



**TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
Jarvis Hall
4 4505 N. Ocean Drive
Tuesday, February 24, 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, 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. Citizen Observer Patrol Annual Awards

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Broward Sheriff's Office (BSO) Captain Christopher Sutter recognized the following individuals for their service in the Citizen Observer Patrol (COP) program:

- Top COP Award: Tom Criqui
- Distinguished Service Award: Dennis Petretti

Captain Sutter emphasized the contribution of all COP volunteers, who have contributed a total of 1,040 hours of service patrolling the Town, including bicycle and beach patrols, and assisting with Town events.

Captain Sutter briefly addressed the upcoming spring break season, stating that BSO works with the Town every year to establish a safety lane on the beach. This allows BSO all-terrain vehicles (ATVs) to travel safely on the beach without disturbing beachgoers. The spring break plan is expected to be in effect from March 7 through March 31, 2026, with extended patrols in the Downtown area, a high-visibility Deputy on Friday and Saturday nights, and a dedicated beach patrol Deputy from 11 a.m. to 5 p.m. on Saturdays and Sundays. BSO's Regional Motor Unit will provide enhanced traffic patrol along Broward County's barrier islands. COPs will assist with beach patrols as well.

8. TOWN MANAGER REPORT

a. Town Manager Report

Town Manager Ken Rubach stated that he met with a consultant regarding a Fire Rescue study to determine what would be necessary for the Town to establish its own Fire Department. He recalled that this was raised as a possibility during the February 10, 2026, Public Safety Roundtable discussion. Once he has received a proposal from the consultant, he will bring it back to the Commission for direction. Town Manager Rubach has also reached out to Matrix, which performed the Town's original Fire Assessment study.

During the February 10 roundtable, Vice Mayor Strauss had suggested options for changing how the Town assesses certain properties, including condominium buildings. Finance Director Lucila Lang has been working with Broward County to obtain additional information on condominiums, including square footage.

The Friedt Family Park mural by artist Jonathan Ramirez is officially complete. An unveiling ceremony will be held in the near future.

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Friday Night Music will return on Friday, February 27, 2026, from 7 p.m. until 10 p.m.

The Party in the Park series recently held its “Oceans of Love” event, which saw roughly 80 children in attendance from the Town and across Broward County. Town Manager Rubach recognized Events and Marketing Manager Katie Anderson for her work on this event, as well as the Chamber of Commerce and BSO.

Signage has been updated at the Town’s tennis and pickleball courts. The new signage reflects current guidelines for these courts, as found on the Town’s website and signed by job holders. The Public Works Department has also improved the court area.

The United Way Mayors’ Gala is scheduled for Saturday, April 25, 2026. The Town has been a regular sponsor of this event in the past, and has budgeted \$4,000 for this event, which includes a table for 10, two VIP reception tickets, recognition at the event and in the program journal, and a full-page ad in the event program. Town Manager Rubach requested direction from the Commission on sponsorship of this event. It was determined that the Town Manager would bring additional information back to the Commission at the next scheduled meeting.

Commissioner DeNapoli addressed recent emails regarding a petition for a proposed Charter amendment, recalling that since the Commission was initially briefed on this matter, subsequent revisions to the petition proposal have been made without corresponding updates to the Commission. He emphasized the importance of ensuring the Commissioners remain informed on this issue, and recommended that the Town retain limited independent outside legal review due to the possibility of unintended legal and operational consequences related to this potentially contentious public process.

Commissioner Graziano asked if any difficulties are anticipated regarding the petition issue. Town Attorney Susan Trevarthen stated that she has reviewed submissions from the petitioners, who have revised their proposal twice in February, including a revision earlier today. The purpose of this review, which was requested by the Town Manager, was to ensure that the petition is eligible for legal placement on the ballot. She emphasized that it is not the Town’s role to comment on agreement with the petition, or to recommend changes to its language; her review was intended to highlight basic problems with the document’s language.

Town Attorney Trevarthen continued that she has drawn upon additional resources from within her firm, which has experience with this process in multiple local governments,

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and confirmed that the Commission may proceed with seeking additional opinions if that is their desire.

Commissioner Graziano also requested feedback from his fellow Commissioners who are attorneys. Vice Mayor Strauss advised that while the Commission may seek a second opinion on the matter, it would come at an additional cost to the Town. He also expressed concern with the possibility of seeking further opinions, pointing out that the goal in this case was to ensure that the correct process for a petition has been followed. He did not feel a second opinion was necessary on this particular issue.

Commissioner Pouloupoulos asked if the Town has any concept of what a second opinion related to the petition might cost, pointing out that cost and necessity are two separate concerns. He characterized the response to the petition as procedural, and asked if the Town plans to challenge any aspects of the process from a procedural standpoint.

