



**TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
Jarvis Hall
4505 N. Ocean Drive
Tuesday, March 10, 2026
6:30 PM**

1. CALL TO ORDER, MAYOR EDMUND MALKOON

Mayor Edmund Malkoon called the meeting to order at 6:24 p.m. Also present were Vice Mayor Randy Strauss, Commissioner Richard DeNapoli, Commissioner John A. Graziano, Commissioner Theo Pouloupoulos, Town Manager Ken Rubach, Town Attorney Susan Trevarthen, Finance Director Lucila Lang, Assistant Finance Director Edner Saint-Jean, Development Services Director Jhanelle Campbell, Assistant to the Town Manager/Acting Town Clerk Courtney Easley, and Events and Marketing Manager Katie Anderson.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION

Rabbi Benzion Singer gave the Invocation.

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

Mayor Malkoon advised that the following Agenda Items would be deferred to the March 24, 2026 meeting:

- Item 5.a
- Item 12.a
- Item 13.a
- Item 19.a

Mayor Malkoon added that Item 18.b will be heard immediately following the Invocation.

5. PRESENTATIONS

a. Vulnerability Assessment Presentation

This Item was deferred to the March 24, 2026, Town Commission meeting.

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

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 10, 2026

18. RESOLUTIONS – PUBLIC COMMENTS

- b. Resolution 2026-04: A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, EXPRESSING SUPPORT FOR THE FLORIDA LEGISLATURE’S ENROLLED BILL CS/HB33, APPROVING AND SUPPORTING THE CONSTRUCTION OF MARKERS ON A PORTION OF COMMERCIAL BOULEVARD IN LAUDERDALE-BY-THE-SEA IN HONOR OF PRESIDENT DONALD J. TRUMP AS “PRESIDENT DONALD J. TRUMP BOULEVARD”; AND REMOVING THE “PRESIDENT DONALD J. TRUMP DRIVE” CODESIGNATION OF SEA GRAPE DRIVE AT COMMERCIAL BOULEVARD AND RELATED TOWN SIGNAGE IF THE STATE INSTALLS “PRESIDENT DONALD J. TRUMP BOULEVARD” MARKERS ALONG COMMERCIAL BOULEVARD, RECOGNIZING THE FLORIDA DEPARTMENT OF TRANSPORTATION AS THE AGENCY RESPONSIBLE FOR THE STATE DESIGNATION MARKERS; PROVIDING FOR AUTHORIZATION; IMPLEMENTATION AND AN EFFECTIVE DATE.**

Mayor Malkoon read a statement into the record:

As provided in 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 meetings. All comments should be related 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 peace of the meeting. Unauthorized remarks from the audience, stamping of feet, whistles, yells, and similar demonstrations are prohibited. Any person who causes an interruption of the meeting will be given the option to stop the interruption or to leave the meeting. Failure to comply following a warning may lead to an order of the Sergeant-at-Arms to remove you from this room for the remainder of this meeting. Continued willful interruptions or disturbances may lead to arrest pursuant to Section 871-01 of Florida Statutes.

Mayor Malkoon advised that public comments would be limited to two minutes per speaker.

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 10, 2026

Commissioner DeNapoli presented some final edits to the draft resolution and gave a presentation on Resolution 2026-04, explaining that the Town currently has a secondary co-designation for President Donald J. Trump Drive at the corner of Sea Grape Drive and Commercial Boulevard. The co-designation was approved by the Town Commission on September 10, 2025. Approval of the final draft Resolution was referenced in the minutes of the September 10, 2025, meeting, which were approved at the Commission meeting of December 9, 2025.

Commissioner DeNapoli explained that the Florida Legislature recently passed legislation creating an honorary state designation for Commercial Boulevard within the town limits of Lauderdale-By-The-Sea as President Donald J. Trump Boulevard. He pointed out that this does not rename Commercial Boulevard, but will allow the state to install two standard honorary roadway markers on the street. No Commercial Boulevard signage will be replaced.

If the Governor signs the recently passed bill into law and the two markers are erected, the Town will contingently remove the local lamppost signs at Sea Grape Drive and Commercial Boulevard. The Resolution does not create two permanent designations at the same intersection.

Commissioner DeNapoli advised that there are various scenarios related to Resolution 2026-04:

- If the Resolution passes and the Governor signs the bill into law, the roadway markers will be installed and the existing lamppost signs will be removed
- If the Resolution passes and the Governor does not sign the bill into law, the existing lamppost sign will remain
- If the Resolution does not pass, the existing lamppost sign will remain

Commissioner DeNapoli noted that there is no intent to create a “Trump and Trump” intersection, but for only one sign to remain. He also addressed precedent, noting that all governmental bodies that have considered this state honorary designation have approved it. He noted that Florida has a history of naming streets after politicians and presidents, often while they are still in office, and described the process as non-partisan.

Commissioner DeNapoli reviewed examples of roadways designated in honor of all but 6 presidents throughout Broward County and the tri-county area over the last 100 years, adding that many of these co-designations received bipartisan support. He also cited examples of locations named after individuals in Lauderdale-By-The-Sea, including parks, plazas, and Town Hall.

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 10, 2026

Commissioner DeNapoli added that the Town includes many supporters of the proposed co-designation as well as opponents, and stated that these supporters cross all walks of life in the Town. He suggested that the signage could attract visitors and/or a presidential visit.

