Town of Lauderdale-By-The-Sea

Regular Town Commission

Agenda

Tuesday, December 9, 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 Poulopoulos

Ken Rubach, Town Manager
Susan Trevarthen, Town Attorney
Courtney Easley, Acting Town Clerk

Regular Town Commission

Tuesday, December 9, 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 McGuiness representing the Bahai Faith**
4. **ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS**
5. **PRESENTATIONS**
   - **5.a.** Proclamation for "Tiana Ganswith Day"
   - **5.b.** Datura and Hibiscus Portal Design Presentation
6. **PUBLIC COMMENTS**
7. **PUBLIC SAFETY DISCUSSION**
   - **7.a.** BSO November 2025 Public Safety Report
8. **TOWN MANAGER REPORT**
   - **8.a.** Town Manager Report
   - **8.b.** September 2025 Finance Report
   - **8.c.** Development Services Report
9. **TOWN ATTORNEY REPORT**
10. **APPROVAL OF MINUTES**
    - **10.a.** Approval of Minutes for Regular Town Commission Meetings held on September 10, 2025; September 24, 2025, and November 10, 2025.
11. **CONSENT AGENDA**
12. **OLD BUSINESS**
    - **12.a.** Wild Berry Santa Paws Special Event
    - **12.b.** Charter Review Board Final Report
13. **NEW BUSINESS**
    - **13.a.** Direction on Generator Placement Regulations (Sec. 30-313)
    - **13.b.** Special Event Application: 2026 A1A Marathon
14. **COMMISSIONER PRESENTATIONS**
15. **COMMISSIONER COMMENTS**

16. ORDINANCES 1st Reading

16.a. ORDINANCE 2025-05: AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 20, "UTILITIES," ARTICLE II, "SANITARY SEWER SYSTEM," SECTION 20-19 "RATES AND CHARGES," OF THE TOWN'S CODE OF ORDINANCES BY AMENDING TO AMEND/ADOPT REVISIONS TO THE SCHEDULE OF RATES AND CHARGES FOR SANITARY SEWER COLLECTION, TRANSMISSION, AND DISPOSAL SERVICE; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

17. ORDINANCES 2nd Reading

18. RESOLUTIONS – PUBLIC COMMENTS

18.a. RESOLUTION 2025-54: A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, SELECTING A FINANCIAL ADVISORY FIRM TO ASSIST THE TOWN WITH EVALUATING AND NEGOTIATING A P3 PROPOSAL FOR THE DEVELOPMENT OF A NEW PUBLIC SAFETY FACILITY; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH PFM FINANCIAL ADVISORS LLC; AND PROVIDING FOR AN EFFECTIVE DATE.

18.b. RESOLUTION 2025-55: A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPOINTING A FIRST AND SECOND ALTERNATE TO THE PLANNING AND ZONING BOARD; PROVIDING FOR CONFLICTS; PROVIDING FOR 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: 5.a.

Town Commission Agenda Item Report

Meeting Date: December 9, 2025
Submitted By: Courtney Easley, Acting Town Clerk/Assistant to the Town Manager
Submitting Department: Administration
Item Type: Presentation
Agenda Section:PRESENTATIONS

Subject Title: Proclamation for "Tiana Ganswith Day"

Explanation: Mayor Malkoon will issue a proclamation in recognition and remembrance of Tiana Ganswith, a longtime employee of the Town of Lauderdale-By-The-Sea.

Recommendation: N/A

Exhibits:
1. Proclamation - Tiana Ganswith Day

Proclamation

Issued by the Governing Body of the
Town of Lauderdale-By-The-Sea, Florida

WHEREAS, Tiana Ganswith faithfully served the Town of Lauderdale-By-The-Sea for sixteen (16) years, most recently as Assistant to the Public Works Director, demonstrating unwavering professionalism, reliability, and dedication; and

WHEREAS, Tiana consistently exemplified the Town's values through her warm heart, positive spirit, and deep commitment to providing exceptional service to residents, visitors, businesses, and her fellow staff members; and

WHEREAS, throughout her tenure, Tiana played an integral role in supporting the Public Works Department, ensuring that daily operations, special projects, and field coordination run smoothly, efficiently, and with the highest degree of care; and

WHEREAS, Tiana was a trusted source of knowledge, organization, and continuity within the Town, offering thoughtful guidance, steady leadership, and an unwavering willingness to assist wherever needed; and

WHEREAS, Tiana volunteered her time at nearly every Town event, contributing her talents to holiday celebrations, festivals, community gatherings, and outreach programs that bring joy, unity, and pride to Lauderdale-By-The-Sea; and

WHEREAS, Tiana's commitment to excellence has strengthened Town operations, enhanced public service delivery, and contributed immeasurably to the welcoming, community-focused identity that defines Lauderdale-By-The-Sea; and

W**HEREAS,** Tiana's untimely passing has been deeply felt throughout the Town, leaving a profound void among her colleagues, the residents she served, and the community she helped uplift for nearly two decades; and

WHEREAS, the Town Commission wishes to formally recognize and express heartfelt appreciation for Tiana's outstanding contributions, steadfast loyalty, and 16 years of dedicated service to the Town and all those who call it home;

NOW, THEREFORE, I Edmond Malkoon, Mayor, on behalf of the Town Commission and residents of Lauderdale-By-The-Sea, hereby proclaim *December 9, 2025* as:

"Tiana Ganswith Day"

In witness wherof we have hereunto set our hands and caused this seal to be affixed

LAUDERDALE BY·THE·SEA
Relax... You're Here.

Edmond Malkoon, *Mayor*

Courtney Easley, Acting *Town Clerk*

Agenda Item No: 5.b.

Town Commission Agenda Item Report

Meeting Date: December 9, 2025
Submitted By: Ken Rubach, Town Manager
Submitting Department: Administration
Item Type: Presentation
Agenda Section:PRESENTATIONS

Subject Title: Datura and Hibiscus Portal Design Presentation

Explanation: Alex Fenech from Hitchcock Design Group will discuss design concepts for the Datura and Hibiscus portal after the first resident input meeting held in November.

Recommendation: N/A

Exhibits:
1. 20251209- LBTS Portals_Conceptual Design

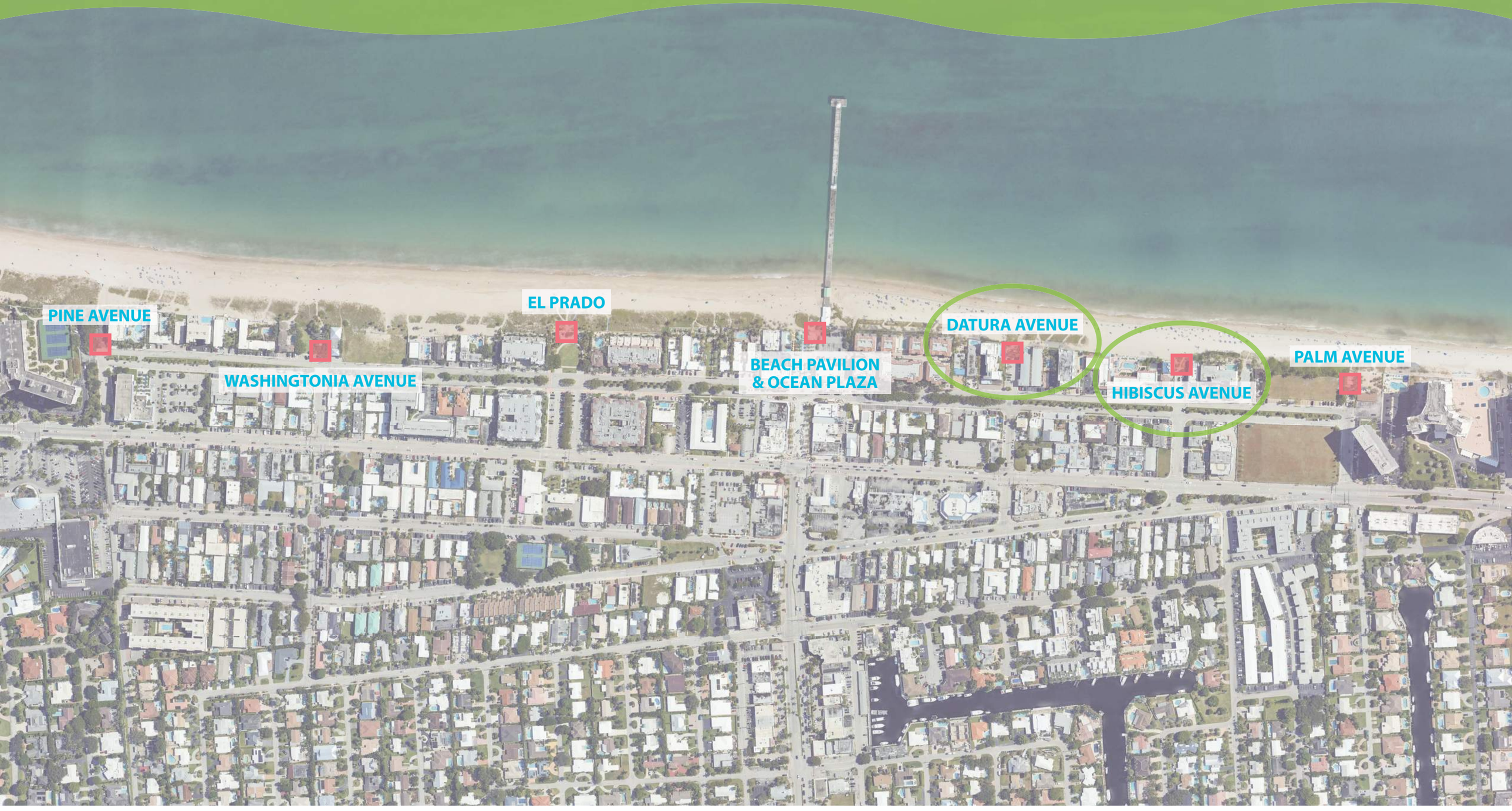
COMMUNITY INPUT / CONCEPTUAL DESIGN PACKAGE

Datura and Hibiscus Ave Portals

Lauderdale-By-The-Sea, Florida



BEACH PORTALS - LOCATIONS



COMMUNITY INPUT SUMMARY

Input Was Gathered From The Community

IS THERE ANYTHING YOU WANT TO SEE CHANGED AT DATURA OR HIBISCUS AVE?

VIEWS TO THE OCEAN

ART AND MURALS

SHADE AND SEATING

UMBRELLAS & CHAIRS

SCUBA DIVER FRIENDLY

DATURA AVE

EL MAR DRIVE

PROTECTED DUNE AREA

HIBISCUS AVE

EL MAR DRIVE

PROTECTED DUNE AREA

PROTECTED DUNE AREA









1 EX. TOWN PARKING

EX. PEDESTRIAN CIRCULATION

2 EX. PERIMETER WALL

3 EX. BENCHES

4 EX. SIGNAGE

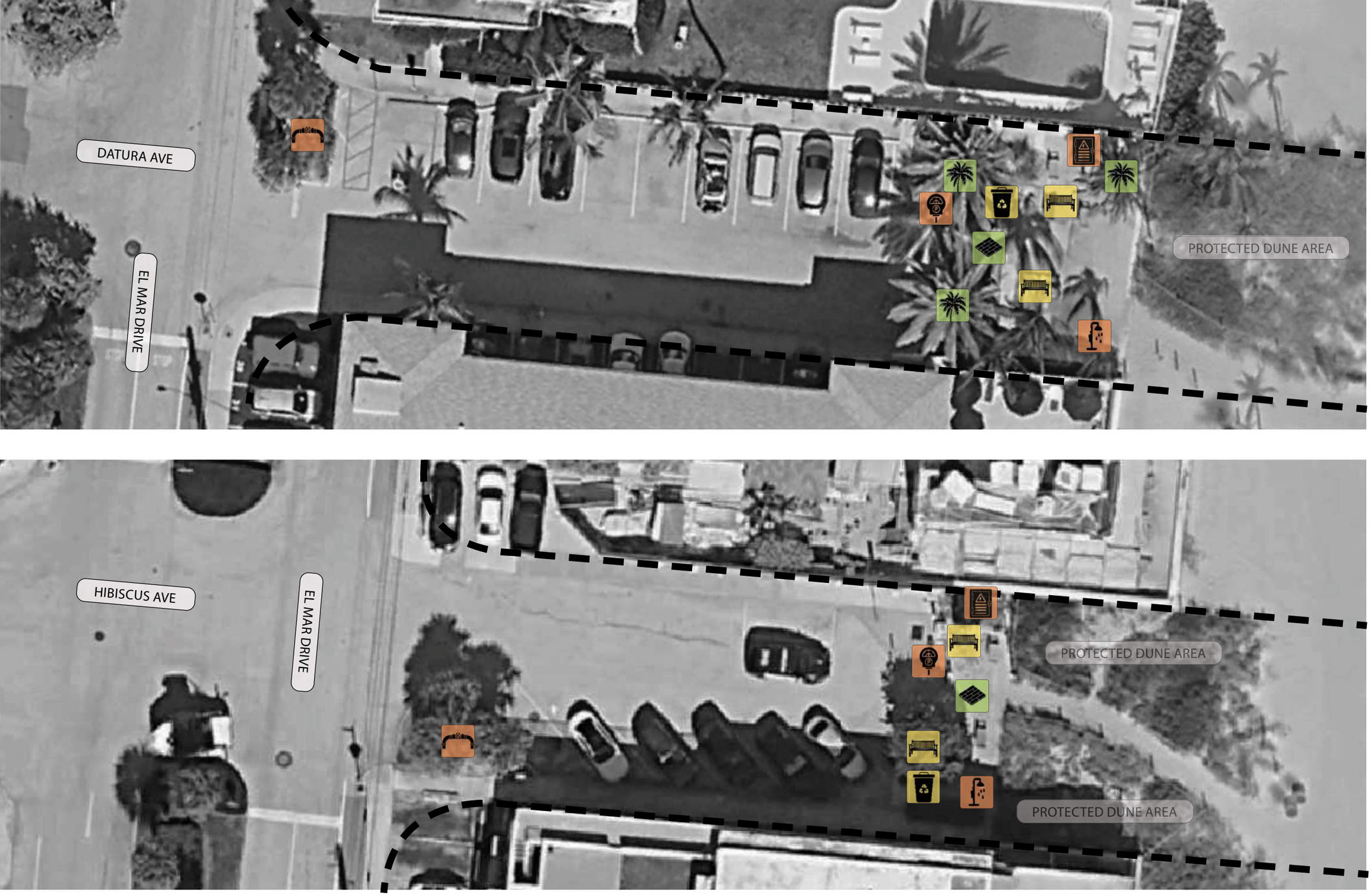
PROPERTY LINE

NORTH

SCALE: 1"=10'

0' 5' 10' 20'

DATURA & HIBISCUS PORTALS | LAUDERDALE-BY-THE-SEA, FLORIDA | DECEMBER 09, 2025











SITE FURNITURE

LITTER/RECYCLE BUNES

BENCHES

SITE MATERIALS

BEACH SHOWER

ELECTRICAL BOX

SITE UTILITIES

BEACH SHOWER

ELECTRICAL BOX

BACK FLOW

PAY-BY-PLATE

NORTH

SCALE: 1"=10'

0' 5' 10' 20'

CHARACTER IMAGES- MID CENTURY MODERN INSPIRATION

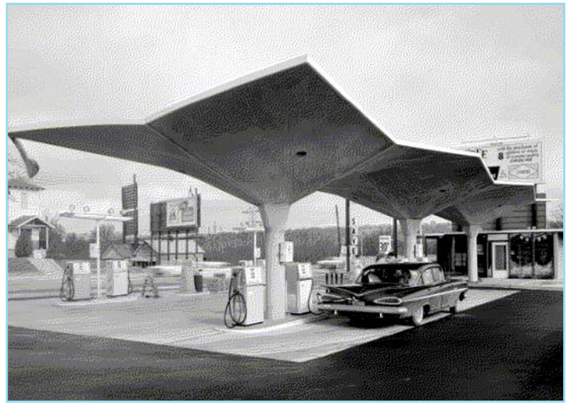












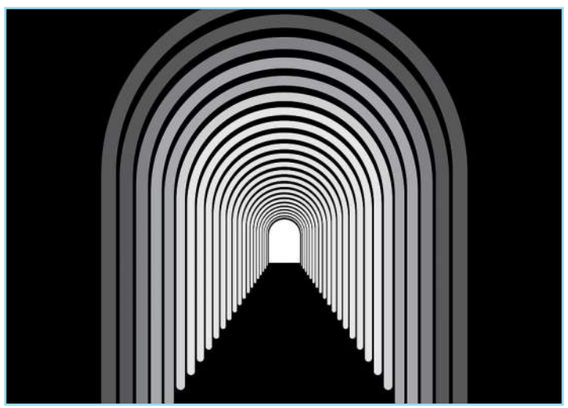












BEACH PORTALS - INSPIRATION + MATERIALS

















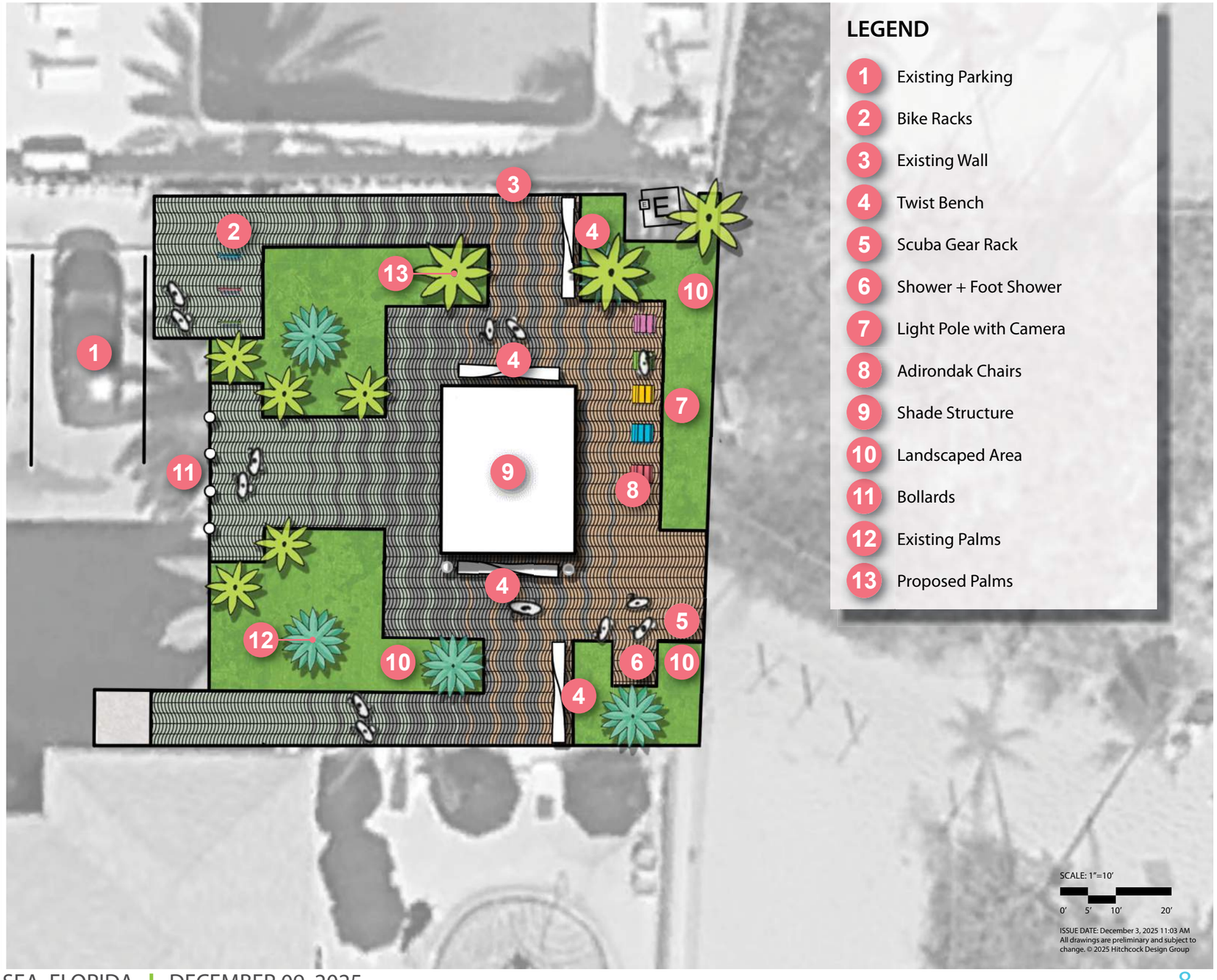


DATURA CONCEPT DESIGN - OPTION 1









LEGEND

1. Existing Parking
2. Bike Racks
3. Existing Wall
4. Twist Bench
5. Scuba Gear Rack
6. Shower + Foot Shower
7. Light Pole with Camera
8. Adirondak Chairs
9. Shade Structure
10. Landscaped Area
11. Bollards
12. Existing Palms
13. Proposed Palms

SCALE: 1"=10'

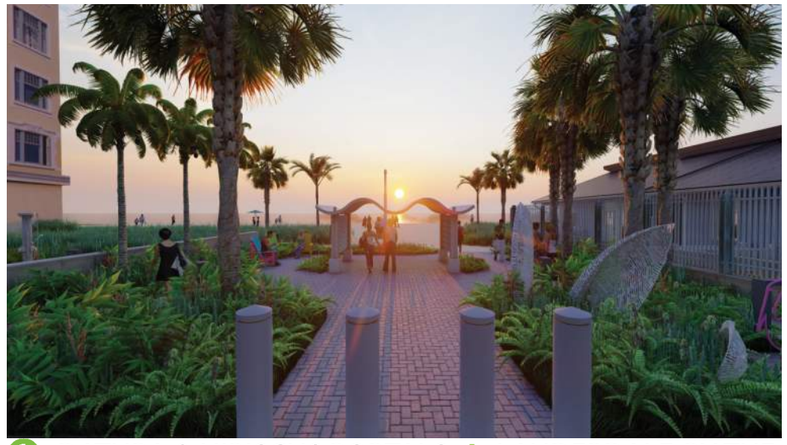
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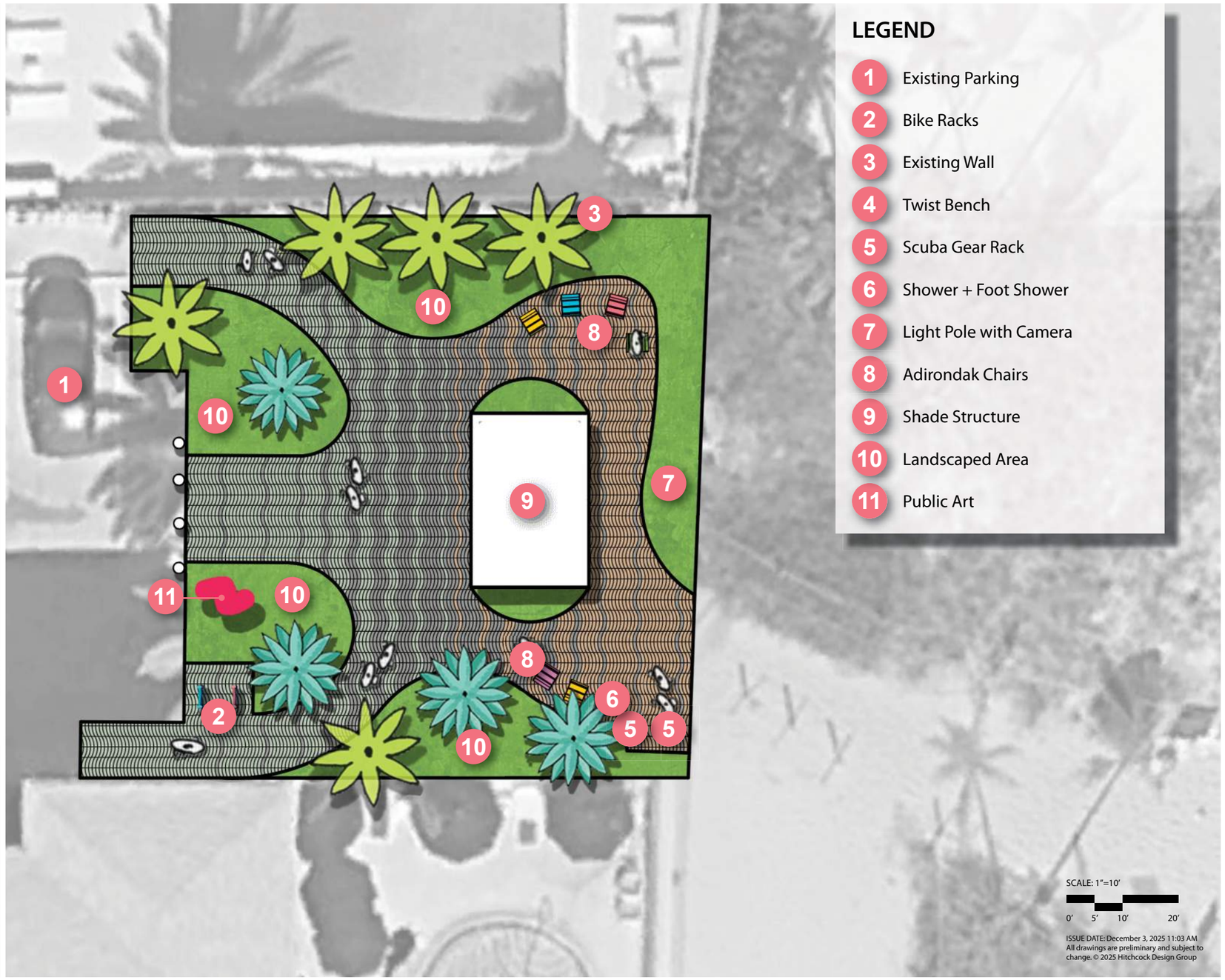
ISSUE DATE: December 3, 2025 11:03 AM
All drawings are preliminary and subject to change. © 2025 Hitchcock Design Group

DATURA CONCEPT DESIGN - OPTION 2









LEGEND

1. Existing Parking
2. Bike Racks
3. Existing Wall
4. Twist Bench
5. Scuba Gear Rack
6. Shower + Foot Shower
7. Light Pole with Camera
8. Adirondak Chairs
9. Shade Structure
10. Landscaped Area
11. Public Art

SCALE: 1"=10'

0' 5' 10' 20'

ISSUE DATE: December 3, 2025 11:03 AM

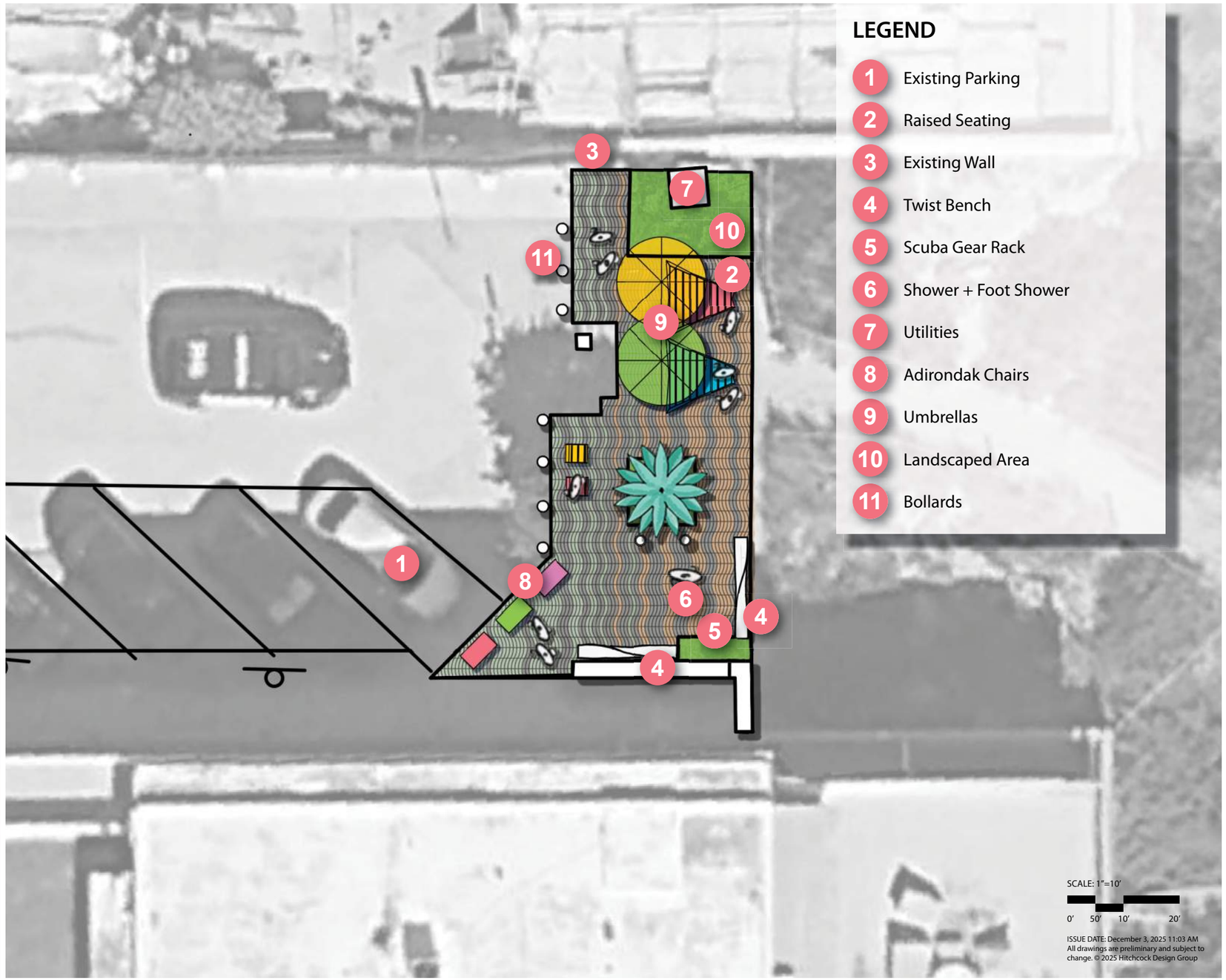
All drawings are preliminary and subject to change. © 2025 Hitchcock Design Group

HIBISCUS CONCEPT DESIGN









LEGEND

1. Existing Parking
2. Raised Seating
3. Existing Wall
4. Twist Bench
5. Scuba Gear Rack
6. Shower + Foot Shower
7. Utilities
8. Adirondak Chairs
9. Umbrellas
10. Landscaped Area
11. Bollards

SCALE: 1"=10'

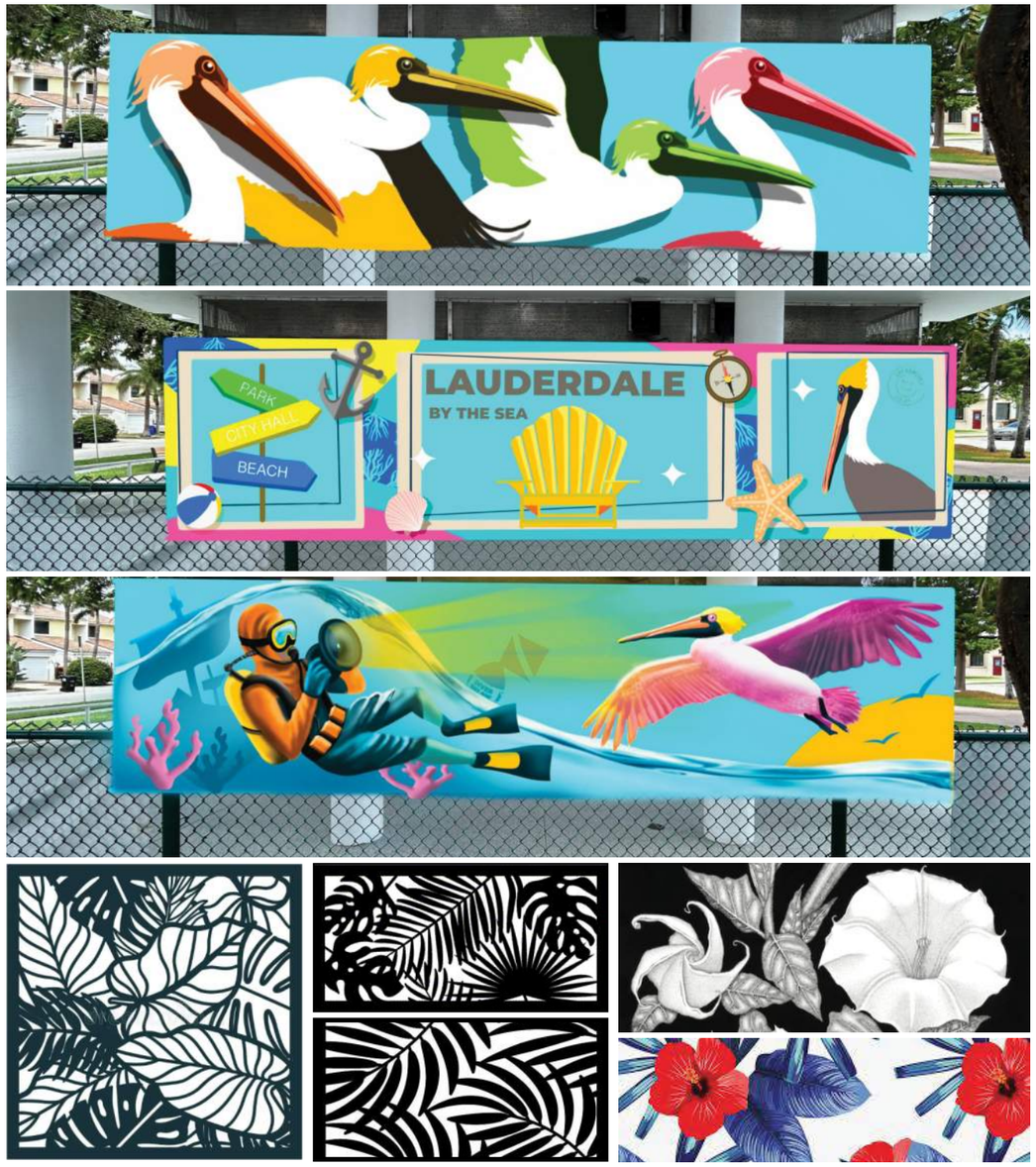
0' 5' 10' 20'

ISSUE DATE: December 3, 2025 11:03 AM

All drawings are preliminary and subject to change. © 2025 Hitchcock Design Group

STRUCTURE PANEL ART





CHARACTER IMAGES - SITE FURNITURE / AMENITIES









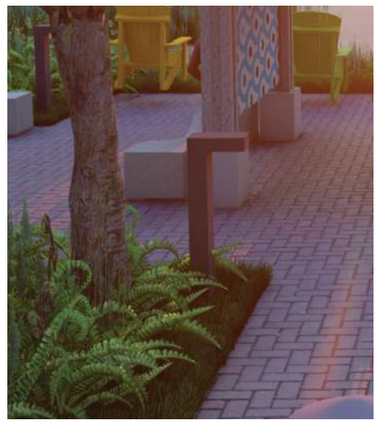


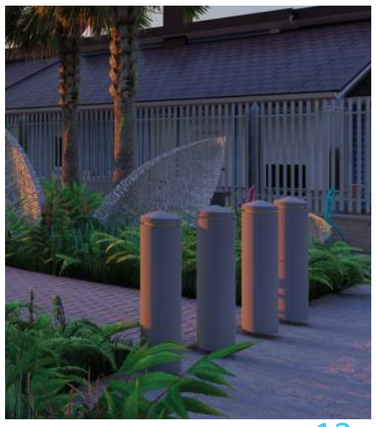








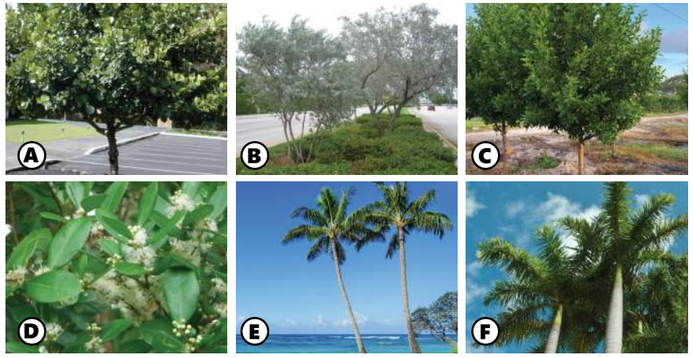




LANDSCAPE PALETTE

TREES & PALMS

A. Pitch Apple- *Clusia rosea*
B. Silver Buttonwood- *Conocarpus erectus var. sericeus*
C. Green Buttonwood- *Conocarpus erectus*
D. Spanish Stopper- *Eugenia foetida*
E. Coconut Palm- *Cocos nucifera*
F. Royal Palm- *Roystonea regia*



SHRUBS

A. Sea Lavender- *Limonium platyphyllum*
B. Saw Palmetto- *Serenoa repens*
C. Clusia- *Clusia rosea*



GRASSES

A. Sand Cord Grass- *Spartina bakeri*
B. Pink Muhly Grass- *Muhlenbergia capillaris*
C. Dwarf Fakahatchee Grass- *Tripsacum floridanum*



GROUNDCOVERS

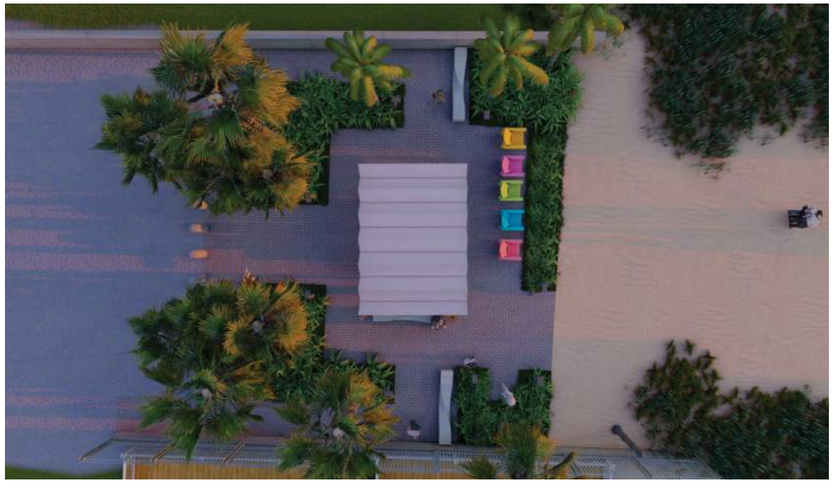
A. Golden Creeper- *Ernodea littoralis*
B. Dune Sunflower- *Helianthus debilis*
C. Spider Lily- *Hymenocallis latifolia*
D. Beach Morning Glory- *Ipomoea imperati*



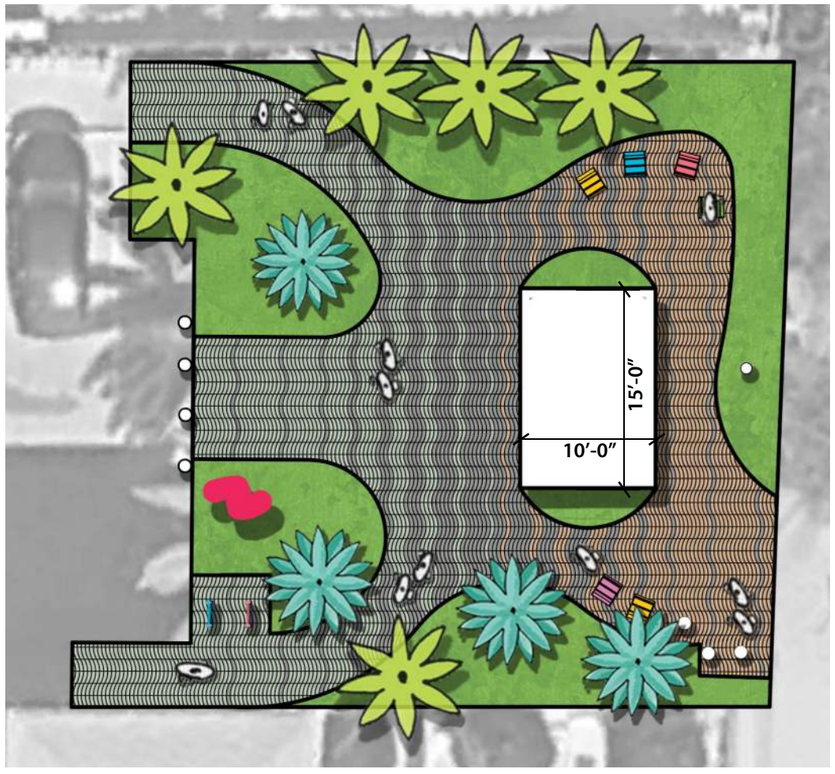
DATURA CONCEPT DESIGN COMPARISON

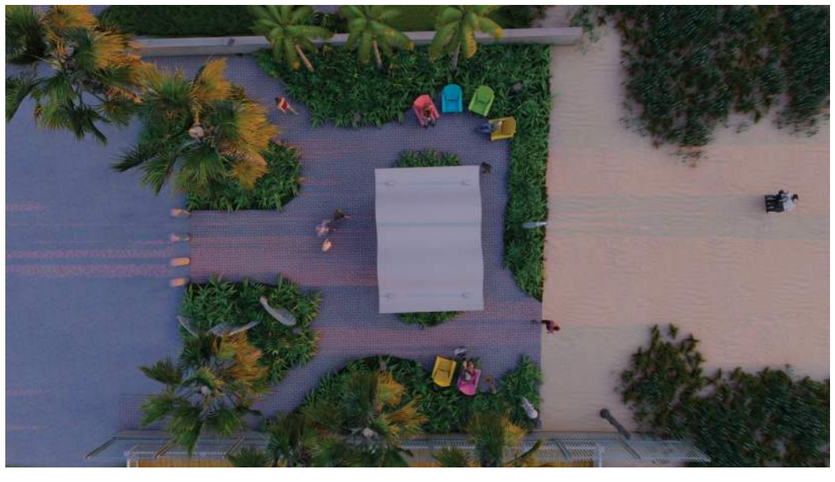
OPTION 1





OPTION 2





DATURA CONCEPT DESIGN COMPARISON

OPTION 1





OPTION 2





Agenda Item No: 7.a.

Town Commission Agenda Item Report

Meeting Date: December 9, 2025
Submitted By: Chris Sutter, Captain, Broward Sheriff's Office
Submitting Department: Administration
Item Type: Town Manager Report
Agenda Section:PUBLIC SAFETY DISCUSSION

Subject Title: BSO November 2025 Public Safety Report

Explanation: BSO October 2025 Public Safety Report prepared by Captain Chris Sutter.

Recommendation: Accept/Approve

Exhibits:
1. TM Report-November 2025

Sheriff Gregory Tony, Ph.D.

Date: December 2, 2025

To: Ken Rubach
Town Manager

From: Captain Christopher Sutter
Commander, Lauderdale by the Sea District

Subject: BSO Public Safety Report- November 2025

PERSONNEL CHANGES:

Detective Glen Genovese, CCN 13738, transferred from the Lauderdale-by-the-Sea District to the Port Everglades District on November 15th, 2025.

Detective David Sheffield, CCN 19982, transferred from the BSO Homicide Unit to the Lauderdale-by-the-Sea District on November 15th, 2025.

Detective David Sheffield, originally from Marietta, Georgia, began his law enforcement career with the Marietta Police Department in 2009. During his tenure, he served in road patrol before being assigned to the countywide narcotics unit as an undercover agent, where he worked for three years. He was also a member of the Marietta Police Department S.W.A.T. Team, serving as an entry team member and explosive breacher.

Following his assignment in the narcotics unit, Detective Sheffield became a Detective with a focus on violent crimes, including homicides and armed robberies. After twelve years of distinguished service with the Marietta Police Department, he joined the Broward Sheriff's Office in 2021. He was first assigned to the Pompano Beach District before being selected for the Violent Crimes Unit in 2022. In 2023, he transitioned to the Homicide Unit, where he served until November 2025, when he elected to transfer to the Lauderdale-by-the-Sea District.

EMPLOYEE OF THE MONTH:

During April and May 2025, the Town of Lauderdale-by-the-Sea experienced an unusual crime trend involving the theft of high-end vehicles. Unknown suspects were stealing these vehicles, joyriding throughout Broward County, and then abandoning them. This pattern created concern among residents and posed a clear threat to public safety and personal property. Recognizing the seriousness of these crimes, Deputy Christopher Cathcart, CSIA Giovanna Anderson, and Detective Glen Genovese worked collaboratively and efficiently to identify a suspect and help bring the cases to a successful resolution.

- **Deputy Cathcart** responded to Superior Towing to process one of the recovered vehicles (Case #13-2503-000803). He conducted a thorough forensic examination and obtained 17 viable latent prints, which were submitted to the BSO Crime Lab for analysis.
- **CSIA Anderson** processed an additional recovered vehicle (Case #13-2504-000190), recovering latent prints from the exterior and Touch DNA from the steering wheel.
- **Detective Genovese**, assigned to both cases, immediately began an in-depth investigation. His review of preliminary fingerprint analysis led to the identification of John Curtis, a known offender already in custody on unrelated felony charges. During the subsequent interview, Curtis denied involvement; however, Det. Genovese pursued expedited DNA analysis to challenge this denial and advance the investigation.

The persistence and coordinated efforts of all three members resulted in a breakthrough. The Crime Lab positively matched six latent prints collected by Deputy Cathcart to John Curtis. Additionally, latent prints and DNA recovered by CSIA Anderson also confirmed Curtis as the suspect. Their diligent work ultimately led to Curtis being identified, charged, and currently awaiting trial for these crimes against the residents of Lauderdale-by-the-Sea.

The teamwork, professionalism, and investigative tenacity demonstrated by Detective Genovese, Deputy Cathcart, and CSIA Anderson exemplify the core values of the Broward Sheriff's Office. For these reasons, they have been selected as the BSO Lauderdale-by-the-Sea Employees of the Month for November 2025.

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 enables additional maritime patrols throughout the Town's waterways and adjacent ocean areas.

- **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 between assisting with administrative duties and patrolling local neighborhoods as an extra pair of eyes and ears to supplement deputy sheriff patrols. COP members also attend monthly patrol briefings and receive criminal intelligence updates. 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 the 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 patrol mode allows deputies to interact one-on-one with our residents and visitors. Deputies conducted 0 hours of bike patrol.

- **All-Terrain Vehicle Patrol:** The ATVs / 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 plays a crucial role in regulating, enforcing, and protecting marine fisheries. Deputies used the ATV/Polaris for 47 miles over 7 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 who are otherwise experiencing mental health crises or are homeless and in need of services. Two (2) individuals were experiencing a mental health crisis. One was transported to Imperial Point Hospital, and the other to Fort Lauderdale Behavioral Health. Six (6) individuals experiencing homelessness were contacted during this period. Five (5) refused services and one (1) accepted clothing during the cold weather.

- **Automated License Plate Reader Camera System:** The ALPR system installation was completed in October 2014. The system is proving to be an effective tool for 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 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 Sutter to provide information to the public via social media. Follow us **@BSOLBTS**.

SPECIAL EVENTS:

On November 11, 2025, the Town of Lauderdale-by-the-Sea hosted its annual Veterans Day Celebration at El Prado Park. The event was attended by the Town Commission, guest speakers, and veterans representing all branches of the U.S. military. The BSO Lauderdale-by-the-Sea command staff was present, along with members of the BSO and Pompano Beach Honor Guards. The BSO Honor Guard also rendered a three-round rifle volley in honor of our nation's veterans.

NOTABLE INCIDENTS / ARRESTS:

CASE: 13-2511-000297 (Deputy Bickel)
DATE/TIME: 11/06/2025 @ 1137 hours
LOCATION: 1481 S Ocean Boulevard
VEHICLE: 2025, White, Nissan Altima
VICTIM: P/V Holdings, d/b/a: Avis/Budget Car Rental
INCIDENT: **Stolen Tag**
SUMMARY: Deputy Bickel responded to the address and met with the reporter who had rented the vehicle from Avis/Budget. The last time they had observed the tag on the vehicle was when they returned from Las Olas Boulevard and parked at the condominium at the incident address on 11/05/2025, at approximately 5:00 PM. On 11/06/2025, when the reporter went to Publix, they noticed the tag was gone. The tag was also entered into FCIC/NCIC. A BOLO was issued for the tag and the vehicle, which was observed in the Town's LPR system, attached to a blue Nissan Altima. The reporter returned the vehicle to Avis/Budget and was issued a different vehicle with a tag attached.
UPDATE: On 11/07/2025, at approximately 9:27 AM, the RTCC BOLO'd the stolen tag, FL: 95BTDQ, crossing over the bridge into the Terra Mar area and traveling southbound. Deputy Ramcharan observed the vehicle at the Publix Parking Lot and contacted the driver, Chelsea Timmons (black female; DOB: 03/04/1998). She was detained for possession of a vehicle with a stolen tag. Deputy Klier processed the vehicle. Deputy Bickel recovered the tag. Detective Genovese was called out and interviewed Timmons at the LBTS District Office. The vehicle was towed by Sal's Towing, and the stolen tag was placed into evidence. The investigation is currently ongoing.

CASE: 13-2511-000358 (Deputy Ramcharan)
DATE/TIME: 11/07/2025 @ 1631 hours
LOCATION: 1 Commercial Boulevard, Aruba's Beach Café
VEHICLE: N/A
VICTIM: W/F (01/27/1965)
INCIDENT: **Theft (theft of wallet)**
SUMMARY: Deputy Ramcharan took a delayed theft report of a wallet and its contents. The victim advised that she was at the Aruba's Beach Café on 11/06/2025 when her wallet and its contents were stolen. The wallet contained a New York DL, a Capital One Credit Card, and a Chase Debit Card. According to the victim, no credit or debit card was used.

CASE: 13-2511-000507 (Deputy Yates)
DATE/TIME: 11/10/2025 @ 0947 hours
LOCATION: 4318 EL Mar Drive - Oriana
VEHICLE: N/A
SUSPECT: Kendall Dunbar, B/M (10/17/1986)
INCIDENT: **Trespassing**
SUMMARY: Deputies responded to a call from Oriana regarding a B/M observed on CCTV who was trespassing on the property. Deputies were informed that this adult male had previously been issued a trespass warning. Dep Yates and other D13 team members arrived on scene and made contact with the subject, who was positively identified as Kendall Dunbar. It was learned that the subject was issued a Trespass warning back in June 2025. The property management wishes to press criminal charges against him for his recent trespass. As the subject was no longer on the property when the deputies arrived, this case was forwarded to the SAO for prosecution.

CASE: 13-2511-000521 (Deputy Suarez/Det Sheffield)
DATE/TIME: 11/10/2025 @ 1305 hours
LOCATION: 4521 N Ocean Drive Apt 1
VEHICLE: N/A
VICTIM: W/M (12/27/1991)
SUSPECT: Erika Pena-Reino, W/F (02/28/1981)
INCIDENT: **Violation of Temporary Domestic Violence Restraining Order (TRO)**
SUMMARY: The victim walked into the District Office to file a police report. The victim reported that he has a temporary restraining order against his spouse, Erika Pena-Reino, which was served on 11/06/2025 with a hearing set for 11/26/2025. He reported that his wife, Erika, violated the TRO by sending Instagram messages and making phone calls to his cell phone, which he recorded. He also advised that he was afraid of his spouse and requested an RPO. The investigation is ongoing, led by Det. Sheffield. RPO will also be sent against Erika Pene-Reino.

CASE: 13-2511-000544 (Deputy Pitulan)
DATE/TIME: 11/10/2025 @ 2108 hours
LOCATION: 4332 Seagrape Drive
VEHICLE: N/A
VICTIM: Seagrape By-The-Sea Community
SUSPECT: Juvenile W/M (10/26/2009)
REPORTEE: Jennifer Duncan W/F (11/26/79)
INCIDENT: **Criminal Mischief (Juvenile Civil Citation)**
SUMMARY: The Reporting person advised that an unknown group of juveniles broke the gate arm to the entrance of the community. Deputies identified other juveniles in the area who may have witnessed the incident, and their information was documented in the report. The incident was captured on CCTV in the community. Gate arm valued at $300.00.
UPDATE: Detective Koos identified the juvenile responsible by using available video from the Seagrape-by-the-Sea Community and **the Town Surveillance cameras**, which captured the juvenile walking around town. On 12/2/2025, the juvenile W/M (10/26/2009) responded to the district office with his mother and confessed to breaking the gate. The juvenile was issued a civil citation and released to his mother's custody.

CASE: 13-2511-000581 (Deputy Pitulan)
DATE/TIME: 11/11/2025 @ 1734 hours
LOCATION: 4331 N Ocean Drive (Mickey's Downtown)
VEHICLE 1: 1999 Suzuki FL Tag # FDQB07 (Offender)
VEHICLE 2: 2019 Mercedes E350 FL Tag # E24USX (Victim)
VICTIM: W/M (02/25/51)
OFFENDER: Shymara Legette B/F (02/25/02)
INCIDENT: **Domestic Battery (>65) / Criminal Mischief**
SUMMARY: Victim advised his current girlfriend (Shymara Legette) found him at the above-listed address after a previous argument that had occurred in Fort Lauderdale, where they both reside. The victim advised that the offender approached him, slapping him in the face and chest several times before being pulled away by several bystanders. Ms. Legette then proceeded to damage the victim's vehicle that was parked in the parking lot just outside the business. Ms. Legette then left the scene in her listed vehicle. The victim did not want to prosecute and refused to provide any further taped statement or photos. The victim signed a waiver of prosecution for the criminal mischief. Video was obtained from a witness and uploaded to evidence.com. An out-of-custody PC was generated for the offender for Domestic Battery/Battery over 65.

CASE: 13-2511-000758 (Deputy Ramcharan)
DATE/TIME: 11/14/2025 @ 0923 hours
LOCATION: 4620 North Ocean Drive Apt 106
VICTIM: W/F (08/06/1999)
ARRESTEE: David Ortiz W/M 11/3/83
INCIDENT: **Domestic Aggravated Battery (Arrest)**
SUMMARY: Victim is currently 8 months pregnant with the Defendant's child and lives together. The victim said a verbal argument escalated to him throwing rags/shirts at her, and then he intentionally slapped the front of her face, causing her to fall on the bed. The victim provided a sworn digital statement. Lethality questions completed, and Women in Distress notified. The victim has a 9-year-old daughter who was not present during the incident. DCF notified. TOT main jail.

CASE: 13-2511-001136 (Deputy Swadkins)
DATE/TIME: 11/20/2025 @ 1154 hours
LOCATION: 239 Basin Drive
VICTIM: W/M (04/28/1969)
OFFENDER: Unknown
INCIDENT: **Theft of commercial equipment, used (value over $1,000.00)**
SUMMARY: Dep. Swadkins took a report of the theft of commercial equipment from the victim. The victim purchased the pizza restaurant along Commercial Boulevard, and while remodeling it, he stored the used equipment in the rear of the structure at 239 Basin Drive. The equipment has been stored outside since July 2025. He noticed the equipment was missing today and reported the theft. It should be noted, the victim stated the equipment was present on the property on November 19, 2025. He was going to sell the equipment and buy new equipment for the restaurant. The equipment consisted of a commercial cooler and a commercial fan. According to the initial investigation, there is no surveillance video at the location, no serial numbers, and no known suspects.

CASE: 13-2511-001138 (Deputy Ramcharan)
DATE/TIME: 11/20/2025 @ 1204 hours
LOCATION: 5200 N Ocean Boulevard, #111
VICTIM: B/M (02/06/1980)
OFFENDER: Unknown
INCIDENT: **Fraud: theft of bitcoin (value over $40,000.00)**
SUMMARY: Dep Ramcharan took a fraud report from the victim. The victim reported that he was involved in a cryptocurrency investment scheme, during which he lost over $40,000.00 from October to November 2025. The suspect is not known to him. The platform he used is WhatsApp. Several transactions were made with unknown suspects during this period. A case number was provided to the victim.

CASE: 13-2511-001187 (Deputy Swadkins)
DATE/TIME: 11/21/2025 @ 1045 hours
LOCATION: 4319 N. Ocean Drive
VICTIM: Walgreens
INCIDENT: **Theft (Retail, Liquor Store)**
SUMMARY: Deputy Swadkins responded to a theft (delayed) at the Walgreens Liquor Store. Upon his arrival, he met with the Walgreens Liquor Store clerk, Chandra Bennett. She reported an unknown black male, approximately 6'00" in height, walked out of the store without paying for three bottles of Jack Daniel's Whiskey, 1.75 liters each, valued at $125.00 total. An independent witness observed the tag on a black flatbed pickup truck, which the male entered and left. The FL tag provided to Deputy Swadkins was checked across several BSO LPR systems. The vehicle was found outside the LBTS District's jurisdiction. The Walgreens video will not be available until Monday.

CASE: 13-2511-001193 (Deputy Klier)
DATE/TIME: 11/21/2025 @ 1630 hours
LOCATION: 1460 South Ocean Blvd Apt 504
VICTIM: W/M (03/17/1961)
SUSPECT: Ciara Marie Williams-Nash, W/F (03/39/1995)
VEHICLE: 2022 Black Mercedes G-AMG63 (Fl Tag L1SBH)
INCIDENT: **Auto Theft**
SUMMARY: Victim advised his ex-wife of 3 months stole the above-listed vehicle (valued at $175,000), which is titled in his name only and was awarded to him via divorce court case (#FMCE-25-008629) as it was his asset prior to getting married. Mercedes' app GPS tracker revealed the vehicle location is in Conyers, Georgia, which is where she currently resides. Auto Theft Affidavit signed, and the vehicle was entered into Teletype.

CASE: 13-2511-001196 (Deputy Roach)
DATE/TIME: 11/21/25 @ 1715 hours
LOCATION: 4653 N Ocean Dr
VICTIM: W/F (2/22/95)
INCIDENT: **Fraud**
SUMMARY: Deputy Roach responded to a fraud call at the above location. Investigation revealed that, on 11/21/25, the victim attempted to purchase goods with her approved EBT food stamps. She learned that her entire account had been hacked and that her food stamps had been removed. An unknown person changed the PIN on her account and used $546 in food stamps to purchase goods at an address in Arizona.

CASE: 13-2511-001199 (Deputy Figueroa)
DATE/TIME: 11/21/25 @ 1958 hours
LOCATION: 4660 El Mar Dr (Plunge Hotel)
ARRESTEE: Dustin Campbell (W/M 9/8/75)
VICTIM 1: W/F (10/27/74)
VICTIM 2: B/M (6/3/98)
INCIDENT: **Domestic Battery and Agg. Battery (Arrest)**
SUMMARY: Deputies responded to The Plunge Hotel in reference to a battery call. Investigation revealed that a verbal argument ensued between husband Dustin Campbell and his wife, Victim 1, who has been married for 7 years. The argument escalated, and Victim 1 was head-butted by Dustin. A hotel front desk attendant, Victim 2, who witnessed the battery, intervened by standing between Dustin and Victim 1 to avoid further escalation. Dustin then head-butted and punched Victim 2, who then defended himself by punching Dustin on the face. Victim 2 sustained a deep laceration to his lip as a result of Dustin's head-butting him. Photographs of all parties were obtained. Victim 1 refused to provide a sworn statement and declined to press charges. Victim 2 provided a sworn digital statement and wanted to press charges. Women in Distress was notified. Dustin was arrested on scene and TOT Main Jail.

CASE: 13-2511-001237 (Deputy Reis and Bravo Shift Assistance)
DATE/TIME: 11/22/2025 @ 1118 hours
LOCATION: Sea Grape Drive and E. Commercial Boulevard**:**
PEDESTRIAN 1: W/M (12/31/1959) (Pedestrian)
PEDESTRIAN 2: W/F (11/27/1957) (Pedestrian)
DRIVER 1: Donald W. Slate W/M (03/20/1982)
VEHICLE 1: 2006, Dodge Ram 1500, Silver, bearing FL Tag: UC91J
INCIDENT: **Traffic crash with serious bodily injuries**
SUMMARY: Deputies from the Bravo Shift responded to a traffic crash with serious bodily injuries at the intersection of Sea Grape Drive and E. Commercial Boulevard. The driver, Donald W. Slate, was behind the wheel of a 2006 Dodge Ram 1500. The vehicle was driven North on Sea Grape Drive and turned left (west) onto E Commercial Boulevard. The two (2) pedestrians were crossing in the crosswalk on E Commercial Boulevard. Slate's vehicle collided with the pedestrians at the crosswalk in the westbound lanes of E Commercial Boulevard.

Pedestrian 2 suffered visible head injuries. Pedestrian 1 suffered visible head injuries, and he suffered a severe break in his ankle. Slate did not complain of injuries.

The pedestrians were transferred to North Broward Hospital by Pompano Fire Rescue via a Trauma Alert. Deputy Ramcharan followed Pompano Fire Rescue to the hospital and monitored the patient's progress as medical staff treated them. Both patients were treated and determined to have non-life-threatening injuries.

The intersection was shut down for scene safety. A crime scene was established at the scene of the intersection. LBS Town Maintenance Staff assisted with bringing out cones and signage. BSO's Traffic Homicide Unit (THI) was notified, and THI Detective Carpenter and Detective Wiley responded and took over the investigation.

CASE: 13-2511-001249 (Deputy Roach)
DATE/TIME: 11/22/25 @ 18:48 hours
LOCATION: 1500 S Ocean Blvd #702
ARRESTEE: Jeanne Morin (W/F 3/28/51)
VICTIM: W/M (8/8/51)
INCIDENT: **DV Battery on Person 65 or Older (Arrest)**
SUMMARY: Deputies responded to a domestic disturbance call at the above location. Investigation revealed that Jeanne Morin and her husband (Victim) have been married for 50 years. Today, their argument escalated. Jeanne followed the victim to their bathroom, where Jeanne put her hands on the victim's neck against his will. No injuries reported nor observed. Both Jeanne and the victim are 74 years old. Jeanne was arrested and TOT Main Jail.

CASE: 13-2511-001302 (Deputy Pitulan)
DATE/TIME: 11/24/2025 @ 0023 hours
LOCATION: 14 Commercial Blvd (Pier 14)
VEHICLE: N/A
ARRESTEE: Paulo Costa-Florencio W/M 12/25/89
INCIDENT: **Disorderly Intoxication (Arrest)**
SUMMARY: Paulo and two other unknown males were creating a disturbance at Pier 14. The manager asked them to leave, and they complied. Paulo was seen coming back after the other two males left. The manager asked that he not come back as he was intoxicated and aggressive. Dep. Ogando, Dep. Barnett, and Dep. Pitulan made contact with Paulo, who was visibly intoxicated. Paulo was asked to leave, but he refused and continued walking back towards the business, disobeying their commands. Multiple others gathered to witness this incident. Paulo was placed into custody for Disorderly Intoxication and was transported to BSO Main Jail for booking.

CASE: 13-2511-001305 (Deputy Seedig)
DATE/TIME: 11/24/2025 @ 0142 hours
VEHICLE: N/A
ARRESTEE #1: Marcus Morillo W/M (09/30/84)
ARRESTEE #2: Grason Giddy W/M (08/19/80)
VICTIM: W/F (04/05/76)
INCIDENT: **Battery Arrest / Warrant Arrest**
SUMMARY: Deputies received a call in reference to a disturbance. The victim advised that she was hanging out on the beach with the arrestee #1 when he lost his phone and suddenly became irate. The victim stated that the arrestee #1 then started a verbal argument and pushed her to the ground. The victim stated she reacted by grabbing the shirt of the arrestee #1 as he pushed her to the ground. The events described were corroborated by another witness (arrestee #2) who was with the mentioned persons. The victim expressed her desire to prosecute. Arrestee #1 was charged accordingly and transported to the main jail. Arrestee #2 had a warrant for failure to pay child support and was also transported to the main jail.

CASE: 13-2511-001369 (Deputy Seedig)
DATE/TIME: 11/25/2025 @ 0104 hours
LOCATION: 4140 EL Mar Drive
ARRESTEE: Brennan O'Sullivan, WM (08/22/1993)
VICTIM: State of Florida
INCIDENT: **Abuse of 911 (NTA Arrest)**
SUMMARY: Broward County Communications 911 center received several non-emergency 911 calls from the Defendant Brennan O'Sullivan, who was told by BSO D13 not to abuse the 911 system. The subject was later arrested after calling 911 regarding his being locked out of his Tesla. He was TOT to the main jail but was later found by BSO Jail staff to require medical clearance. BSO D13 then assisted and TOT the defendant to the hospital for medical care. He was issued an NTA and admitted into the hospital for medical care. The case will be forwarded to ASA for review.

CASE: 90-2511-008409 (Det Koos/Dep Genovese/Det Sheffield)
DATE/TIME: 11/26/2025 @ 1730 hours
LOCATION: 6352 SW 2nd St, Margate
ARRESTEE: John Curtis, B/M (09/29/2006)
INCIDENT: **Warrant Capias Auto Theft (Arrest)**
SUMMARY: BSO LBTS Detectives conducted an investigation regarding an LBTS Auto theft case that took place on 04/07/2025 @ 2010 Waters Edge, in Bel Air (Original case 11-2504-000190). During this incident, the subjects stole the victim's 2019 Land Rover from her garage while she was retrieving her mail. DNA, latent fingerprints, & photo array led to the positive identification of the suspect, John Curtis. Detectives obtained an arrest warrant for John Curtis, who was located today in the City of Margate and arrested with a no-bond hold. Additional charges for John Curtis are also forthcoming from the State Attorney's Office, after his fingerprints were found on the interior of another stolen vehicle (2019 Mercedes), taken from 1624 Bel Air Ave, in Bel Air on 05/31/2025 (Case 13-2505-000803).

CASE: 13-2511-001453 (Deputy Boyian)
DATE/TIME: 11/26/2025 @ 1736 hours
LOCATION: 4100 N Ocean Drive
ARRESTEE: Virgina Fujino W/F (08/15/1945)
VICTIM: SOF
INCIDENT: **Hit and Run Crash/DUI (Arrest)**
SUMMARY: Dep Boyian responded to the listed location as a hit-and-run incident and later learned that the suspect, Virginia Fujino, was stopped by a citizen at another location. Investigation revealed that the suspect, Ms. Fujino, was intoxicated, crashed into a victim, and left the scene. Ms. Fujino was uncooperative and placed under arrest for DUI. Ms. Fujino was transported to BSO's Breath Alcohol Testing Unit, where she blew a .119 BAC. Ms. Fujino was then transported to the main jail.

CASE: 13-2511-001596 (Deputy Boyian)
DATE/TIME: 11/29/2025 @ 1656 hours
LOCATION: 4605 N. Ocean Dr. # 9
SUSPECT: Unknown
VICTIM: W/M (3/19/91)
INCIDENT: **Criminal Mischief**
SUMMARY: The victim resides in a second-floor apartment facing N. Ocean Dr. He stated that someone threw an object through his window while he was inside. The windowpane was broken, but no object was found. The victim was not injured and did not see anyone or know who could have done it.

CASE: 13-2511-001645 (Deputy Pitulan)
DATE/TIME: 11/30/2025 @ 1812 hours
LOCATION: 4331 N. Ocean Drive
VICTIM: State of Florida
OFFENDER: Bethany Jeannette Urick, W/F (08/04/1978)
VEHICLE: 2024 Gray Chevrolet Equinox SUV, FL Tag: RJLB89
INCIDENT: **DUI Arrest**
RELATED CASE:13-2511-001646 – 4326 Bougainvilla Dr – Hit and Run: Crash report written (Broken Gate, damage estimate, $300.00)
SUMMARY: Deputy Pitulan responded to a driver who was sleeping behind the wheel of the vehicle at Mickey's Downtown Bistro. Upon investigation, he realized the driver was in the driver's seat. The vehicle was reported to be involved in a Hit-And-Run (see related case 13-2511-001646). The driver, Bethany Jeannette Urick (White Female, DOB: 08/04/1978), was found to be intoxicated upon completing the DUI investigation; she was arrested for the DUI. There was a witness to the vehicle being involved in the Hit-And-Run investigation. The witness had CCTV footage, but it was not conclusive for the driver of the vehicle. Ulrick was charged with DUI and transported to the BSO BAT and ultimately transported to the BSO Main Jail. There were no reported injuries.

CASE: 13-2510-001652 (Deputy Seedig)
DATE/TIME: 11/30/2025 @ 2130 hours
LOCATION: 4309 Bougainvillea Drive
VICTIM 1: W/F (02/28/2003)
VICTIM 2: W/F (11/09/1966)
SUSPECT: Unknown white male
VEHICLE: Silver/Grey compact SUV, Unknown tag
INCIDENT: **Petit Theft**
SUMMARY: Deputy Seedig responded to the victim 2 residence at 4305 Bougainvillea Drive in response to a report of theft of packages from the residence and the mailbox. Victim 2 had her Amazon packages delivered to her neighbor's home, Victim 1. The packages were stolen from Victim 1's residence by an unknown white male driving a Silver/Grey compact SUV with an unknown tag. The incident was captured on Victim 1's Ring Doorbell. The suspect took a package from the carport area and the mailbox, as depicted by the Ring Doorbell. The packages contained cat litter and Minnie Mouse toddler sunglasses, totaling $28.33. Other packages were left on the property by the offender.

MONTHLY ARREST LOGS:

Misd/Fel	Charge	Street	Case #
Fel	Warrant -Auto theft / Burglary Original Case (13-2504-000190)	2010 Waters Edge	***90-2511-008409***
Fel	Aggravated battery on a pregnant female	4620 N Ocean Blvd	***13-2511-000758***
Fel	Domestic Battery / Agg Battery	4660 El Mar Drive	***13-2511-001199***
Fel	DV Battery on person 65 YOA or older	1500 S Ocean Blvd	***13-2511-001249***
Misd	Disorderly Conduct	14 Commercial Blvd	***13-2511-001302***
Misd	Battery	4200 El Mar Drive	***13-2511-001305***
Misd	Warrant – Child Support	4200 El Mar Dr	***13-2511-001305***
Misd	Abuse of 911	4140 El Mar Drive	***13-2511-001369***
Misd	DUI	4100 N Ocean Dr	***13-2511-001453***
Misd	DUI	4331 N. Ocean Dr	***13-2511-001645***

CRIME STATISTICS:

CRIME	CURRENT MONTH	PRIOR MONTH	2024 YTD	2025 YTD
AUTO THEFT	1	0	7	13
BURGLARY-BUSINESS	0	0	2	2
BURGLARY-CONVEYANCE	0	1	17	7
BURGLARY-RESIDENCE	0	0	2	5
BURGLARY-STRUCTURE	0	0	1	2
FORCIBLE SEX	0	0	1	2
ARSON	0	0	0	0
ASSAULT-AGGRAVATED	0	1	3	2
HOMICIDE	0	0	0	0
ROBBERY	0	0	2	3
THEFT-GRAND	1	0	16	8
THEFT-PETIT	4	2	42	28
TOTALS	**6**	**4**	**93**	**72**

CITIZEN OBSERVER PATROL STATISTICAL SUMMARY:

COP Activity	Total
Number of Volunteers	28
COP Hours Worked - Month	63
COP Patrol Miles - Month	252
COP Hours Worked - YTD	920
COP Patrol Miles - YTD	3046

COP Bike Patrol Hours - Month	0
COP Bike Patrol Hours - YTD	29

COP Beach Patrol Hours – Month	12.5
COP Beach Patrol Hours - YTD	119.5

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	2025 YTD
Reserve Deputy - Days Worked	5	73
Reserve Deputy - Hours Worked	38	558.5

MONTHLY STAFFING AND STATISTICAL REPORT:

The November 2025 Monthly Staffing and Statistical Report is attached.

MONTHLY STAFFING AND STATISTICAL REPORT
LAUDERDALE-BY-THE-SEA DISTRICT
November 30, 2025

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**	**0**

PERSONNEL ON LIGHT DUTY, PROMOTED, TRANSFERRED, ETC.

Name	CCN	Status	Circumstances
Detective David Sheffield	19982	Assigned to D13 (LBTS)	Transferred in from CI (Homicide)
Detective Glen Genovese	13738	Assigned to D14 (Port)	Transferred out from D13 as a Deputy

DETACHED PERSONNEL / LOCATION

Name	CCN	Detached to	Reason	Hours
			TOTAL	**0**

Lauderdale by the Sea
Monthly Activity
November 2025

Reports/Calls	
Miscellaneous Service	
Event Reports	49
Accidents	8
Calls for Service	1,656

Traffic	
Types of Citation	
Non-Moving / Moving Citation	93
Warnings	170
Parking	0
DUI	2
Total Citations	**265**

Arrests	
Type of Arrest	
Felony	1
Misdemeanor	3
Warrant (Felony)	1
Warrant (Misd.)	1
DUI (Misdemeanor)	2
NIC (Felony)	1
NIC (Misdemeanor)	2
DV (Felony)	2
DV (Misd.)	0
Total Arrests	**13**

Time Worked	
Hours Worked	
Bike Patrol	0
Court Overtime	9
Training Hours	103
Detached	0
Other Overtime	77.5
Days Worked	30

General	
FI	23
Truant	0
Truant Debriefed	0
Elder Link	0

Narrative
ATV/UTV: 47 Miles / 7 Hours Reserve Deputies worked 5 shifts (38 hrs)

Agenda Item No: 8.a.

Town Commission Agenda Item Report

Meeting Date: December 9, 2025
Submitted By: Ken Rubach, Town Manager
Submitting Department: Administration
Item Type: Town Manager Report
Agenda Section: TOWN MANAGER REPORT

Subject Title: Town Manager Report

Explanation:

Circuit Milestone

As of November 30th, Circuit has moved 111,413 passengers in our community. Circuit continues to be a popular service utilized by residents and guests alike. This highlights the overwhelming success of this transit partnership. We look forward to a continued increase in ridership in the years to come.



Christmas By The Sea
Last week we celebrated another beautiful Christmas By The Sea event here in Town. We are very grateful to all of our local vendors, Town partners, and special guests who made the night so magical.

As always, we want to extend a large "thank you" to the Broward Sheriff's Office and

Pompano Beach Fire for maintaining a safe event site, and for escorting Santa in to light our holiday tree.

A special thank-you goes out to High Noon Resort, Freeman Orthodontics, and Flynn Engineering for sponsoring this year's celebration and allowing us to continue enhancing these Town favorites year after year.



Friedt is Frozen

The first event in our Party in the Park Series: "Friedt is Frozen" will be held Thursday, December 18, 2025 from 5:30PM-7:30PM. Key features of this event will include a visit from the beautiful Princess Elsa and her snowy companion Olaf, light background music, and winter themed treats.

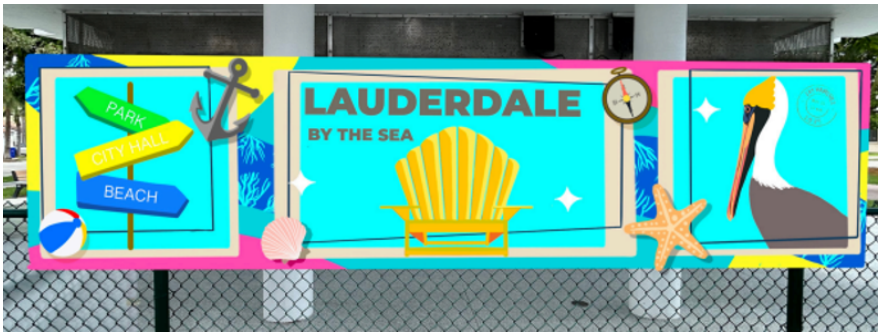


Holiday Hours

Town Hall will close at noon on the following days:
- Wednesday, December 24th (Christmas Eve)
- Wednesday, December 31st (New Year's Eve)

Friedt Park Mural Design Selection

Mural Concept #2 was selected with 45.67% of the vote. We anticipate the project to commence in the beginning of January with the mural taking approximately two weeks to complete.



