



**TOWN OF LAUDERDALE-BY-THE-SEA  
TOWN COMMISSION  
Jarvis Hall  
4505 N. Ocean Drive  
Tuesday, January 13, 2026  
6:30 PM**

**1. CALL TO ORDER, MAYOR EDMUND MALKOON**

Mayor Edmund Malkoon called the meeting to order at 6:32 p.m. Also present were Vice Mayor Randy Strauss, Commissioner Richard DeNapoli (by phone), 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**

All present observed a moment of silence.

**4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS**

None.

**5. PRESENTATIONS**

None.

**6. PUBLIC COMMENTS**

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

**7. PUBLIC SAFETY DISCUSSION**

**a. BSO December 2025 Public Safety Report**

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Broward Sheriff's Office (BSO) Captain Christopher Sutter recognized the day shift of December 19, 2025 as Employees of the Month. Officers were dispatched to search for an at-risk individual using cameras, vehicles, and ATVs. The individual was recovered without incident.

Captain Sutter continued that BSO had a significant presence at the recent Christmas-By-The-Sea event, with roughly 41 Deputies, reserve units, Citizen Observer Patrol (COP) units, and more in attendance. The Winterfest Boat Parade was held on December 13, 2025 and the Chanukah Festival was held on December 16, 2025 at the Downtown Pavilion. Both events were successful with no incidents.

Commissioner Pouloupoulos requested clarification of a reference to Part 1 crimes in the December 2025 report. Captain Sutter explained that these include auto thefts, burglaries, sexual assaults, arsons, homicides, aggravated assaults and more major crimes. The reference includes reporting of these crimes, not arrests.

Commissioner Pouloupoulos noted that there appeared to be a decrease in crimes reported from 2024 to 2025. Captain Sutter confirmed this decrease, noting that BSO Officers have increased their visibility and outreach in multiple locations throughout the Town and neighboring municipalities.

BSO's annual Senior Seminar is scheduled for Wednesday, January 28, 2026 from 12 p.m. to 3 p.m. Representatives of several local and state agencies will be in attendance. Captain Sutter emphasized that the event is open to all and focuses primarily on different types of fraud. He strongly emphasized that legitimate agencies do not contact individuals by phone and demand payment, particularly in non-standard forms of currency such as gold, bitcoin, or gift cards. He encouraged individuals to reach out to law enforcement if this type of contact occurs.

Captain Sutter continued that a "shred-a-thon" event is scheduled for April 11, 2026 at Assumption Catholic Church. Additional information will be provided as this date approaches. Individuals may also dispose of unused prescription medications at the event.

Vice Mayor Strauss noted that some law enforcement agencies send out drones in advance of an official response so they can preview the incident. Captain Sutter confirmed that drones are used for some in-progress crimes such as burglaries or missing persons.

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## **8. TOWN MANAGER REPORT**

### **a. Town Manager Report**

Town Manager Ken Rubach reported that the Florida Department of Transportation (FDOT) will resurface portions of A1A over the upcoming weeks. Paving will take approximately 45 days and will include a new roadway surface as well as replacement of existing paver crosswalks with thermal striping. He is currently awaiting dates for the repaving of Commercial Boulevard, which is several months away.

The first Party in the Park event, "Friedt is Frozen," saw attendance of roughly 200 individuals. The next event is planned for February 2026.

Friday Night Music will return from January through March 2026, beginning January 23 from 7 p.m. until 10 p.m.

Town Manager Rubach requested available dates from the Commissioners for a roundtable discussion of the Town's Fire service. There was Commission consensus that this discussion would be scheduled for 5 p.m. on Tuesday, February 10, 2026 ahead of that night's regular Commission meeting. Representatives of entities submitting proposals for Fire services will be invited to the roundtable.

First-round interviews have been held in the search for a new Public Works Director, with second-round interviews scheduled for the following week. Town Clerk interviews are set to begin as well. It is hoped that the two positions will be filled by the end of February/beginning of March.