Commissioner DeNapoli also addressed comments that suggested the Florida Legislature was misled with respect to the Town's passage of the 2025 Resolution approving co-designation. He stated that the Legislature was aware of the local sign, and advised that the draft Resolution 2026-04, like the 2025 Resolution approving the co-designation, may be subject to minor changes in its language at the meeting it is approved at, and the final version would show up in the minutes at a later meeting. The resolution for the co-designation was passed on September 10, and the minutes reflecting that action were approved on December 9.

Commissioner DeNapoli continued that state law and not the Town's Charter governs the process for approval of state designations. Because Commercial Boulevard is a state roadway, the state of Florida may designate its name. Resolution 2026-04 clarifies how the Town will respond if the Governor signs the recent bill into law. He concluded that many residents have contacted him privately in support of the proposed Resolution.

Commissioner DeNapoli made a motion, seconded by Commissioner Pouloupoulos, to approve Resolution 2026-04.

At this time Mayor Malkoon opened public comment on Item 18.b.

Patrick Ferguson, resident, recalled that while a group of Town residents were recently preparing a Charter amendment proposal which would require voter approval of future honorary co-designations of roadways and other public places, the Florida Legislature amended a bill to include language for the co-designation of Commercial Boulevard, which would fall outside the authority of any Charter amendment at the local level. He concluded that the Town Commission could repair local trust by voting against Resolution 2026-04.

Michael Ferguson, resident, recommended that the Commission vote against the Resolution and instead co-designate a portion of Commercial Boulevard in honor of U.S. Army Captain Cody Khork, a resident of Florida who died serving his country in the current war against Iran.

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 10, 2026

Linda Thompson Gonzalez, resident, stated that the co-designation of Commercial Boulevard was done at the state level without allowing residents to express their opinions on the issue. She encouraged the Commission to support the proposed Charter amendment brought forward by residents, which would place co-designations in the hands of voters. She concluded that the action taken at the state level was a betrayal of home rule, and requested that the Commission restore home rule by voting against Resolution 2026-04.

Kimberly Bertch, resident, stated that she had read in local news that House Bill (HB) 33 included language co-designating Commercial Boulevard after a State Representative was asked by a Town Commissioner to add this language. She emphasized that voices exercised in the democratic process should not be bypassed and that representative government requires listening to constituents.

Rosemary Kuntz, resident, asked the Commissioners for clarification of their roles in introducing the proposed state co-designation to the Florida Senate. She felt the Commission had brought the proposal to the state level rather than allowing voters to take action on the issue in November.

Sherri Kimbel, resident, emphasized the non-partisan nature of Lauderdale-By-The-Sea. She felt the opinions of non-residents should not matter at tonight's meeting and encouraged the Commissioners to be responsive to Town residents.

Herbert Dell, resident, characterized co-designation at the state level as legislation by secrecy. He felt this issue should be presented to Town voters and requested that the Commission vote against Resolution 2026-04.

MaShawn Simpson, resident, stated that she was not in favor of the co-designation and urged the Commission to vote against it. She expressed concern with transparency and good governance, the potential effect on the Town's reputation, and establishment of a bad precedent, noting that there has been no public participation in this process.

Paul Novak, resident, stated that he was not in favor of co-designation of a roadway in the absence of a majority vote on this issue by citizens. He felt a Town-wide referendum should be the determining factor.

Duane Matson, resident, stated that he was in favor of the co-designation of a portion of Commercial Boulevard as Donald J. Trump Boulevard.

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 10, 2026

Bruce Novak, former resident, encouraged the Mayor and Commissioners to advance an agenda that unifies the Town, creates a welcoming environment, and is above politics.

Cristie Furth, resident, stated that a citizen referendum was submitted to the Town in January 2026. Following the submission of this proposal, the co-designation of a portion of a state roadway was passed by the Florida Legislature. She noted that Commissioner Graziano had reached out to the appropriate state officials to discourage the co-designation, as the Commission had not been informed of it in advance.

Marc Furth, resident, recommended that the Commission wait until after the November 2026 election to pass Resolution 2026-04, as there may be a referendum on the ballot in relation to co-designation. He urged the Commission to wait until the results of that possible referendum.

Rico Petrocelli, resident of Plantation, stated that he had never before seen the level of public response generated by this issue, and felt approval of the co-designation was the right thing to do.

Henry McKinnon, resident, cautioned that approving the Resolution was a risky economic move for the Town. He emphasized that the Town's businesses are dependent on tourism, and encouraged the Commissioners to vote against the Resolution.

Karen Campagna, resident, referred to a recent Fox News poll which indicated a majority of Americans disagree with the current president's performance on multiple issues, including immigration, the economy, tariffs, and overall job performance. She recommended voting against the proposed Resolution in light of the results of recent special elections.

Ilene Kreitzer, resident, emphasized the non-partisan nature of the Town and warned that co-designation of public streets for political figures could change the unique character of Lauderdale-By-The-Sea. She felt the proposed co-designation creates a way to bypass local voters and requested that voters be allowed to decide this issue.

Mary Hayes, resident, emphasized the need to respect the democratic process, rebuild trust, and protect the Town's character. She requested clarification of the costs associated with co-designation.

