



TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
Jarvis Hall
4505 N. Ocean Drive
Tuesday, March 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, Director of Budget and Finance Lucila Lang, Assistant Director of Budget and Finance Edner St. Jean, Assistant to the Town Manager Courtney Easley, Development Services Director Jhanelle Campbell, Assistant Development Services Director Terry-Ann Boyd, Public Works Supervisor Leroy Chasmer, 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

None.

5. PRESENTATIONS

a. Summary of the Annual Comprehensive Financial Report for the Fiscal Year Ended September 30, 2024

David Caplivski, representing auditor Grau and Associates, gave an overview of the Town's audit for fiscal year (FY) 2024. The Town also undergoes an Annual Comprehensive Financial Report, which provides greater transparency and information than required by the state.

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 25, 2025

Grau and Associates provided an unmodified or clean opinion, which means the Town's financial statements are free from material misstatement and are in accordance with generally accepted accounting principles.

Mr. Caplivski briefly reviewed the following information from the Annual Comprehensive Financial Report:

- On a government-wide level, the Town's net position at the end of FY 2024 was \$67 million, much of which is in the form of capital assets; the unrestricted net position, which includes funds available for spending, was \$15.6 million
- Governmental funds, which do not include capital assets, long-term debt, or enterprise funds, totaled \$14.7 million, which represents an increase of \$3.1 million from the previous year
- The General Fund's ending fund balance was \$7.6 million
- The Unassigned Fund's ending balance was \$7.6 million
- Total revenues from governmental funds were \$21 million, of which property taxes were \$12 million
- Total expenditures were \$19.7 million
- The ending fund balance for combined proprietary funds was \$6.8 million, with operating revenues of \$4.9 million and operating expenses of \$2.6 million
- The Sewer Fund experienced an operating loss of \$337

There were no significant deficiencies or noncompliance.

Commissioner Graziano recognized Mr. Caplivski and Town Staff for their work in preparing the report. Commissioner DeNapoli applauded the Mayor and Commissioners as well.

b. Electric Bike and Scooter Educational Presentation

Broward Sheriff's Office (BSO) Captain Bill Wesolowski and Lieutenant Chris Sutter gave a presentation on electric bicycles and scooters. Electric bikes must have fully operational pedals, a seat for the rider, and an electric motor of less than 750 watts. Their maximum speed is 28 miles per hour (mph). There are no age restrictions for riders, although drivers under the age of 15 must wear helmets.

Electric bikes may be legally used in bike lanes, sidewalks, or multi-use shared paths. The Florida Department of Transportation (FDOT) identifies these vehicles in three different classes. If the vehicle exceeds electric bicycle requirements, such as speed, it becomes a motorcycle, and its driver must be licensed.

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 25, 2025

Captain Wesolowski advised that there are multiple statutes that can be used to enforce or educate with regard to use of these vehicles. Disruptive activity should be reported to BSO's non-emergency number rather than via social media or other online platforms.

There are three classes of electric bikes:

- Class 1: pedal-assisted vehicle, which requires use of pedals in order for the electric motor to work
- Class 2: pedal-assisted vehicle which includes a throttle
- Class 3: vehicle will reach a maximum speed of 28 mph if the rider is pedaling and using the motor

Requirements for motorcycles include a driver's license with appropriate authorization.

Motorized scooters may not exceed 20 mph and must include a seat or saddle for the rider. They may also be used on sidewalks, shared paths, or in bike lanes. Faster scooters must be registered as vehicles.

Captain Wesolowski noted that some Broward communities have undertaken public education of residents via social media, enforcement, and other means. He showed a brief video on the educational program.

Vice Mayor Strauss recalled that the Commission previously voted against allowing the disposition of these vehicles in the Town, although they can be used there. Rented items may not be left in the Town.

Commissioner Graziano asked if bicyclists can ride side-by-side on bike lanes or on shared use paths. Lieutenant Sutter explained that riders are allowed to ride two abreast in bike lanes.

Commissioner Pouloupoulos asked if impaired riders of e-bikes can be charged with driving under the influence of controlled substances. Captain Wesolowski confirmed that this is possible. Commissioner Pouloupoulos also asked if children under the age of 16 may legally drive golf carts on the Town's streets. Captain Wesolowski replied that this is not permitted, and all golf cart drivers must be licensed.

Captain Wesolowski concluded that individual slides of the presentation are posted on BSO's website.

