBFD December 2024 Public Safety Report
8. **TOWN MANAGER REPORT**
 - 8.a. Town Manager Report
 - 8.b. Development Services Report
 - 8.c. October, 2024 Finance Report
 - 8.d. November 2024 Finance Report
9. **TOWN ATTORNEY REPORT**
10. **APPROVAL OF MINUTES**
 - 10.a. Approval of Minutes for January 14, 2025.
11. **CONSENT AGENDA**
 - 11.a. RESOLUTION 2025 - 08: A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AUTHORIZING AN AMENDMENT TO THE TOWN'S PERSONNEL POLICIES MANUAL CODIFYING ITS EXISTING TELECOMMUTING POLICY; PROVIDING FOR IMPLEMENTATION, CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.
 - 11.b. Lauderdale-By-The-Sea Woman's Club request for Jarvis Hall Use and Parking Permit Request for FY25
12. **OLD BUSINESS**
13. **NEW BUSINESS**
 - 13.a. Special Event Application: LBTS Chamber Health Fair 02.08.25

13.b. Town Manager Review

13.c. Resolution 2025-09: A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING A REVOCABLE LICENSE AGREEMENT WITH HAMILTON'S VALET SERVICES, INC FOR THE USE OF THE TOWN PARKING FACILITIES LOCATED AT 4312 S. OCEAN DRIVE; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

13.d. Charter Review

14. COMMISSIONER PRESENTATIONS

15. COMMISSIONER COMMENTS

16. ORDINANCES 1st Reading

17. ORDINANCES 2nd Reading

18. RESOLUTIONS – PUBLIC COMMENTS

18.a. RESOLUTION 2025-06: A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING A PURCHASING CARD POLICY; PROVIDING FOR INCORPORATION INTO THE TOWN'S PURCHASING MANUAL, IMPLEMENTATION AND AN EFFECTIVE DATE.

19. QUASI JUDICIAL PUBLIC HEARINGS

20. 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) 640-4200 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 ENSURE THAT A VERBATIM RECORDING OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

PROCEDURES FOR PUBLIC COMMENTS:

Public Comments may address issues that are not on this meeting's agenda, but should relate to the business of the Town, and should not contain personal attacks. If your comment requires follow up, the Town Manager will have a staff person respond to your concerns, and will advise us of the outcome.

The Town Clerk will read off the names of those who have signed up to speak. When your name is called, please come to the podium, state your name for the record, and indicate whether you are a Town resident. Do not state your address. You have up to three minutes to make your comments, but there is no requirement to use the entire time. If you wish to address a particular Commissioner or member of Town Administration, please do so by use of their title.

If you wish to approach the Commission dais to hand out a document or for some other reason, please request permission and state your reason for doing so. All documents to be provided to the Commission should be handed to the Town Clerk for distribution.

These procedures have been developed to assure that the Town Commission meeting time is efficiently used, and that meetings are conducted in a polite and respectful manner. More information on the decorum rules for Town Commission meetings is available in Section 2-23 of the Town Code of Ordinances.

INVOCATION:

The Invocation before each Town Commission meeting is a voluntary service of a private citizen, offered to serve the spiritual needs of the members of the Town Commission and solemnize the meeting. It is not intended to be an opportunity to advance or disparage one faith or belief over another. The views expressed in the Invocation have not been previously reviewed by the Town and do not necessarily represent the beliefs of any Town employee or official. No person is required to be present at or participate in the Invocation, and the decision whether to be present or participate in the Invocation will not affect any person's right to actively participate in the official business of the Town or obtain any benefit from the Town. The Town's written Invocation policy is available on its website, and upon written request to the Town Clerk.all static



Agenda Item No: 7.a.

Town Commission Agenda Item Report

Meeting Date: January 28, 2025

Submitted By: William Wesolowski, Captain, Broward County Sheriff's Office

Submitting Department: Administration

Item Type: Public Safety Discussion

Agenda Section: PUBLIC SAFETY DISCUSSION

Subject Title: BSO December 2024 Public Safety Report

Explanation: BSO December 2024 report prepared by Captain William Wesolowski.

Recommendation: Accept/Approve

Exhibits:

1. BSO December 2024 Report



Sheriff Gregory Tony, Ph.D.

Date: January 3, 2025

To: Linda Connors
Town Manager

From: Captain William Wesolowski
Commander, Lauderdale by the Sea District

Subject: BSO Public Safety Report- December 2024

PERSONNEL CHANGES:

None

EMPLOYEE OF THE MONTH: Deputy Manuel Alvarez-Jacinto

On Saturday, December 28th, 2024, at approximately 3:38 A.M., LBTS deputies responded to a sick/injured person call on the beach behind the Sea Watch on the Ocean Restaurant, located at 6002 N Ocean Blvd. The caller stated that his boat had broken down near Bimini and he had broken his leg after he jumped onto the sand when his boat drifted ashore in LBTS. Deputy Alvarez, who is currently on the BSO sergeant's promotional list, was on the scene as the Deputy-in-Charge and questioned the Bohemian boat captain, who claimed he was on the boat alone. Through his training and experience in similar instances, Alvarez quickly saw through the captain's web of lies and requested BSO's aviation unit, as well as additional deputies from the Pompano Beach District, to assist in looking for migrants who may have fled from the vessel.

Utilizing the FLIR Thermal Imaging Cameras aboard BSO's Helicopter, deputies located eleven (11) Chinese immigrants hiding in the Seagrape trees behind the Sea Watch Restaurant. When the scene was secure, Deputy Alvarez notified his immediate supervisor, Lt. Sutter. Prior to Lt. Sutter's arrival, Deputy Alvarez had already contacted the United States Border Patrol and BSO's Homeland Security Unit, who both responded to the scene to process the immigrants and take custody of the boat captain. Deputies were later informed that the Border Patrol would be filing criminal charges with the United States Attorney's Office against the captain.

Deputy Alvarez's diligence and management of this complex scene led to the successful apprehension of a possible human trafficking suspect. For this, Deputy Alvarez is awarded the Deputy of the Month of the Lauderdale by the Sea District for December 2024.

COMMUNITY PROGRAMS AND SERVICES: These ancillary programs and services are available to residents on an ongoing basis.

- **Elder Links:** This program offers referral services to elderly residents and other senior citizens in need of medical and mental health care, meal delivery or other social services.
- **Business and Residential Security Surveys:** The Business and Residential Security Survey program teaches participants to secure their business, home, or condominium to reduce the likelihood of burglary and theft. Security surveys, conducted by a certified law enforcement security specialist, are provided upon request, at no charge to the business owner or resident.
- **Vacation House Watch Program:** Residents who are traveling out-of-town may register for this program. Deputies will conduct periodic checks of their residence until their return.
- **Neighborhood Crime Prevention Program:** The Neighborhood Crime Prevention program liaison organizes and conducts crime prevention and security seminars at the request of neighborhood civic and condominium associations. We will also help facilitate any Neighborhood Crime Watch programs in which the residents wish to participate.
- **Identity Theft and Scam Prevention Program:** The Identity Theft and Scam Prevention program is designed to inform residents about identity theft and how to lessen their chances of becoming a victim of a scam. Residents are informed on the importance of shredding documents, awareness of suspicious individuals, protection of passwords and use of caution in revealing information. Our Shred-A-Thon to reduce identity theft event is incorporated into this program.
- **Enhanced Marine Law Enforcement Patrol Program:** The BSO Marine Patrol Unit participates in the Enhanced Marine Law Enforcement Grant on behalf of Lauderdale-by-the-Sea. This grant allows for additional maritime patrols throughout the Town's waterways and adjacent ocean area.
- **Citizen Observer Patrol (COP) Program:** COP volunteers are local residents who receive public safety training. They are a tremendous asset to the Town of Lauderdale-by-the-Sea. COP members alternate assisting in administrative duties or patrolling local neighborhoods as an extra pair of eyes and ears to supplement deputy sheriff patrols. COP members also attend monthly patrol information and criminal intelligence briefings. A summary of COP statistical activity is included at the end of this report.
- **Sexual Offender Tracking Program:** There are **no** individuals legally classified as a sexual offender residing within Town limits. The sex offender database is routinely checked by BSO to ensure compliance with State of Florida legal mandates. Existing

municipal ordinances prohibit persons classified as sexual offenders or sexual predators from residing within Town limits.

- **Bicycle Patrol:** Deputies utilize specialized patrol bicycles to enhance public safety and community outreach. This mode of patrol allows the deputies to interact one-on-one with our residents and visitors. Deputies conducted 0 hrs. of bike patrol.
- **All-Terrain Vehicle Patrol:** The ATV / Polaris are primarily utilized on the beach areas in order to conduct patrols to deter criminal activity and maintain the security of the beach-area properties. The ATV patrol is instrumental in marine fisheries regulation enforcement and protection. Deputies used the ATV / Polaris for 139 miles and 24 hours this month.
- **Crisis Intervention Team / Homeless Outreach Team Programs:** The C.I.T. / H.O.T. program is comprised of specially trained patrol deputies and supervisors who are able to intervene in situations involving persons with mental illness or are otherwise experiencing mental health crises or are homeless and in need of services. Seven (7) individuals were experiencing a mental health crises and were Baker Acted. Three (3) individuals experiencing homelessness were contacted during this period. Two individuals refused services and one individual was transported to Henderson Clinic.
- **Automated License Plate Reader Camera System:** The ALPR system installation was completed in October 2014. The system is proving to be an effective tool to Public Safety. ***See Notable Incidents/Arrests below.***
- **e – Alerts:** This information initiative allows Town residents to stay informed, via email or text messages, of important topics such as criminal activity, traffic information, upcoming events, security issues and other important public safety information throughout Broward County and Lauderdale-by-the-Sea. Residents can register for this program through either the Lauderdale-by-the-Sea or the Broward Sheriff's Office internet website @ www.sheriff.org.
- **Electronic Message Board:** The BSO Lauderdale-by-the-Sea district continues to utilize the electronic traffic safety message board at various locations within the Town. This allows the district to alert residents about any traffic problems and other important public safety issues impacting them.
- **SaferWatch:** SaferWatch is an application (app) that gives citizens the power to record or report non-emergency incidents as they happen. It provides another option to the "If you see something, say something" message and allows individuals that "If you see something, SEND something" via a mobile application (app) from your smartphone.
- **TWITTER:** The Broward Sheriff's Office has provided an official Twitter account to Captain Wesolowski and Lieutenant Sutter to provide information to the public via social media. Follow us @BSOLBTS.

SPECIAL EVENTS: These events required the participation of the BSO LBTS district.

On Wednesday, December 4, 2024, the Town of Lauderdale by the Sea hosted the annual Christmas by the Sea event in Anglin's Square. The Broward Sheriff's Office Lauderdale by the Sea District assisted with road closures and crowd control for the event. The district tent and prize wheel were set up and district giveaways were provided to attendees by district personnel, COP's and NST member Ciara Bostick. Bomb Squad K-9's conducted a sweep of the event space prior to the event and the sheriff's display jeep was utilized as a static display. Colonel Holmes, Lt. Colonel Samaroo, Major Ellwood, Major Palmer, Captain Wesolowski and Lt. Sutter attended. An additional 42 deputies and COP's assisted with the event at no cost to the town.

On Saturday, December 7, 2024, the Broward Sheriff's Office Special Events and Logistics Unit, along with the Lauderdale by the Sea District conducted a Shred-A-Thon / Operation Medicine Cabinet event at Assumption Catholic Church. The results of the event are: 160 vehicles, occupied by 176 persons including walk-ups, with 5,000 lbs. of material shredded. Three large boxes of prescription drugs collected for destruction.

On Saturday, December 14th, 2024, the annual Winterfest Boat Parade was held along the Intra-Coastal waterway. The Commercial Boulevard bridge was locked in the upright position from approx. 8:30PM to 11:00PM, necessitating a mandatory U-Turn for westbound Commercial Boulevard vehicular traffic. An Operational Plan was formulated and supervised by Sergeant Ramirez. Five LBS District COP's assisted with redirecting traffic at the U-Turn. No reported issues.

On Sunday, December 29, 2024, the Chabad by the Sea held their annual Chanukah Festival in Jarvis Hall. The event was originally planned to be held in the Pavilion and Dune's Plaza but was changed to Jarvis Hall due to weather concerns. BSO Bomb Squad K-9's conducted a sweep of both event spaces prior to the event. BSO deputies and COP's assisted with security for the event. Lt. Sutter attended.

NOTABLE INCIDENTS / ARRESTS:

CASE: 13-2412-000030 (Dep. Hopkins)
DATE/TIME: Occurred 11/27/24 23:00 hrs. – 11/28/24 02:00 hrs.
LOCATION: 4305 N Ocean Drive Apt 2
VICTIM: Michael Guaraldi, W/M 9/5/70
INCIDENT: Grand Theft
SUMMARY: On December 2, 2024, the victim reported that on November 27, he invited two male subjects to his residence for cocktails after meeting them online. The two subjects, one of which was named Phil came over and the victim reported he fell asleep and woke up at approximately 0200 hrs. Once awake, both subjects were gone as was his cell phone, laptop computer, wallet, and credit cards. Google Nest video may be available for review.

CASE: 13-2412-000140 (Deputy Reis/ Dep Klier)
DATE/TIME: 12/05/2024 @ 1634 HRS
LOCATION: 1800 Block S Ocean Blvd
DEFENDANT: Julio Vasquez, WM DOB: 09-15-1995
VEHICLE: Tesla Cybertruck
INCIDENT: Traffic Other (Arrest)
SUMMARY: Deputies were dispatched to the above area location in reference a vehicle in the

sand on the beach. Investigation revealed the driver unlawfully entered the Beach via Sea Watch restaurant Parking lot and drove his Cybertruck on the beach northbound. The vehicle was escorted off the beach via the same entry point. NTA issued.

CASE: 13-2412-000159 (Deputy Klier)
DATE/TIME: 12/06/2024 @ 1014 HRS
LOCATION: 1439 S Ocean Blvd
VICTIM: Andre Robitaille, WM DOB: 11/23/1950
INCIDENT: Bicycle Theft
SUMMARY: The victim believes that sometime back in May 2024, unknown suspect(s) stole/removed the victim's two bicycles from the building's bike storage room. This bike storage room is accessible to all residents and is unlocked. There was no video, serial numbers or witnesses to this alleged incident. The victim also advised while away in Canada, he has allowed others to utilize his bicycles. The victim signed an affidavit.

CASE: 13-2412-000205 (Deputy Roach)
DATE/TIME: 12/07/2024 at 23:10
LOCATION: 296 Commercial Blvd
ARRESTEE: Lisa Halprin (W/F 08/02/1968)
VEHICLE 1: Black BMW X5 SUV (FL tag IL18LL)
VEHICLE 2: Red Jeep Wrangler
INCIDENT: Traffic Crash / DUI (Arrest)
SUMMARY: V1 was traveling on Commercial Blvd (parallel to V2) as both vehicles were at a speed of approximately 30 mph. V1 was in the right lane and V2 was in the left lane. V1 made a lane change and failed to use due care. As a result, the driver side of V1 smashed into the passenger side of V2, causing a flat tire to V2 and heavy damage to both vehicles. DUI task force responded to the scene and determined that Halprin was impaired. She was placed into custody and transported to the Main Jail.

CASE: 13-2412-000220 (Deputy Ogando)
DATE/TIME: 12/08/24 @ 17:38 Hrs.
LOCATION: 1500 W. Commercial Blvd.
ARRESTEE: Lynda Faye W/F 12/19/66
VEHICLE: Toyota Highlander FL Tag 80DDTB
INCIDENT: DUI (Arrest)
SUMMARY: Deputy Ogando observed the listed vehicle swerving in/out of traffic, breaking suddenly several times for no apparent reason, and stopping in the roadway obstructing traffic. Traffic stop was conducted on the vehicle and the driver was determined to be under the influence of alcohol. Arrestee was transported to BAT where she refused all exercises and tests. TOT main jail.

CASE: 13-2412-000263 (Deputy Boyian)
DATE/TIME: 12/9/24 @ 2354 hrs.
LOCATION: 4000 BLK of N. Ocean Dr. Ft. Lauderdale
ARRESTEE: Michael Evan Leif
VEHICLE: Gray Ford SUV FL Tag RLE716
INCIDENT: DUI/Narcotics (Marijuana)/Tag Not Assigned (Arrest)
SUMMARY: A motorcyclist called 911 while he was at Commercial Blvd/Federal Hwy regarding a man passed out at the steering wheel of his vehicle. The motorcyclist continued and flagged down Deputy Boyian at Commercial and N. Ocean Dr. While the motorcyclist was speaking with Deputy Boyian, the vehicle in question passed by. Deputy Boyian initiated a traffic stop at 4000

N Ocean Dr in Ft. Lauderdale. Tag was not assigned to the vehicle. After further investigation, it was determined the driver was impaired. BSO DUI Task Force Deputy responded. The driver was transported to BSO BAT and then to the Broward County Main Jail.

CASE: 13-2412-000362 (Deputy Figueroa)
DATE/TIME: 12/14/2024 at 18:39 Hrs.
LOCATION: 2 Pine Ave
ARRESTEE: Alberto Medina (H/M 04/17/1973)
VEHICLE: White Toyota Tacoma (FL tag 96BJCP)
INCIDENT: Traffic (Arrest)
SUMMARY: Deputy Figueroa responded to a call of a vehicle stuck on the beach sand. Investigation revealed that Alberto Medina drove the listed vehicle through the Pine Ave Portal, onto the beach, in order to collect items that were used on the beach for a party. The vehicle was subsequently removed from the beach by Westway Towing. There were no damages to property or the environment. Medina was issued an NTA for violation of F.S.S.161.58 (3).

CASE: 13-2412-000380 (Deputy Pitulan/Salmon)
DATE/TIME: 12/15/2024 @ 2153 hrs.
LOCATION: 4321 N Ocean Dr.
INCIDENT: Theft (Petit)
SUMMARY: A B/M, approximately 6'1", wearing a black shirt with gold lettering and gray pants, went inside Walgreens Liquor store and walked out with 7 bottles of alcohol (3 Tequila and 4 Cognac) without paying for them. The subject appeared to walk northbound through the parking lot. Area canvass was conducted but the subject was not located. Walgreens manager advised they wish to prosecute and completed a theft affidavit. BWC

CASE: 13-2412-000424 (Deputy Pitulan)
DATE/TIME: 12/17/24 (2240 hrs.)
LOCATION: 4319 N Ocean Blvd
ARRESTEE: Chasidy Accius B/F 08/23/92
VICTIM: Walgreens
INCIDENT: Theft (Petit) (Arrest)
SUMMARY: Walgreens called in reference to a theft that had just occurred. The B/F suspect entered the store collecting several cosmetic items, passing all points of sale, then exiting the store without attempting to purchase any of the items. Deputy Suarez located the suspect on N Ocean Drive, and she immediately fled on foot eastbound on Commercial Blvd. Deputies were able to apprehend the suspect on Commercial Blvd just east of N Ocean Drive. The Arrestee was found to be in possession of all the stolen items totaling the amount of \$692.70. A show-up was conducted with the Walgreens clerk who made a positive identification. The Arrestee was charged with Petit Theft < 750 and Resist Officer W/O. TOT to Main Jail.

CASE: 13-2412-000443 (Deputy Boyian)
DATE/TIME: 12/19/24 @ 0005 hrs.
LOCATION: 0 Commercial Blvd
SUBJECT: Unknown B/M
VICTIM: Nelson Mejia W/M 10/07/86
INCIDENT: Battery
SUMMARY: Contact was made with the victim who stated he was battered by a group of B/M subjects. Victim was bleeding from the head, had a large contusion on his left eye, and a laceration on his scalp. Victim appeared very disoriented and had difficulty describing the incident. Witnesses described seeing a B/M kicking the victim while he laid on the ground while another

B/M and B/F watched the incident. Witnesses stated the once the incident ended the two B/M's and B/F walked away from the scene westbound on Commercial Blvd. The victim was treated by Fire Rescue and transported to Holy Cross Hospital. Deputy Boyian responded to the hospital to follow up with the victim but discovered the victim refused medical attention against the doctor's advice and left the hospital in an Uber. Deputy Boyian requested Deerfield Beach BSO units and PBSO units conduct welfare checks at residences within their jurisdictions belonging to the victim, but no contact was made at either address. Town cameras were down while being upgraded.

CASE: 13-2412-000475 (Deputy Swadkins)

DATE/TIME: 12/20/2024 @ 1308 HRS

LOCATION: 4319 N Ocean Drive – Walgreens

VICTIM: Ricardo Moscuza, WM DOB: 01/23/1961

INCIDENT: Grand Theft

SUMMARY: Deputy responded to the Walgreens in reference to a theft. The Victim claimed that he entered the Walgreens to utilize the restroom wearing his black fanny pack. He reported that his fanny pack contained \$10,000 in US currency, along with four Argentinian passports belonging to him and three family members. He walked out of the bathroom leaving behind his fanny pack. Soon after leaving, he realized that he left the fanny pack inside the restroom. He walked back to retrieve the items and found his fanny pack empty inside the restroom. There was one person captured on CCTV utilizing the restroom and making a purchase after the reported victim. However, no suspect was positively identified at this time. Report completed. The victim and family are on vacation and are staying at La Quinta (999 NW 62nd Street) at the time of this report. Passports entered into FCIC/NCIC as stolen; the report will be forwarded to BSO SID/Homeland Security Unit.

CASE: 13-2412-000492 (Deputy Swadkins)

DATE/TIME: 12/21/2024 @ 1155 HRS

LOCATION: 281 Tropic Drive

VICTIM: Leon Reingold, WM DOB: 07/02/1968

INCIDENT: Grand Theft – Package - 1 week Delay

SUMMARY: Deputy responded to the listed location in reference to a one-week delay of a package theft. The Victim advised that he was expecting a delivery from UPS and after having not received the package, he contacted UPS and learned that the package had been delivered on 12-14-24. The item was a whole house water filtration system valued at \$2,500. UPS provided a photo proving the delivery. The victim needed a case number to start the replacement process with the company. Report filed; no video evidence located.

CASE: 13-2412-000590 (Deputy Reis)

DATE/TIME: 12/26/2024 @ 0754 HRS

LOCATION: El Mar Dr/Commercial Blvd

VEHICLE: 2012 FRNT VIN# 1FUBGBDV6CSBJ9357

INCIDENT: Crash/Damage Town LBS

SUMMARY: Deputy Reis was notified by Town employee (Leroy), reference to a tractor trailer that had just crashed into two of the Town's concrete pedestrian barriers that were located on the east and west side of El Mar Drive. Dep Reis investigated and learned that the driver entered the intersection and attempted to go around the circle to travel northbound. The driver then accidentally struck the barriers which caused about \$2,000.00 in damage. Long crash report was completed to document the incident and damage to Town property.

CASE: 13-2412-000604 (Detective Koos)
DATE/TIME: 12/26/2024 @ 1730 hrs.
LOCATION: 4513 N Ocean Dr
ARRESTEE: Bradac, Casandra Lea W/F DOB 03/18/1984
VEHICLE: Gray Hummer SUV FL Tag# 70DEMU
INCIDENT: Traffic (Arrest)
SUMMARY: Detective Koos was investigating a crime that led to a traffic stop where the above defendant was found to be operating a vehicle with a suspended Florida driver's license. Casandra was transported to the main jail without incident. Arrestee has 2x DWLS with 6 prior suspensions.

CASE: 13-2412-000613 (Deputy D. Roach)
DATE/TIME: 12/26/2024 @ 2330 hrs.
LOCATION: 4900 N Ocean Blvd.
ARRESTEE: Clayton, John B/M DOB 06/03/1994
VEHICLE: Gray 2007 Saturn, FL Tag# BZ24KZ
INCIDENT: Traffic and Warrant (Arrest)
SUMMARY: Deputy Roach conducted a traffic stop on a silver Saturn; the driver John Clayton had multiple suspensions on his Florida driver's license. Additionally, a warrant check revealed that Clayton had an active warrant for felony battery, bond was \$20,000. Clayton was taken into custody without incident and transported to BSO main jail.

CASE: 13-2412-000625 (Deputy Swadkins)
DATE/TIME: 12/27/2024 @ 1107 HRS
LOCATION: 5100 N Ocean Blvd – Sea Ranch Club
VICTIM: Roberto Lievano, WM DOB: 11/01/1933
SUSPECT: Gregory Lenel Pierra Baptichon, BM DOB: 02/18/1999
INCIDENT: Petit Theft
SUMMARY: Deputy Swadkins responded in reference to a delayed theft of a resident's iPhone. Management learned a resident found the iPhone and turned the phone into the front desk personnel on 12/19/2024. The front desk was being staffed by new employee Gregory Baptichon. Management learned of the reported missing cell phone and reviewed the internal CCTV video system that monitors the desk. On the video, Suspect Gregory is seen placing the iPhone inside his pocket after it was turned in and depriving the victim of his iPhone. The employee was fired this morning. The victim responded to the station today and decided he did not wish to press criminal charges. BSO Waiver of prosecution signed, report completed.

CASE: 13-2412-000629 (Deputy Ramcharan)
DATE/TIME: 12/27/2024 @ 1256 HRS
LOCATION: 4540 N Ocean Drive #407
VICTIM: Teenaged Female
SUSPECT: Teenaged Male (Brother)
INCIDENT: Sexual Battery – Delayed April 2024
SUMMARY: BSO LBTS received information from Royal Oak Michigan Police Department, regarding a delayed alleged incident of sexual misconduct involving a teenage brother and sister. The incident was reported by the female teenage victim to her school counselor. The school officials then reported the incident to Michigan Child Services alleging while the victim was at the listed location in LBTS during April 2024, the two teenage siblings became intoxicated without their mother's knowledge. Sometime during the night of their stay, her brother used his finger to penetrate his sister's genitalia. The family lives in the State of Michigan, however, they own a condo at the listed location in LBTS, which is used for vacations. The victim and her mother

arrived back in Florida and responded to the district office today to report the delayed incident. BSO CID Sex Crimes Unit was contacted since the victim lives out of state. BSO Det. A Rodriguez (SVU) responded and took over the investigation. Florida CPIS also notified.

CASE: 13-2412-000653 (Deputy Alvarez-Jacinto)

DATE/TIME: 12/28/2024 @ 0338 HRS

LOCATION: 6200 N Ocean Blvd – Beach area behind Sea Watch

SUSPECT: Raynard G Laing, BM DOB: 07/31/1988

INCIDENT: AOA United States Border Patrol – Ref Migrant Landing.

SUMMARY: Deputies responded to the beach behind the Sea Watch restaurant in reference to a distressed male who called 911 for help due to a broken leg. Mr. Laing called 911 after he beached his boat carrying eleven adult Chinese migrants. He broke his leg when he jumped into the water while delivering the migrants. Dep Alvarez-Jacinto made contact with Laing and observed the unlicensed boat with no lights. The BSO helicopter was requested to sweep the area for migrants. Eleven adult Chinese migrants were found hiding along the beach and they were all detained for the US Border Patrol. Laing was transported to North Broward Medical Center for his injuries, and one female Chinese migrant was transported to Holy Cross for medical evaluation. The US Border Patrol responded and took custody of Laing and all involved migrants. BSO SID Homeland Security (Det Metz) responded and coordinated logistics with our federal partners. Agent Dawson, from Border Patrol later responded as the lead agent. BSO Command notified, Lieutenant Sutter responded and stayed on the scene till its completion.

CASE: 13-2412-000685 (Dep. Boyian)

DATE/TIME: 12/29/24 @ 2049 hrs.

LOCATION: 4319 N. Ocean

SUSPECT: B/M (Unk. age, medium height, thin build, short hair, beard, and mustache)

VICTIM: Walgreens

INCIDENT: Retail Theft

SUMMARY: B/M suspect entered the store and swiped a credit card for merchandise and the card was declined. The suspect then asked if he could just take the items and exited the store with the bagged items. The items totaled approximately \$80.00. Video surveillance was obtained.

MONTHLY ARREST LOGS:

Misd/Fel	Charge	Street
Misd	Conservation-Driving on Beach	1800 S Ocean Blvd
Misd	DUI - 1st Offense	3201 E Commercial Blvd
Misd	DUI - 1st Offense	1499 W Commercial Blvd
Misd	Possession of Synthetic Cannabis	S Ocean / Commercial Blvd
Misd	Conservation-Driving on Beach	2 Pine Ave
Misd	False ID Given to LEO	4319 N Ocean Dr
Misd	Retail Theft	4319 N Ocean Dr
Misd	DWLS - 1st Offense	4900 N Ocean Blvd
Misd	Conservation-Driving on Beach	2 Pine Ave
Fel	Warrant	4221 N Ocean Blvd

CRIME STATISTICS:

CRIME	CURRENT MONTH	PRIOR MONTH	2023 YTD	2024 YTD
AUTO THEFT	0	1	20	7
BURGLARY-BUSINESS	0	0	3	2
BURGLARY-CONVEYANCE	0	2	20	16
BURGLARY-RESIDENCE	0	0	6	2
BURGLARY-STRUCTURE	0	1	1	1
FORCIBLE SEX	1	0	0	2
ARSON	0	0	0	0
ASSAULT-AGGRAVATED	0	0	6	3
HOMICIDE	0	0	0	0
ROBBERY	0	0	0	2
THEFT-GRAND	3	0	28	18
THEFT-PETIT	5	1	40	40
TOTALS	9	5	124	93

CITIZEN OBSERVER PATROL STATISTICAL SUMMARY:

COP Activity	Total
Number of Volunteers	28
COP Hours Worked - Month	175
COP Patrol Miles - Month	264
COP Hours Worked - YTD	924
COP Patrol Miles - YTD	1,981
COP Bike Patrol Hours - Month	0
COP Bike Patrol Hours - YTD	21
COP Beach Patrol Hours – Month	21.75
COP Beach Patrol Hours - YTD	149.25

RESERVE DEPUTY ASSISTANCE: Reserve Deputies are part-time, fully sworn deputies who provide supplemental staffing to LBTS, when available, at NO cost to the Town.

	Month	2024 YTD
Reserve Deputy - Days Worked	5	47
Reserve Deputy - Hours Worked	36	401.5

MONTHLY STAFFING AND STATISTICAL REPORT:

The December 2024 Monthly Staffing and Statistical Report is attached.



**MONTHLY STAFFING AND STATISTICAL REPORT
LAUDERDALE-BY-THE-SEA DISTRICT**

December 31, 2024

CURRENT STAFFING ALLOCATIONS

Position	Budgeted Positions	Actual Positions	Vacant Positions
District Chief	1	1	
Executive Lieutenant	1	1	
Sergeant	4	4	
Deputy Sheriff	19	19	
Community Service Aide	1	1	
Administrative Specialist	1	1	
Clerical Specialist (P/T)	1	1	
TOTAL	28	28	

PERSONNEL ON LIGHT DUTY, PROMOTED, TRANSFERRED, ETC.

Name	CCN	Status	Circumstances

DETACHED PERSONNEL / LOCATION

Name	CCN	Detached to	Reason	Hours
Deputy Claudio Reis	16605	NST	Mystic Force Parade	6
			TOTAL	6



Lauderdale by the Sea

Monthly Activity

DECEMBER 2024

Reports/Calls		Traffic	
Miscellaneous Service		Types of Citation	
Event Reports	40	Non-Moving / Moving Citation	72
Accidents	6	Parking	0
Calls for Service	735	Warnings	101
		Total Citations	173
Arrests		Time Worked	
Type of Arrest		Hours Worked	
Felony	0	Bike Patrol	0
Misdemeanor	7	Court Overtime	6
Warrant (Felony)	1	Training Hours	63
Warrant (Misd.)	0	Detached	6
DUI (Felony)	0	Other Overtime	124
DUI (Misdemeanor)	2	Days Worked	31
NIC (Felony)	0		
NIC (Misdemeanor)	0		
DV (Felony)	0		
DV (Misd.)	0		
Total Arrests	10		
General		Narrative	
FI	10	ATV/UTV: 139 Miles / 24 Hours Reserve Deputies worked 5 shifts (36 hrs)	
Truant	0		
Truant Debriefed	0		
Elder Link	0		



Agenda Item No: 7.b.

Town Commission Agenda Item Report

Meeting Date: January 28, 2025

Submitted By: Ashley Zalewski, Fire Inspector Ashley Zalewski

Submitting Department: Administration

Item Type: Public Safety Discussion

Agenda Section: PUBLIC SAFETY DISCUSSION

Subject Title: PBFD December 2024 Public Safety Report

Explanation: PBFD December 2024 report prepared by Fire Inspector Ashley Zalewski.

Recommendation: Accept/Approve

Exhibits:

1. PBFR December 2024 Report



POMPANO BEACH
FIRE RESCUE
Bureau of Fire Prevention

100 West Atlantic
Boulevard Room 220
Pompano Beach, FL
33060 Office
954•786•4695
Fax 954•786•4328

TO: LINDA CONNORS, TOWN MANAGER

FROM: ASHLEY ZALEWSKI

SUBJECT: PBFR PUBLIC SAFETY REPORT – DECEMBER 2024

CC: PETE MCGINNIS

Below are the resident complaints for the month of December: 0

Below are the public education events that were held during the month of December:

- Community Event- 1- Christmas by the Sea

Plan Reviews and Fees:

Plans Examiner Zalewski reports the below statistical data for the month of December:

Type	Amount/Number
Plans Reviewed	6
Square Footage	101,366
Plan Review Revision Fee	\$0.00
Fire/Rescue Fee	\$0.00
Total Project Cost	\$365,946.00
PBFR Plan Review Fee	\$1829.73
PBFR Tech Fee	\$36.60
New Constructions	6
Annual Inspections	4
Meetings	4

Plan Type	Plans Reviewed
30- Apartments	2
28- Hotel/ Dormitories	1
90- Site Plan	1
24- One & Two Family Dwelling	2
Grand Total	6

Complaints & Notice of Violation:

Plans Examiner Zalewski reports that Complaints for the month of December:

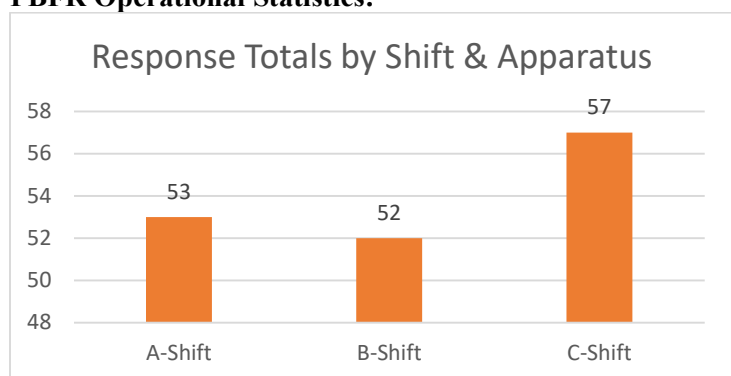
	Assigned	On Going	Completed
12/01/2024 through 12/31/24	0	0	0

Below are the Fire Incidents for the Month of December 2024.

Part III- Breakdown of Fires (Incident Type 110-129)

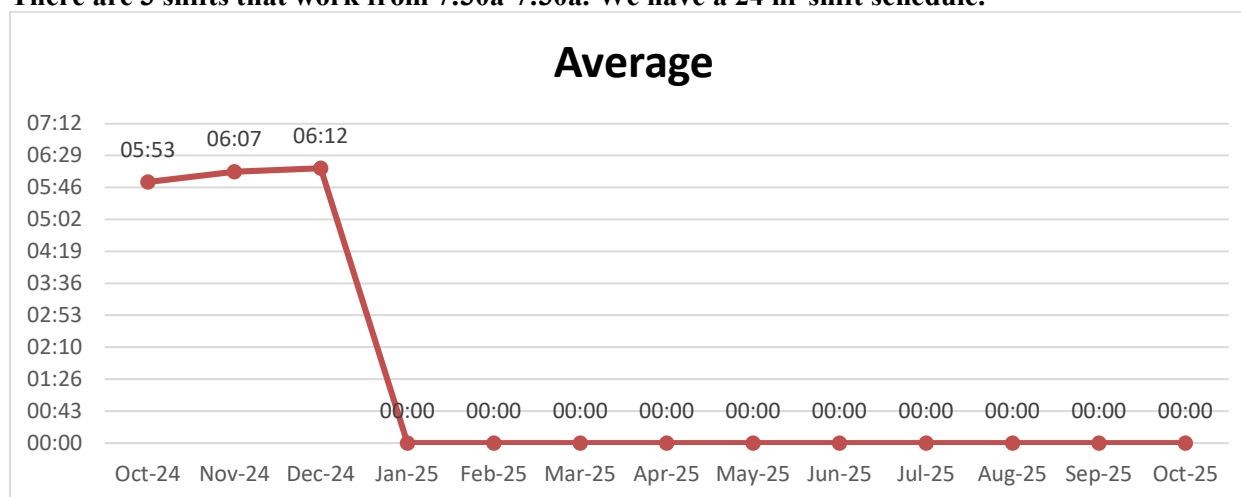
Structure Fires	Estimated Property Loss	Civilian Casualty	Civilian Deaths	Total
Structure Fires	Estimated Property Loss	Civilian Casualty	Civilian Deaths	Total
02 - Residential - Apartments	\$0.00	0	0	0
04 - Other Residential	\$0.00	0	0	0
06 - Public Assembly	\$0.00	0	0	0
09 - Stores and Offices	\$0.00	0	0	0
	Total Loss \$0.00			0

PBFR Operational Statistics:



Total call for month: 162

There are 3 shifts that work from 7:30a-7:30a. We have a 24 hr shift schedule.



Monthly Response Time Chart is an average of response times from time of dispatch to arrival on scene.

Station 12	C-Shift	Q12	12/1/24 6:04 AM	12/1/24 6:08 AM	Smoke detector activation due to malfunction	04:40.0
Station 12	A-Shift	P11	12/1/24 2:43 PM	12/1/24 2:53 PM	EMS call, excluding vehicle accident with	10:07.0

					injury	
Station 12	A-Shift	R12	12/1/24 2:43 PM	12/1/24 2:54 PM	EMS call, excluding vehicle accident with injury	11:24.0
Station 12	A-Shift	R12	12/1/24 5:39 PM	12/1/24 5:42 PM	EMS call, excluding vehicle accident with injury	03:07.0
Station 12	B-Shift	Q12	12/2/24 9:47 AM	12/2/24 10:02 AM	Electrical wiring/equipment problem, other	14:59.0
Station 12	B-Shift	R12	12/2/24 10:52 AM	12/2/24 10:59 AM	EMS call, excluding vehicle accident with injury	06:46.0
Station 12	B-Shift	Q12	12/2/24 12:56 PM	12/2/24 1:03 PM	Water or steam leak	06:15.0
Station 12	B-Shift	R12	12/2/24 2:19 PM	12/2/24 2:25 PM	EMS call, excluding vehicle accident with injury	05:06.0
Station 12	B-Shift	Q12	12/2/24 2:38 PM	12/2/24 2:47 PM	Public service	08:42.0
Station 12	B-Shift	R12	12/3/24 6:36 AM	12/3/24 6:37 AM	EMS call, excluding vehicle accident with injury	01:14.0
Station 12	C-Shift	R12	12/3/24 9:33 AM	12/3/24 9:40 AM	EMS call, excluding vehicle accident with injury	06:31.0
Station 12	C-Shift	R12	12/3/24 7:20 PM	12/3/24 7:25 PM	EMS call, excluding vehicle accident with injury	05:07.0
Station 12	C-Shift	R12	12/3/24 8:55 PM	12/3/24 9:02 PM	EMS call, excluding vehicle accident with injury	07:38.0
Station 12	A-Shift	R12	12/4/24 7:08 AM	12/4/24 7:16 AM	EMS call, excluding vehicle accident with injury	07:16.0
Station 12	A-Shift	R12	12/4/24 12:42 PM	12/4/24 12:46 PM	EMS call, excluding vehicle accident with injury	04:21.0
Station 12	A-Shift	R12	12/4/24 2:43 PM	12/4/24 2:48 PM	EMS call, excluding vehicle accident with injury	05:36.0
Station 12	A-Shift	Q12	12/4/24 2:43 PM	12/4/24 2:49 PM	EMS call, excluding vehicle accident with injury	06:12.0
Station 12	A-Shift	R12	12/4/24 4:17 PM	12/4/24 4:21 PM	EMS call, excluding vehicle accident with injury	03:57.0
Station 12	A-Shift	Q12	12/4/24 4:27 PM	12/4/24 4:49 PM	EMS call, excluding vehicle accident with injury	22:03.0
Station 12	A-Shift	R12	12/5/24 3:28 AM	12/5/24 3:36 AM	EMS call, excluding vehicle accident with injury	07:23.0
Station 12	B-Shift	R12	12/5/24 5:02 PM	12/5/24 5:04 PM	EMS call, excluding vehicle accident with injury	01:56.0
Station 12	B-Shift	Q12	12/5/24 8:44 PM	12/5/24 8:53 PM	Cooking fire, confined to container	09:08.0
Station 12	B-Shift	R12	12/6/24 4:19 AM	12/6/24 4:25 AM	EMS call, excluding vehicle accident with injury	06:20.0
Station 12	C-Shift	R12	12/6/24 11:22 AM	12/6/24 11:27 AM	Rescue or EMS standby	04:40.0
Station 12	C-Shift	R12	12/7/24 2:14 AM	12/7/24 2:21 AM	EMS call, excluding vehicle accident with injury	06:55.0
Station 12	A-Shift	R12	12/7/24 11:27 AM	12/7/24 11:33 AM	EMS call, excluding vehicle accident with injury	06:01.0
Station 12	A-Shift	Q12	12/7/24 6:04 PM	12/7/24 6:10 PM	Detector activation, no fire - unintentional	06:23.0
Station 12	A-Shift	Q12	12/7/24 6:36 PM	12/7/24 6:41 PM	Smoke scare, odor of smoke	04:55.0
Station 12	A-Shift	R12	12/7/24 7:59 PM	12/7/24 8:05 PM	EMS call, excluding vehicle accident with injury	06:16.0
Station 12	A-Shift	R12	12/8/24 6:02 AM	12/8/24 6:09 AM	EMS call, excluding vehicle accident with injury	07:13.0
Station 12	C-Shift	Q12	12/8/24 4:40 PM	12/8/24 4:45 PM	Removal of victim(s) from stalled elevator	05:10.0
Station 12	B-Shift	R12	12/8/24 5:12 PM	12/8/24 5:18 PM	EMS call, excluding vehicle accident with injury	06:02.0

Station 12	B-Shift	R12	12/8/24 8:45 PM	12/8/24 8:51 PM	EMS call, excluding vehicle accident with injury	05:25.0
Station 12	B-Shift	Q12	12/8/24 9:31 PM	12/8/24 9:39 PM	Public service assistance, other	07:39.0
Station 12	B-Shift	R12	12/9/24 12:06 AM	12/9/24 12:14 AM	EMS call, excluding vehicle accident with injury	07:45.0
Station 12	C-Shift	R12	12/9/24 9:34 PM	12/9/24 9:38 PM	EMS call, excluding vehicle accident with injury	04:19.0
Station 12	A-Shift	R12	12/10/24 9:03 AM	12/10/24 9:07 AM	EMS call, excluding vehicle accident with injury	03:37.0
Station 12	A-Shift	P11	12/10/24 10:08 AM	12/10/24 10:15 AM	Smoke detector activation, no fire - unintentional	07:02.0
Station 12	A-Shift	R12	12/10/24 1:39 PM	12/10/24 1:43 PM	No incident found on arrival at dispatch address	04:01.0
Station 12	A-Shift	R12	12/10/24 2:07 PM	12/10/24 2:10 PM	EMS call, excluding vehicle accident with injury	03:18.0
Station 12	A-Shift	Q12	12/10/24 4:06 PM	12/10/24 4:12 PM	Alarm system activation, no fire - unintentional	06:43.0
Station 12	A-Shift	R12	12/10/24 7:22 PM	12/10/24 7:27 PM	EMS call, excluding vehicle accident with injury	05:01.0
Station 12	A-Shift	R12	12/11/24 2:50 AM	12/11/24 2:57 AM	EMS call, excluding vehicle accident with injury	06:35.0
Station 12	B-Shift	R11	12/11/24 10:02 AM	12/11/24 10:06 AM	Service Call, other	04:14.0
Station 12	B-Shift	R12	12/11/24 1:33 PM	12/11/24 1:41 PM	EMS call, excluding vehicle accident with injury	07:58.0
Station 12	B-Shift	Q12	12/11/24 8:36 PM	12/11/24 8:43 PM	No incident found on arrival at dispatch address	06:52.0
Station 12	B-Shift	Q12	12/12/24 2:58 AM	12/12/24 3:06 AM	Public service assistance, other	07:33.0
Station 12	C-Shift	R12	12/12/24 8:41 PM	12/12/24 8:45 PM	EMS call, excluding vehicle accident with injury	04:28.0
Station 12	C-Shift	R12	12/12/24 9:32 PM	12/12/24 9:37 PM	EMS call, excluding vehicle accident with injury	05:35.0
Station 12	C-Shift	R12	12/12/24 11:26 PM	12/12/24 11:32 PM	EMS call, excluding vehicle accident with injury	05:50.0
Station 12	C-Shift	Q12	12/13/24 4:29 AM	12/13/24 4:35 AM	Removal of victim(s) from stalled elevator	06:21.0
Station 12	A-Shift	R12	12/13/24 7:04 AM	12/13/24 7:09 AM	EMS call, excluding vehicle accident with injury	05:05.0
Station 12	B-Shift	Q12	12/13/24 12:26 PM	12/13/24 12:32 PM	Smoke detector activation, no fire - unintentional	05:58.0
Station 12	A-Shift	Q12	12/14/24 12:59 AM	12/14/24 1:07 AM	Outside rubbish, trash or waste fire	07:27.0
Station 12	A-Shift	R11	12/14/24 1:35 AM	12/14/24 1:35 AM	EMS call, excluding vehicle accident with injury	00:06.0
Station 12	A-Shift	Q12	12/14/24 6:35 AM	12/14/24 6:43 AM	Police matter	07:25.0
Station 12	B-Shift	Q12	12/14/24 6:54 AM	12/14/24 7:00 AM	Removal of victim(s) from stalled elevator	05:16.0
Station 12	B-Shift	R12	12/14/24 8:40 PM	12/14/24 8:52 PM	EMS call, excluding vehicle accident with injury	11:26.0
Station 12	B-Shift	Q12	12/14/24 8:57 PM	12/14/24 9:03 PM	No incident found on arrival at dispatch address	06:03.0
Station 12	B-Shift	R12	12/14/24 10:45 PM	12/14/24 10:50 PM	EMS call, excluding vehicle accident with injury	05:36.0
Station 12	B-Shift	R12	12/15/24 12:51 AM	12/15/24 1:01 AM	EMS call, excluding vehicle accident with injury	10:03.0
Station 12	B-Shift	R12	12/15/24 3:01 AM	12/15/24 3:08 AM	EMS call, excluding vehicle accident with injury	06:15.0

Station 12	C-Shift	R12	12/15/24 10:13 PM	12/15/24 10:20 PM	EMS call, excluding vehicle accident with injury	06:27.0
Station 12	C-Shift	R12	12/16/24 12:13 AM	12/16/24 12:21 AM	EMS call, excluding vehicle accident with injury	07:54.0
Station 12	A-Shift	Q12	12/16/24 7:11 AM	12/16/24 7:16 AM	EMS call, excluding vehicle accident with injury	04:37.0
Station 12	A-Shift	R12	12/16/24 7:10 AM	12/16/24 7:16 AM	EMS call, excluding vehicle accident with injury	05:39.0
Station 12	A-Shift	R12	12/16/24 11:03 AM	12/16/24 11:06 AM	EMS call, excluding vehicle accident with injury	03:34.0
Station 12	A-Shift	R12	12/16/24 1:41 PM	12/16/24 1:46 PM	No incident found on arrival at dispatch address	04:24.0
Station 12	A-Shift	Q12	12/16/24 2:54 PM	12/16/24 3:00 PM	Smoke detector activation, no fire - unintentional	06:25.0
Station 12	A-Shift	Q12	12/16/24 5:10 PM	12/16/24 5:16 PM	Assist invalid	05:41.0
Station 12	A-Shift	Q12	12/16/24 8:07 PM	12/16/24 8:12 PM	Arcing, shorted electrical equipment	04:15.0
Station 12	B-Shift	Q12	12/17/24 5:08 PM	12/17/24 5:12 PM	EMS call, excluding vehicle accident with injury	03:43.0
Station 12	B-Shift	R11	12/17/24 5:08 PM	12/17/24 5:17 PM	EMS call, excluding vehicle accident with injury	08:51.0
Station 12	B-Shift	R12	12/17/24 6:07 PM	12/17/24 6:13 PM	EMS call, excluding vehicle accident with injury	05:56.0
Station 12	B-Shift	Q12	12/18/24 12:07 AM	12/18/24 12:14 AM	Smoke detector activation, no fire - unintentional	07:11.0
Station 12	B-Shift	R12	12/18/24 2:24 AM	12/18/24 2:34 AM	EMS call, excluding vehicle accident with injury	10:43.0
Station 12	B-Shift	R12	12/18/24 5:10 AM	12/18/24 5:19 AM	EMS call, excluding vehicle accident with injury	08:27.0
Station 12	C-Shift	R12	12/18/24 11:24 AM	12/18/24 11:31 AM	EMS call, excluding vehicle accident with injury	06:34.0
Station 12	C-Shift	Q12	12/18/24 12:28 PM	12/18/24 12:33 PM	Detector activation, no fire - unintentional	05:34.0
Station 12	C-Shift	R12	12/18/24 3:22 PM	12/18/24 3:27 PM	EMS call, excluding vehicle accident with injury	05:18.0
Station 12	C-Shift	R12	12/18/24 5:03 PM	12/18/24 5:08 PM	EMS call, excluding vehicle accident with injury	04:13.0
Station 12	C-Shift	R12	12/18/24 6:02 PM	12/18/24 6:06 PM	EMS call, excluding vehicle accident with injury	04:10.0
Station 12	C-Shift	R12	12/19/24 12:06 AM	12/19/24 12:11 AM	EMS call, excluding vehicle accident with injury	05:08.0
Station 12	C-Shift	Q12	12/19/24 12:30 AM	12/19/24 12:37 AM	Assist police or other governmental agency	07:19.0
Station 12	A-Shift	Q12	12/19/24 2:09 PM	12/19/24 2:16 PM	Smoke detector activation due to malfunction	06:48.0
Station 12	A-Shift	Q12	12/19/24 5:13 PM	12/19/24 5:29 PM	Animal rescue	16:19.0
Station 12	A-Shift	R12	12/19/24 8:36 PM	12/19/24 8:42 PM	EMS call, excluding vehicle accident with injury	05:08.0
Station 12	A-Shift	Q12	12/19/24 11:01 PM	12/19/24 11:08 PM	Alarm system activation, no fire - unintentional	06:27.0
Station 12	A-Shift	Q12	12/20/24 3:14 AM	12/20/24 3:25 AM	Alarm system activation, no fire - unintentional	10:20.0
Station 12	A-Shift	Q12	12/20/24 6:44 AM	12/20/24 6:51 AM	Smoke detector activation due to malfunction	06:53.0
Station 12	B-Shift	Q12	12/20/24 7:54 AM	12/20/24 8:00 AM	Alarm system sounded due to malfunction	06:02.0
Station 12	B-Shift	Q12	12/20/24 11:44 AM	12/20/24 11:50 AM	Motor vehicle accident with injuries	05:26.0

Station 12	B-Shift	R12	12/20/24 11:44 AM	12/20/24 11:50 AM	Motor vehicle accident with injuries	05:23.0
Station 12	B-Shift	R12	12/20/24 1:07 PM	12/20/24 1:13 PM	EMS call, excluding vehicle accident with injury	05:48.0
Station 12	B-Shift	Q12	12/20/24 2:50 PM	12/20/24 2:57 PM	Unintentional transmission of alarm, other	06:37.0
Station 12	B-Shift	Q12	12/20/24 5:45 PM	12/20/24 5:50 PM	Unintentional transmission of alarm, other	04:38.0
Station 12	B-Shift	R12	12/20/24 5:57 PM	12/20/24 6:03 PM	EMS call, excluding vehicle accident with injury	05:18.0
Station 12	B-Shift	R12	12/20/24 7:45 PM	12/20/24 7:52 PM	EMS call, excluding vehicle accident with injury	06:34.0
Station 12	B-Shift	Q12	12/20/24 7:49 PM	12/20/24 7:53 PM	EMS call, excluding vehicle accident with injury	04:23.0
Station 12	B-Shift	R11	12/20/24 7:49 PM	12/20/24 7:58 PM	EMS call, excluding vehicle accident with injury	09:02.0
Station 12	C-Shift	R12	12/21/24 7:08 AM	12/21/24 7:15 AM	EMS call, excluding vehicle accident with injury	06:40.0
Station 12	C-Shift	R11	12/21/24 10:37 AM	12/21/24 10:44 AM	EMS call, excluding vehicle accident with injury	07:08.0
Station 12	C-Shift	R12	12/21/24 11:50 AM	12/21/24 11:57 AM	EMS call, excluding vehicle accident with injury	06:13.0
Station 12	C-Shift	R11	12/21/24 11:55 AM	12/21/24 12:01 PM	EMS call, excluding vehicle accident with injury	05:06.0
Station 12	C-Shift	R12	12/21/24 4:51 PM	12/21/24 4:56 PM	EMS call, excluding vehicle accident with injury	04:58.0
Station 12	C-Shift	R12	12/21/24 4:57 PM	12/21/24 5:00 PM	EMS call, excluding vehicle accident with injury	02:17.0
Station 12	C-Shift	R12	12/21/24 6:47 PM	12/21/24 6:52 PM	EMS call, excluding vehicle accident with injury	05:24.0
Station 12	C-Shift	R12	12/22/24 2:34 AM	12/22/24 2:40 AM	EMS call, excluding vehicle accident with injury	05:42.0
Station 12	C-Shift	R11	12/22/24 2:41 AM	12/22/24 2:51 AM	EMS call, excluding vehicle accident with injury	09:33.0
Station 12	A-Shift	R12	12/22/24 8:28 AM	12/22/24 8:33 AM	EMS call, excluding vehicle accident with injury	04:51.0
Station 12	A-Shift	R12	12/22/24 8:58 PM	12/22/24 9:05 PM	No incident found on arrival at dispatch address	07:02.0
Station 12	A-Shift	R11	12/22/24 9:01 PM	12/22/24 9:09 PM	EMS call, excluding vehicle accident with injury	07:45.0
Station 12	A-Shift	R63	12/22/24 9:06 PM	12/22/24 9:15 PM	EMS call, excluding vehicle accident with injury	08:03.0
Station 12	A-Shift	Q12	12/22/24 10:33 PM	12/22/24 10:41 PM	Assist invalid	07:59.0
Station 12	B-Shift	Q12	12/23/24 8:13 AM	12/23/24 8:19 AM	Gas leak (natural gas or LPG)	06:22.0
Station 12	B-Shift	R11	12/23/24 8:13 AM	12/23/24 8:20 AM	Gas leak (natural gas or LPG)	07:20.0
Station 12	B-Shift	R12	12/23/24 8:13 AM	12/23/24 8:20 AM	Gas leak (natural gas or LPG)	07:48.0
Station 12	B-Shift	BC24	12/23/24 8:13 AM	12/23/24 8:20 AM	Gas leak (natural gas or LPG)	07:38.0
Station 12	C-Shift	Q12	12/23/24 2:42 PM	12/23/24 2:48 PM	Removal of victim(s) from stalled elevator	06:16.0
Station	A-Shift	R12	12/23/24 3:30 PM	12/23/24 3:36 PM	EMS call, excluding vehicle	05:20.0

12					accident with injury	
Station 12	B-Shift	R12	12/23/24 5:13 PM	12/23/24 5:17 PM	EMS call, excluding vehicle accident with injury	04:21.0
Station 12	C-Shift	Q12	12/23/24 5:44 PM	12/23/24 5:51 PM	Removal of victim(s) from stalled elevator	06:53.0
Station 12	B-Shift	R12	12/23/24 6:38 PM	12/23/24 6:44 PM	EMS call, excluding vehicle accident with injury	05:37.0
Station 12	B-Shift	R12	12/23/24 8:09 PM	12/23/24 8:14 PM	EMS call, excluding vehicle accident with injury	04:47.0
Station 12	C-Shift	R12	12/24/24 12:10 PM	12/24/24 12:14 PM	EMS call, excluding vehicle accident with injury	04:12.0
Station 12	C-Shift	Q12	12/24/24 12:20 PM	12/24/24 12:29 PM	Rescue, EMS incident, other	08:12.0
Station 12	C-Shift	R12	12/24/24 3:33 PM	12/24/24 3:39 PM	EMS call, excluding vehicle accident with injury	05:53.0
Station 12	C-Shift	R12	12/24/24 7:31 PM	12/24/24 7:38 PM	EMS call, excluding vehicle accident with injury	06:08.0
Station 12	C-Shift	Q12	12/24/24 10:24 PM	12/24/24 10:29 PM	Motor vehicle/pedestrian accident (MV Ped)	04:52.0
Station 12	C-Shift	R12	12/24/24 10:24 PM	12/24/24 10:29 PM	Motor vehicle/pedestrian accident (MV Ped)	04:52.0
Station 12	C-Shift	Q12	12/25/24 3:18 AM	12/25/24 3:24 AM	Assist invalid	05:36.0
Station 12	C-Shift	R12	12/25/24 5:12 AM	12/25/24 5:22 AM	EMS call, excluding vehicle accident with injury	09:12.0
Station 12	A-Shift	R12	12/25/24 9:16 AM	12/25/24 9:21 AM	EMS call, excluding vehicle accident with injury	04:36.0
Station 12	A-Shift	R12	12/25/24 9:30 PM	12/25/24 9:35 PM	EMS call, excluding vehicle accident with injury	05:10.0
Station 12	A-Shift	R12	12/25/24 11:28 PM	12/25/24 11:33 PM	EMS call, excluding vehicle accident with injury	05:07.0
Station 12	A-Shift	Q12	12/26/24 3:31 AM	12/26/24 3:40 AM	Alarm system sounded due to malfunction	08:54.0
Station 12	B-Shift	R12	12/26/24 9:30 AM	12/26/24 9:37 AM	EMS call, excluding vehicle accident with injury	06:49.0
Station 12	B-Shift	R12	12/26/24 6:45 PM	12/26/24 6:48 PM	EMS call, excluding vehicle accident with injury	03:00.0
Station 12	C-Shift	R12	12/27/24 12:36 PM	12/27/24 12:41 PM	EMS call, excluding vehicle accident with injury	04:09.0
Station 12	C-Shift	R12	12/27/24 1:03 PM	12/27/24 1:11 PM	EMS call, excluding vehicle accident with injury	07:08.0
Station 12	C-Shift	BC11	12/27/24 1:03 PM	12/27/24 1:06 PM	EMS call, excluding vehicle accident with injury	03:15.0
Station 12	C-Shift	Q12	12/27/24 1:02 PM	12/27/24 1:07 PM	EMS call, excluding vehicle accident with injury	04:49.0
Station 12	C-Shift	Q12	12/27/24 3:31 PM	12/27/24 3:36 PM	Detector activation, no fire - unintentional	04:34.0
Station 12	C-Shift	R12	12/27/24 5:28 PM	12/27/24 5:35 PM	EMS call, excluding vehicle accident with injury	06:33.0
Station 12	C-Shift	Q12	12/27/24 10:33 PM	12/27/24 10:40 PM	Detector activation, no fire - unintentional	06:16.0
Station 12	C-Shift	R12	12/27/24 11:15 PM	12/27/24 11:20 PM	Good intent call, other	04:48.0
Station 12	C-Shift	R12	12/28/24 3:37 AM	12/28/24 3:45 AM	EMS call, excluding vehicle accident with injury	08:48.0
Station 12	C-Shift	R11	12/28/24 4:35 AM	12/28/24 4:43 AM	EMS call, excluding vehicle accident with injury	08:37.0
Station 12	C-Shift	Q12	12/28/24 3:50 AM	12/28/24 3:59 AM	EMS call, excluding vehicle accident with injury	09:42.0

Station 12	A-Shift	R12	12/28/24 3:37 PM	12/28/24 3:42 PM	EMS call, excluding vehicle accident with injury	05:27.0
Station 12	A-Shift	R12	12/28/24 8:04 PM	12/28/24 8:08 PM	EMS call, excluding vehicle accident with injury	04:22.0
Station 12	A-Shift	R12	12/28/24 8:43 PM	12/28/24 8:47 PM	EMS call, excluding vehicle accident with injury	04:10.0
Station 12	A-Shift	R12	12/29/24 6:13 AM	12/29/24 6:19 AM	EMS call, excluding vehicle accident with injury	06:14.0
Station 12	B-Shift	R12	12/29/24 10:53 AM	12/29/24 10:57 AM	EMS call, excluding vehicle accident with injury	03:50.0
Station 12	B-Shift	R12	12/29/24 2:57 PM	12/29/24 3:03 PM	EMS call, excluding vehicle accident with injury	06:04.0
Station 12	C-Shift	R12	12/30/24 12:59 PM	12/30/24 1:05 PM	EMS call, excluding vehicle accident with injury	05:46.0
Station 12	C-Shift	R12	12/30/24 4:21 PM	12/30/24 4:27 PM	Motor vehicle accident with no injuries.	06:23.0
Station 12	C-Shift	Q12	12/30/24 4:21 PM	12/30/24 4:26 PM	Motor vehicle accident with no injuries.	05:25.0
Station 12	C-Shift	Q12	12/30/24 4:41 PM	12/30/24 4:43 PM	EMS call, excluding vehicle accident with injury	01:30.0
Station 12	C-Shift	R12	12/30/24 4:43 PM	12/30/24 4:45 PM	EMS call, excluding vehicle accident with injury	02:25.0
Station 12	C-Shift	R12	12/30/24 5:21 PM	12/30/24 5:25 PM	EMS call, excluding vehicle accident with injury	03:29.0
Station 12	C-Shift	Q12	12/30/24 7:00 PM	12/30/24 7:03 PM	Detector activation, no fire - unintentional	03:21.0
Station 12	C-Shift	Q12	12/30/24 8:00 PM	12/30/24 8:04 PM	CO detector activation due to malfunction	04:30.0

***Closest unit response- R12 was called for a rescue call outside of Lauderdale by the Sea or another station had to come into Lauderdale by the Sea.**

All reports in the future will include all contractual information that is required.





Town Commission Agenda Item Report

Meeting Date: January 28, 2025

Submitted By: Linda Connors, Town Manager

Submitting Department: Administration

Item Type: Town Manager Report

Agenda Section: TOWN MANAGER REPORT

Subject Title: Town Manager Report

Explanation: The Town Manager report for January 28th follows.

1. Donation Requests 2026 Budget

Believe it or not, we are already preparing for the 2026 budget year. Earlier this month, we asked the Commission their thoughts on the donation request process. From this feedback, we recommend the following amended donation process for the FY26 budget.

1. Include \$72,000 as a placeholder (current donation budget + 5%) to the proposed budget.
2. Upload the donation request application to the Town website in March and close the application acceptance in May.
3. Send the application summary with exhibits to the Commission for review and consideration in July.
4. Discuss donation requests at the July 8th meeting before the Commission considers the maximum millage rate at the July 22nd meeting.
5. Inform donation recipients of their awards after the budget has been adopted in September.

This process eliminates a Commission meeting to hear presentations from the requestors. It also changes the date to consider the requests until after the Property Appraiser provides the tax assessment.

2. Planning and Zoning Board Vacancy

There is a vacancy on the Planning and Zoning Board. Staff is contacting the prior applicants to see if they are still interested and we have also included the vacancy on our social media platforms. The deadline for applying is February 4th. In the past, the alternates have moved up and the filled position is the 2nd alternate. The vacancy will be scheduled for Commission consideration on the February 11 Commission agenda.

3. Tennis Court Fobs

It is time for those who use the Town's tennis court to purchase their key for 2025. This year, we have made changes suggested by the Tennis Community and upgraded from a key system to a fob system. Fobs provide better record-keeping for the Town and allow improved communication with our tennis fob holders.

4. Sea Glass Parking

Sea Glass Hotel is celebrating its grand opening with an "invite only" event on February 1st and would like to reserve 25 parking spaces in our South Ocean lot from 5 pm to 8 pm.

Saturdays are busy days and we would normally reserve the spots for the daily rate to ensure parking spaces were available in the evening for \$21/per spot for a total of \$525. Staff is suggesting reserving those spots at \$300 as a support to the new business.

5. Upcoming Meetings

February 4	Charter Review Board	6:00 pm
February 10	Mayor/Manager Meeting	9:00 am
February 11	Town Commission	6:30 pm

Recommendation: N/A

Exhibits: None



Agenda Item No: 8.b.

Town Commission Agenda Item Report

Meeting Date: January 28, 2025

Submitted By: Jhanelle Campbell, Development Services Director

Submitting Department: Development Services

Item Type: Presentations

Agenda Section: TOWN MANAGER REPORT

Subject Title: Development Services Report

Explanation: See attached Report

Recommendation: Staff recommends that the Town Commission accept the Development Services Report.

Exhibits:

1. DSD QUARTERLY REPORT 3- FY 25- FINAL



DEVELOPMENT SERVICES REPORT JULY - DECEMBER 2024



Business Tax Receipt Activities

- 30 New businesses opened; 37 applications were received.

New Businesses Opened

BTR License Number	Type of Business	Date Opened	Business Name	Street Number	Street Name	Suite
2865	Rental	7/02/2024	Ariel Alvarez	1480	S. Ocean Blvd	309
2829	Restaurant	7/19/2024	Thai Song	222	Commercial Blvd	105
2864	Rental	8/01/2024	Sofia Rincon	1500	S. Ocean Blvd	1506
2871	Business	8/01/2024	Excelium HR	235	Commercial Blvd	205
2870	Business	8/01/2024	Exceliem Leasing Inc.	235	Commercial Blvd	205
2872	Rental	8/07/2024	Kathleen Winter-Montag	1461	S. Ocean Blvd	223
2862	Business	8/15/2024	Atlantic Coast Polymers, Inc.	224	Commercial Blvd	204
2867	Business	8/20/2024	Rcamm Art LLC	242	Commercial Blvd	C
2878	Rental	8/22/2024	Jana Wiggins	1530	S. Ocean Blvd	14
2877	Rental	8/23/2024	Mirtha Reinkendorf	1500	S. Ocean Blvd	1608
2876	Rental	8/26/2024	Tiffany Mosca	1530	S. Ocean Blvd	303
2881	Rental	9/18/2024	Carol Panek	1530	S. Ocean Blvd	201
2880	Restaurant	9/18/2024	Crema Gourmet Espresso Bar	222	Commercial Blvd	103
2869	Rental	9/27/2024	Dragan Radulovic	1500	S. Ocean Blvd	1505
2883	Business	10/7/2024	Elite CBD Life	238	Commercial Blvd	2
2887	Rental	10/11/2024	Gjon Chota	1500	S. Ocean Blvd	802
2888	Rental	10/28/2024	Adrian Pincever	1530	S. Ocean Blvd	603
2896	Rental	10/28/2024	Shanan Drabin	1461	S. Ocean Blvd	127
2895	Rental	10/28/2024	Carole Nader	1500	S. Ocean Blvd	1006
2884	Rental	10/28/2024	Nicole Salerno	1461	S. Ocean Blvd	314
2897	Rental	10/29/2024	Kathryn Sanger	1461	S. Ocean Blvd	122

2912	Business	11/14/2024	Asta Parking	4433	El Mar Dr	
2910	Rental	11/14/2024	Montezuma Land Trust	4509	Poinciana St	
2900	Vacation Rental	11/15/2024	Thomas Kivell	255	Hibiscus Ave	
2899	Restaurant	11/15/2024	Fresh Coconut & Smoothies	211	Commercial Blvd	
2911	Home Office	11/19/2024	JML Plumbing Inc	1541	S. Ocean Blvd	217
2882	Short Term Rental	11/21/2024	APCE Acquisitions LLC	4420	E. Tradewinds Ave	1-2
2905	Rental	11/22/2024	Thakor Patel	1500	S. Ocean Blvd	702
2913	Rental	12/13/2024	Alialan LLC	1500	S. Ocean Blvd	1403
2916	Rental	12/24/2024	Shawn Sankarsingh	1500	S. Ocean Blvd	903

Development Services – The following Development Services Division items were addressed during the reporting period.

Address	Issue
231 and 241 Shore Court	FPL Easement Request for underground conversion of powerlines.
Ordinances/ Resolutions	Issue
ORDINANCE 2024-06	An Ordinance to Modify Section 30-11, "Definitions" And Section 30-154 "Prohibited Uses" To Modify, Clarify and Further Delineate Requirements Related to Marijuana
ORDINANCE 2024-07	An Ordinance Creating Chapter 30 "Unified Land Development Regulations," Article Iv "Development Permits – Applications, Requirements and Review Procedures," Section 30-125 "Unity of Title or Covenant In Lieu Of Unity of Title"
ORDINANCE 2024-09	An Ordinance of The Town of Lauderdale-By-The-Sea, Florida, Deleting Chapter 30, Article Xi. "Seagrape Drive Sidewalk Plan" From the Town of Lauderdale-By-The-Sea Code of Ordinances.
RESOLUTION 2024-28	A Resolution of The Town Commission of The Town of Lauderdale-By-The-Sea, Florida, Approving A Revocable License Agreement with Aruba Bay, Inc. For Use of The Ocean Plaza for Outdoor Dining;
RESOLUTION 2024-44	A Resolution of The Town of Lauderdale-By-The-Sea, Florida, Adopting Regulations for The Sale of Alcohol at Beachfront Hotel Properties.
RESOLUTION 2024-51	A Resolution of The Town of Lauderdale-By-The-Sea, Florida, Approving A Row Agreement with Florida Power & Light for The Underground Conversion of Certain Overhead Electric

	Distribution Facilities; Authorizing the Town Manager To Execute The Agreement
RESOLUTION 2024-60	A Resolution of The Town of Lauderdale-By-The-Sea, Florida, Approving A Developer Agreement with Sky 360 Development, LLC. For The Reimbursement of Costs Incurred and Associated with The Underground Conversion of Certain Overhead Electric Distribution Facilities Within the Town's Row

Development Updates- The following projects are currently being reviewed by the Development Services Department.

1. 4628 Bougainvilla Drive- Conditional Use to construct a duplex
2. 235-257 E Commercial Blvd- Level 2 Site Plan Modification and Conditional Use Flex Use request
3. 4312 El Mar Drive- Site Plan request to construct a new hotel.
4. 4601 El Mar Drive- Lien Mitigation Request

Other Applications

Development Services Applications

Type	Number
ROW Permit	7
Lien Search Requests	155
Landscape Permit	8
Sign Permit	20
Conditional Use	3
Administrative Adjustment	0
Architectural Review	10

CODE COMPLIANCE ACTIVITIES

Code Compliance hearings are held on the 4th Thursday of every month.

Code Activity Summary	
Case Inspections	
New Incidents Investigated	47
Total Inspections Completed	66
Cases with Active Violations	
Under Magistrate Jurisdiction	33
Under Code Office Jurisdiction	32
Liens with Active Violations	9

Total Cases with Active Violations	83
Vacation and Short-Term Rentals	
Registered Units	144

ONGOING CODE COMPLIANCE PROJECTS AND INITIATIVES

1. Process work without permit cases alongside with the Building department
2. Cite businesses which have not yet paid for their FY 25 BTR
3. Continue to follow properties which are not in compliance with the requirements of the Building Safety Inspection Program as required by Broward County.

UPCOMING CODE COMPLIANCE PROJECTS AND INITIATIVES

1. GovEasy Audit
2. Sight Triangle Review across the Town.
3. Review and update the Code Compliance Webpage
4. Award of Vacation Rental Software and begin buildout of program

BUILDING DEPARTMENT AND ZONING ACTIVITIES

A list of the Building Department permits activity and fees collected during the reporting is noted below. The total amount of funds collected was \$1,311,685.50.

	July 2024 -December 2024
Permit Applications	731
Permits Issued	667
Permits over \$100,000	17
Inspections Completed	472
Funds Collected	\$1,311,685.50

PERMITS WITH JOB COST OVER \$100,000				
Address	Work Description	Owner	Valuation	Fees Collected
1440 South Ocean Boulevard	Exterior Concrete Restoration, Painting and Window Rehabilitation	Corniche Condo Association of Broward County	\$7,864,318.28	\$286,588.85
1800 S Ocean Blvd	Remove And Replace Existing Windows & SGD W/ Impact Glass	Hampton Beach Club Condominium Assoc.	\$689,419.40	\$145,283.50
1800 S Ocean Blvd	Concrete Restoration, Waterproofing & Painting	Hampton Beach Club Condominium Assoc.	\$501,439.70	\$105,694.87
5555 North Ocean Boulevard	Re-Roofing Low Slope - (Buildings 1 - 9)	Ocean Bay Club Assoc % Benchmark Property Mgmt.	\$2,214,529.72	\$35,357.99

PERMITS WITH JOB COST OVER \$100,000				
Address	Work Description	Owner	Valuation	Fees Collected
4143 Seagrape Drive	New Construction of Duplex	4143 Seagrape LLC	\$200,915.00	\$23,107.87
1800 S Ocean Blvd	Repair For Ceiling Walls, Painting, And Lighting - Noc Received	Hampton Beach Club Condominium Assoc.	\$140,847.90	\$44,402.79
4431 E Tradewinds Ave	Construction of a New Single-Family House	Gleason, Kevin A H/E Kevin & Patricia Gleason Tr Etal	\$133,024.00	\$29,991.33
276 Lombardy Avenue	New 2-Story Single Family Residence	Brazill, Cathy Brazill, Dennis	\$105,000.00	\$23,494.06
3900 North Ocean Drive	Full Upgrade of Fire Alarm System	Fountainhead Condo HOA	\$522,777.79	\$11,010.27
5000 N Ocean Blvd	Demo And Rebuild Pool Walls, Floor to Remain, Plumbing, Electrical, Equipment and Gas	Sea Ranch Club B Condo Association	\$440,000.00	\$7,406.83
1620 S Ocean Blvd	New Fire Alarm W/ Electrical	Ocean Colony Condo Association	\$366,000.00	\$9,666.99
1460 S Ocean Blvd Unit# 403	Interior Alterations as Per Architect Plans	Marchelos, Vasiliki Pouloupoulos, Theophilos G	\$306,000.00	\$11,516.22
1620 S Ocean Blvd	Balcony Railings	Ocean Colony Condo Association	\$280,000.00	\$10,384.17
5555 North Ocean Boulevard	New AC Stands	Ocean Bay Club Assoc % Benchmark Property Management	\$241,000.00	\$5,170.41
1620 S Ocean Blvd	Remove And Replace (4) Load Centers, Replace Lighting Fixtures in Typical Corridors -	Ocean Colony Condo Association	\$200,000.00	\$4,316.68
5200 North Ocean Boulevard	Concrete, Stucco, Waterproofing and Painting Renovation for Tower	Sea Ranch Lakes North Inc	\$190,800.00	\$6,027.62
3900 North Ocean Drive	Provide New GFI Wet Rated Receptacles at Exterior Balconies as Required by Code	Fountainhead Condo Hoa	\$183,950.00	\$3,966.45

PERMITS WITH JOB COST OVER \$100,000				
Address	Work Description	Owner	Valuation	Fees Collected
4541 North Ocean Drive	Concrete Restoration and Repairs Common Area	Ocean Dream Condo	\$177,477.50	\$3,829.32
4636 El Mar Drive	Re-Roofing GAF Mod System	Residence Condo Association	\$173,400.00	\$2,853.57
1600 S Ocean Blvd (Aquazul)	Roof Decorative Structure Dismantling	Aquazul Condo	\$170,340.00	\$3681.12
1500 S Ocean Blvd (Leisure Towers)	Replace Generator and Concrete Slab	Leisure Towers Assoc Inc	\$169,500.00	\$5,679.34
231 Lake Ct 1-4	New Dock / Piles / Seawall & Boatlift	231 Lake Court Group	\$151,050.00	\$5,099.10
4225 El Mar Drive	Replacement 37 Impact Windows & 26 Impact Doors	MP Holdings	\$143,749.00	\$4,595.15
223 Marine Ct	Reroof -W/ Poly Iso + Fully Adhered TPO	Morningstar Condominium Assoc.	\$135,475.00	\$2,249.08
5100 North Ocean Boulevard 819	Interior Renovation - Kitchen, Bathroom, Flooring	Star Shine Properties Inc	\$112,000.00	\$3,785.16

Jhanelle M. Campbell

Jhanelle Campbell, Development Services Director





Agenda Item No: 8.c.

Town Commission Agenda Item Report

Meeting Date: January 28, 2025

Submitted By: Lucila Lang, Finance Director

Submitting Department: Finance

Item Type: Presentation

Agenda Section: TOWN MANAGER REPORT

Subject Title: October, 2024 Finance Report

Explanation: Presented is the October 2024 financial report which consists of the attached Revenue/Expenditure Report (Exhibit 2) and the Cash & Investment Report (Exhibit 3). At the end of October, the Town was 8.33% through the fiscal year.

Recommendation: N/A

Exhibits:

1. October 2024 Finance Report
2. October 2024 Revenue_Expenditure Report
3. October 2024 Cash Investment Report

October is the first month of fiscal year 2024/2025.

The following is a summary of the operating results through 10/31/24:

Fund	Annual Budget	Budgeted Appropriations	Budgeted Revenues Excluding Appropriations	YTD Revenues		YTD Expenditures		Net Amount
				Amount	% of Budget	Amount	% of Budget	
General Fund	\$ 17,731,012.00	\$ -	\$ 17,731,012.00	\$ 230,333.94	1.30%	\$ 1,224,895.39	6.91%	\$ (994,561.45)
Building Fund	\$ 1,728,121.00	\$ 275,102.00	\$ 1,453,019.00	\$ 82,876.98	5.70%	\$ 14,190.53	0.98%	\$ 68,686.45
Sewer Fund	\$ 1,710,480.00	\$ 8,480.00	\$ 1,702,000.00	\$ -	0.00%	\$ 100,803.93	5.92%	\$ (100,803.93)
Fire Fund	\$ 2,024,159.00	\$ 600,000.00	\$ 1,424,159.00	\$ 70,805.23	4.97%	\$ 82,250.00	5.78%	\$ (11,444.77)
Capital Fund	\$ 4,052,000.00	\$ 615,000.00	\$ 3,437,000.00	\$ -	0.00%	\$ 121,897.56	3.01%	\$ (121,897.56)
Parking Fund	\$ 3,319,784.00		\$ 3,319,784.00	\$ 297,246.10	8.95%	\$ 62,850.67	1.89%	\$ 234,395.43
Grand Total	\$ 30,565,556.00	\$ 1,498,582.00	\$ 29,066,974.00	\$ 681,262.25		\$ 1,606,888.08		\$ (925,625.83)

Notable items this month are as follows:

General Fund:

- During October the Town did not collect ad valorem revenues. This is consistent with expectations. The Town will begin receiving these in November with a large bulk in December.
- Because most revenue items are received one month in arrears, most of the revenues that were collected in October were applied to the prior fiscal year. Therefore, even though the summary report presented above shows that General Fund expenditures exceed revenues by approximately \$1M; this is consistent with the Town's expectations.

Building Fund:

- CAP's bill for "building permit services" for the prior month is received one month later. Therefore, October's invoice will be received the following month which is why the expense has not been recorded.

Sewer Fund:

- Payments from the City of Fort Lauderdale are received at the beginning of the following month; therefore, these funds will be received from the City of Fort Lauderdale in November. Expenses are within expectations.

Fire Fund:

- As expected, the Town did not receive any fire assessment fees revenue in October. The first fire assessment fee distribution is usually received in late November and should be reflected in the November report.