Stuart Dodd, resident, stated that it is residents' right to address the Commission publicly on any topic. He added that the majority of residents who previously spoke on the co-

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 10, 2026

designation of Sea Grape Drive had opposed the renaming of that roadway, and cautioned that Commissioners who did not listen to citizens may face potential difficulties in reelection.

Barbara Strupp, resident, strongly urged the Commissioners to vote against Resolution 2026-04, emphasizing that residents do not want the co-designation.

Michael Ferrara, resident, encouraged the Commissioners to vote against the proposed co-designation and expressed concern with the integrity of the local democratic process. He noted that residents have been working to propose a lawful Charter amendment, and that moving the co-designation to a state road would constitute “a permanent work-around” to bypass the will of local voters.

Bill Ciani, resident, stated that while he is supportive of the current president, he was concerned that the co-designation could discourage people from visiting the Town. He recommended that the issue be tabled in favor of more important concerns.

Charles Leachman, resident, requested that the Commissioners vote against Resolution 2026-04. He recommended waiting until the current administration has left office before proceeding with co-designation.

Michael Ross, resident, felt the the Sea Grape Drive co-designation has been a flashpoint of controversy since its approval. He cautioned that Resolution 2026-04 was a rush to approve a state co-designation without the consent of residents, and pointed out that the existing signage cost taxpayer money.

Shellie Goldstein, resident, questioned some of the items included in Commissioner DeNapoli’s presentation, including descriptions of overwhelming or bipartisan support for co-designations.

Kathy Heinly, resident, advised that decisions on the naming of the Town’s public spaces should involve all residents. She asked that the Commissioners vote against Resolution 2026-04 and allow residents to vote by referendum in November on the naming of these spaces.

Jim Dadson, resident, requested clarification of the value that would be added to residents and visitors of Lauderdale-By-The-Sea by approving the Resolution. He described the proposal as political in nature and encouraged the Commissioners to vote against the Resolution.

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 10, 2026

Trudee Ropos, resident, suggested that the co-designation was not a good use of the Town's time or taxpayer money.

Marc Pearson, resident, stated that the Florida Legislature has already passed the bill and the Governor is expected to sign it into law, and warned that voting against the Resolution could result in an intersection of two roadways named for the same person. He concluded that he is supportive of the president.

Corey Andrews, resident, asked that the Commissioners vote against the proposed co-designation of Commercial Boulevard. He stated that he was drawn to the Town by its non-partisan culture in governance and elections, and cautioned that the ramifications of tonight's actions would include long-term effects.

Karen Sylvester, resident, encouraged the Commission to focus its time on the most important issues facing the Town, including public safety, infrastructure, and maintenance of the Downtown area. She requested that Resolution 2026-04 be removed from tonight's and future agendas so focus can remain on these other issues. She concluded that she was supportive of the president.

Bob Wood, resident of Palm Beach County, stated that he was supportive of the president and the proposed co-designation.

Thomas Wagner, resident of Pennsylvania, stated that he spends money in the Town for several months of the year, and encouraged the Commissioners to balance the opinions of residents with those of visitors to Lauderdale-By-The-Sea. He felt a vote in favor of the Resolution would send a message that the Town is a bipartisan and representative democracy.

Grace Gardiner, resident, encouraged the Commissioners to vote against the Resolution and to represent the citizens who elected them.

Colleen Cianelli, resident, requested that a vote on Resolution 2026-04 be postponed until residents have had the opportunity to vote by referendum to determine if a majority of voters support the co-designation.

Nicholas Beck stated that he was in favor of the co-designation of a portion of Commercial Boulevard, pointing out that the addition of a co-designation would not change legal addresses but would serve as an honorary recognition. He noted that locations

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 10, 2026

throughout Florida often recognize public figures from both political parties through street designations.

Brianna Reeves, resident of Fort Lauderdale, stated that she was supportive of the co-designation, which was addressed by the Florida Legislature in HB 33. She felt the issue has already been decided at the state level, and concluded that moving forward on this issue would allow the Commission to focus on other local issues.

Chris Vincent, resident, advised that Commercial Boulevard has a separate legal jurisdiction as a state road. He felt support of the Resolution would not reject voter input but would recognize existing state authority, respect state law, and reduce confusion. He concluded that he was supportive of the Resolution.

Yoni Anijar, resident of Fort Lauderdale, felt the proposed co-designation acknowledges the current president's historic achievements. He added that the proposal is a product of democracy and participation in the civic process and encouraged the Commissioners to support the Resolution.

Allan Barsky, resident, emphasized the importance of transparency and honesty, particularly in debate. He recommended maintaining the Town's non-partisan stance.

Spiro Marchelos, resident, reviewed several of the president's accomplishments and spoke in favor of a positive vote on the Resolution.

Sendra Dorce stated that while she is not a Town resident, she is supportive of the individuals who have requested the honorary co-designation. She felt the issue is recognition of leadership and respect for voices from the community, noting that the co-designation could attract visitors and commerce to the Town.

Jonathan Renzi urged the Commissioners to vote in favor of the Resolution, clarifying that the honorary co-designation would not rename the roadway. He added that Commissioner DeNapoli had championed the investment of Town funds which have earned over \$500,000 for Lauderdale-By-The-Sea.

Aileen O'Brien, resident, read a portion of testimony recorded in the Jeffrey Epstein files.

Steve Kuttner, resident, advised that the current process is not how democracy works, as residents have not had a voice in this process. He asked that the Commissioners vote against the Resolution.