Parking Rate Pilot Update

The results of the parking rate pilot are as follows, with the total number of transactions through Tuesday, December 2nd excluding Saturdays and Sundays, as the rate charged per hour was the same. In 2024, there were 32,518 transactions vs 2025, where there were 31,739 transactions. A decrease from the same period of time last year of 779 transactions. We also saw a decrease of $82,138.41 in revenue from the same time period last year. I am requesting direction on whether to continue with the reduced rate or resume the normal rate.

Town Clerk Search

The Town has begun the recruitment process for a new Town Clerk. Staff will conduct the search in-house, and we are hopeful to have a new Clerk join the team in the first quarter of 2026. A big thank you to Courtney Easley for all of her hard work, wearing multiple hats and serving as our acting Town Clerk.

Upcoming Meetings

-Planning and Zoning Board Meeting — Wednesday, December 10 at 6:00pm
-Commission Meeting — Tuesday, January 13th at 6:30pm

Recommendation: n/a

Exhibits: None

Agenda Item No: 8.b.

Town Commission Agenda Item Report

Meeting Date: December 9, 2025
Submitted By: Lucila Lang, Finance Director
Submitting Department: Finance
Item Type: Town Manager Report
Agenda Section:TOWN MANAGER REPORT

Subject Title: September 2025 Finance Report

Explanation:

Presented for the Commission's review is the preliminary Finance Report for the period ending September 30, 2025, which includes the attached Revenue Report (Exhibit 2) and Cash & Investment Report (Exhibit 3). This reporting period reflects the close of the Town's fiscal year.

As of September 30, the Town has completed 100% of Fiscal Year 2024–2025. The annual financial records have not yet been closed, and year-end adjusting entries are still pending. Therefore, the figures provided in this report should be regarded as preliminary fiscal year-end operating results and are subject to change upon completion of the year-end closing process and audit review.

Recommendation: N/A

Exhibits:
1. September 2025 Report
2. Budget Report September 2025
3. Cash Investment Report-September 2025

The following is a summary of the preliminary fiscal year-end operating results:

Fund	Annual Budget	Budgeted Appropriations	Budgeted Revenues Excluding Appropriations	YTD Revenues		YTD Expenditures		Net Amount
				Amount	% of Budget	Amount	% of Budget	
General Fund	$ 18,468,042.00	$ 88,256.00	$ 18,379,786.00	$ 18,914,054.90	**102.91%**	$ 16,870,390.84	**91.79%**	$ 2,043,664.06
Building Fund	$ 1,728,121.00	$ 275,102.00	$ 1,453,019.00	$ 1,397,680.08	**96.19%**	$ 1,569,237.13	**108.00%**	$ (171,557.05)
Sewer Fund	$ 1,710,480.00	$ 8,480.00	$ 1,702,000.00	$ 1,336,712.21	**78.54%**	$ 1,228,797.78	**72.20%**	$ 107,914.43
Fire Fund	$ 2,220,966.00	$ -	$ 2,220,966.00	$ 2,278,725.59	**102.60%**	$ 1,500,366.89	**67.55%**	$ 778,358.70
Capital Fund	$ 4,052,000.00	$ 615,000.00	$ 3,437,000.00	$ 2,987,000.00	**86.91%**	$ 2,044,376.81	**50.45%**	$ 942,623.19
Parking Fund	$ 3,319,784.00	$ -	$ 3,319,784.00	$ 4,116,983.64	**124.01%**	$ 2,820,328.12	**84.96%**	$ 1,296,655.52
Grand Total	$ 31,499,393.00	$ 986,838.00	$ 30,512,555.00	$ 31,031,156.42		$ 26,033,497.57		$ 4,997,658.85

Notable items this month are as follows:

General Fund-001:

- In preparing the annual budget, the Town budgets Ad Valorem Property Taxes at 95% of the taxable value. As in prior years, the Town exceeded this target, collecting 1.64% above the budgeted amount for FY2025. The preliminary budget report also reflects that several revenue categories—such as utility taxes, franchise taxes, and intergovernmental revenues—performed above projections. Additionally, certain departments, including the Visitor Center and Tourism & Community Outreach, operated below budgeted expenditures, demonstrating effective cost management throughout the fiscal year.

Building Fund-002:

- Building Fund revenues were slightly below projections, primarily due to a lower volume of building permits issued during FY25.
- Overall Building Fund expenditures were approximately 8% below the budgeted amount, reflecting effective cost management throughout the fiscal year.

Sewer Fund-003:

- Sewer Fund revenues came in below the budgeted amount. As a reminder, the mid-year sewer rate increase did not span the full fiscal year, and therefore the Fund did not realize the full annual benefit of the adjustment.
- Sewer Fund expenditures were below budget, which helped offset and minimize the financial impact of the increased rates charged by the City of Pompano Beach.

Fire Fund-115:

- Like Ad Valorem Taxes in the General Fund, Fire Assessment revenues are budgeted at 95%, resulting in the Town receiving 2.21% more than anticipated for FY25.
- During FY25, the Town received an additional $137,682.38 from the auction of fire trucks and other miscellaneous surplus items.
- Expenditures were below budgeted levels, primarily because the $900,000 allocated for the Public Safety Facility was not expended during the fiscal year.

Capital Projects-Fund-300:

- Activity for capital projects for the month of September is listed below:

September, 2025 REPORT INFORMATION					
CIP Projects	Budget	YTD Expenditures	September Expenditures	% Completion	Comments
Town Hall/Public Safety	$ 500,000.00	$ -	$ -	0.00%	No activity for this month.
El Prado Park	$ 775,000.00	$ 165,311.40	$ 75,814.00	21.33%	Payments made to: Hitchcock Design, Inc., Ritzel-Mason, Inc. and Federal Engineering &b Testing, Inc.
Storm Water Rate Study	$ 125,000.00	$ -	$ -	0.00%	No activity for this month.
Beach Bathrooms	$ -	$ -	$ (11,494.00)	0.00%	Transaction reversal-posted to incorrect account.
Beach Portal	$ 50,000.00	$ 5,527.50	$ 5,527.50	11.06%	Payments made to: Hitchcock Design, Inc. and Federal Engineering & Testing, Inc.
FDOT A1A Pine Avenue to Palm Aire	$ 255,000.00	$ 244,045.00	$ -	95.70%	No activity for this month.
Tennis Court Lighting	$ 45,000.00	$ 43,171.90	$ 11,494.00	95.94%	Payment made to Tropic Fence, Inc.
Beach Renourishment	$ 116,667.00	$ 116,666.67	$ -	100.00%	No activity for this month.
Staghorn Coral Painting	$ -	$ 9,097.66	$ -	100.00%	No activity for this month.
Traffic Improvements & Calming	$ 150,000.00	$ 23,468.12	$ -	15.65%	No activity for this month.
Pedestrian Amenities	$ 75,000.00	$ 80,806.65	$ 1,677.00	107.74%	Payments made to Deschamps Mats Systems, Inc.
Street Project-Bougainvilla/Poinciana	$ 225,000.00	$ 80,197.76	$ 72,793.76	35.64%	Payments made to Baxter & Woodman, Inc.
Roadway Paving & Refurbishment	$ 483,691.00	$ 189,791.09	$ 7,314.71	39.24%	Payment made to The Paving Lady, Inc.
Resilient Florida Program	$ 200,000.00	$ 122,164.30	$ 46,044.70	61.08%	Payments made to Baxter & Woodman, Inc.
Friedt Park	$ 725,000.00	$ 745,169.28	$ 198,049.23	102.78%	Project has been completed.
75th Anniversary Garden	$ 100,000.00	$ 11,106.95	$ -	11.11%	No activity for this month.
Totals:	**$ 3,825,358.00**	$ 1,836,524.28	$ 407,220.90		

Parking Fund-310:

- Although September parking revenues were lower compared to the same month in the prior year, overall Fiscal Year 2025 parking revenues exceeded the budget by approximately 20%, reflecting strong performance throughout the year.
- FY25 expenditures included a $1.7 million transfer to the Capital Improvement Program (CIP), and total operating expenditures remained below budgeted levels, indicating that the Parking Fund was effectively and efficiently managed throughout the fiscal year.

September, 2025		
	FY2025	Difference from Prior Year
South Ocean	$ 11,400.59	$ (6,151.65)
Ocean Front Meters	$ 50,412.44	$ 3,881.43
Commercial Blvd. Meters	$ 11,804.44	$ (446.95)
Parking Meters-Beach	$ 16,006.88	$ (2,042.00)
Palm Portal-FDG	$ 10,425.47	$ (2,712.62)
El Prado Parking Lot	$ 31,474.20	$ (13,607.30)
Town Hall Parking Lot	$ 485.39	$ (1,525.64)
El Mar Parking Lot	$ 22,383.11	$ (1,132.54)
A1A Parking Lot	$ 31,527.73	$ (8,768.41)
Bougainvilla/Poinciana	$ 19,495.49	$ 633.30
Monthly Total:	$ 205,415.74	
Difference from last year $$:	$	(31,872.38)
Difference from last year %:		-13.43%
Additional Parking Income:		
Parking Permits	$ 16,044.24	
Parking Fines	$ 32,754.90	
GRAND TOTAL:	$ 254,214.88	

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Fund: 001 - General Fund							
Department: 000000 - Assigned							
001-000000-380200	Appropriated Fund Balance	0.00	88,256.00	0.00	0.00	-88,256.00	0.00 %
	Department: 000000 - Assigned Total:	**0.00**	**88,256.00**	**0.00**	**0.00**	**-88,256.00**	**0.00%**
Department: 301000 - Ad Valorem Property Taxes							
001-301000-311100	Ad Valorem Property Taxes	13,548,619.00	13,548,619.00	5,044.54	13,770,895.08	222,276.08	101.64 %
	Department: 301000 - Ad Valorem Property Taxes Total:	**13,548,619.00**	**13,548,619.00**	**5,044.54**	**13,770,895.08**	**222,276.08**	**101.64%**
Department: 301100 - Utility Taxes							
001-301100-311101	Fpl Utility Tax	986,700.00	986,700.00	238,714.25	1,171,320.77	184,620.77	118.71 %
001-301100-311440	Gas Utility Tax	23,000.00	23,000.00	1,475.37	18,265.92	-4,734.08	79.42 %
001-301100-314300	Water Utility Tax	189,000.00	189,000.00	27,721.25	212,256.08	23,256.08	112.30 %
	Department: 301100 - Utility Taxes Total:	**1,198,700.00**	**1,198,700.00**	**267,910.87**	**1,401,842.77**	**203,142.77**	**116.95%**
Department: 301600 - Franchise Taxes							
001-301600-313100	Fl Power & Light Franchise	670,000.00	670,000.00	156,058.63	775,957.85	105,957.85	115.81 %
001-301600-313300	Waste Franchise Collection	161,999.00	161,999.00	23,787.99	147,148.80	-14,850.20	90.83 %
001-301600-313301	Waste Franchise Adm-fee	9,000.00	9,000.00	0.00	0.00	-9,000.00	0.00 %
001-301600-313400	Gas Franchise	23,000.00	23,000.00	2,226.95	24,993.60	1,993.60	108.67 %
001-301600-313600	Towing Franchise Fees	800.00	800.00	0.00	0.00	-800.00	0.00 %
	Department: 301600 - Franchise Taxes Total:	**864,799.00**	**864,799.00**	**182,073.57**	**948,100.25**	**83,301.25**	**109.63%**
Department: 302000 - Licenses & Permits							
001-302000-321100	Business License Taxes	100,000.00	100,000.00	34,013.40	156,150.42	56,150.42	156.15 %
001-302000-321110	Sidewalk Cafe Row	85,000.00	139,000.00	-861.00	138,371.00	-629.00	99.55 %
001-302000-322150	Miscellaneous Permits	700.00	700.00	0.00	185.00	-515.00	26.43 %
001-302000-322250	Development Services Applications	1,000.00	1,000.00	0.00	355.00	-645.00	35.50 %
001-302000-322400	Sign Permits	500.00	500.00	0.00	900.00	400.00	180.00 %
	Department: 302000 - Licenses & Permits Total:	**187,200.00**	**241,200.00**	**33,152.40**	**295,961.42**	**54,761.42**	**122.70%**
Department: 303000 - Intergovernmental Revenues							
001-303000-311120	Municipal Revenue Sharing	185,000.00	185,000.00	17,907.52	222,520.88	37,520.88	120.28 %
001-303000-311150	Alcoholic Beverage License	17,000.00	17,000.00	0.00	15,935.78	-1,064.22	93.74 %
001-303000-311180	Sales Tax	525,000.00	525,000.00	72,176.72	472,454.06	-52,545.94	89.99 %
001-303000-312410	Local Op Gas Tax 1 - 6 Cent	67,500.00	103,347.00	-165,246.27	48,633.62	-54,713.38	47.06 %
001-303000-312420	Local Op Gas Tax 2 - 5 Cent	48,000.00	53,512.00	8,428.77	61,939.88	8,427.88	115.75 %
001-303000-315100	Communication Service Tax	327,000.00	327,000.00	41,006.88	276,005.77	-50,994.23	84.41 %
001-303000-334915	Fdot-reimbursable Grant	34,384.00	34,384.00	0.00	36,475.92	2,091.92	106.08 %
	Department: 303000 - Intergovernmental Revenues Total:	**1,203,884.00**	**1,245,243.00**	**-25,726.38**	**1,133,965.91**	**-111,277.09**	**91.06%**
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	0.00 %
001-304000-347500	Tennis - Shuffle Key	5,250.00	5,250.00	40.00	13,250.00	8,000.00	252.38 %
	Department: 304000 - Charges for Services Total:	**7,250.00**	**7,250.00**	**40.00**	**13,250.00**	**6,000.00**	**182.76%**
Department: 305000 - Fines & Forfeitures							
001-305000-354150	Fines,trafficviolation,citatio	30,000.00	30,000.00	4,462.96	30,843.64	843.64	102.81 %
001-305000-354160	Code Enforcement Fines	55,000.00	55,000.00	11,421.80	61,207.10	6,207.10	111.29 %
001-305000-359100	Other Fines & Alarms	2,000.00	2,000.00	0.00	0.00	-2,000.00	0.00 %
	Department: 305000 - Fines & Forfeitures Total:	**87,000.00**	**87,000.00**	**15,884.76**	**92,050.74**	**5,050.74**	**105.81%**
Department: 306000 - Miscellaneous Revenues							
001-306000-361100	Interest Earnings	112,335.00	654,355.00	95,103.09	749,458.62	95,103.62	114.53 %
001-306000-362000	Rent/lease Royalties	129,675.00	132,275.00	22,050.00	132,275.00	0.00	100.00 %
001-306000-365400	Recycling Revenue	5,000.00	5,000.00	0.00	0.00	-5,000.00	0.00 %
001-306000-366100	Donations	13,500.00	13,500.00	0.00	2,000.00	-11,500.00	14.81 %
001-306000-369100	Miscellaneous Revenues	75,050.00	75,050.00	5,831.14	72,222.53	-2,827.47	96.23 %

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
001-306000-369200	Miscellaneous Applications	5,000.00	13,795.00	-355.00	14,360.00	565.00	104.10 %
001-306000-369201	Miscellaneous Merchandisesales	5,000.00	5,000.00	0.00	3,767.59	-1,232.41	75.35 %
001-306000-369250	Recreational Activities Fee	17,500.00	17,500.00	85.00	20,810.00	3,310.00	118.91 %
001-306000-369500	miscellaneous Lobbyist	500.00	500.00	0.00	500.00	0.00	100.00 %
001-306000-369901	Insurance Reimbursement	20,000.00	20,000.00	0.00	12,594.99	-7,405.01	62.97 %
Department: 306000 - Miscellaneous Revenues Total:		**383,560.00**	**936,975.00**	**122,714.23**	**1,007,988.73**	**71,013.73**	**107.58%**
Department: 511000 - Commission							
001-511000-500110	Commission Salaries	135,000.00	135,000.00	17,751.65	130,421.64	4,578.36	96.61 %
001-511000-500210	Employer Fica Taxes	10,450.00	10,450.00	1,065.37	7,004.51	3,445.49	67.03 %
001-511000-500220	Retirement	60,750.00	60,750.00	5,825.85	54,141.90	6,608.10	89.12 %
001-511000-500230	Group Insurance	92,000.00	92,000.00	2,276.10	38,566.41	53,433.59	41.92 %
001-511000-500345	Contractual Services	16,000.00	16,000.00	850.00	5,859.50	10,140.50	36.62 %
001-511000-500510	Office Supplies	1,500.00	1,500.00	0.00	75.19	1,424.81	5.01 %
001-511000-500512	Elections	4,000.00	4,000.00	0.00	3,493.00	507.00	87.33 %
001-511000-500525	Uniform Expense	1,500.00	1,500.00	0.00	0.00	1,500.00	0.00 %
001-511000-500540	Dues & Subscriptions	3,250.00	3,250.00	0.00	1,380.00	1,870.00	42.46 %
001-511000-500545	Training	12,500.00	12,500.00	992.90	5,256.22	7,243.78	42.05 %
001-511000-500550	Operating Expenses	15,200.00	15,200.00	310.63	11,284.05	3,915.95	74.24 %
Department: 511000 - Commission Total:		**352,150.00**	**352,150.00**	**29,072.50**	**257,482.42**	**94,667.58**	**73.12%**
Department: 511100 - Donation-Non Profits							
001-511100-500820	Donations-aids To Private Org	68,500.00	68,500.00	0.00	66,227.41	2,272.59	96.68 %
Department: 511100 - Donation-Non Profits Total:		**68,500.00**	**68,500.00**	**0.00**	**66,227.41**	**2,272.59**	**96.68%**
Department: 511200 - Visitor Center							
001-511200-500120	Regular Salaries	80,815.00	80,815.00	3,209.99	47,575.28	33,239.72	58.87 %
001-511200-500210	Employer Fica Taxes	6,265.00	6,265.00	391.30	3,750.32	2,514.68	59.86 %
001-511200-500220	Retirement	13,786.00	13,786.00	514.68	9,150.89	4,635.11	66.38 %
001-511200-500230	Group Insurance	3,450.00	3,450.00	-167.17	1,795.71	1,654.29	52.05 %
001-511200-500311	Advertisements	3,000.00	3,000.00	0.00	475.00	2,525.00	15.83 %
001-511200-500340	Sewer/wastewater	4,410.00	4,410.00	635.12	3,643.44	766.56	82.62 %
001-511200-500345	Contractual Services	6,000.00	6,000.00	106.24	1,515.82	4,484.18	25.26 %
001-511200-500430	Electric Service	2,100.00	2,100.00	148.26	1,383.65	716.35	65.89 %
001-511200-500431	Water Service	5,300.00	5,300.00	854.49	5,330.60	-30.60	100.58 %
001-511200-500463	Service Maintenance Contracts	3,150.00	3,150.00	0.00	891.22	2,258.78	28.29 %
001-511200-500495	Special Events	1,000.00	1,000.00	0.00	0.00	1,000.00	0.00 %
001-511200-500506	Printing & Binding	3,065.00	3,065.00	0.00	1,498.50	1,566.50	48.89 %
001-511200-500520	Bldg. Maintenance	5,000.00	5,000.00	155.60	2,164.36	2,835.64	43.29 %
001-511200-500550	Operating Expenses	5,000.00	5,000.00	291.81	3,248.32	1,751.68	64.97 %
Department: 511200 - Visitor Center Total:		**142,341.00**	**142,341.00**	**6,140.32**	**82,423.11**	**59,917.89**	**57.91%**
Department: 513000 - Administration							
001-513000-500120	Regular Salaries	665,203.00	772,186.00	90,112.59	835,358.33	-63,172.33	108.18 %
001-513000-500140	Overtime Salaries	5,500.00	5,500.00	0.00	832.93	4,667.07	15.14 %
001-513000-500210	Employer Fica Taxes	51,425.00	51,425.00	8,914.84	57,442.99	-6,017.99	111.70 %
001-513000-500220	Retirement	154,950.00	169,334.00	15,330.83	172,287.04	-2,953.04	101.74 %
001-513000-500230	Group Insurance	155,250.00	155,250.00	2,818.39	112,721.08	42,528.92	72.61 %
001-513000-500315	Professional Services	36,000.00	36,000.00	0.00	26,964.00	9,036.00	74.90 %
001-513000-500320	Audit Expense	47,000.00	47,000.00	0.00	30,000.00	17,000.00	63.83 %
001-513000-500344	Hr Expenses	5,000.00	5,000.00	829.95	4,833.56	166.44	96.67 %
001-513000-500345	Contractual Services	98,100.00	98,100.00	8,747.61	71,375.29	26,724.71	72.76 %
001-513000-500463	Service Maintenance Contracts	54,800.00	54,800.00	6,014.70	43,451.91	11,348.09	79.29 %
001-513000-500506	Printing & Binding	3,000.00	3,000.00	40.64	1,988.73	1,011.27	66.29 %
001-513000-500508	Postage	5,000.00	5,000.00	422.50	9,819.00	-4,819.00	196.38 %
001-513000-500510	Office Supplies	6,700.00	6,700.00	454.67	3,945.84	2,754.16	58.89 %
001-513000-500525	Uniform Expense	1,087.00	1,087.00	199.47	405.93	681.07	37.34 %
001-513000-500540	Dues & Subscriptions	9,900.00	9,900.00	818.47	5,091.50	4,808.50	51.43 %
001-513000-500545	Training	27,000.00	27,000.00	2,129.00	13,576.19	13,423.81	50.28 %
001-513000-500550	Operating Expenses	26,000.00	26,000.00	16,519.81	29,464.82	-3,464.82	113.33 %

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
001-513000-500640	Capital Outlay - Equipt & Mach	30,000.00	30,000.00	25,842.70	25,842.70	4,157.30	86.14 %
Department: 513000 - Administration Total:		**1,381,915.00**	**1,503,282.00**	**179,196.17**	**1,445,401.84**	**57,880.16**	**96.15%**
Department: 514000 - Town Attorney							
001-514000-500310	Legal Expense	360,000.00	360,000.00	44,577.30	321,938.77	38,061.23	89.43 %
001-514000-500314	Litigation	48,000.00	48,000.00	0.00	0.00	48,000.00	0.00 %
Department: 514000 - Town Attorney Total:		**408,000.00**	**408,000.00**	**44,577.30**	**321,938.77**	**86,061.23**	**78.91%**
Department: 519000 - General							
001-519000-500311	Advertisements	5,000.00	5,000.00	0.00	5,304.50	-304.50	106.09 %
001-519000-500315	Professional Services	139,500.00	139,500.00	2,810.00	83,408.06	56,091.94	59.79 %
001-519000-500345	Contractual Services	83,200.00	83,200.00	0.00	38,876.97	44,323.03	46.73 %
001-519000-500349	Community Mobility Services	250,000.00	250,000.00	35,825.40	214,148.43	35,851.57	85.66 %
001-519000-500451	Auto, Property & Liability Ins	308,300.00	308,300.00	0.00	281,088.66	27,211.34	91.17 %
001-519000-500452	Workers Compensation Insur	90,200.00	90,200.00	0.00	52,019.00	38,181.00	57.67 %
001-519000-500463	Service Maintenance Contracts	23,100.00	23,100.00	0.00	6,000.00	17,100.00	25.97 %
001-519000-500497	Contingency	190,000.00	190,000.00	0.00	39,345.49	150,654.51	20.71 %
001-519000-500550	Operating Expenses	96,600.00	96,600.00	0.00	80,253.55	16,346.45	83.08 %
001-519000-500552	Recycling And Solid Waste Exp	70,000.00	70,000.00	13,280.01	56,007.05	13,992.95	80.01 %
001-519000-500640	Capital Outlay - Equipt & Mach	40,000.00	40,000.00	0.00	25,636.02	14,363.98	64.09 %
Department: 519000 - General Total:		**1,295,900.00**	**1,295,900.00**	**51,915.41**	**882,087.73**	**413,812.27**	**68.07%**
Department: 519100 - Tourism and Community Outreach							
001-519100-500120	Regular Salaries	90,000.00	90,000.00	10,906.64	74,688.18	15,311.82	82.99 %
001-519100-500210	Employer Fica Taxes	7,000.00	7,000.00	1,081.53	5,964.34	1,035.66	85.20 %
001-519100-500220	Retirement	12,500.00	12,500.00	1,118.57	9,661.95	2,838.05	77.30 %
001-519100-500230	Group Insurance	20,000.00	20,000.00	1,093.66	15,623.92	4,376.08	78.12 %
001-519100-500311	Advertisements	12,000.00	12,000.00	0.00	7,145.00	4,855.00	59.54 %
001-519100-500315	Professional Services	166,000.00	166,000.00	31,003.74	173,770.96	-7,770.96	104.68 %
001-519100-500345	Contractual Services	6,750.00	6,750.00	2,500.00	7,401.00	-651.00	109.64 %
001-519100-500347	Programs	12,300.00	12,300.00	0.00	8,837.51	3,462.49	71.85 %
001-519100-500495	Special Events	277,100.00	277,100.00	2,205.60	187,624.89	89,475.11	67.71 %
001-519100-500506	Printing & Binding	44,000.00	44,000.00	525.60	27,702.24	16,297.76	62.96 %
001-519100-500540	Dues & Subscriptions	1,900.00	1,900.00	0.00	706.67	1,193.33	37.19 %
001-519100-500545	Training	2,000.00	2,000.00	0.00	133.88	1,866.12	6.69 %
001-519100-500550	Operating Expenses	2,000.00	2,000.00	134.03	471.89	1,528.11	23.59 %
Department: 519100 - Tourism and Community Outreach Total:		**653,550.00**	**653,550.00**	**50,569.37**	**519,732.43**	**133,817.57**	**79.52%**
Department: 521000 - Police Department							
001-521000-500141	Bso Overtime	100,000.00	100,000.00	0.00	84,101.34	15,898.66	84.10 %
001-521000-500345	Contractual Services	6,321,135.00	6,321,135.00	0.00	6,252,104.83	69,030.17	98.91 %
001-521000-500352	Contract Services	5,500.00	5,500.00	0.00	4,996.19	503.81	90.84 %
001-521000-500640	Capital Outlay - Equipt & Mach	12,500.00	12,500.00	0.00	12,200.26	299.74	97.60 %
Department: 521000 - Police Department Total:		**6,439,135.00**	**6,439,135.00**	**0.00**	**6,353,402.62**	**85,732.38**	**98.67%**
Department: 523000 - Emergency Medical Services							
001-523000-500345	Contractual Services	519,680.00	519,680.00	126,796.49	662,121.49	-142,441.49	127.41 %
Department: 523000 - Emergency Medical Services Total:		**519,680.00**	**519,680.00**	**126,796.49**	**662,121.49**	**-142,441.49**	**127.41%**
Department: 524000 - Development Services							
001-524000-500120	Regular Salaries	295,900.00	362,930.00	72,106.01	417,366.35	-54,436.35	115.00 %
001-524000-500121	Temporary Salaries/ Interns	7,000.00	0.00	0.00	0.00	0.00	0.00 %
001-524000-500140	Overtime Salaries	6,000.00	6,000.00	814.17	5,213.09	786.91	86.88 %
001-524000-500210	Employer Fica Taxes	22,925.00	33,775.00	7,950.22	40,210.43	-6,435.43	119.05 %
001-524000-500220	Retirement	59,275.00	69,275.00	5,407.54	66,356.28	2,918.72	95.79 %
001-524000-500230	Group Insurance	87,000.00	87,000.00	7,406.99	86,857.25	142.75	99.84 %
001-524000-500315	Professional Services	60,000.00	60,000.00	-287.81	5,636.43	54,363.57	9.39 %
001-524000-500345	Contractual Services	539,952.00	415,610.00	11,163.00	120,009.38	295,600.62	28.88 %
001-524000-500463	Service Maintenance Contracts	4,000.00	4,000.00	0.00	1,698.24	2,301.76	42.46 %
001-524000-500506	Printing & Binding	3,000.00	3,000.00	0.00	1,790.69	1,209.31	59.69 %
001-524000-500508	Postage	3,000.00	3,000.00	252.00	1,397.11	1,602.89	46.57 %
001-524000-500510	Office Supplies	2,500.00	2,500.00	249.19	2,232.83	267.17	89.31 %

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
001-524000-500525	Uniform Expense	600.00	600.00	89.95	1,183.59	-583.59	197.27 %
001-524000-500540	Dues & Subscriptions	5,000.00	5,000.00	264.00	2,484.97	2,515.03	49.70 %
001-524000-500545	Training	8,000.00	8,000.00	1,165.98	6,299.38	1,700.62	78.74 %
001-524000-500550	Operating Expenses	11,000.00	11,000.00	915.56	32,662.57	-21,662.57	296.93 %
Department: 524000 - Development Services Total:		**1,115,152.00**	**1,071,690.00**	**107,496.80**	**791,398.59**	**280,291.41**	**73.85%**
Department: 541100 - Mun Srvsc - Public Works Div							
001-541100-500120	Regular Salaries	1,124,881.00	1,124,881.00	152,284.31	989,941.23	134,939.77	88.00 %
001-541100-500140	Overtime Salaries	71,500.00	71,500.00	2,440.44	63,629.19	7,870.81	88.99 %
001-541100-500210	Employer Fica Taxes	87,300.00	87,300.00	15,923.36	86,297.28	1,002.72	98.85 %
001-541100-500220	Retirement	171,250.00	171,250.00	21,474.46	165,357.84	5,892.16	96.56 %
001-541100-500230	Group Insurance	327,750.00	327,750.00	17,564.46	261,491.71	66,258.29	79.78 %
001-541100-500315	Professional Services	65,000.00	65,000.00	18,736.73	50,554.88	14,445.12	77.78 %
001-541100-500340	Sewer/wastewater	18,000.00	18,000.00	3,271.22	18,636.07	-636.07	103.53 %
001-541100-500345	Contractual Services	625,500.00	625,500.00	54,483.50	530,156.80	95,343.20	84.76 %
001-541100-500410	Communications	65,000.00	65,000.00	12,391.85	84,415.50	-19,415.50	129.87 %
001-541100-500430	Electric Service	58,000.00	58,000.00	5,605.41	59,487.83	-1,487.83	102.57 %
001-541100-500431	Water Service	225,000.00	225,000.00	59,582.26	287,066.96	-62,066.96	127.59 %
001-541100-500433	Electic Service-streets	70,000.00	70,000.00	5,658.56	66,628.01	3,371.99	95.18 %
001-541100-500445	Equip Rent/lease	30,000.00	30,000.00	777.20	41,729.61	-11,729.61	139.10 %
001-541100-500460	Equipment Maintenance	45,000.00	45,000.00	8,625.09	75,906.20	-30,906.20	168.68 %
001-541100-500461	Vehicle Maintenance	25,000.00	25,000.00	5,409.94	18,303.02	6,696.98	73.21 %
001-541100-500462	Fuel	60,000.00	60,000.00	6,012.78	31,526.36	28,473.64	52.54 %
001-541100-500463	Service Maintenance Contracts	21,000.00	21,000.00	2,032.67	21,658.85	-658.85	103.14 %
001-541100-500469	Buoy Maintenance	17,000.00	17,000.00	12,208.00	12,208.00	4,792.00	71.81 %
001-541100-500470	Radio Maintenance	3,000.00	3,000.00	0.00	3,900.00	-900.00	130.00 %
001-541100-500498	Storm Drain Rehab/maint	100,000.00	100,000.00	2,700.00	26,588.00	73,412.00	26.59 %
001-541100-500508	Postage	300.00	300.00	0.00	223.21	76.79	74.40 %
001-541100-500510	Office Supplies	1,000.00	1,000.00	0.00	0.00	1,000.00	0.00 %
001-541100-500520	Bldg. Maintenance	153,500.00	153,500.00	18,090.01	119,299.24	34,200.76	77.72 %
001-541100-500525	Uniform Expense	30,000.00	30,000.00	6,250.87	31,790.67	-1,790.67	105.97 %
001-541100-500529	Street Light Maintenance	70,000.00	70,000.00	628.98	36,870.83	33,129.17	52.67 %
001-541100-500530	Street Maint Repair Supply	85,000.00	85,000.00	16,346.32	52,382.36	32,617.64	61.63 %
001-541100-500531	Grounds Maint/landscaping	55,000.00	55,000.00	2,206.12	37,031.40	17,968.60	67.33 %
001-541100-500532	Signs	12,500.00	12,500.00	561.60	9,904.98	2,595.02	79.24 %
001-541100-500534	Sidewalk Maint Repair	7,500.00	7,500.00	0.00	7,207.50	292.50	96.10 %
001-541100-500535	Flags	3,250.00	3,250.00	0.00	5,169.89	-1,919.89	159.07 %
001-541100-500536	Sea Oats	10,000.00	10,000.00	0.00	0.00	10,000.00	0.00 %
001-541100-500540	Dues & Subscriptions	4,000.00	4,000.00	1,359.00	3,558.80	441.20	88.97 %
001-541100-500545	Training	8,000.00	8,000.00	50.00	1,719.82	6,280.18	21.50 %
001-541100-500547	Hurricane Expenditure	10,000.00	10,000.00	0.00	0.00	10,000.00	0.00 %
001-541100-500550	Operating Expenses	150,000.00	150,000.00	20,384.55	145,772.76	4,227.24	97.18 %
001-541100-500624	Capital Outlay-bldg. Improvemt	70,000.00	70,000.00	17,417.54	42,569.73	27,430.27	60.81 %
001-541100-500640	Capital Outlay - Equipt & Mach	45,000.00	45,000.00	7,810.32	19,151.78	25,848.22	42.56 %
001-541100-500644	Capital Outlay-vehicles	57,459.00	57,459.00	12,499.99	52,288.66	5,170.34	91.00 %
Department: 541100 - Mun Srvsc - Public Works Div Total:		**3,982,690.00**	**3,982,690.00**	**510,787.54**	**3,460,424.97**	**522,265.03**	**86.89%**
Department: 572000 - Recreation							
001-572000-500342	Senior Rec. Ctr. Contract	113,999.00	113,999.00	900.00	109,465.82	4,533.18	96.02 %
001-572000-500463	Service Maintenance Contracts	2,500.00	2,500.00	300.32	2,050.07	449.93	82.00 %
001-572000-500510	Office Supplies	500.00	500.00	702.68	2,108.57	-1,608.57	421.71 %
Department: 572000 - Recreation Total:		**116,999.00**	**116,999.00**	**1,903.00**	**113,624.46**	**3,374.54**	**97.12%**
Department: 581100 - Interfund Transfers							
001-581100-380102	Transfer From Bldg-oh Costs	200,000.00	200,000.00	0.00	200,000.00	0.00	100.00 %
001-581100-380115	Transfer From Fire - Oh Costs	50,000.00	50,000.00	0.00	50,000.00	0.00	100.00 %
001-581100-500910	Transfer To Cip Fund	1,255,000.00	1,255,000.00	0.00	1,255,000.00	0.00	100.00 %
001-581100-500916	Transfer to Fire	0.00	659,125.00	0.00	659,125.00	0.00	100.00 %
Department: 581100 - Interfund Transfers Surplus (Deficit):		**-1,005,000.00**	**-1,664,125.00**	**0.00**	**-1,664,125.00**	**0.00**	**100.00%**
Fund: 001 - General Fund Surplus (Deficit):		**0.00**	**0.00**	**-507,360.91**	**2,043,664.06**	**2,043,664.06**	**0.00%**

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Fund: 101 - Special Revenue-Police Conf							
Department: 306000 - Miscellaneous Revenues							
101-306000-369100	Miscellaneous Revenues	0.00	0.00	0.00	391.11	391.11	0.00 %
Department: 306000 - Miscellaneous Revenues Total:		**0.00**	**0.00**	**0.00**	**391.11**	**391.11**	**0.00%**
Fund: 101 - Special Revenue-Police Conf Total:		**0.00**	**0.00**	**0.00**	**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	0.00 %
Department: 000000 - Assigned Total:		**275,102.00**	**275,102.00**	**0.00**	**0.00**	**-275,102.00**	**0.00%**
Department: 302100 - Building Permit and Inpection							
102-302100-322100	Building Permits	1,393,019.00	1,393,019.00	101,395.72	1,348,367.35	-44,651.65	96.79 %
102-302100-322105	Fire Plan Review Fees	60,000.00	60,000.00	1,387.74	57,330.49	-2,669.51	95.55 %
102-302100-322106	Building Recording Fee	0.00	0.00	12.25	24.50	24.50	0.00 %
Department: 302100 - Building Permit and Inpection Total:		**1,453,019.00**	**1,453,019.00**	**102,795.71**	**1,405,722.34**	**-47,296.66**	**96.74%**
Department: 524100 - Building							
102-524100-500120	Regular Salaries	215,721.00	215,721.00	18,043.61	145,795.70	69,925.30	67.59 %
102-524100-500121	Temporary Salaries/ Interns	8,000.00	8,000.00	0.00	0.00	8,000.00	0.00 %
102-524100-500210	Employer Fica Taxes	17,400.00	17,400.00	1,036.90	6,281.68	11,118.32	36.10 %
102-524100-500220	Retirement	48,000.00	48,000.00	3,583.64	32,033.14	15,966.86	66.74 %
102-524100-500230	Group Insurance	80,000.00	80,000.00	2,468.85	36,286.79	43,713.21	45.36 %
102-524100-500315	Professional Services	175,000.00	175,000.00	7,879.25	47,337.36	127,662.64	27.05 %
102-524100-500345	Contractual Services	79,000.00	79,000.00	10,645.75	76,218.71	2,781.29	96.48 %
102-524100-500402	Building Permit Services	900,000.00	900,000.00	420,227.61	1,025,868.16	-125,868.16	113.99 %
102-524100-500463	Service Maintenance Contracts	3,000.00	3,000.00	794.03	4,756.59	-1,756.59	158.55 %
102-524100-500550	Operating Expenses	2,000.00	2,000.00	355.64	2,701.26	-701.26	135.06 %
102-524100-581001	Transfer To GF-OH Costs	200,000.00	200,000.00	0.00	200,000.00	0.00	100.00 %
Department: 524100 - Building Total:		**1,728,121.00**	**1,728,121.00**	**465,035.28**	**1,577,279.39**	**150,841.61**	**91.27%**
Fund: 102 - Building Fund Surplus (Deficit):		**0.00**	**0.00**	**-362,239.57**	**-171,557.05**	**-171,557.05**	**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	0.00 %
Department: 000000 - Assigned Total:		**8,480.00**	**8,480.00**	**0.00**	**0.00**	**-8,480.00**	**0.00%**
Department: 304000 - Charges for Services							
103-304000-343500	Sewer Fees	1,700,000.00	1,700,000.00	225,137.81	1,336,712.21	-363,287.79	78.63 %
Department: 304000 - Charges for Services Total:		**1,700,000.00**	**1,700,000.00**	**225,137.81**	**1,336,712.21**	**-363,287.79**	**78.63%**
Department: 306000 - Miscellaneous Revenues							
103-306000-361100	Interest Earnings	2,000.00	2,000.00	0.00	0.00	-2,000.00	0.00 %
Department: 306000 - Miscellaneous Revenues Total:		**2,000.00**	**2,000.00**	**0.00**	**0.00**	**-2,000.00**	**0.00%**
Department: 535000 - Sanitary Sewers							
103-535000-500120	Regular Salaries	112,900.00	112,900.00	11,911.58	106,151.12	6,748.88	94.02 %
103-535000-500140	Overtime Salaries	6,600.00	6,600.00	0.00	2,550.35	4,049.65	38.64 %
103-535000-500210	Employer Fica Taxes	8,637.00	8,637.00	907.72	8,392.62	244.38	97.17 %
103-535000-500220	Retirement	23,325.00	23,325.00	2,113.82	21,872.20	1,452.80	93.77 %
103-535000-500230	Group Insurance	42,100.00	42,100.00	1,588.91	25,595.21	16,504.79	60.80 %
103-535000-500340	Sewer/wastewater	1,010,000.00	1,010,000.00	246,653.51	943,250.28	66,749.72	93.39 %
103-535000-500345	Contractual Services	65,000.00	65,000.00	1,741.05	10,866.85	54,133.15	16.72 %
103-535000-500430	Electric Service	30,000.00	30,000.00	1,417.01	18,715.01	11,284.99	62.38 %
103-535000-500431	Water Service	500.00	500.00	59.58	492.26	7.74	98.45 %
103-535000-500459	Sewer Line Maintenance	200,000.00	200,000.00	0.00	47,751.86	152,248.14	23.88 %
103-535000-500465	Pump Station Maintenance	3,000.00	3,000.00	0.00	1,873.80	1,126.20	62.46 %
103-535000-500497	Contingency	100,000.00	100,000.00	0.00	0.00	100,000.00	0.00 %
103-535000-500506	Printing & Binding	1,250.00	1,250.00	0.00	518.00	732.00	41.44 %
103-535000-500550	Operating Expenses	2,000.00	2,000.00	0.00	0.00	2,000.00	0.00 %

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
103-535000-500630	Cap Outlay Imp Other Than Bldg	105,168.00	105,168.00	0.00	40,768.22	64,399.78	38.76 %
Department: 535000 - Sanitary Sewers Total:		**1,710,480.00**	**1,710,480.00**	**266,393.18**	**1,228,797.78**	**481,682.22**	**71.84%**
Fund: 103 - Sewer Fund Surplus (Deficit):		**0.00**	**0.00**	**-41,255.37**	**107,914.43**	**107,914.43**	**0.00%**
Fund: 115 - Fire Fund							
Department: 000000 - Assigned							
115-000000-380203	Appropriation From Fire Fund	600,000.00	0.00	0.00	0.00	0.00	0.00 %
Department: 000000 - Assigned Total:		**600,000.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00%**
Department: 301050 - Fire Assessment							
115-301050-311200	Property Tax-fire Assessment	1,347,159.00	1,347,159.00	471.69	1,376,926.43	29,767.43	102.21 %
Department: 301050 - Fire Assessment Total:		**1,347,159.00**	**1,347,159.00**	**471.69**	**1,376,926.43**	**29,767.43**	**102.21%**
Department: 304000 - Charges for Services							
115-304000-342210	Fire Inspection Fees	77,000.00	77,000.00	10,938.55	104,991.78	27,991.78	136.35 %
Department: 304000 - Charges for Services Total:		**77,000.00**	**77,000.00**	**10,938.55**	**104,991.78**	**27,991.78**	**136.35%**
Department: 306000 - Miscellaneous Revenues							
115-306000-369100	Miscellaneous Revenues	0.00	137,682.00	0.00	137,682.38	0.38	100.00 %
Department: 306000 - Miscellaneous Revenues Total:		**0.00**	**137,682.00**	**0.00**	**137,682.38**	**0.38**	**100.00%**
Department: 522000 - Fire Department							
115-522000-500315	Professional Services	83,000.00	178,819.00	0.00	178,819.10	-0.10	100.00 %
115-522000-500345	Contractual Services	987,100.00	1,011,675.00	257,435.29	1,269,110.29	-257,435.29	125.45 %
115-522000-500520	Bldg. Maintenance	4,059.00	4,059.00	2,437.50	2,437.50	1,621.50	60.05 %
115-522000-500624	Capital Outlay-bldg. Improvemt	900,000.00	900,000.00	0.00	0.00	900,000.00	0.00 %
115-522000-500646	Capital Outlay-Reserves	0.00	76,413.00	0.00	0.00	76,413.00	0.00 %
115-522000-500912	Transfer To General Fund	50,000.00	50,000.00	0.00	50,000.00	0.00	100.00 %
Department: 522000 - Fire Department Total:		**2,024,159.00**	**2,220,966.00**	**259,872.79**	**1,500,366.89**	**720,599.11**	**67.55%**
Department: 581100 - Interfund Transfers							
115-581100-381105	Transfer From General Fund	0.00	659,125.00	0.00	659,125.00	0.00	100.00 %
Department: 581100 - Interfund Transfers Total:		**0.00**	**659,125.00**	**0.00**	**659,125.00**	**0.00**	**100.00%**
Fund: 115 - Fire Fund Surplus (Deficit):		**0.00**	**0.00**	**-248,462.55**	**778,358.70**	**778,358.70**	**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	0.00 %
Department: 000000 - Assigned Total:		**615,000.00**	**615,000.00**	**0.00**	**0.00**	**-615,000.00**	**0.00%**
Department: 303000 - Intergovernmental Revenues							
300-303000-334920	Beach Portal-Funding	50,000.00	50,000.00	0.00	0.00	-50,000.00	0.00 %
300-303000-334929	Friedt Park Funding	200,000.00	200,000.00	0.00	0.00	-200,000.00	0.00 %
300-303000-334933	Resilient Florida Program (DEP) Gra...	200,000.00	200,000.00	0.00	0.00	-200,000.00	0.00 %
Department: 303000 - Intergovernmental Revenues Total:		**450,000.00**	**450,000.00**	**0.00**	**0.00**	**-450,000.00**	**0.00%**
Department: 519000 - General							
300-519000-500120	Regular Salaries	86,657.00	86,657.00	8,653.06	81,859.03	4,797.97	94.46 %
300-519000-500210	Employer Fica Taxes	6,630.00	6,630.00	661.95	6,193.88	436.12	93.42 %
300-519000-500220	Retirement	24,380.00	24,380.00	1,849.89	21,105.91	3,274.09	86.57 %
300-519000-500230	Group Insurance	18,975.00	18,975.00	395.61	13,601.89	5,373.11	71.68 %
300-519000-500640	Capital Outlay - Equipt & Mach	90,000.00	90,000.00	0.00	85,091.82	4,908.18	94.55 %
Department: 519000 - General Total:		**226,642.00**	**226,642.00**	**11,560.51**	**207,852.53**	**18,789.47**	**91.71%**
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	0.00 %
Department: 519161 - Town Hall / Public Safety Total:		**500,000.00**	**500,000.00**	**0.00**	**0.00**	**500,000.00**	**0.00%**
Department: 545170 - El Prado Park							
300-545170-500630	Cap Outlay Imp Other Than Bldg	775,000.00	775,000.00	75,814.00	165,311.40	609,688.60	21.33 %
Department: 545170 - El Prado Park Total:		**775,000.00**	**775,000.00**	**75,814.00**	**165,311.40**	**609,688.60**	**21.33%**
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	0.00 %
Department: 559027 - Storm Water Rate Study Total:		**125,000.00**	**125,000.00**	**0.00**	**0.00**	**125,000.00**	**0.00%**

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Department: 572101 - Beach Bathrooms							
300-572101-500630	Cap Outlay Imp Other Than Bldg	0.00	0.00	-11,494.00	0.00	0.00	0.00 %
Department: 572101 - Beach Bathrooms Total:		**0.00**	**0.00**	**-11,494.00**	**0.00**	**0.00**	**0.00%**
Department: 572102 - Beach Portal							
300-572102-500629	Capital Outlay - Design/permit	50,000.00	50,000.00	5,527.50	5,527.50	44,472.50	11.06 %
Department: 572102 - Beach Portal Total:		**50,000.00**	**50,000.00**	**5,527.50**	**5,527.50**	**44,472.50**	**11.06%**
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	244,045.00	10,955.00	95.70 %
Department: 572108 - FDOT A1A Pine Ave to Palm Ave Total:		**255,000.00**	**255,000.00**	**0.00**	**244,045.00**	**10,955.00**	**95.70%**
Department: 572110 - Tennis Court Lighting							
300-572110-500630	Cap Outlay Imp other than bldg	45,000.00	45,000.00	11,494.00	43,171.90	1,828.10	95.94 %
Department: 572110 - Tennis Court Lighting Total:		**45,000.00**	**45,000.00**	**11,494.00**	**43,171.90**	**1,828.10**	**95.94%**
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	100.00 %
Department: 572200 - Beach Renourishment Total:		**116,667.00**	**116,667.00**	**0.00**	**116,666.67**	**0.33**	**100.00%**
Department: 572201 - Staghorn Coral Painting							
300-572201-500630	Cap Outlay Imp Other Than Bldg	0.00	0.00	0.00	9,097.66	-9,097.66	0.00 %
Department: 572201 - Staghorn Coral Painting Total:		**0.00**	**0.00**	**0.00**	**9,097.66**	**-9,097.66**	**0.00%**
Department: 575200 - Traffic Improvements & Calming							
300-575200-500630	Cap Outlay Imp Other Than Bldg	150,000.00	150,000.00	0.00	23,468.12	126,531.88	15.65 %
Department: 575200 - Traffic Improvements & Calming Total:		**150,000.00**	**150,000.00**	**0.00**	**23,468.12**	**126,531.88**	**15.65%**
Department: 575201 - Pedestrian Amenities							
300-575201-500630	Cap Outlay Imp Other Than Bldg	75,000.00	75,000.00	1,677.00	80,806.65	-5,806.65	107.74 %
Department: 575201 - Pedestrian Amenities Total:		**75,000.00**	**75,000.00**	**1,677.00**	**80,806.65**	**-5,806.65**	**107.74%**
Department: 576136 - Street Proj.Bougain.Poinciana							
300-576136-500629	Capital Outlay - Design/permit	225,000.00	225,000.00	72,793.76	80,197.76	144,802.24	35.64 %
Department: 576136 - Street Proj.Bougain.Poinciana Total:		**225,000.00**	**225,000.00**	**72,793.76**	**80,197.76**	**144,802.24**	**35.64%**
Department: 576138 - Roadway Paving & Refurbishment							
300-576138-500630	Cap Outlay Imp Other Than Bldg	483,691.00	483,691.00	7,314.71	189,791.09	293,899.91	39.24 %
Department: 576138 - Roadway Paving & Refurbishment Total:		**483,691.00**	**483,691.00**	**7,314.71**	**189,791.09**	**293,899.91**	**39.24%**
Department: 576305 - Resilient Florida Program -Project							
300-576305-500630	Cap Outlay Imp other than bldg	200,000.00	200,000.00	46,044.70	122,164.30	77,835.70	61.08 %
Department: 576305 - Resilient Florida Program -Project Total:		**200,000.00**	**200,000.00**	**46,044.70**	**122,164.30**	**77,835.70**	**61.08%**
Department: 577100 - Friedt Park							
300-577100-500630	Cap Outlay Imp Other Than Bldg	725,000.00	725,000.00	198,049.23	745,169.28	-20,169.28	102.78 %
Department: 577100 - Friedt Park Total:		**725,000.00**	**725,000.00**	**198,049.23**	**745,169.28**	**-20,169.28**	**102.78%**
Department: 577102 - 75th Anniversary Garden							
300-577102-500630	Cap Outlay Imp other than bldg	100,000.00	100,000.00	0.00	11,106.95	88,893.05	11.11 %
Department: 577102 - 75th Anniversary Garden Total:		**100,000.00**	**100,000.00**	**0.00**	**11,106.95**	**88,893.05**	**11.11%**
Department: 581100 - Interfund Transfers							
300-581100-381105	Transfer From General Fund	1,255,000.00	1,255,000.00	0.00	1,255,000.00	0.00	100.00 %
300-581100-381106	Transfer From Parking Fund	1,732,000.00	1,732,000.00	0.00	1,732,000.00	0.00	100.00 %
Department: 581100 - Interfund Transfers Total:		**2,987,000.00**	**2,987,000.00**	**0.00**	**2,987,000.00**	**0.00**	**100.00%**
Fund: 300 - Capital Project Fund Surplus (Deficit):		**0.00**	**0.00**	**-418,781.41**	**942,623.19**	**942,623.19**	**0.00%**
Fund: 310 - Parking Fund							
Department: 302000 - Licenses & Permits							
310-302000-313101	Pilop Fee	40,000.00	40,000.00	0.00	10,500.00	-29,500.00	26.25 %
Department: 302000 - Licenses & Permits Total:		**40,000.00**	**40,000.00**	**0.00**	**10,500.00**	**-29,500.00**	**26.25%**
Department: 304000 - Charges for Services							
310-304000-344500	Parking Permits	148,000.00	148,000.00	16,044.24	131,267.95	-16,732.05	88.69 %
310-304000-344520	Parking Agreements	94,024.00	94,024.00	0.00	94,024.00	0.00	100.00 %
310-304000-344551	South Ocean	210,000.00	210,000.00	11,400.59	284,350.50	74,350.50	135.41 %
310-304000-344552	Ocean Front Meters	350,000.00	350,000.00	50,412.44	599,253.26	249,253.26	171.22 %

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
310-304000-344553	Commmercial Blvd. Meters	90,000.00	90,000.00	11,804.44	169,779.98	79,779.98	188.64 %
310-304000-344554	Parking Meters - Beach	200,000.00	200,000.00	16,006.88	244,690.92	44,690.92	122.35 %
310-304000-344555	Palm Portal- Fdg	99,000.00	99,000.00	10,425.47	157,794.58	58,794.58	159.39 %
310-304000-344556	El Prado Parking Lot	650,000.00	650,000.00	31,474.20	616,077.46	-33,922.54	94.78 %
310-304000-344558	Town Hall Parking Lot	35,000.00	35,000.00	485.39	29,793.67	-5,206.33	85.12 %
310-304000-344559	El Mar Parking Lot	295,000.00	295,000.00	22,383.11	326,685.03	31,685.03	110.74 %
310-304000-344560	A1A Parking Lot	650,000.00	650,000.00	31,527.73	669,393.11	19,393.11	102.98 %
310-304000-344563	Bougainvilla/ Poinciana	199,000.00	199,000.00	19,495.49	313,597.27	114,597.27	157.59 %
Department: 304000 - Charges for Services Total:		**3,020,024.00**	**3,020,024.00**	**221,459.98**	**3,636,707.73**	**616,683.73**	**120.42%**
Department: 305000 - Fines & Forfeitures							
310-305000-354100	Parking Fines	110,000.00	110,000.00	32,754.90	334,492.96	224,492.96	304.08 %
Department: 305000 - Fines & Forfeitures Total:		**110,000.00**	**110,000.00**	**32,754.90**	**334,492.96**	**224,492.96**	**304.08%**
Department: 306000 - Miscellaneous Revenues							
310-306000-362001	Bougainvilla Rent	149,760.00	149,760.00	10,173.30	135,282.95	-14,477.05	90.33 %
Department: 306000 - Miscellaneous Revenues Total:		**149,760.00**	**149,760.00**	**10,173.30**	**135,282.95**	**-14,477.05**	**90.33%**
Department: 545000 - Parking Operations							
310-545000-500120	Regular Salaries	236,000.00	236,000.00	31,765.15	235,277.58	722.42	99.69 %
310-545000-500140	Overtime Salaries	4,200.00	4,200.00	345.07	6,101.05	-1,901.05	145.26 %
310-545000-500210	Employer Fica Taxes	18,400.00	18,400.00	2,096.58	14,402.82	3,997.18	78.28 %
310-545000-500220	Retirement	45,000.00	45,000.00	4,048.43	42,796.33	2,203.67	95.10 %
310-545000-500230	Group Insurance	76,000.00	76,000.00	2,946.17	54,914.47	21,085.53	72.26 %
310-545000-500345	Contractual Services	523,000.00	523,000.00	62,560.40	456,026.85	66,973.15	87.19 %
310-545000-500353	Parking Alternatives	85,000.00	85,000.00	3,581.35	66,541.16	18,458.84	78.28 %
310-545000-500410	Communications	3,000.00	3,000.00	245.21	1,615.65	1,384.35	53.86 %
310-545000-500430	Electric Service	9,600.00	9,600.00	728.74	8,061.05	1,538.95	83.97 %
310-545000-500431	Water Service	27,500.00	27,500.00	2,966.00	19,827.09	7,672.91	72.10 %
310-545000-500445	Equip Rent/lease	5,500.00	5,500.00	0.00	0.00	5,500.00	0.00 %
310-545000-500461	Vehicle Maintenance	8,000.00	8,000.00	63.65	3,493.87	4,506.13	43.67 %
310-545000-500462	Fuel	15,000.00	15,000.00	552.61	8,961.25	6,038.75	59.74 %
310-545000-500463	Service Maintenance Contracts	48,588.00	48,588.00	1,260.00	39,696.00	8,892.00	81.70 %
310-545000-500497	Contingency	10,000.00	10,000.00	0.00	0.00	10,000.00	0.00 %
310-545000-500506	Printing & Binding	8,000.00	8,000.00	362.57	2,034.57	5,965.43	25.43 %
310-545000-500508	Postage	1,000.00	1,000.00	0.00	477.49	522.51	47.75 %
310-545000-500510	Office Supplies	1,000.00	1,000.00	0.00	199.90	800.10	19.99 %
310-545000-500525	Uniform Expense	5,000.00	5,000.00	481.30	728.15	4,271.85	14.56 %
310-545000-500532	Signs	13,000.00	13,000.00	840.00	7,209.71	5,790.29	55.46 %
310-545000-500533	Parking Meter Parts-supplies	38,000.00	38,000.00	0.00	2,686.79	35,313.21	7.07 %
310-545000-500545	Training	2,000.00	2,000.00	0.00	778.00	1,222.00	38.90 %
310-545000-500550	Operating Expenses	37,000.00	37,000.00	8,742.93	18,859.51	18,140.49	50.97 %
310-545000-500630	Cap Outlay Imp Other Than Bldg	32,310.00	32,310.00	12,866.07	12,866.07	19,443.93	39.82 %
310-545000-500640	Capital Outlay - Equipt & Mach	104,000.00	104,000.00	41,890.32	62,247.32	41,752.68	59.85 %
310-545000-500644	Capital Outlay-vehicles	31,686.00	31,686.00	4,827.97	22,525.44	9,160.56	71.09 %
310-545000-500646	Capital Outlay-Reserves	200,000.00	200,000.00	0.00	0.00	200,000.00	0.00 %
Department: 545000 - Parking Operations Total:		**1,587,784.00**	**1,587,784.00**	**183,170.52**	**1,088,328.12**	**499,455.88**	**68.54%**
Department: 581100 - Interfund Transfers							
310-581100-500910	Transfer To CIP Fund	1,732,000.00	1,732,000.00	0.00	1,732,000.00	0.00	100.00 %
Department: 581100 - Interfund Transfers Total:		**1,732,000.00**	**1,732,000.00**	**0.00**	**1,732,000.00**	**0.00**	**100.00%**
Fund: 310 - Parking Fund Surplus (Deficit):		**0.00**	**0.00**	**81,217.66**	**1,296,655.52**	**1,296,655.52**	**0.00%**
Report Surplus (Deficit):		**0.00**	**0.00**	**-1,496,882.15**	**4,998,049.96**	**4,998,049.96**	**0.00%**

Group Summary

Departmen…	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Fund: 001 - General Fund						
000000 - Assigned	0.00	88,256.00	0.00	0.00	-88,256.00	0.00%
301000 - Ad Valorem Property Taxes	13,548,619.00	13,548,619.00	5,044.54	13,770,895.08	222,276.08	101.64%
301100 - Utility Taxes	1,198,700.00	1,198,700.00	267,910.87	1,401,842.77	203,142.77	116.95%
301600 - Franchise Taxes	864,799.00	864,799.00	182,073.57	948,100.25	83,301.25	109.63%
302000 - Licenses & Permits	187,200.00	241,200.00	33,152.40	295,961.42	54,761.42	122.70%
303000 - Intergovernmental Revenues	1,203,884.00	1,245,243.00	-25,726.38	1,133,965.91	-111,277.09	91.06%
304000 - Charges for Services	7,250.00	7,250.00	40.00	13,250.00	6,000.00	182.76%
305000 - Fines & Forfeitures	87,000.00	87,000.00	15,884.76	92,050.74	5,050.74	105.81%
306000 - Miscellaneous Revenues	383,560.00	936,975.00	122,714.23	1,007,988.73	71,013.73	107.58%
511000 - Commission	352,150.00	352,150.00	29,072.50	257,482.42	94,667.58	73.12%
511100 - Donation-Non Profits	68,500.00	68,500.00	0.00	66,227.41	2,272.59	96.68%
511200 - Visitor Center	142,341.00	142,341.00	6,140.32	82,423.11	59,917.89	57.91%
513000 - Administration	1,381,915.00	1,503,282.00	179,196.17	1,445,401.84	57,880.16	96.15%
514000 - Town Attorney	408,000.00	408,000.00	44,577.30	321,938.77	86,061.23	78.91%
519000 - General	1,295,900.00	1,295,900.00	51,915.41	882,087.73	413,812.27	68.07%
519100 - Tourism and Community Outreach	653,550.00	653,550.00	50,569.37	519,732.43	133,817.57	79.52%
521000 - Police Department	6,439,135.00	6,439,135.00	0.00	6,353,402.62	85,732.38	98.67%
523000 - Emergency Medical Services	519,680.00	519,680.00	126,796.49	662,121.49	-142,441.49	127.41%
524000 - Development Services	1,115,152.00	1,071,690.00	107,496.80	791,398.59	280,291.41	73.85%
541100 - Mun Srvsc - Public Works Div	3,982,690.00	3,982,690.00	510,787.54	3,460,424.97	522,265.03	86.89%
572000 - Recreation	116,999.00	116,999.00	1,903.00	113,624.46	3,374.54	97.12%
581100 - Interfund Transfers	-1,005,000.00	-1,664,125.00	0.00	-1,664,125.00	0.00	100.00%
Fund: 001 - General Fund Surplus (Deficit):	**0.00**	**0.00**	**-507,360.91**	**2,043,664.06**	**2,043,664.06**	**0.00%**
Fund: 101 - Special Revenue-Police Conf						
306000 - Miscellaneous Revenues	0.00	0.00	0.00	391.11	391.11	0.00%
Fund: 101 - Special Revenue-Police Conf Total:	**0.00**	**0.00**	**0.00**	**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	0.00%
302100 - Building Permit and Inpection	1,453,019.00	1,453,019.00	102,795.71	1,405,722.34	-47,296.66	96.74%
524100 - Building	1,728,121.00	1,728,121.00	465,035.28	1,577,279.39	150,841.61	91.27%
Fund: 102 - Building Fund Surplus (Deficit):	**0.00**	**0.00**	**-362,239.57**	**-171,557.05**	**-171,557.05**	**0.00%**
Fund: 103 - Sewer Fund						
000000 - Assigned	8,480.00	8,480.00	0.00	0.00	-8,480.00	0.00%
304000 - Charges for Services	1,700,000.00	1,700,000.00	225,137.81	1,336,712.21	-363,287.79	78.63%
306000 - Miscellaneous Revenues	2,000.00	2,000.00	0.00	0.00	-2,000.00	0.00%
535000 - Sanitary Sewers	1,710,480.00	1,710,480.00	266,393.18	1,228,797.78	481,682.22	71.84%
Fund: 103 - Sewer Fund Surplus (Deficit):	**0.00**	**0.00**	**-41,255.37**	**107,914.43**	**107,914.43**	**0.00%**
Fund: 115 - Fire Fund						
000000 - Assigned	600,000.00	0.00	0.00	0.00	0.00	0.00%
301050 - Fire Assessment	1,347,159.00	1,347,159.00	471.69	1,376,926.43	29,767.43	102.21%
304000 - Charges for Services	77,000.00	77,000.00	10,938.55	104,991.78	27,991.78	136.35%
306000 - Miscellaneous Revenues	0.00	137,682.00	0.00	137,682.38	0.38	100.00%
522000 - Fire Department	2,024,159.00	2,220,966.00	259,872.79	1,500,366.89	720,599.11	67.55%
581100 - Interfund Transfers	0.00	659,125.00	0.00	659,125.00	0.00	100.00%
Fund: 115 - Fire Fund Surplus (Deficit):	**0.00**	**0.00**	**-248,462.55**	**778,358.70**	**778,358.70**	**0.00%**
Fund: 300 - Capital Project Fund						
000000 - Assigned	615,000.00	615,000.00	0.00	0.00	-615,000.00	0.00%
303000 - Intergovernmental Revenues	450,000.00	450,000.00	0.00	0.00	-450,000.00	0.00%
519000 - General	226,642.00	226,642.00	11,560.51	207,852.53	18,789.47	91.71%
519161 - Town Hall / Public Safety	500,000.00	500,000.00	0.00	0.00	500,000.00	0.00%
545170 - El Prado Park	775,000.00	775,000.00	75,814.00	165,311.40	609,688.60	21.33%
559027 - Storm Water Rate Study	125,000.00	125,000.00	0.00	0.00	125,000.00	0.00%
572101 - Beach Bathrooms	0.00	0.00	-11,494.00	0.00	0.00	0.00%
572102 - Beach Portal	50,000.00	50,000.00	5,527.50	5,527.50	44,472.50	11.06%

Departmen…	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
572108 - FDOT A1A Pine Ave to Palm Ave	255,000.00	255,000.00	0.00	244,045.00	10,955.00	95.70%
572110 - Tennis Court Lighting	45,000.00	45,000.00	11,494.00	43,171.90	1,828.10	95.94%
572200 - Beach Renourishment	116,667.00	116,667.00	0.00	116,666.67	0.33	100.00%
572201 - Staghorn Coral Painting	0.00	0.00	0.00	9,097.66	-9,097.66	0.00%
575200 - Traffic Improvements & Calming	150,000.00	150,000.00	0.00	23,468.12	126,531.88	15.65%
575201 - Pedestrian Amenities	75,000.00	75,000.00	1,677.00	80,806.65	-5,806.65	107.74%
576136 - Street Proj.Bougain.Poinciana	225,000.00	225,000.00	72,793.76	80,197.76	144,802.24	35.64%
576138 - Roadway Paving & Refurbishment	483,691.00	483,691.00	7,314.71	189,791.09	293,899.91	39.24%
576305 - Resilient Florida Program -Project	200,000.00	200,000.00	46,044.70	122,164.30	77,835.70	61.08%
577100 - Friedt Park	725,000.00	725,000.00	198,049.23	745,169.28	-20,169.28	102.78%
577102 - 75th Anniversary Garden	100,000.00	100,000.00	0.00	11,106.95	88,893.05	11.11%
581100 - Interfund Transfers	2,987,000.00	2,987,000.00	0.00	2,987,000.00	0.00	100.00%
Fund: 300 - Capital Project Fund Surplus (Deficit):	**0.00**	**0.00**	**-418,781.41**	**942,623.19**	**942,623.19**	**0.00%**
Fund: 310 - Parking Fund						
302000 - Licenses & Permits	40,000.00	40,000.00	0.00	10,500.00	-29,500.00	26.25%
304000 - Charges for Services	3,020,024.00	3,020,024.00	221,459.98	3,636,707.73	616,683.73	120.42%
305000 - Fines & Forfeitures	110,000.00	110,000.00	32,754.90	334,492.96	224,492.96	304.08%
306000 - Miscellaneous Revenues	149,760.00	149,760.00	10,173.30	135,282.95	-14,477.05	90.33%
545000 - Parking Operations	1,587,784.00	1,587,784.00	183,170.52	1,088,328.12	499,455.88	68.54%
581100 - Interfund Transfers	1,732,000.00	1,732,000.00	0.00	1,732,000.00	0.00	100.00%
Fund: 310 - Parking Fund Surplus (Deficit):	**0.00**	**0.00**	**81,217.66**	**1,296,655.52**	**1,296,655.52**	**0.00%**
Report Surplus (Deficit):	**0.00**	**0.00**	**-1,496,882.15**	**4,998,049.96**	**4,998,049.96**	**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	-507,360.91	2,043,664.06	2,043,664.06
101 - Special Revenue-Police Conf	0.00	0.00	0.00	391.11	391.11
102 - Building Fund	0.00	0.00	-362,239.57	-171,557.05	-171,557.05
103 - Sewer Fund	0.00	0.00	-41,255.37	107,914.43	107,914.43
115 - Fire Fund	0.00	0.00	-248,462.55	778,358.70	778,358.70
300 - Capital Project Fund	0.00	0.00	-418,781.41	942,623.19	942,623.19
310 - Parking Fund	0.00	0.00	81,217.66	1,296,655.52	1,296,655.52
Report Surplus (Deficit):	**0.00**	**0.00**	**-1,496,882.15**	**4,998,049.96**	**4,998,049.96**

Town of Lauderdale-by-the-Sea
Cash and Investment Report
as of September 30,2025

Bank / Other	GL No.	Bank No.	Account Name	Account Type	Bank/ Pool	Balance 9/30/2025	Interest/ Avg % Yield	Interest/Chg Mkt Value	Interest/ Year to Date
			001 General Fund:						
Truist	101.000	8015	Master Account	Analyzed Interest Checking	Truist	5,632,229.76	2.55%	10,726.61	218,635.78
Truist	101.009	6876	Emergency Reserve	Public Special Money Rate Checking	Truist	2,628,678.86	2.62%	5,959.83	63,592.45
			GENERAL FUND	BANK SUBTOTAL		8,260,908.62		16,686.44	282,228.23
SBA	101.300	1471-A	General Fund Invest Acct A	SBA Invest Pool	SBA	203,684.96	4.29%	733.08	9,101.09
SBA	101.400	1472-A	Emergency Reserves Acct A	SBA Invest Pool	SBA	98,820.38	4.29%	355.68	4,423.50
SBA	101.301	1473-A	Florida Prime Investment	SBA Investment	SBA	3,047,619.83	4.46%	11,457.52	47,619.83
SouthState Inv.	101.110	9371	Investment	Investment	SSTI	2,050,440.41			
			GENERAL FUND	SBA / INV. SUBTOTAL		5,400,565.58		12,546.28	61,144.42
			GENERAL FUND	GRAND TOTAL		13,661,474.20		29,232.72	343,372.65
			101 Police Forfeiture & Training						
Truist	101.100	9613	Police Forfeiture Fund	Analyzed Interest Checking	Truist	589.59	2.55%	Included Above	Included Above
			POLICE FUND	TOTAL		589.59		**0.00**	0.00
			103 Sewer Enterprise Fund						
Truist	101.105	9999	Sewer Enterprise Fund	Analyzed Interest Checking	Truist	1,007,793.82	2.55%	2,079.41	27,131.52
			SEWER FUND	TOTAL		1,007,793.82		2,079.41	27,131.52
			115 Fire Fund:						
Truist	101.109	5379	Fire Fund Account	Analyzed Interest Checking	Truist	872,185.89	2.55%	1,599.94	20,150.04
Truist	101.110	6701	Public Safety Facility Account	Analyzed Interest Checking	Truist	1,277,303.38	2.55%	2,557.36	12,038.89
			FIRE FUND	GRAND TOTAL		872,185.89		4,157.30	20,150.04
			300 Capital Improvement Fund:						
Truist	101.115	0010	Capital Improvement Fund	Analyzed Interest Checking	Truist	3,429,912.66	2.55%	7,166.14	60,777.12
			CAPITAL IMPROVEMENT FUND	TOTAL		3,429,912.66		7,166.14	60,777.12
			310 Parking Improvement Fund						
Truist	101.125	0120	Parking Improvement Account	Analyzed Interest Checking	Truist	7,127,427.04	2.55%	14,330.63	155,292.25
Truist	101.128	8554	PILOP Account	Analyzed Interest Checking	Truist	200.00	2.55%	Included Above	Included Above
			PARKING FUND	TOTAL		7,127,627.04		14,330.63	155,292.25
			102 Building Fund						
Truist	101.104	8686	Building Account	Analyzed Interest Checking	Truist	1,079,345.87	2.55%	2,420.25	28,988.09
			BUILDING FUND	TOTAL		1,079,345.87		2,420.25	28,988.09
			ALL FUNDS	GRAND TOTAL		27,178,929.07		59,386.45	635,711.67

Summary by Investment Type	Amount	Percent
Interest Bearing Checking	21,778,363.49	80%
Non-interest Bearing Checking	0.00	0%
SBA Trust Fund/Pools	302,505.34	1%
SBA Florida Prime Investment	3,047,619.83	11%
Investment	2,050,440.41	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	27,178,929.07	100%

Summary by Fund		Amount	Percent
101.000/101-400	General Fund	13,661,474.20	50%
	Police Fund	589.59	0%
	Sewer Fund	1,007,793.82	4%
	Fire Fund	872,185.89	3%
	Building Fund	1,079,345.87	4%
	Capital Improvement Fund	3,429,912.66	13%
	Parking Fund	7,127,627.04	26%
	GRAND TOTAL	27,178,929.07	100%

Summary by Bank/Pool/Inv	Amount	Percent
Truist	21,778,363.49	80%
Investment	2,050,440.41	8%
Florida Prime/Investment	3,047,619.83	11%
Florida Prime/State Board of Admin.	302,505.34	1%
GRAND TOTAL	27,178,929.07	100%

Agenda Item No: 8.c.

Town Commission Agenda Item Report

Meeting Date: December 9, 2025
Submitted By: Jhanelle Campbell, Development Services Director
Submitting Department: Development Services
Item Type: Presentation
Agenda Section: TOWN MANAGER REPORT

Subject Title: Development Services Report

Explanation: See attached report.

Recommendation:

Exhibits:
1. DSD QUARTERLY REPORT - FY 25 4 Qtr

DEVELOPMENT SERVICES REPORT
MAY - SEPTEMBER 2025

Business Tax Receipt Activities

- 18 New businesses opened; 32 applications were received.

New Businesses Opened

BTR License Number	Type of Business	Date Opened	Business Name	Street Number	Street Name	Suite
2927	Commercial- Massage Spa	5/13/2025	Nature #1 Massage & Spa	235	Commercial Blvd	104
2923	Vacation Rental	6/24/2025	Portfolio Enterprises	1911	Blue Water Ter S	
2930	Commercial- Retail Store	6/25/2025	R-Evolution Q	209	Commercial Blvd	
2908	Vacation Rental	6/27/2025	Ricardo Sanchez	4640	Bougainvilla Dr	2
2933	Short Term Rental	7/16/2025	IMCO By C	233	Commercial Blvd	
2936	Rental	7/17/2025	Elos 1480-105	1480	S. Ocean Blvd	105
2939	Vacation Rental	8/1/2025	Sea Turtle Homes	4638	Poinciana St	
2932	Vacation Rental	8/5/2025	DBG Rentals	4555	W Tradewinds Ave	
2940	Rental	8/19/2025	Jesus Sanchez	5200	N Ocean Blvd	802
2947	Commercial- Jewelry	9/5/2025	The Voltage Bar	218	Commercial Blvd	211
2952	Rental	9/9/2025	Jeffrey Oeltjen	1500	S. Ocean Blvd	808
2942	Vacation Rental	9/10/2025	Tariana Villa	4558	Bougainvilla Dr	
2935	Rental	9/11/2025	Aladino 1958	1500	S. Ocean Blvd	508
2954	Commercial- Upholstery Shop	9/18/2025	Upholstery Punta del Este II	239	Commercial Blvd	102
2956	Vacation Rental	9/18/2025	113 Seaside	113	Washingtonia Ave	

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

Address	Issue
231 Lake Court	Level 2 Site Plan Modification
112 A Commercial	Conditional Use- Sign
107 Commercial	Conditional Use- Sign
4312 El Mar Drive	Site Plan for a New Hotel

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

Status of Vacation Rental Software- The vacation rental software is live and staff has been trained on how to utilize the software. The software is aiding staff in finding out of compliance rental properties. A link has also been placed on the Town's website which allows short term and vacation rental owners to complete their yearly registration.

Other Applications

Development Services Applications

Type	Number
ROW Permit	6
Lien Search Requests	161
Landscape Permit	5
Sign Permit	10
Conditional Use	3
Administrative Adjustment	1
Architectural Review	2

CODE COMPLIANCE ACTIVITIES

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

Code Activity Summary	
Case Inspections	
New Incidents Investigated	287
Total Inspections Completed	485
Cases with Active Violations	
Under Magistrate Jurisdiction	38
Under Code Office Jurisdiction	85
Liens with Active Violations	6
Total Cases with Active Violations	134
Vacation and Short-Term Rentals	
Registered Units	142

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 $385,231.39.

