



**TOWN OF LAUDERDALE-BY-THE-SEA
TOWN COMMISSION
Jarvis Hall
4505 N. Ocean Drive
Tuesday, April 14, 2026
6:30 PM**

1. CALL TO ORDER, MAYOR EDMUND MALKOON

Mayor Edmund Malkoon called the meeting to order at 6:30 p.m. Also present were Vice Mayor Randy Strauss, Commissioner Richard DeNapoli (by phone until 8:03 p.m.), Commissioner John A. Graziano, Commissioner Theo Pouloupoulos, Town Manager Ken Rubach, Town Attorney Susan Trevarthen, Public Works Director Chris Lips, Assistant Finance Director Edner Saint-Jean, Development Services Director Jhanelle Campbell, Assistant to the Town Manager Courtney Easley, Events and Marketing Manager Katie Anderson, and Town Clerk Melissa Vasami.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION

All present observed a moment of silence.

4. ADDITIONS, DELETIONS, DEFERRALS OF AGENDA ITEMS

Commissioner DeNapoli requested that Item 10.a, Approval of Minutes, and Item 12.a, Pier Update, be heard near the beginning of tonight's Agenda, as he may be unavailable for the later part of the meeting and wished to speak on both Items.

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

10. APPROVAL OF MINUTES

a. Approval of Minutes for February 24, 2026, and March 10, 2026, Regular Town Commission Meetings

Commissioner DeNapoli requested that the minutes of the above meetings be adjusted in accordance with his written comments, which he had provided to the Town Manager and which were distributed to the Commissioners by Staff at this time. They included the following changes to the March 10, 2026, minutes:

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- P.3, paragraph 1, changes to be made for consistency with Commissioner DeNapoli's prepared comments on the Item; paragraph 6 on the same page, revise "27" to "all but six"
- P.4: changes to be made for consistency with Commissioner DeNapoli's prepared comments on the Item
- P.18: changes to be made for consistency with Commissioner DeNapoli's prepared comments on the Item

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

6. PUBLIC COMMENTS

At this time, Mayor Malkoon opened public comment.

Marc Pearson, resident, thanked the Commission for their work on behalf of the Town.

Cristie Furth, resident, expressed concerns with transparency and Staff guidance regarding the co-designation of roadways. She pointed out that a May 13, 2025, Agenda Item Staff Report outlined the Town's lack of a formal street-naming policy and proposed guidance that could assist the Commission in making an informed decision. The naming of a Town property or facility also requires a supermajority vote for approval, as established in the Resolution 2023-59.

Ms. Furth concluded that both Resolutions addressing co-designation were brought forward without following Staff recommendations, establishing a formal street-naming policy, or engaging with affected residents and businesses. She concluded that disregarding Staff guidance on sensitive issues can erode public trust.

Ms. Furth provided a draft Agenda Item Report dated May 13, 2025, to the Town Clerk for inclusion in the public record.

Ann Marchetti, resident and President of the Lauderdale-By-The-Sea Garden Club, addressed the Arbor Day Proclamation on tonight's Agenda. She emphasized the collaborative relationship between the Garden Club and Town Staff, thanking the Public Works Department in particular for their ongoing support. Arbor Day will be celebrated on Friday, April 24, 2026, at 10:00 a.m. in Friedt Family Park by planting a tree in memory of Assistant to the Public Works Director Tiana Ganswith.

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

12. OLD BUSINESS

a. Pier Update

Development Services Director Jhanelle Campbell reported that Fisherman's Pier remains under enforcement from Code Compliance due to a lack of maintenance since its damage by Hurricane Irma in 2017. This case has been ongoing since 2018, and the property has remained out of compliance for approximately 1,600 days. Outstanding fines to date are roughly \$373,500 and continue to accrue at a rate of \$200/day. Additional storm damage in 2022 rendered the Pier unsafe and nonfunctioning, resulting in closure of the nearby bait shop. The project now involves full replacement of the Pier.

The most recent submission by its owner was made at a February 2026 Code Compliance hearing, at which the Town was informed that the project has entered the design & coordination phase, which is required before the permitting process may advance.

At the February hearing, the Special Magistrate requested that the Pier come before her for an update at the May 28, 2026, hearing. The fines accrued thus far have not been recorded as a lien on the property in order to provide Town Staff with continuing oversight and to allow information to be shared with the public. The Special Magistrate may, however, choose to certify the fines as a lien upon compliance. Redevelopment continues to progress incrementally. Staff will continue to provide the Commission with periodic updates.