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 25, 2025

c. Taste of the Beach 2025 Event Recap

Events and Marketing Manager Katie Anderson reported on the second annual Taste of the Beach, which was held on Wednesday, March 12, 2025 and included food, beverages, and music for the community. 376 tickets were sold, with an overall attendance of 450. 95% of individuals who purchased tickets attended the event. There were 21 vendors. The event budget was \$12,000 and revenue from ticket sales totaled \$11,682.

Several Town businesses participated in the event. Events and Marketing Manager Anderson recognized Peggy Mohler and the staff of the Aruba Beach Café in particular for their assistance. She thanked all who contributed to and participated in the event.

Commissioner DeNapoli suggested that a similar event be considered for the Downtown area.

6. PUBLIC COMMENTS

At this time Mayor Malkoon opened public comment.

Howard Goldberg, chairman of the Chamber of Commerce, invited all present to the annual fish fry fundraiser, which is scheduled for Friday, April 4, 2025 at the Plunge Beach Resort from 5:30 p.m. until 9 p.m. He requested that free parking be permitted along El Mar Drive and in the median beginning one hour prior to the event and lasting throughout.

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

7. PUBLIC SAFETY DISCUSSION

a. BSO February 2025 Public Safety Report

Captain Wesolowski reported that the Employee of the Month is Sergeant William Browning, who prevented an individual from skipping out on a restaurant bill. Sergeant Browning is a member of BSO's Downtown enhanced visibility detail.

In February 2025, Lieutenant Sutter conducted the operational plan for the A1A Marathon, which ran smoothly with no issues. On three separate Sundays in February, BSO manned

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 25, 2025

a booth at the Farmers Market to raise funds for a law enforcement activity benefiting the Special Olympics. Captain Wesolowski thanked all who contributed to this charity.

Roughly 35 residents and business owners attended the February 28, 2025 Coffee with a Cop event. The next event is scheduled for Thursday, March 27 from 8 a.m. until 10 a.m. at the Pavilion.

Commissioner DeNapoli requested information on a recent license plate switching incident. Captain Wesolowski replied that this is typically done to place different plates on a stolen vehicle.

b. PBFD February 2025 Public Safety Report

Ashley Zalewski, Fire Marshal with the Pompano Beach Fire Department (PBFD), stated that in February there were 128 calls with an average response time of 6 minutes and 14 seconds. There were no significant incidents, with the exception of a fire at Benihana restaurant.

Fire Marshal Zalewski cautioned individuals charging their e-bikes against leaving these devices unattended, as they can catch fire.

8. TOWN MANAGER REPORT

a. Town Manager Report

Events and Marketing Manager Anderson advised that the United States Navy Band has offered a complimentary concert in Lauderdale-By-The-Sea. The performance would be either by the U.S. Navy Brass Band Quintet or the Navy's Popular Music Group. There would be no cost to the Town, and the band would provide its own equipment. The event is proposed for Wednesday, April 23 or Sunday, April 27, 2025 at either El Prado Park or the Pavilion. The estimated total cost for public safety and road closures would be \$3000 to \$3150. Another option would be providing the same setup as the Friday Night Music event, which would cost roughly \$8000.

Mayor Malkoon advised that he was in favor of the Quintet's performance at El Prado Park, as this would be the least expensive option. There was Commission consensus to proceed with this option. Events and Marketing Manager Anderson stated that she would reach out to the Navy to confirm a possible date of Sunday, April 27.

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 25, 2025

Town Manager Linda Connors addressed the request made by Howard Goldberg regarding parking for the Chamber of Commerce fish fry. Mayor Malkoon was supportive of the request, with the addition of an attendant to monitor traffic and parking. Commissioners Pouloupoulos and Graziano agreed, suggesting that this be a standing offer for similar events at a discounted rate.

Town Manager Connors clarified that the Chamber of Commerce had requested that parking be provided with no fee.

Vice Mayor Strauss noted that there is a significant amount of parking available at the Plunge Hotel, and indicated his support for providing median parking at no fee, as it may not be needed. It was further clarified that any attendant at the site would be provided by the Chamber of Commerce and would act only to ensure that the median is being used only by event guests.

There was Commission consensus to allow parking in the median for the Chamber event at no cost, with the Chamber to provide an attendant to monitor parking.

Town Manager Connors reported that some residents of the North Silver Shores neighborhood have expressed concern with speeding and traffic flow in their neighborhood. The Town engaged consultant Baxter Woodman to gather traffic data and make recommendations. The study showed that drivers often use this neighborhood to avoid the A1A/Commercial Boulevard intersection in both mornings and evenings. No evidence of speeding was found.