	May 2025- September 2025
Permit Applications	424
Permits Issued	383
Permits over $100,000	17
Inspections Completed	1,176
Funds Collected	$385,231.39

PERMITS WITH JOB COST OVER $100,000				
Address	**Work Description**	**Owner**	**Valuation**	**Fees Collected**
1984 Tropic Isle	New Roof	SPAGNARDI, ORAZIO ORAZIO SPAGNARDI REV TR ETAL	$100,000.00	$1,683.84
5200 N. Ocean Blvd #1503B	Interior Renovation	MINDFUL CONSTRUCTION LLC	$100,000.00	$3,742.56
4455 W. Tradewinds Ave	New Swimming Pool	JENO MUTHIAH & ANITA JENO FAM TR MUTHIAH, JENO TRSTEE ETAL	$100,500.00	$2,368.83
Freidt Park Playground	Playground Renovation	TOWN OF LAUDERDALE BY THE SEA	$593,494.00	$12,960.96
1984 Tropic Isle	Interior Renovation	SPAGNARDI, ORAZIO ORAZIO SPAGNARDI REV TR ETAL	$234,250.00	$12,257.55
5000 N. Ocean Blvd #512	Interior Renovation	CHARLES R HOWE II REV TR HOWE, CHARLES R II TRSTEE	$244,700.00	$8,967.30
1900 E. Terra Mar Drive	New Pool/Spa & paver deck	ARMSTRONG, MICHAEL TREVOR	$155,900.00	$3,125.87
4341-4343 Bougainvilla Dr.	Interior Renovation	BREZA, THOMAS S	$217,403.00	$7,449.66
1398 S. Ocean Blvd	Sewer Conversion / Lift Station	MAULULANI CO-OP	$418,915.00	$13,920.00
2012 Windward Drive	Addition and Remodel	HAGEN, LINDA L KALINOSKI, JOSEPH	$517,000.00	$17,126.11

PERMITS WITH JOB COST OVER $100,000				
Address	**Work Description**	**Owner**	**Valuation**	**Fees Collected**
1850 S. Ocean Blvd	Pool Renovation	CRANE CREST APTS CO-OP	$135,792.00	$2,938.27
1572 Bluewater Terrace North	Interior Renovation	HOFFMAN, MATTHEW & CHRISTA	$150,000.00	$4,975.34
4228 El Mar Drive	Re-roof	EL MAR CONDOMINIUMS	$267,028.00	$4,362.27
2073 Coco Palm Place	3-Bathroom Renovations	GOLDSTEIN, MARNEY LARNED, JOSHUA M	$100,235.00	$3,585.00
9 Sunset Lane	New SFR Construction	SUTTON, JOHN E	$2,014,450.00	$43,299.05
4900 N. Ocean Blvd	New Fire Sprinkler System	SEA RANCH CLUB “C” CONDOMINIUM	$495,760.00	$13,064.00
1770 S. Ocean Blvd	Re-roof	OCEAN SOUNDS CONDOMINIUM	$370,903.00	$6,196.72

Jhanelle M. Campbell

Jhanelle Campbell, Development Services Director

Agenda Item No: 10.a.

Town Commission Agenda Item Report

Meeting Date: December 9, 2025
Submitted By: Courtney Easley, Acting Town Clerk/Assistant to Town Manager
Submitting Department: Administration
Item Type: Approval of Minutes
Agenda Section:APPROVAL OF MINUTES

Subject Title: Approval of Minutes for Regular Town Commission Meetings held on September 10, 2025; September 24, 2025, and November 10, 2025.

Explanation: Approval of Minutes for the following meetings:

- September 10, 2025 Regular Town Commission Meeting
- September 24, 2025 Regular Town Commission Meeting
- November 18, 2025 Regular Town Commission Meeting

Recommendation: Accept/Approve

Exhibits:
1. 09-10-25 - LBTS TC Draft Minutes
2. 09-24-25- LBTS TC Draft Minutes
3. 11-18-25 - LBTS TC Draft Minutes

DRAFT

TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
Jarvis Hall
4505 N. Ocean Drive
Jarvis Hall
4505 N. Ocean Drive
Wednesday, September 10, 2025
6:30 PM

1. CALL TO ORDER, MAYOR EDMUND MALKOON

Mayor Edmund Malkoon called the meeting to order at 6:53 p.m. Also present were Vice Mayor Randy Strauss, Commissioner Richard DeNapoli, Commissioner John A. Graziano, Commissioner Theo Poulopoulos, Interim Town Manager Ken Rubach, Town Attorney Susan L. Trevarthen, Director of Budget and Finance Lucila Lang, Assistant Director of Budget and Finance Edner St. Jean, Development Services Director Jhanelle Campbell, Acting Town Clerk/Assistant to the Town Manager Courtney Easley, and Events and Marketing Manager Katie Anderson.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION

Pauline Brooks McGuinness gave the Invocation.

Mayor Malkoon read a statement in memory of Assistant to the Public Works Director Tiana Ganswith. All present observed a moment of silence.

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

Mayor Malkoon requested that Item 5.b be deferred to the next scheduled meeting. He also advised that there have been minor changes to the language of Item 18.e and requested an update on that Item.

Commissioner DeNapoli explained that the intent of Resolution 2025-42 is a secondary designation. Sea Grape Drive will remain the primary designation of that roadway and will not be removed; the Resolution proposes the co-designation of President Donald J. Trump Drive on a single sign at the southeast corner of Commercial Boulevard and Sea Grape Drive.

Commissioner DeNapoli added that the Resolution also recognizes that other agencies have authority over the roadway and would allow Staff to pursue alternative signage, if required by those permitting processes.

Mayor Malkoon requested that Item 18.e be heard immediately following Commissioner Presentations.

Mayor Malkoon read the following statement into the record at this time:

> As provided by Section 2-23 of the Town Code and the Town's Meeting Procedure Resolutions, it is my obligation as Mayor to maintain strict order and decorum at the Commission meeting. All comments should relate to Town business, and we strive to conduct the meeting in a polite and respectful manner. The broadest possible accommodations will be provided for statements of personal opinion, but no one should engage in personal attacks. Please do not delay or interrupt the proceedings or the peace of the meeting. Unauthorized remarks from the audience, such as the stamping of feet, whistles, yells, and similar demonstrations, are prohibited. Any person who causes an interruption at the meeting will be given the option to stop the interruption or to leave the meeting. Failure to comply following a warning may lead me to order the Sergeant-at-Arms, i.e. BSO, to remove you from this room for the remainder of the meeting. Continued willful interruptions or disturbances may lead to an arrest pursuant to Section 87101 of the Florida Statute.

5. PRESENTATIONS

a. Lobbyist Presentation

This Item was deferred to the September 24, 2025 meeting.

b. El Prado Park

Interim Town Manager Ken Rubach introduced Alex Fenech of Hitchcock Design Group, who presented the final design for El Prado Park, which will go out for bid later in calendar year 2025. The bids will come back to the Commission for final approval at a later date.

Mr. Fenech provided a status update for the Commission, recalling that the park design is the result of an in-depth public engagement and resident input process. A survey of residents received 128 responses, and two community input meetings were held. The

design team reviewed these results for a design he characterized as a collaborative effort between residents, stakeholders, the Commission, and Staff.

Mr. Fenech reviewed the design, noting the following components:

- Maintains sight lines to the ocean
- Mid-century Modern flair which retains the Adirondack chair and umbrella design
- Continues as a venue for special events
- Sea turtle-friendly lighting for safety

He showed renderings of the proposed design, which is intended to reflect aspects of the pending Downtown portal renovations. While El Prado Park will remain a passive facility, signage and public art will be incorporated into the design. The park will include a passive water feature, which is intended to reflect synergy between the park and the Downtown area.

The project is currently in the permitting stage with the Florida Department of Environmental Protection (FDEP) and the Florida Fish and Wildlife Commission (FWC). 100% drawings will be submitted to the Town later this week for permit review. The projected process is as follows:

- The project is expected to go out for bid in the fall
- A contract will be awarded at the end of the year, which will come before the Commission for review and approval
- Groundbreaking is anticipated in early 2026
- The park is expected to reopen in summer 2026 before July 4

The Commissioners accepted the proposal without further discussion.

6. PUBLIC COMMENTS

Mayor Malkoon advised that speaking time for public comments would be limited to two minutes. He further clarified that speakers wishing to address Item 18.e may speak at this time or may speak when that Item is discussed by the Commission.

At this time Mayor Malkoon opened public comment.

Ann Marchetti, resident, emphasized the importance of ensuring public safety, including Fire, Police, infrastructure, and overall well-being. She recommended revisiting priorities discussed during the previous budget hearing in order to cut costs, and concluded that

the proposed renaming of Sea Grape Drive would further divert the Town's attention from key issues.

Howard Goldberg, representing the Chamber of Commerce, stated that this organization believes the Town's public safety and infrastructure needs are more important than the expenses that would be incurred by the El Prado Park renovation. He recommended postponing that project and revisiting its scope.

The following Item was taken out of order on the Agenda.

18. RESOLUTIONS – PUBLIC COMMENTS

e. RESOLUTION 2025-42 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING THE CODESIGNATION OF SEA GRAPE DRIVE TO INCLUDE PRESIDENT DONALD J. TRUMP DRIVE; PROVIDING FOR AUTHORIZATION; PROVIDING FOR IMPLEMENTATION AND AN EFFECTIVE DATE.

Town Attorney Trevarthen read Resolution 2025-42 into the record, and public comment on this Item was opened at this time.

Patrick Ucci, resident, supported the Resolution, stating that the proposed co-designation of the street name was no different from similar co-designations throughout the state for other presidents.

Kimberly Bertsch, resident, opposed the Resolution, stating that the Town's streets should bring the community together rather than apart. She noted that presidents are traditionally honored once their terms of office end and with bipartisan support.

Patrick Ferguson, resident, opposed the Resolution, stating that the Town's culture is largely nonpartisan. He felt the divisive nature of the Resolution could negatively impact local culture and businesses, and suggested it be brought forward as a public referendum.

Michael Ferguson, resident, pointed out that Town Code requires an official name change of a roadway to be enacted by Ordinance, which requires multiple public hearings. He also spoke in favor of a referendum on the issue.

Patty De Biace, private citizen, opposed the Resolution, requesting that the Town remain a nonpartisan community.

Linda Thompson Gonzalez, resident, opposed the Resolution, as she felt it was inconsistent with the family-friendly atmosphere and sense of community of the Town. She added that she would not support a proposed co-designation using the name of any president.

Ronne Denbo, private citizen, was not in favor of the Resolution due to the current president's policies.

Kate Driscoll, private citizen, advised that she is a regular visitor to the Town and opposed the Resolution. She expressed concern with the reasons for the proposal.

Cristie Furth, resident, pointed out that international tourism has recently declined in the United States. She cautioned that the proposed Resolution could harm local tourism.

Marc Furth, resident, noted that most presidents are honored in the proposed manner after the end of their tenure in office. He recommended that the Commission ask residents what they want.

Aileen O'Brien, private citizen, expressed concern with political violence, and cautioned against how the proposed Resolution could represent the Town. She opposed the Resolution.

Bonnie O'Leary, private citizen, expressed concern with the decline in international tourism. She encouraged the Commission to ensure a welcoming environment in Lauderdale-By-The-Sea on behalf of their constituents.

Missy Miller, resident, strongly opposed the Resolution, noting that the Commission is a nonpartisan body and the Town's existing street names are part of a tradition honoring the environment rather than politics.

Mark Miller, resident, advised that the Town does not need to invite division, and emphasized the importance of an apolitical environment. He expressed concern with the Resolution's language and urged the Commission not to adopt it.

Rico Petrocelli, private citizen, stated his support for the Resolution, noting that it is common to memorialize political figures. He did not feel the proposal would affect Town tourism or business.

Heather Quinones, resident, supported the Resolution, observing that other municipalities have honored elected officials during their terms of service with similar co-designations. She did not feel non-residents of the Town should have input on this issue.

Jackie Bonanni Rubino, resident, spoke in support of the Resolution as a token of appreciation to the current president.

Dr. Elizabeth King, private citizen, opposed the Resolution, stating that the co-designation would politicize a neutral landmark and divide the community.

Chris Marino, representing the Broward Republican Party, advised that he had requested its introduction due to the location of Republican Party headquarters at Sea Grape Drive and Commercial Boulevard. He characterized the proposal as symbolic rather than partisan, citing other examples of streets co-designated for elected officials.

Stella Picazio, resident, stated that Broward County has a tradition of honoring presidents with street names. She felt it would break precedent to omit the current president from this tradition.

Peter Dudley, resident, urged the Commission to vote against the Resolution. He felt the proposed co-designation would send the wrong message to visitors and residents alike, expressing concern with division of the community and use of Town resources.

Hugh Gardner, resident, questioned the timing of the Resolution, as the current president's legacy is incomplete. He opposed the Resolution.

Grace Gardner, resident, expressed concern for the effects of the proposed co-designation on trauma survivors, and requested that the Commission vote against the Resolution.

Allan Barsky, resident, opposed the Resolution, expressing concern with the time and expenses related to the proposal. He encouraged the Commission to listen to the public on this issue, suggesting parity in the form of co-designations for other political figures.

Freda Lisnow, resident, emphasized the diversity of the Lauderdale-By-The-Sea community and urged against divisiveness.

Janet Kowal, resident, stated that this Item should be put to referendum, speaking in favor of public input and consent.

Robert Karley, resident, advised that the majority of residents opposed the addition of any other name to Sea Grape Drive.

Stuart Dodd, resident, expressed concern with the principle of the proposed co-designation. He asked if residents of Sea Grape Drive have been surveyed to hear their input, and urged the Commission to vote against the Resolution.

Arlene Marcus, private citizen, noted the commercial and tourist aspects of the roadway, stating that a politically charged street name could alienate residents and visitors.

Elizabeth Karley, resident, strongly opposed the Resolution, and encouraged the Commission to focus on more important issues.

Tyler Draper, private citizen, characterized the issue as addressing freedom of speech. He supported the Resolution.

Brianna Reeves, private citizen, spoke in favor of the Resolution, stating that roadways across Florida are named to honor presidents. She did not feel the proposed co-designation would affect businesses or be divisive.

Lourdes Cambeiro, resident, opposed the Resolution.

Alex Fernandez, resident, encouraged the Commission to oppose the Resolution, pointing out that elected officials in Lauderdale-By-The-Sea do not declare political affiliations when running for office.

Michael Ferrara, resident, spoke in opposition to the Resolution due to the divisiveness apparent at tonight’s meeting. He noted that the co-designation could invite protests on a highly visible corner of the Town.

Jennifer Jones, private citizen, strongly opposed the Resolution, citing concerns with divisiveness. She noted that most municipalities do not name streets after living individuals in order to avoid controversy.

Sherry Kimbel, resident, stated that she was not in favor of naming landmarks after living people. She recalled a recent statement by Florida's governor which opposed the use of roadways for political purposes.

David Saindun, resident, advised that the Town has always held nonpartisan elections, and stated opposition to naming streets after any political figures. He recalled that when the Bel Air community changed its street names, owners and residents of that neighborhood were consulted.

Brian Stormer, resident, advised that as a resident of Sea Grape Drive, he was offered the opportunity for input on traffic studies, but was not similarly contacted with regard to the Resolution. He concluded that the public should be allowed to vote on this decision.

Diane Litterick, resident, stated that she opposed the Resolution, pointing out that Town elected officials represent their constituents without partisan politics. She felt the proposal was having a negative effect on the Town.

Charles Heath, private citizen, stated that the proposed co-designation would divide not only residents but visitors to the Town. He cited state and federal officials who have spoken against the use of roadways for political or ideological interests.

Richard Thurston, private citizen, characterized the proposal as a slippery slope regardless of political affiliation, cautioning against a divisive approach. He concluded that the Resolution should be supported by surveys and polling data.

Barbara Rich Southern, private citizen, requested clarification of the reason the co-designation was proposed, and cited concerns with international tourism. She opposed the Resolution.

Brian Kuszmar, resident, observed that it is a citizen's right to petition local officials for the renaming of a street. He felt individuals should seek to reclaim common ground.

Nicholas Kollias, private citizen, supported the Resolution, stating that most U.S. presidents already have Broward streets named for them. He felt the proposal would bring economic benefits to the community.

Spiro Marchelos, private citizen, spoke in favor of the Resolution.

The Commission took a brief recess at this time before continuing public comment.

Alfonso Canales, private citizen, spoke in favor of the Resolution, stating that he saw no negative effects of the proposal.

Teri Magee, resident, stated that the Commission is expected to represent the Town as nonpartisan. She felt the Town should maintain a welcoming atmosphere.

Christopher Loesch, resident, advised that the proposed co-designation could harm business and international tourism, and emphasized the nonpartisan nature of the Commission.

Rosemary Kuntz, resident, asked why the Resolution was initiated, and suggested it could attract protesters and negatively impact Town businesses.

Jonathan Renzi, private citizen, stated that Canadian visitors will continue to travel to the United States and expressed support for the Resolution.

Rupert [last name not provided], private citizen, felt the co-designation would increase tourism and encouraged the Commission to pass the Resolution.

Manbia Pannu, resident, was not in favor of honoring individuals who are still living and serving their terms of office. She felt the majority of speakers in favor of the Resolution were not Town residents.

Colleen Cianelli, resident, observed that there was no notice or signage in the Town relating to the proposed Resolution and emphasized the residential nature of Sea Grape Drive. She suggested a more commercial location for the co-designation.

Kenneth Schwartz, resident, felt the proposed Resolution was inappropriate, and recommended that it be put to a Town vote.

John DeGregory, resident, opposed the Resolution and expressed concern with the possibility of vandalism.

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

Commissioner DeNapoli stated that the proposed signage would be placed at the southeast corner of Sea Grape Drive and Commercial Boulevard. He emphasized that there would be no address changes or multiple signs, and felt the current president merited recognition equal to what other presidents have received in the area. He characterized the proposal as symbolic and respectful, adding that President Donald Trump is the only president from the state of Florida.

Commissioner DeNapoli advised that several residents of the Town and Broward County have requested a co-designation in Lauderdale-By-The-Sea which is similar to those existing in other municipalities. The request was made for the proposed location due to the proximity of the Broward County Republican Party headquarters to the subject location.

Commissioner DeNapoli continued that the proposed Resolution is not about stirring division, but about honoring history in a fair way that is consistent with Broward County's practice of recognizing former, incumbent, and living presidents. He suggested that the president may be willing to attend an event dedicating the sign, which could spotlight the Town in a way that creates opportunity.

Commissioner DeNapoli concluded that the Resolution does not represent a partisan act, but a gesture of fairness and respect for history.

Mayor Malkoon thanked all members of the community who spoke respectfully on both sides of this issue. He emphasized the right of all residents to have their opinions heard, but took exception to the suggestions of threats, boycotts, or claims that were political in nature. He characterized this as intimidation rather than persuasion.

Mayor Malkoon stated that the Town's unique demographics set it apart from other Broward County municipalities, and there is genuine support in the Town for the Resolution. He concluded that the current proposal was no different and should not be divisive, and concluded that he was inclined to support the Resolution.

Commissioner Poulopoulos asserted that the United States needs to end division through respect. He thanked all who reached out or spoke on the Resolution, stating that recognition of the president is not a partisan issue.

Commissioner Poulopoulos continued that he supported the proposal, as it made sense to co-designate the street on which the Broward County Republican Party office is located.

Vice Mayor Strauss thanked all who participated in tonight's meeting, noting that he also received many individual communications on this topic. He felt the proposal has resulted in political division and would bring more harm than good to the community. He also emphasized the nonpartisan nature of the Town Commission.

Vice Mayor Strauss cautioned that residents could be further divided if the Resolution is approved, with negative economic impacts as well. While he respected the office of the president, he felt this did not mean the Town should reflect individual names. He concluded that for these reasons, he would not support the proposal.

Commissioner Graziano commented that if the co-designation is not intended to make a difference in the community, he saw no reason to install it. He added that the Town is facing serious issues in its future and the proposed Resolution is not one of them. He concluded that his intent was to represent all residents of the Town, which was why he would vote against the Resolution.

Commissioner DeNapoli advised that the proposed signage is limited to a single location rather than the entire street, and reiterated that the Resolution is intended to recognize history.

Commissioner DeNapoli made a motion, seconded by Commissioner Poulopoulos, to approve the Resolution. Motion carried 3-2 (Vice Mayor Strauss and Commissioner Graziano dissenting).

The Commission took a brief recess at this time.

7. PUBLIC SAFETY DISCUSSION

a. BSO July 2025 Public Safety Report

Broward Sheriff's Office (BSO) Captain Christopher Sutter reported that in July 2025, Deputy Manuel Alvarez-Jacinto was promoted to the rank of Sergeant and transferred to the City of Pompano Beach. The Town is now served by Deputy Leonard Seedig, who transferred from Deerfield Beach.

Captain Sutter continued that Sergeant James Ramirez was Employee of the Month in July 2025 in recognition of his response to a burglary and subsequent apprehension of

the suspect. He recalled that the Town's Fourth of July events occurred with no incidents and recognized the volunteer participation of BSO personnel in this celebration.

Also in July, BSO's Regional Traffic Unit undertook Operation Summer Smash, which included traffic outreach throughout Broward County. The Unit issued 20 citations and five warnings, and provided educational materials to 15 drivers.

b. BSO August 2025 Public Safety Report

Captain Sutter continued that BSO Captain Bill Wesolowski, who had served Lauderdale-By-The-Sea, retired on August 8, 2025. Captain Sutter was promoted to his current rank on August 23 and Lieutenant Chris Palamara also joined the team serving the Town. Deputy Leonard Seedig was Employee of the Month for August 2025 due to his response to multiple incidents.

Special events in August included Coffee with a Cop on August 14, which was attended by approximately 40 residents. This recurring event is scheduled for Saturday, September 13, 2025 at the opening of the new Friedt Park playground.

Commissioner Graziano acknowledged BSO's Chaplain and team which assisted Town Staff following the death of Tiana Ganswith.

c. PBFR August 2025 Report for LBTS

Chris Sayer, representing Pompano Beach Fire Rescue (PBFR), reported that there were 163 calls during the month of August 2025, most of which involved Emergency Medical Services (EMS). PBFR also conducted ten Site Plan reviews.

8. TOWN MANAGER REPORT

a. Town Manager Report

Interim Town Manager Rubach stated that BSO saved the Town $40,000 through the use of aggregate purchasing for radios.

A job study update is proposed for FY 2026, with the primary focus on positions and organizational structure as well as salaries. The Town anticipates changes in staffing needs over the next five years.

The Coffee with a Cop and Friedt Park playground opening events are scheduled for Saturday, September 13, 2025 from 9 a.m. to 11 a.m.

The Development Services Department continues to digitalize permits as a matter of policy.

The Town Attorney's rate will increase by 3% on October 1, 2025 as permitted by contract. Waste Pro will increase their rates by 5%, which will equal $1.40 per month for single-family, duplex, and multi-family developments. This increase will also apply to service for commercial and residential dumpsters.

Interim Town Manager Rubach requested a moment to acknowledge the loss of Assistant to the Public Works Director Tiana Ganswith, who served in this role for nearly seven years. He asked that all present remember her family.

9. TOWN ATTORNEY REPORT

None.

10. APPROVAL OF MINUTES

a. Approval of Minutes for July 8, 2025, July 22, 2025 & August 8, 2025 Regular Town Commission Meetings; July 29, 2025 Special Town Commission Meeting.

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

11. CONSENT AGENDA

None.

12. OLD BUSINESS

None.

13. NEW BUSINESS

None.

14. COMMISSIONER PRESENTATIONS

a. Re-Establish Reading of Public Comments

Commissioner Graziano stated that residents should have the opportunity to submit public comments in writing when they cannot attend Commission meetings in person. Comments would be limited to 150 words, with submittal required no later than 5 p.m. on the day preceding the meeting date. He felt this practice was unlikely to add significant time to meetings.

Vice Mayor Strauss recalled that when written comments were permitted in the past, they were read aloud by Staff, which was very time-consuming. He questioned whether Staff should be asked to do this once more, suggesting that if the practice is re-adopted, the length of comments should be more strictly limited.

Commissioner Graziano indicated his willingness to accept an amendment to the proposal as long as the public is provided with access to this opportunity.

Mayor Malkoon recalled that reading of public comments was previously adopted due to the COVID-19 pandemic, and agreed that it had resulted in additional work for Staff. He pointed out that the public should be encouraged to attend meetings in person. Commissioner Graziano explained that his concern was that the public does not regularly attend, and written comments could provide them with a means of participation.

Mayor Malkoon suggested that this Item be brought back on a subsequent Agenda.

Commissioner DeNapoli observed that it would be procedurally difficult to limit the length of written comments, adding that the adoption of the proposed policy could require establishment of a separate Town email address specifically for public comments.

Town Attorney Trevarthen advised that while emails to the Commission are not currently limited, the Commission may design a procedure that provides for stricter guidelines for emails read aloud at meetings.

Commissioner Graziano concluded that he had wanted the Commission to discuss the proposal, as he felt it was valuable. He suggested that Staff could craft a Resolution suggesting a process, which could be discussed further at a later meeting.

Interim Town Manager Rubach observed that in cases when a great many emails are received, the Commission could have discretion to limit how many of these are read aloud, or to provide an overview of the comments submitted. He clarified that all submitted comments are included in meeting minutes documentation.

b. Discussion on Scheduling a Public Safety Roundtable

Commissioner Graziano proposed that the Commission schedule a roundtable meeting to address public safety, explaining that residents may not fully understand the impacts that public safety contracts will have on the Town's budget. His intent was for the public to be more informed.

Commissioner DeNapoli stated that he supported this proposal, and suggested inviting representatives from other Broward municipalities who could provide presentations or offer their viewpoints.

Vice Mayor Strauss also supported the proposal, and recommended that more roundtable events be scheduled in the future to enhance public discussion. Mayor Malkoon recommended these events on a quarterly basis.

Interim Town Manager Rubach reported that he has spoken with local public safety providers and will bring forward ideas and estimates by November 1, 2025. He suggested a public safety roundtable be scheduled once this information has been received.

15. COMMISSIONER COMMENTS

Commissioner DeNapoli extended his condolences to Ms. Ganswith's family once more.

Commissioner Graziano stated that he participated in a meeting with Florida Power and Light (FPL) to discuss including Town neighborhoods in their Storm Secure Underground Program (SSUP). This program places utilities underground in vulnerable areas. He recognized Florida State Senator Jason Pizzo and Florida State Representative Chip LaMarca for their assistance and participation in the meeting. He noted that FPL had not been prepared to provide substantive information at the meeting, such as what is necessary for inclusion in SSUP, but asserted that the Town would continue to pursue this possibility.

Vice Mayor Strauss made a motion, seconded by Commissioner DeNapoli, to extend the meeting by 15 minutes. Motion carried 5-0.

Mayor Malkoon reported that he attended recent Florida League of Cities and Florida League of Mayors meetings earlier in September, which provided opportunities for networking, exchange of best practices, and sharing of insights. He also participated in a conference call with Florida's Chief Financial Officer which focused on the Florida Department of Government Efficiency's oversight efforts, including how those efforts intersect with the needs of small municipalities.

Mayor Malkoon continued that he had participated in a video interview with WLRN television as part of a series highlighting local communities. He concluded by encouraging the public to attend the upcoming Friedt Park playground reopening.

Mayor Malkoon acknowledged that recent months have been difficult for Town Staff due to staffing challenges as well as loss of coworkers. He thanked Staff for their perseverance and professionalism, and emphasized their importance to the Lauderdale-By-The-Sea community.

16. ORDINANCES 1ST READING

None.

17. ORDINANCES 2ND READING

None.

18. RESOLUTIONS – PUBLIC COMMENTS

a. RESOLUTION 2025-34 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, RATIFYING AND AUTHORIZING THE SUBMISSION OF A HAZARD MITIGATION GRANT PROGRAM (HMGP) APPLICATION AND THE ACCEPTANCE OF FUNDS, IF AWARDED; PROVIDING FOR AUTHORIZATION; IMPLEMENTATION; AND AN EFFECTIVE DATE.

Town Attorney read Resolution 2025-34 into the record.

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

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

b. **RESOLUTION 2025-36 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, ADOPTING THE AMENDED PARKING PERMIT PROGRAM FOR THE A1A LOT; PROVIDING FOR CONFLICTS AND FOR AN EFFECTIVE DATE.**

Town Attorney read Resolution 2025-36 into the record.

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

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

c. **RESOLUTION 2025-37 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING A WORK AUTHORIZATION WITH HITCHCOCK DESIGN GROUP FOR DESIGN SERVICES FOR THE PORTAL ENHANCEMENT PROJECT; AUTHORIZING THE INTERIM TOWN MANAGER TO EXECUTE THE WORK AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Attorney read Resolution 2025-37 into the record.

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

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

d. **RESOLUTION 2025-38 – 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; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR IMPLEMENTATION, CONFLICTS AND FOR AN EFFECTIVE DATE.**

This Item was deferred to the September 24, 2025 meeting at the request of the Applicant.

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 11:02 p.m.

_____

Mayor Edmund Malkoon

ATTEST:

_____ _____

Courtney Easley, Acting Town Clerk Date

DRAFT

TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
Jarvis Hall
4505 N. Ocean Drive
Wednesday, September 24, 2025
6:30 PM

1. CALL TO ORDER, MAYOR EDMUND MALKOON

Mayor Edmund Malkoon called the meeting to order at 6:58 p.m. Also present were Vice Mayor Randy Strauss, Commissioner Richard DeNapoli, Commissioner John A. Graziano, Commissioner Theo Poulopoulos, Interim Town Manager Ken Rubach, Town Attorney Susan L. Trevarthen, Finance Director Lucila Lang, Assistant Finance Director Edner St. Jean, Development Services Director Jhanelle Campbell, Acting Town Clerk/Assistant to the Town Manager Courtney Easley, and Events and Marketing Manager Katie Anderson.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION

All present observed a moment of silence.

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

Mayor Malkoon requested that Public Comments be heard next on tonight's Agenda, followed by Items 18.a, 13.d, and the lobbyist presentation.

Commissioner Poulopoulos requested that a discussion of the Town Manager position be added to the Agenda under New Business as Item 13.e.

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

6. PUBLIC COMMENTS

Mayor Malkoon explained that tonight's general public comment period was being provided as a one-time courtesy by the Commission. This public comment period is not required by Florida law, as it includes address of items not on tonight's meeting Agenda. He added that residents will be heard first, followed by non-residents if time allows. The public comment period will be limited to 30 minutes total, and each speaker will be heard

for up to two minutes. Individuals who do not have a chance to speak may submit their written comments to the City Clerk for the record.

Mayor Malkoon continued that separate public comment periods will be provided for specific Agenda Items. Individuals wishing to speak on those Items may do so during the general public comment period, or may wait until the Items are brought forward on the Agenda. He requested that all present maintain respect and decorum, concluding that public comment periods are conducted in compliance with Florida Statutes.

At this time Mayor Malkoon opened public comment.

Dr. Janet Kowal, resident, stated that most residents were not present to provide input on issues and decisions that will affect the character of the community. She expressed concern that decisions made by the Commission may have unintended consequences for Lauderdale-By-The-Sea.

[Name not given – Snow?], resident, noted that the Broward County Republican Party rents but does not own its space on Commercial Boulevard. She asked if it was appropriate for a renting business to request a street name change or co-designation.

Linda Thompson Gonzalez, resident, emphasized the importance of unifying communities, and expressed concern that the Commission recently approved a street co-designation without sufficient public notice. She pointed out that the issue was not mentioned in the *Town Topics* newsletter, concluding that the co-designation is divisive to the Town.

Michael Ferrara, resident, also expressed concern with the recent Resolution co-designating Sea Grape Drive as President Donald J. Trump Drive. He was disappointed that the Commission voted in favor of the Resolution despite public opposition stated during the meeting, concluding that the decision gives the impression that community voices were not considered.

Kimberly Bertsch, resident, stated her opposition to the co-designation, and recalled that the majority of individuals who opposed the Resolution at the previous meeting were Town residents. She concluded that the Item was brought forward with little notice, and that the issue of the co-designation was divisive.

Jackie Bonanni Rubino, resident, stated that protests and/or threats against the co-designation would not be effective.

Christopher Loesch, resident, suggested that the Commission repeal their approval of the co-designation Resolution in favor of representation for all. He characterized the proposed signage as divisive and non-representative of many residents.

Gregg Powers, resident, expressed concern with a property which he did not feel was an appropriate facility for the Town. He was concerned with the possibility of crime.

Cristie Furth, resident, advised that the Town is known for its lack of political affiliation and bias, noting that local elections are non-partisan in nature. She recalled that this had changed in 2024 and expressed concern with Commissioners' presence at a Broward County Republican Party event.

Marc Furth, resident, recalled previous Town referenda which addressed height limits, term limits, zoning, and annexation. He asserted that citizens are in the process of preparing to submit a referendum request on the issue of the co-designation and signage.

Missy Miller, resident, advised that she had previously expressed concern for the co-designation of Sea Grape Drive, and stated that the vote taken on September 10, 2025 was passed without proper public notice, as residents and businesses on that street were not informed of the proposal. She requested that the Resolution be rescinded.

Colleen Cianelli, resident, recalled that most of the residents who spoke at the September 10, 2025 meeting were opposed to the co-designation, and felt residents of Sea Grape Drive should have had an opportunity to discuss the Resolution with the Commission. She requested that the co-designation be put to a referendum.

At this time Mayor Malkoon closed public comment on non-Agenda items, suggesting that individuals who did not speak before the Commission may provide written comments which will be part of the meeting's record.

The Commission took a brief recess at this time.

Following the recess, Mayor Malkoon opened public comment on Agenda Items, which he closed upon receiving no input.

18. RESOLUTIONS – PUBLIC COMMENTS

a. RESOLUTION 2025-38 – 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; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR IMPLEMENTATION, CONFLICTS AND FOR AN EFFECTIVE DATE.

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

Development Services Director Jhanelle Campbell recalled that in November 2022, the Commission approved a policy which allowed Aruba Beach Café to use 800 sq. ft. of the Connie Hoffmann Ocean Plaza for outdoor dining, subject to annual renewal. The agreement has been renewed twice through Resolutions 2023-47 and 2024-28. Aruba Beach Café is now seeking to renew the license agreement to continue use of the Plaza for up to six months or until completion of their new on-site deck. A Site Plan for the new structure has been submitted and approved.

Conditions of use for the 2025 renewal agreement include the following:

- Limiting use to the designated 800 sq. ft. within the knee wall
- Moving the outdoor dining setup when required by the Town
- Maintenance of the Plaza to keep it clean and free of litter or debris
- Compliance with all other terms listed in the license, including payment of required fees

The current agreement is for $34/sq. ft. Staff recommends approval of Resolution 2025-38.

Commissioner DeNapoli stated his support for the Resolution.

Commissioner Graziano advised that he was also supportive of the Resolution, but requested that the agreement be amended so the business does not have to request approval again in six months. He also asked if the business is confident it will receive necessary state and federal approvals as well as local Site Plan approval within that time frame.

Nectaria Chakas, representing Aruba Beach Café, stated that the business has a permit under review and pending approval by the Florida Department of Environmental

Protection (DEP). As there are comments from DEP which need to be addressed, they are hopeful that the process will conclude in six months, but cannot guarantee that time frame.

Commissioner Graziano reiterated that he did not want the Item to have to come back to the Commission for approval in six months if the business's construction is not complete. He proposed amending the term of the request to one year rather than six months.

Town Attorney Trevarthen suggested that the Resolution's language could be amended to apply to up to one year, as well as a reference to pro-rated payment if the deck is completed earlier than one year.

Commissioner DeNapoli made a motion, seconded by Commissioner Graziano, to approve for up to one year, pro-rated accordingly, to be billed only for time used until the project is complete. Motion carried 5-0.

13. NEW BUSINESS

d. Reinvestment of Maturing Town Investment

Finance Director Lucila Lang recalled that in 2024, the Town invested in two United States Treasury notes, one of which has matured on July 31, 2025 and the second of which will mature in October 2026. Staff requests direction on how to reinvest these funds.

Alvaro Jiron, Investment Consultant with South State Bank Investment Services (via Zoom), stated that the initial amount invested in the two Treasury notes by the Town was $2 million. Their current value is $2,050,543.22, some of which was credited interest from the note which matured on July 31. This amount also includes funds from the Town's insured money market account as well as the Treasury note set to mature in October 2026. Interest paid from the Treasury notes is swept to the money market account.

The Treasury notes were purchased through a brokerage account, which applies a transaction fee to trades. Between the matured funds and cash from interest received, the Town has a total of $1,050,000 which can be reinvested.

The first option for reinvestment would be to continue with the current procedure, looking for maturities over the next three, six, nine, or more months. Mr. Jiron suggested that the Town may wish to consider a professionally managed portfolio, which would provide for more oversight over the bonds as well as better pricing, access to more bonds, and the

ability to adjust to market conditions. Bonds within the portfolio could be laddered, which would mean one bond would mature each month. The yield would be approximately 3.9%. He recommended this approach to the Town, as it provides for oversight, returns, and convenience.

Mr. Jiron referred the Commissioners to a portfolio overview, including credit quality, yield to maturity, and prices. Each month, the Town would have maturities, which would provide access to cash as well as opportunities for reinvestment. The overview also provided a projected cash flow based on Treasury notes. This portfolio would carry an annual fee of 0.55%, which would include managers' and advisory fees.

There are also shorter-term options for the Town which typically have fees of 10 to 20 basis points. Longer maturities would have larger fees based on transactions.

Commissioner DeNapoli noted that the proposed Treasury ladder estimates first-year yield income of $77,122, which is roughly 3.8% to 3.9% yield to maturity. Mr. Jiron confirmed that the longest maturity in the ladder is 12 months.

Commissioner DeNapoli continued that with the recent lowering of interest rates by the Federal Reserve, with more lowering of rates expected in future rate cycles, he felt laddering the portfolio to lock in the 3.8% to 3.9% rate was the best choice for the Town. He recommended moving forward on the Treasury ladder with a two-year time frame.

Mr. Jiron explained that the proposed method is a one-year ladder, but noted that the Town may wish to consider longer maturities to take full advantage of the interest rate environment. Finance Director Lang advised that the Treasury note which matured at the end of July 2025 was a one-year note, while the note set to mature in October 2026 was for two years. Both notes were purchased through the same provider.

Finance Director Lang indicated that she was comfortable investing in a two-year ladder if the Town Manager concurred. Interim Town Manager Ken Rubach advised that he did not foresee a need for the funds within the next two years.

Commissioner DeNapoli asked if the proposed reinvestment would produce extra income over the 3.8%-3.9%. Mr. Jiron advised that he would have to review the two-year proposal for comparison. He pointed out that even if the Town chooses a two-year ladder, there would be staggered maturities which provided liquidity on a regular basis.

Commissioner DeNapoli made a motion, seconded by Commissioner Poulopoulos, to accept the proposal, leaving it to the Finance Director's discretion to invest in a two-year duration rather than just one if Staff felt it was appropriate.

Commissioner Poulopoulos advised that he agreed with this approach, particularly if the Town was not in need of liquidity at the moment. He recommended taking advantage of current interest rates, as they may be reduced later on.

Commissioner Graziano requested clarification that Finance Director Lang has had experience with the institution. Finance Director Lang confirmed that the Town has used South State Bank for the last 12 to 18 months.

Motion carried 5-0.

Commissioner DeNapoli requested information on the interest being earned by the Parking Fund. Finance Director Lang advised that this rate is approximately 3.55%. The Parking Fund includes $6 million, with $2 million of that total used toward operations. Commissioner DeNapoli suggested that the Director engage with South State Bank and/or Parametric to ladder the Town's $3 million Parking Fund investment or invest with the State Board of Administration (SBA).

Town Attorney Trevarthen confirmed that because the Commission has discussed its reinvestment policy, they may provide direction to Town Staff at tonight's meeting. She recalled, however, that in the wake of the 2008 economic crisis, SBA froze local governments' money, which prevented them from operating effectively. While funds were not lost due to the freeze, some municipalities could not pay their staffs.

Interim Town Manager Rubach indicated that he was comfortable proceeding with the proposed investment.

The Commissioners agreed by consensus to direct the Finance Director to proceed with investment of $3 million from the Parking Fund with SBA or South State Bank, whichever offers the higher interest rate. Finance Director Lang confirmed that she would verify current yields and discuss the issue further with the Interim Town Manager.

Finance Director Lang requested that Mr. Jiron provide the Town with additional information on both one- and two-year ladders.

5. PRESENTATIONS

a. Lobbyist Presentation

Lauren Jackson, representing Ericks Consulting, explained that an early legislative session is planned in 2025, with Committee Weeks planned in October, November, and December 2025 before the next session begins in January 2026. The next session is scheduled to end in March 2026, although it is possible that the session may run over.

The Florida House Select Committee met earlier in the week to discuss property tax reform with input from local governments and other stakeholders; however, no specific proposals were brought forward following this discussion. She anticipated a ballot measure related to property taxes in 2026.

With regard to property insurance, little action was taken during the previous session, although there is ongoing debate regarding whether or not the reforms passed in 2023 have had sufficient time to impact the insurance market. This debate is expected to continue. The House of Representatives has indicated they would like to pursue more insurance reforms, while the Senate and Governor want to allow more time for existing reforms to take effect.

Ms. Jackson continued that the State of Florida appointed a new Chief Financial Officer (CFO) shortly after the recent legislative session. This individual will be on the ballot for the 2026 general election. In addition, the House of Representatives has begun to use its authority to subpoena entities that play a role in holding insurance companies accountable, and they are expected to continue their investigations going into the 2026 session.

Several bills were passed during the 2025 legislative session, some of which may be brought back during the 2026 session. Florida's Live Local Act was expanded. Another bill, which would require local governments to allow accessory dwelling units (ADUs) in single-family residential zoning districts, ultimately died, but has already been filed again in the Florida Senate.

Ms. Jackson briefly addressed recovery residences, also known as "sober homes," noting that a statewide study of these facilities has been completed. A full rewrite of Florida Statutes Chapter 419 has been proposed to address several issues facing local governments, the recovery residence industry, patients, and more. It is hoped that this rewrite will provide more legal tools for use by local governments to address issues.

Ms. Jackson also addressed Senate Bill (SB) 180, which includes an emergency management package to help individuals rebuild following a storm event. She noted that the language of this bill is being broadly interpreted as restricting local land use rules that are unrelated to storm recovery. There may be opportunities to modify this language during the coming legislative session.

Ms. Jackson continued that there is a House Select Committee on Congressional Redistricting, although there is no indication thus far of what these maps may look like.

Commissioner Graziano requested that the Town's advocacy team keep particular watch on issues related to recovery residences and provide Town Staff with information on this topic. He emphasized the importance of ensuring that patients at these residences have access to help without negatively impacting the larger community.

Commissioner Poulopoulos asked if any more restrictive laws passed by the state with regard to recovery residences would be preempted by federal laws. Ms. Jackson advised that while this is a complex issue, there is case law which justifies the tools expected to be brought forward in an update to SB 419, which addresses these facilities. The statewide study, which is comprehensive, justifies the use of some of the tools which may be available to local governments.

Town Attorney Trevarthen advised that local governments are required to show, under case law, that recovery residences can subvert the entire community zoning scheme by clusters of uses. She cited the example of Delray Beach, in which a single street with 40 homes was occupied by 30 sober homes. That city produced a study which showed the impact of this cluster on residential zoning. One requirement of SB 419 is that local governments enact Ordinances to establish a process for the review of certified recovery residences prior to January 2026.

Town Attorney Trevarthen concluded that she would bring an update on SB 180 to the next Commission meeting, noting that a challenge to this law has been filed.

Commissioner DeNapoli requested additional information regarding the Ordinance required by SB 419. Town Attorney Trevarthen explained that recovery residences have protected status under federal law, which means the Town is limited in any actions it may take. Case law requires that municipalities show providers are taking actions that are not therapeutically necessary, or demonstrate that the presence of these residences severely harms the residential zoning schemes. The required Ordinance is intended to serve as recognition of federal law in addition to providing for a time frame for approval processes.

7. PUBLIC SAFETY DISCUSSION

None.

8. TOWN MANAGER REPORT

a. Town Manager Report

Interim Town Manager Rubach reported that a Celebration of Life for Assistant to the Public Works Director Tiana Ganswith is scheduled for Friday, September 26, 2025, followed by funeral services. He requested permission to close Town offices at 3 p.m. so Town Staff may attend. The Commission agreed by unanimous consensus.

The fiscal year (FY) 2024-2025 paving project has been completed, including paving the length of Terra Mar Drive as well as installing a new catch basin in an area prone to chronic flooding.

Interim Town Manager Rubach thanked Town Staff and Broward Sheriff's Office (BSO) personnel for attending the September 13, 2025 opening of the new playground at Friedt Family Park. He encouraged residents and neighbors to take advantage of this newly improved space.

The Seaside Players will present *Artifice*, a play written by Anne Finnegan, in Jarvis Hall beginning on October 3, 2025. The show will be performed on Fridays at 7 p.m., Saturdays at 2 p.m. and 7 p.m., and Sundays at 2 p.m. through October 12. Attendance is free due to a grant from Broward County's Cultural Division.

The Town received an unsolicited public-private partnership (P3) proposal on September 17, 2025. Town Staff and the Town Attorney's Office have provided preliminary review to ensure legal sufficiency. This proposal will be discussed in greater depth at the October 14 Commission meeting.

Interim Town Manager Rubach asked if the Commission wished to designate a liaison for the P3 process. The Commissioners agreed by consensus to appoint Commissioner DeNapoli as liaison.

Interim Town Manager Rubach advised that while the Commission discussed the possibility of a P3 at a recent workshop, Staff does not currently have the in-house

expertise to examine the proposal, and recommends bringing in a financial advisor for this purpose. This advisor would have sufficient expertise to review the Town's policy and ensure that proposals are consistent with industry standards.

Town Attorney Trevarthen further clarified that while her office will provide an overview to ensure legality, and while the liaison will provide the Commission's point of view, a financial advisor would determine the quality of the proposal offered to the community. Interim Town Manager Rubach added that the proposing entity has provided the Town with a check toward the services of a financial advisor.

Town Attorney Trevarthen explained that the Town has the option of soliciting additional proposals, to which the submitting entity had no objection. There was consensus to proceed with this approach.

Interim Town Manager Rubach stated that he would bring the costs associated with a financial advisor back to the next Commission meeting, along with a recommendation for an advisor. These costs are expected to be within the anticipated limit of $25,000. Town Attorney Trevarthen recommended selecting a financial advisor as soon as possible so they can provide advice on any and all proposals received. The deposit provided by the submitting entity is intended to be used toward all advisory expenses associated with the P3 process, not only their own submittal.

9. TOWN ATTORNEY REPORT

Town Attorney Trevarthen recommended that the Commissioners select a date for their remaining two hours' ethics training by the end of calendar year 2025. It was also noted that only one Commission meeting is currently scheduled for the month of November to avoid conflict with the Veterans Day and Thanksgiving holidays. That meeting is scheduled for November 18, 2025. It was determined that the Town Attorney would reach out individually to the Commissioners to discuss the training session.

10. APPROVAL OF MINUTES

None.

11. CONSENT AGENDA

a. Special Event Application: Wild Berry Celebration 11.06.25

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

12. OLD BUSINESS

a. Conservation Garden Update

Interim Town Manager Rubach recalled that this Item was first discussed in 2024, when the Commission authorized the beginning of the design process. An initial design package was completed in the first quarter of 2025. Staff provided some modifications to the plan, which was sent out to bid on June 9, 2025. As the Town did not receive any bids by the deadline, Staff sought pricing from local vendors so they would have a clearer idea of what the project would involve.

Interim Town Manager Rubach reviewed the following cost estimates:

- Landscaping: $37,968
- Electrical: $44,667.75
- Hardscaping/installation of pavers: $11,940
- Contingency: 15%, or $14,000
- Total: $108,762.11

The project is included in the Capital Improvement Plan (CIP) with a budget of $100,000. At present, $88,893 remains for this line item. He requested Commission consensus on what they would like the project to include, noting that if the costs exceed his spending authority, Resolutions will be drafted.

Ann Marchetti, representing the Lauderdale-By-The-Sea Garden Club, advised that 2025 is the Garden Club's 75th anniversary. The Garden Club's focus is to promote community education and communication related to civic and beautification projects. She recalled that the Club had planned a number of projects with the $2,500 charitable donation awarded them in the FY 2025-2026 budget, including:

- Garden planting at the Visitor Center
- Orchid installation
- Arbor Day planting with tree identification plaques
- Website to publicize and expand gardening in the Town

Ms. Marchetti noted that the proposed garden at the Visitor Center will no longer be necessary, and suggested that the Garden Club assist the Conservation Garden project

with signage. They are also interested in assisting with the development of a pollinator garden in the future.

Commissioner Poulopoulos asked if the costs of paving covered materials as well as installation. Interim Town Manager Rubach explained that Staff planned to use the same pavers as the Downtown area.

Commissioner Graziano requested additional information on lighting. Interim Town Manager Rubach replied that this would be accent lighting for the planted area, which would require the installation of lines and conduits.

Commissioner Poulopoulos noted that roughly $100,000 was previously budgeted for the project, with approximately $11,100 spent thus far. Interim Town Manager Rubach confirmed that $88,000 remains, which can be extrapolated to suggest the project will be $20,000 over budget.

Mayor Malkoon recalled that the intent of the Conservation Garden was to enhance the Town in remembrance of its 75th anniversary. He confirmed that he was comfortable with the costs of the three components cited earlier.

Commissioner Poulopoulos requested clarification of the primary landscaping that would be provided, suggesting that the Garden Club may be able to assist with this aspect. Interim Town Manager Rubach advised that the site would need a significant amount of sod and plants.

Commissioner DeNapoli asked if there is the possibility of negotiation regarding the electrical component. Interim Town Manager Rubach replied that the electrical expenses will be a set cost based on the Town's contract with the provider, although some value engineering is possible to determine whether or not all the proposed lights are needed. He requested Commission direction regarding how to proceed.

Vice Mayor Strauss asked if appropriate plants are taken into consideration. Interim Town Manager Rubach replied that Staff plans to select plants that are less attractive to iguanas, but acknowledged that this can be difficult. The project proposes a significant number of trees, which could be reduced to realize savings.

Commissioner Graziano commented that he would like to leave the project as is and allow the Interim Town Manager to further negotiate prices to determine whether they can be lowered.

Interim Town Manager recommended that the Commission instruct him to remain within the budget and work with the landscaping and electrical providers to identify any additional savings.

Commissioner DeNapoli spoke in support of the Conservation Garden and its role in celebrating the Town's history.

Interim Town Manager Rubach concluded that this Item will be brought back to the Commission by the October 28, 2025 meeting.

13. NEW BUSINESS

a. Discussion on Future Roundtable Topics and Format

Mayor Malkoon reviewed the proposed roundtable format included in the Commissioners' backup materials, suggesting a one-hour format to be scheduled on a quarterly basis. Possible topics included:

- Q1: community and civic life
- Q2: public safety and resilience
- Q3: economic and business development
- Q4: environment and future planning

Commissioner Poulopoulos stated that he was supportive of the proposal, although he was not certain about the chronological order of the topics. He emphasized the need to narrow the meetings' scope to very specific agendas. Commissioner DeNapoli agreed with this as well.

Commissioner Graziano added that he wished to ensure the Commissioners have as much information as possible on the topics to be discussed in advance of the meetings.

Interim Town Manager Rubach advised that Staff anticipates receiving possible proposals from Fire/Emergency Management Services (EMS) providers by the beginning of November 2025.

There was Commission consensus to proceed with the proposed format.

b. Veterans Day Celebration Chairperson

Events and Marketing Manager Katie Anderson advised that the Town's Veterans Day celebration is scheduled annually on November 11. This is one of two annual events assisted by a committee which is chaired by a member of the Town Commission. Vice Mayor Strauss served as Commission representative in 2024.

The Commissioners determined by unanimous consensus that Vice Mayor Strauss would serve as Veterans Day Chair again in 2025.

c. Hardship Parking Permit Applications

Interim Town Manager Rubach explained that this is an annual process due to the limited parking spaces available at hotels and apartment buildings. The cost of an annual hardship permit is $324. In 2025, hotels and apartment buildings are requesting 37 hardship permit applications, which allows spaces to be made available for their use on a first come, first served basis.

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

e. Discussion of the Town Manager Position

Commissioner Poulopoulos stated that he felt the Commission should move forward with the search for a permanent Town Manager, as there are multiple items facing the Town in the next few months. He was not certain the position should go out to bid, as that process could be very expensive and as the Interim Town Manager is qualified for the permanent position. He requested feedback from the Commission on the possibility of negotiating the Town Manager contract, concluding that he would be willing to serve as Commission liaison during the negotiation process.

Mayor Malkoon advised that while he had intended to allow a trial period for the Interim Town Manager, he agreed that the Interim Town Manager has a great deal of valuable knowledge and would not require a learning curve. He also noted that Town Staff is currently understaffed in key positions, which means the Town Manager is somewhat lacking in support. He agreed with the proposal to begin discussing a contract. Commissioner DeNapoli agreed as well.

Vice Mayor Strauss stated that while he did not take issue with the proposal, there are certain educational and certification requirements for the Town Manager position. While these have been bypassed in the past, these requirements have been raised when there

have been past issues with Town Managers. He recommended taking this into consideration if the Commission wishes to bypass these requirements once more.

Commissioner Poulopoulos recalled that the formal processes used to review and select potential Town Manager candidates in the past have not always yielded the best outcomes, and emphasized the importance of experience and institutional knowledge for this position.

Vice Mayor Strauss explained that his only concern was that the Commission may be following the same process they undertook with the previous Town Manager for many of the same reasons. He advised that he is also confident in the Interim Town Manager's ability to fill the permanent position.

Commissioner DeNapoli requested additional information regarding certification for Town Manager positions. Interim Town Manager Rubach advised that the International City/County Management Association (ICMA) provides the preferred form of certification based on years of service in various positions. He estimated that only a very small number of the managers of Florida municipalities have achieved this certification.

Town Attorney Trevarthen added that the Town's Charter also addresses the certification and standards for the Town Manager position, noting that this is ultimately left to the Commission's discretion.

Commissioner Graziano expressed concern that the Commission's decision to proceed without inviting other applications could be questioned in the future. He suggested allowing the submittal of other applications, which Commissioner Poulopoulos could review as he moves forward with the negotiation process. He also emphasized his confidence in the Interim Town Manager's institutional knowledge.

Town Attorney Trevarthen clarified that the Commission liaison will not be empowered to make decisions on behalf of the Commission, but may only work with Town Staff on the negotiation process. The Commission will be the ultimate authority which makes decisions.

The Commissioners agreed by unanimous consensus to have Commissioner Poulopoulos proceed as liaison during Town Manager contract negotiations.

14. COMMISSIONER PRESENTATIONS

None.

15. COMMISSIONER COMMENTS

Commissioner Graziano reported that he recently met with representatives Florida Power and Light (FPL) once more to discuss the possibility of including the Town in its Storm Secure Underground Program (SSUP). At present, the Town is roughly 20 years away from reaching the top of the list for this program, which he found unacceptable.

Commissioner Graziano continued that he has heard resident complaints regarding the Town's bus turnaround area. Interim Town Manager Rubach advised that there is no bus route that includes the turnaround area, and twice in the past year, drivers in training have taken wrong turns that led them to that portion of Town property. There are no bus stops on either El Mar Drive or on Commercial Boulevard east of A1A.

Commissioner Graziano also commended the full Town Staff on their work toward the FY 2025-2026 budget.

Commissioner Poulopoulos emphasized the importance of civility in any communications with the Commission, and asserted that the co-designation of Sea Grape Drive is a non-partisan issue.

Commissioner DeNapoli also addressed comments related to the co-designation, stating that a small group of protesters are creating partisan division in the Town. He added that appropriate public notice was provided for the Resolution in question and most residents were in favor of the proposal. He continued that Florida law does not prohibit elected officials who do not declare party affiliation on the ballot from being a member of a political party or attending party events.

Commissioner DeNapoli also refuted the suggestion that he planned to run for higher office in the future and expressed concern with the accuracy of many statements made during public comment and submitted via email. He emphasized his pro-business position and contributions to the ongoing accomplishments of the current Commission, as well as the necessity of respect.

Vice Mayor Strauss wished all present a happy Rosh Hashanah and also emphasized the importance of civility in public communications and discussion.

Mayor Malkoon noted that the Commission is not required to allow public comments on non-agenda items, reiterating that tonight's additional public comment period was provided as a one-time courtesy.

Mayor Malkoon continued that he recently attended the ribbon-cutting ceremony the new Friedt Park playground as well as a Florida League of Mayors event in the city of Weston and a community tribute reflecting shared values. He also thanked Staff and the Commission for their work on the budget and encouraged residents to attend the upcoming Seaside Players performances.

16. ORDINANCES 1ST READING

None.

17. ORDINANCES 2ND READING

None.

18. RESOLUTIONS – PUBLIC COMMENTS

b. RESOLUTION 2025-45 – A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING THE 2024/2025 FISCAL YEAR BUDGET IN ACCORDANCE WITH THE ATTACHED EXHIBIT "A"; AUTHORIZING APPROPRIATIONS AND EXPENDITURES IN ACCORDANCE WITH THE 2024/2025 FISCAL YEAR BUDGET AS AMENDED; PROVIDING FOR CONFLICTS AND AN EFFECTIVE DATE.

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

Finance Director Lang explained that under Florida Statutes, the Town may amend its budget at any time during the fiscal year or within 60 days following the close of that fiscal year. Tonight's amendment will formally recognize the following adjustments:

- Termination payout for the former Town Manager
- Additional revenues received from multiple sources
- Transfer of interest income from the General Fund to the Fire Fund
- Reallocation of personnel expenses for the Code Compliance team

Staff requests approval of Resolution 2025-45 to incorporate these adjustments into the FY 2024-2025 budget.

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

c. RESOLUTION 2025-46 – A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, SELECTING GRAU & ASSOCIATES FOR AUDITING AND FINANCIAL ANALYSIS SERVICES PURSUANT TO REQUEST FOR PROPOSAL (RFP) NO. 2025-06-01; AUTHORIZING THE INTERIM TOWN MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH GRAU & ASSOCIATES; AND PROVIDING FOR AN EFFECTIVE DATE.

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

Finance Director Lang advised that this Item selects an audit firm to conduct the Town's financial audits for FY 2024-2025 and the subsequent four fiscal years. The Town's prior agreement with Grau & Associates expired on July 31, 2025. The Town issued an RFP in July and Commissioner Graziano was appointed as chair of the Auditor Selection Committee. The Committee evaluated the four proposals received, ranked the firms based on their qualifications, and recommended the engagement of Grau & Associates.

As required by Florida Statutes, when compensation is included as an evaluation factor, the Commission must either select the highest-ranked qualified firm or document their reasons for not doing so.

Staff recommends selection of Grau & Associates and authorization of the Interim Town Manager and Town Attorney to draft an agreement for execution of that contract.

Commissioner Graziano thanked Staff and the members of the Auditor Selection Committee for their assistance and participation.

Commissioner DeNapoli noted that it can be useful to change auditors from time to time in order to invite a new perspective and ensure independence and best practices. He concluded that he supported the Committee's rankings.

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

Finance Director Lang concluded that the Town Attorney and Interim Town Manager will draft the agreement with the auditing firm.

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 9:56 p.m.

_____

Mayor Edmund Malkoon

ATTEST:

_____ _____

Courtney Easley, Acting Town Clerk Date

DRAFT

TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
REGULAR MEETING MINUTES
Jarvis Hall
4505 N. Ocean Drive
Tuesday, November 18, 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 Poulopoulos, Town Manager Ken Rubach, Acting Town Attorney James White, Finance Director Lucila Lang, Assistant Finance Director Edner St. Jean, Development Services Director Jhanelle Campbell, Assistant to the Town Manager Courtney Easley/Acting Town Clerk, and Events and Marketing Manager Katie Anderson.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION

All present observed a moment of silence.

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

None.

5. PRESENTATIONS

a. Friedt Park Mural

Events and Marketing Manager Katie Anderson presented options for the addition of community art to the Friedt Family Park area. Staff has worked with muralist Jonathan Ramirez to develop a number of potential designs, which will be made available to residents via a survey once the list has been narrowed down following tonight's meeting.

The mural is estimated to cost approximately $7,000, which includes design time, materials, and completion. Once a design has been selected, it will take roughly two weeks for the artist to complete the work. Colors will be consistent with the Town's branding guidelines.

Events and Marketing Manager Anderson reviewed design concepts for the proposed mural, which included a pelican design, a postcard motif, diving attractions, and a reef system. She requested that the Commissioners narrow down the choices, concluding that the mural would be placed on the blank wall of the restroom building next to the Friedt Family Park playground.

The Commissioners discussed the concepts and it was determined that options one, two, and three would be presented to the public through a survey. The results will be presented at the next Town Commission meeting.

b. 2025 Vision Process & Strategic Plan Report Recommendations

Jamie Titcomb, consultant, advised that he has worked with Town Staff in recent months toward visioning and strategic plan concepts and priorities, which were captured in a report including recommendations. He concluded that he would work directly with the Commission, the Town Manager, and Town Staff to provide deliverables associated with specific priorities.

Town Manager Ken Rubach stated that Staff will incorporate the themes recommended in the report into the Town's current Strategic Plan, which will be used to help the Commission determine its priorities and link them to projects.

6. PUBLIC COMMENT

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

7. PUBLIC SAFETY DISCUSSION

a. BSO October 2025 Public Safety Report

Broward Sheriff's Office (BSO) Captain Christopher Sutter reported that Sergeant Luis Rivera has retired after 22 years of service in Broward County. The Employee of the Month for October 2025 was Detective Ben Koos, who accessed the Town's camera system to identify suspects in two break-ins and thefts.

Captain Sutter also recognized Citizen Observer Patrol (C.O.P.) Majors Art Jackson and Lou Barbara for obtaining medical assistance for an injured individual. He thanked all participants in the C.O.P. program for their dedication.

b. PBFR September & October 2025 Public Safety Report

Fire Inspector Chris Sayer provided reports for September and October 2025, stating that in September, Pompano Beach Fire Rescue (PBFR) participated in four plan reviews and 138 medical/fire responses. The average response time was seven minutes and 35 seconds. In October they provided 13 plan reviews and 102 medical/fire responses with an average response time of seven minutes and 27 seconds.

8. TOWN MANAGER REPORT

a. Town Manager Report

Town Manager Rubach reported that the Public Works Department has been preparing for the upcoming Christmas-By-The-Sea event, which is scheduled for Wednesday, December 3, 2025 from 5 p.m. to 8 p.m. Activities include crafts for children, an artisanal vendor village, music, and an appearance by Santa Claus.

The Director of Public Works position was posted on November 10, 2025 and the Town has received applications. The Town Manager and Staff will work toward this recruitment, with a goal of filling this position within the first quarter of 2026.

The Town has received proposals for its Fire services contract from Broward County and the City of Fort Lauderdale. Staff is also in discussions with Pompano Beach regarding the possibility of re-submission for the contract. A roundtable workshop will be held in January 2026 to review these options.

Town Hall and its offices will close at noon on Thanksgiving Eve, Christmas Eve, and New Year’s Eve.

Town Manager Rubach advised that he recently attended a webinar addressing potential legislative action which could affect millage rates on a statewide basis. This event included information from the Florida League of Cities and other Broward County City Managers’ Association members. Staff will continue to work with Broward County legislators to inform them of the potential impacts of the proposed legislation. Estimated

losses in revenue could range from $800,000 to $2 million. The Town receives approximately $14 million annually through its millage rate.

The Veterans Day event was well-attended and a success. Town Manager Rubach recognized Vice Mayor Strauss for chairing the event committee and Events and Marketing Manager Anderson for her work as well.

Town Manager Rubach concluded that Vice Mayor Strauss would be unable to attend the December 9, 2025 Commission meeting and was requesting an excused absence.

Commissioner DeNapoli made a motion, seconded by Commissioner Poulopoulos, for an excused absence for the Vice Mayor. Motion carried 4-0 (Vice Mayor Strauss not voting).

9. TOWN ATTORNEY REPORT

None.

10. APPROVAL OF MINUTES

a. Approval of Minutes for October 14, 2025 and October 28 Regular Commission Meeting

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

11. CONSENT AGENDA

a. Special Event Application: Feast of the Holy Epiphany 01.06.26

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

12. OLD BUSINESS

None.

13. NEW BUSINESS

a. Special Event Application: Chanukah Festival December 16, 2025

Events and Marketing Manager Anderson stated that Rabbi Bentzion Singer has submitted a Special Event Application on behalf of Chabad of Lauderdale-By-The-Sea for the annual Chanukah Festival. The event will be held in Connie Hoffmann Plaza and Ocean Plaza on Tuesday, December 16, 2025. As in previous years, it will include live music, a menorah lighting ceremony, and complimentary refreshments for attendees.

The Applicant expects approximately 100 attendees and will provide 10 to 12 volunteers. Aruba Beach Café will remove its outdoor dining tables from the Plazas and assist with event setup, which will begin at roughly 1 p.m. The event will begin at 5:30 p.m. and last until 9 p.m., with cleanup to be completed by 10 p.m.

The Applicant requests waiver of applicable fees, which include application, electrical use, and Plaza usage fees. The Commission has historically approved these waiver requests, which total $540.

The Applicant also requests that the Town co-sponsor the event by providing a financial contribution of $2,000. Chabad of Lauderdale-By-The-Sea was awarded $1,000 by the Town Commission at their September 24, 2025 meeting during fiscal year (FY) 2025-2026 donation requests. The Applicant also requests six undesignated parking permits from 3 p.m. until 10 p.m. for event volunteers, setup, and attendance. These permits have a value of $144.

Staff recommends approval of the event with the conditions outlined in the Special Event Permit, as well as approval of the $540 in fee waivers and the six requested parking permits. Staff requests Commission direction regarding the $2,000 donation request. If approved, a budget amendment will be brought back at the next Commission meeting for this transfer of funds.

Commissioner Graziano recalled that the Commission had recognized the contributions of Chabad of Lauderdale-By-The-Sea during consideration of charitable donation requests during budget deliberations. He was not in favor of contributing to religious events and did not wish to donate more funds.

Vice Mayor Strauss advised that in the past, he has been in favor of a Town partnership or donation toward the Chanukah celebration, noting that Christmas-By-The-Sea is an annual Town event. He emphasized the importance of a partnership for the Chanukah

event as well, which is open to the public. He concluded that he was in favor of the requests associated with this special event, including the contribution from the Town.

Vice Mayor Strauss also recalled that differentiations have been made establishing Christmas-By-The-Sea as a non-religious holiday event. In previous years, the Town Attorney had clarified that existing law made it possible for the Town to consider contributing to events of this nature without violating the law.

Commissioner Graziano explained that he did not wish his opposition to the $2,000 request to be misperceived, noting that the Commission has historically viewed Christmas-By-The-Sea as a non-religious event.

Commissioner Poulopoulos stated that he was also supportive of Chabad of Lauderdale-By-The-Sea, but pointed out that if the Town participates in co-sponsorship of a religious event, it would open the door to future sponsorship requests from all viewpoints. He was in favor of waiving fees for the Chanukah event.

Mayor Malkoon also shared concerns regarding the sponsorship request, adding that he was also in favor of granting the fee waiver.

Commissioner DeNapoli also characterized Christmas-By-The-Sea as a non-religious event, as it includes no religious activity or church presence. He noted that the Chanukah Festival is a religious event using public space to celebrate a religious occurrence, concluding that he shared the concerns of other Commissioners with opening the door to a wide range of future requests if the Town provides co-sponsorship.

It was clarified that Staff recommended approval of the event with the conditions listed in the event permit, including waiver of $540 in fees and approval of six parking permits at a value of $144. The requested $2,000 co-sponsorship was left to the Commission's discretion.

Vice Mayor Strauss made a motion, seconded by Commissioner DeNapoli, to approve Staff's recommendation, excluding the $2,000 co-sponsorship. Motion carried 5-0.

b. Party in the Park Series

Events and Marketing Manager Anderson explained that this is a proposal for a new event program. The Party in the Park Series will incorporate family-friendly activities into Friedt

Family Park in a “pop-up event” style. Events will be held every two to three months, each with a different theme related to the time of year. They will include light entertainment, background music, giveaways, and more. Each event is estimated to cost $1,500 or less. The events are reflected in the Special Events budget line item, which totals $14,500 for new family-friendly programming.

The first event is proposed for Thursday, December 18, 2025 from 5:30 p.m. to 7:30 p.m. and will have a theme of “Friedt is Frozen.” It will feature winter character appearances, snow machines, giveaways, music, and other enhancements with the participation of various Town associations. Staff requested approval of or commentary on the proposed new event.

Commissioner Poulopoulos was in favor of the event, particularly in light of the low budget, and noted that attendance is high at Friedt Family Park. Events and Marketing Manager Anderson clarified that costs will vary between events, with characters’ costs ranging from approximately $400 to $800. She estimated that the Frozen event could be held for less than $1,000.

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

14. COMMISSIONER PRESENTATIONS

None.

15. COMMISSIONER COMMENTS

Commissioner Graziano congratulated all involved in the recent Veterans Day celebration, including the Vice Mayor and Town Staff as well as residents, speakers, and attendees.

Commissioner Graziano continued that he recently held a meeting with over 30 constituents which addressed the El Prado Park enhancements, the Farmers Market, pedestrian signage in the Business District, the upcoming IPW showcase, lighting on West Commercial Boulevard, parking enforcement, and day trips for cruise passengers, among other topics. He concluded that he continues to discuss undergrounding of utilities in Town neighborhoods with Florida Power and Light (FPL).

Commissioner DeNapoli also praised the Veterans Day event, and encouraged residents to attend Christmas-By-The-Sea. He recognized the opening of several new Town businesses.

Commissioner Poulopoulos thanked the Vice Mayor for chairing the Veterans Day event and encouraged attendance at Christmas-By-The-Sea.

Vice Mayor Strauss thanked Veterans Day attendees and Town Staff for their participation, and emphasized the importance of shopping at local businesses on Black Friday and during the upcoming holiday season. He reported that the Hillsboro Inlet District, which helps to maintain waterways and beaches in the area, is in the process of obtaining a new dredging barge.

Mayor Malkoon recognized the unique nature of the Town's Veterans Day event and other annual Town celebrations, and also encouraged residents to shop at local businesses.

The Mayor, Vice Mayor, and Commissioners wished all present a happy Thanksgiving.

16. ORDINANCES 1ST READING

None.

17. ORDINANCES 2ND READING

None.

18. RESOLUTIONS – PUBLIC COMMENTS

a. Resolution 2025-35: A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING A FIRST AMENDMENT TO A PIGGYBACK AGREEMENT WITH ONE PARKING INC. FOR PARKING OPERATIONS AND ENFORCEMENT SERVICES, UTILIZING THE TERMS AND CONDITIONS OF THE CITY OF DELRAY BEACH AGREEMENT AWARDED PURSUANT TO RFP 2022-038; 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.

Town Manager Rubach explained that One Parking has provided contractual parking enforcement since 2023. The former Parking Coordinator has moved to another position in Public Works, leaving the Parking Coordinator position vacant. Contracting this position out to One Parking would save roughly $15,000 during the first year of the contract.

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

19. QUASI JUDICIAL PUBLIC HEARINGS

Acting Town Attorney James White reviewed the requirements for quasi-judicial items, and any individuals wishing to speak on these Items were sworn in. The Commissioners disclosed any ex parte communications related to the Items.

a. **Pursuant to Chapter 30 "Unified Land Development Regulations," Section 30-510(b)(2), "New Mid-Century Modern Style Signs," of the Town's Code of Ordinances ("Town Code"), the Applicant has requested a Conditional Use Permit (2025-CUS-02) to allow a new trademarked Mid-Century Modern Style wall sign with 26-inch sign lettering where 12 inches is required by Town Code Section 30-506(a)(6)(a) within the B-1 Zoning District for the property at 112-112A Commercial Boulevard. (Sushi Sake)**

Development Services Director Jhanelle Campbell explained that this is a conditional use request for installation of a Mid-century Modern sign. Town Code allows business or residential property owners to apply for relief from Sign Code requirements as long as the sign to be installed is in the Mid-century Modern style. The proposed sign for Sushi Sake has 26 in. letters where Town Code allows for a maximum letter size of 12 in. The sign was reviewed by the Town Architect and found to be compliant with Mid-century Modern standards. It has already been installed and is 26 sq. ft. in size, which complies with Town Code signage size requirements. Staff recommends approval of the sign.

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

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

b. **Pursuant to Chapter 30 "Unified Land Development Regulations," Section 30-510(b)(2), "New Mid-Century Modern Style Signs," of the Town's Code of Ordinances ("Town Code"), the Applicant has requested a Conditional Use Permit (2025-CUS-03) to allow a new trademarked Mid-Century Modern Style wall sign with 26-inch sign lettering where 12 inches is required by Town Code Section 30-506(a)(6)(a) within the B-1 Zoning District for the property at 107 Commercial Blvd. (Burger Vibez)**

Development Services Director Campbell explained that this Application requests installation of a Mid-century Modern sign at an incoming business. The sign would have 24 in. letters rather than the 12 in. required by Code. A citizen participation meeting was held for both this Item and the previous Item, with no participants in support or opposition. Staff recommends approval of the Application.

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

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

c. **Pursuant to Chapter 30 "Unified Land Development Regulations," Article IV, "Development Permits – Applications, Requirements and Review Procedures," Division 2, "Site Plan Procedures and Requirements," Section 30-123 "Modification of Approved Site Plan," of the Town's Code of Ordinances, the Applicant requests approval of a site plan modification for 231 Lake Court to reconfigure units by: (i) combining portions of existing Units 1, 2, and 4 on the ground floor into the ground floor level of Unit 1 and relocating Unit 2 into the existing garage; (ii) reducing Unit 3 to a one-bedroom unit located over the existing garage (proposed Unit 2); (iii) converting the balance of the second floor into the three-bedroom sleeping quarters of Unit 1, creating a two-level Unit 1; (iv) constructing a second-floor addition above the existing one-story portion to accommodate a third bedroom and associated bathroom for Unit 1; (v) establishing a rooftop terrace above the new second-floor addition for passive recreation, in**

compliance with Town Code requirements for rooftop use; and (vi) constructing a new garage to serve the reconfigured development renovations to meet the Town's zoning and land use requirements for property located at 231 Lake Court.

Development Services Director Campbell explained that this request would convert a four-unit building to a three-unit building, add a rooftop, reconfigure parking, and add a garage. The multi-unit property is being redeveloped for the owner's personal use. A Site Plan Level II request is required because the buildable square footage of the building is being expanded. The existing swimming pool and deck at the subject property will remain.

Development Services Director Campbell showed a rendering of the proposed redevelopment of the property, which is in the Town's RM-25 zoning district. The plans were reviewed by the Town Architect and the design was approved. The building will have a total of three units and will not exceed the Town's 33 ft. height requirement. It will include 6,997 sq. ft. of total building area. The renovated property will include one two-story two-bedroom unit with a penthouse, one ground-floor bedroom unit, and one second-floor one-bedroom unit. The property meets zoning district density requirements.

A citizen participation meeting was held on October 6, 2025, with one attendee. On November 5, 2025, the Town's Planning and Zoning Board recommended approval of the project.