Capital Projects Fund:

- Activity for the month of October for capital projects is displayed in the chart below:

OCTOBER, 2024 REPORT INFORMATION					
<u>CIP Projects</u>	<u>Budget</u>	<u>YTD Expenditures</u>	<u>October Expenditures</u>	<u>% Completion</u>	<u>Comments</u>
Town Hall/Public Safety	\$ 500,000.00	\$ -	\$ -	0.00%	No activity for the month.
El Prado Park	\$ 775,000.00	\$ -	\$ -	0.00%	No activity for the month.
Storm Water Rate Study	\$ 125,000.00	\$ -	\$ -	0.00%	No activity for the month.
Beach Portal	\$ 50,000.00	\$ -	\$ -	0.00%	No activity for the month.
FDOT A1A Pine Avenue to Palm Aire	\$ 255,000.00	\$ -	\$ -	0.00%	No activity for the month.
Tennis Court Lighting	\$ 45,000.00	\$ -	\$ -	0.00%	No activity for the month.
Beach Renourishment	\$ 116,667.00	\$ 116,666.67	\$ 116,666.67	100.00%	Payment made for Beach Renourishment Project.
Traffic Improvements & Calming	\$ 150,000.00	\$ -	\$ -	0.00%	No activity for the month.
Pedestrian Amenities	\$ 75,000.00	\$ -	\$ -	0.00%	No activity for the month.
Street Project-Bougainvillea/Poinciana	\$ 225,000.00	\$ -	\$ -	0.00%	No activity for the month.
Roadway Paving & Refurbishment	\$ 483,691.00	\$ -	\$ -	0.00%	No activity for the month.
Resilient Florida Program	\$ 200,000.00	\$ -	\$ -	0.00%	No activity for the month.
Friedt Park	\$ 725,000.00	\$ -	\$ -	0.00%	No activity for the month.
75th Anniversary Garden	\$ 100,000.00	\$ -	\$ -	0.00%	No activity for the month.
Totals:	\$ 3,825,358.00	\$ 116,666.67	\$ 116,666.67		

Parking Fund:

- Parking revenues and expenditures are all in line with expectations:

	<u>June, 2024</u>		<u>July, 2024</u>		<u>August, 2024</u>		<u>September, 2024</u>		<u>October, 2024</u>	
South Ocean	\$ 18,443.42	\$ 301.12	\$ 29,045.28	\$ 2,294.32	\$ 18,510.64	\$ (4,852.68)	\$ 17,552.24	\$ 96.90	\$ 14,834.35	\$ (6,163.70)
Ocean Front Meters	\$ 41,186.17	\$ (2,725.95)	\$ 54,487.50	\$ 4,705.01	\$ 43,724.05	\$ 2,293.33	\$ 46,531.01	\$ 15,117.27	\$ 42,715.34	\$ 9,274.46
Commercial Blvd. Meters	\$ 7,692.70	\$ (1,300.40)	\$ 9,617.65	\$ 1,525.61	\$ 9,771.40	\$ 509.85	\$ 12,251.39	\$ 4,837.10	\$ 12,159.26	\$ 3,215.44
Parking Meters-Beach	\$ 16,200.56	\$ (2,939.38)	\$ 26,446.35	\$ 3,378.94	\$ 17,902.33	\$ (3,793.09)	\$ 18,048.88	\$ 2,497.36	\$ 13,172.74	\$ (2,901.11)
Palm Portal-FDG	\$ 11,816.00	\$ 66.20	\$ 17,589.68	\$ 1,624.77	\$ 11,800.50	\$ (2,866.93)	\$ 13,138.09	\$ 3,056.22	\$ 8,253.61	\$ (1,878.14)
El Prado Parking Lot	\$ 36,881.40	\$ (8,364.81)	\$ 65,122.70	\$ 9,235.30	\$ 42,209.18	\$ (16,265.03)	\$ 45,081.50	\$ 3,255.88	\$ 31,577.33	\$ (14,426.08)
Town Hall Parking Lot	\$ 1,424.72	\$ (79.97)	\$ 2,639.37	\$ (1,535.92)	\$ 1,301.17	\$ (349.91)	\$ 2,011.03	\$ 873.06	\$ 648.08	\$ (508.25)
El Mar Parking Lot	\$ 21,619.84	\$ (1,018.80)	\$ 28,420.92	\$ 3,706.33	\$ 24,601.42	\$ (190.49)	\$ 23,515.65	\$ 5,226.90	\$ 25,295.38	\$ 3,590.74
A1A Parking Lot	\$ 42,469.63	\$ (4,297.09)	\$ 67,068.47	\$ 4,031.80	\$ 47,597.98	\$ (11,522.48)	\$ 40,296.14	\$ 675.24	\$ 43,193.58	\$ (5,862.11)
Bougainvillea/Poinciana	\$ 17,525.43	\$ (669.10)	\$ 26,515.76	\$ 2,832.89	\$ 17,506.18	\$ (3,369.83)	\$ 18,862.19	\$ 2,604.73	\$ 16,219.54	\$ (1,545.26)
Monthly Total:	\$ 215,259.87		\$ 326,953.68		\$ 234,924.85		\$ 237,288.12		\$ 208,069.21	
<i>Difference from last year \$:</i>	\$ (21,028.18)		\$ 31,799.05		\$ (40,407.26)		\$ 38,240.66		\$ (17,204.01)	
<i>Difference from last year %:</i>	-8.90%		10.77%		-14.68%		19.21%		-7.64%	
Additional Parking Income:										
Parking Permits									\$ 46,732.67	
Parking Fines									\$ 32,944.22	
GRAND TOTAL:									\$ 287,746.10	

The top producing lots for October 2024 are:

- A1A Parking Lot
- Ocean Front Meters
- El Prado Parking Lot
- El Mar Parking Lot



Lauderdale-By-The-Sea, FL

Budget Report Account Summary

For Fiscal: 2024-2025 Period Ending: 10/31/2024

	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 001 - General Fund						
Department: 301000 - Ad Valorem Property Taxes						
001-301000-311100 Ad Valorem Property Taxes	13,548,619.00	13,548,619.00	0.00	0.00	-13,548,619.00	100.00 %
Department: 301000 - Ad Valorem Property Taxes Total:	13,548,619.00	13,548,619.00	0.00	0.00	-13,548,619.00	100.00%
Department: 301100 - Utility Taxes						
001-301100-311101 Fpl Utility Tax	986,700.00	986,700.00	0.00	0.00	-986,700.00	100.00 %
001-301100-311440 Gas Utility Tax	23,000.00	23,000.00	14.23	14.23	-22,985.77	99.94 %
001-301100-314300 Water Utility Tax	189,000.00	189,000.00	0.00	0.00	-189,000.00	100.00 %
Department: 301100 - Utility Taxes Total:	1,198,700.00	1,198,700.00	14.23	14.23	-1,198,685.77	100.00%
Department: 301600 - Franchise Taxes						
001-301600-313100 Fl Power & Light Franchise	670,000.00	670,000.00	0.00	0.00	-670,000.00	100.00 %
001-301600-313300 Waste Franchise Collection	161,999.00	161,999.00	0.00	0.00	-161,999.00	100.00 %
001-301600-313301 Waste Franchise Adm-fee	9,000.00	9,000.00	0.00	0.00	-9,000.00	100.00 %
001-301600-313400 Gas Franchise	23,000.00	23,000.00	0.00	0.00	-23,000.00	100.00 %
001-301600-313600 Towing Franchise Fees	800.00	800.00	0.00	0.00	-800.00	100.00 %
Department: 301600 - Franchise Taxes Total:	864,799.00	864,799.00	0.00	0.00	-864,799.00	100.00%
Department: 302000 - Licenses & Permits						
001-302000-321100 Business License Taxes	100,000.00	100,000.00	68,645.04	68,645.04	-31,354.96	31.35 %
001-302000-321110 Sidewalk Cafe Row	85,000.00	85,000.00	106,345.00	106,345.00	21,345.00	125.11 %
001-302000-322150 Miscellaneous Permits	700.00	700.00	50.00	50.00	-650.00	92.86 %
001-302000-322250 Zoning Permit & Fees	1,000.00	1,000.00	30.00	30.00	-970.00	97.00 %
001-302000-322400 Sign Permits	500.00	500.00	200.00	200.00	-300.00	60.00 %
Department: 302000 - Licenses & Permits Total:	187,200.00	187,200.00	175,270.04	175,270.04	-11,929.96	6.37%
Department: 303000 - Intergovernmental Revenues						
001-303000-311120 Municipal Revenue Sharing	185,000.00	185,000.00	17,290.43	17,290.43	-167,709.57	90.65 %
001-303000-311150 Alcoholic Beverage License	17,000.00	17,000.00	0.00	0.00	-17,000.00	100.00 %
001-303000-311180 Sales Tax	525,000.00	525,000.00	0.00	0.00	-525,000.00	100.00 %
001-303000-312410 Local Op Gas Tax 1 - 6 Cent	67,500.00	67,500.00	5,144.42	5,144.42	-62,355.58	92.38 %
001-303000-312420 Local Op Gas Tax 2 - 5 Cent	48,000.00	48,000.00	3,514.32	3,514.32	-44,485.68	92.68 %
001-303000-315100 Communication Service Tax	327,000.00	327,000.00	0.00	0.00	-327,000.00	100.00 %
001-303000-334915 Fdot-reimbursable Grant	34,384.00	34,384.00	0.00	0.00	-34,384.00	100.00 %
Department: 303000 - Intergovernmental Revenues Total:	1,203,884.00	1,203,884.00	25,949.17	25,949.17	-1,177,934.83	97.84%
Department: 304000 - Charges for Services						
001-304000-343902 Site Plan Application Fees	2,000.00	2,000.00	0.00	0.00	-2,000.00	100.00 %
001-304000-347500 Tennis - Shuffle Key	5,250.00	5,250.00	120.00	120.00	-5,130.00	97.71 %
Department: 304000 - Charges for Services Total:	7,250.00	7,250.00	120.00	120.00	-7,130.00	98.34%
Department: 305000 - Fines & Forfeitures						
001-305000-354150 Fines,trafficviolation,citatio	30,000.00	30,000.00	0.00	0.00	-30,000.00	100.00 %
001-305000-354160 Code Enforcement Fines	55,000.00	55,000.00	0.00	0.00	-55,000.00	100.00 %
001-305000-359100 Other Fines & Alarms	2,000.00	2,000.00	0.00	0.00	-2,000.00	100.00 %
Department: 305000 - Fines & Forfeitures Total:	87,000.00	87,000.00	0.00	0.00	-87,000.00	100.00%
Department: 306000 - Miscellaneous Revenues						
001-306000-361100 Interest Earnings	112,335.00	112,335.00	8,597.07	8,597.07	-103,737.93	92.35 %
001-306000-362000 Rent/lease Royalties	129,675.00	129,675.00	0.00	0.00	-129,675.00	100.00 %
001-306000-365400 Recycling Revenue	5,000.00	5,000.00	0.00	0.00	-5,000.00	100.00 %
001-306000-366100 Donations	13,500.00	13,500.00	0.00	0.00	-13,500.00	100.00 %
001-306000-369100 Miscellaneous Revenues	75,050.00	75,050.00	9,998.43	9,998.43	-65,051.57	86.68 %
001-306000-369200 Miscellaneous Applications	5,000.00	5,000.00	2,275.00	2,275.00	-2,725.00	54.50 %
001-306000-369201 Miscellaneous Merchandisesales	5,000.00	5,000.00	20.00	20.00	-4,980.00	99.60 %
001-306000-369250 Recreational Activities Fee	17,500.00	17,500.00	8,090.00	8,090.00	-9,410.00	53.77 %

Budget Report

For Fiscal: 2024-2025 Period Ending: 10/31/2024

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
001-306000-369500	miscellaneous Lobbyist	500.00	500.00	0.00	0.00	-500.00	100.00 %
001-306000-369901	Insurance Reimbursement	20,000.00	20,000.00	0.00	0.00	-20,000.00	100.00 %
Department: 306000 - Miscellaneous Revenues Total:		383,560.00	383,560.00	28,980.50	28,980.50	-354,579.50	92.44%
Department: 511000 - Commission							
001-511000-500110	Commission Salaries	135,000.00	135,000.00	2,822.36	2,822.36	132,177.64	97.91 %
001-511000-500210	Employer Fica Taxes	10,450.00	10,450.00	112.21	112.21	10,337.79	98.93 %
001-511000-500220	Retirement	60,750.00	60,750.00	200.47	200.47	60,549.53	99.67 %
001-511000-500230	Group Insurance	92,000.00	92,000.00	13,534.71	13,534.71	78,465.29	85.29 %
001-511000-500345	Contractual Services	16,000.00	16,000.00	281.25	281.25	15,718.75	98.24 %
001-511000-500510	Office Supplies	1,500.00	1,500.00	0.00	0.00	1,500.00	100.00 %
001-511000-500512	Elections	4,000.00	4,000.00	0.00	0.00	4,000.00	100.00 %
001-511000-500525	Uniform Expense	1,500.00	1,500.00	0.00	0.00	1,500.00	100.00 %
001-511000-500540	Dues & Subscriptions	3,250.00	3,250.00	1,380.00	1,380.00	1,870.00	57.54 %
001-511000-500545	Training	12,500.00	12,500.00	744.80	744.80	11,755.20	94.04 %
001-511000-500550	Operating Expenses	15,200.00	15,200.00	0.00	0.00	15,200.00	100.00 %
Department: 511000 - Commission Total:		352,150.00	352,150.00	19,075.80	19,075.80	333,074.20	94.58%
Department: 511100 - Donation-Non Profits							
001-511100-500820	Donations-aids To Private Org	68,500.00	68,500.00	36,500.00	36,500.00	32,000.00	46.72 %
Department: 511100 - Donation-Non Profits Total:		68,500.00	68,500.00	36,500.00	36,500.00	32,000.00	46.72%
Department: 511200 - Visitor Center							
001-511200-500120	Regular Salaries	80,815.00	80,815.00	901.86	901.86	79,913.14	98.88 %
001-511200-500210	Employer Fica Taxes	6,265.00	6,265.00	68.98	68.98	6,196.02	98.90 %
001-511200-500220	Retirement	13,786.00	13,786.00	151.68	151.68	13,634.32	98.90 %
001-511200-500230	Group Insurance	3,450.00	3,450.00	291.18	291.18	3,158.82	91.56 %
001-511200-500311	Advertisements	3,000.00	3,000.00	0.00	0.00	3,000.00	100.00 %
001-511200-500340	Sewer/wastewater	4,410.00	4,410.00	626.04	626.04	3,783.96	85.80 %
001-511200-500345	Contractual Services	6,000.00	6,000.00	0.00	0.00	6,000.00	100.00 %
001-511200-500430	Electric Service	2,100.00	2,100.00	127.99	127.99	1,972.01	93.91 %
001-511200-500431	Water Service	5,300.00	5,300.00	696.69	696.69	4,603.31	86.85 %
001-511200-500463	Service Maintenance Contracts	3,150.00	3,150.00	91.18	91.18	3,058.82	97.11 %
001-511200-500495	Special Events	1,000.00	1,000.00	0.00	0.00	1,000.00	100.00 %
001-511200-500506	Printing & Binding	3,065.00	3,065.00	1,331.50	1,331.50	1,733.50	56.56 %
001-511200-500520	Bldg. Maintenance	5,000.00	5,000.00	0.00	0.00	5,000.00	100.00 %
001-511200-500550	Operating Expenses	5,000.00	5,000.00	0.00	0.00	5,000.00	100.00 %
Department: 511200 - Visitor Center Total:		142,341.00	142,341.00	4,287.10	4,287.10	138,053.90	96.99%
Department: 513000 - Administration							
001-513000-500120	Regular Salaries	665,203.00	665,203.00	5,598.41	5,598.41	659,604.59	99.16 %
001-513000-500140	Overtime Salaries	5,500.00	5,500.00	51.70	51.70	5,448.30	99.06 %
001-513000-500210	Employer Fica Taxes	51,425.00	51,425.00	301.63	301.63	51,123.37	99.41 %
001-513000-500220	Retirement	154,950.00	154,950.00	-837.68	-837.68	155,787.68	100.54 %
001-513000-500230	Group Insurance	155,250.00	155,250.00	24,418.13	24,418.13	130,831.87	84.27 %
001-513000-500315	Professional Services	36,000.00	36,000.00	0.00	0.00	36,000.00	100.00 %
001-513000-500320	Audit Expense	47,000.00	47,000.00	3,000.00	3,000.00	44,000.00	93.62 %
001-513000-500344	Hr Expenses	5,000.00	5,000.00	0.00	0.00	5,000.00	100.00 %
001-513000-500345	Contractual Services	98,100.00	98,100.00	5,583.72	5,583.72	92,516.28	94.31 %
001-513000-500463	Service Maintenance Contracts	54,800.00	54,800.00	811.97	811.97	53,988.03	98.52 %
001-513000-500506	Printing & Binding	3,000.00	3,000.00	0.00	0.00	3,000.00	100.00 %
001-513000-500508	Postage	5,000.00	5,000.00	367.70	367.70	4,632.30	92.65 %
001-513000-500510	Office Supplies	6,700.00	6,700.00	461.36	461.36	6,238.64	93.11 %
001-513000-500525	Uniform Expense	1,087.00	1,087.00	0.00	0.00	1,087.00	100.00 %
001-513000-500540	Dues & Subscriptions	9,900.00	9,900.00	450.00	450.00	9,450.00	95.45 %
001-513000-500545	Training	27,000.00	27,000.00	50.96	50.96	26,949.04	99.81 %
001-513000-500550	Operating Expenses	26,000.00	26,000.00	0.07	0.07	25,999.93	100.00 %
001-513000-500640	Capital Outlay - Equip't & Mach	30,000.00	30,000.00	0.00	0.00	30,000.00	100.00 %
Department: 513000 - Administration Total:		1,381,915.00	1,381,915.00	40,257.97	40,257.97	1,341,657.03	97.09%
Department: 514000 - Town Attorney							
001-514000-500310	Legal Expense	360,000.00	360,000.00	35,670.60	35,670.60	324,329.40	90.09 %

Budget Report

For Fiscal: 2024-2025 Period Ending: 10/31/2024

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
001-514000-500314	Litigation	48,000.00	48,000.00	0.00	0.00	48,000.00	100.00 %
Department: 514000 - Town Attorney Total:		408,000.00	408,000.00	35,670.60	35,670.60	372,329.40	91.26%
Department: 519000 - General							
001-519000-500311	Advertisements	5,000.00	5,000.00	0.00	0.00	5,000.00	100.00 %
001-519000-500315	Professional Services	139,500.00	139,500.00	11,649.09	11,649.09	127,850.91	91.65 %
001-519000-500345	Contractual Services	83,200.00	83,200.00	15,023.71	15,023.71	68,176.29	81.94 %
001-519000-500349	Community Mobility Services	250,000.00	250,000.00	19,734.24	19,734.24	230,265.76	92.11 %
001-519000-500451	Auto, Property & Liability Ins	308,300.00	308,300.00	140,707.00	140,707.00	167,593.00	54.36 %
001-519000-500452	Workers Compensation Insur	90,200.00	90,200.00	13,124.75	13,124.75	77,075.25	85.45 %
001-519000-500463	Service Maintenance Contracts	23,100.00	23,100.00	0.00	0.00	23,100.00	100.00 %
001-519000-500497	Contingency	190,000.00	190,000.00	2,301.52	2,301.52	187,698.48	98.79 %
001-519000-500550	Operating Expenses	96,600.00	96,600.00	0.00	0.00	96,600.00	100.00 %
001-519000-500552	Recycling And Solid Waste Exp	70,000.00	70,000.00	3,588.93	3,588.93	66,411.07	94.87 %
001-519000-500640	Capital Outlay - Equipt & Mach	40,000.00	40,000.00	0.00	0.00	40,000.00	100.00 %
Department: 519000 - General Total:		1,295,900.00	1,295,900.00	206,129.24	206,129.24	1,089,770.76	84.09%
Department: 519100 - Tourism and Community Outreach							
001-519100-500120	Regular Salaries	90,000.00	90,000.00	1,138.96	1,138.96	88,861.04	98.73 %
001-519100-500210	Employer Fica Taxes	7,000.00	7,000.00	87.18	87.18	6,912.82	98.75 %
001-519100-500220	Retirement	12,500.00	12,500.00	0.00	0.00	12,500.00	100.00 %
001-519100-500230	Group Insurance	20,000.00	20,000.00	3,592.47	3,592.47	16,407.53	82.04 %
001-519100-500311	Advertisements	12,000.00	12,000.00	0.00	0.00	12,000.00	100.00 %
001-519100-500315	Professional Services	166,000.00	166,000.00	9,107.06	9,107.06	156,892.94	94.51 %
001-519100-500345	Contractual Services	6,750.00	6,750.00	0.00	0.00	6,750.00	100.00 %
001-519100-500347	Programs	12,300.00	12,300.00	13.08	13.08	12,286.92	99.89 %
001-519100-500495	Special Events	277,100.00	277,100.00	25,318.49	25,318.49	251,781.51	90.86 %
001-519100-500506	Printing & Binding	44,000.00	44,000.00	0.00	0.00	44,000.00	100.00 %
001-519100-500540	Dues & Subscriptions	1,900.00	1,900.00	11.67	11.67	1,888.33	99.39 %
001-519100-500545	Training	2,000.00	2,000.00	0.00	0.00	2,000.00	100.00 %
001-519100-500550	Operating Expenses	2,000.00	2,000.00	0.00	0.00	2,000.00	100.00 %
Department: 519100 - Tourism and Community Outreach Total:		653,550.00	653,550.00	39,268.91	39,268.91	614,281.09	93.99%
Department: 521000 - Police Department							
001-521000-500141	Bso Overtime	100,000.00	100,000.00	0.00	0.00	100,000.00	100.00 %
001-521000-500345	Contractual Services	6,321,135.00	6,321,135.00	527,029.92	527,029.92	5,794,105.08	91.66 %
001-521000-500352	Contract Services	5,500.00	5,500.00	0.00	0.00	5,500.00	100.00 %
001-521000-500640	Capital Outlay - Equipt & Mach	12,500.00	12,500.00	0.00	0.00	12,500.00	100.00 %
Department: 521000 - Police Department Total:		6,439,135.00	6,439,135.00	527,029.92	527,029.92	5,912,105.08	91.82%
Department: 523000 - Emergency Medical Services							
001-523000-500345	Contractual Services	519,680.00	519,680.00	40,250.00	40,250.00	479,430.00	92.25 %
Department: 523000 - Emergency Medical Services Total:		519,680.00	519,680.00	40,250.00	40,250.00	479,430.00	92.25%
Department: 524000 - Development Services							
001-524000-500120	Regular Salaries	295,900.00	295,900.00	2,466.20	2,466.20	293,433.80	99.17 %
001-524000-500121	Temporary Salaries/ Interns	7,000.00	7,000.00	0.00	0.00	7,000.00	100.00 %
001-524000-500140	Overtime Salaries	6,000.00	6,000.00	132.06	132.06	5,867.94	97.80 %
001-524000-500210	Employer Fica Taxes	22,925.00	22,925.00	384.32	384.32	22,540.68	98.32 %
001-524000-500220	Retirement	59,275.00	59,275.00	-638.83	-638.83	59,913.83	101.08 %
001-524000-500230	Group Insurance	87,000.00	87,000.00	13,421.42	13,421.42	73,578.58	84.57 %
001-524000-500315	Professional Services	60,000.00	60,000.00	0.00	0.00	60,000.00	100.00 %
001-524000-500345	Contractual Services	539,952.00	539,952.00	28,399.03	28,399.03	511,552.97	94.74 %
001-524000-500462	Fuel	0.00	0.00	98.08	98.08	-98.08	0.00 %
001-524000-500463	Service Maintenance Contracts	4,000.00	4,000.00	0.00	0.00	4,000.00	100.00 %
001-524000-500506	Printing & Binding	3,000.00	3,000.00	0.00	0.00	3,000.00	100.00 %
001-524000-500508	Postage	3,000.00	3,000.00	132.30	132.30	2,867.70	95.59 %
001-524000-500510	Office Supplies	2,500.00	2,500.00	0.00	0.00	2,500.00	100.00 %
001-524000-500525	Uniform Expense	600.00	600.00	0.00	0.00	600.00	100.00 %
001-524000-500540	Dues & Subscriptions	5,000.00	5,000.00	0.00	0.00	5,000.00	100.00 %
001-524000-500545	Training	8,000.00	8,000.00	0.00	0.00	8,000.00	100.00 %

Budget Report

For Fiscal: 2024-2025 Period Ending: 10/31/2024

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
001-524000-500550	Operating Expenses	11,000.00	11,000.00	0.00	0.00	11,000.00	100.00 %
Department: 524000 - Development Services Total:		1,115,152.00	1,115,152.00	44,394.58	44,394.58	1,070,757.42	96.02%
Department: 541100 - Mun Srvsc - Public Works Div							
001-541100-500120	Regular Salaries	1,124,881.00	1,124,881.00	8,645.87	8,645.87	1,116,235.13	99.23 %
001-541100-500140	Overtime Salaries	71,500.00	71,500.00	5,435.88	5,435.88	66,064.12	92.40 %
001-541100-500210	Employer Fica Taxes	87,300.00	87,300.00	1,161.95	1,161.95	86,138.05	98.67 %
001-541100-500220	Retirement	171,250.00	171,250.00	-1,107.70	-1,107.70	172,357.70	100.65 %
001-541100-500230	Group Insurance	327,750.00	327,750.00	62,971.45	62,971.45	264,778.55	80.79 %
001-541100-500315	Professional Services	65,000.00	65,000.00	550.00	550.00	64,450.00	99.15 %
001-541100-500340	Sewer/wastewater	18,000.00	18,000.00	2,721.48	2,721.48	15,278.52	84.88 %
001-541100-500345	Contractual Services	625,500.00	625,500.00	51,605.50	51,605.50	573,894.50	91.75 %
001-541100-500410	Communications	65,000.00	65,000.00	6,092.02	6,092.02	58,907.98	90.63 %
001-541100-500430	Electric Service	58,000.00	58,000.00	5,199.78	5,199.78	52,800.22	91.03 %
001-541100-500431	Water Service	225,000.00	225,000.00	35,305.68	35,305.68	189,694.32	84.31 %
001-541100-500433	Electric Service-streets	70,000.00	70,000.00	5,003.85	5,003.85	64,996.15	92.85 %
001-541100-500445	Equip Rent/lease	30,000.00	30,000.00	2,291.35	2,291.35	27,708.65	92.36 %
001-541100-500460	Equipment Maintenance	45,000.00	45,000.00	1,407.44	1,407.44	43,592.56	96.87 %
001-541100-500461	Vehicle Maintenance	25,000.00	25,000.00	1,735.50	1,735.50	23,264.50	93.06 %
001-541100-500462	Fuel	60,000.00	60,000.00	2,428.29	2,428.29	57,571.71	95.95 %
001-541100-500463	Service Maintenance Contracts	21,000.00	21,000.00	1,463.48	1,463.48	19,536.52	93.03 %
001-541100-500469	Buoy Maintenance	17,000.00	17,000.00	0.00	0.00	17,000.00	100.00 %
001-541100-500470	Radio Maintenance	3,000.00	3,000.00	0.00	0.00	3,000.00	100.00 %
001-541100-500498	Storm Drain Rehab/maint	100,000.00	100,000.00	0.00	0.00	100,000.00	100.00 %
001-541100-500508	Postage	300.00	300.00	0.00	0.00	300.00	100.00 %
001-541100-500510	Office Supplies	1,000.00	1,000.00	0.00	0.00	1,000.00	100.00 %
001-541100-500520	Bldg. Maintenance	153,500.00	153,500.00	5,923.45	5,923.45	147,576.55	96.14 %
001-541100-500525	Uniform Expense	30,000.00	30,000.00	2,929.11	2,929.11	27,070.89	90.24 %
001-541100-500529	Street Light Maintenance	70,000.00	70,000.00	0.00	0.00	70,000.00	100.00 %
001-541100-500530	Street Maint Repair Supply	85,000.00	85,000.00	589.96	589.96	84,410.04	99.31 %
001-541100-500531	Grounds Maint/landscaping	55,000.00	55,000.00	2,377.11	2,377.11	52,622.89	95.68 %
001-541100-500532	Signs	12,500.00	12,500.00	1,600.00	1,600.00	10,900.00	87.20 %
001-541100-500534	Sidewalk Maint Repair	7,500.00	7,500.00	0.00	0.00	7,500.00	100.00 %
001-541100-500535	Flags	3,250.00	3,250.00	0.00	0.00	3,250.00	100.00 %
001-541100-500536	Sea Oats	10,000.00	10,000.00	0.00	0.00	10,000.00	100.00 %
001-541100-500540	Dues & Subscriptions	4,000.00	4,000.00	500.00	500.00	3,500.00	87.50 %
001-541100-500545	Training	8,000.00	8,000.00	0.00	0.00	8,000.00	100.00 %
001-541100-500547	Hurricane Expenditure	10,000.00	10,000.00	0.00	0.00	10,000.00	100.00 %
001-541100-500550	Operating Expenses	150,000.00	150,000.00	12,974.44	12,974.44	137,025.56	91.35 %
001-541100-500624	Capital Outlay-bldg. Improvem	70,000.00	70,000.00	0.00	0.00	70,000.00	100.00 %
001-541100-500640	Capital Outlay - Equip & Mach	45,000.00	45,000.00	0.00	0.00	45,000.00	100.00 %
001-541100-500644	Capital Outlay-vehicles	57,459.00	57,459.00	3,127.34	3,127.34	54,331.66	94.56 %
Department: 541100 - Mun Srvsc - Public Works Div Total:		3,982,690.00	3,982,690.00	222,933.23	222,933.23	3,759,756.77	94.40%
Department: 572000 - Recreation							
001-572000-500342	Senior Rec. Ctr. Contract	113,999.00	113,999.00	8,944.72	8,944.72	105,054.28	92.15 %
001-572000-500463	Service Maintenance Contracts	2,500.00	2,500.00	153.32	153.32	2,346.68	93.87 %
001-572000-500510	Office Supplies	500.00	500.00	0.00	0.00	500.00	100.00 %
Department: 572000 - Recreation Total:		116,999.00	116,999.00	9,098.04	9,098.04	107,900.96	92.22%
Department: 581100 - Interfund Transfers							
001-581100-380102	Transfer From Bldg-oh Costs	200,000.00	200,000.00	0.00	0.00	-200,000.00	100.00 %
001-581100-380115	Transfer From Fire - Oh Costs	50,000.00	50,000.00	0.00	0.00	-50,000.00	100.00 %
001-581100-500910	Transfer To Cip Fund	1,255,000.00	1,255,000.00	0.00	0.00	1,255,000.00	100.00 %
Department: 581100 - Interfund Transfers Surplus (Deficit):		-1,005,000.00	-1,005,000.00	0.00	0.00	1,005,000.00	100.00%
Fund: 001 - General Fund Surplus (Deficit):		0.00	0.00	-994,561.45	-994,561.45	-994,561.45	0.00%

Budget Report

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		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 102 - Building Fund							
Department: 000000 - Assigned							
102-000000-380200	Appropriated Fund Balance	275,102.00	275,102.00	0.00	0.00	-275,102.00	100.00 %
	Department: 000000 - Assigned Total:	275,102.00	275,102.00	0.00	0.00	-275,102.00	100.00%
Department: 302100 - Building Permit and Inpection							
102-302100-322100	Building Permits	1,393,019.00	1,393,019.00	81,171.83	81,171.83	-1,311,847.17	94.17 %
102-302100-322105	Fire Plan Review Fees	60,000.00	60,000.00	1,692.90	1,692.90	-58,307.10	97.18 %
102-302100-322106	Building Recording Fee	0.00	0.00	12.25	12.25	12.25	0.00 %
	Department: 302100 - Building Permit and Inpection Total:	1,453,019.00	1,453,019.00	82,876.98	82,876.98	-1,370,142.02	94.30%
Department: 524100 - Building							
102-524100-500120	Regular Salaries	215,721.00	215,721.00	4,698.65	4,698.65	211,022.35	97.82 %
102-524100-500121	Temporary Salaries/ Interns	8,000.00	8,000.00	0.00	0.00	8,000.00	100.00 %
102-524100-500210	Employer Fica Taxes	17,400.00	17,400.00	223.44	223.44	17,176.56	98.72 %
102-524100-500220	Retirement	48,000.00	48,000.00	1,065.18	1,065.18	46,934.82	97.78 %
102-524100-500230	Group Insurance	80,000.00	80,000.00	2,132.69	2,132.69	77,867.31	97.33 %
102-524100-500315	Professional Services	175,000.00	175,000.00	4,412.63	4,412.63	170,587.37	97.48 %
102-524100-500345	Contractual Services	79,000.00	79,000.00	1,390.00	1,390.00	77,610.00	98.24 %
102-524100-500402	Building Permit Services	900,000.00	900,000.00	0.00	0.00	900,000.00	100.00 %
102-524100-500463	Service Maintenance Contracts	3,000.00	3,000.00	267.94	267.94	2,732.06	91.07 %
102-524100-500550	Operating Expenses	2,000.00	2,000.00	0.00	0.00	2,000.00	100.00 %
102-524100-581001	Transfer To GF-OH Costs	200,000.00	200,000.00	0.00	0.00	200,000.00	100.00 %
	Department: 524100 - Building Total:	1,728,121.00	1,728,121.00	14,190.53	14,190.53	1,713,930.47	99.18%
	Fund: 102 - Building Fund Surplus (Deficit):	0.00	0.00	68,686.45	68,686.45	68,686.45	0.00%
Fund: 103 - Sewer Fund							
Department: 000000 - Assigned							
103-000000-380200	Appropriated Fund Balance	8,480.00	8,480.00	0.00	0.00	-8,480.00	100.00 %
	Department: 000000 - Assigned Total:	8,480.00	8,480.00	0.00	0.00	-8,480.00	100.00%
Department: 304000 - Charges for Services							
103-304000-343500	Sewer Fees	1,700,000.00	1,700,000.00	0.00	0.00	-1,700,000.00	100.00 %
	Department: 304000 - Charges for Services Total:	1,700,000.00	1,700,000.00	0.00	0.00	-1,700,000.00	100.00%
Department: 306000 - Miscellaneous Revenues							
103-306000-361100	Interest Earnings	2,000.00	2,000.00	0.00	0.00	-2,000.00	100.00 %
	Department: 306000 - Miscellaneous Revenues Total:	2,000.00	2,000.00	0.00	0.00	-2,000.00	100.00%
Department: 535000 - Sanitary Sewers							
103-535000-500120	Regular Salaries	112,900.00	112,900.00	2,781.86	2,781.86	110,118.14	97.54 %
103-535000-500140	Overtime Salaries	6,600.00	6,600.00	407.93	407.93	6,192.07	93.82 %
103-535000-500210	Employer Fica Taxes	8,637.00	8,637.00	350.21	350.21	8,286.79	95.95 %
103-535000-500220	Retirement	23,325.00	23,325.00	591.25	591.25	22,733.75	97.47 %
103-535000-500230	Group Insurance	42,100.00	42,100.00	810.93	810.93	41,289.07	98.07 %
103-535000-500340	Sewer/wastewater	1,010,000.00	1,010,000.00	93,719.34	93,719.34	916,280.66	90.72 %
103-535000-500345	Contractual Services	65,000.00	65,000.00	0.00	0.00	65,000.00	100.00 %
103-535000-500430	Electric Service	30,000.00	30,000.00	2,099.20	2,099.20	27,900.80	93.00 %
103-535000-500431	Water Service	500.00	500.00	43.21	43.21	456.79	91.36 %
103-535000-500459	Sewer Line Maintenance	200,000.00	200,000.00	0.00	0.00	200,000.00	100.00 %
103-535000-500465	Pump Station Maintenance	3,000.00	3,000.00	0.00	0.00	3,000.00	100.00 %
103-535000-500497	Contingency	100,000.00	100,000.00	0.00	0.00	100,000.00	100.00 %
103-535000-500506	Printing & Binding	1,250.00	1,250.00	0.00	0.00	1,250.00	100.00 %
103-535000-500550	Operating Expenses	2,000.00	2,000.00	0.00	0.00	2,000.00	100.00 %
103-535000-500630	Cap Outlay Imp Other Than Bldg	105,168.00	105,168.00	0.00	0.00	105,168.00	100.00 %
	Department: 535000 - Sanitary Sewers Total:	1,710,480.00	1,710,480.00	100,803.93	100,803.93	1,609,676.07	94.11%
	Fund: 103 - Sewer Fund Surplus (Deficit):	0.00	0.00	-100,803.93	-100,803.93	-100,803.93	0.00%
Fund: 115 - Fire Fund							
Department: 000000 - Assigned							
115-000000-380203	Appropriation From Fire Fund	600,000.00	600,000.00	0.00	0.00	-600,000.00	100.00 %
	Department: 000000 - Assigned Total:	600,000.00	600,000.00	0.00	0.00	-600,000.00	100.00%

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	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Department: 301050 - Fire Assessment						
115-301050-311200 Property Tax-fire Assessment	1,347,159.00	1,347,159.00	0.00	0.00	-1,347,159.00	100.00 %
Department: 301050 - Fire Assessment Total:	1,347,159.00	1,347,159.00	0.00	0.00	-1,347,159.00	100.00%
Department: 304000 - Charges for Services						
115-304000-342210 Fire Inspection Fees	77,000.00	77,000.00	70,805.23	70,805.23	-6,194.77	8.05 %
Department: 304000 - Charges for Services Total:	77,000.00	77,000.00	70,805.23	70,805.23	-6,194.77	8.05%
Department: 522000 - Fire Department						
115-522000-500315 Professional Services	83,000.00	83,000.00	0.00	0.00	83,000.00	100.00 %
115-522000-500345 Contractual Services	987,100.00	987,100.00	82,250.00	82,250.00	904,850.00	91.67 %
115-522000-500520 Bldg. Maintenance	4,059.00	4,059.00	0.00	0.00	4,059.00	100.00 %
115-522000-500624 Capital Outlay-bldg. Improvemt	900,000.00	900,000.00	0.00	0.00	900,000.00	100.00 %
115-522000-500912 Transfer To General Fund	50,000.00	50,000.00	0.00	0.00	50,000.00	100.00 %
Department: 522000 - Fire Department Total:	2,024,159.00	2,024,159.00	82,250.00	82,250.00	1,941,909.00	95.94%
Fund: 115 - Fire Fund Surplus (Deficit):	0.00	0.00	-11,444.77	-11,444.77	-11,444.77	0.00%
Fund: 300 - Capital Project Fund						
Department: 000000 - Assigned						
300-000000-380200 Appropriated Fund Balance	615,000.00	615,000.00	0.00	0.00	-615,000.00	100.00 %
Department: 000000 - Assigned Total:	615,000.00	615,000.00	0.00	0.00	-615,000.00	100.00%
Department: 303000 - Intergovernmental Revenues						
300-303000-334920 Beach Portal-Funding	50,000.00	50,000.00	0.00	0.00	-50,000.00	100.00 %
300-303000-334929 Friedt Park Funding	200,000.00	200,000.00	0.00	0.00	-200,000.00	100.00 %
300-303000-334933 Resilient Florida Program (DEP) Gra...	200,000.00	200,000.00	0.00	0.00	-200,000.00	100.00 %
Department: 303000 - Intergovernmental Revenues Total:	450,000.00	450,000.00	0.00	0.00	-450,000.00	100.00%
Department: 519000 - General						
300-519000-500120 Regular Salaries	86,657.00	86,657.00	3,080.59	3,080.59	83,576.41	96.45 %
300-519000-500210 Employer Fica Taxes	6,630.00	6,630.00	235.66	235.66	6,394.34	96.45 %
300-519000-500220 Retirement	24,380.00	24,380.00	850.20	850.20	23,529.80	96.51 %
300-519000-500230 Group Insurance	18,975.00	18,975.00	1,064.44	1,064.44	17,910.56	94.39 %
300-519000-500640 Capital Outlay - Equipt & Mach	90,000.00	90,000.00	0.00	0.00	90,000.00	100.00 %
Department: 519000 - General Total:	226,642.00	226,642.00	5,230.89	5,230.89	221,411.11	97.69%
Department: 519161 - Town Hall / Public Safety						
300-519161-500629 Capital Outlay - Design/permit	500,000.00	500,000.00	0.00	0.00	500,000.00	100.00 %
Department: 519161 - Town Hall / Public Safety Total:	500,000.00	500,000.00	0.00	0.00	500,000.00	100.00%
Department: 545170 - El Prado Park						
300-545170-500630 Cap Outlay Imp Other Than Bldg	775,000.00	775,000.00	0.00	0.00	775,000.00	100.00 %
Department: 545170 - El Prado Park Total:	775,000.00	775,000.00	0.00	0.00	775,000.00	100.00%
Department: 559027 - Storm Water Rate Study						
300-559027-500630 Cap Outlay Imp Other Than Bldg	125,000.00	125,000.00	0.00	0.00	125,000.00	100.00 %
Department: 559027 - Storm Water Rate Study Total:	125,000.00	125,000.00	0.00	0.00	125,000.00	100.00%
Department: 572102 - Beach Portal						
300-572102-500629 Capital Outlay - Design/permit	50,000.00	50,000.00	0.00	0.00	50,000.00	100.00 %
Department: 572102 - Beach Portal Total:	50,000.00	50,000.00	0.00	0.00	50,000.00	100.00%
Department: 572108 - FDOT A1A Pine Ave to Palm Ave						
300-572108-500630 Cap Outlay Imp other than bldg	255,000.00	255,000.00	0.00	0.00	255,000.00	100.00 %
Department: 572108 - FDOT A1A Pine Ave to Palm Ave Total:	255,000.00	255,000.00	0.00	0.00	255,000.00	100.00%
Department: 572110 - Tennis Court Lighting						
300-572110-500630 Cap Outlay Imp other than bldg	45,000.00	45,000.00	0.00	0.00	45,000.00	100.00 %
Department: 572110 - Tennis Court Lighting Total:	45,000.00	45,000.00	0.00	0.00	45,000.00	100.00%
Department: 572200 - Beach Renourishment						
300-572200-500630 Cap Outlay Imp Other Than Bldg	116,667.00	116,667.00	116,666.67	116,666.67	0.33	0.00 %
Department: 572200 - Beach Renourishment Total:	116,667.00	116,667.00	116,666.67	116,666.67	0.33	0.00%

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	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Department: 575200 - Traffic Improvements & Calming						
300-575200-500630 Cap Outlay Imp Other Than Bldg	150,000.00	150,000.00	0.00	0.00	150,000.00	100.00 %
Department: 575200 - Traffic Improvements & Calming Total:	150,000.00	150,000.00	0.00	0.00	150,000.00	100.00%
Department: 575201 - Pedestrian Amenities						
300-575201-500630 Cap Outlay Imp Other Than Bldg	75,000.00	75,000.00	0.00	0.00	75,000.00	100.00 %
Department: 575201 - Pedestrian Amenities Total:	75,000.00	75,000.00	0.00	0.00	75,000.00	100.00%
Department: 576136 - Street Proj.Bougain.Poinciana						
300-576136-500629 Capital Outlay - Design/permit	225,000.00	225,000.00	0.00	0.00	225,000.00	100.00 %
Department: 576136 - Street Proj.Bougain.Poinciana Total:	225,000.00	225,000.00	0.00	0.00	225,000.00	100.00%
Department: 576138 - Rodway Paving & Refurbishment						
300-576138-500630 Cap Outlay Imp Other Than Bldg	483,691.00	483,691.00	0.00	0.00	483,691.00	100.00 %
Department: 576138 - Rodway Paving & Refurbishment Total:	483,691.00	483,691.00	0.00	0.00	483,691.00	100.00%
Department: 576305 - Resilient Florida Program -Project						
300-576305-500630 Cap Outlay Imp other than bldg	200,000.00	200,000.00	0.00	0.00	200,000.00	100.00 %
Department: 576305 - Resilient Florida Program -Project Total:	200,000.00	200,000.00	0.00	0.00	200,000.00	100.00%
Department: 577100 - Friedt Park						
300-577100-500630 Cap Outlay Imp Other Than Bldg	725,000.00	725,000.00	0.00	0.00	725,000.00	100.00 %
Department: 577100 - Friedt Park Total:	725,000.00	725,000.00	0.00	0.00	725,000.00	100.00%
Department: 577102 - 75th Anniversary Garden						
300-577102-500630 Cap Outlay Imp other than bldg	100,000.00	100,000.00	0.00	0.00	100,000.00	100.00 %
Department: 577102 - 75th Anniversary Garden Total:	100,000.00	100,000.00	0.00	0.00	100,000.00	100.00%
Department: 581100 - Interfund Transfers						
300-581100-381105 Transfer From General Fund	1,255,000.00	1,255,000.00	0.00	0.00	-1,255,000.00	100.00 %
300-581100-381106 Transfer From Parking Fund	1,732,000.00	1,732,000.00	0.00	0.00	-1,732,000.00	100.00 %
Department: 581100 - Interfund Transfers Total:	2,987,000.00	2,987,000.00	0.00	0.00	-2,987,000.00	100.00%
Fund: 300 - Capital Project Fund Surplus (Deficit):	0.00	0.00	-121,897.56	-121,897.56	-121,897.56	0.00%
Fund: 310 - Parking Fund						
Department: 302000 - Licenses & Permits						
310-302000-313101 Pilop Fee	40,000.00	40,000.00	0.00	0.00	-40,000.00	100.00 %
Department: 302000 - Licenses & Permits Total:	40,000.00	40,000.00	0.00	0.00	-40,000.00	100.00%
Department: 304000 - Charges for Services						
310-304000-344500 Parking Permits	148,000.00	148,000.00	46,732.67	46,732.67	-101,267.33	68.42 %
310-304000-344520 Parking Agreements	94,024.00	94,024.00	0.00	0.00	-94,024.00	100.00 %
310-304000-344551 South Ocean	210,000.00	210,000.00	14,834.35	14,834.35	-195,165.65	92.94 %
310-304000-344552 Ocean Front Meters	350,000.00	350,000.00	42,715.34	42,715.34	-307,284.66	87.80 %
310-304000-344553 Commermercial Blvd. Meters	90,000.00	90,000.00	12,159.26	12,159.26	-77,840.74	86.49 %
310-304000-344554 Parking Meters - Beach	200,000.00	200,000.00	13,172.74	13,172.74	-186,827.26	93.41 %
310-304000-344555 Palm Portal- Fdg	99,000.00	99,000.00	8,253.61	8,253.61	-90,746.39	91.66 %
310-304000-344556 El Prado Parking Lot	650,000.00	650,000.00	31,577.33	31,577.33	-618,422.67	95.14 %
310-304000-344558 Town Hall Parking Lot	35,000.00	35,000.00	648.08	648.08	-34,351.92	98.15 %
310-304000-344559 El Mar Parking Lot	295,000.00	295,000.00	25,295.38	25,295.38	-269,704.62	91.43 %
310-304000-344560 A1A Parking Lot	650,000.00	650,000.00	43,193.58	43,193.58	-606,806.42	93.35 %
310-304000-344563 Bougainvilla/ Poinciana	199,000.00	199,000.00	16,219.54	16,219.54	-182,780.46	91.85 %
Department: 304000 - Charges for Services Total:	3,020,024.00	3,020,024.00	254,801.88	254,801.88	-2,765,222.12	91.56%
Department: 305000 - Fines & Forfeitures						
310-305000-354100 Parking Fines	110,000.00	110,000.00	32,944.22	32,944.22	-77,055.78	70.05 %
Department: 305000 - Fines & Forfeitures Total:	110,000.00	110,000.00	32,944.22	32,944.22	-77,055.78	70.05%
Department: 306000 - Miscellaneous Revenues						
310-306000-362001 Bougainvilla Rent	149,760.00	149,760.00	9,500.00	9,500.00	-140,260.00	93.66 %
Department: 306000 - Miscellaneous Revenues Total:	149,760.00	149,760.00	9,500.00	9,500.00	-140,260.00	93.66%
Department: 545000 - Parking Operations						
310-545000-500120 Regular Salaries	236,000.00	236,000.00	5,670.59	5,670.59	230,329.41	97.60 %
310-545000-500140 Overtime Salaries	4,200.00	4,200.00	503.92	503.92	3,696.08	88.00 %
310-545000-500210 Employer Fica Taxes	18,400.00	18,400.00	304.23	304.23	18,095.77	98.35 %

Budget Report

For Fiscal: 2024-2025 Period Ending: 10/31/2024

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
310-545000-500220	Retirement	45,000.00	45,000.00	960.74	960.74	44,039.26	97.87 %
310-545000-500230	Group Insurance	76,000.00	76,000.00	4,074.83	4,074.83	71,925.17	94.64 %
310-545000-500345	Contractual Services	523,000.00	523,000.00	34,765.73	34,765.73	488,234.27	93.35 %
310-545000-500353	Parking Alternatives	85,000.00	85,000.00	3,455.02	3,455.02	81,544.98	95.94 %
310-545000-500410	Communications	3,000.00	3,000.00	145.28	145.28	2,854.72	95.16 %
310-545000-500430	Electric Service	9,600.00	9,600.00	567.94	567.94	9,032.06	94.08 %
310-545000-500431	Water Service	27,500.00	27,500.00	2,368.76	2,368.76	25,131.24	91.39 %
310-545000-500445	Equip Rent/lease	5,500.00	5,500.00	0.00	0.00	5,500.00	100.00 %
310-545000-500461	Vehicle Maintenance	8,000.00	8,000.00	285.85	285.85	7,714.15	96.43 %
310-545000-500462	Fuel	15,000.00	15,000.00	490.99	490.99	14,509.01	96.73 %
310-545000-500463	Service Maintenance Contracts	48,588.00	48,588.00	4,560.00	4,560.00	44,028.00	90.61 %
310-545000-500497	Contingency	10,000.00	10,000.00	0.00	0.00	10,000.00	100.00 %
310-545000-500506	Printing & Binding	8,000.00	8,000.00	0.00	0.00	8,000.00	100.00 %
310-545000-500508	Postage	1,000.00	1,000.00	40.27	40.27	959.73	95.97 %
310-545000-500510	Office Supplies	1,000.00	1,000.00	29.95	29.95	970.05	97.01 %
310-545000-500525	Uniform Expense	5,000.00	5,000.00	0.00	0.00	5,000.00	100.00 %
310-545000-500532	Signs	13,000.00	13,000.00	2,138.68	2,138.68	10,861.32	83.55 %
310-545000-500533	Parking Meter Parts-supplies	38,000.00	38,000.00	0.00	0.00	38,000.00	100.00 %
310-545000-500545	Training	2,000.00	2,000.00	0.00	0.00	2,000.00	100.00 %
310-545000-500550	Operating Expenses	37,000.00	37,000.00	499.36	499.36	36,500.64	98.65 %
310-545000-500630	Cap Outlay Imp Other Than Bldg	32,310.00	32,310.00	0.00	0.00	32,310.00	100.00 %
310-545000-500640	Capital Outlay - Equipt & Mach	104,000.00	104,000.00	0.00	0.00	104,000.00	100.00 %
310-545000-500644	Capital Outlay-vehicles	31,686.00	31,686.00	1,988.53	1,988.53	29,697.47	93.72 %
310-545000-500646	Capital Outlay-Reserves	200,000.00	200,000.00	0.00	0.00	200,000.00	100.00 %
Department: 545000 - Parking Operations Total:		1,587,784.00	1,587,784.00	62,850.67	62,850.67	1,524,933.33	96.04%
Department: 581100 - Interfund Transfers							
310-581100-500910	Transfer To CIP Fund	1,732,000.00	1,732,000.00	0.00	0.00	1,732,000.00	100.00 %
Department: 581100 - Interfund Transfers Total:		1,732,000.00	1,732,000.00	0.00	0.00	1,732,000.00	100.00%
Fund: 310 - Parking Fund Surplus (Deficit):		0.00	0.00	234,395.43	234,395.43	234,395.43	0.00%
Report Surplus (Deficit):		0.00	0.00	-925,625.83	-925,625.83	-925,625.83	0.00%

Group Summary

Departmen...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 001 - General Fund						
301000 - Ad Valorem Property Taxes	13,548,619.00	13,548,619.00	0.00	0.00	-13,548,619.00	100.00%
301100 - Utility Taxes	1,198,700.00	1,198,700.00	14.23	14.23	-1,198,685.77	100.00%
301600 - Franchise Taxes	864,799.00	864,799.00	0.00	0.00	-864,799.00	100.00%
302000 - Licenses & Permits	187,200.00	187,200.00	175,270.04	175,270.04	-11,929.96	6.37%
303000 - Intergovernmental Revenues	1,203,884.00	1,203,884.00	25,949.17	25,949.17	-1,177,934.83	97.84%
304000 - Charges for Services	7,250.00	7,250.00	120.00	120.00	-7,130.00	98.34%
305000 - Fines & Forfeitures	87,000.00	87,000.00	0.00	0.00	-87,000.00	100.00%
306000 - Miscellaneous Revenues	383,560.00	383,560.00	28,980.50	28,980.50	-354,579.50	92.44%
511000 - Commission	352,150.00	352,150.00	19,075.80	19,075.80	333,074.20	94.58%
511100 - Donation-Non Profits	68,500.00	68,500.00	36,500.00	36,500.00	32,000.00	46.72%
511200 - Visitor Center	142,341.00	142,341.00	4,287.10	4,287.10	138,053.90	96.99%
513000 - Administration	1,381,915.00	1,381,915.00	40,257.97	40,257.97	1,341,657.03	97.09%
514000 - Town Attorney	408,000.00	408,000.00	35,670.60	35,670.60	372,329.40	91.26%
519000 - General	1,295,900.00	1,295,900.00	206,129.24	206,129.24	1,089,770.76	84.09%
519100 - Tourism and Community Outreach	653,550.00	653,550.00	39,268.91	39,268.91	614,281.09	93.99%
521000 - Police Department	6,439,135.00	6,439,135.00	527,029.92	527,029.92	5,912,105.08	91.82%
523000 - Emergency Medical Services	519,680.00	519,680.00	40,250.00	40,250.00	479,430.00	92.25%
524000 - Development Services	1,115,152.00	1,115,152.00	44,394.58	44,394.58	1,070,757.42	96.02%
541100 - Mun Srvsc - Public Works Div	3,982,690.00	3,982,690.00	222,933.23	222,933.23	3,759,756.77	94.40%
572000 - Recreation	116,999.00	116,999.00	9,098.04	9,098.04	107,900.96	92.22%
581100 - Interfund Transfers	-1,005,000.00	-1,005,000.00	0.00	0.00	1,005,000.00	100.00%
Fund: 001 - General Fund Surplus (Deficit):	0.00	0.00	-994,561.45	-994,561.45	-994,561.45	0.00%
Fund: 102 - Building Fund						
000000 - Assigned	275,102.00	275,102.00	0.00	0.00	-275,102.00	100.00%
302100 - Building Permit and Inpection	1,453,019.00	1,453,019.00	82,876.98	82,876.98	-1,370,142.02	94.30%
524100 - Building	1,728,121.00	1,728,121.00	14,190.53	14,190.53	1,713,930.47	99.18%
Fund: 102 - Building Fund Surplus (Deficit):	0.00	0.00	68,686.45	68,686.45	68,686.45	0.00%
Fund: 103 - Sewer Fund						
000000 - Assigned	8,480.00	8,480.00	0.00	0.00	-8,480.00	100.00%
304000 - Charges for Services	1,700,000.00	1,700,000.00	0.00	0.00	-1,700,000.00	100.00%
306000 - Miscellaneous Revenues	2,000.00	2,000.00	0.00	0.00	-2,000.00	100.00%
535000 - Sanitary Sewers	1,710,480.00	1,710,480.00	100,803.93	100,803.93	1,609,676.07	94.11%
Fund: 103 - Sewer Fund Surplus (Deficit):	0.00	0.00	-100,803.93	-100,803.93	-100,803.93	0.00%
Fund: 115 - Fire Fund						
000000 - Assigned	600,000.00	600,000.00	0.00	0.00	-600,000.00	100.00%
301050 - Fire Assessment	1,347,159.00	1,347,159.00	0.00	0.00	-1,347,159.00	100.00%
304000 - Charges for Services	77,000.00	77,000.00	70,805.23	70,805.23	-6,194.77	8.05%
522000 - Fire Department	2,024,159.00	2,024,159.00	82,250.00	82,250.00	1,941,909.00	95.94%
Fund: 115 - Fire Fund Surplus (Deficit):	0.00	0.00	-11,444.77	-11,444.77	-11,444.77	0.00%
Fund: 300 - Capital Project Fund						
000000 - Assigned	615,000.00	615,000.00	0.00	0.00	-615,000.00	100.00%
303000 - Intergovernmental Revenues	450,000.00	450,000.00	0.00	0.00	-450,000.00	100.00%
519000 - General	226,642.00	226,642.00	5,230.89	5,230.89	221,411.11	97.69%
519161 - Town Hall / Public Safety	500,000.00	500,000.00	0.00	0.00	500,000.00	100.00%
545170 - El Prado Park	775,000.00	775,000.00	0.00	0.00	775,000.00	100.00%
559027 - Storm Water Rate Study	125,000.00	125,000.00	0.00	0.00	125,000.00	100.00%
572102 - Beach Portal	50,000.00	50,000.00	0.00	0.00	50,000.00	100.00%
572108 - FDOT A1A Pine Ave to Palm Ave	255,000.00	255,000.00	0.00	0.00	255,000.00	100.00%
572110 - Tennis Court Lighting	45,000.00	45,000.00	0.00	0.00	45,000.00	100.00%
572200 - Beach Renourishment	116,667.00	116,667.00	116,666.67	116,666.67	0.33	0.00%
575200 - Traffic Improvements & Calming	150,000.00	150,000.00	0.00	0.00	150,000.00	100.00%
575201 - Pedestrian Amenities	75,000.00	75,000.00	0.00	0.00	75,000.00	100.00%
576136 - Street Proj.Bougain.Poinciana	225,000.00	225,000.00	0.00	0.00	225,000.00	100.00%
576138 - Rodway Paving & Refurbishment	483,691.00	483,691.00	0.00	0.00	483,691.00	100.00%

Budget Report

For Fiscal: 2024-2025 Period Ending: 10/31/2024

Departmen...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
576305 - Resilient Florida Program -Project	200,000.00	200,000.00	0.00	0.00	200,000.00	100.00%
577100 - Friedt Park	725,000.00	725,000.00	0.00	0.00	725,000.00	100.00%
577102 - 75th Anniversary Garden	100,000.00	100,000.00	0.00	0.00	100,000.00	100.00%
581100 - Interfund Transfers	2,987,000.00	2,987,000.00	0.00	0.00	-2,987,000.00	100.00%
Fund: 300 - Capital Project Fund Surplus (Deficit):	0.00	0.00	-121,897.56	-121,897.56	-121,897.56	0.00%
Fund: 310 - Parking Fund						
302000 - Licenses & Permits	40,000.00	40,000.00	0.00	0.00	-40,000.00	100.00%
304000 - Charges for Services	3,020,024.00	3,020,024.00	254,801.88	254,801.88	-2,765,222.12	91.56%
305000 - Fines & Forfeitures	110,000.00	110,000.00	32,944.22	32,944.22	-77,055.78	70.05%
306000 - Miscellaneous Revenues	149,760.00	149,760.00	9,500.00	9,500.00	-140,260.00	93.66%
545000 - Parking Operations	1,587,784.00	1,587,784.00	62,850.67	62,850.67	1,524,933.33	96.04%
581100 - Interfund Transfers	1,732,000.00	1,732,000.00	0.00	0.00	1,732,000.00	100.00%
Fund: 310 - Parking Fund Surplus (Deficit):	0.00	0.00	234,395.43	234,395.43	234,395.43	0.00%
Report Surplus (Deficit):	0.00	0.00	-925,625.83	-925,625.83	-925,625.83	0.00%

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)
001 - General Fund	0.00	0.00	-994,561.45	-994,561.45	-994,561.45
102 - Building Fund	0.00	0.00	68,686.45	68,686.45	68,686.45
103 - Sewer Fund	0.00	0.00	-100,803.93	-100,803.93	-100,803.93
115 - Fire Fund	0.00	0.00	-11,444.77	-11,444.77	-11,444.77
300 - Capital Project Fund	0.00	0.00	-121,897.56	-121,897.56	-121,897.56
310 - Parking Fund	0.00	0.00	234,395.43	234,395.43	234,395.43
Report Surplus (Deficit):	0.00	0.00	-925,625.83	-925,625.83	-925,625.83

Town of Lauderdale-by-the-Sea
Cash and Investment Report
as of October 31,2024

Bank / Other	GL No.	Bank No.	Account Name	Account Type	Bank/ Pool	Balance 10/31/2024	Interest/ Avg % Yield	Interest/Chg Mkt Value	Interest/ Year to Date
001 General Fund:									
Truist	101.000	8015	Master Account	Analyzed Interest Checking	Truist	4,903,831.06	3.50%		
Truist	101.009	6876	Emergency Reserve	Public Special Money Rate Checking	Truist	2,559,981.83	3.42%	7,404.56	7,404.56
GENERAL FUND						BANK SUBTOTAL	7,463,812.89	7,404.56	7,404.56
SBA	101.300	1471-A	General Fund Invest Acct A	SBA Invest Pool	SBA	195,416.45	5.40%	832.58	832.58
SBA	101.400	1472-A	Emergency Reserves Acct A	SBA Invest Pool	SBA	94,808.81	5.40%	403.93	403.93
SouthState Inv.	101.110	9371	Investment	Investment	SSTI	1,979,431.39			
GENERAL FUND						SBA SUBTOTAL	2,269,656.65	1,236.51	1,236.51
GENERAL FUND						GRAND TOTAL	9,733,469.54	8,641.07	8,641.07
101 Police Forfeiture & Training									
Truist	101.100	9613	Police Forfeiture Fund	Analyzed Interest Checking	Truist	198.48	3.50%	Included Above	Included Above
POLICE FUND						TOTAL	198.48	0.00	0.00
103 Sewer Enterprise Fund									
Truist	101.105	9999	Sewer Enterprise Fund	Analyzed Interest Checking	Truist	1,348,730.60	3.50%		
SEWER FUND						TOTAL	1,348,730.60	0.00	0.00
115 Fire Fund:									
Truist	101.109	5379	Fire Fund Account	Analyzed Interest Checking	Truist	1,190,589.02	3.50%		
FIRE FUND						GRAND TOTAL	1,190,589.02	0.00	0.00
300 Capital Improvement Fund:									
Truist	101.115	0010	Capital Improvement Fund	Analyzed Interest Checking	Truist	2,176,894.98	3.50%		
CAPITAL IMPROVEMENT FUND						TOTAL	2,176,894.98	0.00	0.00
310 Parking Improvement Fund									
Truist	101.125	0120	Parking Improvement Account	Analyzed Interest Checking	Truist	5,910,861.12	3.50%		
Truist	101.128	8554	PILOP Account	Analyzed Interest Checking	Truist	200.00	3.50%	Included Above	Included Above
PARKING FUND						TOTAL	5,911,061.12	0.00	0.00
102 Building Fund									
Truist	101.104	8686	Building Account	Analyzed Interest Checking	Truist	1,256,045.59	3.50%		
BUILDING FUND						TOTAL	1,256,045.59	-	0.00
ALL FUNDS						GRAND TOTAL	21,616,989.33	8,641.07	8,641.07

Town of Lauderdale-by-the-Sea
Cash and Investment Report
as of October 31,2024

Summary by Investment Type		Amount	Percent
Interest Bearing Checking		19,347,332.68	90%
Non-interest Bearing Checking		0.00	0%
SBA Trust Fund/Pools		290,225.26	1%
Investment		1,979,431.39	9%
Repurchase Agreements		0.00	0%
Money Market Funds		0.00	0%
U.S. Securities/Treasuries		0.00	0%
U.S. Federal Agencies		0.00	0%
Federal Instrumentalities		0.00	0%
GRAND TOTAL		21,616,989.33	100%

Summary by Fund		Amount	Percent
101.000/101-400	General Fund	9,733,469.54	45%
	Police Fund	198.48	0%
	Sewer Fund	1,348,730.60	6%
	Fire Fund	1,190,589.02	6%
	Building Fund	1,256,045.59	6%
	Capital Improvement Fund	2,176,894.98	10%
	Parking Fund	5,911,061.12	27%
GRAND TOTAL		21,616,989.33	100%

Summary by Bank/Pool/Inv		Amount	Percent
	Truist	19,347,332.68	90%
	Investment	1,979,431.39	9%
	Florida Prime/State Board of Admin.	290,225.26	1%
GRAND TOTAL		21,616,989.33	100%



Agenda Item No: 8.d.

Town Commission Agenda Item Report

Meeting Date: January 28, 2025

Submitted By: Lucila Lang, Finance Director

Submitting Department: Finance

Item Type: Presentation

Agenda Section: TOWN MANAGER REPORT

Subject Title: November 2024 Finance Report

Explanation: Presented is the November 2024 financial report which consists of the attached Revenue/Expenditure Report (Exhibit 2) and the Cash & Investment Report (Exhibit 3). At the end of November, the Town was 16.67% through the fiscal year.

Recommendation: N/A

Exhibits:

1. November 2024 Finance Report
2. November 2024 Revenue_Expenditure Report
3. November 2024 Cash Investment Report

The following is a summary of the operating results through 11/30/2024:

Fund	Annual Budget	Budgeted Appropriations	Budgeted Revenues Excluding Appropriations	YTD Revenues		YTD Expenditures		Net Amount
				Amount	% of Budget	Amount	% of Budget	
General Fund	\$ 17,731,012.00	\$ -	\$ 17,731,012.00	\$ 3,410,211.90	19.23%	\$ 2,570,836.15	14.50%	\$ 839,375.75
Building Fund	\$ 1,728,121.00	\$ 275,102.00	\$ 1,453,019.00	\$ 170,744.19	11.75%	\$ 38,708.63	2.66%	\$ 132,035.56
Sewer Fund	\$ 1,710,480.00	\$ 8,480.00	\$ 1,702,000.00	\$ 89,981.56	5.29%	\$ 199,218.03	11.70%	\$ (109,236.47)
Fire Fund	\$ 2,024,159.00	\$ 600,000.00	\$ 1,424,159.00	\$ 333,112.37	23.39%	\$ 167,577.00	11.77%	\$ 165,535.37
Capital Fund	\$ 4,052,000.00	\$ 615,000.00	\$ 3,437,000.00	\$ -	0.00%	\$ 192,677.69	4.76%	\$ (192,677.69)
Parking Fund	\$ 3,319,784.00		\$ 3,319,784.00	\$ 584,543.49	17.61%	\$ 150,932.55	4.55%	\$ 433,610.94
Grand Total	\$ 30,565,556.00	\$ 1,498,582.00	\$ 29,066,974.00	\$ 4,588,593.51		\$ 3,319,950.05		\$ 1,268,643.46

Notable items this month are as follows:

General Fund:

- During November, the Town collected \$2,782,016.92 in ad valorem revenues. This is consistent with the Town's expectations. The largest bulk of this revenue is usually received in December.
- All other revenues and expenses are within expectations for the 2nd month of the fiscal year.

Building Fund:

- CAP's billing has not been received and will be processed upon receipt.

Sewer Fund:

- Sewer revenues are slightly lower than expectations, while expenditures are within expectations.

Fire Fund:

- During the month of November, the Town received \$260,779.64 in Fire Assessment Fee revenues which is 19% of the amount that was budgeted.

Capital Projects Fund:

NOVEMBER, 2024 REPORT INFORMATION					
<u>CIP Projects</u>	<u>Budget</u>	<u>YTD Expenditures</u>	<u>November Expenditures</u>	<u>% Completion</u>	<u>Comments</u>
Town Hall/Public Safety	\$ 500,000.00	\$ -	\$ -	0.00%	No activity for the month.
El Prado Park	\$ 775,000.00	\$ -	\$ -	0.00%	No activity for the month.
Storm Water Rate Study	\$ 125,000.00	\$ -	\$ -	0.00%	No activity for the month.
Beach Portal	\$ 50,000.00	\$ -	\$ -	0.00%	No activity for the month.
FDOT A1A Pine Avenue to Palm Aire	\$ 255,000.00	\$ -	\$ -	0.00%	No activity for the month.
Tennis Court Lighting	\$ 45,000.00	\$ -	\$ -	0.00%	No activity for the month.
Beach Renourishment	\$ 116,667.00	\$ 116,666.67	\$ -	100.00%	Completed.
Traffic Improvements & Calming	\$ 150,000.00	\$ -	\$ -	0.00%	No activity for the month.
Pedestrian Amenities	\$ 75,000.00	\$ 33,590.25	\$ 33,590.25	44.79%	Payment made to Evolvtec.
Street Project-Bougainvilla/Poinciana	\$ 225,000.00	\$ -	\$ -	0.00%	No activity for the month.
Roadway Paving & Refurbishment	\$ 483,691.00	\$ -	\$ -	0.00%	No activity for the month.
Resilient Florida Program	\$ 200,000.00	\$ -	\$ -	0.00%	No activity for the month.
Friedt Park	\$ 725,000.00	\$ 17,994.60	\$ 17,994.60	2.48%	Payment made to Rep Services, Inc.
75th Anniversary Garden	\$ 100,000.00	\$ 6,102.40	\$ 6,102.40	6.10%	Payments made to Architectural Alliance.
Totals:	\$ 3,825,358.00	\$ 174,353.92	\$ 57,687.25		

Parking Fund:

- Parking revenues for the month of November are 18.57% higher than at the same time last year.

Below is a breakdown of revenue by lots:

	July, 2024		August, 2024		September, 2024		October, 2024		November, 2024	
South Ocean	\$ 29,045.28	\$ 2,294.32	\$ 18,510.64	\$ (4,852.68)	\$ 17,552.24	\$ 96.90	\$ 14,834.35	\$ (6,163.70)	\$ 20,592.02	\$ 2,546.38
Ocean Front Meters	\$ 54,487.50	\$ 4,705.01	\$ 43,724.05	\$ 2,293.33	\$ 46,531.01	\$ 15,117.27	\$ 42,715.34	\$ 9,274.46	\$ 42,553.18	\$ 12,063.41
Commercial Blvd. Meters	\$ 9,617.65	\$ 1,525.61	\$ 9,771.40	\$ 509.85	\$ 12,251.39	\$ 4,837.10	\$ 12,159.26	\$ 3,215.44	\$ 11,979.95	\$ 4,274.75
Parking Meters-Beach	\$ 26,446.35	\$ 3,378.94	\$ 17,902.33	\$ (3,793.09)	\$ 18,048.88	\$ 2,497.36	\$ 13,172.74	\$ (2,901.11)	\$ 14,673.57	\$ 1,770.97
Palm Portal-FDG	\$ 17,589.68	\$ 1,624.77	\$ 11,800.50	\$ (2,866.93)	\$ 13,138.09	\$ 3,056.22	\$ 8,253.61	\$ (1,878.14)	\$ 8,803.59	\$ 549.98
El Prado Parking Lot	\$ 65,122.70	\$ 9,235.30	\$ 42,209.18	\$ (16,265.03)	\$ 45,081.50	\$ 3,255.88	\$ 31,577.33	\$ (14,426.08)	\$ 37,935.59	\$ (235.82)
Town Hall Parking Lot	\$ 2,639.37	\$ (1,535.92)	\$ 1,301.17	\$ (349.91)	\$ 2,011.03	\$ 873.06	\$ 648.08	\$ (508.25)	\$ 749.80	\$ 32.07
El Mar Parking Lot	\$ 28,420.92	\$ 3,706.33	\$ 24,601.42	\$ (190.49)	\$ 23,515.65	\$ 5,226.90	\$ 25,295.38	\$ 3,590.74	\$ 26,358.14	\$ 6,925.05
A1A Parking Lot	\$ 67,068.47	\$ 4,031.80	\$ 47,597.98	\$ (11,522.48)	\$ 40,296.14	\$ 675.24	\$ 43,193.58	\$ (5,862.11)	\$ 48,687.94	\$ 4,947.47
Bougainvilla/Poiciana	\$ 26,515.76	\$ 2,832.89	\$ 17,506.18	\$ (3,369.83)	\$ 18,862.19	\$ 2,604.73	\$ 16,219.54	\$ (1,545.26)	\$ 19,336.88	\$ 3,410.69
Monthly Total:	\$ 326,953.68		\$ 234,924.85		\$ 237,288.12		\$ 208,069.21		\$ 231,670.66	
<i>Difference from last year \$:</i>	\$ 31,799.05		\$ (40,407.26)		\$ 38,240.66		\$ (17,204.01)		\$ 36,284.95	
<i>Difference from last year %:</i>	10.77%		-14.68%		19.21%		-7.64%		18.57%	
Additional Parking Income:										
Parking Permits									\$ 9,872.51	
Parking Fines									\$ 31,368.79	
GRAND TOTAL:									\$ 272,911.96	

The top producing lots for November 2024 are:

- A1A Parking Lot
- Ocean Front Meters
- El Prado Parking Lot
- El Mar Parking Lot



Lauderdale-By-The-Sea, FL

Budget Report Account Summary

For Fiscal: 2024-2025 Period Ending: 11/30/2024

	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 001 - General Fund						
Department: 301000 - Ad Valorem Property Taxes						
001-301000-311100 Ad Valorem Property Taxes	13,548,619.00	13,548,619.00	2,782,016.92	2,782,016.92	-10,766,602.08	79.47 %
Department: 301000 - Ad Valorem Property Taxes Total:	13,548,619.00	13,548,619.00	2,782,016.92	2,782,016.92	-10,766,602.08	79.47%
Department: 301100 - Utility Taxes						
001-301100-311101 Fpl Utility Tax	986,700.00	986,700.00	99,024.49	99,024.49	-887,675.51	89.96 %
001-301100-311440 Gas Utility Tax	23,000.00	23,000.00	1,004.67	1,018.90	-21,981.10	95.57 %
001-301100-314300 Water Utility Tax	189,000.00	189,000.00	16,252.34	16,252.34	-172,747.66	91.40 %
Department: 301100 - Utility Taxes Total:	1,198,700.00	1,198,700.00	116,281.50	116,295.73	-1,082,404.27	90.30%
Department: 301600 - Franchise Taxes						
001-301600-313100 Fl Power & Light Franchise	670,000.00	670,000.00	76,144.78	76,144.78	-593,855.22	88.64 %
001-301600-313300 Waste Franchise Collection	161,999.00	161,999.00	0.00	0.00	-161,999.00	100.00 %
001-301600-313301 Waste Franchise Adm-fee	9,000.00	9,000.00	0.00	0.00	-9,000.00	100.00 %
001-301600-313400 Gas Franchise	23,000.00	23,000.00	3.78	3.78	-22,996.22	99.98 %
001-301600-313600 Towing Franchise Fees	800.00	800.00	0.00	0.00	-800.00	100.00 %
Department: 301600 - Franchise Taxes Total:	864,799.00	864,799.00	76,148.56	76,148.56	-788,650.44	91.19%
Department: 302000 - Licenses & Permits						
001-302000-321100 Business License Taxes	100,000.00	100,000.00	3,295.75	71,940.79	-28,059.21	28.06 %
001-302000-321110 Sidewalk Cafe Row	85,000.00	85,000.00	0.00	106,345.00	21,345.00	125.11 %
001-302000-322150 Miscellaneous Permits	700.00	700.00	0.00	50.00	-650.00	92.86 %
001-302000-322250 Zoning Permit & Fees	1,000.00	1,000.00	0.00	30.00	-970.00	97.00 %
001-302000-322400 Sign Permits	500.00	500.00	130.00	330.00	-170.00	34.00 %
Department: 302000 - Licenses & Permits Total:	187,200.00	187,200.00	3,425.75	178,695.79	-8,504.21	4.54%
Department: 303000 - Intergovernmental Revenues						
001-303000-311120 Municipal Revenue Sharing	185,000.00	185,000.00	17,290.42	34,580.85	-150,419.15	81.31 %
001-303000-311150 Alcoholic Beverage License	17,000.00	17,000.00	0.00	0.00	-17,000.00	100.00 %
001-303000-311180 Sales Tax	525,000.00	525,000.00	35,671.82	35,671.82	-489,328.18	93.21 %
001-303000-312410 Local Op Gas Tax 1 - 6 Cent	67,500.00	67,500.00	19,439.03	24,583.45	-42,916.55	63.58 %
001-303000-312420 Local Op Gas Tax 2 - 5 Cent	48,000.00	48,000.00	4,931.84	8,446.16	-39,553.84	82.40 %
001-303000-315100 Communication Service Tax	327,000.00	327,000.00	23,423.07	23,423.07	-303,576.93	92.84 %
001-303000-334915 Fdot-reimbursable Grant	34,384.00	34,384.00	0.00	0.00	-34,384.00	100.00 %
Department: 303000 - Intergovernmental Revenues Total:	1,203,884.00	1,203,884.00	100,756.18	126,705.35	-1,077,178.65	89.48%
Department: 304000 - Charges for Services						
001-304000-343902 Site Plan Application Fees	2,000.00	2,000.00	0.00	0.00	-2,000.00	100.00 %
001-304000-347500 Tennis - Shuffle Key	5,250.00	5,250.00	220.00	340.00	-4,910.00	93.52 %
Department: 304000 - Charges for Services Total:	7,250.00	7,250.00	220.00	340.00	-6,910.00	95.31%
Department: 305000 - Fines & Forfeitures						
001-305000-354150 Fines,trafficviolation,citatio	30,000.00	30,000.00	2,336.97	2,336.97	-27,663.03	92.21 %
001-305000-354160 Code Enforcement Fines	55,000.00	55,000.00	0.00	0.00	-55,000.00	100.00 %
001-305000-359100 Other Fines & Alarms	2,000.00	2,000.00	0.00	0.00	-2,000.00	100.00 %
Department: 305000 - Fines & Forfeitures Total:	87,000.00	87,000.00	2,336.97	2,336.97	-84,663.03	97.31%
Department: 306000 - Miscellaneous Revenues						
001-306000-361100 Interest Earnings	112,335.00	112,335.00	53,279.66	61,876.73	-50,458.27	44.92 %
001-306000-362000 Rent/lease Royalties	129,675.00	129,675.00	23,600.00	23,600.00	-106,075.00	81.80 %
001-306000-365400 Recycling Revenue	5,000.00	5,000.00	0.00	0.00	-5,000.00	100.00 %
001-306000-366100 Donations	13,500.00	13,500.00	0.00	0.00	-13,500.00	100.00 %
001-306000-369100 Miscellaneous Revenues	75,050.00	75,050.00	14,747.22	24,745.65	-50,304.35	67.03 %
001-306000-369200 Miscellaneous Applications	5,000.00	5,000.00	2,035.00	4,310.00	-690.00	13.80 %
001-306000-369201 Miscellaneous Merchandisesales	5,000.00	5,000.00	529.21	549.21	-4,450.79	89.02 %
001-306000-369250 Recreational Activities Fee	17,500.00	17,500.00	2,285.00	10,375.00	-7,125.00	40.71 %

Budget Report

For Fiscal: 2024-2025 Period Ending: 11/30/2024

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
001-306000-369500	miscellaneous Lobbyist	500.00	500.00	0.00	0.00	-500.00	100.00 %
001-306000-369901	Insurance Reimbursement	20,000.00	20,000.00	2,215.99	2,215.99	-17,784.01	88.92 %
Department: 306000 - Miscellaneous Revenues Total:		383,560.00	383,560.00	98,692.08	127,672.58	-255,887.42	66.71%
Department: 511000 - Commission							
001-511000-500110	Commission Salaries	135,000.00	135,000.00	14,916.72	17,739.08	117,260.92	86.86 %
001-511000-500210	Employer Fica Taxes	10,450.00	10,450.00	793.77	905.98	9,544.02	91.33 %
001-511000-500220	Retirement	60,750.00	60,750.00	4,549.93	4,750.40	55,999.60	92.18 %
001-511000-500230	Group Insurance	92,000.00	92,000.00	2,284.71	15,819.42	76,180.58	82.80 %
001-511000-500345	Contractual Services	16,000.00	16,000.00	506.25	787.50	15,212.50	95.08 %
001-511000-500510	Office Supplies	1,500.00	1,500.00	75.19	75.19	1,424.81	94.99 %
001-511000-500512	Elections	4,000.00	4,000.00	0.00	0.00	4,000.00	100.00 %
001-511000-500525	Uniform Expense	1,500.00	1,500.00	0.00	0.00	1,500.00	100.00 %
001-511000-500540	Dues & Subscriptions	3,250.00	3,250.00	0.00	1,380.00	1,870.00	57.54 %
001-511000-500545	Training	12,500.00	12,500.00	0.00	744.80	11,755.20	94.04 %
001-511000-500550	Operating Expenses	15,200.00	15,200.00	539.20	539.20	14,660.80	96.45 %
Department: 511000 - Commission Total:		352,150.00	352,150.00	23,665.77	42,741.57	309,408.43	87.86%
Department: 511100 - Donation-Non Profits							
001-511100-500820	Donations-aids To Private Org	68,500.00	68,500.00	6,000.00	42,500.00	26,000.00	37.96 %
Department: 511100 - Donation-Non Profits Total:		68,500.00	68,500.00	6,000.00	42,500.00	26,000.00	37.96%
Department: 511200 - Visitor Center							
001-511200-500120	Regular Salaries	80,815.00	80,815.00	5,717.34	6,619.20	74,195.80	91.81 %
001-511200-500210	Employer Fica Taxes	6,265.00	6,265.00	437.37	506.35	5,758.65	91.92 %
001-511200-500220	Retirement	13,786.00	13,786.00	780.20	931.88	12,854.12	93.24 %
001-511200-500230	Group Insurance	3,450.00	3,450.00	167.17	458.35	2,991.65	86.71 %
001-511200-500311	Advertisements	3,000.00	3,000.00	0.00	0.00	3,000.00	100.00 %
001-511200-500340	Sewer/wastewater	4,410.00	4,410.00	225.77	851.81	3,558.19	80.68 %
001-511200-500345	Contractual Services	6,000.00	6,000.00	736.67	736.67	5,263.33	87.72 %
001-511200-500430	Electric Service	2,100.00	2,100.00	115.44	243.43	1,856.57	88.41 %
001-511200-500431	Water Service	5,300.00	5,300.00	388.62	1,085.31	4,214.69	79.52 %
001-511200-500463	Service Maintenance Contracts	3,150.00	3,150.00	88.16	179.34	2,970.66	94.31 %
001-511200-500495	Special Events	1,000.00	1,000.00	0.00	0.00	1,000.00	100.00 %
001-511200-500506	Printing & Binding	3,065.00	3,065.00	132.00	1,463.50	1,601.50	52.25 %
001-511200-500520	Bldg. Maintenance	5,000.00	5,000.00	152.25	152.25	4,847.75	96.96 %
001-511200-500550	Operating Expenses	5,000.00	5,000.00	41.34	41.34	4,958.66	99.17 %
Department: 511200 - Visitor Center Total:		142,341.00	142,341.00	8,982.33	13,269.43	129,071.57	90.68%
Department: 513000 - Administration							
001-513000-500120	Regular Salaries	665,203.00	665,203.00	82,264.92	87,863.33	577,339.67	86.79 %
001-513000-500140	Overtime Salaries	5,500.00	5,500.00	35.56	87.26	5,412.74	98.41 %
001-513000-500210	Employer Fica Taxes	51,425.00	51,425.00	4,758.66	5,060.29	46,364.71	90.16 %
001-513000-500220	Retirement	154,950.00	154,950.00	13,003.39	12,165.71	142,784.29	92.15 %
001-513000-500230	Group Insurance	155,250.00	155,250.00	8,296.27	32,714.40	122,535.60	78.93 %
001-513000-500315	Professional Services	36,000.00	36,000.00	0.00	0.00	36,000.00	100.00 %
001-513000-500320	Audit Expense	47,000.00	47,000.00	1,000.00	4,000.00	43,000.00	91.49 %
001-513000-500344	Hr Expenses	5,000.00	5,000.00	518.30	518.30	4,481.70	89.63 %
001-513000-500345	Contractual Services	98,100.00	98,100.00	4,464.05	10,047.77	88,052.23	89.76 %
001-513000-500463	Service Maintenance Contracts	54,800.00	54,800.00	787.16	1,599.13	53,200.87	97.08 %
001-513000-500506	Printing & Binding	3,000.00	3,000.00	0.00	0.00	3,000.00	100.00 %
001-513000-500508	Postage	5,000.00	5,000.00	0.00	367.70	4,632.30	92.65 %
001-513000-500510	Office Supplies	6,700.00	6,700.00	1,210.58	1,671.94	5,028.06	75.05 %
001-513000-500525	Uniform Expense	1,087.00	1,087.00	0.00	0.00	1,087.00	100.00 %
001-513000-500540	Dues & Subscriptions	9,900.00	9,900.00	250.00	700.00	9,200.00	92.93 %
001-513000-500545	Training	27,000.00	27,000.00	0.00	50.96	26,949.04	99.81 %
001-513000-500550	Operating Expenses	26,000.00	26,000.00	1,117.13	1,117.20	24,882.80	95.70 %
001-513000-500640	Capital Outlay - Equip't & Mach	30,000.00	30,000.00	0.00	0.00	30,000.00	100.00 %
Department: 513000 - Administration Total:		1,381,915.00	1,381,915.00	117,706.02	157,963.99	1,223,951.01	88.57%
Department: 514000 - Town Attorney							
001-514000-500310	Legal Expense	360,000.00	360,000.00	0.00	35,670.60	324,329.40	90.09 %