A Code Compliance hearing is scheduled for Thursday, January 22, 2026 at 5 p.m. The next Town Commission meeting will be held on Tuesday, January 27 at 6:30 p.m.

Vice Mayor Strauss recognized Town Staff for their maintenance of the Town's bocce court.

Commissioner Pouloupoulos also recognized Staff for the Party in the Park event, and recommended holding similar events during the year, as it attracted many families from outside the Town as well as Town residents.

### **b. Visitor Center Quarterly Report**

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Assistant to the Town Manager/Acting Town Clerk Courtney Easley reported that during the third quarter of 2025, the Visitor Center maintained strong engagement despite a 9.68% year-over-year decrease in overall visitation. This trend is consistent with a statewide decrease in international travel. Signage is a primary driver of in-person visits, and outreach efforts have been successful.

Domestic and Florida-based visitors accounted for the majority of traffic to the Visitor Center, supported by both word-of-mouth and the DiscoverLBTS.com website. The Center has consistent volunteer support and remains an effective and visible gateway to the Town.

## **9. TOWN ATTORNEY REPORT**

Town Attorney Susan Trevarthen advised that in December 2025, the Broward County Board of County Commissioners changed the Broward County Code of Ethics, which applies to all elected officials. One major component of this Code consists of a separate and stricter set of rules regarding acceptance of gifts by elected officials. The new County Ordinance repeals these Broward County rules, leaving officials subject only to state rules for acceptance of gifts. A memorandum is being prepared on this topic and will be shared with the Commission. She encouraged the Commissioners to reach out to her office with any questions.

Town Attorney Trevarthen continued that Tuesday, January 13, 2026 is the first day of the Florida Legislative Session. Many issues in which the Commission has expressed interest are now active, including issues related to revenue, land use, and development. The Florida League of Cities hosts a regular Monday morning webinar with updates on legislative activity planned for that week. Bills proposed for the current session include amendments to the Live Local Act, legislation addressing Senate Bill (SB) 180, and other topics including accessory dwelling units, approval of development, and more.

Town Attorney Trevarthen noted that the Governor has already requested a special legislative session to address redistricting, and other special sessions may be requested in the future.

The Town has received a petition for Charter Amendment. Town Attorney Trevarthen advised that it is too soon for her to address this item, but she will advise the Commission on it in the future.

## **10. APPROVAL OF MINUTES**

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None.

### **11. CONSENT AGENDA**

None.

### **12. OLD BUSINESS**

None.

### **13. NEW BUSINESS**

#### **a. Uniform Collection Agreement for Non-Ad Valorem Special Assessments – Fiscal Impact and New Expense**

Town Manager Rubach explained that this Item addresses a current agreement between the Town and Broward County. The creation of a Broward County Tax Collector's Office means a new agreement must be authorized under State Statute for the collection of non-ad valorem taxes. Up to 2% may be assessed of the actual collected amount to reimburse this office for the costs of collection. Additional administrative, billing, and advertising costs may apply as well.

The annual cost to the Town will vary depending upon the components cited above. Town Manager Rubach noted that an annual 2% collection may vary between \$40,000 for a \$2 million assessment; if estimated administrative, processing, or other costs are added, this may increase by another \$7,000-\$10,000 per year. The tax collector may request this money under State Statute for the funding of their office. Commission approval is required for the Item to move forward.

Commissioner Graziano observed that the documentation attached to this Item refers to uniform collection "by January 10." Town Manager Rubach explained that some communities have been working on their agreements for some time, and that the agreement includes language that may affect other municipalities but not the Town. The Tax Collector's Office has requested that the agreement be returned to them as quickly as possible. There is no penalty for missing the January 10 date.

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

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#### **14. COMMISSIONER PRESENTATIONS**

None.

#### **15. COMMISSIONER COMMENTS**

Commissioner Pouloupoulos wished all present a happy New Year and thanked BSO and volunteers for their support of the recent Epiphany service, which saw roughly 300 attendees.

Commissioner DeNapoli mentioned the recent Christmas-By-The-Sea and Chanukah celebration events, and encouraged residents to attend the upcoming Friday Night Music events.