At this time, Mayor Malkoon opened public comment on the Item.

Bill Ciani, resident, stated that since the Pier has been out of commission, it has been responsible for a loss of tourism, which has negatively affected businesses in the area. He suggested that a new pier be built outward from the Town Square and concluded that a pier under the control of the Town may be able to receive donations from private entities.

Howard Goldberg, resident and Chair of the Chamber of Commerce, pointed out that the Town has lost 13 businesses over the last year and revenues are down. He has met with the Pier's owner and with some individual Town Commissioners, to present a plan

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to raise funds for the Pier. He concluded that with the assistance of the property owner, the Chamber of Commerce, and Town residents, the Pier can be restored.

Annie Berry, resident, also noted that the Chamber presented a plan to the Pier's owner which would assist in gathering funds to rebuild the Pier. One aspect of the proposal was a "buy a plank" program. In light of business closures, however, she has reevaluated that plan and requested that the updated plan be placed on the next Town Commission Agenda for presentation and discussion.

Spiro Marchelos, resident and owner of the Pier, stated that the structure was first damaged in 2018, and there have been multiple issues which delayed the repair process since that time. He recommended allowing the fines to continue to accrue, noting that they will be addressed "when the time comes." He concluded that he was interested in the buy-a-plank program mentioned earlier if the use of that revenue were further clarified.

With no other individuals wishing to speak on the Item, Mayor Malkoon closed public comment.

Mayor Malkoon observed that he appreciated the community's desire to see the Pier restored but pointed out that the Pier is private property. He noted that surveys of the site have been taken and a report is expected in 90 days. He concluded that private properties should not come before the Commission and the Town.

Town Manager Ken Rubach advised that Town Staff is working on a mitigation plan for the Pier, which will be brought forward at a future Commission workshop.

Commissioner Graziano emphasized the importance of the Pier to the Town, and recalled that he had met with Chamber of Commerce leadership and the Pier's owner to hear the Chamber's proposal, all of whom had indicated willingness to explore possible cooperation going forward. He noted that he did not speak on behalf of the Town at that meeting.

Commissioner DeNapoli briefly addressed the comments provided during Public Comment, describing them as inaccurate and inappropriate. With respect to the Pier, he shared the Mayor's view that this private property should not continue to come before the Commission, but also advised that he would like to see the structure repaired.

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Commissioner DeNapoli continued that he had looked into similar situations with other privately owned piers in the state of Florida, and cited those examples, which had resulted in the demolition of one structure, the loss of another due to a storm, and the restoration of another through a public-private partnership. He concluded that the process should be given the appropriate time, and a creative approach may be sought to address the issue.

Commissioner Pouloupoulos commented that he did not believe most residents fully understood the complexity of the repair process, which involves multiple levels of approval from the Town to the state of Florida. He felt the owner's company should continue to handle the process for that private property.

Vice Mayor Strauss observed that a time may come in the future at which the Pier must either be repaired or removed and pointed out that updates on this Item are important for this reason, suggesting that these be provided quarterly going forward so the Commission can discuss next steps if no progress is made. He agreed that the Town was not in a financial position to become involved outside the ongoing Special Magistrate process.

Vice Mayor Strauss concluded that he would like more information on the proposed buy-a-plank program in the future, as he did not have any previous knowledge of that suggestion.

Mayor Malkoon noted that the Town's website maintains a page that posts information on the Pier, and updates will continue to be posted there. Development Services Director Campbell advised that she posts information following the Special Magistrate meetings at which the Pier is discussed.

Commissioner Graziano requested that a workshop be scheduled for the Commission to discuss Code Compliance fines. He recommended clarifying the Town's policy on these fines in a way that would make it clearer what Code violations mean.

5. PRESENTATIONS

a. Ericks Consultants Inc. Legislative Session Overview

Candice Ericks, representing Ericks Consultants, provided an overview from the most recent Florida legislative session, noting that 199 policy bills have passed. The session ended on March 13, 2026; however, both chambers of government elected to finish

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policy only on that date while keeping the budget conversation alive. Lawmakers may return to Tallahassee to further discuss specific issues in April or May. Ms. Ericks noted that the two chambers are not yet aligned on budget negotiations, which means those discussions are not expected to continue in April. A budget must be established by July 1, 2026.