Budget Report

For Fiscal: 2024-2025 Period Ending: 11/30/2024

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
001-514000-500314	Litigation	48,000.00	48,000.00	0.00	0.00	48,000.00	100.00 %
Department: 514000 - Town Attorney Total:		408,000.00	408,000.00	0.00	35,670.60	372,329.40	91.26%
Department: 519000 - General							
001-519000-500311	Advertisements	5,000.00	5,000.00	0.00	0.00	5,000.00	100.00 %
001-519000-500315	Professional Services	139,500.00	139,500.00	11,164.00	22,813.09	116,686.91	83.65 %
001-519000-500345	Contractual Services	83,200.00	83,200.00	0.00	15,023.71	68,176.29	81.94 %
001-519000-500349	Community Mobility Services	250,000.00	250,000.00	19,734.24	39,468.48	210,531.52	84.21 %
001-519000-500451	Auto, Property & Liability Ins	308,300.00	308,300.00	69,854.50	210,561.50	97,738.50	31.70 %
001-519000-500452	Workers Compensation Insur	90,200.00	90,200.00	0.00	13,124.75	77,075.25	85.45 %
001-519000-500463	Service Maintenance Contracts	23,100.00	23,100.00	6,000.00	6,000.00	17,100.00	74.03 %
001-519000-500497	Contingency	190,000.00	190,000.00	22,018.97	24,320.49	165,679.51	87.20 %
001-519000-500550	Operating Expenses	96,600.00	96,600.00	78,971.47	78,971.47	17,628.53	18.25 %
001-519000-500552	Recycling And Solid Waste Exp	70,000.00	70,000.00	3,358.17	6,947.10	63,052.90	90.08 %
001-519000-500640	Capital Outlay - Equipt & Mach	40,000.00	40,000.00	25,636.02	25,636.02	14,363.98	35.91 %
Department: 519000 - General Total:		1,295,900.00	1,295,900.00	236,737.37	442,866.61	853,033.39	65.83%
Department: 519100 - Tourism and Community Outreach							
001-519100-500120	Regular Salaries	90,000.00	90,000.00	8,542.17	9,681.13	80,318.87	89.24 %
001-519100-500210	Employer Fica Taxes	7,000.00	7,000.00	653.88	741.06	6,258.94	89.41 %
001-519100-500220	Retirement	12,500.00	12,500.00	758.60	758.60	11,741.40	93.93 %
001-519100-500230	Group Insurance	20,000.00	20,000.00	1,094.85	4,687.32	15,312.68	76.56 %
001-519100-500311	Advertisements	12,000.00	12,000.00	0.00	0.00	12,000.00	100.00 %
001-519100-500315	Professional Services	166,000.00	166,000.00	8,108.47	17,215.53	148,784.47	89.63 %
001-519100-500345	Contractual Services	6,750.00	6,750.00	0.00	0.00	6,750.00	100.00 %
001-519100-500347	Programs	12,300.00	12,300.00	621.98	635.06	11,664.94	94.84 %
001-519100-500495	Special Events	277,100.00	277,100.00	8,975.19	34,293.68	242,806.32	87.62 %
001-519100-500506	Printing & Binding	44,000.00	44,000.00	670.00	670.00	43,330.00	98.48 %
001-519100-500540	Dues & Subscriptions	1,900.00	1,900.00	0.00	11.67	1,888.33	99.39 %
001-519100-500545	Training	2,000.00	2,000.00	0.00	0.00	2,000.00	100.00 %
001-519100-500550	Operating Expenses	2,000.00	2,000.00	0.00	0.00	2,000.00	100.00 %
Department: 519100 - Tourism and Community Outreach Total:		653,550.00	653,550.00	29,425.14	68,694.05	584,855.95	89.49%
Department: 521000 - Police Department							
001-521000-500141	Bso Overtime	100,000.00	100,000.00	0.00	0.00	100,000.00	100.00 %
001-521000-500345	Contractual Services	6,321,135.00	6,321,135.00	500,129.37	1,027,159.29	5,293,975.71	83.75 %
001-521000-500352	Contract Services	5,500.00	5,500.00	4,996.19	4,996.19	503.81	9.16 %
001-521000-500640	Capital Outlay - Equipt & Mach	12,500.00	12,500.00	0.00	0.00	12,500.00	100.00 %
Department: 521000 - Police Department Total:		6,439,135.00	6,439,135.00	505,125.56	1,032,155.48	5,406,979.52	83.97%
Department: 523000 - Emergency Medical Services							
001-523000-500345	Contractual Services	519,680.00	519,680.00	40,250.00	80,500.00	439,180.00	84.51 %
Department: 523000 - Emergency Medical Services Total:		519,680.00	519,680.00	40,250.00	80,500.00	439,180.00	84.51%
Department: 524000 - Development Services							
001-524000-500120	Regular Salaries	295,900.00	295,900.00	31,551.00	34,017.20	261,882.80	88.50 %
001-524000-500121	Temporary Salaries/ Interns	7,000.00	7,000.00	0.00	0.00	7,000.00	100.00 %
001-524000-500140	Overtime Salaries	6,000.00	6,000.00	216.34	348.40	5,651.60	94.19 %
001-524000-500210	Employer Fica Taxes	22,925.00	22,925.00	2,501.33	2,885.65	20,039.35	87.41 %
001-524000-500220	Retirement	59,275.00	59,275.00	3,420.01	2,781.18	56,493.82	95.31 %
001-524000-500230	Group Insurance	87,000.00	87,000.00	5,119.47	18,540.89	68,459.11	78.69 %
001-524000-500315	Professional Services	60,000.00	60,000.00	2,167.58	2,167.58	57,832.42	96.39 %
001-524000-500345	Contractual Services	539,952.00	539,952.00	21,599.23	49,998.26	489,953.74	90.74 %
001-524000-500462	Fuel	0.00	0.00	56.49	154.57	-154.57	0.00 %
001-524000-500463	Service Maintenance Contracts	4,000.00	4,000.00	0.00	0.00	4,000.00	100.00 %
001-524000-500506	Printing & Binding	3,000.00	3,000.00	0.00	0.00	3,000.00	100.00 %
001-524000-500508	Postage	3,000.00	3,000.00	0.00	132.30	2,867.70	95.59 %
001-524000-500510	Office Supplies	2,500.00	2,500.00	0.00	0.00	2,500.00	100.00 %
001-524000-500525	Uniform Expense	600.00	600.00	0.00	0.00	600.00	100.00 %
001-524000-500540	Dues & Subscriptions	5,000.00	5,000.00	264.00	264.00	4,736.00	94.72 %
001-524000-500545	Training	8,000.00	8,000.00	0.00	0.00	8,000.00	100.00 %

Budget Report

For Fiscal: 2024-2025 Period Ending: 11/30/2024

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
001-524000-500550	Operating Expenses	11,000.00	11,000.00	207.00	207.00	10,793.00	98.12 %
Department: 524000 - Development Services Total:		1,115,152.00	1,115,152.00	67,102.45	111,497.03	1,003,654.97	90.00%
Department: 541100 - Mun Srvsc - Public Works Div							
001-541100-500120	Regular Salaries	1,124,881.00	1,124,881.00	109,600.82	118,246.69	1,006,634.31	89.49 %
001-541100-500140	Overtime Salaries	71,500.00	71,500.00	7,345.81	12,781.69	58,718.31	82.12 %
001-541100-500210	Employer Fica Taxes	87,300.00	87,300.00	9,170.87	10,332.82	76,967.18	88.16 %
001-541100-500220	Retirement	171,250.00	171,250.00	11,376.51	10,268.81	160,981.19	94.00 %
001-541100-500230	Group Insurance	327,750.00	327,750.00	18,330.78	81,302.23	246,447.77	75.19 %
001-541100-500315	Professional Services	65,000.00	65,000.00	0.00	550.00	64,450.00	99.15 %
001-541100-500340	Sewer/wastewater	18,000.00	18,000.00	1,329.07	4,050.55	13,949.45	77.50 %
001-541100-500345	Contractual Services	625,500.00	625,500.00	42,002.50	93,608.00	531,892.00	85.03 %
001-541100-500410	Communications	65,000.00	65,000.00	4,738.32	10,830.34	54,169.66	83.34 %
001-541100-500430	Electric Service	58,000.00	58,000.00	5,018.87	10,218.65	47,781.35	82.38 %
001-541100-500431	Water Service	225,000.00	225,000.00	20,455.80	55,761.48	169,238.52	75.22 %
001-541100-500433	Electric Service-streets	70,000.00	70,000.00	5,069.37	10,073.22	59,926.78	85.61 %
001-541100-500445	Equip Rent/lease	30,000.00	30,000.00	10,759.35	13,050.70	16,949.30	56.50 %
001-541100-500460	Equipment Maintenance	45,000.00	45,000.00	1,107.68	2,515.12	42,484.88	94.41 %
001-541100-500461	Vehicle Maintenance	25,000.00	25,000.00	929.34	2,664.84	22,335.16	89.34 %
001-541100-500462	Fuel	60,000.00	60,000.00	3,069.80	5,498.09	54,501.91	90.84 %
001-541100-500463	Service Maintenance Contracts	21,000.00	21,000.00	4,972.01	6,435.49	14,564.51	69.35 %
001-541100-500469	Buoy Maintenance	17,000.00	17,000.00	0.00	0.00	17,000.00	100.00 %
001-541100-500470	Radio Maintenance	3,000.00	3,000.00	0.00	0.00	3,000.00	100.00 %
001-541100-500498	Storm Drain Rehab/maint	100,000.00	100,000.00	0.00	0.00	100,000.00	100.00 %
001-541100-500508	Postage	300.00	300.00	0.00	0.00	300.00	100.00 %
001-541100-500510	Office Supplies	1,000.00	1,000.00	0.00	0.00	1,000.00	100.00 %
001-541100-500520	Bldg. Maintenance	153,500.00	153,500.00	14,357.04	20,280.49	133,219.51	86.79 %
001-541100-500525	Uniform Expense	30,000.00	30,000.00	967.03	3,896.14	26,103.86	87.01 %
001-541100-500529	Street Light Maintenance	70,000.00	70,000.00	1,243.77	1,243.77	68,756.23	98.22 %
001-541100-500530	Street Maint Repair Supply	85,000.00	85,000.00	1,866.28	2,456.24	82,543.76	97.11 %
001-541100-500531	Grounds Maint/landscaping	55,000.00	55,000.00	489.17	2,866.28	52,133.72	94.79 %
001-541100-500532	Signs	12,500.00	12,500.00	4,042.00	5,642.00	6,858.00	54.86 %
001-541100-500534	Sidewalk Maint Repair	7,500.00	7,500.00	0.00	0.00	7,500.00	100.00 %
001-541100-500535	Flags	3,250.00	3,250.00	950.66	950.66	2,299.34	70.75 %
001-541100-500536	Sea Oats	10,000.00	10,000.00	0.00	0.00	10,000.00	100.00 %
001-541100-500540	Dues & Subscriptions	4,000.00	4,000.00	2,418.00	2,918.00	1,082.00	27.05 %
001-541100-500545	Training	8,000.00	8,000.00	0.00	0.00	8,000.00	100.00 %
001-541100-500547	Hurricane Expenditure	10,000.00	10,000.00	0.00	0.00	10,000.00	100.00 %
001-541100-500550	Operating Expenses	150,000.00	150,000.00	15,843.94	28,818.38	121,181.62	80.79 %
001-541100-500624	Capital Outlay-bldg. Improvem	70,000.00	70,000.00	0.00	0.00	70,000.00	100.00 %
001-541100-500640	Capital Outlay - Equip & Mach	45,000.00	45,000.00	0.00	0.00	45,000.00	100.00 %
001-541100-500644	Capital Outlay-vehicles	57,459.00	57,459.00	3,127.44	6,254.78	51,204.22	89.11 %
Department: 541100 - Mun Srvsc - Public Works Div Total:		3,982,690.00	3,982,690.00	300,582.23	523,515.46	3,459,174.54	86.86%
Department: 572000 - Recreation							
001-572000-500342	Senior Rec. Ctr. Contract	113,999.00	113,999.00	10,147.32	19,092.04	94,906.96	83.25 %
001-572000-500463	Service Maintenance Contracts	2,500.00	2,500.00	216.57	369.89	2,130.11	85.20 %
001-572000-500510	Office Supplies	500.00	500.00	0.00	0.00	500.00	100.00 %
Department: 572000 - Recreation Total:		116,999.00	116,999.00	10,363.89	19,461.93	97,537.07	83.37%
Department: 581100 - Interfund Transfers							
001-581100-380102	Transfer From Bldg-oh Costs	200,000.00	200,000.00	0.00	0.00	-200,000.00	100.00 %
001-581100-380115	Transfer From Fire - Oh Costs	50,000.00	50,000.00	0.00	0.00	-50,000.00	100.00 %
001-581100-500910	Transfer To Cip Fund	1,255,000.00	1,255,000.00	0.00	0.00	1,255,000.00	100.00 %
Department: 581100 - Interfund Transfers Surplus (Deficit):		-1,005,000.00	-1,005,000.00	0.00	0.00	1,005,000.00	100.00%
Fund: 001 - General Fund Surplus (Deficit):		0.00	0.00	1,833,937.20	839,375.75	839,375.75	0.00%

Budget Report

For Fiscal: 2024-2025 Period Ending: 11/30/2024

	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 101 - Special Revenue-Police Conf						
Department: 306000 - Miscellaneous Revenues						
101-306000-369100 Miscellaneous Revenues	0.00	0.00	391.11	391.11	391.11	0.00 %
Department: 306000 - Miscellaneous Revenues Total:	0.00	0.00	391.11	391.11	391.11	0.00%
Fund: 101 - Special Revenue-Police Conf Total:	0.00	0.00	391.11	391.11	391.11	0.00%
Fund: 102 - Building Fund						
Department: 000000 - Assigned						
102-000000-380200 Appropriated Fund Balance	275,102.00	275,102.00	0.00	0.00	-275,102.00	100.00 %
Department: 000000 - Assigned Total:	275,102.00	275,102.00	0.00	0.00	-275,102.00	100.00%
Department: 302100 - Building Permit and Inpection						
102-302100-322100 Building Permits	1,393,019.00	1,393,019.00	86,116.94	167,982.75	-1,225,036.25	87.94 %
102-302100-322105 Fire Plan Review Fees	60,000.00	60,000.00	1,750.27	3,256.81	-56,743.19	94.57 %
102-302100-322106 Building Recording Fee	0.00	0.00	0.00	12.25	12.25	0.00 %
Department: 302100 - Building Permit and Inpection Total:	1,453,019.00	1,453,019.00	87,867.21	171,251.81	-1,281,767.19	88.21%
Department: 524100 - Building						
102-524100-500120 Regular Salaries	215,721.00	215,721.00	12,847.20	17,545.85	198,175.15	91.87 %
102-524100-500121 Temporary Salaries/ Interns	8,000.00	8,000.00	0.00	0.00	8,000.00	100.00 %
102-524100-500210 Employer Fica Taxes	17,400.00	17,400.00	1,038.50	1,261.94	16,138.06	92.75 %
102-524100-500220 Retirement	48,000.00	48,000.00	3,091.99	4,157.17	43,842.83	91.34 %
102-524100-500230 Group Insurance	80,000.00	80,000.00	288.27	2,420.96	77,579.04	96.97 %
102-524100-500315 Professional Services	175,000.00	175,000.00	2,287.00	6,699.63	168,300.37	96.17 %
102-524100-500345 Contractual Services	79,000.00	79,000.00	3,100.00	4,490.00	74,510.00	94.32 %
102-524100-500402 Building Permit Services	900,000.00	900,000.00	0.00	0.00	900,000.00	100.00 %
102-524100-500463 Service Maintenance Contracts	3,000.00	3,000.00	1,865.14	2,133.08	866.92	28.90 %
102-524100-500550 Operating Expenses	2,000.00	2,000.00	0.00	0.00	2,000.00	100.00 %
102-524100-581001 Transfer To GF-OH Costs	200,000.00	200,000.00	0.00	0.00	200,000.00	100.00 %
Department: 524100 - Building Total:	1,728,121.00	1,728,121.00	24,518.10	38,708.63	1,689,412.37	97.76%
Fund: 102 - Building Fund Surplus (Deficit):	0.00	0.00	63,349.11	132,543.18	132,543.18	0.00%
Fund: 103 - Sewer Fund						
Department: 000000 - Assigned						
103-000000-380200 Appropriated Fund Balance	8,480.00	8,480.00	0.00	0.00	-8,480.00	100.00 %
Department: 000000 - Assigned Total:	8,480.00	8,480.00	0.00	0.00	-8,480.00	100.00%
Department: 304000 - Charges for Services						
103-304000-343500 Sewer Fees	1,700,000.00	1,700,000.00	89,981.56	89,981.56	-1,610,018.44	94.71 %
Department: 304000 - Charges for Services Total:	1,700,000.00	1,700,000.00	89,981.56	89,981.56	-1,610,018.44	94.71%
Department: 306000 - Miscellaneous Revenues						
103-306000-361100 Interest Earnings	2,000.00	2,000.00	0.00	0.00	-2,000.00	100.00 %
Department: 306000 - Miscellaneous Revenues Total:	2,000.00	2,000.00	0.00	0.00	-2,000.00	100.00%
Department: 535000 - Sanitary Sewers						
103-535000-500120 Regular Salaries	112,900.00	112,900.00	12,480.23	15,262.09	97,637.91	86.48 %
103-535000-500140 Overtime Salaries	6,600.00	6,600.00	894.17	1,302.10	5,297.90	80.27 %
103-535000-500210 Employer Fica Taxes	8,637.00	8,637.00	1,019.64	1,369.85	7,267.15	84.14 %
103-535000-500220 Retirement	23,325.00	23,325.00	2,366.25	2,957.50	20,367.50	87.32 %
103-535000-500230 Group Insurance	42,100.00	42,100.00	318.06	1,128.99	40,971.01	97.32 %
103-535000-500340 Sewer/wastewater	1,010,000.00	1,010,000.00	0.00	93,719.34	916,280.66	90.72 %
103-535000-500345 Contractual Services	65,000.00	65,000.00	834.41	834.41	64,165.59	98.72 %
103-535000-500430 Electric Service	30,000.00	30,000.00	2,329.77	4,428.97	25,571.03	85.24 %
103-535000-500431 Water Service	500.00	500.00	45.69	88.90	411.10	82.22 %
103-535000-500459 Sewer Line Maintenance	200,000.00	200,000.00	78,125.88	78,125.88	121,874.12	60.94 %
103-535000-500465 Pump Station Maintenance	3,000.00	3,000.00	0.00	0.00	3,000.00	100.00 %
103-535000-500497 Contingency	100,000.00	100,000.00	0.00	0.00	100,000.00	100.00 %
103-535000-500506 Printing & Binding	1,250.00	1,250.00	0.00	0.00	1,250.00	100.00 %
103-535000-500550 Operating Expenses	2,000.00	2,000.00	0.00	0.00	2,000.00	100.00 %

Budget Report

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		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
103-535000-500630	Cap Outlay Imp Other Than Bldg	105,168.00	105,168.00	0.00	0.00	105,168.00	100.00 %
Department: 535000 - Sanitary Sewers Total:		1,710,480.00	1,710,480.00	98,414.10	199,218.03	1,511,261.97	88.35%
Fund: 103 - Sewer Fund Surplus (Deficit):		0.00	0.00	-8,432.54	-109,236.47	-109,236.47	0.00%
Fund: 115 - Fire Fund							
Department: 000000 - Assigned							
115-000000-380203	Appropriation From Fire Fund	600,000.00	600,000.00	0.00	0.00	-600,000.00	100.00 %
Department: 000000 - Assigned Total:		600,000.00	600,000.00	0.00	0.00	-600,000.00	100.00%
Department: 301050 - Fire Assessment							
115-301050-311200	Property Tax-fire Assessment	1,347,159.00	1,347,159.00	260,779.64	260,779.64	-1,086,379.36	80.64 %
Department: 301050 - Fire Assessment Total:		1,347,159.00	1,347,159.00	260,779.64	260,779.64	-1,086,379.36	80.64%
Department: 304000 - Charges for Services							
115-304000-342210	Fire Inspection Fees	77,000.00	77,000.00	1,527.50	72,332.73	-4,667.27	6.06 %
Department: 304000 - Charges for Services Total:		77,000.00	77,000.00	1,527.50	72,332.73	-4,667.27	6.06%
Department: 522000 - Fire Department							
115-522000-500315	Professional Services	83,000.00	83,000.00	3,077.00	3,077.00	79,923.00	96.29 %
115-522000-500345	Contractual Services	987,100.00	987,100.00	82,250.00	164,500.00	822,600.00	83.34 %
115-522000-500520	Bldg. Maintenance	4,059.00	4,059.00	0.00	0.00	4,059.00	100.00 %
115-522000-500624	Capital Outlay-bldg. Improvemnt	900,000.00	900,000.00	0.00	0.00	900,000.00	100.00 %
115-522000-500912	Transfer To General Fund	50,000.00	50,000.00	0.00	0.00	50,000.00	100.00 %
Department: 522000 - Fire Department Total:		2,024,159.00	2,024,159.00	85,327.00	167,577.00	1,856,582.00	91.72%
Fund: 115 - Fire Fund Surplus (Deficit):		0.00	0.00	176,980.14	165,535.37	165,535.37	0.00%
Fund: 300 - Capital Project Fund							
Department: 000000 - Assigned							
300-000000-380200	Appropriated Fund Balance	615,000.00	615,000.00	0.00	0.00	-615,000.00	100.00 %
Department: 000000 - Assigned Total:		615,000.00	615,000.00	0.00	0.00	-615,000.00	100.00%
Department: 303000 - Intergovernmental Revenues							
300-303000-334920	Beach Portal-Funding	50,000.00	50,000.00	0.00	0.00	-50,000.00	100.00 %
300-303000-334929	Friedt Park Funding	200,000.00	200,000.00	0.00	0.00	-200,000.00	100.00 %
300-303000-334933	Resilient Florida Program (DEP) Gra...	200,000.00	200,000.00	0.00	0.00	-200,000.00	100.00 %
Department: 303000 - Intergovernmental Revenues Total:		450,000.00	450,000.00	0.00	0.00	-450,000.00	100.00%
Department: 519000 - General							
300-519000-500120	Regular Salaries	86,657.00	86,657.00	9,568.26	12,648.85	74,008.15	85.40 %
300-519000-500210	Employer Fica Taxes	6,630.00	6,630.00	731.97	967.63	5,662.37	85.41 %
300-519000-500220	Retirement	24,380.00	24,380.00	2,642.58	3,492.78	20,887.22	85.67 %
300-519000-500230	Group Insurance	18,975.00	18,975.00	150.07	1,214.51	17,760.49	93.60 %
300-519000-500640	Capital Outlay - Equipt & Mach	90,000.00	90,000.00	0.00	0.00	90,000.00	100.00 %
Department: 519000 - General Total:		226,642.00	226,642.00	13,092.88	18,323.77	208,318.23	91.92%
Department: 519161 - Town Hall / Public Safety							
300-519161-500629	Capital Outlay - Design/permit	500,000.00	500,000.00	0.00	0.00	500,000.00	100.00 %
Department: 519161 - Town Hall / Public Safety Total:		500,000.00	500,000.00	0.00	0.00	500,000.00	100.00%
Department: 545170 - El Prado Park							
300-545170-500630	Cap Outlay Imp Other Than Bldg	775,000.00	775,000.00	0.00	0.00	775,000.00	100.00 %
Department: 545170 - El Prado Park Total:		775,000.00	775,000.00	0.00	0.00	775,000.00	100.00%
Department: 559027 - Storm Water Rate Study							
300-559027-500630	Cap Outlay Imp Other Than Bldg	125,000.00	125,000.00	0.00	0.00	125,000.00	100.00 %
Department: 559027 - Storm Water Rate Study Total:		125,000.00	125,000.00	0.00	0.00	125,000.00	100.00%
Department: 572102 - Beach Portal							
300-572102-500629	Capital Outlay - Design/permit	50,000.00	50,000.00	0.00	0.00	50,000.00	100.00 %
Department: 572102 - Beach Portal Total:		50,000.00	50,000.00	0.00	0.00	50,000.00	100.00%
Department: 572108 - FDOT A1A Pine Ave to Palm Ave							
300-572108-500630	Cap Outlay Imp other than bldg	255,000.00	255,000.00	0.00	0.00	255,000.00	100.00 %
Department: 572108 - FDOT A1A Pine Ave to Palm Ave Total:		255,000.00	255,000.00	0.00	0.00	255,000.00	100.00%

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	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Department: 572110 - Tennis Court Lighting						
300-572110-500630 Cap Outlay Imp other than bldg	45,000.00	45,000.00	0.00	0.00	45,000.00	100.00 %
Department: 572110 - Tennis Court Lighting Total:	45,000.00	45,000.00	0.00	0.00	45,000.00	100.00%
Department: 572200 - Beach Renourishment						
300-572200-500630 Cap Outlay Imp Other Than Bldg	116,667.00	116,667.00	0.00	116,666.67	0.33	0.00 %
Department: 572200 - Beach Renourishment Total:	116,667.00	116,667.00	0.00	116,666.67	0.33	0.00%
Department: 575200 - Traffic Improvements & Calming						
300-575200-500630 Cap Outlay Imp Other Than Bldg	150,000.00	150,000.00	0.00	0.00	150,000.00	100.00 %
Department: 575200 - Traffic Improvements & Calming Total:	150,000.00	150,000.00	0.00	0.00	150,000.00	100.00%
Department: 575201 - Pedestrian Amenities						
300-575201-500630 Cap Outlay Imp Other Than Bldg	75,000.00	75,000.00	33,590.25	33,590.25	41,409.75	55.21 %
Department: 575201 - Pedestrian Amenities Total:	75,000.00	75,000.00	33,590.25	33,590.25	41,409.75	55.21%
Department: 576136 - Street Proj.Bougain.Poinciana						
300-576136-500629 Capital Outlay - Design/permit	225,000.00	225,000.00	0.00	0.00	225,000.00	100.00 %
Department: 576136 - Street Proj.Bougain.Poinciana Total:	225,000.00	225,000.00	0.00	0.00	225,000.00	100.00%
Department: 576138 - Rodway Paving & Refurbishment						
300-576138-500630 Cap Outlay Imp Other Than Bldg	483,691.00	483,691.00	0.00	0.00	483,691.00	100.00 %
Department: 576138 - Rodway Paving & Refurbishment Total:	483,691.00	483,691.00	0.00	0.00	483,691.00	100.00%
Department: 576305 - Resilient Florida Program -Project						
300-576305-500630 Cap Outlay Imp other than bldg	200,000.00	200,000.00	0.00	0.00	200,000.00	100.00 %
Department: 576305 - Resilient Florida Program -Project Total:	200,000.00	200,000.00	0.00	0.00	200,000.00	100.00%
Department: 577100 - Friedt Park						
300-577100-500630 Cap Outlay Imp Other Than Bldg	725,000.00	725,000.00	17,994.60	17,994.60	707,005.40	97.52 %
Department: 577100 - Friedt Park Total:	725,000.00	725,000.00	17,994.60	17,994.60	707,005.40	97.52%
Department: 577102 - 75th Anniversary Garden						
300-577102-500630 Cap Outlay Imp other than bldg	100,000.00	100,000.00	6,102.40	6,102.40	93,897.60	93.90 %
Department: 577102 - 75th Anniversary Garden Total:	100,000.00	100,000.00	6,102.40	6,102.40	93,897.60	93.90%
Department: 581100 - Interfund Transfers						
300-581100-381105 Transfer From General Fund	1,255,000.00	1,255,000.00	0.00	0.00	-1,255,000.00	100.00 %
300-581100-381106 Transfer From Parking Fund	1,732,000.00	1,732,000.00	0.00	0.00	-1,732,000.00	100.00 %
Department: 581100 - Interfund Transfers Total:	2,987,000.00	2,987,000.00	0.00	0.00	-2,987,000.00	100.00%
Fund: 300 - Capital Project Fund Surplus (Deficit):	0.00	0.00	-70,780.13	-192,677.69	-192,677.69	0.00%
Fund: 310 - Parking Fund						
Department: 302000 - Licenses & Permits						
310-302000-313101 Pilop Fee	40,000.00	40,000.00	0.00	0.00	-40,000.00	100.00 %
Department: 302000 - Licenses & Permits Total:	40,000.00	40,000.00	0.00	0.00	-40,000.00	100.00%
Department: 304000 - Charges for Services						
310-304000-344500 Parking Permits	148,000.00	148,000.00	9,872.51	56,605.18	-91,394.82	61.75 %
310-304000-344520 Parking Agreements	94,024.00	94,024.00	0.00	0.00	-94,024.00	100.00 %
310-304000-344551 South Ocean	210,000.00	210,000.00	20,592.02	35,426.37	-174,573.63	83.13 %
310-304000-344552 Ocean Front Meters	350,000.00	350,000.00	42,553.18	85,268.52	-264,731.48	75.64 %
310-304000-344553 Commerical Blvd. Meters	90,000.00	90,000.00	11,979.95	24,139.21	-65,860.79	73.18 %
310-304000-344554 Parking Meters - Beach	200,000.00	200,000.00	14,673.57	27,846.31	-172,153.69	86.08 %
310-304000-344555 Palm Portal- Fdg	99,000.00	99,000.00	8,803.59	17,057.20	-81,942.80	82.77 %
310-304000-344556 El Prado Parking Lot	650,000.00	650,000.00	37,935.59	69,512.92	-580,487.08	89.31 %
310-304000-344558 Town Hall Parking Lot	35,000.00	35,000.00	749.80	1,397.88	-33,602.12	96.01 %
310-304000-344559 El Mar Parking Lot	295,000.00	295,000.00	26,358.14	51,653.52	-243,346.48	82.49 %
310-304000-344560 A1A Parking Lot	650,000.00	650,000.00	48,687.94	91,881.52	-558,118.48	85.86 %
310-304000-344563 Bougainvilla/ Poinciana	199,000.00	199,000.00	19,336.88	35,556.42	-163,443.58	82.13 %
Department: 304000 - Charges for Services Total:	3,020,024.00	3,020,024.00	241,543.17	496,345.05	-2,523,678.95	83.56%
Department: 305000 - Fines & Forfeitures						
310-305000-354100 Parking Fines	110,000.00	110,000.00	31,368.79	64,313.01	-45,686.99	41.53 %
Department: 305000 - Fines & Forfeitures Total:	110,000.00	110,000.00	31,368.79	64,313.01	-45,686.99	41.53%

Budget Report

For Fiscal: 2024-2025 Period Ending: 11/30/2024

	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Department: 306000 - Miscellaneous Revenues						
310-306000-362001 Bougainvillea Rent	149,760.00	149,760.00	14,385.43	23,885.43	-125,874.57	84.05 %
Department: 306000 - Miscellaneous Revenues Total:	149,760.00	149,760.00	14,385.43	23,885.43	-125,874.57	84.05%
Department: 545000 - Parking Operations						
310-545000-500120 Regular Salaries	236,000.00	236,000.00	27,113.11	32,783.70	203,216.30	86.11 %
310-545000-500140 Overtime Salaries	4,200.00	4,200.00	633.25	1,137.17	3,062.83	72.92 %
310-545000-500210 Employer Fica Taxes	18,400.00	18,400.00	1,648.48	1,952.71	16,447.29	89.39 %
310-545000-500220 Retirement	45,000.00	45,000.00	4,278.67	5,239.41	39,760.59	88.36 %
310-545000-500230 Group Insurance	76,000.00	76,000.00	509.12	4,583.95	71,416.05	93.97 %
310-545000-500345 Contractual Services	523,000.00	523,000.00	39,125.83	73,891.56	449,108.44	85.87 %
310-545000-500353 Parking Alternatives	85,000.00	85,000.00	4,208.49	7,663.51	77,336.49	90.98 %
310-545000-500410 Communications	3,000.00	3,000.00	138.30	283.58	2,716.42	90.55 %
310-545000-500430 Electric Service	9,600.00	9,600.00	578.09	1,146.03	8,453.97	88.06 %
310-545000-500431 Water Service	27,500.00	27,500.00	1,261.32	3,630.08	23,869.92	86.80 %
310-545000-500445 Equip Rent/lease	5,500.00	5,500.00	0.00	0.00	5,500.00	100.00 %
310-545000-500461 Vehicle Maintenance	8,000.00	8,000.00	0.00	285.85	7,714.15	96.43 %
310-545000-500462 Fuel	15,000.00	15,000.00	735.94	1,226.93	13,773.07	91.82 %
310-545000-500463 Service Maintenance Contracts	48,588.00	48,588.00	4,560.00	9,120.00	39,468.00	81.23 %
310-545000-500497 Contingency	10,000.00	10,000.00	0.00	0.00	10,000.00	100.00 %
310-545000-500506 Printing & Binding	8,000.00	8,000.00	0.00	0.00	8,000.00	100.00 %
310-545000-500508 Postage	1,000.00	1,000.00	209.04	249.31	750.69	75.07 %
310-545000-500510 Office Supplies	1,000.00	1,000.00	0.00	29.95	970.05	97.01 %
310-545000-500525 Uniform Expense	5,000.00	5,000.00	0.00	0.00	5,000.00	100.00 %
310-545000-500532 Signs	13,000.00	13,000.00	832.43	2,971.11	10,028.89	77.15 %
310-545000-500533 Parking Meter Parts-supplies	38,000.00	38,000.00	0.00	0.00	38,000.00	100.00 %
310-545000-500545 Training	2,000.00	2,000.00	0.00	0.00	2,000.00	100.00 %
310-545000-500550 Operating Expenses	37,000.00	37,000.00	261.38	760.74	36,239.26	97.94 %
310-545000-500630 Cap Outlay Imp Other Than Bldg	32,310.00	32,310.00	0.00	0.00	32,310.00	100.00 %
310-545000-500640 Capital Outlay - Equipt & Mach	104,000.00	104,000.00	0.00	0.00	104,000.00	100.00 %
310-545000-500644 Capital Outlay-vehicles	31,686.00	31,686.00	1,988.43	3,976.96	27,709.04	87.45 %
310-545000-500646 Capital Outlay-Reserves	200,000.00	200,000.00	0.00	0.00	200,000.00	100.00 %
Department: 545000 - Parking Operations Total:	1,587,784.00	1,587,784.00	88,081.88	150,932.55	1,436,851.45	90.49%
Department: 581100 - Interfund Transfers						
310-581100-500910 Transfer To CIP Fund	1,732,000.00	1,732,000.00	0.00	0.00	1,732,000.00	100.00 %
Department: 581100 - Interfund Transfers Total:	1,732,000.00	1,732,000.00	0.00	0.00	1,732,000.00	100.00%
Fund: 310 - Parking Fund Surplus (Deficit):	0.00	0.00	199,215.51	433,610.94	433,610.94	0.00%
Report Surplus (Deficit):	0.00	0.00	2,194,660.40	1,269,542.19	1,269,542.19	0.00%

Group Summary

Departmen...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 001 - General Fund						
301000 - Ad Valorem Property Taxes	13,548,619.00	13,548,619.00	2,782,016.92	2,782,016.92	-10,766,602.08	79.47%
301100 - Utility Taxes	1,198,700.00	1,198,700.00	116,281.50	116,295.73	-1,082,404.27	90.30%
301600 - Franchise Taxes	864,799.00	864,799.00	76,148.56	76,148.56	-788,650.44	91.19%
302000 - Licenses & Permits	187,200.00	187,200.00	3,425.75	178,695.79	-8,504.21	4.54%
303000 - Intergovernmental Revenues	1,203,884.00	1,203,884.00	100,756.18	126,705.35	-1,077,178.65	89.48%
304000 - Charges for Services	7,250.00	7,250.00	220.00	340.00	-6,910.00	95.31%
305000 - Fines & Forfeitures	87,000.00	87,000.00	2,336.97	2,336.97	-84,663.03	97.31%
306000 - Miscellaneous Revenues	383,560.00	383,560.00	98,692.08	127,672.58	-255,887.42	66.71%
511000 - Commission	352,150.00	352,150.00	23,665.77	42,741.57	309,408.43	87.86%
511100 - Donation-Non Profits	68,500.00	68,500.00	6,000.00	42,500.00	26,000.00	37.96%
511200 - Visitor Center	142,341.00	142,341.00	8,982.33	13,269.43	129,071.57	90.68%
513000 - Administration	1,381,915.00	1,381,915.00	117,706.02	157,963.99	1,223,951.01	88.57%
514000 - Town Attorney	408,000.00	408,000.00	0.00	35,670.60	372,329.40	91.26%
519000 - General	1,295,900.00	1,295,900.00	236,737.37	442,866.61	853,033.39	65.83%
519100 - Tourism and Community Outreach	653,550.00	653,550.00	29,425.14	68,694.05	584,855.95	89.49%
521000 - Police Department	6,439,135.00	6,439,135.00	505,125.56	1,032,155.48	5,406,979.52	83.97%
523000 - Emergency Medical Services	519,680.00	519,680.00	40,250.00	80,500.00	439,180.00	84.51%
524000 - Development Services	1,115,152.00	1,115,152.00	67,102.45	111,497.03	1,003,654.97	90.00%
541100 - Mun Srvsc - Public Works Div	3,982,690.00	3,982,690.00	300,582.23	523,515.46	3,459,174.54	86.86%
572000 - Recreation	116,999.00	116,999.00	10,363.89	19,461.93	97,537.07	83.37%
581100 - Interfund Transfers	-1,005,000.00	-1,005,000.00	0.00	0.00	1,005,000.00	100.00%
Fund: 001 - General Fund Surplus (Deficit):	0.00	0.00	1,833,937.20	839,375.75	839,375.75	0.00%
Fund: 101 - Special Revenue-Police Conf						
306000 - Miscellaneous Revenues	0.00	0.00	391.11	391.11	391.11	0.00%
Fund: 101 - Special Revenue-Police Conf Total:	0.00	0.00	391.11	391.11	391.11	0.00%
Fund: 102 - Building Fund						
000000 - Assigned	275,102.00	275,102.00	0.00	0.00	-275,102.00	100.00%
302100 - Building Permit and Inpection	1,453,019.00	1,453,019.00	87,867.21	171,251.81	-1,281,767.19	88.21%
524100 - Building	1,728,121.00	1,728,121.00	24,518.10	38,708.63	1,689,412.37	97.76%
Fund: 102 - Building Fund Surplus (Deficit):	0.00	0.00	63,349.11	132,543.18	132,543.18	0.00%
Fund: 103 - Sewer Fund						
000000 - Assigned	8,480.00	8,480.00	0.00	0.00	-8,480.00	100.00%
304000 - Charges for Services	1,700,000.00	1,700,000.00	89,981.56	89,981.56	-1,610,018.44	94.71%
306000 - Miscellaneous Revenues	2,000.00	2,000.00	0.00	0.00	-2,000.00	100.00%
535000 - Sanitary Sewers	1,710,480.00	1,710,480.00	98,414.10	199,218.03	1,511,261.97	88.35%
Fund: 103 - Sewer Fund Surplus (Deficit):	0.00	0.00	-8,432.54	-109,236.47	-109,236.47	0.00%
Fund: 115 - Fire Fund						
000000 - Assigned	600,000.00	600,000.00	0.00	0.00	-600,000.00	100.00%
301050 - Fire Assessment	1,347,159.00	1,347,159.00	260,779.64	260,779.64	-1,086,379.36	80.64%
304000 - Charges for Services	77,000.00	77,000.00	1,527.50	72,332.73	-4,667.27	6.06%
522000 - Fire Department	2,024,159.00	2,024,159.00	85,327.00	167,577.00	1,856,582.00	91.72%
Fund: 115 - Fire Fund Surplus (Deficit):	0.00	0.00	176,980.14	165,535.37	165,535.37	0.00%
Fund: 300 - Capital Project Fund						
000000 - Assigned	615,000.00	615,000.00	0.00	0.00	-615,000.00	100.00%
303000 - Intergovernmental Revenues	450,000.00	450,000.00	0.00	0.00	-450,000.00	100.00%
519000 - General	226,642.00	226,642.00	13,092.88	18,323.77	208,318.23	91.92%
519161 - Town Hall / Public Safety	500,000.00	500,000.00	0.00	0.00	500,000.00	100.00%
545170 - El Prado Park	775,000.00	775,000.00	0.00	0.00	775,000.00	100.00%
559027 - Storm Water Rate Study	125,000.00	125,000.00	0.00	0.00	125,000.00	100.00%
572102 - Beach Portal	50,000.00	50,000.00	0.00	0.00	50,000.00	100.00%
572108 - FDOT A1A Pine Ave to Palm Ave	255,000.00	255,000.00	0.00	0.00	255,000.00	100.00%
572110 - Tennis Court Lighting	45,000.00	45,000.00	0.00	0.00	45,000.00	100.00%
572200 - Beach Renourishment	116,667.00	116,667.00	0.00	116,666.67	0.33	0.00%
575200 - Traffic Improvements & Calming	150,000.00	150,000.00	0.00	0.00	150,000.00	100.00%

Budget Report

For Fiscal: 2024-2025 Period Ending: 11/30/2024

Departmen...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
575201 - Pedestrian Amenities	75,000.00	75,000.00	33,590.25	33,590.25	41,409.75	55.21%
576136 - Street Proj.Bougain.Poinciana	225,000.00	225,000.00	0.00	0.00	225,000.00	100.00%
576138 - Rodway Paving & Refurbishment	483,691.00	483,691.00	0.00	0.00	483,691.00	100.00%
576305 - Resilient Florida Program -Project	200,000.00	200,000.00	0.00	0.00	200,000.00	100.00%
577100 - Friedt Park	725,000.00	725,000.00	17,994.60	17,994.60	707,005.40	97.52%
577102 - 75th Anniversary Garden	100,000.00	100,000.00	6,102.40	6,102.40	93,897.60	93.90%
581100 - Interfund Transfers	2,987,000.00	2,987,000.00	0.00	0.00	-2,987,000.00	100.00%
Fund: 300 - Capital Project Fund Surplus (Deficit):	0.00	0.00	-70,780.13	-192,677.69	-192,677.69	0.00%
Fund: 310 - Parking Fund						
302000 - Licenses & Permits	40,000.00	40,000.00	0.00	0.00	-40,000.00	100.00%
304000 - Charges for Services	3,020,024.00	3,020,024.00	241,543.17	496,345.05	-2,523,678.95	83.56%
305000 - Fines & Forfeitures	110,000.00	110,000.00	31,368.79	64,313.01	-45,686.99	41.53%
306000 - Miscellaneous Revenues	149,760.00	149,760.00	14,385.43	23,885.43	-125,874.57	84.05%
545000 - Parking Operations	1,587,784.00	1,587,784.00	88,081.88	150,932.55	1,436,851.45	90.49%
581100 - Interfund Transfers	1,732,000.00	1,732,000.00	0.00	0.00	1,732,000.00	100.00%
Fund: 310 - Parking Fund Surplus (Deficit):	0.00	0.00	199,215.51	433,610.94	433,610.94	0.00%
Report Surplus (Deficit):	0.00	0.00	2,194,660.40	1,269,542.19	1,269,542.19	0.00%

Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)
001 - General Fund	0.00	0.00	1,833,937.20	839,375.75	839,375.75
101 - Special Revenue-Police Conf	0.00	0.00	391.11	391.11	391.11
102 - Building Fund	0.00	0.00	63,349.11	132,543.18	132,543.18
103 - Sewer Fund	0.00	0.00	-8,432.54	-109,236.47	-109,236.47
115 - Fire Fund	0.00	0.00	176,980.14	165,535.37	165,535.37
300 - Capital Project Fund	0.00	0.00	-70,780.13	-192,677.69	-192,677.69
310 - Parking Fund	0.00	0.00	199,215.51	433,610.94	433,610.94
Report Surplus (Deficit):	0.00	0.00	2,194,660.40	1,269,542.19	1,269,542.19

Town of Lauderdale-by-the-Sea
Cash and Investment Report
as of November 30,2024

Bank / Other	GL No.	Bank No.	Account Name	Account Type	Bank/ Pool	Balance 11/30/2024	Interest/ Avg % Yield	Interest/Chg Mkt Value	Interest/ Year to Date
001 General Fund:									
Truist	101.000	8015	Master Account	Analyzed Interest Checking	Truist	7,221,771.44	2.80%	11,952.00	11,952.00
Truist	101.009	6876	Emergency Reserve	Public Special Money Rate Checking	Truist	2,566,720.62	3.17%	6,782.79	14,187.35
GENERAL FUND						BANK SUBTOTAL		18,734.79	26,139.35
SBA	101.300	1471-A	General Fund Invest Acct A	SBA Invest Pool	SBA	196,198.52	4.87%	782.07	1,614.65
SBA	101.400	1472-A	Emergency Reserves Acct A	SBA Invest Pool	SBA	95,188.25	4.87%	379.44	783.37
SouthState Inv.	101.110	9371	Investment	Investment	SSTI	1,978,863.55			
GENERAL FUND						SBA / INV. SUBTOTAL		1,161.51	2,398.02
GENERAL FUND						GRAND TOTAL		19,896.30	28,537.37
101 Police Forfeiture & Training									
Truist	101.100	9613	Police Forfeiture Fund	Analyzed Interest Checking	Truist	589.59	3.50%	Included Above	Included Above
POLICE FUND						TOTAL		0.00	0.00
103 Sewer Enterprise Fund									
Truist	101.105	9999	Sewer Enterprise Fund	Analyzed Interest Checking	Truist	1,413,917.80	2.80%	2,971.82	2,971.82
SEWER FUND						TOTAL		2,971.82	2,971.82
115 Fire Fund:									
Truist	101.109	5379	Fire Fund Account	Analyzed Interest Checking	Truist	1,246,002.66	2.80%	2,608.17	2,608.17
FIRE FUND						GRAND TOTAL		2,608.17	2,608.17
300 Capital Improvement Fund:									
Truist	101.115	0010	Capital Improvement Fund	Analyzed Interest Checking	Truist	1,989,336.61	2.80%	4,524.69	4,524.69
CAPITAL IMPROVEMENT FUND						TOTAL		4,524.69	4,524.69
310 Parking Improvement Fund									
Truist	101.125	0120	Parking Improvement Account	Analyzed Interest Checking	Truist	6,140,978.44	2.80%	13,519.22	13,519.22
Truist	101.128	8554	PILOP Account	Analyzed Interest Checking	Truist	200.00	2.80%	Included Above	Included Above
PARKING FUND						TOTAL		13,519.22	13,519.22
102 Building Fund									
Truist	101.104	8686	Building Account	Analyzed Interest Checking	Truist	1,368,806.51	2.80%	2,484.91	2,484.91
BUILDING FUND						TOTAL		2,484.91	2,484.91
ALL FUNDS						GRAND TOTAL		46,005.11	54,646.18

Town of Lauderdale-by-the-Sea
Cash and Investment Report
as of November 30,2024

Summary by Investment Type		Amount	Percent
Interest Bearing Checking		21,948,323.67	91%
Non-interest Bearing Checking		0.00	0%
SBA Trust Fund/Pools		291,386.77	1%
Investment		1,978,863.55	8%
Repurchase Agreements		0.00	0%
Money Market Funds		0.00	0%
U.S. Securities/Treasuries		0.00	0%
U.S. Federal Agencies		0.00	0%
Federal Instrumentalities		0.00	0%
GRAND TOTAL		24,218,573.99	100%

Summary by Fund		Amount	Percent
101.000/101-400	General Fund	12,058,742.38	50%
	Police Fund	589.59	0%
	Sewer Fund	1,413,917.80	6%
	Fire Fund	1,246,002.66	5%
	Building Fund	1,368,806.51	6%
	Capital Improvement Fund	1,989,336.61	8%
	Parking Fund	6,141,178.44	25%
GRAND TOTAL		24,218,573.99	100%

Summary by Bank/Pool/Inv		Amount	Percent
	Truist	21,948,323.67	91%
	Investment	1,978,863.55	8%
	Florida Prime/State Board of Admin.	291,386.77	1%
GRAND TOTAL		24,218,573.99	100%



Agenda Item No: 10.a.

Town Commission Agenda Item Report

Meeting Date: January 28, 2025

Submitted By:

Submitting Department: Administration

Item Type: Approval of Minutes

Agenda Section: APPROVAL OF MINUTES

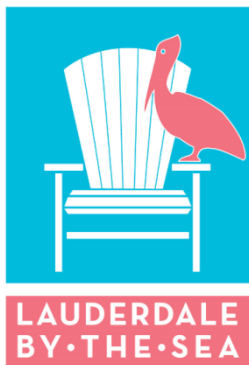
Subject Title: Approval of Minutes for January 14, 2025.

Explanation: Draft minutes for review for January 14, 2025.

Recommendation: Approve/Accept

Exhibits:

1. 11-14-25 Regular Commission Draft Minutes



DRAFT
TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Tuesday, January 14, 2025
6:30 PM

1. CALL TO ORDER, MAYOR EDMUND MALKOON

Mayor Edmund Malkoon called the meeting to order at 6:30 p.m. Also present were Vice Mayor Randy Strauss, Commissioner Richard DeNapoli (by phone), Commissioner John A. Graziano, Commissioner Theo Pouloupoulos, Town Manager Linda Connors, 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, Events and Marketing Manager Katie Anderson, and Town Clerk Katrina Adler.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION

Rabbi Benzion Singer gave the Invocation.

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

Mayor Malkoon requested that Items 18.a and 18.b be heard immediately following Public Comments.

5. PRESENTATIONS

a. Christmas By The Sea Recap Presentation

Events and Marketing Manager Katie Anderson showed a brief video on the Town's Christmas By The Sea event, which was held on December 4, 2024. This was the final event of the year and concluded the Town's 75th Anniversary celebration. Pompano Beach Fire Rescue (PBFR), the Broward Sheriff's Office (BSO), Town Staff, and many volunteers helped make the event successful and safe. She recognized the event's sponsors. Next year's event will be held on Wednesday, December 3, 2025.

b. Annual Report Video

Events and Marketing Manager Anderson also showed an end-of-year Annual Report Video highlighting the Town's accomplishments in 2024.

6. PUBLIC COMMENTS

At this time Mayor Malkoon opened public comment.

Greg Farley, representing Fort Lauderdale Water Taxi, thanked all present for inviting this service into the community. Water Taxi operates from Hollywood Beach to Lighthouse Point, with stops in Hollywood, Fort Lauderdale, Lighthouse Point, Pompano Beach, and Lauderdale-By-The-Sea.

Brian Paperny, treasurer of the Chamber of Commerce, read a statement on behalf of Chamber president Howard Goldberg, inviting Town residents to attend the Chamber's annual Health Fair on Saturday, February 8, 2025 from 9 a.m. to noon at Jarvis Hall. 25 vendors and approximately 200 guests are expected, and Chamber representatives will need assistance with room setup before and after the event, as well as marketing support, free event parking, and free parking the afternoon before the event.

Town Manager Connors requested Commission direction regarding the event, noting that special event applications are typically due 60 days in advance of an event. If an application is received 30 days in advance, the applicant is charged an additional fee. Town Staff received the Chamber's application earlier in the day.

The Commissioners indicated their willingness to proceed with the event. Commissioner Graziano recommended waiving the late fee and promoting the event to the community.

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

The following Items were taken out of order on the Agenda.

18. RESOLUTIONS – PUBLIC COMMENTS

- a. RESOLUTION 2025-01 – A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING AN AGREEMENT WITH JAMES S. TITCOMB FOR COMMUNITY VISIONING AND STRATEGIC PLANNING SERVICES; FINDING THAT**

THE AGREEMENT IS EXEMPT FROM COMPETITIVE SOLICITATION UNDER THE TOWN PURCHASING MANUAL; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR IMPLEMENTATION AND AN EFFECTIVE DATE.

At this time Mayor Malkoon opened public comment, which he closed upon receiving no input.

Deputy Town Manager/Public Works Director Ken Rubach explained that it has been several years since the Town's current Strategic Plan has been updated. Town Staff researched firms that offer strategic planning services and reviewed other municipalities' plans. He concluded that James S. Titcomb has experience with small barrier island communities, town management, and working with elected officials.

The strategic planning process is expected to take approximately three months to complete and will include input from the Commission, Town Staff, and Town residents. \$30,000 was budgeted toward this initiative in the fiscal year (FY) 2025 budget. The cost of Mr. Titcomb's services is \$28,800.

James Titcomb addressed the Commission as well, noting that he has experience in working with organizations and communities for their betterment. He hoped to assist and facilitate the Town's visioning process while matching it with strategic planning efforts.

Vice Mayor Strauss made a motion, seconded by Commissioner Pouloupoulos, to approve. Motion carried 5-0.

b. RESOLUTION 2025-02 – A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING A WORK AUTHORIZATION WITH HITCHCOCK DESIGN GROUP INC. FOR THE EL PRADO PARK REVITALIZATION PROJECT; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE WORK AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

At this time Mayor Malkoon opened public comment, which he closed upon receiving no input.

Deputy Town Manager/Public Works Director Rubach recalled that the FY 2025 budget includes priorities to improve El Prado Park. Using the Consultant's Competitive

Negotiations Act (CCNA) process, Staff looked into firms with experience in park design and renovation. Hitchcock Design Group, Inc. has worked with the Town on previous projects and has an understanding of the community.

The design phase will include schematic and conceptual designs, on which Town residents will have significant input. The fee for the design work will be \$33,000. The Town has budgeted \$775,000 toward the project. The design phase is expected to take several months to complete and construction would take place in late summer or early fall 2025.

Mayor Malkoon recalled that the Town has also applied for a \$200,000 grant toward the El Prado Park project. Deputy Town Manager/Public Works Director Rubach confirmed that this grant application has been submitted, and Staff is hopeful the grant will be awarded to the Town.

Alex Fenech, representing Hitchcock Design Group, introduced himself to the Commission.

Commissioner Graziano asked if the firm's design will affect the Town's choice of grass or other surfacing. Mr. Fenech replied that this decision will be part of the design process.

Commissioner Pouloupoulos made a motion, seconded by Vice Mayor Strauss, to approve. Motion carried 5-0.

7. PUBLIC SAFETY DISCUSSION

None.

8. TOWN MANAGER REPORT

a. Town Manager Report

Town Manager Linda Connors reported that the Town's Charter Review Board will hold its first meeting on February 4, 2025. At the next Commission meeting, there will be discussion of any recommendations the Commissioners may wish to make to that Board. Copies of the Charter will be sent to the Commissioners.

The Town has a new mobile app which launched in December 2024. The app mirrors the Town's web page, also allowing residents to report issues and receive responses in real time. Users who wish to report issues must create profiles for the individual submitting the report so Staff can respond to them. Individuals with difficulty downloading the app are invited to visit Town Hall for assistance.

The Town has hired Code Compliance Inspector Donovan Williams, who will transition from the Parking Department into Code Compliance.

The Town participates in the Broward County Sea Turtle Conservation Program and provides parking passes for individuals who help monitor sea turtle activity on the Town's beaches. Staff has provided 14 parking passes to these individuals, which is consistent with the Commission's decision in 2024.

Town Manager Connors recalled that the Commission previously discussed the option of printing and mailing copies of *Town Topics* to all Town residents. At present, the newsletter is emailed to roughly 2300 contacts and mailed to 350 households at a cost of approximately \$4800/year. If the Town wishes to distribute copies to all registered voters, this would comprise roughly 5000 individuals at a cost of \$30,000. Mailing *Town Topics* to all 4700 Town households would cost \$28,200, while mailing it to households including at least one voter would cost approximately \$21,000.

Town Manager Connors continued that the Commission had strongly encouraged Staff to seek prospective advertisers who could help supplement the cost of *Town Topics*. Staff sent advertisement information to all Town businesses and asked the Chamber of Commerce to do so for their membership as well. The most recent edition of *Town Topics*, which was posted today, has two advertisers rather than the usual one, both of which had already planned to advertise before Staff reached out to businesses. She concluded that the Town should not expect additional advertising revenue.

Town Manager Connors requested direction on how to proceed with *Town Topics*, including whether to make changes to mailing procedures. She recommended mailing the document to all residents, not only to registered voters, as it is funded using taxpayer dollars.

Mayor Malkoon requested additional information on the open rates of the quarterly *Town Topics* emails. Town Manager Connors replied that the open percentage varied between 40% and 60%. This did not include information on click-through rates. Staff

has discussed requesting that website provider Civic Plus add the ability to track this rate as well, although this would come at a small added cost.

Town Manager Connors continued that attendees at the Farmers Market are also invited to sign up for receipt of *Town Topics*. This invitation is also extended to individuals who sign up for other community services at Town Hall.

Commissioner DeNapoli asked if there is a difference between open rates for *Town Topics* and other Town updates provided via email. It was clarified that this referred to the quarterly email only and did not include clicks generated through social media outlets.

Commissioner DeNapoli requested information on the open rate for Town emails generated after each Commission meeting. It was noted that this information was not available at tonight's meeting.

Commissioner Graziano asked for the cost of printing one issue of *Town Topics* annually. He added that he felt the document should be provided to resident households rather than to registered voters only. Town Manager Connors reiterated that the annual cost of providing a printed copy of *Town Topics* to all Town households is \$28,200; the cost of printing and mailing only one of the quarterly documents would come to approximately \$7000. Commissioner Graziano concluded that he could support the cost of mailing the document to all households once per year.

Mayor Malkoon noted that the Town collects roughly \$1700 in advertising revenue, assuming both advertisers remain. He was in favor of mailing a printed copy to every Town household on a quarterly basis, emphasizing the importance of communication with residents. He also suggested that advertising revenue could increase if businesses are aware the document is being physically mailed to Town households. Mayor Malkoon concluded that if there is Commission consensus to mail only one of the four quarterly issues, he would be in favor of this as well.

Vice Mayor Strauss asked if the \$28,200 cost of mailing *Town Topics* to every household would be in addition to the current cost of \$4800 for digital and physical mailings. Town Manager Connors explained that the \$28,200 would be inclusive of current costs and would remain close to \$7000 per quarter.

Vice Mayor Strauss observed that he did not wish to see copies discarded throughout the Town. He suggested that physical copies be mailed to households for one year.

Commissioner Pouloupoulos requested clarification of the metrics of engagement that would be used to measure success after physical copies are mailed out for one quarter. He pointed out that there is no way to determine whether or not residents are reading printed copies, and advised that he was comfortable with continuing to provide *Town Topics* via email. He suggested that a physical copy could include strong encouragement of residents to provide feedback. Vice Mayor Strauss agreed with Commissioner Pouloupoulos's proposal to request feedback.

Commissioner DeNapoli stated that he was also in favor of including an "opt out" option on the cover of physical copies. He felt changes could be made to the document, and recommended including news about community events, the mobile app, and Town businesses. He was in favor of proceeding with either one quarter or a full year of mailing out the document, prominently featuring an option to discontinue physical copies and sign up for emailed copies.

Town Manager Connors requested clarification of whether the Commission's consensus would be to continue mailing *Town Topics* to residents for a full year. She also asked if it was the Commission's preference to begin by mailing physical copies of the current edition, which was released earlier in the day, or wait until the spring edition. There was consensus to begin mailing the document with the spring 2025 edition.

Town Manager Connors continued that in the interim, Staff would look into potential changes to the document's design to make it smaller and less costly. She noted, however, that this may require changes to the number of pages. There are also items that remain in the document on a regular basis, including contact information, flood information, and updates on recent or pending community events. Staff seeks to engage Town businesses as well, including both established and new businesses.

Commissioner Pouloupoulos proposed making sure that the printed copies include an opt-in rather than an opt-out option.

9. TOWN ATTORNEY REPORT

None.

10. APPROVAL OF MINUTES

a. Approval of Minutes for November 12 and December 10, 2024

Vice Mayor Strauss made a motion, seconded by Commissioner Graziano, to approve. Motion carried 5-0.

11. CONSENT AGENDA

None.

12. OLD BUSINESS

None.

13. NEW BUSINESS

a. Special Event Application: 2025 A1A Marathon

Events and Marketing Manager Anderson stated that a representative of Exclusive Sports Marketing has submitted a special event application for the 2025 Fort Lauderdale A1A Marathon, which is scheduled for Sunday, February 16, 2025. A portion of this event occurs in Lauderdale-By-The-Sea, including locations on Ocean Drive, A1A, Palm Avenue, and El Mar Drive. The marathon will begin and end in Fort Lauderdale Park.

The marathon is an annual event that has historically incorporated the Town into its race route. The Applicant estimates there will be roughly 1500 participants in the overall race, with approximately 150 spectators throughout the route as well as 50 volunteers. The Applicant has held initial discussions with Town Staff and plans further meetings, including participation from public safety entities, to discuss further details.

Setup for the event will begin at 4 a.m., with the race beginning in Fort Lauderdale at 6 a.m. The last anticipated runner typically reaches Lauderdale-By-The-Sea at 11 a.m., with cleanup required to be completed by 2 p.m.

The application includes the following requests:

- Race course through the Town will include the outside northbound lane of A1A beginning at the Town's southernmost boundary
- Runners will travel east on Palm Avenue, turning north on El Mar Drive toward Washingtonia Avenue, where they will make a U-turn to run south on El Mar Drive

- North- and southbound inside lanes, parking spaces, and single lanes around the square of El Mar Drive are typically used for the race course
- Applicant will pay parking fees for any impacted parking spaces at a cost of approximately \$1920
- Cones and signage along the proposed race course indicating the route are the responsibility of the Applicant and their team

Events and Marketing Manager Anderson advised that the Town has received an updated site map from the Applicant which shows a slightly altered race course that would have significantly less impact on the Town.

As stated in Resolution 2024-29, road closure fees are set for groups of over 200 by the Commission, based on the purpose, number of attendees, and overall impacts. The Commission has historically approved the event's parking spaces to be reserved with the cost covered by the Applicant and has not charged any fees for additional road closures.

The Applicant has paid the \$125 application fee. Staff recommends approval of the event with the conditions outlined in the event permit exhibit. These include approval of the reservation of parking spaces, with the cost to be covered by the Applicant, and the waiver of additional charges for required road closures.

Commissioner Pouloupoulos made a motion, seconded by Commissioner Graziano, to approve. Motion carried 5-0.

14. COMMISSIONER PRESENTATIONS

None.

15. COMMISSIONER COMMENTS

Commissioner Graziano suggested that the Town determine whether or not residents of Sea Ranch Lakes might be interested in purchasing Town parking permits at a cost of \$100. He noted that while Florida's Sunshine Law would not prohibit him from reaching out to Sea Ranch Lakes with this proposal, he would first like to hear input from the Commission. He pointed out that this plan would not reduce the number of parking spaces available in the Town, and could help raise revenue during times when business is less robust.

Mayor Malkoon recommended adding this proposal as a future Agenda Item and requesting feedback from Staff as well. Commissioner Graziano emphasized that he did not want to bring the discussion back as an Agenda Item if there is not consensus from the Commission that it is a reasonable approach. There was Commission consensus to bring the proposal back as a future Agenda Item.

Commissioner Graziano also requested that any residents who wish to share feedback on this proposal reach out to him to do so.

Commissioner Pouloupoulos thanked all who participated in the recent Epiphany community event, which was very successful, with roughly 300 participants. He looked forward to a productive year in 2025.

Vice Mayor Strauss advised that he has attended recent Farmers Market events and encouraged all present to do so as well. He added that he had attended the recent Chanukah event, which was held in Town Hall due to inclement weather and was very well-attended.

Commissioner DeNapoli also praised recent Town events and looked forward to the coming year.

Mayor Malkoon noted a number of ongoing and upcoming Town events, including the Farmers Market, Friday Night Music, dancing, and yoga.

16. ORDINANCES 1ST READING

None.

17. ORDINANCES 2ND READING

- a. ORDINANCE 2024-11 – AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 14 “OFFENSES,” OF THE TOWN’S CODE OF ORDINANCES BY CREATING SECTION 14-34 “PUBLIC CAMPING OR SLEEPING; NOTICE OF COMPLAINTS;” PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND FOR AN EFFECTIVE DATE.**

At this time Mayor Malkoon opened public comment, which he closed upon receiving no input.

Commissioner Pouloupoulos made a motion, seconded by Vice Mayor Strauss, to approve. Motion carried 5-0.

18. RESOLUTIONS – PUBLIC COMMENTS

- c. RESOLUTION 2025-03 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING A WORK AUTHORIZATION WITH BAXTER & WOODMAN, INC. FOR THE TOWN’S COMPREHENSIVE VULNERABILITY ASSESSMENT; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE WORK AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

At this time Mayor Malkoon opened public comment, which he closed upon receiving no input.

Assistant to the Town Manager Courtney Easley stated that this Item is a work authorization with Baxter & Woodman, Inc. for the Town’s Comprehensive Vulnerability Assessment. In 2024, the Town received \$200,000 from the Florida Department of Environmental Protection (DEP) to complete an assessment that will identify the risks associated with flooding and sea level rise within the Town. The assessment will serve as a foundation for the Town to apply for future state grant funds, which can help them obtain funding for future mitigation projects.

The agreement with Baxter & Woodman would be for \$162,000 and the process should take from eight to ten months to complete.

Commissioner Pouloupoulos asked what would be done with the balance of the grant funding after the contractor is paid. Assistant to the Town Manager Easley replied that the grant is reimbursable.

Commissioner Pouloupoulos made a motion, seconded by Vice Mayor Strauss, to approve. Motion carried 5-0.

- d. RESOLUTION 2025-04 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING A WORK AUTHORIZATION WITH BAXTER & WOODMAN, INC. FOR THE BEL AIR NEIGHBORHOOD TRAFFIC**

**CALMING STUDY; AUTHORIZING THE TOWN MANAGER TO
EXECUTE THE WORK AUTHORIZATION; AND PROVIDING FOR AN
EFFECTIVE DATE.**

At this time Mayor Malkoon opened public comment, which he closed upon receiving no input.

Deputy Town Manager/Public Works Director Rubach explained that this Item provides work authorization for a more comprehensive traffic study in the Bel Air neighborhood. Staff met with Bel Air's neighborhood association in May 2024 to review the speed data collected by BSO using signage. This information was collected from September through November 2023.

The average daily traffic count was fewer than 300 vehicles per day, which would be normal for a subdivision of Bel Air's size. The average speed was below the posted speed limit of 20 miles per hour (mph).

Members of the neighborhood association have asked if a more comprehensive study could be done during the tourist season to check the accuracy of the counts provided. They expressed concern with the impact of cut-through traffic in the neighborhood. The tasks list from Baxter & Woodman includes the costs of coordination, data collection, and detectors. Once the study is complete, they would issue a technical memorandum indicating whether or not issues exist, based on the data. If an issue is identified, they would also suggest a solution. Public participation is a key component of the study.

The cost of the proposed study is \$28,334. The Town has budgeted \$150,000 in FY 2025 for traffic calming and improvements.

Mayor Malkoon advised that feedback from Bel Air residents advocated for approval of this Item, citing concerns related to pedestrians, vacation rental properties, and other issues. He noted that he is a resident of the subject neighborhood and regularly sees pedestrian traffic. He has also looked into the number of vacation rentals in the Bel Air community, and pointed out that three of these properties have been added in the last two years.

Development Services Director Jhanelle Campbell further clarified that there are 25 vacation rentals in the Bel Air area, with seven potential applications pending which have not yet paid the required annual fee. Vacation rentals are regulated by Section 30-327 of Town Code, which requires all cars at a vacation rental property to be registered

and to be parked only in the legal parking area for that property. She concluded that it was her professional opinion that vacation rental properties do not significantly affect parking for that reason.

Deputy Town Manager/Public Works Director Rubach noted that due to the small sample size of the traffic study, speeding would have resulted in significantly higher numbers, including the average rate of speed. He suggested that concerns regarding pedestrian safety in the Bel Air neighborhood could be addressed by installing permanent speed signs or other signage. Sidewalks and swales could also be installed along Bel Air Avenue, although this would be a more expensive option.

Mayor Malkoon also pointed out that the Town has a speed bump policy, and the Bel Air community may make use of this policy if they wish. He concluded that he was hesitant to vote in favor of the proposed study, citing cost as a concern when the previous study determined there was not an issue, and was in favor of exploring options that could be considered without the expense of a study.

Commissioner Pouloupoulos agreed with the Mayor, noting that few vehicles cut through gated communities such as Bel Air. He felt BSO's findings were accurate and also questioned the cost when a previous study has been done.

Deputy Town Manager/Public Works Director Rubach advised that residents' greatest concerns were for pedestrians and cyclists, and reiterated that these can be addressed at a lower cost through signage.

Commissioner Graziano commented that there had been similar concerns in the Terra Mar neighborhood in the past, and also expressed concern with the potential cost of further study. He recalled that residents have the option of bringing forward a petition in favor of traffic calming measures. He was in favor of more communication with Bel Air residents before making a decision on the expense of a study.

Deputy Town Manager/Public Works Director Rubach advised that if speed bumps are installed, they must be accompanied by striping and signage.

Town Manager Connors concluded that Commission direction seemed to be for further outreach to Bel Air residents to discuss options other than the study.

No motion was made on this Item.

e. RESOLUTION 2025-05 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING A TEMPORARY ACCESS EASEMENT AGREEMENT WITH BROWARD COUNTY FOR THE SHORE PROTECTION PROJECT, SEGMENT II; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

At this time Mayor Malkoon opened public comment, which he closed upon receiving no input.

Mayor Malkoon asked if the Town has communicated with businesses that would be affected by this Item. Deputy Town Manager/Public Works Director Rubach replied that they have not, as there is currently no estimated date for the agreement. The easement is expected to be for the same places used by beach rakers during beach renourishment activities. The contractor has not yet advised the Town of how much equipment they will use, which means the amount of necessary storage has not yet been determined.

Mayor Malkoon also requested confirmation that this activity would take place after sea turtle nesting season. Deputy Town Manager/Public Works Director Rubach replied that the contractor had hoped to complete the work before nesting season begins. He estimated that the project may be completed quickly.

Vice Mayor Strauss made a motion, seconded by Commissioner Graziano, to approve. Motion carried 5-0.

19. QUASI JUDICIAL PUBLIC HEARINGS

None.

20. ADJOURNMENT

Town Manager Connors recalled that in 2024, the Town saw approximately \$600,000 in returns on its investments. Additional money is available in the Town's Parking Fund. She recommended investing \$2 million of this in bonds if that is the Commission's desire. A process has already been established for investment with Truist Bank.

There was Commission consensus to proceed with the proposed investment.

Lauderdale-By-The-Sea
Regular Town Commission Meeting
January 14, 2025

With no other business to come before the Commission at this time, the meeting was adjourned at 8:03 p.m.

Mayor Edmund Malkoon

ATTEST:

Katrina Adler, Town Clerk

Date



Agenda Item No: 11.a.

Town Commission Agenda Item Report

Meeting Date: January 28, 2025

Submitted By: Courtney Easley, Assistant to Town Manager

Submitting Department: Administration

Item Type: Action Item

Agenda Section: CONSENT AGENDA

Subject Title: RESOLUTION 2025 - 08: A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AUTHORIZING AN AMENDMENT TO THE TOWN'S PERSONNEL POLICIES MANUAL CODIFYING ITS EXISTING TELECOMMUTING POLICY; PROVIDING FOR IMPLEMENTATION, CONFLICT, SEVERABILITY, AND AN EFFECTIVE DATE.

Explanation: In response to the COVID-19 pandemic shutdown in March 2020, the Town of Lauderdale-By-The-Sea implemented a Telecommuting Policy on August 17, 2020, under Town Manager Bill Vance. This policy enabled employees to work from home, minimizing in-office personnel at Town Hall and Administrative Offices. When approved, it was not included in the Town's Personnel Manual but was established by the former Town Manager as an addendum. This agenda item seeks to integrate the Telecommuting Policy into the manual formally.

Policy Purpose

In the event of extenuating circumstances (i.e. hurricane, pandemic, power outage,) or as approved and designed by the Town Manager in other situations, the Town of Lauderdale-By-The-Sea may allow or require employees to temporarily telecommute to ensure the continuity of Town operations. Telecommuting allows employees to work at home or off-site for all or part of their normal workweek. While it may be appropriate for some positions and duties, it is not necessarily viable for all positions. Telecommuting is not a legal right or entitlement, and it in no way permanently modifies the terms and conditions of employment with the Town.

The Town Manager has established a work-from-home schedule for the executive team consisting of one day a week to limit any disruption to the team. Additionally, the Manager has made it clear that the schedule is flexible and, if requested, the work-from-home day will be forfeited. Regular work-from-home days have been established since January 2, 2024. This policy has increased staff morale and efficiency as work is completed with fewer interruptions.

Recommendation: Approve Resolution 2025-08 adding the Telecommuting Policy to the Town's Personnel Manual.

Exhibits:

1. Resolution 2025-08

[illegible]

WHEREAS, the Town of Lauderdale-By-The-Sea (“Town”) has adopted a manual of personnel rules and regulations, which is referred to as the Personnel Policies Manual, to ensure that employees and prospective employees are treated in a manner consistent with applicable employment laws and regulations; and

WHEREAS, in 2020 the Town exercised its right to dictate work sites by permitting telecommuting during periods of extenuating circumstances (the “Telecommuting Policy”); and

WHEREAS, because any changes to the Personnel Policies Manual must be approved by resolution of the Town Commission, the Town wishes to adopt this Resolution in furtherance of the public interest.

SECTION 1. Recitals. Each “WHEREAS” clause set forth is true and correct, and herein incorporated by this reference.

SECTION 2. Amendment to Personnel Policies Manual. The Town hereby adopts the and set forth in the Personnel Policies Manual attached hereto as Exhibit “A,” an amendment which incorporates the Telecommuting Policy.

SECTION 3. Implementation. The Town Manager or her designee and the Town Attorney are authorized to take all actions necessary to implement the amended provision of the Personnel Policies Manual.

SECTION 4. Conflict. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. Severability. If any clause, section or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Resolution.

SECTION 6. Effective Date. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED this _____ day of _____, 2025.

Mayor Edmund Malkoon

Attest:

Katrina Adler, Town Clerk
(CORPORATE SEAL)

60 APPROVED AS TO FORM:

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Susan L. Trevarthen, Town Attorney

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TOWN OF LAUDERDALE-BY-THE-SEA

PERSONNEL POLICIES MANUAL

Amended January 28, 2025 (Resolution 2025-08)





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II. PERSONNEL POLICY STATEMENTS (Continued)

- Posting, transmitting, discussing or otherwise disseminating information to which they acquired by virtue of their employment;
- Speaking on behalf of the Town unless they have prior written authorization from the Town Manager; and,
- Posting, transmitting, discussing or disseminating confidential or proprietary information.

Any employee who is aware of an online posting on a social media page by a Town employee that violates any provisions of this policy shall notify his or her supervisor immediately.

Town Social Media Program: The Town's Public Information Officer (PIO) will serve as the lead staff person for official Town social media platforms. The PIO will serve as the point of contact and administrator for creating accounts, posting information and responding to comments, ensuring compliance with the social media policy, and regularly updating the social media websites.

Any request for use of Town social media platforms by personnel shall be made to the PIO. The PIO, along with the Town Manager, will review requests and assist the requester in selecting the appropriate platform and developing appropriate uses for social media.

The PIO reserves the right to edit or remove content if the social media site allows for comments to be posted by the public, and those comments contain profane language/content, discriminatory content, sexual content, business solicitation, trademark or copyright violations, political campaign information, illegal content, among other criteria. The Town's social media pages are not intended to be public forums, but platforms to provide information directly related to the promotion of Town events and the detailing of Town services.

P. TELECOMMUTING POLICY

In the event of extenuating circumstances (e.g., hurricane, pandemic, power outage), or as approved and designated by the Town Manager in other situations, the Town of Lauderdale-by-the-Sea may allow or require employees to temporarily telecommute to ensure continuity of Town operations. Telecommuting allows employees to work at home or off-site for all or part of their normal workweek. Telecommuting may be appropriate for some positions and duties, but not necessarily viable for all positions. Telecommuting is not a legal right or entitlement, and it in no way permanently modifies the terms and conditions of employment with the Town.

II. PERSONNEL POLICY STATEMENTS

ELIGIBILITY AND CONDITIONS

- A. Employees requesting to participate in the Town's Telecommuting Program must not have a history of unauthorized/unexcused absences, tardiness, or abuse of accrued time.
- B. A request to telecommute will be evaluated by the Department Director based on the following factors: the suitability of the employee's job to work remotely, the employee's likelihood of being a successful telecommuter, the supervisor's ability to manage the employee and the schedules of co-workers including those who may also be telecommuting.
- C. Telecommuting will not negatively impact an employee's eligibility for advancement or any other employee right or benefit.
- D. Preparations should be made in advance or as soon as practicable to allow remote work, if necessary. This includes determining appropriate equipment needs, such as hardware, software, and telephone and data lines.

PROCEDURES

- A. An employee or a Department Director may initiate a discussion about a teleworking arrangement.
 - 1. The Department Director will review the employee's job responsibilities and determine if the job functions and duties are appropriate for a telecommuting arrangement, in conjunction with the extenuating circumstance, including equipment needs, workspace design considerations, and scheduling issues.
 - 2. In cases where an employee initiates a request to telework, the employee must provide the specific reason(s) for the request along with a detailed plan for accomplishing job duties to their Department Director for consideration.
 - 3. Town Manager shall have final approval to allow employees to telework.
- B. Telecommuting may be fixed and ongoing, such as working a set number of hours from an alternate location each week, or it may be limited in duration, such as working from home for a few days or intermittently. Employees should not assume any specified period of time for telework, and may be required to return to regular, in-office work at any time.
- C. The Department Director and employee will complete a telecommuting agreement that will be submitted to the Town Manager for their approval. The agreement shall specify the days/times telecommuting will occur and the work to be completed by the employee. Agreements may be discontinued at any time at the sole discretion of the Town.

II. PERSONNEL POLICY STATEMENTS (Continued)

- D. Telecommuters are expected to be actively working during the agreed upon hours of work and must be available to communicate via email or telephone or via any other means of virtual communication.

Weekly contact between the employee and Department Director should occur to verify that the employee is actively working as well as to resolve any problems that may arise. Telecommuting may require more frequent interaction and communication between the telecommuter and his/her Department Director and other employees. Communication must be at a level consistent with employees working at the office or in a manner and frequency appropriate for the job and individuals involved.

- E. Telecommuting is generally not a substitute for child or dependent care, though pandemic related telecommuting may be subject to exceptions. Arrangements should be made for such care during working hours unless approved by the Town Manager.

WORK ENVIRONMENT AND EQUIPMENT

- A. The employee will establish a suitable work environment within his or her home for work purposes. The area should be free from obvious safety hazards and suitable for the type of work being performed by the employee. The Town will not be responsible for costs associated with the setup of the employee's home office, such as remodeling, furniture, or lighting, nor for repairs or modifications to the home office space. The Town will not accept responsibility for damage or repairs to employee-owned equipment.
- B. The Town will determine the equipment needs for each employee on a case-by-case basis, in accordance with its standard policies and procedures. Unbudgeted items shall follow Town-approved guidelines for purchases. Equipment supplied by the organization is to be used for Town purposes only. The PIO/IT Coordinator shall be available to review these equipment needs with management and employees and to provide support to employees in emergency telework situations.
- C. If the employee is going to change the workspace location, prior written approval must be obtained. Meetings cannot take place at the private workspace.
- D. If equipment or connectivity is temporarily unavailable, the employee must report to the office until the situation is corrected or can continue to work productively without access to these resources.