Commissioner DeNapoli observed that any issue of a Constitutional nature generally includes differing opinions, and noted that his recommendation for independent counsel was not substantive in nature but addressed procedural issues. He felt the cost of a second look at the item could fall within the Town Manager's purchasing authority, and characterized additional review as a protective measure.

Commissioner Pouloupoulos asked if the retention of outside counsel would indemnify the Town in any way. He expressed concern that seeking a second opinion could be construed as buying insurance. Commissioner DeNapoli noted that this could be the case, depending upon the second opinion; it was also possible, however, that both legal entities might agree, which could provide certainty.

Mayor Malkoon commented that he also had questions regarding interpretation and understanding of the petition and its process, as well as issues that may have been overlooked. He was not opposed to additional review.

Commissioner DeNapoli added that one reason he was raising the issue at this time was the necessity of meeting legal time frames associated with the process. He pointed out that there may not be a chance to raise this issue and reach consensus at a later date.

Commissioner Graziano stated that the Town Attorney and others from her firm have spent significant time with the Town's Charter Review Board (CRB), as well as time

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responding to the entity bringing forward the petition. He advised that while he did not object to a relatively small expense, he did not believe a second opinion would be inexpensive. He concluded that he was comfortable not seeking another opinion unless a timing issue has been clearly identified.

Town Attorney Trevarthen stated that she has opined that Article 4 of the Town's Charter does not apply in this case, as it is only applicable when voters either bring forward a new Ordinance or a proposal to repeal or modify an existing Ordinance that has been adopted by the Commission. The Town does not have specific procedural rules for the petition process. Because the entity bringing forward the petition needs time to circulate their document in order to meet the deadline for inclusion on the November ballot, case law allows petitioners to sue in order to force the municipality to take action.

Town Attorney Trevarthen continued that the Town only received the petitioners' second amendment to the document earlier today, with a message indicating their need for a quick answer so they can move forward. There is no written reference, however, to a specific number of days in which this must occur.

Commissioner Graziano asked if the Commission may choose to consider this issue for another two weeks and bring it back at the next scheduled meeting. Town Attorney Trevarthen confirmed that the Town may do this, and the petitioners may decide what action they may take in response.

Vice Mayor Strauss commented that obtaining a second opinion is not the same as obtaining a second opinion of which the Commission may be in favor, as multiple entities may be consulted before a desired second opinion is given. He was also not in favor of bringing this type of item forward at a meeting without advance time to study the issue in greater detail. He reiterated that he did not believe a second opinion, or the expense associated with that opinion, was necessary at this time.

Commissioner DeNapoli asserted that he had raised this issue because the Town Attorney had informed him that she planned to respond relatively quickly due to the possible need for back-and-forth communication. He requested additional clarification from the Town Attorney on this issue. Town Attorney Trevarthen replied that while the matter is ultimately left to the Commission's discretion, the Town cannot indefinitely hold off on its response. While there is no specific deadline, the petitioners have indicated some urgency and will need to make their own decisions about how to proceed.

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Commissioner DeNapoli explained that he had been caught off guard by today's communication, as the Commission had not been informed of any additional back-and-forth on the issue. He had also been under the impression that the Town Attorney needed to respond to the communication in less than two weeks. He stated that his intent in raising the issue was to meet the need to respond in a timely manner, and to be protective of the Town's interests.

Commissioner Pouloupoulos observed that he has had little time to review today's communication in depth, and recommended that if there is no pressing time constraint, he would like to take two weeks to review the issue further and revisit it at the next meeting. This would include additional time for him to speak with the Town Attorney.

Vice Mayor Strauss requested greater clarity of the process involved in addressing the petition. Town Attorney Trevarthen advised that the petition was submitted to the Town Clerk, who, with the Town Manager, brought it to her with a request for advice on both procedural questions and questions about the initiative itself. One such question was how a petition would be seen as sufficient to be placed on the ballot. Her response thus far has been within the scope of her duties in providing legal advice to the Town Clerk and Town Manager.

Vice Mayor Strauss again emphasized that the Commission has no authority over the petition, including whether or not they are in favor of it. Town Attorney Trevarthen confirmed that this was correct, adding that any petition brought forward must meet requirements for placing that item on the ballot. These requirements may include the statement of the petition's purpose, the length of its title and/or summary, and other considerations.

Vice Mayor Strauss asked why the Town Attorney would be responsible for ensuring these requirements are met rather than another counsel who might be retained by the petitioners. Town Attorney Trevarthen confirmed that the petitioners have that right, but had requested her advice, and she was asked by Town administration to analyze their questions due to her familiarity with municipal law in general and the Town's Charter in particular.