Parking will be reconfigured to improve safety, as it is currently nonconforming. The result will be four standard parking spaces and one compact space.

Following review of Site Plan criteria, Staff recommends approval of the project as proposed.

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

Development Services Director Campbell further clarified that Staff's recommendation includes a number of conditions, which are outlined in the development order attached to the report. These standard conditions include:

- Applicant must obtain a building permit within six months
- Applicant may not owe any money to the Town
- Address of engineering comments

These conditions must be met in order to obtain a Certificate of Occupancy (CO).

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

20. ADJOURNMENT

With no other business to come before the Commission at this time, the meeting was adjourned at 7:42 p.m.

_____

Mayor Edmund Malkoon

ATTEST:

_____ _____

Courtney Easley, Acting Town Clerk Date

Agenda Item No: 12.a.

Town Commission Agenda Item Report

Meeting Date: December 9, 2025
Submitted By: Katie Anderson, Events & Marketing Manager
Submitting Department: Administration
Item Type: Action Item
Agenda Section:OLD BUSINESS

Subject Title: Wild Berry Santa Paws Special Event

Explanation: At the Commission Meeting on October 14, 2025, the Commission approved the Special Event Application **(Exhibit 1)** for the Wild Berry Santa Paws events. These events are scheduled to take place on Friday, December 12th and Friday, December 19, 2025 from 4:00PM-8:00PM.

Since that approval, the Permit Holder has requested revisions to the event that go beyond the Town Manager's scope of approval.

The requests / events changes are as follows:

Wild Berry Santa Paws Event	
Approved Components	**Revisions / Additions**
Date: Friday, December 9 + Friday, December 12 2025	Date: Saturday, December 20, 2025
Time: 4:00PM-6:00PM	Time: 12:00PM-5:00PM
Setup: 11:00 AM	Setup: 10:00AM
Breakdown Completed: 9:00PM	Breakdown Completed: 7:00PM
Light Background Music (approved use of Town electricity)	Same
Location: Breezeway between Buildings	Location: Parking Lot of 262 Commercial Boulevard (Event will be held exclusively in

	the Parking Lot)
Photo Booth Set Up	Photo Booth Set Up
In front of Big Cat Bikes:	Few Vendors (exact number unknown)
High Top Tables	Table locations unknown
	2 Food Trucks
In front of Wild Berry Salon:	
Small Bar, Complimentary Wine	Small Bar, Complimentary Wine

Proposed site map **(Exhibit 2)** has been provided by the Permit Holder.

Recommendation: Staff is requesting Commission direction on the above mentioned revision requests.

Exhibits:
1. Sp. Event Application Santa Paws December 2025
2. Santa Paws Site Map 12.20.25

SPECIAL EVENT APPLICATION

Submit this completed application *at least* 60 days prior to the proposed date of your event.

DETAILED SITE PLAN REQUIRED (see details at end of application)
Site Plans often do not include details that are necessary to approve an application or to issue a permit and delays are caused by rejections of initial applications.

Once you have completed the written portion of the application, provide a Site Plan on the last page or attach separately to this application.

Name of Event: Santa Paws by the Sea

Event Purpose, Description and Activities: Photos with Santa and your pet Fundrasier

New Event X **or Returning Event**____ **Previous Attendance**_____

Day(s) and Date(s) of Event: December 12 and Dec ember 129th both 4-8pm

Proposed location of the Event (location, streets, landmarks):

262 Commercial Blvd LBTS Sting Ray Plaza

How many people do you anticipate on site at any peak time?

Participants: 30-40 #Spectators 30-40 #Adult volunteers: 10

Please complete the following table:

Activity	Day	Time
Start of set-up:	12/12- 12/19	11am
Start time of the Event:	12/12- 12/19	4 pm
EVENT	12/12- 12/19	
End time of the Event:	12/12- 12/19	8 pm
Start of Clean up:	12/12- 12/19	8pm
Clean-up completed by: (Site restored to original condition)	12/12- 12/19	9pm

Name and address of host or sponsoring organization:

Is applicant a Non-Profit Organization? See Attached YES NO

Please attach Organization's proof of 501c3 IRS exemption, background, history, accomplishments, and other events:

Person submitting Application ("Responsible Party"):

Name: Anna Berry

Mailing address: 262 Commercial Blvd LBTS Sting Ray Plaza

Phone: 9545522458 Mobile phone: 9542684924

Email: annie@thewildberrysalon.com Fax:

Representative(s) who will be at each day of the event:

Name(s): Jose Torres

Mailing address: 262 Commercial Blvd LBTS Sting Ray Plaza

Phone: Mobile phone: 6313162999

Evening phone: Fax:

Email: j26ltorres@gmail.com

Add information as necessary:

Will you have an event contractor or planner? YES NO

If yes, please provide the contact information of your event contractor (event planner)

Name: Company Name:

Business Address: Company Email:

Phone Office: Phone Mobile:

List contractors that will be on site before, during or after the event (use separate page if needed) – final list required 30 days prior to event.

Request for Town Involvement:

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

If yes, describe services requested, if any: Extra Anderondex chairs and tables, christmas lights anything they can offer beach themed

STATEMENT OF BENEFIT

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 here or attached to this application.

If the Town is a sponsor or co-sponsor of the event, the Applicant shall keep financial records of the event sufficient to document all revenues and expenditures. These records shall be available at reasonable time within Broward County for inspection by the Town.

(Insert here or denote if attached)

FEES

Are there fees or donations collected on site from the participants or spectators?

YES NO

If yes, provide details: $30 per photo and $10 per extra photos raffle drawings, we have to rent and buy props and printer, pay Santa, and photgraphger

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 the immediate termination of the source of the noise and may be grounds to terminate the event.

Do you plan to use amplified sound? Provide details, time and location, and if you require electrical connections for:

x Proposed amplified sound/speaker system:

x Proposed live music: List genre, type, ambiance:

x Planned recorded music

2 Do you require electrical connections for any of the above? Please give details:

CLEAN EVENT STANDARDS

Keeping the event area clean during the event and immediately following the event, including trash removal, walkways, and streets, is the responsibility of the applicant. See Clean Up Deposit under Conditions

Please note that, except for very small events, all events shall provide a recycling plan and follow recycling requirements. See Recycling Requirements under Conditions. For more info email recycle@lbts-fl.gov.

Name the contractor or organization (including contact information) who is responsible for your Event's recycling:

Name: na Email:

Address:

Daytime phone: Mobile phone:

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, canopies larger than 120 sq. ft., multiple canopies without separation, and stages require a building permit. The use of tents or large canopies require approval of the LBTS Fire Marshal and are required to have building permits obtained via LBTS Building Department prior to Event. Manufacture labels are required to be attached to the tents and canopies.

Rental agencies shall provide documentation of the flame spread labeling of 25 or less submitted with application. All canopies larger than 120 sq. ft. shall submit copies the manufacture's labels attached to the tents or canopies with 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 Site Plan. List sizes and numbers of each:

Tents: 1 10x10

Canopies: ____

Stages: ____

Bleachers: ____ list size and max load:

UTILITIES

All utilities requirements shall be approved by the Director of Development Services and the Fire Marshall prior to Application submission to Town Commission.

Depending on location of event, electrical and/or water may be available from the Town for a fee.

Electrical Requirements: *Electrical work requires an Electrical Building Permit.*
Generators over 5KW require an Electrical Building Permit.
A Florida Licensed Electrical Contractor is required to obtain permits.

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. Contractor is required to schedule and successfully complete inspection of work prior to Event opening. Florida Building Code 101.4.1, 105.4.5.

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

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 company name providing the equipment. Describe below, include location and use, and also include locations on Site Plan:

_____Electrical power:

_____Water:

_____Gas, propane, BBQ grills, generators:

_____Fuel Storage:

SIGNAGE

All signage shall be included in the application if you wish to exceed the Town Code requirements. Signage shall be reviewed by Development Services (LindaC@lbts-fl.gov) before Application is submitted to Town Commission). No signage shall be installed without permit.

Information on signage shall include location, colors, size and number of signs. Indicate signage to be placed in any right of way that directs traffic to the Event and their approximate size.

Are you requesting permission to erect signage for this Event? YES NOx

For each sign please provide:

Description, number of signs, proposed dates, location, size of signs in square feet and letter size:

to be determined

Include sign locations on detailed Site Plan or attach a separate sheet.

TybbBerpe text here

RESTROOMS (show on Site Plan)

The number of portable toilets required depends on the number of attendees, length and type of event, as determined by the Building Official.

Local businesses that have more than the required number of restroom facilities that allow their facilities to be used may count towards the extra restroom facilities required.

If Event is downtown, permit holder is required to obtain written approval from restaurants to allow participants to use their restroom facilities.

Number of restroom facilities required by Town: TBD
Number of additional restroom facilities, and type, that will be on event site: na
(Show on Site Plan)

STREET CLOSURES

Street closures may be required at the Event's expense

Are you requesting that any public streets be closed for the Event? YES NO x
I don't know, please advise_____

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

TRAFFIC CONTROL/BARRICADES

A traffic control contractor may be required for events which require barricades or traffic control signage.

Please list your traffic control contractor, if applicable:

VEHICLES

Vehicles are not allowed to drive or park on Town property or park grounds due to damage to underground irrigation systems and to the sod. Applicant shall be responsible for restoration of any damage to Town property.

Are you requesting to drive or park on town property or park grounds: YES NO x

If you are requesting that vehicles be permitted to drive or park on Town property, please indicate the type(s) of vehicles, the locations, and times they would be parked. Must be approved by Town's Parking Department prior to Event.

LOADING/UNLOADING: If you are requesting that vehicles be permitted to load/unload in non-metered areas, please indicate the location and times loading and unloading would occur:

TRAFFIC CONTROL PLAN

Parking exemptions shall be approved by Assistant Town Manager prior to Application submission to Town Commission). Town may block spaces for safety and other reasons at the expense of the Event.

Include detailed Site Plan indicating how on and off street parking will be accommodated.

Are you requesting the reservation of any Town parking meter spaces for the Event?
YES NOx

If yes, provide the meter numbers on the Site Plan and purpose for which they will be used.

All parking meter fees are paid 30 days prior to the event.

OFF DUTY POLICE/CODE COMPLIANCE OFFICERS

Off duty police officers are required, at the applicant's expense, for street closures, events with alcohol, or large crowds, as determined by the Sheriff's Department. Large events may require a code compliance officer to ensure compliance with Town codes.

Do you anticipate needing off duty police officers for your Event? YES NO x
Do you anticipate needing code compliance officers for your Event? YES NO x

CONCESSIONS:

A no-compete clause pertaining to local restaurants will be required where applicable.

Are you planning to have any type of concessions? YES NO x

If YES, has the Florida Health Department approved the food vending Site Plans?

YES NO x

If yes, is the food provided by a Non-Profit _____ or For Profit _____ organization?

Is the food free of charge_____ or for sale _____

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

Please list the types of food that will be served:

Are you requesting any of the following types of cooking equipment be used on site:

Charcoal Grills _____	Sterno_____	Fryers_____	Open fires_____
Propane Grills _____	Refrigerators____	Smokers_____	Hoods _____
Concession trailers____	Warmers_____	LP Tanks_____	Other _____

Provide details of dispensing locations here and on Site Plan

ALCOHOL

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

Are you planning on selling alcoholic beverages at the event? YES NO complimentary

If YES, has a liquor permit been obtained from the State of Florida? YES NO

Provide details of dispensing locations here and on Site Plan

Provide contact information for all license holders that will be serving alcohol:

VENDORS

A list of all vendors their company name is required for initial approval and final list is required 30 days prior to event and subject to approval (add here or on separate page, and vendor location on site Plan):

Name na Company Vendor Type

ANIMALS

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

Are animals included in your event? x YES NO
If yes, please give details: Behaved leashed pets for photois

FIREWORKS

(Fireworks require a separate permit approval process and application)

Are you requesting approval to discharge fireworks at the event? YES NOx

SALE OF MERCHANDISE

Are you requesting approval to offer other items for sale at the event? YES NO x

List items for sale:

RIDES

Rides or other amusement may require a State of Florida inspection

Copies of contracts with any provider of rides, mechanical devices and amusements shall be submitted to the Town at least 30-days prior to the event.

Are rides to be included in the Event? YES NOx

If yes, please provide the number and description of each type:

Mechanical/Electrical:
Inflatable (bounce house etc.):
Manual (slides, trampolines):
Other:

NO BALLOONS RELEASED

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. Sea turtles and fish often mistake the balloons for jellyfish, eat them and die when their stomachs become blocked. Birds can become entangled in the balloon strings and drown. To help reduce the threats caused by balloons, I agree that there will be no release of balloons at this event and I have been informed that the release of balloons is illegal under Florida Statute 379.233. Balloons may be used for decorations at an event but they must either be deflated or taken home at the end of the event, NEVER released into the air. 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 ab

FIRE WATCH or EMS ONSITE

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

First Aid facilities may be required by Town at Event's expense. Initial ab

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 bodily injury and $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 the Town at least 30 days prior to the Event date.

Talk to Town Staff representative if your Event proposes serving alcohol or having fireworks about insurance requirements, as both require additional insurance.

Do you and all parties involved have the required insurance coverage needed for this Event?

X YES NO

EVENT CONDITIONS

Approval for this Event shall expire without future action of the Town if all documents such as but not limited to insurance certificates, health and liquor licenses, BSO police detail contract(s), Fire Marshall or Development Services approvals, MOT Plan, Solid Waste Plan, final Site Plan, any monies due to Town, and other material requirements are not submitted at least 30 days prior to the Event.

Copies of State and County licenses for all vendors and contractors shall be filed with the Town 30 days in advance of the Event. (Final list of vendors and their locations shall be submitted to the Town no later than two weeks prior to the even unless otherwise approved in advance by Town)

If the Event is approved by the Commission, they will establish the Event conditions that the application shall abide by during the Event. Standard Conditions shall include, but are not limited to the following:

1. Permission for this Event may be suspended or modified by the Commission, Town Manager or his designated Staff.
2. Turtle Clause: If any of the set-up will take place on the beach sand please avoid any marked sea turtle nests with a minimum buffer of 30 feet.
3. Setup of the Event will start at about 11am and the area will be cleaned and open by 9pm
4. The Police Chief shall specify the number of BSO detail officers needed for traffic and crowd control. The Applicants shall contract with BSO Detail Office for the detail BSO deputies within ten (10) days of receiving Event approval.

5. The Police Chief shall approve the Applicant's Maintenance of Traffic Plan (MOT), if one is required.
6. The Applicants shall submit a solid waste and recycling plan for approval at least 30 days prior to the Event to the Municipal Services Director. The Applicant shall provide additional waste receptacles and recycling bins. During the event as needed and at the end of the event, the Applicant shall empty all of the waste receptacles and recycling bins and pick up litter within the event site and 100 feet of the site.
7. All signage will be approved and permitted with Development Services at least 30 days prior to the event
8. All related Fire Marshall and Building Official's related requirements have been approved
9. Provide proof of additional restroom facilities ordered at least 30 days prior to event
10. The event and its approved sound systems shall be operated so as not to violate the Town's Code, including and especially Section 13-6, Noise Limitation. All music shall end promptly at 9pm pm.
11. The event site shall be organized in a safe manner to protect attendees. All electric cords and similar material shall be covered so as to not pose a hazard to the public or event staff, or will be battery operated.
12. Parking Requirements have been identified, fees paid and listed on site plan
13. The Applicant shall provide a written notice to all properties affected by this event by (date), (30 days in advance) for approval prior to distribution; and confirm in writing which properties have been notified.
14. Clean up Deposit may be imposed, based on the final Site Plan, and due two weeks prior to the event.
15. Clean up fee starting at $150 will be charged if area is not cleaned to Town standards.
16. Final Site Plan must be presented for approval at least 48 hours in advance of the event.
17. Streets and sidewalks will be free of any debris and cleaned at the end of tear down.
18. A Damage Deposit may be imposed, based on size of event and location.
19. There will be no release of balloons at this Event.
20. Any inspections or work required by Town Staff after normal working hours will incur additional costs set forth by the respective department.
21. Upon showing by the Applicant of a valid reason, or if required by the Town, the Town Manager may approve minor logistical changes that are consistent with the Commission's policy direction on special Events.
22. The Applicant shall meet the following minimum insurance requirements per Ordinance 2015-06, which may be modified by action of the Town Commission for a specific Event:
    a) Prior to issuance of the requested permit, proof of commercial general liability insurance, whether through a single policy, or a combination of policies, in the amount of $1,000,000 per occurrence and $2,000,000 in the aggregate for bodily injury and property damage.
    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 shall 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 Applicants shall 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 shall be issued as part of any required policies. The Applicants shall provide an original certificate of insurance as evidence of continued coverage prior to any annual renewal of the permit. Failure

to comply with these requirements shall justify a denial, suspension or revocation of the requested approval by the Town Manager or designee.

d) 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 Applicant (the "sub-applicant"), the sub-applicant shall provide insurance and indemnification meeting the requirements of this Section under which the Applicant is applying, as if they were the Applicant and shall be held responsible for compliance with the Town Code as if the sub-applicant were the Applicant.

e) If applicable, at least thirty (30) days prior to the first Event, the Applicants shall provide a Certificate of Liquor 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 bodily injury and $1,000,000 per occurrence and $2,000,000 general aggregate for property damage, which provides coverage for each Event authorized by this permit. The Certificate shall specify that the Town will be given at least thirty (30) days written notice of any cancellation.

23. In the Event that insurance certificates, licenses and other material requirements are not provided by the required dates, the approval for this 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.

24. Applicant shall owe no monies to the Town at the time of the Event. There shall be no past due fines, moneys, fees, taxes or other charges owed to the Town by the current or past property owners or operators requesting the special Event permit. A special Event permit will not be issued until all past due debts to the Town are paid in full.

25. The Town Manager may suspend permission for this Event due to failure of the Applicants to comply with the terms and conditions of the Town's permit, due to conflicting activities, for health or safety issues, or for the best interests of the Town.

26. The onsite Town representative may terminate an Event due to the Applicant not complying with the terms and conditions of the Town's Event permit, for health or safety issues, and for such as but not limited to, crowds that exceed the capacity of the Event site.

INDEMNIFICATION

Applicant shall indemnify, defend and hold harmless the Town, its officers, agents and employees, from and against any and all claims, suits, actions, damages, liabilities, expenditures or causes of action of any kind arising directly or indirectly from this Special Event and resulting or accruing from any intentional act or any negligent act, omission or error of Applicant which in turn results in or relates to injuries to body, life, limb or property sustained in, about or upon the Special Event Area, and arising from the use of the Town property.

Applicant shall defend, at its sole cost and expense, any legal action, claim or proceeding instituted by any person against the Town as a result of any claim, suit or cause of action accruing or in any way arising out of this Special Event Application for injuries to body, life, limb or property as set forth above.

Applicant shall save the Town harmless from and against all judgments, orders, decrees, attorneys' fees, costs, expenses and liabilities incurred in and about any claim, and the investigation or defense of them, which maybe entered, incurred or assessed as result of the foregoing.

PERMISSION OF THE PROPERTY OWNER

Applicant's and Property Owner's 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): Anna Berry Date 9-18-25		Property owner's Signature (required): Date: 9/18/25
Applicant's (Print information below) Name: Anna Berry Title: owner Organization: The Wild Berry Salon Telephone: 954 552 2458 Mobile: Email: anna@thewildberrysalon.com		Property Owner's (Print information below) Name: Eric Maugee Title: President Organization: FPA. inc Telephone: 954 776 5170 Mobile: 954 471 0349 Email: emaugee@floridapmach.com
STATE OF FLORIDA COUNTY OF BROWARD Jeff Berrigan Comm.: HH 353234 Expires: January 24, 2027 Notary Public - State of Florida		STATE OF FLORIDA COUNTY OF BROWARD Jeff Berrigan Comm.: HH 353234 Expires: January 24, 2027 Notary Public - State of Florida
SWORN TO AND SUBSCRIBED BEFORE ME, a Notary Public of the State of Florida, by Anna Berry who is personally known to me/provided Drivers License as identification and who did/did not take an oath.		SWORN TO AND SUBSCRIBED BEFORE ME, a Notary Public of the State of Florida, by Eric Maugee who is personally known to me/provided _____ as identification and who did/did not take an oath.
My Commission Expires: 1/24/27 Jeff Berrigan Notary Public, State of Florida		My Commission Expires: 1/24/27 Jeff Berrigan Notary Public, State of Florida

SITE PLAN DETAILS

Site Plans often do not include the details that are necessary to approve an application or to issue a permit and delays are caused by rejections of initial applications.

The following details are intended to be a guide to assist you in developing a Site Plan. A current survey of the property is most helpful. If a survey is not available, a drawing depicting the area of the Event should include these details, as necessary. More than a one page Site Plan may be included in your application if details of specific areas are important to your Event.

*A detailed map of the Event site identifying location of each of the following **MUST** be drawn here or attached to this application prior to submission. Dimensions are required to determine if available site will support all of the proposed activities.*

Cooking Areas need to be separated from public areas with fences or barricades

Canopy, tents or other covers: locations should include the size, type, & (shelter, vending, food, EMS)

Location:

The site of the event, with streets, parks and other landmarks identified
Routes for races, parades, etc.
Traffic routing and road closures
Ticket Kiosks
Access control points
Signage *(shall be approved by Development Services prior to Application submission to Town Commission)*
Signs (location, size, color and wording)*

Public Services:

Fire lanes (emergency access for fire equipment and EMS)
Restroom facilities (incl. Portable & Private)
Locate electrical equipment, permanent and temporary (temporary electrical installation (must be to code and approved by Town)
Trash and Recycling receptacle locations
Smoking and No Smoking areas
Pedestrian walkways
Garbage Cans
Recycling Bins

Hazard/ Precautions:

Hazards at the site (ditches, construction areas, obstructions to pedestrian traffic, bodies of water)
Fencing, barriers, barricades, walls, gates, etc.
Gasoline, propane, grills, fire, charcoal, generators, any other flammable fuel
Fuel Storage and dispensing areas
Fire Extinguishers Minimum size 4A/10BC one every 75 ft. of travel. If cooking, Class K or 1 40BC rated Fire Extinguisher for every cooking station or canopy (at discretion of Fire Marshall)
Generators (shall be approved by Fire Marshall in advance)

Event:

Canopies, tents, stages (types shall be specified) locations for sales, food service, etc. *Large tents will require Fire Marshall approval of illuminated exit signs and fire extinguishers)*
Vendor locations (booths or tables and approximate size, (Vendor's company names phone numbers and email addresses required on separate page at least 48 hours in advance of the Event)
Restrooms – Portable and Private
First Aid facilities
Trailers, storage, sleeping facilities, service boxes, displays, etc.
Alcohol serving/consuming areas
Rides and Amusements, Rides, demonstrations, performance areas and stages including Musicians and Artists

Parking:

Parking areas, location, parking spaces, and parking space numbers that will be blocked;
to load/unload before, during or after the event and the amount of time for each occurrence

Code or Security Enforcement (paid by Event)

EMS stand-by or Fire watch areas (include first aid stations)
Police: Off duty police officers (if known)

We will have Water Stations for Pets Poopy Bags/ trash cans

DETAILED SITE PLAN

See above for inclusion examples

*A detailed map of the event site identifying location of each of the following **MUST** be drawn here or attached to this application prior to submission. Dimensions are required to determine if available site will support all of the proposed activities.*



x High top table

exit

entance

Anna B

Applicant's Certification

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 shall be submitted in writing.

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.

Anna Berry
Applicant's Signature (required)

9-18-25
Date

ANNA BERRY
Applicant's Printed Name and Title/Organization

954 552 2458
Telephone Number

STATE OF FLORIDA:
COUNTY OF BROWARD:

NOTARY PUBLIC
Jeff Berrigan
Comm.: HH 353234
Expires: January 24, 2027
Notary Public - State of Florida

SWORN TO AND SUBSCRIBED BEFORE ME, a Notary Public of the State of Florida, by Anna Berry who is personally known to me/provided Drivers License as identification and who did/did not take an oath.

Jeff Berrigan
Notary Public, State of Florida
My Commission Expires: 1/24/27

Department of the Treasury
Internal Revenue Service
Tax Exempt and Government Entities
P.O. Box 2508
Cincinnati, OH 45201

RUFF RESCUE TRANSPORT INC
C/O DIANE CHARBONNEAU
2771 NE 15TH STREET
POMPANO BEACH, FL 33062

Date:
05/14/2024
Employer ID number:
99-2851804
Person to contact:
Name: Customer Service
ID number: 31954
Telephone: 877-829-5500
Accounting period ending:
December 31
Public charity status:
509(a)(2)
Form 990 / 990-EZ / 990-N required:
Yes
Effective date of exemption:
May 03, 2024
Contribution deductibility:
Yes
Addendum applies:
No
DLN:
26053527009774

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Sincerely,

Stephen A. Martin
Director, Exempt Organizations
Rulings and Agreements

Letter 947 (Rev. 2-2020)
Catalog Number 35152F

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
08/27/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	Simply Business 53 State Street 19th Floor Boston, MA 02109	CONTACT NAME:	Simply Business	
		PHONE (A/C, No, Ext):	(844) 654-7272	FAX (A/C, No):
		E-MAIL ADDRESS:	contactus@simplybusiness.com	
			INSURER(S) AFFORDING COVERAGE	NAIC #
		INSURER A:	Hiscox Insurance Company Inc	10200
INSURED	Jamin Jam LLC / DBA The Wild Berry Salon 262 Commercial Blvd Unit B Fort Lauderdale, Florida 33308	INSURER B:		
		INSURER C:		
		INSURER D:		
		INSURER E:		
		INSURER F:		

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY	X		HIUS3526434XB4	05/01/2025	05/01/2026	EACH OCCURRENCE	$2,000,000
	CLAIMS-MADE X OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$100,000
							MED EXP (Any one person)	$5,000
							PERSONAL & ADV INJURY	$2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$2,000,000
	X POLICY PRO-JECT LOC						PRODUCTS - COMP/OP AGG	Equal to Gen. Agg.
	OTHER:							
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	
	ANY AUTO						BODILY INJURY (Per person)	
	OWNED AUTOS ONLY / SCHEDULED AUTOS						BODILY INJURY (Per accident)	
	HIRED AUTOS ONLY / NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	
	UMBRELLA LIAB OCCUR						EACH OCCURRENCE	
	EXCESS LIAB CLAIMS-MADE						AGGREGATE	
	DED RETENTION							
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N						PER STATUTE OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? N/A						E.L. EACH ACCIDENT	
	(Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	
							E.L. DISEASE - POLICY LIMIT	
	PROFESSIONAL LIABILITY						EACH CLAIM	
							AGGREGATE	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
BUSINESS PERSONAL PROPERTY: $10,000
Certificate holder is included as an additional insured on the General Liability policy per written contract.

CERTIFICATE HOLDER

The Town of Lauderdale By The Sea,
501 Ocean Dr,
Lauderdale By The Sea, FL 33308

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Camila Oliveira

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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 09/17/2025

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PRODUCER

Gaslamp Insurance Services
DBA Event Helper Insurance Services
PO Box 1549
Grass Valley CA 95945

CONTACT NAME: Event Helper Customer Service
PHONE (A/C, No, Ext): (855) 493-8368 **FAX (A/C, No):**
E-MAIL ADDRESS: info@theeventhelper.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Lloyds Syndicate 2623 82%	AA-1128623
INSURER B : Lloyds Syndicate 623 18%	AA-1126623
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED

Jamin Jam, LLC
c/o Anna Berry
262 Commercial Blvd
Fort Lauderdale FL 33308

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	☑ COMMERCIAL GENERAL LIABILITY ☑ CLAIMS-MADE ☐ OCCUR Host Liquor Liability ☑ Retail Liquor Liability GEN'L AGGREGATE LIMIT APPLIES PER: ☑ POLICY ☐ PRO-JECT ☐ LOC OTHER:	Y	N	EH-771325-L4387636	SEE BELOW 12:01 AM	SEE BELOW 12:01 AM	EACH OCCURRENCE DAMAGE TO RENTED PREMISES MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG Deductible	$ 1,000,000 $ 100,000 $ 5,000 $ 1,000,000 $ 2,000,000 $ 2,000,000 $ 1,000
	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ $ $ $ $
	☐ UMBRELLA LIAB ☐ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☐ RETENTION $						EACH OCCURRENCE AGGREGATE	$ $ $
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N ☐ (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N / A					☐ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 $ $ $

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate holder listed below is named as additional insured per attached CG 20 26 04 13 for the following dates: 12/12/2025 & 12/19/2025. Attendance: 100, Event Type: Bartender at an Event. Policy includes a 36 month Extended Reporting Period. Damage to Premises Rented (Other than Fire) included in the Each Occurrence Limit shown above.

CERTIFICATE HOLDER

The Town of Lauderdale by the Sea
4501 N OCEAN DR
LAUDERDALE BY THE SEA FL 33308

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2015 ACORD CORPORATION. All rights reserved.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED - DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

Schedule

Name of Additional Insured Person(s) or Organization(s):
The Town of Lauderdale by the Sea 4501 N OCEAN DR LAUDERDALE BY THE SEA, FL 33308
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. **SECTION II - WHO IS AN INSURED** is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury," "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

1. in the performance of your ongoing operations; or
2. in connection with your premises owned by or rented to you.

However:

1. the insurance afforded to such additional insured only applies to the extent permitted by law; and
2. if coverage provided to the Additional Insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these Additional Insureds, the following is added to **SECTION III - LIMITS OF INSURANCE**:
If coverage provided to the Additional Insured is required by a contract or agreement, the most we will pay on behalf of the Additional Insured is the amount of insurance:

1. required by the contract or agreement; or
2. available under the applicable Limits of Insurance shown in the Declarations;

whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

© Insurance Services Office, Inc., 2012

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 09/17/2025

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PRODUCER

Gaslamp Insurance Services
DBA Event Helper Insurance Services
PO Box 1549
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CONTACT NAME: Event Helper Customer Service
PHONE (A/C, No, Ext): (855) 493-8368 **FAX (A/C, No):**
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INSURER(S) AFFORDING COVERAGE	NAIC #
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INSURER C:	
INSURER D:	
INSURER E:	
INSURER F:	

INSURED

Jamin Jam, LLC
c/o Anna Berry
262 Commercial Blvd
Fort Lauderdale FL 33308

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

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INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
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	AUTOMOBILE LIABILITY ANY AUTO OWNED AUTOS ONLY HIRED AUTOS ONLY SCHEDULED AUTOS NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ $ $ $
	UMBRELLA LIAB ☐ OCCUR EXCESS LIAB ☐ CLAIMS-MADE DED ☐ RETENTION $						EACH OCCURRENCE AGGREGATE	$ $
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANYPROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBEREXCLUDED? (Mandatory in NH) Y / N ☐ N / A If yes, describe under DESCRIPTION OF OPERATIONS below						☐ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 $ $ $

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

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CERTIFICATE HOLDER

The Town of Lauderdale by the Sea
4501 N OCEAN DR
LAUDERDALE BY THE SEA FL 33308

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED - DESIGNATED PERSON OR ORGANIZATION

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COMMERCIAL GENERAL LIABILITY COVERAGE PART

Schedule

Name of Additional Insured Person(s) or Organization(s):
The Town of Lauderdale by the Sea 4501 N OCEAN DR LAUDERDALE BY THE SEA, FL 33308
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. **SECTION II - WHO IS AN INSURED** is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury," "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

1. in the performance of your ongoing operations; or
2. in connection with your premises owned by or rented to you.

However:

1. the insurance afforded to such additional insured only applies to the extent permitted by law; and
2. if coverage provided to the Additional Insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these Additional Insureds, the following is added to **SECTION III - LIMITS OF INSURANCE**:
If coverage provided to the Additional Insured is required by a contract or agreement, the most we will pay on behalf of the Additional Insured is the amount of insurance:

1. required by the contract or agreement; or
2. available under the applicable Limits of Insurance shown in the Declarations;

whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.

© Insurance Services Office, Inc., 2012

Outlook

Santa Paws 2025

From Annie Berry <annie@thewildberrysalon.com>
Date Mon 9/29/2025 1:51 PM
To Katie Anderson <katiea@lauderdalebythesea-fl.gov>

[CAUTION] This external e-mail originated outside the Town. Do not open links or attachments unless you are certain they are safe.

Here is a detailed plan for Santa Paws 2025. Please advise when the permit will be on review.

We are excited to present the upcoming **Santa Paws Holiday Event**, a festive, beach-themed experience for families, pets, and our community. The following outlines how the event will be organized and flow on the day:

Guest Flow & Parking

- Parents and pet owners will park in front of the building.
- Guests will be directed to enter through the West side **of the building to the back of the building**, creating a smooth and organized flow.
- Enter the south end of the breezeway
- Upon entering, Santa and the photo booth will be located to the **left side of the breezeway**.

Santa Backdrop & Theme

- Backdrop design will incorporate **pallet wood, seashells, and Town-provided items** to tie in the Lauderdale-by-the-Sea brand.
- We plan to feature:
    - A palm tree decorated as a Christmas tree.
    - One or two surfboards as part of the scene.
    - Adirondack chairs for seating and photos.

Stations & Volunteers

- **Water stations** will be available for pets and families.
- **Volunteers** will be positioned at:

- The west end of the breezeway.
- The south side of the building.

- Their role will be to welcome guests, assist with directions, and help maintain flow.

Photography & Media

- **Main Photographer** at the Santa station, with photos displayed on a **TV monitor** for on-site viewing.
- **Print station** available so families can take home printed photos.
- **Second photographer** will walk through the event, capturing candid, fun moments of families and pets.

Community Fun & Fundraising

- **Raffle drawings** will be held during the event, with proceeds benefiting **Ruff Rescue Transport**, our nonprofit partner.

This layout ensures safety, smooth guest flow, and a festive, beach-inspired holiday environment that highlights our Town's unique charm while supporting a worthy cause.

We welcome Town assistance with backdrop items (palm tree décor, surfboards, Adirondack chairs, etc.) to bring the vision to life.

Warm regards,

Annie theberryaffect@gmail.com

The Wild Berry Salon

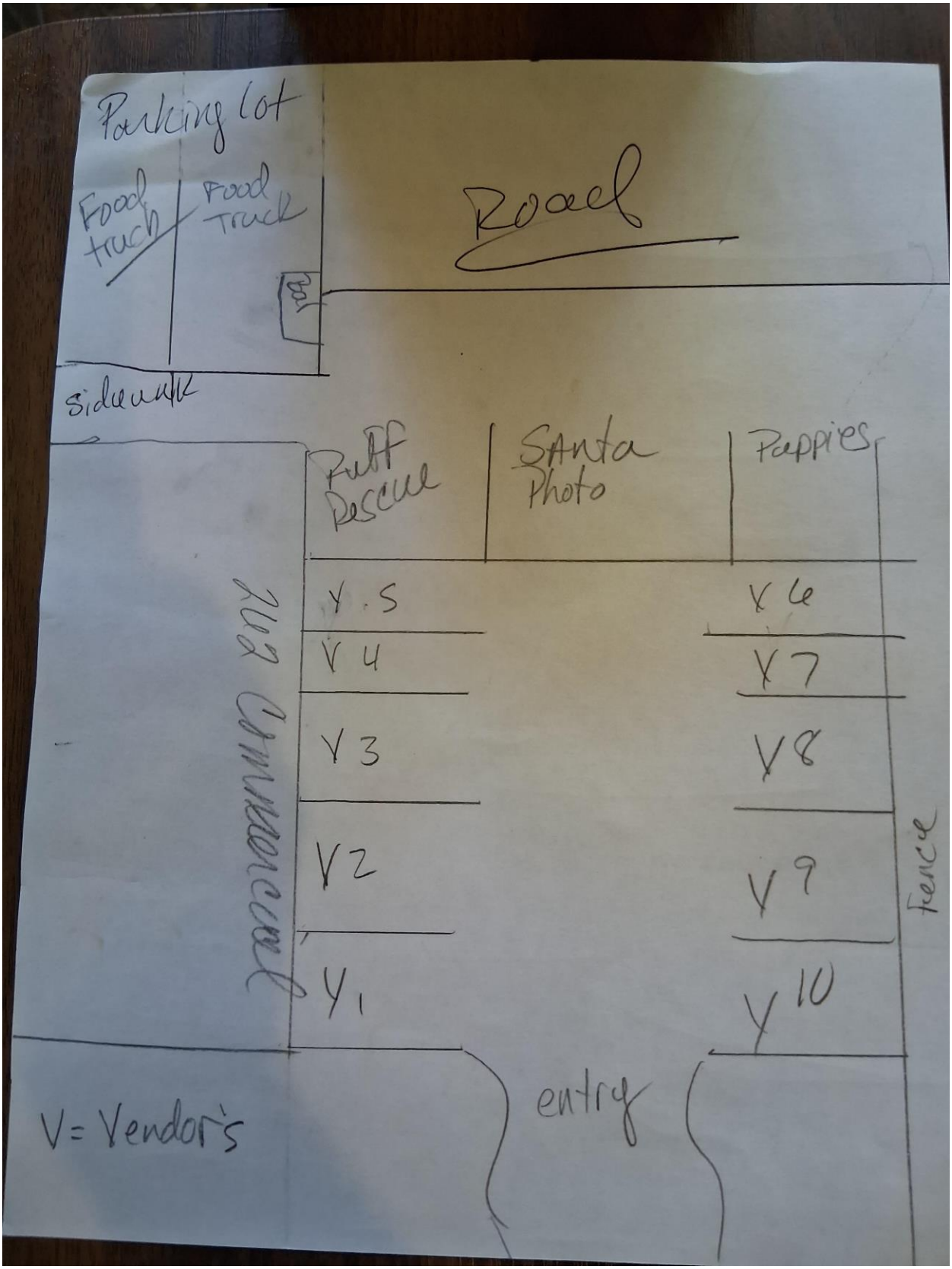
+19542684924

262 Commercial Blvd # B

33308, Lauderdale-by-the-Sea - United States of America

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EXHIBIT 2


Parking Lot
Food truck
Food Truck
Road
Sidewalk
Ruff Rescue
Santa Photo
Puppies
V5
V4
V3
V2
V1
V6
V7
V8
V9
V10
202 Commercial
Fence
entry
V= Vendor's

Agenda Item No: 12.b.

Town Commission Agenda Item Report

Meeting Date: December 9, 2025
Submitted By: Susan Trevarthen, Town Attorney
Submitting Department: Legal
Item Type: Action Item
Agenda Section:OLD BUSINESS

Subject Title: Charter Review Board Final Report

Explanation:

On behalf of the 2025 Town of Lauderdale-By-The-Sea Charter Review Board (the "Board"), this report is submitted pursuant to Resolution No. 2024-17. The Board was tasked with reviewing the Town Charter and determining whether revisions should be submitted to a vote of the Town electors.

The Board held six publicly noticed meetings, during which it examined the Charter, received public input, and deliberated on potential revisions, additions, and deletions. Agendas and minutes from these meetings are included to provide background on the Board's work.

At its final meeting on July 1, 2025, the Board determined which proposed revisions should move forward to the Town electors. The full text of the recommended charter amendments is attached as Exhibit "A," and the Board's recommendations are summarized below:

1. Section 3.3 - Qualifications of members: Extend Minimum Residency from Six Months to One Year

Currently, Section 3.3 and Article VI of the Town Charter provide that a candidate for Mayor or Commissioner must have resided in the Town for at least six months immediately prior to qualifying for election. After reviewing this provision, the Charter Review Board proposed an amendment to extend the residency requirement from six months to twelve months for all candidates seeking election to the offices of Mayor-Commissioner or Commissioner.
To maintain consistency throughout the Charter, the Board also recommended corresponding amendments to other sections that reference the six-month residency requirement, including Section 6.3(1), Qualifications of Members of the Town Commission, and the Notice of Candidacy in Section 6.4. The Board determined that extending the residency requirement will ensure that candidates have a greater familiarity with the Town, its operations, and its community before seeking elected office.

2. **Section 4.4. - Filing procedure: Extend and Clarify Timeframes to Certify Petitions.**

The Board recommends amending Section 4.4 of the Town Charter to extend the certification periods for citizen-initiated petitions. The current 20-day period for the initial certification of initiative petitions should be expanded to 30 days, and the 5-day period for the certification of repeal or amendment petitions should be expanded to 10 days. These adjustments reflect the practical reality that the Town depends on the Broward County Supervisor of Elections for signature verification, and the Supervisor's response times vary based on workload. Extending these timeframes will provide a reasonable margin for unanticipated delays and help ensure that petition certifications are completed reliably.
The Board further recommends adding a clarification to address inconsistencies in the way timeframes are currently defined in Article IV. Timeframes of 14 days or longer will be measured in calendar days, and timeframes of 13 or fewer days will be measured in business days. This clarification is particularly important for shorter timeframes, as the use of business days avoids unintended loss of time during holidays and long weekends.

3. **Section 5.5 - Town Manager—Powers and Duties: Extend Audit Deadline to Match State Law.**

Section 5.5(10) of the Town Charter assigns the Town Manager the responsibility to provide for the annual audit and requires that it be completed and submitted within six months after the close of the fiscal year, which ends on September 30. This timeline is more restrictive than state law, which allows nine months under Section 218.32(1)(d), Florida Statutes.
After reviewing this provision, the Charter Review Board recommends amending the Charter to extend the audit completion deadline to nine months, thereby aligning the Charter with state law. The Board determined that this change will provide the Town and its auditors adequate time to complete a thorough and accurate review of the Town's financial records while maintaining consistency with state requirements for municipal audits.

4. Section 6.1. - Mayor-Commissioner and Commissioners; term of office; election; transition.

A. Create Two Four-Year Terms for Mayor-Commissioner. The Board recommends amending Section 6.1(1) of the Town Charter to establish two four-year terms for the Mayor. The current Charter provides for a maximum of three two-year terms. Updating this provision will align the Mayor's term with the governance needs of the Town, promote continuity in leadership, and create consistency with the term structure used for other municipal offices. A four-year mayoral term is also consistent with the prevailing structure used by most municipalities in Broward County. Many cities within the county have adopted four-year terms to reduce election turnover and allow elected officials sufficient time to plan and implement long-range initiatives.

B. Clarify and Remove Obsolete and Impractical Provisions Regarding District Boundaries. The Board recognized that the Town's electoral districts are residential, and are not legally required to follow the standards currently outlined in the Charter. It also noted that in

2012, the Town Commission acknowledged that there were practical difficulties with adjusting the boundaries to meet the enumerated standards, and declined to follow this process. The Board therefore recommends amending Section 6.1(5) of the Town Charter to remove references to the initial designation and implementation of district boundaries, and instead simply define the northern and southern district boundaries as those established in 2004. The revised language should note that the northern district is separated from the southern district by the portion of the Village of Sea Ranch Lakes that borders the Atlantic Ocean. These updates will improve the clarity of the Charter while preserving its original intent and structure.

5. Sec. 6.4. - Qualifications of candidates; notice of candidacy; payment of fee: Incorporate State Election Law.

The Board recommends amending Section 6.4 of the Town Charter to explicitly state that all general laws of the State relating to municipal elections, as amended from time to time, are adopted and shall govern elections for the Town. Incorporating state law directly promotes administrative clarity, supports an effective and uniform election process, and reduces the risk of discrepancies that could lead to legal challenges.

6. Section 6.7. - Forfeiture hearing and process: Update Published Notice Requirement to Match Current Practice.

Finally, the Board recommends amending Section 6.7 of the Town Charter to remove all references requiring publication in a newspaper of general circulation. Recent amendments to Chapter 50, Florida Statutes, now permit legal advertisements and public notices to be published on publicly accessible websites when statutory conditions are met, and the Town has been using this approach to notices ever since it was implemented in Broward County. Updating this section will align the Charter with current state law and Town practice, ensure consistency across all notice provisions, and provide the Town with greater flexibility in satisfying publication requirements while maintaining transparency and public accessibility.

7. Charter Cleanup.

The Board recommends a comprehensive Charter cleanup to amend the Charter in its entirety. This update will correct scrivener’s errors, refine language for clarity, and resolve timeline inconsistencies throughout the document. The revisions will also ensure that the Charter reflects current Florida Statutes, promoting accuracy, legal compliance, and consistency moving forward. The specific changes related to the cleanup are shown in Exhibit “A.
The Charter Review Board extends its appreciation to the individuals who dedicated their time and expertise throughout this review process. The Board was chaired by Chris Vincent, with Brian Kuszmar serving as Vice Chair. Additional members included Jacquelyn Bonanni-Rubino, Robert Fleishman, Lori Lenoble, and Kym Miranda. We also recognize Megan Small for her diligent service as Board Clerk and thank her for her support throughout this Charter review.

Recommendation: On behalf of the Town Attorney’s Office, we extend our appreciation to the Charter Review Board for their time, diligence, and commitment throughout this Charter review. We thank the Town Commission for its continued guidance and remain available

should you have any questions or wish to discuss any portion of the Board's report. Consistent with the Board's recommendations, we request that the Town Commission submit the applicable ballot questions in accordance with the deadline established by the Broward County Supervisor of Elections for inclusion on the ballot for the November 2026 General Election.

Exhibits:

1. LBTS - Amended Charter - 12_2025
2. Resolution 2024-17 Appoint Charter Review Board 7 Members
3. Charter Review Board Agenda - Feb. 4th
4. Charter Review Board Minutes from - Feb. 4th
5. Charter Review Board Agenda - March 4th
6. Charter Review Board Minutes From - March 4th
7. Charter Review Board Agenda - April 1st
8. Charter Review Board Minutes From - April 1st
9. Charter Review Board Agenda - May 6
10. Charter Review Board Minutes From - May 6
11. Charter Review Board Agenda - June 3rd
12. Charter Review Board Minutes From - June 3rd
13. Charter Review Board Agenda - July 1st
14. Charter Review Board Minutes From - July 1st

EXHIBIT A
CHARTER AMENDMENT TEXT[1]

PART I
CHARTER

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.

[1] Additions to the text are shown in highlighted underline and deletions are shown in highlighted ~~strikethrough~~.

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 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 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, 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)~~ twelve (12) 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)~~ twelve (12) 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.

(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~~ thirty (30) calendar days after an initiative petition is filed or within ~~five~~ ten (10) business 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.

(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.

(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.

(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)~~ nine (9) 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. Beginning with the regular election to be held in November 2026, and in every regular election thereafter, a Mayor-Commissioner shall be elected for a term of four (4) years and shall serve until a 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 election date 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~~5) 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~~6) The Town Commission ~~shall~~ adopted 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. The boundaries of these districts remain unchanged, and follow the jurisdictional boundaries of the Town. The northern district is separated from the southern district by the portion of the Village of Sea Ranch Lakes that borders on the Atlantic Ocean.

(Ord. No. 2024-05, § 2, 6-6-2024)

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)~~ twelve (12) 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~~two 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.

(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)~~ sixteen (16) 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)~~ twelve (12) 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. All general laws of the state relating to municipal elections, as amended from time to time, are adopted and shall govern elections for the Town.

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 in accordance with F.S. ch. 50, or any other method of publication expressly authorized by Florida law and consistent with the Town Charter, or any other applicable authority. 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.

(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 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.

(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 (½) 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

(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 he 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 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 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.

(Ord. No. 2024-05, § 2, 6-6-2024)

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 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 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.

(Ord. No. 2024-05, § 2, 6-6-2024)

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.

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RESOLUTION 2024-17

A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, PROVIDING FOR THE APPOINTMENT OF MEMBERS TO THE CHARTER REVIEW BOARD; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Town Charter Section 7.3, the Town Commission at any time may by resolution appoint advisory boards, comprised of Town residents, to serve without compensation and at the pleasure of the Town Commission; and

WHEREAS, the Charter provides that the duties of such boards are to consult and advise with the Town Commission, the Town Manager, or any Town department and make written recommendations which shall become part of the records of the Town; and

WHEREAS, Town Charter Section 2.7 provides that "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;" and

WHEREAS, the Town's last Charter Review Board was appointed in 2012; and

WHEREAS, consistent with past Town practice, the Town Commission seeks to appoint a seven-member Charter Review Board to assist it in carrying out the requirements of Town Charter Section 2.7; and

WHEREAS, the Charter Review Board shall consider those issues identified by the Town Commission and any other issues it may identify, and make recommendations to the Town Commission regarding any potential revisions to the Town Charter.

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

SECTION 1. Recitals. The foregoing "WHEREAS" clauses are true and correct and hereby ratified and confirmed by the Town Commission and incorporated herein.

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SECTION 2. Appointments. The Town Commission hereby officially designates the following persons as members of the Charter Review Board, and they shall serve at the pleasure of the Town Commission:

Lori Lenoble	Kym Miranda	Chris Vincent
Robert Fleishman	Brian Kuszmar	Jacquelyn Bonanni-Rubino
Patrick Ucci		

SECTION 3. Conflicts. All Resolutions or parts of Resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

SECTION 4. Effective Date. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED by the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, this 14th day of May 2024.

_____
MAYOR EDMUND MALKOON

ATTEST:

_____
Katrina Adler, Town Clerk

APPROVED AS TO FORM:

_____
Susan L. Trevarthen, Town Attorney

Town of Lauderdale-By-The-Sea

Charter Review Board Meeting

Agenda

Tuesday, February 4, 2025

6:00 PM

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

LAUDERDALE-BY-THE-SEA TOWN COMMISSION

Charter Review Board Meeting

Tuesday, February 4, 2025, 6:00 PM
Jarvis Hall 4505 N. Ocean Drive, 33308

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **APPROVAL OF MINUTES**
4. **PUBLIC COMMENTS**
5. **NEW BUSINESS**
   - **5.a.** Oath of Office
   - **5.b.** Appointment of Chairperson
   - **5.c.** Appointment of Vice-Chairperson
   - **5.d.** Training - Public Records, Sunshine Law and Ethics
   - **5.e.** Board Rules and Procedures
   - **5.f.** Agenda Topics
6. **OLD BUSINESS**
7. **UPDATES/BOARD MEMBER COMMENTS**
8. **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: 3.a.

Agenda Item Report

Meeting Date: March 4, 2025
Submitted By: Megan Small, Planning Tech
Submitting Department: Administration
Item Type: Presentation
Agenda Section:APPROVAL OF MINUTES

Subject Title: Approval of Minutes for 2-4-25 Charter Review Board meeting.

Explanation: Draft Minutes available for approval for 2-4-25 meeting.

Recommendation: Approve/Accept

Exhibits:
1. 2-4-25 LBTS CRB Draft Minutes

DRAFT

TOWN OF LAUDERDALE-BY-THE-SEA
CHARTER REVIEW BOARD MEETING
Jarvis Hall
4505 Ocean Drive
Tuesday, February 4, 2025
6:00 PM

1. CALL TO ORDER

The Charter Review Board for the Town of Lauderdale-By-The-Sea was called to order at 6:09 p.m. Board members present were Jacquelyn Bonanni-Rubino, Robert Fleishman, Brian Kuszmar, Lori Lenoble, Kym Miranda, and Chris Vincent. Also present were Town Manager Linda Connors, Town Attorney Susan L. Trevarthen, and Board Clerk Megan Small.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. APPROVAL OF MINUTES

None.

4. PUBLIC COMMENTS

None.

5. NEW BUSINESS

Town Manager Linda Connors welcomed the members of the Charter Review Board, emphasizing the significance of this advisory body. The Town's Charter is reviewed every 10 years. Board members are asked to examine this document and make thoughtful and thorough recommendations for any changes and updates.

a. Oath of Office

Board Clerk Megan Small provided the members with copies of the Oath of Office for their signatures and administered the Oath at this time.

b. Appointment of Chairperson

Mr. Fleishman nominated former Mayor Chris Vincent as Chair. Mr. Kuszmar seconded the nomination. In a show of hands, Mr. Vincent was unanimously elected as Chair.

c. Appointment of Vice-Chairperson

Mr. Fleishman nominated Brian Kuszmar as Vice Chair. Ms. Bonanni-Rubino seconded the nomination. In a show of hands, Mr. Kuszmar was unanimously elected Vice Chair.

d. Training – Public Records, Sunshine Law & Ethics

Town Attorney Susan Trevarthen introduced Judelande Jeune, an associate with her firm, who provided training for the Board members. She began with the Sunshine Law, which is governed by Section 286.011 of Florida Statutes. It states that all meetings of any board in the state of Florida must be open to the public, reasonable notice must be provided, and minutes must be taken.

The purpose of the Sunshine Law is to ensure that decisions by a public body are made in an open forum that is accessible to the public. A decision is defined as an official action which may include but is not limited to recommendations, discussions, and deliberations. A meeting is defined as any formal or informal gathering of two or more members of the same body to discuss matters that may foreseeably be included in an upcoming agenda. A quorum is not necessarily required to constitute a meeting, and the members must be on the same board. The location of the meeting is not relevant and includes contact in writing, such as email or social media.

The subject matter to be discussed at a meeting includes any matters which may foreseeably come before an advisory body for discussion. In the case of the Charter Review Board (CRB), this may include current Charter provisions, proposed Charter amendments, and other aspects of Town business that interact with or implement the Charter.

Attorney Jeune offered the example of two or more members of the CRB attending a civic association meeting. If more than one member of the CRB is present, that can be considered a meeting. She advised against this activity, recommending that if two members attend a meeting and are asked, for example, to provide an update on CRB business, one of the two members must step outside to ensure no meeting has occurred.

Board members may not conduct private discussions of Board business over the telephone or email. A Board member may send only a one-way communication without violating the Sunshine Law.

Consequences for violations of the Sunshine Law include fines not to exceed $500. A knowing violation of the Sunshine Law means the member in violation could be found guilty of a misdemeanor of second degree per Florida Statutes. Individuals who violate the Sunshine Law may be subject to jail time and a fine as well as responsibility for court fees.

A question was asked regarding how Board members are permitted to communicate with one another outside of meetings. Town Attorney Trevarthen advised that the best means of communication is on the record at Board meetings. Should an issue arise between meetings, Town Staff may serve as a conduit for communication to the Board members. She emphasized that members responding to emails, for example, may communicate only with Staff members rather than with one another.

Town Attorney Trevarthen continued that the Board members may choose to create their own separate email addresses for the purposes of Board business. All Town communications would go through these separate addresses.

Attorney Jeune continued that Public Records Law is governed by Florida Statute Chapter 119. Public records include all documents, including letters, maps, films, photos, and recordings made or received pursuant to law or Ordinance in connection with the transaction of official business. These records are considered relevant even if they are not stored in a Town-owned property: while they may be stored in personal email accounts, once that email account has been used to send an email related to Board business, it becomes a public record.

Digital records include information stored in a public agency’s computer. Notes taken by Board members would be considered part of the public record. Email messages made or received by an agency employee in connection with official business are also public record, such as emails sent by the Board Clerk.

Other items considered to be public record include texts and social media posts on any platforms. Any posts, images, or other materials which meet the standards for public records must be retained throughout the course of the individual’s participation on the Board, as well as for an established period after service on the Board has concluded. The Town Clerk will oversee most public record requests and work with members if necessary to provide those records.

If a public records request is made, the requester is not required to show a legitimate or non-commercial interest as a condition of access. Should a public records request be

made of the CRB, it does not have to be consistent with the purpose served by the Board. Unless authorized by another statute, an agency may not require that public records requests be submitted in writing, and the requester is not required to share their identity.

When a public records request is made, the custodian of records must promptly acknowledge it and respond in good faith. There is a timeline by which reasonable efforts must be made to provide the record.

In order for an agency to withhold a record from disclosure, it must be under statutory exemption. Only the Florida Legislature may create these exemptions. Examples of exemptions are included in Chapter 119 of Florida Statutes and include information such as bank account, credit card, or Social Security numbers. Items not considered to be public records do not need to be provided by Board members. There is also a difference between public and confidential records.

Chair Vincent asked if it would be best for Staff to establish email addresses specifically intended for use in Board business. Staff would also be able to monitor these addresses should it become necessary for purposes related to public records requests. Town Manager Connors confirmed that the Town can provide email addresses. There was consensus from the Board members to proceed in this manner.

Town Attorney Trevarthen clarified that this would mean the Board members will be provided with Town email addresses. If there is an inquiry into public records, this could be handled directly by the Town. The addresses are to be used for Board business only and can be posted to the Town's website.

Attorney Jeune next addressed Ethics Law, which is governed by Chapter 112 of Florida Statutes. Ethics are defined as of or relating to moral actions, conduct, motive, or character professionally right or befitting. Members are encouraged to reach out to the Town Attorney with any ethical concerns or questions.

Ethics as discussed in the Florida Constitution are primarily related to requirements for financial disclosure and reporting, campaign finance reporting, and imposing the forfeiture of pensions. Local governments, as well as Broward County, have different ethics rules that must also be followed. The Code of Ethics for public officers and employees is governed by Chapter 112 of Florida Statutes.

Attorney Jeune advised that most ethics issues the Board may encounter will involve voting conflicts of interest. Individuals may not participate or vote on an item if that vote

would mean they receive special or private gains. This conflict would also apply to close relatives or business associates.

When a conflict exists, the Board member must disclose the nature of the conflict in advance of the meeting or as soon as they discover it. If a conflict is perceived, the member should contact Town Staff. The individual must also publicly announce the nature of the conflict before the item is heard, and must refrain from participating in discussion of the item. They must also file a memo of conflict with the Board Clerk within 15 days after the vote occurs.

There are also restrictions in Florida Statutes on the receipt of gifts if that gift is related to the work done by the Board. Gifts with a value of less than $100 do not need to be reported; if a gift is over $100 and is not given by a political committee, lobbyist, or vendor, it may be accepted but must be reported. Gifts over $100 from one of those three entities may not be accepted. Board members may not solicit or accept anything of value from any party based upon the understanding that their vote, official action, or judgment would be influenced.

Penalties for violating Ethics Code include impeachment, public censure, or reprimands. There may also be civil penalties which may not exceed $10,000. Town Code also permits removal of advisory body members from those advisory entities as a penalty.

The Florida Commission of Ethics provides rules and guidelines which determine voting conflict or ethics violation. The Broward County Inspector General may also investigate ethics violations.

Chair Vincent asked if it would be necessary for the CRB to implement a Code of Conduct which may follow the requirements of the Commission on Ethics. Town Attorney Trevarthen replied that she did not see a need for a Code of Conduct, as the ethics requirements are generally applicable rules applying to advisory bodies. The County rules do not apply to Board members.

e. Board Rules and Procedures

Town Attorney Trevarthen explained that the CRB will follow the same meeting procedures as the Town Commission, as the community is familiar with those procedures. This means a majority of four members would be considered a quorum. Staff also recommends a limit of two unexcused absences for members due to the limited time that the CRB will be active.

With regard to placing items on the Agenda, a Board member may bring forward an item for consideration, and the Board would vote on whether or not to hear this item. If a member of the public is in attendance and proposes the addition of an item, Staff recommends that the Board first discuss whether or not they wish to take up that item or not. If so, Staff would prepare backup information on that item and schedule it for placement on an Agenda.

Proposed meeting dates are based on previous coordination between Staff and the Board members. Meetings will be held on the first Tuesday of each month. These dates were included in the members' backup materials. Town Attorney Trevarthen noted that the Town typically takes a recess from public meetings during the month of August, which means the Board may determine whether they would like to follow the same practice. In addition, the September 2025 meeting date immediately follows the Labor Day holiday, and the Board may wish to adjust that date.

The CRB is expected to complete its work by April or May 2026. This gives them ample time to make recommendations to the Commission for their deliberation and possible proposal as Ordinances in time to place those items on the November 2026 ballot.

Chair Vincent noted that even if an item discussed by the Board is not recommended to the Commission, the Commission may look at and consider that item. Town Attorney Trevarthen confirmed that the CRB's function is to provide their best judgment to the Commission. At the conclusion of the Charter review process, the Commission will ultimately decide how to proceed with the results of the Board's work. They may not move forward with all items recommended by the Board, or may take up items the Board discussed but did not recommend.

A correction was noted to p.9 of the Board Rules and Procedures: the recommended quorum is four rather than five members.

A question was also asked regarding whether or not Board members may discuss Board business with members of the Town Commission. Town Attorney Trevarthen explained that members may speak with individual Commissioners as much as they like without violating the Sunshine Law. This is because the Board members serve a different public advisory body from the Commission. She cautioned, however, that both the Board member and the Commissioner must take care not to serve as a conduit between the two entities.

A motion was made, and duly seconded, to approve the Board Rules and Procedures as listed. Motion carried 6-0.

f. Agenda Topics

Town Attorney Trevarthen advised that Town administration has made two requests of the Town Commission regarding the CRB:

- That the Board review the Charter requirement to complete the Town's audit by March of each year, which is significantly earlier than what is required by state law
- That the Board consider the adoption of the "plain English" version of Section 7-1 of the Charter

The Commission agreed to have the CRB address both of these items.

Town Attorney Trevarthen explained that the current language in Section 7-1 is dense and complex. The previous Charter Review Board had struggled with this Section and requested that it be translated into clearer, more understandable language. She had worked with the Board to develop a recommended version, although the Commission ultimately did not choose to place that item on the ballot. The Town continues to refer to the recommended language to help with the day-to-day administration of Section 7-1.

In addition to those two specific requests, the Board will adopt a similar process to what was done by the previous CRB. They will address the Charter bit by bit, beginning with one to two Sections at the March 2025 meeting. Staff would prepare documentation with the relevant information about those Sections and provide a brief introduction to them for the Board. The Board will then discuss the Sections and determine whether or not to move forward with any proposed changes. This may take multiple meetings.

Chair Vincent recommended proceeding in numerical order through the Sections of the Charter. Town Attorney Trevarthen noted that the two items requested by the Commission would be folded into discussion of their Sections.

6. OLD BUSINESS

None.

7. UPDATES / BOARD MEMBER COMMENTS

It was requested that the process for placing an item on a meeting Agenda be further clarified. Town Attorney Trevarthen replied that if Sections 1 and 2, for example, are to be discussed at the March meeting, Staff would take members' suggestions on those two Sections at that meeting. Another option is for the members to have a more open dialogue at the March meeting to discuss items which they would like to address. Members may reach out to Town administration or the Board Clerk with these requests as well. There may also be time scheduled at future meetings for a more wide-ranging conversation on these items.

Town Manager Connors stated that the information packet printed for the Board members is also available online. Staff typically sends members an email including a link to that packet; if they would prefer a printed copy, this may be provided and delivered to the members' homes the Friday before each meeting.

Chair Vincent asked if it would be possible to provide the link or physical copy at an earlier date, such as the Wednesday before each meeting, to allow for more review time. Town Manager Connors confirmed that Staff would try to meet this goal, and if it is not possible, would send an email to the members advising them to expect the link or copy on Friday.

Town Manager Connors added that she would email the Board members with their Town email addresses.

A question was asked whether the Agenda for each meeting will be posted on the Town's website. It was confirmed that this will be done as part of the public notice process.

8. ADJOURNMENT

There being no further business to come before the Board at this time, the meeting was adjourned at 7:04 p.m.

_____
Chairperson Chris Vincent

_____
Megan Small, Clerk

_____
Date Signed

Town of Lauderdale-By-The-Sea

Charter Review Board Meeting

Agenda

Tuesday, March 4, 2025

6:00 PM

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

LAUDERDALE-BY-THE-SEA TOWN COMMISSION

Charter Review Board Meeting

Tuesday, March 4, 2025, 6:00 PM
Jarvis Hall 4505 N. Ocean Drive, 33308

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **APPROVAL OF MINUTES**
   - **3.a.** Approval of Minutes for 2-4-25 Charter Review Board meeting.
4. **PUBLIC COMMENTS**
5. **NEW BUSINESS**
   - **5.a.** Discussion of Article 1 - Transition From Abolished Town
   - **5.b.** Discussion of Article 2 - Corporate Powers
   - **5.c.** Discussion of Article 3 - Administration and Legislation
6. **OLD BUSINESS**
7. **UPDATES/BOARD MEMBER COMMENTS**
8. **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

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INVOCATION:
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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: 3.a.

Agenda Item Report

Meeting Date: April 1, 2025
Submitted By: Katrina Adler, Town Clerk
Submitting Department: Administration
Item Type: Presentation
Agenda Section:APPROVAL OF MINUTES

Subject Title: Approval of Minutes for 3-4-25 Charter Review Board meeting.

Explanation: Draft Minutes available for approval for 3-4-25 meeting.

Recommendation: Approve/Accept

Exhibits:
1. 3-4-25 Charter Review Board Draft Minutes

DRAFT

TOWN OF LAUDERDALE-BY-THE-SEA
CHARTER REVIEW BOARD MEETING
Jarvis Hall
4505 N. Ocean Drive
Tuesday, March 4, 2025
6:00 PM

1. **CALL TO ORDER**

The Charter Review Board for the Town of Lauderdale-By-The-Sea was called to order at 6:00 p.m. Board members present were Chair Chris Vincent, Vice Chair Brian Kuszmar, Jacquelyn Bonanni-Rubino, Robert Fleishman, Lauren Lenoble, Kym Miranda, and Patrick Ucci. Also present were Town Attorney Susan L. Trevarthen and Board Clerk Megan Small.

Board member Patrick Ucci, who was not present at the February 4, 2025 meeting, was sworn in at this time.

2. **PLEDGE OF ALLEGIANCE TO THE FLAG**

3. **APPROVAL OF MINUTES**

   a. **Approval of Minutes for 2-4-25 Charter Review Board Meeting.**

Ms. Miranda made a motion, seconded by Mr. Fleishman, to approve. In a voice vote, the motion passed 7-0.

4. **PUBLIC COMMENTS**

At this time Chair Vincent opened public comment, which he closed upon receiving no input.

5. **NEW BUSINESS**

Chair Vincent requested clarification of how the Board would address specific sections of the Charter going forward. Town Attorney Susan Trevarthen recalled that at the previous meeting, the Board had agreed to proceed on an article-by-article basis, with members bringing forward any proposals as each article is discussed.

   a. **Discussion of Article 1 – Transition from Abolished Town**

Judelande Jeune, an associate of the Town Attorney, explained that this Article typically includes provisions to ensure a smooth legal and administrative transition, including Ordinances that will continue from the previous government to the new government, transition of assets and liabilities, and establishment of the new municipality.

It was asked if all portions of Article 1 continue to be relevant, such as Section 1.4, which addresses officers held over. Town Attorney Trevarthen advised that while this Section's purpose was historical, she would not recommend its repeal, as it establishes that the Town was properly created and assumed all powers from the former municipality.

A question was also asked regarding whether there have been any changes to streets, highways, or public grounds, as referred to in Section 1.6, since the adoption of the Charter. Town Attorney Trevarthen replied that the Town created its current boundaries through various maneuvers, including special acts of the Florida Legislature. She recalled that this required three separate annexations. No new streets have been created.

At this time Chair Vincent opened public comment, which he closed upon receiving no input.

Motion made by Mr. Ucci, seconded by Ms. Lenoble, that the Board recommends no changes to Section 1. In a voice vote, the motion passed 7-0.

b. Discussion of Article 2 – Corporate Powers

Attorney Jeune explained that this part of the Charter outlines the legal powers and authorities granted to a municipal corporation. This Article typically includes provisions such as municipal powers, home rule authority, property and land use powers, and Police and public safety powers. It may also include miscellaneous powers such as the following:

- Provisions for economic development
- Environmental protections
- Zoning and planning authority

Article 2 also establishes the Town's geographic boundaries, defines terms used throughout the Charter, dictates the wording of the Town's seal, and provides for regulatory jurisdiction and ownership of Town property and assets. No changes to this Article were recommended.

Vice Chair Kuszmar requested clarification of the most recent time the Town's boundaries were checked. He also asked if incorrect aspects of the boundaries could create any

future problems for the Town. Town Attorney Trevarthen replied that the Charter was substantially reorganized, rewritten, and simplified in approximately 2004, which immediately followed the annexations. All special acts required precise boundaries and descriptions of the new Town. She was not aware of any reason to doubt the accuracy of the description in the Charter.

Town Attorney Trevarthen continued that verifying the boundaries would require a survey, which could be done; she also noted that there may be an existing survey in the Town's official records.

Chair Vincent clarified that the Board's role is not to approve specific items in the Charter, but to review them and make recommendations to the Town Commission.

A question was also asked regarding how ownership of the Town's beach is divided between the Town, the state of Florida, or the federal government. Town Attorney Trevarthen explained that this is a complex issue that is not governed by the Charter. In the 1960s, the Florida Legislature passed a Statute which stated that any beach which had undergone publicly funded beach renourishment would be considered public. She advised that every part of the Town's beach has received publicly funded renourishment since that time, which means it must be publicly accessible.

Town Attorney Trevarthen continued that there are additional considerations that may come into play for various beach settings, including how the beach is used on a daily basis and how the Broward Sheriff's Office (BSO) has chosen to patrol the beach. She acknowledged that ownership of the beach can be surprisingly complicated, but concluded that it is not a Charter issue.

Vice Chair Kuszmar addressed Section 2.5, Jurisdiction, noting that the Town's jurisdiction extends as far as the high tide watermark, while the state of Florida's ownership extends up to three miles seaward, after which jurisdiction becomes federal. The Town is not permitted to legislate beyond the high tide line; however, Section 2.5 states that the Town has the right to legislate within the waterways. He asked if this should be amended for clarification.

Town Attorney Trevarthen stated that there are several legal concepts involved: for example, while public trust doctrine shows the Town's jurisdiction ending at the high tide line, the aforementioned Florida Statute converts the dry beach into public land. There is also a practical aspect, as it is not feasible for the State Legislature to micromanage Florida's shoreline. The state expects the Town to manage the beach.

Chair Vincent noted that Section 2.4 addresses the Town's seal, and requested clarification of the legal status of the Town's incorporation. While the seal includes a reference to 1947, there is some confusion over whether or not this date should be 1949. Town Attorney Trevarthen replied that she did not know, but suggested that the official Town records could be consulted if that is the Board's wish.

It was clarified that no changes were recommended for Article 2.

Ms. Bonanni-Rubino made a motion, seconded by Ms. Miranda, to accept the Article as presented. In a voice vote, the motion passed 7-0.

c. Discussion of Article 3 – Administration and Legislation

Attorney Jeune explained that Article 3 addresses administration and legislation, which are typically defined within a Charter as the structure, powers, and functions of the municipality's administrative and legislative branch. It may include the roles of elected officials and appointed officers, as well as legislative procedures.

Common provisions in this Article include:

- Forms of government
- Size of the governing body
- Terms of the governing body
- Qualifications for service on the governing body

Article 3 of the Town's Charter states that the Town has elected to adopt a Commission/Manager base form of government. It also specifies a five-member Town Commission which is elected at large by majority vote. A candidate for Commissioner must be at least 18 years old and must live in the Town for at least six months immediately prior to running for office. Commissioners must reside within one of the Town's two electoral districts and must remain residents of that district during their terms.

The Charter also allows the Commission to establish ethical standards, vests the legislative powers of the Commission, and empowers the Commission to determine how the Town's power may be exercised by Resolution or Ordinance.

Attorney Jeune concluded that Article 3 is legally sufficient; however, the Board may wish to consider whether or not to revisit any policies.

At this time Chair Vincent opened public comment, which he closed upon receiving no input.

Town Attorney Trevarthen recalled that in an earlier time, Town Commissioners were elected not only to serve on the Commission but to run the Town's specific Departments at the same time. This has been replaced by a more modern practice, which ensures that the Commission operates primarily as a legislative body and employs a Town Manager with the authority to administer and follow the direction given by the Commission.

Vice Chair Kuszmar asked if other municipalities of similar size to Lauderdale-By-The-Sea have made improvements to their Charters that the Town may wish to consider. Town Attorney Trevarthen replied that some research has been done on Charters of similarly situated Broward County municipalities, which showed that it is typical to have a five-member Commission, a residency requirement of six months to one year, and a qualifying age of 18 to 21 years.

Chair Vincent addressed Section 3.6, Non-Interference with Town Administration, pointing out that authority over personnel decisions is granted to the Town Manager by the Commission. He requested clarification of the "Strong Mayor" form of government and what that would involve.

Town Attorney Trevarthen replied that there are multiple examples of this form of government throughout South Florida, typically occurring in larger communities. The meaning of a Strong Mayor government is dictated by how it is written in the municipality's Charter; for example, the Mayor of Sea Ranch Lakes cannot vote, but is involved in the city's day-to-day operation. In the City of Plantation, the Mayor hires a City Manager who is accountable solely to the Mayor.

Town Attorney Trevarthen emphasized that every municipality with a Strong Mayor government will define the Mayor's powers differently. In Lauderdale-By-The-Sea, the Mayor is elected separately from the members of the Commission, which can be considered a minor step toward having a stronger Mayor. In other examples, such as the Broward County Board of County Commissioners, all Commissioners are elected and then select the individual who will serve as Mayor.

Ms. Miranda suggested that the Board consider recommending an increase to the Town's domicile requirement from six months to 12 months. She felt the Town's unique nature can make six months' residency somewhat premature for an elected official.

Chair Vincent asked if six months' residency is considered standard for most local municipalities. Town Attorney Trevarthen replied that both six and 12 months' residency is common in South Florida.

A question was also asked regarding the definition of "domicile," such as whether a resident could live elsewhere for some time while their homesteaded property is undergoing renovation. Town Attorney Trevarthen replied that this requirement is governed largely by intent, recalling that there have been situations in other municipalities when an elected official moved elsewhere during renovations but maintained their address and voter registration, returning to their domicile once renovations were complete.

In a voice vote, the Board indicated consensus to recommend the Commission consider increasing the residency requirement from six to 12 months.

Town Attorney Trevarthen advised that the Articles to be presented at subsequent meetings will cover more lengthy topics, including administration and elections.

6. OLD BUSINESS

None.

7. UPDATES / BOARD MEMBER COMMENTS

Chair Vincent emphasized the importance of the Charter to the Town, and encouraged interested residents to attend future meetings and/or provide feedback.

Vice Chair Kuszmar advised that he would like to make some proposals in advance of those Articles' appearance on Board Agendas. This could provide members with some early knowledge of proposed changes. The Vice Chair explained that this would prevent members from being caught by surprise when certain issues are raised, and would provide additional time to consider them.

Town Attorney Trevarthen stated that one option would be for the Board members to discuss these types of proposals at the meetings themselves. Another option would be for Vice Chair Kuszmar to communicate his proposals in writing to Staff, who would then attach these to the Agendas at which the appropriate Articles will be discussed. She cautioned that if the second option is selected, members may not respond to those attachments, but would need to wait until the Board meets to discuss them.

It was determined that the Board's Agendas would be provided to the members on the Thursday preceding their meeting, which would mean any members with specific proposals must send them to Staff in advance of that day. Vice Chair Kuszmar indicated that he would be willing to provide some information on upcoming proposals during Board Member Comments at the end of each meeting. He emphasized that these would be informal comments that would allow the members to consider those issues further before the next meeting.

It was clarified that the Board would review Article 4 and possibly Article 5 at the next meeting. Article 4 includes Initiative and Referenda, while Article 5 addresses Town Officers and Employees.

Vice Chair Kuszmar stated that one issue he has heard from other residents is the suggestion that the Town remove its Commission Districts. He wished to discuss the need for those districts. Town Attorney Trevarthen clarified that this is part of Article 6.

It was asked whether or not the Board members would see presentations on the upcoming Articles at the meetings at which they are discussed, or if they would immediately begin discussion of those Articles. Town Attorney Trevarthen observed that as the Board addresses parts of the Charter which directly affect the day-to-day administration of the Town, it may be more likely that recommendations are made; the three Articles reviewed at today's meeting, however, are more straightforward. She added that the Vice Chair's suggestion would mean members may indicate their intent to offer ideas or request more discussion of certain items.