II. PERSONNEL POLICY STATEMENTS

- E. Work documents and work product are not meant to be permanently maintained at an employee's home. Employees must return any files and work product to Town Hall within the time frame established by the Department Director.

SECURITY AND SAFETY

Consistent with the Town's expectations of information security for employees who have a physical presence working at the office, telecommuting employees will be expected to ensure the protection of confidential information accessible (e.g., password protection, locked cabinets) while working from home. Any information that is considered confidential or protected will not be removed from the Town premises unless expressly approved in a written Telecommuting Agreement or approved in advance by the Town Manager.

- A. Equipment supplied by the Town is to be used for business purposes and must be protected from theft or damage. Employees must immediately report loss, theft, or damage to Town-owned equipment to their Supervisors.
- B. The Town is not responsible for injury to family members, visitors, or others in the telecommuter's home. Physical injuries sustained by employees while at home and in conjunction with their regular work duties must be reported to their supervisor as soon as practicable.
- C. Return to work procedures may require certification from a health care provider that the telecommuting employee is fit for duty. Employees may not return to work without authorization from department managers.

TOWN POLICIES

- A. The Town policies and procedures remain in effect while telecommuting. Telecommuting employees are expected to adhere to all applicable Town policies while working remotely.
- B. Leave used on a scheduled telecommuting day will be administered under the same provisions as leave used on days an employee would otherwise report to his/her regular work location. Personnel Policies Manual VI. Benefits B. Authorized Leave: 2e. Use of Vacation Leave and/or 3c. Sick Leave – Procedure for using sick leave.

II. PERSONNEL POLICY STATEMENTS (Continued)

TIME WORKED

A. Employees should not assume that emergency telework arrangements are approved for any specified period of time, and the Town may require employees to return to regularly scheduled, in-office work at any time in its sole discretion.

B. The employee and the Department Director shall mutually agree upon a weekly work plan. Files and work product are not meant to be permanently maintained at an employee's work

area. Employees must return any files and work product to Town Hall within the time frame established by the Department Director. Telecommuters, at management discretion, may be required to record hours worked in addition to providing detail of the agreed-upon tasks and projects to work on and complete. Telecommuting employees will be required to accurately record all hours worked. Employees who are classified as non-exempt under the Fair Labor Standards Act must obtain advanced approval from their Department Director prior to working in excess of their scheduled hours per day and hours per workweek. Salaried (i.e., exempt) employees must confirm that they performed work during the workweek, though they are not required to record all hours worked on a daily basis.



Agenda Item No: 11.b.

Town Commission Agenda Item Report

Meeting Date: January 28, 2025

Submitted By: Katie Anderson, Events & Marketing Manager

Submitting Department: Administration

Item Type: Action Item

Agenda Section: CONSENT AGENDA

Subject Title: Lauderdale-By-The-Sea Woman's Club request for Jarvis Hall Use and Parking Permit Request for FY25

Explanation: Every year, the Lauderdale-By-The-Sea Woman's Club holds its annual Silver Tea Luncheon at Jarvis Hall. The Club has submitted their annual request for their use of Jarvis Hall for the following dates:

Event	Date	Time
Silver Tea Luncheon Set-up	2/28/25	1:00 P.m. - 4:00 P.M
Silver Tea Luncheon	3/1/25	9:00 A.M - 4:00 P.M

In addition to the use of Jarvis Hall, they have also submitted a request for 120 parking permits for the members to park at Town Hall (front/rear) and in El Prado Parking Lot while they attend the event. The club is also requesting 75 Parking Permits for the metered spaces on West Tradewinds Avenue across the street from the Blue Moon Fish Company, to be effective on Wednesdays and Thursdays from 9:00 a.m. to 4:00 p.m. from September 2023 to September 2024. This is consistent with the request of previous years and with the requests of other Town organizations.

Recommendation: Staff recommends approval of the use of Jarvis Hall and the Woman's Club's request for parking passes. In the future, staff recommends administrative approval of this request with a notification to the Commission in the Town Manager's report.

Exhibits: None



Agenda Item No: 13.a.

Town Commission Agenda Item Report

Meeting Date: January 28, 2025

Submitted By: Katie Anderson, Events & Marketing Manager

Submitting Department: Administration

Item Type: Presentation

Agenda Section: NEW BUSINESS

Subject Title: Special Event Application: LBTS Chamber Health Fair 02.08.25

Explanation: The Lauderdale-By-The-Sea Chamber of Commerce (the "Applicant") has submitted a Special Event Application (**Exhibit 1**) to hold a Lauderdale-By-The-Sea Health Fair (the "Event") in Jarvis Hall on Saturday, February 8, 2025. This has become an annual event for the Chamber and has been planned to introduce residents to various local healthcare services.

The Event will include approximately 20 vendors across various aspects of healthcare departments, lifestyle demonstrations, fire safety, and more. The Applicant anticipates around 200 attendees on a flow throughout the day.

Friday, February 7, 2025	
Start of Setup:	1:00 PM
Saturday, February 8, 2025	
Event Start:	9:00 AM
Event Ends:	1:00 PM
Cleanup Concludes:	3:00 PM

The Applicant is requesting the Town co-sponsor the Health Fair. The following is requested of the Town as a contribution to the Event:

- Waiving the \$250 late application fee.
- Providing Jarvis Hall as an event location. Per Resolution 2024-29 (**Exhibit 2**), no rental fee is charged to a Lauderdale-By-The-Sea civic organization, charity, community group, or non-profit organization.
- Assisting with event setup by providing approximately 25 8' tables and 50 chairs; exact count to be determined based on the final site map and Town's available inventory, as

well as the staff to set the final site plan.

- Sharing a high-resolution Town logo to be used on marketing and promotional collateral.
- Assisting in the promotion of the Event by including the Event in the weekly Town Topics e-blasts, showcasing on the street marquis sign, as well as posting flyers for the Event at Town Hall and in the Visitor Center.
- Granting permission to set out promotional yard signs, provided by the Chamber, throughout Town starting the Monday before the Event.
- Offering free parking at Town Hall, in the front and back lots, during the event hours (excluding Public Works and reserved Staff spaces). The potential revenue loss is approximately \$880.00 (\$4.00 / hour x 5 hours x 44 spots).

The application requests that BSO and Pompano Beach Fire participate in the event. The Town has confirmed BSO will participate. The Chamber will be required to communicate specific event details directly with BSO. However, Pompano Beach is not contractually obligated to provide additional manpower at this event. If the Chamber is interested in Pompano Beach Fire's participation, the Chamber will need to negotiate directly with Pompano Beach and accept that there may be a cost associated with it.

Recommendation: Staff recommends:

1. Approval of the Special Event Application based on the conditions outlined in the event permit (**Exhibit 3**).
2. Approval of the Town's co-sponsorship of the Event based on the aforementioned conditions.

Exhibits:

1. Health Fair Application 2-8-25
2. Resolution 2024-29 Special Event Fees
3. LBTS Permit_ChamberHealthFair_02.08.25



SPECIAL EVENT APPLICATION

We are thrilled you are interested in hosting your event with the
Town of Lauderdale-By-The-Sea!

PRIVATE EVENT	SPECIAL EVENT
Application due at least 30 days prior to event date	Application due at least 60 days prior to event date
Event anticipates 25 guests or more	Any event being advertised to the general public.
NOT being advertised to the general public	

Late application fees will apply if submitted within the designated submission window.

Special Event Applications must go before the Commission for final approval. You will be notified when your application has been approved by staff and has been assigned to a commission meeting agenda. While not mandatory, attendance at your designated meeting is recommended.

This application can be found on our website at www.lbts-fl.gov/town/docs.htm. We ask that you please complete the application and return to events@lbts-fl.gov.

An application is considered complete when:

- All applicable sections of the application are completed.
- Detailed site map is included.
- Application fee of \$125* has been paid (*or late fee if applicable).

If the applicant is seeking sponsorship / co-sponsorship from the Town of Lauderdale-By-The-Sea, a Statement of Benefit is required by Town Code and shall be included with your application.

Please keep in mind – Turtle Nesting Season runs March 1st through October 31st. If any activities are to take place on the sand, the Event organizers shall ensure a minimum buffer of 10 feet is kept clear around any marked turtle nests, or any areas that appear to be a new nest. All activity is to stay away from active nests. No holes are to be dug in the sand west of the high tide line.

For any questions, please reach out to the Events & Marketing Manager.

We look forward to assisting you!

Katie Anderson
Events & Marketing Manager
katiea@lbts-fl.gov • 954-640-4209



SPECIAL EVENT APPLICATION

EVENT DETAILS

Name of Event: Broward Health/LBTS Health Fair

New Event: 2/8/25

Returning Event: yes

Day(s) + Date(s) of Event: _____

Proposed Location of Event: Jarvis Hall

How many total people do you anticipate onsite at any peak time?

Participants: 20 Spectators: _____ Volunteers: _____

ACTIVITY	DAY	TIME
Start of Setup:	<u>2/8/25</u>	<u>7am</u>
Start Time of Event:	<u>2/8/25</u>	<u>9am</u>
EVENT		
End Time of Event:	<u>2/8/25</u>	<u>1pm</u>
Cleanup Completed By:		<u>3pm</u>

HOST OR SPONSORING ORGANIZATION

Name: LBTS Chamber of Commerce

Address: 4201 Ocean Dr. LBTS, FL 33308

Is applicant a non-profit organization (501 (c) (3)? ☒ YES ☐ NO

PERSON SUBMITTING APPLICATION ("Responsible Party")

Name: LBTs Chamber of Commerce
Address: 4201 Ocean Dr LBTs, FL 33308
Phone: 954-776-1000 Email: info@lbts.com

ON-SITE EVENT REPRESENTATIVE

☒ Same as above

Name: _____

Address: _____

Phone: _____ Email: _____

REQUEST FOR TOWN INVOLVEMENT

Are you requesting Town be involved with this event in any way? ☒ YES ☐ NO

If yes, please describe: signage, fire dept, police
dept to have booths safety -

SOUND SYSTEMS

The event sound systems shall be operated so as not to violate the Town's code, including and especially Section 13-6, Noise Limitation. Violations of the Town's noise ordinance are grounds for immediate termination of the source of the noise and potentially the event.

Do you plan to use amplified sound?

N/A

____ Proposed amplified sound / speaker system

____ Proposed live music

____ Planned recorded music

____ Do you require electrical connections for any of the above?

If yes, which? _____

TENTS, CANOPIES, STAGES, BLEACHERS

Tents are generally defined as temporary structures having two or more sidewalls or drops.

A canopy is a tent without sides.

All tents or canopies larger than 120 sq. feet, multiple canopies without separation, and stages require a building permit. The use of tents or larger canopies requires approval of the Fire Marshal and are required to have building permits obtained via the LBTS building department prior to the event.

Manufacturer's labels are required to be attached to tents and canopies.

Rental agencies shall provide documentation of the flame spread labeling of 25 or less submitted with the application.

Stages and bleachers shall include product approvals that are supplied by the manufacturer.

Indicate if any of the following will be assembled at the event and include locations on your site map. Please list sizes and numbers of each:

Tents: _____

Canopies: _____

Stages: _____

Bleachers: _____

Size & Load Max: _____

N/A

UTILITIES

All utilities requirements shall be approved by the Director of Development Services and the Fire Marshal prior to application submission to the Town Commission. Depending on location of the event, electric and/or water may be available from the Town for a fee.

All electrical requests shall meet the requirements of the Florida Building Code with final approval from the Town's Building Official at least 30 days prior to the event.

Will any electrical equipment be installed in conjunction with the Special Event (i.e. lighting, outlets for cooking, etc.)?

_____ YES _____ NO

N/A

If the event requires the following on public property, list what equipment is to be installed and locations (include voltage, amperage, and phases of wiring) as well as vendor name providing the equipment.

_____ Electrical Power: _____

_____ Water: _____

_____ Gas, Propane, BBQ Grills, Generators: _____

N/A

_____ Fuel Storage: _____

SIGNAGE

All signage should be included in the application. Information about signage shall include location, colors, size, and number of signs. Indicate signs to be placed in any right of way that directs traffic to the event. Signage is subject to approval and shall not be installed without permission.

Are you requesting permission to erect signage for this event?

☒ YES ☐ NO

If yes, please describe: health fair yard
signs

RESTROOMS

Permit holder is required to obtain written approval from Town establishment if said establishment is allowing participants to use their restroom facilities.

Number of additional Town restrooms being provided: N/A
(Please include on site plan)

TRAFFIC CONTROL / STREET CLOSURES

Street closures may be required at the Permit Holder's expense.

Are you requesting that any public streets be closed for the event?

☐ YES ☒ NO

If yes, please indicate the streets and times the closure is being requested:

Are you requesting the reservation of any Town parking spaces for the event?

☒ YES ☐ NO

If yes, please indicate which and how many spaces are being requested:

All parking fees are to be paid at least 30 days prior to the event.

20 spots for vendors

VEHICLES

Are you requesting permission to drive or park on Town grounds?

☒ YES ☐ NO

If yes, please indicate the type(s) of vehicles, locations, and times that are being requested:

blood mobile, breast exam
truck, ambulance

Permit Holder shall be responsible for any damage to Town property.

OFF DUTY POLICE / CODE COMPLIANCE OFFICERS

Off duty police are required, at the Permit Holder's expense, for street closures, events with alcohol or large crowds, as determined by the Broward Sheriff's Office. Large events may require a Code Compliance officer to ensure compliance with Town's codes.

Do you anticipate needing off duty police officers for your event?

☐ YES ☒ NO

Do you anticipate needing code compliance officers for your event?

☐ YES ☒ NO

ALCOHOL

State license is required to be submitted to the Town at least 30 day prior to the event.

Are you planning on selling alcoholic beverages at the event?

Please note beverage stations on site map.

☐ YES ☒ NO

If yes, has a liquor permit been obtained by the State of Florida?

☐ YES ☒ NO

Contact information for all license holders who will be providing alcohol:

FEES

Are there any fees or donations that will be collected on site from participants or spectators?

_____ YES ☒ NO

If yes, please describe: _____

CONCESSIONS

Are you planning to have any kind of concessions? _____ YES ☒ NO

If yes, has the Florida Health Department approved the food vending site plans?

_____ YES _____ NO

n/a

Is the food provided by a nonprofit organization? _____ YES _____ NO

Is the food: _____ Free of charge? _____ For sale?

Do all food vendors have a temporary food service permit? _____ YES _____ NO

Please list the type(s) of food that will be served: _____

Are you requesting any of the following types of cookies equipment to be used on site?

☐ Charcoal Grills

☐ Fryers

☐ Open Fires

☐ Propane Grills

☐ Smokers

☐ Hoods

☐ Concession Trailers

☐ Warmers

☐ LP Tanks

☐ Sterno

☐ Refrigerators

☐ Other: _____

SALE OF MERCHANDISE

Are you requesting approval to offer other items for sale at the event?

_____ YES ☒ NO

If yes, please describe: _____

ANIMALS

Any exhibition or similar undertaking in which animals are required to participate in performance for the amusement or entertainment of an audience is subject to Town Commission approval.

Are animals included in your event? ☐ YES ☒ NO

If yes, please describe: _____

FIREWORKS

Fireworks require a separate approval process and application.

Are you requesting approval to discharge fireworks at the event?

☐ YES ☒ NO

RIDES

Rides or other amusement may require a State of Florida inspection. Copies of contracts with any providers of rides, mechanical devices, and amusements shall be submitted to the Town at least 30 days prior to the event.

Are rides included in your event? ☐ YES ☒ NO
(i.e. mechanical, electrical, inflatable, bounce houses, slides, etc.)

If yes, please describe: _____

VENDORS

A list of all vendors with the company name is required for initial approval and a final list is required at least 30 days prior to event and subject to approval (please add on a separate page).

FIRE WATCH / EMS ONSITE

n/a

If required by the Fire Marshal, the applicant shall provide a fire watch and / or an EMS Crew during the event. Large events or those using combustible materials shall require qualified stand-by personnel and the appropriate equipment, the cost of which is at the responsibility of the Permit Holder.

I understand that Fire Watch or EMS Services may be required at the Event's expense

Initial: _____

NO BALLOONS RELEASED

n/a

When balloons are released over the ocean, they become a major source of pollution and significantly increase the mortality rate among sea turtles, birds, and other marine life. To help reduce the threats caused by balloons, I agree that there will be no balloons at this event and that I have been informed that the release of balloons is illegal under Florida Statute 379.233. Failure to abide by this requirement will result in the cancellation of the current event and denial of future special event permits.

I agree no balloons will be released.

Initial: _____

INSURANCE

Insurance requirements differ depending on the type of event and if alcohol is served.

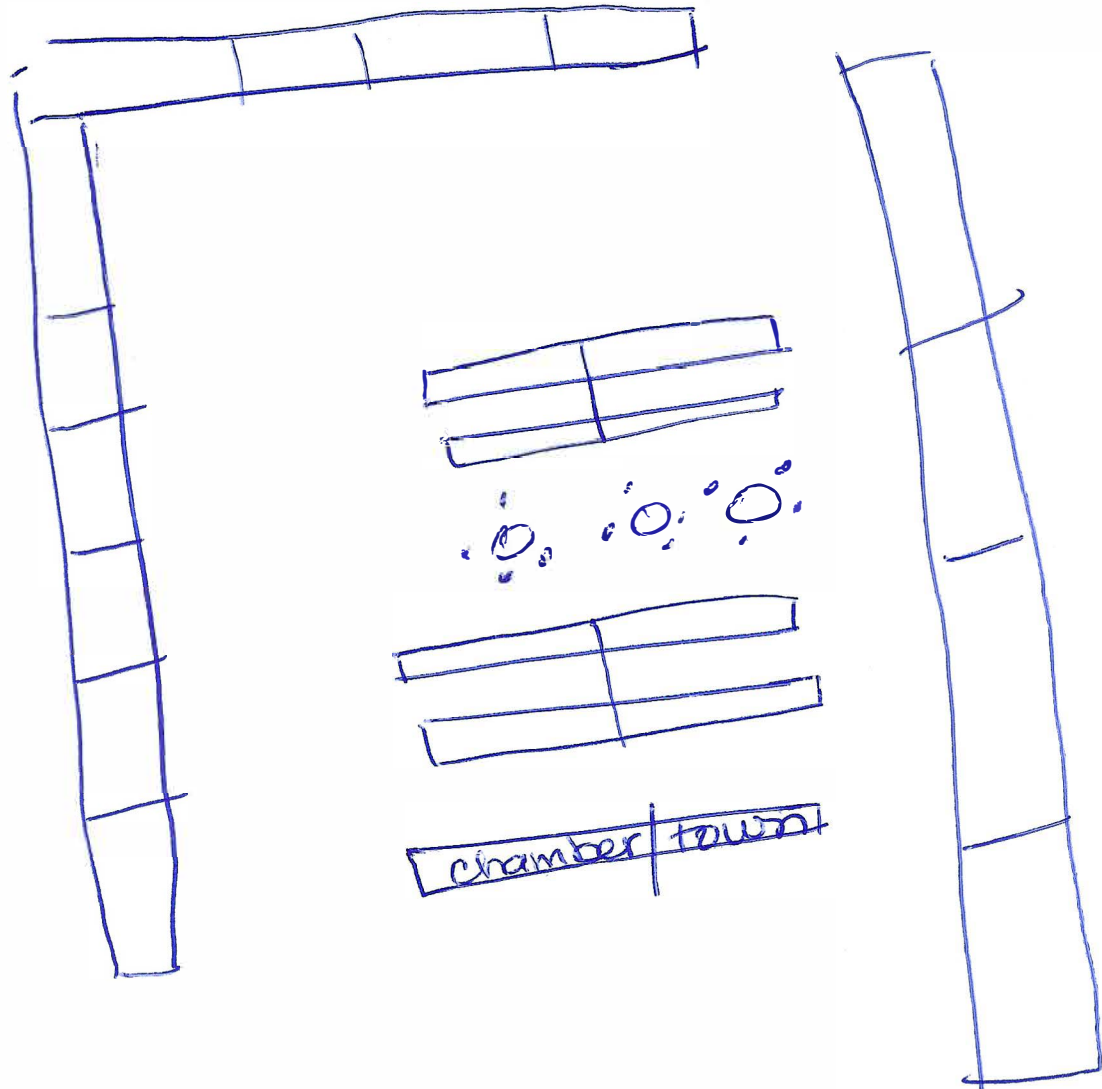
For events not serving alcohol and without fireworks, the Applicants shall provide a Certificate of Liability Insurance written in comprehensive form naming the Town as additional insured in the amount of \$1,000,000 per occurrence and \$2,000,000 general aggregate for property damage with thirty days' written notice required for cancellation.

Certificate of Liability Insurance naming the Town as additional insured is required from all Event businesses, promoters, and other related event planners.

An approved form of a Certificate of Liability Insurance may be required with your Application for approval by the Town Commission and / or shall be provided to the Town at least 30 days prior to the event date.

DETAILED SITE PLAN

A detailed map of the event site identifying locations of each of the items mentioned in the above application must be drawn or attached here with your application submission.



PERMISSION OF THE PROPERTY OWNER

Applicant's and Property Owners Certification

An event held on property that is not owned by the applicant requires the permission of the property owner, which is granted by having the property owner sign this special event application.

By signing this event application, the petitioner agrees to all terms, conditions, and indemnification in this application, and understands that this application or the approval of this event application by the Town Commission does not grant any permission to violate any laws, ordinances, or statutes.

Additions and/or revisions to this application must be submitted in writing.

Applicant	Property Owner
I understand the Town's requirements to hold a special event and the information provided in this application is complete to the best of my knowledge.	I give the applicant permission to use my/our property for the proposed special event and I understand the Town's requirements to hold a special event and the information given by the applicant is complete to the best of my knowledge.
Applicant's Signature (required): <u>Tina Colleran</u> Date: <u>1/13/25</u>	Property Owner's Signature (required): _____ Date: _____
Applicant (Print information below) Name: <u>Tina Colleran</u> Title: <u>Administrator</u> Organization: <u>LBTs Chamber</u> Telephone: <u>954-776-1000</u> Email: <u>info@lbt.com</u>	Property Owner (Print information below) Name: _____ Title: _____ Organization: _____ Telephone: _____ Email: _____
STATE OF FLORIDA: COUNTY OF BROWARD: SWORN TO AND SUBSCRIBED BEFORE ME, a Notary Public of the State of Florida, by _____ who is personally known to me / provided _____ as identification and who did / did not take an oath.	STATE OF FLORIDA: COUNTY OF BROWARD: SWORN TO AND SUBSCRIBED BEFORE ME, a Notary Public of the State of Florida, by _____ who is personally known to me / provided _____ as identification and who did / did not take an oath.
My Commission Expires: _____ _____ Notary Public, State of Florida	My Commission Expires: _____ _____ Notary Public, State of Florida

APPLICANT'S CERTIFICATION

By signing this event application, the petitioner agrees to all terms, conditions, and indemnifications in this application, and understands that this application or the approval of this event application by the Town Commission does not grant any permission to violate any laws, ordinances, or statutes.

Additions and / or revisions to this application shall be submitted in writing.

I understand the Town's requirements for park use and the information provided in this application is complete to the best of my knowledge.

Tina Collieran

Applicant's Signature

1/13/25

Date

Tina Collieran

Applicant's Printed Name

954-776-1000

Telephone

RESOLUTION 2024-29

A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, ADOPTING AN UPDATED FEE SCHEDULE FOR SPECIAL EVENTS, AND OTHER USE OF PUBLIC PROPERTIES, BY AMENDING THE FEES RELATED TO SPECIAL EVENTS, PARK USES, AND STREET PERFORMERS; PROVIDING FOR CONFLICT, SEVERABILITY, AND FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 1 “General Provisions,” Section 1-13 “Fees,” of the Code of Ordinances provides that, except as otherwise provided by the Code or other applicable law, fees related to any process or approval established by the Code (including but not limited to service, application, permit, license and user fees) may be established, repealed, and amended by resolution of the Town Commission; and

WHEREAS, On September 24, 2012, the Town Commission adopted Resolution No. 2012-35, establishing fees for the Rental of Jarvis Hall; and

WHEREAS, On May 27, 2014, the Town Commission adopted Resolution 2014-18, adopting policies and fees governing the use of the Dunes Plaza, Ocean Plaza, and Beach Pavilion; and

WHEREAS, On September 23, 2014, the Town Commission adopted Resolution 2014-20 revising fees for the Rental of Jarvis Hall and adopting and combining fees for Parks and Special Events; and

WHEREAS, on September 23, 2014, the Town Commission adopted Resolution 2014-30, amending the Development Review Permit and License Fee Schedule to consolidate fees and include missing fees; and

28 **WHEREAS**, on February 10, 2015, the Town Commission adopted Resolution 2015-05,
29 which included fees related to Medical Marijuana Permits, Street Performers and Vending
30 pursuant to Ordinances 2014-15, 2015-01, and 2015-02, respectively; and

31 **WHEREAS**, Resolution 2015-05 also updated the Development Review Permit and
32 License Fee Schedule to establish additional fees for permits or reviews which require Town staff
33 and resources; and

34 **WHEREAS**, Resolution 2015-19 updated Development review fee schedule; and

35 **WHEREAS**, Resolution 2016-20 further updated the Development review fee
36 schedule; and

37 **WHEREAS**, Resolution 2016-35 moved the fee schedules from Development to
38 Administration for Special Events, Park Use Permits, Vending, Street Performing, and New Racks,
39 and included in the fee schedule the plazas and pavilion, while also updating when payment of
40 fees or monies are due to the Town; and

41 **WHEREAS**, Resolution 2017-06 updated Fee Schedule related to use of Jarvis Hall, and
42 adopt limitations on the frequency of the use of Jarvis Hall; and

43 **WHEREAS**, pursuant to Section 1-13 of the Lauderdale-By-The-Sea Code of Ordinances,
44 the Town Commission desires to further amend the Fee Schedule for Special Events and Other
45 Use of Public Properties by amending the fees related to Special Events, Park Uses, Street
46 Performers; and

47 **WHEREAS**, the Town Commission finds it to be in the best interest of the Town and its
48 citizens to adopt an updated Fee Schedule for Special Events and Other Use of Public Properties
49 that amends the fees related to Special Events, Park Uses, and Street Performers, and adopts the
50 fees as set forth in this Resolution.

51 **NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF**
52 **THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA:**

53 **Section 1.** **Recitals.** Each “WHEREAS” clause set forth is true and correct and
54
55 incorporated herein by this reference.

56 **Section 2.** **Fees.** The Fee Schedule for Special Events and Other Use of Public
57
58 Properties, which includes the fees for the use of Jarvis Hall and the Plazas, is hereby amended as
59 follows ¹:

<u>Special Event, Park Use, and Street Performing Fee Schedule for Special Events and Other Use of Public Properties</u>		
The following is applicable to all <u>special events</u> and <u>other use of public properties</u> park use permits :		
1. All applicants must abide by the conditions set forth in their permit, including but not limited to fees, deposits, insurance requirements, solid waste plan, and police, fire or EMS detail. 2. All fees, including any monies owed the Town must be paid before the event or park permit is issued. 3. All estimated fees or costs from Town or BSO shall be paid at least two weeks prior to the event date. Any additional costs incurred will be deducted from the event deposit or is due when invoiced. 4. Depending on the nature and size of the event, a deposit may be required as determined by the Town Manager.		
	Type of Activity, Permit or License	Fee
1. Chapter 14.3 – Parks		
A Park Permit is required for groups of 25 people plus or when a specific area is reserved. A Park Use Permit may not be approved if submitted within 14 business days of a proposed event.		
Private event in a park or at the beach where the public is not invited:		
1.1	Single day event, less than 25 people: No reserved area Reservation of a specific area.	No permit required \$100 <u>125</u>
1.3	Single day event, 25 people + with or without reserved area.	\$100 <u>125</u>
1.4	Multi-day event	\$100 <u>125</u> Permit Fee plus an impact

¹ Text shown in underline reflects text or new or revised fees. Text shown in ~~strikethrough~~ reflects deleted text or fee amounts.

Special Event, Park Use, and Street Performing
Fee Schedule for Special Events and Other Use of Public
Properties

1.5	One day event (local or non-local user) that charges admission or registration or sell commercial products or services.	fee set by the Town Manager based on the activity, number of attendees, and impact on the facility
2. Chapter 14.5 - Street Performing		
2.1	Street performing annual permit fee	\$50
3. Chapter 17 - Special Events		
3.1	Special Event Application Fee See also use fees. See 3.2 For events hosted by a businesses with less than 15 employees in the Commercial District along Commercial Boulevard from A1A to West Tradewinds Application filed within 30 days of an event will not be accepted.	
	1. A volunteer event that provides direct benefits to the LBTS community. (examples: beach clean-up, Easter egg hunt, free yoga and meditation, etc.)	-0- (Town Manager may authorize an application to be accepted within 30-days of the event)
	2. Submitted at least 60 days in advance of the proposed event date	<u>\$100</u> <u>125</u>
	3. Submitted between 59 days and 30 days prior to the event PLUS any costs related to special processing of the processing of the application.	<u>\$250</u> <u>275</u> Plus costs, not to exceed \$1,500.
	4. A recurring event within a 6 month period	<u>\$500</u> <u>525</u>
	5. A recurring event within a 12 month period (for example, once a week or once a month).	\$800
	6. An event that has been advertised prior to Commission approval.	\$250 in additional to the application fee
	7. Semi-public business events that use private or public property with less than 50 people at any one time.	<u>\$50</u> <u>75</u> Event may be approved by the Town Manager
	8. Events (local and non-local user)that charges admission or registration or sell commercial products or services	Set by the Town Manager based on purpose, number of attendees, and impact on the facility
3.2	Special Event Application Fee for West Commercial Business District Commercial District events may be approved by the Town Manager if the event is consistent with the Commission's policy direction on special events and meets the following criteria:	

**Special Event, Park Use, and Street Performing
Fee Schedule for Special Events and Other Use of Public
Properties**

1. Less than 75 people at any time 2. 2. Located along Commercial Boulevard from Seagrape to West Tradewinds The \$2550 electrical use fee will be waived for usage of one 20-amp outlet at event Application filed within 30 days of an event will not be accepted.		
1. Submitted at least 60 days in advance of the proposed event date		\$2025
2. Submitted between 59 days and 30 days prior to the event PLUS any costs related to special processing of the processing of the application.		\$5060 Plus costs, not to exceed \$1,500.
3. A recurring event within a 12 month period (for example, once a week or once a month).		\$15 per event day
4. An event that has been advertised prior to Commission approval.		\$250 in additional to the application fee
5. Events that charges admission or registration or sell commercial products or services		Set by the Town Manager based on purpose, number of attendees, and impact on the area.

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3.3	Special Event Use Fees for Road Closures and El Mar Median Lane Parking The following use fees are in addition to the Special Event Application Fee, but may be modified or waived by the Town Commission upon a finding that the applicable event will provide a public benefit.		
	Event Conditions:	Road Closure	El Mar Median Lane Parking
	1. Private or public business events that use public property with less than 50 people at any one time.	N/A	N/A
	2. Less than 100 people	\$100 125 per day	N/A
	3. 101 - 200 people	\$200 225 per day	\$250 275
	4. More than 200 people	Set by Commission based on purpose, number of attendees, and impact	
	5. Events (local or non-local user) that charges admission or registration or sell commercial products or services	Set by Commission based on purpose, number of attendees, and impact.	

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4. Chapter 17 - Jarvis Hall

User	Deposit	Rental Fee	Rental Policy (1) (2)
4.1. LBTS Resident (household)	\$100	\$-0-	Limit of 4 rentals in a twelve month period.
4.2. LBTS civic association, charity, community group, or non-profit organization.	\$100	\$-0-	Limit of 16 rentals in a twelve month period, which normally will be one per month plus special events.
4.3. LBTS Business	\$100	\$-0-	Limit of 3 rentals in a twelve month period.
4.4. Governmental entity or agency	\$-0-	\$-0-	As approved by the Town Manager
4.5. Out-of-Town charitable or non-profit	\$-0-	\$100 per day	Limit of 3 rentals in a twelve month period.
4.6. Non-Resident	\$300	\$200 for up to 3 hours, then \$50 per hour	Limit of 3 rentals in a twelve month period.
4.7. Out-of-Town Business	\$300	\$300 for up to 3 hours, then \$50 per hour	Limit of 3 rentals in a twelve month period.
4.8. Additional Service such as special set-ups, opening and closing services outside of business hours, or staffing at event.	Prepaid or charged to deposit	Actual cost determined by the Town Manager.	
4.9 Events (local or non-local user) that charge admission or registration or sell commercial products or services.	TBD	Set by the Town Manager based on purpose, number of attendees, and impact on the facility.	
(1) Each rental or event is limited to 3 consecutive days, which includes move in and move out. Upon the Applicant demonstrating a valid reason, or if required by the Town, the Town Manager may approve minor logistical changes, including but not limited to additional time for set-up and breakdown of events, that are consistent with the Town Code and the Town Commission’s policy direction on the use of Jarvis Hall.			
(2) A rental application denied by the Town Manager may be appealed to the Town Commission.			

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5. Use of the Dunes Plaza, Connie Hoffmann Plaza or Beach Pavilion Plaza

General philosophy: The Dunes Plaza, Connie Hoffmann Plaza and Beach Pavilion (“**The Plazas**”) are the premier public spaces in Town and were built for the enjoyment of our residents and visitors. They are available for events that are open to the general public or are of significant benefit to the Town. The Use Fees are set so the users bear the costs related to their events, rather than the Town subsidizing those events.

Generally, The Plazas will not be rented for events that are not open to the general public, although it is understood that there may be uses that require an admission fee or cost to the public.

The Town Commission may authorize the private use of one or more plaza by a user for an event that is deemed to be of significant benefit to the Town. (Example: a party hosted by the Town and the Convention & Visitors’ Bureau whose purpose is to showcase the Town to visiting travel agents or dignitaries).

Potential use on holidays.

- a. The Town Commission will decide in advance if they will make a plaza available for use by a Town commercial businesses or Town-based non-profit organizations on specific holidays.
- b. On those holidays the Commission designates, the Town will accept proposals for use six months in advance of the holiday and determine which proposals best fit the image and goals of the Town. After the Commission ranks the proposals in preferred order, staff will negotiate rental fees with the first ranked proposer and bring them back to the Commission for approval.
- c. The same business or non-profit organization may not rent the same space on a specific holiday two years in a row if another business or non-profit wants the opportunity. The Town Manager will determine whether others are interested in the opportunity, based on whether she or he has received written notice of such interest from an eligible business or organization no later than seven months prior to the holiday.

Use on the same day as a special event. Rentals will not be considered on days or evenings of Special Events if the Town Manager determines that a conflict would occur.

Sales. There will be no sales during an event except for 1) food products provided to the attendees, 2) items sold at a charity event, or, 3) hand-made artisan products.

Cancellation: The Town Commission reserves the right to cancel the rental up to 90 days in advance.

The following use fees apply, but may be modified or waived by the Town Commission upon a finding that the applicable event will provide a public benefit.

5.1	Advanced Advertising. An event that was advertised prior to receiving Commission approval	\$500 plus the application fee and use fee(s).
5.2	Plaza Event Application Fee (does not include Use Fee(s))	\$100 if filed at least 60 days in advance of the proposed event date. \$250 if submitted between 59 days and 30 days prior to the event AND any cost recovery fees for the costs for Town staff (including police and fire services) and any consultant time attributable to the processing of the application, not to exceed \$1,500.

Plaza Use Fees

Are in addition to the Event Application Fees listed above.

The use fee is per plaza. If an organization wants to utilize more than one plaza for their event, they must pay for each space.

Use of the plazas as part of a larger special event are subject to the plaza use fees, in addition to the any other Special Event Use Fee, but may be waived or modified by the Town Commission upon a finding that the applicable event will provide a public benefit.

Application filed within 30 days of an event date will not be accepted.

A Deposit may be required and will be set by the Town Manager based on purpose, number of attendees, and impact on the facility.

5.3	LBTS businesses (limited to 4 rentals per year per business)	\$850 per day per plaza
5.4	LBTS-based charity or non-profit organization (limited to 2 rentals per year per organization)	\$215 per day per plaza
5.5	Out-of-Town 501C Registered Non-Profit or Tax Exempt Organization (limited to 1 rental per organization per year)	\$425 per day per plaza

Section 3. Conflict. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. Severability. If any clause, section or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and shall in no way affect the validity of the other provisions of this Resolution.

Section 5. Effective Date. This Resolution shall become effective immediately upon its passage. The increased fees set forth herein related to Special Events, Park Uses, and Street Performers shall apply to all new requests submitted after the passage and adoption of this Resolution.

PASSED AND ADOPTED this 27th day of August 2024.

Mayor Edmund Malkoon

Attest:

APPROVED AS TO FORM:

83
84 Town Clerk, Katrina Adler
85
86
87 (CORPORATE SEAL)

Susan L. Trevarthen, Town Attorney



TOWN OF LAUDERDALE-BY-THE-SEA SPECIAL EVENT PERMIT

PERMIT HOLDER INFORMATION

NAME / ORGANIZATION:	LBTS Chamber of Commerce	REPRESENTATIVE:	Howard Goldberg
STREET ADDRESS:	4201 Ocean Drive	CITY, STATE, ZIP:	LBTS, FL 33308
PHONE NUMBER (S):	(954) 776-1000	EMAIL:	info@lbts.com

DATE AND LOCATION OF EVENT

TYPE OF EVENT:	Exhibition	DATE(S) OF EVENT:	Saturday, February 8, 2025
HOUR(S) OF EVENT:	9:00 a.m. – 1:00 p.m.	ADDRESS / LOCATION OF EVENT:	4501 Ocean Drive, LBTS, FL 33308

DESCRIPTION OF EVENT (Temporary Structures, Signage, Banners, Balloon, Etc. – Location, Colors, Size and Number)

Health Fair highlighting various local health services available to Town residents. Approximately 200 participants are expected.

FRIDAY, FEBRUARY 7, 2025	
Start of Set Up:	1:00 PM
SATURDAY, FEBRUARY 8, 2025	
Start Time of Event:	9:00 AM
End Time of Event:	1:00 PM
Cleanup Completed By:	3:00 PM

SPECIAL CONDITIONS

The EVENT was approved by Town Commission on January 28, 2025 with the following conditions:

1. The Late Special Event Application Fee (\$250) has been waived.
2. Marine Turtle Protection: If any of the activities take place on the beach sand, the Event organizers shall ensure a minimum buffer of 10 feet is kept clear around any marked sea turtle nests, or any areas that appear to be a new nest. All proposed event activities will stay clear of all active nests. No activities adjacent to a nest that might directly or indirectly disturb the area within the staked circle. No holes are to be dug in the sand west of the high tide line.



TOWN OF LAUDERDALE-BY-THE-SEA SPECIAL EVENT PERMIT

3. Road Closures, Lane Closures, and Parking Spaces:
 - a. Town will lift parking fees in the lots in front, and behind, Town Hall, excluding spots reserved specifically for Public Works vehicles or reserved for Staff for the hours of the event (9:00 a.m. to 1:30 p.m.).
4. Setup:
 - a. Town will provide approximately 25 8' tables and 50 chairs for event setup; exact count to be based on final site map and Town's available inventory.
 - b. Tables, chairs, stage, equipment, etc. shall not interfere with pedestrian walkways, ingress or egress.
 - c. Sidewalks next to the Event site and within the Event shall remain open and clear for pedestrian traffic.
 - d. The Event shall be organized in a safe manner to protect attendees. All electric cords and similar material shall be covered to not pose a hazard to the public or event staff.
5. Broward Sherriff Office (BSO):
 - a. BSO shall specify the number of detail officers needed for traffic and crowd control. The Permit Holder shall contract with BSO directly for the necessary BSO personnel within ten (10) days of receiving event approval.
 - b. BSO shall approve the Event's traffic plan, if one is required.
6. Signage
 - a. Town will assist in promotion of the Event by utilizing the street marquis signage. Additionally, event flyers will be available at Town Hall and the Visitor Center.
 - b. The Chamber is permitted to place yard signs throughout Town during the week of the Event advertising the Event.
7. Co-Sponsorship
 - a. Town has approved Town of Lauderdale-By-The-Sea as a co-sponsor for the Health Fair, in conjunction with Lauderdale-By-The-Sea Chamber of Commerce. Conditions of the co-sponsorship include:
 - i. Waiver of the \$250 special event application late fee.
 - ii. Providing Jarvis Hall as an event location, at no cost to the Permit Holder.
 - iii. Provision of tables and chairs for the event.
 - iv. Town Staff to assist in setting and breaking down final site plan.
 - v. Sharing a high-resolution Town logo to be used on event marketing and promotional materials.
 - vi. Assist with promotion of the event by placing in weekly Town Topics e-blasts, Town street marquis signage, and posting flyers at Town Hall and the Visitor Center.
 - vii. Offering free parking in the lots in front of, and behind, Town Hall, excluding spots marked and reserved for Public Works vehicles + Staff.
8. Permit Holder is approved to use Town electric in Jarvis Hall for the Event.



TOWN OF LAUDERDALE-BY-THE-SEA SPECIAL EVENT PERMIT

9. The Event and its approved sound systems will be operated so as not to violate the Town's code, including section 13-6, Noise Limitation.
10. A clean up deposit may be imposed, based on the final Site Plan, and due two weeks prior to the Event. Clean up fee starting at \$150 will be charged if the area is not cleaned to the Town's standards by 3:00 p.m. the day of the Event.
11. Final Site Plan must be presented to Town Staff for approval at least 48 hours in advance of the Event. The Permit Holder shall arrange for an inspection of the event site to occur two hours before the start of the event. This inspection shall include Town's Event Manager or designee, and the Event's dedicated on-site representative for the purpose of ensuring the event is organized in a safe manner.
12. The cost of any inspections or work required by Town Staff after normal working hours will be billed to the Event and must be paid within two weeks of invoice date.
13. Insurance:
 - a. At least thirty (30) days prior to the Event, the Permit Holder shall provide a Certificate of Liability written in comprehensive form naming the Town as additional insured in the amount of:
 - \$1,000,000 per occurrence and \$2,000,000 general aggregate for bodily injury; and
 - \$1,000,000 per occurrence and \$2,000,000 general aggregate for property damage with thirty (30) days written notice for cancellation
 - b. No required policy shall have a deductible or self-insurance retention greater than \$15,000
 - c. All policies must be issued by companies authorized to do business in the State of Florida and rated A- or better per Best's Key Rating Guide, latest edition. The certification of insurance will provide for the Town to receive 30 days' written notice prior to any cancellation, non-renewal or material change in the coverage provided, unless the insurance company refuses to provide such notice, as evidenced by affidavit of the policy holder or written documentation from the insurance company. In any event, the EVENT will be held responsible for providing the Town notice of any change in insurance coverage. The Town shall be named as an additional insured on all required insurance policies, and an endorsement reflecting this requirement will be issued as part of any required policies. Failure to comply with these requirements will justify a denial, suspension or revocation of the requested approval by the Interim Town Manager or designee.
14. In the event that control of any applicable event or activity, by contract or other arrangement, becomes the responsibility of a party other than the Event (the "Subcontractor"), the Subcontractor shall be required to meet the insurance and indemnification requirements of set forth in the Permit and this Approval, under which the EVENT is applying, as if they were the Event and will be held responsible for compliance with the Town Code as if the Subcontractor for the Event.



TOWN OF LAUDERDALE-BY-THE-SEA SPECIAL EVENT PERMIT

15. In the event that insurance certificates, licenses and other material requirements are not provided by the required dates, the approval for the Event shall expire unless the Town Manager finds there are extenuating circumstances that the Event sponsors have cured or can immediately cure without compromising the health, welfare and safety of the citizens of the Town of Lauderdale-By-The-Sea and those attending the Event, without increasing the administration costs of the Town.
16. The Event shall owe no monies to the Town at the time of the event or have any code citations or violations. There shall be no code violations or monies due such as fines, fees, taxes or other charges, permits or licenses outstanding or owed to the Town by the current or past property owners or operators of the Event unless all monies due are paid, permits/paperwork received, and code issues resolved 14 days prior to the Event.
17. The Town Manager may suspend permission for this event or require changes in the site plan due to conflicting activities, failure of the Event to comply with the terms and conditions of the Town's event permit, for health or safety issues, or for the best interests of the Town.
18. The Town Manager may approve minor logistical changes that are consistent with the Commission's policy direction on special events if deemed necessary by the Town or upon the EVENT proposing a valid reason.
19. Permission for the Event may be suspended or modified by the Commission, Town Manager, or designated Staff.
20. The Town Manager or onsite Town representative may terminate the Event or Event's participation due to the Event not complying with the terms and conditions of the Town's event permit, for health or other safety reasons.
21. If any Condition is not met by the EVENT, the Town may charge a \$500 fee for each occurrence of a violation of these Conditions.

DOCUMENTS AND PERMITS REQUIRED

Insurance needed



TOWN OF LAUDERDALE-BY-THE-SEA SPECIAL EVENT PERMIT

SIGNATURES REQUIRED

PERMIT HOLDER: I agree to comply with all conditions of this permit	
SIGNATURE OF PERMIT HOLDER:	DATE:
 HOWARD GOLDBERG PRINTED NAME	

TOWN REPRESENTATIVE:	
SIGNATURE:	DATE:
 KATIE ANDERSON, EVENTS & MARKETING MANAGER PRINTED NAME & AFFILIATION TO EVENT	

TOWN REPRESENTATIVE:	
SIGNATURE:	DATE:
 COURTNEY EASLEY, ASSISTANT TO TOWN MANAGER PRINTED NAME & AFFILIATION TO EVENT	



Town Commission Agenda Item Report

Meeting Date: January 28, 2025

Submitted By: Katrina Adler, Town Clerk

Submitting Department: Administration

Item Type: Action Item

Agenda Section: NEW BUSINESS

Subject Title: Town Manager Review

Explanation: Section 6.1 of the Town Manager's contract requires an annual written performance evaluation. The evaluation forms were sent to the Commission on December 10th for their review and consideration. As contractually required, the Town Manager scheduled individual meetings with the Commission to discuss her performance over the past year.

I have collected all the written evaluations and have tabulated the scores as follows:

	Overall Scores
Mayor Malkoon	3.88
Vice Mayor Strauss	4.19
Commissioner DeNapoli	3.37
Commissioner Poulopoulos	3.99
Commissioner Graziano	N/A

The Town Manager's written list of accomplishments is attached, as are the evaluation forms of each elected official.

Recommendation: Review evaluation and determine the appropriate merit increase, if any as per the contract.

Exhibits:

1. 2024 Town Accomplishments
2. Linda Connors Employment Agreement
3. LC 2024 Evaluation Score Sheet
4. Mayor Malkoon Evaluation
5. Vice Mayor Strauss TM Evaluation

6. Commissioner Graziano Evaluation
7. Commissioner Pouloupoulos Evaluation
8. Commissioner DeNapoli Evaluation



TOWN OF
LAUDERDALE•BY•THE•SEA

4501 N. OCEAN DRIVE, LAUDERDALE-BY-THE-SEA, FL 33308
Phone: 954-640-4200

December 10, 2024

Mayor Edmund Malkoon
Vice Mayor Randy Strauss
Commissioner Theo Pouloupoulos
Commissioner Richard DeNapoli
Commissioner John Graziano

Honorable Mayor and Commissioners:

In October 2021, the Commission entered into a contract with me to serve as Town Manager. On January 23, 2024, the contract was amended and restated with a new term, ending October 31, 2027.

As outlined in Section 6 of the Town Manager contract, performance evaluations and pay-for-performance are addressed. Section 6.1 specifies that the Town Commission must conduct an annual performance review, which should be completed before the anniversary date (January 23, 2024).

I recommend we schedule the review for the January 14, 2025 Commission meeting.

The review process includes the completion of a written evaluation, followed by a meeting to discuss the evaluation, and a summary of the results. The evaluation form, which has been in use for several years, is attached for your review and consideration. Please complete the form and return it to the Town Clerk, Katrina Adler, by January 6, 2025. She will tabulate the responses and present the results at the scheduled review meeting on January 14, 2025.

In addition to the Town Manager evaluation form, I have also included a copy of my contract and a summary of the Town's major accomplishments for 2024.

I am proud of our team's many successes this year and am honored to continue leading such an extraordinary group of individuals. Thank you for your continued trust and confidence in my leadership.

Sincerely,

Linda Connors
Town Manager

FY 24 Accomplishments

1. Southern Living Magazine Feature:

We started the year with a feature on the cover of the January/February issue of *Southern Living* Magazine. The article highlighted Lauderdale-By-The-Sea's unique qualities and showcased the Town in a six-page spread. With a circulation of 2.8 million readers, the publicity value was estimated to exceed \$2 million.

2. Transition to Pompano Beach Fire Department:

In September, the City of Pompano Beach assumed responsibility for our Fire and Emergency Medical Services contract. This transition not only provides the Town with full-time, in-house professional services, but also at a reduced cost. The transition was seamless, and public response has been overwhelmingly positive.

3. Downtown Renovation Completed:

Our award-winning downtown renovation was completed on time and under budget. We maintained a robust outreach program throughout the project, keeping business owners informed through weekly in-person meetings and email updates. The completed renovation has been well-received by residents, business owners, and visitors, and was funded without using local tax dollars.

4. Bel Air Seawall Project:

The deteriorating condition of the Bel Air seawall was identified by the Mayor in 2021. After a lengthy process to secure agreements with adjacent property owners, the seawall was not only repaired but also raised to provide better protection against rising sea levels. The project was completed at a 62% savings over the original budget.

5. Improved Public Records Response:

This year, we upgraded our software to streamline public records requests. The new system includes a tracking program on our website, allowing for faster responses and eliminating the need to duplicate efforts when requests are similar.

6. Increased Banking Opportunities:

In previous years, the Town took a conservative approach to managing reserves. This year, we negotiated a higher interest rate for our funds with our bank and invested in U.S. Treasury Notes. These efforts resulted in over \$525,000 in unbudgeted interest revenue in FY24.

7. Revived "Taste of the Beach":

In celebration of the Town's 75th anniversary, we brought back the popular "Taste of the Beach" event. The evening was a resounding success, featuring great food, music, and new memories. Due to its success, we have included this event in the budget for next year.

8. Grant Success:

This year marked the first concerted effort to secure grant funding for the Town. We successfully obtained over \$450,000 to fund renovations at Friedt Park, create a sustainability plan, and design the Datura Street beach portal. We are continuing our efforts to pursue additional grants for future projects.

9. ADA Enhancements:

In our commitment to accessibility, we added a mobility mat to provide ADA access to the north entrance of the beach and purchased a second beach-accessible wheelchair. Additionally, we partnered with the Florida Department of Transportation to enhance crosswalks along A1A, improving public safety without any cost to residents

10. Non-Millage Revenue Growth:

Staff reviewed options to increase non-ad valorem revenue. We introduced small fees for community center programs, increased parking rates to match neighboring towns, and reviewed departmental application costs.

AMENDED AND RESTATED EMPLOYMENT AGREEMENT

THIS AMENDED AND RESTATED EMPLOYMENT AGREEMENT (the "Agreement") is made and entered into as of the 23rd day of January, 2024, between the Town of Lauderdale-By-The-Sea (the "**Town**") and Linda Connors (the "**Employee**") (collectively, the "Parties").

BACKGROUND

In October 2021, the Town Council selected Employee as Town Manager, which final appointment was subject to negotiation and approval of terms of an Employment Agreement (the "Initial Agreement") between the Parties.

The Town desires to extend the term of Initial Agreement with Employee, and to modify certain terms and conditions of employment detailed therein, and Employee wishes to continue employment as Town Manager under amended and restated terms and conditions as set forth in this Agreement.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the Town and Employee agree to the following:

SECTION 1. DUTIES AND QUALIFICATIONS

- 1.1 **Qualifications:** The Town Commission hereby finds that the Town Manager satisfies the qualifications required by Section 5.3 of the Town Charter. Employee is not required to be a member of the International City Management Association and is not required to be a resident of the Town.
- 1.2 **Duties:** Town agrees to employ Employee as Town Manager to perform the duties and exercise the powers as prescribed by state law (including, but not limited to Chapter 112, Florida Statutes, Code of Ethics), the Town Charter (including, but not limited to Section 5.5) and the Town Code, and to perform such other legally permissible and proper duties and functions as assigned by the Town Commission from time to time. The Town Manager is an exempt employee under the Fair Labor Standards Act and, as such, Employee is not entitled to payment of overtime or accrual of any kind of compensatory time leave or payment. Without limitation, the Town Manager shall also oversee the operation of the Town's public safety contractors and shall provide regular status reports on pending projects if requested by the Town Commission.

SECTION 2. TERM

- 2.1 **Term:** This Agreement shall have a term commencing on January 23, 2024 ("**Commencement Date**") and ending on October 31, 2027 ("**Expiration Date**"), unless earlier terminated or amended as provided elsewhere in this Agreement.
- 2.2 **Notice to Enter into a New Agreement, Extend or Allow Expiration:** No later

**Town Manager
Employment Agreement
Amended and Restated 1/23/24**

than April 30, 2027, the Town Commission shall notify Employee of its intention to: (a) enter into a new agreement, (b) extend this Agreement for such term as the parties may agree, or (c) allow this Agreement to expire on the Expiration Date.

- 2.3 **Failure to Act is a One-Year Extension:** Failure of the Town Commission to act pursuant to Subsection 2.2 shall be deemed a decision to allow this Agreement to be renewed for one (1) additional year on the Expiration Date, under the same terms and conditions that are in effect on the Expiration Date, unless otherwise amended or terminated pursuant to its terms during that additional year. At the end of the additional year, this Agreement will be terminated.
- 2.4 **Service at Pleasure of Commission:** Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the Town Commission to terminate the services of Employee at any time, subject only to the provisions set forth in Section 3 of this Agreement.
- 2.5 **Payments to Employee Upon Separation from Town for Any Reason:** Notwithstanding any other provision of this Agreement, and regardless of the reason for Employee's separation from the Town's employ, the Town shall pay Employee upon her separation from the Town any and all earned but unpaid salary and benefits according to terms identified in Section 3 of this Agreement.

The Town Commission shall review and approve the accuracy of the amount of all payments required to be made to Employee upon her separation from the Town's employ, prior to payment. Payment shall be within 30 days of the effective date of the separation.

- 2.6 **Effect of Expiration:** If this Agreement expires, then no Severance Payment, as defined in Subsection 3.1, shall be due to Employee, and only the payments identified in Subsection 2.5 shall be due to Employee.

SECTION 3. TERMINATION BY TOWN

- 3.1 **Early Termination of Employment Agreement with Severance:** In the event Employee is terminated by the Town Commission prior to the normal expiration of this Agreement, other than for misconduct (as is defined in Section 3.2 of this Agreement) and during such time that Employee is willing and able to perform her duties under this Agreement, the Town agrees to pay Employee a lump sum severance pay ("Severance Payment") equal to twenty (20) weeks of Salary at the time of termination. The Town shall also continue to pay the premium for the Town Manager's health insurance for 20 weeks after the effective date of her termination. The Town shall not provide the Town Manager with any other benefit or reimbursement (except that specifically set forth in this paragraph) beyond the date of her termination. All severance payments (excluding the continuation of her health insurance benefits) shall be paid to the Town Manager in a lump sum upon her termination or within thirty (30) days thereafter at the Town's option.

The Severance Payment will only be provided if Employee signs a general release and waiver of claims against the Town regarding termination, on a form provided by the Town. Prior to payment, the Severance Payment shall be approved pursuant to Section

**Town Manager
Employment Agreement
Amended and Restated 1/23/24**

2.5.

Regardless of when Severance is paid, Employee shall also receive a payout for all earned and unused vacation and sick leave accruals within fourteen (14) days of her separation.

3.2 **Termination-for Misconduct**

- A. **Misconduct Defined:** "Misconduct" for the purpose of this Agreement is as defined in Section 443.036(29), Florida Statutes and includes, but is not limited to the following: (i) fraud, misappropriation or embezzlement; (ii) Employee's intentional breach of the provisions of this Agreement; (iii) Employee's repeated willful failure to perform services hereunder; (iv) Employee's violation of Chapter 112, Florida Statutes, Code of Ethics; (v) Employee's willful and continued failure to substantially perform her duties for the Town (other than as a result of incapacity due to physical or mental illness); or (vi) willful conduct by Employee that is demonstrably and materially injurious to the Town, monetarily or otherwise. For purposes of this paragraph, an act, or a failure to act, shall not be deemed "willful" or "intentional," as those terms are used herein, unless it is done, or omitted to be done, by Employee in bad faith or without a reasonable belief that her action or omission was in the best interest of the Town. Failure to meet performance standards or objectives, by itself, may constitute "Cause."
- B. **Termination for Misconduct:** If Employee's employment is terminated for Misconduct as defined in Subsection 3.2.A, the Town shall only pay to Employee the amounts due under Subsection 2.5.

SECTION 4. TERMINATION BY EMPLOYEE (RESIGNATION)

In the event that Employee voluntarily resigns her position during the term of this Agreement, Employee shall give the Town at least sixty (60) days written notice of the effective date of such resignation ("Resignation Date"), unless the Town Commission and Employee mutually agree to a shorter notice period. If Employee does not provide timely notice (provided a shorter notice period has not been agreed to), she shall be considered to have resigned not in good standing, and consequently will forfeit payment of accumulated leave. Employee shall not be entitled to receive Severance Payment pursuant to Subsection 3.1. Employee shall only be entitled to the payments described in Subsection 2.5. The Town Commission and Employee may negotiate other provisions upon resignation, in the event that the Town Commission determines such provisions to be in the best interests of the Town.

SECTION 5. COMPENSATION AND RESIDENCE

- 5.1 **Salary:** Effective January 23, 2024, the salary of Employee shall be \$221,293.78 (Two hundred twenty-one thousand two hundred ninety-three dollars and seventy-eight cents) ("Current Salary"), which shall be payable in installments at the same time and manner as other Town employees are paid. Employee's Current Salary as adjusted pursuant to Section 6.3 of this Agreement shall be referred to as the "Adjusted

**Town Manager
Employment Agreement
Amended and Restated 1/23/24**

Salary.” References to “Salary” herein shall be construed to refer to the Current Salary until the Salary may be adjusted pursuant to Section 6.3, after which it shall be construed to refer to the Adjusted Salary.

5.2 **Automobile Payment:** The Town shall provide Employee with an automobile allowance of \$600 per month.

5.3 **Holidays:** Employee shall receive the holidays established by the Town for all employees. In the event Employee deems it necessary or advisable to work on a holiday, that paid day off may be taken on some other regular workday.

5.4 **Leave**

A. **Vacation Leave:** The vacation leave benefit provided the Employee shall be as described in the Town’s Personnel Policies Manual, except that Employee shall accrue vacation at the rate of 6.1587 hours in each two-week pay period (equivalent to twenty (20) days a year) until October 2026 (her five (5) year anniversary). Effective November 1, 2026, Employee shall thereafter accrue vacation at the rate of 7.6923 hours in each two-week pay period (equivalent to twenty (25) days a year).

B. **Sick Leave:** The sick leave benefit provided the Employee shall be as described in the Town’s Personnel Policies Manual, except that Employee shall paid out all earned and unused sick time upon separation.

C. **Other Leave:** The Employee shall have other leave to the same extent as is provided other employees as set forth in the Town’s Personnel Policies Manual.

5.5 **Benefits**

A. **Insurance Benefits:** Employee shall receive the same insurance coverage offered to all management employees. Town shall pay 100% of the cost of family coverage for health, vision, and dental insurance; and a \$200,000 life insurance policy for employee.

Upon Employee’s separation from the Town, Employee’s eligibility to continue to participate in any of the Town’s insurance benefits at her own expense shall be determined by the then-applicable state and federal laws and Town ordinances and resolutions. In accordance with Fla. Stat. Section 112.0801, in the same manner and cost as offered other retiring employees, Employee will be offered the option of continuing on the Town’s Insurance Benefits as a retiree if she is a recipient of Town Insurance Benefits on the date of her retirement.

If Employee elects not to participate in Town offered insurance, then 80% of the dollar amount of the employee premiums shall be paid into Employee Deferred Compensation Account or as additional amount of Salary, at the Employee’s option.

B. **Retirement Benefits:**

**Town Manager
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- (1) Employee shall continue to be a member in the Florida Retirement System's Senior Management Service Class and the Town shall make the state-required employer contributions to the Florida Retirement System.
 - (2) Town shall execute all necessary documents for Employee's participation in the Town's Section 457 supplemental retirement plan. The Town further agrees to contribute \$576.92 bi-weekly (\$15,000 annual) towards Employee's Section 457 supplemental retirement plan for 2024, \$769.23 bi-weekly (\$20,000 annual) for 2025 and the established federal elective deferral limit under Internal Revenue Code 402(g), including catch-up contributions, for 2026 and thereafter.
- 5.6 **Reduction of Salary, Holidays, Leave or Benefits:** In the event the Town Commission at any time during the term of this Agreement reduces the Salary, Holidays, Leave or Benefits of Employee in a greater percentage than an applicable across-the-board reduction for all employees of Town, then the Employee may, at her option, be deemed to be terminated without cause at the date of such reduction. Such termination without cause shall be handled as provided in Section 3.1 of this Agreement.
- 5.7 **Notice/Approval for Temporary Absence from Town:** For a temporary absence from Town, which does not invoke Section 5.4 of the Town Charter, Employee shall ensure that Town matters are properly handled in her absence. Employee shall provide prior notice to the Town Commission if she anticipates being away from the Town for more than two (2) business days in a row. Employee shall not take more than ten (10) business days of Vacation Leave in a row without the prior approval of the Town Commission.
- 5.8 **Pay for Performance:** Any adjustment in Employee's Salary, Holidays, Leave, or Benefits based on the Town Commission's evaluation of Employee's performance shall be made pursuant to Section 6 of this Agreement.
- 5.9 **Residence Requirement:** Employee agrees to maintain a residence within 15 miles of the corporate boundaries of the Town during employment.

SECTION 6. PERFORMANCE EVALUATION

- 6.1 **Performance Goals:** Annually, the Town Commission and Employee will mutually agree on performance goals and objectives for the fiscal year and may mutually agree to revise those goals and objectives during the year. The goals and objectives shall be reasonably attainable within the time constraints set, and adequate operating budgets or capital appropriations shall be funded to enable its accomplishment.
- 6.2 **Performance Review:** The Town Commission shall conduct annual performance reviews of Employee, and endeavor to complete the process on or before the anniversary date of each year, based on: (i) the Town Manager's performance of

**Town Manager
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the duties specified in Section 1.2; (ii) the Town Manager's achievements of the Town Council's policy directives; and (iii) the Town Manager's completion of appropriate professional development programs. Each Commissioner shall endeavor to meet with Employee one-on-one regarding the Performance Review. The process, at a minimum, shall include the opportunity for both parties to: (a) prepare a written evaluation, (b) meet and discuss the evaluation, and (c) present a written summary of the evaluation results. The Town Commission shall endeavor to complete and deliver to Employee the final written evaluation within thirty (30) days of the date of the evaluation meeting.

- 6.3 Pay for Performance, Cost of Living Adjustments and Other Compensation:** Based on the performance review, the Town Commission may increase the Salary, Holidays, Leave or Benefits granted under this Agreement, or may grant a high-performance reward to be paid in a lump sum amount. Any lump sum award for performance shall not be added to Employee's Salary but shall be considered wages for purposes of retirement. The amount of the pay for performance shall take into account the Town's fiscal condition and ability to pay at that point in time. In and after 2023, Employee shall also receive the same cost of living adjustments ("COLAs") provided by the Town to its regular full-time employees. Other adjustments to salary, up to five percent (5%), may also occur if Employee meets certain agreed upon performance goals and objectives.

SECTION 7. HOURS OF WORK; OTHER EMPLOYMENT

- 7.1 Full Time Employee:** Employee agrees to remain in the full-time employ of the Town and shall not accept any other full-time employment during the term of this Agreement. Employee further agrees to devote that amount of time and energy that is reasonably necessary for Employee to faithfully perform her duties under this Agreement.
- 7.2 Outside Opportunities:** Recognizing that certain outside teaching and consulting opportunities ("Outside Opportunities") may provide indirect benefits to the Town and to the community, the Employee may elect to accept limited Outside Opportunities with the understanding that such Outside Opportunities must not interfere with nor create a conflict of interest with her responsibilities under this Agreement. Employee shall provide a minimum of seven (7) days prior notice to the Town Commission before accepting such Outside Opportunities. If, however, the Town Commission determines, in its sole discretion, that Employee's performance may be compromised by her engagement in any proposed Outside Opportunity, or her continued engagement in an existing Outside Opportunity, the Town Commission may require that Employee decline to accept or withdraw from that Outside Opportunity. Employee shall not hold an ownership interest in any business located in the Town unless it is a publicly traded company.

SECTION 8. INDEMNIFICATION

- 8.1 Indemnification:** Unless otherwise required by Federal, State or local law, Town shall

**Town Manager
Employment Agreement
Amended and Restated 1/23/24**

defend, hold harmless and indemnify Employee against any tort, professional liability claim or demand or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the course and scope of Employee's performance of her duties as Town Manager or resulting from the reasonable exercise of judgment or discretion in connection with the performance of her Town duties or responsibilities, unless the act or omission involved willful or wanton conduct. Town's indemnification of Employee under this paragraph shall extend to any and all losses, damages, judgments, interest, settlements, fines, court costs and other reasonable costs and expenses of legal proceedings, including attorneys fees and any other liabilities incurred by, imposed upon, or suffered by Employee in connection with or resulting from any claim, action, suit, or proceeding, actual or threatened, arising out of or in connection with the course and scope of performance of her duties.

- 8.2 **Representation:** Employee may request, and the Town shall not unreasonably refuse to provide independent legal representation at Town's expense if there is a conflict of interest between Employee's interests and the Town's interests in a matter in which Employee is not a party. Legal representation provided by Town for Employee shall extend until a final determination of the legal action, including any appeals brought by either party. This paragraph shall not apply to litigation over this Agreement, which shall be handled pursuant to Subsection 11.5 of this Agreement.
- 8.3 **Settlement:** Any settlement of any claim must be made with prior approval of the Town Commission in order for indemnification, as provided in this Section, to be available. Employee recognizes that Town shall have the right to compromise such claims against it or against Employee in her official capacity, in its sole discretion.
- 8.4 **Litigation Support from Employee During and Following Employment with Town:** Town agrees to pay all reasonable litigation expenses of Employee throughout the pendency of any litigation in which the Employee is requested to be a witness on behalf of or advisor to the Town, is compelled to be a witness by an adverse or other party, or in which the Employee is a party in her capacity as an employee of the Town. The requirement to cover such expenses shall survive the expiration or termination of this Agreement as long as Employee's services continue to be requested or required in relation to such litigation, or as long as she is a named party to such litigation. Further, Town agrees to pay Employee reasonable consulting fees and travel expenses when Employee serves as a witness, advisor or consultant to the Town regarding litigation after her employment with the Town is concluded. Notwithstanding the foregoing, in any litigation in which the Employee takes a position adverse to the position of the Town, the Town shall not pay her costs or attorneys' fees, except where required to comply with Subsection 11.5 of this Agreement.

SECTION 9. PROFESSIONAL DEVELOPMENT

- 9.1 **Memberships:** Subject to budget constraints and state law, the Town agrees to pay the reasonable professional dues and subscriptions of Employee necessary for her continuation and participation as a member in national, regional, state and local professional associations and organizations that are commensurate to her role as Town Manager, necessary and desirable for her continued professional participation,

**Town Manager
Employment Agreement
Amended and Restated 1/23/24**

growth and advancement, and for the good of the Town.

Employee shall not hold office in any local, state, regional or national professional association or organization without prior approval of the Town Commission, which approval shall not be unreasonably withheld.

- 9.2 **Courses and Conferences:** Employee shall pursue training in the accepted competencies and practices of local public management. Subject to then-applicable Town policies regarding travel, budget constraints and state law, the Town Commission shall budget for and pay the registration, travel, lodging, meal and other related expenses of Employee for travel to at least one national professional conference to be held in the United States each year. Employee shall also pursue remote training opportunities, for which the Town Commission shall budget and pay for each year. The Town Commission may choose to budget and pay for Employee to attend additional conferences, seminars or courses.

SECTION 10. NOTICE

Notices pursuant to this Agreement shall be given by certified mail through United States Postal Service delivery, addressed as follows:

Town: Mayor and Members of the Town Commission
Town of Lauderdale-By-The-Sea
4501 Ocean Drive
Lauderdale-By-The-Sea, Florida 33308

Employee: Linda Connors
On file with the Town Clerk

Town Attorney: Lauderdale-By-The-Sea Town Attorney
Town of Lauderdale-By-The-Sea
4501 Ocean Drive
Lauderdale-By-The-Sea, Florida 33308

SECTION 11. OTHER TERMS AND CONDITIONS

- 11.1 **Severability:** If any provision, or any portion thereof, contained in this Agreement is held to be unconstitutional, illegal, invalid, or unenforceable, the remainder of this Agreement, or portion thereof, shall not be affected and shall remain in full force and effect.
- 11.2 **Waiver:** The waiver by either party of a breach of any provision of this Agreement by the other shall not operate or be construed as a waiver of any subsequent breach by that party.
- 11.3 **No Assignment or Transfer:** The rights and obligations herein granted are personal in nature and cannot be transferred by the Employee.
- 11.4 **Entire Agreement; Amendment:** This Agreement contains the entire agreement of

**Town Manager
Employment Agreement
Amended and Restated 1/23/24**

the parties and is being adopted by Resolution as required by Town Charter. It may not be changed orally, but only by an amendment in writing signed by the parties hereto and executed with equal dignity.

- 11.5 **Governing Law; Attorneys Fees:** This Agreement shall be governed by Florida law, and any litigation which may arise from this Agreement shall be filed and litigated in Broward County, Florida. The non-prevailing party shall bear the fees and costs for such litigation over this Agreement.
- 11.6 **Bonding:** The Town shall bear the cost of any fidelity bond or other guarantee that may be required of Employee.
- 11.7 **Expenses:** The Town recognizes that certain expenses of a non-personal and job-related nature, such as the purchase of professional journals and reference materials, will necessarily be incurred by Employee as Town Manager, and agrees to reimburse or to pay said general expenses. In recognition of the Town Manager's purchasing authority, the Finance Director is authorized to disburse such monies, upon receipt of duly executed expense or petty cash vouchers, receipts, statements or personal affidavits.
- 11.8 **Use of Vehicles:** Employee is authorized to use Town vehicles as needed during emergency conditions (hurricane, flooding, etc.). During normal conditions, Employee may use Town vehicles for routine inspections or other Town business.
- 11.9 The Town shall provide Employee with a cell phone, laptop, tablet or comparable electronic device for business use.

SECTION 12. ETHICAL COMMITMENTS

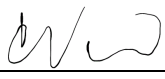
12.1 **ICMA Code of Ethics:** Employee will at all times uphold the tenets of the ICMA Code of Ethics, a copy of which is attached hereto and incorporated herein. Specifically, Employee shall not endorse candidates, make financial contributions, sign or circulate petitions, or participate in fund-raising activities for individuals seeking or holding elected office, nor seek or accept any personal enrichment or profit derived from confidential information or misuse of public time.

12.2 **Role of Commission:** The Town Commission and each Commissioner shall support Employee in keeping these commitments by refraining from any order, direction or request that would require Employee to violate the ICMA Code of Ethics, the Broward County Code of Ethics or State ethics laws or to handle any matter of personnel on a basis other than fairness, impartiality and merit.

**Town Manager
Employment Agreement
Amended and Restated 1/23/24**

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be signed and executed, in duplicate, on the day and year first written above.

TOWN OF LAUDERDALE-BY-THE-SEA

By: 
Mayor Chris Vincent

Pursuant to Town Commission Approval of
Resolution 2024-04 on January 23, 2024.

EMPLOYEE

By: 
Linda Connors

Attest:


Town Clerk Katrina Adler

Approved as to Form and Legal Sufficiency:


Town Attorney Susan L. Trevarthen

Exhibit: 1. ICMA Code of Ethics

ICMA CODE OF ETHICS

The mission of ICMA is to create excellence in local governance by developing and fostering professional local government management worldwide. To further this mission, certain principles, as enforced by the Rules of Procedure, shall govern the conduct of every member of ICMA, who shall:

1. Be dedicated to the concepts of effective and democratic local government by responsible elected officials and believe that professional general management is essential to the achievement of this objective.
2. Affirm the dignity and worth of the services rendered by government and maintain a constructive, creative, and practical attitude toward local government affairs and a deep sense of social responsibility as a trusted public servant.
3. Be dedicated to the highest ideals of honor and integrity in all public and personal relationships in order that the member may merit the respect and confidence of the elected officials, of other officials and employees, and of the public.
4. Serve the best interests of the people.
5. Submit policy proposals to elected officials; provide them with facts and advice on matters of policy as a basis for making decisions and setting community goals; and uphold and implement local government policies adopted by elected officials.
6. Recognize that elected representatives of the people are entitled to the credit for the establishment of local government policies; responsibility for policy execution rests with the members.
7. Refrain from all political activities which undermine public confidence in professional administrators. Refrain from participation in the election of the members of the employing legislative body.
8. Make it a duty continually to improve the member's professional ability and to develop the competence of associates in the use of management techniques.
9. Keep the community informed on local government affairs; encourage communication between the citizens and all local government officers; emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.
10. Resist any encroachment on professional responsibilities, believing the member should be free to carry out official policies without interference, and handle each problem without discrimination on the basis of principle and justice.
11. Handle all matters of personnel on the basis of merit so that fairness and impartiality govern a member's decisions pertaining to appointments, pay adjustments, promotions, and discipline.
12. Public office is a public trust. A member shall not leverage his or her position for personal gain or benefit.

Adopted by the ICMA Executive Board in 1924, and most recently revised by the membership in June 2018.

ICMA

Detailed Scores

	Question Number 1 Factor Weighting	Mayor Malkoon	Vice-Mayor Strauss	Commissioner Pouloupoulos	Commissioner DeNapoli	Commissioner Graziano
	1	5.0	4.0	4.0	3.0	n/a
	2	4.0	5.0	4.0	5.0	n/a
	3	3.0	5.0	3.0	2.0	n/a
	4	4.0	5.0	5.0	5.0	n/a
	5	3.0	5.0	4.0	4.0	n/a
	6	4.0	4.0	4.0	4.0	n/a
	7	5.0	4.0	4.0	5.0	n/a
	8	5.0	4.0	3.0	4.0	n/a
	9	4.0	5.0	4.0	3.0	n/a
Factor 1 Weighting /Average	0.10	4.11	4.56	3.89	3.89	#DIV/0!
	Question Number 2 Factor Weighting	Mayor Malkoon	Vice-Mayor Strauss	Commissioner Pouloupoulos	Commissioner DeNapoli	Commissioner Graziano
	1	4.0	5.0	4.0	4.0	n/a
	2	4.0	4.0	4.0	3.0	n/a
	3	4.0	5.0	5.0	4.0	n/a
	4	4.0	4.0	5.0	4.0	n/a
	5	4.0	5.0	5.0	3.0	n/a
Factor 2 Weighting /Average	0.10	4.00	3.50	4.60	3.60	#DIV/0!
	Question Number 3 Factor Weighting	Mayor Malkoon	Vice-Mayor Strauss	Commissioner Pouloupoulos	Commissioner DeNapoli	Commissioner Graziano
	1	3.0		5.0	4.0	n/a
	2	4.0	4.0	4.0	3.0	n/a
	3	4.0	4.0	4.0	4.0	n/a
	4	3.0	5.0	4.0	3.0	n/a
	5	3.0	5.0	4.0	4.0	n/a
	6	4.0	5.0	4.0	5.0	n/a
Factor 3 Weighting /Average	0.10	3.50	4.60	4.17	3.83	#DIV/0!
	Question Number 4 Factor Weighting	Mayor Malkoon	Vice-Mayor Strauss	Commissioner Pouloupoulos	Commissioner DeNapoli	Commissioner Graziano
	1	3.0	4.0	3.0	3.0	n/a
	2	3.0	5.0	3.0	3.0	n/a
	3	4.0	5.0	4.0	4.0	n/a
	4	4.0	4.0	4.0	4.0	n/a
	5	3.0	5.0	3.0	3.0	n/a
	6	3.0	4.0	3.0	4.0	n/a
	7	4.0	5.0	4.0	4.0	n/a
	8	4.0	4.0	2.0	3.0	n/a
	9	3.0	5.0	3.0	4.0	n/a
Factor 4 Weighting /Average	0.10	3.44	4.56	3.22	3.56	#DIV/0!
	Question Number 5 Factor Weighting	Mayor Malkoon	Vice-Mayor Strauss	Commissioner Pouloupoulos	Commissioner DeNapoli	Commissioner Graziano
	1	3.0	4.0	3.0	3.0	n/a
	2	3.0	5.0	4.0	5.0	n/a
	3	4.0	4.0	5.0	4.0	n/a
	4	4.0	5.0	3.0	3.0	n/a
	5	5.0	5.0	5.0	4.0	n/a
Factor 5 Weighting /Average	0.10	3.80	4.60	4.00	3.80	#DIV/0!
	Question Number 6 Factor Weighting	Mayor Malkoon	Vice-Mayor Strauss	Commissioner Pouloupoulos	Commissioner DeNapoli	Commissioner Graziano
Factor 6 Weighting /Average	0.5	4.00	4.00	4.00	3.00	n/a

Weighted Scores

Factor 1	0.41	0.46	0.39	0.39	
Factor 2	0.40	0.35	0.46	0.36	
Factor 3	0.35	0.46	0.42	0.38	
Factor 4	0.34	0.46	0.32	0.36	
Factor 5	0.38	0.46	0.40	0.38	
Factor 6	2.00	2.00	2.00	1.50	
Weighted	3.88	4.19	3.99	3.37	n/a
Overall Average			3.86		



***Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager***

Evaluation Period: October 1, 2023 to September 30, 2024

***Evaluator Name: Edmund Malkoon
Title: Mayor***

Definition of Performance Ratings

<u>1</u> – Far below expectations	<u>2</u> – Needs Improvement
<u>3</u> – Satisfactory	<u>4</u> – More than satisfactory
<u>5</u> – Exceeds	<u>N/A</u> – Not applicable or too soon to rate.

<i>Factor 1: Relations with Governing Body, Providing Information (10% of Evaluation Points)</i>	<i>RATINGS</i>	<i>SUPPORTIVE DETAIL OR COMMENT</i>
1.1 Keeps the Commission informed in an appropriate and timely manner about matters critical to the Commission's policy making role?	5	Click here to enter text.
1.2 Provides information on an equal basis to all Commission members?	4	Click here to enter text.
1.3 Anticipates and follows up promptly on Commission requests for information or action without having to be reminded?	3	Click here to enter text.
1.4 Available to the Commission on official business either personally or through designated subordinates?	4	Click here to enter text.
1.5 Reports departmental and staff activities to the Commission in an appropriate and timely manner?	3	Click here to enter text.
1.6 Advises the Commission of relevant legislation and developments in the area of public policy affecting the Town of Lauderdale-By-The-Sea?	4	Click here to enter text.
1.7 Has a comprehensive understanding of the problems and issues existing in the Town of Lauderdale-By-The-Sea?	5	Click here to enter text.



Town of Lauderdale-By-The-Sea Evaluation of the Town Manager

Evaluation Period: October 1, 2023 to September 30, 2024

1.8 Considers all available alternatives before making recommendations to the Commission?	5	Click here to enter text.
1.9 Anticipates, plans, and prioritizes future needs and programs recognizing the potential problems confronting the Town?	4	Click here to enter text.
Average Score for Topic (will be calculated by Town Clerk)		
Weighted Score (=Average Score x 10)		

Factor 2: Fiscal Management (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
2.1 Develops and administers a process of budget preparation and review which meets the requirements of the Town Charter, and expectations of the Commission in its decision-making role?	4	Click here to enter text.
2.2 Controls operational and capital costs through adequate budgetary and financial controls and the judicious/economical utilization of manpower, material and equipment?	4	Click here to enter text.
2.3 Provides the Commission with timely and sufficient reports on the financial status of the Town government in accordance with the Charter and requirements of the Commission?	4	Click here to enter text.
2.4 Applies for grants and administers grants received effectively?	4	Click here to enter text.
2.5 Recommends ways to save money or increase efficiency in delivery of Town Services?	4	Click here to enter text.
Average Score for Topic (will be calculated by Town Clerk)		
Weighted Score (=Average Score x 10)		



Town of Lauderdale-By-The-Sea Evaluation of the Town Manager

Evaluation Period: October 1, 2023 to September 30, 2024

Factor 3: Personnel Management (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
3.1 Makes sound personnel selection decisions and policies?	3	Click here to enter text.
3.2 Motivates personnel through leadership and training so that they are effective in the performance of their duties, in achieving common goals and objectives.	4	Click here to enter text.
3.3 Nurtures an attitude of courtesy, helpfulness and sensitivity to the public among Town employees?	4	Click here to enter text.
3.4 Takes disciplinary action when appropriate?	3	Click here to enter text.
3.5 Emphasizes exemplary performance?	3	Click here to enter text.
3.6 Treats all Town Personnel in a fair and equitable manner?	4	Click here to enter text.
Average Score for Topic (will be calculated by Town Clerk)		
Weighted Score (=Average Score x 10)		

Factor 4: Managing The Organization (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
4.1 Executes the policies adopted by the Commission in a timely and appropriate fashion?	3	Click here to enter text.
4.2 Plans and executes organizational priorities in a manner reflective of the Town's stated mission and goals, and is satisfactory to the Commission?	3	Click here to enter text.
4.3 Analyzes organizational problems or issues and identifies causes, reasons, implications, and solutions employing all available technologies, systems and methods?	4	Click here to enter text.
4.4 Executes the short and long-term goals and objectives set forth in the Town's Mission Statement in a timely and effective manner?	4	Click here to enter text.
4.5 Communicates effectively, clearly, easily and to the point?	3	Click here to enter text.