Town Attorney Trevarthen further clarified that she did not provide the petitioners with advice on how to draft their document, but had provided information on what parts of the petition should be revisited for insufficiency. She also noted that the process is different during the pre-election state of a petition from any challenges that may be raised post-election.

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Commissioner DeNapoli again stated that the Commission has the authority to hire additional independent counsel for review, and that he did not believe the cost of this step would be expensive. He recalled that an earlier version of the document had been determined to be legally insufficient, and recommended the use of additional counsel to review the document before it is placed on the ballot in order to lessen the chance of challenges later on.

Commissioner Pouloupoulos asked if the Town would indemnify itself if the petition is deemed to be proper before the election, but is challenged post-election. Town Attorney Trevarthen advised that any opinion or second opinion from counsel would not serve as an insurance policy against indemnification. Commissioner Pouloupoulos reiterated that he would like more time to review the most recent communications and speak to the Town Attorney before reaching a decision.

Commissioner Graziano stated that he would also like more time to review this issue before making a decision on additional counsel. Commissioner DeNapoli stated that he agreed with postponing the decision.

Town Attorney Trevarthen advised that if the Commission wished to take additional time to consider the issue, she would take this as direction to move forward with her work but wait to deliver her assessment until the Commission has had their chance to consider it further.

The Commissioners agreed by unanimous consensus to bring this issue back to the March 10, 2026, meeting, and that no action be taken by the Town Attorney until that date.

Town Manager Rubach returned to the earlier discussion of the United Way Mayors' Gala, clarifying that tickets for this event are \$400 each if the Town does not purchase a table. There is no lower sponsorship level than \$4,000. It was determined that the Town Manager would reach out to Town Staff to gauge their interest in attending the gala, and the Commissioners would advise him of their availability as well.

There was Commission consensus to have the Town Manager reach out to Staff and determine their interest in attending the event, as well as to provide greater clarity on the potential cost of guest tickets, and bring this information back at the March 10, 2026, meeting.

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b. October 2025 Finance Report

c. November 2025 Finance Report

d. December 2025 Finance Report

Finance Director Lucila Lang explained that the three Finance Reports listed above cover the first quarter of FY 2026. She pointed out that one of the reports notes that the Town had previously been behind schedule regarding Sewer Fund collections, but is now current. The Capital Improvement Program (CIP) has very low activity at this time, with the only project funding being the final payment toward beach renourishment. The Parking Fund remains strong.

Finance Director Lang added that per Commission direction, she had included attorneys' fees in the reports.

Finance Director Lang requested Commission direction on how to move forward with respect to charitable donation requests for FY 2027. The application process for these donations is typically opened at this time each year. She asked if the Commission wished to open this process, as well as whether or not the process would follow the same procedure as the previous year, which included bringing those requests before the Commission in September when budget discussions were underway. In earlier years, entities requesting donations had attended Commission meetings and made presentations on their requests.

The Commissioners discussed the donation process, with Commissioner DeNapoli indicating willingness to open the application process. Commissioner Pouloupoulos stated that he was not in favor of charitable donations in FY 2027 due to upcoming expenses faced by the Town.

Finance Director Lang noted that the FY 2026 budget for charitable donations was \$27,269, with most charities limited to receipt of \$1,000. Mayor Malkoon recommended that the Town limit donations similarly in FY 2027. Commissioner Graziano recommended modifying the language of emails sent to charitable entities to clarify that there is no guarantee the Town can provide any funding.

There was Commission consensus to open the application process and include the language proposed by Commissioner Graziano.

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Commissioner DeNapoli briefly addressed interest earnings, requesting clarification that this amount was higher following the institution of changes he had recommended with Truist Bank and the State Board of Administration (SBA). Finance Director Lang confirmed that interest rates have risen to 4.9%.

9. TOWN ATTORNEY REPORT

Town Attorney Trevarthen stated that she will provide an update on legislative issues at the March 10, 2026, meeting.

10. APPROVAL OF MINUTES

None.

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

13. NEW BUSINESS

a. Circuit Contract

Town Manager Rubach advised that he had extended the Town's current contract with microtransit provider Circuit under his purchasing authority. The Town "piggybacks" on the contract between Pompano Beach and Circuit, which was recently updated and approved at that municipality's most recent City Commission meeting.

Mayor Malkoon stated that while he will participate in discussion of this Item, he would not vote on it due to a conflict.

