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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 Poulopoulos, 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

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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

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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 Poulopoulos, 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

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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 Poulopoulos 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.

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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

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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.

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Commissioner Poulopoulos 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 Poulopoulos'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 Poulopoulos 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

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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

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- 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 Poulopoulos 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.

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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 Poulopoulos 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.

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Commissioner Poulopoulos 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 Poulopoulos 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 Poulopoulos 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

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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

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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 Poulopoulos 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.

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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.

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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

2/6/2025 | 3:53 PM EST
Date