Town of Lauderdale-By-The-Sea Evaluation of the Town Manager

Evaluation Period: October 1, 2023 to September 30, 2024

4.6 Demonstrates sensitivity to the opinions and concerns of others in and outside the organization?	3	Click here to enter text.
4.7 Emphasizes the importance of teamwork and leadership in his/her relationship with the organization, and provides a role model for personnel?	4	Click here to enter text.
4.8 Accepts new ideas and suggestions for change?	4	Click here to enter text.
4.9 Adapts to and deals effectively with unanticipated conditions and situations?	3	Click here to enter text.
Average Score for Topic (will be calculated by Town Clerk)		
Weighted Score (=Average Score x 10)		

Factor 5: Relations with the Public/Other Gov'ts (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
5.1 Handles disputes or complaints involving citizens in an effective, equitable, and timely manner?	3	Click here to enter text.
5.2 Makes him/herself available and visible to the citizens of the Town in an appropriate manner?	3	Click here to enter text.
5.3 Presents Commission policies and positions on issues to the citizens and Town organization accurately, equitable, and effectively?	4	Click here to enter text.
5.4 Directs sufficient public credit to the Commission in its role as the governing body?	4	Click here to enter text.
5.5 Deals effectively with other government agencies at all levels in representing the Town of Lauderdale-By-The-Sea?	5	Click here to enter text.
Average Score for Topic (will be calculated by Town Clerk)		
Weighted Score (=Average Score x 10)		



Town of Lauderdale-By-The-Sea Evaluation of the Town Manager

Evaluation Period: October 1, 2023 to September 30, 2024

<i>Factor 6: Achievement of Stated Goals (50% of overall score)</i>	<i>RATINGS</i>	<i>SUPPORTIVE DETAIL OR COMMENT</i>
6.1 Achievement of Stated Goals	4	Click here to enter text.
<i>Average Score for Topic (will be calculated by Town Clerk)</i>		
<i>Weighted Score (=Average Score x 50)</i>		

List any other issues or achievements you feel should be noted:

2024 was an exceptional year for the management of our Town. The Town Manager oversaw the smooth transition of our Fire and EMS to Pompano Beach Fire Rescue and creating and bringing back our Code enforcement. These are not small tasks and tests, even the most experienced of Town Managers. There are some areas I wish to see continuing work on... Communication with residents even to say we need more time and a expectation of a reply...Tracking agenda items and items set for future action some items were left to the wayside or delayed...I would also like to see better encouragement and independence of staff. I feel they are qualified to do their jobs more independently. I appreciate the communication I have had with Ms Connors and her efforts in her role.



***Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager***

Evaluation Period: October 1, 2023 to September 30, 2024

The Summary will be completed by the Town Clerk and be returned to Commissioner for final review)

Summary

FACTOR 1:	Relations with Commission	<u>0.41</u>
FACTOR 2:	Fiscal Management	<u>0.40</u>
FACTOR 3:	Personnel Management	<u>0.35</u>
FACTOR 4:	Management of Organization	<u>0.34</u>
FACTOR 5:	Relations with the Public	<u>0.38</u>
FACTOR 6:	Goals Achievement	<u>2</u>
OVERALL WEIGHTED RATING:		<u>3.88</u>

Evaluator's Signature: _____

A handwritten signature in black ink, appearing to be "J. [unclear]", written over a horizontal line.

Date: ____/____/____ 1/22/2025 | 3:30 PM EST



Town of Lauderdale-By-The-Sea Evaluation of the Town Manager

Evaluation Period: October 1, 2022 to September 30, 2023

Evaluator Name: **Randy Strauss**
Title: **Commissioner**

Definition of Performance Ratings

<u>1</u> – Far below expectations	<u>2</u> – Needs Improvement
<u>3</u> – Satisfactory	<u>4</u> – More than satisfactory
<u>5</u> – Exceeds	<u>N/A</u> – Not applicable or too soon to rate.

Factor 1: Relations with Governing Body, Providing Information (10% of Evaluation Points)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
1.1 Keep the Commission informed in an appropriate and timely manner about matters critical to the Commission's policy making role?	4	<i>Has continued to make improvements and has provided backup and history on critical matters</i>
1.2 Provide information on an equal basis to all Commission members?	5	<i>As seen through our town meeting discussions</i>
1.3 Anticipate and follow up promptly on Commission requests for information or action without having to be reminded?	5	<i>follow-up has been responsive without need of prompting</i>
1.4 Available to the Commission on official business either personally or through designated subordinates?	5	Click here to enter text.
1.5 Report departmental and staff activities to the Commission in an appropriate and timely manner?	5	Click here to enter text.
1.6 Advise the commission of relevant legislation and developments in the area of public policy affecting the Town of Lauderdale-By-The-Sea?	4	<i>Mostly through Town Counsel</i>
1.7 Has a comprehensive understanding of the problems and issues existing in the Town of Lauderdale-By-The-Sea?	4	<i>Has been responsive and shown balance between, Town's residents, commercial concern and Town's objectives</i>



Town of Lauderdale-By-The-Sea Evaluation of the Town Manager

Evaluation Period: October 1, 2022 to September 30, 2023

1.8 Consider all available alternatives before making recommendations to the Commission?	4	<i>Give balance weight towards objective consideration on available alternatives-think out of the box</i>
1.9 Anticipate, plan, and prioritize future needs and programs recognizing the potential problems confronting the Town?	5	
Average Score for Topic (will be calculated by Town Clerk)		
Weighted Score (=Average Score x 10)		

Factor 2: Fiscal Management (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
2.1 Develops and administers a process of budget preparation and review which meets the requirements of the Town Charter, and expectations of the Commission in its decision-making role?	5	
2.2 Controls operational and capital costs through adequate budgetary and financial controls and the judicious/economical utilization of manpower, material and equipment?	4	<i>Has been fiscally economical, given the budget provided with also keeping future needs in mind</i>
2.3 Provides the Commission with timely and sufficient reports on the financial status of the Town government in accordance with the Charter and requirements of the Commission?	5	Click here to enter text.
2.4 Applies for grants and administers grants received effectively?	4	<i>Would like to see strong continued efforts towards proactively seeking grants/new money</i>
2.5 Recommends ways to save money or increase efficiency in delivery of Town Services?	5	<i>Creative cost cutting</i>
Average Score for Topic (will be calculated by Town Clerk)		
Weighted Score (=Average Score x 10)		



Town of Lauderdale-By-The-Sea Evaluation of the Town Manager

Evaluation Period: October 1, 2022 to September 30, 2023

Factor 3: Personnel Management (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
3.1 Makes sound personnel selection decisions and policies?	5	<i>Taps the creative potential of staff</i>
3.2 Motivates personnel through leadership and training so that they are effective in the performance of their duties, in achieving common goals and objectives.	4	<i>I believe staff is enthusiastic in meeting their goals</i>
3.3 Nurtures an attitude of courtesy, helpfulness and sensitivity to the public among Town employees?	4	<i>improved over second year, with need to continue personal citizen and commercial outreach</i>
3.4 Takes disciplinary action when appropriate?	5	Click here to enter text.
3.5 Emphasizes exemplary performance?	5	Click here to enter text.
3.6 Treats all Town Personnel in a fair and equitable manner?	5	Click here to enter text.
Average Score for Topic (will be calculated by Town Clerk)		
Weighted Score (=Average Score x 10)		

Factor 4: Managing The Organization (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
4.1 Executes the policies adopted by the Commission in a timely and appropriate fashion?	4	
4.2 Plans and executes organizational priorities in a manner reflective of the Town's stated mission and goals, and satisfactory to the Commission?	5	Click here to enter text.
4.3 Analyzes organizational problems or issues and identify causes, reasons, implications, and solutions employing all available technologies, systems and methods?	5	Click here to enter text.
4.4 Executes the short and long-term goals and objectives set forth in the Town's Mission Statement in a timely and effective manner?	4	<i>Always like to see more long term goal discussion and mission statement analysis</i>
4.5 Communicates effective, clearly, easily and to the point?	5	Click here to enter text.



Town of Lauderdale-By-The-Sea Evaluation of the Town Manager

Evaluation Period: October 1, 2022 to September 30, 2023

4.6 Demonstrates sensitivity to the opinions and concerns of others in and outside the organization?	4	Look for continued communication with citizens and commercial concerns
4.7 Emphasize the importance of teamwork and leadership in his/her relationship with the organization, and provide a role model for personnel?	5	Click here to enter text.
4.8 Accepts new ideas and suggestions for change?	4	Better balance of acceptance with implementation of ideas
4.9 Adapts to and deals effectively with unanticipated conditions and situations?	5	Click here to enter text.
Average Score for Topic (will be calculated by Town Clerk)		
Weighted Score (=Average Score x 10)		

Factor 5: Relations with the Public/Other Gov'ts (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
5.1 Handles disputes or complaints involving citizens in an effective, equitable, and timely manner?	4	
5.2 Makes him/herself available and visible to the citizens of the Town in an appropriate manner?	5	Has been very present
5.3 Presents Commission policies and positions on issues to the citizens and Town organization accurately, equitable, and effectively?	4	Has improved over 2nd year with better communication through in person meetings and availability
5.4 Directs sufficient public credit to the Commission in its role as the governing body?	5	Click here to enter text.
5.5 Deals effectively with other government agencies at all levels in representing the Town of Lauderdale-By-The-Sea?	5	Click here to enter text.
Average Score for Topic (will be calculated by Town Clerk)		
Weighted Score (=Average Score x 10)		



***Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager***

Evaluation Period: October 1, 2022 to September 30, 2023

<i>Factor 6: Achievement of Stated Goals (50% of overall score)</i>	<i>RATINGS</i>	<i>SUPPORTIVE DETAIL OR COMMENT</i>
6.1 Achievement of Stated Goals	4	
<i>Average Score for Topic (will be calculated by Town Clerk)</i>		
<i>Weighted Score (=Average Score x 50)</i>		

List any other issues or achievements you feel should be noted:

Click here to enter text.



***Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager***

Evaluation Period: October 1, 2022 to September 30, 2023

The Summary will be completed by the Town Clerk and be returned to Commissioner for final review)

Summary

FACTOR 1:	Relations with Commission	<u>0.46</u>
FACTOR 2:	Fiscal Management	<u>0.35</u>
FACTOR 3:	Personnel Management	<u>0.46</u>
FACTOR 4:	Management of Organization	<u>0.46</u>
FACTOR 5:	Relations with the Public	0.46
FACTOR 6:	Goals Achievement	2.00

OVERALL WEIGHTED RATING: **4.19**

Evaluator's Signature: /s/Randolph Strauss

Date: 12 / 08 / 2023



Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager

Evaluation Period: October 1, 2023 to September 30, 2024

Evaluator Name: John A. Graziano
Title: Commissioner

Definition of Performance Ratings

<u>1</u> – Far below expectations	<u>2</u> – Needs Improvement
<u>3</u> – Satisfactory	<u>4</u> – More than satisfactory
<u>5</u> – Exceeds	<u>N/A</u> – Not applicable or too soon to rate.

Factor 1: Relations with Governing Body, Providing Information (10% of Evaluation Points)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
1.1 Keeps the Commission informed in an appropriate and timely manner about matters critical to the Commission's policy making role?	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>
1.2 Provides information on an equal basis to all Commission members?	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>



***Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager***

Evaluation Period: October 1, 2023 to September 30, 2024

1.3 Anticipates and follows up promptly on Commission requests for information or action without having to be reminded?	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>
1.4 Available to the Commission on official business either personally or through designated subordinates?	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>
1.5 Reports departmental and staff activities to the Commission in an appropriate and timely manner?	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>



Town of Lauderdale-By-The-Sea Evaluation of the Town Manager

Evaluation Period: October 1, 2023 to September 30, 2024

1.6 Advises the Commission of relevant legislation and developments in the area of public policy affecting the Town of Lauderdale-By-The-Sea?	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>
1.7 Has a comprehensive understanding of the problems and issues existing in the Town of Lauderdale-By-The-Sea?	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>
1.8 Considers all available alternatives before making recommendations to the Commission?	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>



Town of Lauderdale-By-The-Sea Evaluation of the Town Manager

Evaluation Period: October 1, 2023 to September 30, 2024

1.9 Anticipates, plans, and prioritizes future needs and programs recognizing the potential problems confronting the Town?	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>
Average Score for Topic (will be calculated by Town Clerk)		
Weighted Score (=Average Score x 10)		

Factor 2: Fiscal Management (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
2.1 Develops and administers a process of budget preparation and review which meets the requirements of the Town Charter, and expectations of the Commission in its decision-making role?	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>
2.2 Controls operational and capital costs through adequate budgetary and financial controls and the judicious/economical utilization of manpower, material and equipment?	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>



Town of Lauderdale-By-The-Sea Evaluation of the Town Manager

Evaluation Period: October 1, 2023 to September 30, 2024

2.3 Provides the Commission with timely and sufficient reports on the financial status of the Town government in accordance with the Charter and requirements of the Commission?	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>
2.4 Applies for grants and administers grants received effectively?	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>
2.5 Recommends ways to save money or increase efficiency in delivery of Town Services?	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>
<i>Average Score for Topic (will be calculated by Town Clerk)</i>		
<i>Weighted Score (=Average Score x 10)</i>		

Factor 3: Personnel Management (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
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**Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager**

Evaluation Period: October 1, 2023 to September 30, 2024

3.1 Makes sound personnel selection decisions and policies?	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>
3.2 Motivates personnel through leadership and training so that they are effective in the performance of their duties, in achieving common goals and objectives.	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>
3.3 Nurtures an attitude of courtesy, helpfulness and sensitivity to the public among Town employees?	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>



**Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager**

Evaluation Period: October 1, 2023 to September 30, 2024

3.4 Takes disciplinary action when appropriate?	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>
3.5 Emphasizes exemplary performance?	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>
3.6 Treats all Town Personnel in a fair and equitable manner?	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>
<i>Average Score for Topic (will be calculated by Town Clerk)</i>		
<i>Weighted Score (=Average Score x 10)</i>		

Factor 4: Managing The Organization (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
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Town of Lauderdale-By-The-Sea Evaluation of the Town Manager

Evaluation Period: October 1, 2023 to September 30, 2024

4.1 Executes the policies adopted by the Commission in a timely and appropriate fashion?	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>
4.2 Plans and executes organizational priorities in a manner reflective of the Town's stated mission and goals, and is satisfactory to the Commission?	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>
4.3 Analyzes organizational problems or issues and identifies causes, reasons, implications, and solutions employing all available technologies, systems and methods?	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>



Town of Lauderdale-By-The-Sea Evaluation of the Town Manager

Evaluation Period: October 1, 2023 to September 30, 2024

4.4 Executes the short and long-term goals and objectives set forth in the Town's Mission Statement in a timely and effective manner?	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>
4.5 Communicates effectively, clearly, easily and to the point?	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>
4.6 Demonstrates sensitivity to the opinions and concerns of others in and outside the organization?	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>



Town of Lauderdale-By-The-Sea Evaluation of the Town Manager

Evaluation Period: October 1, 2023 to September 30, 2024

4.7 Emphasizes the importance of teamwork and leadership in his/her relationship with the organization, and provides a role model for personnel?	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>
4.8 Accepts new ideas and suggestions for change?	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>
4.9 Adapts to and deals effectively with unanticipated conditions and situations?	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>
<i>Average Score for Topic (will be calculated by Town Clerk)</i>		
<i>Weighted Score (=Average Score x 10)</i>		

Factor 5: Relations with the Public/Other Gov'ts (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
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***Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager***

Evaluation Period: October 1, 2023 to September 30, 2024

5.1 Handles disputes or complaints involving citizens in an effective, equitable, and timely manner?	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>
5.2 Makes him/herself available and visible to the citizens of the Town in an appropriate manner?	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>
5.3 Presents Commission policies and positions on issues to the citizens and Town organization accurately, equitable, and effectively?	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>



Town of Lauderdale-By-The-Sea Evaluation of the Town Manager

Evaluation Period: October 1, 2023 to September 30, 2024

5.4 Directs sufficient public credit to the Commission in its role as the governing body?	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>
5.5 Deals effectively with other government agencies at all levels in representing the Town of Lauderdale-By-The-Sea?	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>
Average Score for Topic (will be calculated by Town Clerk)		
Weighted Score (=Average Score x 10)		

Factor 6: Achievement of Stated Goals (50% of overall score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
6.1 Achievement of Stated Goals	Choose an item.	<i>N/A As a newly elected Commissioner who has not yet completed a full year in office, I have focused my time on understanding how the Town operates. At this stage, I do not feel fully prepared to provide a detailed evaluation of the Town Manager's performance. I believe it would be more appropriate to conduct an evaluation after observing the Town Manager's performance over a complete year.</i>



***Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager***

Evaluation Period: October 1, 2023 to September 30, 2024

<i>Average Score for Topic</i> (will be calculated by Town Clerk)		
<i>Weighted Score</i> (=Average Score x 50)		

List any other issues or achievements you feel should be noted:

Click here to enter text.



***Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager***

Evaluation Period: October 1, 2023 to September 30, 2024

The Summary will be completed by the Town Clerk and be returned to Commissioner for final review)

Summary

FACTOR 1:	Relations with Commission	<u>N/A</u>
FACTOR 2:	Fiscal Management	<u>N/A</u>
FACTOR 3:	Personnel Management	<u>N/A</u>
FACTOR 4:	Management of Organization	<u>N/A</u>
FACTOR 5:	Relations with the Public	<u>N/A</u>
FACTOR 6:	Goals Achievement	<u>N/A</u>
OVERALL WEIGHTED RATING:		<u>N/A</u>

Evaluator's Signature: _____

Date: 11/21/25



***Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager***

Evaluation Period: October 1, 2023 to September 30, 2024

***Evaluator Name: Theophilos
Poulopoulos
Title: Commissioner***

Definition of Performance Ratings

<u>1</u> – Far below expectations	<u>2</u> – Needs Improvement
<u>3</u> – Satisfactory	<u>4</u> – More than satisfactory
<u>5</u> – Exceeds	<u>N/A</u> – Not applicable or too soon to rate.

<i>Factor 1: Relations with Governing Body, Providing Information (10% of Evaluation Points)</i>	<i>RATINGS</i>	<i>SUPPORTIVE DETAIL OR COMMENT</i>
1.1 Keeps the Commission informed in an appropriate and timely manner about matters critical to the Commission’s policy making role?	4	
1.2 Provides information on an equal basis to all Commission members?	4	<i>This is a difficult question as commissioners are not allowed to speak to one another.</i>
1.3 Anticipates and follows up promptly on Commission requests for information or action without having to be reminded?	3	<i>It seemed there were some instances where new commissioners had issues with some follow up. My requests were addressed promptly</i>
1.4 Available to the Commission on official business either personally or through designated subordinates?	5	<i>Very accessible personally or via staff</i>
1.5 Reports departmental and staff activities to the Commission in an appropriate and timely manner?	4	
1.6 Advises the Commission of relevant legislation and developments in the area of public policy affecting the Town of Lauderdale-By-The-Sea?	4	



Town of Lauderdale-By-The-Sea Evaluation of the Town Manager

Evaluation Period: October 1, 2023 to September 30, 2024

1.7 Has a comprehensive understanding of the problems and issues existing in the Town of Lauderdale-By-The-Sea?	4	<i>This is a very broad question – Linda seems to have firm grasp on what's going on in town.</i>
1.8 Considers all available alternatives before making recommendations to the Commission?	3	
1.9 Anticipates, plans, and prioritizes future needs and programs recognizing the potential problems confronting the Town?	4	
Average Score for Topic (will be calculated by Town Clerk)		
Weighted Score (=Average Score x 10)		

Factor 2: Fiscal Management (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
2.1 Develops and administers a process of budget preparation and review which meets the requirements of the Town Charter, and expectations of the Commission in its decision-making role?	4	Click here to enter text.
2.2 Controls operational and capital costs through adequate budgetary and financial controls and the judicious/economical utilization of manpower, material and equipment?	4	Click here to enter text.
2.3 Provides the Commission with timely and sufficient reports on the financial status of the Town government in accordance with the Charter and requirements of the Commission?	5	Click here to enter text.
2.4 Applies for grants and administers grants received effectively?	5	Click here to enter text.
2.5 Recommends ways to save money or increase efficiency in delivery of Town Services?	5	<i>Budgeting seems to be one of Linda's strengths.</i>
Average Score for Topic (will be calculated by Town Clerk)		



Town of Lauderdale-By-The-Sea Evaluation of the Town Manager

Evaluation Period: October 1, 2023 to September 30, 2024

Weighted Score (=Average Score x 10)		
Factor 3: Personnel Management (10% of Overall Score)		
	RATINGS	SUPPORTIVE DETAIL OR COMMENT
3.1 Makes sound personnel selection decisions and policies?	5	<i>Very happy with the staff selections in LBTS</i>
3.2 Motivates personnel through leadership and training so that they are effective in the performance of their duties, in achieving common goals and objectives.	4	Click here to enter text.
3.3 Nurtures an attitude of courtesy, helpfulness and sensitivity to the public among Town employees?	4	Click here to enter text.
3.4 Takes disciplinary action when appropriate?	4	Click here to enter text.
3.5 Emphasizes exemplary performance?	4	Click here to enter text.
3.6 Treats all Town Personnel in a fair and equitable manner?	4	Click here to enter text.
<i>Average Score for Topic (will be calculated by Town Clerk)</i>		
Weighted Score (=Average Score x 10)		

Factor 4: Managing The Organization (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
4.1 Executes the policies adopted by the Commission in a timely and appropriate fashion?	3	Click here to enter text.
4.2 Plans and executes organizational priorities in a manner reflective of the Town's stated mission and goals, and is satisfactory to the Commission?	3	Click here to enter text.
4.3 Analyzes organizational problems or issues and identifies causes, reasons, implications, and solutions employing all available technologies, systems and methods?	4	Click here to enter text.
4.4 Executes the short and long-term goals and objectives set forth in the Town's Mission Statement in a timely and effective manner?	4	Click here to enter text.



Town of Lauderdale-By-The-Sea Evaluation of the Town Manager

Evaluation Period: October 1, 2023 to September 30, 2024

4.5 Communicates effectively, clearly, easily and to the point?	3	Click here to enter text.
4.6 Demonstrates sensitivity to the opinions and concerns of others in and outside the organization?	3	Click here to enter text.
4.7 Emphasizes the importance of teamwork and leadership in his/her relationship with the organization, and provides a role model for personnel?	4	Click here to enter text.
4.8 Accepts new ideas and suggestions for change?	2	<i>There are some issues and suggested remedies which I raised which were not seriously considered.</i>
4.9 Adapts to and deals effectively with unanticipated conditions and situations?	3	Click here to enter text.
<i>Average Score for Topic (will be calculated by Town Clerk)</i>		
<i>Weighted Score (=Average Score x 10)</i>		

<i>Factor 5: Relations with the Public/Other Gov'ts (10% of Overall Score)</i>	<i>RATINGS</i>	<i>SUPPORTIVE DETAIL OR COMMENT</i>
5.1 Handles disputes or complaints involving citizens in an effective, equitable, and timely manner?	3	Click here to enter text.
5.2 Makes him/herself available and visible to the citizens of the Town in an appropriate manner?	4	Click here to enter text.
5.3 Presents Commission policies and positions on issues to the citizens and Town organization accurately, equitable, and effectively?	5	<i>Linda focuses on conveying policies and issues to the public.</i>
5.4 Directs sufficient public credit to the Commission in its role as the governing body?	3	Click here to enter text.
5.5 Deals effectively with other government agencies at all levels in representing the Town of Lauderdale-By-The-Sea?	5	Click here to enter text.



**Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager**

Evaluation Period: October 1, 2023 to September 30, 2024

Average Score for Topic (will be calculated by Town Clerk)		
Weighted Score (=Average Score x 10)		

Factor 6: Achievement of Stated Goals (50% of overall score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
6.1 Achievement of Stated Goals	4	<i>I believe Linda has achieved positive results for many of her goals and those of the commission. My only suggestion is that Linda and the commission coordinate more closely for the future years when it comes to setting policy. The commission sets the policy and Linda executes it. I rely on Linda's insight since she takes the day-to-day pulse of the community.</i>
Average Score for Topic (will be calculated by Town Clerk)		
Weighted Score (=Average Score x 50)		

List any other issues or achievements you feel should be noted:

I thought the budget was handled well this year. Completing the downtown was handled very well. I would like to see a focus on public safety going forward.



***Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager***

Evaluation Period: October 1, 2023 to September 30, 2024



*Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager*

Evaluation Period: October 1, 2023 to September 30, 2024

The Summary will be completed by the Town Clerk and be returned to Commissioner for final review)

Summary

FACTOR 1:	Relations with Commission	<u>0.39</u>
FACTOR 2:	Fiscal Management	<u>0.46</u>
FACTOR 3:	Personnel Management	<u>0.42</u>
FACTOR 4:	Management of Organization	<u>0.32</u>
FACTOR 5:	Relations with the Public	<u>0.40</u>
FACTOR 6:	Goals Achievement	<u>2</u>
OVERALL WEIGHTED RATING:		<u>3.99</u>

Evaluator's Signature: Theophilos Pouloupoulos

Date 1/6/2025



**Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager**

Evaluation Period: October 1, 2023 to September 30, 2024

Evaluator Name: **Richard DeNapoli**
Title: **Commissioner**

Definition of Performance Ratings

<u>1</u> – Far below expectations	<u>2</u> – Needs Improvement
<u>3</u> – Satisfactory	<u>4</u> – More than satisfactory
<u>5</u> – Exceeds	<u>N/A</u> – Not applicable or too soon to rate.

Factor 1: Relations with Governing Body, Providing Information (10% of Evaluation Points)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
1.1 Keeps the Commission informed in an appropriate and timely manner about matters critical to the Commission's policy making role?	3	Click here to enter text.
1.2 Provides information on an equal basis to all Commission members?	5	Click here to enter text.
1.3 Anticipates and follows up promptly on Commission requests for information or action without having to be reminded?	2	<i>There are some circumstances where the Commission needs to inquire about items and the response is that there was not a mechanism to follow through. Commission should be informed if this is the case at the inception rather than having to re-inquire.</i>
1.4 Available to the Commission on official business either personally or through designated subordinates?	5	Click here to enter text.
1.5 Reports departmental and staff activities to the Commission in an appropriate and timely manner?	4	Click here to enter text.
1.6 Advises the Commission of relevant legislation and developments in the area of public policy affecting the Town of Lauderdale-By-The-Sea?	4	Click here to enter text.



Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager

Evaluation Period: October 1, 2023 to September 30, 2024

1.7 Has a comprehensive understanding of the problems and issues existing in the Town of Lauderdale-By-The-Sea?	5	Click here to enter text.
1.8 Considers all available alternatives before making recommendations to the Commission?	4	Click here to enter text.
1.9 Anticipates, plans, and prioritizes future needs and programs recognizing the potential problems confronting the Town?	3	Click here to enter text.
<i>Average Score for Topic (will be calculated by Town Clerk)</i>		
<i>Weighted Score (=Average Score x 10)</i>		

Factor 2: Fiscal Management (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
2.1 Develops and administers a process of budget preparation and review which meets the requirements of the Town Charter, and expectations of the Commission in its decision-making role?	4	Click here to enter text.
2.2 Controls operational and capital costs through adequate budgetary and financial controls and the judicious/economical utilization of manpower, material and equipment?	3	<i>I always believe that more efforts and focus can be made to better protect the Taxpayers' Dollars and remain vigilant about government efficiency.</i>
2.3 Provides the Commission with timely and sufficient reports on the financial status of the Town government in accordance with the Charter and requirements of the Commission?	4	Click here to enter text.
2.4 Applies for grants and administers grants received effectively?	4	Click here to enter text.
2.5 Recommends ways to save money or increase efficiency in delivery of Town Services?	3	<i>See comments on 2.2</i>
<i>Average Score for Topic (will be calculated by Town Clerk)</i>		



Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager

Evaluation Period: October 1, 2023 to September 30, 2024

Weighted Score (=Average Score x 10)		
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Factor 3: Personnel Management (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
3.1 Makes sound personnel selection decisions and policies?	4	Click here to enter text.
3.2 Motivates personnel through leadership and training so that they are effective in the performance of their duties, in achieving common goals and objectives.	3	Click here to enter text.
3.3 Nurtures an attitude of courtesy, helpfulness and sensitivity to the public among Town employees?	4	Click here to enter text.
3.4 Takes disciplinary action when appropriate?	3	Click here to enter text.
3.5 Emphasizes exemplary performance?	4	Click here to enter text.
3.6 Treats all Town Personnel in a fair and equitable manner?	5	Click here to enter text.
<i>Average Score for Topic (will be calculated by Town Clerk)</i>		
Weighted Score (=Average Score x 10)		

Factor 4: Managing The Organization (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
4.1 Executes the policies adopted by the Commission in a timely and appropriate fashion?	3	Click here to enter text.
4.2 Plans and executes organizational priorities in a manner reflective of the Town's stated mission and goals, and is satisfactory to the Commission?	3	Click here to enter text.
4.3 Analyzes organizational problems or issues and identifies causes, reasons, implications, and solutions employing all available technologies, systems and methods?	4	Click here to enter text.
4.4 Executes the short and long-term goals and objectives set forth in the Town's Mission Statement in a timely and effective manner?	4	Click here to enter text.



Town of Lauderdale-By-The-Sea Evaluation of the Town Manager

Evaluation Period: October 1, 2023 to September 30, 2024

4.5 Communicates effectively, clearly, easily and to the point?	3	<i>In most matters, communication is to the point, but in some circumstances this is not the case.</i>
4.6 Demonstrates sensitivity to the opinions and concerns of others in and outside the organization?	4	Click here to enter text.
4.7 Emphasizes the importance of teamwork and leadership in his/her relationship with the organization, and provides a role model for personnel?	4	Click here to enter text.
4.8 Accepts new ideas and suggestions for change?	3	Click here to enter text.
4.9 Adapts to and deals effectively with unanticipated conditions and situations?	4	Click here to enter text.
<i>Average Score for Topic (will be calculated by Town Clerk)</i>		
<i>Weighted Score (=Average Score x 10)</i>		

Factor 5: Relations with the Public/Other Gov'ts (10% of Overall Score)	RATINGS	SUPPORTIVE DETAIL OR COMMENT
5.1 Handles disputes or complaints involving citizens in an effective, equitable, and timely manner?	3	Click here to enter text.
5.2 Makes him/herself available and visible to the citizens of the Town in an appropriate manner?	5	Click here to enter text.
5.3 Presents Commission policies and positions on issues to the citizens and Town organization accurately, equitable, and effectively?	4	Click here to enter text.
5.4 Directs sufficient public credit to the Commission in its role as the governing body?	3	Click here to enter text.
5.5 Deals effectively with other government agencies at all levels in representing the Town of Lauderdale-By-The-Sea?	4	Click here to enter text.



***Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager***

Evaluation Period: October 1, 2023 to September 30, 2024

<i>Average Score for Topic (will be calculated by Town Clerk)</i>		
<i>Weighted Score (=Average Score x 10)</i>		

<i>Factor 6: Achievement of Stated Goals (50% of overall score)</i>	<i>RATINGS</i>	<i>SUPPORTIVE DETAIL OR COMMENT</i>
6.1 Achievement of Stated Goals	3	Click here to enter text.
<i>Average Score for Topic (will be calculated by Town Clerk)</i>		
<i>Weighted Score (=Average Score x 50)</i>		

List any other issues or achievements you feel should be noted:

Click here to enter text.



***Town of Lauderdale-By-The-Sea
Evaluation of the Town Manager***

Evaluation Period: October 1, 2023 to September 30, 2024

The Summary will be completed by the Town Clerk and be returned to Commissioner for final review)

Summary

FACTOR 1:	Relations with Commission	<u>0.39</u>
FACTOR 2:	Fiscal Management	<u>0.36</u>
FACTOR 3:	Personnel Management	<u>0.38</u>
FACTOR 4:	Management of Organization	<u>0.36</u>
FACTOR 5:	Relations with the Public	<u>0.38</u>
FACTOR 6:	Goals Achievement	<u>1.5</u>

OVERALL WEIGHTED RATING: 3.37

Evaluator's Signature:

Richard DeNapoli
Richard DeNapoli, Commissioner

Date:

1 / 24 / 25



Town Commission Agenda Item Report

Meeting Date: January 28, 2025

Submitted By: Leroy Chasmer, Public Works Supervisor

Submitting Department: Administration

Item Type: Resolution

Agenda Section: NEW BUSINESS

Subject Title: Resolution 2025-09: A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING A REVOCABLE LICENSE AGREEMENT WITH HAMILTON'S VALET SERVICES, INC FOR THE USE OF THE TOWN PARKING FACILITIES LOCATED AT 4312 S. OCEAN DRIVE; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Explanation: Hamilton Valet Services provides valet parking services for Aruba Beach Cafe. They recently lost their lease on 25 parking spaces and are looking for options to replace these lost spaces. At the May 8, 2024 Commission meeting, Town staff presented an agenda item that would have leased 20 parking spaces in the South Ocean lot to Hamilton Valet Monday - Thursday. The Commission agreed to consider the request and approved staff to move forward with a contract. However, Hamilton decided against moving forward and staff stopped working on the request.

Last month, Hamilton requested a meeting with Town staff to discuss parking options. At that meeting, staff again suggested the South Ocean lot and also talked about additional options for using the Town hall parking lot. Hamilton asked staff to move forward with whatever options we would be able to provide.

Staff has drafted an agreement for Hamilton to utilize twenty parking spaces at the South Ocean lot as previously discussed. The spaces would be reserved for their use at the cost of \$21 per day/per space or at the daily parking rate, whichever is more. After further consideration, the parking spaces at Town Hall have too many fluctuating uses to be able to rent regularly. However, the Visitor Center includes 9 parking spaces that would be available after 5 PM Monday - Friday; afternoon on Saturday, and all day Sunday. Staff is asking for the Commission to consider making these spaces available for their valet service. If included, the cost of the space would be reduced based on the hours available. Staff would also request the ability to reduce the parking spaces if necessary.

Recommendation: Approve Resolution 2025-09 Authorizing the Town Manager to enter into an agreement with Hamilton Valet for the use of certain town parking spaces. If the Visitor

Center parking spaces are included, the agreement will be amended accordingly.

Exhibits:

1. Resolution 2025-09 - Approving Revocable License Agreement With Hamilton Services
2. Revocable License Agreement With Hamilton Parking Services

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A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING A REVOCABLE LICENSE AGREEMENT WITH HAMILTON VALET SERVICES, INC. FOR THE USE OF THE TOWN PARKING FACILITIES LOCATED AT 4312 S. OCEAN DRIVE; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lauderdale-By-The-Sea (the “Town”) owns the certain property located at 4312 S. Ocean Drive, Lauderdale-By-The-Sea, Florida, (the “Parking Area”); and

WHEREAS, Hamilton Valet Services, Inc. (the “Licensee”) has requested permission from the Town to utilize a portion of the Parking Area for valet parking services for Aruba Beach Café (the “Services”); and

WHEREAS, the Town desires to grant Licensee a revocable license agreement to use twenty (20) parking spots for the Services under the terms and conditions set in the agreement (the “License Agreement”); and

WHEREAS, the Town Commission desires to approve the License Agreement, in substantially the form attached hereto as Exhibit “A,” and authorize the Town Manager to enter into the License Agreement with the Licensee; and

WHEREAS, the Town Commission deems it to be in the best interest of the Town and its residents to approve this Resolution.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE
TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA:**

Section 1. Recitals. The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and incorporated herein by this reference.

Section 2. Approval. The Town Commission hereby approves the License Agreement with the Licensee in substantially the form attached hereto as Exhibit "A" for use of the Parking Area.

Section 3. Authorization. The Town Manager is hereby authorized to execute the License Agreement with the Licensee, in substantially the form attached hereto as Exhibit “A,” along with any amendments and renewals thereof, together with such non-substantial changes as are deemed necessary by the Town Manager and approved as to form and legal sufficiency by the Town Attorney.

Section 4. Implementation. The appropriate Town officials are authorized to execute all necessary documents and to take any necessary action to effectuate the intent of this Resolution.

Section 5. Effective Date. This Resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED this 28th day of January 2025.

Mayor Edmund Malkoon

Attest:

Katrina Adler, Town Clerk

(CORPORATE SEAL)

APPROVED AS TO FORM:

Susan L. Trevarthen, Town Attorney

TOWN OF LAUDERDALE BY-THE-SEA
REVOCABLE LICENCE AND PARKING AGREEMENT

THIS REVOCABLE LICENSE AND PARKING AGREEMENT (this “Agreement”) is accepted, made and entered into as of the ____ day of _____, 2025, by and between **TOWN OF LAUDERDALE-BY-THE-SEA**, a Florida municipal corporation, (the “Town”), and **HAMILTON’S VALET SERVICES, INC** (the “Licensee”), a Florida Corporation.

RECITALS

WHEREAS, the Town of Lauderdale-By-The-Sea (the “Town”) owns the certain property located at 4312 S. Ocean Drive, Lauderdale-By-The-Sea, Florida, (the “Parking Area”, as depicted in Exhibit “1”); and

WHEREAS, the Licensee has requested permission from the Town to utilize a portion of the Parking Area for valet parking services for Aruba Beach Café (the “Services”); and

WHEREAS, the Town desires to grant Licensee a revocable license agreement to use twenty (20) parking spots for the Services under the terms and conditions set forth herein (the “Agreement”); and

WHEREAS, in consideration of receipt of this Agreement, the Licensee agrees to be bound by the limiting conditions contained herein.

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

1. Recitals. The foregoing Recitals are true and correct and are made a part of this Agreement by this reference.

2. Use of Parking Area. The Licensee shall use and occupy twenty (20) parking spaces for parking of vehicles (“Use”) in the Parking Area (depicted in **Exhibit A**). The Parking Area shall be used from Monday through Thursday, 5:00 p.m. to 2:00 a.m. The Parking Area shall not be used by the Licensee for any other purpose whatsoever, without written consent of the Town, including but not limited to storing and/or placing equipment and/or supplies in the Parking Area. The Licensee shall not load and/or unload equipment and supplies in the Parking Area. Further, the Licensee covenants that the Licensee will not, without written consent of the Town, permit the Parking Area to be used or occupied by any person, firm, entity or corporation other than the Licensee and the Licensee’s agents. The Licensee further covenants that no nuisance or hazardous trade or occupation shall be permitted or carried on, in or upon the Parking Area, and no act shall be permitted and nothing shall be kept in or about the Parking Area which will increase the risk of any hazard, fire or catastrophe, and no waste shall be permitted or committed upon or any damage done to the Parking Area. The Licensee shall not permit the Parking Area to be used

or occupied in any manner which will violate any laws or regulations of any governmental authority.

3. Fees. Licensee shall pay the Town a daily fee of twenty-one dollars (\$21.00) per parking space or the Town's then-current daily parking rate, whichever is greater (the "License Fee"), in consideration for the use of the Parking Area. Payments shall be made on a monthly basis, with the total amount due for the preceding month payable on or before the first day of each month.

4. Term. This Revocable License shall expire twelve (12) months from the effective date of this Agreement. The Agreement will automatically renew unless prior written notice of termination is provided to the Town Manager or designee at least thirty (30) days before the expiration date this Agreement. Renewal shall be at the discretion of the Town Manager or designee and shall not be unreasonably withheld.

5. Costs. The Licensee agrees to pay reasonable investigative costs, court costs and reasonable attorneys' fees resulting from any action taken by the Town to obtain compliance with the conditions of this Agreement.

6. Indemnification. The Licensee agrees to indemnify, defend, save and hold harmless the Town, its officials, employees, and agents, from and against any loss, damage or expense (including all costs and reasonable attorneys' fees at both the trial and appellate levels) suffered by the Town, its officials, employees and agents as a result of any claims, suits, actions, damages or causes of action (collectively, the "Claims") arising out of any personal injury, loss of life or property damage occurring on the Parking Area, any increase in costs to the Town related to the Parking Area, the use and activity thereon, or arising out of this Agreement or the Licensee's performance or failure to perform under this Agreement, including, but not limited to any damage to the Parking Area caused by the Licensee, its employees, contractors, agents and invitees. Furthermore, the parties understand and agree that the covenants and representations relating to this indemnification provision shall survive the term of this Agreement and continue in full force and effect as to the Licensee's responsibility to indemnify.

7. Release. The Town shall have no liability to the Licensee, successors or assignees or their employees, contractors, agents, and invitees in connection with the Parking Area, this Agreement and the subject matter hereof, including, without limitation, any Claims in connection with, related to, or arising from the Town's maintenance and/or repair of the Parking Area including, but not limited to, any Claims for damage to Parking Area, or the Town's emergency access to the Parking Area. The Licensee hereby releases the Town, its officials, employees and agents with respect to the foregoing.

8. Applicable Law and Venue. This Agreement shall be construed in accordance with and governed by the laws of the State of Florida. Venue for litigation concerning this Agreement shall be in Broward County, Florida.

9. Termination. This Agreement is only a right to use and grants no estate or ownership rights in Parking Area. This Agreement may be cancelled by the Town at any time during the term hereof at its sole discretion. This Agreement may be terminated by the Licensee by ceasing Use

of the Parking Area, returning the Parking Area to its original condition (excluding normal wear and tear) and notifying the Town of the Licensee's intention to cease Use of the Parking Area. Upon confirmation of the foregoing, the Town shall provide the Licensee with a release of this Agreement for the Licensee to record at Licensee's expense.

10. Insurance.

A. Licensee shall provide a Certificate of Liability written in comprehensive form naming the Town as additional insured in the amount of:

- \$1,000,000 per occurrence and \$2,000,000 general aggregate for bodily injury; and
- \$1,000,000 per occurrence and \$2,000,000 general aggregate for property damage with thirty (30) days written notice for cancellation

B. No required policy shall have a deductible or self-insurance retention greater than \$15,000

C. All policies must be issued by companies authorized to do business in the State of Florida and rated A- or better per Best's Key Rating Guide, latest edition. The certification of insurance will provide for the Town to receive 30 days' written notice prior to any cancellation, non-renewal or material change in the coverage provided, unless the insurance company refuses to provide such notice, as evidenced by affidavit of the policy holder or written documentation from the insurance company. In any event, the Contractor will be held responsible for providing the Town notice of any change in insurance coverage. The Town shall be named as an additional insured on all required insurance policies, and an endorsement reflecting this requirement will be issued as part of any required policies. Failure to comply with these requirements will justify a denial, suspension or revocation of the requested approval by the Town Manager or designee.

11. Public Records. Licensee agrees to comply with Florida Statutes Chapter 119, to the extent applicable under the terms of this Agreement.

Section 119.0701(2)(a), Florida Statutes

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT townclerk@lauderdalebytheseafl.gov, OR BY MAIL: Town Clerk, Town of Lauderdale-By-The-Sea, 4501 Ocean Drive, Lauderdale-By-The Sea, Florida 33308.

12. Ethics.

A. Licensee warrants and represents that its employees shall abide by the Code of Ethics for Public Officers and Employees, Chapter 112, Florida Statutes.

B. No officer or employee of the Town, during his or her term of employment or for one year thereafter, shall have any interest, direct or indirect, in this contract or the proceeds thereof. Any subcontractors hired by the firm must also adhere to this policy and it must be included in their contracts as well.

C. No vendor shall give, solicit for, deliver or provide a campaign contribution directly or indirectly to a candidate, or to the campaign committee of a candidate, for the offices of Mayor or Commissioner.

D. Licensee covenants to promptly comply with all applicable federal, state, county, and municipal laws, ordinances, regulations, and rules relating to the Services to be performed hereunder and in effect at the time of performance. Licensee covenants that it will conduct no activity or provide any service that is unlawful or offensive.

13. Amendments. No modification, amendment or alteration of the terms or conditions contained herein shall be effective unless contained in a written document executed by the Town Manager and Licensee, with the same formality and of equal dignity herewith.

14. Severance. In the event this Agreement is found by a court of competent jurisdiction to be invalid, the remaining provisions shall continue to be effective unless Town or the Licensee elect to terminate this Agreement.

15. Priority of Provisions. If there is a conflict or inconsistency between any term, statement, requirement, or provision of any Exhibit attached hereto, any document or events referred to herein or any document incorporated into this Agreement by reference or a term, statement, requirement or provision of this Agreement, the term, statement, requirement or provision contained in this Agreement shall prevail and be given effect.

16. Prior Agreements. This document incorporates and includes all prior negotiations, correspondence, conversations, agreements and understandings applicable to the matters contained herein and the parties agree that there are no commitments, agreements or understandings concerning the subject matter of this Agreement that are not contained in this document. Accordingly, the parties agree that no deviation from the terms hereof shall be predicated upon any prior representations or agreements, whether oral or written. It is further agreed that no modification, amendment or alteration in the terms or conditions contained herein shall be effective unless contained in a written document utilizing the same formalities as this Agreement.

17. Compliance With Laws. The Licensee shall comply with all federal, state and local laws, codes, ordinances, rules and regulations in performing its duties, responsibilities, and obligations related to this Agreement.

18. Surrender Upon Termination. Upon termination in accordance with paragraph 9 above, the Licensee shall peaceably surrender and deliver the Parking Area to the Town, or its agents. The Licensee further agrees that it will leave the Parking Area in the condition existing at the commencement of this Agreement, with any normal wear and tear excepted.

19. Waiver. Failure of the Town to insist upon strict performance of any covenant or condition of this Agreement, or to exercise any right herein contained, shall not be construed as a waiver or relinquishment for the future of any such covenant, condition or right; but the same shall remain in full force and effect. None of the conditions, covenants or provisions of this Agreement shall be waived or modified except by the parties hereto in writing.

20. Recordation/Modification. This Agreement shall be recorded by the Town Clerk in the Public Records of Broward County, at the Licensee's expense. Upon recordation, this Agreement shall remain in full force and effect and be binding upon the undersigned and the heirs, successors and assigns of the undersigned, until such time as the same is modified or terminated in writing by the Town Manager or designee.

21. Notices. Any notice or demand, which under the terms of this Agreement or by any statute or ordinance, is given or made by a party hereto, shall be in writing and shall be given by certified U.S. mail sent to the other party at the address set forth below, or to such other address as such party may from time to time designate by notice.

Notice to the Town shall be addressed to:

Town of Lauderdale-By-The-Sea
Linda Connors, Town Manager
4501 North Ocean Drive
Lauderdale-By-The-Sea, FL 33308

Notice to the Licensee shall be addressed to:

Hamilton's Valet Services, Inc
3032 East Commercial Boulevard, Suite 29
Fort Lauderdale, FL 33308

22. Noncoercive Conduct Affidavit. Pursuant to Section 787.06, Florida Statutes, a nongovernmental entity executing, renewing, or extending a contract with a governmental entity is required to provide an affidavit, signed by an officer or a representative of the nongovernmental entity under penalty of perjury, attesting that the nongovernmental entity does not use coercion for labor or services as defined in Section 787.06(2)(a), Florida Statutes. By entering into this Agreement, the Contractor acknowledges that it has read Section 787.06, Florida Statutes, and will comply with the requirements therein, and has executed the required affidavit attached hereto and incorporated herein.

23. Representation of Authority. Each party represents and warrants to the other that each individual executing this Agreement on its behalf is duly authorized by all necessary and appropriate action to do so and does so with full legal authority.

[THIS SPACE INTENTIONALLY LEFT BLANK]

THE LICENSEE:

HAMILTON'S VALET SERVICES , INC

By: _____

Print Name: _____

STATE OF FLORIDA)

COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me this _____ day of _____, 2021,
by _____ (Licensee), who is (check one) [☐] personally known to me or [☐] has produced
_____ as identification by means of physical presence or [☐] online
notarization.

Notary Public, State of Florida

My commission expires:

Print or Type Name of Notary Public

TOWN:

TOWN OF LAUDERDALE-BY-THE- SEA, a Florida municipal corporation

By: _____

Linda Connors, Town Manager

STATE OF FLORIDA)

COUNTY OF BROWARD)

The foregoing instrument was acknowledged before me this _____ day of _____, 2021,
by Linda Connors, as Town Manager of Lauderdale-By-The-Sea Florida municipal corporation,
on behalf of the corporation, who is (check one) [☐] personally known to me or [☐] has produced
_____ as identification by means of physical presence or [☐] online
notarization.

Notary Public, State of Florida

My commission expires: _____

Print or Type Name of Notary Public

ATTEST:

Katrina Adler

Town Clerk

APPROVED AS TO FORM:

Weiss Serota Helfman Cole & Bierman, P.L.

Town Attorney

Exhibit 1
Parking Area
4312 South Ocean Drive





Town Commission Agenda Item Report

Meeting Date: January 28, 2025

Submitted By: Linda Connors, Town Manager

Submitting Department: Administration

Item Type: Presentations

Agenda Section: NEW BUSINESS

Subject Title: Charter Review

Explanation: The Charter Review Board, which the Commission appointed on April 9, 2024, will hold their first meeting at Jarvis Hall on February 4th at 6:00 p.m. As discussed at a September Commission meeting in greater detail, over several months, the Board will review the Town's Charter and determine if there are any recommended amendments. If there are, they will be presented to the Commission for consideration. If approved by the Commission, the public will vote on the recommended changes at a regular municipal election. The approved amendments will be incorporated into the current charter.

Because the voters agreed to change the date of the municipal election to November, the recommended time for the Commission to act on the recommendations of the Charter Review Board is no later than July 1, 2026. For questions that do not affect Section 7.1, it is also possible to schedule a special election at an earlier time, as explained in the prior agenda item.

Traditionally, the Town provides a list of topics for the Charter Review Board to consider. At this time, staff is suggesting the following Charter items to review:

1. Article V Town Officers and Employees, Section 5.5 Town Manager Powers and Duties - amend deadline for audit because auditing practices have changed and more time is necessary to complete the auditing process.
2. Review Article VII Planning and Zoning - The 2012 Charter Review Board considered a more straightforward version of this Charter section. The Commission did not move its recommendation forward for the voters' consideration. Staff suggests reviewing the proposed version again.

The Charter is included as an attachment, revised to include the language approved by the voters changing the date of the municipal election to November. Also attached are the minutes and agenda item from September 2024, where we brought you a more detailed description of the process.

Recommendation: Staff recommends the Commission approve the Administration's request for the Charter Review Board to consider amending Charter Sections V and VII as outlined above, and provide additional sections or issues to present to the Board, if any.

Exhibits:

1. Lauderdale-By-The Sea - PART_I___CHARTER (2024 revised version)
2. 9-18-24 Regular Commission Draft Minutes highlighted
3. Sept 2024 Charter Review Board Agenda Item

PART I CHARTER¹

ARTICLE I. TRANSITION FROM ABOLISHED TOWN

Sec. 1.1. Abolishing existing municipality.

That the existing municipal government of the Town of Lauderdale-By-The-Sea, in the County of Broward and State of Florida, be and the same is hereby abolished. All of the provisions of Chapter 14184, Laws of Florida of 1929, Chapter 24658, Laws of Florida of 1947, and all other laws pertaining to the creation of the Town of Lauderdale-By-The-Sea be and the same are hereby repealed.

Sec. 1.2. Title to property reserved.

That the title, rights and ownership of all property, both real and personal, uncollected taxes, dues, claims, judgments, decrees, chooses in action and all property and property rights held or owned by the municipalities named "Town of Lauderdale-By-The-Sea," abolished by this act, shall pass to and be vested in the municipal corporation organized under this Charter to succeed the municipality abolished.

Sec. 1.3. Obligations unimpaired.

That no obligations or contracts of the said municipality hereby abolished, including bonds heretofore issued or any proceeding heretofore begun for any improvement, or for borrowing of money, or issuing of bonds, shall be impaired or avoided by this Charter, but such debts, obligations, contracts and bonds shall pass to and be binding upon the new municipality hereby created and organized, and all such proceedings heretofore begun for the construction of any improvements or for the borrowing of money or issuing of bonds may be continued and completed and binding upon the said new municipality; and likewise all debts of and claims against the abolished municipality shall be valid against the new municipality created.

Sec. 1.4. Officers held over.

All officers and employees heretofore elected or appointed and holding office under the said municipality hereby abolished, shall continue to hold their respective offices and discharge the respective duties thereof under the new municipality hereby created until their successors are elected and qualified under the provisions of this Charter.

¹Editor's note(s)—The Charter for the Town set out herein was approved by the voters at the Nov. 7, 2006 biennial election. The former Town Charter derived from the Session Laws of 1951, Ch. 27675, as amended.

Sec. 1.5. Ordinances not impaired.

All existing ordinances and resolutions of said abolished municipality, including the printed Code of Ordinances of the Town of Lauderdale-By-The-Sea, as amended, not in conflict with the provisions of this Charter, shall continue in effect unless repealed, amended, or modified by the municipality which is hereby organized or created.

Sec. 1.6. Establishment of new municipality; streets, highways, public grounds.

The inhabitants of the Town of Lauderdale-By-The-Sea, as its boundaries are hereinafter established and designated, or as may hereinafter be established and designated shall continue to be a body politic and corporate, to be known and designated as "Town of Lauderdale-By-The-Sea," and as such shall have a perpetual succession, may use a common seal, may contract and be contracted with, and may sue and be sued in all the courts of this state and in all matters whatsoever. That all lands heretofore dedicated for the use of the public for streets, highways, parks or public grounds, and all authorized changes or amendments thereto approved by the Board of County Commissioners of Broward County, Florida, whether by plat, act, or otherwise, are hereby vested in the Town of Lauderdale-By-The-Sea, and the control and jurisdiction thereof shall hereafter be vested in the Town Commission of the Town of Lauderdale-By-The-Sea.

Sec. 1.7. Plat approved.

The recorded plats of the subdivision of Lauderdale-By-The-Sea, as recorded in plat book 6, page 2, and the plat of Lauderdale Surf and Yacht Estates as recorded in plat book 22, page 46 of the public records of Broward County, Florida, are hereby approved.

ARTICLE II. CORPORATE POWERS

Sec. 2.1. Legal title.

This Charter is the Charter of the Town of Lauderdale-By-The-Sea, a municipal corporation of the State of Florida.

Sec. 2.2. Boundaries.

The following shall be the territory, the inhabitants of which are hereby established and organized into a municipal corporation, and over which such municipal corporation shall exercise its jurisdiction and powers, as may be amended from time to time in accordance with State law, to wit:

Beginning at the intersection of the south boundary line of Section 7, Township 49 South, Range 43 East with the centerline of the Intracoastal Waterway (Florida East Coast Canal), the Point of Beginning; thence in a northerly direction along the centerline of the Intracoastal Waterway to the intersection of said centerline with a line located twenty-five (25) feet south of and parallel to the north line of Section 7, Township 49 South, Range 43 East; thence in an easterly direction along a line located twenty-five (25) feet south of and parallel to the north line of said Section 7 to the intersection of said line with the east right-of-way line of the Intracoastal Waterway; thence in a northerly direction along the east right-of-way line of the Intracoastal Waterway to the intersection of said east right-of way line with the southwest corner of Lot 1, Block 16 of Terra Mar Island Estates, Second Addition, as recorded in Plat Book 31, Page 20 of the Public Records of Broward County, Florida; thence in an easterly direction along the south line of said Lot 1, Block 16 to the southeast corner of said Lot 1, Block 16; thence in a northerly direction along the east line of said Lot 1, Block

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Modified 1.24.25 to revise Section 6.1(4), approved by voters Nov. 2024

(Supp. No. 47)

16 to the intersection of said east line with the westerly extension of the south line of Block 12 of said Terra Mar Island Estates, Second Addition; thence in an easterly direction along the westerly extension of the south line of said Block 12, along the south line of said Block 12 and along an easterly extension of said south line to the intersection of said extended line with the west line of Lot 1, Block 15 of said Terra Mar Island Estates, Second Addition; thence in a southerly direction along the west line of Lot 1, Block 15 and along the west line of Lot 10, Block 11 of Terra Mar Island Estates, First Addition as recorded in Plat Book 31, Page 10 of the Public Records of Broward County, Florida to the southwest corner of said Lot 10, Block 11; thence in an easterly direction along the south line of said Lot 10, Block 11 and along an easterly extension of said south line to the intersection of said extended line with the centerline of Spanish River; thence in a southerly direction along the centerline of the Spanish River to a point thirteen hundred and fifty (1,350) feet south of the north line of the Southeast One-Quarter (SE $\frac{1}{4}$) of said Section 6, Township 49 South, Range 43 East; thence in a southerly direction for two hundred (200) feet to a point on a line located fifteen hundred and fifty (1,550) feet south of and parallel to the north line of the Southeast One-Quarter (SE $\frac{1}{4}$) of said Section 6, said point being eleven hundred, twenty-seven and forty-three-hundredths (1,127.43) feet east of the east right-of-way line of the Intracoastal Waterway; thence in an easterly direction along the line located fifteen hundred and fifty (1,550) feet south of and parallel to said north line of the Southeast One-Quarter (SE $\frac{1}{4}$) of said Section 6 to the intersection of said line with the east right-of-way line of State Road A-1-A; thence in a northerly direction along the east right-of-way line of State Road A-1-A to the intersection of said east right-of-way line with a line located eight hundred and fifty (850) feet south of and parallel to the north line of the Southeast One-Quarter (SE $\frac{1}{4}$) of said Section 6; thence in an easterly direction along said parallel line and an easterly extension of said line, through Government Lot 2, Section 5, Township 49 South, Range 43 East to the intersection of said extended line with the Ordinary Low Watermark of the Atlantic Ocean; thence, continue in an easterly direction along said parallel line a distance of 3 miles (15,840 Ft) to the intersection of said extended line with the eastern boundary of the State of Florida; thence in an southerly direction along said eastern boundary of the State of Florida to the intersection with a line located three hundred and eighty (380) feet north of and parallel to the south line of the Northeast One-Quarter (NE $\frac{1}{4}$) of the Southeast One Quarter (SE $\frac{1}{4}$) of Section 7, Township 49 South, Range 43 East; thence in a westerly direction along said parallel line to the intersection of said line with the west right-of-way line of State Road A-1-A; thence in a northerly direction along the west right-of-way line of State Road A-1-A to the intersection of said west right-of-way line with the north line of the Southeast One-Quarter (SE $\frac{1}{4}$) of Section 7, Township 49 South, Range 43 East; thence in a westerly direction along the north line of the Southeast One-Quarter (SE $\frac{1}{4}$) and the Southwest One-Quarter (SW $\frac{1}{4}$) of Section 7, Township 49 South, Range 43 East to the intersection of said north line with the east right-of-way line of the Intracoastal Waterway; thence in a southerly direction along the east right-of-way line of the Intracoastal Waterway to the intersection of said east right-of-way line with the south line of Section 7, Township 49 South, Range 43 East; thence in an easterly direction along the south line of Section 7, Township 49 South, Range 43 East to the intersection of said south line with the west line of the right-of-way of State Road A-1-A; thence in a northerly direction along the west line of the right-of-way of SR A-1-A to the intersection of said west line with a line located one hundred eighty (180) feet north of and parallel to the south line of the North One-Half (N $\frac{1}{2}$) of the Southeast One-Quarter (SE $\frac{1}{4}$) of Section 7, Township 49 South, Range 43 East; thence in an easterly direction along a line located one hundred eighty (180) feet north of and parallel to the south line of the North One-Half (N $\frac{1}{2}$) of the Southeast One-Quarter (SE $\frac{1}{4}$) of Section 7, Township 49 South, Range 43 East to the intersection of said parallel line with the Ordinary Low Watermark of the Atlantic Ocean; thence continue in an easterly direction along said line located one hundred eighty (180) feet north of and parallel to the south line of the North One-Half (N $\frac{1}{2}$) of the Southeast One Quarter (SE $\frac{1}{4}$) of Section 7, Township 49 South, Range 43 East for a distance of 3 miles (15,840 ft) to the intersection of said parallel line with the eastern boundary of the State of Florida; thence in a southerly direction along the said eastern boundary of the State of Florida to the intersection with the extension of south boundary line of Section 18, Township 49 South, Range 43 East; thence in a westerly direction along the extension of the south boundary line of Section 18, Township 49 South, Range 43 East to the intersection of said south boundary line with the centerline of the right-of-way of the Intracoastal

Waterway; thence in a northerly direction along the centerline of the right-of-way of the Intracoastal Waterway to the intersection of said centerline with the north boundary line of Section 18, Township 49 South, Range 43 East, the Point of Beginning.

Sec. 2.3. Definitions.

As used in this Charter, the following words shall have the following meanings:

- (1) The words "abolished municipality" shall mean the municipality formerly existing under the provisions of Chapter 14184, Laws of Florida of 1929, and Chapter 24658, Laws of Florida of 1947.
- (2) The words "new municipality" shall mean the municipality established and created by this act, as may be amended from time to time.
- (3) The masculine pronoun shall designate and include the feminine, and the neuter, where the meaning so permits.
- (4) The word "person" used herein in the masculine gender, shall mean a male or female person, or legal corporate entity.
- (5) The word "municipality" herein shall refer to the municipality of the Town of Lauderdale-By-The-Sea, unless otherwise indicated.
- (6) The words "Town Commission" shall refer to the Town Commission of the Town of Lauderdale-By-The-Sea, Florida.

Sec. 2.4. Seal.

The official seal of the Town of Lauderdale-By-The-Sea hereby established shall bear the legend "Town of Lauderdale-By-The-Sea, Broward County, Florida, Seal, 1947."

Sec. 2.5. Jurisdiction.

The jurisdiction and powers of the Town of Lauderdale-By-The-Sea shall extend over all streets, alleys, sewers, parks, and all lands within said area, whether platted or unplatted, and the air above same; and to and over all waters, waterways, streams, bays, bayous, submerged lands, water bottoms and wharves; and to and over all persons, firms, and corporations, property and property rights, occupations, businesses and professions whatsoever within said boundaries.

The title to and jurisdiction over all streets, thoroughfares, parks, alleys, public lots, sewers, within the Town, and all other property and municipal plants of the Town now owned, possessed or operated by it, and all property of every kind and character which the Town may hereafter acquire within or outside the Town, or which may vest in it, or be dedicated to it, for its use or for the public use, shall be vested in the Town of Lauderdale-By-The-Sea, as created under this Charter.

Sec. 2.6. General powers.

The Town of Lauderdale-By-The-Sea is hereby created, established and organized, and shall have full power and authority to exercise all of the powers of local self-government and to do whatever may be deemed necessary or proper for the safety, health, convenience or general welfare of the inhabitants of said Town; to exercise full police powers; to do and perform all acts and things permitted by the laws of the State of Florida, and comprehend as duties in the performance of anything recognized as a "municipal purpose," whether now existing and recognized, or hereafter recognized as a municipal purpose by statute law or court decision. The enumeration of particular powers by this Charter shall not be held or deemed to be exclusive, but in addition to the powers

enumerated herein, implied thereby, or appropriate to the exercise thereof, the Town of Lauderdale-By-The-Sea shall have and may exercise all other powers under the Constitution and Laws of Florida.

In addition, the Town has the authority to codify its ordinances into a Code of Ordinances of the Town of Lauderdale-By-The-Sea, and by a single ordinance to adopt such "Code of Ordinances of the Town of Lauderdale-By-The-Sea" as a complete revision of all existing and applicable ordinances on the date of such adoption; to adopt a decimal system similar to that used in Florida Statutes of 1941, and to amend such Code, once adopted, by reference to any section or sections. The "Code of Ordinances of the Town of Lauderdale-By-The-Sea" of 1940, as amended from time to time, except as modified by this Charter, is declared to be the existing Codified Ordinances of the Town of Lauderdale-By-The-Sea; and such Code of Ordinances may be amended from time to time by reference to any section or sections, and as many sections as desired may be amended by one (1) ordinance. Such "Code of Ordinances of the Town of Lauderdale-By-The-Sea," as amended from time to time, may be revised and codified or recodified, and such revised Code may be adopted by a single ordinance, and upon such revision shall be in full force and effect. The Town Attorney of the Town of Lauderdale-By-The-Sea shall have power and authority to codify any duly adopted ordinance of the Town of Lauderdale-By-The-Sea and assign proper section numbers and headings to various parts of such ordinances, and thereafter such section shall be cited in referring to such ordinances.

Sec. 2.7. Review of charter provisions.

As often as the Town Commission may deem necessary, but in any event, not less frequently than every twelve (12) years, the terms and provisions of this Charter shall be reviewed.

ARTICLE III. ADMINISTRATION AND LEGISLATION

Sec. 3.1. Commission-manager form of government.

The form of government of the Town of Lauderdale-By-The-Sea, provided for under this Charter, shall be known as the "commission-manager" form of government.

Sec. 3.2. Creation of Town Commission.

There is hereby created a Town Commission consisting of five (5) Commissioners, each of whom shall be elected at-large in the manner provided in this Charter. The Mayor-Commissioner and each Town Commissioner shall take and hold office for the term(s) provided in this Town Charter.

Sec. 3.3. Qualifications of members.

Only qualified electors who have resided in the Town of Lauderdale-By-The-Sea for at least six (6) months immediately prior to qualifying for office and who shall have attained the age of eighteen (18) years of age on or before the date the candidate files and qualifies in accordance with this Charter as a candidate for office, shall be eligible to hold the office of Commissioner.

Each Commissioner and candidate for Commissioner shall be elected from the election district in which he or she is domiciled for at least six (6) months immediately prior to qualifying for such office by the greatest number of votes of all registered electors residing within the Town. Once elected, a Commissioner from an election district shall remain a domiciliary of the election district during his or her term of office. Any Commissioner who shall cease to possess the qualifications required herein shall forthwith forfeit his or her office, except a Commissioner holding office will not have his/her term cut short by the establishment of or subsequent change of district boundary lines.

Sec. 3.4. Standards of conduct; code of ethics.

In addition to the ethical standards of conduct established by general law for elected officials, appointed officials, and employees, the Town Commission may, by ordinance, establish ethical conduct standards for elected officials, appointed officials, and employees of the Town.

Sec. 3.5. Legislative powers.

The legislative powers of the Town shall be vested in and exercised by the Town Commission, consistent with the provisions of the Constitution of the United States of America, the Constitution and statutes of the State of Florida, this Charter, and the laws and ordinances of the Town of Lauderdale-By-The-Sea. Except as otherwise provided in Article IV or elsewhere in this Charter, or by the Constitution or statutes of the State of Florida, the Town Commission may by ordinance or resolution prescribe the manner in which any powers of the said Town shall be exercised.

Sec. 3.6. Non-interference in Town Administration.

The Town Commission or its members shall not give orders to any Town officer or employees who are subject to the direction and supervision of the Town Manager, either publicly or privately. Nothing in the foregoing is to be construed to prohibit individual members of the Town Commission from examining by question and personal observation all aspects of Town government operations so as to obtain independent information to assist the members in the formulation of policies to be considered by the Commission and assure the implementation of such policies as have been adopted. It is the express intent of this provision, however, that such inquiry shall not interfere directly with the regular municipal operations of the Town and that recommendations for change or improvements in Town government operations be made to and through the Town Manager.

ARTICLE IV. INITIATIVE AND REFERENDUM

Sec. 4.1. Power to initiate and reconsider ordinances.

- (1) *Initiated ordinances.* The registered voters of the Town shall have power to propose ordinances to the Commission and, if the Commission fails to adopt an ordinance so proposed without any change in substance, to adopt or reject it by a referendum vote at a Town election.
- (2) *Repeal and amendment of adopted ordinances.* The registered voters of the Town shall have power to require reconsideration by the Commission of any adopted ordinance and, if the Commission fails to repeal or amend as proposed in the initiative petition an ordinance so reconsidered, to amend or repeal it by a referendum vote at a Town election.

Sec. 4.2. Commencement of initiative.

- (1) *Filing with Town Clerk.* A minimum of ten registered electors (voters) of the Town may commence initiative, repeal or amendment proceedings by filing with the Town Clerk an affidavit stating that they will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form, stating their names and addresses, specifying the address to which all notices to the petitioners' committee are to be sent, and setting out in full the proposed initiated ordinance or citing the ordinance sought to be reconsidered. Promptly after the affidavit of a petitioners' committee is filed, the Town Clerk may, at the committee's request and at their expense, issue the appropriate petition blanks to the petitioners' committee.

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- (2) *Review by the Town Attorney.* Prior to circulation, a petition and the proposed ordinance, if any, shall be reviewed as to legal form by the Town Attorney. The Town Attorney's review of a petition package shall not extend to review of the substance of a proposed ordinance, or an ordinance proposed for repeal or amendment, but shall be strictly limited to a review as to legal form. No later than fourteen (14) calendar days from filing date of a petition with the Town Clerk, the Town Attorney shall, by hand delivery or registered mail, inform the petitioners' committee and Town Clerk either that the petition and ordinance, if any, are in proper legal form or, if not, then specifically what measures are required to render them in proper form. Upon request by the petitioners' committee, the Town Attorney will assist the committee to render documents in proper legal form for consideration by the Town Commission, but will not offer legal counsel or opinions to the petitioners' committee or its representative. Failure by the Town Attorney to inform the petitioners' committee and Town Clerk of his or her determination as to form within fourteen (14) calendar days after the petitioner files a petition and proposed ordinance, or petition for reconsideration of an ordinance, with the Town Clerk shall be deemed a determination that the document(s) is/are in proper legal form.

Sec. 4.3. Execution of petitions; requirements.

- (1) *Number of signatures.* Initiative and referendum petitions must be signed by registered voters of the Town equal in number to at least ten (10) percent of the total number of those registered to vote in the Town at the last general municipal election.
- (2) *Form and content.* All papers of a petition shall be assembled as one instrument of filing. Each signature shall be executed in ink and shall be followed by the printed name and address of the person signing. Petitions shall contain or have attached thereto throughout their circulation the full text of the ordinance proposed or required to be reconsidered.
- (3) *Affidavit of circulator.* Each paper of a petition shall have attached to it when filed an affidavit by the circulator thereof stating that he or she personally circulated the paper, the number of signatures thereon, that all the signatures were affixed in his or her presence, that he or she believes them to be the genuine signatures of the persons whose names they purport to be and that each signer had an opportunity before signing to read the full text of the ordinance proposed or required to be reconsidered.
- (4) *Filing deadline.* All initiative and referendum petitions must be filed with 60 days of the date on which proceedings with respect to such initiatives are commenced.

Sec. 4.4. Filing procedure.

- (1) *Certificate of Clerk; amendment.* Within 20 days after an initiative petition is filed or within five days after a petition for repeal or amendment of an ordinance is filed, the Clerk shall complete a certificate as to its sufficiency (the "Certificate"). Grounds for insufficiency are only those specified in Sec. 4.3 of this Article. If insufficient, the Certificate shall specify the particulars of the deficiency. A copy of the Certificate shall be promptly sent to the petitioners' committee by hand delivery or registered mail. A petition certified insufficient for lack of the required number of valid signatures may be amended once if the petitioners' committee files a notice of intention to amend it with the Clerk within two business days after receiving the copy of the Certificate and files a supplementary petition upon additional papers within fourteen (14) calendar days after receiving the copy of the Certificate. Such supplementary petition shall comply with the requirements of Sec. 4.3 of this Article. Within five business days after a supplementary petition is filed, the Clerk shall complete a Certificate as to the sufficiency of the petition, as amended, and shall promptly send a copy of such Certificate to the petitioners' committee by registered mail or hand delivery as in the case of an original petition. If a petition or amended petition is certified sufficient, or if a petition or amended petition is certified insufficient and the petitioners' committee does not elect to amend or request Commission review under subsection (2) of this Section 4.4 within the time required, the Clerk shall promptly present the

Certificate to the Commission and such Certificate shall then be a final determination as to the sufficiency of the petition.

- (2) *Commission review as to sufficiency.* If a petition has been certified insufficient and the petitioners' committee does not file notice of intention to amend it or if an amended petition has been certified insufficient, the committee may, within two business days after receiving the copy of such Certificate, file a request that it be reviewed by the Commission. The Commission shall then review the Certificate at its next meeting following the filing of such request and approve or disapprove it, and the Commission's determination shall then be a final determination as to the sufficiency of the petition.

Sec. 4.5. Action on petitions.

- (1) *Action by Town Commission.* When an initiative petition or a petition for the repeal or amendment of an existing ordinance has been finally determined to be sufficient, the Town Commission shall promptly consider or reconsider the ordinance. Whether or not the Commission approves at first reading an initiated ordinance, or the repeal or amendment, as proposed, of a referred ordinance, the Commission shall proceed to a second reading at its next scheduled meeting, and shall otherwise comply with all requirements under Sec. 166.041 F. S. for public notice and public hearings prior to the adoption of an ordinance. If the Commission fails to adopt a proposed initiative ordinance without any change in substance within forty-five (45) calendar days, or fails to repeal or amend a referred ordinance in accordance with the initiative petition within thirty (30) calendar days, it shall submit the proposed or referred ordinance to the registered voters of the Town by referendum vote at an election. The referendum vote by registered Town voters shall constitute an "additional requirement for the enactment of ordinances" as specified in paragraph (6) of Section 166.041 F.S., in lieu of and as a greater, increased requirement than the affirmative majority vote of the governing body referred to in paragraph (4) of Sec. 166.041 F. S. If the Commission fails to act on a proposed initiative ordinance or a referred ordinance within the time period specified in this paragraph, the Commission shall be deemed to have failed to adopt the proposed initiative ordinance or failed to repeal or amend the referred ordinance on the last day that the Commission was authorized to act on such matter. In that event, the Commission shall nevertheless comply with the public notice and public hearing requirements of Sec. 166.04 F.S. relative to the ordinance in question.
- (2) *Submission to voters.* The vote of the Town on a proposed referred ordinance shall be held not less than ninety (90) days nor more than one hundred twenty (120) days from the date of Commission acted or was deemed to have acted pursuant to paragraph (1) of this section. If no regular election is to be held within the period described in this paragraph, the Commission shall provide for a special election, except that the Commission may, in its discretion provide for a special election at an earlier date within the described period. Copies of the proposed or referred ordinance shall be made available at the polls.
- (3) *Withdrawal of petitions.* An initiative or referendum petition may be withdrawn at any time prior to the fifteenth (15th) day preceding the day scheduled for a vote of the Town by filing with the Town Clerk a request for withdrawal signed by at least eight-tenths of the members of the petitioners' committee. Upon the filing of such request, the petition shall have no further force or effect and all proceedings thereon shall be terminated.

Sec. 4.6. Results of election.

- (1) *Initiative.* If a majority of the registered voters voting on a proposed initiative ordinance vote in its favor, it shall be considered adopted upon certification of the election results. If conflicting ordinances are approved at the same election, the one receiving the greater or greatest number of affirmative votes shall prevail to the extent of such conflict.

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- (2) *Repeal and amendment of referred ordinances.* If a majority of the registered voters voting on a referred ordinance vote for repeal or for amendment, it shall be considered repealed or amended, as appropriate, upon certification of the election results.

Sec. 4.7. Ordinances affecting initiated ordinances; procedure for adoption.

An ordinance passed as a result of a vote of the registered voters of the Town, whether prior or subsequent to the effective date of this Article, may be repealed or amended only by a similar vote of the registered voters of the Town. The Town Commission may, by resolution, submit to the registered voters of the Town at any regular or special election for a referendum vote, a proposed ordinance to repeal or amend any such ordinance. Notice of the Town Commission's intention to submit such a proposed ordinance to the registered voters shall be published by the Town Commission no less than ninety (90) days nor more than one hundred twenty (120) days prior to such election, in the manner required for the publication of initiated ordinances. If an amendment is so proposed, such notice shall contain the proposed amendment in full. The Town Commission's submittal of such an ordinance shall be in the same manner, and the vote shall have the same effect as in cases of ordinances submitted to a vote of the registered voters of the Town by popular petition.

ARTICLE V. TOWN OFFICERS AND EMPLOYEES

Sec. 5.1. Vesting of administrative and executive powers.

The executive and administrative powers of the Town, not herein otherwise provided for, shall be vested in and exercised by the following officers:

- (1) Mayor-Commissioner;
- (2) Town Manager;
- (3) Town Attorney;

The Town Manager and Town Attorney shall be appointed by the Town Commission. The Town Commission may by ordinance create, change and abolish offices, department or agencies other than the offices, departments or agencies established by this Charter.

Sec. 5.2. Functions and duties of Mayor-Commissioner.

The Mayor-Commissioner or, in his/her absence or disqualification, the Vice Mayor or Mayor Pro Tem shall perform the following functions:

- (1) The Mayor-Commissioner shall preside at all meetings of the Town Commission and perform all duties consistent with his/her office, and shall have a voice and vote in the proceedings of the Town Commission, but no veto power. The Mayor-Commissioner shall vote last upon the roll call of Commissioners.
- (2) The Mayor-Commissioner shall use the title of Mayor in any case in which the execution of legal instruments, writings, or other papers so require; but this shall not be considered as conferring upon the Mayor-Commissioner any of the administrative or judicial functions of a Mayor under the general laws of the state, except as herein provided.
- (3) The Mayor-Commissioner shall be recognized as the official head of the Town by the courts for the purposes of serving civil processes; by the government in the exercise of military law; and by the public in general for all ceremonial purposes.

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- (4) The Mayor-Commissioner may govern the Town by proclamation, under the direction of the Town Commission, during times of grave public danger or emergency, and the Town Commission shall be judge of what constitutes such public danger or emergency.
 - (5) The Mayor-Commissioner shall exercise all the powers and duties of the Mayor-Commissioner as provided in the Charter, as well as all those powers and duties that may be conferred upon the Mayor-Commissioner by the Town Commission in pursuance of the provisions of this Charter.

Sec. 5.3. Town Manager—Appointment, qualifications and compensation.

The Town Commission shall appoint a Town Manager who shall be the administrative head of the municipal government under the direction and supervision of the Town Commission. The Town Manager shall hold office at the pleasure of the Town Commission. The Town Manager shall receive such compensation as determined by the Town Commission through the adoption of an appropriate resolution. The Town Manager shall be appointed by resolution approving an employment contract between the Town and the Town Manager. The Town Manager shall be appointed solely on the basis of education and experience in the accepted competencies and practices of local public management including, a graduate degree with a concentration in public administration, public affairs, public policy, or public finance and two (2) years' experience as an appointed city manager or county manager, or four (4) years' experience as an assistant or deputy city manager or assistant or deputy county manager. Alternatively, the Town Manager shall be appointed on the basis of education and experience in the accepted competencies and practices of local public management that is determined by the Town Commission to be commensurate to those listed in the prior sentence.

(Ord. No. 2013-13, § 2, 10-22-2013)

Sec. 5.4. Town Manager—Absence or disability; removal.

During the absence or disability of the Town Manager, the Town Commission may by resolution designate some properly qualified person to temporarily execute the functions of the Town Manager. The person thus designated shall have the same powers and duties as the Town Manager, and shall be known while so serving as "Acting Town Manager." The Town Manager or Acting Town Manager may be removed by the Town Commission at any time.

Sec. 5.5. Town Manager—Powers and duties.

The Town Manager shall be responsible to the Town Commission for the proper administration of all affairs of the Town coming under the Town Manager's jurisdiction, and the Town Manager's powers are and they shall be:

- (1) To see that the laws and ordinances of the Town are enforced.
- (2) To appoint or remove all subordinate officers and employees.
- (3) To exercise, control and direct supervision over all departments and divisions of the municipal government under the classified service, except where otherwise provided.
- (4) To see that all terms and conditions imposed in favor of the Town or its inhabitants in any public utility franchise are faithfully kept and performed; and upon knowledge of any violation thereof, to call the same to the attention of the Town Attorney, whose duty it is hereby made to take such legal steps as may be necessary to enforce the same.
- (5) To attend all meetings of the Town Commission, with right to take part in the discussions, but without having a vote.

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- (6) To recommend to the Town Commission for adoption such measures as the Town Manager may deem necessary or expedient in the interest of the Town.
 - (7) To keep the Town Commission fully advised as to the financial conditions and needs of the Town and at the proper time to submit to the Town Commission for its consideration an annual budget.
 - (8) To advise and consult with all officers and official heads of the several departments of the Town relative to the affairs of such department, and to make recommendations to the Town Commission respecting such departments as the Town Manager may see fit.
 - (9) To perform such other duties as may be prescribed under this Charter, or may be required of the Town Manager by motion, direction, ordinance or resolution of the Town Commission.
 - (10) To prepare and submit to the Town Commission an annual financial audit of its accounts and records, completed no later than six (6) months after the end of its fiscal year by an independent certified public accountant retained by the Town Commission and paid from its public funds.
 - (11) To sign all checks, warrants, bonds and agreements issued by the Town of Lauderdale-By-The-Sea.
 - (12) To assist the Town Commission to develop long-term goals for the Town and strategies to implement these goals.
 - (13) To encourage and provide staff support for regional and intergovernmental cooperation.
 - (14) To promote partnerships among the Town Commission, staff, and citizens in developing public policy and building a sense of community.

ARTICLE VI. ELECTIONS

Sec. 6.1. Mayor-Commissioner and Commissioners; term of office; election; transition.