Lauren Jackson, also representing Ericks Consultants, further clarified that the legislature does not have a property tax plan at present, but options include a potential additional exemption of \$50,000 to \$100,000. The full elimination of non-school homestead property taxes passed by the House of Representatives is not a likely choice. She recommended that the safest choice is to prepare for substantial changes to tax policy.

Ms. Jackson reviewed the following bills passed by the Florida Legislature:

- Sovereign immunity cap increases to \$350,000 and \$500,000; the Governor has not yet indicated whether or not he will sign this bill
- Local government spending bill, which revises the time frames for posting budget amendments and proposed budgets and requires a minimum 10% reduction exercise of the Town's tentative budget at least 14 days prior to adoption, excluding public safety expenditures, which may not be reduced
- An additional bill addressing diversity, equity, and inclusion (DEI) activities, which would allow local elected officials to be removed from office if they are found to be supportive of those activities; residents may bring private causes of action against municipalities that promote or support DEI
- Live Local Act 4.0, which expanded the existing Live Local Act to apply to properties owned by municipalities, counties, school boards, and some houses of worship; this bill did not include language addressing accessory dwelling units or vacation rental properties; a vacation rental preemption bill is expected to come back in 2027
- Building permits and inspections bill, which provides for a uniform commercial permit application and includes language limiting certain inspection fees and exempting some work below a certain cost threshold from requiring a permit
- Private school facilities language attached to Senate Bill (SB) 182, which would allow private schools with 150 or fewer students to locate in any commercial or mixed-use existing building without additional requirements from local governments aside from vehicular and pedestrian safety
- Utilities bill addressing municipalities that provide utility services for customers outside their boundaries; this would require annual meetings to be held within the subject jurisdiction

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- Transportation bill including language addressing communication services in the right-of-way
- Micromobility safety bill, which establishes a task force for recommendations on micromobility devices and places limitations on the operation of e-bikes
- Property insurance bill, which would move more policies from Citizens Insurance and modify eligibility for Citizens policy owners

The following bills did not pass:

- SB 840: would have fixed an existing glitch in SB 180 to address geographical limitations on the actions that can be taken after a hurricane; this may or may not be addressed during the special session
- Additional bills related to private property, including ADUs, parking for home-based businesses, and more; this bill is expected to come back in 2027
- Starter Homes Act bill, which would have prevented land use regulations from applying to residential lots in the absence of a compelling government interest; this bill is also expected to return in 2027

Ms. Ericks also recognized Florida Representative Chip LaMarca for his support of a water project for the Town. She concluded that the team will keep the Town updated on the Legislature's upcoming budget negotiations during the special session. Mayor Malkoon requested the provision of email addresses for members of the appropriate House Committee so the Commissioners may reach out to them and show support for the funding request.

Vice Mayor Strauss requested more information about the possibility of Florida Power and Light (FPL) rate increases throughout the state of Florida. Ms. Ericks clarified that this bill did not pass.

Mayor Malkoon briefly noted House Bill (HB) 1103, which would make it easier for local governments to work with the Florida Fish and Wildlife Commission (FWC) on issues related to boating safety. He also emphasized the Town's ongoing commitment to public safety, responsible budgeting, protecting the character of the community, and ensuring infrastructure capacity, compatibility, and resilience.

Commissioner Graziano requested additional information on sovereign immunity. Town Attorney Trevarthen explained that if a personal injury occurs which is associated with a local government and the individual wishes to sue that government for damages, sovereign immunity places an upper limit on that government's liability. If the claimant

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wishes to pursue more than this amount, they may reach out to the Florida Legislature to request passage of a claims bill to authorize payment of the excess amount.

Town Attorney Trevarthen noted once more that a bill intended to fix issues within SB 180 had failed, and the Town lacks the authority to make any changes that would be considered “more restrictive or burdensome” with respect to the development of property. She also reviewed how the updated Live Local Act may affect houses of worship, noting that local governments have also lost the ability to control these properties if they meet certain criteria.

Town Attorney Trevarthen continued that the Starter Homes Bill would mean all single-family neighborhoods could now have up to four units per parcel, emphasizing again that the Town would have no authority to control this change.

b. Arbor Day Proclamation

Mayor Malkoon read a Proclamation recognizing Friday, April 24, 2026, as Arbor Day in Lauderdale-By-The-Sea, adding that a tree planting will take place at 10:00 a.m. in Friedt Family Park on that day.