Town Attorney Trevarthen suggested that the Board adopt a standard practice of mentioning upcoming issues of interest during Board Member Comments. It was further clarified that the Board would not deliberate on these issues during Comments, but would provide advance notice of their wish to discuss them in the future.

Town Attorney Trevarthen also noted that meetings may increase in length as more weighty issues are discussed, and members of the public may attend to share their comments as well.

8. ADJOURNMENT

The meeting was adjourned at 6:58 p.m.

_____
Chairperson Chris Vincent

_____
Megan Small, Clerk

_____
Date Signed

Town of Lauderdale-By-The-Sea

Charter Review Board Meeting

Agenda

Tuesday, April 1, 2025

6:00 PM

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

LAUDERDALE-BY-THE-SEA TOWN COMMISSION

Charter Review Board Meeting

Tuesday, April 1, 2025, 6:00 PM
Jarvis Hall 4505 N. Ocean Drive, 33308

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **APPROVAL OF MINUTES**
   - **3.a.** Approval of Minutes for 3-4-25 Charter Review Board meeting.
4. **PUBLIC COMMENTS**
5. **NEW BUSINESS**
   - **5.a.** Discussion of Article 4 - Initiative and Referendum
   - **5.b.** Discussion of Article 5 - Town Officers and Employees
6. **OLD BUSINESS**
7. **UPDATES/BOARD MEMBER COMMENTS**
8. **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:
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DRAFT

TOWN OF LAUDERDALE-BY-THE-SEA
CHARTER REVIEW BOARD MEETING
Jarvis Hall
4505 N. Ocean Drive
Tuesday, April 1, 2025
6:00 PM

1. **CALL TO ORDER**

The Charter Review Board for the Town of Lauderdale-By-The-Sea was called to order at 6:00 p.m. Board members present were Chair Chris Vincent, Jacquelyn Bonanni-Rubino, Robert Fleishman, Lori Lenoble, and Kym Miranda. Also present were Town Attorney Susan L. Trevarthen and Board Clerk Megan Small.

2. **PLEDGE OF ALLEGIANCE TO THE FLAG**

3. **APPROVAL OF MINUTES**

   a. **Approval of Minutes for 3-4-25 Charter Review Board meeting.**

It was noted that the spelling of Ms. Lenoble's first name would be corrected in the March 4, 2025 minutes.

A motion was made, and duly seconded, to approve [as corrected]. In a voice vote, the motion carried 5-0.

4. **PUBLIC COMMENTS**

At this time Chair Vincent opened public comment, which he closed upon receiving no input.

5. **NEW BUSINESS**

   a. **Discussion of Article 4 – Initiative and Referendum**

Judeland Jeune, an associate of the Town Attorney, explained that this Article typically outlines the procedures by which citizens may directly participate in the legislative process through initiative and referendum. It outlines how citizens may petition for a referendum or initiative if they wish to place an Ordinance before the Town Commission.

Article 4 provides Town citizens with the power to initiate and reconsider Ordinances, as well as the power to initiate referendums. It provides the timelines in which petitions must be submitted to the Town Clerk, as well as timelines for review by the Town Clerk, Town Attorney, and Commission.

Because these timelines are relatively brief, the Town has been in discussions with the Broward County Supervisor of Elections regarding these timelines and is awaiting feedback. The Town wishes to ensure that its timelines are consistent with those required by the Supervisor of Elections for the submission of ballots for elections. Once feedback from the Supervisor's office is available, Town Staff can bring suggestions for adjusting these time frames before the Charter Review Board (CRB).

Staff would also like the Board to consider a Charter review question that would account for scriveners' errors or other amendments, such as citations of Florida Statutes which have been amended or are no longer in effect. Chair Vincent observed that the Board seems to have sufficient time to await and consider feedback from the Supervisor of Elections when it is provided.

Ms. Miranda addressed Article 4, Section 4.5, requesting clarification of why the word "finally" was inserted in relation to initiatives or petitions for the repeal of existing Ordinances. Town Attorney Susan Trevarthen explained that this refers to the completion of the process by the Commission.

No changes to the text of Article 4 were proposed at this time, with the understanding that Staff would come back to the Board at the end of their process with any identified scriveners' errors or other minor items. Any question regarding these items would be written to encompass all of them.

Chair Vincent asked if deadlines for initiatives or referendums are common throughout municipalities. Town Attorney Trevarthen confirmed that it is common for Charters to provide for the right of initiative or referendum, although variations in these processes can be expected. In Lauderdale-By-The-Sea, ten residents are sufficient to begin this process; they must then circulate a petition to be signed by 10% of the registered electorate. The petition then comes to the Town to be reviewed for sufficiency.

Chair Vincent requested clarification of the procedure for a special election. Town Attorney Trevarthen pointed out that the Town's Charter clearly restricts the time frame in which changes may be made under Section 7.1. If the item is not subject to Section

7.1, the Commission may hold special elections at its pleasure if they wish to have the voters make a decision on items separate from the general election ballot.

At this time Chair Vincent opened public comment, which he closed upon receiving non input.

Ms. Bonanni-Rubino made a motion, seconded by Ms. Miranda, to move forward with the item as presented. In a voice vote, the motion carried 5-0.

It was clarified that the Board's **motion** acknowledges that Staff will bring technical or timeline errors back to them at a later time.

b. Discussion of Article 5 – Town Officers and Employees

Attorney Jeune explained that Article 5 outlines the organization and operation of the Town's administrative structure, including the roles and responsibilities of the Mayor, the Commissioners, Town Manager, Town Clerk, and Department heads. It governs how these officials and Department heads are selected and appointed. Terms of office are included in Article 6 rather than in Article 5.

Article 5 also outlines the duties and responsibilities of specific officers, including personnel management and organizational structure. It establishes the qualifications for and role of the Town Manager, the processes of appointment or removal, what the Town must do in the event of absence or disability, and the duties of that role. It also establishes the roles of the Mayor and Commissioners in presiding over Town meetings and representing the Town in ceremonial or legal processes. While Article 5 outlines the positions of Town Attorney, Town Clerk, and others, it does not go into depth regarding those roles and how they function.

As the Charter is currently written, the Town Manager has the authority to audit and to submit that audit within six months of the end of the fiscal year, which is September 30; however, Florida Statute Section 218.32 establishes a nine-month deadline. Staff recommends that the Board consider extending the audit submission period from six to nine months.

Chair Vincent recommended that the Board advance Staff's recommendation of changing the audit deadline from six to nine months to the Town Commission for further review. He noted that the Commission has also discussed the duties and qualifications of a Town Manager numerous times. Town Attorney Trevarthen recalled that in 2014, language was

added to allow for alternative equivalent abilities in administration by the Town Manager. This change was approved by the voters.

At this time Chair Vincent opened public comment, which he closed upon receiving non input.

The Board agreed by unanimous consensus to advance Staff's recommendation to change the audit deadline for consistency with Florida Statutes.

6. OLD BUSINESS

None.

7. UPDATES / BOARD MEMBER COMMENTS

Town Attorney Trevarthen recalled that at the March 2025 meeting, the Board had determined that this Agenda Item would serve as an opportunity for any Board member to bring forward ideas about future Charter Sections.

Chair Vincent requested additional information on terms. Town Attorney Trevarthen clarified that terms are included in Article 6, adding that at the March meeting, the Vice Chair had suggested that the Board evaluate whether or not to maintain the Town's North and South Commission Districts.

Chair Vincent advised that he has spoken at length with previous Mayors and Commissioners, as well as with residents, regarding a potential change to terms of public service. The Town provides for up to two consecutive four-year terms for Commissioners and up to three consecutive two-year terms for Mayor. He stated that the Town's dynamics have changed over the last several years, and pointed out that two-year terms require a Mayor to begin running for office again as soon as they are elected, with little time to put forth a platform or agenda. This can detract from the Mayor's ability to do their job as an elected official.

Chair Vincent proposed that the Board recommend moving this issue to the Commission for further discussion and consideration of having the Mayor serve two four-year terms. This term would be equal with those of the Commissioners.

Town Attorney Trevarthen advised that these terms were written in that way to ensure that a majority of the Commission would be on the ballot every two years. This decision

is not legally mandated. If the Board wishes to suggest this change to the Commission, this would fall under the discussion of Article 6. It would also mean changing the overall term limits, as an individual would be able to serve two four-year terms as Commissioner followed by two four-year terms as mayor. She confirmed that Staff can prepare materials for discussion of this option at the next meeting.

Town Attorney Trevarthen continued that the Town's rules also state that once an individual has served as Mayor, they may not serve as Commissioner.

Chair Vincent encouraged the Board members to reach out to past elected officials for additional input on this suggestion.

Mr. Fleishman recalled that the Town had initially added the limit of three two-year terms for Mayor because a previous Mayor had served in that position for several years and had not wanted to leave office. This had led to the clarification of terms in 2006.

It was noted that one item to be advanced to the Commission included a possible change in the residency requirement from six months to 12 months. Section 6.3.1 reflects the current six-month time period and would need to be changed for consistency.

Mr. Fleishman asked if it would be feasible to change the term of a sitting Mayor from three two-year to two four-year terms. Town Attorney Trevarthen advised that Staff would need to examine this further before advising the Board.

It was determined that only Article 6 would be discussed at the next Board meeting.

8. ADJOURNMENT

The meeting was adjourned at 6:32 p.m.

_____
Chairperson Chris Vincent

_____
Megan Small, Clerk

_____
Date Signed

Town of Lauderdale-By-The-Sea

Charter Review Board Meeting

Agenda

Tuesday, May 6, 2025

6:00 PM

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

LAUDERDALE-BY-THE-SEA TOWN COMMISSION

Charter Review Board Meeting

Tuesday, May 6, 2025, 6:00 PM
Jarvis Hall 4505 N. Ocean Drive, 33308

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **APPROVAL OF MINUTES**
   - **3.a.** Approval of Minutes for April 1, 2025.
4. **PUBLIC COMMENTS**
5. **NEW BUSINESS**
   - **5.a.** Discussion Of Article 6
6. **OLD BUSINESS**
   - **6.a.** Review Of Board Recommendations
7. **UPDATES/BOARD MEMBER COMMENTS**
8. **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

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Agenda Item No: 3.a.

Agenda Item Report

Meeting Date: June 3, 2025
Submitted By: Courtney Easley, Acting Town Clerk/Assistant to the Town Manager
Submitting Department: Administration
Item Type: Action Item
Agenda Section:APPROVAL OF MINUTES

Subject Title: Approval of Minutes for May 6, 2025.

Explanation: Draft Minutes available for approval for May 6, 2025.

Recommendation:

Exhibits:
1. 5-6-25 Draft Minutes

DRAFT

TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
Jarvis Hall
4505 N. Ocean Drive
CHARTER REVIEW BOARD MEETING
Jarvis Hall
4505 N. Ocean Drive
Tuesday, May 6, 2025
6:00 PM

1. CALL TO ORDER

The Charter Review Board for the Town of Lauderdale-By-The-Sea was called to order at 6:10 p.m. Board members present were Vice Chair Brian Kuszmar, Jacquelyn Bonanni-Rubino, Robert Fleishman, and Kym Miranda. Also present were Town Attorney Susan L. Trevarthen and Board Clerk Megan Small.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. APPROVAL OF MINUTES

a. Approval of Minutes for April 1, 2025.

Motion made, and duly seconded, to approve the minutes as written. In a voice vote, the **motion** passed unanimously.

4. PUBLIC COMMENTS

At this time Vice Chair Kuszmar opened public comment, which he closed upon receiving no input.

5. NEW BUSINESS

a. Discussion of Article 6

Judelande Jeune, associate of the Town Attorney, stated that Article 6 addresses elections. For most Florida municipalities, this Article establishes qualifications and filing requirements for candidates for local office. It also describes the process for addressing election-related vacancies. Some Charters also include language stating that elections shall be non-partisan in nature, specify the durations and commencement of terms of

elected officials, and include provisions to ensure compliance with applicable state election laws and procedures.

Section 6.1 establishes that the Mayor/Commissioner is elected for a two-year term and that voting is conducted at large based on the Town's northern and southern districts. Section 6.2 states that by the Commission shall designate a Vice Mayor, who will serve if the Mayor is not available.

Section 6.3 includes qualifications for Commissioners, which include the requirement that the candidate must be a Town citizen. While the current language refers to a six-month residency requirement, the Charter Review Board (CRB) has previously voted to change this requirement to one year. A candidate must be a registered voter under Florida law.

Section 6.3 also clarifies that Commissioners may not run for or be appointed to the same Commission seat if they have already served in both of the two prior consecutive four-year terms for that seat, unless they take a two-year break from holding office.

Section 6.4 includes qualifications for candidates including the requirement to take an oath and pay a qualification fee in accordance with state law. This language is included in most charters throughout the state of Florida.

Sections 6.5 through 6.10 include provisions addressing vacancy procedures. Section 6.5 defines that vacancies may occur due to death, resignation, lawful removal, or forfeiture. Forfeiture must be declared by the remaining Commission members. Section 6.6 outlines grounds for forfeiture, which include loss of qualifications, ethical violations, felony convictions, missing four consecutive meetings without excuse, or being unable to perform duties for more than three months.

Section 6.7 provides the process for public hearing of a forfeiture case. The Commissioner may challenge the forfeiture, and a unanimous vote of the Commission is required in order for forfeiture to take place.

Section 6.8 details how vacancies are filled, depending upon the remaining duration of the term. Section 6.9 outlines the scenario for extraordinary vacancies, in which case Florida's Governor may appoint an interim Commission if all members are removed. Section 6.10 addresses candidacies for elected office, specifying that if a candidate withdraws, dies, or is removed post-qualification and fewer than two candidates remain, the remaining candidate is automatically elected.

Attorney Jeune recalled that topics previously requested by the CRB for discussion include the removal of residential district requirements and changing the Mayor's term of office from two to four years.

At this time Vice Chair Kuszmar opened public comment, which he closed upon receiving no input.

Vice Chair Kuszmar commented that when the Town's districts were originally established, the Town had recently annexed a section of condominiums near Sea Ranch Lakes. He pointed out, however, that this was a long time ago, and he no longer saw a need for establishing districts. The Vice Chair suggested that if the districts remain, they should be more closely defined.

Town Attorney Susan Trevarthen advised that the Board members should discuss the residential districts to determine whether or not there is consensus to remove this concept. Should they decide to eliminate districts, the Commission seats would remain but would be described differently. This could also mean that all five Commissioners could live within the same area of the community. She recommended considering the implications of removing the residential districts.

Should the Board decide to retain the districts, Town Attorney Trevarthen also recommended that they review the Charter's standard for where the district lines are drawn.

Attorney Jeune noted that the Board members received a memorandum from Staff presenting potential pros and cons of an at-large system. The majority of Broward County municipalities operate at-large districts, and some include a combination of at-large and district systems.

Vice Chair Kuszmar observed that larger municipalities are likely to have a need for different districts and areas; however, as Lauderdale-By-The-Sea is a small town, he was in favor of the cohesive nature of at-large voting. He requested input from the other Board members.

Ms. Miranda advised that while she had previously expressed interest in eliminating the Town's districts, upon further consideration she had determined that there are different needs for residents of the north, south, and central portions of the Town. She was currently in favor of retaining representation that is familiar with these needs.

Ms. Bonanni-Rubino agreed that there may be different concerns for residents in the Town's different districts, which could lead to dissatisfaction among those residents. Mr. Fleishman also agreed, pointing out that the needs of the northern district may be different from the needs of the southern district. He was also in favor of retaining the districts so the Commissioners that represent them can advocate for those residents' concerns.

Vice Chair Kuszmar advised that he had proposed elimination of the districts due to the small size of the community, as the districts could limit individuals' abilities to run for local office. He also expressed confidence that no Commissioners would take action that is contrary to the needs of residents in the district they do not represent. Mr. Fleishman reiterated that the districts allow for better understanding of the Town's neighborhoods.

Town Attorney Trevarthen stated that a motion and vote are not necessary if there is Board consensus, although the Board may wish to formalize some decisions with a vote. It was determined that they would proceed at this time with consensus to retain the Town's districts.

Town Attorney Trevarthen referred the Board members to a note in their backup materials addressing Section 6.1, explaining that the Charter currently requires the Town to hire an entity to perform a study that would develop and revalidate the districts' boundaries over time. The principles established in this Section indicate that the districts should seek to reflect equal population, that their boundaries should be compact and logical, and that they generally avoid discrimination and problems with the policy of "one person, one vote."

Town Attorney Trevarthen continued that in a previous incarnation, the CRB reached out to a representative of Florida Atlantic University (FAU) to review the Town's district boundaries. The representative determined that it was not possible to adjust the boundaries in a manner that would reflect the principles mentioned above. The Sea Ranch Lakes condominium complex is located in the center of the Town, which means a great many votes are located there. Allocating the complex to one district or the other would create a significant imbalance in population, and dividing the complex residents' votes would be contrary to the principles involved in districting, as all the residents of the complex clearly have a community interest.

Once this dilemma became clear, the Commission at that time determined that a redistricting study would not be necessary. Town Attorney Trevarthen concluded that there is now an appropriate moment for the CRB to consider whether or not to retain the paragraph addressing district boundaries, or to substitute language clarifying those boundaries.

Town Attorney Trevarthen explained that if the Town wished to retain its districts, this can be done two different ways:

- Drawing a boundary line for the districts
- Retaining current language which the Town is aware it cannot satisfy

Town Attorney Trevarthen continued that if the Board wishes to draw a boundary line, Staff can bring back additional information so the appropriate language may be refined. She pointed out that the existing boundary has been in place for many years.

Mr. Fleishman commented that many residents of the condominium complex's buildings are not registered voters within the Town, as they reside elsewhere for a portion of the year. He estimated there are approximately 250 to 300 votes in the buildings. He also pointed out that not all of the residents within the condominium complex exercise their right to vote. He concluded that it was unlikely the condominium residents' votes could control an election. Vice Chair Kuszmar added, however, that the condominium's demographics may be subject to change.

Town Attorney Trevarthen reiterated that if the Board wishes to explore a process not reflected in the current Charter language, which is difficult to satisfy, Staff can bring additional information, including a map of the district boundary as well as voting data. She also noted that a bloc of 250 votes is a significant number in the Town, as there are few communities with a similar population. In addition, if the districts are redrawn, they would not be based upon the number of residents who vote in an election, but by the number of eligible and registered voters.

Vice Chair Kuszmar observed that demographic and other changes to a community in either district could have an effect on Town policies. He explained that he had been in favor of eliminating districts because the individual Town Commissioners are not working solely for their own districts, although they may have expertise on concerns and conditions in those districts.

Ms. Miranda requested that this Item be continued at a subsequent meeting so Staff can provide additional language and review of geographical areas to consider. Town

Attorney Trevarthen confirmed that the Board members provided consensus to retain the districts, which would be helpful in further discussion, and were also open to reconsidering how those districts are drawn.

Town Attorney Trevarthen continued that at the April 2025 meeting, Board Chair Chris Vincent had requested discussion of possibly lengthening the mayoral term. At present, the Town provides for three two-year terms. Chair Vincent had suggested a maximum of two four-year terms for a Mayor, which would be the same as the Commissioners' terms. The only practical difference would be that in one election cycle there would be two offices on the ballot, while in the alternating cycle there would be three offices, including that of Mayor. Ms. Jeune further clarified that this proposal would also extend the 14 years' cycle to 16 years, which would require an accompanying revision of language.

Mr. Fleishman commented that the reason behind the three two-year terms was that the Town had previously had a Mayor who had not wished to leave office after a lengthy period of service. When a new Mayor and Commission were elected, they implemented term limits for the office of Mayor.

Mr. Fleishman continued that another consideration was to allow the Mayor the same amount of time as the Commissioners so they would not have to run for office every two years, which can be costly and time-consuming. He concluded that he was in favor of ensuring the Mayor has the same amount of time as the Commissioners.

Ms. Miranda agreed that this change would provide greater consistency and lessen the burden on both mayoral candidates and their constituents. Ms. Bonanni-Rubino agreed as well.

The Board members agreed by unanimous consensus to propose a four-year mayoral term, with a maximum of two terms.

Town Attorney Trevarthen asked if this proposal would be included in the full slate of CRB recommendations. The Board members also agreed to this by consensus.

Mr. Fleishman asked if this would mean a Mayor who has served three two-year terms would be allowed a fourth two-year term. Town Attorney Trevarthen replied that the Board's goal is to prepare potential questions that would be included on the November 2026 general election ballot. If this plan is followed, the current Mayor, for example, would be eligible to run for another term in 2026, as he would have just finished his first

two-year term in that office. Because the office of Mayor would be on the same ballot as the question regarding mayoral terms, the winner of that election would either get a two-year or four-year term, depending upon the outcome of the Charter question.

Town Attorney Trevarthen added that the ballot question could be written in a manner clarifying that, should the current Mayor run for reelection, his first two-year term would not prevent him from serving a second term of four years.

Attorney Jeune advised that there are two additional items for consideration under Article 6. One of these addresses language in Florida Statutes Chapter 50, which allows for legal advertisement and public notice to be published on a publicly accessible website. Section 6.7 of the Town's Charter currently requires that forfeiture hearings be published in a newspaper of general circulation. The Town has adopted an Ordinance which provides for notice on publicly accessible websites, but has not yet amended the Charter, as the CRB was not convened at that time. Lauderdale-By-The-Sea does not have a newspaper of general circulation.

Town Attorney Trevarthen clarified that the Town may continue to provide newspaper notice; however, it is presently mandated by the Charter. The suggestion is to consider removing the mandate.

Vice Chair Kuszmar requested clarification of the purpose of posting notice in a newspaper. Town Attorney Trevarthen explained that the question is specific to forfeiture of office by a Commissioner or Mayor. The written procedure documented in the Charter provides for these notices to ensure the general population is aware of the forfeiture hearing.

The Board members agreed by consensus to amend the Charter's language to remove the requirement for newspaper notice.

Attorney Jeune continued that Staff also recommends amending the Charter to explicitly include state law to govern municipal elections. This provides extra protections for Town personnel as well as how elections are conducted.

Town Attorney Trevarthen added that because there has been contention in other local governments regarding language which clarifies that state law governs local elections, her recommendation was to include this language in the Charter to ensure clarity. The Board members also agreed to this change by consensus.

6. OLD BUSINESS

a. Review of Board Recommendations

Town Attorney Trevarthen reviewed a list of all the items recommended by the Board thus far across multiple meetings:

- Section 3.3 and Article 6: change from a six-month to a 12-month residency requirement
- Lengthen the deadline for the Town's audit to nine months in compliance with Florida Statutes
- Address scriveners' errors regarding time frames in relation to initiatives and referenda
- Retain the Town's residential districts
- At the June 2025 meeting, review a map of the current district boundary and related information so the Board can fully understand what it would mean to adopt the existing boundary going forward
- Recommend two four-year terms for the Mayor and draft language so any prior service of a two-year term would not count against a Mayor's ability to serve two four-year terms
- Recommend more generic language regarding public notice of forfeiture hearings
- Recommend addition of a statement indicating that state election law governs local elections

Town Attorney Trevarthen confirmed that information on the district boundary would be provided at the June 2025 meeting, followed by discussion of Article 7. She noted that Article 7 includes three separate dimensions: land use, address and protections of the El Prado property, and advisory bodies.

7. UPDATES / BOARD MEMBER COMMENTS

None.

8. ADJOURNMENT

The meeting was adjourned at 6:58 p.m.

Town of Lauderdale-By-The-Sea

Charter Review Board Meeting

Agenda

Tuesday, June 3, 2025

6:00 PM

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

LAUDERDALE-BY-THE-SEA TOWN COMMISSION

Charter Review Board Meeting

Tuesday, June 3, 2025, 6:00 PM
Jarvis Hall 4505 N. Ocean Drive, 33308

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **APPROVAL OF MINUTES**
   - **3.a.** Approval of Minutes for May 6, 2025.
4. **PUBLIC COMMENTS**
5. **NEW BUSINESS**
   - **5.a.** Discusssion Of Article 7
6. **OLD BUSINESS**
   - **6.a.** Review Of Charter Review Board Recommendations
7. **UPDATES/BOARD MEMBER COMMENTS**
8. **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

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TOWN OF LAUDERDALE-BY-THE-SEA
CHARTER REVIEW BOARD MEETING
Jarvis Hall
4505 N. Ocean Drive
Tuesday, June 3, 2025
6:00 PM

1. CALL TO ORDER

The Charter Review Board for the Town of Lauderdale-By-The-Sea was called to order at 6:00 p.m. Board members present were Chair Chris Vincent, Vice Chair Brian Kuszmar, Jacquelyn Bonanni-Rubino, Robert Fleishman, Lori Lenoble, Kym Miranda, and Patrick Ucci. Also present were Town Attorney Susan L. Trevarthen and Board Clerk Megan Small.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. APPROVAL OF MINUTES

a. Approval of Minutes for May 6, 2025.

A motion was made, seconded by Vice Chair Kuszmar, to approve. [The motion was approved by consent.]

4. PUBLIC COMMENTS

At this time Chair Vincent opened public comment, which he closed upon receiving no input.

5. NEW BUSINESS

a. Discussion of Article 7

Judelande Jeune, associate of the Town Attorney, explained that this final Article in the Charter addresses planning and zoning. Many municipalities do not have this type of Article in their Charter; when they are included, they typically provide a framework and authority for land use and regulation. Provisions found in a planning and zoning Article are intended to ensure that growth and development occur in an orderly, lawful, and community-guided manner.

Article 7 of Lauderdale-By-The-Sea's Charter was first approved by voters in its current form in 2006. Section 7.1 modifies maximum building heights for residential districts. This Section was originally created by voters in 1973 and modified extensively during the 1990s. It requires voter approval for any height increases.

Section 7.2 restricts the vacation, abandonment, lease, sale, and transfer of the El Prado property, which is comprised of a parking lot and oceanfront park directly east of Town Hall. Section 7.3 provides for Town Commission appointment of residents to the Town's advisory boards.

Attorney Jeune recalled that due to the complexity and length of Section 7.1, the previous Charter Review Board (CRB) requested a "plain English" version of that Section be prepared in 2013; however, the Town Commission did not approve that request. It is provided to the Board members for their review.

As the Board evaluates Section 7.1, it must take into account the potential impact of Senate Bill (SB) 180, which recently passed both houses of the Florida Legislature. If that bill becomes law, it would retroactively invalidate all local government initiative Ordinances that impose restrictive or burdensome Comprehensive Plan amendments, land development regulations, or procedures concerning review, approval, or issuance of Site Plans.

Staff originally recommended that the Town Commission accept a proposal from the CRB to again consider a plain language version of Section 7.1. Should this be considered, however, there may be potential impacts from SB 180 which could affect the Town's ability to move forward with that proposal.

With respect to Sections 7.2 and 7.3, Staff has no recommended changes at this time, although the Board may propose and discuss potential changes.

Chair Vincent asked if there is any action the Town may take to preempt new legislation such as SB 180. Town Attorney Susan Trevarthen advised that as of today, SB 180 has not yet been transmitted to the Governor's Office. A number of organizations and individuals are communicating with the Florida Legislature, which remains in extended session, as well as the Governor's Office to express their concerns with the bill.

Town Attorney Trevarthen explained that while SB 180 includes useful emergency management planning components, it also includes the provision described earlier, which would strip local land use powers from every local government in the state of Florida for

three years. No reason has been provided for this provision. Should SB 180 take effect, it would void any action the Town may take which can be considered more restrictive on or burdensome to development.

Chair Vincent requested additional information on the bill's three-year time frame. Town Attorney Trevarthen explained that in recent years, three named storms had a major and devastating impact on Florida's Gulf Coast. Following those storms, SB 250 was passed to enact a Statute preventing local governments from creating a moratorium on repairing storm-damaged properties.

Another provision of SB 250 was that local governments lost the right to enact more restrictive or burdensome regulation of land use or zoning generally through October 1, 2024. That provision applied only to communities that had been directly in the paths or within 100 miles of the paths of those storms. The western edge of Broward County, which includes a portion of the Everglades, fell within this area.

After SB 250 expired, a paragraph including the preemption provision was added to SB 180, tying into the same disaster declarations from the years of those previous storms; however, SB 180's provision does not include the restriction to 100 miles from the paths of the storms, instead applying to the entire state of Florida. The legislation would be retroactive to any action taken from August 1, 2024 through October 1, 2027.

Chair Vincent also addressed Section 7.2, asking if there are any other Town properties or buildings which are restricted to civic use only. Town Attorney Trevarthen clarified that the Charter makes no reference to any other specific properties. The Town has a plat dating back to the 1920s which establishes certain areas as public or civic. The Charter reference is limited to El Prado.

Chair Vincent briefly reviewed the Town's history prior to 2006, recalling that after annexation of property at the Town's north end, there was a civic campaign by residents who were concerned that the south end of Town could permit construction of very tall buildings such as those that were part of the north end annexation. A referendum was held on this issue and rejected this possibility, maintaining the Town's height limits. The referendum also applied the height limits included in the Charter to the entirety of the Town, including the newly annexed area.

Town Attorney Trevarthen concluded that Section 7.1 regulates building heights in the Town. If buildings are greater than three stories in height, there are limitations on the uses

that can be permitted on their first floors, ensuring that those uses are non-habitable. The reason for these first floor use limitations lies with floodplain regulations.

Town Attorney Trevarthen noted that there is also a provision in Section 7.1 addressing nonconforming structures. This applied to previous developments such as the site now occupied by the Plunge Hotel, which retained its five-story height through the nonconforming rights included in the Charter. The Charter is restrictive regarding the application of nonconforming rights, including the applicable time frame.

Additional provisions of the Charter address issues such as the rezoning of residential properties for other uses, as well as provisions which constrain the Town Commission from taking specific actions without voter approval. There is also a constraint which requires any changes to Sections 7.1 or 7.2 to be voted upon during a general election rather than special elections.

Town Attorney Trevarthen continued that the existing language of Section 7.1 has been difficult for Town Staff over time, which led to the proposal for a legal translation of the language. The plain English version brought forward at that time, and presented in the CRB's backup materials, is the result of the Town Attorneys' interpretation of Section 7.1, which is unique to the Town.

Town Attorney Trevarthen concluded that the 2013 CRB had felt the plain language version was a worthwhile item to bring before the voters. While the Commission at that time understood the value of that version, there was a perception that the voters did not want further argument about Section 7.1, as it could open potential dialogue about height limits. The Commission ultimately declined to include the plain language item on the 2014 ballot.

Vice Chair Kuszmar addressed SB 180, requesting clarification of the intent behind this legislation, including why it was not restricted to the Gulf Coast. Town Attorney Trevarthen replied that this provision was not widely known before it was attached to the bill. The provision was added on the final day of the regular legislative session. She noted that all legislators may not have been aware of its addition. There has also been no explanation for removal of the 100-mile restriction which originally appeared in SB 250 before its expiration.

Vice Chair Kuszmar asked if the state of Florida is typically more or less restrictive than local municipalities with regard to land use. Town Attorney Trevarthen replied that the

state does not regulate land use, which has been a long-standing home rule power due to the wide variety of Florida communities.

Vice Chair Kuszmar also requested clarification of the Town's height restrictions, including whether the Town may legally address different areas of the Town differently through referendum. Town Attorney Trevarthen explained that local governments in Florida have set local development standards for many years; this right has been consistently upheld by the courts.

Vice Chair Kuszmar asked if these standards are determined according to use. Town Attorney Trevarthen replied that they are set according to zoning districts rather than on a use-by-use basis. The Town's zoning map establishes logical relationships between zoning districts.

Vice Chair Kuszmar requested additional clarification of the logic behind these determinations, including how they are made and how height restrictions are determined in particular areas. Town Attorney Trevarthen stated that with the introduction of zoning in the 1970s/1980s, the Town Commission adopted the initial zoning map for the Town, which has undergone few changes over time.

Vice Chair Kuszmar advised that this was an important topic for the Town, pointing out that there are a number of undeveloped properties. He suggested that property owners should be able to use their own properties according to their wishes as long as this does not affect others' rights. He recommended that the Committee propose that the Town Commission consider bringing height restrictions forward for referendum, or undertaking studies that review the balance between aesthetics and economic viability.

Vice Chair Kuszmar continued that many of the Town's property owners are also voters whose ability to build on their parcels is restricted due to height limitations. He felt it would be appropriate to ask the Town Commission, and by extension the Town, to reconsider these restrictions. He also noted that demographic changes may affect residents' resistance to or acceptance of larger buildings.

Vice Chair Kuszmar concluded that while he was not advocating for high-rise structures, there may be a place for consideration of raising the Town's height limit by an additional story in some zoning districts.

Chair Vincent observed that individuals who purchase properties in Lauderdale-By-The-Sea typically perform due diligence and understand the Town's regulations before making

these purchases. He advised that the Town currently continues to thrive without any necessity of adjusting its policies regarding development.

Chair Vincent also pointed out that there would need to be consideration of which zoning districts would allow greater height, which would ultimately affect the degree to which a property owner would or would not benefit from the proposed changes. He emphasized the need to ensure any changes would be equitable, and concluded that he felt the market would ultimately drive itself.

Vice Chair Kuszmar reiterated that the intent of his suggestion was to create more wealth, and that decisions on the districts where this could occur would fall outside the Board's discretion.

A question was asked regarding the areas in which the Vice Chair felt properties might be allowed to increase height. Vice Chair Kuszmar replied that he was referring to properties "across the Town," including the beach area. He stated that the original referendum regarding height was brought forward with no scientific or economic analysis.

Ms. Miranda noted that some owners consider purchasing properties in the Town due to its height restrictions; in addition, increasing height limitations to raise property values could result in higher taxes across the board. She concluded that if an owner wants to invest in an area where they can increase property values or building heights, Lauderdale-By-The-Sea is not likely to be the best choice for them.

Ms. Lenoble agreed, stating that she feared what could happen to the Town if it chose to make any changes, as developers may be able to take advantage of those changes in an unintended manner. She expressed concern with the potential impact of greater height and size on traffic on the community, pointing out that existing infrastructure, including drainage, may not be sufficient to support it.

Vice Chair Kuszmar noted that any recommendation of changes would ultimately be subject to a voter referendum rather than a decision by the Town Commission. He suggested proposing an economically viable program which has not been brought forward before.

Ms. Lenoble advised that many, if not most, of the Town's residents are likely to be in favor of leaving the Town's current zoning restrictions in place.

Ms. Miranda made a motion, duly seconded, to retain the existing language of Section 7.1 and not adopt the plain language. Motion carried 7-0.

Vice Chair Kuszmar asked if he could request a Board vote on his proposal to present potential zoning alternatives to the Town Commission. Town Attorney Trevarthen noted that this is beyond the scope of the CRB, although the Vice Chair, and other members of the Board, may communicate that idea to the Commission. She pointed out that the vote just taken on Section 7.1 was unanimously in favor of making no changes to that Section.

There was consensus from the Board to propose no changes to Sections 7.2 or 7.3.

6. OLD BUSINESS

a. Review of Charter Review Board Recommendations

Attorney Jeune noted that the CRB has made six recommendations thus far. The July 2025 meeting will allow them the opportunity to finalize these recommendations, as well as to bring back and discuss any relevant research previously mentioned by the Board members. She noted that efforts to secure data from the Broward County Supervisor of Elections' Office are ongoing.

The July meeting is currently scheduled for Tuesday, July 1, 2025. Attorney Jeune asked if the Board members wished to reconsider this date due to its proximity to the July 4 holiday. There was consensus from the Board members to keep this date.

Town Attorney Trevarthen added that Staff also hoped to further clarify the Board's wishes regarding the Town's district boundaries. Aside from this, there is little other pending work for the Board, which could mean July 1 could be its final meeting.

7. UPDATES / BOARD MEMBER COMMENTS

None.

8. ADJOURNMENT

The meeting was adjourned at 7:02 p.m.

Town of Lauderdale-By-The-Sea

Charter Review Board Meeting

Agenda

Tuesday, July 1, 2025

6:00 PM

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

LAUDERDALE-BY-THE-SEA TOWN COMMISSION

Charter Review Board Meeting

Tuesday, July 1, 2025, 6:00 PM
Jarvis Hall 4505 N. Ocean Drive, 33308

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **APPROVAL OF MINUTES**
   - **3.a.** Approval of Minutes for 6-3-25.
4. **PUBLIC COMMENTS**
5. **NEW BUSINESS**
   - **5.a.** Discussion Of Electoral District Boundaries
   - **5.b.** Discussion of Filing Procedures Timeline - Section 4.4 of the Town Charter
6. **OLD BUSINESS**
   - **6.a.** Review of Board Recommendations
7. **UPDATES/BOARD MEMBER COMMENTS**
8. **ADJOURNMENT**

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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

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TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
Jarvis Hall
4505 N. Ocean Drive
Tuesday, July 1, 2025
6:00 PM

1. **CALL TO ORDER**

The Charter Review Board for the Town of Lauderdale-By-The-Sea was called to order at 6:00 p.m. Board members present were Chair Chris Vincent, Vice Chair Brian Kuszmar, Jacquelyn Bonanni-Rubino, Robert Fleishman, Lori Lenoble, Kym Miranda, and Patrick Ucci. Also present were Town Attorney Susan L. Trevarthen, and Development Services Director Jhanelle Campbell.

2. **PLEDGE OF ALLEGIANCE TO THE FLAG**

3. **APPROVAL OF MINUTES**

   a. **Approval of Minutes for 6-3-25.**

4. **PUBLIC COMMENTS**

5. **NEW BUSINESS**

Judelande Jeune, associate of the Town Attorney, explained that tonight's final meeting of the Charter Review Board (CRB) will include a discussion of Staff's research into questions raised by the Board, as well as final review of the Board's recommendations.

   a. **Discussion of Electoral District Boundaries**

Attorney Jeune recalled that at the May 6, 2025 meeting, the Board discussed retention of the Town's electoral districts. They also reviewed the process by which the districts had been created, and how the Town ultimately determined not to complete another study of district boundaries in 2012, as Charter standards are only legally required for single-member districts.

At the May meeting, the Board discussed whether or not the current Town Commission district boundaries remained appropriate, as well as whether Charter Section 6.1.5, which requires the redistricting study, was still necessary.

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Attorney Jeune provided a memorandum with information on the districts and their voting populations as of June 13, 2025. Information from the Broward County Supervisor of Elections shows that there are 5,092 registered voters in Lauderdale-By-The-Sea across the different precincts. An estimated 577 registered voters are currently classified as inactive. The members were also provided with a precinct map.

The district boundaries have remained stable in their original designation. Attorney Jeune advised that it would be appropriate to include clear language regarding the district boundaries in the Charter. The Board members were provided with sample language which would achieve the following:

- Strike Section 6.1.5 to eliminate any references to the initial designation and implementation of district boundaries
- Update Section 6.1.7 to add language describing the districts' location based on the maps provided

The members reviewed the precinct and district maps as well as the language in the memo. Staff's recommendation was for the Board to determine whether to revise the language in Section 6.1 to remove the requirement for a study and instead specify the existing boundaries for the electoral districts.

Vice Chair Kuszmar commented that while he had originally been in favor of eliminating the districts, he now agreed with Ms. Miranda's earlier suggestion to review how the districts are divided. He recalled that Ms. Miranda had pointed out that there may be differing specific needs in different areas of the Town.

Chair Vincent suggested consideration of eliminating the election of Town Commissioners from each of the two districts, recommending that Commissioners instead be elected at large, as it can be difficult to identify candidates for some seats in the individual districts, often resulting in unopposed candidacies. If Commissioners are elected at large, they would run against one another, and he was in favor of retaining a competitive election process.

Town Attorney Susan Trevarthen recalled that when this issue was first discussed by the Board, the members agreed to retain the residential districts; however, she confirmed that they may make a different decision following further deliberation. The language provided by Staff was consistent with the direction received at the May meeting.

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Mr. Ucci asked if other municipalities with similar populations also divide themselves into districts. Town Attorney Trevarthen explained that the Town's districts resulted from annexation, reflecting the older area of Town and the annexed area. Other communities also have residential districts that are not single-member districts: residents vote for all candidates, not only for those who live in their own sections of town.

Mr. Ucci also asked if it has been common for candidates to run unopposed in the past. Town Attorney Trevarthen advised that more than once within the last 10 years, only one individual has been on the ballot and has run unopposed for office. This results in the immediate appointment of that Commissioner.

Chair Vincent explained that at present, there are three Commission seats, including the Mayor and two Commissioners, with the potential to change every two years; another change proposed by the Board was to change the Mayor's term to four years, which would allow every member of the Commission to run for office every four years rather than two.

Chair Vincent reiterated his suggestion that the Town retain its districts, but allow Commissioners to run for office at large in the same manner as the Mayor. Town Attorney Trevarthen observed that the Town could number its Commission seats rather than requiring that the candidates reside in a certain district. Vice Chair Kuszmar advised that he would also be content with this.

Ms. Miranda stated that she was not in favor of this change, pointing out that there are different needs in the Town's north and south districts. She remained in favor of representation of those communities by elected officials who live there and understand those needs. She proposed that if identifying candidates has been an issue, the better answer may be to establish a recruiting process.

Mr. Fleishman commented that the Town's elected officials are significantly underpaid, which may contribute to the difficulty in finding candidates. He proposed increasing the Mayor's and Commissioners' salaries. Chair Vincent clarified that salaries are not a Charter issue, but a Commission directive.

Chair Vincent also addressed Ms. Miranda's comment regarding the specific needs of the Town's districts, pointing out that candidates for Mayor run for office at large and may live anywhere. He recommended that the Commission seats be treated equitably, as he did not believe the Mayor is more knowledgeable about the Town as a whole than the other Commissioners. Ms. Miranda observed that the Commissioners representing the two

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districts would consult with the Mayor and provide their opinions on matters in their districts so the Mayor could benefit from their expertise.

Ms. Lenoble requested clarification of the different needs of residents of the Town's two districts. She explained that she did not feel her needs as a resident of one district were significantly different from those of residents of the other district. Town Attorney Trevarthen noted that there are distinct geographic differences between the north and south of Town, including the Downtown area, its activities, and the bridge in the south portion. These factors can contribute to noise. Residents of the north area may be more directly affected by what happens in the city of Pompano Beach. She concluded that it will be left to the Board to determine whether or not they feel these differences are meaningful.

Vice Chair Kuszmar observed that the individual who had asked him to raise the issue of the districts had commented that the Town is a small community, and that larger municipalities often do not divide themselves into electoral districts. He also pointed out that the two districts were established during a divisive period in the Town's history, as the Town was bringing in a new portion of the community. He did not feel this division continued at present in the two districts. He concluded that he was sharing the opinions of other residents and was personally ambivalent on this issue.

Chair Vincent recalled that for the first 20 to 25 years following the annexation, the Town needed specific representation of its north and south areas. Before that time, all five elected officials were drawn from the south area. He also agreed with the Vice Chair that the Town is a single small community which could be represented by elected officials from either area.

Town Attorney Trevarthen requested that the Board first make a motion addressing whether or not to retain the two electoral districts. If that vote is in favor of retention, it could be followed by another vote to consider changes to the Charter's language.

Mr. Fleishman stated that he found it useful to discuss the subject of districts, which has not been raised for several years and is no longer a divisive issue. He was open to proposing that the Commission discuss this issue further.

Ms. Lenoble addressed the differences cited between the two districts, pointing out that the entire Town is affected by issues in Pompano Beach. She was not in favor of a divided approach between the two sides of the Town, and advocated for eliminating the districts.

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Ms. Lenoble made a motion to remove the districts.

Town Attorney Trevarthen reminded the members that if the districts are eliminated, the Commissioners would run for numbered seats without a geographic component. She further clarified that voting precincts are independent of the districts and would not be affected.

Vice Chair Kuszmar asked if there are drawbacks to the elimination of districts, which may not have been considered during the Board's discussion. Town Attorney Trevarthen replied that other than the distinctions between the two parts of Town, she was not aware of other issues. She suggested that the Board may wish to consider if, should a future Commission consist of officials who all live in the same area, the residents of the other area might feel slighted.

Chair Vincent pointed out that Lauderdale-By-The-Sea voters are educated and reflect a high percentage of voter turnout in every election. He concluded that he trusted the Town's voting population to make the best decisions, and that the Commissioners should represent the entire population in the same manner as the Mayor.

Vice Chair Kuszmar noted that elimination of the districts would permanently remove any lingering effects of the division experienced by the Town at an earlier time.

Vice Chair Kuszmar seconded the motion. Motion carried 5-2 (Ms. Bonanni-Rubino and Ms. Miranda dissenting).

Town Attorney Trevarthen explained that when Staff transmitted the Board's recommendation to the Town Commission, they would provide language that would redefine the districts as numbered seats without a geographical requirement. The Commission will consider the recommendation and make the ultimate decision of whether or not to place the question on the 2026 ballot. Only voters may approve changes to the Charter.

b. Discussion of Filing Procedures Timeline – Section 4.4 of the Town Charter

Attorney Jeune explained that Section 4.4 of the Charter details the procedural timeline for filing and certifying initiative petitions or petitions for repeal or amendment of Ordinances. The provision currently allows the Town Clerk 20 days from the filing of an

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initiative petition to issue a Certificate of Sufficiency, and allows five days from the filing of a petition for repeal or amendment of an Ordinance.

The Town Clerk must request validation of petition signatures from the Broward County Supervisor of Elections. The Board is asked to consider whether or not the above timelines are appropriate in the context of what both the Town and the Supervisor of Elections must comply with.

Attorney Jeune offered the example of November 2026 ballot questions, all of which must be submitted by 5 p.m. on June 8, 2026. In the case of a Town special election, the Town would work with the Supervisor's Office to establish relevant time frames.

While the Supervisor's Office has assured the Town that it would respond promptly to any petitions, it was noted that this responsiveness is dependent upon that Office's overall workload. The Town would be taking the risk that responses could be provided within the 20-day deadline. The Supervisor's Office is not required to abide by the Town's timeline, and the Town can be challenged if it fails to meet the timeline.

Staff recommends that the timelines be amended in the following manner:

- Extend the 20-day timeline to 30 days
- Extend the five-day timeline to 10 days

Town Attorney Trevarthen further clarified that the five-day timeline can potentially be a problem, as there are times of the year in which Staff or the Supervisor's Office may be observing a long weekend, which would cut into the deadline. She emphasized that these timelines are completely under the Town's control, as they are not required by any other governing law. Parties wishing to circulate petitions would need to be aware of and abide by these regulations.

Attorney Jeune noted that there are also some inconsistencies in Section 4.4 in terms of the dates, including inconsistent references to days, business days, or calendar days. Staff has proposed additional language to clarify that where not otherwise specified, time frames of 14 or more days are measured in calendar days, while time frames of 13 or fewer days are measured in business days. Town Attorney Trevarthen noted that this is implicit in the existing paragraph, but the additional clarification would serve to prevent future disagreements.

Chair Vincent requested clarification of how long the existing language of Section 4.4 has been in effect. Town Attorney Trevarthen estimated that it dated back to the 2004 Charter

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revision or earlier. She also recalled that there have been no petitions filed since 2006, and acknowledged that minor inconsistencies in language can provide reasons for disputes during petition processes.

Ms. Bonanni-Rubino made a motion, seconded by Ms. Miranda, to adjust the time frames in Section 4.4 so that all time frames for certification of 20 days will now be 30 days and the time frames of five days will be 10 days, with references to 14 or more days to refer to calendar days. Motion carried 7-0.

6. OLD BUSINESS

a. Review of Board Recommendations

Town Attorney Trevarthen recommended that the Board review and reaffirm all of its recommendations before submitting them to the Commission. This will also provide an opportunity to ensure that the recommendations accurately represent the members' wishes.

Ms. Bonanni-Rubino made a motion, seconded by Ms. Miranda, to amend Section 3.3 of the Town Charter to extend the residency requirements for candidates seeking office of Mayor and/or Commissioner from six months to 12 months prior to the election date. Motion carried 7-0.

Ms. Bonanni-Rubino made a motion, seconded by Mr. Ucci, to amend Section 5.5, paragraph 10 of the Town Charter to extend the audit completion deadline from six months to nine months. Motion carried 7-0.

Ms. Bonanni-Rubino made a motion, seconded by Ms. Miranda, to amend the Town Charter in its entirety to correct any errors, address any needs to adjust timelines, et cetera. Motion carried 7-0.

Town Attorney Trevarthen noted that the next recommendation would provide for two four-year terms for the Mayor in lieu of the current limit of three two-year terms. She clarified that if this recommendation is adopted and passed on referendum, the current Mayor would receive a four-year term if he won reelection in 2026; however, he would only be able to serve a total of six years, as his first term of office is two years.

Motion made, and duly seconded, to amend the Town Charter to provide two four-year terms for the Mayor. Motion carried 7-0.

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Town Attorney Trevarthen continued that the next recommendation would remove the current reference to publication of notice in a newspaper, as notice can now be provided online. The Town would no longer be obligated to provide notice in a newspaper. The Town's legal notice needs are currently met by the Broward County website created for online notice purposes; each municipality which has an inter-local agreement with the County has its own web page on which to post notice. The Town may still post notice in a newspaper if they wish.

Chair Vincent expressed concern for the unintended disenfranchisement of any voter who does not have access to the internet and may still depend upon a printed newspaper for notice. Town Attorney Trevarthen further clarified that existing Statutes take this possibility into consideration. There is also a mechanism by which residents may sign up to receive notice. The Town has followed this system for the past two years, and the Florida Department of Revenue has approved it.

Vice Chair Kuszmar also noted that newspapers have become more expensive over time and are less likely to be an option for many individuals. He requested clarification of the current cost of newspaper notice. Town Attorney Trevarthen replied that some larger notice advertisements, such as those addressing land use matters, may cost the Town from $5,000 to $10,000.

Ms. Bonanni-Rubino made a motion, seconded by Ms. Miranda, to amend the Town Charter to remove all references requiring publication of notice in a newspaper of general circulation. Motion carried 7-0.

Motion made, seconded by Mr. Fleishman, to amend the Town Charter to explicitly incorporate applicable state law governing municipal elections. Motion carried 7-0.

7. UPDATES / BOARD MEMBER COMMENTS

Mr. Fleishman commended the Board as a whole on its service over the past five months, and thanked them for the experience. Chair Vincent also thanked the members for their confidence in electing him as Chair.

Vice Chair Kuszmar recalled that he had previously initiated discussion of the Town's height restrictions and explained that this issue was communicated to him by other residents. He recommended that the Town reconsider these restrictions in the future in

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light of the eventuality of change. He concluded that he felt the purpose of the Board was not to discuss opinions, but to consider items the individuals may not have previously addressed. Chair Vincent encouraged the Board members and any residents to bring forward issues of concern to the current Commissioners and the Mayor.

Vice Chair Kuszmar requested clarification of the purpose of a Charter Review Board if individuals may bypass the process and appeal directly to the Commission. Chair Vincent advised that the Board provided a way to bring forward potential changes in light of the Commission's time constraints.

Chair Vincent added that the majority of the recommendations made by Town Staff addressed legal issues, on which he had confidence in the Town Attorney and her associates. Vice Chair Kuszmar confirmed that he appreciated the Town Attorney's legal opinion, and noted that he had appreciated the discussion by the Board members at tonight's meeting.

8. ADJOURNMENT

The meeting was adjourned at 6:57 p.m.

Chairperson Chris Vincent

JHANELLE M CAMPBELL

Jhanelle Campbell, Minute Taker

12/3/2025 | 2:26 PM EST

Date Signed

Agenda Item No: 13.a.

Town Commission Agenda Item Report

Meeting Date: December 9, 2025
Submitted By: Jhanelle Campbell, Development Services Director
Submitting Department: Development Services
Item Type: Presentations
Agenda Section:NEW BUSINESS

Subject Title: Direction on Generator Placement Regulations (Sec. 30-313)

Explanation:

Staff is requesting direction from the Town Commission on amending Sec. 30-313(t) "Generator and fuel storage tank regulations" **(Exhibit 1)** to expressly allow permanent generators on rooftops, including in single-family and duplex districts, and to eliminate the placement of permanent generators within required side setbacks for new single-family and duplex construction.

Background

Earlier this year, the Planning & Zoning Board reviewed an application for an administrative adjustment to place a permanent generator within a side setback at a closer distance than allowed by the Code. At the conclusion of the hearing, the Board requested staff evaluate eliminating the ability to place generators in side setbacks for new construction homes **(Exhibit 2- Meeting Minutes)**.

Current Code (Sec. 30-313(t))

- Allows ≤60 kW permanent generators in side or rear setbacks with a 5' minimum setback and screening standards.
- Prohibits rooftop generators in single-family/duplex districts; allows rooftop in other districts if screened and set back 5' from roof edge.
- Noise/testing limits and screening already apply.

Rationale for Update

- Rooftop placement can reduce side-yard conflicts, improve compliance with noise/screening standards, and better align with other sections that already allow mechanical equipment on roofs subject to screening.
- Eliminating side-setback locations for new single-family/duplex construction addresses the P&Z Board's direction while preserving options (rear yard or rooftop).

Staff Direction Sought

A. Rooftop: Permit permanent generators on rooftops in all zoning districts (with screening, edge setbacks, anchorage, and noise/testing limits).

B. Side setbacks (SF/duplex – new builds): Prohibit generator placement in required side setbacks for new single-family/duplex homes (CO issued after effective date).

C. Grandfathering: Maintain lawful existing installations; replacements-in-place allowed for existing homes consistent with nonconformities section.

If Commission Concurs

Staff will return with a draft ordinance and redline to Sec. 30-313(t) reflecting this direction.

Recommendation: Staff recommends the Town Commission provide direction on amendment of Town Code Section 30-313 (t)

Exhibits:
1. Exhibit 1- Sec._30_313.___General_provisions. (2)

EXHIBIT 1

Sec. 30-313. General provisions.

(a) Drainage facilities.

(b) Use of buildings.

(c) Moving of buildings.

(d) Fences, walls and hedges.

(e) Regulations applicable to El Mar Drive.

(f) Use, public areas.

(g) Aesthetic design.

(h) Standards for driveways and swales.

(i) Capacity restrictions.

(j) Queuing of vehicles.

(k) Paving drainfield areas.

(l) Satellite television antennas and dishes.

(m) Lighting.

(n) Control of lighting for protection of sea turtle nesting areas.

(o) Elevation of filled land.

(p) Swimming pools, pool decks, patios, hot tubs and spas; [setbacks and enclosure required].

(q) Decks.

(r) Other mechanical and plumbing equipment [setback requirements].

(s) Accessory buildings and structures.

(t) Generator [and fuel storage tank] regulations.

(u) Window screening for vacant storefronts.

(v) Rooftop photovoltaic solar systems.

(w) Groins, seawalls and breakwaters.

(x) Rooftop passive recreation.

These general provisions shall govern development within the corporate limits of the Town, as follows:

(a) *Drainage facilities.* All improved property, whether new construction or renovation or repair of present property, must provide adequate drainage facilities and drainage fields and all well and drainage locations must be shown on a site plan in accordance with all applicable regulations.

(b) *Use of buildings.* No building or structure shall be erected on any lot for any purpose or use other than as applicable in said district. Non-use variances may be granted pursuant to section 30-127, Variance Procedures and Requirements of the Town Code.

(c) *Moving of buildings.* A conditional use permit is required for structures being moved into the corporate limits of the Town or for structures being relocated from one location within the Town to another location within the Town.

EXHIBIT 1

(d) *Fences, walls and hedges.*

(1) Height, design, and location of fences, walls, hedges.

a. Height. The maximum height of any fence or wall shall be six feet, except where the fence or wall abuts property with business zoning, in which case the maximum height is eight feet. The height of fences, walls, hedges or plantings of whatever composition shall be measured from the natural contour of the ground on adjoining lots.

b. Construction. All fences and walls shall comply with the Florida Building Code.

c. Cement or concrete walls:

1. Cement or concrete walls are permitted in all zoning districts, and must comply with the standards outlined in subsection 2., below.

2. Except when a new wall directly abuts an existing wall or fence preventing compliance with this requirement, walls shall be finished on both sides with materials satisfying industry standards, such as painted stucco, prefinished block, or other prefinished materials, shall be compatible with proposed or existing buildings, and shall meet the following design guidelines:

i. Cement or concrete walls in the RS-4, RS-5 and RD-10 zoning districts which exceed four feet in height must provide a minimum of 25 percent openings to allow air circulation.

ii. Walls shall be designed with changes in material, color, texture, or profile to avoid the massive, linear aspect and monotony of otherwise plain walls. Walls over two feet in height shall not form a continuous straight line without an offset, change of direction, or significant vertical feature every ten feet to break up the length of the wall.

iii. Walls shall include finishing features such as, but not limited to, changes in texture or color, variety of materials, capstones, decorative painting or bands of tile.

d. Fence/wall top features. The top of a fence or wall may contain architectural features and light fixtures. However, such features shall not extend more than 18 inches above the maximum height of the fence or wall, and the combined width of the features shall not exceed 20 percent of the total linear length of the fence or wall.

e. Gates. A fence or wall may have a pedestrian entrance with a gate. Such an entranceway, including any archway, may be no greater than eight feet in height, and no more than eight feet in width. Gates must swing or slide in a manner which does not obstruct public rights of way.

f. Maintenance. All fences and walls shall be maintained in good repair and in a secure manner. All defective structural and decorative elements shall be repaired or replaced in a workmanlike manner, to match as closely as possible the original materials and construction of the fence or wall. All surfaces shall have all graffiti and loose material removed. Any damaged portion of a fence or wall shall be repaired or replaced in a manner consistent with these standards. Any patching or resurfacing shall match the existing materials and shall be impervious to the elements, when possible.

g. Hedges.

1. All hedges shall be planted and maintained by property owners within the property lines and shall not encroach into the adjacent properties or right-of-way (ROW).
2. The height of a hedge shall be maintained not to exceed 12 feet in all zoning districts, except in the RM-25 district, where the height of a hedge is limited to four feet in the front yard, except as otherwise provided in subsection "h." below.

h. Visibility limitations.

1. No fences or walls shall be constructed within 25 feet of the front property line or within 30 feet of the clear site triangle at the corner of the property on residential lots.
2. No walls, fences, hedges or plantings shall be planted or maintained:
   a. To a height exceeding 30 inches above the crown of the roadway within sight visibility triangles,
   b. Within 25 feet of the intersection of the front and side street property lines,
   c. Within ten feet of any driveway, within ten feet from the intersection point of the edge of a driveway and alley or street, or
   d. Within 15 feet from the intersection point of the extended property lines at an alley and a street.

i. Chain link fences. Chain link fences shall be completely hidden from view when viewed from any portion of the right-of-way in residentially zoned property. Chain link fences are prohibited in any business zoning district. Notwithstanding the non-conforming use and structure regulations set forth in section 30-137 of the Town Code, non-conforming chain link fences shall be required to comply with the above regulations within a two-year time period commencing on August 27, 2019.

j. Placement of finished side. Except when a new wall or fence directly abuts an existing wall or fence preventing compliance with this requirement, fences and walls finished on only one side shall be placed to have the finished side facing out. If a fence or wall is erected and any portion is placed with an unfinished side facing out due to an abutting obstacle, then that portion shall be finished within 180 days of the obstacle being removed.

k. Prohibited fence types. Barbed wire, electrified or razor wire fences, and fences or walls topped with barbed, electric or razor wire are prohibited, and shall not be erected or maintained on any property.

l. Reserved.

(e) *Regulations applicable to El Mar Drive.*

(1) Parking. It shall be unlawful to use the central park area of El Mar Drive for parking purposes, unless so designated by a sign and ordinance.

(2) Walkways. Walkways that cross El Mar Drive must:

a. Comply with the requirements of section 17-9 of the Town Code;

b. Be accompanied by an agreement to provide maintenance; and

c. Be reviewed and approved by the Town Commission.

(3) Failure to meet the criteria of subsection (e)(2) above may result in a fine and removal of such walkway upon written prior notice.

(f) *Use, public areas.* It shall be unlawful for any person or group of persons to use any public area, park, street or thoroughfare as the site or location for the temporary or permanent construction, erection, or installation of any structure of any kind, or removal of any vegetation or structure thereon without express permission, upon written application, from the Town Commission. See chapter 17 of the Town Code of Ordinances.

(g) *Aesthetic design.* No structure shall be of an exhibitionistic character. Examples of which might portray, in form and coloring, a milk bottle, bean pot, articles of food, clothing, a windmill or the like. See article II, development review, section 30-51, architectural review standards of the Town Code.

(h) *Standards for driveways and swales.*

(1) *Driveways for single-family, two-family and townhome dwellings.*

a. All grading and paving of the swale on Ocean Drive (A1A) shall be subject to the Florida Department of Transportation specifications and permit requirements.

b. Driveways shall be constructed of non-asphalt pavement such as concrete pavers, stamped concrete, brick, or other material approved by the Town Commission.

c. Asphalt driveways permitted and constructed prior to July 28, 2009, shall be allowed to continue as a legal nonconformity subject to the following provisions:

1. A nonconforming asphalt driveway may be maintained and repairs and alterations may be made so long as the nonconformity is not increased.

2. New development or redevelopment on the property exceeding 25 percent of the current replacement cost of the primary building on the site in a consecutive three-year period, shall provide a driveway in conformity with the provisions of this section and any other applicable land development regulations.

d. Gravel driveways are prohibited.

e. Pervious pavement and pavers.

1. The use of solid surface pervious pavement and solid pervious pavers is encouraged.

2. Failure to maintain the solid pervious pavement and/or solid pervious pavers to industry standards, may result in the required removal of the pervious pavers and/or pervious pavement and the installation of a drainage system approved by the Town Engineer for the property pursuant to the Town's code enforcement procedures.

f. *Maintenance of driveways.* The property owner is responsible for maintaining and repairing the entire driveway including any portion in or crossing the swale.

g. *Driveway design for single-family, two-family and townhome dwellings.*

1. The driveways, except for the radius or flare provided below, shall be setback at least two and one-half feet from the side property line and shall provide a connection to the roadway that includes a maximum of either a:

(i) Two and one-half foot radius, or

(ii) Flare that is a 45 degree angle and no more than two and one-half feet beyond the extension of the driveway street edge.

2. Maximum width.

(i) For properties less than 75 feet in width, the maximum total pavement width in the swale is limited to 30 feet, exclusive of subsection g.1. above.

(ii) For properties 75 feet or greater in width, the maximum total pavement width in the swale is limited to 40 percent of the property frontage or 40 feet, whichever is less, exclusive of subsection g.1. above.

3. Unless the street adjacent to the property has a curb and gutter, driveways shall be designed with a grade as defined in subsection (3)d. below.

(2) *Driveways for all other properties.* Driveways for all other properties are subject to the standards provided in section 30-122, "Site plan requirements."

(3) *Standards for swales for single-family, two-family and townhome dwellings.*

a. The property owner shall not create a berm in the swale.

b. If a swale area outside of a proposed or existing driveway is currently covered with any other material other than landscaping as outlined in subsection (5) below, then the material shall be removed when constructing, reconstructing or replacing the driveway.

c. All grading and paving of the swale on Ocean Drive (A1A) shall be subject to the Florida Department of Transportation specifications and permit requirements.

d. *Grading requirements.* For properties without a curb and gutter, the following grading standards shall be met and maintained:

1. All grassed areas and other permeable areas within the public right-of-way shall be graded so that the final grade is a minimum of three inches lower than the adjacent street and driveway pavement. Town Engineer approval of the design specifications for the grade must be obtained.

2. The grade of driveways within the swale area shall be constructed so that the final grade matches the adjacent landscaped swale area and shall slope from the driveway to the adjacent landscaped swales according to the cross section standard adopted by the Town Engineer, unless a specific modification has been approved by the Town Engineer because of field conditions or the use of pervious pavement or pervious pavers.

(4) *Standards for swales for all other properties.*

a. All grading and paving of the swale on Ocean Drive (A1A) shall be subject to the Florida Department of Transportation specifications and permit requirements.

b. All properties that are: (a) not located on Ocean Drive (A1A), and (b) not adjacent to a curb and gutter street, shall meet the grading requirements established in subsection (3)d.1. and 2. above.

c. All properties that: (a) are not located on Ocean Drive (A1A), and (b) include a landscaped area, shall meet the landscaping requirements established in subsection (5) below.

d. All properties that submit a permit application to resurface or restripe their parking area shall provide a drainage plan that indicates the minimum Broward County water quality stormwater requirements for runoff will be maintained onsite. Stormwater runoff can be

maintained through the creation of a graded swale, the redirection of stormwater to landscaped areas, a trench drain or by other means, subject to review and approval from the Town Engineer.

(5) *Landscaping standards for swales:*

a. Landscaping or other materials shall not be used in swale areas in any manner that may interfere with surface drainage.

b. Landscape criteria.

1. Consistent with section 17-5, landscaping other than ground cover shall be planted or removed only under permit from the Town.

2. Prior to the issuance of any permit, the abutting property owner shall execute an agreement to hold the Town harmless for any damages and/or costs caused by the maintenance and repair of utilities or future right-of-way improvements.

3. Except in those areas that are paved to connect driveways to the roadway, or where a sidewalk exists or installation of a sidewalk has been approved by the Town, swales shall be fully sodded grass, ground cover or xeriscape landscaping.

4. Landscaping, with a maximum height of 30 inches, may be planted no closer than six feet to the edge of pavement.

5. Trees.

(i) Single trunk trees or palm trees may be planted with a minimum horizontal distance of six feet to the edge of pavement on streets without a curb and four horizontal feet to the edge of pavement on streets where there is a curb.

(ii) Trees shall be a minimum of six feet in height at the time of planting.

(iii) Trees shall not be planted:

i. Closer than 20 feet from the intersection of any street.

ii. Closer than 20 feet from a street light pole, utility pole, fire hydrant, traffic sign, traffic signal pole or street name sign.

6. Round concrete buttons that meet the following criteria are allowed in the swale:

(i) Not exceeding 12-inch diameter;

(ii) Not exceeding four-inch height;

(iii) No exposed edges; and

(iv) A minimum of two feet from the street pavement edge.

7. Non-native species and hedges are prohibited.

8. In those instances where the abutting property owner plants trees and/or landscaping materials within the swale area of the public right-of-way, any damage caused by roots or broken branches shall be the responsibility of the abutting property owner.

(6) *Maintenance standards for swales.*

a. The property owner adjacent to the swale shall be responsible for maintaining the swale in good condition, with the lawn regularly watered and mowed and any other landscaping properly maintained.

b. The adjacent property owner shall maintain and trim swale trees so that there is:

1. A minimum eight-foot clearance between the lowest hanging branch or foliage and the existing grade of the swale or sidewalk, and

2. A minimum ten-foot clearance between the lowest hanging branch or foliage and the roadway pavement.

c. No landscape material shall encroach into the paved roadway or public sidewalk.

d. Town removal. In addition to all other remedies available including code enforcement, the Town may remove landscaping within the swale in accordance with section 17-5 of the Town Code.

(i) *Capacity restrictions.*

(1) All businesses shall provide adequate indoor seating for their customers, clients, patients and business invitees.

(2) Except for customers seated in approved sidewalk café areas, customers, clients, patients or business invitees shall not be directed, encouraged or allowed to stand, sit (including in a parked car for any period of time longer than reasonably required for a person's passenger to conduct their official business and depart), or gather or wait outside of the building where the business is operating, including in any parking areas, sidewalks, rights-of-way, or neighboring properties.

(3) Pedestrian queuing at any time, including before or after business hours, outside of a business' building is prohibited.

(j) *Queuing of vehicles.* All businesses shall ensure that there is no queuing of vehicles in the adjacent rights-of-way, drive aisles of the property's parking lot or on any adjacent properties.

(k) *Paving drainfield areas.*

(1) Paving over drainfields or drainage facilities with asphalt or any other hard surface materials shall be prohibited.

(2) Paving shall be prohibited in any setback area where such paving would:

a. Interfere with the natural drainage necessary for the area or for the roof water from any construction located on the lot, or

b. Cause the surface water to drain upon adjoining property or the public right-of-way.

(l) *Satellite television antennas and dishes.*

(1) Definitions. The term "Satellite Television Antenna" shall mean any (i) device used for the receipt of video programming services; (ii) a device used to receive or transmit fixed wireless signals; or (iii) a reception antenna that has limited transmission capability designed for the viewer to select or use video programming as a reception antenna provided that it meets the Federal Communications Commission standards for radio frequency emissions. A mast, cabling, or other accessory necessary for the proper installation, maintenance, and use of a reception antenna shall be considered part of the antenna. A "Satellite Television Antenna" within the meaning of this section expressly excludes a Small Satellite Dish as defined herein.

(2) "Small Satellite Dish" or "Satellite Dish" means a device incorporating a reflective surface that is solid, open mesh, or bar configured and is in the shape of a shallow parabolic dish, cone, horn, or

cornucopia. Such device is used to receive radio or electromagnetic waves between terrestrially and orbitally based uses. This definition is meant to include, but not be limited to, what are commonly referred to as receive-only satellite earth station antenna, satellite microwave antennas or fixed wireless service antennas that are two meters or less in diameter and located or proposed to be located in any area where commercial or business uses are generally permitted by non-Federal land-use regulation, or any receive-only satellite earth station antennas, satellite microwave antennas or fixed wireless service antennas that are one meter or less in diameter in any area regardless of land use or zoning category.

(3) Requirements in RS-4, RS-5 and RD-10 districts. All Satellite Television Antennas located in RS-4, RS-5 single-family and RD-10 duplex residential districts shall comply with the following:

a. Setback requirements for Satellite Television Antennas shall be consistent with the setback requirements set forth in section 30-262.

b. The maximum diameter of Satellite Television Antennas shall be ten feet.

c. Satellite Television Antennas will be installed to minimize the height thereof and shall not exceed 12 feet.

d. All Satellite Television Antennas shall be screened from view from abutting properties and public rights-of-way.

e. No roof-mounted Satellite Television Antenna shall be permitted.

f. No Satellite Television Antenna shall serve more than one single-family home.

g. Satellite Television Antennas shall be permitted in side yards or front yards.

(4) Requirements in other districts. Satellite Television Antennas located in districts other than single-family districts shall meet the following requirements:

a. Installation of any Satellite Television Antenna shall conform to all zoning setback requirements for the district in which such antenna is to be installed. The Development Services Director may require a Satellite Television Antenna to be installed in a location where its visibility is minimized to nearby properties and rights-of-way, provided that such location will not preclude reception of an acceptable quality signal.

b. No roof-mounted Satellite Television Antennas shall be permitted.

c. A Satellite Television Antenna which has been unused for reception for a continuous period of six months or more shall be removed by the owner of the antenna. The removal of any unused Satellite Television Antennas located on the same premises shall be required prior to the issuance of a permit for the installation of a new Satellite Television Antenna.

(5) Application for a permit for installation. All applications for Satellite Television Antenna installations shall be submitted to the Development Services Director and shall include the following:

a. Three copies of the survey and three copies of a site plan or sketch plan showing the exact location of the Satellite Television Antenna on the property in compliance with all the codes and ordinances of the Town;

b. Two sets of signed and certified engineering plans by an engineer registered in the State detailing all installation requirements and specifications mandated by the building code or this Code;

c. Three copies of a landscaping plan showing placement, size and type of landscape material;

d. Sufficient information, as determined by the Development Services Director, that the installation of a Satellite Television Antenna will not be erected over a sewer pipe, underground conduit, cable lines, wire or apparatus or within a public easement or utility easement; and

e. Any additional information that may be requested by the Development Services Director consistent with this section and applicable law, as required to process the application.

(6) Application fee. All applications for the installation of a Satellite Television Antenna shall be accompanied by an application fee. The Town shall not require an application fee for the placement of a Small Satellite Dish, as defined in this section.

(7) Grounding. All Satellite Television Antennas shall be grounded against direct lightning strike.

(8) Contest of provisions. Any person wishing to contest the application of any term or provision of this subsection may do so before the Planning and Zoning Board.

(9) Small Satellite Dishes.

a. Location and placement regulations.

1. Small Satellite Dishes shall be permitted within all zoning districts and shall comply with the minimum setback requirements established for a principal building within the applicable zoning district, pursuant to this chapter. No additional permit shall be required for installation of a Small Satellite Dish, except for an electrical permit. The installation of a Small Satellite Dish shall be in accordance with the following:

(i) Ground-mounted Small Satellite Dishes are permitted as an accessory use in RS-4, RS-5, RD-10, RM-25, and RM-50 zoning districts subject to the following conditions:

(a) No installation shall exceed 15 feet in height.

(b) Ground-mounted Small Satellite Dishes shall conform to the minimum setback requirements established for the principal building.

(ii) No ground-mounted Small Satellite Dishes shall be permitted as an accessory use in B-1, B-1-A, CF and P zoning districts.

(iii) Roof and wall-mounted Small Satellite Dishes shall be permitted as an accessory use in all zoning districts subject to the following conditions. Whenever possible, Small Satellite Dishes shall be installed in locations where their visibility is minimized to nearby properties and rights-of-ways. while maintaining reception of an acceptable quality signal as follows:

(a) It is preferred that roof-mounted Small Satellite Dishes be mounted to the rear or side of the non-street side of the principal building.

(b) It is preferred that wall-mounted Small Satellite Dishes be mounted on the rear or side of the non-street side wall of the principal building.

(c) No installation shall exceed five feet in height from the roof or wall surface to the highest point of the dish in its most extended position, and in accordance with section 7.1(1) of the Town Charter,

shall not exceed four feet in height above the maximum allowed building height.

(iv) The Town may inspect the installation to determine if it complies with the requirements of this section and all other applicable provisions of the Town Code.

(v) A Small Satellite Dish which has been unused for reception for a continuous period of six months or more shall be removed by its owner.

(10) Signage. Signage of any type, except for the provider's name, is prohibited on the Small Satellite Dishes and Satellite Television Antennas regulated in this section, unless required by Federal law.

(11) Inspections. Under the lawful exercise of the police power of the Town, all installations of Small Satellite Dishes and Satellite Television Antennas may be subject to inspection by the Building Official after the installation has been completed to determine compliance with this section and the Town Code.

(12) Penalty for violation. If a Small Satellite Dish or Satellite Television Antenna is deployed and increases the likelihood of harm to persons or property, or does not comply with this section, the Code or both in any respect, the Town shall not be responsible for any costs incurred in connection with any alteration, modification, redeployment or reinstallation of a Small Satellite Dish or Satellite Television Antenna for the safety of Town residents and property or as necessary for it to achieve full compliance with the Code. Any violation of any of the provisions of this section shall be grounds for revocation of any applicable permit and punishable by a fine in accordance with section 6.5-7 of the Code. Each day that a violation is permitted to exist shall constitute a separate offense. Any continuing violations of the provisions of this section may be enjoined and restrained by injunctive order of the Circuit Court in appropriate proceedings instituted for such purposes.

(13) Compliance with regulations.

a. Every reasonable effort must be made to locate Small Satellite Dishes and Satellite Television Antennas in a manner where they are near a structure or near another protective barrier which will decrease the likelihood of a broken or dislodged Small Satellite Dish or Satellite Television Antenna becoming a windblown hazard. The design and construction of each Small Satellite Dish and Satellite Television Antenna shall be in compliance with the requirements of this section, and must meet the minimum wind load capacity as provided for in the Florida Building Code.

b. Nothing in this section shall affect the ability of a condominium association, cooperative association, apartment landlord, or homeowners' association to restrict, to prohibit, or to permit lawfully the installation of Small Satellite Dishes or Satellite Television Antennas in common areas or in areas that are not within the exclusive control of the unit owner, tenant or single-family homeowner.

c. The Town Manager or his or her designee shall have the authority to enforce any and all provisions of this section. Failure of the Town Manager or his/her designee to enforce any requirements of this section shall not constitute a waiver of the Town's right to enforce that violation or subsequent violations of the same type or to seek appropriate enforcement remedies provided by applicable law.