Jason Bagley, representing Circuit, recalled that the Town has piggybacked on Pompano Beach's Circuit contract since 2023. That contract was originally signed by Pompano Beach in 2021. The program has seen over 104,000 riders in 2025, and ridership increased by 25% from December 2025 to January 2026. It provides a 93% connection rate and 75% shared rate, with consistently positive rider experience.

If the Town transitions directly onto Pompano Beach's new contract with no changes, they would see an increase of up to 48% in costs. Mr. Bagley emphasized that there are many options to lower this increase.

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Mr. Bagley continued that in 2025, the total cost to the Town was \$206,000 to move 104,000 riders, which means the net cost of service is \$2.06 per rider. Most microtransit providers have net costs of \$20 to \$40. He characterized the Town's net costs as the most efficient across all of Circuit's markets.

Mr. Bagley noted that Circuit did not take advantage of a 3% escalator in 2024, which kept the hourly rate low at \$23.95 for the first 20 months of the program. At the Commission's direction, fares were implemented in 2025 at a cost of \$2 per ride. This meant multiple individuals could ride under a single fare payment.

In 2024, the Town paid \$236,000 for its Circuit contract. In 2025, when fares were implemented, net costs were reduced to \$206,000, or a savings of \$30,000. If the Town maintains the status quo with no advertisements on vehicles, they would see a 48% price increase. Mr. Bagley noted that if the Town chooses to implement ads, they would have approval authority over which sponsors and ads are featured on Town vehicles.

Additional options for cost savings include changing fares from \$2 per ride to \$2 per rider, or \$2 for the first rider with a fare of \$1 per additional rider with a cap of \$5.

Mr. Bagley noted that Broward County transportation surtax funding is anticipated in the future to provide some additional relief. Assistant to the Town Manager/Acting Town Clerk Courtney Easley advised that the Town expects approximately \$172,000 in surtax funding. The estimated surtax addition is not factored into any of the figures provided by Circuit.

Vice Mayor Strauss commented that while he opposed ads on vehicles in the past, he no longer objected to their inclusion on Circuit vehicles, particularly if the Town can pre-approve the sponsors and ads. He also noted that residents often use Circuit to access local hospitals, and suggested reaching out to the Holy Cross and Broward Health hospital systems to determine if benefits are available related to this service. Mr. Bagley observed that this may mean the hospital networks are willing to sponsor specific vehicles and/or provide routine transport for patients.

Commissioner DeNapoli requested clarification of the prices per rider charged by Pompano Beach and Fort Lauderdale. Mr. Bagley advised that Circuit service remains free in both municipalities, although Fort Lauderdale is considering fares. He added that if local businesses wish to advertise on vehicles, they will be offered a lower price point than national sponsors.

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Commissioner DeNapoli also requested clarification of what the Town would pay for the contract with the \$172,000 in surtax funding as well as roughly \$30,000 in fare revenue. Town Manager Rubach estimated that this would be approximately \$130,000 if all other factors remain the same. Commissioner DeNapoli concluded that he did not object to the placement of ads on vehicles.

Town Manager Rubach pointed out that the Town would need to modify Code before allowing ads on vehicles, as there is currently a prohibition on portable moving signs.

Commissioner Graziano observed that \$2 per ride is a very low fare, particularly when compared to taxi fares. He was in favor of raising fares to help offset Circuit's costs. Mr. Bagley further clarified that Circuit's Pompano Beach contract has a 3% escalator per year over a five-year contract; however, they would need to come back to the Town to justify their need for the escalator.

Commissioner Graziano concluded that he would recommend the addition of ads on Circuit vehicles, as well as a fare increase to \$2 per rider with a \$5 cap. He estimated that this would bring the Town's costs to \$228,195. He emphasized that the community is pleased with Circuit's product.

Town Manager Rubach requested clarification of what the Commission might want to prohibit with regard to ads. Commissioner Graziano stated that he would be willing to leave this to the Town Manager's judgment. Town Attorney Trevarthen advised that the Town can look at standard clauses adopted by other communities. There was no objection to the advertisement of alcohol by the Commission.

Commissioner Pouloupoulos also indicated his support for the addition of family-friendly ads. He continued that he was also in favor of changing fares to \$2 per rider, with or without a \$5 cap, and was open to further compromise.

Mayor Malkoon stated that he was also in favor of charging a fare of \$2 per rider, and did not object to ads, particularly if they feature local businesses. He noted that the proposed contract includes 88,890 annual service hours, with 890 of these hours occurring within peak months and 593 during off months, and requested that Circuit review the primary cost drivers and confirm that these represent Town-funded service hours for Lauderdale-By-The-Sea's program within shared boundaries.