7. PUBLIC SAFETY DISCUSSION

a. BSO March 2026 Public Safety Report

Broward Sheriff’s Office (BSO) Captain Christopher Sutter recognized Deputies Robert Barnett and Alan Pitulan, who were named Employees of the Month for March 2026 in recognition of their actions in apprehending an impaired driver.

Captain Sutter continued that BSO attended the March 15, 2026, Farmers Market and has been raising money for the Special Olympics Law Enforcement Torch Run. He encouraged residents to attend this upcoming event, which will take place on A1A.

A Shred-a-Thon was held on April 11, 2026, and shredded 17,700 pounds’ worth of documents, as well as destroying 713 pounds of medication.

Spring break ended with no major incidents.

8. TOWN MANAGER REPORT

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a. Town Manager Report

Town Manager Rubach again invited residents to attend the upcoming Arbor Day event scheduled for Friday, April 24, 2026, in conjunction with the Lauderdale-By-The-Sea Garden Club at Friedt Family Park.

The Town's Easter Egg Hunt was a success. Town Manager Rubach recognized BSO and Citizen Observer Patrol (COP) personnel for their assistance with this event.

The Art in the Park event has been scheduled for 5 p.m. to 6:30 p.m. on Wednesday, April 15, 2026, to unveil the Town's new mural. Family-friendly activities will be available, and artist Jonathan Ramirez, who created the mural, will be present.

The Lauderdale-By-The-Sea Walking Tour is now live on the Town's website and is also available as an audio tour.

Town Manager Rubach introduced new Public Works Director Chris Lips, who comes to the Town from the City of Oakland Park.

Town Manager Rubach requested Commission direction regarding proposed budget workshop dates. It was determined that the first workshop will be scheduled on Wednesday, May 13, 2026, at 5:00 p.m., with a second meeting to focus on the Capital Improvement Program (CIP) scheduled for Tuesday, June 9, 2026, at 5:30 p.m.

9. TOWN ATTORNEY REPORT

Town Attorney Trevarthen briefly addressed Public Comment regarding the co-designation of roadways. She explained that while the Town had a naming policy, this does not apply to street names, but to the names of other types of facilities within the Town. This meant the vote on the co-designation did not require a supermajority for approval.

Town Attorney Trevarthen continued that she would work with her firm to establish dates for the Commissioners' annual required ethics training.

13. CONSENT AGENDA

None.

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13. NEW BUSINESS

a. Special Event Application: Wellness By The Sea 05.07.26

Events and Marketing Manager Katie Anderson stated that resident Paz Saunders has submitted a special event application to host a nurses' edition of Wellness By The Sea. The event will be scheduled for Thursday, May 7, 2026, in El Prado Park and is inspired by Nurses' Week, which runs from May 6-12, 2026.

While the event targets the nursing demographic, it is open to all and offered at no charge. It will take place in El Prado Park and will include massage therapy as well as yoga and similar exercises. It will begin at 7 a.m. and will conclude at 11 a.m., with cleanup to end by 12:00 noon when the Park will reopen to the public.

The event space will be designated by yard signs and a 10x10 canopy. Water, t-shirts, and yoga mats will be available for purchase. The Applicant has paid the late fee for their Application. Staff recommends approval of the event.

Mayor Malkoon asked if private or for-profit business events have been previously allowed by the Town. Events and Marketing Manager Anderson confirmed this.

Commissioner Pouloupoulos made a motion, seconded by Commissioner Graziano, to approve. Motion passed 3-1 (Mayor Malkoon dissenting; Commissioner DeNapoli was not present for the vote).

14. COMMISSIONER PRESENTATIONS

None.

15. COMMISSIONER COMMENTS

Commissioner Graziano advised that the Town's Audit Committee recently met and fulfilled the Town's legal obligation for audit review. Auditors Grau & Associates are putting the audit together, and it is expected by the end of May.

Commissioner Graziano continued that he has communicated with FPL regarding the data promised to the Town regarding the undergrounding of utilities. This will be followed by further discussion of including the Town's vulnerable neighborhoods in FPL's Storm Secure Underground Program (SSUP).