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 10, 2026

Jenn Forte, resident of Fort Lauderdale, asserted that many of the individuals involved in preparation of the proposed Charter amendment are involved in protests in the Town. She concluded that she was in favor of the proposed co-designation.

Alfonso Canles, resident of Fort Lauderdale, stated that the co-designation of Sea Grape Drive has had no negative effects on the Town.

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

Mayor Malkoon requested that the motion and second on Resolution 2026-04 be reiterated.

Commissioner DeNapoli made a motion, seconded by Commissioner Pouloupoulos, to approve Resolution 2026-04.

Mayor Malkoon clarified that the Florida Legislature has passed a bill which will become law if signed by the Governor, regardless of whether or not the Commission votes in favor of the Resolution before them. Commissioner DeNapoli added that this legislation must also come before the local governing body for approval before the portion of a state roadway can be co-designated.

Commissioner Pouloupoulos thanked all present for their attendance, stating that the co-designation of a portion of Commercial Boulevard would recognize the president's patriotism. He advised that he supported the Resolution because it is essentially the same as the action taken in September 2025. He concluded that he represents all residents of Lauderdale-By-The-Sea as their Commissioner.

Mayor Malkoon briefly addressed comments made by members of the public, stating that many residents do not feel their political views are reflected locally. He asserted that it is inaccurate to suggest the Town Commission has introduced politics into the Town, and added that individuals who support the co-designation have shared their views via private emails and conversation.

Mayor Malkoon continued that the co-designation of public spaces is a long-standing function of government across Florida and the United States, and requiring voter approval for these designations would be unusual, particularly among Florida municipalities. He

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 10, 2026

also noted that the proposed referendum to which many speakers had referred during public comment was not currently before the Town.

Mayor Malkoon also addressed the manner in which the co-designation was brought before the Commission, advising that regardless of a proposal's origin, no proposal can become policy without Commission approval at a public meeting. He characterized the Resolution as a practical compromise which will allow for the removal of a local co-designation so only one co-designation remains. He concluded that threats and/or personal attacks are unacceptable as part of the public debate.

Mayor Malkoon continued that for the reasons cited above, he would support Resolution 2026-04.

Vice Mayor Strauss observed that much of tonight's discussion reiterates the discussions of September 2025 regarding the co-designation of Sea Grape Drive, although the current effort was not initiated by the Town Commission. He noted that a Miami representative in the Florida Legislature attached the co-designation to HB 33, which will most likely be signed into law by the Governor.

Vice Mayor Strauss continued that the signage portion of the co-designation would remain permanently affixed to the Town and could not be removed in the future without a lengthy process. He expressed concern with this permanency, which he felt demonstrated the need for co-designations to be approved by referendum rather than through Commission action.

Vice Mayor Strauss advised that the State Legislature's co-designation raises additional concerns, including the potential for further erosion of home rule. He concluded that he was not supportive of the Resolution, as it contributed to divisiveness rather than a sense of community.

Vice Mayor Strauss also thanked the residents who reached out to him personally to discuss this issue, and encouraged more residents to become involved in public processes in the future.

Commissioner Graziano stated that he had responded to all residents who wrote to him regarding this issue. He noted that he had not become aware of the state bill including the co-designation until it was referred to in the *Sun-Sentinel*, and was not in favor of how the process was initiated, as it was brought forward by two representatives from Miami-Dade County for attachment to HB 33.

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 10, 2026

Commissioner Graziano continued that he had reached out to the Governor's Office regarding HB 33. He felt the process by which the co-designation did not serve the Lauderdale-By-The-Sea community, and reiterated his opposition to the Resolution, stating that voting is the best way to demonstrate support or opposition.

Commissioner Graziano further clarified that he had not responded directly to letters from non-residents, many of which he noted were form letters. He concluded that the Resolution does not address management of the Town and its concerns, and has no social or economic value to the Town.

Commissioner DeNapoli also thanked all in attendance, and reviewed some of the details from his earlier presentation, including bipartisan votes in other communities which honored public officials. He noted that there is no requirement for a referendum in relation to state designations, and observed that no signage is truly permanent.

With respect to the co-designation as a local issue, Commissioner DeNapoli continued that local governments regularly address both ceremonial and more substantive issues. He characterized the Resolution as a common-sense item.

Motion carried 3-2 (Vice Mayor Strauss and Commissioner Graziano dissenting).

The Commission took a brief recess at this time.

6. PUBLIC COMMENTS

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

7. PUBLIC SAFETY DISCUSSION

a. BSO February 2026 Public Safety Report

Broward Sheriff's Office (BSO) Captain Christopher Sutter introduced Lieutenant Toni Hopkins, who is the new Executive Officer for the Lauderdale-By-The-Sea District. He also recognized Deputies Scott Klier, Brian Swadkins, and Kyran Ramcharan, who resolved a delayed burglary with actions that led to a suspect's identification and arrest, as Deputies of the Month for February 2026.

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 10, 2026

Captain Sutter continued that he and another BSO Officer had attended the February 19, 2026 Party in the Park event at the Friedt Family Park playground. He emphasized the importance of interaction and partnership between the Deputies and the community.