Mr. Bagley confirmed the hours noted above, pointing out that hours are scaled up and down depending upon the season. He added that once the Town and Circuit have

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implemented increased fares and the addition of ad revenue, there is typically a decline in demand and ridership. He suggested that the Town consider building the addition of another vehicle into the contract for consideration once service has leveled off.

Mayor Malkoon asked if the minimum advertising revenue is a firm guarantee for the full year, or what assumptions support a lower increase scenario. Mr. Bagley replied that Circuit has compiled years of data for the Town and knows there is demand from specific markets, which make them comfortable with the projections.

Mayor Malkoon requested clarification of why a five-year commitment was necessary with the expectation of surtax funding as well as the structural complexities of shared zones. He suggested that a shorter term could be more sensible and provide time for performance reviews. Mr. Bagley replied that this is addressed by the annual 3% escalator, noting that insurance costs in particular have increased significantly in recent years. The contract includes a 30-day cancellation option.

Mayor Malkoon addressed schedule optimization, noting that service is currently provided from 9 a.m. to 9 p.m. through the week and 9 a.m. to 10 p.m. on Friday and Saturday nights. Mr. Bagley confirmed that heat map data is shared on monthly calls with Town Staff, and trends and opportunities for refinements are discussed as well. He emphasized the flexibility of service hours.

Mr. Bagley continued that the Town also has the option to provide free rides for senior citizens or other specific cohorts. These can be provided in the Circuit app, through promotional codes, or in other ways.

Commissioner DeNapoli requested examples of ads sold on vehicles. Mr. Bagley replied that in Pompano Beach and Fort Lauderdale these include realtors, developers, alcohol brands, and other diverse options.

Mayor Malkoon summarized that the Commissioners agreed on allowing advertising as well as possibly implementing fares per rider rather than per trip. Town Manager Rubach stated that he and Staff would work further with the Circuit team to prepare the contract, which would be brought back to the Commission for modifications and/or approval.

11. CONSENT AGENDA

a. Special Event Application: Easter Sunrise Service 04.05.26

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

The Commissioners took a brief recess at this time.

12. OLD BUSINESS

a. Charter Review Board Recommendations and Commission Discussion

Town Attorney Trevarthen explained that the Town's Charter is its governing document in a similar manner to the state and national Constitutions: it forms the basis of the Town's government. It is controlled by voters rather than by the governing body. Most Florida municipalities have Charters which structure that governing body's power as well as the Town's ability to have home rule.

The Town's Charter specifies a cycle in which it must be reconsidered by the Town. This cycle requires Charter review no later than every 12 years. In 2025, the Town appointed a Charter Review Board (CRB), which met over several months and reviewed all articles of the Charter to determine whether or not there was a basis for making change. The CRB arrived at a set of recommendations which are before the Commission at tonight's meeting.

Town Attorney Trevarthen emphasized that as with any recommendation from a Town advisory body, the Commission is under no obligation to accept any or all of the CRB's recommendations. She encouraged the Commission to engage with the issues brought forward by the CRB and decide whether or not they agreed with those recommendations. The Commission may also go beyond the issues brought forward by the CRB. Draft Ordinances based on the CRB's recommendations are included in the Commissioners' backup materials, as is the full Charter.

Town Attorney Trevarthen recalled that when the CRB's recommendations were first brought forward to the Commission in December 2025, the Commission chose to postpone consideration until February 2026, with the request that data on these recommendations be collected to provide a sense of how other Broward municipalities address these issues. This information is included in the Commissioners' backup materials.

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Town Attorney Trevarthen stated that the first CRB recommendation affects Charter Section 3.3 and would extend the minimum residency requirement for candidates for Town office from six months to one year. Most Broward communities have a one-year residency requirement, although there are others in addition to the Town that require six months' residency.

Mayor Malkoon advised that he was not in favor of increasing the residency requirement to one year, as it can be difficult to identify qualified candidates for office. He noted that Section 3.3 states that candidates must reside in the Town for six months immediately prior to qualifying for office, while Section 6.3 requires six months' residency immediately preceding the date of the election. He recommended addressing this language for consistency.

Commissioner DeNapoli advised that he was in favor of advancing the CRB recommendations to extend audit completion deadlines to nine months, as well as the recommendation addressing Section 6.4, which incorporates state election law, and Section 6.7, updating published notice requirements to match current practices. Commissioners Pouloupoulos and Graziano, Vice Mayor Strauss, and Mayor Malkoon indicated that they did not object to these recommendations.

Commissioner DeNapoli returned to the recommendation regarding Section 6.3, stating that he was not in favor of this change if it was not necessary. He noted that most of Broward County's beachfront communities have residency requirements of six months or less. He agreed with Mayor Malkoon that it can be difficult to find candidates for office in a small municipality, and concluded that he preferred to err on the side of inclusion.