(m) *Lighting.* Where lighting facilities are provided for parking areas, they shall be designed and installed so as to reflect the light away from any contiguous residential zoned property (see subsection 30-317(i) for parking facility lighting requirements).

(n) *Control of lighting for protection of sea turtle nesting areas.*

(1) No lighting shall be installed, maintained or illuminated on public or private property that would directly illuminate the beach from sunset to sunup during the sea turtle nesting period from March 1 through October 31 of each year.

(2) Property owners are responsible for ensuring that all lighting along the beach is controlled so as not to illuminate the beach from sunset to sunup during this period.

(3) Measures to be employed by property owners for the installation, maintenance and control of all lighting in a direct line of sight of the beach, including interior lights visible from the beach through windows, shall be consistent with the standards and guidelines contained in Chapter 62B-55 of the Florida Administrative Code, and in Technical Report 97-06 of the Broward County Beach Lighting Management Plan, as amended from time to time. All site plans for new development and redevelopment along the beach shall be required to demonstrate that the proposed development or redevelopment will comply with this section by identifying the specific measures that will be employed to control lighting.

(o) *Elevation of filled land.* There shall be no land filled or elevated resulting in the elevation of the area in question above the natural elevation of the adjacent ground surface without first obtaining the approval of the Floodplain Administrator. In order to obtain review and approval by the Floodplain Administrator the applicant must first obtain the following:

(1) A description of the extent to which any watercourse will be altered or relocated as a result of the proposed development;

(2) A depiction of the elevation in relation to the adjacent property; and

(3) Engineering calculations confirming that stormwater runoff will be retained on-site and that the proposed development will not create flooding issues on adjacent properties.

(p) *Swimming pools, pool decks, patios, hot tubs and spas; setbacks and enclosure required.*

(1) No swimming pool, hot tub or spa shall be constructed within a front yard setback, unless the lot is a corner lot. Swimming pools, hot tubs and spas shall have the following minimum setback regulations:

a. All water bearing wall surfaces shall have a minimum five-foot setback from the property lines.

b. All water bearing wall surfaces shall have a minimum five-foot setback from any public right-of-way.

c. Notwithstanding any other regulation of this Code, fencing to enclose a swimming pool, hot tub or spa is permitted in the front setback, but shall not obstruct the view within any sight distance triangle.

d. Screen enclosures, pool decks, patios, porches and terraces:

1. Shall be permitted in the required side yard or rear yard only or in the front yard of a corner lot with a pool located in the front yard, and shall be located at least two and one-half feet from lot lines.

2. In addition, the location of screen enclosures, pool decks, patios, porches and terraces shall not obstruct the view within any sight distance triangle and will need to be located outside of any utility easement areas, unless the property owner obtains consent from the applicable utility(s) to allow any of these structures in the easement area.

(2) All swimming pools shall be enclosed by an open mesh screen enclosure or a fence or wall a minimum of five feet in height of such design and material as will prevent unauthorized access to the pool area. All screen doors and fence gates shall be equipped with a self-locking mechanism.

(3) Swimming pools or spas on lots that directly abut a waterway or other water area shall not require enclosure along such waterway or water area.

(q) *Decks.*

(1) Decks that abut a plot line that is a waterway may be allowed, but are not required, to extend to the waterway.

(2) There can be a gap between the deck and the dock provided the spacing between the deck and dock is properly secured.

(3) Decks need not be constructed to be flush with any dock or seawall area. However, any portion of a deck located within five feet of the seawall cannot be constructed higher than the seawall.

(r) *Other mechanical and plumbing equipment setback requirements.*

(1) Notwithstanding any provision of the Land Development Code which prohibits the use of setback areas, mechanical and plumbing equipment, including, but not limited to, air conditioner units, lawn irrigation pumps, water purification devices, and swimming pool or spa accessories, may be installed on the roof and in a side or rear setback in all zoning districts, provided that no portion of the equipment may:

a. Be within five feet of the adjacent property line;

b. Exceed six feet high above grade unless installed on a roof;

c. Exceed eight feet in length; or

d. Occupy more than 40 square feet of the property.

For properties which contain legal nonconforming mechanical or plumbing equipment located within a setback area less than five feet from the adjacent property line and installed prior to March 25, 2003, such equipment may be replaced or relocated. However, in no case may the equipment be located within a setback area less than three feet eight inches from the adjacent property line.

(2) Screening. Equipment installed after November 10, 2020, shall be completely screened from the public right-of-way and adjacent properties.

(3) Nonconforming. For properties which contain legal nonconforming mechanical and/or plumbing equipment located within a setback area less than five feet from the adjacent property line and originally installed prior to March 25, 2003, such equipment may be replaced or relocated. However, in no case may the equipment be located within a setback area less than three feet eight inches from the adjacent property line.

(s) *Accessory buildings and structures.*

(1) On a non-waterfront lot containing a single-family, duplex or townhouse dwelling, side and rear yard setbacks not abutting a street may be reduced to five feet for accessory buildings and structures.

(2) On a waterfront lot, side and rear setbacks abutting the water shall be the same as for the primary structure.

(3) Accessory buildings and structures may not exceed 12 feet in height on any lot.

(4) The aggregate floor area of all accessory buildings or land area under an accessory structure shall not exceed five percent of the plot area.

(5) No accessory building shall contain more than 50 percent of the floor area of the principal building.

(6) Accessory buildings and structures in commercial zoning districts may be allowed, subject to Town Commission approval. Staff shall apply the standards listed above as best as possible before the Town Commission reviews the accessory buildings and structures in the commercial zoning district.

(t) *Generator and fuel storage tank regulations.* Generators and related fuel storage tanks are allowed within the Town subject to the following requirements:

(1) *Temporary generators*. No more than two temporary emergency power generators or one construction generator may be utilized by each single dwelling unit subject to the following:

a. Temporary emergency power generators shall:

1. Be located:

(i) On the roof or the ground.

(ii) In such a way that the exhaust is, as much as practically feasible, vented upwards and directed away from neighboring properties.

(iii) In the front yard or at least five feet from the side or rear property lines.

(iv) On the property in such a way as to have the least noise impact to the neighbors.

(v) In an area completely screened from the public right-of-way and adjacent properties when not in use.

2. Not be stored on trailers except following the declaration of a state of emergency by the Governor and all trailers must be removed no more than seven days after the power has been restored unless stored within a fully enclosed building.

3. Be utilized only during periods of power outages, periods of power reductions resulting from the exercise of utility load control programs or for periodic testing and necessary maintenance operation and shall not be used to return power back to a power company.

4. Be operated for routine testing and maintenance purposes not more than one time in any seven-day period and no test shall exceed 30 minutes or occur before 8:00 a.m. or after 5:30 p.m. There shall be no testing on legal holidays or Sundays.

5. Where a single generator is operating, the generator shall not, at any time or for any purpose, exceed 70 decibels when measured 25 feet in any direction from the generator. When two generators are operating on the same property at the same time, they shall, collectively, not exceed 75 decibels when measured 25 feet in any direction from the generator(s).

b. *Construction generators.* Construction generators may only be utilized on construction sites with active Town building permits that do not have electric service. Such construction generators shall:

1. Be operated only until the 30th day after the building permit is issued or the date that an electrical power drop is installed, whichever is soonest.
2. Be operated during the hours of construction established in section 13-3 (11) of the Town's Code.
3. Be operated for a period of not more than four hours each work day. The four-hour period starts when the first generator is turned on and ends four hours later, regardless of how many times the generator is turned off or how many generators are used during that time period.
4. Be removed from the site or if there is any enclosed space on the construction site, stored within the enclosed space during non-construction hours.
5. If stored on a trailer:
   (i) Be completely screened from the public right-of-way and adjacent properties or removed from the site during non-construction hours; and
   (ii) Be removed no more than 37 days after the building permit is issued or the date that an electrical power drop is installed, whichever is soonest.
6. The Town Manager, in consultation with the Building Official, may extend any of the time limitations herein upon demonstration of good cause by the property owner.
7. The generator shall not, at any time or for any purpose, exceed 70 decibels when measured 25 feet in any direction from the generator.

(2) *Permanent generators.*

a. *Permit required.* The property owner shall obtain a building permit from the Town for the installation of a permanent generator unit. The Town shall review all such permit applications to minimize the visual and acoustical impact on adjacent and neighboring properties.

b. *Permanent generators not exceeding 60 KW output.* One permanent generator with an output of not more than 60 KW shall be allowed in a required side or rear yard setback provided said generator meets the following conditions:

1. The generator is set back a minimum of five feet from the side or rear property line.
2. Prior to the final inspection of the permit, the Town shall test the generator under load to ensure it does not exceed 70 decibels as measured 25 feet in any direction from the generator.
3. The generator shall not, at any time or for any purpose, exceed 70 decibels when measured 25 feet in any direction from the generator.
4. The highest point on the generator shall not exceed a maximum of five feet above grade.
5. *Screening.*
   (i) The generator shall be completely screened from the public right-of-way and adjacent properties.
   (ii) Properties with solid opaque landscaping or a solid opaque fence or wall enclosure that acts to completely screen the generator consistent with

the requirements of subsection 5.(i) above, will be considered sufficient to meet the screening requirement. Removal of the landscaping, fence or wall will require screening as required in subsection (iii) below.

(iii) Properties without solid opaque landscaping or a solid opaque fence or wall enclosure shall screen the generator from the public right-of-way and adjacent properties with landscape material, subject to approval by the Town, that:

i. Surrounds the generator on three sides;

ii. Is offset no greater than one foot from the permanent generator pad; and

iii. Stands a minimum of 18 inches at time of planting, installed with irrigation and shall be maintained at a height of at least four feet or the height of the generator itself, whichever is greater.

6. The permanent generator's exhaust shall be, as much as practically feasible, vented upwards and directed away from neighboring properties.

7. The permanent generator shall be utilized only during periods of power outages, periods of power reductions resulting from the exercise of utility load control programs or for periodic testing and necessary maintenance operation and shall not be used to return power back to a power company.

8. The permanent generator may be operated for routine testing and maintenance purposes not more than one time in any seven-day period and no test shall exceed 30 minutes or occur before 8:00 a.m. or after 5:30 p.m. There shall be no testing on legal holidays or Sundays.

9. Generators are not permitted on the roof of a building in single-family and duplex zoning districts. In all other zoning districts, generators may be located on the roof if screened from the right-of-way, set back at least five feet from any roof edge that faces a private property line shared with a detached building and approved as a site plan amendment.

c. Permanent generators exceeding 60 KW output. Permanent generators producing an output of 60 KW or more may be installed subject to the following requirements:

1. The generator shall be housed in an enclosed building.

(i) The enclosing building shall be located in conformance with the setback requirements applicable to a principal structure; and

(ii) If the building is visible from the right-of-way or adjacent property, then the building shall be landscaped with landscape material that surrounds the building on three sides and is offset no greater than one foot from the building, subject to approval by the Town.

(iii) The generator shall not, at any time or for any purpose, exceed 70 decibels when measured 25 feet in any direction from the generator.

(iv) Prior to the final inspection of the permit, the Town shall test the generator under load to ensure it does not exceed 70 decibels as measured 25 feet in any direction from the generator.

2. The location shall be subject to site plan level 2 review as defined in section 30-119 of the Town Code with evidence substantiating each of the following conditions:

   (i) The output of a 60 KW or less generator is incapable of providing enough electricity for the basic necessity of occupying a building and/or protecting interiors or possessions in a building from the damaging effects of prolonged loss of power;

   (ii) The proposed location is not merely for the convenience or preference of the applicant, but that the location of the permanent generator provides for safe and adequate placement and reduced sound attenuation.

3. The building's venting and generator's exhaust shall, as much as practically feasible, be vented upwards and directed away from neighboring properties.

4. The permanent generator shall be utilized only during periods of power outages, periods of power reductions resulting from the exercise of utility load control programs or for periodic testing and necessary maintenance operation and shall not be used to return power back to a power company.

5. The generator may be operated for routine testing and maintenance purposes not more than one time in any seven-day period and no test shall exceed 30 minutes or occur before 8:00 a.m. or after 5:30 p.m. There shall be no testing on legal holidays or Sundays.

(3) *Fuel storage tanks for single-family and duplex properties.* The following requirements shall apply to fuel storage tanks for generators for single-family and duplex properties:

a. *Above ground fuel storage tank.* One above ground tank not to exceed five feet in height and 250 gallons shall be permitted in the side or rear setback provided said tank meets the following conditions:

1. Up to two above ground tanks, not to exceed a total collective capacity of 250 gallons, and subject to the requirements of this subsection, shall be allowed in lieu of one 250-gallon above ground tank.

2. Fuel storage tanks shall be subject to the same setback and location regulations for permanent generators less than 60 KW.

3. Above ground fuel storage tanks shall be completely screened from the public right-of-way and adjacent properties by one of the following:

   (i) A solid opaque hedge, solid opaque fence or wall; or

   (ii) Landscape material that is a minimum of 18 inches at time of planting, irrigated, trimmed, and maintained at a height of at least four feet high or the height of the tank itself, whichever is greater. Landscaping must surround the tank on three sides and be offset no greater than one foot from the tank.

b. *Underground fuel storage tank.* An underground fuel storage tank, not to exceed 500 gallons, shall be permitted within the required front, rear and side yard setback provided it is not located within five feet of any public right-of-way or utility easement or three feet of any other property line.

(4) *Fuel storage tanks for all other properties.* The following requirements shall apply to fuel storage tanks for generators for all other properties (excluding single-family and duplex properties):

a. All above ground tanks shall be subject to the same regulations for permanent generators not exceeding 60 KW output provided in this subsection. Fuel storage tanks shall comply with the Florida Building Code (FBC) and the Florida Fire Prevention Code (FFPC).

b. Any tank over 1,000 gallons, not located within an enclosed building or underground, shall be subject to site plan review as defined in section 30-119 of the Town Code.

c. Underground fuel storage tanks may be located within the required, side, rear or front yard setback provided they are not located within five feet of any public right-of-way or utility easement or three feet of any other property line.

(5) All fuel storage tanks shall be properly permitted in accordance with all applicable Town, County, State, and Federal regulations.

(u) *Window screening for vacant storefronts.*

(1) *Definitions.* The following words, terms and phrases, when used in this section, shall have the following meanings ascribed to them, except where the context clearly indicates a different meaning:

a. *Door* means a swinging or sliding panel that closes an opening in a wall and provides passage through it.

b. *Transparent* means easily seen through, so that bodies, objects and materials situated beyond or behind the glass can be clearly seen.

c. *Vacant* means buildings or individual storefronts that are:

1. Not open to the public, or to clientele, for a period of more than 21 consecutive days due to lack of business operation, repair or renovation; and

2. Not being used for the display or merchandising of any product.

d. *Window* means an opening in an exterior wall to admit light and air, typically with glazing in a frame that may or may not be operable.

(2) *Required screening specifications.* All transparent windows and doors in commercial uses, including hotels and motels, that are vacant, which are visible from the right-of-way, regardless of floor elevation, are required to be screened to prevent the interior of the building from being viewed from the public right-of-way. Decorative window treatments that were in place during the business occupancy, such as shutters (excluding hurricane shutters), shades, curtains, Venetian or vertical blinds may be used if they prevent viewing of the interior of the building from the public right-of-way. Decorative window treatments must have a clean and neat appearance, and be kept in good repair.

a. Screening material requirements:

1. If paper is used, it shall be no less than 46 pounds [in] weight, or of similar durability and opacity, as determined by the Town Manager or his/her designee;

2. If fabric or any other material is used, it shall be of comparable or greater opacity as in subsection 1. above, so as to prevent visual sight into the business;

3. Each piece of screening material shall have a width no less than 36 inches and a length sufficient to completely screen the opening from its lowest point to a level no less than the height of the window or door opening or a level six feet above the finished floor and have a seamless appearance;

4. Screening material shall be maintained in a clean and neat appearance; and

5. Screening material shall be affixed to the interior side of the window or door glass. If utilizing tape, tape must have a continuous edging.

b. Screening material shall include artwork/photography but not text, including, but not limited to:

1. Historical pictures of the Town of Lauderdale-By-The-Sea;

2. Historical post cards of the Town of Lauderdale-By-The-Sea;

3. Art work of a professional nature;

4. Designs or drawings provided by the Town of Town projects;

Pictures and artwork on, or incorporated into, the screening materials must be a minimum of 16 inches × 20 inches.

c. As an alternative, and if available, windows and doors may be covered by pre-printed materials provided by the Town.

(3) Timing. All window screening is required to be installed within seven business days of vacancy. A time extension of up to seven business days may be given by the Development Services Director if the property owner submits a written request for an extension to the Development Services Department.

(4) Nothing in this section shall prohibit the placement of otherwise legal signs in windows, including, but not limited to:

a. Announcing or contractor signs as described in subsections 30-508(3)(h)1. and 30-508(3)(h)3. of the Code; and

b. Seasonal window treatments as described in and subject to the regulations of subsection 30-502(16).

(v) *Rooftop photovoltaic solar systems.*

(1) *Intent.* The provisions contained herein are intended to promote the health, safety, and general welfare of the residents by removing barriers to the installation of alternative energy systems and encourage the installation of rooftop photovoltaic solar systems on buildings and structures within the Town.

(2) *Definitions.* For purposes of this section, the following terms shall have the meaning prescribed herein:

a. *Roof line:* The top edge of the roof which forms the top line of the building silhouette or, for flat roofs with or without a parapet, the top of the roof.

b. *Rooftop photovoltaic solar system:* A system which uses one or more photovoltaic panels installed on the surface of a roof, parallel to a sloped roof or surface- or rack-mounted on a flat roof, to convert sunlight into electricity on rooftops.

(3) *Permitted accessory equipment.* Rooftop photovoltaic solar systems shall be deemed permitted accessory equipment to residential and commercial conforming and nonconforming buildings and structures in all zoning categories. Nothing contained in this chapter, including design standards or guidelines included or referenced herein, shall be deemed to prohibit the installation of rooftop photovoltaic solar systems as accessory equipment to conforming and nonconforming buildings, including buildings containing nonconforming uses.

(4) *Height.* In order to be deemed permitted accessory equipment, the height of rooftop photovoltaic solar systems shall not exceed the roof line, as defined herein. For flat roofs with or without a parapet, in order to be deemed accessory equipment, the rooftop photovoltaic solar system shall not be greater than five feet above the roof, subject to the height limits of the Town Charter.

(5) *Permits.* Prior to the issuance of a permit, the property owner(s) must acknowledge, as part of the permit application, that: (a) if the property is located in a homeowners' association, condominium association, or otherwise subject to restrictive covenants, the property may be subject to additional regulations despite the issuance of a permit by the Town; and (b) the issuing of said permit for a rooftop photovoltaic solar system does not create in the property owner(s), its, his, her, or their successors and assigns in title, or create in the property itself a right to remain free of shadows and/or obstructions to solar energy caused by development adjoining on other property or the growth of any trees or vegetation on such property or the right to prohibit the development on or growth of any trees or vegetation on such property.

(6) *Tree maintenance and removal.* To the extent that the Town has discretion regarding the removal or relocation of trees, solar access shall be a factor taken into consideration when determining whether trees can be removed or relocated.

(7) *Maintenance.* The rooftop photovoltaic solar system shall be properly maintained and be kept free from hazards, including but not limited to, faulty wiring, loose fastenings, being in an unsafe condition or detrimental to public health, safety, or general welfare.

(w) *Groins, seawalls and breakwaters.*

(1) The approval of the U.S. Army Corp of Engineers must be obtained for any encroachment into the waters of the Atlantic Ocean or any other navigable waterway.

(2) Seawalls shall be of the sloping, high energy-absorbing type, or of a vertical type with high energy-absorbing, rubble mound on the ocean or waterway side of the vertical wall. The top or bottom of a sloping seawall shall not be located closer than 100 feet from mean low water shoreline.

(x) *Rooftop passive recreation.* The rooftop of a building located in the RM-25 district, or in the B-1 or B-1A district, may be used for passive recreation subject to the following.

(1) *Definitions.* For purposes of this section, the following definitions will apply:

a. "Balcony" shall mean an unenclosed area that may or may not be covered in whole or in part by a roof, and that is directly accessible from, and an extension of the habitable space that is at least 100 square feet in floor area on the same floor level and is for the private use of that living area.

b. "Passive recreation" shall mean activities such as walking, sitting, swimming, eating and scenic observation that can be carried out with no disruption to the atmosphere or ambiance in the area or impact on adjacent properties. Restaurant seating is not considered passive and is not permitted.

c. "Rooftop" shall mean the exterior surface on the top of a building. "Rooftop" does not include:

1. A balcony; or

2. An enclosed space, as defined by the Florida Building Code, on the top floor of a building.

d. "Rooftop activity area" shall mean an area of a rooftop that does not exceed 75 percent of the total square footage of the floor area below the rooftop, including balconies which may be used for passive recreation.

(2) *Setbacks.* Rooftop activity areas must be setback a minimum of five feet from the front building façade and five feet from any contiguous private property under separate ownership and shall be demarcated by physical barriers to restrict access to non-designated areas.

(3) *Structures permitted in the rooftop activity area.*

a. Permanent awnings and canopies.

b. Outdoor kitchens no larger than 30 square feet.

c. Hot tubs.

d. Swimming pools and pool decks-limited only to waterfront hotel uses permitted as a conditional use in the B-1 zoning district.

(4) *Temporary objects and furniture.*

a. All parapets, railings and code-required safeguards shall remain free from towels or other temporary objects at all times.

b. All temporary objects or furniture are the responsibility of the property owner and shall be secured or removed from the rooftop when not in use so as to prevent them from being blown from the roof. Temporary objects and furniture shall be removed from the roof any time the building will be unoccupied, whether temporarily or permanently, for more than 14 days.

c. Upon the issuance of a "Hurricane Warning or "Hurricane Watch" by the Broward County Office of Emergency Management, the permittee shall forthwith remove and place indoors all tables, chairs, planters, umbrellas and other temporary objects or furniture located on the rooftop.

(5) *Hours of use.* The use of rooftop activity areas shall be limited to 7:00 a.m. to 10:00 p.m. except for emergency access or repairs or as otherwise regulated pursuant to a conditional use approval for a waterfront hotel use.

(6) *Zoning district limitations.* In addition to the requirements above, rooftop activities are only permitted in the following districts, subject to the specific requirements below:

a. RM-25 zoning district.

1. Commercial rooftop activities. The use of rooftops for restaurants and hotel bars are prohibited.

b. B-1 and B-1A zoning districts.

1. Commercial rooftop activities. The use of rooftops by commercial or business uses is prohibited, except for waterfront hotel uses permitted as a conditional use in the B-1 zoning district.

2. Mixed use rooftop activities. Rooftop activities in mixed use properties are permitted solely by the residential occupants for passive recreation.

c. All other zoning districts. Rooftop activity areas and the passive or active recreational use of a rooftop or the roof of a structure is prohibited.

EXHIBIT 1

(Ord. No. 316, § 1, 1-9-1990; Ord. No. 326, § 1, 6-25-1991, Ord. No. 374, § 1, 3-7-1996; Ord. No. 402, § 2, 6-9-1998; Ord. No. 431, § 2, 1-25-2000; Ord. No. 485, § 2, 4-9-2002; Ord. No. 495, § 1, 12-10-2002; Ord. No. 500, § 2, 10-8-2002; Ord. No. 501, §§ 2, 3, 10-8-2002; Ord. No. 03-506, § 2, 2-11-2003; Ord. No. 03-508, § 2, 3-25-2003; Ord. No. 03-512, § 2, 4-22-2003; Ord. No. 03-515, § 2, 7-22-2003; Ord. No. 2005-06, § 2, 2-22-2005; Ord. No. 2005-10, § 2, 6-14-2005; Ord. No. 2007-14, § 2(Exh. A), 9-25-2007; Ord. No. 2008-03, § 1, 3-25-2008; Ord. No. 2009-10, § 7, 7-28-2009; Ord. No. 2009-35, § 2, 8-25-2010; Ord. No. 2011-02, § 2, 3-22-2011; Ord. No. 2010-16, § 2, 5-24-2011; Ord. No. 2011-03, § 2, 4-27-2011; Ord. No. 2011-06, § 2, 4-27-2011; Ord. No. 2012-11, § 2, 8-21-2012; Ord. No. 2012-15, § 3, 10-9-2012; Ord. No. 2012-16, § 2, 11-13-2012; Ord. No. 2013-03, § 2, 3-12-2013; Ord. No. 2014-13, § 2, 10-28-2014; Ord. No. 2015-09, § 4, 9-8-2015; Ord. No. 2017-03, § 4, 3-28-2017; Ord. No. 2017-12, § 2(Exh. A), 11-14-2017; Ord. No. 2018-24, § 3, 9-12-2018; Ord. No. 2018-27, § 2, 10-23-2018; Ord. No. 2019-05, § 2, 8-27-2019; Ord. No. 2019-07, § 3, 9-12-2019; Ord. No. 2020-08, § 4, 10-13-2020; Ord. No. 2020-09, § 2, 11-10-2020; Ord. No. 2022-08, § 2, 10-25-2022)

Editor's note(s)—Ord. No. 2013-03, § 2, adopted March 12, 2013, set out provisions intending to amend subsection 30-313(26). To preserve the existing style of subsection numbering, and at the editor's discretion, these provisions have been included as amending subsection 30-313(m).

Agenda Item No: 13.b.

Town Commission Agenda Item Report

Meeting Date: December 9, 2025
Submitted By: Katie Anderson, Events & Marketing Manager
Submitting Department: Administration
Item Type: Action Item
Agenda Section:NEW BUSINESS

Subject Title: Special Event Application: 2026 A1A Marathon

Explanation: Diogo Sousa (the "Applicant"), with Exclusive Sports Marketing, Inc., has submitted a Special Event Application **(Exhibit 1)** for the 2026 Fort Lauderdale A1A Marathon (the "Event") to take place on Sunday, February 15, 2026.

A portion of the race takes within the Town's boundaries on Ocean Drive/A1A, Palm Avenue, and El Mar Drive **(Exhibit 2)**.

This annual event has historically incorporated Lauderdale-By-The-Sea into the race route.

The Applicant is expecting approximately 1,500 racers to participate in the half-marathon and marathon.

The racecourse through Lauderdale-By-The-Sea is proposed to include the northbound curb lane of A1A starting at the Town's southernmost boundary. Race participants will run East on Palm Avenue, then turn North onto El Mar Drive. Runners will head North on El Mar until the marked turn around spot located halfway between Hibiscus Avenue and Datura Avenue. This routing allows the outside lane to remain open to vehicular traffic, which will be assisted by Broward Sheriff's Office personnel.

SUNDAY, FEBRUARY 15, 2026	
Start of Setup:	4:00 AM
Race Start in Fort Lauderdale:	6:00 AM
Anticipated Last Runner in Town:	11:00 AM
Cleanup Completed By:	2:00 PM

The applicant will be required to meet with public safety officials to determine the additional service needs of the event.

As per Resolution 2024-29 **(Exhibit 3)**, for groups over 200 any road closure fees are set by the Commission based on purpose, number of attendees, and overall impact. Historically, the Commission has not charged anything for the road closure.

The Applicant has paid the $125 application fee.

Recommendation: Staff recommends:

1. Approval of the 2026 A1A Marathon Special Event Application with the conditions outlined in the Event Permit **(Exhibit 4)**.
2. Waiver of any additional charges for road closures required by the Event.

Exhibits:

1. 2026 A1A Marathon Special Event Application
2. 2026 A1A LBTS MAP
3. Resolution 2024-29
4. LBTS Permit_A1Amarathon_02.15.26

SPECIAL EVENT APPLICATION

Submit this completed application *at least* 60 days prior to the proposed date of your event.

DETAILED SITE PLAN REQUIRED (see details at end of application)
Site Plans often do not include details that are necessary to approve an application or to issue a permit and delays are caused by rejections of initial applications.

Once you have completed the written portion of the application, provide a Site Plan on the last page or attach separately to this application.

Name of Event:

Event Purpose, Description and Activities:

New Event____ or Returning Event__✓__ Previous Attendance_____

Day(s) and Date(s) of Event: 1500 Sunday, Feb. 15th, 2026 - 6am to 12pm

Proposed location of the Event (location, streets, landmarks):

How many people do you anticipate on site at any peak time?
Participants: 1500 #Spectators 150 #Adult volunteers: 50+

Please complete the following table:

Activity	Day	Time
Start of set-up:	Sunday 2/15/26	4AM
Start time of the Event:	Sunday 2/15/26	6AM
EVENT		
End time of the Event:	Sunday2/15/26	12PM
Start of Clean up:	Sunday2/15/26	10AM
Clean-up completed by: (Site restored to original condition)	Sunday 2/15/26	2PM

Name and address of host or sponsoring organization:

Is applicant a Non-Profit Organization? YES NO

Please attach Organization's proof of 501c3 IRS exemption, background, history, accomplishments, and other events:

Person submitting Application ("Responsible Party"):

Name Diogo Sousa

Mailing address: 18 NW 18th St, Delray Beach, FL 33444

Phone: 954-446-3955 Mobile phone:

Email: diogo@exclusivesports.com Fax:

Representative(s) who will be at each day of the event:

Name(s):

Mailing address: SAME AS ABOVE

Phone: Mobile phone:

Evening phone: Fax:

Email:

Add information as necessary

Will you have an event contractor or planner? YES NO

If yes, please provide the contact information of your event contractor (event planner)

Name: Company Name:

Business Address: Company Email:

Phone Office: Phone Mobile:

List contractors that will be on site before, during or after the event (use separate page if needed) – final list required 30 days prior to event.

Request for Town Involvement:

Are you requesting the Town be involved with this event in any way?

YES NO

If yes, describe services requested, if any:

c. File site plan

4. Parking is limited in Lauderdale-By-The-Sea, and will be a consideration when approving your event.
5. You may have to obtain permits from the Building & Fire Departments to meet Florida Building Code and Fire Code standards.
6. You are responsible for securing and paying for all fees, licenses, and permits required by any governmental agency having jurisdiction.

I (Applicant) have read and fully understand the above:

Diogo Sousa
Signature of Applicant

Print Name: Diogo Sousa

SPECIAL EVENT APPLICATION INFORMATION

For your event to be considered by the Town Commission, a *fully completed* application must be submitted *at least* 60 days prior to the date of the event.

This application is available in Word format at ***www.lbts-fl.gov/town/docs.htm****. If possible please use the Word document and your computer to complete the application.*

An application is not considered complete unless it includes:

1. A full description of the proposed event,
2. A detailed site plan (*very important!),*
3. All required documents, and
4. The application fee.

A meeting with Special Events Permitting is required before submitting a Special Event Application. Questions? Call our Special Projects Coordinator at 954-640-4200 or email debbieh@lbts-fl.gov.

Payment of Special Event Permit fee is required at the time of Application submission via hand delivery or by mail to:

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

A Special Event shall be approved by the Town Commission before an event is advertised to the public. A special event is defined as a concert, festival, race, walk, carnival, show, exhibition, parade, or any other similar outdoor event whether operated totally outdoors, on stage, under tents, or with the use of any temporary building or structure, ***to which members of the public are invited as participants or spectators***.

Please review the Town's special event requirements by clicking on: https://www.Special_Event_Requirements
Or download a copy of the Special Event Requirements from our website and review them before submitting your application.

Important to remember:

1. Your event is approved by the Town Commission with "Conditions" that must be met or your event is cancelled. READ and understand the Conditions. *Talk with us if you have questions.*
2. You are responsible for securing and paying for all fees, licenses, and permits required by any governmental agency having jurisdiction, providing the Town evidence of all required insurances, and providing evidence of organization and/or charity.
3. You have to file all of the required documents shall be provided not later than 30 days prior to the event date or the event authorization terminates (unless prior arrangements have been approved by Town).
    a. Insurance
    b. Vendor lists and licenses

STATEMENT OF BENEFIT

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 (dh to add link) and shall be included here or attached to this application.

If the Town is a sponsor or co-sponsor of the event, the Applicant shall keep financial records of the event sufficient to document all revenues and expenditures. These records shall be available at reasonable time within Broward County for inspection by the Town.

(Insert here or denote if attached)

FEES

Are there fees or donations collected on site from the participants or spectators?

YES NO

If yes, provide details: Participation fee only

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 the immediate termination of the source of the noise and may be grounds to terminate the event.

Do you plan to use amplified sound? Provide details, time and location, and if you require electrical connections for:

_____ Proposed amplified sound/speaker system:

_____ Proposed live music: List genre, type, ambiance:

_____ Planned recorded music

_____ Do you require electrical connections for any of the above? Please give details:

CLEAN EVENT STANDARDS

Keeping the event area clean during the event and immediately following the event, including trash removal, walkways, and streets, is the responsibility of the applicant. See Clean Up Deposit under Conditions

Please note that, except for very small events, all events shall provide a recycling plan and follow recycling requirements. See Recycling Requirements under Conditions. For more info email recycle@lbts-fl.gov.

Name the contractor or organization (including contact information) who is responsible for your Event's recycling:

Name: Diogo Sousa Email: Diogo@exclusivesports.com

Address: 18 NW 18th St, Delray Beach, FL 33444

Daytime phone: Mobile phone: 954-446-3955

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, canopies larger than 120 sq. ft., multiple canopies without separation, and stages require a building permit The use of tents or large canopies require approval of the LBTS Fire Marshal and are required to have building permits obtained via LBTS Building Dept prior to Event. Manufacture labels are required to be attached to the tents and canopies.

Rental agencies shall provide documentation of the flame spread labeling of 25 or less submitted with application. All canopies larger than 120 sq. ft. shall submit copies the manufacture's labels attached to the tents or canopies with 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 Site Plan. List sizes and numbers of each:

Tents: ____

Canopies: ✓ 10x10 pop up for medical team at water stop

Stages: ____

Bleachers: ____ list size and max load:

UTILITIES

All utilities requirements shall be approved by the Director of Development Services and the Fire Marshall prior to Application submission to Town Commission.

Depending on location of event, electrical and/or water may be available from the Town for a fee.

Electrical Requirements: *Electrical work requires an Electrical Building Permit.*
Generators over 5KW require an Electrical Building Permit.
A Florida Licensed Electrical Contractor is required to obtain permits.

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. Contractor is required to schedule and successfully complete inspection of work prior to event opening. Florida Building Code 101.4.1, 105.4.5.

Will any **electrical equipment be installed** in conjunction with the Special Event? (i.e. lighting in tents, outlets for cooking, stages, etc.) Yes NO

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 company name providing the equipment. Describe below, include location and use, and also include locations on Site Plan:

_____Electrical power:

__✓__Water: Water in water stop (Box dropped on Friday morning, February 13, 2026)

_____Gas, propane, BBQ grills, generators:

_____Fuel Storage:

SIGNAGE

All signage shall be included in the application if you wish to exceed the Town Code requirements. Signage shall be reviewed by Development Services (LindaC@lbts-fl.gov) before Application is submitted to Town Commission). No signage shall be installed without permit.

Information on signage shall include location, colors, size and number of signs. Indicate signage to be placed in any right of way that directs traffic to the event and their approximate size.

Are you requesting permission to erect signage for this event? YES [NO]

For each sign please provide:

Description, number of signs, proposed dates, location, size of signs in square feet and letter size:

Include sign locations on detailed Site Plan or attach a separate sheet.

RESTROOMS (show on Site Plan)

The number of portable toilets required depends on the number of attendees, length and type of event, as determined by the Building Official.

Local businesses that have more than the required number of restroom facilities that allow their facilities to be used may count towards the extra restroom facilities required.

If event is downtown, permit holder is required to obtain written approval from restaurants to allow participants to use their restroom facilities.

Number of restroom facilities required by Town: TBD
Number of additional restroom facilities, and type, that will be on event site:_____
(Show on Site Plan)

STREET CLOSURES

Street closures may be required at the Event's expense

Are you requesting that any public streets be closed for the event? [YES] NO
I don't know, please advise_____

If yes, indicate the streets and blocks and times the closure is requested: NB Lanes of A1A to Palm, El Mar, Pine and back onto A1A (using SB and NB Lanes

TRAFFIC CONTROL/BARRICADES

A traffic control contractor may be required for events which require barricades or traffic control signage.

Please list your traffic control contractor, if applicable:

VEHICLES

Vehicles are not allowed to drive or park on Town property or park grounds due to damage to underground irrigation systems and to the sod. Applicant shall be responsible for restoration of any damage to Town property.

Are you requesting to drive or park on town property or park grounds: YES [NO]

If you are requesting that vehicles be permitted to drive or park on Town property, please indicate the type(s) of vehicles, the locations, and times they would be parked. Must be approved by Town's Parking Department prior to Event.

LOADING/UNLOADING: If you are requesting that vehicles be permitted to load/unload in non-metered areas, please indicate the location and times loading and unloading would occur:

TRAFFIC CONTROL PLAN

Parking exemptions shall be approved by Assistant Town Manager prior to Application submission to Town Commission). Town may block spaces for safety and other reasons at the expense of the Event.

Include detailed Site Plan indicating how on and off street parking will be accommodated.

Are you requesting the reservation of any Town parking meter spaces for the event?
YES NO

If yes, provide the meter numbers on the Site Plan and purpose for which they will be used.

All parking meter fees are paid 30 days prior to the event (one permit says 2 weeks prior)

Are you requesting the use or blocking of any parking spaces for the event?
YES NO

If yes, please include on Site Plan.

OFF DUTY POLICE/CODE COMPLIANCE OFFICERS

Off duty police officers are required, at the applicant's expense, for street closures, events with alcohol, or large crowds, as determined by the Sheriff's Department. Large events may require a code compliance officer to ensure compliance with Town 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

CONCESSIONS:

A no-compete clause pertaining to local restaurants will be required where applicable.

Are you planning to have any type of concessions? YES NO

If YES, has the Florida Health Department approved the food vending Site Plans?
YES NO

If yes, is the food provided by a Non-Profit _____ or For Profit _____ organization?

Is the food free of charge_____ or for sale _____

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

Please list the types of food that will be served:

Are you requesting any of the following types of cooking equipment be used on site:

Charcoal Grills _____	Sterno_____	Fryers_____	Open fires_____
Propane Grills _____	Refrigerators____	Smokers_____	Hoods _____
Concession trailers____	Warmers_____	LP Tanks_____	Other _____

Provide details of dispensing locations here and on Site Plan

ALCOHOL

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

Are you planning on selling alcoholic beverages at the event? YES NO

If YES, has a liquor permit been obtained from the State of Florida? YES NO

Provide details of dispensing locations here and on Site Plan

Provide contact information for all license holders that will be serving alcohol:

VENDORS

A list of all vendors their company name is required for initial approval and final list is required 30 days prior to event and subject to approval (add here or on separate page, and vendor location on Site Plan):

Name Company Vendor Type

ANIMALS

Any exhibition or similar undertaking in which animals are required to participate in performances 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 give details:

FIREWORKS

(Fireworks require a separate permit approval process and application)

Are you requesting approval to discharge fireworks at the event? YES NO

SALE OF MERCHANDISE

Are you requesting approval to offer other items for sale at the event? YES NO

List items for sale:

RIDES

Rides or other amusement may require a State of Florida inspection

Copies of contracts with any provider of rides, mechanical devices and amusements shall be submitted to the Town at least 30-days prior to the event.

Are rides to be included in the event? YES NO

If yes, please provide the number and description of each type:

Mechanical/Electrical:
Inflatable (bounce house etc.):
Manual (slides, trampolines):
Other:

FIRE WATCH or EMS ONSITE

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

First Aid facilities may be required by Town at Event's expense. 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 bodily injury and $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 the Town at least 30 days prior to the event date.

Talk to Town Staff representative if your event proposes serving alcohol or having fireworks about insurance requirements, as both require additional insurance.

Do you and all parties involved have the required insurance coverage needed for this event?

YES NO

EVENT CONDITIONS

Approval for this event shall expire without future action of the Town if all documents such as but not limited to insurance certificates, health and liquor licenses, BSO police detail contract(s), Fire Marshall or Development Services approvals, MOT Plan, Solid Waste Plan, final Site Plan, any monies due to Town, and other material requirements are not submitted at least 30 days prior to the event.

Copies of State and County licenses for all vendors and contractors shall be filed with the Town 30 days in advance of the event. (Final list of vendors and their locations shall be submitted to the Town no later than two weeks prior to the even unless otherwise approved in advance by Town)

If the event is approved by the Commission, they will establish the event conditions that the application shall abide by during the event. Standard Conditions shall include, but are not limited to the following:

a Permission for this event may be suspended or modified by the Commission, Town Manager or his designated Staff.

b The Police Chief shall specify the number of BSO detail officers needed for traffic and crowd control. The Applicants shall contract with BSO Detail Office for the detail BSO deputies within ten (10) days of receiving event approval.

c The Police Chief shall approve the Applicant's Maintenance of Traffic Plan (MOT), if one is required.

d The Applicants shall submit a solid waste and recycling plan for approval at least 30 days prior to the event to the Municipal Services Director. During the event as needed and at the end of the event, the Applicant shall empty the Town's waste receptacles and recycling bins within the event area and within 100 feet of the event area.

e Development Services approval and permitted all signage

f All related Fire Marshall and Building Official's related requirements have been approved

g Provide proof of additional restroom facilities ordered at least 30 days prior to event

h The event sound systems shall be operated so as not to violate the Town's Code, including and especially Section 13-6, Noise Limitation. All music shall end promptly at _____ pm.

i Turtle Clause: If any of the set-up will take place on the beach sand please avoid any marked sea turtle nests with a minimum buffer of 10 feet.

j Parking Requirements have been identified, fees paid and listed on site plan

k The Applicant shall provide a written notice to all properties affected by this event by (date), (30 days in advance) for approval prior to distribution; and confirm in writing which properties have been notified.

l Clean up Deposit may be imposed, based on the final Site Plan, and due two weeks prior to the event.

m Clean up fee starting at $150 will be charged if area is not cleaned to Town standards.

n Final Site Plan must be presented for approval at least 48 hours in advance of the event.

o Streets and sidewalks will be free of any debris and cleaned at the end of tear down.

p A Damage Deposit may be imposed, based on size of event and location.

q Any inspections or work required by Town Staff after normal working hours will incur additional costs set forth by the respective department.

r Applicant shall owe no monies to the Town at the time of the event. There shall be no outstanding fines, moneys, fees, taxes or other charges owed to the Town by the current or past property owners or operators requesting the special event permit. A special event permit will not be issued until all outstanding debts to the Town are paid in full.

s The Town Manager may suspend permission for this event due to failure of the Applicants 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.

t The onsite Town representative may terminate an event due to the Applicant not complying with the terms and conditions of the Town's event permit, for health or safety issues, and for such as but not limited to, crowds that exceed the capacity of the event site.

INDEMNIFICATION

Applicant shall indemnify, defend and hold harmless the Town, its officers, agents and employees, from and against any and all claims, suits, actions, damages, liabilities, expenditures or causes of action of any kind arising directly or indirectly from this Special Event and resulting or accruing from any intentional act or any negligent act, omission or error of Applicant which in turn results in or relates to injuries to body, life, limb or property sustained in, about or upon the Special Event Area, and arising from the use of the Town property.

Applicant shall defend, at its sole cost and expense, any legal action, claim or proceeding instituted by any person against the Town as a result of any claim, suit or cause of action accruing or in any way arising out of this Special Event Application for injuries to body, life, limb or property as set forth above.

Applicant shall save the Town harmless from and against all judgments, orders, decrees, attorneys' fees, costs, expenses and liabilities incurred in and about any claim, and the investigation or defense of them, which maybe entered, incurred or assessed as result of the foregoing.

PERMISSION OF THE PROPERTY OWNER

Applicant's and Property Owner's 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): _____ Date _____		Property owner's Signature (required): _____ Date: _____
Applicant's (Print information below) Name: Diogo Sousa Title: COO of ESM Organization: Exclusive Sports Mark Telephone: 954-446-3955 Mobile: Email: diogo@exclusivesports.com		Property Owner's (Print information below) Name: Title: Organization: Telephone: Mobile: Email:
STATE OF FLORIDA: COUNTY OF BROWARD:		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.		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

SITE PLAN DETAILS

Site Plans often do not include the details that are necessary to approve an application or to issue a permit and delays are caused by rejections of initial applications.

The following details are intended to be a guide to assist you in developing a Site Plan. A current survey of the property is most helpful. If a survey is not available, a drawing depicting the area of the event should include these details, as necessary. More than a one page Site Plan may be included in your application if details of specific areas are important to your event.

*A detailed map of the event site identifying location of each of the following **MUST** be drawn here or attached to this application prior to submission. Dimensions are required to determine if available site will support all of the proposed activities.*

Cooking Areas need to be separated from public areas with fences or barricades

Canopy, tents or other covers: locations should include the size, type, & (shelter, vending, food, EMS)

Location:
- The site of the event, with streets, parks and other landmarks identified
- Routes for races, parades, etc.
- Traffic routing and road closures
- Ticket Kiosks
- Access control points
- Signage *(shall be approved by Development Services prior to Application submission to Town Commission)*
- Signs (location, size, color and wording)*

Public Services:
- Fire lanes (emergency access for fire equipment and EMS)
- Restroom facilities (incl. Portable & Private)
- Locate electrical equipment, permanent and temporary (temporary electrical installation (must be to code and approved by Town)
- Trash and Recycling receptacle locations
- Smoking and No Smoking areas
- Pedestrian walkways
- Garbage Cans
- Recycling Bins

Hazard/ Precautions:
- Hazards at the site (ditches, construction areas, obstructions to pedestrian traffic, bodies of water)
- Fencing, barriers, barricades, walls, gates, etc.
- Gasoline, propane, grills, fire, charcoal, generators, any other flammable fuel
- Fuel Storage and dispensing areas
- Fire Extinguishers Minimum size 4A/10BC one every 75 ft of travel. If cooking, Class K or 1 40BC rated Fire Extinguisher for every cooking station or canopy (at discretion of Fire Marshall)
- Generators (shall be approved by Fire Marshall in advance)

Event:
- Canopies, tents, stages (types shall be specified) locations for sales, food service, etc. *Large tents will require Fire Marshall approval of illuminated exit signs and fire extinguishers)*
- Vendor locations (booths or tables and approximate size, (Vendor's company names phone numbers and email addresses required on separate page at least 48 hours in advance of the Event)
- Restrooms – Portable and Private
- First Aid facilities
- Trailers, storage, sleeping facilities, service boxes, displays, etc.
- Alcohol serving/consuming areas
- Rides and Amusements, Rides, demonstrations, performance areas and stages including Musicians and Artists

Parking:
- Parking areas, location, parking spaces, and parking space numbers that will be blocked; to load/unload before, during or after the event and the amount of time for each occurrence

Code or Security Enforcement (paid by Event)
- EMS stand-by or Fire watch areas (include first aid stations)
- Police: Off duty police officers (if known)

Applicant's Certification

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 shall be submitted in writing.

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.

Diogo Sousa
Applicant's Signature (required)

09/23/2025
Date

Diogo Sousa
Applicant's Printed Name and Title/Organization

954-446-3955
Telephone Number

STATE OF FLORIDA:
COUNTY OF BROWARD:

SWORN TO AND SUBSCRIBED BEFORE ME, a Notary Public of the State of Florida, by Diogo Sousa who is personally known to me/provided Drivers license as identification and who did/did not take an oath.

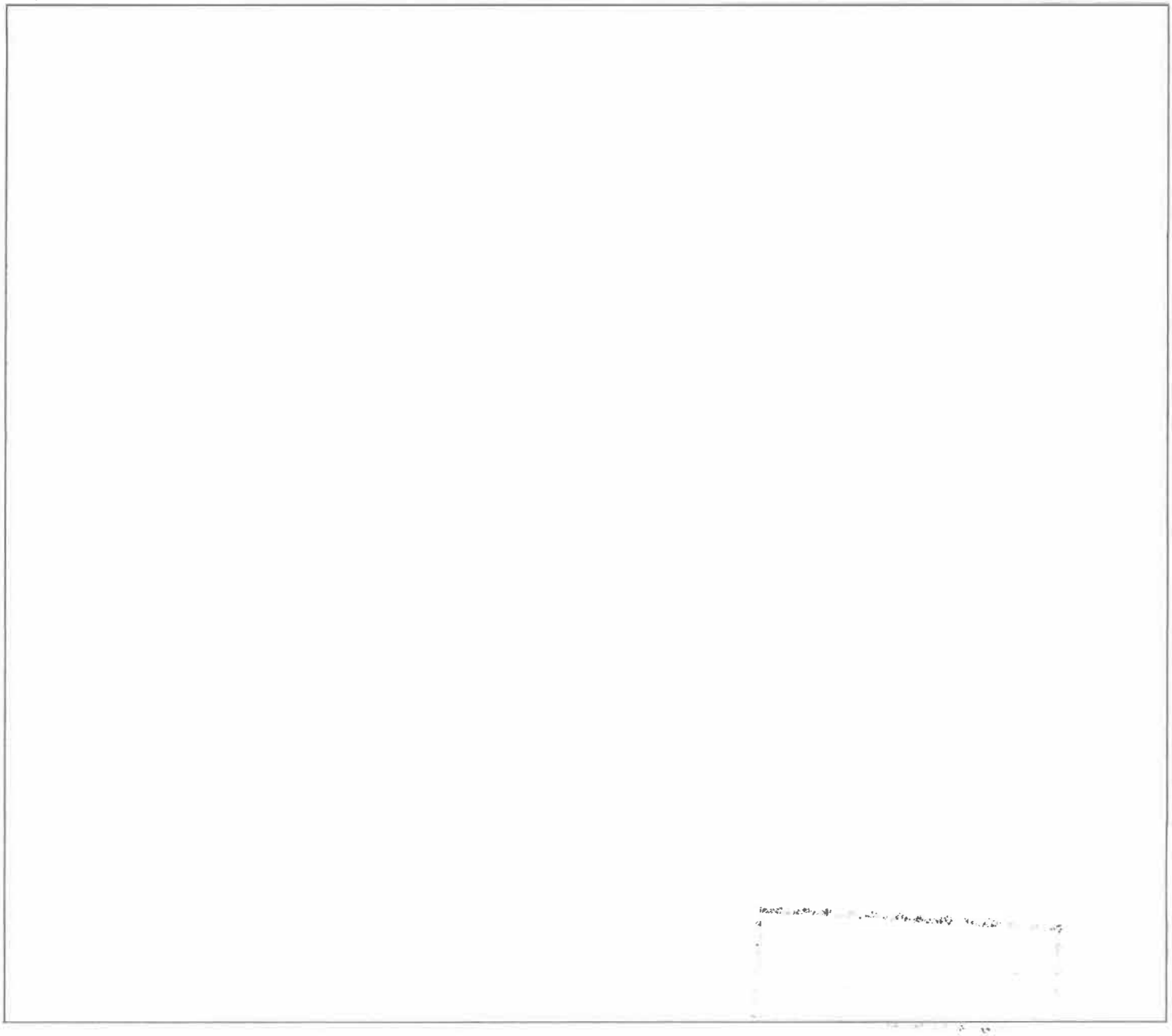
Notary Public, State of Florida
My Commission Expires:

JODI HAMILL
Notary Public - State of Florida
Commission # HH 5303'3
My Comm. Expires May 22, 2028
Bonded through National Notary Assn.

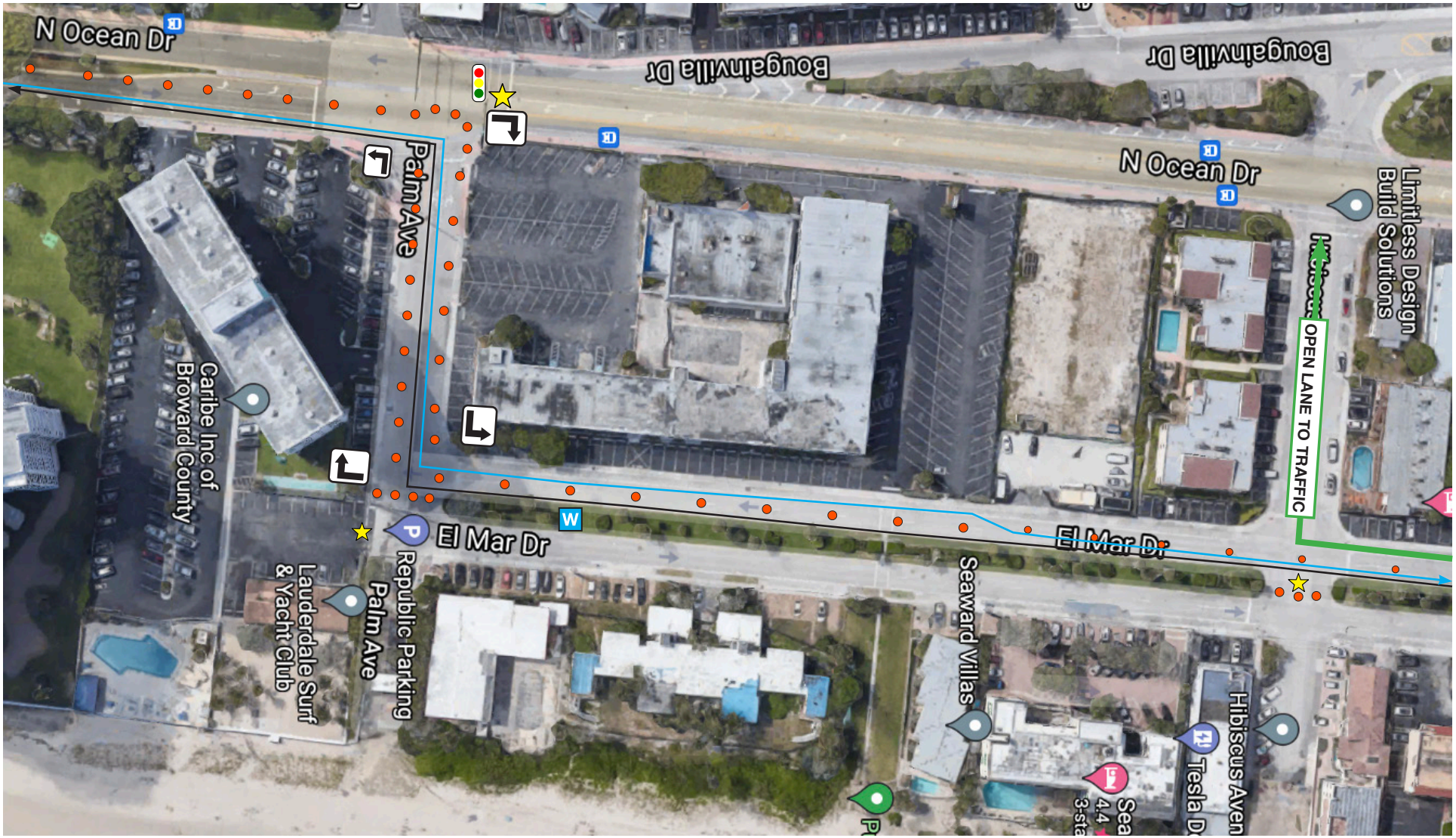
DETAILED SITE PLAN

See above for inclusion examples

*A detailed map of the event site identifying location of each of the following **MUST** be drawn here or attached to this application prior to submission. Dimensions are required to determine if available site will support all of the proposed activities.*



FORT LAUDERDALE A1A MARATHON & HALF MARATHON
LAUDERDALE-BY-THE-SEA COURSE SECTION

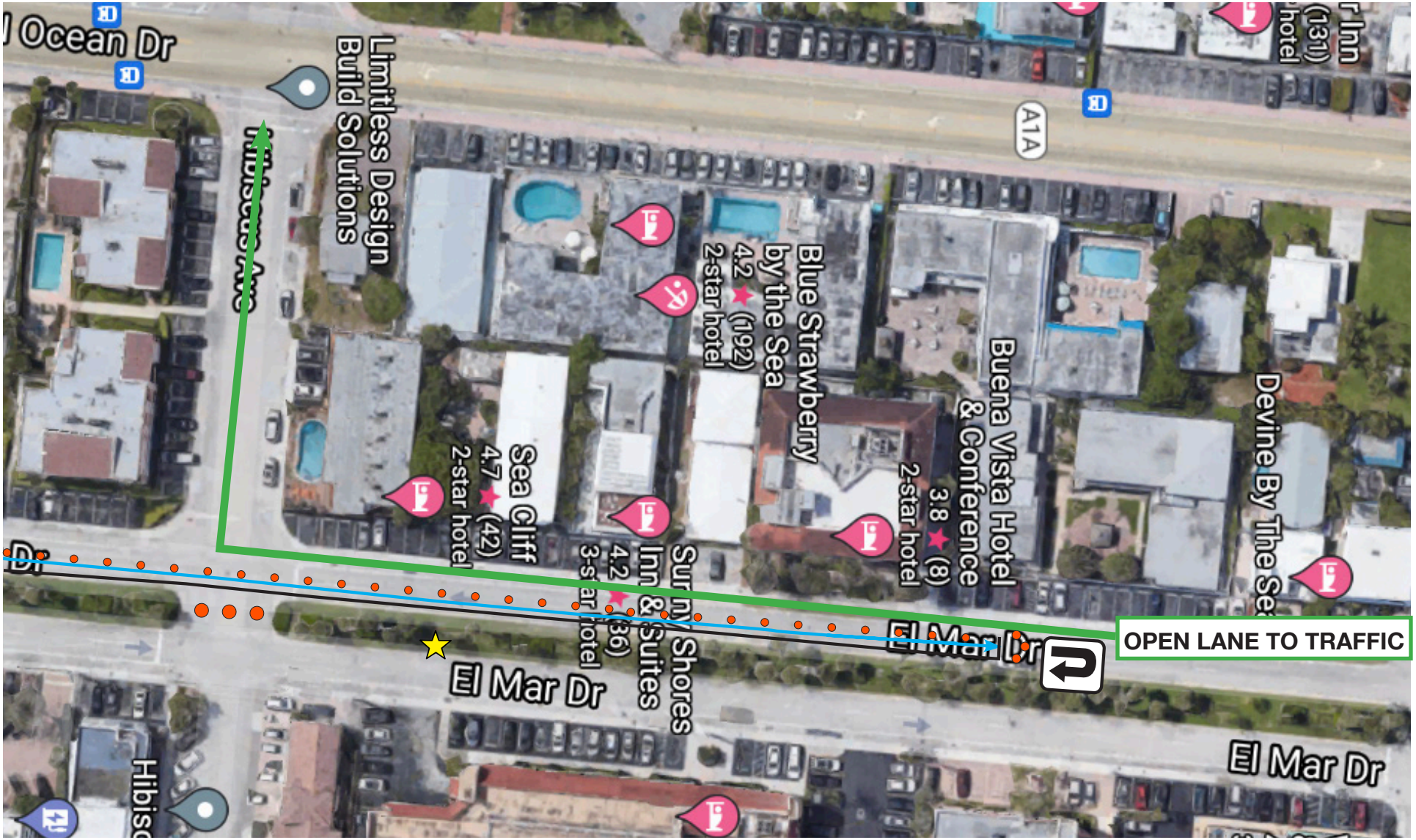


Publix FORT LAUDERDALE A1A MARATHON & HALF
PRESENTED BY COLAVITA

LEGEND:

ROAD CONE:
TRAFFIC LIGHT:
POLICE:
RIGHT TURN:
LEFT TURN:
TURN-AROUND:
WATER STOP:
N. BOUND COURSE:
S. BOUND COURSE:

ALL RUNNERS WILL BE ON THE LEFT SIDE OF CONES. CONES WILL HAVE A SIGN **"STAY TO THE LEFT OF CONE"**



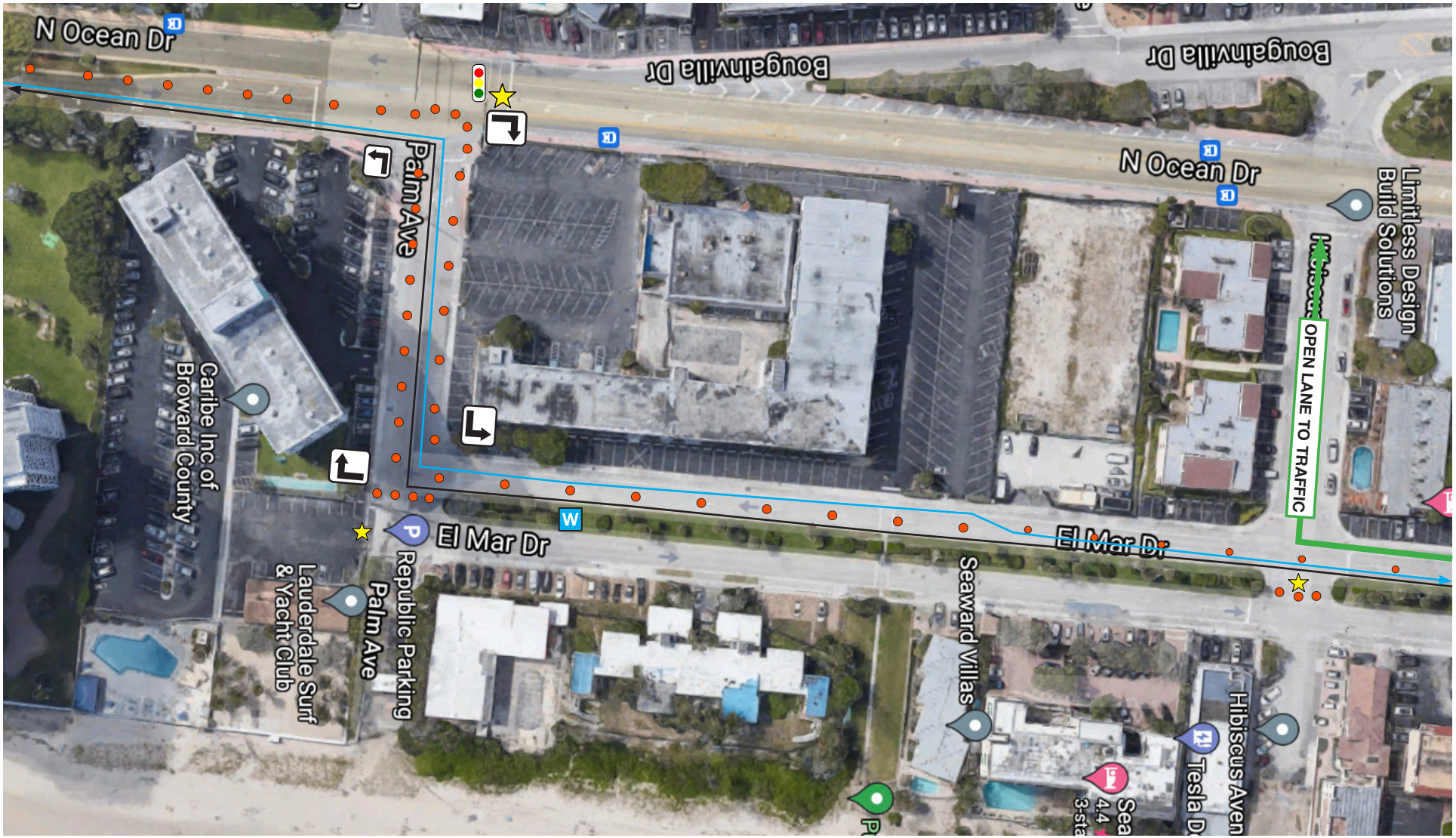
Publix FORT LAUDERDALE A1A MARATHON & HALF
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LAUDERDALE-BY-THE-SEA COURSE SECTION

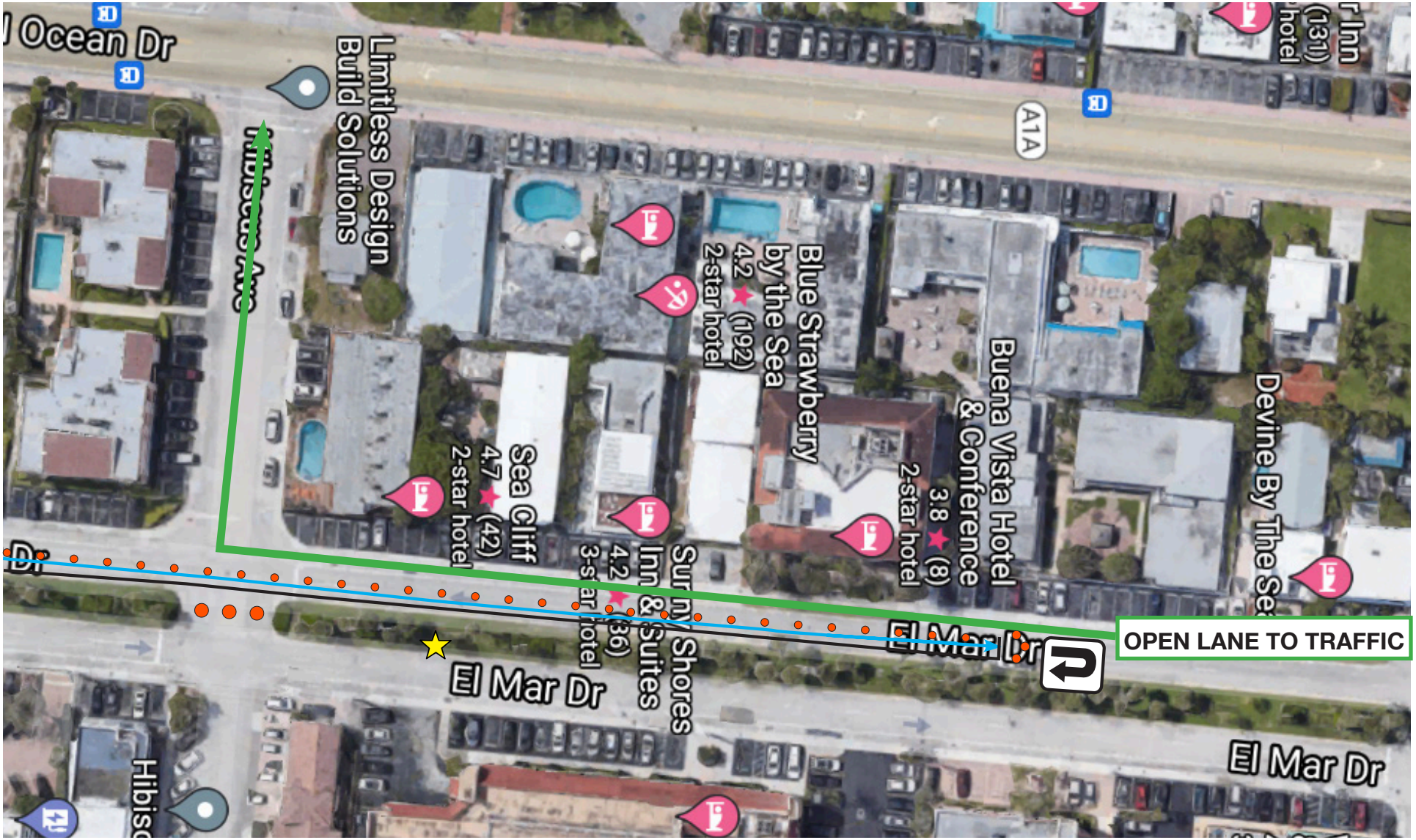


Publix FORT LAUDERDALE A1A MARATHON & HALF
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RESOLUTION 2024-29

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

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

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

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

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

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

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

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

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

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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 is true and correct and incorporated herein by this reference.

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

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

The following is applicable to all special events and other use of public properties ~~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~~125
1.3	Single day event, 25 people + with or without reserved area.	~~$100~~125
1.4	Multi-day event	~~$100~~125 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.

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~~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	~~$100~~125
	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.	~~$250~~275 Plus costs, not to exceed $1,500.
	4. A recurring event within a 6 month period	~~$500~~525
	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.	~~$50~~75 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:	

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~~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 ~~$25~~50 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	~~$20~~25
	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.	~~$50~~60 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

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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

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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.

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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

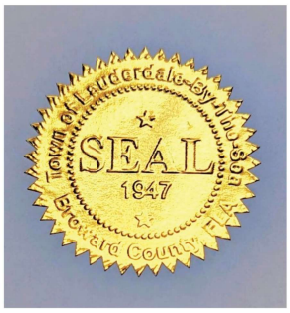
Attest: APPROVED AS TO FORM:

Docusign Envelope ID: 5D07E4DF-AFCB-4FAA-B5D9-7D8E38629C1D

Town Clerk, Katrina Adler

Susan L. Trevarthen, Town Attorney

(CORPORATE SEAL)



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

PERMIT HOLDER INFORMATION

NAME / ORGANIZATION:	Exclusive Sports Marketing	**REPRESENTATIVE:**	Diogo Sousa
STREET ADDRESS:	18 NW 18th Street	**CITY, STATE, ZIP:**	Deerfield Beach, FL 33444
PHONE NUMBER (S):	(954) 446-3955	**EMAIL:**	diogo@exclusivesports.com

DATE AND LOCATION OF EVENT

TYPE OF EVENT:	Marathon	**DATE(S) OF EVENT:**	Sunday, February 15, 2026
HOUR(S) OF EVENT:	4:00 AM – 2:00 PM	**ADDRESS / LOCATION OF EVENT:**	South boundary of A1A and along El Mar Drive to Datura

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

Marathon with course utilizing portion of Town. Course enters LBTS on A1A at the South boundary runs the inside lane of Southbound El Mar Drive just past Hibiscus Ave. Approximately 1,500 participants are expected, spread out throughout the race time frame.

SUNDAY, FEBRUARY 15, 2026	
Start of Set Up:	4:00 AM
Race Start in Fort Lauderdale:	6:00 AM
Anticipated Last Runner through LBTS:	11:00 AM
Cleanup Completed By:	2:00 PM

SPECIAL CONDITIONS

The EVENT has paid the required $125 Special Event fee and was approved by Town Commission on December 9, 2025 with the following conditions:

1. The Permit Holder will:
    a. Attend a meeting scheduled at Town Hall with BSO, Fire, and Town Staff at a date and time designated by the Town to review and confirm the race route, BSO detail requirements, and other pertinent event details.
    b. Finalize the number of BSO personnel monitoring the event.

2. Road Closures, Lane Closures, and Parking Spaces:
    a. Race lanes will be established by the Permit Holder with cones on A1A, Palm Avenue, as well as the southbound median lane of El Mar Drive, as shown on the attached site plan. Road closures will take place from 4:00AM until noon, or until

the last runner has completed this section of the course. In any event, the road will be open no later than 2:00pm.

b. The racecourse will be delineated with proper barriers and cones during the Event by the Event's traffic control contractor and removed no later than 2:00pm on the day of the event.
c. The westbound lane of Palm Avenue will be open to A1A.
d. Permit Holder shall block the North (Eastbound) alleyway between A1A and El Mar Drive from 6:00am until noon.

3. Signage
    a. Signs directing runners at the intersection of Palm and El Mar, El Mar and the turnaround will be provided by, and placed by, the Permit Holder.

4. The Event shall have a dedicated on-site representative who is available in person, and by phone, to BSO and Town Staff who is capable and authorized to make decisions on behalf of the Event.

5. The Event's water stop box and 10 x 10 canopy shall be placed in a pre-approved spot (away from irrigation) on the median of El Mar for easy access to both Northbound and Southbound runners. The Permit Holder will arrange a time in advance of the drop off with the Town's Public Works team to meet and confirm the drop is in the correct location. Box is to be dropped on Saturday, February 14th and picked up by 2:00pm on Sunday, February 15th.

6. The Event workers designated to assist runners should wear designated EVENT shirts and be assigned passenger vehicles or golf carts, NOT motorcycles. At least one event worker will be stationed at Palm Avenue and A1A, as well as Palm Avenue and El Mar, to direct runners in the proper direction and lane(s).

7. Event route monitors shall be in place at Palm and El Mar Drive by 5:30am. The number of required monitors will be established at the Event Meeting with Town Staff and BSO.

8. The Event shall provide written confirmation to the Town two weeks prior to the event stating that EMS / Rescue has been assigned to the Event, and will be on call during the race at the expense of the Event. The Permit Holder is responsible for coordinating these services from 6:00 a.m. until the last runner has left the Town's boundaries.

9. Town will open El Mar Plaza restrooms by 6:00 a.m. on the event day.

10. No electric or gas will be used for the event. The event does not require water from the Town.

11. The Event and its approved sound systems for volunteers will be operated so as not to violate the Town's code, including section 13-6, Noise Limitation.

12. The Permit Holder shall provide the notice and distribution map to the Town for review by January 13, 2026. Once approved by the Town Manager, this notice will be distributed to all properties in the area no later than February 2, 2026.

13. 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 2:00 p.m. the day of the Event.

14. 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.

15. 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.

16. 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 insurancecompany 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.

17. 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 setforth 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.

18. 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.

19. 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.

20. 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.

21. 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.

22. Permission for the Event may be suspended or modified by the Commission, Town Manager, or designated Staff.

23. 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.

24. 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; BSO + Fire Rescue services to be confirmed

SIGNATURES REQUIRED

PERMIT HOLDER: I agree to comply with all conditions of this permit	
SIGNATURE OF PERMIT HOLDER:	**DATE:**
DIOGO SOUSA **PRINTED NAME & AFFILIATION TO EVENT**	

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

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**	

Sec. 13-6. Noise limitations.

(a) *Prohibition of sound disturbance.* No person shall make, continue or cause to be made or continued any sound disturbances which violate the noise limitations, as defined in this section.

(b) *Method of measurement generally.* For the purpose of measuring the volume, intensity and frequencies of sound, the measurement of sound shall be made with a sound level meter operating on the "A" and "C" weighting scale of any standard design and quality meeting the standards prescribed by the American National Standards Association (ANSI). The instruments shall be maintained in calibration and good working order. Measurements recorded shall be taken so as to provide a proper representation of the sound source. The microphone used during measurement shall be positioned so as not to create any unnatural enhancement or diminution of the measured sound. A wind-screen for the microphone shall be used when required. Traffic, aircraft, and other background sounds shall not be considered in taking measurements, except where such background sound interferes with the primary sound being measured.

(1) The slow meter response of the sound level meter shall be used in order to best determine that the average sound has not exceeded the standards set forth in subsections (c)(1) and (c)(2) below.

(2) The measurement shall be made at or beyond the real property line of the property on which such sound is generated, or perceived, as appropriate, approximately five feet above ground.

(3) In the case of an elevated or directional sound source, compliance with the sound limits is to be maintained at any elevation at or beyond the real property line.

(c) *Maximum sound levels.* The maximum dBA and dBC sound levels permitted on any property within the Town shall be as follows:

(1) The following maximum limitations on sound disturbances shall apply within Zone A (commercial noise zone), as delineated in the map shown in Figure 13:

a. Between the hours of 7:00 a.m. and 10:00 p.m., no person shall make, cause, allow, or permit the operation of any continuous source of sound in such a manner as to create, when measured at or beyond the real property line from which the sound emanates, a sound level that exceeds 85 dBA or 85 dBC.

b. Between the hours of 10:00 p.m. and 7:00 a.m. the following morning, no person shall make, cause, allow, or permit the operation of any continuous source of sound in such a manner as to create, when measured at or beyond the real property line from which the sound emanates, a sound level that exceeds 75 dBA or 75 dBC.

(2) The following maximum limitations on sound disturbances shall apply within Zone B (residential noise zone), as delineated in the map shown in Figure 13:

a. Between the hours of 7:00 a.m. and 10:00 p.m., no person shall make, cause, allow, or permit the operation of any continuous source of sound in such a manner as to create, when measured at or beyond the real property line from which the sound emanates, a sound level that exceeds 60 dBA or 65 dBC.