8. TOWN MANAGER REPORT

a. Town Manager Report

Town Manager Ken Rubach stated that the next Party in the Park event will be Art in the Park, which will be held at the same time as the Friedt Family Park mural unveiling. Arts and crafts will be available in the playground on Wednesday, March 18, 2026, from 5 p.m. until 6:30 p.m. The mural will be unveiled at 5:30 p.m.

Town Manager Rubach continued that in the past, the Town has sponsored the annual Broward League of Cities annual dinner event at the \$5,000 level. He requested Commission direction on whether they would like to sponsor this event at the same tier in 2026. There was Commission consensus to decline sponsorship this year.

Town Manager Rubach addressed the recent Public Safety Workshop held on February 10, 2026, recalling that one issue raised by Vice Mayor Strauss was consideration of changing the Town's methodology for Fire assessment fees for condominiums. A consultant has indicated that it may cost \$35,000 to \$40,000 to conduct a study of these fees over a period of roughly three to four months. The study would need to be complete by May 1, 2026, in order to apply to the 2026-2027 Fire assessment rate, which is not possible. He requested Commission direction on how to move forward.

Town Manager Rubach clarified that should the Town choose to proceed with the study, it could take effect next year, adding that the Town's transition to another public safety services provider would also be a consideration in determining the Fire assessment. He confirmed that he would contact the consultant once more to determine whether a longer timeline for the study could mean a lower cost for the Town.

Commissioner Pouloupoulos pointed out that since the 2021 Surfside, Florida condominium tragedy, condominium association fees and special assessments have increased dramatically. He requested clarification of what the study would address, such as the inclusion of common areas in Fire assessments. Vice Mayor Strauss explained that his intent in suggesting the study was to ensure that condominium Fire assessments are fair, and to potentially reduce what is paid by commercial property owners for their

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 10, 2026

minimal use of Fire services, which he felt may be affected similarly to condominium common areas.

Commissioner Pouloupoulos requested clarification of how condominiums are currently assessed for Fire services. Town Manager Rubach replied that residential Fire services are a flat fee regardless of whether the dwelling is a condominium or a single- or multi-family home. Commercial properties, which include only businesses, are assessed on the basis of their square footage. The intent was to determine the accuracy of the flat residential fee, which currently assesses a much smaller condominium unit in the same manner as a single-family home.

Commissioner Pouloupoulos asked if the study would consider whether or not common areas in a condominium, such as gyms, lobbies, or libraries, should be considered as part of the square footage. Town Manager Rubach explained that he understood the request to address the square footage of individual condominium units, not only the common areas. He characterized the issue as a high-level overview for which details could be fleshed out in the future.

Vice Mayor Strauss added that he was not certain he was in favor of the estimated expense of a study, and suggested looking into a less expensive way to make this determination.

Commissioner Pouloupoulos expressed concern that the proposed recalculation could constitute taxing condominium residents for their common areas. Vice Mayor Strauss explained that this was not his suggestion; he had wanted to determine whether or not common areas are included in condominium assessments.

Commissioner DeNapoli asked how other municipalities assess Fire rates for condominiums. Town Manager Rubach replied that this is typically the same method used by the Town, with the caveat that some cities assess commercial rates based on a range of square footage rather than the Town's method of applying a set rate to each square foot. He reiterated that all residential units are charged the same rate. The Town may adjust the way the assessment is calculated if they wish, such as applying the square footage calculation to all properties.

Town Manager Rubach continued that he had understood the request regarding the study to consider condominiums and their square footage separately from single-family homes.

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 10, 2026

Commissioner DeNapoli observed that it would not be possible to estimate the results of this change without a study. Town Manager Rubach advised that the result would be an increase to residential rates, most likely to single-family homes, to offset a decrease in commercial costs. It would also be possible to consider basing all assessment rates on square footage.

Town Attorney Susan Trevarthen added that a consultant could review different possible methodologies to ensure that they are compliant with Florida Statutes. She pointed out that if the Town changes its methodology to be based on square footage across the board, residents of larger homes will see an increase, while those in smaller homes will pay less.

Finance Director Lucila Lang clarified that May 1, 2026 is the time at which the Property Appraiser's Office would implement any new method of allocating the Fire assessment as long as that method follows guidelines. If a study is completed before May 1, 2027, the Property Appraiser's Office would have time to implement the new methodology.

Commissioner DeNapoli asked if the Town could submit a request to the Broward County Property Appraiser's Office to see the square footage for all Town properties at no cost. Finance Director Lang explained that a study would ensure that the Town is following the correct guidelines as established in Florida Statutes to ensure the proposed methodology is acceptable. Commissioner DeNapoli suggested it may be possible to secure the information using means other than a consultant's study.

Town Attorney Trevarthen advised that while the information is available from the Property Appraiser's Office, there would also be a question of what the Town wishes to charge per square foot. This amount is derived from actual records of Fire experience in the case of commercial use; residential use has a different experience, which must justify the rates being charged. Town Manager Rubach noted that this calculation is more complicated than he would be comfortable having determined by Staff.

Town Attorney Trevarthen continued that a study would consider Fire experience and validate and update the rates the Town has been charging in addition to considering different methodologies. It may also be possible for the Town to provide some amount of work up-front, which could affect the price of the study.

Town Manager Rubach concluded that he would bring this issue back as a discussion item so the Commission can determine what they would like to see from the study. He would also look into the potential of different costs from the consultant depending upon the data provided.