Commissioner DeNapoli also acknowledged the conflict between Charter Sections 3.3 and 6.3, pointing out that candidates currently qualify for November elections in June. He also recommended that this be clarified.

It was noted that the CRB's seventh recommendation includes "cleanup" language to address any errors in the Charter document, including scribes' errors and inconsistencies with state governing documents. The Commissioners agreed unanimously to approve this recommendation to go forward.

Commissioner Pouloupoulos stated that he also disagreed with proposed changes to the residency requirement due in part to the small size of the Town. He emphasized the importance of ensuring new ideas are welcomed into Lauderdale-By-The-Sea.

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Commissioner Graziano stated that he was in favor of the CRB's recommendation to extend the residency requirement to one year and pointed out that residency is typically only addressed when a complaint arises. He noted that not all residents understand the differences between the Town's commercial, condominium, and residential districts and activities.

Vice Mayor Strauss felt the CRB's recommendation to extend the residency requirement reflected the importance of ensuring that candidates for office understand the Town's nuances. He did not believe residency has been an issue in the past, or that six months' time is unreasonable. He agreed with Commissioner Graziano that residents who wish to participate in Town business should fully understand the community, and concluded that while he leaned toward adopting the extension, he did not see this as a critical issue.

Town Attorney Trevarthen advised that the deadline for submission of Charter-related ballot initiatives is June 8, 2026. This would mean the Commission would need to approve an Ordinance upon first and second readings in May. This allows time for some additional discussion if that is the Commission's desire.

Town Attorney Trevarthen continued that her recommendation for action at tonight's meeting would be for the Commissioners to adopt tentative positions as the items are brought forward, ending with a final motion expressing the Commission's direction on all the recommendations.

Town Attorney Trevarthen noted that another recommendation from the CRB would affect the time frames for certification of petitions, which are governed under Article 4 of the Charter, "Petition and Initiative." Article 4 is written to address Ordinances only. It regulates what is done when voters come forward to propose Ordinances as initiatives, or when they wish to have a referendum to amend or repeal an Ordinance that the Commission has enacted. The CRB's recommendation in this case would change the time frames for these activities from 20 to 30 days for initial certification of initiative petitions and from five to ten days for certification of repeal or amendment petitions.

Town Attorney Trevarthen added that when this section of the Charter was reviewed, there were inconsistent references to business and/or calendar days. The CRB also recommends that these inconsistencies be clarified.

Commissioner DeNapoli stated that he opposed this recommendation, pointing out that it had not originated with CRB members but as a request by Staff. He emphasized the

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importance of structural changes to the Town's Charter as action which should not be taken lightly. He did not feel making the petition process easier would best serve the long-term stability of the Town.

Commissioner DeNapoli continued that the state of Florida has raised the threshold for passage of Constitutional amendments to 60%, and has also amended the process by which items can be placed on the ballot. He was not in favor of lowering procedural safeguards for the Town's Charter, which he felt were already low.

Town Attorney Trevarthen noted that the Section addressed by the second recommendation does not address petitions to amend the Town's Charter, but relates only to petitions that would change the Code of Ordinances. She further clarified that if the recommendation were adopted, it would not make it easier for individuals or groups to file petitions on Ordinances, but would give the Town more time to review those petitions and respond to them.

Town Attorney Trevarthen pointed out that the proposed change would provide the Town Clerk with a few additional days to complete their duties in response to a petition. Commissioner DeNapoli stated that he read this language differently, as it mentions the Supervisor of Elections' role as well as the response to citizen-initiated petitions. He concluded that whether the Article addresses petitions in response to Ordinances or petitions brought forward with no relation to existing Ordinances, the result would be the same, which was providing for longer time frames.

Town Attorney Trevarthen reiterated that the time frames involved are only those related to Staff review, not for the petitioners to bring items forward. She noted that Section 4.1 restricts the scope of Article 4 to Ordinances, not including Charter amendments.

Vice Mayor Strauss asked if it would be possible to reword the title of the Item in a way that could alleviate some of Commissioner DeNapoli's concerns while also providing Town Staff with an expanded response time. Town Attorney Trevarthen replied that the recommendation can be revisited and further clarified if that is the Commission's desire. Vice Mayor Strauss recommended this step, stating that providing Staff with more time would benefit the Town.

Commissioner DeNapoli observed that the content of the proposed recommendation appeared to be confusing. He cautioned that the amended language would provide more time to the Supervisor of Elections, rather than to Town Staff, as it is that

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Supervisor who certifies activity. Town Attorney Trevarthen replied that she would review the Agenda memo summary as well as the title and summary of the question, and bring the item back to the Commission.

