



**TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
MEETING MINUTES
Jarvis Hall
4505 Ocean Drive
Tuesday, February 25, 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, Commissioner John A. Graziano, Commissioner Theo Pouloupoulos, Town Manager Linda Connors, Deputy Town Manager/Public Works Director Ken Rubach, Town Attorney Susan L. Trevarthen, Assistant to the Town Manager Courtney Easley, Development Services Director Jhanelle Campbell, 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

Mayor Malkoon requested that Item 13.b be heard under Presentations as Item 5.d.

5. PRESENTATIONS

a. Citizen Observer Patrol Annual Awards and Promotions

Broward Sheriff's Office (BSO) Captain Bill Wesolowski explained that volunteer members of the Town's Citizen Observer Patrol (COP) program help to provide increased visibility for public safety and assist with traffic control, patrol, and other duties, particularly during Town events. During 2024, they volunteered a total of 924 hours.

Captain Wesolowski presented promotions and awards to the following COP volunteers:

- Art Jackson
- Joe Frascatore

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- Dennis Petretti
- Steve Cantor
- Tom Criqui
- Lou Barbera

Captain Wesolowski also recognized Detective Benya Koos, coordinator of the COP program.

b. El Prado Park Renovation

Deputy Town Manager/Public Works Director Ken Rubach recalled that at their January 24, 2025 meeting, the Town Commission approved a work authorization with Hitchcock Design Group for the El Prado Park renovation project. The first resident input meeting for this project was held earlier in the evening and was attended by over 20 residents.

Alex Fenech, representing Hitchcock Design Group, advised that some of the comments discussed at the resident input meeting included:

- Residents love El Prado Park the way it is
- Utilities are located on the north and south borders of the Park and near El Mar Drive
- The retaining wall on three sides of the Park will remain in place

The project team will consider synthetic v. natural turf, shade structures, landscaping to buffer adjacent buildings, and parking, while working to maintain the existing character of the Park. A survey is available to residents and will remain live for another two weeks. It will be included on the Town's website, in *Town Topics*, and on yard signs, and the QR code will be posted throughout the Town. The team will come back in four to six weeks with design updates.

Commissioner Graziano commented that the Town hopes to enhance but not change El Prado Park. Mr. Fenech confirmed that this was reflected in resident input. Any improvements or enhancements will be a direct result of the survey information.

c. Irish American Heritage Month Proclamation

Mayor Malkoon read a Proclamation recognizing March 2025 as Irish American Heritage Month in Lauderdale-By-The-Sea.

d. Life Jacket Loaner Program

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Assistant to the Town Manager Courtney Easley stated that Safe Kids Broward recently approached the Town to encourage participation in a Life Jacket Loaner program. The organization received funding to place life jacket loaner stations near public waterways in Broward County.

Key points include:

- The program is grant-funded and would come at no cost to the Town
- Stands are constructed by local Cub Scouts
- Life jacket vests are U.S. Coast Guard-approved and will be supplied to the Town by West Marine

Staff is considering one stand in a high-traffic area, such as near the entrance to the El Prado Park beach portal. The stand will include 10 to 20 jackets in various sizes. Backup vests will be available through Safe Kids Broward if needed. Signage will alert individuals that they are using the vests at their own risk and children using them must be supervised.

Rachel Solomon, coordinator of Safe Kids Broward, clarified that materials for the stand must be purchased by June 30, 2025 as part of the grant cycle. The stands will be removed in the event of storms.

There was Commission consensus in favor of the project.

6. PUBLIC COMMENTS

At this time Mayor Malkoon opened public comment.

Marc Pearson, 1921 Water's Edge, stated that he was informed that "generic" appeals would not lead to discussions of his concerns, and requested that the Commission place discussions of his four individual appeals on upcoming Agendas.

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

7. PUBLIC SAFETY DISCUSSION

a. BSO January 2025 Public Safety Report

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Captain Wesolowski recognized Detective Benya Koos as Employee of the Month for his work in apprehending a habitual shoplifter. He has also been nominated for BSO's Detective of the Year award.

BSO recently participated in the Terra Mar Homeowners Association meeting in January 2025 and explained how they work with Code Compliance and Town officials to address vacation rental issues. They also held their second annual Senior Seminar on January 29, 2025 in Jarvis Hall, which was well-attended by residents and visitors and focused on fraud prevention. An accompanying article will be included in an upcoming issue of *Town Topics*.