- (1) Beginning with the regular election to be held on the second Tuesday in the month of March, 2008, and every two (2) years thereafter, a Mayor-Commissioner shall be elected for a term of two (2) years until his successor is elected and qualifies.
- (2) Commencing with the regular election of the Town held in March, 2006, and continuing with successive elections at intervals of four years, candidates may qualify for the offices of Town Commissioner Seat 1 and Town Commissioner Seat 2, each elected at large. Town Commission Seat 1 and Town Commission Seat 2 shall replace the two Commission seats vacated by the expiration of the term of the two Commissioners in March, 2006. The candidate for Seat 1 shall reside in the north district of the Town. The candidate for Seat 2 shall reside in the south district of the Town. The candidates receiving the most votes for each seat shall be elected, and shall serve a term of four (4) years.
- (3) Commencing with the regular election of the Town held in March, 2008, and continuing with successive elections at intervals of four years, candidates may qualify for the offices of Town Commission Seat 3 and Town Commissioner Seat 4. Town Commission Seat 3 and Town Commission Seat 4 shall replace the two Commission seats vacated by the expiration of the term of two Commissioners in March of 2008. The candidate for Seat 3 shall reside in the north district of the Town. The candidate for Seat 4 shall reside in the south district of the Town. The candidates receiving the most votes for each seat shall be elected, and shall serve a term of four years.
- (4) All elections for the position of Town Commissioner or Mayor-Commissioner shall be held on the same date as the November general election date the second Tuesday of March of each even-numbered year, or as provided for by law. The terms of office of the Mayor who was elected in 2024 and of the

Seat 1 and Seat 2 Town Commissioners who were elected in the municipal general election of March 2022 shall expire when their successors are sworn in after the general election in November of 2026. The terms of office of the Seat 3 and Seat 4 Town Commissioners who were elected in the municipal general election of March 2024 shall expire when their successors are sworn in after the general election in November of 2028.

- (5) The geographic boundary for the northern and southern districts shall be designated, prepared and identified no later than the first of September, 2004, and again in 2012 through a contract entered into by the Town with an accredited four (4) year college or university located within the state of Florida for the purpose of identifying and designating the northern and southern election districts within the Town. The Town Commission district boundaries shall be of equal population, compact, proportional, and logically related to the natural internal boundaries of the neighborhoods within the Town. The principal of nondiscrimination and one person/one vote shall be adhered to strictly.
- (6) In the event no candidate qualifies for election for any designated Town Commission seat within the first ten (10) calendar days of the qualifying period, then any qualified person who resides anywhere in the Town may qualify for such seat. Thereafter, if no person qualifies for such seat, a vacancy shall be declared and filled in accordance with this Charter.
- (7) The Town Commission shall adopt by Ordinance the creation and establishment of the boundaries of the initial northern and southern Town Commission seat districts no later than January 1, 2005. The Ordinance shall provide for the implementation of said election districts to be effective for the elections to be held in the Town commencing in March, 2006.

Sec. 6.2. Vice Mayor and acting Mayor Pro-Tem.

No later than the second regularly scheduled Town Commission meeting to occur following each regular election, one (1) member of the Town Commission may be designated, by resolution, as Vice Mayor to preside in the absence of the Mayor-Commissioner. In the event that the designated Mayor-Commissioner and the Vice Mayor are absent at any meeting of the Town Commission, any member of the Town Commission may be designated by the Town Commission to act as Mayor Pro-Tern for such meeting.

(Ord. No. 2013-13, § 2, 10-22-2013)

Sec. 6.3. Qualifications of members of Town Commission.

- (1) To be eligible to hold the office of Mayor-Commissioner or Commissioner of the Town of Lauderdale-By-The-Sea, or to qualify for candidacy for Mayor-Commissioner or Commissioner, the individual shall be a bona fide resident and citizen of the Town of Lauderdale-By-The-Sea, shall have resided in the said town for the six (6) months immediately preceding the date of election, shall be a registered voter pursuant to Florida law, and shall be otherwise qualified as provided for in the Charter.
- (2) No person may be a candidate for Commissioner, nor may be appointed to fill a vacancy as a Commissioner, if that person has served during both of the two preceding consecutive Commission terms for that seat as a Commissioner, or a Mayor-Commissioner or both, without a two year break in service.
- (3) No person may be a candidate for Mayor-Commissioner, nor may be appointed to fill a vacancy as the Mayor-Commissioner, if that person has served during each of the three preceding consecutive Mayor-Commissioner terms as a Mayor-Commissioner.
- (4) Service of one year or less of a term by a person who had not previously served as either a Commissioner or Mayor-Commissioner shall not be considered for purposes of term limits.
- (5) Service for purposes of term limits shall be determined as of the time the person would take office.

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- (6) No person may be a candidate for Mayor-Commissioner or Town Commissioner, nor may be appointed to fill a vacancy as the Mayor-Commissioner or Town Commissioner, if that person has consecutively served fourteen (14) years in any combination of offices without a two year break in service.

Sec. 6.4. Qualifications of candidates; notice of candidacy; payment of fee.

Any individual who possesses the qualifications as provided in this Charter, may be a candidate for the office of Mayor-Commissioner or Commissioner by filing a verified notice of candidacy for Town Commission with the Town Clerk. Such notice shall be in the following form:

NOTICE OF CANDIDACY FOR
TOWN COMMISSIONER OR MAYOR-COMMISSIONER

I, _____ (Name of Candidate) _____, residing at _____ (Residence Address of Candidate) _____, Lauderdale-By-The-Sea, Broward County, Florida, do hereby give notice of my candidacy for the office of Town Commissioner/Mayor-Commissioner of the Town of Lauderdale-By-The-Sea, Florida, in the forthcoming election to be held in said Town on _____ (Date of Primary) _____. I do further state that I am a citizen of the United States of America, and a resident of the Town of Lauderdale-By-The-Sea; that I have resided in the Town of Lauderdale-By-The-Sea for the six (6) months immediately preceding the date of the election to be held; and that I have fully satisfied all conditions precedent to such candidacy, pursuant to the provisions of the laws of the State of Florida and the Town Charter.

(Candidate's Signature)

STATE OF FLORIDA

COUNTY OF BROWARD

Before me, the undersigned authority, this day personally appeared _____ (Name of Candidate) _____ who, upon being duly sworn, deposed and said: that he/she is the candidate referred to in the foregoing Notice; that he/she is familiar with the contents of said Notice, and that the facts and matters therein stated are true; and that he/she did sign said Notice for the purpose therein specified.

(Candidate)

Sworn to and subscribed before me, this the _____ day of _____, 20____.

Notary Public, State of Florida

My commission expires: _____

The individual who files the notice as prescribed, and who pays the qualifying fee as prescribed, if otherwise found to be qualified, shall be entitled to have his/her name printed upon the official ballot at such town election.

Sec. 6.5. Vacancies.

The office of a Commissioner, or the office of the Mayor-Commissioner, shall become vacant upon the person's death, resignation, removal from office in any manner authorized by law, or forfeiture of the office, such forfeiture to be declared by the remaining members of the Town Commission.

Sec. 6.6. Forfeiture of office.

A Commission member, or the Mayor-Commissioner, is subject to penalties including forfeiture of office if the person:

- (1) Lacks, at any time during a term of office, any qualification for the office prescribed by this Charter or general law;
- (2) Violates any standard of conduct or code of ethics established by law for public officials;
- (3) Is convicted of a felony while in office;
- (4) Fails to attend four (4) consecutive regular meetings of the Town Commission without being excused by the Town Commission by formal action entered upon the minutes; or
- (5) Becomes incapable of performing the duties of the office for a period of more than three (3) months.

In all circumstances arising under this section, the Town Commission shall be the judge of its own membership.

(Ord. No. 2013-13, § 2, 10-22-2013)

Sec. 6.7. Forfeiture hearing and process.

A member of the Town Commission charged with conduct constituting grounds for forfeiture of his office shall be entitled to a public hearing on demand, and notice of such hearing shall be published in one or more newspapers of general circulation in the Town at least thirty days before the scheduled hearing. The Town Commission shall be the sole judge of the qualifications of its members and shall hear all questions relating to forfeiture of a Commissioner's or Mayor-Commissioner's office, including whether or not good cause for absence has been, or may be, established. The Commissioner in question shall have the burden of establishing good cause for absence; provided, however, that any Commissioner may at any time during any duly held meeting move to establish good cause for his or her absence or the absence of any other Commissioner, from any past, present, or future meeting(s), which motion, if carried, shall be conclusive. A Commissioner whose qualifications are in question, or who is otherwise subject to forfeiture of his/her office, shall not vote on any such matters. Any final determination by the Town Commission that a Commissioner or the Mayor-Commissioner has forfeited his or her office shall be made by resolution approved by a unanimous vote of the remaining members of the Town Commission. All votes and other acts of the Commissioner in question prior to the effective date of such resolution shall be valid regardless of the grounds of forfeiture.

Sec. 6.8. Filling of vacancies.

A vacancy on the Town Commission, including the office of Mayor-Commissioner, shall be filled in the following manner:

- (1) If there are less than one hundred eighty (180) days remaining in the unexpired term, or if there are less than one hundred eighty (180) days before the next federal, state, county or Town election, the remaining Commissioners, including the Mayor-Commissioner, shall, by majority vote, appoint a successor within thirty (30) days of the occurrence of the vacancy from among all qualified applicants. The person or persons so appointed must possess all of the required qualifications to be a member of the Town Commission. The Commissioner or Mayor-Commissioner appointed by the Town Commission to fill the vacancy as specified herein shall serve only until the next federal, state, county, or Town election. Further, the Commissioner or Mayor-Commissioner elected at such election shall serve only the unexpired term of the Commissioner or Mayor-Commissioner whose position became vacant.

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- (2) If there are more than one hundred eighty (180) days remaining on an unexpired term, or if there are more than one hundred eighty (180) days before the next federal, state, county, or Town election, the Town Commission shall schedule a special election to be held no sooner than ninety (90) days nor more than one hundred twenty (120) days following the occurrence of the vacancy. The Commissioner or Mayor-Commissioner elected to fill the vacancy at any special election shall serve only the unexpired term of the Commissioner of Mayor-Commissioner whose position became vacant.
 - (3) In the event of the death, resignation, or removal of the Mayor-Commissioner, the Vice Mayor shall forthwith commence to serve as interim Mayor-Commissioner until the position of Mayor-Commissioner is filled by election or appointment. When the Vice Mayor becomes interim Mayor-Commissioner, the Town Commission, by majority vote shall appoint one of the remaining Commissioners to become interim Vice Mayor. The Commissioner serving as Mayor-Commissioner, or the Vice Mayor, shall serve as Commission-Mayor, or Vice Mayor, until the newly elected or appointed Commissioner-Mayor, or Vice Mayor, is sworn into office. The interim Mayor-Commissioner, and interim Vice Mayor shall then return to the positions of Vice Mayor and Commissioner which he/she previously held to serve the remainder of his or her unexpired term.
 - (4) In the event of the death, resignation, or removal of the Vice Mayor, the Town Commission shall, by majority vote, elect one of the Commissioners to serve as Vice Mayor.

Sec. 6.9. Extraordinary vacancies.

In the event that all members of the Town Commission are removed by death, disability, or forfeiture of office, the Governor of the State of Florida shall appoint an interim Town Commission that shall call a special election as provided above to fill the vacancies.

Sec. 6.10. Vacancy in candidacy for Mayor-Commissioner or Commissioner.

- (a) *Withdrawal.* A candidate for Mayor-Commissioner or Commissioner may withdraw at any time prior to the election by filing a sworn, executed statement of withdrawal with the Town Clerk.
- (b) *Effect of death, withdrawal or removal where candidate remains on the ballot.*
 - (1) *No supplemental qualifying period.* If the death, withdrawal or removal from the ballot of a qualified candidate or candidates for office following the end of the qualifying period leaves less than two candidates for that office, the remaining candidate shall be declared elected and no election shall be held for that office.
 - (2) *Changes in ballot.* The name of any qualified candidate who has withdrawn, died or been removed from the ballot shall not be printed on the ballot. If the ballot cannot be changed, any votes for that candidate shall be null and void.
- (c) *Effect of death, withdrawal or removal where no candidate remains on the ballot.* Should a vacancy in candidacy leave no candidate remaining for an office after the conclusion of the qualifying period, the resulting vacancy shall be handled as provided in Section 6.8 of the Charter.

(Ord. No. 2013-13, § 2, 10-22-2013)

ARTICLE VII. PLANNING AND ZONING

Sec. 7.1. Maximum height for buildings established; referendum vote required for increases in zoned residential-district height limits.

- (1) No building within the jurisdictional boundaries of the Town, as they existed on March 20, 2006, shall have more than four (4) stories above grade, and the maximum height of buildings within the Town that have four (4) stories above grade shall be forty-four (44) feet above grade, as defined in the Florida Building Code, or above a horizontal plane eighteen inches above the crown of the roadway at the highest point adjoining the property on which the building is located, whichever of those two levels is higher. The maximum height for all other buildings within the Town shall be thirty-three (33) feet
- (a) Above grade, as defined in the Florida Building Code, or
 - (b) Above a horizontal plane eighteen inches above the crown of the roadway at the highest point adjoining the property on which the building is located, or
 - (c) Above the minimum elevation for a habitable, finished floor permitted under applicable federal or Florida state regulations,

Whichever of those three levels is highest. Height shall be measured from the applicable base level specified above to the highest point on a flat roof, or to the median elevation between the peak of a sloped roof and the lowest edge of the sloped roof. In accordance with the Florida Building Code, bulkheads and penthouses used solely to enclose stairways, tanks, elevator machinery or shafts or ventilation or air conditioning apparatus shall not be included in determining building height; all other roofs structures, including parapet walls, shall not exceed four feet in height above the maximum allowed building height.

- (2) In any building within the Town that has more than three (3) stories above grade, the first story shall be at grade level and shall be used for parking, either with or without toll collection booths. The first story may also be used for storage, refuse, security, registration, maintenance, and/or access, either with or without a lobby, provided that at least one-half ($\frac{1}{2}$) of the square footage of the first story is used for parking. Only within districts of the Town zoned for business ("B") use, the first story of buildings having more than three (3) stories above grade may also be devoted to non-residential commercial uses, provided that dedicated parking required by Town ordinance or code for the proposed buildings is provided off-street at a location on or adjacent to the property on which the buildings are situate, and designed so as to enable the parked vehicles to egress the parking space without having to back out into traffic. In any building within the Town that has more than three (3) stories above grade, the first story shall be restricted to the above enumerated uses, and may be used for no other purpose whatsoever. For the purposes of this provision of the Charter, a story is at grade level if its floor is at or below grade and its ceiling is above grade; a story that is at grade level is also above grade. Nothing in this paragraph shall be construed so as to prohibit any building within the Town that has more than three (3) stories above grade from also having one (1) or more subterranean stories below grade, provided, however, that in any building within the Town that has more than three (3) stories above grade, all subterranean stories shall be subject to the same restrictions on use as are established in this paragraph for the first story.
- (3) Buildings which exceed thirty three (33) feet above grade, and which exceed thirty three (33) feet above the horizontal plane eighteen inches above the crown of the roadway at the highest point adjoining the property on which the building is located, but which are nevertheless allowed under subparagraph (1)(c) of this Section, and which do not include a non-habitable first floor with ample parking as required by Town ordinance or code, in accordance with the number and type of units in those buildings, must have dedicated off-street parking at a location on or adjacent to the property on which the buildings are situate. Parking for buildings in this category must be designed so as to enable the parked vehicles to egress the parking space without having to back out into traffic.

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- (4) All existing buildings within the Town that were legally in compliance with existing height and use restrictions on March 20, 2006, or were grandfathered on that date, but that either exceed the maximum building height limit established in paragraph (1), above, of this section of the Charter, or that fail to comply, where applicable, with the restrictions on use established in paragraph (2), above, of this section of the Charter, (hereinafter referred to as "Non-conforming Buildings") shall be considered legal, but non-conforming.
- (5) Notwithstanding the maximum building height limit established in paragraph (1), above, of this section of the Charter, an existing non-conforming building may be replaced by a new nonconforming building when, and only when:
- (a) The existing non-conforming building has:
 - (i) Been destroyed by fire, natural disaster, or other act of God; and
 - (ii) The property owner has submitted and received Town approval of a site plan depicting the replacement building; and
 - (iii) Construction of the replacement building is commenced within twelve (12) months of the date of destruction; or
 - (b) The existing non-conforming building is:
 - (i) Demolished as part of a Town approved redevelopment of the property; and
 - (ii) Prior to demolition, the property owner has submitted and received Town approval of a site plan depicting the replacement building; and
 - (iii) Construction of the replacement building is commenced within six (6) months of the date of site plan approval.
 - (c) The Town Commission may grant one (1) or more six (6) month extensions to the time periods for commencement of construction established in paragraphs (5)(a)(iii) and (5)(b)(iii), above, provided a written request for extension is filed with the Town Clerk prior to (in the case of a first request for extension) the expiration of the initial applicable time period for commencement of construction or prior to (in the case of a subsequent request for extension) the expiration of the most recent extension of the applicable time period for commencement of construction.
 - (d) All new non-conforming buildings constructed pursuant to the provisions of either paragraph (5)(a) or (5)(b), above, shall comply, where applicable, with the restrictions on use established in paragraph (2), above, and the provisions for parking availability established in paragraph (3), above, of this section of the Charter.
 - (e) The maximum allowable height of any new non-conforming building constructed pursuant to the provisions of either paragraph (5)(a) or (5)(b), above, shall not exceed the original height of the non-conforming building which it replaces, plus any additional height which (because of the requirements of state or federal law, or because of the restrictions on use established in paragraph (2), above, of this section of the charter) may be necessary to obtain the same number of habitable stories as was contained in the original non-conforming building. Nothing in this section of the Charter shall be construed to prevent a new non-conforming building from being constructed to a lesser height or from containing fewer habitable stories than that of the original non-conforming building which it replaces. For the purposes of this provision of the Charter, the term "habitable story" means any story or part thereof that is used as a home or place of abode, either permanent or temporary, by one (1) or more persons.
 - (f) The maximum allowable square footage of any new nonconforming building constructed pursuant to the provisions of either paragraph (5)(a) or (5)(b), above, shall not exceed the original square footage of the non-conforming building which it replaces, plus any additional square footage which (because of

the requirements of state or federal law, or because of the restrictions on use established in paragraph (2), above, of this section of the Charter) may be necessary to obtain the same number of habitable square feet as was contained in the original non-conforming building. Nothing in this section of the Charter shall be construed to prevent a new nonconforming building from being constructed either with less total square footage or with less habitable square footage than that of the original non-conforming building which it replaces. For the purposes of this section of the Charter, the term "habitable square footage" means the square footage of that portion of a building that is used as a home or place of abode, either permanent or temporary, by one (1) or more persons.

- (6) The maximum building height limits, the restrictions on use and the maximum allowable square footage, and the provisions governing parking established in paragraphs (1), (2), (3) and (5), above, of this section of the Charter, shall be applicable to all real property located within the boundaries of the Town as the boundaries exist on March 20, 2006.
- (7) Every resident of the Town shall have the standing to enforce the maximum building height limits and the maximum allowable square footage established in paragraphs (1), (2) and (5), above, of this section of the Charter, by means of a suit in equity seeking either mandamus; prohibition; or any combination thereof, but nothing in this provision of the Charter shall be construed to either create a cause of action at law for money damages, or to authorize a court of equity to award money damages as an incident to equitable relief, or to authorize an award of attorney's fees to the prevailing party or to any other party.
- (8) The maximum building height limit established in paragraph (1), above, of this section of the Charter, supersedes any existing zoning ordinance or land development regulation to the extent that said zoning ordinance or land development regulation establishes anywhere within the Town a maximum building height limit greater than that established in paragraph (1), above, of this section of the Charter, but nothing in this section of the Charter shall be construed to supersede, modify or repeal any existing zoning ordinance or land development regulation that establishes anywhere within the Town a maximum building height limit lower than that established in paragraph (1), above, of this section of the Charter.
- (9) The Town Commission may not increase, by ordinance or by variance, the maximum building height limits established in paragraphs (1) and (5), above, of this section of the Charter, nor may the Town Commission modify, amend or repeal, by ordinance or by variance, the restrictions on use established in paragraph (2), above, or the provisions for parking availability established in paragraphs (2), (3) or (5), above, of this section of the Charter, nor may the Town Commission increase, by ordinance or by variance, the maximum allowable square footage established in paragraph (5), above, of this section of the Charter. The maximum height limits established for residential zoning districts including, but not limited to, R-5, RS-4, RS-5, RD-10, RM-15, RM-16, RM-25 and PUD in the Town's land development code as of March 20, 2006, may be increased, or such districts re-zoned for any other use whatsoever, only by a referendum vote of the registered voters of the Town in the manner established in Article IV, Section 4.7 [50] of this Charter for the repeal or amendment of initiated ordinances. The Town may not create new categories of zoning without approval of such categories by a similar referendum vote; and all provisions of such new categories of zoning must be submitted to the voters for approval.
- (10) The maximum building height limits established in paragraphs (1) and (5), above, of this section of the Charter, may be increased only by an amendment to or by repeal of this section of the Charter. The restrictions on use established in paragraph (2), above, and the provisions governing parking availability established in paragraphs (2), (3) and (5), above, of this section of the Charter, may be modified, amended or repealed only by an amendment to or by repeal of this section of the Charter. The maximum allowable square footage established in paragraph (5), above, of this provision of the Charter, may be increased only by an amendment to, or by repeal of this section of the Charter. Except as expressly provided below, this section of the Charter may be amended or repealed only by means of a majority vote of the registered voters of the Town at a referendum election held either on the same day as a regularly scheduled November general election or on the same day as a regularly scheduled **March** municipal general election. The

amendment or repeal of this section of the Charter at a special election held on a day other than a regularly scheduled November general election or on a day other than a regularly scheduled **March** municipal general election is expressly prohibited, except that a special election or special election by mail may be held to correct, to the minimum practicable extent, a provision adjudged by a court of competent jurisdiction to violate the State or Federal Constitution or any valid state or federal law, but only after such adjudication is affirmed on appeal. Amendments approved at a special election may include no elements not directly related to such court adjudication.

- (11) These provisions of the Charter shall be effective immediately upon adoption by a majority of the registered voters of the Town voting in a referendum to amend the Charter so as to include these provisions. Upon adoption, the maximum building height limits, the restrictions on use, the maximum allowable square footage and the provisions governing parking availability established in paragraphs (1), (2), (3) and (5), above, of this section of the Charter, shall immediately apply to all real property located within the boundaries of the entire Town. Upon adoption of these provisions, and pending amendment of any portion or portions of the Town's Code of Ordinances inconsistent with this section of the Charter, the more stringent provisions of this section shall apply.

Sec. 7.2. Restrictions on the vacating, abandonment, lease, sale, transfer of possession or transfer of ownership of the El Prado Property.

- (1) As used in this section of the Charter, the term "the El Prado Property" shall refer to the following described real property situate, lying and being in the Town of Lauderdale-By-The-Sea, Florida:

The real property bounded on the west by the eastern boundary line of the Ocean Drive (also known as State Road A1A right-of-way, bounded on the east by the western boundary line of the El Mar Drive right-of-way, bounded on the north by the south boundary line of Lots 1, 2, 3, 4 and 5 of Block 11, and bounded on the south by the north boundary line of Lots 11, 12, 13, 14 and 15 of Block 12, all said Lots, Blocks and rights-of-way as set forth in the Plat of the Lauderdale-By-The-Sea Subdivision as recorded in Plat Book 6, at Page 2 of the Public Records of Broward County, Florida;

and

The real property bounded on the west by the eastern boundary line of the El Mar Drive right-of-way, bounded on the east by the western shore of the Atlantic Ocean, bounded on the north by the southern boundary line of Lot 1, Block 8, and bounded on the south by the north boundary line of Lot 13, Block 7, all said Lots, Blocks and rights-of-way as set forth in the Plat of the Lauderdale By-The-Sea Subdivision as recorded in Plat Book 6, at Page 2 of the Public Records of Broward County, Florida.

- (2) The Town may not vacate, abandon, lease, sell, transfer possession or transfer ownership of the El Prado Property without first obtaining a majority vote of the Town's electors at a referendum election held for the specific purpose of authorizing said vacating, abandonment, lease, sale, transfer of possession or transfer of ownership of the El Prado Property.
- (3) Any referendum election called for the purpose of authorizing the vacating, abandonment, lease, sale, transfer of possession or transfer of ownership of the El Prado Property shall be held either on the same day as a regularly scheduled November general election or on the same day as a regularly scheduled **March** municipal election. The holding of a referendum election called for the purpose of authorizing said vacating, abandonment, lease, sale, transfer of possession or transfer of ownership of the El Prado Property on a day other than a regularly scheduled November general election or on a day other than a regularly scheduled **March** municipal election is expressly prohibited.
- (4) Every resident of the Town shall have standing to enforce the restrictions on the vacating, abandonment, lease, sale, transfer of possession or transfer of ownership of the El Prado Property established in paragraphs (2) and (3), above, of this provision of the Charter, by means of a suit in equity seeking either mandamus,

prohibition, or injunction, or any combination thereof, but nothing in this provision of the Charter shall be construed to either create a cause of action at law for money damages, or to authorize a court of equity to award money damages as an incident to equitable relief, or to authorize an award of attorney's fees to the prevailing party or to any other party.

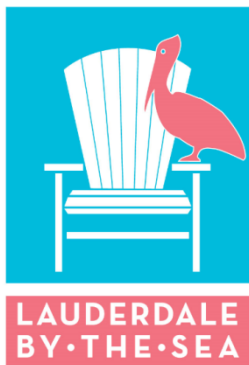
Sec. 7.3. Advisory boards; how constituted.

The Town Commission may at any time by resolution appoint advisory boards, composed of residents of the Town of Lauderdale-By-The-Sea, qualified to act in an advisory capacity to the Town Commission, the Town Manager, or to any department of the Town. The members of such boards shall serve without compensation at the pleasure of the Commission, and their duties shall be to consult and advise with such municipal officers and make written recommendations which shall become part of the records of the Town.

CHARTER COMPARATIVE TABLE AMENDMENTS AND ORDINANCES

This table shows the location within this Charter of those amendments and ordinances included herein which have amended the 2006 Charter.

Ordinance Number	Date	Section	Section this Charter
2006-18	2-27-07	2	6.1(note), 6.3(note)
2008-05	3-25-08	2 Rpld	6.1(note),
			6.3(note)
2013-13	10-22-13	2	5.3
			6.2
			6.6
		Added	6.10



DRAFT
TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Wednesday, September 18, 2024
6:30 PM

1. CALL TO ORDER, MAYOR EDMUND MALKOON

Mayor Edmund Malkoon called the meeting to order at 6:30 p.m. Also present were Vice Mayor Randy Strauss, Commissioner Richard DeNapoli, Commissioner John A. Graziano, Commissioner Theo Pouloupoulos, 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, Events and Marketing Manager Katie Anderson, and Town Clerk Katrina Adler.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION

Pauline Brooks McGuinness gave the Invocation.

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

Town Attorney Trevarthen requested that Item 16.a be deferred to a future meeting.

Commissioner DeNapoli requested that his proposal for the Town to send out a postcard regarding the November 2024 ballot initiative be revisited tonight. Deputy Town Manager/Public Works Director Rubach confirmed that he would discuss this issue as part of the Town Manager Report.

5. PRESENTATIONS

a. Fire Prevention Week Proclamation

Mayor Malkoon read a Proclamation designating the week of October 6 through October 12, 2024 as Fire Prevention Week in Lauderdale-By-The-Sea. He encouraged residents to ensure their homes have working smoke alarms and to support the public safety activities presented by the Town's Fire and Emergency services.

6. PUBLIC COMMENTS

At this time Mayor Malkoon opened public comment.

Peggy Mohler, resident, requested that when the Town's solid waste pickup contract is next negotiated, the Town's businesses would like to have input on this decision.

Marc Pearson, 1921 Water's Edge, recalled that he had previously informed the Town of his concerns regarding construction at the property located at 1931 Coral Reef Drive. On August 14, 2024 he submitted an appeal addressing a rooftop activity area, a third story, and the overall design of the building. The appeal was rejected by the Town.

Mr. Pearson had submitted a second appeal as well as three additional appeals related to the three Town Ordinances of which he felt the building was in violation. He is developing an additional appeal which would focus on Town Staff, which he felt has exceeded their authority in relation to the building. He requested that the Commission direct Town Staff to process the requested appeals.

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

7. PUBLIC SAFETY DISCUSSION

a. BSO August 2024 Public Safety Report

Captain Bill Wesolowski of the Broward Sheriff's Office (BSO) stated that Deputy Adam Yates was named Deputy of the Month for August 2024. He described an incident in which the Deputy detained and charged an individual in possession of stolen property.

Captain Wesolowski reminded all present that Wednesday, October 2, 2024, between 8 a.m. and 10 a.m., BSO personnel will participate in the annual "Coffee with a Cop" event at the Village Grille. BSO will also have a tent at the upcoming Founders Day event and will have Police vehicles present for children.

b. PBFR August 2024 Public Safety Report

Pompano Beach Fire Rescue (PBFR) Fire Marshal Ashley Zelewski reported that in August 2024, PBFR ran 133 calls with an average response time of six minutes. PBFR will also have a Fire Department vehicle at the Founders Day event.

8. TOWN MANAGER REPORT

a. Town Manager Report

Deputy Town Manager/Public Works Director Rubach stated that solid waste contractor WastePro is allowed to request a consumer price index (CPI) increase of no more than 5% each year. This year's increase is 3.5%. This means residential single-family homes, duplexes, and multi-family residents will see a 95-cent increase per month. The 3.5% increase also applies to commercial and residential dumpsters and contractors. New rates will be posted on the Town's website.

The Town's current contract with the Chamber of Commerce is set to expire on December 29, 2024. There are two optional one-year renewal periods remaining. Deputy Town Manager/Public Works Director Rubach asked if the Commission wished to move forward with renewal or would prefer to renegotiate the contract, and if renegotiation is chosen, if the Commission wished to appoint an individual to serve as liaison to this process.

The Commissioners indicated consensus to renegotiate the contract with a liaison representing the Commission. Commissioner DeNapoli offered to serve as liaison.

The following upcoming meetings are scheduled:

- September 26, 2024: Special Magistrate Hearing at 5 p.m.
- October 2, 2024: Planning and Zoning Board Meeting at 6 p.m.
- October 8, 2024: Regular Town Commission Meeting at 6:30 p.m.

Deputy Town Manager/Public Works Director Rubach addressed the mailer to residents proposed by Commissioner DeNapoli. The mailer would provide information on an initiative which will be on the November 5, 2024 ballot. The Town Clerk has composed language for the mailer, which was reviewed by the Town Attorney. Conceptual Communications will put a flyer together on this topic. The cost is estimated at \$3500.

Commissioner DeNapoli emphasized the time-sensitive nature of the mailer, as vote-by-mail ballots will be mailed to voters beginning October 1, 2024. The Town is allowed to provide materials to its residents explaining the ballot measure. This information may also be made available electronically.

Commissioner DeNapoli added that in addition to informational materials and images of the ballot initiative, the Town may also provide general information on upcoming Town events as well as other communications to the community. He pointed out that many residents could miss information provided via email. He concluded that he would like to serve as liaison on this effort.

Town Clerk Katrina Adler advised that the letter reviewed by the Town Attorney focused solely on the November 5, 2024 election. The flyer includes the ballot initiative itself, but does not include any additional explanatory information on that initiative. The price quoted to the Town for distribution was for a postcard.

Commissioner DeNapoli suggested that the mailer include information related to the ballot initiative, such as historic participation rates in past elections. Town Attorney Trevarthen stated that the mailer includes information on the overall election, including the entirety of the ballot initiative's language. The Ordinance embedded within the ballot question acknowledges the historic participation data and other reasons that had contributed to the inclusion of the initiative. Providing additional information may require a change in format or incur greater costs.

Commissioner DeNapoli asked how much has been spent on larger mailers in the past. Assistant to the Town Manager Courtney Easley recalled that before residents had an "opt-out" option for *Town Topics*, the Town had paid approximately \$5000 to \$6000 in postage. This cost has decreased to roughly \$400 after residents opted out of receipt.

Mayor Malkoon agreed that the Town should provide a mailer on the ballot initiative, and acknowledged that *Town Topics* is the Town's primary means of reaching residents. He emphasized the importance of communication, and recommended that the Town proceed with mailing out *Town Topics* to all residents on a quarterly basis. The residents could be provided with an option to opt into email communications in the future rather than printed materials.

Deputy Town Manager/Public Works Director Rubach stated that Staff can gather information on past costs of mailing out *Town Topics*.

It was clarified that the postcard does not reflect its final design, but language only. Deputy Town Manager/Public Works Director Rubach advised that once Conceptual Communications has finalized the postcard, it can be sent in draft form to the Commissioners for review. It will be sent to each household in the Town.

Mayor Malkoon emphasized the urgency of sending the postcard to residents by October 1, when vote-by-mail ballots will be sent to residents.

b. July 2024 Finance Report

The Commissioners accepted the report without comment.

Director of Budget and Finance Lucila Lang advised that the Town is in the process of reviewing its investment policy with the Town Attorney and will meet on Thursday, September 19, 2024 with Truist Bank to discuss the policy further. The current policy has not been updated since 1996.

Commissioner DeNapoli recalled that the Commission has previously discussed locking in interest rates and the prospective purchase of bonds, which are affected by Section 18-134 of the Town's investment policy. This policy limits the Town to investments with broker/dealers who report directly to the Federal Reserve Bank of New York.

Commissioner DeNapoli observed that current Code allows the Town to purchase or sell securities through the broker/dealer of its Town-authorized financial institution, but does not define this term further. Town Attorney Trevarthen explained that this will be discussed further at the September 19 meeting with Truist, as will the possibility that Truist may be interpreting the Town's policy too narrowly. Staff will have a better understanding of the restrictions of the Code provision following that discussion.

9. TOWN ATTORNEY REPORT

None.

10. APPROVAL OF MINUTES

a. Approval of Minutes for August 27, 2024

Commissioner DeNapoli noted a correction on p.18, paragraph 5: he had suggested that outsourcing some Town functions can be better for the Town as cost savings and at a better service level, while some matters, such as Code Compliance, may be better handled in-house.

Vice Mayor Strauss made a motion, seconded by Commissioner Pouloupoulos, to approve with the correction. Motion carried 5-0.

11. CONSENT AGENDA

None.

12. OLD BUSINESS

a. Discussion of 2024-2025 Charter Review Board Process

Town Attorney Trevarthen noted that the Town's Charter must be reviewed at least every 12 years. The Charter Review Board is an advisory entity created by Resolution, and Town Staff is working to identify a meeting time for those appointees.

Town Attorney Trevarthen advised that it is standard practice to request input from the Commission on their preferences for the Charter Review Board's activities. The Commission may have no issues and want the Board to provide feedback, or they may want certain articles specifically reviewed.

The result of the Charter Review process will ultimately be a recommendation to the Town Commission. A previous version of the Charter Review Board, for example, provided a number of proposals, many but not all of which were included on the 2014 ballot. This decision will be left to the Commission.

With respect to timing, Town Attorney Trevarthen noted that there are rules on when specific sections of the Charter, such as Section 7-1, may be voted upon. This Section addresses land use and heights. This Section could be voted upon in a special election, or it could be placed on the ballot during a regular election. The Broward County Supervisor of Elections is not aware of any general elections in 2025 to which the Town could attach a vote addressing that Section. The earliest time at which Section 7-1 could be placed on a ballot with other items would be the March 2026 general election.

Another unique consideration is the fact that the Town does not yet know if there will be a municipal election on March 26, 2026. Depending upon the outcome of the ballot initiative on the November 5, 2024 general election ballot, the voters may or may not agree to change the timing of the March 26, 2026 municipal election.

Town Attorney Trevarthen advised that a special election would be more expensive for the Town and would require voters to turn out on a special date, which may result in less voter turnout. If the matter is not voted upon before 2026, the Town would need to finalize the language of any proposed ballot question by roughly January 2026.

In the past, the Town has adopted the Ordinance which begins the process of placing an item on a ballot by the October Commission meetings. This provides more time for residents to learn about the issue and for the Town to provide the ballot question to the Supervisor of Elections without being affected by the holiday season. She recommended that the schedule for any potential ballot questions in 2026 be underway by October 2025. The Commission also has the option of establishing a deadline for the Charter Review Board's recommendations.

Commissioner DeNapoli advised that he has reviewed several ballots from throughout Broward County which include municipal ballot questions, and suggested that this be distributed to the other Commissioners.

Town Attorney Trevarthen further clarified that there is no obligation for the Commission to take action at tonight's meeting. This Item can be rescheduled for further consideration in October if that is the Commission's desire.

Mayor Malkoon commented that it is important to begin the Charter Review process in 2024, as this year is 12 years from the previous review date.

Deputy Town Manager/Public Works Director requested that the Commissioners send any ideas on this process to the Town Clerk so they can be included on a future Agenda or Agendas. He recommended that the Commission consider further discussion of Charter Review at the October 22, 2024 meeting.

13. NEW BUSINESS

- a. **Resolution 2024-39 – A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, SELECTING VARIOUS CONSULTANTS PURSUANT TO REQUEST FOR QUALIFICATIONS NO. 2024-07-01 FOR CONTINUING PROFESSIONAL ARCHITECTURAL, ENGINEERING, TRAFFIC ENGINEERING, LANDSCAPE ARCHITECTURAL, AND/OR SURVEYING AND MAPPING SERVICES; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE CONTINUING SERVICES CONTRACTS WITH THE TOP SEVEN RANKED QUALIFIED**

FIRMS FOR AWARD OF SUCH CONTRACTS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

At this time Mayor Malkoon opened public comment, which he closed upon receiving no input.

Commissioner Graziano asked if the negotiation process is complete. Deputy Town Manager/Public Works Director Rubach explained that Florida's Competitive Consultants' Negotiation Act (CCNA) requires a two-part process: Staff members ranked the submissions based on evaluation criteria and then provided the Commission with a list of recommended firms. The Commission approved the list, which authorized the Town Manager to negotiate with contractors, at which time costs would be clarified. The CCNA does not permit the consideration of costs when preparing a request for qualifications (RFQ).

Commissioner Graziano stated that he opposed the automatic 5% increase included in the proposed contracts, as well as five-year contracts in general. He recalled that he had expressed this concern at the September 12, 2024 meeting as well.

Deputy Town Manager/Public Works Director Rubach explained that the language in most of the Town's CCNA contracts includes a CPI increase, as noted earlier during discussion of the WastePro contract. The increase may be up to 5% based on CPI; if the CPI is only 2%, for example, the contractor may only ask for a 2% increase. This is part of the Town's standard contract language.

Commissioner Poulopoulos asked if the vendors submitting quotes that met a particular score would be considered by the Commission, or if those contracts would be left to the discretion of the Town Manager. Deputy Town Manager/Public Works Director Rubach replied that the contracts are brought before the Commission when they are ready for approval and will include detailed information, including rates. There is also no minimum amount tied to the contracts: if their services are not used, the contractors are not paid.

Commissioner DeNapoli also addressed the length of the contracts, stating that he had concerns with lengthy contracts which have built-in increases. Deputy Town Manager/Public Works Director Rubach stated again that the increase is contractually tied to the CPI, but clarified that the contracts do not come back to the Commission for approval of the CPI increase.

Town Attorney Trevarthen also pointed out that some of the contracts are from multiple providers in the same field. Once the CCNA contract is complete, the Commission may then choose whether or not to enter into business with a given contractor. The CCNA process sets up the arrangement by which the Town may legally contract with the vendor.

Deputy Town Manager/Public Works Director Rubach also affirmed that any contract which exceeds the Town Manager's purchasing authority would come back before the Commission for approval.

Commissioner Pouloupoulos spoke in favor of CPI contracts, noting that this limits the amount by which the contract may be increased. He added that he was also in favor of longer-term contracts with CPI increases, as the alternative would be to renegotiate with that vendor each year.

Commissioner Pouloupoulos asked if the contracts were capped at five years. Deputy Town Manager/Public Works Director Rubach explained that the contracts are for an initial five-year term, with two two-year options for extensions. Town Attorney Trevarthen stated that she would look into longer-term options for CCNA contracts. Commissioner Pouloupoulos reiterated that a longer contract with a capped CPI increase could be very beneficial.

Commissioner Graziano asked how the two-year extension options would be enacted. Deputy Town Manager/Public Works Director Rubach replied that the Town Manager has brought contracts back to the Commission before moving forward with any extensions.

Commissioner Pouloupoulos made a motion, seconded by Vice Mayor Strauss, to approve. Motion carried 5-0.

b. Hardship Parking Permit Applications

Deputy Town Manager/Public Works Director Rubach advised that this process is brought before the Commission on an annual basis. Code Section 19-26.c addresses hardship parking permits for customers of hotels, motels, apartments, and other businesses. A hardship parking permit allows the permit holder to park at an open metered space within designated hours. There are no reserved spaces for hardship parking permit holders, and the permits cannot be used to park in spaces reserved for residential parking permits. The cost per space is \$324 plus \$22.68 in tax.

Mayor Malkoon asked if there have been recalculations on the square footage of some hardship parking permits. Deputy Town Manager/Public Works Director Rubach explained that the amounts are based on the number of units.

Vice Mayor Strauss made a motion, seconded by Commissioner Pouloupoulos, to approve. Motion carried 5-0.

14. COMMISSIONER PRESENTATIONS

None.

15. COMMISSIONER COMMENTS

Commissioner Graziano stated that he recently toured the Town's public safety building complex with the Deputy Town Manager/Public Works Director as well as with representatives of BSO and PBFR. He had been surprised to learn the condition of the facilities was substandard. He had also viewed a sketch of what could be done with the addition of a new building or buildings. He concluded that he would like to move the issue of a new building forward, and requested that the sketch he had seen be presented at a future meeting, despite his concerns with construction prices.

Commissioner Graziano also addressed contracts, stating that he felt the Town is moving in the right direction and needs to ensure its expenditures are in order.

Commissioner DeNapoli thanked the Commission and Town Staff for their work on the budget, and also expressed interest in seeing a sketch of the new public safety building.

Mayor Malkoon also thanked the Commissioners and Staff for their diligence in working on the FY 2025 budget. He added that the Founders Day picnic is planned for October 5, 2024.

On Monday, September 23, 2024, the Crema restaurant is holding a ribbon-cutting ceremony with the Greater Fort Lauderdale Chamber of Commerce. The Commissioners were invited to attend this event.

16. ORDINANCES 1ST READING

- a. ORDINANCE NO. 2024-08 – AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 14,**

“OFFENSES,” ARTICLE III, “RESTRICTIONS ON RESIDENCY BY SEXUAL PREDATORS AND SEXUAL OFFENDERS,” OF THE CODE OF ORDINANCES TO AMEND AND CREATE DEFINITIONS AND IMPLEMENT STRICTER ENFORCEMENT MECHANISMS; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

This Item was deferred to a future meeting.

17. ORDINANCES 2ND READING

None.

18. QUASI JUDICIAL PUBLIC HEARINGS

None.

19. ADJOURNMENT

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

Mayor Edmund Malkoon

ATTEST:

Katrina Adler, Town Clerk

Date



Agenda Item No: 12.a.

Town Commission Agenda Item Report

Meeting Date: September 18, 2024

Submitted By: Susan Trevarthen, Town Attorney

Submitting Department: Administration

Item Type: Presentation

Agenda Section: OLD BUSINESS

Subject Title: Discussion of 2024-25 Charter Review Board Process

Explanation:

Background

The Town's Charter was comprehensively rewritten, updated, and approved by the voters in 2004. It calls for a Charter review at least every twelve years.

The Charter Review Board is an advisory board created by resolution of the Town Commission pursuant to Section 7.3 of the Charter, comprised of residents serving without compensation. Their job is to review the Town Charter, address any specific issues as directed by the Town Commission, and recommend any modifications they feel are needed to the Town Commission. This process is commonly used by other municipalities but is not mandated or specifically regulated by the Charter or the Town Code.

The Charter Review Board is not an ongoing Board; it is convened for the purpose of this once every 12 years review, and members serve as long a term as the Commission decides is necessary to complete the Charter review, and prepare their recommendations. The Town Commission then receives these recommendations, and decide which ones, if any, to place on the ballot for voter approval.

The last time the Town did this in 2012, the Commission considered a range of potential issues, and directed the Charter Review Board to consider them. See **Exhibit 1**, Agenda Memo and Attachment from March 13, 2012 Town Commission meeting. The Commission had a special meeting on June 10, 2013 at which all of the changes recommended by the Charter Review Board were considered. See **Exhibit 2**, minutes of June 10, 2013 Special Commission meeting. The Commission chose to put some of the recommended changes on the 2014 ballot and rejected others. See **Exhibit 3**, Ordinance 2013-13. And the voters approved some of the changes on the 2014 ballot while rejecting others. See **Exhibits 4-7**, Summary of 2014 Charter Amendment election results, certified results, and 2014 Charter Submitted to Department of State.

The following questions were ultimately placed on the March 2014 ballot by the Town Commission:

- An alternative criteria for determining Town Manager qualifications, which was spurred by questions that had been raised concerning Connie Hoffmann's educational background (passed)
- A change to the deadline for designating the Vice Mayor to allow the newly elected Commission the option to take additional time to decide following its swearing in (passed)
- A clarification of the term limits, that no more than 14 years of service was permitted without a two-year break in service (passed)
- Creation of a procedure for a vacancy in candidacy for the Town Commission or Commissioner-Mayor positions (passed)
- Allowing a Mayor to run for Commissioner following service as Mayor if the candidate had not already served the maximum 14 years in office (failed)
- Clarify the due process applicable to and broaden the options for penalties applicable to Commissioners who allegedly violated ethics rules or standards of conduct (failed)

The Charter Review Board had also recommended the following questions, but the Commission decided not to place these on the March 2014 ballot:

- Remove Mayor voting last on a roll call vote
- Remove residency requirement for electoral districts, while preserving the current district seats
- Remove related language requiring a study of the districts
- Specify that Town Commissioner (and Mayor-Commissioner) is a part time position, and engagement in outside employment and charitable fundraising will be controlled by state law, not by the Broward County Code of Ethics
- Adopt the "plain English" version of Section 7.1 of the Charter
- Commission should consider options for changes to the Charter height limits recommended by the Board
- Amend the plain English version with specific recommended changes

Analysis

The Town Commission appointed the members of this year's Charter Review Board in the spring, and the Town is preparing to launch the Board's meeting process.

1. Purpose of the Review

The Charter review process allows the Town Commission and Charter Review Board to examine the existing Charter provisions, identify areas that may need revision, and address any ambiguities or outdated language. This process is a proactive measure, to ensure that our governance structure remains effective and in tune with best practices.

2. Role of the Commission

The Commission may define the scope and direction of the Charter Review Board's work. The Board may undertake a comprehensive review of the entire Charter or concentrate on specific provisions as directed by the Commission. Determining the appropriate scope, whether a targeted examination or a full analysis, is an essential first step.

At the conclusion of the review, the Board's recommendations will be presented to the Commission for consideration. The Commission will determine which, if any, amendments should proceed to the Town's voters. In accordance with Section 166.031, Florida Statutes, this process requires the adoption of an ordinance, which must then be approved by a majority of voters in a referendum. This referendum may be held during a general election or a special election.

3. Timeline of the Charter Review

Based on discussions with the Broward Supervisor of Elections office regarding the March 2026 election, ballot questions must be submitted by the first day of qualifying, which is typically the first working day in January in the Town. While a few municipalities are holding elections in 2025, no general elections are currently scheduled for that year. The Charter could be scheduled for a special election if desired, if no changes to Section 7.1 are proposed.

Special timing rules apply to any proposed changes to Section 7.1 of the Charter. See Section 7.1(10) of the Town Charter. Any revisions to it must be approved by a majority vote of registered voters in an election, held only during a regularly scheduled November general election or a March municipal general election. The Charter expressly prohibits any amendments or repeals of this section during special elections held at any other time.

With these legal requirements in mind, the current timeline for proposed amendments to the Charter that would allow for potential changes to Section 7.1 offers two primary election date options:

1. The first is the March 2026 general election, with ballot questions likely due by January 2026.
2. The second option is the November 2026 general election, with ballot questions expected to be due around July 2026.

However, if the voters change the date of the municipal general election to November, then only option 2 is available for a set of Charter amendments that include Section 7.1.

Because the process includes adoption of an ordinance that requires two readings and may be deferred for further consideration, we note that the Charter amendment ordinance was approved by the Town Commission at the second regular meeting of October 2013 in the last cycle, leaving ample time for timely submission to the Supervisor of Elections in January 2014 despite the end of year holidays. This additional time is prudent, and also allows additional time for the voters to become familiar with the proposals.

For proposed Charter amendments that do not involve Section 7.1, the Town has additional flexibility beyond the March/November 2026 municipal general election:

1. Amendments could be placed on the ballot for a special election called by the Town, with ballot questions typically due four to five months prior to the election date. Such special elections must be coordinated with the Supervisor of Elections' availability, but could occur at any time with their approval.
2. Alternatively, these amendments could be included in the March 2026 general municipal election, likely with a January 2026 deadline for ballot submissions.

These timelines will ensure that the Charter review process aligns with the legal requirements and election deadlines, providing clear guidance for the submission of any proposed amendments.

4. Scope of Charter Review

Finally, the Town Commission should consider whether it wants to direct the Charter Review Board to examine any specific provision of the Charter or evaluate adding any provisions to the Charter. The Town Commission could direct specific issues be considered by the Board, or simply recommend that the Board review the Charter as it sees fit and make its recommendations to the Commission.

A complicating factor this year is that, on November 5, the Town's voters will be considering whether to change the date of the Town's regular municipal elections from March to November. See Ordinance 2024-05. If the November election date is approved, the Charter questions would need to be placed on the same ballot as the Town Commission races, in November 2026. If so, then the deadline for submitting questions would be the first day of qualifying for the November 2026 election, which is likely to be July 2026.

Recommendation: The Town Commission should consider the above matters, and develop a recommendation on how to proceed with launching the Charter Review Board process.

Exhibits:

1. 3-13-2012 Minutes of Discussion of Possible Topics for Charter Review to Consider
2. March 13, 2012 Agenda Memo
3. Ordinance 2013-13
4. Summary of 2014 Charter Amendment Election Results
5. Certified Election Results
6. Minutes 06-10-2013 Special Meeting
7. 2014 Amended Charter

Ja

March 13, 2012 Commission Meeting

Verbatim Minutes

17a: Discussion of Possible Topic for Charter Review Board to Consider

Mayor Minnet: I believe you probably have a list started. We discussed certain things and you included that in the backup. (see attached).

Manager Hoffmann: Yes, but I may have forgotten things that the Commission wants to add.

Commissioner Brown: Just to follow up quickly on what I had said before, I read through the Charter and there is a very clearly defined timeline if the citizens present a petition to put something on a referendum. There's a process that requires a minimum of 90 days before you can vote on it. Which means in the case of a citizens initiative, it would have to be completed by July in order to get on the ballot in November, but here is nothing in the Town charter which sets a time frame for any referendums which might be proposed by the Charter Review Board. It's sort of a gray area. I raise this question because it gets into the issue of how long is this Charter Review Board going to be in operation and are they going to have a deadline for submitting their recommendations to us, which takes into account either a 90 day lag period before it can go on a referendum, or are we not going to assume that they are going to come up with anything. The one example that pops into my mind right away is the one on the Mayor's term. Let's say that the Charter Review Board decides to change the Mayor from a 2 year term to a 4 year term, you would probably want to have that up for referendum this November when we have an election scheduled, and then it would be able to take effect in time for the next Municipal election. On the other hand, if there is no time constraint on doing that, if you want to miss the next election then you don't have to worry about it. I think we need to clarify how long this board has to do its job and when are they required to come back with their report to us, and do they have to come back with their full report before we act, let's say they wanted to single out one provision that they really wanted to get on the ballot in November, could they come to us with that before their report? And just one last thing I want to point out... on 6.6 it talks about forfeiture of office. And on #2 on 6.6 it says "a Commission member or the Mayor shall forfeit the office if the person violates any standard of conduct or code of ethics established by law for public officials". This jumps right into this whole issue we are dealing with now of the County's Ethic Law. If one of us is at an event and we take a bottle of water and take a sip out of it, we have violated the Ethic law, or if one of us has a conversation with somebody, either knowingly or unknowingly, and that person is a registered lobbyist, we violated the law. Under the Town charter it says "violates any standard of conduct or

code of ethics established by law". So I would hope that the Charter Review would look at that language. It's obvious what the intent is, you don't want to have people breaking laws and serving on the Commission, but is it really your intent to through someone off the Commission because they took a sip of water at a public meeting? I just hope that you would be able to clarify that. Those would be my only requests. Thank you.

Mayor Minnet: Thank you, Commissioner Brown. Commissioner Dodd.

Commissioner Dodd: Yes, since you are inviting other topics to be added to the list here, I personally would actually like to see the Review Board grapple with the height limit, and consider mapping a geographical area within the Town within which 3 over 1 is the legal maximum construction height. I doubt if anybody, other than a land attorney could really tell you on reading the code whether the west side of El Mar Drive qualifies as 33 or 44 feet, and its' got so confused with the coastal construction line and all the other issues there, that I would just like to see the Charter Review Board look at the Town and draw an area and say anything within that area is 3 over 1 compliance. And that I think would simplify the code enormously I don't want to change the height..... I am just trying to make it easier for somebody that comes into Town and wants to a buy property, and wants to look at the redevelopment that they know immediately, very simply, within this area this is what is allowed, within everywhere else in Town its 32 feet. I think that would simply the job and the code in a lot of areas. That is something I would like them to look at.

Mayor Minnet: Yes, the language certainly needs to be clarified and the definitions on the height limit. Thank you for bringing that up again. Commissioners, Vice Mayor, any other items? I think we hit on quite a few, but I do think it would be up to the Charter Review Board to analyze this and bring their recommendations to this body. I know we had a few items and I believe the Town Manager put them together on items that we had come through in a year

Town Attorney Trevarthen: There were procedural matters. do you want me to address those?

Mayor Minnet: Sure.

Town Attorney Trevarthen: The short version is basically yes to pretty much anything in the sense that our Charter doesn't constrain it. Commissioner Brown is correct in pointing out that there's one regime that applies to a citizen referendum and that there's not similar language that applies to when the Commission brings forth referenda and that's the one correction I would make. This is not the Charter Review Board putting something on the ballot. This will be an advisory committee making recommendations to this body and the Town Commission will decide whether or not to put something on the

ballot. It's not that there are not constraints, those constraints come from the Supervisor of Elections. I'm working on memory from 2010 when we looked at this issue. My guess is that somewhere around September we absolutely have to finalize, I think we may have gone to second reading, we planned to go to second reading in October, maybe early October, and we were just under the wire for the Supervisor's deadline. But there's a period of time that's necessary to actually print the ballot and make it possible for it to be on the election. So, the general idea is correct that we have to map that out and back into it, but it comes more from the election process itself rather than from our charter. And then whether you want to split it up, or whatever you want to charge the Charter Review Board to do, that's really at the discretion of this Town Commission.

Mayor Minnet: Commissioner Brown, does that answer your question?

Commissioner Brown: Yes.

Mayor Minnet: Town Manager, I think we've added the items we need to add to submit to the Charter Review Board.

Town Manager Hoffmann: Mayor, I believe we need, as a Commission to outline the time frame that you want the recommendations to come back from the Charter Review Board.

Mayor Minnet: Can you find out how long the first Charter Review Board was in session?

Town Clerk White: It was 8 months.

Mayor Minnet: It took a long time because it was chapter by chapter. It didn't seem like a long time, because there was so much to go over. We looked at the language in the Charter... we looked at do you want to make the charter so constrictive, or how do you want to work with it? It's a very lengthy process. There are good people on the Board that would bring good ideas. So I would say 8 months is the time they would need.

Commissioner Dodd: I think we should leave it to the Charter Review Board to have their first meeting, because I agree that there will be issues that we might get onto the ballot for the next election, and they might want to come back to us with a recommendation for a few items that we can do at the next election and as you say, the Charter Review is going to take a length of time in order for them to study it in the depths that we are asking them to do, and it may well take longer, so we got to be aware that we may get something for this ballot and something for the next ballot.

Mayor Minnet: That's fine, if you want to leave it up the Charter Review Board and maybe give them the outline from the original Charter Review Board so they know how that was designed.

Mayor Minnet: Town Manager does that complete the information?

Town Manager Hoffmann: Yes.

End of discussion

Item No. 17a 86**AGENDA ITEM MEMORADUM****Town Manager**

Department

Connie Hoffmann

Department Director

COMMISSION MEETING DATE (*) - 7:00 PM	Deadline to Town Clerk
☐ Feb 28, 2012	Feb 17
☒ Mar 13, 2012	Mar 2
☐ Mar 27, 2012	Mar 16
☐ April 10, 2012 *	Mar 30
☐ April 24, 2012	Apr 13

***Subject to Change**

- | | | | |
|---------------------------------------|---|---------------------------------------|--|
| ☐ Presentation | ☐ Reports | ☐ Consent | ☐ Ordinance |
| ☐ Resolution | ☐ Quasi-Judicial | ☐ Old Business | ☒ New Business |

☐ **FY2012 DESIGNATED HIGH PRIORITY ITEM - PRIORITY TOPIC****SUBJECT TITLE: DISCUSSION OF POSSIBLE TOPICS FOR CHARTER REVIEW BOARD TO CONSIDER**

EXPLANATION: The Commission had asked the Town Attorney and I to keep lists of topics for possible review by the Charter Review Board. Below is our combined list, the majority of which were supplied by the Town Attorney.

- Review certain land use provisions, including:
 - Clarify how to measure height
 - Clarify what it means to "rezone for any other use"
 - Changes that would support our Comprehensive Plan goals to support hotels and discourage the conversion of hotels to residential uses.
- Add procedure for candidate withdrawal following qualification per statute.
- Determine whether to sunset residential electoral districts (as in ballot question in 2004). If not, future redistricting needs to be addressed. On the latter point, consider changing Charter language that dictates that a university must be used to do the districts study.
- Broaden qualifications for Town Manager.
- Remove residential uses from prime hotel areas – or revise language to be clear that we can remove uses by ordinance without a referendum.
- Consider not specifying that the Vice Mayor must be selected on a particular date.
- Length of Mayoral term of office.

This list is simply provided as food for thought for the Commission in developing specific assignments to the Charter Advisory Board, if you wish to take that route.

Reviewed by Town Attorney

☐ Yes ☐ No

Town Manager Initials

CH

Topics for the Charter Review Board to Consider:

1. Clarify the meaning of the language in 6.6 (2) of the Town Charter (forfeiture of office with regards to ethics)
2. Clarify the height limit as it is difficult to interpret. Consider mapping a geographical area within the Town, within which 3 over 1 is the legal maximum construction height, and everywhere else is 32 feet.
3. Review and clarify what it means to “rezone for any other use”.
4. Review land use changes that would support our Comprehensive Plan goals to support hotels and discourage the conversion of hotels to residential uses.
5. Add procedure for candidate withdrawal following qualification per statute.
6. Determine whether to sunset residential electoral districts (as in ballot question 2004, attached). If not, future redistricting needs to be addressed. On the latter point, consider changing Charter language that dictates that a university must be used to do the districts study.
7. Broaden qualifications for Town Manager.
8. Remove residential uses from prime hotel areas – or revise language to be clear that we can remove uses by ordinance without a referendum.
9. Consider not specifying that the Vice Mayor must be selected on a particular date.
10. Length of Mayoral term of office.

**LAUDERDALE-BY-THE-SEA
SAMPLE BALLOT**

**OFFICIAL MUNICIPAL GENERAL ELECTION
BROWARD COUNTY, FLORIDA
MARCH 9, 2004**

**MAYOR
LAUDERDALE-BY-THE-SEA
(Vote for ONE)**

Susan Mary BEATTY
Beverly KENNEDY
Oliver PARKER

**TOWN COMMISSIONER
LAUDERDALE-BY-THE-SEA
(Vote for TWO)**

Chuck CLARK
Cindy GEESEY
John THOMPSON
John YANNI

LAUDERDALE-BY-THE-SEA – 1

DESIGNATION OF TOWN COMMISSIONER SEATS ONE THROUGH FOUR BY DISTRICT

The Charter provides for electing Commissioners without regard to where they live in the Town. Should the Charter be amended to establish four seats elected at large but from districts; Seat 1 representing the northern district and Seat 2, representing the southern district, elected in 2006; and seats three, representing a northern district and seat four, representing the southern district, elected in 2008; with district residency requirements ending in 2018?

YES
NO

LAUDERDALE-BY-THE-SEA – 2

INCREASE THE TERM OF OFFICE FOR MAYOR-COMMISSIONER FROM TWO YEARS TO FOUR YEARS

The current Town Charter provides that the Mayor-commissioner serves a term of two years. Should the Town Charter be amended to provide that the Mayor-commissioner shall serve a four-year term, consistent with the four-year term of Commissioners, commencing with the General Municipal Election of 2004?

YES
NO

Page 1 of 2
Public Count: 0

NEXT
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ORDINANCE NO. 2013-13

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF PROPOSED AMENDMENTS TO THE TOWN CHARTER, PURSUANT TO SECTION 166.031, FLORIDA STATUTES, FOLLOWING TOWN COMMISSION REVIEW AND CONSIDERATION OF CHARTER AMENDMENTS RECOMMENDED BY THE CHARTER REVIEW BOARD IN ACCORDANCE WITH SECTION 2.7 OF THE TOWN CHARTER; SUBMITTING PROPOSED CHARTER AMENDMENTS CONCERNING AMENDMENT OF SECTION 5.3 "TOWN MANAGER-APPOINTMENT, QUALIFICATIONS AND COMPENSATION," SECTION 6.2 "VICE MAYOR AND ACTING MAYOR PRO-TEM," SECTION 6.3 "QUALIFICATIONS OF MEMBERS OF TOWN COMMISSION," SECTION 6.6 "FORFEITURE OF OFFICE," SECTION 6.7 "FORFEITURE HEARING AND PROCESS," AND CREATION OF SECTION 6.10 "VACANCY IN CANDIDACY FOR MAYOR-COMMISSIONER OR COMMISSIONER;" CALLING A SPECIAL ELECTION ON THE PROPOSED CHARTER AMENDMENTS TO BE HELD ON TUESDAY, THE 11TH DAY OF MARCH 2014, IN CONJUNCTION WITH THE GENERAL ELECTION BEING HELD ON SAID DATE; PROVIDING FOR VOTING AT THE POLLS; PROVIDING FOR NOTICE OF ELECTION; PROVIDING FOR REQUISITE BALLOT LANGUAGE; PROVIDING FOR INCLUSION IN THE CHARTER, SEVERABILITY AND FOR AN EFFECTIVE DATE.

33 **WHEREAS,** pursuant to Section 2.7 of the Town Charter, the Charter Review Board has

34 determined that certain revisions are needed to the Town Charter and has submitted its
35 recommendation of proposed amendments to the Town Charter to the Town Commission; and

36 **WHEREAS,** pursuant to Section 2.7 of the Town Charter and Section 166.031, Florida

37 Statutes, the Town Commission has considered the recommendation of the Charter Review

38 Board and has determined, at the Town Commission's discretion, to submit to the electors of the

39 Town for approval or rejection only those amendments to the Town Charter (the "Charter
40 Amendments") that are set forth herein.

41 **NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE TOWN COMMISSION**
42 **OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AS FOLLOWS:**

43 **Section 1. Recitals Adopted.** Each of the above stated recitals is hereby adopted and
44 confirmed.

45 **Section 2. Charter Amendments.** Pursuant to Section 2.7 of the Town Charter and
46 Section 166.031, Florida Statutes, and subject to the approval of the electors as described in
47 Section 8 below, the Town Charter of the Town of Lauderdale-By-The-Sea, Florida, is hereby
48 amended as follows:¹

49 * * *

50
51 **ARTICLE V. – TOWN OFFICERS AND EMPLOYEES**

52
53 * * *

54 **Sec. 5.3. - Town Manager—Appointment, qualifications and compensation.**

55
56 The Town Commission shall appoint a Town Manager who shall be the
57 administrative head of the municipal government under the direction and supervision of
58 the Town Commission. The Town Manager shall hold office at the pleasure of the Town
59 Commission. The Town Manager shall receive such compensation as determined by the
60 Town Commission through the adoption of an appropriate resolution. The Town Manager
61 shall be appointed by resolution approving an employment contract between the Town
62 and the Town Manager. The Town Manager shall be appointed solely on the basis of
63 education and experience in the accepted competencies and practices of local public
64 management including, a graduate degree with a concentration in public administration,
65 public affairs, public policy, or public finance and two (2) years' experience as an
66 appointed city manager or county manager, or four (4) years' experience as an assistant or
67 deputy city manager or assistant or deputy county manager. Alternatively, the Town

¹ Proposed additions to existing Town Charter text are indicated by underline; proposed deletions from existing Town Charter text are indicated by ~~strike through~~. Changes from first reading are indicated by double underline and ~~double strike through~~, and highlighted in [REDACTED].

68 Manager shall be appointed on the basis of education and experience in the accepted
69 competencies and practices of local public management that is determined by the Town
70 Commission to be commensurate to those listed in the prior sentence.
71

72 * * *

73
74 **ARTICLE VI. – ELECTIONS**
75

76 * * *

77 **Sec. 6.2. - Vice Mayor and acting Mayor Pro-Tem.**

78 No later than ~~On~~ the second regularly scheduled Town Commission meeting to occur Tuesday
79 following each regular election, one (1) member of the Town Commission may be designated, by
80 resolution, as Vice Mayor to preside in the absence of the Mayor-Commissioner. In the event
81 that the designated Mayor-Commissioner and the Vice Mayor are absent at any meeting of the
82 Town Commission, any member of the Town Commission may be designated by the Town
83 Commission to act as Mayor Pro-Tem for such meeting.

84 **Sec. 6.3. - Qualifications of members of Town Commission.**

85 (1) To be eligible to hold the office of Mayor-Commissioner or Commissioner of the Town of
86 Lauderdale-By-The-Sea, or to qualify for candidacy for Mayor-Commissioner or Commissioner,
87 the individual shall be a bona fide resident and citizen of the Town of Lauderdale-By-The-Sea,
88 shall have resided in the said town for the six (6) months immediately preceding the date of
89 election, shall be a registered voter pursuant to Florida law, and shall be otherwise qualified as
90 provided for in the Charter.

91 (2) No person may be a candidate for Commissioner, nor may be appointed to fill a vacancy as
92 a Commissioner, if that person has served during both of the two preceding consecutive
93 Commission terms for that seat as a Commissioner ~~or a Mayor-Commissioner or both~~, without a
94 two year break in service.

95 (3) No person may be a candidate for Mayor-Commissioner, nor may be appointed to fill a
96 vacancy as the Mayor-Commissioner, if that person has served during each of the three
97 preceding consecutive Mayor-Commissioner terms as a Mayor-Commissioner.

98 (4) Service of one year or less of a term by a person who had not previously served as either a
99 Commissioner or Mayor-Commissioner shall not be considered for purposes of term limits.

100 (5) Service for purposes of term limits shall be determined as of the time the person would take
101 office.

102 (6) No person may be a candidate for Mayor-Commissioner or Town Commissioner, nor may be
103 appointed to fill a vacancy as the Mayor-Commissioner or Town Commissioner, if that person
104 has consecutively served fourteen (14) years in any combination of offices without a two year
105 break in service.

106
107

* * *

108 **Sec. 6.6. - Forfeiture of office.**

109 A Commission member, or the Mayor-Commissioner, ~~shall forfeit the~~ is subject to penalties
110 including forfeiture of office if the person:

111 (1) Lacks, at any time during a term of office, any qualification for the office prescribed
112 by this Charter or general law;

113 (2) Violates any standard of conduct or code of ethics established by law for public
114 officials;

115 (3) Is convicted of a felony while in office;

116 (4) Fails to attend four (4) consecutive regular meetings of the Town Commission without
117 being excused by the Town Commission by formal action entered upon the minutes; or

118 (5) Becomes incapable of performing the duties of the office for a period of more than
119 three (3) months.

120 In all circumstances arising under this section, the Town Commission shall be the judge of its
121 own membership.

122 **Sec. 6.7. - Forfeiture hearing and process.**

123 A member of the Town Commission charged with conduct constituting grounds for forfeiture of
124 his office shall be entitled to a public hearing on demand, and notice of such hearing shall be
125 published in one or more newspapers of general circulation in the Town at least thirty days
126 before the scheduled hearing. At that public hearing, the Commissioner in question is entitled to
127 present evidence and must be afforded due process. The Town Commission shall be the sole
128 judge of the qualifications of its members and shall hear all questions relating to forfeiture of a
129 Commissioner's or Mayor-Commissioner's office, including whether or not good cause for
130 absence has been, or may be, established. The Commissioner in question shall have the burden of
131 establishing good cause for absence; provided, however, that any Commissioner may at any time
132 during any duly held meeting move to establish good cause for his or her absence or the absence
133 of any other Commissioner, from any past, present, or future meeting(s), which motion, if
134 carried, shall be conclusive. A Commissioner whose qualifications are in question, or who is
135 otherwise subject to forfeiture of his/her office, shall not vote on any such matters. The Town
136 Commission may order one or more of the following penalties at a hearing based on Section
137 6.6(2) or Section 6.6(5): forfeiture of office, censure, and a letter of instruction for the future
138 conduct of the Commissioner. The Town Commission may order forfeiture at a hearing based
139 on Section 6.6(1), (3) or (4). Any final determination by the Town Commission that a
140 Commissioner or the Mayor-Commissioner has forfeited his or her office, or to censure or issue
141 a letter of instruction to the Commissioner in question, shall be made by resolution approved by
142 a unanimous vote of the remaining members of the Town Commission. All votes and other acts

of the Commissioner in question prior to the effective date of such resolution shall be valid regardless of the grounds of forfeiture.

* * *

Sec. 6.10. - Vacancy in candidacy for Mayor-Commissioner or Commissioner.

(a) *Withdrawal.* A candidate for Mayor-Commissioner or Commissioner may withdraw at any time prior to the election by filing a sworn, executed statement of withdrawal with the Town Clerk.

(b) *Effect of death, withdrawal or removal where candidate remains on the ballot.*

(1) *No supplemental qualifying period.* (i) If the death, withdrawal or removal from the ballot of a qualified candidate or candidates for office following the end of the qualifying period leaves less than two candidates for that office, and at least twenty five (25) days remain before the election, the qualifying period for that office shall be reopened for five (5) days. The supplemental qualifying period shall begin on the day following the day that the vacancy occurs. Notice of the supplemental qualifying period shall be posted by the Town Clerk.

(ii) If fewer than twenty five (25) days remain before the election, no supplemental qualifying period shall be provided. The remaining candidate shall be declared elected and no election shall be held for that office.

(2) *Changes in ballot.* The name of any qualified candidate who has withdrawn, died or been removed from the ballot shall not be printed on the ballot. If the ballot cannot be changed, any votes for that candidate shall be null and void. All candidates qualified during a supplemental qualifying period shall be placed on the ballot along with the remaining candidate, if possible.

(3) *Treatment of any remaining candidate.* Where a single candidate remains for an office, the remaining candidate for that office shall not be required to re-qualify for election or pay a second qualifying fee. The remaining candidate shall not be declared an unopposed candidate by the Town Clerk unless no additional candidate qualifies for election during the supplemental qualifying period. If declared unopposed, the remaining candidate shall be declared elected by operation of law.

(c) *Effect of death, withdrawal or removal where no candidate remains on the ballot.* Should a vacancy in candidacy leave no candidate remaining for an office after the conclusion of the qualifying period and any supplemental qualifying period but before the election, the resulting vacancy shall be handled as provided in Section 6.8 of the Charter.

* * *

Section 3. Election Called. A special election is hereby called for Tuesday, March 11, 2014, in conjunction with the general election being held on said date, to present to the qualified electors of the Town of Lauderdale-By-The-Sea (the "Town"), each of the ballot questions provided in Section 4 of this Ordinance.

Section 4. Form of Ballot. The form of ballot for the Charter Amendments provided for in Section 2 of this Ordinance shall be substantially as follows:

(1) CREATE ALTERNATIVE STANDARD FOR TOWN COMMISSION TO DETERMINE TOWN MANAGER QUALIFICATIONS

The Charter currently identifies qualifications for the Town Manager, including specifically identified levels of education and experience establishing acceptable competencies and practices of local public management experience.

Shall the Charter be amended to give the Town Commission the option to determine that other levels of education and experience are acceptable because they are comparable to the identified levels?

YES []

NO []

(2) CHANGE TIME FOR TOWN COMMISSION TO DESIGNATE THE VICE-MAYOR

The Charter currently provides that the Town Commission must designate a Vice Mayor on the second Tuesday following each regular election.

Shall the Charter be amended to provide that the Town Commission designate a Vice-Mayor no later than the second regularly scheduled Town Commission meeting following each regular election?

YES []

218
219 NO []
220
221

222 (3) ALLOW MAYOR-COMMISSIONER TO RUN FOR
223 TOWN COMMISSIONER AFTER REACHING TERM
224 LIMIT AS MAYOR-COMMISSIONER
225

226 The Charter currently prohibits a Mayor-Commissioner from
227 running for Town Commissioner immediately following three
228 consecutive terms of service as Mayor-Commissioner.
229

230 Shall the Charter be amended to allow future Mayor-
231 Commissioners to run for Town Commissioner without a two-year
232 break in service?
233

234 YES []
235

236 NO []
237
238

239 (4) ESTABLISH MAXIMUM CONSECUTIVE TERM
240 LIMIT FOR SERVICE AS MAYOR-COMMISSIONER
241 AND TOWN COMMISSIONER
242

243 The Charter currently limits service as a Mayor-Commissioner to
244 three terms and service as a Town Commissioner to two terms, but
245 does not limit continuous service alternating between the two
246 offices.
247

248 Shall the Charter be amended to provide that no person may be
249 elected or appointed as Mayor-Commissioner or Town
250 Commissioner if that person has served a total of fourteen years in
251 any combination of offices, without a two year break in service?
252

253 YES []
254

255 NO []
256
257

258 (5) AMEND PROCEDURES AND PENALTIES
259 APPLICABLE TO ALLEGED COMMISSIONER
260 VIOLATIONS
261

262 The Charter currently provides that, if the Town Commission finds
263 that one of its members has committed certain acts, that
264 Commissioner shall forfeit office.

265
266 Shall the Charter be amended to clarify the due process
267 requirements for such hearings, and to allow the Commission to
268 consider lesser penalties (censure and a letter of instruction) for
269 violation of any standard of conduct or code of ethics established
270 by law and for incapacity for three or more months?

271
272 YES []

273
274 NO []

275
276
277 (6) CREATE PROCEDURES FOR VACANCIES IN
278 CANDIDACY FOR TOWN ELECTED OFFICE

279
280 Section 166.031(6), Florida Statutes, requires that local
281 governments create a procedure to address vacancies in candidacy
282 before an election.

283
284 Shall the Charter be amended to add procedures related to
285 candidate vacancies including procedures for withdrawal,
286 supplemental qualifying periods, treatment of remaining
287 candidates, and effects of death, withdrawal or removal of
288 candidates?

289
290 YES []

291
292 NO []

293
294 **Section 5. Vote at Polls.** Balloting shall be conducted between the hours of 7 A.M. and

295 7 P.M. on the date of the election, and early and absentee balloting shall also be permitted as
296 provided in conjunction with the general election. Polling places shall be those polling places
297 provided for the general election for the electors of the Town, pursuant to applicable laws. All
298 qualified Town electors who are timely registered in accordance with law shall be entitled to
299 vote. The Town Clerk is authorized to obtain any necessary election administration services

from the Broward County Supervisor of Elections. The County registration books shall remain open at the Office of the Broward County Supervisor of Elections office until February 10, 2014, as provided by law, at which date the registration books shall close in accordance with the provisions of the general election laws. The Town Clerk and the Broward County Supervisor of Elections are hereby each authorized to take all appropriate action necessary to carry into effect and accomplish the electoral provisions of this Ordinance. This Charter Amendment election shall be canvassed by the County Canvassing Board unless otherwise provided by law.

Section 6. Notice of Special Election. Notice of said special election shall be published in accordance with Section 100.342, Fla. Stat., in a newspaper of general circulation within the Town at least 30 days prior to said election, the first publication to be in the fifth week prior to the election (to-wit: during the week commencing Sunday, February 2, 2014), and the second publication to be in the third week prior to the election (to-wit: during the week commencing Sunday, February 16, 2014), and shall be in substantially the following form:

"NOTICE OF SPECIAL ELECTION

PUBLIC NOTICE IS HEREBY GIVEN THAT, PURSUANT TO ORDINANCE NO. 2013-13 ADOPTED BY THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA (THE "TOWN"), A SPECIAL ELECTION HAS BEEN CALLED AND ORDERED TO BE HELD WITHIN THE TOWN, IN CONJUNCTION WITH THE GENERAL ELECTION, ON TUESDAY, THE 11TH DAY OF MARCH 2014, BETWEEN THE HOURS OF 7 A.M. AND 7 P.M., AT WHICH TIME THE FOLLOWING CHARTER AMENDMENT PROPOSALS SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE TOWN:

- (1) CREATE ALTERNATIVE STANDARD FOR TOWN COMMISSION TO DETERMINE TOWN MANAGER QUALIFICATIONS

The Charter currently identifies qualifications for the Town Manager, including specifically identified levels of education and experience establishing acceptable competencies and practices of local public management experience.

Shall the Charter be amended to give the Town Commission the option to determine that other levels of education and experience are acceptable because they are comparable to the identified levels?

YES []

NO []

(2) CHANGE TIME FOR TOWN COMMISSION TO DESIGNATE THE VICE-MAYOR

The Charter currently provides that the Town Commission must designate a Vice Mayor on the second Tuesday following each regular election.

Shall the Charter be amended to provide that the Town Commission designate a Vice-Mayor no later than the second regularly scheduled Town Commission meeting following each regular election?

YES []

NO []

(3) ALLOW MAYOR-COMMISSIONER TO RUN FOR TOWN COMMISSIONER AFTER REACHING TERM LIMIT AS MAYOR-COMMISSIONER

The Charter currently prohibits a Mayor-Commissioner from running for Town Commissioner immediately following three consecutive terms of service as Mayor-Commissioner.

Shall the Charter be amended to allow future Mayor-Commissioners to run for Town Commissioner without a two-year break in service?

374 YES []

375
376 NO []

377
378
379 (4) ESTABLISH MAXIMUM CONSECUTIVE TERM
380 LIMIT FOR SERVICE AS MAYOR-COMMISSIONER
381 AND TOWN COMMISSIONER
382

383 The Charter currently limits service as a Mayor-Commissioner to
384 three terms and service as a Town Commissioner to two terms, but
385 does not limit continuous service alternating between the two
386 offices.
387

388 Shall the Charter be amended to provide that no person may be
389 elected or appointed as Mayor-Commissioner or Town
390 Commissioner if that person has served a total of fourteen years in
391 any combination of offices, without a two year break in service?
392

393 YES []

394
395 NO []

396
397
398 (5) AMEND PROCEDURES AND PENALTIES
399 APPLICABLE TO ALLEGED COMMISSIONER
400 VIOLATIONS
401

402 The Charter currently provides that, if the Town Commission finds
403 that one of its members has committed certain acts, that
404 Commissioner shall forfeit office.
405

406 Shall the Charter be amended to clarify the due process
407 requirements for such hearings, and to allow the Commission to
408 consider lesser penalties (censure and a letter of instruction) for
409 violation of any standard of conduct or code of ethics established
410 by law and for incapacity for three or more months?
411

412 YES []

413
414 NO []

(6) CREATE PROCEDURES FOR VACANCIES IN
CANDIDACY FOR TOWN ELECTED OFFICE

Section 166.031(6), Florida Statutes, requires that local governments create a procedure to address vacancies in candidacy before an election.

Shall the Charter be amended to add procedures related to candidate vacancies including procedures for withdrawal, supplemental qualifying periods, treatment of remaining candidates, and effects of death, withdrawal or removal of candidates?

YES []

NO []

Polling place information, the enabling Ordinance including the full text of the proposed Town Charter Amendments and the ballot questions, are available at the office of the Town Clerk, located at 4501 Ocean Drive, Lauderdale-By-The-Sea, Florida 33308.

Town Clerk

Section 7. Copies. Copies of this Ordinance proposing the Charter Amendments are on file at the offices of the Town Clerk located at 4501 Ocean Drive, Lauderdale-By-The-Sea, Florida 33308, and are available for public inspection during regular business hours.

Section 8. Effectiveness. Each Charter Amendment provided for in Section 2 of this Ordinance shall become effective if the majority of the qualified electors voting on that specific Charter Amendment, as described in the ballot summaries of Section 4 of this Ordinance, vote for its adoption. Each Charter Amendment shall be considered adopted and effective upon certification of the election results. Following adoption of the Charter Amendment(s), the Town Clerk shall incorporate the adopted Charter Amendment(s) into the Town Charter and shall file

the revised Town Charter with the Office of the Secretary of State as required by Section 166.031, Florida Statutes.

Section 9. Inclusion in the Town Charter. Subject to the requirements of Section 8 above, it is the intention of the Town Commission and it is hereby provided that the Charter Amendments shall become and be made a part of the Charter of the Town of Lauderdale-By-The-Sea, Florida, and that the Sections of this Ordinance may be renumbered or relettered to accomplish such intention.

Section 10. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not effect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 11. Effective Date of Ordinance. This Ordinance shall become effective immediately upon adoption hereof on second reading.