A meeting of the North Silver Shores neighborhood was held at Town Hall to present and discuss options, such as a traffic diverter that would prevent “cut-through” traffic. Town Staff also sent a letter to all residents of the affected neighborhood about this option, which would be implemented on a temporary basis to determine its effectiveness. The letter included a survey, which closes on Friday, March 28, 2025. More information will be provided to the Commission after the survey has closed. Neighborhood residents will be sent a second letter to advise them of the date at which this issue will come back to the Commission.

Mayor Malkoon advised that he would not be in favor of adding a diverter, as this would substitute one traffic issue for another.

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 25, 2025

Town Manager Connors continued that the Town will host a vision/Strategic Plan meeting on Saturday, March 29, 2025 at 9 a.m. Residents are invited to provide feedback on what they envision for the Town over the next 10 years or more.

As there has been a recent increase in fishing and surfcasting in the Town, Town Manager Connors advised that a recreational saltwater shoreline fishing license is required by the state of Florida, with the exception of certain individuals. Fishermen can surf-cast on the beach between 4 p.m. and 9 a.m. on weekdays and from 6 p.m. until 9 a.m. on weekends and holidays. Surfcasters must remain 300 ft. from the Pier. Chumming is prohibited, and fishing should not occur near areas where swimmers are present. Swimmers are encouraged to be cognizant when fishermen are present in an area before swimmers arrive. This information will be posted on the Town's website.

FDOT is preparing to re-pave a portion of Commercial Boulevard, which will include improvement of the median extending from the Commercial Boulevard Bridge.

Town Manager Connors continued that the Vice Mayor had previously requested that the Town make safety improvements to the crosswalk on El Mar Drive near El Prado Park. The Town recently completed crosswalk enhancements at that site, including flashing beacons which assist traffic with recognizing pedestrians in the roadway. This is the first such intersection in the Town.

Commissioner DeNapoli commented that he had heard negative feedback from residents regarding the proposed traffic diverter. He added that the new signage and lighting at the El Prado Park crosswalk was very helpful.

b. January 2025 Finance Report

The Commissioners accepted the report without comment.

c. Visitor Center Quarterly Report

Assistant to the Town Manager Courtney Easley advised that the Town has extended its hours during the height of the season, and is currently open to the public on Wednesdays, which will continue until approximately mid-April. Any Town businesses that would like to provide promotional items to the Visitor Center are encouraged to do so.

Vice Mayor Strauss noted that Water Taxi service is now available in Lauderdale-By-The-Sea. There have been discussions regarding the possibility of adding ticket sales to the

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 25, 2025

Visitor Center. Town Manager Connors confirmed she would provide additional information at the next Commission meeting.

9. TOWN ATTORNEY REPORT

Town Attorney Susan Trevarthen reported that the current Florida legislative session remains active, with proposed items that could restrict local governmental power. Several amendments have been proposed to the Live Local Act. Town Manager Connors stated that the Town's lobbyists are following this activity closely and are summarizing these changes. She anticipated bringing forward a Resolution for the Commission's consideration in relation to potential changes to the Live Local Act.

Vice Mayor Strauss requested that the Town Attorney keep the Commission informed regarding House Bill (HB) 943 in particular.

10. APPROVAL OF MINUTES

a. Approval of Minutes for February 25, 2025

Commissioner DeNapoli made a motion, seconded by Commissioner Poulopoulos, to approve. Motion carried 5-0.

11. CONSENT AGENDA

None.

12. OLD BUSINESS

None.

13. NEW BUSINESS

a. Commissioner Appointment to 2025-26 Board of Directors Broward League of Cities

Town Manager Connors explained that each year, the Broward League of Cities' by-laws require the Town to appoint a Director, an Alternate, and a Second Alternate to its Board of Directors. These individuals will be sworn in at the upcoming Broward League of Cities gala, which is scheduled for June 7, 2025.

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 25, 2025

It was determined that Mayor Malkoon would continue to serve as Director, with Commissioner DeNapoli continuing as Alternate and Commissioner Pouloupoulos continuing as Second Alternate.

Commissioner Pouloupoulos made a motion, seconded by Vice Mayor Strauss, to approve the current slate for the next year. Motion carried 5-0.

b. Investment Opportunity

Director of Budget and Finance Lang recalled that Commissioner DeNapoli had requested Staff look into additional opportunities for investments. She has reached out to Florida PRIME, which is an investment fund operated by the State Board of Administration (SBA). The Commissioners' backup materials include current terms and rates associated with this potential investment as of March 13, 2025. She has also met with representatives of Florida Palm, which was recommended by the Florida League of Cities. The Town also has investment accounts with Truist Bank and South State Bank.

The highest rate available is currently with Florida PRIME. Director of Budget and Finance Lang recommended the Town invest \$3 million of its unencumbered funds with this entity.