Captain Wesolowski concluded that Friday, February 28, 2025 will be the date of the next Coffee with a Cop event.

b. PBFD January 2025 Public Safety Report

Fire Marshal Ashley Zalewski reported that in the month of January, the Pompano Beach Fire Department (PBFD) responded to 165 calls with a six-minute average response time. Some calls involved responses from stations outside the Town.

8. TOWN MANAGER REPORT

a. Town Manager Report

Town Manager Linda Connors stated that longtime Town employee Gordon Chase is retiring. He has worked for Lauderdale-By-The-Sea for over 21 years, most recently as a Downtown ambassador.

Town Staff recently held a business outreach meeting with Town businesses, which indicated that they would like Staff to look into the Town's parking rates to ensure they are competitive throughout the week. The Town currently charges a flat parking rate of \$4, while other municipalities charge different prices throughout the week and on weekends. Because Pompano Beach is considering raising its parking rates this summer, Town Manager Connors proposed waiting until this has been done before bringing parking rates before the Commission for further consideration.

Vice Mayor Strauss commented that he often hears feedback from residents and visitors regarding parking, and it has been his aim to keep the Town's rates lower than

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those of Pompano Beach and Fort Lauderdale. He requested that the Commission and Staff keep this in mind.

Vice Mayor Strauss added that the Town may wish to consider surge pricing for its parking, which would raise rates during peak times. He recommended that higher rates be limited to those times and remain lower during off-peak days and hours.

Commissioner DeNapoli agreed with the Vice Mayor's comments, recognizing that parking provides a vital source of income for the Town. He was also in favor of lower pricing on weekdays, and suggested a trial period of raised rates for one to two months. Other possibilities could include exploring summer parking rates.

Commissioner Pouloupoulos observed that parking rates typically serve as a tax on visitors to the Town, and emphasized that he did not wish to shift this cost to residents. He pointed out that the Parking Fund can be used to help fund projects in times of need instead of raising the millage rate, and recommended ensuring that there is no decrease in revenue to this Fund. He felt there was a risk that raising rates could send visitors elsewhere.

Commissioner Graziano noted that Town residents may purchase annual parking passes, and Circuit service is available as an option to residents and non-residents. He did not feel the Town was in competition with Pompano Beach, which is a large city, and concluded that he opposed a change to parking rates, even as a pilot program.

Mayor Malkoon advised that Staff may bring the issue back after further analysis.

Town Manager Connors reported that the Broward Metropolitan Planning Organization (MPO) will hold its annual State of the Region awards ceremony on Thursday, May 22, 2025. They have invited Lauderdale-By-The-Sea to sponsor a table at that event at a cost of \$2500. There was unanimous consensus to decline sponsorship.

Town Manager Connors continued that the Town has the option of a program through workman's compensation insurance which refunds the Town up to 50% of its expenses toward personal protection equipment with a cap of \$5000.

Findings were recently presented from a traffic study of the North Silver Shores area, as this neighborhood serves as a "cut-through" area from A1A to Commercial Boulevard. The traffic consultant found there is roughly three times as much traffic as expected in this neighborhood due to cut-through traffic, and recommended a diverter to block

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drivers from using Washingtonia Avenue for this purpose. While the neighborhood indicated some interest, the meeting was not attended by all residents. Staff has drafted a letter, including a survey, to seek more information before bringing this item before the Commission.

The Town has been contacted by Business for the Arts Broward, which is a nonprofit entity that will partner with the Florida Purchasing Agency at 262 Commercial Boulevard. These entities are interested in providing a welcome mural on the building's wall and would like to work with the community to seek more information. They plan to have a presence at upcoming Farmers Markets for this purpose. The mural would be painted in late 2025.

Mayor Malkoon recalled that at the February 11, 2025 Commission meeting, there was lengthy discussion of the Town's public safety building, and asked if the Commission wished to schedule a workshop for further discussion. Town Manager Connors added that there was discussion about estimating the costs associated with a loan for \$10, \$15, \$20, and \$25 million toward this building. She advised that Staff can bring this information to the Commission by the end of March.

Mayor Malkoon stated that there may be other alternatives to consider for the funding of the proposed public safety building. There was consensus to schedule a workshop for Wednesday, March 26, 2025, with financing information to be presented at that time.

Commissioner Graziano requested that the workshop include an update on the number of units that are occupied in the Town owned apartment complex and how much revenue has been collected.