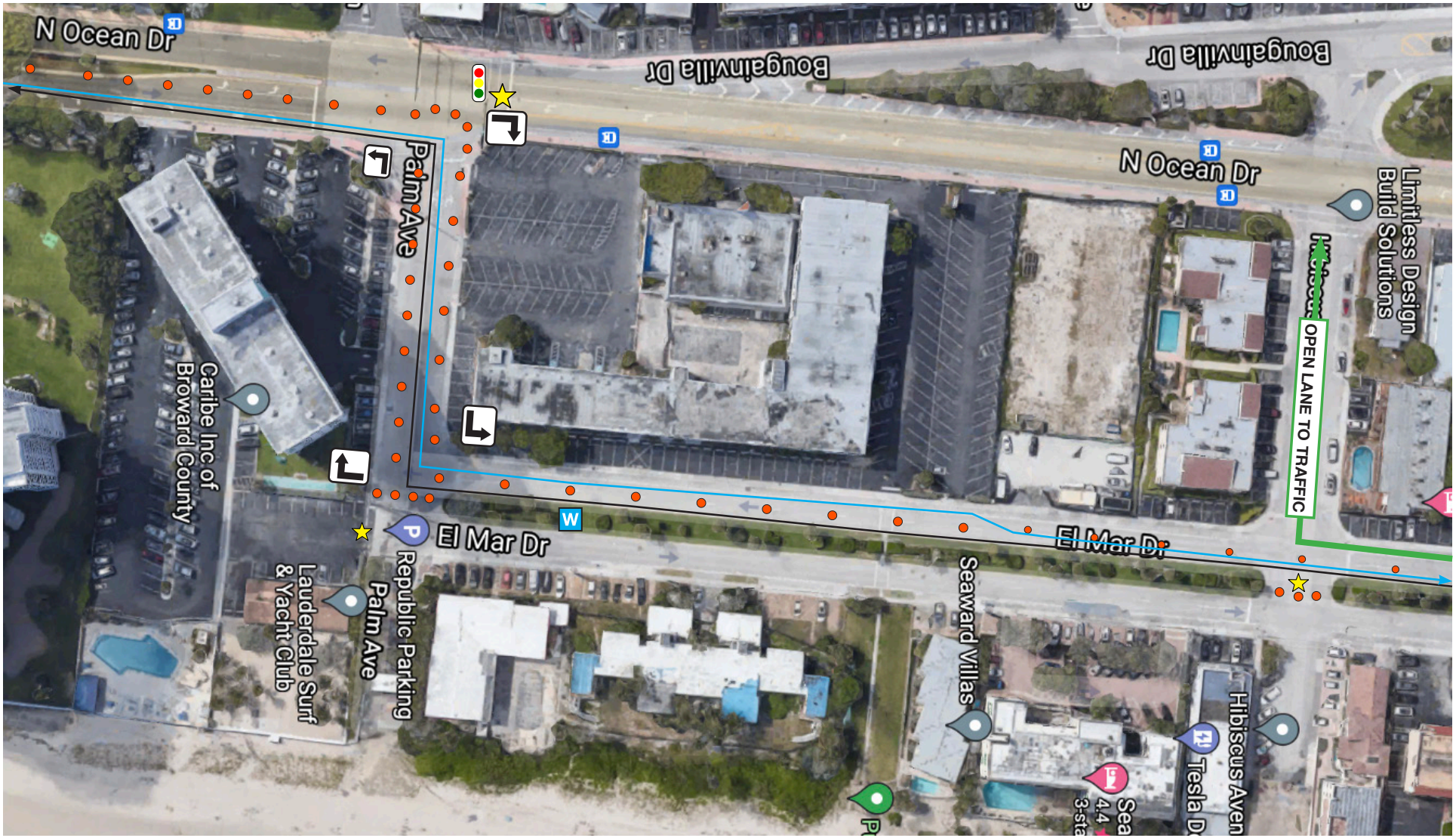
b. Between the hours of 10:00 p.m. and 7:00 a.m. the following morning, no person shall make, cause, allow, or permit the operation of any continuous source of sound in such a manner as to create, when measured at or beyond the real property line from which the sound emanates, a sound level that exceeds 55 dBA or 65 dBC.

(d) *Maximum sound level for activities duly authorized by special event permit.* An activity which has been granted a special event permit pursuant to article VIII of chapter 17 of the Code of Ordinances shall be subject to the maximum limitation on sound disturbances provided within this subsection. In connection

with the permitted special event, no person shall make, cause, allow, or permit the operation of any continuous source of sound in such a manner as to create, when measured at or beyond 100 feet from the source from which the sound emanates if the source is located on public property, or at or beyond the real property line if the source is on private property, a sound level that exceeds the dBA or dBC standard in (c) applicable to the point of measurement and the time of measurement, unless a different standard is established in the special event permit.

(Ord. No. 2009-14, § 2, 7-28-09; Ord. No. 2014-06, § 2, 8-19-14)

FORT LAUDERDALE A1A MARATHON & HALF MARATHON
LAUDERDALE-BY-THE-SEA COURSE SECTION

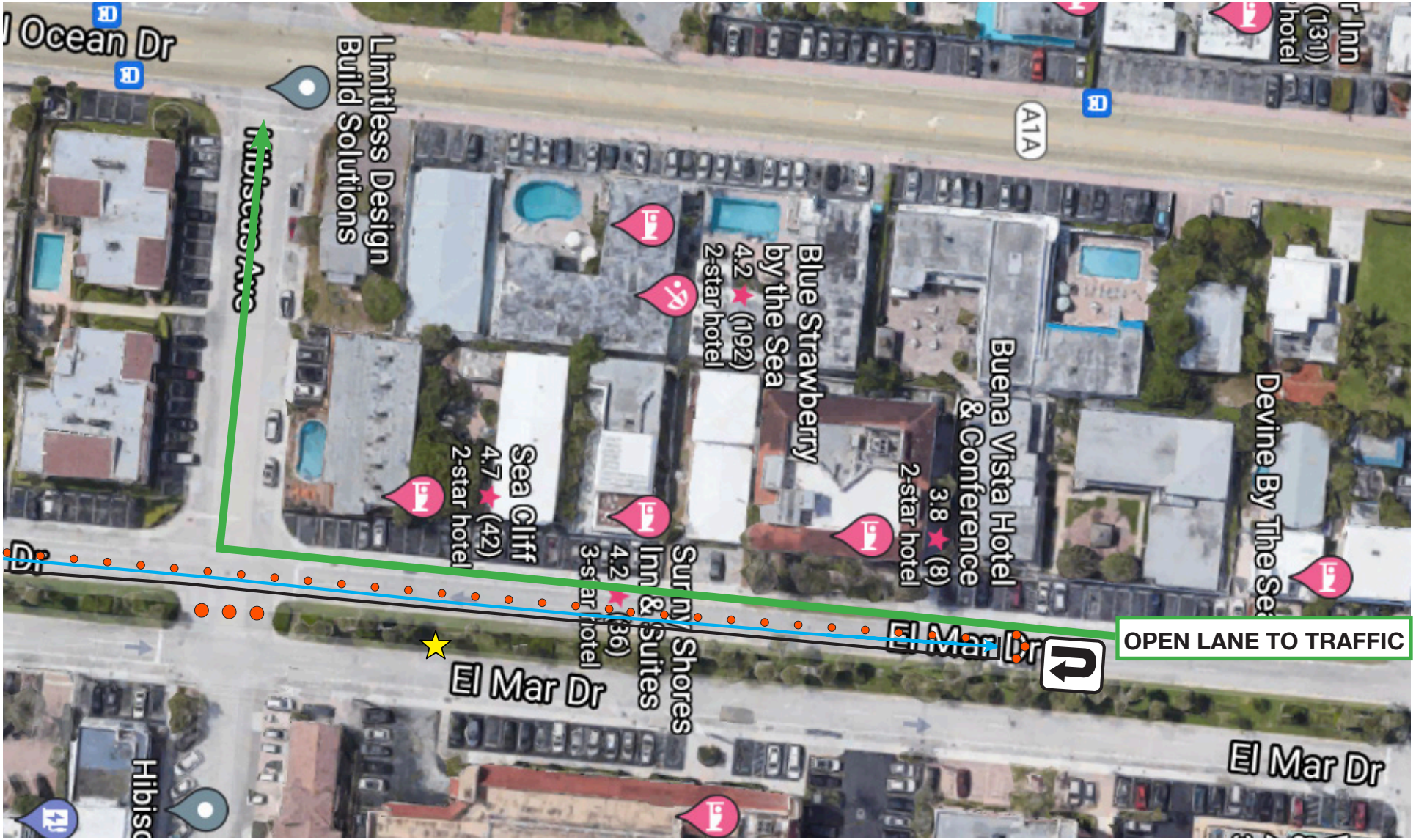


Publix FORT LAUDERDALE A1A MARATHON & HALF
PRESENTED BY COLAVITA

LEGEND:

ROAD CONE:
TRAFFIC LIGHT:
POLICE:
RIGHT TURN:
LEFT TURN:
TURN-AROUND:
WATER STOP:
N. BOUND COURSE:
S. BOUND COURSE:

ALL RUNNERS WILL BE ON THE LEFT SIDE OF CONES. CONES WILL HAVE A SIGN **"STAY TO THE LEFT OF CONE"**



Publix FORT LAUDERDALE A1A MARATHON & HALF
PRESENTED BY COLAVITA

LEGEND:

ROAD CONE:
TRAFFIC LIGHT:
POLICE:
RIGHT TURN:
LEFT TURN:
TURN-AROUND:
WATER STOP:
N. BOUND COURSE:
S. BOUND COURSE:

ALL RUNNERS WILL BE ON THE LEFT SIDE OF CONES. CONES WILL HAVE A SIGN **"STAY TO THE LEFT OF CONE"**

Agenda Item No: 16.a.

Town Commission Agenda Item Report

Meeting Date: December 9, 2025
Submitted By: Lucila Lang, Finance Director
Submitting Department: Finance
Item Type: Ordinance
Agenda Section:ORDINANCES 1st Reading

Subject Title: ORDINANCE 2025-05: AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 20, "UTILITIES," ARTICLE II, "SANITARY SEWER SYSTEM," SECTION 20-19 "RATES AND CHARGES," OF THE TOWN'S CODE OF ORDINANCES BY AMENDING TO AMEND/ADOPT REVISIONS TO THE SCHEDULE OF RATES AND CHARGES FOR SANITARY SEWER COLLECTION, TRANSMISSION, AND DISPOSAL SERVICE; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Explanation: Currently, the Town of Lauderdale-By-The-Sea sewer rates are charged only to those residents that are served by the Town-owned sewer system (roughly all areas of Town south of Pine Ave). The Town transmits its wastewater to Pompano Beach, and we have a Master Sewer Agreement with them under which we are charged for transmission, treatment and disposal of the wastewater we send them.

The Wastewater Service Agreement between the City of Pompano Beach and the Town of Lauderdale-By-The-Sea stipulates an annual recalculation of the monthly and volumetric rates. For calendar year 2026, we experienced increases of 2.2% to the monthly fixed fee and 4.3% to the volumetric rate.

Without an increase to the Town's sewer rates, the Sewer Fund will operate at a deficit this year as it did in FY24 and will continue to negatively impact reserves. The existing sewer system is over 50 years old, and the Town needs to keep a reasonable fund balance for significant capital expenses.

Below you will find the recommended rate increases for this year and examples of the effect that the increase will have on a single- family resident, multi-family and commercial properties. It is important to keep in mind that this change in rates does not yield the benefit of a full year of rate increases, as the Town was notified in November of a rate increase effective January 1. The Town will begin seeing the additional revenue within 60 days of passage of the 2nd reading of the ordinance.

This increase will allow us to keep up with expenses as well as continue capital improvements to the system. Last fiscal year, staff only expended 23% (approximately $48k) of the amount budgeted ($200k) for this purpose in order to keep costs in line. While a year or two of deferred maintenance isn't detrimental to the system, we want to ensure that this is not a common occurrence going forward.

Service	Base Rate	% Increase	$ Increase	New Rate	Consumption Rate	% Increase	$ Increase	New Rate
Single Family	$14.76	6%	$0.89	$15.65	$8.84	6%	$0.53	$9.37
Multi-Family	$ 8.51	6%	$0.51	$ 9.02	$8.84	6%	$0.53	$9.37
Commercial	$14.76	6%	$0.89	$15.65	$8.84	6%	$0.53	$9.37
Customer Service/Administrative Charge	$ 2.16	6%	$0.13	$ 2.29				

SINGLE FAMILY HOME	
Based on consumption of 9,000 gallons for the month:	
Current Charges:	$ 96.48
New charges with 6% increase:	$102.27
Impact of Increase:	$ 5.79
MULTI FAMILY-34 Units	
Based on consumption of 270,000 gallons for the month:	
Current Charges:	$2,678.30
New charges with 6% increase:	$2,839.00
Impact of Increase:	$ 160.70
COMMERCIAL PROPERTY-11 Units	
Based on consumption of 85,000 gallons for the month:	
Current Charges:	$ 915.92
New charges with 6% increase:	$ 970.88
Impact of Increase:	$ 54.96

Recommendation: Approve First Reading of Ordinance 2025-05 amending the Town code to reflect the new rates and charges for the sanitary sewer system.

Exhibits:

1. Ordinance 2025-05 Sewer Rates Updated

ORDINANCE 2025-05

AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 20, "UTILITIES," ARTICLE II, "SANITARY SEWER SYSTEM," SECTION 20-19 "RATES AND CHARGES," OF THE TOWN'S CODE OF ORDINANCES BY AMENDING TO AMEND/ADOPT REVISIONS TO THE SCHEDULE OF RATES AND CHARGES FOR SANITARY SEWER COLLECTION, TRANSMISSION, AND DISPOSAL SERVICE; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the Town Commission desires to amend its Code of Ordinances to increase the sanitary sewer rates that are charged to properties connected to the Town's sewer system; and

WHEREAS, the new sewer rates shall be effective commencing the first day of the water service billing cycle that begins in February 2026, provided that the City of Fort Lauderdale is able to timely implement the changes; otherwise, the new sewer rates shall be effective commencing the first day of the water service billing cycle that begins in March 2026.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The foregoing "Whereas" clauses are ratified and incorporated as the legislative intent of this Ordinance

Section 2. Amendment. Chapter 20, "Utilities," Article II, "Sanitary Sewer System," Section 20-19, "Rates and Charges," of the Town Code of Ordinances, is hereby amended to read as follows[1]:

Sec. 20-19. Rates and Charges.

* * *

(b) *Amounts of rates and charges.*

[1] Additions to existing text are shown in underline. Deletions are shown in strikethrough. Additions to existing text since 1st reading are shown in double underline. Deletions since 1st reading are shown in double strikethrough.

(1) *Monthly base facility charge per single-family unit:*

~~$14.76~~ $15.65 effective ~~05/2025.~~ 02/2026.

(2) *Monthly base facility charge per multi-family unit, including duplexes:*

~~$8.51~~ $9.02 effective ~~05/2025.~~ 02/2026.

(3) *Monthly base facility charge per commercial customer:*

~~$14.76~~ $15.65 effective ~~05/2025.~~ 02/2026.

* * *

(4) *Consumption rate charged per 1,000 gallons of water usage:*

All customer classes:

~~$8.84~~ $9.37 effective ~~05/2025.~~ 02/2026.

Residential units will not be charged a consumption rate for usage in excess of 10,000 gallons per month.

(5) *Monthly customer service/administration charge per meter:*

All customer classes:

~~$2.16~~ $2.29 effective ~~05/2025.~~ 02/2026.

* * *

Section 3. **Codification**. This Ordinance shall be codified in accordance with the foregoing. It is the intention of the Town Commission that the provisions of this Ordinance shall become and be made a part of the Town of Lauderdale-By-The-Sea Code of Ordinances; and that the sections of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section", "article" or such other appropriate word or phrase in order to accomplish such intentions.

Section 4. **Severability**. If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 5. **Conflicting Ordinances**. All prior ordinances or resolutions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. **Effective Date**. This Ordinance shall become effective upon adoption on second reading, and the new sewer rates shall be effective commencing the first day of the water

service billing cycle that begins in February, 2026, provided that the City of Fort Lauderdale is able to timely implement the changes; otherwise, the new sewer rates shall be effective commencing the first day of the water service billing cycle that begins in March, 2026.

Passed on the first reading, this ____ day of _____, 2025.

Passed on the second reading, this ____ day of _____, 2026.

_____

MAYOR EDMUND MALKOON

	First Reading	Second Reading
Mayor Malkoon	_____	_____
Vice-Mayor Strauss	_____	_____
Commissioner Poulopoulos	_____	_____
Commissioner Denapoli	_____	_____
Commissioner Graziano	_____	_____

ATTEST:

_____

Acting Town Clerk, Courtney Easley

(CORPORATE SEAL)

APPROVED AS TO FORM:

_____

Susan L. Trevarthen, Town Attorney

Agenda Item No: 18.a.

Town Commission Agenda Item Report

Meeting Date: December 9, 2025
Submitted By: Lucila Lang, Finance Director
Submitting Department: Finance
Item Type: Resolution
Agenda Section:RESOLUTIONS – PUBLIC COMMENTS

Subject Title: RESOLUTION 2025-54: A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, SELECTING A FINANCIAL ADVISORY FIRM TO ASSIST THE TOWN WITH EVALUATING AND NEGOTIATING A P3 PROPOSAL FOR THE DEVELOPMENT OF A NEW PUBLIC SAFETY FACILITY; AUTHORIZING THE TOWN MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH PFM FINANCIAL ADVISORS LLC; AND PROVIDING FOR AN EFFECTIVE DATE.

Explanation:

The purpose of this agenda item is to request Commission authorization for the Town to retain a qualified financial advisor to assist in the evaluation and negotiation of a Public-Private Partnership (P3) proposal submitted for the development of a new Public Safety Facility.

The Town is currently reviewing a P3 proposal received under Section 255.065, Florida Statutes, for the potential delivery of a new Public Safety Facility. P3 projects of this scale involve long-term financial obligations, specialized risk allocation, and complex financing structures that differ significantly from traditional design-bid-build or design-build procurement models.

Pursuant to Florida law, P3 proposals require the completion of a formal Value-for-Money (VfM) analysis, including development of a Public Sector Comparator (PSC), to determine whether the P3 approach provides greater cost-effectiveness than conventional financing and delivery options. This statutory analysis requires highly specialized technical expertise not available in-house.

Governmental entities routinely engage independent financial advisors when evaluating P3 delivery models to ensure objective financial review, accurate modeling, and the protection of taxpayer interests.

A financial advisor would support the Town through the following core functions:

- Independent, objective financial analysis

- Development of the Value-for-Money (VfM) analysis and Public Sector Comparator (PSC)
- Long-range budget forecasting and affordability modeling
- Support during financial negotiations with the proposer
- Evaluation of alternative procurement and financing structures
- Assurance of compliance with Section 255.065, Florida Statutes, and related procurement requirements
- Provision of specialized financial expertise for large-scale public infrastructure projects

The Town received proposals from two qualified financial advisory firms to assist with the evaluation of the Public-Private Partnership (P3) proposal and with the Town's overall financial analysis related to the potential development of a new Public Safety Facility.

PFM Financial Advisors LLC submitted a proposal in the amount of $25,000. Their scope includes:

- Independent evaluation of the P3 proposal;
- Analysis of financing alternatives, including traditional delivery options; and
- Advisory support on the Town's financing strategy for the project.

A second firm submitted a proposal in the amount of $38,850. Their proposed scope includes:

- Completion of the statutory financial analysis required under Section 255.065, Florida Statutes;
- Comprehensive assessment of the Town's overall financial condition and project affordability; and
- Preparation of the Value-for-Money (VfM) analysis comparing the P3 model to conventual delivery.

After reviewing both proposals, staff recommends selecting PFM Financial Advisors LLC and authorizing the Town Manager to negotiate and execute a professional services agreement, in substantially the form attached as Exhibit "A." Their scope of work provides the Town with the essential expertise needed to evaluate the financial components of the P3 proposal and to support negotiations, while offering a lower overall cost. In addition PFM's proposed work complements and does not duplicate the statutory Value-for-Money analysis that can be completed separately if the Commission elects to proceed further in the P3 review process.

At this stage of the process, the Town's immediate need is expert financial advise to independently evaluate the P3 proposal, understand financing options, and protect the Town during preliminary review and negotiation.

The more comprehensive statutory Value-for-Money (VfM) analysis, while required under F.S. 255.065, will only be necessary if and when the Commission decides to move the P3 proposal forward to the next statutory step. This work can be procured separately at a later date or added as an amendment once the project reaches that phase.

The third financial advisor that staff reached out to, TRB Capital Markets, declined the engagement.

Recommendation: Authorize the Town Manager to enter into an agreement with PFM Financial Advisors LLC in the amount of $25,000.

Exhibits:
1. Resolution 2025-54-P3 Financial Advisor
2. Exhibit A-PSA Financial Advisory Services Form
3. PFM Financial Advisors LLC
4. Taft Infrastructure Advisors

RESOLUTION 2025-54

A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, SELECTING A FINANCIAL ADVISORY FIRM TO ASSIST THE TOWN WITH EVALUATING AND NEGOTIATING A P3 PROPOSAL FOR THE DEVELOPMENT OF A NEW PUBLIC SAFETY FACILITY; AUTHORIZING THE INTERIM TOWN MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH PFM FINANCIAL ADVISORS LLC; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lauderdale-By-The-Sea (the "Town") is in need of financial advisory services to assist the Town in evaluating and negotiating (the "Services") a Public-Private Partnership ("P3") Proposal submitted for the development of a new Public Safety Facility (the "P3 Project"); and

WHEREAS, the Town is currently reviewing a P3 Proposal received pursuant to Section 255.065, Florida Statutes, for the development of the P3 Project; and

WHEREAS, the Town solicited cost proposals from three (3) Financial Advisory Firms; and

WHEREAS, the Town received two (2) cost proposals from qualified Financial Advisory Firms being PFM Financial Advisors LLC ("PFM") and Taft Infrastructure Advisors ("Taft"); and

WHEREAS, the Town Manager recommends that the Town Commission select PFM to perform the Services and authorize the Town Manager to negotiate and execute an agreement with PFM in an amount not to exceed $25,000, substantially in the form attached hereto as Exhibit "A" (the "Agreement"); and

WHEREAS, the Town Commission deems it to be in the best interest of the Town and its residents to select PFM for the Services and authorize the Town Manager to negotiate and execute the Agreement.

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. **Selection**. The Town Commission hereby selects PFM to provide the Services for the P3 Project.

Section 3. **Authorization**. The Town Manager or designee is authorized to negotiate and execute the Agreement with PFM in an amount not to exceed $25,000, substantially in the form attached hereto as Exhibit "A, subject to the approval of the Town Attorney as to form, content, and legal sufficiency.

Section 4. **Effective Date**. This Resolution shall become effective immediately upon passage and adoption.

PASSED AND ADOPTED this 9th day of December 2025.

_____
Mayor Edmund Malkoon

Attest:

_____
Courtney Easley, Acting Town Clerk

APPROVED AS TO FORM:

_____
Susan L. Trevarthen, Town Attorney

TOWN OF LAUDERDALE-BY-THE-SEA

PROFESSIONAL SERVICES AGREEMENT

This Professional Services Agreement ("Agreement"), made and entered into as of **DATE** 2025 ("Effective Date"), by and between the Town of Lauderdale-By-The-Sea, a Florida municipal corporation (the "Town") and **NAME OF ENTITY/ INDIVIDUAL**, a Choose an item. ("Consultant").

WHEREAS, the Town is in need of financial advisory services to assist the Town in evaluating and negotiating (the "Services") a Public-Private Partnership ("P3") Proposal submitted for the development of a new Public Safety Facility (the "P3 Project"); and

WHEREAS, the Consultant will perform Services on behalf of the Town, all as further set forth in the Proposal dated _____, attached hereto as Exhibit "A" (the "Services"); and

WHEREAS, the Consultant and Town, through mutual negotiation, have agreed upon a fee for the Services, and the Town desires to engage the Consultant to perform the Services and provide the deliverables as specified below.

NOW THEREFORE, in consideration of the mutual covenants set forth in this Agreement, the receipt and sufficiency of which is acknowledged, the parties agree as follows:

1. **Services.** The Consultant, as an independent contractor, at its own cost and expense, shall meet the requirements and perform the services described herein and as described in the [PROPOSAL] or [SCOPE OF SERVICES], attached hereto and incorporated herein by reference as **Exhibit A** ("Services").

Consultant shall provide all materials, tools, labor, appliances, machinery and appurtenances necessary to perform the Services. Consultant shall obtain and keep in effect for the term of this Agreement any special licenses and permits necessary for Consultant to provide the Services required hereunder.

2. **Term.** This Agreement shall commence on the Effective Date and shall continue [for a __-year term until _____] or [until the successful completion of the Services outlined in Exhibit A], unless terminated earlier as provided in Section 7 of this Agreement. Additionally, the Town Manager may renew this Agreement for [X] additional [Y] year periods on the same terms as set forth herein upon written notice to the Consultant.

3. **Compliance with Applicable Law.** All work hereunder shall be performed in a professional manner and form as required by all applicable federal, state, and local rules, regulations, laws, codes, and ordinances and as may be further specified by Town. Consultant shall at all times protect Town's property from all damage and shall repair or replace any damaged property as required by Town.

4. **Compensation.** Compensation hereunder shall be paid to Consultant as provided in Section 1 above, in a total amount not to exceed $_____ in any one fiscal year. Consultant shall invoice the Town at the end of each month based on a proration of the work completed. The Town shall pay the Consultant within 30 days of receipt of an approved invoice.

5. **Books and Records.** Consultant shall keep, for the statutorily required period, accurate books and records with the supporting documents, statistical records, transactions and any other underlying documents supporting the services provided hereunder, and shall comply with Section 13. The Town shall have the right to audit the books and records of Consultant related to the services authorized herein upon reasonable notice provided to Consultant. Any incomplete or incorrect entry in such books and records shall be a basis for Town's disallowance and recovery of any payment to Consultant based upon such entry.

6. **Indemnity.** Consultant shall defend, indemnify, and hold harmless the Town, its officers, agents and employees, from and against any and all demands, claims, losses, suits, liabilities, causes of action, judgment or damages, arising out of, related to, whether directly or indirectly, or any way connected with Consultant's performance or non-performance of any provision of this Agreement, including, but not limited to, liabilities arising from contracts between the Consultant and third parties for work or materials required under or related to this Agreement. Consultant shall reimburse the Town for all its expenses including reasonable attorneys' fees and costs incurred in and about the defense of any such claim or investigation and for any judgment or damages arising out of, related to, whether directly or indirectly, or in any way connected with Consultant's performance or non-performance of this Agreement. The provisions of this section shall survive termination of this Agreement. Nothing in this Agreement shall be deemed or treated as a waiver by the Town of any immunity to which it is entitled by law, including but not limited to the Town's sovereign immunity as set forth in Section 768.28, Florida Statutes.

7. **Termination.**

7.1 **Termination for convenience.** The Town may terminate this Agreement for convenience by giving Consultant 30 calendar days' written notice. In the event of such termination, Consultant shall be entitled to receive compensation for any Services provided pursuant to this Agreement and to the satisfaction of the Town, up through the date of termination. Under no circumstances shall the Town make payment for Services nor shall Consultant invoice the Town for Services not yet provided.

7.2 **Termination for cause.** This Agreement may be terminated by either party upon 5 calendar days' written notice to the other should such other party fail substantially to perform in accordance with this Agreement's material terms through no fault of the party initiating the termination. In the event that Consultant abandons this Agreement or causes it to be terminated by the Town, Consultant shall indemnify the Town against losses pertaining to this termination. In the event that this Contract is terminated by the Town for cause and it is subsequently determined by a court of competent jurisdiction that such termination was without cause, such termination shall thereupon be deemed a termination for convenience under Section 7.1 of this Agreement, and the provisions of Section 7.1 shall apply.

8. **Notice.** Any notices required by this Agreement shall be in writing and shall be deemed to have been properly given if transmitted by hand-delivery, by registered or certified mail with postage prepaid return receipt requested, or by a private postal service, addressed to the parties (or their successors) at the following addresses:

For the Town: Town Manager
Town of Lauderdale-By-The-Sea
4501 Ocean Drive
Lauderdale-By-The-Sea, Florida 33308

With a copy to: Town Attorney
Town of Lauderdale-By-The-Sea
4501 Ocean Drive
Lauderdale-By-The-Sea, FL 33308

For The Consultant:

9. **Assignment and Changes.** Consultant may not assign this Agreement. Any changes to this Agreement must be by written amendment, executed by the parties hereto.

10. **Insurance.** Consultant shall maintain insurance coverage as indicated below and, where applicable, shall provide certificate(s) of insurance evidencing such coverage. If required, certificates shall state that coverage will not be canceled or materially altered without at least thirty (30) calendar days' prior written notice to the Town, and shall name the Town as an additional insured where applicable. All required insurance policies shall be issued by companies authorized to do business in the State of Florida and have a Best's rating of B+ or better, unless otherwise

approved by the Town. The Town reserves the right to request proof of any required insurance coverage at any time during the term of the Agreement.

☒**Comprehensive General Liability Insurance** — $1,000,000 per occurrence; $2,000,000 aggregate. Must include coverage for property damage, personal injury, contractual liability, completed operations, products liability, and independent contractors.

☒**Workers' Compensation Insurance** — Statutory coverage in accordance with Florida law.

☒**Comprehensive Automobile Liability Insurance** — $1,000,000 per occurrence; includes hired and non-owned vehicle liability.

☒**Professional Liability Insurance** — $1,000,000 on a claims-made basis.

☒**Insurance Coverage as Required by Law** — Consultant shall maintain only those insurance policies required by applicable law. No certificate of insurance required unless requested by the Town.

11. **Entire Agreement.** This writing contains the entire Agreement of the parties and supersedes any prior oral or written representations. No representations were made or relied upon by either party, other than those that are expressly set forth herein.

12. **Consultant Representations.** Consultant represents the following: Consultant is properly authorized to do business in the State of Florida; the execution, delivery and performance of this Agreement by Consultant have been duly authorized; this Agreement is binding on Consultant and enforceable against Contactor in accordance with its terms; and no consent of any other person or entity to such execution, delivery and performance is required.

13. **Independent Contractor.** This Agreement does not create an employee/employer or joint venture relationship between the parties. Consultant has been procured and is being engaged to provide Services to the Town as an independent contractor, and not as an agent or employee of the Town. Accordingly, Consultant shall not attain nor be entitled to any rights or benefits of the Town, nor any rights generally afforded to classified or unclassified employees of the Town. Consultant further understands that Florida Workers' Compensation benefits available to employees of the Town are not available to Consultant, and agrees to provide workers' compensation insurance for any employee or agent of Consultant rendering Services to the Town under this Agreement.

14. **Chapter 119 (Public Records).** The Consultant shall comply with Chapter 119, Florida Statutes, as applicable, and shall comply with the following:

(a) Consultant agrees to keep and maintain public records in Consultant's possession or control in connection with Consultant's performance under this Agreement. Consultant additionally agrees to comply specifically with the provisions of Section 119.0701, Florida Statutes. Consultant shall ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed, except as authorized by law, for the duration of the Agreement, and following completion of the Agreement until the records are transferred to the Town.

(b) Upon request from the Town's custodian of public records, Consultant shall provide the Town with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided by Chapter 119, Florida Statutes, or as otherwise provided by law.

(c) Unless otherwise provided by law, any and all records, including but not limited to reports, surveys, and other data and documents provided or created in connection with this Agreement are and shall remain the property of the Town.

(d) Upon completion of this Agreement or in the event of termination by either party, any and all public records relating to the Agreement in the possession of the Consultant shall be delivered by the Consultant to the Town Manager, at no cost to the Town, within seven (7) days. All such records stored electronically by Consultant shall be delivered to the Town in a format that is compatible with the Town's information technology systems. Once the public records have been delivered upon completion or termination of this Agreement, the Consultant shall destroy any and all duplicate public records that are exempt or confidential and exempt from public records disclosure requirements.

(e) Any compensation due to Consultant shall be withheld until all records are received as provided herein.

(f) IF THE CONSULTANT HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONSULTANT'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT 954-640-4200, TOWNCLERK@LAUDERDALEBYTHESEA-FL.GOV, OR BY MAIL: TOWN CLERK, 4501 N. OCEAN DRIVE, LAUDERDALE-BY-THE-SEA, FL 33308.

15. **Severability.** Should any provision, paragraph, sentence, word, or phrase contained in this Agreement be determined by a court of competent jurisdiction to be invalid, illegal, or otherwise unenforceable under the laws of the State of Florida, such provision, paragraph, sentence, word, or phrase shall be deemed modified to the extent necessary in order to conform with such laws, and the remainder shall remain unmodified and in full force and effect.

16. **Waiver of Jury Trial.** The Town and Consultant **knowingly, irrevocably, voluntarily and intentionally waive any right either may have to a trial by jury in state and or federal court proceedings** in respect to any action, proceeding, lawsuit or counterclaim based upon this Agreement and/ arising out of, under, or in connection with the services performed hereunder, or any course of conduct, course of dealing, statements or actions or inactions of any party hereto.

17. **Venue.** This Agreement shall be construed in accordance with and governed by the laws of the State of Florida. Venue for any litigation arising out of this Agreement shall be proper exclusively in Broward County, Florida. If either the Town or Consultant is required to enforce the terms of this Agreement by court proceedings or otherwise, whether or not formal legal action is required, the prevailing party shall be entitled to recover from the other party all such costs and expenses, including, but not limited to, court costs, and reasonable attorneys' fees.

18. **No Contingent Fees.** Consultant warrants it has not employed or retained any company or person, other than a bona fide employee working solely for Consultant to solicit or secure this Agreement, and that it has not paid or agreed to pay any person, company, corporation, individual, or firm, other than a bona fide employee working solely for Consultant, any fee, commission, percentage, gift, or other consideration contingent upon or resulting from the award or making of this Agreement.

19. **Ethics.**

a. Consultant 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. Consultant 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. Consultant covenants that it will conduct no activity or provide any service that is unlawful or offensive.

20. **State Required Affidavits.** By entering into this Agreement, the Consultant agrees to review and comply with the following state affidavit requirements:

a. **Public Entity Crimes Affidavit.** Consultant shall comply with Section 287.133, Florida Statutes (Public Entity Crimes Statute), notification of which is hereby incorporated herein by reference, including execution of any required affidavit.

b. **Scrutinized Companies.** Consultant certifies that it is not on the Scrutinized Companies that Boycott Israel List or engaged in a boycott of Israel. Pursuant to section 287.135, Florida Statues, the Town may immediately terminate this Agreement at its sole option if the Consultant is found to have submitted a false certification; or if the Consultant is placed on the Scrutinized Companies that Boycott Israel List or is engaged in the boycott of Israel during the term of the Agreement. If this Agreement is for more than one million dollars, the Consultant certifies that it is also not on the Scrutinized Companies with Activities in Sudan, Scrutinized Companies with Activities in the Iran Terrorism Sectors List, Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or engaged with business operations in Cuba or Syria as identified in Section 287.135, Florida Statutes. Pursuant to Section 287.135, Florida Statutes, the Town may immediately terminate this Agreement at its sole option if the Consultant is found to have submitted a false certification; or if the Consultant is placed on the Scrutinized Companies with Activities in Sudan List, Scrutinized Companies with Activities in the Iran Terrorism Sectors List, Scrutinized Companies with Activities in Iran Petroleum Energy Sector List, or engaged with business operations in Cuba or Syria during the term of the Agreement.

c. **E-Verify Affidavit.** In accordance with Section 448.095, Florida Statutes, the Town requires all contractors doing business with the Town to register with and use the E-Verify system to verify the work authorization status of all newly hired employees. The Town will not enter into a contract unless each party to the contract registers with and uses the E-Verify system. The contracting entity must provide of its proof of enrollment in E-Verify. For instructions on how to provide proof of the contracting entity's participation/enrollment in E-Verify, please visit: https://www.e-verify.gov/faq/how-do-i-provide-proof-of-my-participationenrollment-in-e-verify. By entering into this Agreement, the Consultant acknowledges that it has read Section 448.095, Florida Statutes; will comply with the E-Verify requirements imposed by Section 448.095, Florida Statutes, including but not limited to obtaining E-Verify affidavits from subcontractors; and has executed the required affidavit attached hereto and incorporated herein.

d. **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 Consultant 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.

e. **Prohibition on Contracting with Entities of Foreign Concern.** Pursuant to Section 287.138, Florida Statutes (which is expressly incorporated herein by reference), a governmental entity may not knowingly enter into a contract with an entity which would give access to an individual's personal identifying information if (a) the entity is owned by the government of a foreign country of concern; (b) the government of a foreign country of concern has a controlling interest in the entity; or (c) the entity is organized under the laws of or has its principal place of business in a foreign country of concern. By entering into this Agreement, the Consultant acknowledges that it has read Section 287.138, Florida Statutes, and complies with the requirements therein, and has executed the required affidavit attached hereto and incorporated herein.

21. **Contract Documents; Order of Priority.**

The Contract Documents referred to in this Agreement shall be comprised of the Agreement and Consultant's Proposal. In the event of a conflict between the Contract Documents, the order of priority shall be: this Agreement and then the Consultant's Proposal.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF the parties hereto have executed this Agreement on the day and date first above written.

TOWN:	CONSULTANT:
TOWN OF LAUDERDALE-BY-THE-SEA	INSERT NAME
By: _____ Ken Rubach, Town Manager	By: _____

Attest: _____
Courtney Easley, Acting Town Clerk

Approved as to Form and Legal Sufficiency:

_____
Town Attorney Susan L. Trevarthen

pfm

October 10, 2025

Mr. Ken Rubach
Town Manager
4501 North Ocean Drive
Lauderdale-By-The-Sea, FL 33308

Dear Mr. Rubach:

The purpose of this letter (this "Engagement Letter") is to confirm our agreement that PFM Financial Advisors LLC ("PFM") will act as financial advisor to Lauderdale-By-The-Sea (the "Client"). PFM will provide, upon request of the Client, services related to the analysis of an unsolicited public-private partnership proposal, financial planning, and budgetary planning as applicable and set forth in Exhibit A to this Engagement Letter. The Client acknowledges and agrees that PFM does not provide legal, tax, or accounting advice in connection with the services. The Client is solely responsible for obtaining its own legal, tax, or accounting advice with respect to the services and any related matter. Tasks requested by Client may not require all services provided in Exhibit A, and the specific scope of services for such task shall be limited to just those services required to provide the task.

PFM is a registered municipal advisor with the Securities and Exchange Commission (the "SEC") and the Municipal Securities Rulemaking Board (the "MSRB"), pursuant to the Securities Exchange Act of 1934 Rule 15Ba1-2. If Client has designated PFM as its independent registered municipal advisor ("IRMA") for purposes of SEC Rule 15Ba1-1(d)(3)(vi) (the "IRMA exemption"), then services provided pursuant to such designation shall be the services described in Exhibit A hereto, subject to any agreed upon limitations. Verification of independence (as is required under the IRMA exemption) shall be the responsibility of such third party seeking to rely on such IRMA exemption. PFM shall have the right to review and approve in advance any representation of PFM's role as IRMA to Client.

MSRB Rules require that municipal advisors make written disclosures to their clients of all material conflicts of interest, certain legal or disciplinary events and certain regulatory requirements. Such disclosures are provided in PFM's Disclosure Statement delivered to Client prior to or together with this Engagement Letter.

PFM's services will commence as soon as practicable after the execution of this Engagement Letter by the Client and a request by the Client for such service. Any material changes in or additions to the scope of services described in Exhibit A shall be promptly reflected in a written supplement or amendment to this Engagement Letter. Services provided by PFM which are not included in the scope of services set forth in Exhibit A of this Engagement Letter shall be completed as agreed in writing in advance between the Client and PFM. The Client acknowledges that, in certain circumstances, the same individual may provide services to Client on behalf of both PFM and one or more of its affiliates. For example, the Client may elect to engage PFM for municipal advisory services and separately engage an affiliate of PFM for consulting or other non-municipal advisory services, where the same individual will serve under both engagements. In such cases, the services shall be provided strictly in accordance with the terms of the respective agreements between the Client and PFM and/or the applicable affiliate. The provision of services by an individual in such dual roles shall not alter or affect the separate legal responsibilities, obligations, or liabilities of PFM and its affiliates under their respective agreements with the Client.

For the services described in Exhibit A, PFM's professional fees will be paid as provided in Exhibit B. All fees shall be due to PFM within thirty (30) days of the date of invoice. In addition to fees for services, PFM will be reimbursed for necessary, reasonable out-of-pocket expenses incurred, including, but not limited to, travel, meals, lodging, and other ordinary or extraordinary costs which are incurred by PFM. Upon request of Client, documentation of such expenses will be provided.

This Engagement Letter shall be effective from the date of its execution until December 31, 2026 (the "Initial Term") and shall automatically renew for additional 1-year periods (each a "Renewal Term" and together with the Initial Term, the "Term"), unless terminated in writing by either party upon thirty (30) days written notice to the other party. Upon any such termination, PFM will be paid for all services performed and costs and expenses incurred up to the termination date.

PFM shall not assign or transfer any interest in this Engagement Letter or subcontract any of the work performed under this Engagement Letter without the prior written consent of the Client; provided that PFM retains the right to enter into a sale, merger, internal reorganization, or similar transaction involving PFM's business without any such consent.

All information, data, reports, and records in the possession of the Client or any third party necessary for carrying out any services to be performed under this Engagement Letter ("Data") shall be furnished to PFM. PFM may rely on the Data in connection with its provision of the services under this Engagement Letter and the provider thereof shall remain solely responsible for the adequacy, accuracy and completeness of such Data.

All notices and other communication required under this Engagement Letter will be in writing and may be sent by certified mail, return receipt requested, by nationally recognized courier, with written verification of receipt, or by electronic mail. Notices shall be addressed to the party for whom it is intended, at the addresses on the first page of this Engagement Letter.

All materials, except functioning or dynamic financial models, prepared by PFM pursuant exclusively to this Engagement Letter will be the property of the Client. Subject to the preceding exception, upon termination of this Engagement Letter, PFM will deliver to the Client copies of any and deliverables pertaining to this Engagement Letter.

The following employees of PFM will provide the services set forth in this Engagement Letter.

- Sergio Masvidal, Managing Director
- Julie Santamaria, Director
- Pete Varona, Senior Managing Consultant
- Mara Lugo, Senior Managing Consultant

PFM may, from time to time, supplement or otherwise amend team members. The Client has the right to request, for any reason, PFM to replace any member of the advisory staff. Should the Client make such a request, PFM will promptly suggest a substitute for approval by the Client.

PFM will maintain insurance coverage with policy limits not less than as stated in Exhibit C. Except to the extent caused by its willful misconduct, bad faith, gross negligence or reckless disregard of obligations or duties under this Engagement Letter, PFM shall have no liability to any party under this Engagement Letter.

PFM, its employees, officers and representatives at all times will be independent contractors and will not be deemed to be employees, agents, partners, servants and/or joint venturers of Client by virtue of this Engagement Letter or any actions or services rendered under this Engagement Letter. Nothing in this Engagement Letter is intended or shall be construed to give any person, other than the parties hereto, their successors and permitted assigns, any legal or equitable rights, remedy or claim under or in respect of this Engagement Letter or any provisions contained herein. In no event will PFM be liable for any act or omission of any third party or for any circumstances beyond PFM's reasonable control including, but

not limited to, fire, flood, or other natural disaster, war, riot, strike, act of terrorism, act of civil or military authority, software and/or equipment failure, computer virus, or failure or interruption of electrical, telecommunications or other utility services.

This Engagement Letter shall be construed, enforced, and administered according to the laws of the State of Florida. PFM and the Client agree that, should a disagreement arise as to the terms or enforcement of any provision of this Engagement Letter, each party will in good faith attempt to resolve said disagreement prior to pursuing other action.

This Engagement Letter represents the entire agreement between Client and PFM and may not be amended or modified except in writing signed by both parties. For the sake of clarity, any separate agreement between Client and an affiliate of PFM or a third party referred or introduced by PFM and/or designated by the Client shall not in any way be deemed an amendment or modification of this Engagement Letter. The invalidity in whole or in part of any provision of this Engagement Letter shall not void or affect the validity of any other provision.

The Client and PFM each represent and warrant that it has all necessary power and authority to enter into this Engagement Letter, and that the execution and delivery of this Engagement Letter has been duly authorized by all necessary governance, corporate, or other entity actions including, where applicable, approval by its applicable governing board.

Please have an authorized official of the Client sign a copy of this Engagement Letter and return it to us to acknowledge the terms of this engagement. This Engagement Letter may be signed in any number or counterparts, each of which shall be an original and all of which when taken together shall constitute one and the same document.

Sincerely,

PFM FINANCIAL ADVISORS LLC

By: _____
Sergio Masvidal
Managing Director

Accepted by:

Lauderdale-by-The-Sea, Florida

By: _____
Authorized Signature

Ken Rubach
City Manager

Date:

EXHIBIT A
SCOPE OF SERVICES

1.0 Background

The Client received an unsolicited public-private partnership ("P3") proposal ("P3 Proposal") for a Combined Government Center (the "Project") from LBTS Partners, LLC ("LBTS Partners") dated September 17, 2025. The Client is currently evaluating the possibility of entering into a P3 for all or a portion of the Project.

PFM has been requested to review the P3 Proposal and analyze assumptions of the financial aspects of the Project elements and compare alternatives, including the Client financing all or a portion of the Project independently. Section 2.0 details PFM's scope of work.

2.0 Scope Of Work

Task 1 - Evaluation of P3 Proposal and Alternatives

As Financial Advisor for the Client, PFM will perform the following evaluation of the P3 proposal and alternatives:

- Assist the Client in reviewing the development proposal received and conduct any necessary interviews with Client staff and LBTS Partners
- Review the Client's overall financial position, specifically an estimate of the Client's credit rating category as determined by guidelines made available by the major municipal credit rating agencies
- Advise as to the various financing alternatives available to the Client and develop alternatives related to the debt transaction in the P3 Proposal, including evaluation of revenues available, maturity schedule and cash flow requirements
- Assist the Client with the selection of Project components by assessing capital needs, identifying potential revenue sources, analyzing financing alternatives such as cash funding, short-term vs. long-term financings, and providing analysis of alternatives as required as to the budgetary and financial impact
- Review the financial risk factors affecting the P3 Proposal and the marketability of any proposed revenue bond issues; provide bond market assumptions necessary for financial projections and comparisons; and provide written comments and recommendations regarding assumptions, analytic methods, and conclusions contained therein
- Prepare financial feasibility analysis to determine the affordability of the Project components for the client
- Comment on the proposed terms and identify additional considerations
- Prepare memorandum and/or presentations to the Client stakeholders
- Participate in Client staff, evaluation committee, and Commission meeting(s) as requested

Task 2 - Client Financing of Project

If applicable, PFM shall serve as Financial Advisor for the Client on the financing, should the Client determine to self-finance all or a portion of the Project:

- Analyze and make recommendations on structure and method of financing, considering market conditions, Client preferences, and the size and length of the financing
- Prepare and distribute a financing schedule, recommend the method of sale, and assist in acquiring financing team members as applicable
- As appropriate, undertake conversations regarding pricing and covenants with lending institutions, the Client, and other members of the finance team
- Participate in working group calls, including the Client, its counsel, and bond counsel
- Develop a request for proposal for bank loan on behalf of the Client and distribute the RFP to PFM's list of national and local banks active in governmental lending
- Review bank's proposals, provide a summary matrix, and recommendation presenting PFM's opinion as to the best financing proposal received
- Negotiate with potential lenders on financing terms and conditions included in the proposals or otherwise desired by the Client
- Attend meetings with Client's staff, consultants and other professionals and the Client
- Assist the Client in preparing financial presentations for public meetings
- Identify key loan covenant features and advise as to the financial consequences of provisions to be included in resolutions or other governing documents regarding security, flow of funds, redemption provisions, additional parity debt tests, etc.; review and comment on successive drafts of governing loan documents
- Arrange for the closing of the transaction including, but not limited, to bond printing, signing and final delivery of the debt

EXHIBIT B
COMPENSATION FOR SERVICES

The scope of services for Task 1 will be rendered for a fixed fee of $10,000.

If requested by the Client, the scope of services for Task 2 will be a fixed fee of $15,000.

Should the scope of services for either task change significantly, such as the public offering of bonds in Task 2 instead of a bank loan, fees will be subject to mutual agreement between both parties. All fees shall be due within thirty (30) days of the date of invoice.

Out of pocket expenses for travel and miscellaneous items will be billed at cost and are in addition to the fixed project fee.

EXHIBIT C
INSURANCE

pfm

Insurance Statement

PFM Financial Advisors LLC ("PFM") has a complete insurance program, including property, casualty, general liability, automobile liability and workers compensation. PFM maintains Professional (E&O)/Cyber Liability coverage which total $5 million single loss/ aggregate.

Our Professional/Cyber Liability policies are a "claims made" policy and our General Liability policy claims would be made by occurrence.

Deductibles/SIR:
Automobile $100 comprehensive & $1,000 collision
General Liability $0
Professional (E&O)/ Cyber Liability $250,000
Crime $50,000

Insurance Company & AM Best Rating

Professional Liability (E&O)..... AIG Specialty Insurance Company; (A; Stable)
Cyber Liability..... AIG Specialty Insurance Company (A; Stable)
Crime..... Berkley Regional Insurance Company; (A+; Stable)
General Liability..... The Continental Insurance Company; (A Stable)
Automobile Liability..... The Continental Insurance Company; (A Stable)
Excess /Umbrella Liability..... The Continental Insurance Company; (A Stable)
Workers Compensation..... The Continental Insurance Company; (A Stable)
& Employers Liability

Town of Lauderdale-By-The-Sea, Florida

Financial Advisor Services

October 10, 2025

PFM Financial Advisors LLC
2222 Ponce De Leon Blvd., 3rd Floor
Coral Gables, FL 33134

Sergio Masvidal
Managing Director
786 671-7480
masvidals@pfm.com

Julie Santamaria
Director
407-406-5757
santamariaj@pfm.com

Town of Lauderdale-By-The-Sea, Florida

Financial Advisor Services

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ABOUT PFM

PFM is the marketing name for a group of affiliated companies providing a range of services. All services are provided through separate agreements with each company. This material is for general information purposes only and is not intended to provide specific advice or a specific recommendation.

Financial advisory services are provided by PFM Financial Advisors LLC, a registered municipal advisor with the Securities and Exchange Commission (SEC) and the Municipal Securities Rulemaking Board (MSRB) under the Dodd-Frank Act of 2010. Swap advisory services are provided by PFM Swap Advisors LLC which is registered as a municipal advisor with both the MSRB and SEC under the Dodd-Frank Act of 2010, and as a commodity trading advisor with the Commodity Futures Trading Commission. Additional applicable regulatory information is available upon request.

Consulting services are provided through PFM Group Consulting LLC. PFM's financial modeling platform for strategic forecasting is provided through PFM Solutions LLC.

For more information regarding PFM's services or entities, please visit www.pfm.com.

October 10, 2025

Mr. Ken Rubach
Town Manager
Town of Lauderdale-By-The-Sea
4501 North Ocean Drive
Lauderdale-By-The-Sea, FL 33308

Dear Mr. Rubach:

PFM Financial Advisors LLC (PFM) is pleased to submit our proposal to serve as financial advisor to the Town of Lauderdale-By-The-Sea on its potential Public Safety public-private partnership ("the Project"). We believe that PFM is the optimal choice based on our professionals' experience with evaluating similar public-private partnership ("P3") projects and our extensive experience working with comparable municipalities throughout Florida, including many South Florida local governments. We've recently served as financial advisor to analyze **public-private partnerships for fire/police stations for West Palm Beach, Riviera Beach, Daytona Beach, and Fort Lauderdale.** We're also currently serving or have recently served as financial advisor on P3 analyses for Boca Raton (city hall/downtown), Pompano Beach (parking garage), Fort Lauderdale (water treatment plant), Miami Beach (hotel), Vero Beach (waterfront redevelopment), Port St. Lucie (city center redevelopment), and Panama City (marina). This recent, relevant experience allows us to provide the Town with multiple perspectives when providing financial advisory services.

pfm

2222 Ponce De Leon Blvd.
3rd Floor
Coral Gables, FL 33134
786.671.7480

pfm.com

PFM's roots in municipal finance go back over 47 years.[1] In our view, PFM has always been a financial advisor that is very different from our competitors – an independent financial advisory firm with technical resources matching those of the most sophisticated investment banks. Following are additional reasons we believe PFM is highly qualified to serve as financial advisor to the Town.

Strategic Partner. PFM is prepared to work as an extension of staff to deliver the analytical tools and expertise required so policymakers have confidence in the financial implications of their decisions. We offer resources to the Town beyond traditional financial advisory services to develop innovative solutions. PFM creates a true partnership with our clients by providing continuing education opportunities and training workshops throughout the year.

Florida Local Government Experience. The core PFM team committed to the Town consists of senior professionals located in our Coral Gables and Tampa offices who work with many South Florida governments, several of which are included in the table below.

Select Current PFM Florida Town and City Clients[2]			
Boca Raton	Bradenton	Coconut Creek	Coral Gables
Coral Springs	Davie	Delray Beach	Doral
Ft. Lauderdale	Hallandale Beach	Homestead	Jacksonville
Lauderhill	Miami Beach	North Miami Beach	Oakland Park
Plantation	Pompano Beach	Riviera Beach	St. Petersburg
Sarasota	Stuart	Sunrise	Tamarac
Weston	West Palm Beach	Winter Haven	Winter Park

[1] *Public Financial Management, Inc. (PFM, Inc.) was founded in 1975 and as of June 1, 2016, the registered municipal advisory services historically offered through former affiliate PFM, Inc. are now offered through PFM Financial Advisors LLC (PFM).*
[2] *Select client list as of October 1, 2025 is for informational purposes only and does not represent an endorsement or testimonial by clients of PFM's financial advisory services.*

We routinely assist these clients in evaluating financing options, developing financial plans, negotiating financing terms, developing credit rating strategies, analyzing fiscal impacts, modeling debt capacity, and financing public and private projects. Our access to industry leading software, proprietary models, and economic data, provides the Town with a combination of expertise, resources and accessibility that sets us apart from any other financial advisory firm.

Track Record of Performance. PFM has ranked as the #1 ranked financial advisor in the country for the last 30 years and in Florida for the last 25 years. The depth of our expertise is demonstrated by the fact that PFM completed more Florida transactions in 2024 than all of our competitors combined.

2024 Florida Municipal New Issues
Municipal Financial Advisor Ranking - Full Credit to Each Financial Advisor
Source: Ipreo

	# Issues	$ in Millions
PFM Financial Advisors LLC	72	11,738
Kaufman Hall & Associates Inc	7	2,008
Public Resources Advisory Group Inc	17	1,132
Raymond James & Associates	2	1,029
Hilltop Securities Inc	5	988
Ford & Associates Inc	10	974
Janney Montgomery Scott LLC	2	862
Acacia Financial Group Inc	1	772
Caine Mitter & Associates Inc	5	585
Frasca & Associates LLC	1	483

Serving as financial advisor to Lauderdale-By-The-Sea is a high priority for us, and we are committed to dedicating PFM's exceptional services and resources in a timely and efficient manner.

We believe PFM's relevant experience and dedicated project team – as well as our decades of work in Florida, local and national presence, and special practices such as public-private partnerships – make us the ideal choice as the Town's financial advisor.

Sincerely,

PFM Financial Advisors LLC

Sergio Masvidal
Managing Director

Julie Santamaria
Director

Tab 1. Overview of PFM

PFM was founded in 1975 with the mission of providing independent financial advice to state and local governments, governmental agencies and authorities in the debt issuance process and undertaking capital planning and budgeting.[3] Today, PFM has one of the largest financial advisory teams in the public finance industry, maintaining an expansive national presence.



PFM currently has more than 300 employees located in 32 offices and locations across the United States.[3]





PFM maintains **three full-time offices in Florida and eight in the southeastern United States.** Our Coral Gables office (approximately 38 miles from Lauderdale-by-the-Sea) will have full responsibility for the engagement with the Town. PFM has **18 financial advisory professionals in Florida**, which include six Managing Directors/Partners, four Directors, three Senior Managing Consultants, and five Analysts.

Office to Provide Service:
PFM Financial Advisors LLC
2222 Ponce De Leon, 3rd Floor
Coral Gables, FL 33134
786- 671-7480

Corporate Headquarters:
PFM Financial Advisors LLC
1735 Market Street, 42nd Floor
Philadelphia, PA 19103
215-567-6100

As required by the Dodd-Frank Wall Street Reform and Consumer Protection Act, PFM Financial Advisors LLC is registered as a Municipal Advisor under regulations issued by the Securities Exchange Commission and the Municipal Securities Rulemaking Board.

[3] *Number of employees, offices and locations estimated as of October 1, 2025.*

Additional Services Available through PFM's Affiliates

As client's needs have evolved and expanded, PFM has developed a wide range of specialized services to assist clients. PFM Financial Advisors LLC has several affiliates that were created to provide the proper regulatory and operating structure to meet our client's evolving financial objectives. Following is a brief description of the various affiliates the Town will have access to through a contract with PFM Financial Advisors:[4]

- PFMGC's Economic and Real Estate Consulting practice provides a broad range of services, including **special assessment methodology** (such as ad valorem, non-ad valorem, **stormwater**, and fire), market feasibility, economic forecasting, economic impact analysis, and fiscal impact analysis. **PFM recently assisted Fort Lauderdale in establishing a new stormwater assessment, the financing for which achieved a AAA rating from S&P in 2023.**

- PFM Group Consulting LLC (PFMGC): Management and Budget Consulting practice provides a broad range of services, including **OPEB liability management,** multi-year financial planning, consolidating and shared-services analysis, operational and program analysis, revenue maximization, fleet management, workforce analysis, and pension and other post-employment benefits strategies. This group has worked with Florida cities such as **Miami, Hialeah, and Cape Coral,** among others.

- PFMGC's Treasury Consulting Services assesses a client's specific banking needs, evaluates its existing banking program, and guides the client through the rebidding process (if necessary) to help maximize services and reduce cost. In Florida, PFMGC recently worked on banking services procurement with **Palm Beach Gardens, Oakland Park,** Polk County, Hernando County, Leon County, Gainesville Regional Utilities, and the Broward County School District.

National Practice

We believe PFM's leading qualifications are evident in our ranking as the nation's top financial advisor in number of transactions and dollar amount for 30 consecutive years. In 2024, we served as financial advisor on 736 publicly offered bond transactions totaling over $88 billion.

2024 Overall Municipal New Issues
Municipal Financial Advisor Ranking - Full Credit to Each Financial Advisor
Source: Ipreo

	# Issues	$ in Millions
PFM Financial Advisors LLC	736	88,038
Public Resources Advisory Group Inc	139	70,512
Hilltop Securities Inc	609	33,149
Frasca & Associates LLC	41	28,574
Acacia Financial Group Inc	123	16,124
Kaufman Hall & Associates Inc	69	15,655
Estrada Hinojosa & Co Inc	54	12,858
Municipal Capital Markets Group Inc	18	12,684
Piper Sandler & Co	171	12,025
Montague DeRose & Associates LLC	34	10,512



*Ranked by Ipreo in terms of Tax-Exempt per amount as of December 31, 2024

[4] *Services provided through PFM affiliates are subject to separate agreements and fees.*

Florida Practice

PFM has the largest financial advisory group in Florida and has been ranked #1 for 25 consecutive years. We have continued to grow our Florida footprint, adding clients each year while maintaining the highest level of service for our clients. In 2024, we served as financial advisor in Florida on 50 publicly offered long-term bond issues totaling over $11.7 billion.

2024 Florida Municipal New Issues

Municipal Financial Advisor Ranking - Full Credit to Each Financial Advisor

Source: Ipreo

	# Issues	$ in Millions
PFM Financial Advisors LLC	72	11,738
Kaufman Hall & Associates Inc	7	2,008
Public Resources Advisory Group Inc	17	1,132
Raymond James & Associates	2	1,029
Hilltop Securities Inc	5	988
Ford & Associates Inc	10	974
Janney Montgomery Scott LLC	2	862
Acacia Financial Group Inc	1	772
Caine Mitter & Associates Inc	5	585
Frasca & Associates LLC	1	463



*Ranked by Ipreo in terms of Tax-Exempt par amount as of December 31, 2024

Following is a list of our Florida clients as of October 1, 2025.

PFM's Florida Clients

CITIES
Alachua • Boca Raton • Bonita Springs
Boynton Beach • Bradenton • Bushnell
Cape Coral • Clermont • Cocoa Beach
Coconut Creek • Coral Gables
Coral Springs • Davie • Daytona Beach
DeBary • DeFuniak Springs • DeLand
Delray Beach • Deltona • Doral
Fort Lauderdale • Fort Meade
Fort Walton Beach • Freeport • Gainesville
Green Cove Springs • Groveland
Haines City • Hallandale Beach
Hialeah • Hollywood • Homestead
Jacksonville • Jupiter • Jupiter Island
Key Biscayne • Key West • Lakeland
Lauderhill • Leesburg • Madeira Beach
Manalapan • Marathon • Marco Island
Margate • Maitland • Melbourne • Miami
Miami Beach • Miramar • Newberry
North Bay Village • North Miami
North Miami Beach • North Palm Beach
North Port • Oakland • Ocala
Oldsmar • Orlando • Ormond Beach
Palatka • Palm Beach
Palm Beach Gardens • Panama City
Panama City Beach • Pensacola
Plantation • Pompano Beach
Port St. Lucie • Riviera Beach • Sarasota
Satellite Beach • Sebring • St. Augustine
St. Cloud • St. Petersburg • Sunrise
Surfside • Tallahassee • Tamarac
Tarpon Springs • Temple Terrace
Titusville • Umatilla • Vero Beach
West Palm Beach • Weston
Winter Haven • Winter Garden
Winter Park • Winter Springs

COUNTIES
Alachua • Bay • Brevard
Broward • Citrus • Clay
Collier • DeSoto • Duval
Flagler • Gulf • Hernando
Highlands • Jackson • Lake
Lee • Leon • Marion • Martin
Miami-Dade • Monroe
Orange • Okeechobee • Osceola
Palm Beach • Pasco • Pinellas
Polk • Santa Rosa • Sarasota
Seminole • St. Johns • St. Lucie
Volusia • Wakulla • Walton

SPECIAL DISTRICTS
Amelia National CDD
Boggy Creek CDD
Greeneway Improvement District
Everest CMR CDD
Lakewood Ranch Stewardship District
Longleaf Pine CDD
Myrtle Creek Improvement District
Midtown Improvement District
Olde Florida CDD
New Port Tampa Bay CDD
North Sumter County Utility Dependent District
Poitras East CDD
Sumter Landing CDD
Sunbridge Stewardship District
The Villages CDD
Tomoka CDD
University Park Recreation District
Village of Gulfstream Park CDD

SCHOOL DISTRICTS
Alachua • Broward
Citrus • Columbia
Duval • Flagler
Hernando • Lake
Manatee • Marion
Martin • Miami-Dade
Orange • Osceola
Palm Beach • Pasco
Polk • Putnam
Santa Rosa • Sarasota
Seminole •Volusia
Wakulla • Walton

UTILITIES
Clay County Utility Authority
East Central Regional Wastewater Treatment Facilities Board
Florida Municipal Power Agency
Fort Pierce Utilities Authority
Gainesville Regional Utilities
Jacksonville Electric Authority
Orlando Utilities Commission
Polk Regional Water Cooperative
Tampa Bay Water

OTHER AUTHORITIES
Blueprint Intergovernmental Agency
East Coast Zoological Society
Florida Development Finance Corp.
South Florida Water Management District
Florida Local Government Finance Commission

TRANSPORTATION
Canaveral Port Authority
Central Florida Expressway Authority
Destin-Ft. Walton Beach Airport
Greater Orlando Aviation Authority
Jacksonville Aviation Authority
Jacksonville Seaport Authority
Lee County Port Authority
Melbourne Airport Authority
Palm Beach International Airport
Pensacola International Airport
Sarasota Manatee Airport Authority
Tallahassee International Airport
Tampa Hillsborough Expressway Authority
Port Tampa Bay

STATE OF FLORIDA
Division of Bond Finance

HEALTHCARE
Brooks Rehabilitation
Jackson Health System
LifeSouth Community Blood Centers
Orange County Health Facilities Authority
Winter Park Health Foundation

Client list as of October 1, 2025 is for informational purposes only and does not represent an endorsement or testimonial by clients of PFM's financial advisory services.

Strategic Partner with the Town

PFM's goal is to serve as Lauderdale-By-The-Sea's strategic partner to help achieve your specific goals. In addition to providing the required scope of services and access to affiliates that provide unique solutions beyond traditional financial advisory expertise, our approach involves partnering with our clients as outlined below: [5]

- **Strategic Partner:**
  - Monitor legislative initiatives
  - Provide updates on new financial products/programs
  - Keep the Town abreast of regulatory environment changes
- **Technical Partner**:
  - Continually update the Town on changing market conditions
  - Provide superior transaction management
  - Assist with rating agency relations
  - Inform the Town of new financial tools and their applicability
- **Client Training – PFM offers:**
  - **Local training for Town** staff and elected officials on Bonds 101, capital planning and reserves, debt strategies, rating agency best practices, etc.
  - Training at FGFOA and other industry conferences
  - **Annual national client training program** – virtual capital markets training for senior finance officers with eligibility for Continuing Professional Education (CPE) credits



[5] *Services provided by PFM's affiliates subject to separate agreements and fees.*

Tab 2. P3 and Economic Redevelopment Experience

As a leading financial advisor in Florida and nationally, PFM has often been at the forefront of innovative financing structures that assisted our clients in meeting their long-term strategic vision. We offer resources to the Town beyond traditional financial advisory services to develop creative solutions, such as the ability to provide market feasibility studies to fund economic development projects. Following are several case studies on our relevant experience working with issuers like the Town or for projects under consideration by the Town, including public-private partnerships and economic redevelopment.[6]

Public-Private Partnerships

PFM has extensive experience in designing and executing creative financing structures, including Public Private Partnerships (P3). PFM is currently serving or recently served as financial advisor on **P3s with West Palm Beach (land swap/police station), Riviera Beach (fire station), Boca Raton (city hall/downtown), Fort Lauderdale (police station, water treatment plant), Daytona Beach (fire station), Port St. Lucie (city center master plan), Miami Beach (hotel), Vero Beach (waterfront redevelopment), Panama City (marina), and Osceola County (transportation).**

PFM's clients are frequently offered P3 solutions by developers promoting savings and efficiency. There are many situations where P3s can provide effective solutions to capital funding and asset management. PFM has extensive experience in designing and executing financing structures for P3 projects. Depending on the type of project, these transactions may utilize combinations of special assessments, tax increments, and impact fees to achieve performance and lower costs. We have pioneered synthetic sales taxes called Public Improvement Fees (PIF) to help fund infrastructure for hotels and other commercial projects.

However, many proposals include financing at a much higher cost than a municipality can borrow at a tax-exempt rate. Our team helps clients evaluate the goals and objectives to efficiently determine benefits and expenses of a P3. For projects that are less suited for a P3 and/or unattractive proposals, this saves clients months of analysis and extremely expensive RFP processes. For solid P3 candidates, the analysis provides the client with a clear strategy for implementation.

CASE STUDY: City of Pompano Beach, FL – Pier Parking Garage Financing. PFM was asked by the City and CRA to evaluate different security and tax structures for bonds to fund the construction of a municipal parking garage as part of the City's pier development project. PFM ran various scenarios for the City, including analyzing taxable, tax-exempt, and 50% taxable/tax-exempt structures. The bonds were subsequently determined to be 100% taxable by bond counsel.



PFM also contemplated the use of the assumed security structure, which was a pledge of the forecasted net revenues of the parking garage. Recognizing that this structure was unlikely to provide the City with the best pricing and perhaps not an investment grade credit rating, PFM suggested structuring the issue as certificates of participation (COPs). Since the City's only contemplated financing was the Pier Parking facility, COPs provided a more cost-effective and efficient financing tool for the project. This financing structure included a lease-purchase agreement between a leasing corporation and the City, where an essential city asset was leased by the leasing corporation to the City. The City makes lease payments subject to annual appropriation by City Council to repay the COPs over the term of the financing. Upon repaying the COPs, the property would be released to the City.

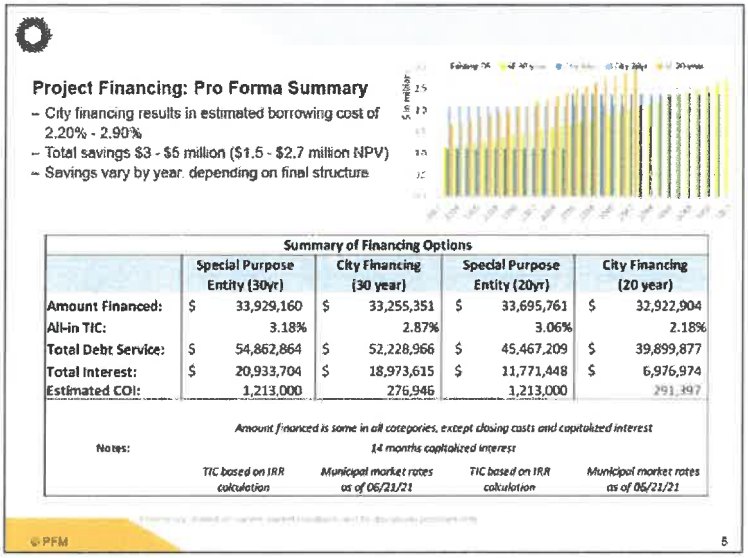
[6] *Case studies provided throughout this proposal are for informational purposes only and do not represent an endorsement or testimonial by clients of PFM's financial advisory services. Case study results were dependent upon the client's circumstances and market conditions at the time of the transactions and are not a guarantee of future performance results.*

While the City would first use net parking revenues to pay debt service, PFM recommended that the ability to pledge general fund revenues would strengthen the credit and marketability of COPs. Given the growing acceptance of COPs in the investor community, highly-rated COPs could also be structured without a debt service reserve fund, which would decrease the borrowing costs to the City and also increased liquidity.

This approach was confirmed when the COPs were assigned ratings of A1/AA- from Moody's and S&P, respectively, which were much higher than the anticipated BBB rating from a bond issued solely with a parking revenue security. Throughout the process, PFM's Pricing Group negotiated on the City's behalf with the underwriter on appropriate pricing levels for a taxable parking garage COPs transaction given the lack of comparable financings in the market.

CASE STUDY: City of Riviera Beach, FL – P3 vs. Bond Issuance. Riviera Beach issued a solicitation process that resulted in a proposal to design-build upgrades to various fire stations within the City. City Council wanted to make sure the financing method for these design-build upgrades was optimized, and thus wanted to compare the financing offered by the private sector compared to a City-issued public improvement revenue bond.

PFM prepared and delivered a presentation to Council that compared the private and public financing options available to the City. This analysis determined that the City could save as much as $3-$5 million total debt service by issuing bonds, as opposed to utilizing the private financing option afforded by the developer. Thus, PFM recommended issuing Public Improvement Revenue Bonds. The City accepted this recommendation and in 2021 issued approximately $30 million in Public Improvement Revenue Bonds at a true interest cost of less than 2.00%, with a maturity of approximately 20 years. This compared favorably to the 20-year private financing option, which estimated a true interest cost of over 3.00% for the same financing term.



Project Financing: Pro Forma Summary

- City financing results in estimated borrowing cost of 2.20% - 2.90%
- Total savings $3 - $5 million ($1.5 - $2.7 million NPV)
- Savings vary by year, depending on final structure

Summary of Financing Options

	Special Purpose Entity (30yr)	City Financing (30 year)	Special Purpose Entity (20yr)	City Financing (20 year)
Amount Financed:	$ 33,929,160	$ 33,255,351	$ 33,695,761	$ 32,922,904
All-in TIC:	3.18%	2.87%	3.06%	2.18%
Total Debt Service:	$ 54,862,864	$ 52,228,966	$ 45,467,209	$ 39,899,877
Total Interest:	$ 20,933,704	$ 18,973,615	$ 11,771,448	$ 6,976,974
Estimated COI:	1,213,000	276,946	1,213,000	291,397

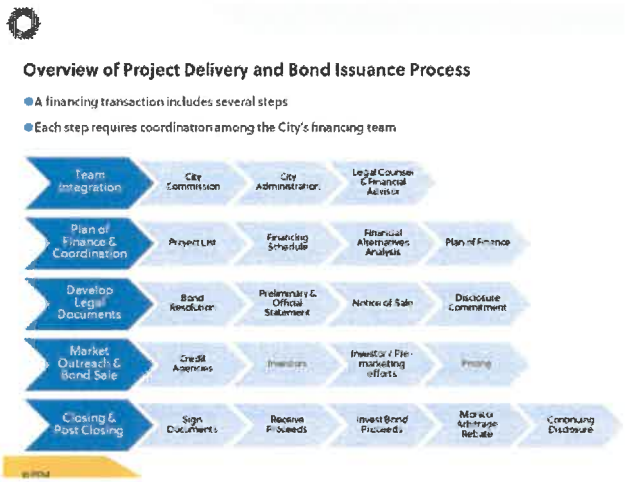
Notes: *Amount financed is same in all categories, except closing costs and capitalized interest*; *14 months capitalized interest*; *TIC based on IRR calculation*; *Municipal market rates as of 06/21/21*; *TIC based on IRR calculation*; *Municipal market rates as of 06/21/21*

Graphics provided for illustrative purposes only.

CASE STUDY: City of Fort Lauderdale, FL – Long-Term Financing Strategies. PFM has served as Financial Advisor to the City of Fort Lauderdale since 2018 and has successfully led financings across a variety of credit types and of varying complexity. The City's initial priority was to prepare a multi-year plan of finance for their $300 million General Obligation ("GO") Bond Program, as the City hadn't issued GO bonds in almost a decade. We worked with the City Administration to review the project list and construction timing, evaluate the future debt service millage requirements under current and various sensitivity cases, develop the credit agency approach, and determine the appropriate method of sale. These steps came together over a series of weekly meetings and the results were presented to the City Commission during a workshop.

An additional consideration was subsequently necessary for one of the GO projects, the police facility, as the City received an **unsolicited proposal for a private-public partnership**. PFM quickly analyzed the benefits and considerations of this delivery alternative for the City Administration. It was determined that a traditional delivery approach would best serve the City (lowest overall cost) based on the construction type and legal aspects. PFM worked with the City to prepare the credit agency materials and schedule in-person meetings at City Hall. The meetings were very successful, resulting in upgrade from both Moody's and S&P Global to Aa1 (positive outlook) and AAA (stable outlook), which was the City's first AAA rating in over two decades.

As the City continued to advance its infrastructure modernization program, attention was directed to replacing a water treatment plant. The City chose to pursue **a P3 delivery method to Design-Build-Operate-Maintain the new plant**. PFM participated as a member of the internal working group negotiating the specific financing terms within the agreement. While the initial proposal from the private party included a financing component, PFM worked alongside the administration to alter the terms of the agreement such that the City would finance the project at a much lower cost. The Water and Sewer Revenue Bonds closed in 2023.



PFM has further assisted the City in developing financing plans and structures for other credits, including their Stormwater, Community Redevelopment Agency and Special Obligation Bond credits.

Economic Redevelopment

PFM's Consulting Group's (PFMCG) **Real Estate Practice** focuses working with Florida cities, counties, and special districts in all stages of the creation of tax increment, non-ad valorem assessment, and other unique revenue programs.[7] These revenue streams can help growth pay for the required supporting infrastructure, shifting funding from other constrained sources. Our real estate practice provides **market feasibility studies and tax increment analyses** for governmental clients when evaluating potential developments.