PASSED AND ADOPTED on First Reading this 10th day of September, 2013.

PASSED AND FINALLY ADOPTED on Second Reading this 22nd day of October, 2013.

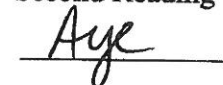

Mayor Roseann Minnet

Mayor Minnet

First Reading



Second Reading



478 Vice-Mayor Sasser
479 Commissioner Brown
480 Commissioner Dodd
481 Commissioner Vincent

Aye Aye
Aye Aye
Aye Aye
Aye Aye

482
483 Attest:

484 Vanessa Castillo
485
486
487 Town Clerk Vanessa Castillo, CMC

488
489 Approved as to form:

490 Susan L. Trevarthen
491
492
493 Susan L. Trevarthen, Town Attorney

CERTIFICATION

I certify this to be a true and correct copy of the record in my office.

WITNESSED by my hand and official seal of the Town of Lauderdale-By-The-Sea, Florida

1st day of April, 20 14
Jecha Smith Deputy Town clerk

Charter Amendments That Passed:

(1) CREATE ALTERNATIVE STANDARD FOR TOWN COMMISSION TO DETERMINE TOWN MANAGER QUALIFICATIONS

The Charter currently identifies qualifications for the Town Manager, including specifically identified levels of education and experience establishing acceptable competencies and practices of local public management experience.

Shall the Charter be amended to give the Town Commission the option to determine that other levels of education and experience are acceptable because they are comparable to the identified levels?

Sec. 5.3. - Town Manager—Appointment, qualifications and compensation.

. . . . The Town Manager shall be appointed solely on the basis of education and experience in the accepted competencies and practices of local public management including, a graduate degree with a concentration in public administration, public affairs, public policy, or public finance and two (2) years' experience as an appointed city manager or county manager, or four (4) years' experience as an assistant or deputy city manager or assistant or deputy county manager. Alternatively, the Town Manager shall be appointed on the basis of education and experience in the accepted competencies and practices of local public management that is determined by the Town Commission to be commensurate to those listed in the prior sentence.

(2) CHANGE TIME FOR TOWN COMMISSION TO DESIGNATE THE VICE MAYOR

The Charter currently provides that the Town Commission must designate a Vice Mayor on the second Tuesday following each regular election.

Shall the Charter be amended to provide that the Town Commission designate a Vice Mayor no later than the second regularly scheduled Town Commission meeting following each regular election?

Sec. 6.2. - Vice Mayor and acting Mayor Pro-Tem.

No later than ~~On~~ the second regularly scheduled Town Commission meeting to occur ~~Tuesday~~ following each regular election, one (1) member of the Town Commission may be designated, by resolution, as Vice Mayor to preside in the absence of the Mayor-Commissioner. . . .

(4) ESTABLISH MAXIMUM CONSECUTIVE TERM LIMIT FOR SERVICE AS MAYOR-COMMISSIONER AND TOWN COMMISSIONER

The Charter currently limits service as a Mayor-Commissioner to three terms and service as a Town Commissioner to two terms, but does not limit continuous service alternating between the two offices.

Shall the Charter be amended to provide that no person may be elected or appointed as Mayor-Commissioner or Town Commissioner if that person has served a total of fourteen years in any combination of offices, without a two year break in service?

Sec. 6.3. - Qualifications of members of Town Commission.

* * * * *

(6) No person may be a candidate for Mayor-Commissioner or Town Commissioner, nor may be appointed to fill a vacancy as the Mayor-Commissioner or Town Commissioner, if that person has consecutively served fourteen (14) years in any combination of offices without a two year break in service.

(6) CREATE PROCEDURES FOR VACANCIES IN CANDIDACY FOR TOWN ELECTED OFFICE

Section 166.031(6), Florida Statutes, requires that local governments create a procedure to address vacancies in candidacy before an election.

Shall the Charter be amended to add procedures related to candidate vacancies including procedures for withdrawal, supplemental qualifying periods, treatment of remaining candidates, and effects of death, withdrawal or removal of candidates?

Sec. 6.10. - Vacancy in candidacy for Mayor-Commissioner or Commissioner.

(a) Withdrawal. A candidate for Mayor-Commissioner or Commissioner may withdraw at any time prior to the election by filing a sworn, executed statement of withdrawal with the Town Clerk.

(b) Effect of death, withdrawal or removal where candidate remains on the ballot.

(1) No supplemental qualifying period. If the death, withdrawal or removal from the ballot of a qualified candidate or candidates for office following the end of the qualifying period leaves less than two candidates for that office, the remaining candidate shall be declared elected and no election shall be held for that office.

(2) Changes in ballot. The name of any qualified candidate who has withdrawn, died or been removed from the ballot shall not be printed on the ballot. If the ballot cannot be changed, any votes for that candidate shall be null and void.

(c) Effect of death, withdrawal or removal where no candidate remains on the ballot. Should a vacancy in candidacy leave no candidate remaining for an office after the conclusion of the qualifying period, the resulting vacancy shall be handled as provided in Section 6.8 of the Charter.

Charter Amendments That Failed:

(2) ALLOW MAYOR-COMMISSIONER TO RUN FOR TOWN COMMISSIONER AFTER REACHING TERM LIMIT AS MAYOR-COMMISSIONER

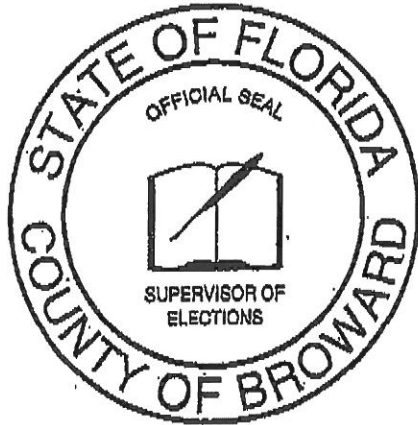
The Charter currently prohibits a Mayor-Commissioner from running for Town Commissioner immediately following three consecutive terms of service as Mayor-Commissioner.

Shall the Charter be amended to allow future Mayor-Commissioners to run for Town Commissioner without a two-year break in service?

(5) AMEND PROCEDURES AND PENALTIES APPLICABLE TO ALLEGED COMMISSIONER VIOLATIONS

The Charter currently provides that, if the Town Commission finds that one of its members has committed certain acts, that Commissioner shall forfeit office.

Shall the Charter be amended to clarify the due process requirements for such hearings, and to allow the Commission to consider lesser penalties (censure and a letter of instruction) for violation of any standard of conduct or code of ethics established by law and for incapacity for three or more months?



DR. BRENDA C. SNIPES

SUPERVISOR OF ELECTIONS

BROWARD COUNTY

BROWARD COUNTY GOVERNMENTAL CENTER

FORT LAUDERDALE, FLORIDA 33301

Phone: (954) 712-1950

Fax: (954) 357-7070

VOTE WITH CONFIDENCE

FAX TRANSMISSION COVER SHEET

TO: Municipal Clerks FAX#: _____

FROM: Andrea C. Perri NUMBER OF PAGES: _____ DATE: 03/13/14
INCLUDING COVER SHEET

REGARDING: Official Results for the March 11, 2014 Municipal Election.

COMMENTS: _____

FOR TRANSMISSION PROBLEMS PLEASE CALL (954) 712-1950

THERE ARE BRANCH OFFICES LOCATED THROUGHOUT THE COUNTY FOR
YOUR CONVENIENCE. PLEASE CALL (954) 357-7050 FOR THE LOCATION OF
THE OFFICE NEAREST YOU.

SUMMARY REPT-GROUP DETAIL

MUNICIPAL GENERAL
BROWARD COUNTY, FLORIDA
MARCH 11, 2014

LAUDERDALE BY THE SEA

RUN DATE:03/13/14 04:24 PM

REPORT-EL45A PAGE 001

	TOTAL VOTES	%	EDAY 200	EDAY IVO	ABSENTEE	PROVISION
PRECINCTS COUNTED (OF 2)	2	100.00				
REGISTERED VOTERS - TOTAL	5,170					
BALLOTS CAST - TOTAL	1,154		715	0	439	0
VOTER TURNOUT - TOTAL		22.32				
COMMISSIONER SEAT 1 DISTRICT 1 LAUD-BY-THE-SEA						
Vote for 1						
Birute Ann Clotney	445	39.24	272	0	173	0
Elliot Sokolow	486	42.86	284	0	202	0
Eric Yankwitt	203	17.90	153	0	50	0
LAUDERDALE-BY-THE-SEA 1						
Vote for 1						
YES/SI/VI	703	63.11	457	0	246	0
NO/NO/NON	411	36.89	230	0	181	0
LAUDERDALE-BY-THE-SEA 2						
Vote for 1						
YES/SI/VI	658	60.59	387	0	271	0
NIO/NO/NON	428	39.41	289	0	139	0
LAUDERDALE-BY-THE-SEA 3						
Vote for 1						
YES/SI/VI	372	35.16	236	0	136	0
NO/NO/NON	686	64.84	429	0	257	0
LAUDERDALE-BY-THE-SEA 4						
Vote for 1						
YES/SI/VI	737	67.49	420	0	317	0
NO/NO/NON	355	32.51	262	0	93	0
LAUDERDALE-BY-THE-SEA 5						
Vote for 1						
YES/SI/VI	485	44.66	316	0	169	0
NO/NO/NON	601	55.34	364	0	237	0
LAUDERDALE-BY-THE-SEA 6						
Vote for 1						
YES/SI/VI	902	83.13	560	0	342	0
NO/NO/NON	183	16.87	119	0	64	0

COUNTY JUDGE

COUNTY COMMISSIONER

SUPERVISOR OF ELECTIONS

TOWN OF LAUDERDALE-BY-THE-SEA

TOWN COMMISSION

SPECIAL COMMISSION MEETING

MINUTES

Jarvis Hall

4505 Ocean Drive

Monday, June 10, 2013

6:30 P.M.

1. CALL TO ORDER, MAYOR ROSEANN MINNET

Mayor Roseann Minnet called the meeting to order at 6:30 p.m. Also present were Vice Mayor Scot Sasser, Commissioner Mark Brown, Commissioner Stuart Dodd, Commissioner Chris Vincent, Town Attorney Susan L. Trevarthen, Town Manager Connie Hoffmann, Assistant Town Manager Bud Bentley, Finance Director Tony Bryan, Municipal Services Director Don Prince and Town Clerk Vanessa Castillo.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Minnet recognized and thanked the members of the Charter Review Board (CRB) for the time, dedication and effort that they invested in their assigned task, as these were not easy subjects; they required lengthy thought, discussions and decisions. At the end of the day, the aim was to make the Town a better place.

3. PUBLIC COMMENTS

Mayor Minnet opened the meeting for public comment.

Laurence Campbell presented copies of a prepared statement to the Town Commission and read portions of the statement into the record, noting that he was intimately involved in passing the original amendments in 2006. He said that the last page of the statement showed his recommended positions on the 17 CRB recommendations, some of which he agreed with.

Birute Ann Clotey thanked the CRB for their work in the Charter Review process, stating it appeared some Board members thought that their job was to undo some of the past referendums, hence the end result reflected in some CRB recommendations. Some of the proposed recommendations appeared to take the power away from residents and convey to the Town Commission, and that potentially exposed the Commission to undue pressure by developers.

Mark Furth, Chairperson for the Citizens Initiative Committee (CIC), stated the consensus of the CIC was that there was no resident support for the height, zone or

term limits changes the CRB recommended. He elaborated on reasons that he felt the Commission should leave such issues unchanged in the Charter, suggesting they focus on approving the noncontroversial items.

Cristie Furth thanked the CRB for listening to the concerns that were voiced by members of the public at its meetings, adding that the CRB could not come to a consensus on maximizing height limits and transferring zoning powers to the Commission. She disagreed that placing such items on a referendum allowed voters to decide, as the Commission's forwarding the items for a referendum created an impression of support of those items and influenced the public. She read into the record her statement of objections to changes to the Charter as put forth by the CRB, urging the Commission to encourage Town beautification and increased pedestrian activity.

Eric Yankwitt thought it was premature for the Commission to make any decision on the CRB's recommended changes without the results of the marketing survey. The opportunity to take away from residents the ability to change such matters through referendum violated the separation of powers to some degree.

With no one else wishing to speak, Mayor Minnet closed the public comments.

4. CHARTER REVIEW BOARD RECOMMENDATIONS

Vice Mayor Sasser indicated the changes under sections 6.3 and 7.1 appeared to be the most contested of the proposed changes and, were they to go on a ballot, they should do so alone. He preferred to consider those first, as it might affect how he voted on other issues, specifically for items 6.3(2), 6.3(6), and all the 7.1 issues.

Mayor Minnet asked Town Attorney Trevarthen to address the residents' expressed concerns, such as those related to the overlay districts, and whether or not the claims made were included in any of the CRB's recommended Charter changes. These included comments by the public related to "overlay districts", "undoing" past amendments, "unfair", etc. She asked if the Town Attorney thought that there had been any pressure felt by members of the CRB to recommend any of the changes shown in the backup.

Town Attorney Trevarthen answered no. She noted many of the residents present attended the CRB meetings and had firsthand knowledge of those discussions, but that there were some residents present who had not, so she hoped her explanations would achieve a common understanding. She explained The Town's Charter required a Charter Review every 12 years, similar to other cities, some of the issues mentioned in the public comments were topics of CRB conversation, but not all were brought forward to the Commission. On the matter of changes to section 7.1, the CRB looked at the current Charter's prohibitions on Town Commission power, and they felt the present and specific Charter provisions went beyond the background law. She noted that the Charter stated that the Town Commission had no right to create zoning districts, change the uses allowed in those zoning districts, or to change the height limits in the zoning

Town Commission Special Meeting Minutes
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districts. Town Attorney Trevarthen stated that after several months of deliberation on the powers issues, including considering what the Commission might use those powers to do, the CRB recommended no changes, so that matter was not before the Commission.

However, she noted, there was a specific CRB change that was before the Town Commission that was related to a comment by a member of the public about the Town Commission not having the power to alter the Charter or to grant variances from the Charter. She indicated the reason the CRB recommended the removal of these statements about the Commission not amending the Charter was that they were true as a matter of law, regardless of whether they were stated in the Charter or not. Thus, they were recommended to be removed as redundant provisions, since they were listed four or five times throughout the Charter, and were felt by some to impede the legibility and ability to follow that section of the Charter.

Town Attorney Trevarthen clarified that the CRB concluded its work after a little over a year, and the end result was to bring forward recommendations; the decision to approve or disregard them was totally at the Town Commission's discretion. Where the Town Commission decided to move a CRB recommendation forward, the next step would be to draft ordinances, and there were specific procedural requirements on how to proceed. She emphasized that the only way changes to the Charter could take effect was if the voters voted them into existence, so any ordinance that supported CRB recommendations was subject to at least two readings and, if approved, it would be placed on the ballot.

On the issue of overlays, the Town Attorney indicated that Mr. Campbell was referring specifically to pages 10 to 11 of the analysis document of the plain English version of the Charter on section 7.1. She said the statement was in the current Charter, and it was not 100 percent clear if that ban on creating new categories of zoning included overlay districts. As the plain English version merely spoke about zoning districts, if there was a desire to clearly state that included overlay districts, the language could be included. The CRB neither questioned nor discussed that issue.

Mayor Minnet asked the Commissioners if they wished to make an opening statement.

Commissioner Brown inquired if there was any time limitation for the Town Commission to act on the CRB's recommendations.

Town Attorney Trevarthen answered no; the Charter Review requirement had been met, and the Commission could choose to do nothing further.

Commissioner Brown questioned if, at the present time, there were differences between the Town Charter and the Town Code when it came to the Town's height limits.

Town Attorney Trevarthen replied that there were and that it was important for people to understand this in the present conversation. It had been a frequent point of confusion

among members of the public and the CRB, as well as Town staff at various times, but there were differences between Charter height limits and Town code height limits. She mentioned an example of one of the zoning districts that was most frequently discussed was the RM25 zoning district that was mapped along El Mar Drive in the eastern side of the Town. At present, Charter height limits were determined by time; that is, if a building existed prior March 2006, there was a 44-foot height limit, and if it came into existence later, then the building was subject to a 33-foot height limit. She explained that the zoned height limit in the RM25 district was 33 feet regardless of time. Due to the limitations on Town Commission power, the only way to change that zoned height limit of 33 feet would be by a separate vote of the people.

Commissioner Brown asked if the plain English version of the Charter put forth for approval by the CRB would in any way unify the Town Charter and the Town Code when it came to the differences in each as to height limits.

Town Attorney Trevarthen answered no, the plain English version was not designed to accomplish unification of the two. When the CRB first decided to tackle Article VII, in an effort to simplify the language, she was charged by the CRB to bring them a translation. To the best of her ability, the plain English version was worded to preserve the current Charter in a way that made it easier to understand.

Commissioner Brown expressed disappointment in the way the Charter Review process unfolded, though this disappointment was not directed at the CRB, as they worked very hard and held numerous hearings that always included public input. He had high hopes going into the Charter Review process that good things would be accomplished based upon the cooperation and support from the Town residents over the past year for the renovation projects along Commercial. The hope had been for the same type of cooperation to be extended to the CRB, but this had not happened. It was a shame that the public could not support the CRB, as there were problems in the Charter that needed to be fixed. Commissioner Brown mentioned the misinformation that was spread around the Town about the CRB, some of which residents at the present meeting continued to voice, and he received examples of the misinformation via email in recent days. For example, one of the questions asked of him was why the CRB was recommending increases in the height limits, which they had not. The same misunderstanding applied to the public's questions on what they thought the CRB was recommending for term limits and giving zoning power back to the Commission. He said this was all make believe, and putting all that false information out into the community poisoned the "well" as, in the Town, perception was reality. There seemed to be no reason to put any issues up for referendum in 2014, as the situation lacked a serious demonstration of public support for any of the changes recommended by the CRB. Given the fact that there was no sense of urgency for the Commission to approve any of the CRB's recommendations, he was inclined to defer any decisions to a day when a fair and honest discussion about the Charter could be held in the Town. He might be willing to support some of the lesser changes, but he was more inclined to approve none of the changes.

Commissioner Vincent mentioned attending the last CRB meeting, at which he expressed his gratitude to the CRB members for their work on the Charter review. The CRB was put together by the Commission to define/examine certain issues in the Charter that might require a cleanup via minor changes for clarification, etc. He believed the CRB accomplished that task, noting those individuals who served on the CRB were Town residents chosen through a fair selection process.

Commissioner Dodd echoed appreciation to the CRB for their hard work and diligence, studying the intricacies of the Charter and making recommendations accordingly. He was very disappointed that the CRB was subjected to so much pressure from an organization whose aim appeared to be to stop progress and not to consider certain issues as either relevant or in need of tweaking. A number of persons approached him, asking what were the problems with the heights and term limits, and why the Commission sought to raise building heights, though he never heard any member of the Town Commission voice such a desire. When inquiring residents were given the true explanation and history as to why the Town was faced with a problem, they were unable to understand the irrational fears expressed by a select minority and their seeming opposition to any changes to the Charter. He stated if there were trust issues in the past, he was disappointed that the organization failed to reach out to the Commission or examine the achievements over the last four years before issuing the rallying calls to arms. A unified Town was important and the current situation did not set a good example for anyone thinking about volunteering to serve on Town boards.

Vice Mayor Sasser restated commendations to the CRB for the difficult task they embarked upon in the Charter review process. His reason for requesting that certain changes be taken first in the discussion was due to his belief that there had been significant work done by the CRB that could be completed at the present meeting, as there were a number of recommendations he was prepared to put forward to a referendum. When he ran for office four years prior, height limits were a top priority for everyone, and he realized no one supported raising height limits, so he gave his word that, if he were elected, he would not support raising height limits. He felt it was important for the Commission not to consider issues surrounding height limits at present, due to the controversy surrounding the CRB over the past year. Section 6.3, the Mayor/Commissioner running for Town Commissioner, and the ensuing item that went with it were also very controversial, and they needed further discussion to clarify the reasons they should be changed. Vice Mayor Sasser felt optimistic that if the Town took the right approach and earned one another's trust over time, it was possible to later consider issues that needed to be addressed to ensure that the Town remained a low-rise community as desired, while meeting the demands of change. He thought that neither sections 6.3 nor 7.1 belonged on the ballot with the other changes he supported, as he preferred that the items going to a referendum were changes that the majority of the Town could comfortably support.

Mayor Minnet thought the members of the Commission summed things up very well and thanked the CRB for all their work. She went on to open the discussion, as requested by Vice Mayor Sasser, on sections 6.3(2) and 6.3(6).

Vice Mayor Sasser sought clarification on 6.3(6) that stated: create maximum consecutive term limit of two Commission terms and three Mayoral terms, which he thought went along with section 6.3(2) that sought to allow future Mayor/Commissioners to run for Town Commissioner without a two-year break in service.

Town Attorney Trevarthen affirmed they were tied together, explaining that she interpreted the current Charter to mean that the Mayor/Commissioner could not qualify to run for election as a Commissioner immediately following service as Mayor. The CRB, by a 6-1 vote, recommended that this be changed, so that a Mayor/Commissioner had the same rights as a Commissioner; that is, he/she could run for Commissioner immediately after serving as Mayor. Under the present Charter, a Commissioner could run for Mayor/Commissioner immediately after serving as a Commissioner. It was the recommendation of the CRB that three Mayoral terms plus two Commission terms was sufficient, and at that point, a two-year break in service was needed.

Vice Mayor Sasser restated his objections to putting 6.3(2) and 6.3(6) on the ballot.

Commissioner Brown felt it was unfair for a Commissioner to be able to serve two terms on the Commission and immediately run for Mayor, yet the Mayor could not serve three terms as Mayor and then immediately run for Commissioner. But there appeared to be no public support for the recommended changes, and he had no desire to see a ballot with controversial issues, so he concurred with the views of Vice Mayor Sasser.

Commissioner Dodd commented the recommended change benefited no one presently in office, noting no one thought anyone would run for Mayor without having served as a Commissioner. As all members of the Town Commission were equal, it was only fair that any candidate wishing to serve on the Commission could run for any office up to a maximum of 14 years without a break. He stated the last eligible election should be the one that allowed the member of the Commission to reach the 14 years without exceeding that limit. He believed if it were presented in the correct form that anyone would understand the original intention regarding setting term limits.

Vice Mayor Sasser emphasized that, regardless of the outcome of the subject issue, the current Mayor would not be affected. Thus, Mayor Minnet would be voting her conscience and not her seat.

Commissioner Vincent stated he had heard no public opposition to the subject issue and he received some positive feedback, so supported the recommended changes. When the subject matter was first raised that a Mayor could run for four years, he was vehemently against it, as he felt that it was important to have an opportunity to pull a majority by the voters every two years.

Mayor Minnet quoted from Mr. Campbell's statement that he distributed to the Commission, as she felt it summed up the two items very well. Specifically, she agreed that the proposed changes righted an inequity and allowed for three seats to be voted

on every two years. She recalled when she served on the CRB, this issue was debated, and she recommended the Town maintain elections every two years, and that the Mayor's position remain at two years, so the majority of the Commission was voted on every two years. Mr. Campbell's comment that the change would not violate the existing Charter was significant, as it was all about parity. She supported moving forward with these CRB recommendations.

Commissioner Dodd made a motion to approve section 6.3(2) to allow Mayor/Commissioners to run for Town Commission without a two year break in service, as well as section 6.3(6) to create a maximum consecutive term limit of two Commission terms and three Mayoral terms. The motion was seconded by Commissioner Vincent. The motion carried 3-2. Vice Mayor Sasser and Commissioner Brown voted no.

Commissioner Dodd emphasized that, with the approval of the CRB recommendations and the drafting of the ordinances, the public would have at least two opportunities at the first and second reading to voice their views to the Commission. It was a very democratic process that could prevent the ordinances from passing.

Mayor Minnet reiterated the outcome on these items would not affect her, noting some of the letters she received and some the comments emailed to her were disheartening, but that was evidence of how passionate the Town was and why she loved it. She moved the discussion onto the issue of height limits contained under section 7.1.

Vice Mayor Sasser stated his hope that the Town would choose a longer process, as he felt very strongly that the matter should not be included on the March 2014 ballot. The Town was presently very busy with various capital improvement projects, and it was important that they be done correctly and they needed everyone's full attention. He said the issue of height limits would remain a controversial issue.

Commissioner Brown was unsure what it was that Vice Mayor Sasser did not wish placed on the ballot, as 7.1(1) recommended all options for change considered by the CRB to be sent to the Town Commission. He sought clarification that if it was the Vice Mayor's suggestion that the Commission should not review any of the CRB options as stated in the backup.

Vice Mayor Sasser concurred, stating one recommendation was to send all the options to the Commission for discussion, so that item could not go on the ballot. However, referring specifically to 7.1, 7.1(1), 7.1(1)(d), 7.1(1)(f), 7.1(2)(b)-(d), 7.1(3)(b)(VIII to IX), should not be put forward in any form on the March 2014 ballot. He indicated they were all related to the height limit issue that many were strongly protesting, and so they should be dealt with at a later time.

Commissioner Brown concurred.

Commissioner Dodd stated his agreement with the statements made in Mark Furth's commentary on height limits and the resulting "big box". He continued to look for an answer as to why 44 feet did not turn out to be 44 feet, and he had been fighting for a long time to maintain the 44-foot height limit, and to go back to the original setbacks, so it would be possible to have views of the ocean. It was still a puzzle as to why Minto was built with a gazebo blocking the side corridor that was supposed to give a view of the ocean. He understood that, in view of such results, there had been a loss in trust by members of the public. He recalled being one of the first during public comments to suggest tearing Oriana down because it was too big and too close to the road. Commissioner Dodd believed there was a problem, and if the videos of most meetings in 2009 were viewed, it would be abundantly clear that everyone on the dais, including the Town Attorney, believed the height limit on beach front property on El Mar Drive was 44 feet. That is, it was three over one, so the bottom floor could be washed out, and this was believed to be due to the flood regulations. He said the state had now lowered the height limit by saying the flood regulations were no longer needed, so the height limit on the ocean front was now 33 feet. It was a question of perception, where the belief was either that if the Commission moved the subject changes forward, the aim was to raise the height limit, or it was believed that the aim was to put the height limit back to where it was agreed on by the voters in 2006, that three over one was an acceptable height limit. Commissioner Dodd stated what went wrong with the overlay districts was the setbacks, the density, using the beach area to calculate the density of the building, and the amount of land that was given away. He did not feel that it was a question of raising height limits, which was what was being told to the public, making it politically unacceptable for the Commission to move forward in its attempt to rectify the problem created by the state changing the flood regulations. This was not the time to go forward with the issue, and he supported postponing it for a finite period, perhaps revisiting it in five years.

Commissioner Vincent recommended the Commission not move forward with the changes recommended under section 7.1, as the level of controversy, confusion and opposition revealed the Town was not ready to tackle this matter.

Mayor Minnet thought it at a wise choice not to move 7.1 forward, though she was unsure a time limit should be put as to when next to revisit the matter. It was better to state that the Commission preferred to take no action on any of the 7.1 items at present.

Commissioner Dodd made a motion not to consider any of the CRB's recommended changes under section 7.1 for the present. The motion was seconded by Vice Mayor Sasser. The motion passed 5-0.

Mayor Minnet moved the discussion to the CRB recommendations under section 5.2: Remove the language that called for the Mayor to vote last on a roll call vote, which the CRB approved with a vote of 4-3. She asked the Commission if they wished to move the item forward.

Town Commission Special Meeting Minutes
June 10, 2013

Commissioner Dodd was happy either way, as he liked the electronic voting. He supported taking the language out of the Charter, as it was better for members of the Commission to stop, think and press the button to vote their opinion.

Vice Mayor Sasser supported leaving the language as is. After speaking with the Town Attorney, he learned that leaving the language in the Charter did not prevent the Commission from utilizing the electronic voting system. At the last Commission meeting when the electronic voting system failed, the Mayor voted last and everything went smoothly.

Commissioner Vincent stated he was comfortable leaving the language in.

Commissioner Brown remarked if he heard public support for the subject change over the next few meetings, he could approve putting it on the ballot, though he was not inclined to put small changes to a referendum unless they accompanied bigger change(s). This was a very low priority issue.

Mayor Minnet asked for and received no motion to move forward with the recommended change to section 5.2 of the Town Charter. The next item was section 5.3: Provide alternative standards for the Town Manager qualifications, for which there was a unanimous recommendation of approval by the CRB.

Commissioner Dodd asked what action could be taken or what penalty could be imposed if the Town Commission selected a candidate for Town Manager who was not qualified according to the Charter's language.

Town Attorney Trevarthen recalled giving the Town Commission the opinion that the present Town Manager's qualifications satisfied the Town Charter, the difference being between a public policy degree and a political science degree. There might be situations where there was a greater deviation from the listed standards, and the recommended language would remove the need to question it. The CRB felt that it was not helpful in the hiring process to debate whether a person met the qualifications, as a candidate might appear amply qualified in the eyes of the Commission.

Commissioner Vincent believed that the CRB wished to allow future Commissions the flexibility to make the correct decision. He supported the item moving to a referendum.

Commissioner Brown reiterated if over the course of the various public hearings he heard support for the subject change, he would support moving forward to a referendum. At present, he had yet to hear any such support from the public other than Mr. Campbell and, until that time, he did not support moving forward at present. This would be his response for the rest of the items the Commission would be voting on.

Vice Mayor Sasser made a motion to move section 5.3 to a referendum item. The motion was seconded by Commissioner Dodd. The motion passed 4-1. Commissioner Brown voted no.

Mayor Minnet pointed out the next items were in reference to the residential electoral districts, 6.1(2): The recommendation from the CRB was unanimous to preserve electoral seats in the absence of electoral districts.

Town Attorney Trevarthen noted the Mayor skipped over a recommendation: the removal of the requirement for residential electoral districts. At present, some candidates had to run from the north, while others ran from the south. The recommendation of the CRB was to remove that requirement.

Mayor Minnet received no Commission consensus on 6.1(2). Though she understood Commissioner Brown's stated position, she stated the CRB was charged with reviewing and amending the Town Charter, and nine of their recommendations were unanimous and aimed at improving the Town.

Commissioner Brown concurred with Mayor Minnet in principle, stating he felt bad that he was voting "no" on some of the CRB recommendations, as he supported some of them. He was willing to put them to a referendum, but he wanted to see more public support to justify placing them on the March 2014 ballot.

Mayor Minnet felt Commissioner Brown had received positive feedback, as the CRB was comprised of residents who studied the Charter and made their recommendations, and all their meetings allowed public input. It was sad that the Town Commission appeared not to be listening to the CRB because some decisions were not easy.

Commissioner Dodd supported the recommended change to 6.1(2-7), as the CRB held lengthy debates, and it was time to recognize that this was one Town, regardless of where one lived, and members of the Commission were representatives of the people.

Commissioner Dodd made a motion to approve the recommended changes to 6.1(2-7) and 3.3, removing the residential electoral districts. The motion died due to lack of a second.

Vice Chairperson Sasser inquired, since 6.1(2-7) died for lack of a second, if this immediately disqualified 6.1(2).

Town Attorney Trevarthen responded it made 6.1(2) moot. However, 6.1(5) was the fallback unanimous recommendation of the CRB that, in the event the Commission preserved the residential electoral districts, the Commission should remove the university study and adopt the current district boundaries into the Charter.

Vice Chairperson Sasser asked, as the Commission chose to preserve the residential electoral districts, if the removal of the required university study were approved, would this prevent the Town from having another study done at a later time? As times changed, including demographic changes, etc., there might come a time when the Town wished to do a study, such as east versus west.

Town Attorney Trevarthen stated that the Commission's removal of the requirement for a university study would not preclude the Town from doing studies in the future. However, the Commission might wish to consider not putting the current districts in the Charter, as it would require a referendum to change them at a future date if desired.

Vice Chairperson Sasser remarked he was not in favor of moving forward with the subject recommendation, as it would limit the flexibility to take such action in the future.

Commissioner Vincent understood the university study involved taking into account population changes to ensure there was an equitable balance among the districts.

Town Attorney Trevarthen replied the current Charter contained demanding language with regard to the university study and the standard that had to be met. The origin of that standard did not relate to the Town's situation: rather it was the standard that applied when there were single-member districts. When there were single-member districts in a government, the people living in a district voted only for the commissioner of that district. She believed that in that setting, this type of study, this type of rigor, was absolutely essential or the whole system of voting could be stricken by the courts. This was not the Town's situation, as the Town had voting at-large where everyone voted for all candidates, and candidates running for Commission seats, not Mayor, were only required to reside in one of the two districts. The subject issue arose at the time of the recent Decennial Census, and when Phase I of the university study came forward, it showed some significant population changes due to annexations.. At that time, she advised the Commission she felt this standard was unnecessary because the Town did not engage in at-large voting, and that issue was also discussed by the CRB.

Commissioner Vincent concurred with not moving forward the item.

Commissioner Dodd noted the Town abided by the present requirement to do a study and wondered if there would be a future requirement to do a further study, since the Town elected to do nothing when the Commission ignored the results of the last study. The question was whether the debate was about something that might cost more to remove it from the Charter in terms of ordinances and legal fees, or to do nothing if there was no future requirement that the Town do a study. He questioned if it was stated in the Charter when a study had to be done.

Town Attorney Trevarthen commented the Charter's language spoke about first doing it in 2004 and then again in 2012, but it had no other future dates; this was an interesting point that had not come up in the CRB discussions. As a lawyer, it was not good to have obsolete language lying around, but she understood the Town was balancing many concerns beyond these.

Mayor Minnet thought it sounded as though the subject items were moot points.

Commissioner Dodd remarked it sounded as if the Commission preferred to leave it.

No action was taken on the CRB recommendation to eliminate the requirement of the university study and amend the standard for establishing the residential electoral districts in Section 6.1(5)

Mayor Minnet stated the next item was section 6.6 - 6.7, that allowed the Commission to consider penalties other than forfeiture of office for the violation of a standard of conduct or code of ethics established by law or incapacity. It required that due process be provided in hearings under section 6.7. This was a unanimous CRB recommendation.

Town Attorney Trevarthen briefly reviewed the CRB recommended changes to sections 6.6 and 6.7. She noted that this dealt with what happened if a Commissioner either became incapable of performing his/her duties or committed certain acts that suggested they were no longer fit for service. The grounds were listed in the Charter, and a hearing was held before the remaining members of the Commission. The Commission acted as a judge of its own membership as to whether there was a violation and/or if something should be done. Presently, those provisions in the Charter had only one potential consequence -- forfeiture of office. Of the events that could trigger such a hearing included activities such as committing a felony, incapacity for a certain number of consecutive meetings, for example, due to illness. The second issue the CRB singled out was the provision that said, "... violates any legally required standard of conduct or code of ethics." She said the CRB felt it was appropriate to consider lesser penalties, as minor violations could result in a very disproportionate outcome (forfeiture). The CRB's proposal was that, if the basis for a forfeiture hearing was triggered, the Commission should have more options, including a letter of instruction or reprimand to the Commissioner, as lesser penalties than losing one's office. Some of the proposed changes stemmed from the concern that the forfeiture hearing before the remaining members of the Town Commission should be handled appropriately with all due process rights being provided to the Commissioner at issue. The Commissioner should be allowed to present evidence in his/her defense. These were all part of the changes to sections 6.6 and 6.7.

Commissioner Brown liked the subject recommendation, noting he asked the CRB to put the matter on their agenda. The County's Ethics Code had a zero tolerance with regard to accepting free items, such as a bottle of water, and if a Commissioner were to accept a bottle of water, under the current Charter, that presented grounds for removal from office. He doubted this was the intent of the Charter's language.

Vice Mayor Sasser remarked the need for due process stuck out with him, making this was a good ballot item. He asked why the subject changes might be important; did the County Ethics Code provide no due process.

Town Attorney Trevarthen responded the County Ethics Code was certainly not within the control of the Town Commission. There was an Inspector General (IG) with wide ranging powers to launch an inquiry, not only under the County Code of Ethics, but also any applicable ethics regulation to launch an inquiry. She mentioned that there were some expressed concerns as to whether that process had the full range of due process

Town Commission Special Meeting Minutes
June 10, 2013

that many Commissioners wished to see. The Town had no power to affect the process provided by the Inspector General's work; the Town only had the power to look at the hearings created under the Town Charter and specify how they were handled.

Vice Mayor Sasser questioned if under the County Code of Ethics, a decision of guilt could be imposed without the Commissioner allegedly at fault being allowed to properly defend himself/herself. This IG decision could then trigger their removal from office, when the Commission might not desire such action.

Town Attorney Trevarthen replied that issue could come up through an IG proceeding. The CRB's recommended change would give the Commission another option other than forfeiture of office.

Vice Mayor Sasser supported the subject item, as it just made sense, knowing that there was no proper due process provided in the County Code of Ethics.

Commissioner Vincent asked when would the Commission be able to move forward with due process on any type of ethics violation, wondering if there was ever a time when the Town had to discuss the matter with the IG first. He questioned where it all started and stopped, as far as who had protocol.

Town Attorney Trevarthen believed that the easiest way to think about the matter was as concurrent jurisdiction. The question presupposed that everything happened in a linear way, but it was not the case, as all the entities had their own sphere of jurisdiction over which they exercised control. The Town could do nothing about the state's Ethics Commission decisions or the County IG's actions or the County's Ethics Code, as these dictates were imposed on the Town from above. Here, the Town was proposing to amend the procedures required by the Charter that could be triggered by a finding under the State or County law. She noted, though it was not stated, the Governor, the Ethics Commission, the IG and all other ethics regulatory regimes had proportionate penalties of a wide variety, including a letter of reprimand, a letter of instruction, a fine, etc. Only the most severe infraction led to the removal from office. She commented the action advocated by the CRB's recommendation was in the spirit of what existed in other ethics regulatory schemes, and it allowed the Town Commission to choose the right penalty for the offense.

Commissioner Dodd felt immediate forfeiture without due process was too harsh, as in many instances an elected official might not be aware that someone that they were speaking with was a lobbyist, for example.. The punishment should fit the crime, and he fully supported putting the subject recommendation forward for a referendum.

Commissioner Dodd made a motion to approve moving forward CRB recommendations under sections 6.6 and 6.7. The motion was seconded by Commissioner Vincent. The motion passed 4-1. Commissioner Brown voted no.

Mayor Minnet noted she skipped an item, section 6.2, changing the time of designating the Vice Mayor after an election, which was unanimously recommended by the CRB.

Commissioner Dodd made a motion to approve moving forward with the CRB recommendation under section 6.2. The motion was seconded by Vice Mayor Sasser. The motion passed 4-1. Commissioner Brown voted no.

Mayor Minnet stated the next recommended change to the Charter was under section 6.10 that dealt with creating a procedure for vacancies and in candidacy. The CRB unanimously approved the proposed recommendation.

Commissioner Dodd made a motion to approve moving forward with the CRB recommendation under section 6.10. The motion was seconded by Vice Mayor Sasser. The motion passed 4-1. Commissioner Brown voted no.

Mayor Minnet indicated the next recommended CRB change was to section 6.11, specifying that the Town's elected officials served part-time and their ability to engage in outside employment and charitable fundraising would be controlled by state law, not the County Code of Ethics.

Town Attorney Trevarthen reviewed the details of this recommendation, noting there were four cities in Broward County to date that took action on the applicability of the Broward County Code of Ethics to their elected officials. Specifically, the municipalities were: Sea Ranch Lakes, Pompano Beach, Hillsboro Beach and Wilton Manors. They asked the voters whether their charters should be changed so the regulation disclosures and limitations of elected officials' outside employment follow state law and not the new County Code of Ethics. She said, in each of those cities, those ballot questions passed, and were now part of their charters. Other Broward municipalities, including the Town, were subject to the Broward County Code of Ethics that had additional restrictions on the type of employment in which elected officials could engage in and the type of disclosures that were necessary. The CRB examined the situation and recommended the Town Commission proceed with their suggested change. Town Attorney Trevarthen added one of the four cities, Hillsboro Beach also asked their voters whether their elected officials could opt out of the County law as it affected charitable fundraising activities, which the County Code of Ethics required to be reported, and that change passed. She noted both versions were offered to the CRB, and they recommended the Commission consider the Hillsboro Beach version with both changes; all other dictates of the County's Code of Ethics would remain in effect for the Town.

Mayor Minnet questioned if the IG gave any indication that the County would in any way pursue the four above-mentioned cities for opting out of these particular regulations.

Town Attorney Trevarthen responded that when the first three cities took this action, the County discussed challenging them and, after several months of discussions, they decided not to act.

Mayor Minnet noted there appeared to be no Town Commission support for this recommendation, so the proposed CRB change to Section 6.11 would be disregarded. She sought clarification on the next step in the procedure.

Town Attorney Trevarthen summarized the proceedings of the CRB's recommended changes to the Charter and the Commission's decision on whether to move those recommendations forward to a referendum:

- Section 5.3 - approved by the Commission by a vote of 4-1
- Section 6.2 - approved by the Commission by a vote of 4-1
- Sections 6.3(2) and 6.3(6) - approved by the Commission by a vote of 3-2
- Sections 6.6 and 6.7 - approved by the Commission by a vote of 4-1
- Section 6.10 - approved by a the Commission by a vote of 4-1

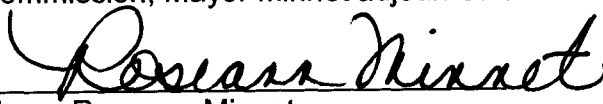
Town Attorney Trevarthen said the next step would be to bring these matters back to the Town Commission in the form of an ordinance. This ordinance would show what the changes would like in terms of putting it on the ballot. This process would take some time, as they had to devise ballot questions that appropriately presented the recommended changes. Then the ordinance would go to first and second reading. She noted the process needed to be complete by mid to late fall in order to make the deadline set by the Supervisor of Elections to make it onto the March 2014 ballot.

Town Manager Hoffmann said that the deadline was January 9, 2014, but the ordinances had to be adopted by December.

Town Clerk Castillo confirmed the ordinances had to be adopted by the Town Commission's last meeting in December 2013.

5. ADJOURNMENT

Commissioner Dodd made a motion to adjourn. With no further business before the Commission, Mayor Minnet adjourned the meeting at 8:45 p.m.


Mayor Roseann Minnet

ATTEST:


Town Clerk Vanessa Castillo

8/21/2013
Date

EXHIBIT 1

SUMMARY OF LBTS CHARTER REVIEW BOARD RECOMMENDATIONS	
Recommended Change	Vote
Section 5.2: Remove Mayor voting last on a roll call vote	4-3 (5/7/13)
Section 5.3: Provide alternative standard for Town Manager qualifications	Unanimous (5/7/13)
Sections 6.1(2)-(7) and 3.3: Remove residential electoral districts	5-1 (1/9/13)
Section 6.1(2): Preserve electoral seats in the absence of electoral districts	Unanimous (1/9/13)
Section 6.1(5): If Commission preserves residential electoral districts, remove requirement for university study and adopt current districts in the Charter	Unanimous (1/9/13)
Section 6.2: Change time of designating the Vice-Mayor	Unanimous (1/9/13)
Section 6.3(2): Allow future Mayor-Commissioners to run for Town Commissioner without a two-year break in service	6-1 (2/7/13)
Section 6.3(6): Create maximum consecutive term limit of two Commission terms and three Mayoral terms (14 years)	5-1 (3/21/13)
Sections 6.6-6.7: Allow the Commission to consider penalties other than forfeiture of office for (i) violation of any standard of conduct or code of ethics established by law and (ii) incapacity, and require that due process be provided in hearings under Section 6.7	Unanimous (1/9/13)
Section 6.10: Create a procedure for vacancies in candidacy	Unanimous (1/9/13)
Section 6.11: Specify that Town elected officials serve part time, and that their ability to engage in outside employment and in charitable fundraising will be controlled by state law (and not the County Code of Ethics)	5-1 (1/9/13)
Section 7.1: Adopt the plain English version of this section	Unanimous (1/9/13)
Section 7.1(1): Charter height limits – Send Town Commission all options for change considered by the Board	4-3 (5/7/13)
Section 7.1(1)(d): Amend plain English version to allow solar panels to exceed four-foot rooftop structure height limit	Unanimous (1/9/13) (1 abstention)
Section 7.1(1)(f): Amend plain English version to remove redundant provisions that are true as a matter of law	Unanimous (1/9/13)
Section 7.1(2)(b)-(d): Amend plain English version to allow any nonhabitable use allowed under the zoning on the first floor	Unanimous (3/21/13)
Section 7.1(3)(b)(viii)-(ix): Amend plain English version to allow nonconforming buildings to be replaced with the original setbacks	5-1 (1/9/13)

Statement of Laurence Campbell

To the LBTS Commission Special Meeting, June 10, 2013

Ten of the recommendations are narrowly stated, specific to a problem, easily understood, and *don't overturn the intent of the original charter amendments*. I recommend that the Commission support these. I'm including a marked up version of the "Summary of Recommendations" indicating a position on each: YES for support and NO for oppose.

Specifically, I recommend that the Commission **SUPPORT** the recommendations to: remove the Mayor voting last on a roll call vote (Sec. 5.2); provide an alternative standard for Town Manager qualifications (Sec. 5.3); adopt the current electoral districts in the Charter (Sec. 6.1.(2)); change the time of designating the Vice Mayor (Sec. 6.2); allow the Commission to consider penalties other than forfeiture of office (Sec 6.6-7); create a procedure for vacancies in candidacy (Sec. 6.10); and specify that Town elected officials serve part time and that their outside employment and charitable fundraising will be controlled by state law, not the County code (Sec. 6.11).

I recommend that the Commission **SUPPORT** direct amendments to the Charter that would: allow solar panels to exceed the four foot rooftop structure height limit (Sec 7.1.(1)(d and allow nonconforming buildings to be replaced with the original setbacks (Sec. 7.1(3)(b)(viii)-(ix).

I also recommend **SUPPORT** for the amendment to allow future Mayor-Commissioners to run for Commissioner without a two-year break in service (Sec. 6.3.(2)); and to create a maximum consecutive term limit of two Commission terms and three Mayoral terms (14 years) (Sec. 6.3.(6)); *Some who supported the original term limits proposal may disagree with me.* However, my personal view is that this amendment, if adopted, would right an inequity and preserve the basic feature, which is to force at least three seats to come up for election every two years and defined term limits.

In my view the remaining recommendations involve major policy changes that would overturn the will of the people expressed in 2006. I recommend that you oppose these.

Specifically, I recommend that the Commission **OPPOSE** the recommendation to remove residential electoral districts (Sec 6.1(2)-(7) and 3.3. The existing residential electoral district system is working well. I can see no reason to change it.

I recommend that the Commission **OPPOSE** allowing any non-habitable use allowed under the zoning on the first floor (Sec 7.1(2)(b)-(d). As the analysis states: "...that clarification would broaden the scope of the listed uses for residential zoning districts." (Exh 3, p.3) I don't see any

showing of why that allowed list should be broadened in residential areas , or what it would include.

The Commission should **OPPOSE** any change in the Charter's existing height limits. Proposing any such changes will reopen the rancorous debate over our identity as a low-profile town—the very thing that makes us special in a wall of condo canyons to our south and north. It would divert the Commission from its important work overseeing the complex development projects already underway.

Similarly, the Commission should **OPPOSE** the wholesale rewriting of Section 7.1. Unlike the recommendations I supported, this wholesale change is not narrowly drawn and introduces new policy that goes against the intent of the original charter amendments.

For example, in Section 5, "Limits on Town Commission power to amend land development regulation," the analysis states that "the Plain English Version applies the interpretation that a new category is a regular zoning district and not an overlay district." (Exhibit 3, p. 11) Actually, it was the explicit intent of the original amendments to remove from the Commission the power to create new overlay districts without voter approval because of the potential for abuse.

Similarly, the Plain English Version proposes to delete in several places the statement that "The Town Commission may not increase by ordinance or by variance, the height limits established herein." But these statements were included in the original amendments specifically to prevent any future Commission from ignoring the stated intent of the will of the voters, as had happened in the past.

It is also my understanding that no owner, citizen, or developer testified to the CRB and that no one has requested a wholesale rewrite or a higher height limit. I certainly haven't seen any demand from the people for a change in these areas—in fact—I've seen exactly the opposite. Proposing either of these can only put uncertainty and fear into the hearts of the voters whose approval you will be seeking.

Walking around town in the last several weeks I see lots of redevelopment of properties underway. This tells me, that taken as a whole, the amendments and height limits adopted in 2006 are working, the town is redeveloping, and there is no need to reopen those debates.

If the Commission sticks to proposing narrowly drawn, understandable recommendations I think it will have chance for success without reopening old battles.

Thank you for the opportunity to comment.

Recommended positions from Laurence Campbell

EXHIBIT 1

SUMMARY OF LBTS CHARTER REVIEW BOARD RECOMMENDATIONS		
	Recommended Change	Vote
YES	Section 5.2: Remove Mayor voting last on a roll call vote	4-3 (5/7/13)
YES	Section 5.3: Provide alternative standard for Town Manager qualifications	Unanimous (5/7/13)
NO	Sections 6.1(2)-(7) and 3.3: Remove residential electoral districts	5-1 (1/9/13)
NO	Section 6.1(2): Preserve electoral seats in the absence of electoral districts	Unanimous (1/9/13)
YES	Section 6.1(5): If Commission preserves residential electoral districts, remove requirement for university study and adopt current districts in the Charter	Unanimous (1/9/13)
YES	Section 6.2: Change time of designating the Vice-Mayor	Unanimous (1/9/13)
YES	Section 6.3(2): Allow future Mayor-Commissioners to run for Town Commissioner without a two-year break in service	6-1 (2/7/13)
YES	Section 6.3(6): Create maximum consecutive term limit of two Commission terms and three Mayoral terms (14 years)	5-1 (3/21/13)
YES	Sections 6.6-6.7: Allow the Commission to consider penalties other than forfeiture of office for (i) violation of any standard of conduct or code of ethics established by law and (ii) incapacity, and require that due process be provided in hearings under Section 6.7	Unanimous (1/9/13)
YES	Section 6.10: Create a procedure for vacancies in candidacy	Unanimous (1/9/13)
YES	Section 6.11: Specify that Town elected officials serve part time, and that their ability to engage in outside employment and in charitable fundraising will be controlled by state law (and not the County Code of Ethics)	5-1 (1/9/13)
NO	Section 7.1: Adopt the plain English version of this section	Unanimous (1/9/13)
NO	Section 7.1(1): Charter height limits – Send Town Commission all options for change considered by the Board <i>OPTION D - No change</i>	4-3 (5/7/13)
YES	Section 7.1(1)(d): Amend plain English version to allow solar panels to exceed four-foot rooftop structure height limit	Unanimous (1/9/13) (1 abstention)
NO	Section 7.1(1)(f): Amend plain English version to remove redundant provisions that are true as a matter of law	Unanimous (1/9/13)
NO	Section 7.1(2)(b)-(d): Amend plain English version to allow any nonhabitable use allowed under the zoning on the first floor	Unanimous (3/21/13)
YES	Section 7.1(3)(b)(viii)-(ix): Amend plain English version to allow nonconforming buildings to be replaced with the original setbacks	5-1 (1/9/13)

5/30/13 6/10/13 *see*

WEISS SEROTA HELFMAN
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April 14, 2014

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STEPHEN J. HELFMAN, P.A.
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ANTHONY C. SOROKA
EDUARDO M. SOTO
JOANNA G. THOMSON
PETER D. WALDMAN*
ALICIA H. WELCH
SAMUEL I. ZESKIND

VIA EMAIL TO SecretaryofState@DOS.MyFlorida.com AND FIRST CLASS U.S. MAIL

Secretary of State Ken Detzner
R.A. Gray Building
500 South Bronough Street
Tallahassee, FL 32399

Re: 2014 Amended Charter of the Town of Lauderdale-By-The-Sea

Dear Secretary Detzner:

Enclosed is the Charter of the Town of Lauderdale-By-The-Sea, as amended by the Town's voters at the election dated March 11, 2014. A certified copy of Ordinance No. 2013-13, as approved by the Town Commission on October 22, 2013, the ballot, and the results received from the Broward County Supervisor of Elections are also enclosed for your records.

Thank you for your attention to this matter. Please do not hesitate to contact me if you have any questions or need more information.

Very truly yours,



Susan L. Trevarthen

Enclosures

cc: Constance Hoffmann, Town Manager
Gerald Bryan, Acting Town Clerk

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Scot Sasser
MAYOR SCOT SASSER

ATTEST:

Gerald Bryan
Acting Town Clerk Gerald Bryan

APPROVED AS TO FORM:

Susan L. Trevarthen
Susan L. Trevarthen, Town Attorney

CERTIFICATION

I certify this to be a true and correct copy of the record in my office.

WITNESSED by my hand and official seal of the Town of Lauderdale-By-The-Sea, Florida

9th day of April, 20 14
Lecha Smith Deputy Town clerk

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WHEREAS, pursuant to Section 2.7 of the Town Charter, the Charter Review Board has determined that certain revisions are needed to the Town Charter and has submitted its recommendation of proposed amendments to the Town Charter to the Town Commission; and

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37
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39 Town for approval or rejection only those amendments to the Town Charter (the "Charter
40 Amendments") that are set forth herein.

41 **NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE TOWN COMMISSION**
42 **OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AS FOLLOWS:**

43 **Section 1. Recitals Adopted.** Each of the above stated recitals is hereby adopted and
44 confirmed.

45 **Section 2. Charter Amendments.** Pursuant to Section 2.7 of the Town Charter and
46 Section 166.031, Florida Statutes, and subject to the approval of the electors as described in
47 Section 8 below, the Town Charter of the Town of Lauderdale-By-The-Sea, Florida, is hereby
48 amended as follows:¹

49 * * *
50
51 **ARTICLE V. – TOWN OFFICERS AND EMPLOYEES**
52
53 * * *

54 **Sec. 5.3. - Town Manager—Appointment, qualifications and compensation.**
55

56 The Town Commission shall appoint a Town Manager who shall be the
57 administrative head of the municipal government under the direction and supervision of
58 the Town Commission. The Town Manager shall hold office at the pleasure of the Town
59 Commission. The Town Manager shall receive such compensation as determined by the
60 Town Commission through the adoption of an appropriate resolution. The Town Manager
61 shall be appointed by resolution approving an employment contract between the Town
62 and the Town Manager. The Town Manager shall be appointed solely on the basis of
63 education and experience in the accepted competencies and practices of local public
64 management including, a graduate degree with a concentration in public administration,
65 public affairs, public policy, or public finance and two (2) years' experience as an
66 appointed city manager or county manager, or four (4) years' experience as an assistant or
67 deputy city manager or assistant or deputy county manager. Alternatively, the Town

¹ Proposed additions to existing Town Charter text are indicated by underline; proposed deletions from existing Town Charter text are indicated by ~~strike through~~. Changes from first reading are indicated by double underline and ~~double strike through~~, and highlighted in [REDACTED].

68 Manager shall be appointed on the basis of education and experience in the accepted
69 competencies and practices of local public management that is determined by the Town
70 Commission to be commensurate to those listed in the prior sentence.
71

72 * * *

73
74 **ARTICLE VI. – ELECTIONS**
75

76 * * *

77 **Sec. 6.2. - Vice Mayor and acting Mayor Pro-Tem.**

78 No later than ~~On~~ the second regularly scheduled Town Commission meeting to occur Tuesday
79 following each regular election, one (1) member of the Town Commission may be designated, by
80 resolution, as Vice Mayor to preside in the absence of the Mayor-Commissioner. In the event
81 that the designated Mayor-Commissioner and the Vice Mayor are absent at any meeting of the
82 Town Commission, any member of the Town Commission may be designated by the Town
83 Commission to act as Mayor Pro-Tem for such meeting.

84 **Sec. 6.3. - Qualifications of members of Town Commission.**

85 (1) To be eligible to hold the office of Mayor-Commissioner or Commissioner of the Town of
86 Lauderdale-By-The-Sea, or to qualify for candidacy for Mayor-Commissioner or Commissioner,
87 the individual shall be a bona fide resident and citizen of the Town of Lauderdale-By-The-Sea,
88 shall have resided in the said town for the six (6) months immediately preceding the date of
89 election, shall be a registered voter pursuant to Florida law, and shall be otherwise qualified as
90 provided for in the Charter.

91 (2) No person may be a candidate for Commissioner, nor may be appointed to fill a vacancy as
92 a Commissioner, if that person has served during both of the two preceding consecutive
93 Commission terms for that seat as a Commissioner ~~or a Mayor-Commissioner or both~~, without a
94 two year break in service.

95 (3) No person may be a candidate for Mayor-Commissioner, nor may be appointed to fill a
96 vacancy as the Mayor-Commissioner, if that person has served during each of the three
97 preceding consecutive Mayor-Commissioner terms as a Mayor-Commissioner.

98 (4) Service of one year or less of a term by a person who had not previously served as either a
99 Commissioner or Mayor-Commissioner shall not be considered for purposes of term limits.

100 (5) Service for purposes of term limits shall be determined as of the time the person would take
101 office.

102 (6) No person may be a candidate for Mayor-Commissioner or Town Commissioner, nor may be
103 appointed to fill a vacancy as the Mayor-Commissioner or Town Commissioner, if that person
104 has consecutively served fourteen (14) years in any combination of offices without a two year
105 break in service.

106
107

* * *

108 **Sec. 6.6. - Forfeiture of office.**

109 A Commission member, or the Mayor-Commissioner, ~~shall forfeit the~~ is subject to penalties
110 including forfeiture of office if the person:

111 (1) Lacks, at any time during a term of office, any qualification for the office prescribed
112 by this Charter or general law;

113 (2) Violates any standard of conduct or code of ethics established by law for public
114 officials;

115 (3) Is convicted of a felony while in office;

116 (4) Fails to attend four (4) consecutive regular meetings of the Town Commission without
117 being excused by the Town Commission by formal action entered upon the minutes; or

118 (5) Becomes incapable of performing the duties of the office for a period of more than
119 three (3) months.

120 In all circumstances arising under this section, the Town Commission shall be the judge of its
121 own membership.

122 **Sec. 6.7. - Forfeiture hearing and process.**

123 A member of the Town Commission charged with conduct constituting grounds for forfeiture of
124 his office shall be entitled to a public hearing on demand, and notice of such hearing shall be
125 published in one or more newspapers of general circulation in the Town at least thirty days
126 before the scheduled hearing. At that public hearing, the Commissioner in question is entitled to
127 present evidence and must be afforded due process. The Town Commission shall be the sole
128 judge of the qualifications of its members and shall hear all questions relating to forfeiture of a
129 Commissioner's or Mayor-Commissioner's office, including whether or not good cause for
130 absence has been, or may be, established. The Commissioner in question shall have the burden of
131 establishing good cause for absence; provided, however, that any Commissioner may at any time
132 during any duly held meeting move to establish good cause for his or her absence or the absence
133 of any other Commissioner, from any past, present, or future meeting(s), which motion, if
134 carried, shall be conclusive. A Commissioner whose qualifications are in question, or who is
135 otherwise subject to forfeiture of his/her office, shall not vote on any such matters. The Town
136 Commission may order one or more of the following penalties at a hearing based on Section
137 6.6(2) or Section 6.6(5): forfeiture of office, censure, and a letter of instruction for the future
138 conduct of the Commissioner. The Town Commission may order forfeiture at a hearing based
139 on Section 6.6(1), (3) or (4). Any final determination by the Town Commission that a
140 Commissioner or the Mayor-Commissioner has forfeited his or her office, or to censure or issue
141 a letter of instruction to the Commissioner in question, shall be made by resolution approved by
142 a unanimous vote of the remaining members of the Town Commission. All votes and other acts

of the Commissioner in question prior to the effective date of such resolution shall be valid regardless of the grounds of forfeiture.

* * *

Sec. 6.10. - Vacancy in candidacy for Mayor-Commissioner or Commissioner.

(a) *Withdrawal.* A candidate for Mayor-Commissioner or Commissioner may withdraw at any time prior to the election by filing a sworn, executed statement of withdrawal with the Town Clerk.

(b) *Effect of death, withdrawal or removal where candidate remains on the ballot.*

(1) ~~No supplemental qualifying period.~~ (i) If the death, withdrawal or removal from the ballot of a qualified candidate or candidates for office following the end of the qualifying period leaves less than two candidates for that office, ~~and at least twenty five (25) days remain before the election, the qualifying period for that office shall be reopened for five (5) days. The supplemental qualifying period shall begin on the day following the day that the vacancy occurs. Notice of the supplemental qualifying period shall be posted by the Town Clerk.~~

~~(ii) If fewer than twenty five (25) days remain before the election, no supplemental qualifying period shall be provided. The remaining candidate shall be declared elected and no election shall be held for that office.~~

(2) *Changes in ballot.* The name of any qualified candidate who has withdrawn, died or been removed from the ballot shall not be printed on the ballot. If the ballot cannot be changed, any votes for that candidate shall be null and void. ~~All candidates qualified during a supplemental qualifying period shall be placed on the ballot along with the remaining candidate, if possible.~~

~~(3) *Treatment of any remaining candidate.* Where a single candidate remains for an office, the remaining candidate for that office shall not be required to re-qualify for election or pay a second qualifying fee. The remaining candidate shall not be declared an unopposed candidate by the Town Clerk unless no additional candidate qualifies for election during the supplemental qualifying period. If declared unopposed, the remaining candidate shall be declared elected by operation of law.~~

(c) *Effect of death, withdrawal or removal where no candidate remains on the ballot.* Should a vacancy in candidacy leave no candidate remaining for an office after the conclusion of the qualifying period ~~and any supplemental qualifying period but before the election,~~ the resulting vacancy shall be handled as provided in Section 6.8 of the Charter.

* * *

180 **Section 3. Election Called.** A special election is hereby called for Tuesday, March 11,
181 2014, in conjunction with the general election being held on said date, to present to the qualified
182 electors of the Town of Lauderdale-By-The-Sea (the "Town"), each of the ballot questions
183 provided in Section 4 of this Ordinance.

184 **Section 4. Form of Ballot.** The form of ballot for the Charter Amendments provided for
185 in Section 2 of this Ordinance shall be substantially as follows:

186 (1) CREATE ALTERNATIVE STANDARD FOR TOWN
187 COMMISSION TO DETERMINE TOWN MANAGER
188 QUALIFICATIONS
189

190 The Charter currently identifies qualifications for the Town
191 Manager, including specifically identified levels of education and
192 experience establishing acceptable competencies and practices of
193 local public management experience.
194

195 Shall the Charter be amended to give the Town Commission the
196 option to determine that other levels of education and experience
197 are acceptable because they are comparable to the identified
198 levels?
199

200 YES []

201
202 NO []

203
204
205 (2) CHANGE TIME FOR TOWN COMMISSION TO
206 DESIGNATE THE VICE-MAYOR
207

208 The Charter currently provides that the Town Commission must
209 designate a Vice Mayor on the second Tuesday following each
210 regular election.
211

212 Shall the Charter be amended to provide that the Town
213 Commission designate a Vice-Mayor no later than the second
214 regularly scheduled Town Commission meeting following each
215 regular election?
216

217 YES []

218
219 NO []
220
221

- 222 (3) ALLOW MAYOR-COMMISSIONER TO RUN FOR
223 TOWN COMMISSIONER AFTER REACHING TERM
224 LIMIT AS MAYOR-COMMISSIONER
225

226 The Charter currently prohibits a Mayor-Commissioner from
227 running for Town Commissioner immediately following three
228 consecutive terms of service as Mayor-Commissioner.
229

230 Shall the Charter be amended to allow future Mayor-
231 Commissioners to run for Town Commissioner without a two-year
232 break in service?
233

234 YES []
235

236 NO []
237
238

- 239 (4) ESTABLISH MAXIMUM CONSECUTIVE TERM
240 LIMIT FOR SERVICE AS MAYOR-COMMISSIONER
241 AND TOWN COMMISSIONER
242

243 The Charter currently limits service as a Mayor-Commissioner to
244 three terms and service as a Town Commissioner to two terms, but
245 does not limit continuous service alternating between the two
246 offices.
247

248 Shall the Charter be amended to provide that no person may be
249 elected or appointed as Mayor-Commissioner or Town
250 Commissioner if that person has served a total of fourteen years in
251 any combination of offices, without a two year break in service?
252

253 YES []
254

255 NO []
256
257

- 258 (5) AMEND PROCEDURES AND PENALTIES
259 APPLICABLE TO ALLEGED COMMISSIONER
260 VIOLATIONS
261

262 The Charter currently provides that, if the Town Commission finds
263 that one of its members has committed certain acts, that
264 Commissioner shall forfeit office.
265

266 Shall the Charter be amended to clarify the due process
267 requirements for such hearings, and to allow the Commission to
268 consider lesser penalties (censure and a letter of instruction) for
269 violation of any standard of conduct or code of ethics established
270 by law and for incapacity for three or more months?
271

272 YES []

273
274 NO []

275
276
277 (6) CREATE PROCEDURES FOR VACANCIES IN
278 CANDIDACY FOR TOWN ELECTED OFFICE
279

280 Section 166.031(6), Florida Statutes, requires that local
281 governments create a procedure to address vacancies in candidacy
282 before an election.
283

284 Shall the Charter be amended to add procedures related to
285 candidate vacancies including procedures for withdrawal,
286 supplemental qualifying periods, treatment of remaining
287 candidates, and effects of death, withdrawal or removal of
288 candidates?
289

290 YES []

291
292 NO []
293

294 **Section 5. Vote at Polls.** Balloting shall be conducted between the hours of 7 A.M. and

295 7 P.M. on the date of the election, and early and absentee balloting shall also be permitted as
296 provided in conjunction with the general election. Polling places shall be those polling places
297 provided for the general election for the electors of the Town, pursuant to applicable laws. All
298 qualified Town electors who are timely registered in accordance with law shall be entitled to
299 vote. The Town Clerk is authorized to obtain any necessary election administration services

from the Broward County Supervisor of Elections. The County registration books shall remain open at the Office of the Broward County Supervisor of Elections office until February 10, 2014, as provided by law, at which date the registration books shall close in accordance with the provisions of the general election laws. The Town Clerk and the Broward County Supervisor of Elections are hereby each authorized to take all appropriate action necessary to carry into effect and accomplish the electoral provisions of this Ordinance. This Charter Amendment election shall be canvassed by the County Canvassing Board unless otherwise provided by law.

Section 6. Notice of Special Election. Notice of said special election shall be published in accordance with Section 100.342, Fla. Stat., in a newspaper of general circulation within the Town at least 30 days prior to said election, the first publication to be in the fifth week prior to the election (to-wit: during the week commencing Sunday, February 2, 2014), and the second publication to be in the third week prior to the election (to-wit: during the week commencing Sunday, February 16, 2014), and shall be in substantially the following form:

"NOTICE OF SPECIAL ELECTION

PUBLIC NOTICE IS HEREBY GIVEN THAT, PURSUANT TO ORDINANCE NO. 2013-13 ADOPTED BY THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA (THE "TOWN"), A SPECIAL ELECTION HAS BEEN CALLED AND ORDERED TO BE HELD WITHIN THE TOWN, IN CONJUNCTION WITH THE GENERAL ELECTION, ON TUESDAY, THE 11TH DAY OF MARCH 2014, BETWEEN THE HOURS OF 7 A.M. AND 7 P.M., AT WHICH TIME THE FOLLOWING CHARTER AMENDMENT PROPOSALS SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE TOWN:

- (1) CREATE ALTERNATIVE STANDARD FOR TOWN COMMISSION TO DETERMINE TOWN MANAGER QUALIFICATIONS

The Charter currently identifies qualifications for the Town Manager, including specifically identified levels of education and experience establishing acceptable competencies and practices of local public management experience.

Shall the Charter be amended to give the Town Commission the option to determine that other levels of education and experience are acceptable because they are comparable to the identified levels?

YES []

NO []

(2) CHANGE TIME FOR TOWN COMMISSION TO DESIGNATE THE VICE-MAYOR

The Charter currently provides that the Town Commission must designate a Vice Mayor on the second Tuesday following each regular election.

Shall the Charter be amended to provide that the Town Commission designate a Vice-Mayor no later than the second regularly scheduled Town Commission meeting following each regular election?

YES []

NO []

(3) ALLOW MAYOR-COMMISSIONER TO RUN FOR TOWN COMMISSIONER AFTER REACHING TERM LIMIT AS MAYOR-COMMISSIONER

The Charter currently prohibits a Mayor-Commissioner from running for Town Commissioner immediately following three consecutive terms of service as Mayor-Commissioner.

Shall the Charter be amended to allow future Mayor-Commissioners to run for Town Commissioner without a two-year break in service?

374 YES []

375
376 NO []

377
378
379 (4) ESTABLISH MAXIMUM CONSECUTIVE TERM
380 LIMIT FOR SERVICE AS MAYOR-COMMISSIONER
381 AND TOWN COMMISSIONER
382

383 The Charter currently limits service as a Mayor-Commissioner to
384 three terms and service as a Town Commissioner to two terms, but
385 does not limit continuous service alternating between the two
386 offices.
387

388 Shall the Charter be amended to provide that no person may be
389 elected or appointed as Mayor-Commissioner or Town
390 Commissioner if that person has served a total of fourteen years in
391 any combination of offices, without a two year break in service?
392

393 YES []

394
395 NO []

396
397
398 (5) AMEND PROCEDURES AND PENALTIES
399 APPLICABLE TO ALLEGED COMMISSIONER
400 VIOLATIONS
401

402 The Charter currently provides that, if the Town Commission finds
403 that one of its members has committed certain acts, that
404 Commissioner shall forfeit office.
405

406 Shall the Charter be amended to clarify the due process
407 requirements for such hearings, and to allow the Commission to
408 consider lesser penalties (censure and a letter of instruction) for
409 violation of any standard of conduct or code of ethics established
410 by law and for incapacity for three or more months?
411

412 YES []

413
414 NO []

(6) CREATE PROCEDURES FOR VACANCIES IN
CANDIDACY FOR TOWN ELECTED OFFICE

Section 166.031(6), Florida Statutes, requires that local governments create a procedure to address vacancies in candidacy before an election.

Shall the Charter be amended to add procedures related to candidate vacancies including procedures for withdrawal, supplemental qualifying periods, treatment of remaining candidates, and effects of death, withdrawal or removal of candidates?

YES []

NO []

Polling place information, the enabling Ordinance including the full text of the proposed Town Charter Amendments and the ballot questions, are available at the office of the Town Clerk, located at 4501 Ocean Drive, Lauderdale-By-The-Sea, Florida 33308.

”

Town Clerk

Section 7. Copies. Copies of this Ordinance proposing the Charter Amendments are on file at the offices of the Town Clerk located at 4501 Ocean Drive, Lauderdale-By-The-Sea, Florida 33308, and are available for public inspection during regular business hours.

Section 8. Effectiveness. Each Charter Amendment provided for in Section 2 of this Ordinance shall become effective if the majority of the qualified electors voting on that specific Charter Amendment, as described in the ballot summaries of Section 4 of this Ordinance, vote for its adoption. Each Charter Amendment shall be considered adopted and effective upon certification of the election results. Following adoption of the Charter Amendment(s), the Town Clerk shall incorporate the adopted Charter Amendment(s) into the Town Charter and shall file

the revised Town Charter with the Office of the Secretary of State as required by Section 166.031, Florida Statutes.

Section 9. Inclusion in the Town Charter. Subject to the requirements of Section 8 above, it is the intention of the Town Commission and it is hereby provided that the Charter Amendments shall become and be made a part of the Charter of the Town of Lauderdale-By-The-Sea, Florida, and that the Sections of this Ordinance may be renumbered or relettered to accomplish such intention.

Section 10. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not effect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

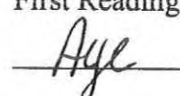
Section 11. Effective Date of Ordinance. This Ordinance shall become effective immediately upon adoption hereof on second reading.

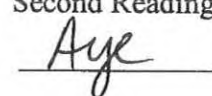
PASSED AND ADOPTED on First Reading this 10th day of September, 2013.

PASSED AND FINALLY ADOPTED on Second Reading this 22nd day of October, 2013.


Mayor Roseann Minnet

Mayor Minnet

First Reading


Second Reading


478 Vice-Mayor Sasser
479 Commissioner Brown
480 Commissioner Dodd
481 Commissioner Vincent

Aye
Aye
Aye
Aye

Aye
Aye
Aye
Aye

482
483 Attest:

484 Vanessa Castillo
485
486
487 Town Clerk Vanessa Castillo, CMC

488
489 Approved as to form:

490 Susan L. Trevarthen
491
492
493 Susan L. Trevarthen, Town Attorney

CERTIFICATION

I certify this to be a true and correct copy of the record in my office.

WITNESSED by my hand and official seal of the Town of Lauderdale-By-The-Sea, Florida

1st day of April, 20 14
Lecha Smith Deputy Town clerk

A	BALLOT STYLE 5	B	C
11	BALLOT INSTRUCTIONS - TO VOTE, COMPLETELY FILL IN THE OVAL NEXT TO YOUR CHOICE. - Use only a black pen to mark the ballot. - If you make a mistake, don't hesitate to ask for a new ballot. If you erase or make other marks, your vote may not count. INSTRUCCIONES PARA LA BOLETA - PARA VOTAR, LLENE COMPLETAMENTE EL OVALO JUNTO A SU SELECCION. - Use sólo una pluma de tinta negra para marcar la boleta. - Si se equivoca, pida una nueva boleta. Si borra algo o hace marcas, es posible que su voto no se cuente. ENFOMASYON SOU BILTEN VÒT - POU VOTE, BYEN KOLORE TOUT ANDAN OVAL KI AKOTE RESPONS OU CHWAZI A. - Sèlman sèvi ak yon plim nwa sou biltèn vòt la. - Si w fè yon erè, mande yo ba w yon nouvo biltèn vòt. Si w efase oubyen fè nouvo mak, I ap posib pou vòt ou pa valab ankò.	(1) Create Alternative Standard For Town Commission To Determine Town Manager Qualifications The Charter currently identifies qualifications for the Town Manager, including specifically identified levels of education and experience establishing acceptable competencies and practices of local public management experience. Shall the Charter be amended to give the Town Commission the option to determine that other levels of education and experience are acceptable because they are comparable to the identified levels? (1) Crear Otro Estándar Para Que La Comisión De La Ciudad Determine Las Calificaciones Del Administrador De La Ciudad La Carta Constitucional actualmente identifica las calificaciones del Administrador de la Ciudad y específicamente identifica los niveles de educación y de experiencia estableciendo prácticas competentes y aceptables en la experiencia de administración pública local. ¿Deberá enmendarse la Carta Constitucional para darle a la Comisión de la Ciudad la opción de determinar que otros niveles de educación y experiencia son aceptables, porque son comparables con los niveles identificados? (1) Kreye Yon Altènatif Nòminal Pou Komisyon Vil La Kapab Detèmine Kalifikasyon Manadjè Vil La. Konstitisyon an aktyèlman idantifye kalifikasyon pou Manadjè Vil la ki gen ladan li nivo edikasyon espesyalman idantifye ak eksperyans ki va etabli konpetans akseptab ak pratik eksperyans nan jesyon piblik nivo lokal. Eske yo ta dwe chanje Konstitisyon an pou bay Komisyon Vil la chwaz pou li detèmine si lòt nivo edikasyon ansanm ak eksperyans kapab akseptab paske yo konparab ak nivo ki deja idantifye yo?	(2) Change Time For Town Commission To Designate The Vice-Mayor The Charter currently provides that the Town Commission must designate a Vice Mayor on the second Tuesday following each regular election. Shall the Charter be amended to provide that the Town Commission designate a Vice-Mayor no later than the second regularly scheduled Town Commission meeting following each regular election? (2) Cambiar El Momento En El Que La Comisión De La Ciudad Nombra El Vice Alcalde La Carta Constitucional actualmente dispone que la Comisión de la Ciudad tiene que nombrar al Vice Alcalde el segundo martes después de cada elección regular. ¿Deberá enmendarse la Carta Constitucional para disponer que la Comisión de la Ciudad nombre al Vice Alcalde a más tardar en la segunda reunión normalmente programada de la Comisión de la Ciudad después de cada elección regular? (2) Chanje Lè Pou Komisyon Vil La Deziyen Vis Majistra A Konstitisyon an aktyèlman pèmèt ke Komisyon Vil la deziyen yon Vis-Majistra nan dezyèm madi ki vin apwè chak eleksyon regilye. Eske yo ta dwe chanje Konstitisyon an pou pèmèt ke Komisyon Vil la deziyen yon Vis-Majistra pa pi ta ke dezyèm reyinyon Komisyon Vil la ki pwogram regilyeman apwè chak eleksyon regilye? ☐ YES/SI/VI ☐ NO/NO/NON
21			
40	LAUDERDALE-BY-THE-SEA COMMISSIONER SEAT 1 DISTRICT 1 COMISIONADO ESCAÑO 1 DISTRITO 1 KOMISÉ SYEJ 1 DISTRI 1 (Vote for One/Vote por Uno/Vote pou Youn) ☐ Birute Ann Clotney ☐ Elliot Sokolow ☐ Eric Yankwitt	☐ YES/VI/VI ☐ NO/NO/NON	(3) Allow Mayor-Commissioner To Run For Town Commissioner After Reaching Term Limit As Mayor-Commissioner The Charter currently prohibits a Mayor-Commissioner from running for Town Commissioner immediately following three consecutive terms of service as Mayor-Commissioner. Shall the Charter be amended to allow future Mayor-Commissioners to run for Town Commissioner without a two-year break in service? (3) Permitir Al Alcalde-Comisionado Ser Candidato Para Comisionado De La Ciudad Después De Llegar Al Límite De Su Mandato De Alcalde-Comisionado. La Carta Constitucional actualmente le prohíbe al Alcalde-Comisionado ser candidato para Comisionado de la Ciudad inmediatamente después de tres mandatos consecutivos de servicio como Alcalde - Comisionado. ¿Deberá enmendarse la Carta Constitucional para permitir que los Alcaldes-Comisionados futuros sean candidatos para Comisionado de la Ciudad sin un descanso de dos años de servicio? (3) Pèmèt Ke Majistra-Komisyonè A Prezante Kom Komisyonè Vil La Apwè Ke L Rive Nan Limit Manda Li Kòm Komisyonè Majistra Konstitisyon an aktyèlman entèdi yon Majistra-Komisyonè pou li prezante li pou Komisyonè Vil la touswit apwè twa manda konsekutif sèvis kòm Majistra-Komisyonè. Eske yo ta dwe chanje Konstitisyon an pou pèmèt pwochen Majistra-Komisyonè yo prezante yo pou pòs Komisyonè Vil la san yo pa bezwen tann dezan apwè sèvis yo kòm Majistra-Komisyonè? ☐ YES/VI/VI ☐ NO/NO/NON
41			
42			
44			
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(4) Establish Maximum Consecutive Term Limit For Service As Mayor-Commissioner And Town Commissioner The Charter currently limits service as a Mayor-Commissioner to three terms and service as a Town Commissioner to two terms, but does not limit continuous service alternating between the two offices. Shall the Charter be amended to provide that no person may be elected or appointed as Mayor-Commissioner or Town Commissioner if that person has served a total of fourteen years in any combination of offices, without a two year break in service? (4) Establecer Un Límite Máximo De Servicio De Mandato Consecutivo Para El Puesto De Alcalde-Comisionado Y Comisionado De La Ciudad La Carta Constitucional actualmente limita el servicio de Alcalde-Comisionado a tres mandatos y el servicio de Comisionado de la Ciudad a dos mandatos, pero no limita el servicio continuo alternando entre los dos puestos. ¿Deberá enmendarse la Carta Constitucional para disponer que ninguna persona pueda ser elegida o nombrada Alcalde-Comisionado o Comisionado de la Ciudad si esa persona ha servido un total de catorce años en cualquier combinación de puestos, sin un descanso de dos años en el servicio? (4) Etabli Limit Maksimòm Manda Konsekitif Pou Sèvis Kòm Majistra-Komisyonè Ak Komisyonè Vil La. Konstitisyon an aktyèlman limite sèvis kòm Majistra-Komisyonè a twa manda epi sèvis Komisyonè Vil la a de manda, men pa limite sèvis altène kontinyèl yo ant de biwo yo. Eske yo ta dwe chanje Konstitisyon an kote ke pa gen okenn moun ki ap kapab eli oswa nonmen kòm Majistra-Komisyonè oswa Komisyonè Vil la si moun sa a te sèvi pandan yon total katòz lanne nan nenpòt ki konbinezon ant de biwo yo, san yon delè dezan ant sèvis yo? ☐ YES/SI/WI ☐ NO/NO/NON	(5) Amend Procedures And Penalties Applicable To Alleged Commissioner Violations The Charter currently provides that, if the Town Commission finds that one of its members has committed certain acts, that Commissioner shall forfeit office. Shall the Charter be amended to clarify the due process requirements for such hearings, and to allow the Commission to consider lesser penalties (censure and a letter of instruction) for violation of any standard of conduct or code of ethics established by law and for incapacity for three or more months? (5) Enmendar Los Procedimientos Y Las Sanciones Que Se Aplican A Las Supuestas Violaciones De Los Comisionados La Carta Constitucional actualmente dispone que si la Comisión de la Ciudad determina que uno de sus miembros ha cometido ciertos actos, tal Comisionado perderá su puesto. ¿Deberá enmendarse la Carta Constitucional para aclarar los requisitos del proceso legal debido para tales audiencias y permitir que la Comisión considere sanciones menores (censura y una carta de instrucciones) por violar las normas de conducta o el código de ética establecidos por la ley y por incapacidad por tres meses o más? (5) Chanjman Pwosedir Ak Penalite Aplikab A Swadizan Vyolasyon Komisyonè Konstitisyon an aktyèlman pèmèt ke, si Komisyon Vil la ta rive jwenn ke yonn nan manm li yo te komèt sèten zak, Komisyonè sa a va pèdi pòs li a. Eske yo ta dwe chanje Konstitisyon an pou klarifye kondisyon pou jistis legal pou odyans sa yo, epi pèmèt Komisyon an konsidere pi piti penalite (sanski ak yon lèt blam) pou vyolasyon nenpòt ki konpòtman nòmal oswa kod etik ki etabli pa lalwa ak pou enkapasite pou twa oswa plis mwa? ☐ YES/SI/WI ☐ NO/NO/NON	(6) Create Procedures For Vacancies In Candidacy For Town Elected Office Section 166.031(6), Florida Statutes, requires that local governments create a procedure to address vacancies in candidacy before an election. Shall the Charter be amended to add procedures related to candidate vacancies including procedures for withdrawal, supplemental qualifying periods, treatment of remaining candidates, and effects of death, withdrawal or removal of candidates? (6) Crear Procedimientos Para Vacantes En Candidatura Para Puestos Elegidos De La Ciudad La Sección 166.031(6) de las Leyes de Florida exige que los gobiernos locales a crear un procedimiento para tratar vacantes en candidatura antes de una elección. ¿Deberá enmendarse la Carta Constitucional para añadir procedimientos relacionados con las vacantes de candidatos, incluyendo procedimientos para retiro, períodos suplementares para calificación, tratamiento de candidatos restantes, y efectos de muerte, retiro o remoción de candidatos? (6) Kreye Pwosedir Pou Prezante Kandidati Pou Pòs Ki Vid Nan Vil La Seksyon 166.031 (6) Lwa Florid yo, mande pou gouvènman lokal yo kreye yon pwosedir pou rive kouvri pòs ki vid yo anvan yon eleksyon. Eske yo ta dwe chanje Konstitisyon an pou ajoute pwosedir ki gen rapò ak pòs ki vid ki gen ladan pwosedir pou retrè, peryòd siplemantè ki kalifyab, tretman kandida ki rete yo, ak konsekans lanmò, retrè oswa revokasyon yon kandida? ☐ YES/SI/WI ☐ NO/NO/NON

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ARTICLE I. - TRANSITION FROM ABOLISHED TOWN

Sec. 1.1. - Abolishing existing municipality.