Commissioner DeNapoli advised that following the February 11, 2025 meeting, he had provided information on the Florida Board of Administration, which offers a prime money market fund. This could help the Town realize additional interest income from its cash funds.

b. December 2024 Finance Report

The Commissioners accepted the report without discussion.

9. TOWN ATTORNEY REPORT

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Town Attorney Susan Trevarthen advised that bills are being filed in advance of the upcoming Florida Legislative Session. Many of these may have a dramatic impact on local government.

Commissioner Graziano asked if the Town Attorney has been consulted regarding resident Marc Pearson's requests. Town Attorney Trevarthen replied that she has worked with the Development Services Director throughout the process, and Staff is confident it has handled the issue in a proper manner.

10. APPROVAL OF MINUTES

a. Approval of Minutes for February 11, 2025 Regular Commission Meeting

Vice Mayor Strauss made a motion, seconded by Commissioner Pouloupoulos, to approve. In a roll call vote, the motion carried 5-0.

11. CONSENT AGENDA

a. Special Event Application: Easter Sunrise Service April 20, 2025

Commissioner Pouloupoulos made a motion, seconded by Vice Mayor Strauss, to approve. In a roll call vote, the motion carried 5-0.

12. OLD BUSINESS

None.

13. NEW BUSINESS

a. Renewal of Town Contracts

Town Manager Connors advised that the Town's Purchasing Manual authorizes the Town Manager to exercise renewal options on contracts approved by the Commission after providing the Commission with notice of intent to do so. She provided a list of contracts with renewal options which have already been approved by the Commission, as well as a list of two contracts which have expired and will go out for bid. It was noted that this was an informational Item.

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14. COMMISSIONER PRESENTATIONS

a. Commissioner DeNapoli's Request to Reconsider Amending Resolution 2024-25 Commission Procedures

Commissioner DeNapoli explained that he wished to review Commission procedures, specifically Section G.ii. He requested that Agendas be provided to the Commissioners by the Thursday preceding Commission meetings rather than by the current deadline of the Friday before meetings. This would provide them with additional time to review the Agenda and contact Staff with any questions.

Vice Mayor Strauss recalled that he had made a similar request in the past, and did not feel it was unreasonable to receive Agendas on Thursday. Mayor Malkoon pointed out that any Items not included on the posted Agenda could be addressed at the next meeting.

Mayor Malkoon requested discussion of the Commissioners' ability to add Agenda items. He recalled that in the past, the Town used a Commissioner request form to suggest specific items, and Commissioners could either provide a description or work with Staff to provide backup. The item would then be placed on the Agenda. He requested that this process be reinstated.

Mayor Malkoon continued that at times during Commissioner Comments, Commissioners have proposed items they wished to see on future Agendas. The request form would resolve that issue, as it would not require Commission consensus. He concluded that he would like to see these amendments added to the Commission procedures as well as the provision of an Agenda the Thursday before a meeting.

Town Manager Connors asked if the Commission would like items proposed using the request form to be included under Commission Presentations. Mayor Malkoon replied that these items could also be heard under Old or New Business.

Town Attorney Trevarthen clarified that there would be no need for an amendment to implement the change requested by Mayor Malkoon. The only change required would be to Section G.ii, which would be amended to read "...the Thursday prior to the meeting."

15. COMMISSIONER COMMENTS

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Commissioner DeNapoli wished Town employee Gordon Chase a happy retirement, and encouraged residents to attend Taste of the Beach on March 12, 2025 in El Prado Park.

Vice Mayor Strauss invited residents to visit the Farmers Market on Sundays and to attend the Friday Night Music events Downtown.

Commissioner Graziano noted that the Community Church steeple will soon be installed. He added that he would like Florida Power and Light (FPL) to understand that the Town wants to be eligible for the same undergrounding program in which other Broward municipalities participate.

16. ORDINANCES 1ST READING

- a. Ordinance 2025-01 – AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, AMENDING CHAPTER 7, “ELECTIONS,” SECTION 7-1 “QUALIFICATION FEES” OF THE CODE OF ORDINANCES TO IMPLEMENT THE CHANGE IN DATE OF THE TOWN’S MUNICIPAL GENERAL ELECTION FROM MARCH TO NOVEMBER IN THE TOWN CHARTER; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.**

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

Town Attorney Trevarthen explained that this Ordinance ensures that Code is consistent with the new timing of the Town’s elections. The last Monday in August would be the new beginning of the qualification period, which would be the same length of time as the current period. There is no Charter limit or structure addressing the Town’s qualification period.