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 10, 2026

Town Manager Rubach continued that another consideration would be a study for the Town's creation of its own Fire Rescue Department. He has secured two proposals for \$30,000 and \$60,000 which would take 12 to 14 weeks to complete. He added that it would be unlikely this process would realize any savings for the Town, noting that a separate Fire Rescue Department would include costs associated with equipment, staffing, insurance, pensions, and ancillary Town Staff. The result would most likely be a doubling of overall Staff.

Commissioner DeNapoli commented that while he was interested in the estimated costs of establishing a separate Fire Rescue Department, he was unsure that it would be worthwhile to spend money on a study to determine these costs. Town Manager Rubach advised that in addition to paying Firefighters, the costs would include the purchase of another engine, two rescue vehicles, and vehicles for the Battalion and Fire Chiefs and Fire Inspector. Equipment alone would require a multi-million dollar investment up front, and the new equipment would require a new and larger Fire Station to house it.

Commissioner Pouloupoulos observed that while he was typically not in favor of significant expenses for studies, it may be necessary to fund a one-time study. He noted that when other public safety entities the Town uses charge a premium for staffing in order to make a profit, the Town does not know what percentage of their rates are premium as opposed to hard costs. He emphasized that this is the most important issue the Commission will address this year.

Commissioner Pouloupoulos concluded that he would be in favor of the \$30,000 proposed study in this specific instance because it would fully flesh out all the expenses associated with the option of establishing a Fire Rescue Department.

Mayor Malkoon agreed that it would be a responsible step to investigate all the Town's options for Fire Rescue services.

Commissioner Graziano also agreed, but requested clarification of the difference between the two studies' prices. Town Manager Rubach explained that these figures were only high-level numbers. The difference in time frames for the two providers was approximately two weeks. Commissioner Graziano concluded that he would support moving forward with the \$30,000 study.

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 10, 2026

Town Manager Rubach advised that proceeding with the study would also delay any decisions to be made regarding the cost of the public-private partnership (P3) the Town is currently considering, as they do not yet know how large a Fire Station will be needed.

Commissioner DeNapoli also agreed to proceed with the study at \$30,000 over 14 weeks. Town Manager Rubach stated that he would bring final costs back to the Commission.

Vice Mayor Strauss also agreed to move forward with the \$30,000 study, and suggested that since the P3 issue is intertwined with consideration of Fire services, it may be possible to discuss having the Town's P3 partner assume some of the study's costs. Town Manager Rubach advised that he would ask.

Town Manager Rubach next addressed the Charter amendment proposed by residents, recalling that there had been discussion of whether or not the Town wished to seek a second legal opinion on that document. He requested Commission direction.

Commissioner DeNapoli recalled that he had expressed procedural concerns related to advancing the proposed Charter amendment through the citizen petition process. He stated that this topic was first brought to the Commission's attention in January 2026; he had subsequently learned that revisions to the petition's language had been made without additional Commission updates. He stated that his primary concern was with the communications between the petitioners and Town Staff.

Commissioner DeNapoli continued that the proposed Charter amendment sought by the petitioners is governed by Florida Statutes 166-031 and 101-161. He distributed copies of these Statutes, pointing out that the Town's Charter does not govern the process under which the petitioners are seeking change.

Commissioner DeNapoli clarified that Florida Statute 166-031 governs how petition items may be placed on the ballot. He pointed out that both Statutes are limited regarding what is required from the Town when engaging in communication with the petitioners, which means there is no obligation for the Town to assist petitioners in drafting ballot language. He felt the communication that has occurred between Town Staff may have guided the petitioners on how their ballot language should be crafted in order to pass legal review.

Commissioner DeNapoli stated that he had spoken with the Town Attorney on this issue and had provided legal theories and questions regarding the petitioners' first draft. He had later learned that a detailed legal memorandum from the Town Attorney to the Town Manager was shared with the petitioners, which he felt was a step too far. He emphasized

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 10, 2026

that the Town has no duty to advise the petitioners to the extent advice was provided. Commissioner DeNapoli stated that it appears as though the petitioners are relying on our Town Attorney to be their own attorney to craft a ballot item that would meet legal muster. They should simply hire their own attorney. He also reiterated his concern that the Commissioners had not been aware of ongoing communications between the first draft and subsequent drafts of the proposed amendment.

Commissioner DeNapoli recommended that the Town Attorney investigate the possibility of outside counsel with experience in election law and bring three cost estimates for limited legal review back to the next Commission meeting before either the Town Attorney or the Town Manager replies further to the petitioners.

Mayor Malkoon requested additional information on the role of the Town Charter in determining what is brought before the Commission, recognizing that the proposed Charter amendment is not an Ordinance. Commissioner DeNapoli explained that the Charter refers to the legal review process by the Town Attorney for the amendment of Ordinances. The petitioners are not operating under that Charter language, as they are seeking to amend the Charter under the requirements of Florida Statutes.

Commissioner Graziano requested input from the Town Attorney regarding her communications with the petitioners. Town Attorney Trevarthen confirmed that her role is to represent the will of the Town Commission. Article 4 of the Charter does not apply to the petitioners. She recalled that the Town Manager and Acting Town Clerk had requested guidance regarding responses to questions posed to them by the petitioners, and she has provided this guidance to those administrative offices.