The Commissioners moved on to the fourth recommendation, which addresses both the Town's Mayor and its district boundaries. Mayor Malkoon asserted that he was not in favor of eliminating the district boundaries, which were initially implemented to prevent one area of the Town from dominating another and to ensure Commission representation of both districts. He recalled that another consideration when the district boundaries were put into place was prevention of one political group from becoming dominant.

Mayor Malkoon advised that he would not opine on the recommended changes to the Mayor's terms of office.

Commissioner DeNapoli agreed that the residential districts should not be eliminated, as the current method provides geographic representation of all parts of the Town. He did not feel the district boundaries cause any harm, and was cautious about removing them in the absence of a clearly identified problem.

Commissioner Pouloupoulos agreed with Commissioner DeNapoli and Mayor Malkoon with regard to the Town's districts, pointing out that the two districts are significantly different from one another and should have their own representation. With regard to the Mayor's term of office, he was not in favor of two-year terms of office, and was fully supportive of a change from three two-year terms to two four-year terms. He requested clarification of when the proposed change to the terms of office would take effect.

Town Attorney Trevarthen clarified that the recommendation is drafted to become effective upon voter approval, but advised that the language could be drafted differently to provide for a delayed effective date.

Commissioner Graziano observed that he was not opposed to two four-year terms of office for the Mayor, but recommended that the effective date be discussed more fully. Town Attorney Trevarthen explained that as drafted, the November 2026 election would include the option of changing the Mayor's term from two to four years as well as whether or not to elect a specific individual as Mayor. At the end of that election, the individual elected would serve either a two- or a four-year term, depending upon the outcome of the Charter question.

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Town Attorney Trevarthen continued that if the Commission did not want that level of uncertainty, alternative proposals could be drafted to clarify that the change would be, for example, effective upon the November 2028 election date. Commissioner Graziano stated that he would like the language to be drafted to apply to a later term of office, and that subsequent terms of office for the Town's Mayor should be four years.

Vice Mayor Strauss commented that he was in favor of retaining the Town's districts to ensure representation of two areas that differ from one another in some ways. He pointed out that some concerns apply to specific communities within the Town which may be better understood by those communities' residents. With regard to the Mayoral terms, he was in favor of retaining two-year terms of office, as this provides a candidate with the opportunity to serve three terms rather than two.

Vice Mayor Strauss also cited the example of the Broward County Board of County Commissioners, which does not elect its Mayor individually, but appoints a Mayor each year from among the elected County Commissioners. He suggested that the Town may wish to consider this format, particularly as the Town does not follow a Strong Mayor form of government.

Commissioner DeNapoli stated that he supported increasing the Mayor's term of office to four years, as this would match the Commissioners' terms. He expressed concern with the recommendation's language enacting this change immediately after the 2026 election, as Mayoral candidates would not know in advance whether they would serve a two- or a four-year term. He also noted that the recommendation does not address Section 6.33, which could allow an incumbent Mayor to run for another four-year term in 2030 and again in 2034, as it refers to three terms.

Commissioner DeNapoli also pointed out a reference which states a Mayor could consecutively serve up to 14 years, which means the proposed change would increase this consecutive total to 16. If there are no additional accommodations related to how the Town moved its municipal elections from March to November, this could create the issue of a long-serving elected official having a consecutive total of 16 years and five months. He recommended that this language be corrected.

Commissioner DeNapoli distributed a document he had drafted to the Commissioners, explaining that his suggestion would begin four-year Mayoral terms, if approved by the voters in the 2026 election, in 2028. This would mean the Mayor elected in 2026 would serve two years and the four-year terms would begin two years later. In addition, a Mayor who has served immediately prior to November 2028 would be considered to

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have served one term. If an incumbent Mayor has served two two-year terms, the 2028 election would give him one four-year term for a maximum of eight years in office.

Commissioner DeNapoli continued that another proposed change in his document would apply to Section 3, changing “three preceding Mayoral terms” to “two,” again reaching a maximum of eight years. He also recommended adding another section that would not count the change in election dates of 2024 toward the number of years in office. Going forward, all terms of office for both the Mayor and Commissioners would have a maximum of eight years.

Town Attorney Trevarthen pointed out that a line of the proposed Ordinance would change Mayoral terms from three to two years, which is consistent with the language suggested by Commissioner DeNapoli.

Vice Mayor Strauss recalled that when the municipal elections were moved from March to November, there had been language suggesting that those five months would not count toward extension of terms. Town Attorney Trevarthen confirmed this, but added that she had no objection to the additional clarity in the proposed document.