Commissioner DeNapoli observed that other municipalities have a qualification period beginning in June for the November elections, which is consistent with the County’s qualification period. He also pointed out that the proposed deadline for sending vote-by-mail ballots overseas is September 19. He expressed concern that it may be difficult to meet the deadline for the printing of ballots, and asked if Staff has reached out to the Supervisor of Elections for greater clarity regarding the time frame.

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Town Attorney Trevarthen advised that many other municipal races involve time for primary and runoff elections if necessary, which is not consistent with the Town's structure. She confirmed that the deadline may be set earlier at the Commission's discretion, and more information or a change can be provided or implemented prior to second reading.

Commissioner DeNapoli recommended contacting the Supervisor of Elections before proceeding with the Ordinance. Town Attorney Trevarthen confirmed that this could also be done before second reading.

Commissioner DeNapoli also pointed out that if there are questions regarding qualifications, the later deadline could make it difficult for citizens to have recourse. The timing of ballot printing could be an issue. He noted that there may also be federal timelines to take into consideration.

Town Clerk Katrina Adler confirmed that she has reached out to the Supervisor of Elections, who indicated that the Division of Elections establishes the dates for qualifying periods. These dates have not yet been released for 2026.

Town Attorney Trevarthen noted that each municipal Charter includes rules for qualifying periods which will be the same from one year to the next. She explained that the same relationship between qualifications and elections exists in the Town, although it would now take place at a different time of year. She also noted that because the new time of year is likely to be busier due to federal elections, it may be wise to revisit the date and make it earlier. She concluded that when Staff reached out to the Supervisor of Elections, that office had indicated they did not yet have an answer. Commissioner DeNapoli reiterated that he was in favor of reaching out to that office once again.

Vice Mayor Strauss made a motion, seconded by Commissioner Graziano, to approve upon first reading and revisit dates upon second reading. Motion carried 5-0.

17. ORDINANCES 2ND READING

None.

18. RESOLUTIONS – PUBLIC COMMENTS

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- a. Resolution 2025-17 – A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, URGING THE FLORIDA STATE LEGISLATURE TO ENACT LEGISLATION TO PROVIDE A PUBLIC RECORDS EXEMPTION FOR MUNICIPAL CLERKS AND EMPLOYEES WHO PERFORM MUNICIPAL ELECTION WORK OR HAVE ANY PART IN CODE ENFORCEMENT FUNCTIONS; PROVIDING FOR TRANSMITTAL AND PROVIDING FOR AN EFFECTIVE DATE.**

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

Commissioner DeNapoli asked if this Resolution was necessary, noting that there are a number of exemptions at the state level. He cautioned that too many exemptions may negate the intent of Florida's public records laws.

Vice Mayor Strauss explained that Resolution 2025-17 is a safety exemption similar to the one accorded to Police Officers, and provides additional protection for municipal clerks throughout the state of Florida.

Town Attorney Trevarthen confirmed the Vice Mayor's statement, noting that in the same way that a judge or prosecutor could be at risk from a disgruntled individual who has interacted with them in their official capacity, individuals involved in Code enforcement or election work may also be at risk, as they represent the front line of contact with the community for public records requests. The Resolution addresses their personal safety.

Vice Mayor Strauss made a motion, seconded by Commissioner Graziano, to approve. Motion carried 4-1 (Commissioner DeNapoli dissenting).

- b. Resolution 2025-18 – A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AUTHORIZING THE TOWN MANAGER TO EXECUTE A QUOTE FOR ELECTRIC SERVICE UPGRADES TO THE EL PRADO PARKING LOT PURSUANT TO THE PIGGYBACK AGREEMENT BETWEEN THE TOWN AND KILOWATT ELECTRIC COMPANY; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

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Deputy Town Manager/Public Works Director Rubach stated that this request would add electrical outlets to the El Prado parking lot as part of the Town's 2025 capital improvements. The outlets would provide conduits for decorative lighting as well as for events. This is a budgeted item.

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

19. QUASI JUDICIAL PUBLIC HEARINGS

None.

20. ADJOURNMENT

With no other business to come before the Commission at this time, the meeting was adjourned at 7:53 p.m.



Mayor Edmund Malkoon

ATTEST:



Katrina Adler, Town Clerk

3/27/2025 | 9:28 AM EDT

Date