Town Attorney Trevarthen also confirmed that both Florida Statutes cited by Commissioner DeNapoli have been given more meaning through the interpretation of case law over time. She explained that case law states if a petition is substantively illegal or fails to meet the standards that have resulted from case law, it would not be proper to place that item on the ballot. The standards are interpreted to include actions such as misleading voters or fairly placing a proposition before them. The information provided to the petitioners was done under those standards.

Town Attorney Trevarthen continued that she had not been aware the Commission had not received the second submission of the petition. She clarified that communications with the petitioners were done with the Town's best interests in mind and only assessed concerns with the language. The petitioners are in charge of their process and may begin

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 10, 2026

circulating their petition at any time. She concluded that if it is the Commission's will, no further guidance would be provided to the petitioners.

Vice Mayor Strauss asked if either the Florida Statutes or the Town's Charter prohibit the Town Attorney from speaking to the petitioners. Town Attorney Trevarthen replied that she has only responded to the emails on which Town administration requested guidance; she has not spoken further with the petitioners. Commissioner DeNapoli reiterated that he felt the level of participation by the Town Attorney had gone too far, as the Town is under no obligation to provide information or assistance to the petitioners.

Vice Mayor Strauss explained that his question was how much oversight the Commission wishes to have over the Town Attorney in providing guidance on any issues that may arise. Mayor Malkoon stated that the concern is to provide no extra help to the petitioners that is not required; if the petitioners need legal assistance, they should retain their own counsel.

Commissioner Poulopoulos stated that he saw both sides of the issue, particularly from the perspective of cost, as a third party not operating under the auspices of the Town's Charter has received some legal advice. He asked if the memorandum supplied by the provider of a second opinion would be shared with the petitioners. Town Manager Rubach advised that such a memorandum would become part of the public record.

Commissioner Poulopoulos continued that while he felt no additional advice or assistance should be provided to the petitioners by the Town Attorney in this case, he did not feel it was necessary to issue a legal memorandum whenever a petitioner approaches the Town. He also did not believe it would be the taxpayers' place to fund the costs of future legal memoranda, and agreed that going forward, no similar memoranda should be issued by the Town Attorney and circulated to petitioners.

Commissioner DeNapoli explained that a second opinion would not have to be issued in writing, but could be a verbal conversation only. It could also take the form of an opinion that simply states the Town cannot approve or certify the proposed language in its current form. He added that he was interested in hearing an opinion from another entity, particularly as petitions are not brought forward often.

Commissioner DeNapoli recommended at least securing estimates for the cost of a second opinion and bringing that information to a subsequent meeting.

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 10, 2026

Commissioner Graziano asked if there is any liability exposure related to the information already provided to the petitioners. Town Attorney Trevarthen replied there was no such liability. Commissioner Graziano suggested that the Town contact the petitioners and inform them that, going forward, they may not rely on legal assistance from the Town. Town Attorney Trevarthen confirmed this could be done, adding that it may be useful in the future for the Town to enact an Ordinance reflecting the limits the Commission would like to place on any assistance to petitioners.

Commissioner Poulopoulos reiterated that if the Commission secures a second opinion, it would amount to providing answers for the petitioners once again. Commissioner DeNapoli stated again that this would only apply in the case of a written opinion or memorandum.

Mayor Malkoon requested more information on the process of finalizing language for the proposed Charter amendment. Town Attorney Trevarthen replied that the petition would ultimately be sent to the Broward County Supervisor of Elections, who would validate the signatures and language. The deadline for this submittal is June 10, 2026.

Town Attorney Trevarthen continued that there is precedent in which other municipalities have declined to place an item on the ballot, which often results in the petitioners filing a lawsuit and a court decision over whether or not the municipality acted appropriately. The presumption in those cases is in favor of the petitioners and voters' rights rather than allowing local government to prevent issues from being placed on the ballot. Post-election legal challenges are also a possibility, although these are subject to different standards.

Commissioner Poulopoulos emphasized that his goal was not to disenfranchise voters or prevent the placement of an item on the ballot, but to ensure that any initiative that may be added as a Charter amendment is proper, as this could lead to post-election legal challenges.

Commissioner Poulopoulos also requested clarification that any memoranda provided by the Town Attorney to the Commission are part of the public record. Town Attorney Trevarthen replied that this is usually the case; public attorneys have very limited attorney-client privileges outside of active litigation.

Commissioner Poulopoulos asked if Commissioner DeNapoli's recommendation of a second opinion was based on the possibility that, should a pre- or post-election challenge occur, the Commission would be able to show two opinions from two separate attorneys. Commissioner DeNapoli reiterated that his concern was that the Town has previously

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 10, 2026

provided assistance to the petitioners which may have helped their initiative not fail. If the original version of the document had been brought forward without having received any guidance, the Commission could have simply rejected its placement on the ballot.

Commissioner DeNapoli reiterated that there is no legal requirement that a memorandum must be produced when a municipality seeks legal advice from an attorney.

Town Manager Rubach advised that the Town has currently received a third iteration of the petitioners' document. Town Attorney Trevarthen stated that under the direction provided tonight by the Commission, she would simply inform the petitioners that the Town has no further opinions at this time.

Commissioner Pouloupoulos requested clarification of the deadline by which the petition must be sent to the Supervisor of Elections. Town Attorney Trevarthen reiterated that this deadline is June 10, 2026, after which her understanding was that no further amendments could be made to the document. She added that a second opinion may identify a potentially fatal flaw in the document's language which could be used to prevent inclusion of the item on the ballot.