Commissioner Graziano thanked Staff for their work over the holidays, noting that a number of events were held during the season. He added that he would like to add lighting to the Town's mural which is visible upon crossing the bridge, emphasizing its importance in branding. He is seeking quotes for Code-approved lighting that will not affect neighbors.

Commissioner Graziano continued that speed controls have been implemented by Fort Lauderdale along the Intracoastal Waterway as far as Commercial Boulevard in the Town. Residents of the Terra Mar neighborhood as well as adjacent municipalities have expressed interest in implementing similar speed controls. He has referred these individuals to BSO for further assistance.

Commissioner Graziano also thanked Development Services and Code Compliance for their support and enforcement while multiple houses in the Terra Mar community are being demolished. He concluded that a small business group is working to encourage day trip sales for cruise passengers to Lauderdale-By-The-Sea.

A meeting is scheduled on February 2, 2026 between Commissioner Graziano, State Senator Jason Pizzo, State Representative Chip LaMarca, and Florida Power and Light (FPL) to discuss the undergrounding of utilities with possible state financing. Commissioner Graziano noted that FPL has already undertaken efforts to strengthen its lines in the Town.

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Vice Mayor Strauss advised that the Farmers Market is a success, and encouraged residents to attend this recurring event as well as the upcoming Friday Night Music events. He recommended that residents bring their pets indoors during an upcoming cold spell.

Mayor Malkoon thanked residents and neighbors who reached out to him over the holidays. He noted that the Town has a busy year ahead in 2026, including new administrative Staff, the Fire contract, possible new facilities, and more.

## **16. ORDINANCES 1<sup>ST</sup> READING**

### **a. Ordinance 2026-01 – AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, AMENDING CHAPTER 6, BUILDINGS AND BUILDING REGULATIONS, TO MODIFY REQUIREMENTS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.**

Development Services Director Jhanelle Campbell explained that Ordinance 2026-01 is the first in a series of Code updates to come before the Commission in 2026. The goal is to modernize outdated provisions, resolve recurring permitting and enforcement issues, and strengthen the capabilities of Code.

The Ordinance will address the following:

- Waterside/beachside address numbering will be required to assist in possible emergency response
- Modest increase in fines for repeat violators: the first violation would increase from \$100 to \$125, with the second violation within 12 months increasing from \$150 to \$175 and \$250 to \$275 for repeat violations in 18 months; the increase is expected to help offset the costs of increased staff hours
- Properties undergoing substantial renovations would be added to the Town's 18-month construction completion requirement
- Formalize requirements for homeowners' association (HOA) authorizations, including submittal of permit applications from condominiums; in lieu of approval, Staff recommends requiring an affidavit if an owner claims HOA approval is not required
- Incorporate private provider allowances as instituted at the state level by Florida Statute 553.791; this provision allows individuals to hire a professional to enact the permit review process for them

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

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

**b. Ordinance 2026-02 – AN ORDINANCE OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, AMENDING CHAPTER 30, “UNIFIED LAND DEVELOPMENT REGULATIONS,” ARTICLE V, “ZONING,” DIVISION 2, “DISTRICTS,” “SUBDIVISION I. – RM-25 DISTRICT REGULATIONS,” “SUBDIVISION M. – B-1 DISTRICT REGULATIONS,” AND “SUBDIVISION Q. – SUPPLEMENTAL REGULATIONS” OF THE TOWN’S CODE OF ORDINANCES; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND FOR AN EFFECTIVE DATE.**

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

Development Services Director Campbell advised that Ordinance 2026-02 amends multiple Sections of Chapter 30 of the Town’s Code to refine mixed-use standards, correct zoning language, and remove unintended regulatory barriers in the B-1 and RM-25 zoning districts. It reflects the Commission’s policy direction of October 14, 2025, when a number of items were brought forward for discussion.

The Ordinance will remove outdated or inconsistent development standards, improves clarity, and aligns regulations with existing land use patterns and contemporary redevelopment practices.