For more than 30 years, the real estate team now with PFM has prepared these analyses and special assessment methodologies for CRAs, special assessment districts, fire districts, community development districts (CDDs), and other local governments. We assisted landowners in establishing a 1% public infrastructure fee (PIF) charged to on-site retail sales for Boggy Creek (Lake Nona), and One Daytona to help fund infrastructure for the projects.

[7] *Services provided by PFM's affiliates are offered pursuant to separate agreement and fees. PFM expanded its assessment and real estate/economic development expertise by acquiring the consulting business of Fishkind & Associates in 2019.*

CASE STUDY: City of Vero Beach, FL – Redevelopment Plan. PFM serves as financial advisor to Vero Beach, and our affiliate, PFM Group Consulting LLC's Real Estate Group was retained to provide an opinion on the marketability and financial feasibility of the City's $150 million redevelopment plan for a 38-acre waterfront property which was the site of an electric utility plant. We assisted the City in the RFP to procure a development partner and are currently working with the City to analyze the four proposals. All of the designs keep elements of the historic power plant in place and include a hotel, restaurants, retail, and public space. The four proposers recently made presentations to the City and PFM representatives.



CASE STUDY: City of Port St. Lucie, FL – City Center Master Plan. PFM serves as financial advisor to Port St. Lucie and PFMGC's Real Estate Group performed a market study for the 20+ acre City Center Master Plan. PFMGC, in conjunction with the City and several consultants and stakeholders, completed a comprehensive Master Plan study. The Master Plan team includes the City's CRA and representatives from all City departments, the Treasure Coast Regional Planning Council leading the Master Plan, PFM providing financial and market analysis, and HVS performing the Event Center analysis. PFM analyzed the market demand and feasibility of several uses, including multi-family housing, renovation of an existing event center, retail, office space, and parks.



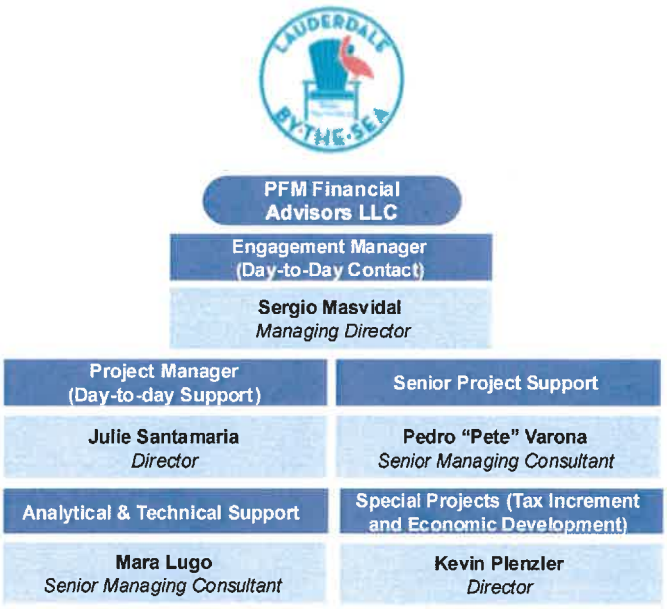
PFM and this team provided a combined market analysis report to City Council incorporating multiple elements of the detailed Master Plan. PFM will complete an economic and fiscal impact analysis to the City in addition to a financial pro forma analysis, which will inform the City of the value of the property. These analyses will ultimately support the issuance of tax-exempt debt for the public infrastructure of the project once fully visioned.

CASE STUDY: City of Groveland, FL – Downtown Development. PFM serves as City's Financial Advisor and is reviewing a Tax Increment Revenue Forecast report for an Opportunity Site in the City's downtown. The report compares forecasted TIF revenues assuming status quo incremental highway commercial development vs. the City's Redevelopment Plan that includes multi-family residential, live work units, and mixed-use commercial. PFM is assisting the City in evaluating the underlying assumptions of the report and the feasibility of the TIF forecast estimates.



Tab 3. Professional Team

PFM creates customized project teams for each engagement. In doing so, we consider numerous factors, including the types of financings completed by a client, complexity of expected assignments, and geographic considerations. For the Town, we have assembled a team that will work to meet the Town's unique need for (i) multi-faceted strategic advice rendered with strict independence; (ii) knowledge of the Town's outstanding debt and future objectives; (iii) broad experience processing financings; and (iv) sophisticated analytical and financial modeling support. The team outlined below has demonstrated the ability to work effectively on a wide range of assignments.



*Services provided by PFM's affiliates are offered pursuant to separate agreement and fees.

Sergio Masvidal, Managing Director in PFM's Coral Gables office, will serve as **Engagement Manager/Day-to-Day Contact** for this relationship. Sergio has extensive experience, having actively managed over $18 billion of bond transactions over 21 years. His clients include a variety of cities, counties, community redevelopment agencies, utilities, special taxing authorities and transportation authorities. Sergio's experience also includes technical evaluation of Alternative Delivery methods and Public-Private Partnership models across the spectrum of credits. Sergio is a Municipal Advisor Representative (Series 50).

Julie Santamaria, Director in the Tampa office, will work with Sergio to serve as **Project Manager/Day-to-Day Support** for this engagement. Julie has over 30 years of experience in Florida municipal finance and has led many types of financings totaling over $20 billion. Julie is a Municipal Advisor Representative (Series 50).

Pete Varona, Senior Managing Consultant in the Coral Gables office will serve as **Senior Project Support** for the Town relationship. Pete has provided the transaction management services and technical support for many of the firm's Florida clients over the last 12 years, with a focus on South Florida. Pete is a Registered Municipal Advisor Representative (Series 50).

Mara Lugo, Senior Managing Consultant in the Coral Gables office, will provide **Analytical and Technical Support** for the engagement. Mara is registered Municipal Advisor Representatives (Series 50).

Kevin Plenzler, Director in the Orlando office, will serve as advisor should the Town consider incorporating any **Economic Development** aspects of the project. Kevin has nearly 20 years' experience in both economic and real estate research and provides financial pro forma analysis for all types of real estate projects, including residential, non-residential, mixed-use and industrial projects. In addition to his real estate work, Kevin provides financial advisory services associated with PFM's special assessment practice and has extensive experience performing assessment methodology reports for stormwater, ad-valorem, non-ad valorem, and fire assessments. Kevin is a Municipal Advisor Representative (Series 50).

Kevin has nearly 20 years' experience in non-ad valorem assessment methodology, economic redevelopment, and real estate. He provides financial pro forma analysis for all types of real estate projects, including residential, non-residential and mixed-use developments. Kevin is a Municipal Advisor Representative (Series 50).

Sergio Masvidal, Managing Director
PFM Financial Advisors LLC



Sergio Masvidal is primarily responsible for leading and providing technical financial advisory services to clients throughout Florida and the Southeast, with a primary focus in South Florida. Sergio is one of the most active financial advisors in Florida in terms of both total par amount and number of transactions completed. He has extensive experience, having actively managed over $18 billion of bond transactions over the last 22 years.[8] Sergio's clients include a variety of counties, cities, school districts, special taxing districts, utilities and transportation authorities.

In his role as project manager, Sergio devotes a significant amount of time providing financial advisory services to cities in South Florida and along the east coast. Sergio has expertise in project financing, having helped develop long-term financing plans that create innovative and cost-effective structures. Part of this process includes a comprehensive evaluation of available security pledges and complicated strategic issues, as well as providing guidance on credit structures and developing the credit agency approach for issuers. Sergio's P3 experience includes **West Palm Beach (land swap/police station), Riviera Beach (fire station), Fort Lauderdale (police station, water treatment plant), and Miami Beach (hotel).**

Sergio has recent relevant experience assisting clients to develop financing strategies for long-term capital improvement programs. In his role as advisor to municipalities with special taxes, transit funding, and general government financings, he has advised both competitive and negotiated public offerings, direct bank placements, as well as TIFIA/WIFIA funding. Sergio has also assisted issuers throughout South Florida to design and implement credit strategies to improve or maintain high credit ratings from the major credit agencies.

In the community, Sergio serves as a volunteer at the Kendall Boys & Girls Club, as well as the Miami-Dade Public Schools Listeners/Oyentes Program. Sergio is part of PFM's Environmental Resiliency team and previously served as a volunteer committee member on the Miami-Dade's 100RC "Living with water" subcommittee. Sergio graduated from Muhlenberg College, where he earned his Bachelor of Arts in Psychology. He is a registered Municipal Advisor Representative (Series 50). Sergio also serves as PFM's Board Chairman.

Office Location

2222 Ponce De Leon Blvd.
3rd Floor
Coral Gables, FL 33134

Contact Information

masvidals@pfm.com
786.671.7480 (office)

Education

Bachelor of Arts in Psychology
Muhlenberg College

Professional Designations or Licenses

Municipal Advisor Representative (Series 50)

Years with PFM

22 Years

Years of Experience

22 Years

[8] *Source: PFM Internal Records*

Julie Santamaria, Director
PFM Financial Advisors LLC



Julie Santamaria joined PFM in 2023 and has over 30 years of experience in municipal finance. She has been involved in numerous financings for cities, counties, and other governmental entities throughout Florida totaling over $20 billion. Ms. Santamaria's current financial advisory clients include Davie, Lauderhill, Weston, Homestead, Tamarac, Jupiter, Jupiter Island, DeLand, Bradenton, Cape Coral, Lakeland, Panama City, Pensacola, Hernando County, Polk County, Fort Pierce Utilities Authority, Polk Regional Water Cooperative, and the University of Florida Athletic Association.[9]

Julie's P3 experience includes **Miami Beach (hotel and convention center), Fort Myers (parking garage), Hernando County (courthouse), Panama City (marina), and the Village of Islamorada (wastewater treatment plant).**[9]

She has served as financial advisor or underwriter on numerous types of financings in addition to traditional fixed rate bonds and bank loans, including State Revolving Fund (SRF) loans, bond anticipation notes, variable rate demand notes, publicly and privately placed floating rate notes, commercial paper, lines of credit, taxable advance refundings, Cinderella refundings, and cash optimizations. She has participated in numerous project financings utilizing covenant to budget and appropriate, general governmental pledged revenues, special taxes, tax increment revenues, special assessments, fire assessments and enterprise funds.

Julie has extensive experience working with governments on capital improvement plans and enterprise funds such as water, wastewater and stormwater utilities, gas systems, airports, seaports, parking systems and convention centers. Julie regularly works with utility rate consultants to optimize funding plans and minimize the impacts of new projects to ratepayers.

Prior to joining PFM, Julie was a financial advisor and investment banker with RBC Capital Markets serving clients in Florida and Texas. She has served as Board Member, Treasurer, and Assistant Treasurer for the National Women in Public Finance and is a Founding Member of the Florida Women in Public Finance.

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Office Location

501 E Kennedy Blvd
Suite 1400
Tampa, FL 33602

Contact Information

santamariaj@pfm.com
727.421.6057 (cell)

Education

Bachelor of Science
University of Florida

Master of Business Administration
Stetson University

Professional Designations or Licenses

Municipal Advisor Representative (Series 50)

Years with PFM
2 Years

Years of Experience

30 Years

[9] *Client lists includes clients served while at a prior firm. List is for informational purposes only and does not represent an endorsement or testimonial by clients of PFM's financial advisory services.*

Pete Varona, Senior Managing Consultant

PFM Financial Advisors LLC



Pete Varona is a Senior Managing Consultant in the Coral Gables Office. Mr. Varona works in the general financial advisory sector, providing technical and quantitative project support for various clients, with a strong focus on the South Florida market. Pete's P3 experience includes **Riviera Beach (fire station), Pompano Beach (parking garage), and North Bay Village (workforce housing).**

His present duties include structuring, sizing, and pricing new money and refunding municipal bond issues, including providing project management for various South Florida entities as well as support for engagement managers for various clients. He is also involved in assessing municipal issuer's outstanding debt and performing analysis of refunding opportunities.

Mr. Varona graduated from the University of Florida with a Master of Arts in International Business, as well as a Bachelor of Science in Economics. He is a registered Municipal Advisor Representative (Series 50).

Office Location

2222 Ponce De Leon Blvd.
3rd Floor
Coral Gables, FL 33134

Contact Information

varonap@pfm.com
786.671.7481 (office)

Education

Bachelor of Science in Economics
University of Florida

Master of Arts in International Business
University of Florida

Professional Designations or Licenses

Municipal Advisor Representative
(Series 50)

Years with PFM

13 Years

Years of Experience

13 Years

Mara Lugo, Senior Managing Consultant
PFM Financial Advisors LLC



Mara Lugo joined PFM in 2018 and is based in the Coral Gables office. In this role, she provides project management and quantitative analytical support for client engagements, working with cities and counties throughout Florida. Mara's P3 experience includes working with the **City of Fort Lauderdale on analysis and financing for a police station and a water treatment plant.**

She has experience with tax-exempt and taxable municipal bonds, bank loans, lines of credit, commercial paper programs, liquidity and interim financing alternatives, and variable rate debt. Her present duties include structuring, sizing and pricing new money and refunding municipal bond issues, as well as performing analysis of refunding opportunities. She also provides multi-year financial modeling for strategic planning, capacity analyses, and ratings support to a variety of issuers.

Mara has been involved in executing debt transactions totaling over $10 billion, including general obligation, sales tax, utility, covenant to budget & appropriate, special revenue, and tax increment financings.[10]

Mara is a Florida native who started her public finance career with PFM in the Orlando office prior to relocating to Miami. She is a Municipal Advisor Representative (Series 50).

Office Location

2222 Ponce De Leon Blvd.
3rd Floor
Coral Gables, FL 33134

Contact Information

lugom@pfm.com

407.406.5765 (office)

Education

Master of Business Administration
Rollins College

Bachelor of Arts
University of Richmond

Professional Designations or Licenses

Municipal Advisor Representative (Series 50)

Years with PFM

7 Years

Years of Experience

7 Years

[10] *Source: PFM internal records.*

Kevin Plenzler, Director

PFM Financial Advisors LLC



Kevin joined PFM in 2019 via acquisition of Fishkind and Associates, Inc. in Orlando, Florida. His current responsibilities include providing financial advisory and assessment consulting services associated with PFM's Community Development District practice within PFM Group Consulting, LLC. In addition to financial advisory services associated with PFM's special district practice, Kevin provides economic and real estate consulting services associated with but not limited to transportation toll and revenue studies, highest and best use market studies, affordable housing analysis, and tax increment finance analysis.

Kevin's P3 experience includes **Port St. Lucie (city center master plan), Miami Beach (hotel), Vero Beach (waterfront redevelopment), Panama City (marina), and Osceola County (transportation).**

Prior to PFM, Kevin worked as an associate with Fishkind and Associates, Inc. within its real estate consulting group. In addition to the aforementioned consulting services, he has relevant experience in fiscal impact analyses, detailed pro forma analysis associated with real estate transactions, and economic impact analyses.

He is a Municipal Advisor Representative (Series 50).

Office Location

3501 Quadrangle Blvd.
Suite 270
Orlando, FL 32817

Contact Information

plenzlerk@pfm.com
407.723.5933 (office)

Education

Bachelor of Science in Environmental Engineering Technology
University of Dayton

Master of Business Administration
University of Florida

Professional Designations or Licenses

Municipal Advisor Representative (Series 50)

Years with PFM

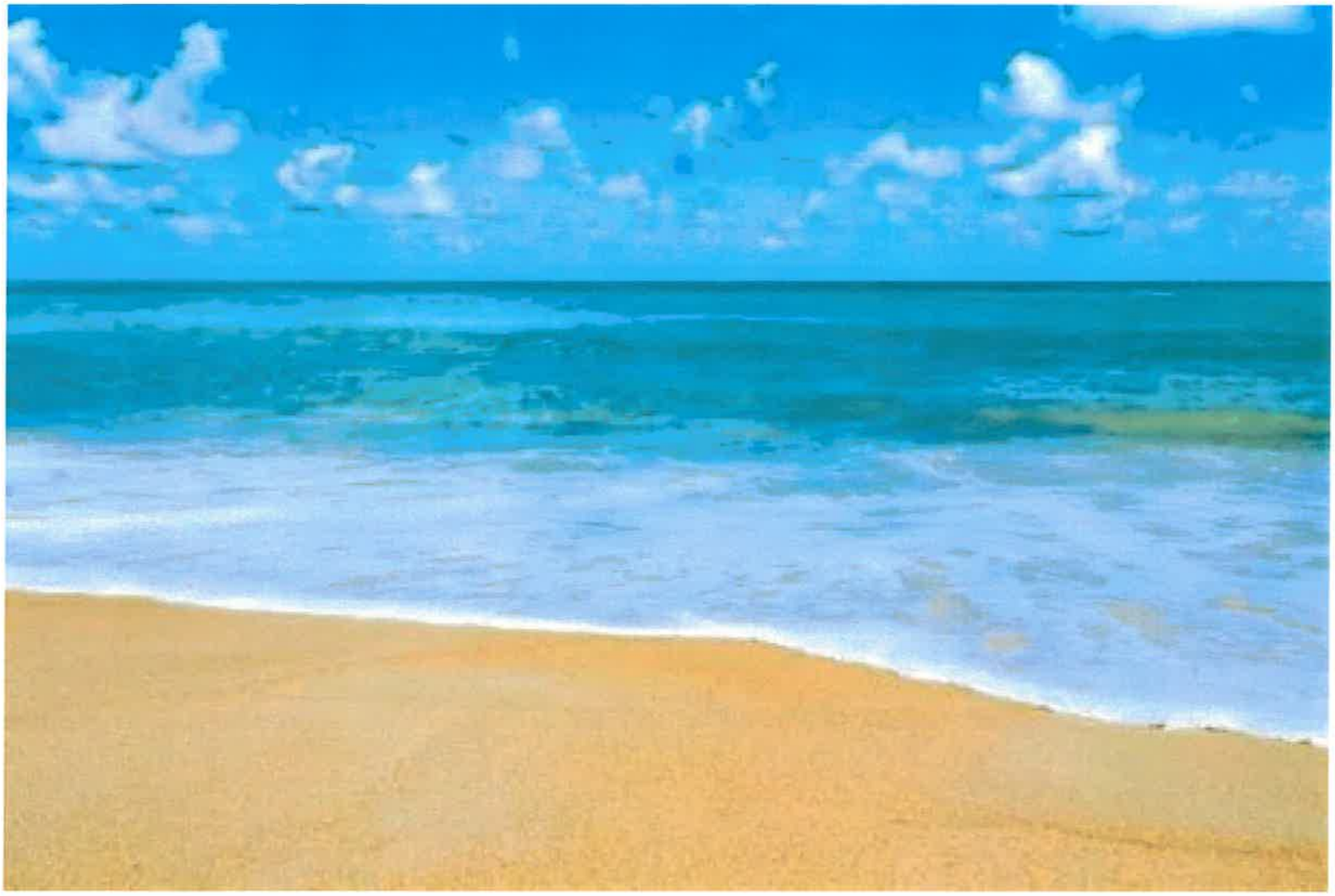
5 Years

Years of Experience

20 Years

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Town of Lauderdale-By-the Sea: Financial and P3 Structuring Consultant Services for a New Public Safety Facility



October 2025

Taft/
Infrastructure
Advisors

525 Okeechobee Blvd
Suite 900
West Palm Beach, FL 33401

200 Massachusetts Avenue NW
Suite 500
Washington, D.C. 20001
T (202) 664-1537

October 17, 2025

Lucila Lang, Finance Director
Town of Lauderdale-By-The-Sea
4501 N. Ocean Drive
Lauderdale-By-The-Sea, FL 33308

Subject: Financial Advisory and P3 Structuring Consultant Services for a new Public Safety Facility

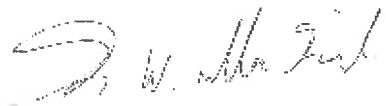
Dear Finance Director Lang,

Thank you for the opportunity to provide this proposal to the Town of Lauderdale-By-the-Sea ("the Town") in support of the review of the unsolicited proposal, received by the Town, for a new Public Safety Facility (the "Project")to be delivered as a public-private partnership. This unsolicited proposal is a great opportunity for the Town to have a new Public Safety Facility in a timely and cost-effective way but, a project of this complexity requires measured review. Our team, Taft Infrastructure Advisors ("Taft") has provided public owners, or been the public owner, for public-private partnership projects throughout the world. We have provided project structuring, value-for-money analysis, public financial position review, and regulatory compliance for municipalities in Florida. Our team can assist the Town of Lauderdale-By-The-Sea with every aspect of the review and delivery of this critical infrastructure project.

I will serve as Project Manager, bringing twenty years of experience with innovative project delivery models, including as an owner. I will work alongside experts in all relevant fields to support the Town throughout this process. Our team commits to providing the right resources, when needed, to assist the Town of Lauderdale-By-The-Sea with the successful delivery of this project.

Thank you for this opportunity to begin part of your team. It is the hope of everyone here at Taft to be able to work with the Town of Lauderdale-By-The-Sea, its government leaders, community organizations, and residents, to assist in shaping the future of the City.

Sincerely,



Seth W. Miller Gabriel
Co-Founder and Principal, Taft Infrastructure Advisors
202-644-1542 (Direct) / smillergabriel@taftinfra.com

Taft/
Infrastructure
Advisors

THE VALUE WE BRING:

Bench strength and exceptional experience.

Full-service firm with representation across all industries.

Taft Infrastructure Advisors

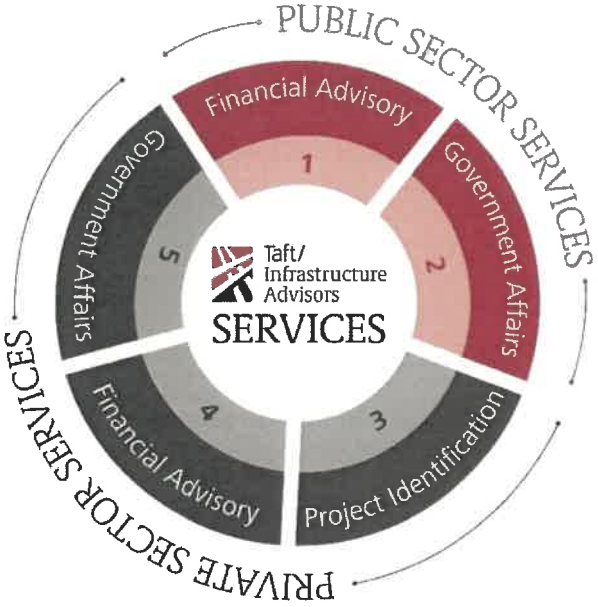
Who We Are

Taft Infrastructure Advisors is a modern infrastructure advisory firm built on over 140 years of institutional legacy and leadership of Taft Group. Founded by seasoned experts Seth Miller Gabriel and Umer Yaqub, each with more than two decades of experience in infrastructure finance, project delivery, and public-private partnerships (P3s), TIA delivers trusted guidance to clients navigating complex capital programs. Before TIA, Seth and Umer led the national infrastructure advisory practice at BDO USA as Practice Leaders, supporting public and private sector clients on more than $25 billion in infrastructure projects across transportation, housing, education, energy, and water.

What sets TIA apart is our multi-disciplinary, full-service approach to infrastructure advisory. We go beyond traditional financial consulting to deliver integrated solutions that support every stage of project development, financing, and execution. By leveraging the broader resources of the Taft platform, we identify unique pathways for project success across a wide range of sectors, from social and transit systems to broadband and digital equity.

Comprehensive Advisory for Infrastructure Owners

We provide a full range of services designed to empower infrastructure owners at every stage of development. Our sophisticated, market-driven guidance helps clients make informed decisions about project development, financing, and long-term management. We advise on the most effective financial strategies, project bidding approaches, and team selection processes, ensuring that our clients are not just participants, but leaders in the infrastructure market.



1 Full Service Financial Advisory for Public Sector Infrastructure Projects

- Project Screening.
- Project Management, Development, Financial Structuring and Procurement.
- Federal Project Funding Assistance.
- Asset Management.
- Federal Loan Program Identification, Support, and Application Assistance.
- Capacity Building and Training.
- Project Monitoring and Ongoing Compliance Support.
- Grant Identification, Support, Application, and Management.

2 Government Affairs (Infrastructure Only)

- Owner Project and Program Start-Up.
- Program Staffing.
- Intergovernmental Relations.
- Public Engagement.

3 Project Identification

- Project and Program Tracking.
- Project Screening.
- Project Investment Selection Support.

4 Full Service Financial Advisory for Private Sector Real Estate and Infrastructure Projects

- Optimized Project Financial Structuring.
- Federal & Private Project Funding and Financing.
- Advisory Services on Project Development, Financial Close, and Implementation.

5 Government Affairs (Infrastructure Only)

- Public Sector Agency Engagement and Relations.
- Project Investment Team Staffing.
- Intergovernmental Relations.
- Federal Loan Program Identifications, Support, and Applications.

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Project Manager



Seth W. Miller Gabriel
Principal and Co-Founder
smillergabriel@TaftInfra.com
202.664.1541

Seth is a principal at Taft Infrastructure Advisors and has been a leader in infrastructure, public-private partnerships, and project governance for nearly twenty years. He has advised public owners and private sector partners or been the public owner in jurisdictions seeking to find better ways to meet their infrastructure needs. Seth has advised countless governments, organizations, and institutions on the creation of project development policies around the world.

Prior to starting Taft Infrastructure Advisors, Seth co-led BDO's Infrastructure and Public-Private Partnerships (P3s) team in Washington, DC. Prior to that, he served as director of programs and initiatives at AIAI, the national P3 trade association in the U.S., and is an AIAI Ambassador to this day.

Earlier in his career, Seth was appointed as the first executive director of the Office of Public-Private Partnerships for the District of Columbia, where he led the delivery of the first P3 project in the District, DC Street Lights. Prior to this appointment, he was the director of operations for the Institute for Public-Private Partnerships (IP3), the leading international P3 capacity building organization at the time. Before joining the IP3 team, Seth held supervisory positions with for-profit and non-profit organizations, all focused on the delivery of public infrastructure.

Relevant Experience

- Infrastructure & Public-Private Partnerships Guidance | Governments at All Levels
- P3 Office Start-Up and Management & Project Owner | District of Columbia
- Structuring, Federal Relations, and P3 Lead | North Miami, FL
- Project Development & P3 | Fort Lauderdale, FL
- CEDO Review and Economic Assessment | Burlington, VT
- P3 Civic / Emergency Center | Toa Baja, PR

Education & Affiliations

- M.P.A, George Washington University
- B.A., Washington College
- Association for the Improvement of American Infrastructure

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Alternate Project Manager and Project Review Lead



Umer Yaqub
Principal and Co-Founder
uyaqub@TaftInfra.com
202.664.1542

Umer is a principal at Taft Infrastructure Advisors and has more than 20 years of experience in infrastructure advisory, project finance, and public-private partnerships (P3s). Umer has advised on major infrastructure projects and executed transactions across a wide range of asset classes, including social infrastructure projects — schools, housing, and hospitals — and projects in the broader arena of economic and environmental infrastructure — water, energy, power, transit, airports, roads, and ports. He has advised public sector clients on the development of P3 programs and projects, working through the complete transaction lifecycle from project inception through debt arrangement and project management. Umer has advised and executed more than 45 infrastructure projects cumulatively valued above $25 billion.

Previously, Umer was the practice leader for the Infrastructure Advisory and P3s team at BDO USA based in New York and advised both public and private sector clients on the successful development and execution of infrastructure projects. Prior to that, he worked at Project Finance Advisory Limited (PFAL) where he advised public and private sector P3 clients across North America. Prior to PFAL, Umer was head of the P3 Advisory and Origination team of Islamic Development Bank, where he advised and financed more than $15 billion in infrastructure projects across Europe, LATAM, and the Middle East. Umer was previously a co-founder, partner, and regional head at Bridge Factor and launched a boutique investment bank with a primary focus on infrastructure and P3s.

Relevant Experience

- DC Streetlights Project | District of Columbia
- Sonoma County Government Center | Sonoma County, CA
- Prince George's County Public Schools | Prince George's County, MD
- Structuring, Federal Relations, and P3 Lead | North Miami, FL
- Project Development & P3 | Fort Lauderdale, FL
- P3 Civic / Emergency Center | Toa Baja, PR

Education & Affiliations

- M.B.A, Institute of Business Administration
- Association for the Improvement of American Infrastructure

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Advisors

Regulatory Review Lead



Tom John
Partner
Tjohn@taftlaw.com
(317) 713-3697

Tom is a partner in Taft's Public Affairs Strategies Group and focuses his government practice on public infrastructure, government procurement, public-private partnerships, and serving as general and advisory counsel to private companies. He represents many clients including Fortune 500 companies, startups, municipalities, and the State of Indiana.

Tom's diverse background brings valuable insights into his work advising clients through legal and regulatory issues at the local, state, and federal levels. His breadth of experience includes procurement consulting, legal advising, deal structuring, and drafting. Tom has represented parties in the Indiana Toll Road Concession, City of Indianapolis Water Wastewater Transaction, Indianapolis Parking Meter Concession, and Marion County Justice Center Procurement among others. He combines his skills to guide clients through the complex issues in P3 or alternative procurement infrastructure projects to successful results.

Relevant Experience

- City of Indianapolis Water Wastewater Transaction
- Indianapolis Parking Meter Concession
- Marion County Justice Center Procurement
- Delaware County Justice Center
- Project Development & P3 | Fort Lauderdale, FL

Education & Affiliations

- J.D., Ohio Northern University College of Law (1994)
- B.A., Purdue University (1991)
- Association for the Improvement of American Infrastructure

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Engagement Support



Audrey Nelson
Manager, Business Engagement
anelson@taftinfra.com

Audrey is a manager at Taft Infrastructure Advisors, where she supports public sector clients in developing and delivering complex infrastructure projects across a range of sectors, including transportation, social infrastructure, and utilities. Her work includes advising on procurement strategy, transaction structuring, and stakeholder engagement throughout the project development lifecycle. She has supported clients at the municipal, state, and federal levels, and contributes to Taft's broader work in advancing innovative infrastructure delivery models in the U.S.

Prior to Taft Infrastructure Advisors, Audrey supported the Valuation and Capital Market Analysis team at BDO USA, where she specialized in financial modeling and valuation, including stock option pricing, carried interest, debt & equity, purchase price allocation, and goodwill impairment valuations.

Relevant Experience

- Private Sector Infrastructure Clients | Throughout the USA
- P3 Civic / Emergency Center | Toa Baja, PR
- Project Development & P3 | Fort Lauderdale, FL
- Tolling Feasibility Analysis | Non-Profit Organization

Education

- B.S. Finance, Arizona State University

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Advisors

Engagement Support



Edgar Lucatero
Manager, Infrastructure Advisory
Elucatero@TaftInfra.com
202.664.1581

Edgar is a manager at Taft Infrastructure Advisors, with more than four years of experience in finance, three focused on complex infrastructure and public-private partnership (P3) transactions, he builds, and stress-tests cash-flow models, performs value-for-money and risk analyses, and distills technical findings into clear recommendations on procurement, capital structure, and financing strategy for public-sector sponsors across transportation, social-infrastructure, water, and energy sectors.

Prior to joining Taft, Edgar served in BDO USA's P3 & Infrastructure Advisory team, where he led independent financial-model audits for marquee transportation P3s, including TIFIA refinancing models and express-lane concessions, and advised agencies on procurement strategy and Value-for-Money assessments. Earlier, at Marshall & Stevens in Los Angeles, he specialized in reporting and tax valuations, delivering purchase-price allocations, impairment testing, 409A and gift-and-estate studies, discount-rate analyses, fairness and solvency opinions, and complex security and portfolio valuations for corporate clients.

Relevant Experience

- Private Sector Infrastructure Clients | Throughout the USA
- P3 Civic / Emergency Center | Toa Baja, PR
- Project Development & P3 | Fort Lauderdale, FL
- Tolling Feasibility Analysis | Non-Profit Organization

Education

- B.A. Finance, California State University, Fullerton

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Proposed Scope of Work

Task One: Statutory Financial Analysis for Florida Statute §255.065

Our team will assist the Town with the financial analysis as required under Section 255.065. This part of the scope of work will including:

- Assessment of financial feasibility of the proposed lease-purchase structure.
- Review of projected lease payments for both Concept 1 and Concept 2, including lifecycle reserve contributions.
- Evaluation of financing mechanisms, including tax-exempt conduit issuance and annual appropriation pledges.
- Assess whether the financial plan is feasible, sustainable, and appropriate (i.e. review and validate revenue sources, debt/equity structuring, payments, risk allocations)
- Model cash flows, stress tests, sensitivity analyses, return projections, internal rates of return, net present value, etc.
- Evaluate capital costs, operating costs, financing costs, lifecycle maintenance, residual value
- Risk analysis related to cost overruns, maintenance obligations, and credit implications.

Deliverables at the end of this project phase will include:

- Comprehensive Financial Analysis Report (Statutory Compliance)

Additional Proposal Review

If needed due to competing proposals, Our team will assist the Town with the financial analysis as required under Section 255.065 for each additional proposal review.

Deliverables at the end of this project phase will include:

- Comparable Analysis of each proposal

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Proposed Scope of Work

Task Two: Town's Overall Financial Position / Project Affordability Analysis

The Taft team will work with your office to provide the Town with a wholistic picture of its affordability levels in support of the Project. Work in this part of the scope will include:

- Analyze the Town's current capacity to take on the financial obligation of the Project.
- Assess the impact of both on and off-balance-sheet lease obligations envisioned in the future.
- Identify financial risks and mitigation strategies.
- A review of current revenues provide by the existing millage rate based on assessed property values.
- An assessment of other Town revenues streams, including other taxes and fees.
- An evaluation of possible monetization of Town owned property to include sale, lease, and redevelopment.
- Exploration of additional revenues sources, include possible new revenues from the Project itself.

Deliverables at the end of this project phase will include:

- Project Affordability Report

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Proposed Scope of Work

Task Three: Value for Money Analysis

Our team will prepare a robust Value for Money (VfM) analysis on both development options proposed in the unsolicited proposal. This part of the scope of work will including:

- Comparison of P3 vs. traditional delivery models, including cost, timeline, and risk allocation.
- Quantitative analysis of lifecycle costs, operational efficiencies, and long-term value.
- Sensitivity testing of key financial assumptions (e.g., interest rates, escalation rates, occupancy timelines).
- Scenario modeling for redevelopment options of Town-owned assets to enhance revenue generation.

Deliverables at the end of this project phase will include:

- Value for Money Analysis Report

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Optional Services

These services are presented as optional services available. These activities provide a deeper and holistic understanding of the risk related to the proposals and lay out the Town's affordability and viability to pursue the selected proposal/ path for project development.

Task Four: Negotiations & Contracting Phase

The project may have a single or 2 separate phases of negotiating and contracting phases; Interim Agreement and then Comprehensive Agreement. The Interim Agreement will allow the selected proposer to refine the dynamics of the plan to come back with committed financing plan for the Project. The Comprehensive Agreement will lay out the detailed terms and conditions which require a detailed analysis of each aspect to protect the Town

Our team will review the finance plan required before signing of the comprehensive agreement which will include:

- Assist in structuring the financial provisions of the comprehensive agreement (e.g. security, payment mechanisms, guarantees, interest rate hedges, debt service reserve, credit enhancements)
- Evaluate the reasonableness of required security or guarantee instruments (performance bonds, payment bonds, letters of credit)
- Advise on risk allocation, default and termination provisions from a financial perspective- Conduct due diligence on the private entity's financial viability
- Assist in developing financial disclosures, covenants, reporting obligations
- Provide scenario and sensitivity analyses over contract term (e.g. interest rate changes, revenue shortfalls)
- Advise on exposure to residual or contingent liabilities
- Help the public entity evaluate whether the terms adversely affect public interest / impose hidden subsidy

Deliverables at the end of this project phase will include:

- Summary of negotiations and overview of the comprehensive agreement finalized with risks identified and mitigations built-in

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Optional Services

Project Task Five: Statutory Compliance – Finance Plan Review

Our team will review the finance plan required before signing of the comprehensive agreement which will include:

- Review of project cost, revenues, sources of financing, assumptions, IRR of private investment and total cash flow over the term
- Evaluate whether the proposed plan imposes undue risk or potential cost burdens on the public and how these risks are catered for.

Deliverables at the end of this project phase will include:

- Comprehensive Finance Plan Evaluation Report

Project Task Six: Reporting, Briefing, and Presentations (as needed)

Our team will provide the Town with all required Executive Summaries and Recommendations Reports as needed. We will also create presentations on all findings for the Town Council, Town Staff, and the Community at-large. Out team stands ready to assist with community meetings and industry engagement.

Legal Review (as needed)

Taft Infrastructure Advisors is part of Taft Stettinius & Hollister LLP. Our legal team which is very experienced in similar contracts can support the Town with all the legal compliance, contract drafting and negotiations. We are happy to introduce the relevant team members with local and national experience to the Town on as needed basis.

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Fee Proposal

Professional Category	Quantity	Unit	Unit Cost	Total
Task One: Statutory Financial Analysis for Florida Statute §255.065				
		Single Proposal Review	Fixed Fee Subtotal	$10,250
		Each Additional Proposal Review	*Fixed Fee Subtotal*	$7,000
Task Two: Town's Overall Financial Position / Project Affordability Analysis				
Principal	10	Hours	$450	$4,500
Manager	28	Hours	$350	$9,800
			Subtotal	$14,300
Task Three: Value for Money Analysis				
Principal	10	Hours	$450	$4,500
Manager	28	Hours	$350	$9,800
			Subtotal	$14,300
		Total (For One Proposal Review)		$38,850
Optional Service: Task Four: Negotiations & Contracting Phase				
Principal		Hours	$450	
Manager		Hours	$350	
Optional Service: Task Five: Statutory Compliance - Finance Plan				
Principal		Hours	$450	
Manager		Hours	$350	
Optional Service: Task Six: Reporting, Briefing, and Presentations				
Principal		Hours	$450	
Manager		Hours	$350	
Optional Service: Legal Review				
Partner		Hours	$800	
Associate		Hours	$600	

As the project moves forward, the Taft team would like to continue to provide you with the highest level of services to help achieve success. We would be happy to provide both a future hourly rate proposal or a monthly retainer.

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Infrastructure
Advisors

Selected References

CLIENT INFO	City of North Miami, Florida John Lorfils, Interim Deputy City Manager 776 NE 125 Street, North Miami, FL 33161 P: 305-893-6511, Ext. 19051 E: jlorfils@northmiamifl.gov
PROJECT BACKGROUND	The City of North Maimi needs a new City Hall and additional space for an expended police HQ. The civic development is seen as the catalyze for a redevelopment of the downtown urban core to help accelerate real estate values and encourage new residents and businesses. TIA professional have assisted the City in receiving an Innovative Finance and Asset Concession grant from the US DOT supporting this project.
SCOPE	TIA professionals, at a different firm and now with TIA, is the lead advisor to the City on development project affordability models, project structuring, and procurement processes. Our team is assisting in structure of the project in a way to maximize transit access. TIA also conducted various revenue studies and identified revenue capture.

CLIENT INFO	West Palm Beach Community Redevelopment Agency (CRA) Armando Fana, Assistant City Administrator 401 Clematis Street, West Palm Beach, FL 33401 P: 561-822-1400 E: afana@wpb.com
PROJECT BACKGROUND	TIA was engaged to conduct a comprehensive analysis of the property, which included various redevelopment options for the site, including the development of a multiuse TOD facility. A key goal of the WPB CRA is to establish a small business incubator, which could be integrated into any of the proposed options. However, incorporating policy goals such as an incubator or affordable housing may affect the sales price due to additional costs.
SCOPE	TIA conducted a Real Estate Analysis, including an HBU assessment, using four scenarios. This involved both "as-is" and "as-vacant" analyses through a comparison-based approach of similar properties, alongside the income approach via the direct capitalization method for redevelopment scenarios. The study also considered zoning details and allowable building areas, with all options relying on funding support from these real estate decisions.

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CLIENT INFO	City of Fort Lauderdale, FL – New River Crossing Project Ben Rogers, Assistant City Manager E: brogers@fortlauderdale.gov ; O: 954-828-3781
PROJECT BACKGROUND	The Downtown urban core has seen unprecedented growth in real estate values and influx of new residents while the City is also a flourishing tourist destination. TIA helped the City in identifying an alternate tunnel crossing for the City of Fort Lauderdale and development of a transit mobility hub with a new train station and access to various mobility options including intercity rail, central bus station, rapid bus transit and light rail.
SCOPE	Advisory services for the New River Crossing project including feasibility analyses, transit and site development assessments, economic and property impact studies, transit-oriented development collaboration, financing evaluation, and implementation planning support.

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Firm's/Consultant's Performance

Taft implements a multi-tiered quality system that embeds accountability and transparency at every level. Authoring occurs in discipline-specific teams, with layered QA/QC using checklists, redlines, and version control via TitanFile, a secure file storage and sharing platform. Deliverables are reviewed by senior leads and principal-level reviewers before client submission. This structure promotes consistency, responsiveness, and long-term institutional value.



PROJECT MANAGEMENT

Assign leads and structure phases to ensure *continuous, responsive oversight*



INTER-FIRM COORDINATION

Align contractors through kickoff meetings and cross-discipline frameworks



QUALITY CONTROL

Apply *layered review* with checklists, dashboards, and partner approvals



INTEGRATED APPROACH

Align findings and methods across projects while *preserving scope clarity*



CLIENT COMMUNICATION

Maintain regular meetings, shared deadlines, and tracked document updates



RISK MANAGEMENT

Track, measure, and mitigate risk using structured monthly reviews



TIMELINE MANAGEMENT

Use *phased workplans* and quarterly reviews to meet and exceed deadlines



CITY COORDINATION

Engage City and regional partners through clear, decision-making channels



DELIVERBALE STANDARDS

Ensure draft readiness, version control, and *polished final products*

Taft/
Infrastructure
Advisors

Seth Miller Gabriel: (202) 664-1541

Umer Yaqub: (202) 664-1542

Proposal Disclaimer

This submission, including all attachments, is proprietary to Taft Infrastructure Advisors and its team and is provided solely for the Town of Lauderdale-By-The-Sea's evaluation for Expert Consulting Services.

All pricing and statements are based on information available as of the proposal date and are subject to the Town of Lauderdale-By-The-Sea's final scope and contract terms.

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Agenda Item No: 18.b.

Town Commission Agenda Item Report

Meeting Date: December 9, 2025
Submitted By: Jhanelle Campbell, Development Services Director
Submitting Department: Development Services
Item Type: Resolution
Agenda Section:RESOLUTIONS – PUBLIC COMMENTS

Subject Title: RESOLUTION 2025-55: A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPOINTING A FIRST AND SECOND ALTERNATE TO THE PLANNING AND ZONING BOARD; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE.

Explanation: In accordance with Section 30-23 of the Town Code, the Town Commission shall appoint five members and two alternates to the Planning and Zoning Board (the "P and Z Board"), with a first alternate and second alternate whose ability to vote flows from their position. If a member of the board is absent, the first alternate would be called upon to serve; if two members are absent, or if a member and the first alternate are absent, the second alternate would be called upon to serve.

As established in Section 30-24 of the Town Code, the duties of the P and Z Board are generally to:

1. Advise the Town Commission on zoning issues and regulations
2. Study the Town plan and, from time to time, make recommendations to the Commission on changes to the plan
3. Investigate and approve or disapprove all new plats to be presented to the Town Commission for approval
4. Serve as the Town's local planning agency under the Community Planning Act pursuant to Chapter 163, Part II, Florida Statutes
5. Perform other duties assigned to them by the Town Commission

The Planning and Zoning Board was recently comprised of the following persons:

- Ron Piersante
- Karen Sylvester
- Leslie Richardson
- Jeff Goldman

- MaShawn Simpson
- William Ferrante

There are two vacancies on the Planning and Zoning Board which need to be filled.The vacant positions are for the1st and 2nd alternate position as Karen Blake moved outside of Lauderdale-By-The-Sea and William Ferrante has unfortunately passed away. Staff contacted the applicants that had previously applied and asked them if they remained interested in serving. The Town has received applications **(Exhibit 2)** for consideration of appointment to the P and Z Board.

Please note that this is a Board to which the dual office holding requirements of the Florida Constitution do not apply.

Recommendation: Staff recommends the Town Commission review the Board applications received and appoint a first and second alternate to the Planning and Zoning Board via resolution **(Exhibit 2)**.

Exhibits:

1. Exhibit 1- Resolution 2025-55 Planning and Zoning Board Appointments- FINAL
2. Ex. 2 - Omana P&Z
3. Ex. 2 - Bartholomew P&Z
4. Ex. 2 - Magill P&Z
5. Ex. 2 - Maloney P&Z
6. Ex. 2 - Minnet P&Z
7. Ex. 2 - Noll P&Z
8. Ex. 2 - Petkunas P&Z
9. Ex. 2 - Goldberg P&Z
10. Ex. 2 - Brenner P&Z
11. Ex. 2 - Simonian P&Z
12. Ex. 2 - Swanson P&Z

RESOLUTION 2025-55

A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPOINTING A FIRST AND SECOND ALTERNATE TO THE PLANNING AND ZONING BOARD; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 30-23, "Board Procedures, Expenses and Staffing," of the Town of Lauderdale-By-The-Sea Code of Ordinances, the Town Commission shall appoint five members and two alternates to the Planning and Zoning Board (the "Board"), to serve without compensation and at the pleasure of the Town Commission; and

WHEREAS, Board members shall not be Town employees or elected officials, and must be Town residents and qualified voters of the Town; and

WHEREAS, the Town Commission shall appoint Board members in even numbered years to coincide with the election of the members of the Town Commission; and

WHEREAS, pursuant to Section 30-23, the Board members (including the order of priority of the alternates) shall be appointed for two-year terms at the second Town Commission meeting following each regular election; and

WHEREAS, the Town Municipal Election was held on March 19, 2024; and

WHEREAS, the Town Commission appointed five members, a first alternate, and a second alternate to the Board at its April 9, 2024, meeting; and

WHEREAS, on January 16, 2025, the second alternate was dismissed from the Board due to non-compliance with the Board attendance policy established by Town Code Section 30-23(b)(6); and

WHEREAS, vacancies have arisen on the Planning and Zoning Board due to the relocation of Board member Karen Blake from the Town and the passing of First Alternate William Ferrante, thereby necessitating the appointment of new individuals to serve in these roles; and

WHEREAS, the Town Commission desires to appoint a First and Second Alternate to the Board; and

WHEREAS, the appointment of the alternate Board members is in the best interest of the Town of Lauderdale-By-The-Sea.

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

SECTION 1. Recitals. The foregoing "WHEREAS" clauses are true and correct and hereby ratified and confirmed by the Town Commission and incorporated herein.

SECTION 2. Appointments. The Town Commission hereby appoints the following persons as members of the Planning and Zoning Board:

_____ – 1st Alternate _____ 2nd Alternate

SECTION 3. Conflicts. All Resolutions or parts of Resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

SECTION 4. Effective Date. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED by the Town Commission of the Town of Lauderdale-By-The-Sea, Florida, this 9th day of December, 2025.

_____
MAYOR EDMUND MALKOON

ATTEST:

_____
Courtney Easley, Acting Town Clerk
(CORPORATE SEAL)

APPROVED AS TO FORM:

_____
Susan L. Trevarthen, Town Attorney

Town Clerk

From: noreply@civicplus.com
Sent: Wednesday, March 20, 2024 7:51 PM
To: Town Clerk
Subject: Online Form Submittal: Town of Lauderdale-By-The-Sea Application for Boards & Committees

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Town of Lauderdale-By-The-Sea Application for Boards & Committees

Name of Board	Planning and Zoning Board
First Name	Patricia
Last Name	Omana
Address	4540 N. Ocean Drive
City	Lauderdale by the Sea
State	FL
Zip Code	33308
Home Phone	4439561462
Cell Phone	4439561462
Email Address	patriciajomana@gmail.com
Occupation	Family Navigator South Eastern Region
Business Address	1415 Cypress Creek Road, Suite 100
City	Ft. Lauderdale
State	FL
Zip Code	33309
Work Phone	5614905370
Are you a town resident?	Yes

If yes, how long?	7/3
Are you registered to vote within the Town?	Yes
Are you presently serving or have you ever served on any other board/committee?	Yes
If yes, which board/committee?	Planning and Zoning Board

Please list your background experience, education, experiences, interests/hobbies which qualify you to serve on this board/committee.

Experience	Have serve in multiple boards in the past, Maryland Hispanic Chamber of Commerce for over 10 years, board in various non profit organizations. LBTS planning and zoning board.
Education	Bachelors degree in communications. Masters degree in Human Services Child protection with a focus on legal, family and dependency law.
Interests and Hobbies	Interested in serving my community at large, helping families, maintaining the focus of the town and its safety. Play tennis, read.

I acknowledge that making false statements herein may be cause for removal by the Town Commission.

Please type your signature.	Patricia Omana
Today's Date	3/20/2024

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TOWN OF LAUDERDALE-BY-THE-SEA
APPLICATION FOR BOARDS & COMMITTEES

Name of Board: Zoning & Planning
Applicant Name: Justin Barthalomew
Street Address: 5000 N. ocean blvd # 1210
City State Zip Code: LBTS - 33308
Home Phone: Cell Phone: 954-740-0644
Email Address: JustinBrealtor@gmail.com
Occupation: Realtor / Brokerage owner
Business Address: 3924 N. ocean blvd, Ft lauderdale 33308
Work Phone: 954-644-3550

Are you a Town resident? Yes ✓ No ___ How long? ___ Years 7 Months

Are you a registered voter within the Town? Yes ✓ No ___

Are you presently serving or have you ever served on any other board/committee? Yes ___ No ✓

If so, which one(s)? ___

Please list your background experience, education, experiences, interests/hobbies which qualify you to serve on this board/committee:

Experience: Condo board member for 4 years handling everyday issues and maintaining building. Committees - ground committe

Education: Bachelor degree - University of Florida
Licensed realtor

Interests/Hobbies: Fishing, Snorkeling, relaxing on the beach Gardening & Cooking

Please attach additional page, if needed

Applicant Signature [signature]

Name (printed) Justin Barthalomew Date: 4-9-24

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- Please return your completed form to the Town Clerk's Office.

Revised 2/8/2024

Town Clerk

From: noreply@civicplus.com
Sent: Monday, March 18, 2024 2:13 PM
To: Town Clerk
Subject: Online Form Submittal: Town of Lauderdale-By-The-Sea Application for Boards & Committees

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Town of Lauderdale-By-The-Sea Application for Boards & Committees

Name of Board	Planning/Zoning or Charter Review
First Name	Lisa
Last Name	Magill
Address	1573 Blue Water Terrace N
City	Pompano Beach
State	FL
Zip Code	33062
Home Phone	9542543439
Cell Phone	9542543439
Email Address	lmagill@kbrlegal.com
Occupation	attorney
Business Address	1200 park central blvd south
City	Pompano Beach
State	FLORIDA
Zip Code	33064
Work Phone	9549280680
Are you a town resident?	Yes

If yes, how long?	13 years
Are you registered to vote within the Town?	Yes
Are you presently serving or have you ever served on any other board/committee?	No
If yes, which board/committee?	*Field not completed.*

Please list your background experience, education, experiences, interests/hobbies which qualify you to serve on this board/committee.

Experience	I would be a good candidate for either the P&Z board or the Charter Review board. I am a community association attorney so I am very familiar with reading ordinances, drafting legislation as a delegate to a statewide organization that focuses on community association legislation and also serve on a national task force and national legislative advocacy committee that addresses legislation and other legal and/or governmental issues related to community association operations. For example, our recent work on a federal level is an effort to exempt community associations from compliance with the Corporate Transparency Act. I am familiar with the state pre-emption on the vacation rental ordinances (and efforts to pre-empt mostly everything e.g. plastic straws, suntan lotion, etc.) and want to get involved in our Town.
Education	SUNY Binghampton (B.A.); University of Miami School of Law (J.D.)
Interests and Hobbies	I'm interested in how I can get involved and make a difference in our little town.

I acknowledge that making false statements herein may be cause for removal by the Town Commission.

Please type your signature.	Lisa Magill
Today's Date	3/18/2024

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Town Clerk

From: noreply@civicplus.com
Sent: Monday, February 19, 2024 4:14 PM
To: Town Clerk
Subject: Online Form Submittal: Town of Lauderdale-By-The-Sea Application for Boards & Committees

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Town of Lauderdale-By-The-Sea Application for Boards & Committees

Name of Board	Planning & Zoning Board
First Name	Gregory
Last Name	Maloney
Address	5450 North Ocean Blvd
City	Lauderdale by the Sea
State	Florida
Zip Code	33308
Home Phone	7706394480
Cell Phone	*Field not completed.*
Email Address	greg.maloney@gtmretailadvisors.com
Occupation	Real Estate
Business Address	221 East Commercial Blvd. Suite 205
City	Lauderdale by the Sea
State	Florida
Zip Code	33308
Work Phone	7706394480
Are you a town resident?	Yes

If yes, how long?	6/13
Are you registered to vote within the Town?	Yes
Are you presently serving or have you ever served on any other board/committee?	No
If yes, which board/committee?	*Field not completed.*

Please list your background experience, education, experiences, interests/hobbies which qualify you to serve on this board/committee.

Experience	I'm now working as a consultant for retail real estate. I was the former CEO of JLL Retail division. JLL is a worldwide real estate firm. I was the CEO for 21 years and build a retail business from 26 million to 325 million over that 21 years. We managed over 825 malls, strip centers, life style centers, power centers and mix-use assets in 43 states.
Education	Graduate of Milton College in Milton Wisconsin. Business degree.
Interests and Hobbies	Golf, traveling and reading.

I acknowledge that making false statements herein may be cause for removal by the Town Commission.

Please type your signature.	Gregory T Maloney
Today's Date	2/19/2024

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Town Clerk

From: noreply@civicplus.com
Sent: Tuesday, April 2, 2024 3:53 PM
To: Town Clerk
Subject: Online Form Submittal: Town of Lauderdale-By-The-Sea Application for Boards & Committees

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Town of Lauderdale-By-The-Sea Application for Boards & Committees

Name of Board	Planning and Zoning and Charter Review Board
First Name	roseann
Last Name	minnet
Address	2000 south ocean blvd apt 11e
City	lauderdale by the sea
State	fl
Zip Code	33062
Home Phone	954-942-2194
Cell Phone	954-801-6747
Email Address	roseannaminnet@gmail.com
Occupation	lighting designer
Business Address	223 west prospect road
City	oakland park
State	fl
Zip Code	33309
Work Phone	954-351-7282
Are you a town resident?	Yes

If yes, how long?	18 years
Are you registered to vote within the Town?	Yes
Are you presently serving or have you ever served on any other board/committee?	Yes
If yes, which board/committee?	*Field not completed.*

Please list your background experience, education, experiences, interests/hobbies which qualify you to serve on this board/committee.

Experience	Served on Both the Charter Review Board and the Planning and Zoning Board. I have extensive knowledge in building and design.
Education	BA in Accounting from FAU
Interests and Hobbies	family, reading, community

I acknowledge that making false statements herein may be cause for removal by the Town Commission.

Please type your signature.	roseann minnet
Today's Date	4/2/2024

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TOWN OF LAUDERDALE-BY-THE-SEA
APPLICATION FOR BOARDS & COMMITTEES

Name of Board: Planning and Zoning Board
Applicant Name: Robert W. Noll
Street Address: 4050 N. Ocean Dr. #1206
City State Zip Code: Lauderdale by the Sea, FL 33308-5964
Home Phone: _____ Cell Phone: 717-404-9008
Email Address: bob_noll@msn.com
Occupation: Flight Attendant - Southwest Airlines
Business Address: 2702 Love Field Dr. HDQ-1PR Dallas, TX 75235
Work Phone: 214-792-4000
Fax Number: _____

Are you a Town resident? Yes ✓ No ___ How long? 12 Years 3 Months

Are you a registered voter within the Town? Yes ✓ No ___

Are you presently serving or have you ever served on any other board/committee? Yes ___ No ✓

If so, which one(s)? _____

Please list your background experience, education, experiences, interests/hobbies which qualify you to serve on this board/committee:

Experience: Living in Lauderdale by the Sea for over 12 years I have been helping with the Broward County Board of Elections and have met a lot of our neighbors here in town.

Education: Earned a BS Degree in Business Administration from Harford Community College, Bel Air, Maryland

Interests/Hobbies: Enjoy biking, gardening, beach activities, and picking up trash on the beach and around town.

Please attach additional page, if needed

Applicant Signature Robert W. Noll

Name (printed) Robert W. Noll Date: 01/31/2025

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- Please return your completed form to the Town Clerk's Office.

Revised 6/21/2010

Robert W. Noll (continued)

If chosen to the LBTS Planning and Zoning Board I would utilize my education, my service skills, and a common sense and good judgement approach to assist other board members in making LBTS a wonderful and enjoyable community to reside. Being transparent will keep everyone "in the know" and communicate plans and projects that happen in our town. I look forward to having the opportunity to serve on this board with the other board members effectively and respectfully, to ensure our community thrives over the years ahead.

TOWN OF LAUDERDALE-BY-THE-SEA
APPLICATION FOR BOARDS & COMMITTEES

Name of Board: Planning and Zoning

Applicant Name: Frank Petkunas

Street Address: 4322 El Mar Drive

City State Zip Code: Lauderdale By The Sea, FL 33308

Home Phone: _____ Cell Phone: 215-280-5704

Email Address: fj.petkunas@comcast.net

Occupation: Real Estate Developer - Executive VP/Partner for CRG (Chicago)

Business Address: 300 Barr Harbor Drive, Conshohocken, PA 19087

Work Phone: _____

Fax Number: _____

Are you a Town resident? Yes X No ___ How long? ___ Years 8 Months
(owner and periodic resident)

Are you a registered voter within the Town? Yes ___ No X

Are you presently serving or have you ever served on any other board/committee? Yes X No ____

If so, which one(s)? Horsham Industrial Development Board / NAIOP / ULI / ARES

Please list your background experience, education, experiences, interests/hobbies which qualify you to serve on this board/committee:

Experience: 35 years of various roles in real estate asset class. Principal developer for $12B in warehouse, office and retail development. Aquisitions for institutional portfolios and separate account funds. Investment banking /private equity for public and private REITS.

Education: BS - Urban Planning - University of Maryland
MS - Real Estate - Johns Hopkins University
MBA International Business - Georgetown University

Interests/Hobbies: _____

Please attach additional page, if needed

Applicant Signature _____

Name (printed) Frank Petkunas Date: 02/03/2025

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- Please return your completed form to the Town Clerk's Office.

Revised 6/21/2010

Town Clerk

From: noreply@civicplus.com
Sent: Sunday, April 7, 2024 2:06 PM
To: Town Clerk
Subject: Online Form Submittal: Town of Lauderdale-By-The-Sea Application for Boards & Committees

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Town of Lauderdale-By-The-Sea Application for Boards & Committees

Name of Board	Planning & Zoning Board
First Name	Howard
Last Name	Goldberg
Address	1960 Ocean Mist Dr
City	Lauderdale By The Sea
State	FL
Zip Code	33062
Home Phone	9549371790
Cell Phone	954 937 1790
Email Address	howard@goldbergsells.com
Occupation	Real Estate Sales
Business Address	1960 Ocean Mist Dr
City	Lauderdale By The Sea
State	FL
Zip Code	33062
Work Phone	9549371790
Are you a town resident?	Yes

If yes, how long?	15 years
Are you registered to vote within the Town?	Yes
Are you presently serving or have you ever served on any other board/committee?	Yes
If yes, which board/committee?	*Field not completed.*

Please list your background experience, education, experiences, interests/hobbies which qualify you to serve on this board/committee.

Experience	Co-Chair of Planning &Zoning Board 2022-2024 Member Planning & Zoning Board 2018-2020
Education	B.A. degree Brooklyn College Graduate courses NYU
Interests and Hobbies	Boating ,soccer Chairman Chamber of Commerce of LBTS

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Please type your signature.	Howard Goldberg
Today's Date	4/7/2024

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Town Clerk

From: noreply@civicplus.com
Sent: Monday, April 8, 2024 10:59 AM
To: Town Clerk
Subject: Online Form Submittal: Town of Lauderdale-By-The-Sea Application for Boards & Committees

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Town of Lauderdale-By-The-Sea Application for Boards & Committees

Name of Board	PLANNING & ZONING
First Name	KENNETH
Last Name	BRENNER
Address	258 Commercial Blvd
City	Lauderdale By The Sea
State	FL
Zip Code	33308
Home Phone	9546129571
Cell Phone	9546129571
Email Address	KENBRENNERLBTS@GMAIL.COM
Occupation	Former Accountant/Property Manager & Business Owner
Business Address	258 Commercial Blvd
City	Lauderdale By The Sea
State	FL
Zip Code	33308
Work Phone	954-938-0101
Are you a town resident?	Yes

If yes, how long?	17 years
Are you registered to vote within the Town?	Yes
Are you presently serving or have you ever served on any other board/committee?	Yes
If yes, which board/committee?	LBTS VFD FIRE PENSION BOARD

Please list your background experience, education, experiences, interests/hobbies which qualify you to serve on this board/committee.

Experience	TAX ACCOUNTANT, PROPERTY MANAGER, LOCAL BUSINESS MANAGER
Education	BACHELOR DEGREE IN ACCOUNTING
Interests and Hobbies	TRAVEL

I acknowledge that making false statements herein may be cause for removal by the Town Commission.

Please type your signature.	KENNETH BRENNER
Today's Date	4/8/2024

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TOWN OF LAUDERDALE-BY-THE-SEA
APPLICATION FOR BOARDS & COMMITTEES

Name of Board: Town Planning and Zoning Board
Applicant Name: Barbara Simonian
Street Address: 5450 N. Ocean Blvd. #51
City State Zip Code: LBTS, FL 33308
Home Phone: — **Cell Phone:** 716.863.3193
Email Address: simonianb@gmail.com
Occupation: Former Healthcare Manager & current per diem Teacher
Business Address: —
Work Phone: —
Fax Number: —

Are you a Town resident? Yes X No ___ **How long?** 10 Years 10 Months

Are you a registered voter within the Town? Yes X No ___

Are you presently serving or have you ever served on any other board/committee? Yes ___ No X

If so, which one(s)? ___

Please list your background experience, education, experiences, interests/hobbies which qualify you to serve on this board/committee:

Experience: 20+ yrs in healthcare management, operations and sales leadership which included project management (identify practice locations, design, permits, etc) ex: build-outs

Education: BS Business Administration
MS Education

Interests/Hobbies: Rowing, exercise, swimming, Yoga

CV attached

Please attach additional page, if needed

Applicant Signature Barbara Simonian

Name (printed) Barbara Simonian **Date:** 2.3.25

- Making false statements herein may be cause for removal by the Town Commission.
- Please return your completed form to the Town Clerk's Office.

Revised 6/21/2010

Barbara M. Simonian, M.S.Ed.

Lauderdale by the Sea, FL

Email: simonianb@gmail.com

Cell: (716) 863-3193

www.linkedin.com/in/barbara-s-9b398846

Leadership | Growth | Operations | Sales | Recruitment | Training | Customer Experience | Education

An accomplished leader in the medical landscape with a history of building outstanding relationships and motivating sales and operational teams in medical practices and healthcare systems. Consistently exceeds expectations and goals. Diverse skillset includes managing multiple sites, operations, sales, team development and talent management, strategy and leadership, finance and growth, contract negotiation, quality improvement and patient satisfaction, and mentoring individuals to succeed. With a Master's in Education, skillset also includes teaching.

Key Notables and Awards

Excellence in managing multiple practice sites and all aspects of the business.
Excellent financial, business operations, customer satisfaction, and sales/marketing management.
Excellent presentation skills in market opportunities, KPI's, and data analytics.
Learns all aspects of the business: operations, technology, sales, financial forecasting, and management.
PIP / Root Cause Analyses: Implemented special projects to improve business operations, scheduling, market growth, and customer experience.
Forecasting and managing multi-million-dollar budgets for multiple sites.
Recruits, trains, and coaches teams and individuals for success.
Exceeds sales, growth, and revenue goals year over year.
Retained approx 98% of partner contracts through relationship-building, and exceeding expectations with partner hospitals.
Developed system-wide project management models to enhance productivity and efficiency.
Provides patient financial counseling and insurance verification/approval.
Processes billing, and facilitates billing and receivable audits.
Awards - Model Leadership Award, Center of Excellence, Center of Distinction, Trinity St. Joseph's Outstanding Leadership Award, Top Leader in Patient Services and Employee Satisfaction.

Career History

Trinity Christian School (Florida, 2023 – present)

- Provide short and long-term teaching to elementary school students.
- Manage and participate in school policies and day-to-day activities.
- Support and coach students in learning processes and provide an environment for success.
- Participate in the teacher's administrative responsibilities as appropriate.

Senior Director of Sales and Business Development at Pinnacle Home Care (Florida, 2022–2023)

- Managed multiple Home Care locations throughout FL.
- Direct reports included a team of approximately 10 Regional Sales Managers.
- Forecasted, set, and implemented goals, growth plans, and objectives.
- Held weekly one-on-one accountability meetings and discussions.
- Mentored regional sales leaders and aligned with operations partners.
- Implemented system-wide PIP to improve billing and customer experience.

Operations and Sales Consultant per diem A1A Medical Group (Florida, 2020-2021)

- Educate patients and prospective patients on aesthetic treatments and procedures.

Area Vice President at Healogics (Florida, Maryland, DC, Virginia 2012-2019)

- Managed multiple Wound Care and Hyperbaric Medicine Centers throughout FL, MD, DC, and VA.
- Direct reports included approximately 15 Directors.
- Recruited, trained, and coached Directors.
- Held weekly one-on-one accountability meetings and discussions.
- Built relationships with hospital partners and presented monthly KPI results.

the unique needs of each family. The court will only approve a parenting plan that is in the best interests of the children.

Parenting Plans are designed to reflect the modern day challenges and circumstances facing parents and minor children before, during, and after a dissolution of marriage. For example, Parenting Plans:

- Address the details of how the parents will share in the decision-making responsibilities for major decisions and for the day-to-day tasks in raising children.
- Articulate the regular, holiday, and break schedules for the time the children will spend with each parent.
- Encompass issues including the address to be used for school registration and boundary determination, and methods and technologies for communicating with the children.

In approving a Parenting Plan, a court must make a determination of what is in the best interest of the child. Among the to be considered by the court in determining the child's best interests are the following:

- The demonstrated capacity and disposition of each parent to facilitate and encourage a close and continuing parent-child relationship, to honor the time-sharing schedule, and to be reasonable when changes are required.
- The length of time the child has lived in a stable, satisfactory environment and the desirability of maintaining continuity.
- The geographic viability of the Parenting Plan, with special attention paid to the needs of school-age children and the amount of time to be spent traveling to effectuate the Parenting Plan.
- The moral fitness of the parents.
- The mental and physical health of the parents.
- The child's home, school and community record.
- The reasonable preference of the child, if the court deems the child to be of sufficient intelligence, understanding, and experience to express a preference.
- Evidence of domestic violence, sexual violence, child abuse, child abandonment, or child neglect, regardless of whether a prior or pending action relating to those issues has been brought. If the court accepts evidence of prior or pending actions regarding domestic violence, sexual violence, child abuse, child abandonment, or child neglect, the court must specifically acknowledge in writing that such evidence was considered when evaluating the best interests of the child.

Additionally, the court may consider other factors and considerations to be made by the court in approving a Parenting Plan. The more closely and cooperatively the two parents can work

or acquire, spousal support (called "alimony" in Florida) is to be paid, if at all, and a selection of which state's laws will govern the interpretation and enforcement of the agreement. This is by no means an exhaustive list of the topics. However, there are certain topics that cannot be included in the premarital agreement. For example, ongoing child support which cannot be waived in Florida. If you have any questions about premarital agreements, you should consult with a Florida family law attorney. There is even a statute specifically addressing premarital agreements in of the Florida Statutes.

Post-marital Agreements

If spouses do not execute an agreement before their marriage (premarital agreement), but are still interested in pre-determining issues should their marriage end in death or dissolution, they can still enter into an agreement. Marital agreements that are signed after a marriage are called "post-marital agreements" or "post-nuptial agreements" in Florida. The terms are interchangeable. Post-marital agreements can address the same topics as a premarital agreement and have the same limitations. If you have questions about post-marital agreements, you should consult with a Florida family law attorney.

Child-Related Issues

Defining Children

Any child born to you and your spouse during your marriage is a child of the marriage. If you and your spouse have a child *together* before the marriage, your marriage makes them children *of* the marriage. Unless a person has adopted a child of his or her spouse, the stepparent does not have parental rights or responsibilities. Therefore, a stepparent will not have a right to contact with his or her stepchildren nor the responsibility of financially supporting the child before, during, or after a marriage.

If a person has adopted a stepchild then that parent is the child's parent in all respects and will be given the same consideration as if he/she was the child's natural born parent in the event of the death of the other parent or the dissolution of a marriage.

Parenting Plan

Florida law requires the creation of a Parenting Plan for all children subject to a dissolution of marriage action. It may help parents who are separating but not dissolving their marriage to prepare one as well. There are several different of parenting plans available to address

- Negotiated and facilitated multi-year wound care and hyperbaric medicine hospital and nursing home contracts. Ensured compliance in all areas of the center's and Healogics business.
- Forecasted and managed multi-million-dollar budgets for the company and hospitals.
- Consistently achieved 10-25% revenue growth and 6-14% EBITDA growth annually.
- Implemented PIPs as appropriate.

Director and Mentor Director at Healogics (Fayetteville, New York 2008-2012)

- Managed all center staff, operations, and business development for St. Joseph's Center for Wound Care and Hyperbaric Medicine according to the contractual agreement between Healogics and the hospital.
- Revitalized failing wound care and hyperbaric medicine program, securing a 5-year renewal contract with the hospital partner.
- Improved center operations, increased employee satisfaction, exceeded KPI's, and created a highly motivated, committed team.
- Exceeded company revenue goals by 25% and tripled hospital revenue.
- Presented and obtained approval to expand the center to accommodate growth.
- Achieved Accreditation with Distinction by the UHMS.
- Implemented PIP's and mentored new hires from other centers.
- Improved Patient Satisfaction scores through improved customer–patient experience.

President at HEALTHCARE ADVISORY GROUP, LLC (Manlius, NY 2006-2008)

- Contracted with medical practices for comprehensive practice and staff evaluation. Implemented recommendations and PIP's as appropriate.

Plastic Surgery and ENT Practice Manager at DOUGLAS W. HALLIDAY, M.D., P.C. (Syracuse, NY 2004 – 2005)

- Managed all staff, operations, and business development for the practice.
- Recruited and trained new staff.
- Marketed the practice to the community, hospitals, and private practitioners.
- Facilitated relocation and build-out, including an ambulatory surgical suite.
- Ensured compliance with product handling and dispensing standards.
- Ensured excellent customer experience.

Director of Marketing and Business Development at Amherst Sleep Medicine (Williamsville, NY 2001-2003)

- Planned and managed private practice build-out and opening.
- Recruited, hired, trained, and managed staff.
- Implemented policies and procedures for compliance.
- Marketed the program to stimulate referrals and business growth.
- Ensured excellent customer - patient experience.

Manager, Clinical Programs at KALEIDA HEALTH Department of Internal Medicine and Sub-Specialties, Buffalo, NY 1994-2001

- Managed all staff within the programs.
- Managed clinical, research, and operational activities.
- Forecasted and managed budgets in all programs and the aspects of research agreements.
- Implemented system-wide Project Management and Merger process.

EDUCATION, VOLUNTEER ACTIVITIES, AFFILIATIONS

- **Master of Science, Education**, D'Youville University, Buffalo, NY.
- **Bachelor of Science, Business Management and Administration**, Canisius University, Buffalo, NY.
- **Volunteer:** Visitor Center, Lauderdale by the Sea, FL.
- **Member:** Atlantic Beach Villas Covenant Committee, Lauderdale by the Sea, FL.
- **Former Volunteer:** Learn to Row Program, Various rowing clubs – USA.
- **Former Board and Crew Member:** Various rowing clubs – USA.
- **Former Coach and Asst. Coach:** West Side Rowing Club, Buffalo NY.

TOWN OF LAUDERDALE-BY-THE-SEA
APPLICATION FOR BOARDS & COMMITTEES

Name of Board: Zoning Board

Applicant Name: Lynn Swanson

Street Address: 4900 N Ocean Blvd, Apt 307

City State Zip Code: Lauderdale by the Sea, FL 33308

Home Phone: _____ Cell Phone: (954) 299-0699

Email Address: lynn0699@gmail.com

Occupation: Lawyer

Business Address: 4201 Wilson Boulevard, Arlington, VA 22203 (I work remotely)

Work Phone: (954) 299-0699

Fax Number: N/A

Are you a Town resident? Yes X No ___ How long? 8 Years ___ Months

Are you a registered voter within the Town? Yes X No ___

Are you presently serving or have you ever served on any other board/committee? Yes ___ No X

If so, which one(s)? _____

Please list your background experience, education, experiences, interests/hobbies which qualify you to serve on this board/committee:

Experience: I currently help education entrepreneurs start innovative learning environments. As part of my job I frequently review zoning codes and helping entrepreneurs navigate the rquirements to get changes to occupancies and in some cases some sort of conditional use. I have been a practicing lawyer for over 20 years working closely with local, state and federal regulations.

Education: J.D. from the University of Michigan Law School, B.A. from Wellesley College

Interests/Hobbies: Tennis, golf, cooking, reading, bicycling, live music. I enjoy going to the beach and simply spending time outdoors. I moved to Lauderdale by the Sea from Boca Raton because I like the small town feel. My interest in joining the zoning board reflects my desire that LBTS retains that feel yet finds a good balance with commercial activity and progress.

Please attach additional page, if needed

Applicant Signature L Swanson

Name (printed) L.Swanson Date: January 28, 2025

- Making false statements herein may be cause for removal by the Town Commission.
- Please return your completed form to the Town Clerk's Office.

Revised 6/21/2010

Lynn M. Swanson
4900 N Ocean Blvd, Apt 307
Lauderdale-By-The-Sea, FL 33308
Tel: (954) 299-0699
Email: lynn0699@gmail.com

January 28, 2025

Town of Lauderdale-By-The-Sea
4501 N Ocean Drive
Lauderdale-By-The-Sea, FL 33308

Atten: Town Clerk's Office

Re: Application for Zoning Board

Ladies and Gentlemen:

I submit the attached completed application for a position on the zoning board for Lauderdale-By-The-Sea. I have been a resident of LBTS since February 2018. I moved from Boca Raton to LBTS because of the small town feel and walkability of the town. I purposely looked for a residence that was within walking distance of the traffic circle at El Mar Drive and Commercial Boulevard. I have not been disappointed with my choice to live here.

My interest in serving on the zoning board stems from my desire that LBTS retain its charm while being welcoming to commercial activity and progress. It can be a delicate balance.

I have been a practicing lawyer for over 20 years. Much of my practice has focused on small business law. I currently specialize in assisting education entrepreneurs navigate the regulatory requirements to run unconventional learning environments. Throughout my career I have had to work with local, state and federal regulation, including land use ordinances. In my current role I frequently have to decipher zoning requirements and consult local zoning offices throughout Florida. As a result of my work, I have experienced navigating zoning requirements from a residential and business perspective which I think is good knowledge to bring to a government position.

I would be happy to discuss my qualifications with the zoning board or other officials. Thank you for your consideration of this application.

Kind regards,

L Swanson

Lynn Swanson

Encl: Application