Commissioner Graziano commented that he was comfortable retaining the district boundaries and did not see a reason to change them. He agreed that Commissioner DeNapoli’s proposal could be addressed in depth at the next meeting.

Commissioner Pouloupoulos advised that he was not entirely proposed to Vice Mayor Strauss’s example of adopting the Broward County Board of County Commissioners’ practice in selecting a Mayor. He asked if, were this the method used going forward, the Mayoral seat would be taken from an at-large Commission seat, which is voted on by both districts. Vice Mayor Strauss clarified that his suggestion had been for the Mayor to be selected from one of the sitting Commissioners, similarly to how the Commission chooses a Vice Mayor. He added that he had not fully developed a theory on how the practice would work.

Town Attorney Trevarthen stated that the method of selecting a Mayor from among elected Commissioners is done in other cities that have four-year terms for all elected officials. She added that most of those cities have multiple separate districts rather than only two.

Town Attorney Trevarthen explained that the CRB had considered changing the current Charter because it applies studies and standards that make little difference, as the only

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practical drawing of the district boundary is already used. She would bring back an alternative Ordinance that referred to maintaining the two residential districts and enshrining the existing boundary between them for all time going forward.

Town Attorney Trevarthen also recommended that the Commission take no position at this time on the item addressing Mayoral term structure, as the Commission will take that Item up again pending more information.

Commissioner DeNapoli made a motion to decline Item 1, which refers to residency requirements; to take no action currently on Item 2, the time frames for petition certification; to approve Item 3; to bring back the first part of Item 4, which is Section 6.1, the four-year term for the Mayor, which will be brought back for further discussion; to make no changes to Item 4, Section 6.1.2, to make no changes to district residency boundaries; to approve Item 5, Section 6.4, incorporation of state election law, qualification of candidates, notice of candidacy, and payment of fees; to approve Item 6, Section 6.7, forfeiture, hearing, and process, updating published notice requirements to match current practice; and Item 7, any items of Charter cleanup that are necessitated by the preceding Items.

Town Attorney Trevarthen pointed out that the language addressing district boundaries would be modified to remove references to studies and enshrine the boundary.

Commissioner DeNapoli amended his motion as follows: Item 4, Section 6.1.2, that we are bringing that back for further clarification.

Commissioner Pouloupoulos seconded the motion. Motion carried 4-1 (Vice Mayor Strauss dissenting).

14. COMMISSIONER PRESENTATIONS

None.

15. COMMISSIONER COMMENTS

Commissioner DeNapoli encouraged all residents to attend the Town's upcoming Taste of the Beach event, which is scheduled for March 11, 2026.

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Commissioner Graziano commented that the recent Party in the Park event at Friedt Family Park was very successful, and suggested that these events be moved to Saturdays. He attended a recent ribbon-cutting event at BurgerFi.

Commissioner Graziano continued that he and Town Staff are still working with Florida Power and Light (FPL) to discuss strengthening of the Town's power grid, particularly in the north end of the Town. He will meet with FPL again, and the Town's state elected officials are still seeking resolution on the potential timing of placing utilities underground.

Commissioner Graziano expressed concern with the most recent proposals from the Florida Legislature regarding property tax reform, which would exclude school district taxes but would affect public safety. He emphasized the potential negative impact of this legislation on small municipalities.

Commissioner Graziano added that he has secured quotes on the lighting of the Town's mural on Commercial Boulevard, which serves as the primary gateway to the Town. The lighting would be at no cost to the Town.

The Village of Sea Ranch Lakes has reached out to Lauderdale-By-The-Sea and Pompano Beach to discuss implementation of a No Wake Zone on the Intracoastal Waterway. Fort Lauderdale has previously established a No Wake Zone, which results in greater speeds in abutting jurisdictions.

Vice Mayor Strauss also encouraged attendance at the Farmers Market and the upcoming Taste of the Beach.

Mayor Malkoon stated that he and Commissioner DeNapoli attended a recent Area Agency on Aging event at which the Town received an award. He also attended the Party in the Park event. He urged all residents to pray for civilians in the Middle East who may potentially be affected by action taken at the national level.

16. ORDINANCES 1ST READING

None.

17. ORDINANCES 2ND READING

None.

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18. RESOLUTIONS – PUBLIC COMMENTS

None.

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 9:29 p.m.

Mayor Edmund Malkoon

Mayor Edmund Malkoon

ATTEST:

Courtney Easley

Courtney Easley, Acting Town Clerk

4/17/2026 | 12:47 PM PDT

Date