That the existing municipal government of the Town of Lauderdale-By-The-Sea, in the County of Broward and State of Florida, be and the same is hereby abolished. All of the provisions of Chapter 14184, Laws of Florida of 1929, Chapter 24658, Laws of Florida of 1947, and all other laws pertaining to the creation of the Town of Lauderdale-By-The-Sea be and the same are hereby repealed.

Sec. 1.2. - Title to property reserved.

That the title, rights and ownership of all property, both real and personal, uncollected taxes, dues, claims, judgments, decrees, chooses in action and all property and property rights held or owned by the municipalities named "Town of Lauderdale-By-The-Sea," abolished by this act, shall pass to and be vested in the municipal corporation organized under this Charter to succeed the municipality abolished.

Sec. 1.3. - Obligations unimpaired.

That no obligations or contracts of the said municipality hereby abolished, including bonds heretofore issued or any proceeding heretofore begun for any improvement, or for borrowing of money, or issuing of bonds, shall be impaired or avoided by this Charter, but such debts, obligations, contracts and bonds shall pass to and be binding upon the new municipality hereby created and organized, and all such proceedings heretofore begun for the construction of any improvements or for the borrowing of money or issuing of bonds may be continued and completed and binding upon the said new municipality; and likewise all debts of and claims against the abolished municipality shall be valid against the new municipality created.

Sec. 1.4. - Officers held over.

All officers and employees heretofore elected or appointed and holding office under the said municipality hereby abolished, shall continue to hold their respective offices and discharge the respective duties thereof under the new municipality hereby created until their successors are elected and qualified under the provisions of this Charter.

Sec. 1.5. - Ordinances not impaired.

All existing ordinances and resolutions of said abolished municipality, including the printed Code of Ordinances of the Town of Lauderdale-By-The-Sea, as amended, not in conflict with the provisions of this Charter, shall continue in effect unless repealed, amended, or modified by the municipality which is hereby organized or created.

Sec. 1.6. - Establishment of new municipality; streets, highways, public grounds.

The inhabitants of the Town of Lauderdale-By-The-Sea, as its boundaries are hereinafter established and designated, or as may hereinafter be established and designated shall continue to be a body politic and corporate, to be known and designated as "Town of Lauderdale-By-The-Sea," and as such shall have a perpetual succession, may use a common seal, may contract and be contracted with, and may sue and be

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sued in all the courts of this state and in all matters whatsoever. That all lands heretofore dedicated for the use of the public for streets, highways, parks or public grounds, and all authorized changes or amendments thereto approved by the Board of County Commissioners of Broward County, Florida, whether by plat, act, or otherwise, are hereby vested in the Town of Lauderdale-By-The-Sea, and the control and jurisdiction thereof shall hereafter be vested in the Town Commission of the Town of Lauderdale-By-The-Sea.

Sec. 1.7. - Plat approved.

The recorded plats of the subdivision of Lauderdale-By-The-Sea, as recorded in plat book 6, page 2, and the plat of Lauderdale Surf and Yacht Estates as recorded in plat book 22, page 46 of the public records of Broward County, Florida, are hereby approved.

ARTICLE II. - CORPORATE POWERS

Sec. 2.1. - Legal title.

This Charter is the Charter of the Town of Lauderdale-By-The-Sea, a municipal corporation of the State of Florida.

Sec. 2.2. - Boundaries.

The following shall be the territory, the inhabitants of which are hereby established and organized into a municipal corporation, and over which such municipal corporation shall exercise its jurisdiction and powers, as may be amended from time to time in accordance with State law, to wit:

Beginning at the intersection of the south boundary line of Section 7, Township 49 South, Range 43 East with the centerline of the Intracoastal Waterway (Florida East Coast Canal), the Point of Beginning; thence in a northerly direction along the centerline of the Intracoastal Waterway to the intersection of said centerline with a line located twenty-five (25) feet south of and parallel to the north line of Section 7, Township 49 South, Range 43 East; thence in an easterly direction along a line located twenty-five (25) feet south of and parallel to the north line of said Section 7 to the intersection of said line with the east right-of-way line of the Intracoastal Waterway; thence in a northerly direction along the east right-of-way line of the Intracoastal Waterway to the intersection of said east right-of way line with the southwest corner of Lot 1, Block 16 of Terra Mar Island Estates, Second Addition, as recorded in Plat Book 31, Page 20 of the Public Records of Broward County, Florida; thence in an easterly direction along the south line of said Lot 1, Block 16 to the southeast corner of said Lot 1, Block 16; thence in a northerly direction along the east line of said Lot 1, Block 16 to the intersection of said east line with the westerly extension of the south line of Block 12 of said Terra Mar Island Estates, Second Addition; thence in an easterly direction along the westerly extension of the south line of said Block 12, along the south line of said Block 12 and along an easterly extension of said south line to the intersection of said extended line with the west line of Lot 1, Block 15 of said Terra Mar Island Estates, Second Addition; thence in a southerly direction along the west line of Lot 1, Block 15 and along the west line of Lot 10, Block 11 of Terra Mar Island Estates, First Addition as recorded in Plat Book 31, Page 10 of the Public Records of Broward County, Florida to the southwest corner of said Lot 10, Block 11; thence in an easterly direction along the south line of said Lot 10, Block 11 and along an easterly extension of said south line to the intersection of said extended line with the centerline of Spanish River; thence in a

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southerly direction along the centerline of the Spanish River to a point thirteen hundred and fifty (1,350) feet south of the north line of the Southeast One-Quarter (SE ¼) of said Section 6, Township 49 South, Range 43 East; thence in a southerly direction for two hundred (200) feet to a point on a line located fifteen hundred and fifty (1,550) feet south of and parallel to the north line of the Southeast One-Quarter (SE ¼) of said Section 6, said point being eleven hundred, twenty-seven and forty-three-hundredths (1,127.43) feet east of the east right-of-way line of the Intracoastal Waterway; thence in an easterly direction along the line located fifteen hundred and fifty (1,550) feet south of and parallel to said north line of the Southeast One-Quarter (SE ¼) of said Section 6 to the intersection of said line with the east right-of-way line of State Road A-1-A; thence in a northerly direction along the east right-of-way line of State Road A-1-A to the intersection of said east right-of-way line with a line located eight hundred and fifty (850) feet south of and parallel to the north line of the Southeast One-Quarter (SE ¼) of said Section 6; thence in an easterly direction along said parallel line and an easterly extension of said line, through Government Lot 2, Section 5, Township 49 South, Range 43 East to the intersection of said extended line with the Ordinary Low Watermark of the Atlantic Ocean; thence, continue in an easterly direction along said parallel line a distance of 3 miles (15,840 Ft) to the intersection of said extended line with the eastern boundary of the State of Florida; thence in an southerly direction along said eastern boundary of the State of Florida to the intersection with a line located three hundred and eighty (380) feet north of and parallel to the south line of the Northeast One-Quarter (NE ¼) of the Southeast One Quarter (SE ¼) of Section 7, Township 49 South, Range 43 East; thence in a westerly direction along said parallel line to the intersection of said line with the west right-of-way line of State Road A-1-A; thence in a northerly direction along the west right-of-way line of State Road A-1-A to the intersection of said west right-of-way line with the north line of the Southeast One-Quarter (SE ¼) of Section 7, Township 49 South, Range 43 East; thence in a westerly direction along the north line of the Southeast One-Quarter (SE ¼) and the Southwest One-Quarter (SW ¼) of Section 7, Township 49 South, Range 43 East to the intersection of said north line with the east right-of-way line of the Intracoastal Waterway; thence in a southerly direction along the east right-of-way line of the Intracoastal Waterway to the intersection of said east right-of-way line with the south line of Section 7, Township 49 South, Range 43 East; thence in an easterly direction along the south line of Section 7, Township 49 South, Range 43 East to the intersection of said south line with the west line of the right-of-way of State Road A-1-A; thence in a northerly direction along the west line of the right-of-way of SR A-1-A to the intersection of said west line with a line located one hundred eighty (180) feet north of and parallel to the south line of the North One-Half (N ½) of the Southeast One-Quarter (SE ¼) of Section 7, Township 49 South, Range 43 East; thence in an easterly direction along a line located one hundred eighty (180) feet north of and parallel to the south line of the North One-Half (N ½) of the Southeast One-Quarter (SE ¼) of Section 7, Township 49 South, Range 43 East to the intersection of said parallel line with the Ordinary Low Watermark of the Atlantic Ocean; thence continue in an easterly direction along said line located one hundred eighty (180) feet north of and parallel to the south line of the North One-Half (N ½) of the Southeast One Quarter (SE ¼) of Section 7, Township 49 South, Range 43 East for a distance of 3 miles (15,840 ft) to the intersection of said parallel line with the eastern boundary of the State of Florida; thence in a southerly direction along the said eastern boundary of the State of Florida to the intersection with the extension of south boundary line of Section 18, Township 49 South, Range 43 East; thence in a westerly direction along the extension of the south boundary line of Section 18, Township 49 South, Range 43 East to the intersection of said south boundary line with the centerline of the right-of-way of the Intracoastal Waterway; thence in a northerly direction along the centerline of the right-of-way of the Intracoastal Waterway to the intersection of said centerline with the north boundary line of Section 18,

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Township 49 South, Range 43 East, the Point of Beginning.

Sec. 2.3. - Definitions.

As used in this Charter, the following words shall have the following meanings:

- (1) The words "abolished municipality" shall mean the municipality formerly existing under the provisions of Chapter 14184, Laws of Florida of 1929, and Chapter 24658, Laws of Florida of 1947.
- (2) The words "new municipality" shall mean the municipality established and created by this act, as may be amended from time to time.
- (3) The masculine pronoun shall designate and include the feminine, and the neuter, where the meaning so permits.
- (4) The word "person" used herein in the masculine gender, shall mean a male or female person, or legal corporate entity.
- (5) The word "municipality" herein shall refer to the municipality of the Town of Lauderdale-By-The-Sea, unless otherwise indicated.
- (6) The words "Town Commission" shall refer to the Town Commission of the Town of Lauderdale-By-The-Sea, Florida.

Sec. 2.4. - Seal.

The official seal of the Town of Lauderdale-By-The-Sea hereby established shall bear the legend "Town of Lauderdale-By-The-Sea, Broward County, Florida, Seal, 1947."

Sec. 2.5. - Jurisdiction.

The jurisdiction and powers of the Town of Lauderdale-By-The-Sea shall extend over all streets, alleys, sewers, parks, and all lands within said area, whether platted or unplatted, and the air above same; and to and over all waters, waterways, streams, bays, bayous, submerged lands, water bottoms and wharves; and to and over all persons, firms, and corporations, property and property rights, occupations, businesses and professions whatsoever within said boundaries.

The title to and jurisdiction over all streets, thoroughfares, parks, alleys, public lots, sewers, within the Town, and all other property and municipal plants of the Town now owned, possessed or operated by it, and all property of every kind and character which the Town may hereafter acquire within or outside the Town, or which may vest in it, or be dedicated to it, for its use or for the public use, shall be vested in the Town of Lauderdale-By-The-Sea, as created under this Charter.

Sec. 2.6. - General powers.

The Town of Lauderdale-By-The-Sea is hereby created, established and organized, and shall have full power and authority to exercise all of the powers of local self-government and to do whatever may be deemed necessary or proper for the safety, health, convenience or general welfare of the inhabitants of

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said Town; to exercise full police powers; to do and perform all acts and things permitted by the laws of the State of Florida, and comprehend as duties in the performance of anything recognized as a "municipal purpose," whether now existing and recognized, or hereafter recognized as a municipal purpose by statute law or court decision. The enumeration of particular powers by this Charter shall not be held or deemed to be exclusive, but in addition to the powers enumerated herein, implied thereby, or appropriate to the exercise thereof, the Town of Lauderdale-By-The-Sea shall have and may exercise all other powers under the Constitution and Laws of Florida.

In addition, the Town has the authority to codify its ordinances into a Code of Ordinances of the Town of Lauderdale-By-The-Sea, and by a single ordinance to adopt such "Code of Ordinances of the Town of Lauderdale-By-The-Sea" as a complete revision of all existing and applicable ordinances on the date of such adoption; to adopt a decimal system similar to that used in Florida Statutes of 1941, and to amend such Code, once adopted, by reference to any section or sections. The "Code of Ordinances of the Town of Lauderdale-By-The-Sea" of 1940, as amended from time to time, except as modified by this Charter, is declared to be the existing Codified Ordinances of the Town of Lauderdale-By-The-Sea; and such Code of Ordinances may be amended from time to time by reference to any section or sections, and as many sections as desired may be amended by one (1) ordinance. Such "Code of Ordinances of the Town of Lauderdale-By-The-Sea," as amended from time to time, may be revised and codified or recodified, and such revised Code may be adopted by a single ordinance, and upon such revision shall be in full force and effect. The Town Attorney of the Town of Lauderdale-By-The-Sea shall have power and authority to codify any duly adopted ordinance of the Town of Lauderdale-By-The-Sea and assign proper section numbers and headings to various parts of such ordinances, and thereafter such section shall be cited in referring to such ordinances.

Sec. 2.7. - Review of charter provisions.

As often as the Town Commission may deem necessary, but in any event, not less frequently than every twelve (12) years, the terms and provisions of this Charter shall be reviewed.

ARTICLE III. - ADMINISTRATION AND LEGISLATION

Sec. 3.1. - Commission-manager form of government.

The form of government of the Town of Lauderdale-By-The-Sea, provided for under this Charter, shall be known as the "commission-manager" form of government.

Sec. 3.2. - Creation of Town Commission.

There is hereby created a Town Commission consisting of five (5) Commissioners, each of whom shall be elected at-large in the manner provided in this Charter. The Mayor-Commissioner and each Town Commissioner shall take and hold office for the term(s) provided in this Town Charter.

Sec. 3.3. - Qualifications of members.

Only qualified electors who have resided in the Town of Lauderdale-By-The-Sea for at least six (6) months immediately prior to qualifying for office and who shall have attained the age of eighteen (18) years of age on or before the date the candidate files and qualifies in accordance with this Charter as a

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candidate for office, shall be eligible to hold the office of Commissioner.

Each Commissioner and candidate for Commissioner shall be elected from the election district in which he or she is domiciled for at least six (6) months immediately prior to qualifying for such office by the greatest number of votes of all registered electors residing within the Town. Once elected, a Commissioner from an election district shall remain a domiciliary of the election district during his or her term of office. Any Commissioner who shall cease to possess the qualifications required herein shall forthwith forfeit his or her office, except a Commissioner holding office will not have his/her term cut short by the establishment of or subsequent change of district boundary lines.

Sec. 3.4. - Standards of conduct; code of ethics.

In addition to the ethical standards of conduct established by general law for elected officials, appointed officials, and employees, the Town Commission may, by ordinance, establish ethical conduct standards for elected officials, appointed officials, and employees of the Town.

Sec. 3.5. - Legislative powers.

The legislative powers of the Town shall be vested in and exercised by the Town Commission, consistent with the provisions of the Constitution of the United States of America, the Constitution and statutes of the State of Florida, this Charter, and the laws and ordinances of the Town of Lauderdale-By-The-Sea. Except as otherwise provided in Article IV or elsewhere in this Charter, or by the Constitution or statutes of the State of Florida, the Town Commission may by ordinance or resolution prescribe the manner in which any powers of the said Town shall be exercised.

Sec. 3.6. - Non-interference in Town Administration.

The Town Commission or its members shall not give orders to any Town officer or employees who are subject to the direction and supervision of the Town Manager, either publicly or privately. Nothing in the foregoing is to be construed to prohibit individual members of the Town Commission from examining by question and personal observation all aspects of Town government operations so as to obtain independent information to assist the members in the formulation of policies to be considered by the Commission and assure the implementation of such policies as have been adopted. It is the express intent of this provision, however, that such inquiry shall not interfere directly with the regular municipal operations of the Town and that recommendations for change or improvements in Town government operations be made to and through the Town Manager.

ARTICLE IV. - INITIATIVE AND REFERENDUM

Sec. 4.1. - Power to initiate and reconsider ordinances.

(1) *Initiated ordinances.* The registered voters of the Town shall have power to propose ordinances to the Commission and, if the Commission fails to adopt an ordinance so proposed without any change in substance, to adopt or reject it by a referendum vote at a Town election.

(2) *Repeal and amendment of adopted ordinances.* The registered voters of the Town shall have power to require reconsideration by the Commission of any adopted ordinance and, if the Commission fails to repeal or amend as proposed in the initiative petition an ordinance so reconsidered, to amend or repeal it

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by a referendum vote at a Town election.

Sec. 4.2. - Commencement of initiative.

(1) *Filing with Town Clerk.* A minimum of ten registered electors (voters) of the Town may commence initiative, repeal or amendment proceedings by filing with the Town Clerk an affidavit stating that they will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form, stating their names and addresses, specifying the address to which all notices to the petitioners' committee are to be sent, and setting out in full the proposed initiated ordinance or citing the ordinance sought to be reconsidered. Promptly after the affidavit of a petitioners' committee is filed, the Town Clerk may, at the committee's request and at their expense, issue the appropriate petition blanks to the petitioners' committee.

(2) *Review by the Town Attorney.* Prior to circulation, a petition and the proposed ordinance, if any, shall be reviewed as to legal form by the Town Attorney. The Town Attorney's review of a petition package shall not extend to review of the substance of a proposed ordinance, or an ordinance proposed for repeal or amendment, but shall be strictly limited to a review as to legal form. No later than fourteen (14) calendar days from filing date of a petition with the Town Clerk, the Town Attorney shall, by hand delivery or registered mail, inform the petitioners' committee and Town Clerk either that the petition and ordinance, if any, are in proper legal form or, if not, then specifically what measures are required to render them in proper form. Upon request by the petitioners' committee, the Town Attorney will assist the committee to render documents in proper legal form for consideration by the Town Commission, but will not offer legal counsel or opinions to the petitioners' committee or its representative. Failure by the Town Attorney to inform the petitioners' committee and Town Clerk of his or her determination as to form within fourteen (14) calendar days after the petitioner files a petition and proposed ordinance, or petition for reconsideration of an ordinance, with the Town Clerk shall be deemed a determination that the document(s) is/are in proper legal form.

Sec. 4.3. - Execution of petitions; requirements.

(1) *Number of signatures.* Initiative and referendum petitions must be signed by registered voters of the Town equal in number to at least ten (10) percent of the total number of those registered to vote in the Town at the last general municipal election.

(2) *Form and content.* All papers of a petition shall be assembled as one instrument of filing. Each signature shall be executed in ink and shall be followed by the printed name and address of the person signing. Petitions shall contain or have attached thereto throughout their circulation the full text of the ordinance proposed or required to be reconsidered.

(3) *Affidavit of circulator.* Each paper of a petition shall have attached to it when filed an affidavit by the circulator thereof stating that he or she personally circulated the paper, the number of signatures thereon, that all the signatures were affixed in his or her presence, that he or she believes them to be the genuine signatures of the persons whose names they purport to be and that each signer had an opportunity before signing to read the full text of the ordinance proposed or required to be reconsidered.

(4) *Filing deadline.* All initiative and referendum petitions must be filed with 60 days of the date on which proceedings with respect to such initiatives are commenced.

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Sec. 4.4. - Filing procedure.

(1) *Certificate of Clerk; amendment.* Within 20 days after an initiative petition is filed or within five days after a petition for repeal or amendment of an ordinance is filed, the Clerk shall complete a certificate as to its sufficiency (the "Certificate"). Grounds for insufficiency are only those specified in Sec. 4.3 of this Article. If insufficient, the Certificate shall specify the particulars of the deficiency. A copy of the Certificate shall be promptly sent to the petitioners' committee by hand delivery or registered mail. A petition certified insufficient for lack of the required number of valid signatures may be amended once if the petitioners' committee files a notice of intention to amend it with the Clerk within two business days after receiving the copy of the Certificate and files a supplementary petition upon additional papers within fourteen (14) calendar days after receiving the copy of the Certificate. Such supplementary petition shall comply with the requirements of Sec. 4.3 of this Article. Within five business days after a supplementary petition is filed, the Clerk shall complete a Certificate as to the sufficiency of the petition, as amended, and shall promptly send a copy of such Certificate to the petitioners' committee by registered mail or hand delivery as in the case of an original petition. If a petition or amended petition is certified sufficient, or if a petition or amended petition is certified insufficient and the petitioners' committee does not elect to amend or request Commission review under subsection (2) of this Section 4.4 within the time required, the Clerk shall promptly present the Certificate to the Commission and such Certificate shall then be a final determination as to the sufficiency of the petition.

(2) *Commission review as to sufficiency.* If a petition has been certified insufficient and the petitioners' committee does not file notice of intention to amend it or if an amended petition has been certified insufficient, the committee may, within two business days after receiving the copy of such Certificate, file a request that it be reviewed by the Commission. The Commission shall then review the Certificate at its next meeting following the filing of such request and approve or disapprove it, and the Commission's determination shall then be a final determination as to the sufficiency of the petition.

Sec. 4.5. - Action on petitions.

(1) *Action by Town Commission.* When an initiative petition or a petition for the repeal or amendment of an existing ordinance has been finally determined to be sufficient, the Town Commission shall promptly consider or reconsider the ordinance. Whether or not the Commission approves at first reading an initiated ordinance, or the repeal or amendment, as proposed, of a referred ordinance, the Commission shall proceed to a second reading at its next scheduled meeting, and shall otherwise comply with all requirements under Sec. 166.041 F. S. for public notice and public hearings prior to the adoption of an ordinance. If the Commission fails to adopt a proposed initiative ordinance without any change in substance within forty-five (45) calendar days, or fails to repeal or amend a referred ordinance in accordance with the initiative petition within thirty (30) calendar days, it shall submit the proposed or referred ordinance to the registered voters of the Town by referendum vote at an election. The referendum vote by registered Town voters shall constitute an "additional requirement for the enactment of ordinances" as specified in paragraph (6) of Section 166.041 F.S., in lieu of and as a greater, increased requirement than the affirmative majority vote of the governing body referred to in paragraph (4) of Sec. 166.041 F. S. If the Commission fails to act on a proposed initiative ordinance or a referred ordinance within the time period specified in this paragraph, the Commission shall be deemed to have failed to adopt the proposed initiative ordinance or failed to repeal or amend the referred ordinance on

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the last day that the Commission was authorized to act on such matter. In that event, the Commission shall nevertheless comply with the public notice and public hearing requirements of Sec. 166.04 F.S. relative to the ordinance in question.

(2) *Submission to voters.* The vote of the Town on a proposed referred ordinance shall be held not less than ninety (90) days nor more than one hundred twenty (120) days from the date of Commission acted or was deemed to have acted pursuant to paragraph (1) of this section. If no regular election is to be held within the period described in this paragraph, the Commission shall provide for a special election, except that the Commission may, in its discretion provide for a special election at an earlier date within the described period. Copies of the proposed or referred ordinance shall be made available at the polls.

(3) *Withdrawal of petitions.* An initiative or referendum petition may be withdrawn at any time prior to the fifteenth (15th) day preceding the day scheduled for a vote of the Town by filing with the Town Clerk a request for withdrawal signed by at least eight-tenths of the members of the petitioners' committee. Upon the filing of such request, the petition shall have no further force or effect and all proceedings thereon shall be terminated.

Sec. 4.6. - Results of election.

(1) *Initiative.* If a majority of the registered voters voting on a proposed initiative ordinance vote in its favor, it shall be considered adopted upon certification of the election results. If conflicting ordinances are approved at the same election, the one receiving the greater or greatest number of affirmative votes shall prevail to the extent of such conflict.

(2) *Repeal and amendment of referred ordinances.* If a majority of the registered voters voting on a referred ordinance vote for repeal or for amendment, it shall be considered repealed or amended, as appropriate, upon certification of the election results.

Sec. 4.7. - Ordinances affecting initiated ordinances; procedure for adoption.

An ordinance passed as a result of a vote of the registered voters of the Town, whether prior or subsequent to the effective date of this Article, may be repealed or amended only by a similar vote of the registered voters of the Town. The Town Commission may, by resolution, submit to the registered voters of the Town at any regular or special election for a referendum vote, a proposed ordinance to repeal or amend any such ordinance. Notice of the Town Commission's intention to submit such a proposed ordinance to the registered voters shall be published by the Town Commission no less than ninety (90) days nor more than one hundred twenty (120) days prior to such election, in the manner required for the publication of initiated ordinances. If an amendment is so proposed, such notice shall contain the proposed amendment in full. The Town Commission's submittal of such an ordinance shall be in the same manner, and the vote shall have the same effect as in cases of ordinances submitted to a vote of the registered voters of the Town by popular petition.

ARTICLE V. - TOWN OFFICERS AND EMPLOYEES

Sec. 5.1. - Vesting of administrative and executive powers.

The executive and administrative powers of the Town, not herein otherwise provided for, shall be vested

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in and exercised by the following officers:

- (1) Mayor-Commissioner;
- (2) Town Manager;
- (3) Town Attorney;

The Town Manager and Town Attorney shall be appointed by the Town Commission. The Town Commission may by ordinance create, change and abolish offices, department or agencies other than the offices, departments or agencies established by this Charter.

Sec. 5.2. - Functions and duties of Mayor-Commissioner.

The Mayor-Commissioner or, in his/her absence or disqualification, the Vice Mayor or Mayor Pro Tem shall perform the following functions:

- (1) The Mayor-Commissioner shall preside at all meetings of the Town Commission and perform all duties consistent with his/her office, and shall have a voice and vote in the proceedings of the Town Commission, but no veto power. The Mayor-Commissioner shall vote last upon the roll call of Commissioners.
- (2) The Mayor-Commissioner shall use the title of Mayor in any case in which the execution of legal instruments, writings, or other papers so require; but this shall not be considered as conferring upon the Mayor-Commissioner any of the administrative or judicial functions of a Mayor under the general laws of the state, except as herein provided.
- (3) The Mayor-Commissioner shall be recognized as the official head of the Town by the courts for the purposes of serving civil processes; by the government in the exercise of military law; and by the public in general for all ceremonial purposes.
- (4) The Mayor-Commissioner may govern the Town by proclamation, under the direction of the Town Commission, during times of grave public danger or emergency, and the Town Commission shall be judge of what constitutes such public danger or emergency.
- (5) The Mayor-Commissioner shall exercise all the powers and duties of the Mayor-Commissioner as provided in the Charter, as well as all those powers and duties that may be conferred upon the Mayor-Commissioner by the Town Commission in pursuance of the provisions of this Charter.

Sec. 5.3. - Town Manager—Appointment, qualifications and compensation.

The Town Commission shall appoint a Town Manager who shall be the administrative head of the municipal government under the direction and supervision of the Town Commission. The Town Manager shall hold office at the pleasure of the Town Commission. The Town Manager shall receive such compensation as determined by the Town Commission through the adoption of an appropriate resolution. The Town Manager shall be appointed by resolution approving an employment contract between the Town and the Town Manager. The Town Manager shall be appointed solely on the basis of education and experience in the accepted competencies and practices of local public management

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including, a graduate degree with a concentration in public administration, public affairs, public policy, or public finance and two (2) years' experience as an appointed city manager or county manager, or four (4) years' experience as an assistant or deputy city manager or assistant or deputy county manager. Alternatively, the Town Manager shall be appointed on the basis of education and experience in the accepted competencies and practices of local public management that is determined by the Town Commission to be commensurate to those listed in the prior sentence.¹

Sec. 5.4. - Town Manager—Absence or disability; removal.

During the absence or disability of the Town Manager, the Town Commission may by resolution designate some properly qualified person to temporarily execute the functions of the Town Manager. The person thus designated shall have the same powers and duties as the Town Manager, and shall be known while so serving as "Acting Town Manager." The Town Manager or Acting Town Manager may be removed by the Town Commission at any time.

Sec. 5.5. - Town Manager—Powers and duties.

The Town Manager shall be responsible to the Town Commission for the proper administration of all affairs of the Town coming under the Town Manager's jurisdiction, and the Town Manager's powers are and they shall be:

- (1) To see that the laws and ordinances of the Town are enforced.
- (2) To appoint or remove all subordinate officers and employees.
- (3) To exercise, control and direct supervision over all departments and divisions of the municipal government under the classified service, except where otherwise provided.
- (4) To see that all terms and conditions imposed in favor of the Town or its inhabitants in any public utility franchise are faithfully kept and performed; and upon knowledge of any violation thereof, to call the same to the attention of the Town Attorney, whose duty it is hereby made to take such legal steps as may be necessary to enforce the same.
- (5) To attend all meetings of the Town Commission, with right to take part in the discussions, but without having a vote.
- (6) To recommend to the Town Commission for adoption such measures as the Town Manager may deem necessary or expedient in the interest of the Town.
- (7) To keep the Town Commission fully advised as to the financial conditions and needs of the Town and at the proper time to submit to the Town Commission for its consideration an annual budget.
- (8) To advise and consult with all officers and official heads of the several departments of the Town relative to the affairs of such department, and to make recommendations to the Town

¹ Additions are shown in underlined text; deletions are shown in ~~strikethrough~~ text.

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Commission respecting such departments as the Town Manager may see fit.

(9) To perform such other duties as may be prescribed under this Charter, or may be required of the Town Manager by motion, direction, ordinance or resolution of the Town Commission.

(10) To prepare and submit to the Town Commission an annual financial audit of its accounts and records, completed no later than six (6) months after the end of its fiscal year by an independent certified public accountant retained by the Town Commission and paid from its public funds.

(11) To sign all checks, warrants, bonds and agreements issued by the Town of Lauderdale-By-The-Sea.

(12) To assist the Town Commission to develop long-term goals for the Town and strategies to implement these goals.

(13) To encourage and provide staff support for regional and intergovernmental cooperation.

(14) To promote partnerships among the Town Commission, staff, and citizens in developing public policy and building a sense of community.

ARTICLE VI. - ELECTIONS.

Sec. 6.1. - Mayor-Commissioner and Commissioners; term of office; election; transition.

(1) Beginning with the regular election to be held on the second Tuesday in the month of March, 2008, and every two (2) years thereafter, a Mayor-Commissioner shall be elected for a term of two (2) years until his successor is elected and qualifies.

(2) Commencing with the regular election of the Town held in March, 2006, and continuing with successive elections at intervals of four years, candidates may qualify for the offices of Town Commissioner Seat 1 and Town Commissioner Seat 2, each elected at large. Town Commission Seat 1 and Town Commission Seat 2 shall replace the two Commission seats vacated by the expiration of the term of the two Commissioners in March, 2006. The candidate for Seat 1 shall reside in the north district of the Town. The candidate for Seat 2 shall reside in the south district of the Town. The candidates receiving the most votes for each seat shall be elected, and shall serve a term of four (4) years.

(3) Commencing with the regular election of the Town held in March, 2008, and continuing with successive elections at intervals of four years, candidates may qualify for the offices of Town Commission Seat 3 and Town Commissioner Seat 4, each elected at large. Town Commission Seat 3 and Town Commission Seat 4 shall replace the two Commission seats vacated by the expiration of the term of two Commissioners in March of 2008. The candidate for Seat 3 shall reside in the north district of the Town. The candidate for Seat 4 shall reside in the south district of the Town. The candidates receiving the most votes for each seat shall be elected, and shall serve a term of four years.

(4) All elections for the position of Town Commissioner or Mayor-Commissioner shall be held on the second Tuesday of March of each even-numbered year, or as provided for by law.

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(5) The geographic boundary for the northern and southern districts shall be designated, prepared and identified no later than the first of September, 2004, and again in 2012 through a contract entered into by the Town with an accredited four (4) year college or university located within the state of Florida for the purpose of identifying and designating the northern and southern election districts within the Town. The Town Commission district boundaries shall be of equal population, compact, proportional, and logically related to the natural internal boundaries of the neighborhoods within the Town. The principal of nondiscrimination and one person/one vote shall be adhered to strictly.

(6) In the event no candidate qualifies for election for any designated Town Commission seat within the first ten (10) calendar days of the qualifying period, then any qualified person who resides anywhere in the Town may qualify for such seat. Thereafter, if no person qualifies for such seat, a vacancy shall be declared and filled in accordance with this Charter.

(7) The Town Commission shall adopt by Ordinance the creation and establishment of the boundaries of the initial northern and southern Town Commission seat districts no later than January 1, 2005. The Ordinance shall provide for the implementation of said election districts to be effective for the elections to be held in the Town commencing in March, 2006.

Sec. 6.2. - Vice Mayor and acting Mayor Pro-Tem.

No later than ~~On~~ the second regularly scheduled Town Commission meeting to occur ~~Tuesday~~ following each regular election, one (1) member of the Town Commission may be designated, by resolution, as Vice Mayor to preside in the absence of the Mayor-Commissioner. In the event that the designated Mayor-Commissioner and the Vice Mayor are absent at any meeting of the Town Commission, any member of the Town Commission may be designated by the Town Commission to act as Mayor Pro-Tem for such meeting.

Sec. 6.3. - Qualifications of members of Town Commission.

(1) To be eligible to hold the office of Mayor-Commissioner or Commissioner of the Town of Lauderdale-By-The-Sea, or to qualify for candidacy for Mayor-Commissioner or Commissioner, the individual shall be a bona fide resident and citizen of the Town of Lauderdale-By-The-Sea, shall have resided in the said town for the six (6) months immediately preceding the date of election, shall be a registered voter pursuant to Florida law, and shall be otherwise qualified as provided for in the Charter.

(2) No person may be a candidate for Commissioner, nor may be appointed to fill a vacancy as a Commissioner, if that person has served during both of the two preceding consecutive Commission terms for that seat as a Commissioner or a Mayor-Commissioner or both, without a two year break in service.

(3) No person may be a candidate for Mayor-Commissioner, nor may be appointed to fill a vacancy as the Mayor-Commissioner, if that person has served during each of the three preceding consecutive Mayor-Commissioner terms as a Mayor-Commissioner.

(4) Service of one year or less of a term by a person who had not previously served as either a Commissioner or Mayor-Commissioner shall not be considered for purposes of term limits.

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(5) Service for purposes of term limits shall be determined as of the time the person would take office.

(6) No person may be a candidate for Mayor-Commissioner or Town Commissioner, nor may be appointed to fill a vacancy as the Mayor-Commissioner or Town Commissioner, if that person has consecutively served fourteen (14) years in any combination of offices without a two-year break in service.

Sec. 6.4. - Qualifications of candidates; notice of candidacy; payment of fee.

Any individual who possesses the qualifications as provided in this Charter, may be a candidate for the office of Mayor-Commissioner or Commissioner by filing a verified notice of candidacy for Town Commission with the Town Clerk. Such notice shall be in the following form:

NOTICE OF CANDIDACY FOR
TOWN COMMISSIONER OR MAYOR-COMMISSIONER

I, _____ (Name of Candidate) _____, residing at _____ (Residence Address of Candidate) _____/_____/_____,
Lauderdale-By-The-Sea, Broward County, Florida, do hereby give notice of my candidacy for the office of Town Commissioner/Mayor-Commissioner of the Town of Lauderdale-By-The-Sea, Florida, in the forthcoming election to be held in said Town on _____ (Date of Primary)_____. I do further state that I am a citizen of the United States of America, and a resident of the Town of Lauderdale-By-The-Sea; that I have resided in the Town of Lauderdale-By-The-Sea for the six (6) months immediately preceding the date of the election to be held; and that I have fully satisfied all conditions precedent to such candidacy, pursuant to the provisions of the laws of the State of Florida and the Town Charter.

(Candidate's Signature)

STATE OF FLORIDA
COUNTY OF BROWARD

Before me, the undersigned authority, this day personally appeared _____ (Name of Candidate) _____ who, upon being duly sworn, deposed and said: that he/she is the candidate referred to in the foregoing Notice; that he/she is familiar with the contents of said Notice, and that the facts and matters therein stated are true; and that he/she did sign said Notice for the purpose therein specified.

(Candidate)

Sworn to and subscribed before me, this the _____ day of _____/_____/_____, 20____.

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Notary Public, State of Florida

My commission expires: _____

The individual who files the notice as prescribed, and who pays the qualifying fee as prescribed, if otherwise found to be qualified, shall be entitled to have his/her name printed upon the official ballot at such town election.

Sec. 6.5. - Vacancies.

The office of a Commissioner, or the office of the Mayor-Commissioner, shall become vacant upon the person's death, resignation, removal from office in any manner authorized by law, or forfeiture of the office, such forfeiture to be declared by the remaining members of the Town Commission.

Sec. 6.6. - Forfeiture of office.

A Commission member, or the Mayor-Commissioner, shall forfeit the office if the person:

- (1) Lacks, at any time during a term of office, any qualification for the office prescribed by this Charter or general law;
- (2) Violates any standard of conduct or code of ethics established by law for public officials;
- (3) Is convicted of a felony while in office;
- (4) Fails to attend four (4) consecutive regular meetings of the Town Commission without being excused by the Town Commission by formal action entered upon the minutes; or
- (5) Becomes incapable of performing the duties of the office for a period of more than three (3) months.

In all circumstances arising under this section, the Town Commission shall be the judge of its own membership.

Sec. 6.7. - Forfeiture hearing and process.

A member of the Town Commission charged with conduct constituting grounds for forfeiture of his office shall be entitled to a public hearing on demand, and notice of such hearing shall be published in one or more newspapers of general circulation in the Town at least thirty days before the scheduled hearing. The Town Commission shall be the sole judge of the qualifications of its members and shall hear all questions relating to forfeiture of a Commissioner's or Mayor-Commissioner's office, including whether or not good cause for absence has been, or may be, established. The Commissioner in question shall have the burden of establishing good cause for absence; provided, however, that any Commissioner may at any time during any duly held meeting move to establish good cause for his or her absence or the absence of any other Commissioner, from any past, present, or future meeting(s), which motion, if carried, shall be conclusive. A Commissioner whose qualifications are in question, or who is otherwise subject to forfeiture of his/her office, shall not vote on any such matters. Any final determination by the Town Commission that a Commissioner or the Mayor-Commissioner has forfeited his or her office shall be made by resolution approved by a unanimous vote of the remaining members of the Town

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Commission. All votes and other acts of the Commissioner in question prior to the effective date of such resolution shall be valid regardless of the grounds of forfeiture.

Sec. 6.8. - Filling of vacancies.

A vacancy on the Town Commission, including the office of Mayor-Commissioner, shall be filled in the following manner:

(1) If there are less than one hundred eighty (180) days remaining in the unexpired term, or if there are less than one hundred eighty (180) days before the next federal, state, county or Town election, the remaining Commissioners, including the Mayor-Commissioner, shall, by majority vote, appoint a successor within thirty (30) days of the occurrence of the vacancy from among all qualified applicants. The person or persons so appointed must possess all of the required qualifications to be a member of the Town Commission. The Commissioner or Mayor-Commissioner appointed by the Town Commission to fill the vacancy as specified herein shall serve only until the next federal, state, county, or Town election. Further, the Commissioner or Mayor-Commissioner elected at such election shall serve only the unexpired term of the Commissioner or Mayor-Commissioner whose position became vacant.

(2) If there are more than one hundred eighty (180) days remaining on an unexpired term, or if there are more than one hundred eighty (180) days before the next federal, state, county, or Town election, the Town Commission shall schedule a special election to be held no sooner than ninety (90) days nor more than one hundred twenty (120) days following the occurrence of the vacancy. The Commissioner or Mayor-Commissioner elected to fill the vacancy at any special election shall serve only the unexpired term of the Commissioner or Mayor-Commissioner whose position became vacant.

(3) In the event of the death, resignation, or removal of the Mayor-Commissioner, the Vice Mayor shall forthwith commence to serve as interim Mayor-Commissioner until the position of Mayor-Commissioner is filled by election or appointment. When the Vice Mayor becomes interim Mayor-Commissioner, the Town Commission, by majority vote shall appoint one of the remaining Commissioners to become interim Vice Mayor. The Commissioner serving as Mayor-Commissioner, or the Vice Mayor, shall serve as Commission-Mayor, or Vice Mayor, until the newly elected or appointed Commissioner-Mayor, or Vice Mayor, is sworn into office. The interim Mayor-Commissioner, and interim Vice Mayor shall then return to the positions of Vice Mayor and Commissioner which he/she previously held to serve the remainder of his or her unexpired term.

(4) In the event of the death, resignation, or removal of the Vice Mayor, the Town Commission shall, by majority vote, elect one of the Commissioners to serve as Vice Mayor.

Sec. 6.9. - Extraordinary vacancies.

In the event that all members of the Town Commission are removed by death, disability, or forfeiture of office, the Governor of the State of Florida shall appoint an interim Town Commission that shall call a special election as provided above to fill the vacancies.

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Sec. 6.10. - Vacancy in candidacy for Mayor-Commissioner or Commissioner.

(a) Withdrawal. A candidate for Mayor-Commissioner or Commissioner may withdraw at any time prior to the election by filing a sworn, executed statement of withdrawal with the Town Clerk.

(b) Effect of death, withdrawal or removal where candidate remains on the ballot.

(1) No supplemental qualifying period. If the death, withdrawal or removal from the ballot of a qualified candidate or candidates for office following the end of the qualifying period leaves less than two candidates for that office, the remaining candidate shall be declared elected and no election shall be held for that office.

(2) Changes in ballot. The name of any qualified candidate who has withdrawn, died or been removed from the ballot shall not be printed on the ballot. If the ballot cannot be changed, any votes for that candidate shall be null and void.

(c) Effect of death, withdrawal or removal where no candidate remains on the ballot. Should a vacancy in candidacy leave no candidate remaining for an office after the conclusion of the qualifying period, the resulting vacancy shall be handled as provided in Section 6.8 of the Charter.

ARTICLE VII. - PLANNING AND ZONING.

Sec. 7.1. - Maximum height for buildings established; referendum vote required for increases in zoned residential-district height limits.

(1) No building within the jurisdictional boundaries of the Town, as they existed on March 20, 2006, shall have more than four (4) stories above grade, and the maximum height of buildings within the Town that have four (4) stories above grade shall be forty-four (44) feet above grade, as defined in the Florida Building Code, or above a horizontal plane eighteen inches above the crown of the roadway at the highest point adjoining the property on which the building is located, whichever of those two levels is higher. The maximum height for all other buildings within the Town shall be thirty-three (33) feet

- (a) Above grade, as defined in the Florida Building Code, or
- (b) Above a horizontal plane eighteen inches above the crown if the roadway at the highest point adjoining the property on which the building is located, or
- (c) Above the minimum elevation for a habitable, finished floor permitted under applicable federal or Florida state regulations,

Whichever of those three levels is highest. Height shall be measured from the applicable base level specified above to the highest point on a flat roof, or to the median elevation between the peak of a sloped roof and the lowest edge of the sloped roof. In accordance with the Florida Building Code, bulkheads and penthouses used solely to enclose stairways, tanks, elevator machinery or shafts or ventilation or air conditioning apparatus shall not be included in determining building height; all other roofs structures, including parapet walls, shall not exceed four feet in height above the maximum allowed building height.

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(2) In any building within the Town that has more than three (3) stories above grade, the first story shall be at grade level and shall be used for parking, either with or without toll collection booths. The first story may also be used for storage, refuse, security, registration, maintenance, and/or access, either with or without a lobby, provided that at least one-half ($\frac{1}{2}$) of the square footage of the first story is used for parking. Only within districts of the Town zoned for business ("B") use, the first story of buildings having more than three (3) stories above grade may also be devoted to non-residential commercial uses, provided that dedicated parking required by Town ordinance or code for the proposed buildings is provided off-street at a location on or adjacent to the property on which the buildings are situate, and designed so as to enable the parked vehicles to egress the parking space without having to back out into traffic. In any building within the Town that has more than three (3) stories above grade, the first story shall be restricted to the above enumerated uses, and may be used for no other purpose whatsoever. For the purposes of this provision of the Charter, a story is at grade level if its floor is at or below grade and its ceiling is above grade; a story that is at grade level is also above grade. Nothing in this paragraph shall be construed so as to prohibit any building within the Town that has more than three (3) stories above grade from also having one (1) or more subterranean stories below grade, provided, however, that in any building within the Town that has more than three (3) stories above grade, all subterranean stories shall be subject to the same restrictions on use as are established in this paragraph for the first story.

(3) Buildings which exceed thirty three (33) feet above grade, and which exceed thirty three (33) feet above the horizontal plane eighteen inches above the crown of the roadway at the highest point adjoining the property on which the building is located, but which are nevertheless allowed under subparagraph (1)(c) of this Section, and which do not include a non-habitable first floor with ample parking as required by Town ordinance or code, in accordance with the number and type of units in those buildings, must have dedicated off-street parking at a location on or adjacent to the property on which the buildings are situate. Parking for buildings in this category must be designed so as to enable the parked vehicles to egress the parking space without having to back out into traffic.

(4) All existing buildings within the Town that were legally in compliance with existing height and use restrictions on March 20, 2006, or were grandfathered on that date, but that either exceed the maximum building height limit established in paragraph (1), above, of this section of the Charter, or that fail to comply, where applicable, with the restrictions on use established in paragraph (2), above, of this section of the Charter, (hereinafter referred to as "Non-conforming Buildings") shall be considered legal, but non-conforming.

(5) Notwithstanding the maximum building height limit established in paragraph (1), above, of this section of the Charter, an existing non-conforming building may be replaced by a new nonconforming building when, and only when:

- (a) The existing non-conforming building has:
 - (i) Been destroyed by fire, natural disaster, or other act of God; and
 - (ii) The property owner has submitted and received Town approval of a site plan depicting the replacement building; and
 - (iii) Construction of the replacement building is commenced within twelve (12) months of the date of destruction; or

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- (b) The existing non-conforming building is:
- (i) Demolished as part of a Town approved redevelopment of the property; and
 - (ii) Prior to demolition, the property owner has submitted and received Town approval of a site plan depicting the replacement building; and
 - (iii) Construction of the replacement building is commenced within six (6) months of the date of site plan approval.
- (c) The Town Commission may grant one (1) or more six (6) month extensions to the time periods for commencement of construction established in paragraphs (5)(a)(iii) and (5)(b)(iii), above, provided a written request for extension is filed with the Town Clerk prior to (in the case of a first request for extension) the expiration of the initial applicable time period for commencement of construction or prior to (in the case of a subsequent request for extension) the expiration of the most recent extension of the applicable time period for commencement of construction.
- (d) All new non-conforming buildings constructed pursuant to the provisions of either paragraph (5)(a) or (5)(b), above, shall comply, where applicable, with the restrictions on use established in paragraph (2), above, and the provisions for parking availability established in paragraph (3), above, of this section of the Charter.
- (e) The maximum allowable height of any new non-conforming building constructed pursuant to the provisions of either paragraph (5)(a) or (5)(b), above, shall not exceed the original height of the non-conforming building which it replaces, plus any additional height which (because of the requirements of state or federal law, or because of the restrictions on use established in paragraph (2), above, of this section of the charter) may be necessary to obtain the same number of habitable stories as was contained in the original non-conforming building. Nothing in this section of the Charter shall be construed to prevent a new non-conforming building from being constructed to a lesser height or from containing fewer habitable stories than that of the original non-conforming building which it replaces. For the purposes of this provision of the Charter, the term "habitable story" means any story or part thereof that is used as a home or place of abode, either permanent or temporary, by one (1) or more persons.
- (f) The maximum allowable square footage of any new nonconforming building constructed pursuant to the provisions of either paragraph (5)(a) or (5)(b), above, shall not exceed the original square footage of the non-conforming building which it replaces, plus any additional square footage which (because of the requirements of state or federal law, or because of the restrictions on use established in paragraph (2), above, of this section of the Charter) may be necessary to obtain the same number of habitable square feet as was contained in the original non-conforming building. Nothing in this section of the Charter shall be construed to prevent a new nonconforming building from being constructed either with less total square footage or with less habitable square footage than that of the original non-conforming building which it replaces. For the purposes of this section of the Charter, the term "habitable square footage" means the square footage of that portion of a building that is used as a home or place of abode, either permanent or temporary, by one (1) or more persons.

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(6) The maximum building height limits, the restrictions on use and the maximum allowable square footage, and the provisions governing parking established in paragraphs (1), (2), (3) and (5), above, of this section of the Charter, shall be applicable to all real property located within the boundaries of the Town as the boundaries exist on March 20, 2006.

(7) Every resident of the Town shall have the standing to enforce the maximum building height limits and the maximum allowable square footage established in paragraphs (1), (2) and (5), above, of this section of the Charter, by means of a suit in equity seeking either mandamus; prohibition; or any combination thereof, but nothing in this provision of the Charter shall be construed to either create a cause of action at law for money damages, or to authorize a court of equity to award money damages as an incident to equitable relief, or to authorize an award of attorney's fees to the prevailing party or to any other party.

(8) The maximum building height limit established in paragraph (1), above, of this section of the Charter, supersedes any existing zoning ordinance or land development regulation to the extent that said zoning ordinance or land development regulation establishes anywhere within the Town a maximum building height limit greater than that established in paragraph (1), above, of this section of the Charter, but nothing in this section of the Charter shall be construed to supersede, modify or repeal any existing zoning ordinance or land development regulation that establishes anywhere within the Town a maximum building height limit lower than that established in paragraph (1), above, of this section of the Charter.

(9) The Town Commission may not increase, by ordinance or by variance, the maximum building height limits established in paragraphs (1) and (5), above, of this section of the Charter, nor may the Town Commission modify, amend or repeal, by ordinance or by variance, the restrictions on use established in paragraph (2), above, or the provisions for parking availability established in paragraphs (2), (3) or (5), above, of this section of the Charter, nor may the Town Commission increase, by ordinance or by variance, the maximum allowable square footage established in paragraph (5), above, of this section of the Charter. The maximum height limits established for residential zoning districts including, but not limited to, R-5, RS-4, RS-5, RD-10, RM-15, RM-16, RM-25 and PUD in the Town's land development code as of March 20, 2006, may be increased, or such districts re-zoned for any other use whatsoever, only by a referendum vote of the registered voters of the Town in the manner established in Article IV, Section 4.7[50] of this Charter for the repeal or amendment of initiated ordinances. The Town may not create new categories of zoning without approval of such categories by a similar referendum vote; and all provisions of such new categories of zoning must be submitted to the voters for approval.

(10) The maximum building height limits established in paragraphs (1) and (5), above, of this section of the Charter, may be increased only by an amendment to or by repeal of this section of the Charter. The restrictions on use established in paragraph (2), above, and the provisions governing parking availability established in paragraphs (2), (3) and (5), above, of this section of the Charter, may be modified, amended or repealed only by an amendment to or by repeal of this section of the Charter. The maximum allowable square footage established in paragraph (5), above, of this provision of the Charter, may be increased only by an amendment to, or by repeal of this section of the Charter. Except as expressly provided below, this section of the Charter may be amended or repealed only by means of a

LAUDERDALE-BY-THE-SEA TOWN CHARTER
As Amended by March 11, 2014 Election

majority vote of the registered voters of the Town at a referendum election held either on the same day as a regularly scheduled November general election or on the same day as a regularly scheduled March municipal general election. The amendment or repeal of this section of the Charter at a special election held on a day other than a regularly scheduled November general election or on a day other than a regularly scheduled March municipal general election is expressly prohibited, except that a special election or special election by mail may be held to correct, to the minimum practicable extent, a provision adjudged by a court of competent jurisdiction to violate the State or Federal Constitution or any valid state or federal law, but only after such adjudication is affirmed on appeal. Amendments approved at a special election may include no elements not directly related to such court adjudication.

(11) These provisions of the Charter shall be effective immediately upon adoption by a majority of the registered voters of the Town voting in a referendum to amend the Charter so as to include these provisions. Upon adoption, the maximum building height limits, the restrictions on use, the maximum allowable square footage and the provisions governing parking availability established in paragraphs (1), (2), (3) and (5), above, of this section of the Charter, shall immediately apply to all real property located within the boundaries of the entire Town. Upon adoption of these provisions, and pending amendment of any portion or portions of the Town's Code of Ordinances inconsistent with this section of the Charter, the more stringent provisions of this section shall apply.

Sec. 7.2. Restrictions on the vacating, abandonment, lease, sale, transfer of possession or transfer of ownership of the El Prado Property.

(1) As used in this section of the Charter, the term "the El Prado Property" shall refer to the following described real property situate, lying and being in the Town of Lauderdale-By-The-Sea, Florida:

The real property bounded on the west by the eastern boundary line of the Ocean Drive (also known as State Road A1A right-of-way, bounded on the east by the western boundary line of the El Mar Drive right-of-way, bounded on the north by the south boundary line of Lots 1, 2, 3, 4 and 5 of Block 11, and bounded on the south by the north boundary line of Lots 11, 12, 13, 14 and 15 of Block 12, all said Lots, Blocks and rights-of-way as set forth in the Plat of the Lauderdale-By-The-Sea Subdivision as recorded in Plat Book 6, at Page 2 of the Public Records of Broward County, Florida;

and

The real property bounded on the west by the eastern boundary line of the El Mar Drive right-of-way, bounded on the east by the western shore of the Atlantic Ocean, bounded on the north by the southern boundary line of Lot 1, Block 8, and bounded on the south by the north boundary line of Lot 13, Block 7, all said Lots, Blocks and rights-of-way as set forth in the Plat of the Lauderdale By-The-Sea Subdivision as recorded in Plat Book 6, at Page 2 of the Public Records of Broward County, Florida.

(2) The Town may not vacate, abandon, lease, sell, transfer possession or transfer ownership of the El Prado Property without first obtaining a majority vote of the Town's electors at a referendum election

LAUDERDALE-BY-THE-SEA TOWN CHARTER
As Amended by March 11, 2014 Election

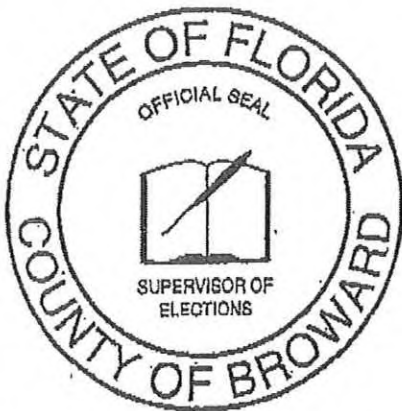
held for the specific purpose of authorizing said vacating, abandonment, lease, sale, transfer of possession or transfer of ownership of the El Prado Property.

(3) Any referendum election called for the purpose of authorizing the vacating, abandonment, lease, sale, transfer of possession or transfer of ownership of the El Prado Property shall be held either on the same day as a regularly scheduled November general election or on the same day as a regularly scheduled March municipal election. The holding of a referendum election called for the purpose of authorizing said vacating, abandonment, lease, sale, transfer of possession or transfer of ownership of the El Prado Property on a day other than a regularly scheduled November general election or on a day other than a regularly scheduled March municipal election is expressly prohibited.

(4) Every resident of the Town shall have standing to enforce the restrictions on the vacating, abandonment, lease, sale, transfer of possession or transfer of ownership of the El Prado Property established in paragraphs (2) and (3), above, of this provision of the Charter, by means of a suit in equity seeking either mandamus, prohibition, or injunction, or any combination thereof, but nothing in this provision of the Charter shall be construed to either create a cause of action at law for money damages, or to authorize a court of equity to award money damages as an incident to equitable relief, or to authorize an award of attorney's fees to the prevailing party or to any other party.

Sec. 7.3. Advisory boards; how constituted.

The Town Commission may at any time by resolution appoint advisory boards, composed of residents of the Town of Lauderdale-By-The-Sea, qualified to act in an advisory capacity to the Town Commission, the Town Manager, or to any department of the Town. The members of such boards shall serve without compensation at the pleasure of the Commission, and their duties shall be to consult and advise with such municipal officers and make written recommendations which shall become part of the records of the Town.

**DR. BRENDA C. SNIPES****SUPERVISOR OF ELECTIONS****BROWARD COUNTY****BROWARD COUNTY GOVERNMENTAL CENTER****FORT LAUDERDALE, FLORIDA 33301****Phone: (954) 712-1950****Fax: (954) 357-7070**

VOTE WITH CONFIDENCE

FAX TRANSMISSION COVER SHEET

TO: Municipal Clerks FAX#: _____

FROM: Andrea C. Perri NUMBER OF PAGES: _____ DATE: 03/13/14
INCLUDING COVER SHEET

REGARDING: Official Results for the March 11, 2014 Municipal Election.

COMMENTS: _____

FOR TRANSMISSION PROBLEMS PLEASE CALL (954) 712-1950

THERE ARE BRANCH OFFICES LOCATED THROUGHOUT THE COUNTY FOR
YOUR CONVENIENCE. PLEASE CALL (954) 357-7050 FOR THE LOCATION OF
THE OFFICE NEAREST YOU.

SUMMARY REPT-GROUP DETAIL

MUNICIPAL GENERAL
BROWARD COUNTY, FLORIDA
MARCH 11, 2014

LAUDERDALE BY THE SEA

RUN DATE:03/13/14 04:24 PM

REPORT-EL45A PAGE 001

	TOTAL VOTES	%	EDAY 200	EDAY IVO	ABSENTEE	PROVISION
PRECINCTS COUNTED (OF 2)	2	100.00				
REGISTERED VOTERS - TOTAL	5,170					
BALLOTS CAST - TOTAL	1,154		715	0	439	0
VOTER TURNOUT - TOTAL		22.32				
COMMISSIONER SEAT 1 DISTRICT 1 LAUD-BY-THE-SEA						
Vote for 1						
Birute Ann Clotney	445	39.24	272	0	173	0
Elliot Sokolow	486	42.86	284	0	202	0
Eric Yankwitz	203	17.90	153	0	50	0
LAUDERDALE-BY-THE-SEA 1						
Vote for 1						
YES/SI/NI	703	63.11	457	0	246	0
NO/NO/NON	411	36.89	230	0	181	0
LAUDERDALE-BY-THE-SEA 2						
Vote for 1						
YES/SI/NI	658	60.59	387	0	271	0
NO/NO/NON	428	39.41	289	0	139	0
LAUDERDALE-BY-THE-SEA 3						
Vote for 1						
YES/SI/NI	372	35.16	236	0	136	0
NO/NO/NON	686	64.84	429	0	257	0
LAUDERDALE-BY-THE-SEA 4						
Vote for 1						
YES/SI/NI	737	67.49	420	0	317	0
NO/NO/NON	355	32.51	262	0	93	0
LAUDERDALE-BY-THE-SEA 5						
Vote for 1						
YES/SI/NI	485	44.66	316	0	169	0
NO/NO/NON	601	55.34	364	0	237	0
LAUDERDALE-BY-THE-SEA 6						
Vote for 1						
YES/SI/NI	902	83.13	560	0	342	0
NO/NO/NON	183	16.87	119	0	64	0

COUNTY JUDGE

COUNTY COMMISSIONER

SUPERVISOR OF ELECTIONS



Town Commission Agenda Item Report

Meeting Date: January 28, 2025

Submitted By: Courtney Easley, Assistant to Town Manager, Lucila Lang, Finance Director

Submitting Department: Administration

Item Type: Resolution

Agenda Section: RESOLUTIONS – PUBLIC COMMENTS

Subject Title: RESOLUTION 2025-06: A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING A PURCHASING CARD POLICY; PROVIDING FOR INCORPORATION INTO THE TOWN'S PURCHASING MANUAL, IMPLEMENTATION AND AN EFFECTIVE DATE.

Explanation: The Purchasing Manual sets forth the policies and procedures to be followed by Town employees whenever goods and/or services are acquired or disposed of by the Town of Lauderdale-By-The-Sea. Section IV(G) of the Purchasing Manual provides that the Purchasing Card (P-Card) Program is subject to such policy adopted by the Town Commission and such policy is incorporated by reference. The purpose of this agenda item is for the Commission to consider adopting a P-Card Policy.

Currently, the Town's purchasing manual allows the Town Manager and Department Directors to use a Town credit card. However, the Policy does not contemplate employees who often need to make immediate purchases or regularly spend town funds (i.e. public works supervisors or special event employees). At the last audit, the Town auditor suggested that the policy be amended to add purchasing cards as an additional spending mechanism.

Therefore, the purpose of this P-Card Policy is to set forth this new policy and establish the procedures the Town employees must follow to obtain the goods and services purchased by the Town while:

- Ensuring purchasing card purchases are following the Town's policies and procedures.
- Providing an efficient method of purchasing and paying for goods and services from specified vendors within specified commodity groups, within a predetermined amount per item purchased, per total invoice purchase or per total per day, week or month per vendor.
- Reducing the use of blanket purchase orders, checks and petty cash, and the related processing and mailing costs.
- Reducing transaction processing time.
- Providing procedures and policies for disciplinary action if a purchasing card are misused.
- Ensuring budget, commodity, and vendor control over purchases.

- Providing for purchases during a state of emergency (e.g., hurricane)

If approved, the Purchasing Card (P-Card) Policy will automatically be incorporated into the Purchasing Manual as referenced in Section VI(G). In any situation where compliance with this P-Card Policy will place the Town in conflict with state or federal law, all Town employees shall comply with applicable federal or state law or authorized regulations that are mandatorily applicable regardless of whether they are reflected in this P-Card Policy or are contrary to provisions in the Town Purchasing Manual.

In drafting the policy, staff considered the standards that other communities utilize, and conferred with our auditor and also the Town's attorney.

Recommendation: Approval of Resolution 2025-06, Amending the Town's Purchasing Policy.

Exhibits:

1. Resolution 2025-06 Approving P-Card Policy

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**A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-
THE-SEA, FLORIDA, APPROVING A PURCHASING CARD
POLICY; PROVIDING FOR INCORPORATION INTO THE
TOWN'S PURCHASING MANUAL, IMPLEMENTATION
AND AN EFFECTIVE DATE.**

WHEREAS, the Town of Lauderdale-By-The-Sea (“Town”) maintains a Purchasing Manual that sets forth the policies and procedures to be followed by Town employees for the acquisition of goods and services (the “Purchasing Manual”); and

WHEREAS, the Purchasing Manual provides that the Town's Purchasing Card Program is subject to a policy adopted by the Town Commission and incorporated by reference; and

WHEREAS, the Town Commission recognizes the need to adopt a purchase card policy to provide clear guidance for the proper use, administration, and oversight of purchasing cards to ensure fiscal responsibility and safeguard Town funds; and

WHEREAS, Town staff, in consultation with the Town’s auditor and Town Attorney, has prepared the Purchasing Card Policy, attached hereto as Exhibit “1,” to provide guidelines for the proper use and administration of the Town’s Purchasing Card Program; and

WHEREAS, the Town Commission desires to approve the Purchasing Card Policy attached hereto as Exhibit “1”; and

WHEREAS, the Town Commission finds that this Resolution is in the best interest of the Town and its residents.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE
TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA:**

Section 1. **Recitals.** Each “WHEREAS” clause set forth above is true and correct and herein incorporated by this reference.

Section 2. Approval of Purchasing Card Policy. The Purchasing Card Policy attached as Exhibit “1” is hereby approved. The Purchasing Card Policy shall be incorporated into the Town’s Purchasing Manual by reference and shall govern the administration of the Purchasing Card Program.

Section 3. Authorization to Implement. The appropriate Town officials are authorized to execute all necessary documents and to take any necessary action to effectuate the intent of this Resolution.

Section 4. Effective Date. This resolution shall become effective immediately upon its passage.

PASSED AND ADOPTED this ____ day of January, 2025.

Mayor Edmund Malkoon

Attest:

Katrina Adler, Town Clerk
(CORPORATE SEAL)

APPROVED AS TO FORM:

Susan L. Trevarthen, Town Attorney

Town of Lauderdale-By-The-Sea Administrative Policy

Title: Purchasing Card (P-Card) Procedures	Origination Date: January 28, 2025
Originating Department: Finance Department /Administration	Effective Date: January 28, 2025

I. Purpose:

This policy outlines the requirements for the Town's Purchasing Card (P-Card) Program (the "Program") and establishes procedures to accomplish the following objectives:

- To ensure purchasing card purchases are in accordance with the Town's policies and procedures.
- To provide an efficient method of purchasing and paying for goods and services from specified vendors within specified commodity groups, within a predetermined amount per item purchased, per total invoice purchase or per total per day, week or month per vendor.
- To reduce the use of blanket purchase orders, checks and petty cash, and the related processing and mailing costs.
- To reduce transaction processing time.
- To provide procedures and policies for disciplinary action if purchasing cards are misused.
- To ensure budget, commodity, and vendor control over purchases.
- To provide for purchases during a state of emergency (e.g., hurricane).

II. Policy:

These procedures apply to all Town credit card transactions, as well as all administrative and processing functions associated with the Program, including cardholder issuance, transaction reviews, reconciliation, reporting, and auditing. Compliance with these procedures will be monitored through regular audits and enforced according to the policies outlined herein.

III. Overview

The Program authorizes the employee/cardholder to purchase approved commodities and services directly from our vendors. Each purchasing card is issued in the name of an employee with the "Town of Lauderdale-By-The-Sea" as the government buyer of goods and services, and the Town sales tax exemption number. The Finance Department will monitor the performance of the Program.

The P-Card may only be used for official Town business by the employee whose name is on the card and must be surrendered by the employee upon separation of employment for any reason or upon demand by the Town.

IV. Eligibility

The Town issued P-Card is a credit card used to enable full-time and permanent part-time employees to make purchases up to the Purchasing Limits set forth in XII of this policy in an efficient, timely, and cost-effective manner. Public Works Supervisors, Department Directors, the Town Manager and Town Commission approval authority are listed under Section XIII. of this policy, as approved by the Town Commission.

V. Participant Responsibilities

a. **Finance Department** – The Finance Department is responsible of the overall administration and oversight of the Program, including but not limited to:

1. Establishing Program policy and procedural guidance for Town participants.
2. Serving as the primary contact between the Town and the Bank.
3. Providing training for Program participants.
4. Cooperating with audit and investigative authorities with respect to identifying and mitigating suspected, alleged, or confirmed instances of waste, fraud or abuse related to the P-Card Program.
5. Providing P-Card Expenditure Reports to Department Directors.
6. Conducting transaction reviews of randomly selected transactions to identify and investigate potential P-Card violations and issue appropriate sanctions.
7. Providing to each Department a list of P-Cards issued to its employees, once per fiscal year, in October. It is the responsibility of the Department to maintain a list of Cardholders with their associated approvers and coordinators and conduct a physical inventory of P-Cards.
8. Conduct a suspicious vendor review each month and flag vendors to follow-up with P-Card Cardholders and Approvers.

b. **Bank** – The Bank is the Banking institution authorized under contractual agreement to provide P-Card services. The Bank is responsible for:

1. Fulfilling the requirements of the contractual agreement between the Town and the Bank
2. Resolving disputes between Cardholders and vendors
3. Coordinating and cooperating with the Finance Department and investigative authorities regarding inquiries concerning instances of waste, fraud or abuse.

c. **Department Directors** – Department Directors are responsible for designating P-Card Cardholders and Approvers. Directors are responsible for:

1. Ensuring the proper management and oversight of Agency P-Card activities.
2. Ensuring Cardholders and Approvers are in compliance with procurement rules and regulations, including the policies set forth in the P-Card Program Policies & Procedures Manual.
3. Ensuring cardholders receive and submit the required documentation on quotes when necessary.
4. Reviewing information or reports concerning the use of P-Cards within the Town.
5. Taking appropriate disciplinary action against employees found to have engaged in P-Card waste, fraud or abuse.
6. Enforcing compliance with established reconciliation process deadlines, including reviewing Cardholder's original or electronically based copies of the original receipts, and submitting necessary materials to the Finance Department.
7. Alert Finance Department to cancel an account when a Cardholder is leaving the department.
8. Ensuring all Cardholders and approvers receive emails from the Finance Department regarding policy updates, tips and other important information.
9. Ensuring all P-Card holders complete P-Card program training requirements.
10. Ensuring Cardholders print out a screen shot of the item ordered if the receipt from an online vendor does not provide sufficient details regarding the purchased item.

d. **Cardholders**

1. Making an informal assessment of the current business integrity of the vendors they intend to do business with. This includes Local, State and National name recognition, searching state business registration, Google search, calling the vendor and or obtaining a W-9 from the vendor.
2. Completing all training requirements and completing reconciliation responsibilities.
3. Alerting the Bank of a lost, stolen or compromised card by immediately calling 844-4TRUIST (844-487-8478). Thereafter, you must contact the Finance Department financedepartment@lbts-fl.gov. and assigned Department Director.
4. Ensuring the price paid for goods and services is fair and reasonable.
5. Avoiding the unauthorized practices of splitting purchases.
6. Reviewing transactions and forwarding all required documentation to the Approver on or before the twentieth of each month.
7. Verifying funds exist to cover the expense prior to purchase.

8. Obtaining and submitting original, itemized receipts and any other pertinent or required backup documentation. Receipt(s) should include detailed information and justification for purchase i.e. prior approval email or memo or any other documentation related to the purchase. Documentation of vendor selection process such as quotes when required by the vendor selection methods detailed in the Town's Purchasing Manual.
 9. Inspecting all ordered products and goods as they arrive and services as they are completed or be advised in writing by the person inspecting the goods.
 10. Ensuring a clear description of goods/services and receipts provide sufficient details regarding the item purchased.
 11. Ensuring delivery address of goods/services purchased is a Town workplace address to allow proper receipt and inspection. Under no circumstances may an order be delivered to a personal residence or any non-County location unless otherwise approved by the Town Manager or designee.
 12. Ensuring all transactions are thoroughly reviewed, conform with the P-Card policy, are valid and appropriate.
 13. Identifying and resolving all disputed charges. The Cardholder must contact the vendor first to attempt to resolve any error or disputes. If resolution with the vendor is not achieved, the Finance Department and Bank must be notified.
 14. Keeping complete and accurate records of purchases, including maintaining physical or electronic copies of receipts.
 15. Obtaining quotes before making a purchase using the appropriate Vendor Section Method as set forth in the Town's Purchasing Manual.
- e. **Approvers** - The P-Card Approver is the individual designated by the Department Director, or designee, who is responsible for ensuring Cardholder compliance of the P-Card Program. The Approver shall be in a position classification which is at least on level higher in the organization than the Cardholder (s).
1. Must review, verify, and approve transactions. Transactions with suspicious activity/vendors should be reviewed more thoroughly and should be evidenced and have attached documentation.
 2. P-Card Cardholders with an Approver role shall not approve their own transactions.

VI. Allowable Use of the Purchasing Card

- a. The P-Card may be used only by the employee whose name is embossed on the card.
- b. The P-Card is to be used for Town purchases only.
- c. Approved Goods, Services and Travel.

- d. Certain expenses related to approved travel where the P-Card is authorized for use as a Travel Card and such charges are specifically approved for payment by P-Card on an approved Travel Authorization.
- e. Out of State Sales Tax.
- f. Convenient Fees, Itemized on the Invoice.
- g. Gratuities and tips are permitted but, should not exceed the recommended amount as stipulated in the Travel Authorization.

VII. Prohibited Use of the Purchasing Card

- a. **PERSONAL PURCHASES:** THERE IS A ZERO-TOLERANCE POLICY FOR PERSONAL PURCHASES WHEN USING THE P-CARD. PERSONAL USE OF THE P-CARD UNDER ANY CIRCUMSTANCES WILL RESULT IN THE REVOCATION OF P-CARD PRIVILEGES AND ALL ASSOCIATED P-CARD ROLES HELD BY THE CARDHOLDER.
- b. Debarred /Suspended Vendors – These vendors are not permitted to do business with Town.
- c. Gasoline, fuel or oil, unless with it related to Town travel and specifically approved for payment with a P-Card on an approved Travel Authorization.
- d. Lodging and meals, unless related to Town approved travel and specifically approved for payment with a P-Card on an approved Travel Authorization. Food and/or drinks except as approved by the Town Commission.
- e. Alcoholic beverages.
- f. Cash advances.
- g. Items that do not meet a Town business need or are not economically feasible.
- h. Gift Cards, except for authorized public distribution programs, including programs from the Human Resources Department.
- i. Exceeding the single, daily or monthly transaction limit without prior approval.
- j. Leaving the P-Card number on file with vendor.
 - i. Any request to complete a credit card authorization form should only include the last four digits of the credit card number. Contact the merchant via telephone to verbally give them the first 12 numbers, making sure to let them know the card number cannot be on file with them.
 - ii. Exceptions: Amazon Business Prime and Office Depot
- k. Failure to keep the P-Card number secured. Full 16 digit card number should never be visible on receipts. If visible on receipts, redact the first 12 card numbers, expiration date and verification code before attaching to documentation.
- l. Signing a vendor agreement or contract, unless the Department Director and/or Finance Department has provided prior approval to complete a purchase.
- m. Paying Florida sales tax. The Town is exempt from paying Florida sales tax
- n. Paying of fines (e.g., Sunpass violations, traffic tickets, parking violations., etc) Except those incurred by their department.

NOTE: employees are personally liable for any parking or moving violation citation while using Town vehicles.

- o. Backorders (purchases that are not delivered but are paid for) are prohibited.
- p. Not receiving over the counter items immediately upon purchase are prohibited.
- q. Purchasing items from unregistered or inactive Corporations and Companies. Cardholders and Approvers should check the status of a company to confirm they are registered and active in business <http://dos.fl/gov/sunbiz> website.
- r. Purchasing items from a vendor that is not in good standing with the State of Florida.
- s. Do not use the P-Card for Interdivisional Charges.

If a personal purchase is/was made, please note the following steps must be completed:

- 1. Immediately notify your P-Card Approver and/or Department Director.
- 2. Reimbursement to the Town either by check or cash should be sent to Town of Lauderdale-By-The-Sea Finance Department 4501 N. Ocean Drive Lauderdale-By-The-Sea- Florida 33308.
- 3. All reimbursement checks should be made out to the Town of Lauderdale-By-The-Sea. A memo should also be attached listing the account that was used to reconcile the original transaction.

The policies and procedures provided herein are minimum standards for departments. The Finance Director may establish additional controls as deemed necessary.

VIII. Splitting of Purchases:

- 1. Splitting of purchases to circumvent the single transaction limit is prohibited and will result in immediate revocation of the card.
- 2. A purchase may be made of multiple items, but the total charge cannot exceed established purchasing limits for the cardholder including shipping, handling and any other charges related to the transaction.
- 3. Transactions split by either the same or multiple employees making purchases to the same company (or different companies) on the same day over several days.

IX. Online Transactions

When processing online transactions via the vendors' internet websites using a Town P-card, the following policies shall be adhered to:

- a. All requirements, restrictions, terms and conditions relative to the utilization of P-Card are applicable to these transactions.
- b. Internet purchases made from a vendor's website utilizing a P-Card shall not exceed the P-Card limits per transaction.
- c. P-Card Cardholders must establish a separate account with the online vendor that is strictly for their Town business transaction and may not order using a personal account that is in any way associated with their personal use.

- d. P-Card Cardholders must manually enter their P-Card number for each transaction and may not at any time opt to leave the Town P-Card number on file with the online vendor for future transactions. Exception: Amazon Business Prime
- e. If the P-Card Cardholder has reason to believe that their P-Card number is on file, they must direct the vendor, in writing , to delete the number and notify P-Card Approver.
- f. P-Card Approvers must verify items ordered were received by the Town.

X. Entertainment Expenses

This section does not apply to entertainment expenses incurred by the department responsible for marketing/commerce functions.

- a. Entertainment expenses are expenditures for activities, meal or light refreshments incurred relating to events that are primarily social or recreational activities in support of the Town's mission and goals.
- b. Entertainment expenses require prior approval from the Department Director and the Finance Director or designee.

XI. Travel

The Town's Purchasing Manual allows for reasonable and necessary expenses associated with travel and transportation resulting from an employee or other authorized person's attendance at any meeting, seminar, conference or convention which has been properly approved. See Purchasing Manual for approved expenditures and limitations.

The P-Card may be utilized for payment of lodging and travel expenses for an amount not to exceed \$2,500.00 per transaction for lodging, and \$1,000.00 per transaction for other travel expenses, for employees attending functions outside of the tri-county area (Broward, Miami-Dade and Palm Beach Counties), subject to the following limitations:

- a. All requests for travel shall be pre-approved by the Town Manager in accordance with procedures outlined in the Town's Purchasing Manual " as amended from time to time.
- b. Lodging expense shall be limited to the cost of room, any local taxes not subject to the Town's tax-exempt status, as well as parking expenses and internet access for purposes of conducting Town business. Any other expenses related to lodging, such as foodservice or other incidentals shall be the sole responsibility of the employee, and not be charged on the P-card.
- c. Car rental requests shall be specifically pre-approved by the Department Director and the Town Manager.
- d. Cardholders may charge the P-Card only for their own Town-related travel expenses.

XII. PURCHASING CARD LIMITS

- a. The Department Director will authorize credit limits for each Cardholder: a single purchase limit (SPL) and a monthly spending limit. The standard limits shall be up to \$1,250.00 for a single purchase and up to \$1,250.00 for a monthly spending limit. The maximum limit for P-card holders with pre-approved travel lodging expenses shall be \$2,500.00 per trip. Upon the determination and authorization of the Department Director, an individual Cardholder may be authorized for an increased single purchase and monthly purchase maximum to be determined by the requirements of the Department, provided the increase aligns with the approval thresholds outlined in Section XIII. The SPL shall not exceed a maximum of \$5,000.00.
- b. The SPL for Department Managers shall be up to \$3,500 and up to \$3,500 for a monthly spending limit. For purposes of this policy, the Town Clerk shall have the same limits as Department Managers and is authorized to make purchases on behalf of the Town Commission.
- c. Any request to permanently change the dollar limit or profile of a Cardholder must be entered by the Department Director and electronically forwarded to the Town Manager and Finance Director for final review and approval. Upon approval the appropriate changes will be made to Cardholder's profile with the Bank to accommodate the request. The Department Director or designee may request temporary increases to a Cardholder's transaction limit when special circumstances warrant that the use of a P- Card is the most expedient method of acquisition. Such requests must be justified and submitted in writing to the Town Manager and Finance Director for approval. Requests shall include the following information:
 - i. The name of the Cardholder.
 - ii. A justification of the special circumstances which necessitate the request.
 - iii. The estimated dollar amount for the required transaction.
 - iv. The date required for the expiration of the temporary profile. The Pro-card system will automatically return the Cardholder to their default profile on the date the temporary profile expires.
- d. Multiple items may be purchased from one vendor at one time, but the invoice cannot exceed the Cardholder's approved credit limit. Payment for purchases shall not be split to stay within the single purchase limit. "Splitting" a purchase that exceeds the Cardholder's assigned credit limit is strictly prohibited. Example: a Cardholder with a \$1,000.00 SPL is attempting to buy items from a single vendor that total \$1,050.00. The vendor "splits" the cost into two (2) transactions equaling \$525.00 each to try and avoid violating the Town's policy.

A copy of the written approval must be included along with the transaction receipt and other documentation provided to the Finance Department at the time that payment is being processed.

XIII. PURCHASING APPROVAL AUTHORITY

The approval authority established by the Town Commission to procure goods or services is based on the estimated cost of the goods and services as follows:

APPROVAL	DOLLAR THRESHOLD
Public Works Supervisor	Up to \$2,500
Department Director	Up to \$5,000
Finance Director or Deputy Town Manager	Up to \$12,000
Town Manager	Up to \$25,000
Town Commission	\$25,000.01 and above