The Commissioners determined by consensus to direct the Town Attorney and Town Manager to engage in no further discussion with the petitioners other than to inform them that no further guidance would be provided.

Commissioner Pouloupoulos made a motion, seconded by Commissioner Graziano, to extend the meeting to 11:15 p.m. Motion carried 5-0.

Town Manager Rubach requested direction from the Commission regarding attendance at and/or sponsorship of the Broward League of Cities Mayors' Gala. There was Commission consensus not to attend or sponsor this event. Town Manager Rubach noted that individual tickets may still be purchased for the event if a Commissioner or Commissioners wish to attend.

The next Town Commission meeting is scheduled for Tuesday, March 24, 2026, at 6:30 p.m.

9. TOWN ATTORNEY REPORT

None.

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 10, 2026

10. APPROVAL OF MINUTES

- a. **Approval of Minutes for Regular Town Commission Meeting held on January 27, 2026, and Public Safety Workshop held on February 10, 2026.**

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

11. CONSENT AGENDA

- a. **Special Event Application: Spring Beach Baptism 05.16.26**

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

12. OLD BUSINESS

- a. **Charter Review Board Recommendations and Commission Discussion**

This Item was deferred to the March 24, 2026, Town Commission meeting.

13. NEW BUSINESS

- a. **Mitigation of Fines – 230 Basin Drive (Marina)**

This Item was deferred to the March 24, 2026, Town Commission meeting.

14. COMMISSIONER PRESENTATIONS

None.

15. COMMISSIONER COMMENTS

Commissioner Graziano reported that the Town is still awaiting data from Florida Power and Light (FPL) regarding the undergrounding of utilities in some Town neighborhoods. At present, the date for undergrounding utilities in the northern part of the Town is scheduled for 2032, with the remainder of the Town scheduled for 2040.

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 10, 2026

Commissioner Graziano continued that he is still pursuing funds for lighting of the Town's mural on Commercial Boulevard. The price of this lighting is estimated at roughly \$15,000. The Town may not provide funds, as the mural is located on private property.

Commissioner Graziano concluded that he and BSO Captain Sutter are working with Town residents to slow boat traffic on the Intracoastal Waterway. Data is currently being compiled in Tallahassee in relation to this request.

Vice Mayor Strauss encouraged attendance at the upcoming Taste of Lauderdale-By-The-Sea event.

Mayor Malkoon reminded all present of the Sea Shorts plays, which will be presented over the weekend.

16. ORDINANCES 1ST READING

None.

17. ORDINANCES 2ND READING

None.

18. RESOLUTIONS – PUBLIC COMMENTS

- a. **Resolution 2026-03: A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA FLORIDA APPROVING THE ASSIGNMENT OF THE CONTINUING PROFESSIONAL SERVICES AGREEMENT FROM HITCHCOCK DESIGN GROUP TO RVI PLANNING + LANDSCAPE ARCHITECTURE, AND APPROVING A WORK AUTHORIZATION FOR CONSTRUCTION DOCUMENT DESIGN SERVICES WITH RVI FOR THE HIBISCUS AND DATURA PORTALS**

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

Town Manager Rubach recalled that at the February 10, 2026, Commission meeting, the Commission provided direction to Staff to bring back cost estimates for the completion of the portals' design phase but not to move forward with the projects. The total cost for

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 10, 2026

100% completion of construction documents is \$71,550. Once the Commission budgets for the project, the documents will be ready and the Town can move directly into the permitting phase, followed by hiring of a firm.

Commissioner Graziano asked if grant funds were part of this project. Town Manager Rubach confirmed that grant funds will provide a portion of the design costs. Commissioner Graziano noted that the Town is under no obligation to implement the design.

Commissioner Graziano made a motion, seconded by Commissioner Pouloupoulos, to approve.

It was confirmed that \$50,000 in grant funds would go toward the total cost of \$71,550. Some work on the construction documents has already begun. The Town will provide approximately \$16,000 toward the documents. If the Town does not act on this Item, they would lose the grant funds.

Motion carried 5-0.

19. QUASI JUDICIAL PUBLIC HEARINGS

- a. **Application Number: 2025-CUS-01: Pursuant to Chapter 30, “Unified Land Development Regulations,” Article VIII, “Sign Regulations,” Section 30-502(d)(4), “Exempt Signs,” of the Town’s Code of Ordinances (“Town Code”), the Applicant has requested a Conditional Use Permit (2025-CUS-01) to allow installation of a new Mid-Century Modern style sign including address numbers measuring two (2) feet, eight (8) inches in height where the Code provides for a six (6) inch maximum letter height, and a sign totaling 34.98 square feet in sign area, where the code does not allow for address signs to exceed two (2) square feet in sign area in the RM-25 Zoning District for the property located at 1541 S. Ocean Boulevard.**

This Item was deferred to the March 24, 2026, Town Commission meeting.

20. ADJOURNMENT

With no other business to come before the Commission at this time, the meeting was adjourned at 11:06 p.m.

Lauderdale-By-The-Sea
Regular Town Commission Meeting
March 10, 2026

Mayor Edmund Malkoon

Mayor Edmund Malkoon

ATTEST:

Courtney Easley

Courtney Easley, Acting Town Clerk

4/17/2026 | 12:47 PM PDT

Date