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The mural lighting project may be more expensive than originally anticipated, and Commissioner Graziano indicated that he is considering alternate plans to finance the lighting.

Commissioner Graziano continued that he had participated in a legislative information program and workshop related to Code Compliance and has requested that the Town Manager invite the Commission to participate in a workshop on this topic as well.

Commissioner Graziano further clarified that he had voted earlier against approving the Town Commission meeting minutes of February 24 and March 10, 2026, with the clarifications provided by Commissioner DeNapoli because he did not feel it was appropriate for Commissioners to be given printed documents during a meeting and asked to review them at that time instead of in advance of the meeting. He emphasized that this was unrelated to the merits of Commissioner DeNapoli's changes.

Vice Mayor Strauss advised that as of April 12, 2026, the depths of the Hillsboro Inlet channel have been reduced to approximately 2.7 ft. during low tide. He recommended extreme caution, as significant shoaling is a threat, breaking seas have been reported, and sand has accumulated in the inlet.

Vice Mayor Strauss continued that he recently attended the Farmers Market and recalled that residents have suggested this regular event be extended.

Mayor Malkoon stated that the 2025 State of the Town is now available on the Town's website. He added that he has worked closely with microtransit provider Circuit to improve the efficiency and reliability of the Town's service and will meet with the Town Manager as well as representatives of Nova Southeastern University to discuss how to better protect and monitor the Town's reefs.

Mayor Malkoon continued that he was recently approached by a local business owner regarding safety concerns and plans to coordinate with Staff to ensure the issue is addressed promptly and appropriately while continuing to advance improvements to neighborhood lighting.

Mayor Malkoon advised that he spoke at the recent Easter Sunday sunrise service as well as the recent Easter Egg Hunt, and will speak with residents on Thursday, April 16, 2026, at Sea Ranch Condominiums. He reminded all present of the upcoming unveiling

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of the Town's mural and the Garden Club's community Arbor Day tree planting and orchid walk on April 24.

The Mayor concluded that he plans to advance a number of items that will come before the Commission soon, as well as early planning for the Fourth of July events, including branding related to the upcoming 250th year celebration of America. He remains focused on serving Town residents and planning for the future.

16. ORDINANCES 1ST READING

None.

17. ORDINANCES 2ND READING

None.

18. RESOLUTIONS – PUBLIC COMMENTS

- a. **Resolution 2026-12: A RESOLUTION OF THE TOWN OF LAUDERDALE-BY-THE-SEA, FLORIDA, APPROVING A PIGGYBACK AGREEMENT WITH JANICE M. RILEY, INC., D/B/A THE PAVING LADY, FOR PAVEMENT RESURFACING AND DRAINAGE REPLACEMENT SERVICES, UTILIZING THE TERMS AND CONDITIONS OF THE CITY OF HOLLYWOOD CONTRACT AWARDED PURSUANT TO INVITATION TO BID NO. IFB-116-23-OT; AUTHORIZING THE TOWN MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

Public Works Director Chris Lips advised that the fiscal year (FY) 2026 CIP includes the resurfacing of a number of Town streets, which include

- Cypress Creek Drive
- Fiesta Way
- Bel Air Drive from A1A west to the gate
- Windward Drive
- Water's Edge

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- East Tradewinds Avenue south of Commercial Boulevard
- West Tradewinds Avenue south of Commercial Boulevard
- South Tradewinds Avenue
- Basin Drive between East and West Tradewinds Avenue
- Datura Avenue from A1A to El Mar Drive
- Palm Avenue

Pipe repairs and pavement restoration are scheduled on traffic isles at the corner of Bel Air Avenue.

Public Works Director Lips continued that the Town has previously worked with The Paving Lady and will use a “piggyback” agreement on a contract from the City of Hollywood for \$363,680. The Town has budgeted \$400,000 for paving. The remaining \$36,000 may be used for patching throughout the Town.

Mayor Malkoon asked if there are existing standards for the raising of roadways to address drainage or other infrastructure concerns. Town Manager Rubach explained that the paving project will maintain the current pavement profile.

Commissioner Pouloupoulos made a motion, seconded by Commissioner Graziano, to approve. Motion carried 4-0. (Commissioner DeNapoli was not present for the vote).

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 8:30 p.m.

Mayor Edmund Malkoon

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ATTEST:



Melissa Vasami, Town Clerk

5/13/2026 | 1:02 PM PDT

Date