The proposed amendments include:

- B-1 mixed-use zoning: correction of a scrivener’s error listing B-1.A under B-1; removal of the 250 ft. Commercial Boulevard limitation; retention of 50% residential floor area cap with additional language allowing flexibility for additional residential area on a case-by-case basis; evaluation by Staff of commercial viability, compatibility, parking, infrastructure capacity, and design quality
- Section 30-242: allow properties less than 60 ft. which front onto Bougainvilla Drive to expand

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- Clarify how fence height is measured in construction scenarios, as flood regulations require newer properties to be built at higher grade; fence height would now be measured from the property requesting the fence
- Clarification of parking and drainage surface standards: drainage plans are required only when parking or pervious areas are increased not for routine resurfacing or restriping in order to avoid creating an undue financial burden on a property owner seeking to maintain their parking lot; a drainage plan would only be enforced with substantial changes to parking areas

The proposed changes were presented to the Town's Planning and Zoning Board at their December 10, 2025 meeting and unanimously recommended for approval.

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

**17. ORDINANCES 2<sup>ND</sup> READING**

None.

**18. RESOLUTIONS – PUBLIC COMMENTS**

- a. Resolution 2026-01: A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING AN INTERIM AGREEMENT PURSUANT TO SECTION 255.065, FLORIDA STATUTES, WITH CORE CONSTRUCTION SERVICES OF FLORIDA, LLC RELATING TO AN UNSOLICITED PROPOSAL FOR THE DESIGN, CONSTRUCTION, FINANCING, AND ONGOING MAINTENANCE OF A COMBINED GOVERNMENT CENTER; PROVIDING FOR IMPLEMENTATION AND AN EFFECTIVE DATE.**

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

Town Manager Rubach recalled that on October 28, 2025, the Commission approved a Resolution authorizing the Town Manager, with Commissioner DeNapoli serving as Commission liaison, to negotiate an interim agreement with Core Construction Services of Florida for a potential public-private partnership (P3) project. This interim agreement is not a construction contract; it is intended to authorize limited pre-development and

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due diligence work so the Town may make an informed decision on whether or not they wish to proceed with a comprehensive agreement.

The interim agreement allows the following:

- Allows developers to study the site and prepare preliminary design schedules and cost estimates
- Provides the Town with professional analysis regarding feasibility, risks, and potential funding options under Florida's P3 laws
- Produces information the Commission currently does not have, but needs in order to evaluate next steps

Town Manager Rubach pointed out that the interim agreement does not include the following:

- Approve a construction agreement for a new government center
- Approve or authorize any financing or long-term debt
- Commit the Town to any comprehensive agreement
- Limit the Commission's future discretion on whether or not to move forward with the proposed project

As part of the P3 process, the developer is responsible for the payment of any third-party consulting costs during the pre-development phase. The Town does not incur any up-front costs unless it elects to terminate the agreement for convenience or proceeds with a materially similar competing project. Termination for convenience would cost the Town a fixed fee of \$40,000 in addition to third-party costs. Should they terminate and then proceed with a similar project with another entity, the cost to the Town would be \$200,000.

The Town will receive monthly updates from Core Construction Services, clarifying the amounts spent on third-party providers. At the end of the process, the Town will own all design and construction documents. Town Manager Rubach and Commissioner DeNapoli will meet with PFM Financial Advisors as well as the Core Construction team if the interim agreement is approved.

Commissioner DeNapoli characterized the proposed interim agreement as a pre-development agreement which allows the Town and the developer to undertake due diligence, site planning, preliminary design, budgeting, and financing concepts. These will allow the Commission to make an informed decision at a later date on what the full project would look like.

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Commissioner DeNapoli recalled that in 2025, there had been Commission consideration of allocating up to \$196,000 for design and site planning by another provider. The interim agreement does not include this expense. The Town's exposure under the interim agreement is limited to \$40,000 if the Town voluntarily terminates the agreement. It also includes an agreement to purchase the work products created by Core Construction in the event of voluntary termination. The work products include the Site Plan and 30% of design drawings. Financial advisor PFM will advise the Town on what they believe it can afford, and the full plan will come before the Commission for final approval.