Commissioner DeNapoli stated that he was supportive of the recommendation, which would allow the Town to earn more interest in a safe and secure manner. This would provide additional diversification of the Town's investments. Vice Mayor Strauss also indicated his support for the proposed investment.

Vice Mayor Strauss made a motion, seconded by Commissioner Pouloupoulos, to invest \$3 million in Florida PRIME SBA. Motion carried 5-0.

14. COMMISSIONER PRESENTATIONS

None.

15. COMMISSIONER COMMENTS

Commissioner Pouloupoulos thanked Staff for their work on the recent Taste of the Beach event.

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 25, 2025

Commissioner Graziano encouraged residents to attend the Chamber of Commerce fish fry at the Plunge Hotel on April 4, 2025, as well as to provide input at the upcoming workshop addressing El Prado Park.

Commissioner Graziano also noted that a state program called Elevate Florida provides funding to residences that have experienced flooding in the past. He urged residents who have had significant flooding issues in their homes to look into this opportunity by the deadline of April 11, 2025. He added that the Florida Storm Secure Underground Program (SSUP) provides an opportunity for the weatherization of vulnerable neighborhoods by improving lateral lines that extend to homes.

Commissioner Graziano continued that he has met with representatives of Honor Flight, which transports U.S. Armed Forces veterans to Washington, D.C. at no charge. The next Honor Flight in the area is scheduled for April 4, 2025. He concluded by recognizing Town Staff for their work on the recent independent audit.

Commissioner DeNapoli advised that spring break is ongoing, and encouraged all residents to observe caution, particularly with the increase in pedestrian traffic. He anticipated the upcoming visioning workshop and strategic planning meeting.

Mayor Malkoon thanked Public Safety for their work in implementing the additional lane on the Town's beach during spring break. He advised that he will be attending a Mayors' District meeting the following week, as well as an upcoming Broward League of Cities meeting. Upcoming and ongoing Town events include Movies in the Park and the Farmers Market.

16. ORDINANCES 1ST READING

None.

17. ORDINANCES 2ND 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

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 25, 2025

CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

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

Mayor Malkoon thanked Commissioner DeNapoli for his contributions to this proposed Ordinance. Commissioner DeNapoli noted that the Ordinance now aligns with State Statutes and the Broward County qualifying period.

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

18. RESOLUTIONS – PUBLIC COMMENTS

- a. Resolution 2025-20 – A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AUTHORIZING THE MAYOR-COMMISSIONER OR TOWN COMMISSIONERS TO VOLUNTARILY FORGO PAYMENT OR BUDGETING OF THEIR SALARY OR SALARY INCREASE; PROVIDING FOR IMPLEMENTATION, CONFLICT, SEVERABILITY, AND FOR AN EFFECTIVE DATE.**

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

Commissioner Graziano emphasized that this Resolution provides the Commissioners with a voluntary option, which can be realized in coordination with other Town policies related to payroll. The Resolution is written in a manner allowing elected officials to choose this option before or after the budget year.

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

- b. Resolution 2025-21 – A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING A PIGGYBACK AGREEMENT WITH PAYBYPHONE US INC. FOR MOBILE PARKING PAYMENT SYSTEM SERVICES UTILIZING THE TERMS AND CONDITIONS OF THE CITY OF MIAMI BEACH CONTRACT AWARDED PURSUANT TO REQUEST FOR QUALIFICATIONS NO. 2023-051-WG;**

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 25, 2025

AUTHORIZING THE TOWN MANAGER TO EXECUTE THE PIGGYBACK AGREEMENT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Public Works Supervisor Leroy Chasmer recalled that in 2020, the Commission approved a Resolution to enter into a piggyback agreement for the city of Miami's PayByPhone contract. This contract has since ended, and the Town is now seeking to piggyback onto the agreement with the city of Miami Beach's contract. This is a five-year contract with two optional renewals. The only difference between the existing and proposed contracts is that transaction fees will be 35 cents rather than 27 cents.

Commissioner DeNapoli commented that he was supportive of the proposed contract. Vice Mayor Strauss added that the fees would not be added by the hour, but by transaction, and suggested that the Town consider reducing its fees by eight cents in order to maintain the same prices and keep parking rates reasonable.

Public Works Supervisor Chasmer clarified that the 27 cents charged in the current contract came to approximately \$150,000 per year.

Commissioner Poulopoulos 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 7:50 p.m.



Mayor Edmund Malkoon

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 25, 2025

ATTEST:



Katrina Adler, Town Clerk

4/23/2025 | 2:14 PM EDT

Date