Commissioner DeNapoli strongly emphasized that the interim agreement does not authorize a project, nor does it obligate the Town to enter into a comprehensive plan or proceed beyond the current phase. A monthly recap of costs will be provided to the Town, as well as estimates of upcoming costs for subsequent months.

Mayor Malkoon noted that should the Town cancel the contract and proceed with another developer, the cost would be \$200,000 in addition to the fixed cost of \$40,000 for the work products. Town Manager Rubach noted that the time frame for this additional cost was one year; the Town would be unlikely to proceed with another project within this time.

Commissioner Pouloupoulos requested clarification of whether the \$40,000 cost includes the full comprehensive architectural and engineering plan for the project. Commissioner DeNapoli clarified that the Town's exposure is \$40,000, which includes some information the Town already has as well as the work products. The full plans for the project would include more than the architectural and engineering plans. Core Construction will also provide the Town with a monthly report of itemized costs.

Town Attorney Trevarthen further clarified that the Town's exposure would depend in part upon when the agreement falls apart. The \$40,000 cost would occur if the Town and Core Construction part company; in addition, the Town would pay the third-party costs if this should happen.

Town Attorney Trevarthen continued that Core Construction will hire another entity to do the work, and these costs would fall upon the Town if they terminate the agreement for convenience. These costs are separate from the \$40,000.

Commissioner Graziano stated that he felt the proposed interim agreement was premature, and instead recommended that the Town enter into a contract with the entity

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or entities that will provide Fire and other public safety services before signing onto the agreement. He added that he remains in favor of entering into a P3, but not until the Town has fully explored new contracts.

Commissioner Graziano continued that he was not certain costs would only go up if the Town waited until a later date to enter into an agreement, as it is possible interest rates may decrease rather than increase in the future. He concluded that he was supportive of all P3 efforts other than moving forward tonight with the proposed interim agreement.

Town Manager Rubach advised that Fire Station designs are guided by national standards which establish the number of personnel required for certain types of rescues, or operation of certain vehicles. This means there would be no need for different designs for different providers. He added that Core Construction is one of the leading builders of Fire Stations in the nation.

Commissioner Graziano replied that he had taken these standards into consideration during his discussions with Core Construction; however, the Town may choose a Fire services provider who feels certain equipment is not necessary or could be replaced, which may affect the project's design. He reiterated that he found the interim agreement premature, and the Commission should at least hold its first roundtable discussion of the Fire services contract before proceeding.

Commissioner DeNapoli agreed with the Town Manager's comments regarding standards for Fire services and equipment, also citing Core Construction's experience in that field.

Mayor Malkoon recalled that some potential Fire service providers had expressed concern for the Town's existing public safety facilities because these may change in the future. Town Manager Rubach confirmed this, clarifying that if the Town's facilities do not meet current standards, this could impact those providers' service ratings.

Commissioner Graziano recommended waiting for 60 days before entering into an agreement, as prospective providers may provide the Town with more information on their needs during this time frame.

Town Manager Rubach further clarified that the upcoming February roundtable will only address Fire services, not including other aspects of public safety. He concluded that he was confident the information and products provided by Core Construction would work for any Fire services provider.

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Mayor Malkoon asked if a needs assessment has already been done for Fire services. Town Manager Rubach confirmed that the assessment was based on the Town's Volunteer Fire Department's (VFD's) needs at the time, as well as future considerations for BSO. He added that the Town would not have a Fire contract in place within 60 days.

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

**19. QUASI JUDICIAL PUBLIC HEARINGS**

None.

**20. ADJOURNMENT**

With no other business to come before the Commission at this time, the meeting was adjourned at 7:50 p.m.

*Mayor Edmund Malkoon*

\_\_\_\_\_  
Mayor Edmund Malkoon

ATTEST:

*Courtney Easley*

\_\_\_\_\_  
Courtney Easley, Acting Town Clerk

2/13/2026 | 3:19 PM EST

\_\_\_\_\_  
Date